

**SAN JUAN COUNTY COMMISSION MINUTES
MAY 5, 1986**

The San Juan County Commission met in regular session on May 5, 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 April 28, 1986, Commission Minutes were approved with the corrections on the motion of Commissioner Bailey. The motion was seconded by Commissioner Holliday. UNANIMOUS.

DIVISION OF WILDLIFE FISH AND GAME

Guy Wallace with the Division of Wildlife Fish and Game met with the Commission and the following items were discussed:

Big Game Meeting Mr. Wallace said the Big Game Meeting is May 14, 1986, at the Monticello High School at 7 p.m.

Beef Basin - Doe hunt Commissioner Black asked if there was going to be another doe hunt in Beef Basin this year and if there was a possibility of transplanting the deer to another area. There are some local people that would volunteer to help with the transplanting. Mr. Wallace said the Division of Wildlife is planning on another hunt this year. They are hoping to stabilize the deer in Beef Basin until the other areas catch up. Mr. Wallace said he does not recommend transplanting the does because there is a high mortality rate. The areas would have to be evaluated, studies done and the road kept open all winter long.

Commissioner Black said that Elk Ridge needs to be restricted and limited to hunters and non-residents should also have to buy hunting license before the drawing the same as state residents. Mr. Wallace said they made a recommendation on this. Commissioner Black reminded Mr. Wallace that all the does are killed in the hunt but only a few does die in the transplant.

Foy Lake Mr. Wallace said he is not sure what the plans are for the Foy Lake because of the Division of Wildlife's funding. The lake was drained to control the vegetation that was growing and they were going to let the lake sit and dry out and hope it would freeze the vegetation over the winter. Mr. Wallace said the lake needs to be cleaned out four or five feet deeper while it is dry. Mr. Wallace said the district was late with their budget request and did not get enough money to do the project and will have to wait until next year. Mr. Wallace said it would help if people wrote letters to the state. The Commission will write letters to the State Wildlife and legislature saying that Foy Lake is an important recreation area to the local people in the community and there is a need for funding to finish this project.

Recapture lake - fish Mr. Wallace said that at Recapture Lake they caught 90 fish in their gill net and most of these are stunted fish. Wildlife did plant some more fish this year and they are looking better.

SOUTH COTTONWOOD ROAD - FOREST SERVICE - BOB DAY

Bob Day, Forest Service, met with the Commission to talk about the South Cottonwood road right of way. Mr. Day said in the last year they have had a lot of interchange with the Utes at Toawac and White Mesa and the pending law suit with Melvin Dalton. Mr. Day said the Forest Service received a call from Carl Night in Toawac and advised them: "don't haul logs, or any commercial and wood products on this road because you don't have a right of way". Mr. Day said there was no written statement or official notice of this. Mr. Day asked what the position of the county is with respect to the right of the road. The Commission's position is, that the Cottonwood road is a county B road and the county has the right of way by adverse use and has responsibility of maintaining public access.

ELK TRANSPLANT

The Commission asked Bob Day, Forest Service, how the proposed elk plant was coming along. Mr. Day said the Forest Service has six transplant areas pending on the Manti-LaSal National Forest. Mr. Day said they put a blanket statement in their management framework plan stating the transplants will be considered case by case as long as they don't interfere with the management unit. The elk transplant will be considered on each proposed area. Mr. Day said they received many letters on this and the Forest Service responded by saying, as soon as the plans are done they will prepare an EA and authorize or disapprove the transplant. Mr. Day said the plans will be out by mid-summer and he is going to have a biologist from Moab do an environmental assessment before then. There will also be a period of public input.

Loop Road Commissioner Bailey said the county is planning on working on the first two miles on the loop road this summer.

Dark Canyon Commissioner Black asked what the status is on driving four-wheelers three-wheelers and dirt bikes in Dark Canyon. Mr. Day said there will be no limit of the type of vehicle that can be used on the Dark Canyon road. Commissioner Bailey said all roads are considered to have a 50 foot right of way. Congress has asked the Forest Service to prepare a boundary description of this wilderness and submit it to them for approval and Congress will set the limits of that road. The Forest Service would like to set a minimum road that people use to a ten to fourteen foot right-of-way limit with turn outs and other appropriate things. Commissioner Black said he feels the Forest Service should not be out of reason and so forceful. If they go beyond what people will accept it will create a problem.

