

MINUTES OF THE SAN JUAN COUNTY COMMISSION

AUGUST 12, 1985

The San Juan County Commission met in regular session on August 12, 1985 at the hour of 10 a.m. in the San Juan County Courthouse at Monticello, Utah.

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

Minutes of the August 5, 1985 meeting were approved on the motion of Commissioner Holliday. The motion was seconded by Commissioner Bailey. UNANIMOUS.

San Juan County Fair - Horse Show Entry Fees

Pete Steele, Keith Redd, Gail Johnson, Beverly Rowley, Edrice Calvert, and Allen Ogden met with the Commission at 10 a.m. to protest the increased horse show entry fees this year in the County Fair. The citizens present felt those entering the horse show events should not bear the burden of supporting the fair; that if fees were necessary, then they should be fair-wide. They felt the increased fee from \$2 to \$5 would only cause a decrease in fair participation and possibly effect a decrease in fair revenue. They suggested that a gate fee would be more in line. After some discussion the Commission suggested the group meet with Mrs. Steffen, Fair Chairman, and negotiate a compromise.

The group also brought to the attention of the Commission that rules and guidelines had been formulated for the horse show. The group felt that these established guidelines should be followed regardless of who is chairman of the fair.

B & C Road Funds

Mayor Keith Redd reported to the Commission of a committee meeting he attended on B & C Road Funds. Mayor Redd told the committee he did not support the changing of the present funding formula and made a motion that an independent committee be appointed to make a needs study and the motion was passed unanimously.

San Juan County Nursing Home - Landscaping Discussed

Kathleen Lyman, Director of the San Juan County Nursing Home, met with the Commission to report on the landscaping of the Nursing Home. She said they are having some problems with water drainage and have acquired two bids for concrete work:

Jay Nelson \$3,265
 David Lacy \$5,413.20

Commissioner Bailey said he would like to look at the property for proper water drainage before awarding the bid on the concrete work.

San Juan County Fair - Horse Show Fees

Mrs. Shirley Steffen, County Fair Chairman, met with the Commission at 11:25 regarding the horse show fees. The Commission told Mrs. Steffen of some of the concerns expressed by some of the citizens earlier this morning. Mrs. Steffen said they could possibly cut the \$5 fee to \$3 and \$2 for children, however, she would have to meet with Judy Penfield, Chairman of the Horse Show, before making a decision. She will notify the Commission of that decision.

Four Corners Organization

Sue Halliday of the Four Corners Organization met with the Commission to report on a meeting of the travel directors from the four states: Utah, Colorado, Arizona, and New Mexico. Although they are very interested in a 4-Corners Organization, they feel that the end of September is not a good time; that October would be better. The eight counties involved are:

Utah	Grand
	San Juan
Colorado	Dolores
	Montezuma
New Mexico	New Mexico
	McKinley
Arizona	Apache
	Navajo

District Fire Warden Meets

District Fire Warden, John Baker, met with the Commission to report two fires: one near Mexican Hat at the rock crushing plant. The other was at Boulder in a wheat field resulting in an injury to Cloyd Johnson and some property damage. He also reported the successful, controlled burn of one section on the Mossback.

UNDC - County Representative Appointment to the Board

Mr. Herb Clah, Mr. Tulley Lameman, and Mrs. Gearldine Lameman of the UNDC met with the Commission to discuss having Rick Bailey appointed to the UNDC Board. Mr. Clah felt there was a definite language barrier and the appointment of Mr. Rick Bailey would not be effective. Mr. Clah said the UNDC would like to keep a good rapport with the County and would like to work on a staff-county relationship. The Commission felt the County has not been represented on the UNDC Board, and also feel that the appointment has not been effective. Commissioner Bailey said the Commission need not appoint a member to the UNDC Board and recommended that position be eliminated. The Commission asked Mr. Clah if they could have a staff member of the UNDC meet with the Commission either directly before or after the monthly UNDC meetings.

Countywide Recreation Organization

The Commission discussed the Countywide Recreation Organization with Mr. Herb Clah of the UNDC. Commissioner Holliday expressed disappointment that the UNDC was withdrawing from the organization and explained some of the goals and purposes of the organization. Commissioner Holliday presented Mr. Clah with a packet of information along with an agenda for the August 20, 1985 meeting. Commissioner told Mr. Clah that they would like representation from the UNDC even if they did not participate financially. Mr. Clah informed the Commission of a program they have implemented with success and have no desire to change. The Commission told Mr. Clah that no changes were necessary, that the Countywide Recreation Organization was to coordinate activities and better utilize facilities. Mr. Clah said he would have a representative at the meeting. Mr. Clah did say that the Navajo were concerned that in a recreation

program, the program would cater to the athletes and the Navajo people would be left out. The Commission said this was an area of concern, and they were trying to turn this philosophy around.

