

SAN JUAN COUNTY COMMISSION MINUTES

NOVEMBER 21, 1988

The regular session of the San Juan County Commission convened at 10:00 A.M. at the San Juan County Courthouse at Monticello, Utah.

Commissioners Present: Calvin Black
Kenneth Bailey
Mark Maryboy

A motion to approve the minutes of November 14, 1988 as corrected was made by Commissioner Bailey and seconded by Commissioner Black. UNANIMOUS.

COMMISSIONER KENNETH BAILEY'S REPORT

Navajo Transportation Conference - County Engineer Doug Pehrson attended the annual Transportation Conference in Page, Arizona last week and reported that he and George Thompson explained the State and County funding for the roads on the reservation.

Todahaidekani Shale Pit - Commissioner Bailey reported that the land description, archaeological study and application has been turned in to the Navajo Tribe and BIA for processing on the Todahaidekani shale pit. Commissioner Maryboy will follow up on the matter.

Montezuma Creek Road Shed - An application for the electrical hook-up on the Montezuma Creek Road Shed will be made to Utah Power and Light Company.

San Juan County Road Department Christmas Party - The County Road Department Christmas party will be held on December 9, 1988 at 6:30 p.m. at a cost of \$8.00 per couple. The money is due by December 6.

BIA Contract Amendment - Commissioner Bailey presented an amendment to the contract with the BIA for a reduction of \$163,04 to \$35,836.96. A motion to approve the amendment and authorize Chairman Black to sign the contract was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

Monument Valley Dump - Commissioner Bailey reported that somebody has closed down the Monument Valley Dump. An application by the Chapter to take over the dump and put a landfill operation is being sent to the Tribe.

COMMISSIONER MARK MARYBOY'S REPORT

Bluff Sewer, Water & Recreation District - Commissioner Maryboy inquired as to the status of the Bluff Sewer, Water and Recreation District creation. The issue has been set for November 28, 1988 at 2:00 p.m. Mr. Maryboy has received two letters opposing the district. Other letters had also been received by the commission.

Oljato Chapter House Rededication - Commissioner Maryboy reported that the Oljato Chapter House renovation will be rededicated tomorrow, November 22, 1988 at 10:00 a.m. The Commissioners were invited to attend.

COMMISSIONER CALVIN BLACK'S REPORT

Montezuma Creek Police Station - A letter from the Navajo Tribal Utility Authority has requested a payment of \$512.29 for a preliminary survey for a gas service line to the Montezuma Creek Police Station. The Tribe committed \$20,000 toward the project and the Commission felt that as soon as that money is received from the Tribe the payment of \$512.29 will be made.

Loop Road to Blanding - Commissioner Black will write a letter to the Forest Service with respect to cooperatively doing some maintenance work on the loop road on the Blue Mountain between Monticello and Blanding. It has been some time since the road has had any maintenance and is badly in need of some work being done on it. Commissioner Bailey has also asked Wesley Hunt and Bill Bayles to come up with a plan for snowmobile access from Monticello to Abajo Peak to be presented to the Forest Service.

Tax Litigation - A letter from Attorney Lyle Anderson to School Superintendent Hal Jensen and Commissioner Black states that the Supreme Court has just agreed to hear arguments in two cases from Arkansas and Florida in which State Courts refused to grant refunds of taxes paid even though the taxes themselves were declared unconstitutional. A decision in this case may affect whether or not we must pay refunds if eventually we lose our case.

Mr. Anderson will discuss this with Ray Randolph to see whether he believes an amicus participation in these cases is desirable.

ADMINISTRATIVE ASSISTANT RICK BAILEY'S REPORT

UAC CONVENTION - Administrative Assistant Rick Bailey attended the UAC Convention held in St. George during the past week and reported on several items of interest.

