

**SAN JUAN COUNTY COMMISSION
MAY 4, 1987**

The San Juan County Commission met in regular session on May 4, 1987 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 Maryboy

Minutes of the April 27, 1987 Commission Meeting were approved with the correction on the motion of Commissioner Maryboy and seconded by Commissioner Bailey. UNANIMOUS.

COMMISSIONER CALVIN BLACK'S REPORT

Western Interstate Region of Counties Meeting - Resolution Grazing Fees

Commissioner Black reported that he attended the Western Interstate Region of Counties meetings in Sacramento, California last week. A resolution was adopted opposing any increase of grazing fees on public lands. There is a proposal in Congress that was submitted by Rep. Darden of Georgia and is supported by environmental groups to raise grazing fees from \$1.40 per AUM to \$9.00 per AUM.

Rural Health Care and County Hospitals - Commissioner Black said he attended a meeting on rural health care and county hospitals. Hospitals in rural areas in all states are in trouble and many have been closed. They discussed that to keep them open you need to maximize the efficiency, maximize the utilization of local people and have a unity in cooperation of the entire service area.

State Law on Federal Lands - Commissioner Black said the state legislature passed a law that prohibits state agencies to impose any more restrictive regulatory or environmental laws than are imposed by federal laws.

Social Services - Mental Health - Billing - Commissioner Black reported that he received a letter from Keith Stroud, Director of Mental Health, asking for the county's support with respect to billings for sanity examination costs to the State Hospital. The letter states that the Utah Council of Mental Health is taking this position in response to the failure of the State Legislature to allocate funds to reimburse counties for costs incurred by them when patients who are court ordered to the State Hospital are forced into other alternatives because State Hospital beds are not available. Mr. Stroud suggests in the letter for counties to submit waiting list billings to the Division and in return he will submit those billings to the State as a claim against the State. From the Division's point of view, we will be guided by law and public policy but we wish to facilitate relationships and dialogue with you that will encourage the best possible solutions for us and for the citizens we are charged to serve.

COMMISSIONER KENNETH BAILEY'S REPORT

Road School - The city streets and county roads school will be in Moab this Wednesday, Thursday and Friday.

UDOT - Mineral Lease Funds - Commissioner Bailey reported that Dyke LeFevre, UDOT, asked him to give a presentation at the UDOT committee meeting on the mineral lease funds.

Joint Roads Committee - There will be a Joint Roads Committee meeting in conjunction with the road school in Moab on Thursday at 1 p.m. and at 3 p.m. the sub-committee will be meeting.

COMMISSIONER MARK MARYBOY'S REPORT

Commissioner Maryboy said he will be attending the road school and following up on the requests of the communities.

BIDDING - PRIVATE CONTRACTOR

Jerry Holliday met with the Commission to discuss the county's bidding policy for county road work. Mr. Holliday said the county contracted with the road department employee to use his private equipment at the White Mesa shale pit for work that was not bid for. Commissioner Bailey said this was discussed in Commissioner's meeting and it was agreed to let him do a test to see how effective and what the equipment could do at the same rate he had bid previously which was the low bid. Mr. Holliday said there are a lot of contractors in the area and this should be negotiated or bid. The Commission assured Mr. Holliday that this will be bid in the future.

ROAD MAINTENANCE IN THE COUNTY

Gary Crowley met with the Commission concerning the road maintenance in the county. Mr. Crowley asked the Commission to explain how they set their priorities and what is planned for this summer. Commissioner Bailey said the highest priority road for maintenance and snow removal is the road to the hospital, second is the school bus routes, third is roads for those who travel to work and then roads serving industry. (The county specifications are at the road department.) The county is getting a road yard site at Montezuma Creek, Monument Valley and possibly in the Bug Point and Cedar Point areas for maintenance purposes. Commissioner Bailey said there have been a lot of demands for road work in the oil fields and it is in the best interest to help all of the tax payers. Mr. Crowley said he feels the maintenance is the most important and if it's not done later on the road will have to be rebuilt. Mr. Crowley said he has traveled many roads in the county and has seen very little maintenance. Mr. Crowley said he has called several people around the county and they have expressed the same feelings and he has asked them to attend today with him to inform the Commission.

