

SAN JUAN COUNTY COMMISSION MINUTES

APRIL 11, 1988

The regular session of the San Juan County Commission convened at 10:00 a.m. at the San Juan County Courthouse in Monticello, Utah.

Commissioners Present: Calvin Black
Kenneth Bailey
Mark Maryboy

A motion to approve the minutes of April 4, 1988 as corrected was made by Commissioner Maryboy and seconded by Commissioner Bailey. UNANIMOUS.

COMMISSIONER KENNETH BAILEY'S REPORT

Hart's Draw Road - Commissioner Bailey reported that County Surveyor Doug Pehrson has about 5,000 feet engineered on the Hart's Draw road. Mr. Bailey discussed the possibility of putting that project out for bids rather than having the County Road Department do the construction. The Commissioners felt that there are plenty of projects within the County that need to be done and authorized Commissioner Bailey to work with Mr. Pehrson on the bid proposal.

Ten-Wheel Dump Truck - Jack Palmer brought down a 10-wheel dump truck for the County Road Department to try out. Commissioner Black also reported the specifications on trucks he check out while he was in Salt Lake last week. If the truck from Great Basin meets the needs of the County and the price is competitive, Commissioner Bailey was authorized to purchase the truck and order another one. Because Commissioner Black had checked out the truck in Salt Lake and made arrangements to have it brought down for further examination by the Road Department Foreman and crews, Commissioner Bailey asked Commissioner Black to work with Road Foreman Merz Hugentobler and consummate the order.

Navajo Mountain Visit - The visit to Navajo Mountain by Congressman Nielson, Representative Adams, San Juan County Commissioners and Utah Chapter officials on April 16th will follow approximately the same agenda as scheduled for Congressman Nielson's visit in January. A luncheon will be held at the school after which a meeting will be held with the area residents.

Public Safety Building - The Commission is still concerned with the insulation, reinforcement on the brick and compaction problems at the Public Safety Building. The architect will be in Monticello tomorrow to check on the concerns.

Pack Creek Bridge - A letter has been drafted to Dyke Lefever, Utah State Department of Transportation, requesting that the State do the engineering on the Pack Creek Bridge and be submitted as a parallel project with the DOT highway improvements between Moab and Blue Hill. A motion to approve the request and authorize Chairman Black to sign the letter was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

Worker's Compensation Amendments - Commissioner Bailey presented an amended workers compensation concerning the responsibilities of the contract truckers. County Attorney Craig Halls will be asked to review the amendments.

San Juan County Grade/Step Chart - A new grade and step chart will be made reflecting the salary increase approved. The question was raised as to whether new employees would be hired on the grade and step prior to the increase. The Commissioners decided that those persons hired after the increase would be placed on the new grade and step chart.

Construction Employees - A light equipment operator has retired and a the individual that has been operating the service truck has been transferred as a light equipment operator; therefore, a person to replace the service truck operator needs to be hired. The Commissioners discussed the three individuals recommended by Stan Hawkins for the service truck.

Disk/Cortez Auction - There is a heavy-duty, 10-foot disk available at the Cortez Auction next Saturday or Sunday. The disk is used in connection with compaction in road construction. Commissioner Bailey will ask Victor Nebeker to check on the condition of the disk and have a dealer appraise it to determine a possible bid.

COMMISSIONER MARK MARYBOY'S REPORT

Lake Powell Region Resource Development Council - Commissioner Maryboy attended the UNDC meeting last week. UNDC officials would like to have a Utah Navajo appointed to the Lake Powell Region Resource Development Council. Commissioner Black stated that Governor Bangerter had stipulated that the Navajo Nation Chairman would appoint the member to represent the Tribe. Mr. Black felt that the UNDC could write to the Governor with their request but the County doesn't have the authority to appoint anyone to the council.

Aneth Chapter Meeting - Residents in the Montezuma Creek area are concerned that the guard rails have not been installed east of Montezuma Creek. There have been two fatalities since the request was made. Commissioner Bailey stated that the DOT said the guard rails would be installed as soon as they received approval to use gravel out of the pit north of the church for fill.

Flashing Yellow Light - Montezuma Creek residents still feel a flashing yellow light would be more effective in controlling vehicle traffic near the school than just painted crosswalks on the highway. They would also like a flashing light installed by the Aneth Trading Post. Commissioner Maryboy will contact the DOT on this matter.

Bluff Community Meeting - Commissioner Maryboy will attend a Bluff Community meeting tonight with Jim Keyes, USU Extension Agent, and a local doctor to discuss the mosquito problem. Mr. Maryboy felt that the gravel pit rejects will also be discussed and he appreciated the Commission settling that matter.

