

MINUTES OF THE SAN JUAN COUNTY COMMISSION MEETING

JANUARY 21, 1985

The San Juan County Commission met in regular session on Monday, January 21, 1985, at the hour of 10:00 a.m. in the San Juan County Courthouse at Monticello, Utah.

The following members were present: Commissioner Calvin Black, Chairman
Commissioner Jerry Holliday

Commissioner Bailey was excused.

Minutes of the previous meeting were approved on the motion of Commissioner Holliday. The motion was seconded by Commissioner Black and carried unanimously.

LAW ENFORCEMENT DISCUSSED

Commissioner Black requested the following letters from Sheriff Wright be incorporated into the minutes. They are as follows:

I.

January 18, 1985

TO: SAN JUAN COUNTY COMMISSIONERS

FROM: S. RIGBY WRIGHT

I would like to formally protest the assignment of Commissioner Calvin Black as Law Enforcement Liason with the County Commission.

I feel that, especially over the last year, Calvin and I have been antagonistic towards each other and this situation is not beneficial to either the citizens of, or law enforcement in San Juan County.

Inasmuch as Commissioner Bailey is still assigned the responsibility for the jail, it is only logical that he should also fulfill the responsibility of Sheriff's Office Liaison.

/s/ S. Rigby Wright
S. Rigby Wright
San Juan County Sheriff

cc: San Juan Record

II.

January 18, 1985

TO: SAN JUAN COUNTY COMMISSION

FROM: S. RIGBY WRIGHT

I formally protest the practice of the Commission and other Elected Official's discussing any other Elected Official's department in front of the press and others, without the courtesy of that department head or Elected Official present.

Again I feel that this practice does not enhance the image of County Government to those people we are attempting to represent in Government.

/s/ S. Rigby Wright
S. Rigby Wright
San Juan County Sheriff

cc: San Juan Record

Commissioner Black's response to the letters is as follows:

I. Response:

"If the Sheriff wants to express the opinion that he is antagonistic towards me that's fine, but I'm not antagonistic towards the Sheriff. I simply do not believe we're getting the quality and kind of law enforcement that we are entitled to. About a year ago the Sheriff was given a letter requesting activity reports from the deputies. He chose to ignore that request and in my opinion some of the legal problems we are in and have been in, in the County could have been much better in the interest of the County if we had activity logs by law enforcement officers and jailers. My interest is not to have any kind of personal battle with the Sheriff but to improve the quality of law enforcement. I think that in order to improve it the deputies should be required to keep on duty activity logs including mileage, destination, and the purpose of the trip. The jailers need to keep logs of their time that they check on the prisoners, time spent on other things, and when anyone arrives at or leaves the premises. I believe these would provide valuable information. I also, believe that deputies should log any off duty hours when they are called on and any off duty activities when they are using county

vehicles. I also, think there should be at least one deputy, and possibly two on regular night patrol at various locations in the County. These requests have been brought to the Sheriff's attention in the past and he has chosen to ignore those requests.

II. Response:

" I believe the County Commission has the responsibility to discuss any problems during regular Commission meetings. That is the time we have the legal authority to take action. The Sheriff or any other person has the right to be here and make their comments a matter of record.

ELECTED OFFICIALS MONTHLY MEETING

The following Elected Officials were present at the regular monthly meeting:

Mary Lou Mosher, County Recorder
 Marian Bayles, County Treasurer
 Barbara Montella, County Assessor
 Gail Johnson, County Clerk/Auditor
 Rigby Wright, County Sheriff
 Bruce Halliday, County Attorney

Gail Johnson, Clerk/Auditor, reported that the check from Rio Algom for the month of December, in the amount of \$2,332.75 has been received.

Barbara Montella, County Assessor, reported that she is preparing for the formal hearing before the State Tax Commission on the 29th of January.

Sheriff Wright stated that he would not like to discuss the letters he submitted until the full Commission is present. Commissioner Black reported that he will respond to the statements submitted by Sheriff Wright in writing.

RESOLUTION 1985-2 RE: PROPERTY TAXES

The following resolution was drafted by the Legislative Committee of the UAC last week. Commissioner Black was in attendance at this meeting. Commissioner Holliday made a motion to adopt this Resolution. The motion was seconded by Commissioner Black and carried unanimously.

