

**SAN JUAN COUNTY COMMISSION
NOVEMBER 24, 1986**

The San Juan County Commission met in regular session on November 24, 1986 at the hour of 10 a.m. at the San Juan County Courthouse, Monticello, Utah.

The following members were present: Commissioner Black, Chairman
 Commissioner Bailey
 Commissioner Holliday

Minutes of the November 17, 1986 Commissioner Meeting were approved on the corrections on the motion of Commissioner Holliday and seconded by Commissioner Bailey. UNANIMOUS.

HALLS CROSSING AIRPORT - CREAMER & NOBLE ENGINEERS & PHASE II CONSULTANTS

Buzz Hunt, Phase II Consultants, and Frank Seegmiller, Creamer & Noble Engineers, met with the Commission to present the preliminary draft of the Halls Crossing Airport Master Plan. Mr. Hunt and Mr. Seegmiller reviewed the draft with the Commission and several changes were made. Commissioner Black said there is a great need for an airport in the Halls Crossing area to promote tourism in Utah. (As of now the tourism for Lake Powell is centered in Arizona because of the airport facilities.) An airport location and facility should be in Utah to serve the needs in the area and the visitors of Lake Powell. The length of the air strip, tie downs and gasoline storage were also discussed. Mr. Seegmiller said they would make the changes and prepare the Final Draft for distribution to the FAA, UDOT and the county.

MONUMENT VALLEY HOSPITAL - COMMUNICATION SYSTEM

Stan McCluskey, Monument Valley Hospital, met with the Commission to ask if the county would participate in the purchase of a communication system at Monument Valley. It will be purchased on an EMS Grants Program and the total cost of the Communication System will be \$24,450. The state will pay \$15,450 and the local share will be \$9,000. The Commission asked the county attorney, Bruce Halliday, to draft an agreement between the county and Monument Valley Hospital in which the county will own the equipment and the hospital provide the services to the county and other local areas. The base station will be installed at the Monument Valley High School and will improve the emergency services, Sheriff's Office and private interests in the south part of the county. Commissioner Bailey made the motion to approve the purchase of the base station for \$3830. Commissioner Holliday seconded the motion. UNANIMOUS. Mr. Halliday will work with Mr. McCluskey and draft an agreement.

LAKE POWELL BOATING OFFICER - JOHN STRAUS

John Straus, Utah Boating Officer at Lake Powell, met with the Commission to ask if they would permit him to be a Bail Commissioner in the county. Mr. Straus said he is assigned to cover all of Lake Powell in Utah and said his main purpose is to promote safety and enforce tax violations. The Commission unanimously agreed not to grant his request to be a bail commissioner. Mr. Straus said he would like the Commission's decision in writing.

SHERIFF'S OFFICE - COLLECTING BAIL

Bruce Halliday, county attorney, talked to the Commission about the Sheriff's department accepting cash bail. The Commission said they are not aware of the Commission authorizing the Sheriff's office to accept bail. The Commission said they would discuss this with the sheriff-elect and make a decision the first of next year.

COMMUNICATIONS - PART-TIME HELP - Steve Bradford

Bill Bayles, communications engineer, asked the Commission to approve Steve Bradford as part time help. Commissioner Bailey made the motion to hire Steve Bradford at \$7.06 per hour. Commissioner Holliday seconded the motion. UNANIMOUS.

FIRE WARDEN - WILDLAND FIRE PROTECTION AGREEMENT - MIKE GROSJEAN

Mike Grosjean, regional manager of state lands and forestry, met with the Commission to discuss the Wildland Fire Protection Agreement between San Juan County and the Utah State Forester. The Commission expressed concern that the county be consulted and have some input on the person hired for the fire warden position because the county pays half of the salary. Commissioner Bailey made the motion to approve the contract and authorized Commissioner Black to sign it. Commissioner Holliday seconded the motion. UNANIMOUS. The agreement is for the five-month period June 1 through October 31.

