

SAN JUAN COUNTY COMMISSION
OCTOBER 27, 1986

The San Juan County Commission met in regular session on October 27, 1986 at the hour of 10 a.m. at the San Juan County Courthouse, Monticello, Utah.

The following members were present: Commissioner Bailey, Acting Chairman
Commissioner Holliday
Commissioner Black, Absent

HALLS CROSSING AIRPORT - CREAMER & NOBLE ENGINEERS

Rick Bailey, Administrative Assistant, reported that he received phone calls from Creamer & Noble Engineers and Buzz Hunt, Phase II Consulting, concerning the letters the Commission wrote to them on October 6, 1986. (The letters stated that the County Commission were concerned over the slow progress of the Halls Crossing Airport and said the project should of been completed at least three months ago.) Mr. Bailey said he told Mr. Hunt that the project should of been done six to eight months ago. Mr. Hunt said that there was difficulty in site selection but have selected a site that agrees with UDOT planners and the Division of Aeronautics. Mr. Hunt said they will submit a draft final report and funding applications to the Commission no later than November 20. The estimated cost amount for the airport is \$1,686,000 and the county's cost share will be \$76,500. Mr. Bailey said he is expecting a letter from Mr. Hunt stating this understanding. The Commission said they would like Mr. Bailey to respond to the letter.

COUNTY ATTORNEY - ELECT CRAIG HALLS

The Commission approved the county attorney - elect, Craig Halls, to attend the UAC meeting in St. George to attend a workshop for prosecuting attorneys.

GAS GENERATOR - PUBLIC SAFETY BUILDING

Rick Bailey, Administrative Assistant, reported that the gas generator that the county rented to Keith Ivins can be used in the new public safety building. The Commission will ask Mr. Ivins to bring the generator back.

EMERGENCY SERVICES - DEPARTMENT OF PUBLIC SAFETY

Rick Bailey reported that he received a phone call from Lorraine Campus, Department of Public Safety, and she said the county will receive additional money from the Federal Emergency Management Agency. Mr. Bailey said he will submit an application.

BLANDING UTILITY COMPANY - INDUSTRIAL REVENUE BONDS

Kent Adams, Blanding Utility Company, met with the Commission with an Application and Notice of Inducement of Industrial Revenue Bonds of \$3,000,000. Blanding Utility Company is proposing to construct a plant for a natural gas generating facility, a natural gas well, processing equipment, and natural gas distribution pipelines. Mr. Adams said if it is built it can save the city of Blanding about \$100,000 a year. Commissioner Holliday made the motion to adopt Resolution 1986-10 and authorizing and inducing execution of this memorandum of agreement subject to the approval of the county attorney. Commissioner Bailey seconded the motion. UNANIMOUS.

Mr. Adams asked the Commission for their help in speaking to the Impact Board and the State.

The Board of Commissioners of San Juan County, State of Utah, met in regular session, at its regular meeting place in Monticello, Utah, at 10:00 a.m. on October 28, 1986, with the following County Officials present:

Calvin Black Absent
Jerry Holliday Commissioner
Kenneth Bailey Acting Chairman Commissioner

Also present:

Gail D. Johnson Clerk

The meeting was upon called to order and upon determining that quorum was present, the minutes of the preceding meeting were read and approved. The following resolution was introduced in writing, was fully discussed, and pursuant to motion duly made by Commissioner Holliday, and seconded by Commissioner Bailey, was adopted by the following vote:

Yea: Commissioner Bailey
Commissioner Holliday

Commissioner Black, absent

Nay: None

The resolution was then signed by the Acting Chairman in open meeting and recorded by the Clerk in the Official records in San Juan County, State of Utah. The resolution is as follows:

RESOLUTION NO. 1986-10

RESOLUTION AUTHORIZING AND INDUCING THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH BLANDING UTILITY COMPANY, A UTAH CORPORATION, REGARDING THE ISSUE OF UP TO \$3,000,000. INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR FINANCING THE COST OF ACQUISITION OF THE NATURAL GAS WELL, TOGETHER WITH A PIPELINE DELIVERING IT TO THE CITY OF BLANDING, AND ACCOMPANYING DISTRIBUTION FACILITIES.