Jack Callihan, Ucolo, suggested that someone in the county needs to drive the roads once in awhile to see what kind of shape they are in, especially in the spring when there is run off. There needs to be more culverts and cleaning of the existing ones. Mr. Callihan said the roads from Ucolo to the state line are in bad shape.

Walter Snyder, Ucolo, congratulated the county on getting new patching equipment and said the fixed ones look good. Mr. Snyder said that the Ucolo road is cracked, needs sealing and the shoulders are soft because the snow is never winged in the winter. The Commission agreed that if the snow is winged it would help save the roads.

Gary Crowley said the county should pull the bar ditches before putting gravel on the roads.

Mike ?, Bug Point, said he feels the roads are deteriorating from lack of maintenance and they should gravel before the patching.

Commissioner Bailey said the county has purchased two water trucks and plan to add additional gravel, grade it in, water it and compact it to get better drainage away from low areas. Commissioner Black said the county has 2500 miles of "B" roads and the budget and personnel are spread very thin and times will get tougher and there will be less construction and more maintenance. There is not enough money and man power to properly maintain all the roads in the county and do what everyone wants.

Ross Carhart, Cedar Point, complemented the Commission on the roads and said they are in the best shape they have been in 50 years. He feels that the maintenance is a problem and the county needs to catch the low spots.

Cloyd Johnson, said the Boulder road was washed out because the bar ditches were not opened up.

George Barry, Eastland, said the roads have not been bladed for several years and asked why they have not used the cattle guards, also the weeds are not being properly sprayed. Mr. Barry said the county crew does not need to work ten hours a day that eight (8) hours a day, five days a week is sufficient.

Jim Barry said he would like the county to move two cattle guards down between his and John Stewart's place. Mr. Barry said that further down the road the maintenance work that was started was never finished

and there is about four miles left to do.

Mr. Crowley said their concern is that the maintenance is very poor and should be more important than building new roads. Mr. Crowley said he hopes to see some improvement.

The Commission thanked them for coming and said they appreciate the cooperation of the private land owners.

REGIONAL CORRECTIONS FACILITY - PROPOSAL FOR SITE SELECTION

Joe Slade and Winn Wescott met with the Commission concerning the proposal for a site selection for the Regional Corrections Facility in San Juan County area. Mr. Slade said that Lynn Lee, CEU, is writing the proposal and it is near completion. Mr. Slade asked the Commission for their support and commitment to help peruse this with the Correction's people. Mr. Slade said the Monticello City Council has committed to purchase the property and pay for the installation of the sewer, electricity and roads. Commissioner Black said he will attend a meeting with them and the Correction's people and will also talk to the Governor about this matter.

HILL-BURTON OBLIGATIONS - NURSING HOME

The Commission talked to Ted Stagg, CPA, concerning a letter from the Department of Health & Human Service on the settlement of the Hill-Burton obligation on the San Juan County Health Care Facilities. The letter says that the SJCNH was sold to a proprietary entity so they can not permit the requested action. (The county asked for forgiveness of one-half of the "uncompensated care" obligation and placement of the remaining one-half amount in a trust.) Mr. Stagg said he will do some documentation and review what Hill-Burton has done in other situations and compare it to what the county did. Mr. Stagg and Rick Bailey will follow up on matter and report to the Commission next week.

EMPLOYEE - PERSONNEL POLICY

Gail Johnson, Clerk, met with the Commission to discuss an employee from the sheriff's department that was hurt last month. He filed an industrial claim for workman's compensation and is receiving it plus he is receiving sick leave from county. This injury was not reported to the sheriff or other supervisor. Mrs. Johnson said he now wants to buy back his sick leave from the county. The Commission told Mrs. Johnson to discuss this with Claude Lacy, sheriff.