Contract Fire Warden

Mr. Grosjean presented the Commission a draft of the Contract. The contract warden can help the county reduce its wildland fire expenditure and yet provide the necessary wildland fire protection to the county. Commissioner Bailey made the motion to approve the Contract Fire Warden starting June 1 to October 31. Commissioner Holliday seconded the motion. UNANIMOUS. Mr. Grosjean will prepare the papers for signature.

JOHN FELLMETH - CONTRACT - HOSPITAL ADMINISTRATOR AND DATA PROCESSING

The Commission met with John Fellmeth to approve the following contract. Commissioner Bailey made the motion to approve the contract and authorized Commissioner Black to sign it. Commissioner Holliday seconded the motion. UNANIMOUS.

THIS AGREEMENT made and entered into this 24th day of November, 1986, to become effective the 16th day of October, 1986, by and between San Juan County, a body corporate and politic, hereafter referred to as EMPLOYER, and John Fellmeth, of Monticello, San Juan County, State of Utah, hereinafter referred to as EMPLOYEE.

WHEREAS, EMPLOYEE is presently employed by EMPLOYER as the Data Processing Manager by and through the San Juan County Clerk's office, and

WHEREAS, EMPLOYER wishes to employ EMPLOYEE in the capacity of Administrator of the San Juan County Hospital, and

WHEREAS, EMPLOYEE, is desirous of undertaking such employment efforts, and

WHEREAS, both parties wish to provide for an option on the part of EMPLOYEE to return to his present employment in the event that the Administrator's position is either terminated or EMPLOYEE wishes to discontinue employment in that capacity.

NOW THEREFORE, the Parties mutually agree as follows:

1. EMPLOYEE agrees to faithfully perform the duties assigned to him and/or required under the terms of the job description for the position of Hospital Administrator, to the best of his ability and devote his time to EMPLOYERS business, making all necessary, complete and accurate reports of his work and expenses.

2. In consideration of such service, the EMPLOYER agrees to pay EMPLOYEE compensation at the rate of \$33,000.00 per year, and his reasonable and necessary travel expenses incurred in the EMPLOYERS business, pursuant to the EMPLOYERS personnel policy with regard to same. During the first four years of EMPLOYEE's employment he may undertake additional educational efforts, to obtain a Masters Degree in Hospital Administrator, and EMPLOYER will reimburse him for expenses incurred, but not to exceed the sum of \$8000.00 for the total four year period.

3. The Parties mutually contemplate that EMPLOYEE will continue to dedicate some portion of his

normal working hours to the continuation of certain specified programs, now undertaken or to be undertaken, with regard to the accounting and computer programming portion of EMPLOYERS activities. These activities will be delineated by separate letter agreement between the County Clerk and EMPLOYEE, which be this reference is made a part hereof.

4. EMPLOYER grants EMPLOYEE for a term of five (5) years, an option, at his election, to relinquish his position as Hospital Administrator and return to full time employment as Data Processing Manager for EMPLOYER. This option may be exercised by EMPLOYEE at any time during the term of said option by giving EMPLOYER written notice of his election to do so. In the event that EMPLOYER concludes upon sale or lease of the Hospital premises, it shall give EMPLOYEE notice of said election and EMPLOYEE shall have 30 days within which to make an election as to the exercise of this Option, this Option shall terminate at the expiration at the period of said Option, or 30 days after EMPLOYER gives notice to EMPLOYEE of its election to sell or lease the Hospital facility, whichever event occurs first. In the event of disability on the part of Employee and/or in the event that Employees employment is terminated for cause, pursuant to the policies of San Juan County, as they are in effect from time to time during the course of this agreement Employer may upon exercise of this option, elect to terminate this option forthwith. The employee shall return to the employment of San Juan County and shall be eligible for all benefits thereunder, and shall return at a salary approximating a salary he would have been earning, had he continued to remain in the employee of the County as Data Processing Manager.

SIGNED and agreed to the year and date setforth.