The Commission discussed the funding of the organization with regard to the UNDC's portion and felt if UNDC does not participate financially, the organization will continue as planned.

Mr. Rick Bailey, Administrative Assistant, reported that he talked with Kent Tibbets and was told that the University of Utah has an intern program where they will bring a person into the area and have the use of their expertise. By using the university, the organization could hire a director for less.

Report on Nuclear Repository - Utah State University

The Commission received a report and response to Rick Bailey's letter on their publication on the proposed nuclear repository. Commissioner Black and Rick Bailey, Administrative Assistant, will prepare a response to this report.

Halls Crossing Garbage Disposal

Rick Bailey, Administrative Assistant to the Commission, reported that the BLM has scheduled a meeting with the National Park Service for next Monday at Halls Crossing for the purpose of convincing the Park Service to allow us some time to do the paper work that will be necessary to get the garbage disposal area.

Rick Bailey reported that the BLM would like the county to purchase or receive transfer of land rather than a lease at the Bluff and Montezuma Creek garbage disposal sites also. The Commission said they would like to work out some type of sale or transfer.

Monticello Airport Water Well

The Commission directed Mr. Rick Bailey, Administrative Assistant, to get the well information from the Division of Water Rights in Price for a copy of the log and their recommendation on specifications for a gallon and a half to a five gallon-a-minute well.

Maintenance, Repair of Construction Damage to City Roads

Commissioner Bailey met with the Monticello City Council regarding the repair of damages done to city roads due to the cutting of city streets. The Council felt they should have an ordinance that covered the problem and then enforce the ordinance.

They will contact other cities and investigate what their procedure is. Commissioner Bailey will meet with Blanding City Council this Wednesday, August 14, 1985, to discuss the problem with them.

County Road Signing Program

Commissioner Bailey reported to the Commission that he has talked with Doug Pehrson about county road signing with regard to liability. Mr. Pehrson told Commissioner Bailey that it is imperative that the signing be done correctly. Commissioner Bailey recommended that Doug Pehrson take over the signing responsibility with the Road Department.

Gwen Halls Overpayment

Commissioner Bailey reported that Gwen Halls had been paid twice for gravel. The overpayment was brought to the attention of the Commission by Mrs. Halls, and the Commission will write her a letter thanking her and requesting the return of the second payment.

Little B Mining Company Contract

Motion was made by Commissioner Holliday for Commissioner Bailey to sign the contract with Little B Mining Company for the crushing of gravel. The motion was seconded by Commissioner Bailey. UNANIMOUS.

Road Department Employee Terminations

Commissioner Bailey reported that they are losing some good employees at the County Road Department. Commissioner Bailey feels that rather than hire other men to take their place, the county would be better off putting some of the construction crew in maintenance and establish county-wide cooperation within the department.

Commissioner Black suggested that the county consider selling the equipment not being used and draw interest from the bank. Commissioner Bailey is in the process of obtaining an information sheet on each road employee with regard grade, step, salary, and equipment being used by each employee.

Oljato Road

Commissioner Bailey said he would like to continue the road from Oljato to the State Line and get an agreement with the BIA to continue the road in Arizona making a more direct route from Oljato to the Monument Valley Hospital.

Recapture Lake Recreation Area - Trash Barrels

Commissioner Bailey will provide six trash barrels for the Recapture Lake area at the request of the Water Conservancy District.

Monticello Golf Course - Bill Sheppard

Commissioner Holliday reported that Bill Sheppard is leaving the employment of the county and Allen Hawkins will be taking his place at the golf course for the rest of the year.

Montezuma Creek Swimming Pool

Commissioner Holliday reported that they located the money received from the Montezuma Creek Swimming Pool. The money has been turned in to the Treasurer to be counted.

Oil Field Waste Disposal Pits

Commissioner Holliday met with Chet Roach of Hayhot Oil Company regarding requirements of their oil field waste disposal pit. When Mr. Arriotte of the Health District office comes to this area next week, he will meet with Mr. Roach and determine if there was discrimination in requirements. The Commission felt that Mr. Roach should state his complaints and concerns in writing. Commissioner Holliday said he would get a written statement from him.