PUBLIC DEFENDER

Craig Halls, county attorney, met with the Commission to discuss the public defender position. Mr. Halls said he received two proposals from Eric Swenson and Keith Chiara. In his proposal Mr. Chiara proposes to represent all indigents charged in circuit and district courts with 2nd degree felonies, 3rd degree felonies or misdemeanors for a monthly fee of \$1,000. Plus \$40.00 per hour in addition to the monthly rate to represent indigents charged with 1st degree or capital felonies and appeals. Travel reimbursement of 10c per mile for each round trip (350 miles) and to be reimbursed for all long-distance phone calls. Mr. Swenson proposed \$1500 a month plus \$50 additional for unusual complexity. Mr. Halls said the county has since offered health insurance and Mr. Chiara is interested in the insurance. The Commission and Mr. Halls agreed to hire Mr. Chiara at the \$1000 per month, 10c mile mileage fee, extra money for bigger cases, health insurance and 30-day termination either party.

Commissioner Bailey made the motion authorizing the County Attorney to draft a contract for Mr. Chiara. Commissioner Maryboy seconded the motion. UNANIMOUS.

INDIGENT BURIAL - FEE

Commissioner Bailey said he was contacted a few weeks ago concerning an indigent burial. Commissioner Bailey said he authorized Gail Johnson, clerk, to write a check for \$325 to the mortuary and for the sheriff's department to send a deputy to Salt Lake City to pick up the body. Commissioner Bailey said the city of Monticello provided the digging of the grave. Commissioner Bailey said the Commission needs to set a fee for indigent burial. Commissioner Bailey made the motion for Indigent Burial at \$325 to be the total amount and not as a contribution with other funds. Commissioner Maryboy seconded the motion. UNANIMOUS.

COMMUNICATIONS - NAVAJO MOUNTAIN

Bill Bayles, communication engineer, reported to the Commission that he talked to Jim Allred about the communication center at Navajo Mountain. Mr. Bayles said that Mr. Allred said in his opinion it would be foolish to put it at the top of the mountain. A communication site was established lower a few years ago but it was abandoned. Mr. Allred said the best route to get reception is from Abajo Peak and there is power at the lower site. Mr. Bayles said he will have to purchase new equipment because the old equipment is VHF.

CONGRESSMAN NIELSON - TOWN MEETINGS

Rick Bailey, Administrative Assistant, reported that Congressman Nielson will be in Blanding and Monticello on May 22 and 23.

FIRE WARDEN ASSISTANT - MEALS

Rick Bailey, Administrative Assistant, said by contract the county has to provide an assistant fire warden for week-end coverage and asked the Commission if he should advertise for this position. The Commission said that this position should be advertised and told Mr. Bailey to contact Job Service.

Meals - Mr. Bailey said in the past the volunteer fire department has been provided meals at a local restaurant after fighting a fire on county expense. This conflicts with the county travel policy and suggested that no meals be provided by the county. The Commission agreed that the county will provide a meal if they are out fighting a fire for a length of time but will not approve buying meals after the job.

BLUFF COMMUNITY CENTER

Rick Bailey, Administrative Assistant, said that half of the Bluff Community Building is leased to Social Services and the other half is being used for the Senior Citizens center. Mr. Bailey said that Social Services told him they are trying to utilize the building more but the temperature control is inside the senior center and they would like it moved into a room that everyone has access to. The Commission agreed that the control should be moved and told Mr. Bailey to follow up on this.

RECREATION - BASEBALL FIELDS - SAVE THE CHILDREN

Rick Bailey, Administrative Assistant, presented a letter and proposal to Gloria Emerson, director of Save the Children of the Navajo Tribe, proposing construction of ball fields for Aneth, Oljato, Navajo Mountain, Red Mesa, Todahadakanie, and White Rock Point.