SAN JUAN COUNTY:

By: /s/ Calvin Black

/s/ John Fellmeth
John Fellmeth

November 18, 1986

Gail D. Johnson
Clerk/Auditor
San Juan County
P.O. Box 338
Monticello, Utah 84535

Dear Gail,

Listed below are the tasks that, in my opinion, I should continue to be responsible for as Chief Deputy Auditor and Data Processing Manager for San Juan County.

<u>Task</u>	<u>Average hours per month</u>
General Ledger	6.0
Journal Entries (1 hour/month)	
Month End Closing (3 hours/month)	
Misc. Coding Questions (1 hour/month)	
Year-End Closing (8 hour/month)	
Payroll	16.0
Run Payroll (8 hours/month)	
Payroll Reports (6 hours/month)	
Year-End Payroll (16 hours/year)	
Budgeting	4.5
Budget Worksheet (40 hours/year)	
Budget reports (12 hours/year)	
Misc. Reporting	1.0
B-Road report (4 hours/year)	
other reports (6 hours/year)	
Financial Audit	4.0
Work with auditors (40 hours/year)	
adjusting journal entries (8 hours/year)	
Data Processing	12.0
System Operator (2 hours/month)	
Programming (4 hours/month)	
Equipment Installation & Maintenance	
TOTAL	43.5 hours

I am proposing that the Hospital bill San Juan County monthly for time I spend working for you, at the rate of \$15.00 per hour.

If you have any additional ideas, please let me know.

Sincerely yours,

/s/ John Fellmeth
John Fellmeth, Administrator

Accepted by: /s/ Gail D. Johnson
Gail D. Johnson, Clerk/Auditor

Date: 11-24-86

SHERIFF'S DEPARTMENT - CAR - FILE CABINET

Sheriff Wright reported that the Sheriff's department is looking at buying a new car this year. Sheriff

Wright said he has talked to Sheriff-elect Lacy and he prefers to buy a 4-wheel drive vehicle. Also, the sheriff's office needs to buy a letter size file cabinet, Sheriff Wright said he would work with Rick Bailey, Administrative Assistant, on these purchases. Sheriff Wright reported that there was a speed chase in Mexican Hat early Saturday morning, in which there was a fatality.

EXECUTIVE SESSION - PHIL BOLDOC'S GRIEVANCE

Commissioner Bailey made the motion for the Commission to go into an executive session to discuss the grievance filed by Phil Bolduc, deputy sheriff. Commissioner Holliday seconded the motion. UNANIMOUS.

ROCKY MOUNTAIN OIL & GAS ASSOCIATION

Commissioner Bailey made the motion to appoint Commissioner Black to represent San Juan County on the Rocky Mountain Oil & Gas Association, Denver, Colorado. Commissioner Holliday seconded the motion. UNANIMOUS.

EMPLOYEES 6% BONUSES - APPROVED BY COMMISSION

Commissioner Bailey said that earlier this year the Commission held a public hearing to open the budget and budgeted \$100,000.00 for employee bonuses in lieu of raises. Commissioner Bailey said that the county received higher revenues this year than anticipated. Commissioner Bailey made the motion to approve a 6% bonus for all county employees who did not self terminate and will be based on wages and salaries actually earned in the calendar year 1986. Commissioner Holliday seconded the motion. UNANIMOUS. All hospital, nursing home and home health employees will also receive a bonus which will be taken from the Health Care budget. Rick Bailey, Administrative Assistant, and John Fellmeth, hospital administrator, will recommend which part-time employees are entitled to a bonus. The Commission will make the final decision.

TREASURER OFFICE - DEPUTY REQUEST RAISE

Marian Bayles, Treasurer, asked the Commission to approve a raise for Netta McDonald, deputy treasurer. The Commission said they would consider this and asked for a comparison of the other employees time worked with the county, steps and grades. John Fellmeth, data processing, said that Mrs. McDonald has taken on some additional responsibilities as computer operator in his absence.

COUNTY TAXES - PENALTIES AND INTEREST

Marian Bayles, Treasurer, reported that she received a tax payment from Canyonlands 21st Century (Blanding) and a letter from their attorney indicating they will not pay any penalty or interest. Ms. Bayles said she feels they should have to pay this. Bruce Halliday, county attorney, said he believes they have declared bankruptcy and are not obligated to pay penalties and/or interest, but will follow up on the matter.

