

MINUTES OF THE SAN JUAN COUNTY COMMISSION MEETING

MARCH 4, 1985

The San Juan County Commission met in regular session on Monday, March 4, 1985, at the hour of 10:00 a.m. in the San Juan County Courthouse at Monticello, Utah.

The following members were present: Commissioner Kenneth R. Bailey,
Acting Chairman
Commissioner Jerry Holliday

Commissioner Calvin Black was in Washington, D.C. attending a NACo Legislative Conference.

Minutes of the previous meeting were approved with the specified corrections on the motion of Commissioner Holliday. The motion was seconded by Commissioner Bailey and carried unanimously.

UTAH AIR CONSERVATION DRAFT VISIBILITY PLAN DISCUSSED

Al Haskins met with the Commission to review Utah Air Conservation Committee approved draft visibility regulations and a draft visibility State Implementation Plan. A public hearing to obtain comments on this plan will be held in Moab at the Grand County Community Center on March 26th.

MILT OMAN LETTER DISCUSSED

The Commission instructed the Clerk to write a letter to Bennion Redd regarding the letter from Milt Oman presented to the Commission at the February 25th meeting. A copy of the correspondence with Mr. Oman in 1983 regarding this same problem will also be sent to Mr. Redd. The County Attorney will be available to answer any further questions Mr. Redd may have on this matter.

JAIL FACILITY TOURED

Commissioner Bailey reported that he and Sheriff Wright toured the Criminal Justice Building in Delta, Colorado last week. Commissioner Bailey and Sheriff Wright also met with the architects of the building.

TAX PENALTY DISCUSSED

The County Attorney presented the Commission with the following legal opinion regarding tax penalties:

February 26, 1985

San Juan County Commissioners
San Juan County Courthouse
Monticello, Utah 84535

Dear Commissioners:

I reviewed the law with regard to penalties and interest and the period of time that taxes become delinquent.

The newly amended law regarding same are specifically Sections 59-10-26 and 59-10-29 Utah Code Annotated.

As you can see from the terminology, I do not believe that there is any discretion on the part of the Treasurer with regard to the imposition of penalty nor with regard to the time that interest begins to run on top of the penalty.

I draw to your attention also, that the provision for notification of delinquency, etc, contained in 59-10-29, has been changed from "must" to "shall", terminology which is deemed in the legal profession to be obligatory upon the part of the treasurer and does not admit of any discretion.

I therefore conclude that the Legislature has taken away any discretion which the local authorities have with regard to the collection of taxes, imposition of fines, and/or penalties from and after the date that they become delinquent, to wit: November 30, each and every year, unless that date falls on Saturday or Sunday and then the next regular business day.

I therefore conclude that there is no authority either in the Commission or Treasurer to adjust the penalties and/or interest after the taxes become delinquent.

Very truly yours,

/s/ Bruce K. Halliday

cc: Marian Bayles, Treasurer

(a copy of the code is available in the Clerk's Office)

PRAIRIE DOG CONTROL DISCUSSED

Robert Thompson, County Agent, met with the Commission to discuss the possibility of the County subsidizing the expense of the pellets for prairie dog control. The proposal is for the County to supply the first two bottles of pellets. Commissioner Holliday and Mr. Thompson will contact the Weed Board members for verbal approval before this proposal can become effective. Any person obtaining this product must be certified to use it. Certification can be obtained through the Extension Office.

BID OPENING SCHEDULED - REMODELING AT THE MONTICELLO SWIMMING POOL

A public notice will be published in the San Juan Record advertising that bids are being accepted for remodeling work at the Monticello swimming pool. The bids will be opened at the March 25th Commission Meeting at 2:00 p.m. A copy of the bid specifications can be obtained at the Clerk's Office.

EASEMENT IN THE BUG POINT AREA DISCUSSED

Commissioner Bailey reported on the progress in obtaining an easement in the Bug Point area from Mr. Redburn. Mr. Redburn would like a stipulation included in the easement stating that if at any time the County abandons the road all rights will return to him. This road will be built by Wexpro.

