

SAN JUAN COUNTY COMMISSION MEETING

DECEMBER 27, 1988

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

Commissioners Present: Calvin Black
Mark Maryboy

Commissioner Kenneth Bailey was unable to attend.

A motion to approve the minutes of December 19, 1988 as corrected was made by Commissioner Maryboy and seconded by Commissioner Black. UNANIMOUS.

COMMISSIONER MARK MARYBOY'S REPORT

Alkali Wash - Commissioner Maryboy reported that the problems had been resolved in the Alkali Wash area and the Road Department is proceeding with the work on the Alkali Wash bridge.

BIA Meeting - There will be a meeting with the Tuba City BIA Road Department on January 18th in Monument Valley to discuss roads in the Monument Valley, Oljato area.

COMMISSIONER CALVIN BLACK'S REPORT

Bluff Special Service District - A number of letters have been received from Bluff residents who are opposed to the creation of the Bluff Special Service District. One from Steven Boos, chairman of the Bluff Water & Sewer Users Association, states that if water is being added to the service district description, it would put the two in conflict. The Commission does not view the district in that light but as a means whereby later they could combine the two if desired but imposes no obligation on them.

Population Estimate - The Utah State Office of Planning and Budget have issued a revised 1987 and preliminary 1988 population estimate for all Utah Counties. The population estimate for San Juan County of 12,900 was not changed.

Wilderness Issues Meeting - Ronald W. Thompson, District Manager of the Washington County Water Conservancy District, sent a letter inviting a representative of the San Juan County Commission to a meeting on January 5, 1989 at 10:00 a.m. in the Washington County Commission Chambers. The purpose of the meeting would be to discuss wilderness in each county, determine the areas of critical importance as perceived in the various counties and throughout the general areas mostly impacted in a substantial part of Utah, and to come up with a plan to deal with the wilderness issues. It was noted that Representative Wayne Owens is planning to submit a bill to Congress calling for the creation of wilderness within the State of Utah on BLM lands in excess of 5,000,000 acres.

Peavine Corridor - A copy of a letter from Senator Jake Garn to George Morris, Forest Supervisor of the Manti-LaSal National Forest has been received.

It reads:

Dear Supervisor Morris:

This letter constitutes my formal, albeit brief, comments with regard to the Peavine Corridor of the Dark Canyon Wilderness Area.

Simply stated, in 1984, the five member Utah Congressional delegation together with then Utah Governor Scott Matheson, specifically drew the boundary of the Dark Canyon Wilderness area to leave the Peavine Corridor open. The delegation rejected then, and I continue to reject now, any attempt to close access to this area.

When a decision of this nature is made by elected representatives of the people, I believe it is the duty and obligation of the resource managers to comply. Frankly, I question why the issue is being raised at all since it has already been decided by the Congress.

I have no objection to the Forest Service monitoring the use of the road, but again, I will oppose any attempt to restrict access or close the Peavine Corridor in Dark Canyon. Please notify me if you have any questions about Congressional intent on this issue.

Sincerely,

/s/ Jake Garn

Military Flights - A letter from Hoyt Hoagland has detailed the number of low altitude military flights directly over his home east of Monticello during a three month period. The Commission has also received other verbal and written complaints from residents within the designated corridor. A copy of the letter will be sent to the Utah Congressional Delegation asking them to respond to the letter.

ADMINISTRATIVE ASSISTANT RICK BAILEY'S REPORT

Probationary Raise/Tony Brandt - A motion to approve the probationary raise of Tony Brandt, Road Foreman for District 1, to grade 20 step 3, \$2,106 per month, was made by Commissioner Maryboy and seconded by Commissioner Black. UNANIMOUS.

Public Safety Building - Administrative Assistant Rick Bailey reported he had met with John Peterson and Mark Tressler of Dana Larson Roubal and Assoc. and discussed problems with the Public Safety Building. A meeting has been set up for the afternoon of January 17th to go over the list of concerns the County has with the new building and ask Mr. Peterson and Mr. Tressler to address these concerns. They in turn would like to bring everybody up to where they feel like they have done their job and try to come up with an equitable agreement on the responsibility of the building.

Commission Secretary - Approval was given for the advertisement of a secretary to work with Administrative Assistant Rick Bailey and the Commission.

COUNTY CLERK GAIL JOHNSON

Dump Sites/Bluff and Mexican Hat - County Clerk Gail Johnson reported that the \$2,600 has been sent to the Bureau of Land Management for the purchase of land parcels for the Bluff and Mexican Hat dump sites. A receipt has been received for the money and will be held until the deeds have been received.