UTAH STATE TAX COMMISSION - FACTORING ORDER

Bruce Halliday, county attorney, reported that Mike Monson, director property taxes of Utah State Tax Commission, called the assessor's office and said that the factoring order will be 1.19 on San Juan County's property taxes. The county has 15 days to appeal this decision and the Commission will discuss this with the county assessor.

LANSUIT - TEXACO INC., et al vs. SAN JUAN COUNTY - Commissioner Bailey's report

Commissioner Bailey reported on the meeting that the Commission and School District had last Monday concerning the Texaco Inc., et al vs. San Juan County, School District, et al law suit. It was agreed that money will have to be budgeted for the expenses of the case being in District court, State Supreme court, and the possibility of it going to the United States Supreme Court. Commissioner Bailey said this law suit will be a great cost to the county, school district and state of Utah.

LITTLE "B" MINING COMPANY - GRAVEL CRUSHING

Commissioner Bailey made the motion to approve the following addendum to contract between the county and Little "B" Mining Company on crushing gravel and authorized Commissioner Black to sign the letter. Commissioner Holliday seconded the motion. UNANIMOUS.

November 21, 1986

Little "B" Mining Company
P.O. Box 99
Flagstaff, Arizona 86002

Attention: Ms. Bonnie J. Davis, President

Dear Ms. Davis:

San Juan County Commission has asked me to draft this letter as an addendum to that contract dated May 13th, 1985, between San Juan County and Little "B" Mining Co., wherein Little "B" Mining Company was to crush gravel for the County under the provisions of the agreement and the attachments thereto.

The Commissioners indicate that Little "B" Mining Company, at of this date, has been unable to comply with the terms of that Agreement in all particulars, but has indicated that they will be able to complete the Agreement, if the following modifications are agreed to:

1. San Juan County will allow the Agreement to continue in effect beyond the original date.
2. Little "B" Mining Company agrees to move onto the Mexican Hat Gravel Pit and begin crushing on or before the 31st day of January, 1987.
3. Little "B" Mining Company agrees that San Juan County may retain the 10% retention already held by the County, as liquidated damages, in the event that Little "B" Mining Company does not comply with the foregoing deadline.
4. San Juan County agrees that if Little "B" Mining Company enters upon the premises on or before the date indicated and proceed with the crushing agreed to in the original agreement concluding same within a reasonable time, but in no event later than May 1, 1987, completion of the crushing and rehabilitation of the pits, as proved in the original agreement, San Juan County will pay to Little "B" Mining Company the amount of the Contract together with the 10% security retention.
5. It is specifically agreed that in the event that Little "B" Mining Company does not immediately return to San Juan County a signed copy of this letter before the 15th day of December, 1986, and comply with the terms outlined above the 10% security retention shall be forfeited as liquidated damages and the Agreement shall be terminated forthwith.

ALL OF THE ABOVE AGREED TO BY THE PARTIES, effective the date above setforth:

Very truly yours,

/s/ Bruce K. Halliday
Bruce K. Halliday

SAN JUAN COUNTY

By: /s/ Calvin Black

LITTLE 'B' MINING COMPANY:

By: _____

ROAD DEPARTMENT - PUG MILL - Commissioner Bailey's report

Commissioner Bailey said the road department is looking at purchasing a pug mill. The county has done a lot overlaying and shoulder repairs and would be better off financially buying a pug mill rather than renting one or hiring someone to do the job.

CLERK'S OFFICE - CABINET

Two bids were received for a cabinet 4'x8'x18", 10 shelf, with doors, walnut finish from Granite Mill \$395 and Joe Wight \$360. Commissioner Bailey made the motion to approve the low bid to Mr. Wight. Commissioner Holliday seconded the motion. UNANIMOUS.

