

## SAN JUAN COUNTY COMMISSION MINUTES

JULY 26, 1988

The regular meeting of the San Juan County Commission commenced at 10:00 A.M. in the San Juan County Courthouse in Monticello.

Commissioners Present: Calvin Black  
Kenneth Bailey  
Mark Maryboy

A motion to approve the minutes of July 18 as corrected was made by Commissioner Bailey and seconded by Commissioner Black. UNANIMOUS.

**COMMISSIONER MARK MARYBOY'S REPORT**

**Library Board Meeting** - Commissioner Maryboy reported that he attended the Library Board meeting held last week. They discussed the County policy of the bidding process. They expressed concern as they feel obligated to accept the low bid, which companies may not provide quality services. They also decided to extend the library hours at the Blanding Library beginning in the fall of 1988.

**Bureau of Indian Affairs Meeting** - Commissioner Maryboy reported that there will be a meeting of the BIA roads at Aneth on July 27th at 2 p.m.

**TV Ladder Line** - A number of Bluff residents are concerned about the TV ladder line. They would like the County or UP&L to remove the line before someone gets injured. Parts of the line have fallen down and the rest doesn't seem to be secured to the posts too well. Commissioner Bailey will look at the line and decide what will be needed to take it down.

**Window Rock/\$20,000/Archeological Requests** - Commissioner Maryboy will be going to the Navajo Tribal offices tomorrow to follow through on the \$20,000 commitment from the Tribe for the Montezuma Creek Fire Truck.

A meeting with the Senior Citizens Agency regarding the contract for the Bluff area senior citizens will be held while Commissioner Maryboy is in Window Rock.

Mr. Maryboy will contact the BIA Archeological and Right of Way Department to get approval for the archaeological study completed by Bill Davis on the Oljato wash bridge. County Engineer Doug Pehrson gave five copies of the archaeological study to the BIA for their review. They were supposed to keep one and give four to the Tribe but the Tribe has yet to receive their copies. Commissioner Bailey asked Mr. Maryboy to contact Jim Copeland and Johnny Thompson to see if they can help expedite the matter. The County needs to get the archaeological study approved so they can proceed with the project.

**COMMISSIONER CALVIN BLACK'S REPORT**

**Nursing Home** - Commissioner Black has been contacted by Rayburn Jack, manager of the Nursing Home, regarding the taxes on the nursing home. Apparently the notice was sent to the Auburn Manor headquarters and was not forwarded on to Mr. Jack. Subsequently a penalty and interest has been added for late fees. The taxes were \$13,276.44. With penalties and interest the taxes are \$14,440.69. Mr. Jack requested that the penalties and interest be waived because he had not received the notice and that he be allowed to pay half of the taxes now and half next month. County Attorney Craig Halls will be contacted to see the legalities of waiving the penalties and interest.

**Revolving Loan Fund Administrative Board Members** - Commissioner Black talked with Phil B. Acton and Keith Black and they both agreed to serve on the Revolving Loan Fund Administrative Board.

**Quit Claim Deed/Erva Shunway** - A tax deed was issued in about 1930 on some property and apparently was never recorded. Mrs. Erva Shunway is in the process of selling the property to the Edge of the Cedars Museum and needs a quit claim deed signed. A motion to approve Chairman Black's signing of the deed was made by Commissioner Bailey and seconded by Commissioner Black. UNANIMOUS.

**Ken's Lake Ordinance/Moab Public Hearing** - A public hearing on the Ken's Lake Ordinance was held in Moab and there was only one change suggested to the ordinance. Restrictions will apply 350 feet from the high water mark. With that change a motion was made to adopt the ordinance by Commissioner Bailey and seconded by Commissioner Black. UNANIMOUS.

**Hart's Draw Road/Crush Gravel** - Holliday Construction submitted a bid of \$5.50 per yard for crushing 6,000 yards of gravel for the Hart's Draw road. He told Commissioner Black that if the specs would be changed to three to fifteen instead of three to ten he would lower the price. He also indicated that he would drop the price if the amount were changed from 6,000 to the total amount needed for the road. The contract might be further negotiated depending on the quality of the gravel. The chips will be negotiated separately.