Kayenta Water Wells and Storage - USU Extension Agent Jim Keyes will go down to test and inspect the water wells and storage in Kayenta. He will give his report to the Navajo Tribal Water Resource committee for further action.

COMMISSIONER CALVIN BLACK'S REPORT

Forest Service Meeting - Commissioner Black met with Federal, State and local agencies and groups to review what the Forest Service is doing and what people wanted them to consider in their planning and operations for the year.

Hovenweep Resource Management Plan - Meetings with Wexpro-Celsius Corporation and the Utah Petroleum Association was held with respect to the Hovenweep Resource Management Plan and the San Juan Area Resource Management Plan. Commissioner Black asked the participants to submit comments on the plans to the Bureau of Land Management.

Bureau of Local and Rural Health Systems - Commissioner Black met with Robert Sherwood of the Bureau of Local and Rural Health Systems about the final report and recommendations of the local health funding task force. The legislature asked them to review and make recommendations with respect to a more equitable funding in public health in the State. The task force tried to develop a formula that would maintain enough support for funding in the rural areas as well as satisfy the urban people. A beginning and phase-in in the first year of the funding level, the \$1,146,651, 25.29% would be the district incentive, 24.71% is population, 20% poverty population, 20% square miles and an adjustment variable that helps out those

counties that get their current allocation cut too much from the first three categories. Southeast Utah Health District will lose about \$47,000 from this formula. Commissioner Black stated that if we don't accept this formula the legislature may become involved and the district may end up with something worse. Mr. Black recommended that we reluctantly approve it.

ADMINISTRATIVE ASSISTANT RICK BAILEY'S REPORT

Congressman Howard Nielson's Visit - Administrative Assistant Rick Bailey reported that there will be a light luncheon served at the Monticello Courthouse prior to the town meeting with Congressman Howard Nielsen Friday evening. Arrangements have been made to leave the Blanding Airport at 8:30 Saturday morning to fly down to tour the Navajo Mountain area and hold a meeting with the area residents. A plane will also pick up those Utah Chapter officials that want to attend. Mr. Bailey will arrange to have the minivan available for the group to tour Hovenweep National Monument after the visit to Navajo Mountain.

Ken's Lake Ordinance - The Commissioners reviewed the ordinance drafted by County Attorney Craig Halls for Ken's Lake. The Commission felt that as the Grand County Sheriff's Department will enforce the ordinance that their deputies should be cross-deputized to authorize them to operate at Ken's Lake which is in San Juan County. An agreement may need to be drawn up for this authorization. Richard Bailey will check with Mr. Halls on the authorization and to see if a Moab Justice of the Peace can handle the violations. Mr. Bailey will send the ordinance to the Grand County Commission for their review.

Tax Limitation Bill - A letter was received from UAC Executive Director Brent Gardner on a request to come up with a different budget based on the loss of revenue by the tax limitation bill. Mr. Bailey needs to check with Mr. Gardner as to what actual figure to use from the County property tax as the figures provided from UAC do not reconcile with the County figures. UAC said the County would have a 36.9% loss of money which would be about \$1,149,000.

Senior Citizens Bus Drivers/Blanding - Administrative Assistant Rick Bailey made a recommendation to hire Ron Harvey as a full-time senior citizens bus driver and Alice Redd as a part-time driver for the Blanding area at grade 1 step 1, \$4.91 per hour, effective April 11, 1988. A motion to approve the recommendation was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

Public Safety Building Payment Request - A request from Valley Builders for a \$128,275 payment for the Public Safety Building was approved by motion of Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

Community Services Block Grant - Commissioner Bailey made a motion to approve an amendment to the agreement with the Southeastern Utah Association for the Community Services Block Grant and authorize Chairman's Blacks signature on the agreement. Commissioner Maryboy seconded the motion. UNANIMOUS.

Montezuma Creek Project - Chairman Black signed a letter to the Community Development Impact Board stating that the County would pay any additional funds needed to complete the Montezuma Creek Project above and beyond the \$205,000 provided by the Community Development Impact Board, \$20,000 from the Navajo Tribe and \$20,000 from UNDC.

Archaeology Meeting - Administrative Assistant Rick Bailey reported on a meeting of the National Park Service. The meeting was to review the priorities the Park Service has set forth based on a committee that's been set up to oversee the archaeology problems in Southeastern Utah. A discussion was held as to a possible amnesty period of some three years for people to bring their pots and artifacts in for documentation. It was suggested that there are plenty of archaeological resources available that they could be documented then sold to the general public. That may deter the black market and possibly stop illegal looting.