AGING ADVISORY COUNCIL

Rick Bailey, Administrative Assistant, said he met with the Aging Advisory Council and recommended the program be expanded. Mr. Bailey suggested having senior members from each community serve on the board and also representatives from the nursing home, hospital, home health, public health, and mental health. The Aging Advisory Council approved this and Mr. Bailey will follow up on it.

ORV VEHICLES

Rick Bailey said Ed Sherick, BLM, called him and would like to meet with the Commission to discuss the

legislative change on the ORV's. The state law says the roads are closed unless posted open and the BLM laws are opposite and is concerned about what the county is going to do.

FAIRBOARD - JR. LIVESTOCK - BUILDING

Rick Bailey said the county fairboard and the Jr. Livestock is planning to build a shelter for animals at the fairgrounds. Mr. Bailey said Union Oil of Lisbon donated the pipe and the labor will be volunteer.

HOSPITAL - CAPITAL REQUEST - PERSONNEL POLICY

John Fellmeth, hospital administrator, met with the Commission to ask for a capital request to purchase two sump pumps for the basement. Commissioner Bailey said he looked at them and agrees they need to be replaced. Commissioner Bailey made the motion approving the purchase and Commissioner Maryboy seconded the motion. UNANIMOUS.

Employee Request - Personnel Policy - Sick Leave - Mr. Fellmeth said a RN who quit a few months ago now wants to come back to work but it is contingent on the county giving back earned the long-term sick leave she forfeited when she quit. The personnel policy states that when an employee quits before they work five years they don't get paid the accrued long-term sick leave.

Mr. Fellmeth said that another situation has arisen with an employee who has terminated one month and a half short of his five years and wants to receive his long-term sick leave. He will be working on a consulting basis for several months.

The Commission agreed to approve the RN receiving her sick leave back but not the person who terminated. The Commission said they will accept each request as an exception without changing the policy. A motion will be made on this at the Hospital Board Meeting.

STATE FUNDS - TRADE-OFF

The Commission received the following letter:

April 30, 1987

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

Dear Commissioners:

The purpose of this letter is to initiate the process of restoring the State funds lost to several County administered agencies as a result of the recent "trade-off" legislation passed by the 1987 legislature. It is very important that this replacement process start at the same time as the State fiscal year, July 1, 1987. This will require each County to open their budget in June, and make the necessary changes to comply with the intent of the law.

This legislation requires the State to assume funding for the County Medically Indigent program (Senate Bill 91) and Juvenile Detention. The State's assumption of the Medically Indigent Program will be funded by reductions in the State's share of funding the public health, mental health, alcohol and drugs and aging services. The State's assumption of the Juvenile Detention will be funded by reducing the State's share of funding for the Social Services Block Grant and by the State collecting the County's share of Juvenile Court fines.

The expectation is that the Counties pick up the State reductions in these services from the funds saved in the trade-off. These trades are revenue neutral statewide.

According to the information available to us, San Juan County has approximately \$44,000.00 budgeted this year for the County Medically Indigent Program. Since the State will assume this program July 1, 1987, 50% of this amount \$22,000 should be transferred into other budgets for services this calendar year. We request that \$4,158.00 be transferred to Southeastern Utah District Health Department.

Please plan to open your budget and approve the above transfers prior to July 1, 1987. Thank you.