Resolution/457 Deferred Compensation - A resolution adopting a voluntary deferred plan for employees of the State of Utah was presented for the signature of the Commission. The resolution reads:

RESOLUTION ADOPTING A
VOLUNTARY DEFERRED PLAN FOR EMPLOYEES OF
STATE OF UTAH

WHEREAS, the San Juan County Commission hereinafter called the "Employer," is desirous of seeing that additional retirement benefits are available to employees, and

WHEREAS, the Employer feels those retirement and tax benefits are desirable objectives for its employees, and

WHEREAS, the Employer is desirous of providing such retirement and tax benefits to its employees in a manner advantageous to each individual employee, and

WHEREAS, if any employees are desirous of deferring a portion of their salary, the Employer must deposit all of such deferred compensation each year because of its appropriation system, and

WHEREAS, the Employer recognizes the many advantages of having this program administered by the Utah State Retirement Board, and

WHEREAS, the Employer has previously adopted a Voluntary Salary Deferral Plan on the ___ day of ___
NA ___, 19 ___, and

WHEREAS, since the adoption of said Plan many employees of the Employer have become participants in the Plan, and

WHEREAS, since the adoption of said Plan there have been certain amendments to the Internal Revenue Code and specifically Section 457 thereof, and

WHEREAS, the Employer is desirous of having its Plan conform to the Internal Revenue Code, as amended, and

WHEREAS, it may be necessary for the Employer to amend its Plan to conform to any future amendments to the Internal Revenue Code,

NOW THEREFORE, BE IT RESOLVED by the County Commission of San Juan County, as follows:

1. The Utah State Retirement Board is hereby designated to administer a voluntary deferred compensation plan as amended in Exhibit A, attached, and is authorized to execute deferred compensation agreements with each employee or administrator requesting same, subject to the approval of the deferred compensation plan by the Internal Revenue Service.

2. The Amended Deferred Compensation Plan, which is attached hereto as Exhibit A, is hereby adopted by the Employer, and all employees who meet the eligibility requirements, including but not limited to elected and appointed officials, are hereby authorized to enter into deferred compensation contracts with the Employer by executing and filing with the Utah State Retirement Board such forms as may be required by the Director of said Office and by meeting such procedural requirements as may be established by the said Director.

3. The Utah State Retirement Board is further authorized to approve and adopt such additional deferred compensation plans and to make changes adopted therein as may be needed, provided that all such additional plans or changes must meet all requirements of this resolution and the amended plan attached hereto.

4. Participants may commence their participation in any approved plan at such times as may be established by the Utah State Retirement Board.

5. An opinion shall be requested if deemed necessary or advisable from the Internal Revenue Service for approval of the plan adopted by the employer. If the Internal Revenue Service shall determine that any portion of the Plan is not in compliance with the Internal Revenue Code, the Utah State Retirement Board is authorized to make any technical amendments to the Plan to bring it into compliance with the Code, and if any future amendments are made to said Code, the Retirement Board shall make any necessary amendments to maintain compliance with the Internal Revenue Code. In the event any such approval of any particular plan is ultimately denied, all participation in that particular plan shall cease upon the receipt of said denial.

PASSED AND ADOPTED THIS 27th day of December, 1988.

/s/ Calvin Black

/s/ Mark Maryboy

Attest:

Gail D. Johnson
Secretary

A motion to adopt the resolution adopting a voluntary deferred plan for County employees was made by Commissioner Maryboy and seconded by Commissioner Black. UNANIMOUS.

Beer Licenses - The following beer licenses were presented for the approval of the Commission and signature of Chairman Black: Top of the Hat Lounge, Sand Island Trading Post, Shirttail Service, Hatch Trading Post, K & C Trading Post, Vallee Trading Post, Mexican Hat Texaco, LaSal Store, Needles Outpost, Hite Marina and store, Halls Crossing Marina and store. Mrs. Johnson indicated there were several new employees and one owner that needed to take the certification training required. It was also suggested that the sheriff's department make periodic spot checks to make sure that those serving alcoholic beverages have had the training.

Budget Memos - Mrs. Johnson said that memos had been sent to all department heads advising them of their approved budgets. Letters have also been drafted to the San Juan Water Conservancy District, Monticello City and to Blanding City regarding the funding for the Lloyd's Lake and Recapture Reservoir projects which require matching funds. The Forest Service will also be notified of the funding set aside for the Dry Wash project which will require matching funds from the Forest Service and Blanding City.

Navajo Mountain Book Budget - Mrs. Johnson asked if the \$2,000 budgeted for books for Navajo Mountain would go to the BIA school. There was a question as to whether all the people had access to the books in the school library or whether they should be given to the learning center there. Commissioner Maryboy said he thought the school library was available to all the residents but will check for sure. The Commission said that Mrs. Johnson should send the letter to the school principal informing him of the available funds to be paid upon verification of the purchase of the books.