RESOLUTION 1985-2

A RESOLUTION OF THE COUNTIES OF THE STATE OF UTAH

WHEREAS, the ability of Counties to function effectively as governmental entities in cooperation with the State is at a crisis:

We, the Counties of the State declare the following:

I

Residential and commercial property (locally assessed) can no longer bear nor accept the burden of growth in the property tax base alone.

The Governor and the Legislature should demand that procedures and formulas by which assessments of State assessed properties are made be investigated in the property tax paying public interest.

Those procedures and formulas should be justified in accordance with the constitutional requirement for uniform and equal assessment of all property.

Counties are prepared to administer the assessment of local properties fairly and equitably yet they are increasingly deprived of the ability to do so by administrative practices at the State level.

II

The ability of County government to function effectively both financially and politically is threatened by the inability to raise revenue to meet the cost of responsibilities transferred from State and Federal governments.

III

State-County issues are best solved in a partnership atmosphere through which problems are addressed in a rational, cooperative, good-faith attempt to improve the tax system of the state of Utah. We call upon the Governor and Legislature to recognize this principle in addressing these issues.

NOW THEREFORE, in aid of affecting long-term solutions to this governmental crisis, we, the Counties of the State propose:

A. For an effective property tax system:

1. Legislation providing for "Truth in Taxation" whereby Counties are accountable to the constituent public for disclosure of the effect of property tax actions should replace budgetary or mill levy limitations.

2. Membership on bodies making decisions regarding the property tax system, specifically the State Tax Commission and the Tax Recodification Commission, must include persons with experience administering that system at the local level. We urge consultation with the Utah Association of Counties in making such appointments.

3. Sales ratio studies must be statistically and rationally defensible to accurately reflect property values.

4. House Bill 6 [1984 Special Session] should be amended to clarify the relationship between Counties and the State Tax Commission.

5. Access to all information upon which assessments are based must be freely available to county officials as provided by law.

6. Appropriations to the State Tax Commission must be adequate to fund an effective assessment and audit of State assessed properties and priority must be given to this obligation.

B. For securing the financial and political viability of County Government:

1. Alternative sources of revenue must be identified and made available so that the cost of services may be equitably allocated between all taxpayers.

2. Service responsibilities transferred from State government to the Counties must be accompanied by revenues sufficient to fund them.

DATED this 21st day of January, 1985.

BOARD OF COUNTY COMMISSIONERS OF
SAN JUAN COUNTY

/s/ Calvin Black

/s/ Jerry Holliday

/s/ Kenneth R. Bailey

ATTEST:

/s/ Gail D. Johnson
County Clerk

This Resolution has been reviewed and has the support of the following:

/s/ Gail D. Johnson
County Clerk

/s/ Gail D. Johnson
County Auditor

/s/ Barbara Montella
County Assessor

/s/ Marian Bayles
County Treasurer

/s/ Mary Lou Mosher
County Recorder

n/a
County Surveyor

/s/ Rigby Wright
County Sheriff

/s/ Bruce K. Halliday
County Attorney

RICHARD FARABEE'S WRECKING YARD DISCUSSED

The Commission received a copy of the Notice of Encroachment on State of Utah highway right-of-way that was issued to Mr. Farabee by Al Richens on January 21st. The notice states that Mr. Farabee has 10 days to move the automobiles, trucks and wreckers parked on the highway right-of-way.

BEER LICENSE APPROVED - MEXICAN HAT TEXACO

Leon Behuniun and Dale Black met with the Commission to discuss the beer license request for the Mexican Hat Texaco. Mr. Behuniun reported that the station has been remodeled and is now a convenience store as well as selling gasoline. Commissioner Holliday had previously expressed concern over being able to purchase beer at a service station. His concern was encouraging the mixture of alcohol and driving. Commissioner Holliday further reported that since the business has been remodeled for the sale of grocery and convenience items he has no objections. Commissioner Black reported that he has discussed this request with Commissioner Bailey and he has no objections. Commissioner Holliday made a motion to approve this license. The motion was seconded by Commissioner Black and carried unanimously.