SENIOR CITIZENS TRIPS

The policy regarding taking senior citizen buses for overnight trips was discussed. Commissioner Holliday reported that some of the senior citizens have expressed interest in traveling to Bryce or Zion National Parks on overnight trips. Al Haskins reported that there is no limitation on one-day trips and overnight trips are taken to Salt Lake for the State Fair, and the Governors Conference on Aging. Mr. Haskins reported that the policy regarding special interests such as bowling once a week in Moab, is for the senior citizens to get a volunteer driver and pay for their own gas. No decision was made at this time.

COMMISSIONER BLACK REPORTS

Commissioner Black telephoned to report that the Supreme Court has ruled that no one is to work more than 8 hours per day or 40 hours per week or the employer would be subject to pay time and a half, including the Road Department and Sheriff's Office. Commissioner Bailey will advise these departments of this ruling. Commissioner Black also reported that under new IRS tax rules it will necessary to log all mileage on county vehicles.

DOVE CREEK CLINIC CONTRACT DISCUSSED

Rayburn Jack, Health Care Services Executive Director, and Bruce K. Halliday, County Attorney, met with the Commission to discuss the agreement between San Juan Health Care Services and the Community Health Clinic of Dove Creek, Colorado. Mr. Jack reported that S.J. Health Care Services will be paid the sum of \$350 per week for the physician's services under this agreement. This fee will cover all costs incurred by Health Care Services for the clinic. Mr. Halliday stated that because no tax money would go into this contract he would approve it.

COMPUTER SOFTWARE FOR HEALTH CARE SERVICES DISCUSSED

John Fellmeth, Data Processing Manager, met with the Commission to discuss software for the hospital computer. Mr. Fellmeth reported that he has been in contact with two companies regarding this purchase. Mr. Fellmeth further reported that one of the vendors has offered that if Mr. Fellmeth travels to their facilities to look over the software and visit some hospitals that are using it in the area they will deduct the travel costs if we purchase the product from them. The Commission authorized Mr. Fellmeth to approach the other company that is offering this product on the same basis.

HEALTH CARE SERVICES DISCUSSED

Rayburn Jack, Health Care Services Executive Director, met with the Commission to report on his meeting with Pete Eckerman from Rural Health. Mr. Jack presented the Commission with copies of the information he obtained from Mr. Eckerman.

Mr. Jack also reported that Dr. Steve Warren from National Health Care will begin practicing in Monticello or Blanding on July 1, 1985.

Mr. Jack submitted a change order for the Nursing Home. The change order is to change from base heat to ceiling radiant heat at a cost of approximately \$550. The Commission approved this change and instructed Mr. Jack to proceed.

Mr. Jack reported that only one bid was submitted for the medicare audit. The bid was submitted by Stagg and Thompson Accounting from Salt Lake City. The Commission approved this firm for the medicare audit.

Mr. Jack reported that delinquent accounts will be turned over to the County Attorney to be reviewed on a case by case basis for further action.

Mr. Jack reported that Allen Memorial Hospital in Grand County has asked to utilize the San Juan County ultrasound technician at the Allen Memorial Hospital. Revenue received from the Allen Memorial Hospital would be paid to the San Juan Hospital for the ultrasound technicians services should this be approved by the Health Care Services Board.

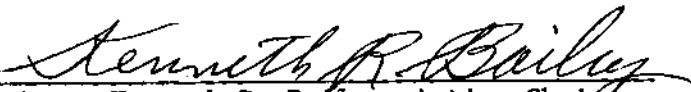
Dr. de Wolfe met with the Commission earlier in the day and requested approval to attend a 3 day Pediatrics Conference in Salt Lake as part of his continuing education at an approximate cost of \$600. The Commission denied this request. Later in the day Mr. Jack met with the Commission and reviewed the agreements between the County and the physicians regarding continuing education.