BOILER - COURTHOUSE - Moe Jean & Son

Moe Walters from Montrose met with the Commission concerning a bill he had sent to the county and has not yet received a payment. Moe said he worked on the hot water system (boiler) in the courthouse for Benny Musselman last year. Commissioner Bailey said the contract was awarded to Benny Musselman and he had to install an extra heat exchanger. Moe said he wasn't able to weld the boiler because the boiler inspector would not allow welding on the boiler. The Commission said they were not aware of this bill and authorized Gail Johnson, clerk, to pay Moe this bill for \$143.25.

NURSING HOME & HOSPITAL - HILL-BURTON OBLIGATIONS

Ted Stagg, CPA developer, talked to the Commission on the telephone about his meeting in Denver with the Hill-Burton firm, concerning the county's Hill-Burton obligations on the nursing home and hospital. Mr. Stagg said he told Hill-Burton that the county's nursing home is in the management/purchase process and possibly the hospital will be in the future. Mr. Stagg said they told him the county would have to notify Hill-Burton within 10 days after the sale. Within six months Hill-Burton will request accounting information from the county. Then the county has a 90-day period to give them that information. Mr. Stagg said the county has two possible options to the obligations; one, the county may be able to pay 40% of the unpaid grant as a cash settlement; two, the county may be able to take the remaining grant amount and put it in a Trust Fund and that money would be used for health care in the county sometime in the future. The county would need to go through the hospital and nursing home bills and write off any accounts that would meet Hill Burton requirements. Also, the county will have to hire an audit firm to go through the nursing home and hospital account receivables. The Commissioners feel setting up a Trust Fund would be best.

COMMUNITY NURSING SERVICES - Jan Tremel

The Commission talked with Jan Tremel of Community Nursing Services on the telephone. Ms. Tremel said

Community Nursing Services assumed responsibility of San Juan County Home Health on May 1, 1986. Ms. Treml said she and her aid came down and assessed the county home health and found that the program provides a necessary service. CNS will maintain current methods of service delivery and will increase services by providing more homemaker home health aide level of care. Ms. Treml said CNS made some changes with the nursing positions and salaries. CNS made a proposal to purchase the county's assets: medical supplies will be paid at 100% \$1,034.54, fixed assets: Blazer \$837.50, office equipment \$626.24, medical equipment \$1000, for a total of \$3,498.28. Commissioner Black said the county can't sell equipment (the Blazer) for less than market value. Ms. Treml said she is willing to lease the vehicle from the county. Ms. Treml said CNS will make final billings for county and charge for the required employee time.

MARTHA McCANN - HEARING

The Commission wrote the following letter concerning the hearing for Martha McCann:

May 5, 1986

Mrs. Martha McCann
Box 1027
Monticello, Utah 84535

Dear Mrs. McCann:

After due deliberation, the Commission has concluded with regard to the hearing held on the 28th day of April, 1986, at the courthouse in Monticello, Utah, that your request for compensation and position adjustment arising out of alleged grievances should be denied. The denial is based upon the Commission's decision that there was no timely appeal either to the Sheriff or to the Commission, of Sheriff Wright's action in demoting you, nor did the evidence substantiate your complaint. Far too great of time has expired since the occurrence of the event to justify a reversal of the Sheriff's actions even if the evidence sustained your complaint. It is the decision of the Commission that BOTH parties erred in not documenting their findings and/or position at the time of those findings and/or decisions and then expeditiously pursuing your remedies. Even given this delay the Commission concluded that the salient testimony with regard to the matters at issue was not controverted thus the above decision.

At the hearing, a number of matters, which the Sheriff claimed had not been brought to his attention before, were permitted to be discussed, however, it is the conclusion of the Commission that these are complaints relative to working conditions, not relative to any grievance which would justify a modification of wage or position, and because same had not been brought to the attention of the Sheriff, we suggest that you do so and feel confident that adjustments in the working conditions will be made consonant with budgetary and other administrative considerations.