CURRENT BUSINESS

Pickups/Surveyor & Communications - The requested 3/4 ton crew-cab for the surveyor and 3/4 ton pickup for communications is not available. The Commission rejected the bids as presented and authorized Richard Bailey to check possible replacements. Mr. Bailey reported that Mike Young has a 3/4 pickup available that could have a utility box installed. The Commission authorized Mr. Bailey to check with Tom Redd for a bid on a similar vehicle.

San Juan Area Resource Management Plan Essays - San Juan County School Superintendent Hal Jensen met with the Commission to discuss the possibility of students of the four high schools in San Juan County submitting essays or statements regarding specific portions of the RMP or multiple use in general. Cash prizes of \$100 for 1st place, \$60 for 2nd place and \$40 for 3rd place will be awarded in each school. The papers would need to be submitted by May 3 for judging so they can be submitted to the National BLM Advisory Council when they meet in Cedar City on May 4th. A summary of the BLM San Juan Area Resource Management Plan and the County's response will be provided to each of the school for the student to review.

Utah Counties Finance Cooperative - County Clerk Gail Johnson presented a request from Boettcher & Company for Chairman Black to sign a requisition for payment of the issuance costs of bonds for the purchase of road department equipment. A motion to approve the request was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

Empire Electric - Bob Dalton, Empire Electric employee, reported there are three pumps at the golf course that are not being used. Mr. Dalton requested permission to remove the transformers and lines. The Commission wants to check on the ownership of the transformers before authorizing removal.

San Juan Rodeo Association - Bob Dalton, representing the San Juan Rodeo Association, asked about trading some old cattle guards located at the Fair Grounds to Rusty's Iron for some posts to be used for corrals at the Rodeo Arena. The San Juan Rodeo Association would also like to have some piles of junk and concrete slabs cleaned up from the area. Commissioner Bailey stated that as soon as the Fair Board presents their complete plans for the area the County Road Department will take care of some of the requests. The road department approved putting the entrance to the Fair Grounds on the East side.

D8N Cat - The D8N cat has been delivered to the County and Steve Green, equipment operator from Wheeler Machinery Company, will check out the cat with road department employees. Bob Kaelberer, Wheeler representative, asked Chairman Black to sign a letter stating that the County had received the Value Assurance warranty for the new D8N cat as it needs to be sent to the caterpillar company. Mr. Kaelberer said that the billing will be made out to Utah Counties Finance Cooperative but mailed to the County for approval of payment.

The warranty will apply for three years or 6,000 hours operation, whichever occurs first, against defects in materials or workmanship in the drive line components consisting of the engine, (excluding radiator and attachments), torque converter, transmission, drive shafts, universal joints, differential, transfer gear group, drive axles, drive pumps, drive motors, pinion and bevel gear, steering clutches, steering brakes, and final drive gear trains (up to but not including sprockets). This warranty is limited to repair or replacement (including both parts and labor) of inspected parts determined to have been defective in material or workmanship. After the initial six month warranty period, all extended powertrain warranty repairs must be performed at a location designated by Wheeler Machinery Co. and all machine transportation costs or field service travel expenses to and from this location shall be to your account. This warranty does not apply to normal maintenance service (such as engine tune-up) or normal

replacement of service or wear items.

This extended warranty coverage is subject to the following conditions and limitations:

1. Replacement parts provided are warranted for the remainder of the extended warranty period applicable to the product in which installed.
2. The machine may not be altered or modified in any manner which affects the mechanical operation as designed by Caterpillar Inc.

Recapture Turn Around Areas - Commissioner Black reported that the County has not graded and graveled the turn around areas by Recapture Lake. Commissioner Bailey will ask Bernal Bradford to have that completed this week.

Blanding Rodeo Grounds - Commissioner Bailey will check with Bernal Bradford about hauling some sand to the Blanding rodeo grounds as requested.

Hospital Remodeling - Hospital Administrator John Fellmeth reported that he has two bids to remove a wall to enlarge the labor and delivery area of the San Juan County Hospital. The bids are from Bruce Bunker for \$952.00 and Hoyt Hoagland for \$775.00. However Mr. Hoagland is not a certified contractor but could work as one under Hurst Construction. If the County required a licensed contractor Mr. Hoagland's bid would be higher. The Commission asked Mr. Fellmeth to check with Mr. Hoagland to get another bid as they felt a licensed contractor should do the work.

A 30-day completion period with no interim payments would be required for the project.