WHEREAS, San Juan County, Utah (the "issuer"), is a body corporate and politic authorized and empowered by the provisions of the Utah Industrial Facilities Development Act (the "Act") to issue industrial development revenue bonds or other forms of industrial revenue financing (the "Bonds") for the purpose of acquiring or financing manufacturing, industrial or commercial projects; and

WHEREAS, in order to promote industry and commerce and develop trade by inducing manufacturing, industrial and commercial enterprises to locate or remain in the State of Utah and San Juan County, the Issuer proposes to finance the acquisition of natural gas, generating facilities and natural gas distribution lines and processing equipment and the construction of a plant for facilities to be owned and operated by Blanding Utility Company, a Utah corporation (the "Company"); and

WHEREAS, the Company is reluctant to take steps toward the realization and acquisition of the project

unless satisfactory assurance from the Issuer that the proceeds of the sale of bonds of the Issuer will be made available to finance the acquisition of said project; and

WHEREAS, it is deemed necessary and advisable for the development, welfare and prosperity of the Issuer and its inhabitants that the project be acquired and that the Issuer take such action as may be required under applicable statutory provision to authorize and issue its Bonds to finance the cost thereof, to an amount not exceeding \$3,000,000; and

WHEREAS, a form of agreement designated as a "Memorandum of Agreement" has been prepared under which the Company has stated its willingness to acquire and install the project; and

WHEREAS, it is considered necessary and desirable and for the best interest of the Issuer that execution of said Memorandum of Agreement be authorized for and on behalf of the Issuer;

NOW, THEREFORE, Be it resolved by the Board of Commissioners of San Juan County, State of Utah, as follows:

Section 1. In order to assure that the Company locate the project within the boundaries of the Issuer, with the resulting public benefits which will flow therefrom it is deemed necessary and advisable that the Memorandum of Agreement herein before referred to, be approved and executed for and on behalf of said Issuer.

Section 2. The Memorandum of Agreement by and between the Company and the Issuer, in the form and with the contents set forth in Exhibit "A" attached hereto, is hereby approved and the execution thereof is hereby authorized.

Section 3. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. The Board of County Commissioners considers that this resolution is necessary and in the best interest of the Issuer, and therefore, it shall become effective immediately upon its passage, approval and adoption.

Section 5. The County Clerk is hereby authorized to publish in the San Juan Record, a notice of public hearing in substantially the following form, at least fourteen (14) days prior to the hearing as set forth in said notice:

NOTICE OF PUBLIC HEARING

Notice is hereby given that on November 17, 1986, at 10:00 a.m., or as soon thereafter as the matter can be considered, the Board of County Commissioners of San Juan County, Utah, will hold a public hearing at the County Courthouse, at Monticello, Utah, for the purpose of receiving public comment on the proposed issuance by said County of industrial revenue bonds (Blanding Utility Company Project) in the maximum aggregate face amount of \$3,000,000.00, pursuant to an inducement resolution adopted by the Board of County Commissioners on October 28, 1986, or as soon thereafter as possible. Said bonds are to be issued pursuant to the Utah Industrial Facilities and Development Act, U.C.A. 511-17-1 through 18 inclusive, 1953, as amended, to finance the acquisition of a natural gas well, a natural gas pipeline and distribution facilities and the construction of a plant located at or near Blanding, San Juan County, State of Utah, for the generation of electrical power and the distribution of natural gas products.

The proposed bonds will not constitute obligations to the County. The County will not be obligated to pay costs incurred in connection with the issuance of the bonds nor will it be liable to make payments of principal or interest on the bonds.

This public hearing is required by the Tax Equity and Fiscal Responsibility Act of 1982. Comments at the public hearing are invited. Written Comments may be submitted to the County at the office of the Clerk in the County Courthouse, at Monticello, Utah, until 9:00 a.m. on November 17, 1986. Additional information can be obtained at its office shown above or by calling 587-2231.

Gail D. Johnson, County Clerk

Publish one time in San Juan Record.

HAROLD DRAKE - OUTSTANDING VOLUNTEER SERVICE

Commissioner Bailey reported that he attended the banquet that was sponsored by UNDC for Harold Drake, Sr. of Navajo Mountain. Mr. Drake was given the Yoneo Ono award for Outstanding Volunteer Service from the Rural Community Assistant Corp of San Francisco. (RCAC represents the western 10 states area) Commissioner Bailey said that Mr. Drake talked about the history of the first days at Navajo Mountain and thought it was very nice.