Assessing & Collecting Levy - Two lawsuits have been filed in regards to the assessing and collecting levy, one from Salt Lake County and one from Garfield County. The suit in Garfield County has been satisfied and the county has won the right to assess the levy but an appeal has been filed with the Supreme Court. The suit in Salt Lake County has not been heard yet. At a meeting held at Bear Lake, the Counties have been asked to lower the assessing and collecting budget by 9 or 10% statewide in order to show that the County was understanding of the problem that was created to some of the taxpayers. Cache County has already set their budget and lowered that budget by 9%. It was a unanimous decision of the Commissioners Association to allow each County to analyze their situation and if at all possible to try to reduce their budget by an average of 9 to 10% throughout the state to get it uniform. One of the problems was an imbalance between the counties charging different levies in different counties. The Auditors Department was asked to come up with a uniform standard throughout the State.

Halls Crossing Airport - Barbara Johnson of the FAA contacted Rick Bailey as she is concerned about the Halls Crossing Airport project and where it is heading. Ms. Johnson wanted to know if the County commitment to the airport would be a concessionaires agreement or an outright operating agreement. Ms. Johnson has reason to believe that the National Park Service may not issue the required permit or else make it so restrictive that it would not be acceptable to the County. If the County were to be unwilling to spend money on the project under those terms, the Park Service might then apply for the funding to build the airport because San Juan County as the only sponsor of the project is unwilling to abide by the terms of the permit. The Commission decided to proceed with the project and continue to be the sponsor.

Sheriff's Department/Vehicles - Administrative Assistant Rick Bailey checked with the local Chevrolet dealer and reported that the 4-wheel drive Chevrolets will not be on the market for about a year. In checking with Sheriff Lacy about the possibility of using blazers in place of the 4-wheel drive vehicles, Sheriff Lacy felt that the blazers could be used in a couple of the areas of the County. A bid from Mike Young Chevrolet on two blazers is over \$2,000 less than the bids for two Jeep Cherokees. Commissioner Black felt that each of the deputies did not need a vehicle as they are not all on duty at the same time. It might be possible to have a vehicle pool in Monticello and one in Blanding. It was also questioned as to whether all 4-wheel drive vehicles are needed. The matter will be discussed with Sheriff Lacy before a decision is made to purchase further vehicles.

County Commissioners Association - Administrative Assistant Rick Bailey reported that Tom Hatch was elected to be the chairman of the County Commissioners Association with Ken Brown as the vice chairman and Jerry Lewis as the Secretary.

Executive Session - A motion to adjourn into Executive Session to discuss an issue that may have legal ramifications for the County was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

CURRENT BUSINESS

Monticello City - Mayor Sonderegger met with the Commission to request monetary help with the purchase of a new fire truck for Monticello City. Mayor Sonderegger contacted Alice Scheerer, Chairman of the Community Impact Board, and she indicated that if the city could come up with \$6,000 and the County could match that because the fire truck is used to support the County effort outside of the city limits, that a grant would be considered from the Community Development Board for the remaining funds. The present fire truck is over 30 years old and really needs replacing. After consideration, a motion to approve the \$6,000 requested was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

Weed & Rodent Truck - Extension Agent Jim Keyes reported that he felt if the Steve Reagan Company would pay for the cost of the bed on the truck for the Weed Board at \$500 and 10 hours of labor at \$27 an hour for the repairs that the County had to make. That would make the County's payment \$4,804 which is \$100 below the original bid. Mr. Keyes had not contacted the Steve Reagan Company as he wanted to get approval from the Commission before contacting him. A motion approving the recommendation of Mr. Keyes was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

Budget Requests - County Clerk Gail Johnson asked the Commission for a decision on the request of Public Defender Keith Chiara for an increase in his contract to \$1,600. County Attorney Craig Halls stated that the case load has doubled since Mr. Chiara was retained as the Public Defender and he felt that the request was justified.

Recreational use of Lakes - Commissioner Black asked County Clerk Gail Johnson to include \$10,000 in the budget toward the maintenance and improvements needed on Recapture Reservoir and Lloyd's Lake Reservoir. Monticello City will be asked to budget \$10,000 towards maintenance and improvements at the Lloyd's Lake Reservoir and Blanding City will budget \$10,000 towards maintenance of the Recapture Reservoir. The San Juan County Water Conservancy District will budget \$10,000 each towards the two projects.

Commissioner Black also asked County Clerk Gail Johnson to budget \$20,000 in capital outlay towards the Blanding Rodeo Grounds. Blanding City and/or local groups will match that amount.