UTAH DIVISION OF WILDLIFE RESOURCES MEETS

Guy Wallace, Utah Division of Wildlife Resources representative, met with the Commission to report that representatives would like to meet with the Commission on a regularly scheduled basis in the future. Mr. Wallace further stated that the purpose of the meetings is that the UDWR would like to provide a service to the County and have an exchange of information between the Division and the Commission so that they may work together cooperatively, and work together on anything that may affect wildlife in the County.

Mr. Wallace also reported that the proposed antelope transplant at Hatch Point has been turned down by the BLM. The BLM has a proposed re-vegetation project on Hatch Point.

RESOLUTION 1985-3 RE: SURPLUS PROPERTY

Al Haskins met with the Commission to report on the following Resolution regarding Surplus Property. Commissioner Holliday made a motion to approve the Resolution and authorize Commissioner Black to sign it. The motion was seconded by Commissioner Black and carried unanimously.

RESOLUTION 1985-3

BE IT RESOLVED THAT Albert R. Haskins, Director of Emergency Services shall be and is hereby designated as the representative of San Juan County to secure the transfer to said Applicant of surplus Federal property through the UTAH STATE AGENCY FOR SURPLUS PROPERTY, under the provisions of Section 203 (j) of the Federal Property & Administrative Services Act of 1949, as amended, to obligate the applicant and its funds to the extent necessary to comply with the Terms and Conditions listed on the reverse side of this form. (a copy of the terms and conditions is on file in the Clerk's Office)

BE IT FURTHER RESOLVED THAT a certified copy of this resolution shall be submitted to the Utah State Agency for Surplus Property and that the same shall remain in full force and effect until written notice to the contrary is submitted to the said Utah State Agency for Surplus property.

CANYONLANDS BACKCOUNTRY MANAGEMENT PLAN DISCUSSED

The Commission reviewed and approved the drafted response to the Canyonlands Backcountry Management Plan.

HEALTH CARE SERVICES DISCUSSED

Rayburn Jack, Executive Director for Health Care Services, met with the Commission and reported that the representative for the State Indigent Health Program will meet in Monticello with the providers to review the process on January 25th.

LETTERS RECEIVED RE: SOCIAL SECURITY REPRESENTATIVES VISITS TO MONTICELLO The Commission received a copy of the letters sent by the M.I.T.E. Committee and the Development Board protesting the elimination of visits to Monticello by the Social Security Representative.

PUBLIC HEARING RE: RAISE FOR ELECTED OFFICIALS

A public hearing was held at 2:00 p.m. for the purpose of discussing a proposed 5% raise for Elected Officials. The following statements were made:

Susan Taylor: Suggested that the Commission wait to make a decision on the salary increase until Rio Algom makes a decision to stay open or closes, because they pay a considerable amount of taxes to San Juan County.

Carl Eisemann: The private economy in the County is shot and it doesn't really make that much sense to increase the salaries to the public economy which is paid by the tax payer when they themselves are not getting an increase.

Peggy Humphries: I don't think this is the year for the elected officials or county employees to get a raise because of the comments Susan and Carl have made. Maybe this won't create jobs but maybe we should be in sympathy with the private sector at this time, although the offer is appreciated.

Clytie Barber: When Kennecott Copper and the airlines are talking about reducing salary and perhaps eliminating jobs entirely, and then with the proposed 24% increase in tax factoring, I don't think it's any time for a raise either so that you can live in style at the expense of the rest of us.

Steve Young: I second all of the other things that have been mentioned. As far as the private economy there has been wage reductions and lay offs, and you are looking for a raise. I would like for you to clarify why you deserve a raise?

Don Christensen: I'm a state employee and there are rumors that we may not be getting a raise this year, because of Kennecott, the airlines and everything else. If the state doesn't give its employees a raise where the state has more money coming into it, I feel that the county definitely shouldn't get a raise.

Buckley Christensen: I am from Young's Machine Company and we have been affected by the slow down in the economy a great deal. We don't know how long we can struggle when our taxes keep going up. We realize that this didn't start with the county. It started with the federal government and works its way right on down to the county and the city. It might be that the taxes we pay aren't very much as far as the economy is concerned but when they keep raising every year and we are wondering what will happen when all the people who have a private enterprise are forced out of business. I want to say I admire those people who are directly affected by this 5% raise who will come out and say I don't want it because its not fair.