PACK CREEK RANCH ROAD

The Commission received a few remarks stating that the road to Pack Creek Ranch needs to be posted because of big pot holes. Commissioner Bailey will have Merz Hugentobler, foreman, go look at it and post it where needed.

UTAH WILDLIFE RESOURCES - DOUG MESSERLY

Doug Messerly, game warden, met with the Commission for their monthly visit. Commissioner Holliday asked if there was any way for local people to help patrol the big areas like Montezuma and Black Mesa to prevent the doe kill during deer season. Mr. Messerly said he is available 24 hours a day to the sheriff's office dispatch and will do all he can. Mr. Holliday said there is a sportsman club in Blanding but it's not very active, and Mr. Messerly said it would be a great help if they became active to help in areas like this.

Auction Mr. Messerly said they held a auction in Blanding to sell the illegally killed does and bucks (that were killed during this year's deer season) and sold them from \$90 to \$140. There will be another auction in Monticello next week and Mr. Messerly said he will advertise it in the San Juan Record and radio.

Foy Lake Mr. Messerly said the State Wildlife cleaned out Foy Lake last week and will plan on stocking it with fish in the spring.

Camp Jackson Mr. Messerly said the State Wildlife is working with the City of Blanding to start stocking fish at Camp Jackson. It is still in the planning stage and there are some problems with the right-of-ways.

Spot Lighting - County law Mr. Messerly said he is working on the county spot-lighting law, it's in conflict with the state law and there is some abuse of it. Mr. Messerly said he would like to propose a provision in the county law that says: Anyone who is convicted of a violation of this will have their spot lighting permits suspended for one year. (That is if they are convicted on the county ordinance.) Commissioner Bailey told him to make his proposal in writing and also talk to the county attorney about it.

BLM'S INTENT OF A RIGHT-OF-WAY ROADS IN SAN JUAN COUNTY

The Commission received the following letter from Pete Christensen, area manager of the BLM.

San Juan County Commissioners
San Juan County Courthouse
Monticello, Utah 84535

October 21, 1986

Gentlemen:

In your September 10, 1986 letter you requested a clarification of the purpose and intent of a right-of-way reservation to the Bureau of Land Management of four roads in San Juan County.

After reviewing the Class B and Class D maps which were included in the San Juan County - BLM road network agreement of August 13, 1984, the Grand Resource Area staff indentified four roads in San Juan County which were not on the maps, and which they felt needed routine maintenance for administrative and public use. The level of maintenance is limited to blading the existing road and repairing wash-outs and damaged sections. The BLM has a force account for such a purpose based upon the number of miles to be maintained. Federal law required that the government protect facilities, upon which funds are expended, with right-of-way reservations.

If you would like to place these roads on the San Juan County road system for the purpose of maintaining them, this can be done by amending the August 13, 1984 agreement in one of two ways:

- (1) If the road (s) were constructed and were in public use prior to October 21, 1976, the county can claim R.S. 2477 rights and amend R/W U-53767 (item #1 in the agreement), or
- (2) Obtain rights--of-way grants from the BLM to maintain the road(s) as agreed to in item #5 of the agreement.

I would be happy to attend a commissioners' meeting if you would like to discuss this further.