There will be \$5,000 budgeted towards the road and camp ground at the Dry Wash Reservoir. The Forest Service and Blanding City will also be asked to budget funding towards that project.

Bookmobile Contract - The contract for County support of the Bookmobile was presented for approval. The contract is for \$28,745.00 which is an increase of over \$2,000 for the new contract. A motion to approve the contract was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

House of Representative Majority Whip - San Juan County Representative David Adams was elected majority whip of the Utah State House of Representatives.

BILLS APPROVED FOR PAYMENT

Crowley Construction	work on Harts Draw road	\$48,003.05
Donald E. Copp	bail refund	250.00
Anna Marie Nat	registration agent, election judge	105.00
Sherry Ray	score cards Blanding golf course	79.85
TTT Reverse Trade Mission	conference Economic Development Board/Kartchner	250.00
Tru Sparling	partial bail refund	750.00
Heritage Inn	UAC Convention, Johnson, Jones, Montella	219.80
John Alvarez	tool allowance Nov. 1988	25.00
Richard M. Bailey	travel UAC meeting St. George	296.87
Nicky Black	hauling road department	184.25
Blanding City, Justice Court	Jimmie Klain Jr.	29.00
Charles Bowles	uniform allowance Nov. 1988	60.00
Bruce Bernard Bushsore Jr.	tool allowance Nov. 1988	25.00
Keith H. Chiara	public defender Nov. 1988	894.35
Bill Christensen	uniform allowance Nov. 1988	60.00
Rudolph Cook	uniform allowance Nov. 1988	60.00
Dennis Cosby Trucking	hauling road department	1,020.25
H F Cosby Jr.	hauling road department	1,578.50
William Monte Dalton	uniform allowance Nov. 1988	60.00
Tom Dyer	uniform allowance Nov. 1988	60.00
Empire Electric Assoc. Inc.	utilities fairgrounds	92.43
Max Halls	tool allowance Nov. 1988	25.00
Hawkins, Stanley M.	tool allowance Nov. 1988	25.00
Helen Howell	uniform allowance Nov. 1988	25.00
Diane Jackson	uniform allowance Nov. 1988	25.00
Louise K. Jones	registration fee	60.00
Billy Lee King	uniform allowance Nov. 1988	25.00
Kriby, Jack H.	uniform allowance, Nov. 1988	60.00
Max Ksiazkiewicz	tool allowance, Nov. 1988	25.00
L B P Trucking	hauling road department	288.75
Claude Lacy	uniform allowance Nov. 1988	60.00
Leavitt, Grant H.	green fees Nov. 1988	364.14
Martha J. McCann	uniform allowance Nov. 1988	25.00
Martineau, Gary	janitor library (B)	504.25
Monticello City, Justice of the Peace	sheriffs collections	1,699.00
Jack L. Mortensen	uniform allowance Nov. 1988	25.00
Victor Nebeker	tool allowance Nov. 1988	25.00
Lynette Palmer	uniform allowance Nov. 1988	25.00
Tierre J. Patterson	tool allowance Nov. 1988	25.00
Jerold Perkins	uniform allowance Nov. 1988	60.00
Andy Peterson	uniform allowance Nov. 1988	60.00
William H. Pierce	uniform allowance Nov. 1988	60.00
Keven R. Rhodes	uniform allowance Nov. 1988	60.00
Rufina Romero	janitor library (M)	275.00
San Juan County Library (B)	petty cash	62.98
S.J. County Seventh Dist. Court	Kelly Shunway	100.00
Gaylen Schaugaard	janitor library (M)	223.00
Dayne Shunway	hauling road department	1,597.75
Southeastern Utah Dist. Health Dept.	services October 1988	779.00
Steve Stovall	uniform allowance Nov. 1988	60.00
Utah Local Gov't Ins. Trust	workers comp. Oct./Nov. 1988	2,177.24
Utah Power & Light Company	utilities Bluff building	68.89

Adjourn - There being no further business the meeting adjourned at 11:15 A.M.

Jeffrey Black

Merna C. Johnson, Deputy Clerk