We very much appreciate your taking the time to bring these matters to our attention and now believe that with this decision the parties may proceed with providing the best possible service to San Juan County and the community, which we ALL serve.

Very truly yours,

San Juan County Commission

WILDERNESS - SPECIAL MEETING

There will be a special meeting at the courthouse tonight at 7:30 p.m. for the public to discuss the BLM Wilderness proposed areas. Commissioner Black will be absent due to Wilderness sub-committee meetings in Salt Lake. Commissioner Bailey, Commissioner Holliday, Rick Bailey, Administrative Assistant, and Doug Pehrson, county surveyor/engineer will be present to help. Copies will be handed out of Bill Howell's, SEU-AOG, rough draft response to the EIS, to be used as a guide-line for the public to use in their response.

HOME ECONOMIST - UTAH STATE UNIVERSITY

Ralph Horne, Utah State University, met with the Commission to introduce the new county home economist, Holly Tatnall. Mr. Horne said she is finishing her masters degree at Colorado State and will begin working for the county June 1, 1986. Ms. Tatnall told the Commission she is from Pennsylvania and has taught home economics in Australia for a couple of years, then came back to the U.S. and worked with the handicapped adults. Ms. Tatnall said she is working on a 4-H internship and is excited about working in San Juan County.

County Agent Mr. Horne said he feels Jim Keyes, county agent, is doing a very good job and is working closely with the local farmers. Mr. Horne said he feels there will be good team work in the agriculture, 4-H, and home ec department, and suggests Mr. Keyes and Ms. Tatnall meet with the Commission once a month to give a report on their program and take any feed back. The Commission said they will be glad to work with each of them.

BUREAU OF LABOR STATISTICS

Commissioner Black said he received some information that the Bureau of Labor Statistics is going to consider changing the method in which they determine unemployment. They have never considered Indians unemployed because they are on welfare. The Bureau of Statistics will propose a study project of research methodology.

UTAH ASSOCIATION OF COUNTIES - UAC Public Lands Steering Committee

Commissioner Black reported that Pete Coleman, Wasatch County Commissioner, has been appointed by the Utah Association of Counties board of directors to replace Lee Bracken of the chairman of the UAC public lands steering committee.

GRAND COUNTY WATER CONSERVANCY DISTRICT

Commissioner Bailey reported that the Grand County Water Conservancy District is having a meeting tonight in Moab. The meeting will be held with the interested property owners to update them on the annexation procedure. Commissioner Bailey said he called Dale Pierson, manager, earlier and Mr. Pierson said he would definitely make the public aware of the difference between the water conservancy district annexation of properties and real property annexation of lands from San Juan County into Grand County.

ROAD SCHOOL - UTAH ASSOCIATION OF COUNTIES

Commissioner Bailey, Commissioner Holliday, and others from the road department will be attending the Utah Association of Counties Road School in St. George, Utah, May 6, 7, 8, and 9.

RECAPTURE LAKE ROAD - L.C. Ranch

The following letter was sent:

April 30, 1986

San Juan Water Conservancy District
62 North Main
Blanding, Utah 84511

Dear Sirs:

The San Juan County Road Department constructed an approach road to Mr. Guymons' L.C. Ranch property. At the time we constructed the approach, we asked about the Recapture Dam water level, when full, and were told that the water would not be above the 6056 marker on the Dam.

We constructed the fill on Mr. Guymons' approach to be about 30 inches above that level.

We now find that the water has to rise 52 inches above that level to escape out of the spillway. That would put Mr. Guymons approach road under about 18 inches of water.

The county constructed the approach in good faith, and has done all we agreed to do. Any future problems are the responsibility of the Water Conservancy, and the County Road Department will not assume any liability for the water over that road.