Equalization Discussed

The Commission discussed the recent editorial that Don Gayle had on the KSL TV and radio in the last two days encouraging citizens to file a formal challenge if they do not agree with the assessed value of their property. Commissioner Bailey thought we should send out a letter to this effect along with instructions on how appeal with the tax notices.

The Commission will request a representative from the State Tax Commission be down here during the Equalization Hearings.

Mountain View Consortium

The Commission reviewed the proposed Articles of Incorporation for the Blue Mountain Consortium. The hearing for the Consortium funding has been set for August 20, 1985. The Commission had no recommended changes for the articles.

County Policy on Ordering Supplies

Commissioner Black reported that there is a requirement in the Utah Statue that the county bid all office supplies. Commissioner Black said he has had a complaint from one of the local businesses that they are not receiving any of the county business or opportunity to bid on supplies. Apparently 90 per cent of the business is being directed to out-of-state supply companies. Mrs. Gail Johnson, County Clerk/Auditor told the Commission that the out-of-state vending companies are offering better prices as well as quicker availability.

Mrs. Johnson also reported to the Commission that she has discussed the matter of a county purchasing department with Norman Prichard, Carbon County Clerk, to see what their procedures are. He buys all office supplies for the county and the different departments come to him to buy them on a paper transaction. He orders supplies from the state central stores. Mrs. Johnson reported that law only requires that the county bid on printed supplies. Mrs. Johnson stated that she would like to plan for next year's budget for the purchasing of supplies in quantity for repurchase by county departments. She would like to plan on implementing the central purchasing department the first of next year. Commissioner Bailey felt this would give the county better control.

Elected Officials' Bonds

Gail Johnson, County Clerk/Auditor, reported to the Commission that she is in the process of trying to determine the procedure and requirements for elected officials' bonds. The Commission asked Mrs. Johnson to check with the County Attorney on the requirements and have him present the information at the meeting next week.

Ski Lift

The Commission received a property voucher from the Bureau of Reclamation showing the original cost of \$43,757.02 for the lift recently transferred to San Juan County from State surplus for the purchase price of \$200. The voucher was signed by Commissioner Black. Commissioner Bailey said he would get in touch with the local ski club and see if they could use the lift.

Director of State Parks - Joe Miller

Commissioner Black reported that Joe Miller is one of five finalists for the position of State Parks Director.

401-K Retirement Plan

Mr. John Fellmeth, Deputy Auditor, met with the Commission and reported that the terminated employees have asked the county cash them out of the 401-K rather than sending it up to the State, even though they have terminated after July 31, which was the cut-off date. The Commission authorized Mr. Fellmeth to make payments directly to these individuals rather than send it up to the State Retirement Office.

San Juan County General Fund

Mr. Fellmeth presented a summary of Road Department expenditures and requested permission from the Commission to start using the B Road money. The budget is \$1,230,00 and the county is now \$6,000 over this budget. The Commission authorized Mr. Fellmeth to start using the B Road Money.

County Fairground Property - Jim Peterson

County Attorney Bruce Halliday reported to the Commission that the county had deeded the property to Blain Jones and consequently to Jim Petersson, and the deed was recorded.

DeVor and Dan Shumway - Gravel Pit Road

Commissioner Bailey reported that DeVor Shumway told him some time ago that he would settle if the County would pay them for cattle guard (\$1,000 to \$1,200), and give the County the right of way. The County Attorney will prepare an agreement which will provide a release from DeVor and Dan Shumway and all other parties involved in settlement of the right-of-way and related issues.

Commissioners Responsibilities

The Commission asked Bruce Halliday, County Attorney, for a written statement of the Commissioner's responsibilities with respect to the operations of the jail and the activities of the sheriff.

Montezuma Creek Bridge

The Commissioners received a letter sent to Creamer & Noble Engineers for bid modification request from Nile Chapman Construction Company on the Montezuma Creek Bridge. They recommend the county go from bituminous surface course to the mix surface course for a savings of \$19,000. Commissioner Bailey reported that Doug Pehrson, County Surveyor/Engineer, concurred with the recommendation. The Commission approved the recommended change.