CURRENT BUSINESS

Recreation Director Eddie Allred - Recreation Director Eddie Allred met with the Commission to discuss a personal matter.

Recreation Request/Equipment - Recreation Director Eddie Allred presented two bids for a tractor for the Blanding Recreation facilities. The bids were: \$9,300 for a Kioti Tractor with loader and power steering from Turf Equipment and \$11,600 for a Jacobson Tractor from Stan Bonham Co., Inc. A motion to approve the Kioti Tractor for \$9,300 was made by Commissioner Maryboy and seconded by Commissioner Black. UNANIMOUS.

Recreation Budget - Mr. Allred had some questions concerning the 1989 recreation budget that was approved. Commissioner Black stated that out of the \$40,000 in County-wide recreation, \$3,000 was earmarked for Montezuma Creek recreation programs and \$3,000 for Monument Valley recreation programs. The \$20,000 budgeted for the Aneth Multipurpose building and the LaSal gym are conditioned on matching funds from those areas. If the two projects are finalized the Aneth Chapter would probably have jurisdiction over the multipurpose building in that area and the school district would probably have jurisdiction over the LaSal gym.

Equal Recreation Opportunities - The minutes of December 19th stated that there had not been equal recreation opportunities available for the reservation area of the County. Mr. Allred stated that little league programs have been initiated in those areas but fifty percent of the games have been forfeited as there have not been sufficient participants for a successful program. The Commission felt that if he would coordinate the programs through the chapter managers that possibly the programs would be more successful.

Mexican Water Grazing/Dan Jones - Dan Jones, a member of the Mexican Water Grazing Committee, expressed concern about the cattle that graze within the state road right of ways because of broken fences and a lack of cattle guards. Mr. Jones said that cattle guards were needed on three roads in the area and the fences mended. It was the opinion of the Commission that once the fences had been installed by the state road department that it became the responsibility of the land owners to keep the fences in good repair. Dyke LeFevre of the State Road Department will be contacted to see if there is a contract with the BIA for the repair of the fences or what can be done to alleviate the problems.

Mr. Jones was also concerned about the high speed of the vehicles on the state highways and asked the cooperation of the sheriffs department in enforcing the speed limit laws.

Mr. Jones asked if the USU Extension Program through Jim Keyes could rebuild the reservoirs and dams that have been washed out on the reservation. Commissioner Black indicated the Extension Service does not have any funds for that type of project but to check with Richard Holyoak or Don Andrews at the

Agricultural Stabilization Conservation Service to see if they could help with some cost sharing funds they have available for that type of project.

Travel Council Computer - Peggy Humphreys, Executive Director of the Travel Council, submitted bids for a computer for her office. Bids were received from Petra for \$2,461.90 and from Keele Johnson for \$2,511.13. A motion to approve the purchase from Petra for \$2,461.90 was made by Commissioner Maryboy and seconded by Commissioner Black. UNANIMOUS.

Bluff Senior Citizens/Louise Berensen - Louise Berensen met with the Commission to discuss the possibility of the Bluff Senior Citizens getting control of the kitchen and dining room in the Bluff Community Center. Mrs. Berensen cited situations where the furniture has been damaged and things broken or taken where there has been no supervision. The Senior Citizens are not interested in having responsibility for the whole building. The Commission felt that the whole building would benefit if one person had responsibility for the entire building to take care of the scheduling, etc. Administrative Assistant Rick Bailey was asked to contact the Social Service Director Mark Lyman, who rents a portion of the building, and work out a solution to the problem.

Public Hearing/Amend the Budget - The public hearing to amend the General Fund Balance for 1988 convened at 2:00 p.m. Those in attendance were Commissioner Black, Commissioner Maryboy, Administrative Assistant Rick Bailey, County Clerk Gail Johnson, Deputy Auditor John Fellmeth and Deputy Clerk Merna Johnson. Mr. Fellmeth noted that the State Auditor reminded the County that the accumulated surplus in the general fund exceeds the statutory limits. At the end of 1987 the accumulated surplus in the general fund was approximately \$3,108,000. In 1988 the estimated revenues are \$4,200,000 and the current expenditures are estimated at \$4,675,929. If the estimated revenues and expenditures are realized, the projected surplus for 1988 will be \$2,632,071. The statute says that in any year the surplus should not exceed 100% of that years property tax revenues. The estimated 1988 property tax revenue in the general fund is \$2,050,000 which would indicate a surplus of approximately \$600,000.