Sincerely,

/s/ Robert L. Furlow
Robert L. Furlow
Director

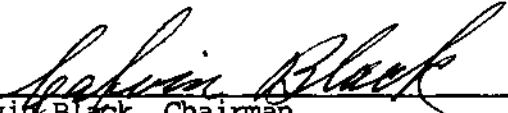
BILLS APPROVED FOR PAYMENT

San Juan County Clerk	cash county auction May 9	200.00
Curry Leasing	water truck 1980	18,500.00
A & M Propane	propane Blanding Road shed	280.86
Abajo Petroleum, Inc.	diesel sheriffs dept	513.95
American Library Assoc	supplies M Library	50.13
Baker & Taylor	supplies M Library	14.40
Black Oil Company	fuel road dept	4,991.30
Blanding City of	utilities Library B	717.00
Stan Bonham Company, Inc.	supplies recreation dept	19.30
Bradford Brake & Muffler	inspection road dept	10.00
Brodart, Inc.	service June 87 Library B	90.97
Car Care Center	propane road dept	18.90
Cate Equipment Company	supplies, parts road dept	2,078.45
Century	parts road dept	138.41
Chevron USA Inc	gas for sheriffs dept	85.89
Computerware Data Prod., Inc.	supplies computer	354.92
Continental Tel Co West	wats county	448.79
HF Cosby Jr.	hauling road dept	1,366.75
Dana Larson Roubal & Assoc	reimbursable expenses	10.74
Day-Timers, Inc.	supplies extension office	34.27
Empire Electric Assoc. Inc.	utilities pro shop	164.81
Four Corners Reg' Care Center	meals served April 87	318.00
Frito-Lay, Inc.	vending machine supplies	7.98
Grand Tire Company, Inc.	supplies road dept	954.26
Honest Dollar Construction	hauling road dept	1,482.25
Horsehead Hardware	ladder fire control	461.31
Intermountain Farmers Assoc	supplies weed control	2,878.13
James Electric	supplies recreation dept	109.15
J.B. Grain & Bean Company	motor for road dept	206.68
K&C Store	gas for April aging dept	71.59
Kents Foods	supplies jail sheriffs	1,541.57
Little "B" Mining Company, Inc.	chips road dept	36,225.00

Lyle Northern Electric, Inc.	supplies library B	8.00
Mini Mart Gas & Groceries	fuel road dept	7.17
Monticello City Justice/Peace	sheriffs report 5-11-87	105.00
Monticello City of	utilities golf pro shop	73.55
Monticello Mercantile	supplies sheriffs dept	4.87
Motorola Inc.	supplies county jail	10,160.00
Motor Parts Pro Mart Home Cntr	parts road dept	2,224.99
New England Business Service	supplies road dept	137.32
Office Outpost	supplies treasurers office	238.86
Palmer's	supplies recreation	9.72
Performance Products	parts road dept	97.85
Quality Bookstore	supplies Library M	28.35
Parley Redd's Food Town	supplies division aging	12.84
Parley Redd Mercantile	restitution:C.Hutchins	44.00
Rusty Iron & Salvage	supplies road dept	48.08
San Juan County	parts, fuel sheriffs dept	2,072.10
San Juan County Hospital	meals served April 87	513.00
San Juan County J.P.	Chester Blackhorse	130.00
S.J. County 12th Circuit Court	sheriffs report 5-11-87	3,125.00
San Juan Health Care Services	capital request	3,982.50
San Juan Pharmacy	supplies clerks office	2.10
The San Juan Record	office supplies J.P.	162.65
Dayne Shumway Const	hauling road dept	1,386.00
Sorbus	printer system unit	280.06
Tire & Auto Center Inc.	spin bal. sheriffs dept	8.00
Turf Equipment Company	supplies golf pro shop	18.00
Utah Association of Counties	registration	300.00
Utah Local Gov't Trust	county insurance	8,438.11
Utah Power & Light Company	utilities recreation	20.94
Utah State Archives	supplies recorders office	14.00
Utah State Information Systems	processing charges sheriff	466.64
Wheeler Machiner Company	parts road dept	596.39
White Mesa Ute Council	meals served April 87	332.50
Mike Young Inc.	repairs road dept	242.38
Young's Machine Company	labor & parts fire control	607.95

ADJOURNED

There being no further business the meeting was adjourned.


 Calvin Black, Chairman


 Karen Halls, Deputy Clerk