Old Blanding Clinic - Lease Agreement with UDIA

The Commission reviewed the addition to the lease agreement with UDIA for the use of the old Blanding Clinic with regard to insurance coverage. The Commission set an insurance value of \$150,000 for the building.

Youth Alcohol and Drug Abuse - Governor's Task Force

The Governor has requested the formation of local task forces to work in conjunction with the Governor's task force. The Governor would like the county to present a report to him on July 15, 1986. Rick Bailey, Administrative Assistant will contact Bruce Shumway regarding this.

State Tax Commission - License Plates

Commissioner Black contacted the new State Tax Commission Director, Clyde Nichols, regarding their contract with the county on issuing license plates. He will get back with the county in 30 days.

Fair Labor Standards Act - Garcia Case

Commissioner Black received a letter from Ronald Alvarado, Special Assistant to the President for Intergovernmental Affairs, wherein he states that the present administration has been mandated to enforce the FLSA against state and local governments. The Department of Labor issued an investigation policy on June 14, in which the Department announced that investigations would begin on October 15, and urges quick compliance with the law. Mr. Alvarado goes on to state in his letter that several municipalities and counties, as well as state associations, have passed resolutions supporting legislation to exempt state and local governments from coverage under the FLSA. Mr. Alvarado requested that if San Juan County has passed a similar resolution, he would appreciate receiving a copy, along with any other information regarding the impact of the Garcia decision.

The County Attorney will formulate a resolution and present it to the Commission for the next meeting.

Commission Responsibility - Employment of Deputies

The Commission received the written statement from the County Attorney with regard to the Commission's responsibility on the approval of deputies hired by the county.

August 8, 1985

San Juan County Commission
Courthouse
Monticello, Utah 84535

Dear Commissioners:

San Juan County Commissioner, Calvin Black, requested from me, a written memorandum on the Commissioners' responsibility with regard to the employment of deputies by the various departments within San Juan County.

I have researched the question, and find no specific limitation upon the hiring of deputies by the various offices, other than budgetary restrictions which the Commission would have some influence and/or control and also the general supervisory statutory authority which Section 17-5-19 gives to the Commissioners. However, in the employment of deputies under the merit system, (Sheriff's Deputies only at the present time) there is a specific requirement under Section 17-30-2, (copy on file) that the Commission "advise and consent" to the employment of any deputy hired.

Any and all new deputies under the merit system should first be presented to the County Commission for their advise and consent before being hired.

Very truly yours,
/s/ Bruce K. Halliday
SAN JUAN COUNTY ATTORNEY

San Juan County Sheriff's Department - Scheduling

The Commission reviewed the scheduling of the Sheriff's Department and asked the Administrative Assistant to review the schedule over the week and report back next week during the meeting with Sheriff Wright.