ROADS ON RESERVATION - Commissioner Bailey's report

Commissioner Bailey reported that the county has reached an agreement with the Navajo Tribe on the Hovenweep road. The BIA will survey the center line and the county will design the road. The BIA has also agreed to work with Doug Pehrson, county surveyor/engineer on surveying all of the county roads on the reservation and help the county obtain the right-of-ways. The county will also be working with the BIA on getting gravel permits on the reservation.

BIA CONTRACT - ROAD MAINTENANCE SERVICES

Commissioner Bailey made the motion to approve the BIA Contract N00-C-87B-0032 for \$45,000.00 for road maintenance services on the reservation and authorized Commissioner Black to sign them. Commissioner Holliday seconded the motion. UNANIMOUS.

ROAD MAINTENANCE IN BLANDING AREA

The Commission received an unsigned letter from a concerned tax payer in Blanding complaining about the road maintenance South of Blanding. Commissioner Bailey will review this and report his findings.

RECAPTURE LAKE - RECREATION

Commissioner Black asked what the status was on the DOR application on Recapture Lake. Rick Bailey, Administrative Assistant, said it was requested by the San Juan Water Conservancy District and was not approved. Commissioner Black said the county will set up a meeting with San Juan Water Conservancy District and both cities and come to some conclusion who is going to be responsible for recreation areas.

NATIONAL BLM ADVISORY COUNCIL MEETING - Commissioner Black's report

Commissioner Black reported that he attended the National BLM Advisory Council meeting in Rolla, Missouri a couple of weeks ago. Commissioner Black said that there is not as much BLM land in the east as there is in the west. Most of the Federal Government's ownerships are mineral interests on lands that were acquired back in the 1930's and are leased instead of staking claims which brings in a lot of revenue. The state of Tennessee has adopted a trust fund for all of the revenue received from land which they sell, mineral leases, and timber permits, etc. They use only the interest for on going projects. The council unanimously adopted a resolution recommending that Trust Funds be established at the federal, state, and local levels using at least a portion of the money coming from non-renewable resources and from land sales to go into a capital trust fund.

WESTERN REGION BOARD MEETING - SACRAMENTO, CALIFORNIA - Commissioner Black report

Commissioner Black reported on the Western Region Board meeting he attended last week in Sacramento, California. Commissioner Black said there was a report on the payment in lieu of taxes that is still a continuing battle and the Administration has recommended full funding. There were going to be cuts under Graham Rudgam, which would have cut all funding, but the counties in the west fought it and had it reversed on in lieu taxes and mineral lease funds. Commissioner Black said they also discussed wilderness and public land issues. The next Western Region Meeting will be in Sacramento this April.

CANYONLANDS NATIONAL PARK - EXPANSION - Commissioner Black's report

Commissioner Black reported that he was told that Congressman Wayne Owens is going to introduce a bill next year to expand Canyonlands National Park to include Davis Canyon and Lavender Canyon to prevent the repository being built there. Commissioner Black said he feels nothing can be done to stop the expansion but suggested we recommend minimize damage from expansion to grazing and other interests as much possible. Commissioner Black said the county should try to get the Congressional delegation to write requirements in the law to have the road finished to the Confluence. Commissioner Black said he will follow up on this matter so that we will roads built as provided in the original development plan.

STATE LAND BOARD MEETING - Commissioner Black's report

Commissioner Black reported that he attended the State Land Board meeting last week. They were informed that four years ago the State of Utah passed a moratorium on leasing for oil and gas on Bear Lake (the land belongs to State of Utah). The state was offered \$5 an acre bonus and \$1 per acre annual lease so the state has lost a total of about \$400,000 since then. The Board voted 4 to 3 to continue the moratorium except to look at it before another year.

HOVENWEEP TOUR - PROPOSED EXPANSION - Commissioner Black's report

Commissioner Black reported on the Hovenweep tour and the joint meeting with Montrose Advisory Council last Wednesday night. Commissioner Black said the combined Montrose and Moab BLM Advisory Councils voted on the motion to recommend against any expansion of Hovenweep and only two voted against the motion.