**Lisbon Road Weight Variance** - Administrative Assistant Rick Bailey will write a letter to Norm Lindgren of the Utah Department of Transportation stating that the Commission concurs with the issuance of another overweight permit for Ralph Dunn on the Lisbon road.

**Tax Initiatives** - Lynn Lee contacted Commissioner Black in regards to setting up a meeting with the County Commission, Blanding and Monticello city officials, San Juan County School District to discuss how the tax initiatives will impact the various agencies. It was suggested that Mark Lyman from the Social Services be invited to meet with the group.

**Mental Health** - A letter has been received from L.J. Schmidt, chairman of the State Board of Mental Health, which stated that the Board does not contemplate reopening the question of funding formulas for the present fiscal year, 1988-89. The Commission gave the letter to County Attorney Craig Halls and asked that a civil rights discrimination lawsuit be filed against the State Board of Mental Health.

**Bureau of Land Management/Grand Resource Area** - A letter has been received from the United States Department of the Interior, Grand Resource Area, that they have a draft environmental assessment which analyzes a proposed amendment to the 1985 Resource Management Plan. The amendment would (1) identify certain lands as suitable for disposal and acquisition by exchange and establish criteria for conformance of future exchanges with the plan, and (2) identify areas which will be closed to mineral material disposal. The BLM will accept comments on the draft documents until August 31, 1988. Further consideration of this plan will be discussed at the next Commission meeting.

**Department Of Energy Notice** - A notice from the Department of Energy indicates they are going to be having a public information meeting regarding plans and schedules for clean up of the uranium mill tailings near Mexican Hat on August 3 at 7 p.m. at Halchita.

**COMMISSIONER KENNETH BAILEY'S REPORT**

**Montezuma Creek Police Station** - Commissioner Bailey reviewed the plans for the Montezuma Creek Police Station.

**Hart's Draw Road Construction** - County Engineer Doug Pehrson has sent the contract and notice to proceed on the Hart's Draw road to Crowley Construction who was the low bidder on the first phase of the construction.

**Grand County/San Juan County Road Agreement** - An agreement was reached with Grand County for maintenance of San Juan County roads that connect with Grand County roads below Dead Horse Point, the Loop Road by the LaSal Mountain, and in the Spanish Valley area. Grand County has already been maintaining some of these roads but others were added to the agreement. Commissioner Bailey will work up a formal agreement with County Engineer Doug Pehrson and County Attorney Craig Halls for Grand County approval.

**County Vehicle Registration Stickers** - A notice was received that all County vehicles must have the registration stickers put on the license plates before the end of July.

**Guymon Lane Power Poles** - Commissioner Bailey reported that the power poles have been moved on the Guymon Lane so the road project can proceed.

**County Auction** - Information has been received from a company that will conduct the county auction if desired. The matter will be discussed further at the next Commission meeting before a decision can be made.

#### **ADMINISTRATIVE ASSISTANT RICK BAILEY'S REPORT**

**Equipment/Public Safety Building** - A request has been received for payment to Motorola, Inc. for \$1,089 for equipment installed in the Public Safety Building. A motion to approve the payment was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

**Monticello Senior Citizens Center/Equipment** - Procurement bids have been received for a food mixer for the Monticello Senior Citizens Center from Monticello Merc for \$321.94 and from Hobart's for \$357.90. A motion to approve the purchase from Monticello Merc for \$321.94 was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

**Ambulance Communications Equipment** - The communications system between the hospital and ambulances needs to be changed to accommodate life flights because the present system is not adaptable. A channel base station needs to be purchased for \$2,633.00 to provide adequate communications. There is sufficient money in the EMS account to purchase the equipment. The present equipment could be installed in the Blanding Clinic for use by the ambulances there. A motion to approve the purchase was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

**EMT Coats** - Administrative Assistant Rick Bailey showed the Commissioners a jacket to be used by the EMT's that is acid resistant and fire resistant. It has a snap-in vest for winter use. The jackets are priced at \$100 a piece. A motion to approve the purchase of 70 of the jackets was made by Commissioner Maryboy and seconded by Commissioner Bailey. UNANIMOUS. The jackets will be owned by the County to be used by the EMT's and returned to the County when they are no longer active EMT's.