Sincerely yours,

/s/ Colin P. Christensen
Colin P. Christensen
Area Manager

Attachment: 4 maps

BILLS APPROVED FOR PAYMENT

SKaggs Telecommunications Service	radio repair communication	120.74
Alexious Roberts	Swimming lessons	130.00
Curtis Perkins	herbicide purchased	150.00
Dorothy Perkins	herbicide purchased	150.00
Jerold Perkins	herbicide purchased	150.00
Grand Junction Wintronics Co., Inc	parts communications	72.14
Electro-Comm Distributing, Inc.	supplies for communications	15.90
Farmington Daily Times	advertising for road dept	48.51
Dana Larson Roubal & Associates	architectural Halls Crossing	74,500.00
Sports Illustrated	subscription Monticello library	29.70
Gordon Redd	restitution Charlotte Hutchins	25.00
Teresa Manzanares	copy transcript	74.00
Sheryl Kitchen	bail refund A-253789	40.00
The Economics Press, Inc.	magazine subscription	15.00
Staffan E. Carius	bail refund 10566	10.00
Marlin Brown	restitution Daniel Jones	100.00
Abajo Electric	repairs sheriff's dept	35.30
Alan's Body Shop	windshields road dept	86.81
Keith Black	restitution Bill Howard	100.00
Black Oil Company	diesel for road dept	3,901.09
Blanding Clinic	Exam: Elaine Dutchie	32.00
Charles Bowles	witness fees: Felix Begay	14.00
Cate Equipment Company	parts road dept	170.56
Cheryl's Trophy	supplies extension office	18.60
Chevron USA Incorporated	gas purchased sheriff	27.24
City of Monticello	utilities courthouse	103.53
QMI Incorporated	parts sheriff's office	127.78
Conoco Incorporated	gas purchased sheriff	16.83
Continental Tel Co West	tele charges sheriff's	839.61
Rudolph Cook	witness fees: Felix Begay	14.00
HF Cosby Jr.	hauling for road dept	1,828.75
Crusher Welding Service Co	supplies road dept	319.32
C.W. Electronics Sales Company	supplies communications	123.79
Empire Electric Assoc. Inc	repairs abajo peak	1,814.22
Vivian Farabee	meals served Oct 86	1,572.00
Federal Signal Corporation	supplies sheriff's dept	47.36
Frito-Lay, Inc.	Supplies vending machine	11.55
W.W. Grainger, Inc.	Bronze pump road dept	160.99
Honest Dollar Construction	hauling road dept	1,751.75
Horsehead Hardware	supplies dept of aging	8.65
Leonard Hurst Agency	Travel Expenses	18.48

International Business Machine	installment payment	549.38
N. Glen Jackson	travel expenses	32.00
Rex Johnson	restitution Wliford Grant	100.00
KRTZ FM	advertising elections	390.32
Kar Products Incorporated	Parts road dept	139.86
Venice Lyman	Restitution: Deen Lyman	50.00
Mega Corporation	Parts road dept	367.40
Kenneth Miller	hauling road dept	1,578.50
Monticello Lions Club	supplies sheriff's dept	72.00
Monticello Mercantile	supplies Senior Citizens	74.76
Motor Parts Company	supplies communications	4.49
Motor Parts Pro Mart Home Cntr	supplies sheriff's dept	109.96
Navajo Times	advertising elections	198.45
Northern Electric	repairs Abajo Peak	30.61
Office Outpost	supplies road dept	296.38
David Perkins	herbicide purchased	150.00
Paul Perkins	herbicide purchased	150.00
Popular Subscription Service	supplies Library M	436.55
Professional Armaments	supplies sheriff's dept	66.81
Parley Redd Mercantile	Supplies Communications	27.63
Steve Regan Company	supplies golf course M	450.00
Rachel Romero	cleaning Sr. Center M	40.00
San Juan County	Gas purchased Golf Course	67.53
San Juan County Hospital	admission: Elaine Cantsee	151.85
S.J. County 12th Circuit Court	Frank Jackson	190.00
San Juan Health Care Services	operating request Ambulance	5,758.04
San Juan Pharmacy	prescriptions: E. Dutchie	59.84
The San Juan Record	general election ballots	744.85
Dayne Shumway Const	hauling road dept	1,713.25
Bessie J. Spencer	meals served Oct 86	843.00
State Information System Serv	teleprocessing sheriff dept	479.31
Steelco	supplies golf course	11.43
Stevens Enterprises	supplies recreation dept	13.50
Holly Tatnall	travel expenses	55.02
Texaco Refining & Marketing In	GSA Purchased Sherrif dept	33.51
Thompson Publishing Group	renewal sheriffs dept	146.00
United States Postal Service	Postage for justice/peace	66.00
Utah Dept of Employ Security	unemploy' claim A. Begay	404.00
Utah Power & Light Company	utilities Bluff Bldg	191.87
Utah State Attorney General	Pay deduct: J. Manheimer	50.00
Utah State Lands & Forestry	refund of overpayment	20.00
Utah State Tax Commission	Auditor Services	781.80
Steven E. Warren M.D.	Exam Elaine Cantsee	35.00
Western Office Products	supplies purchasing dept	64.93
Mike Young Incorporated	parts road dept	44.72

ADJOURNED

There being no further business the meeting was adjourned.


Kenneth Bailey, Acting Chairman


Karen Halls, Deputy Clerk