HILL-BURTON OBLIGATIONS

Rick Bailey, Administrative Assistant, reported that he talked to Ted Stagg, CPA developer, and the county has 15 days to take care of the Hill-Burton Obligations on the closing of the nursing home. The Commission gave Mr. Bailey permission to work with Ted Stagg and the Hill-Burton people in Denver.

BILLS APPROVED FOR PAYMENT

American Home Economics Assoc.
JEMS

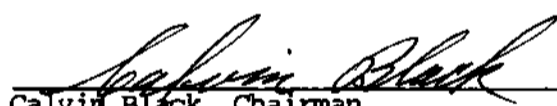
membership for one year
subscription Rick Bailey

60.00
14.95

Patio Drive Inn	restitution Robert Hawkins #620	74.25
Parley Redd Mercantile	restitution Charlott Hutchins #673	40.00
The San Juan Mortuary, Inc.	supplies sheriffs dept	55.00
Garth Skousen	jury Commissioner	10.00
Thrash Productions	pastor extension office	7.70
Arnold Machinery Company	parts for road dept	126.68
Calvin Black	travel expenses	833.28
Blanding City Justice Court	S.O. Collections	263.00
Blanding Mercantile	restitution: R.Hawkins	800.19
Blue Mountain Foods	supplies aging dept	9.08
Carr Printing Company	election supplies	498.36
M.V. Christensen	hauling road dept	4,273.50
City of Monticello	utilities courthouse	133.95
Continental Tel Co of West	tele charges courthouse	1,851.72
HF Cosby Jr.	hauling road dept	1,366.75
Empire Electric Assoc. Inc.	utilities courthouse	918.39
Vivian Farabee	meals served for Nov 86	1,128.00
Freed Leasing, Inc.	leasing sheriffs dept	231.17
Gateway Chevron	restitution:R. Hawkins	39.00
W.W. Grainger, Inc.	Parts for road dept	162.77
Leonard Hurst Agency	restitution:R. Hawkins	430.20
K&C Store	gas for senior citizens	59.06
Low, Robert R.	Jury Commission	10.00
Venice Lyman	Restitution:Dean Lyman	50.00
Francis Lyman	Restitution:R. Hawkins	113.52
Mega Corporation	Parts for road dept	351.08
Monticello City Justice/Peace	Tsuyoshi Shimura Bail	65.00
Monticello Lions Club	Dr. Goon's reception	60.00
Muhlestein, Harold G.	Reimb. Phone Calls	74.58
Navajo Litho/Graphics	restitution:R. Hawkins	215.67
Nelson, Jay	repairs for Bluff BLDG	288.95
Office Outpost	supplies purchasing dept	137.17
Park's Sportsman	supplies for recreation	567.44
Gus Paulos Chevrolet, Inc.	parts for road dept	216.68
Redburn Tire Company	supplies road dept	797.04
Parley Redd Mercantile	restitution:R. Hawkins	319.95
Rogers, Edna	janitorial work courthouse	80.00
Rachel Romero	janitor library Monticello	40.00
San Juan County Hospital	work for courthouse	855.00
San Juan High School	Restitution:R. Hawkins	116.25
Seventh District Court	Robert Grisham	25.00
Dayne Shumway Const.	hauling road dept	1,578.50
Bessie J. Spencer	meals served for Nov. 86	723.00
State Treasurer of Utah	J.P. Fees for Nov 86	4,943.00
Holly Tatnall	reimb. for microwave stand	73.32
Utah Dept of Transportation	maps for road dept	43.00
Utah Gas Service Company	Utilities road dept	669.77
Utah Power & Light Company	Utilities LaSal Fire Stat	64.30
Utah State Retirement Board	Dist. Crt Judges Retirement	75.00
Rick Warner Ford	parts for road dept	21.20
Steven E. Warren, M.D.	William Gray	35.00
West Publishing Company	supplies attorneys office	77.50

ADJOURNED

There being no further business the meeting was adjourned at 5:00 p.m.


 Calvin Black, Chairman


 Karen Halls, Deputy Clerk