#### **CURRENT BUSINESS**

**Gate Closure/Albert Hall** - Albert Hall met with the Commission to explain some of the problems created with the closure of a gate leading to his property. Mr. Hall would be willing to build a cattle guard across the road but John Skidmore would prefer a gate as a deterrent to poachers. Mr. Hall also indicated that Mr. Skidmore has also built his fence on Hall property. The Commission stated that only the gate or cattle guard would affect the County. The fence is a private matter to be settled between individuals. The Commission suggested that all parties involved meet with the Commission to resolve the problem.

**Ucolo Road** - Mr. Hall reported that a portion of the Ucolo road has sunk and needs to be repaired.

**Health & Marketing West** - Joe Rude from Health and Marketing West and Carl Hansen, administrator of the Ashton Idaho Hospital, met with the Commission to discuss a proposal for the administration of the San Juan County Hospital. Mr. Rude and Mr. Hansen have met with John Fellmeth, Hospital Administrator, and the medical staff and department heads to get an idea of what problems they would face if they were to take over the administration of the Hospital. They also wanted to get the feelings of the board as to their priorities. Hospital Board Chairman Calvin Black stated that the main priority is to keep the Hospital and other health care services operating at the highest level of service possible consistent with the population needs and financial ability. Mr. Rude presented a management contract they have proposed and explained just what they would do and why they feel Health and Marketing West could do the best job. The Commission expressed appreciation to Mr. Rude for his presentation and stated that after further consideration of this and other possibilities they are looking into they will contact him to meet with the Hospital board for any further questions they may have.

**Sheriff's Department/Jerrold Perkins** - Sheriff Claude Lacy met with the commission regarding the beginning wage to be paid Jerrold Perkins. As he is a certified officer his beginning salary will be at grade 9 step 1, \$1,215.00 per month instead of the \$1,177 reported at the last meeting. A motion to approve the change was made by Commissioner Bailey and seconded by Commissioner Black. UNANIMOUS.

Sheriff Lacy reported that a school was held last week on drug interdiction. The next day two road blocks were held with one stolen car being pickup up and one pipeliner, a person transporting drugs for sale. The County will be getting a pickup out of the drug deal. Mr. Lacy stated that they will be having periodic road blocks. There is also an airplane in the air today looking for patches of drugs.

The Sheriff's department will also be needing to purchase some silver-tipped bullets. They are going through the qualifications on August 2nd and 3rd. They can get the bullets from Professional Armaments for \$219 which is the best price available.

**Blue Cross Blue Shield/Cafeteria Plan Insurance** - Jack Foreman and David Dunford, representatives of Blue Cross Blue Shield, met with the Commission to make a presentation on flex benefits for county employees. Mr. Dunford made the presentation on the employee benefits flex spending and the advantages of it and the cost as administered by Blue Cross Blue Shield.

**Canyon Terrace Subdivision/Livestock Problems** - Arlen Brown asked what action was going to be taken regarding the livestock problems in the Canyon Terrace Subdivision area. The Commission had contacted the BLM with regards to their policy of fencing for livestock. The BLM does not run cattle, therefore, it does not affect them. The present County policy is that the person who owns the livestock is responsible to keep them out of the other persons property. Mr. Brown stated that it was not so much the changing of the law but the enforcement of it. Commissioner Black said there are two alternatives: if cattle are trespassing on others' property, the sheriff can be called and the animals impounded or a civil suit can be filed against the owner of the livestock for personal damages.

**Communications** - County Communications Engineer Bill Bayles reported on the delay of repairing Channel Four. The part was ordered but the Company was completing their inventory and unable to send the part as soon as expected. When the part arrived, another part had to be ordered to be able to use the other part. Mr. Bayles said he had ordered extra parts of this type to be kept on hand but there are so many components in the units it is impossible to keep all of the parts on hand for future use.

**Southern Paving/LaSal Road** - Brenda Stocks of Southern Paving met with the Commission to discuss the agreement for crushing gravel on Pine Flats for the LaSal Road. The gravel will be crushed at a cost of \$2.95 per yard or at cost whichever is less. Mrs. Stocks indicated that if the production was good, the cost might be less but would not exceed the \$2.95. The crusher has been moved to the site and they will begin crushing today. Commissioner Bailey made a motion to approve the agreement as changed. Commissioner Maryboy seconded the motion. UNANIMOUS. Mrs. Stocks will have the agreement retyped and the proper signatures obtained.