Sincerely,

/s/ Bernal Bradford
South District Road Foreman

ROAD DEPARTMENT BID - WHEEL ALIGNMENT

Two bids were received for a wheel alignment set for the county road department. Commissioner Black passed the chair to Commissioner Bailey and made the motion to award the bid to Jack Codner Auto for \$5,000. Commissioner Holliday seconded the motion. The voting was as follows:

Commissioner Holliday - Aye
Commissioner Bailey - Aye
Commissioner Black - Abstained

(The other bid was Professional Automotive Equip. for \$9,045.00)

LOYD'S LAKE ROAD - Holliday Construction

Commissioner Black passed the chair to Commissioner Holliday and made the motion to pay Holliday Construction for \$14,512.18 for the final payment on the Loyd's Lake construction project. Commissioner Bailey seconded the motion. The voting was as follows:

Commissioner Black - aye
Commissioner Bailey - aye
Commissioner Holliday - abstained

The county allowed Holliday Construction the extra days to complete the project, without penalty as the Commissioners determine that they would have done for another contractor under the same conditions.

BILLS APPROVED FOR PAYMENT

A & M Propane	Blanding Road Shed	418.91
Abajo Petroleum, Inc.	Diesel for road dept	3,815.77
American Glass	Supplies Road Dept.	25.75
Arnold Machinery Company	Parts for road dept	5,070.41
ASA Welders Supply, Inc.	Supplies road dept	42.04
Kenneth R. Bailey	Expenses Oct-May 1986	877.50
Richard M. Bailey	Travel Expenses	47.04
Bill Bayles	Travel Expenses	66.78
Frank Beeson	Repairs for Sen.Citz Frig	37.00
Bennett Paint & Glass	Supplies for road dept	2,100.00
Black Oil Company	Fuel for road dept	4,286.94
Blake, Kermit	Programming April-May 1986	786.44
Blanding Mercantile	Supplies Dept of Aging	26.76
Blue Cross-Blue Shield	Recombursement Invoice	7,720.10
Blue Mountain Petroleum, Inc.	Fuel Road Dept.	352.95
Bluff Water & Sewer Users Assn	Utilities Bluff Bldg	20.00
Bradford, Bernal	Travel Expenses St. George	232.66
Brodart, Inc.	Service for June 1986 (B)	90.97
Bureau Land Management	Application Fee/Mont. Creek	100.00
Bureau of Land Management	Elec. Distribution Abajo Peak	1,167.00
Cate Equipment Company	Parts for road dept	1,161.37
Chevron USA Incorporated	Travel Peggy Humphreys	39.76
City of Blanding	Utilities Rec. Golf (B)	1,861.81
City of Monticello	Utilities Monticello Golf	63.00
Codner Motor Service	Wheel Alignment Set	5,000.00
Continental Tel Co of the West	Tele Charges Library (B)	70.89
Creamer & Noble Engineers	20% PMT'of FAA Grant	8,000.00
Nell Dalton	Helping Historical Soc.	40.00
Dictaphone	Supplies Attonreys Office	109.20
Empire Electric Assoc., Inc.	Utilities Library (M)	297.92
Frank's Supply Company, Inc.	Supplies Road Dept	2,135.00
Grant Tire Company, Inc.	Supplies Road Dept	930.82
Hafer's Incorporated	Parts road dept	685.80
H&K Lock Smith Shop	Repairs Locks Courthouse	10.00
Bryon Hawkins	Travel Abajo Peak	80.85
Hawkins, Stanley M.	Expenses to St. Geo.	164.46
Henderson Wheel & Warehouse	Supplies Road dept	198.17
Horsehead Hardware	Supplies road dept	97.47
Wesley L. Hunt	Supplies, Etc, Communication	143.00
IAAO	Membership Dues Assessor	75.00
International Business Machine	Installment Payment	866.14
Inkley's	Supplies Sheriffs Office	222.15
Intermountain Battery	Supplies Road Dept.	359.45
Intermountain Electric	Parts for Road Dept.	265.73
Intermountain Farmers Assoc.	Herbicide Purchased	410.17
Jacco	Supplies Road Dept.	53.21
Eldon Johnson	Herbicide Purchased	120.00
Kents Foods	Groc. for Sheriffs Office	920.30

Leavitt, Grant H.	Lunches for Jailers	59.50
Venice Lyman	Restitution Kelly Shumway	100.00
Ken McDonald	Herbicide Purchased	71.50
Lloyd Mabrey	Bail Refund No. A-289031	26.00
Midland International Corp	Supplies Communications	40.79
F.H. Miller, Jr.	Parts for Road Dept	56.90
Miline Truck Lines, Inc.	Parts for Road Dept	48.25
Monticello City Justice/Peace	S.O. Collections 5-20-86	1,183.00
Monticello Mercantile	Vending Machine Purchase	145.36
Motor Parts Company	Parts Road Dept	846.37
Motor Parts Pro Mart Home Center	Parts Road DEPT	922.11
Navajo Tribal Utility Auth.	Novembers Billing	7.50
Northern Electric	Repair Furnace Library (M)	115.00
PFC Products	Marriage License Folders	56.50
Palmer's	Historical Society	94.43
Gus Paulos Chevrolet, Inc.	Parts for road dept	97.70
Performance PProducts	Parts for road dept	252.31
Douglas Pehrson	Expenses St George	245.20
Phillips Petroleum Company	Travel for Steve Stovall	7.43
Professional Armaments	Supplies Sheriffs DEpt	9.20
Quality Bookstore	Books Library (M)	40.42
R&H Distributing, Inc.	Supplies Recreation Dept	100.00
Parley Redd's Food Town	Supplies Library (B)	76.89
Regional Supply Inc	Supplies Road Dept	35.14
Revere Products Corporation	Supplies Road Dept	55.33
Rusty Iron & Salvage	Supplies Road DEPT	182.35
S-W Parts and Supply	Parts for road dept	87.62
San Juan County	Gas & Repairs Div of Aging	1,741.27
San Juan County Library (B)	Petty Cash Library	54.55
San Juan County Hospital	Balance remaining on employees	294.72
San Juan County Nursing Home	Meals served April	534.00
San Juan County Road Dept	UPS for Road Dept	35.45
S.J. County 12th Circuit Court	Albert Sam Report 5-20-86	500.00
San Juan Health Care Services	Physiocontrol	4,547.80
San Juan Pharmacy	Supplies Assessors Office	56.55
The San Juan Record	Deposit Mex Hat for Press	1,595.43
San Juan Security	Supplies Senior Citizen	22.50
Saveway Automotive	Supplies Road Dept	290.20
Scenic Aviation	Trip to Navajo Mnt. Sheriff	316.00
Schafer Auto	Repairs Road Dept	238.00
Smith Plumbing & Heating, Inc.	Supplies Recreation Dept	112.62
Sorbus	Maintenance Charge	280.06
State Information System Serv.	Equipment Usage Sheriff	149.00
State of Utah Central Stores	Supplies Purchasing Dept	135.09
State Treasurer of Utah	Juvenile Crt Alcohol Rehab	5.00
Sun Television & Appliances	Cash Registers Recreation	296.00
Laverne Tate	Travel Expenses Historical Society	21.84
Texaco Incorporated	Gas purchased Dept Aging	14.71
Thatcher Chemical Company	Supplies Recreation Dept	402.00
Uniden Corporation Of America	Supplies Communications	470.22
United States Postal Service	Stamps Justice of Peace	66.00
Utah Dept of Employ Security	Unem Benefit G. Sanchez	1,326.96
Utah Gas Service	Utilities Courthouse	646.47
Utah Geographic Services	Sub Library (B)	11.25
Utah Local Gov't Ins. Trust	County Ins.	10,000.00
Utah Power & Light Company	Utilities Communications	52.76
Utah State Archives	Resolution Chart	7.00
Wheeler Machinery Company	Credit from 7998580	3,222.54
Xerox Corporation	Copier Supplies	159.80
Mike Young Incorp.	Repairs Sheriffs Dept	181.78
Young's Machine Company	Repairs Library (M)	205.69

ADJOURNED

There being no further business the meeting was adjourned at 4:30 p.m.