Mr. Fellmeth recommended that the general fund budget be increased to \$5,300,000 and accomplish that by increasing the Road Department budget from \$1,206,000 to \$1,830,071.

A motion to increased the general fund budget to \$5,300,000 and specifically the Road Department budget from \$1,206,000 to \$1,830,071 was made by Commissioner Maryboy and seconded by Commissioner Black. UNANIMOUS.

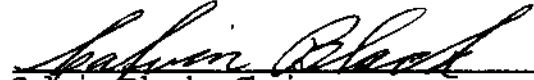
A motion to adjust the budgets on general fund items was made by Commissioner Maryboy and seconded by Commissioner Black. UNANIMOUS.


BILLS APPROVED FOR PAYMENT

Amsterdam Printing & Litho Corp.	history folder road department	\$ 54.59
Kristy H. Carroll	commodities distribution	15.00
Neldon Cochran	commodities distribution	15.00
Conney Safety Products	supplies road department	67.09
CPL Systems, Inc.	snow plow blades road department	1,321.92
Rick Grant	mens basketball (B)	510.00
Heartland Communications Group, Inc.	farm equipment reference guide	24.95
Henderson Wheel & Warehouse Supply	supplies road department	46.87
George Marian Jr.	commodities distribution	15.00
Mexican Hat Association	northern entrance sign Mexican Hat	500.00
Microfilm Service Corp.	service order	101.73
Karen Moore	Vietnam War Memorial expense	500.00
Mike Morrell	commodities distribution	17.50
Dorothy Perkins	commodities distribution	15.00
Justin Peterson	commodities distribution	15.00
S & S Small Engine Repair	repairs road department	313.05
Shirley Steffen	commodities distribution	15.00
Trans-America	restitution from Jason Clayton	25.00
The Truck Stop	chain saws road department	980.00
U.S. Postal Service	postage Justice of the Peace	75.00
Ute Mountain Ute Housing Authority	payroll deduction Larry M. Begay	35.00
John Wiley & Sons, Inc.	Agriculture Publication	158.85
Orvilla Williams	restitution from Jason Clayton	50.00
Emily H. Woodard	commodities distribution	15.00
Allied Carriers Exchange, Inc.	freight charges road department	21.83
Richard M. Bialek	travel to Salt Lake/architects	142.80
Black Oil Company	diesel road department	3,900.32
Blanding City Justice Court	Alberta Garrison	135.00
Blue Mountain Foods	supplies vending machine	203.97
Blue Mountain Music	supplies aging department	102.88
Century	parts road department	1,263.14
Keith H. Chiara	travel and telephone calls	141.37
Day-Timers, Inc.	supplies clerks office	12.37
Empire Electric Assoc. Inc.	utilities recreation department	445.45
The Franklin Institute, Inc.	supplies clerks office	21.35
Frito-Lay, Inc.	supplies vending machine	11.36
W.W. Grainger, Inc.	parts road department	66.49
Grand Tire Company, Inc.	supplies road department	187.68
Great Basin Trucks, Inc.	parts road department	53.63
Hafer's Incorporated	charges missed on original invoice	15.60
Colleen Harvey	meals served Dec. 1988	1,353.00
Heckett-Div. of Harsco	chips road department	144.38
Intermountain Battery	supplies road department	38.50
Int. Business Machines	maintenance agreement	2,099.14
Howard Johnsons	travel Rick Bailey	35.00
Kelly Company	supplies recorders office	654.94
Jim Keyes	travel expenses	24.25
Venice Lyman	restitution Kelly Shumway	100.00
F.H. Miller Jr.	parts road department	72.00
Monticello City Justice/Peace	Bartold Celeden	350.00
Monticello City of	utilities road department	27.91
Pepsi-Cola Company	supplies vending machine	18.10
Quill Corporation	supplies purchasing department	53.24
Parley Redd's Food Town	supplies road department	6.79
Ross Equipment Company, Inc.	supplies road department	592.31
S-W Parts and Supply	parts road department	75.44
San Juan County Library (B)	petty cash	64.69
The San Juan Record	delinquent tax list 1988	323.20
San Juan School District	1/2 forest reserve fy1988	15,048.27

Sinclair Oil Corporation	gas department of aging	19.80
J.J. Steffen	commodities distribution	15.00
United States Postal Service	box rent on #9	17.00
Utah's Canyonlands	region brochure development council	3,494.80
Utah Gas Service Company	utilities road department	814.01
Wheeler Machinery Company	parts road department	7,757.34

Adjourn - There being no further business the meeting adjourned at 2:05 P.M.


Calvin Black, Chairman


Marna C. Johnson, Deputy Clerk