

MINUTES OF THE BOARD OF COUNTY COMMISSIONER'S MEETING HELD IN REGULAR SESSION ON TUESDAY, THE 29th DAY OF OCTOBER, 1974.

PRESENT: Dale Holmes, Chairman
Case D. Broderick, Member
Wm. G. Dunow, Member
Ellen Kirby, Deputy Clerk

Meeting opened at 10 O'Clock A.M. with Chairman Holmes presiding.

Minutes of the previous meeting were read and approved. Motion for approval was made by Commissioner Dunow, seconded by Commissioner Broderick and carried unanimously.

FLOOD INSURANCE MEETING

Chairman Holmes informed Al Haskins of the meeting in Price this evening regarding flood insurance. Mr. Haskins said he would attend the meeting.

TRAVEL EXPENSE FOR LOW INCOME HOUSING

Travel expense for low income housing will come out of the commissioners budget.

AGREEMENT WITH MONTICELLO CITY ON RESERVOIR WORK

October 25, 1974

Board of Commissioners of San Juan County,
San Juan County Court House,
Monticello, Utah 84535

Gentlemen:

This will evidence the agreement of the undersigned City of Monticello, that in consideration of your providing men and equipment to assist in the construction of a reservoir for the City, in Sections 26 and 35 of Township 33 South, Range 23 East, SLM, which construction work is done under the supervision of the undersigned and its engineer, the undersigned City of Monticello will indemnify and save and hold harmless San Juan County from any and all claims which might arise out of the construction of said reservoir and the maintenance of the same thereafter.

ATTEST: Very truly yours,
CITY OF MONTICELLO
By /s/ Gene W. Etherington
Mayor

/s/ Shirley Redd
Recorder

SAN JUAN ECONOMIC DEVELOPMENT COMMITTEE

Comm. Holmes reported that the San Juan Economic Development Committee had approached him on obtaining the old AEC building for industrial development. They would make an agreement with the city to lease the building. The Commissioners felt this was out of their jurisdiction but had no objection to this. Comm. Holmes will send a letter to SJEDC to this effect.

U95 DEDICATION

Ann Porter reported that the work on the dedication ceremonies is completed. This will be held Sat. Nov. 2, at Butler Wash Area.

ROAD BUDGET MATTERS & BACK OVERTIME PAY

Lynn Adams discussed the County Roads and B Roads funds with the Commissioners. Comm. Holmes advised Mr. Adams to go over these budgets with Treasurer Marian Bayles. Comm. Broderick made the motion that back overtime pay from the first of May 1974 be paid. The motion was seconded by Comm. Dunow and was approved unanimously.

MONTEZUMA CREEK DEPUTY INTRODUCED

Sheriff Wright introduced Mr. Nelson Begay. He has accepted the position of Deputy Sheriff at Montezuma Creek.

Sheriff Wright asked the Commissioners about purchasing a new car for the sheriffs department. He said there was enough money in the budget to cover this. The Commissioners advised him to get a bid on a car, they suggested he see about a '74 model. Sheriff Wright will ask Quality Ford for a bid.

U95 STUDY COMMITTEE MEETING

Comm. Holmes and Comm. Dunow attended the U95 study committee meeting on Oct. 22, 23, 24. This meeting was composed of representatives from the BLM, State Highway Dept. State Land Board, State Dept. of Planning and County Commissioners from Wayne, Garfield and San Juan Counties. There was an onsite review of proposed preservation and development sights along the U95 corridor.

UTAH GAS SERVICE COMPANY FRANCHISE AGREEMENT

The County Attorney said the agreement met with his approval. Comm. Dunow made the motion that they approve the Ordinance, it was seconded by Comm. Broderick.

ORDINANCE NO. 1974-1

GRANTING TO UTAH GAS SERVICE COMPANY, A UTAH CORPORATION, ITS SUCCESSORS OR ASSIGNS, A FRANCHISE FOR THE CONSTRUCTION AND OPERATION OF A GAS DISTRIBUTION SYSTEM IN SAN JUAN COUNTY, STATE OF UTAH, FOR A TERM OF FIFTY YEARS, AND FIXING AND PRESCRIBING CONDITIONS AND TERMS THEREOF.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SAN JUAN ORDAINS AS FOLLOWS:

SECTION 1. That there is hereby granted to UTAH GAS SERVICE COMPANY, its successors and assigns hereinafter called, "the grantee", the right, privilege, and franchise, for the period of fifty (50) years from and after the passage of this Ordinance, to lay, construct, operate and maintain gas mains, service pipes and lines, curb boxes and other necessary attachments and appliances in the present and future roads, highways, streets, alleys, lanes and other public places in the County of San Juan over which the Board of County Commissioners has jurisdiction, for the purpose of conveying, distributing, supplying and selling gas to said county, the inhabitants thereof and property owners and users therein, and to persons and corporations beyond the boundaries thereof, for all useful purposes.

SECTION 2. That all mains, service pipes and lines shall be so laid as to interfere as little as possible with traffic. Grantee, its successors and assigns shall lay and construct all gas mains and pipes under this grant with dispatch in accordance with established practices with respect to gas line construction, and so as not to unnecessarily interfere with water pipes or other pipes which may have been previously laid in said roads, highways, streets, alleys, lanes and other public places, having regard to the safety and convenience of said county and its citizens. The location of mains, service pipes and lines may be fixed under the supervision of the governing authorities of San Juan County.

SECTION 3. That all roads, highways, streets, alleys, lanes and public places that may be

opened by the grantee for the aforesaid purposes shall be filled in and put in as good repair as they were prior to the opening thereof and so as to present the least possible obstruction and inconvenience to the travelling public.

SECTION 4. That permission is hereby granted, unto the said Utah Gas Service Company, its successors or assigns, to assign this franchise and all rights hereunder and upon assignment of this franchise in accordance herewith, said successors or assigns, whether individuals or corporations, shall become entitled to all the rights and privileges herein granted and shall assume all the obligations and duties herein provided.

SECTION 5. That said county shall in no way be liable or responsible for any accident or damage that may occur in the construction, operation or maintenance by the grantee of its pipe lines and appurtenances hereunder, and the acceptance of this franchise shall be deemed an agreement on the part of said grantee, its successors and assigns to indemnify said county and hold it harmless against any and all liability, loss, cost, damage or expenses which may accrue to said county by reason of any neglect, default, or misconduct of the grantee in the construction, operation or maintenance of said pipe lines and appurtenances.

SECTION 6. This franchise is granted in consideration of the mutual covenants and purposes herein contained and the acceptance by the grantee, of the terms and conditions of this ordinance as herein provided, together with the payment by the grantee to the County within ninety (90) days after the effective date of said ordinance of the total sum of Fifty Dollars (\$50.00). It is understood and agreed by and between SAN JUAN COUNTY and Utah Gas Service Company that the consideration above provided shall be in lieu of any and all other franchise, occupation, privilege, license, excise, revenue or similar taxes, and all other exactions (except ad valorem property taxes and special assessments for local improvements) upon the revenue, property, gas mains, gas supply and distribution pipes, equipment, fixtures, or other appurtenances of said company, and all other property or equipment of said company, or any part thereof, including but not limited to any tax levies, license fees, charges, assessments, fees or payments imposed or which may hereafter be imposed during the term of this franchise.

SECTION 7. That said grantee shall, within ninety (90) days after the passage of this Ordinance, accept in writing duly filed with the County Clerk of San Juan County, this franchise and the grants and privileges herein given, together with the conditions binding upon said grantee.

SECTION 8 This Ordinance shall be published in the San Juan Record, a newspaper of general circulation within San Juan County, for one publication on October _____, 1974 and be in full force and effect upon the expiration of twenty (20) days following the date of publication.

Passed by the Board of County Commissioners of San Juan County, Utah, this 29 day of October, 1974, the vote on said Ordinance being as follows:

Commissioner Case Broderick,	Voting	"yes",	<u>/s/ Case D. Broderick</u>
Commissioner Dale Holmes	Voting	"yes",	<u>/s/ Dale Holmes</u>
Commissioner William G. Dunow	Voting	"yes",	<u>/s/ William G. Dunow</u>

ATTEST:

/s/ Clytie Barber
Clytie Barber
San Juan County Clerk

ABATEMENT DENIED

Ellis Tinsley's application for abatement was turned down on the grounds that her earnings are more than allowed under law.

CORRESPONDENCE RECEIVED

Beverly J. Cavanaugh wrote concerning educational TV in this area. Comm. Holmes will answer her letter.

A letter from the US Department of Forest Service was received informing the Commissioners that Reed Christensen has been selected to fill the Supervisor position on the Manti-LaSal National Forest effective Nov. 24, 1974. Mr. Reed will live in Price.

Bruce K. Halliday sent a letter of resignation from the Planning Commission.

A Report and Tentative Order was received from the Public Service Commission of Utah in the Matter of the application of Thin Bear Indian Art and Crafts dba Wilderness Touring, Packing and Hunting for a certificate of convenience and necessity No. 1854.

FUNDS REQUESTED BY SEUCAP - Division of Aging

A letter was received from Marie Tibbit of Southeastern Utah Community Action Program requesting that San Juan County allocate \$500 to SEUCAP. The Commissioners stated that they had voted unanimously not to participate in the Division of Aging programs, therefore we have no money available.

THE FOLLOWING CLAIMS WERE PRESENTED AND APPROVED FOR PAYMENT

Jimmy Grant	B-Roads Subsistance	54.00
Thomas Holly	B-Roads Subsistance	72.00
Jim N. Benally	B-Roads Subsistance	72.00
Harold P. Williams	B-Roads Subsistance	54.00
Johnson Begay	B-Roads Subsistance	78.00
Stevens Communications	Maintenance Contract for Oct.	350.00
Dlebert M. Fennell	Tool Allowance	10.00
John W. Johnson	Tool Allowance	10.00
Robert F. Bryan	Tool Allowance	10.00
Boyd J. Laws	Tool Allowance	10.00
Lynn L. Adams	Salary for Oct.	797.00
Max Bailey	Wages for Oct.	553.60
Clytie E. Barber	Salary	750.00
Floyd A. Barrell	Salary & Ins. Benefit	256.35
George H. Barry	Wages	700.48
Marion Bayles	Salary	750.00
Johnson Begay	Wages	558.92
Nelson Ben Begay	Salary for 1 week	150.00
Barbara Louise Behunin	Salary for Oct.	360.00
Jim N. Benally	Wages	635.36
Oley Black	Wages	675.08
Bernal Bradford	Wages	710.60
George R. Bradford	Wages	512.79