Jack Calliham: I agree with all of the rest of them. I feel that it can work the opposite and start with the cities and counties and work its way up. If one gets a raise all the rest of them think they ought to get a raise.

Peggy Humphries: By objecting I don't mean that the county employees don't deserve a raise but maybe it's just not the time for one.

Commissioner Black expressed his appreciation to who came to discuss this issue and stated "I wish this type of participation would have started a couple of months ago in the budgeting process because that's the purpose of it. The department heads in order to prepare a budget have to know what the guidelines might be in looking at what if any raises there will be. The Commissioner's had a discussion on that this year and there was some feeling that we have a decline in our assessed valuation this year. That's been a concern for about 2 or 3 years and it has not hit us yet but I still believe it will. Rio Algom's shutting down this year would not affect the tax base this year but in future years. The only reason we didn't drop last year was that oil and gas went up. In that discussion we decided that we would allow the department heads to include in their proposed budgets 5% and that did not mean that it would be approved. That was in the proposal stage, it then went through the process including the budget hearings, and there were no objections raised. In the budgeting process for a number of years we have required that if there is a salary increase for elected officials or employees it should be made very plain in the budget hearing so that people will know that. Personally I feel that maybe we should forego a raise this year but in that discussion we considered that the county has done this a great deal and we have had over the years public comments against raises or discussion in the budget hearings. It just seems that for whatever reason the county is the only public entity that anybody ever comes to say you should be the one to cut. We have had evaluations made of county employees made in relation to state and federal employees, and on the average county employees are presently under paid." Commissioner Black asked those present if they have attended the budget hearings at the School District or protested to the state or federal governments regarding there raises. Commissioner Black reviewed the School District, State and Federal government pay rates. Commissioner Black further reported that granting a raise will not affect the amount of taxes paid by the local citizens. The state is proposing the tax increase, and the County is presently fighting it.

Rita Bryan: As a County employee I feel that the elected officials should get the same percentage of a raise as the employees, which is 4.1% to 4.3%.

Commissioner Black reported that historically employees have received a raise when the elected officials haven't.

Further discussion on the issue of whether or not to grant a raise was similar to the above statements. Commissioner Black thanked those present for their input and reported that they will not make a decision until the full Board meets on January 28th.

COUNTY PHONE SYSTEM DISCUSSED

Gail Johnson and Milt Rose met with the Commission to report that the cost for the phone system from Contel has increased from the previously quoted price. Mrs. Johnson recommended purchasing the system from Maycom instead of Contel because of this increase. The Commission has no objections to this recommendation.

TAX CONVEYANCE GRANTED

On the recommendation of the County Attorney, Commissioner Holliday made a motion to grant a conveyance on \$1,300 in taxes owed the County on the home Dr. Gibbons donated to the San Juan Foundation. The motion was seconded by Commissioner Black and carried unanimously.

EMT'S MEETING ATTENDED

Commissioner Holliday reported that he attended a meeting with the EMT's last week to discuss the ambulance service budget. Commissioner Holliday also reported that it was decided by those in attendance at the meeting to have Rayburn Jack as the director. An advisory group consisting of 1 representative from each area will elect a representative to be chairman.

BLUFF SPECIAL SERVICE DISTRICT

Representatives from Bluff met to discuss the proposed Special Service District. It was reported that a meeting was held in Bluff on January 17th to discuss recommendations for Service District Board Members. Based on a straw poll the following recommendations were submitted to the Commission.

Jim Sayers
Rayma Percell
Bill Davis
Kathy Carson
Mark Richmond

Alternates: Jeff Anderson
Ward Drollinger

The Commission reported that the official meeting to adopt the resolution establishing the district will be on January 28th.

PROJECT BOLD DISCUSSED

Commissioner Black reported that he met with Governor Bangerter last week to discuss his concerns regarding Project Bold.