Bills Approved for Payment

A & M Propane	Fuel for Road Dpt.	20.40
Abajo Petroleum, Incorporated	Fuel for Sheriffs Office	31.75
Aldrich, Nelson, Weight & Esplin	Sanity Hearing / H. Yellowman	50.00
Asa Welders Supply, Inc.	Supplies Road Dpt.	98.50
Richard M. Bailey	Herbicide Purchase	186.08
Ballard Supply Corp.	Supplies Sheriffs Office	17.20
Bennett Paint & Glass	Parts for Road Dpt.	40.28
Black Oil Company	Fuel for Road Dpt.	9573.62
Blanding Home Center	Supplies Road Dpt.	4.39
Blue Mountain Music	Supplies Monticello Library	14.95
Phillippe Bolduc	Reim.Tele. Charges	5.68
Rita Bryan	Services Rendered June 1985	202.65
Pat Butler	Herbicide Purchase	73.95
Car Care Center	Supplies Sheriffs Dpt.	29.00
Carr Printing Company	Supplies Sheriffs Office	80.00
Century	Supplies Road Dpt.	258.62
Chevron U S A Incorporated	Gas Purchase	13.10
Computerware Data Prod., Inc.	Supplies Data Processing	347.91
Conoco Incorporated	Gas Purchase Sheriff Dpt.	36.27
Continental Telephone Co. of the West	Telephone Charges Sheriff	146.05
Cortez Glass Company	Back Glass Pickup/Road Dpt.	50.00
Division of State Lands and Forest	76'Chev.4/4 Fire Control	5000.00
Empire Electric Assoc'n. Incorporated	Utilities Monticello Pool	769.43
Field Consulting services	1 Compaq Deskpro Computer	2145.00
Forestry Suppliers, Inc.	Supplies Surveyors Dpt.	54.37
Freed Leasing, Inc.	Leasing for Sheriffs Dpt.	231.17
Geneva Pipe Company	Supplies Road Dpt.	12124.09
Grand Tire Company, Inc.	Supplies Road Dpt.	1806.08
Hafer's Incorporated	Supplies Road Dpt.	95.05
Lucy Harris	Work on Historical Survey	21.00
John Himmelberger	Firefighter	42.00
Hogie's Restaurant	Meals for Firefighters	37.23
International Business Machine	Installation Payment	676.88
Intermountain Electric	Alternator Road Dpt.	348.99
J. & J. Interprises	Supplies Sheriffs Dpt.	10.13
Pauline Jensen	Travel Grand County Fair.	22.79
Gail D. Johnson	Workshop in Logan	151.86
Vincent Jones	Herbicide Purchase	85.65
Kents	TV Dinners Sheriffs Dpt.	690.90
Dave Ketron Jr.	Firefighter	35.00
Richard Lyman	Herbicide Purchase	75.10
Lyman Truck Lines	Freight Charges Montz. Creek	91.44
F. H. Miller Jr.	Supplies Road Dpt.	128.10
Barbara Montella	Summer Workshop Logan	326.16
Monticello Abulance Assoc.	Supplies Monticello Pool	86.00
Mary Lou Mosher	Recorders Workshop	171.81
Motor Parts Company		855.81
Motor Parts Pro Mart Home Center		1572.45
Morris Nelson	Herbicide Purchase	150.00
Office Outpost	Office Supplies Sheriff	152.62
Orr's Auto Body & Glass Shop	Supplies Road Dpt.	8.73
P & F Parts and Supply	Parts Sheriffs Dpt.	214.52
Professional Armaments	Repairs Sheriffs Dpt.	1160.29
Hilda perkins	Work on Historical Survey	21.00
John Peterson	Herbicide Purchase	150.00
Redburn Tire Company	Repairs & Parts road Dpt.	92.50
Parley Redd's Food Town	Supplies Sheriffs Office	8.37
Riverview Service Station	Gas Purchased Sheriffs Dpt	16.58
Rusty Iron & Salvage	Parts for Road Dpt.	167.48

S-W Parts and Supply	Parts for Road Dpt.	233.88
San Juan County	Spraying for Fair Grounds	1508.50
San Juan County Extension Office	4-H Fair Premium Monies	400.00
San Juan County Fair	Premium Monies County Fair	1500.00
San Juan County Hospital	Senior Citizen Meals	866.00
San Juan County Nursing Home	Senior Citizen Meals	504.00
San Juan Health Care Services	SJ Hospital Operations	46982.94
San Juan Pharmacy	Office Supplies Clerks	6.60
The San Juan Record	Supplies Fair Board	1788.47
Saveway Automotive	Supplies Road Dpt.	2252.90
Dayne Shumway Construction	Hauling for County Road	1443.75
Silver Stage Band	Dance for County Fair	350.00
Jim Slade	Firefighter	28.00
Joe Slade	Firefighter	28.00
State of Utah Lt. Governor	Notary Fee / Jane Musselman	10.00
Steve Stovall	Firefighter	10.50
Tire and Auto Center, Inc.	Alignment Sheriffs Dpt.	42.90
Turquoise Service		109.90
United State Welding, Inc.	Supplies Road Dpt.	12.69
Utah County Auditor	Sanity / Harrison Yellowman	156.54
Utah Department of Health	Indigent Medical Assistance	16945.00
Utah Foundation	Renewal of Membership	10.00
Utah Navajo Industries	Supplies Monticello Library	38.04
Utah Power & Light Company	Utilities La Sal Shop	5.48
Utah State Agency / Surplus Prty.	Lift System Ski Road Dpt.	200.00
Doris Valle	Historical Commission	66.42
Village Blacksmith	Work for Road Dpt.	80.00
Western Recreation Publication	Book Purchased Monticello Library	19.96
Wheeler Machinery Company		5126.39
Mike Young Incorporated	Repairs Sheriff Dpt.	514.80
Young's Machine Company	Repairs Monticello Recreation	1.56

There being no further business for this day, the meeting adjourned at approximately 4:30 p. m.


 Calvin Black, Chairman


 M. Jane Musselman, Deputy Clerk