**Energy Fuels Road** - Commissioner Black said he had been contacted by Energy Fuels and the road to their plant needs the potholes repaired. Commissioner Bailey will have the work completed.

**Fair Grounds** - Holly Tatnall and Clyde Christensen met with the Commission to request a new water line be installed at the fair grounds as the old line is quite corroded. In order to service the required faucets Ms. Tatnall said they should install a larger pipe than the 5/8 inch pipe that is there. It would require about 600 feet of pipe. Because of the time element Commissioner Bailey felt that only a portion of the pipe be installed now and the rest completed after the County Fair is held. Commissioner Bailey will follow through on the project.

**Gas Line** - The Utah Gas Company would like to install a gas line on the Abajo Drive road. Clyde Christensen asked permission for Monticello City to make a 7 inch wide cut across the County road for the trench. The Commission approved the request as long as a permit is obtained from the road department. The city will compact and reasphalt the area after the pipe is installed.

**Lee's Ranch Beer License** - County Clerk Gail Johnson requested approval of the Class C beer license for the Lee's Ranch at Mexican Hat. A motion to approve the application was made by Commissioner Maryboy

and seconded by Commissioner Bailey. UNANIMOUS.


**BILLS APPROVED FOR PAYMENT**

ABC Distributing	Dictionary, Speller & Thesaurus	\$ 7.76
Blanding Electronics	repairs typewriters	120.00
Blanding Lions Club	bike chase dinners	150.50
Consumer Reports	subscription library (M)	58.00
Don's Welding & Metal Shop	repairs recreation department	28.00
Jim Douglas	work library (M)	145.00
Legislative Printing	Utah Code Annotated, vol. 48	60.90
Saud Montano	bail refund	5.00
Frank Morrell	pictures bike chase	24.00
Jeffrey S. Reddy	partial bail refund	35.00
Kellie Roring	mounting pictures Historical Society	26.50
Steven's Supply Company	supplies recreation	273.80
Whitney's	supplies surveyor	130.00
Temples' Machine Inc.	supplies road department	421.77
Abajo Electric	repairs Historical Society	776.15
John Alvarez	tool allowance July 1988	25.00
Anderson and Anderson	indigent matters	124.40
ANR Freight System, Inc.	freight charges surveyor	41.60
Black Oil Company	fuel road department	5,817.62
Blanding City Justice Court	Carlos Collins	140.00
Charles Bowles	uniform allowance July 1988	60.00
Ruby Bronson	travel expenses	19.95
Bruce Bernard Bushore Jr.	tool allowance July 1988	25.00
Keith H. Chiara	pub. defender/health ins.	894.35
Bill Christensen	uniform allowance July 1988	60.00
M.V. Christensen	hauling road department	1,674.75
Community Nursing Service	service:Homemaker	408.40
Rudolph Cook	uniform allowance July 1988	60.00
Cortez Diesel Sales, Inc.	parts road department	446.72
H F Cosby Jr.	hauling road department	1,501.50
L.N. Curtis and Sons	supplies emergency service	109.44
William Monte Dalton	uniform allowance July 1988	60.00
Direct Safety Company	supplies emergency service	154.85
Tom Dyer	uniform allowance July 1988	60.00
Grand Tire Company, Inc.	parts road department	616.75
Great Basin Trucks, Inc.	parts road department	11.36
H.D./Wycoff Delivery Service	freight charges aging department	24.20
Hafer's Incorporated	parts road department	48.25
Max Halls	tool allowance July 1988	25.00
Colleen Harvey	meals senior citizens June, July 1988	1,419.00
Hawkins, Stanley M.	tool allowance July 1988	25.00
Heckett-Div of Harsco	chips road department	135.08
Highland Equipment company	supplies recreation department	20.70
Helen Howell	uniform allowance July 1988	25.00
Humphreys, Peggy	travel expenses	42.73
IMS Int. Mailing Systems	postage meter rental	93.75
Industrial Supply Company, Inc.	parts road department	170.60
Intermountain Battery	supplies road department	91.55
Diane Jackson	uniform allowance July 1988	25.00
Kenz & Leslie Distributing Co.	supplies road department	194.30
Billy Lee King	uniform allowance July 1988	25.00
Kirby, Jack H.	uniform allowance July 1988	60.00
Max Ksiazkiewicz	tool allowance July 1988	25.00
Claude Lacy	uniform allowance July 1988	60.00
Lawson Products, Inc.	parts road department	232.95
Leavitt, Grant H.	professional service July	1,933.10
Venice Lyman	restitution: Deen Lyman	150.00
Martha J. McCann	uniform allowance July 1988	25.00
McGee's Stamp & Trophy Co.	supplies recreation department	18.50
Martineau, Gary	janitor library (B)	404.25
Robert G. Matthews	travel expense	14.00
Monticello City Justice/Peace	sheriffs collections	780.00
Jack L. Mortensen	uniform allowance July 1988	25.00
Motor Parts Pro Mart Home Center	supplies library (M)	217.34
Victor Nebeker	tool allowance July 1988	25.00
Nuclear Testing Service	film badge service surveyor	59.40
Lynette Palmer	uniform allowance July 1988	25.00
Tierre J. Patterson	tool allowance July 1988	25.00
Gus Paulos Chevrolet, Inc.	parts road department	177.43
Pepsi-Cola Company	supplies vending machine	36.20
Andy Peterson	uniform allowance July 1988	60.00
William H. Pierce	uniform allowance July 1988	60.00
Professional Service Industries	comp. test safety building	226.00
Kevin H. Rhoades	uniform allowance July 1988	60.00
Rufina Romero	janitor library (M)	225.00
Rusty Iron & Salvage	parts, supplies road department	2,488.62
San Juan County	gas weed & rodent	1,495.22
San Juan County 4-H Council	senior citizens meals served	303.00
SJC Seventh Circuit Court	sheriffs office collections	4,060.00
The San Juan Record	renewal library (M)	10.00
Gaylen Schaugaard	janitor library (M)	173.25
Seventh District Juvenile Court	Mike Morrell	50.00
Dayne Shumway Construction	hauling road department	1,886.50
Steve Stovall	uniform allowance July 1988	60.00
Sysco Intermountain Food Ser'v	supplies division of aging	502.47
Television Technology Corp.	supplies communications	98.83
Tri-Arc Hotel	travel Craig Halls	30.00
United States Welding, Inc.	supplies road department	16.90
Utah Gas Service Company	utilities road department	66.99
Utah Local Gov't Ins. Trust	health ins. county	16,418.76
Utah Power & Light Company	utilities communications	14.18
Utah State Attorney General	Archie Bauer	200.00