BILLS APPROVED FOR PAYMENT

ABAJO ARCHAEOLOGY	PACK CREEK QUARRY SITE	378.40
AMERICAN UNIFORM & EQUIP. CO.	SUPPLIES/SHERIFF'S DEPT.	300.16
ANR FREIGHT SYSTEM, INC.	FREIGHT/SENIOR CITIZENS	218.30
BANCROFT-WHITNEY COMPANY	SUPPLIES/ATTORNEY'S OFFICE	138.50
BLACK OIL CO.	DIESEL/ROAD DEPT.	2,948.40
BLAKE, MOFFITT AND TOWNE	FREIGHT CHARGES	5.71
BRODART, INC.	SERVICE/4-85	124.60
CAUN-CO., INC.	SUPPLIES/ROAD DEPT.	292.45
CHRIS AND DICKS	SUPPLIES/SENIOR CENTER	1,228.72
CITY OF MONTICELLO	UTILITIES/COURTHOUSE BLDG.	121.50
CONTINENTAL TEL CO OF THE WEST	TELEPHONE CHARGES/COURTHOUSE	2,264.10
ELECTRONICS WAREHOUSE CORP.	SUPPLIES/COMMUNICATIONS	721.70
EMPIRE ELECTRIC ASSOC. INC.	UTILITIES/COURTHOUSE	1,099.94
F & S SERVICE, INC.	SUPPLIES/ROAD DEPT.	2,297.75
WANDA FARABEE	CLEANING SERVICE	40.00
GP TECHNOLOGIES, INC.	REPAIRS ON ELEMENTS/CLERKS	29.96
HOWELL, PATSY	SENIOR CITIZEN MEALS/2-85	1,422.00
I.B.M.	INSTALLMENT PAYMENT	549.38
KELLY COMPANY	JUSTICE DOCKETS/JP DEPT.	16.50
LEAVITT, GRANT H.	TRAVEL/GOLF COURSE	175.90
MONTICELLO MERCANTILE	SUPPLIES/SHERIFF'S OFFICE	308.47
NAT'L POLICE CHIEFS/SHERIFF'S	SUPPLIES/SHERIFF'S DEPT.	34.85
OFFICE OUTPOST	SUPPLIES/SHERIFF'S OFFICE	221.19
HELEN PARRISH	SENIOR CITIZEN MEALS/2-85	720.00
QUALITY BOOKSTORE	SUPPLIES/M-LIBRARY	118.15
QUILL CORPORATION	SUPPLIES/ROAD OFFICE	53.83
RICHFIELD TIRE TRUCK CENTER	GASOLINE/SHERIFF'S OFFICE	22.96
SAN JUAN COUNTY	COUNTY ORDINANCE/WILDLIFE FEES	334.00
THE SAN JUAN RECORD	SUPPLIES/RECORDER'S OFFICE	161.20

DAN SCHOFIELD	WITNESS FEE/CASE #85CR005	14.30
STATE INFORMATION SYSTEM SERV.	TELEPROCESSING/1-85	149.00
STATEWIDE ASSOC. OF PROSECUTORS	84-85/MEMBERSHIP DUES	126.51
STATE TREASURER OF UTAH	TRANSFER REHAB FEES/1-85	3,664.00
TEXACO, INC.	GAS PURCHASED/SHERIFF'S DEPT.	102.33
TIMES-INDEPENDENT	SUBSCRIPTION/M-LIBRARY	12.50
UTAH ASSOC. OF FAIR AND SHOWS	1985 DUES	25.00
UTAH GAS SERVICE COMPANY	UTILITIES/COURTHOUSE	3,526.80
UTAH POWER & LIGHT COMPANY	UTILITIES/LA SAL FIRE STATION	196.02
WESTERN OFFICE PRODUCTS	SUPPLIES/RECORDER'S OFFICE	3.92
WHEELER MACHINERY CO.	FREIGHT/PARTS-ROAD DEPT.	612.61
WYCOFF	FREIGHT CHARGES/ROAD DEPT.	47.69
SKELTON, INC.	GRAVEL PURCHASED	45,234.25

There being no further business for this day the meeting adjourned at approximately 3:00 p.m.


 Commissioner Kenneth R. Bailey, Acting Chairman


 Carol Taylor-Hoggard, Deputy Clerk