B & C ROAD FUNDING

Commissioner Black reported that the urban counties are trying to get the B & C Road funding changed. The change would base the amount of funding on the number of vehicles using the roads and population figures instead of road mileage. If this change is made the rural counties will lose considerable amounts of funding. Commissioner Black will meet with Representative Dave Adams to discuss this matter.

BILLS APPROVED FOR PAYMENT

ABAJO ELECTRIC	LAMPS/COURTHOUSE	114.00
ABAJO PETROLEUM, INC.	FUEL PURCHASED/ROAD DEPT.	7,954.46
ATR ENTERPRISES	LIGHTS/(M) & (B) AIRPORTS	155.10
BLACK OIL COMPANY	FUEL PURCHASED/ROAD DEPT.	4,711.70
COUNTRY KITCHEN	DINNER/GRAND & SAN JUAN COMMISSIONERS	75.46
C.W. ELECTRONICS SALES COMPANY	SUPPLIES/COMMUNICATIONS	30.58
DON'S WELDING & METAL SHOP	SUPPLIES/RECREATION DEPT.	404.97
JOHN FELLMETH	TRAVEL EXPENSES	180.60
GENERAL ELECTRIC COMPANY	SUPPLIES/SHERIFF'S DEPT.	1,469.00
W.W. GRAINGER, INC.	SUPPLIES/ROAD DEPT.	8.08
GOVERNMENT MGMT. INFORMATION SCIENCES	COUNTY MEMBERSHIP/GMIS	25.00
HAFER'S INC.	PARTS/ROAD DEPT.	148.92
INTERNATIONAL BUSINESS MACHINE	PARTS/#6846202	76.00
IMS INT. MAILING SYSTEMS	POSTAGE METER RENTAL	66.00
INDUSTRIAL SUPPLY CO., INC.	PARTS/ROAD DEPT.	193.74
LAFAYETTE INSTRUMENT CO., INC.	RENTAL/IMPACT TESTER/ROAD DEPT.	125.00
MESA SANITARY SUPPLY CO.	SUPPLIES/COURTHOUSE	19.90
MONTGOMERY WARD	SUPPLIES/ROAD DEPT.	79.90
MONTICELLO SECURITY	KEYS/SHERIFF'S OFFICE	18.00
MOTOR PARTS PRO MART HOME CENTER	SUPPLIES/SHERIFF'S DEPT.	44.00
MUNICHEM CORPORATION	SUPPLIES/RECREATION DEPT.	1,006.52
NAVAJO COMMUNICATIONS COMPANY	TELEPHONE CHARGES/MONTEZUMA CREEK	216.51
NAVAJO TRIBAL UTILITY AUTHORITY	UTILITIES/FIRE CONTROL	75.96
P & F PARTS AND SUPPLY	PULLING CAR OUT OF DITCH	30.00
PALMER'S	SUPPLIES/COMMUNICATION	13.11
PHILLIPS PETROLEUM COMPANY	FUEL/SHERIFF'S DEPT.	15.98
SAN JUAN COUNTY LIBRARY (B)	PETTY CASH	46.17
SAN JUAN HEALTH CARE SERVICES	NURSING HOME ADDITION	26,936.81
THE SAN JUAN RECORD	ELECTRICAL CODE ADOPTED	81.60
SNAP-ON TOOLS CORP.	PARTS/ROAD DEPT.	124.25
TEXACO, INC.	TRAVEL/AL HASKINS	526.33
THUNDER CHEMICAL CORPORATION	ICY MELT/COURTHOUSE	65.70
UNITED STATES WELDING, INC.	CYLRENT/ROAD DEPT.	293.47
U.S. IDENTIFICATION MANUAL	SUBSCRIPTION RENEWAL/S.O.	41.00
UTAH POWER & LIGHT COMPANY	UTILITIES/BLUFF	40.63
WHEELER MACHINERY COMPANY	FREIGHT/ROAD DEPT.	1,267.37
W.R. WHITE COMPANY	SUPPLIES/ROAD DEPT.	1,380.00
FIRST SECURITY BANK OF UTAH	TRUST FUND TCD	1,000,000.00

There being no further business for this day the meeting adjourned at approximately 4:50 p.m.


Commissioner Calvin Black, Chairman


Carol Taylor-Hoggard, Deputy Clerk