Utah State Archives	supplies recorders office	12.00
USU Extension Service	supplies extension	101.97
Ute Mountain Ute Tribe	payroll deduction:Norman Begay	50.00
West Publishing Company	supplies attorneys office	86.50
Wheeler Machinery Company	parts road department	1,088.26
Wheeling Corrugating Company	parts road department	325.70
Colonial Life & Accident Insurance	liability from payroll run	587.16
Equitable Life Assurance Society	liability from payroll run	3,050.69
First Security Bank of Utah	liability from payroll run	33,163.38
San Juan Credit Union	liability from payroll run	972.47
Utah Public Employees Association	liability from payroll run	34.50
U.S.E. Credit Union	liability from payroll run	3,604.62
Utah State Retirement Board	liability from payroll run	591.49
Utah State Retirement Fund	liability from payroll run	15,423.51
Utah State Tax Commission	liability from payroll run	4,687.26

**Adjourn** - There being no further business the meeting was adjourned at 1:45 p.m.

  
 Calvin Black, Chairman

  
 Merna C. Johnson, Deputy Clerk

#### SAN JUAN COUNTY COMMISSION MINUTES

AUGUST 1, 1988

The regular meeting of the San Juan County Commission commenced at 10:00 A.M. in the San Juan County Courthouse in Monticello.

Commissioners present: Calvin Black  
 Kenneth Bailey  
 Mark Maryboy

A motion to approve the minutes of July 26, 1988 as corrected was made by Commissioner Maryboy and seconded by Commissioner Bailey. UNANIMOUS.