Nursing Shortage - Mr. Fellmeth reported that one of the R.N.'s at the hospital has cut back to part time employment leaving a shortage of R.N.'s. The nursing supervisor, Bonnie Conway has been filling in on the floor and working overtime to keep her work done. Mrs. Conway is asking to be paid an hourly wage during the shortage. The Commission felt that if she were put on an hourly wage she would be off the exempt status and could apply for overtime pay. The Commission indicated that a bonus could be approved for the additional hours until more help can be found.

Nurse Practitioner/Dove Creek - The nurse practitioner at the Dove Creek clinic is leaving and they are looking for a replacement. In order to maintain their funding the Dolores County Health Association needs to provide indication of support from either the hospital in Cortez or Monticello as well as any progress made in locating a replacement. Mr. Fellmeth and Commissioner Bailey will attend a meeting tomorrow night to give that support. Mr. Fellmeth will also check with Dr. Warren to see if he can attend.

Executive Session - Commissioner Kenneth Bailey made a motion to go into executive session to discuss personnel matters and other sensitive issues with Hospital Administrator John Fellmeth. UNANIMOUS.

Capital Request - A capital request for \$2,800 for installing and upgrading equipment at the hospital was made by Hospital Administrator John Fellmeth. He also made an operating request of \$50,000.

Past-Due Hospital Accounts - Mr. Fellmeth presented some accounts that were past due. The County Attorney has made attempts to collect the accounts but has been unsuccessful. Mr. Fellmeth is recommending that the accounts be written off the books. The Commissioners wanted the County Attorney's office to follow through some more before writing them off.

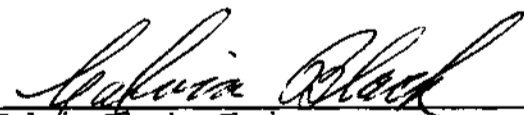
Bluff Gravel Pit Rejects - A discussion was held with Dwayne Skelton, County Attorney Craig Halls, Sheriff Claude Lacy and Ed Scherick, Monticello Area BLM Director regarding the removal of rejects from the gravel pit near Bluff for private use. The County has a free-use permit from the BLM on the pit. It is illegal to remove any materials from the pit for private use. According to a report from Deputy Rudy Cook, Perry Rowe, an employee of Mr. Skelton, said he had received permission from Mr. Skelton to load the rejects for an individual. Mr. Skelton denied having given permission and when contacted by phone by County Attorney Craig Halls, Mr. Rowe denied his statement and said he didn't know where it had started. Approximately 113 4-yard loads had been removed for Bluff residents. Mr. Scherick indicated that, as far as the BLM is concerned, restitution could be made for the materials. He figures that approximately 452 yards had been removed and the appraised value of the materials in the Bluff area is 60 cents a yard which would add up to be \$271.20. The BLM has the option of charging up to three times the value in a trespass situation so the maximum that might be charged would be \$813.60. Mr. Scherick wanted to confer with Robert Turri of the BLM staff before settling on an amount. Mr. Skelton accepts responsibility for the removal because the loaders were his employees, therefore, he will work out an agreement with the BLM and the issue will be closed.

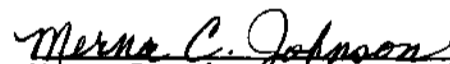
BILLS APPROVED FOR PAYMENT

Utah Communications	c.o.d. for communications	\$ 82.67
Wynn E. Bartholmew	garnishment on Larry Begay	268.31
United States Postmaster	express mail postage	10.75
Aragraphics	full color 1988 visitor guide	414.00
BSA Troop 311	power rake lawn/remove debris library (B)	50.00
James M. Freshour	bail refund	20.00
Larry's Electronics	repairs development board	37.50
National Police Chiefs & Sheriffs	Law Enforcement Directory	40.70
Strauss Uniforms	supplies sheriffs department	622.00
Turquoise Service	gas purchased sheriffs department	5.65
Utah Jazz Youth Basketball	tank top jerseys recreation department	1,242.00
Utah Farm Bureau Ins. Co.	Harold Jelly & David Lyman	100.00
Fire Protection Publications	supplies fire control	327.42
Raymond Bond	transporting D8 dozer	45.13
Pepsi Cola Bottling Group	supplies courthouse	18.10
The Western Slope Welding Supply Co.	supplies road department	633.62
Crown Casters & Handtrucks Inc.	supplies road department	123.27
Marvel Engineering Company	supplies road department	74.21
Abajo Petroleum, Inc.	supplies sheriffs department	17.91
Anderson and Anderson	reservation tax litigation	8,364.84
ANR Freight System, Inc.	freight charges road department	26.45
Baker Sanitation Blanding Branch	service library (B)	7.00
Bancroft-Whitney Company	supplies attorneys office	87.75
Nicky Black	hauling road department	1,340.00
Black Oil Company	supplies road department	168.80
Blanding City of	utilities library (B)	417.98
Blanding City Justice Court	Mary Benally	600.00
Bluff Water & Sewer Users Assn	utilities Bluff building	10.00
Brodart, Inc.	used books library (B)	63.00
Cate Equipment Company	supplies, parts, road department	19.78
Chevron U S A Incorporated	gas purchased sheriffs department	178.94
Keith H. Chiara	motel room April 1988	29.10
Continental Tel Co of the West	telephone charges courthouse	923.56
H F Cosby Jr.	hauling road department	1,174.25
Custom Floors and Furnishings	carpet cleaning library (B)	216.00

Day-Timers, Inc.	supplies Dell Hunter	19.20
Empire Electric Assoc. Inc.	utilities library (M)	537.76
Fifth District Juvenile Court	Paul Jackson	20.00
Four Corners Reg. Car Center	meals served March 1988	264.00
Frito-Lay, Inc.	supplies vending machine	14.88
Gall's Incorporated	supplies commission	7.25
Grand Tire Company, Inc.	supplies road department	571.74
Hafer's Incorporated	parts road department	484.98
Heckett-Div of Harsco	chips road department	792.84
Honest Dollar Construction	hauling road department	1,809.50
Horsehead Hardware	supplies golf pro shop	2.62
Wesley L. Hunt Company	supplies communications	285.00
Industrial Supply Company, Inc.	supplies road department	206.45
Inkley's	supplies sheriffs department	197.00
Intermountain Battery	supplies road department	730.09
J.B. Grain & Bean Company	supplies golf pro shop	145.00
Sylvan Johnson	reimbursement/washing sr. bus	13.50
Kents Foods	supplies sheriffs department	1,422.77
L B P Trucking	hauling road department	1,289.77
Mesa Sanitary Supply Company	supplies courthouse	40.60
Kenneth Miller	hauling chips road department	1,074.26
Mook & Blanchard	supplies library (M)	19.50
Monticello City Justice/Peace	sheriffs office collection	110.00
Monticello City of	utilities golf pro shop	72.98
Monticello Mercantile	vending machine supplies	319.89
Motor Parts Pro Mart Home Center	supplies courthouse	94.30
Mountain States Supply, Inc.	supplies golf pro shop	74.27
National Translator Assn.	registration fee Bill Bayless	165.00
Office Outpost	supplies purchasing department	175.78
Olympia Book Company, Inc.	supplies library (M)	176.60
Palmer's	supplies communications	149.85
Professional Armaments	supplies sheriffs department	47.40
Publishers Central Bureau	supplies library (M)	16.42
Parley Redd's Food Town	supplies library (B)	91.92
San Juan Ambulance Service	capital funding	8,410.00
San Juan County	wildlife collection fees	97.50
San Juan County Hospital	meals served March 1988	735.00
S.J. County 12th Circuit Court	bail transfer	695.00
San Juan County Health Care Services	operating transfer	52,086.97
San Juan Pharmacy	supplies sheriffs office	87.28
The San Juan Record	supplies library (M)	138.62
Saveway Automotive	tire machine road department	1,910.62
Sears-Monticello Agency	waste disposal golf pro	139.99
Dayne Shunway Construction	hauling road department	1,809.50
Sorbus	IBM Printer System Unit	280.06
Steelco	supplies road department	352.57
Steve Stovall	travel SLC computer	50.16
United States Welding, Inc.	oxygen road department	69.21
Utah Local Gov't Ins. Trust	workers comp. March 1988	1,088.62
Utah Power & Light Company	utilities LaSal fire st.	233.01
Utah State Information Systems	job processing sheriffs department	1,415.97
Utah State Library	supplies library (B)	453.77
Utah State Treasurer	state collections March 88	1,602.50
Wheeling Corrugating Company	parts road department	9,650.00
White Mesa Ute Council	meals served March 1988	455.00
World Almanac Education	supplies library (M)	37.34
Xerox Corporation	supplies clerks office	47.70
Mike Young Incorporated	parts road department	7.01
Zion Book Store, Inc.	supplies library (B)	8.50

Adjournment - There being no further business the meeting was adjourned at 4:45 p.m.


Calvin Black, Chairman


Merna C. Johnson, Deputy Clerk