#### ADMINISTRATIVE ASSISTANT RICK BAILEY'S REPORT

**Translator Fees/U.S. Forest Service** - A letter has been received from the United States Forest Service regarding the translator fees. In response to comments and widespread public interest, they have reviewed the data and made several changes and modifications in the fee schedule proposal. Because some of the modifications are major changes from the previous proposal, it is being resubmitted for public comment. Additional comments on the new revised proposal will be received for sixty days from the date of the Federal Register publication.

**Federal Aviation Administration Personnel Changes** - Notification has been received from the Denver District Office of the Federal Aviation Administration of changes in personnel responsibilities. Mr. Nance Earley, who has been the Utah State Engineer and working with the County on the Halls Crossing Airport project, has been reassigned as the Colorado Section supervisor. Harold Rugg has been assigned as the replacement for the Utah State Engineer position. The Commission felt that Mr. Rugg should be contacted in regards to finalizing the EIS and other necessary items on the Halls Crossing Airport.

**Fair Labor Standards Act** - Administrative Assistant Rick Bailey has compiled a list of County employees who are exempt from comp time under the Fair Labor Standards Act. There have been several concerns and problems from employees who do not know whether they are exempt or aren't exempt. Mr. Bailey review the information and found there are three or four categories that are exempt under the act. One is non-covered, which is basically all elected officials, independent contractors, trainees, prisoners, board members etc. Executive employees are people who are in the foreman type classifications who are supervising people and are not working foreman. There are administrative exemptions which would include department heads, division or subdivision heads. The last category is recreational exclusions which would include people who work for less than seven months during the year. The Commission instructed Mr. Bailey to give each exempt employee notification that they are exempt employees and not entitled to overtime. Their job description or comp time is predicated on the fact that they will never spend less than 40 hours a week to do their job and they may spend more if it is required to get the job done. They are in administrative positions and that's the nature of the job.

#### CURRENT BUSINESS

**Utah State Fair Queen** - Desiree Rhoades met with the Commission to get a decision on sending a representative to the Utah State Fair Queen Contest. Because of a lack of interest, the County will not hold a San Juan County Queen Contest and would not have a candidate to send even though the fee was paid last spring. Mrs. Rhoades asked if the one girl who is interested in the contest could be sponsored by the County. The Commission felt that because of the lack of interest in the competition that they were not interested in sponsoring a candidate. Mrs. Rhoades will see if there is any interest among the young women in the County for another pageant in the spring. Mrs. Rhoades brought Marriann Heyden in to visit with the Commissioners after the regular Commission meeting and after further consideration the Commissioners agreed to have Miss Heyden represent the County at the Miss Utah State Fair contest and will pay her travel expenses.

**Spanish Valley Road Project** - An agreement was reached with Southern Paving for doing some work on the Spanish Valley area roads for \$49,544.00. After the roads are brought up to County standards they will be turned over to Grand County for maintenance, and Grand County will be paid the pro rated per mile amount of the B road money annually. A motion to approve the bid of Southern Paving to prepare existing gravel bases, then furnish and place a 2" compacted mat of hot asphalt was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

**Building Permits** - County Building Inspector Greg Adams presented applications from Jack Montella in Blanding and Steve Cannon in Bluff for building permits. Mr. Montella is planning to build a metal shop and Mr. Cannon a home. A motion to approve the request was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

**Road Department/Tool Cabinet** - A request was presented to purchase a 40-drawer wall cabinet to lock up tools for the road department. A motion to approve the purchase was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

**LaSal Gravel/Paul Redd** - Paul Redd met with the Commission to discuss an agreement for gravel from a pit on his property for use on a LaSal area road. All of the gravel the County puts on county roads on Mr. Redd's property will be donated at no cost. The County has had a policy of buying gravel for County roads. Mr. Redd stated that if the County would trade certain areas of the road with an area Southern Paving is putting gravel on, there would be no charge to the County and the entire project could still be completed. The Commission felt if the County were to haul the gravel to the areas where Southern Paving are graveling there would be no additional expense to them. Mr. Redd also suggested that if the County wanted to gravel the road to Deep Creek Canyon he would donate the gravel for that road also.

and was approved: