

MINUTES OF THE SAN JUAN COUNTY COMMISSIONERS MEETING

JANUARY 28, 1985

The San Juan County Commission met in regular session on Monday, January 28, 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 Kenneth R. Bailey
Commissioner Jerry Holliday

Minutes of the previous meeting were approved with the specified corrections on the motion of Commissioner Holliday. The motion was seconded by Commissioner Bailey and carried unanimously.

NACo ACHIEVEMENT AWARD ENTRY REVIEWED

Al Haskins met with the Commission to review the NACo Achievement Award entry. San Juan County will be entering there Tax Stability and Trust Fund program.

NAVAJO MOUNTAIN AGING PROGRAM DISCUSSED

Al Haskins reported that several years ago when the County was in charge of the Aging Program on the reservation, items purchased with Title XX funds were placed in the Senior Citizens Center in Navajo Mountain. Mr. Haskins requested permission to transfer title of these items to some other governmental agency. The Commission instructed Mr. Haskins check with the County Attorney about this matter.

CONTRACT FOR COUNTY PHONE SYSTEM APPROVED

Gail Johnson, County Clerk, met with the Commission to present the contract with Maycom for the phone system. The contract calls for 50% down and 50% approximately 6 days after installation. The total cost of the system will be \$11,300. Commissioner Bailey made a motion to approve the contract and authorize Commissioner Black to sign it. The motion was seconded by Commissioner Holliday and carried unanimously.

TAX ANTICIPATION BONDS EXECUTED

Gail Johnson, County Clerk, met with the Commission for the execution of the Tax Anticipation Notes. The notes were signed by Commissioner Black.

SALARY INCREASE APPROVED FOR ELECTED OFFICIALS AND COUNTY EMPLOYEES

Commissioner Holliday stated that he thinks a current salary survey of the other Counties in the State would provide valuable information. Commissioner Holliday further stated that this information should be studied prior to granting any salary increases.

Commissioner Bailey stated, "based on the fact that other comparable public agencies feel that the raises should be given, as far as the elected officials are concerned I feel that they deserve it as much as the other employees. I think we have very effective elected officials and employees who are efficient in their responsibilities.

Gail Johnson, County Clerk, stated that she feels the employee raises were approved when the budget was adopted, due to the fact that department heads were told to budget that amount and no objections were raised at that time. Mrs. Johnson further stated that, "I think my employees are entitled to the raise and if the raise is not granted every budget will have that excess already budgeted in there. It doesn't matter if you give it to the employee for employee pay and benefits or if I use it for office supplies. Are you going to amend the budget?"

Commissioner Black stated "the budget could be amended".

Commissioner Bailey stated that at the budget hearing the matter of salary increases was made very plain to those in attendance, and no objections were voiced at that time.

Commissioner Black stated, "I recognize and appreciate the people that came in and expressed their objections to a salary increase, but I don't necessarily believe that is a cross section of the entire county." The arguments against the raise because the economy is depressed is not a real strong argument because the money will go back into the local economy at stores, gas stations and etc. Not one person who protested the salary increase had been to any other entity to discuss their raises. All of which levy more taxes than the county does, and every one of them had larger raises than the county proposed."

Commissioner Bailey made a motion to give all employees a 1-step increase including Health Care Services. Elected officials and any employee not fitting on the pay scale would be granted a 5% raise. Commissioner Black passed the chair and seconded the motion.

Commissioner Holliday stated he does not think this is the proper time for raises.

The voting was as follows:

Commissioner Black - in favor
Commissioner Bailey - in favor
Commissioner Holliday - opposed

PAYROLL REQUESTS FOR PROPERTY TAXES DENIED

Gail Johnson, County Clerk, reported to the Commission that she has received requests from several county employees for a monthly payroll deduction for property taxes. The Commission does not recommend the Clerk's Office take on this type of responsibility that would ultimately cost the taxpayers additional money.

MONTICELLO AIRPORT DISCUSSED

Bill Christensen and Rick Terry, representing the City of Monticello, met with the Commission to discuss plans for the terminal building at the Monticello Airport, and listed the following suggestions for upgrading the airport:

1. Mark runways with a center line and number the runways.
2. Seal airport runway, taxi strips and apron.

3. Install VASI lights at end of runways.
4. Install taxiway indicators.
5. Mount antenna on the outside of the building.
6. Paint name on building.
7. Construct a new terminal building.
8. Upgrade water system for approval by State Health Dept.
9. New parking area and fence around parking area.
10. New wind sock located at terminal building area.

The Commission recommended the City of Monticello take the airport with the exception of the hangers as city property. The County would continue to assist in the funding and the City would qualify for grant assistance. This matter will be discussed further at the next Monticello City Council Meeting.

HEALTH CARE SERVICES

Rayburn Jack, John Fellmeth and Gail Johnson met with the Commission to discuss a request to purchase a software system for the Nursing Home. The cost for this purchase would be approximately \$2,930. Commissioner Bailey made a motion to approve this request. The motion was seconded by Commissioner Holliday and carried unanimously.

BUILDING INSPECTION COSTS REVIEWED

John Fellmeth presented the Commission with a break down of costs for building inspection in 1984. Mr. Fellmeth reported that the average cost per inspection is approximately \$250., and the average fee per inspection is approximately \$165. The Commission will meet with Wayne Ball, Building Inspector, at the February 4th, Commission meeting to discuss these costs.

AUDITORS AGREEMENT APPROVED

Gail Johnson, and John Fellmeth, met with the Commission to discuss the agreement with Brady, Taylor & Company for auditing services. Commissioner Bailey made a motion to approve this agreement and authorize Commissioner Black to sign it. The motion was seconded by Commissioner Holliday and carried unanimously.

LAW ENFORCEMENT DISCUSSED

Sheriff Wright met with the Commission and was presented with the following written response to the letters submitted at the January 21st meeting.

January 28, 1985

Sheriff Rigby Wright
Monticello, Utah 84535

Dear Sheriff Wright,

With respect to your letter to the Commission, let me respond that I am not antagonistic to you. If you are to me, that is a problem you have to deal with!

However, I am concerned about the quality and efficiency of County law enforcement which you and I have discussed over the years. Having failed to persuade you to adopt sufficient corrective measures through private discussions you were given a letter last year approved by the Commission outlining some policies and procedures we requested you adopt. These included recommendations to require all deputies to keep a specific activity and performance log, and to begin better enforcement of the Utah vehicle registration laws with respect to out of state licenses. We also, requested the Commission be given copies of such reports and activities.

To my knowledge, the only response has been a monthly report in handwriting submitted on a sheet of paper showing the number of citations issued by each deputy and state highway patrolman in the County.

This does not satisfy the request. Additionally, an officers performance and productivity should not be measured to a major degree by citations issued. Law enforcement officers should have priorities of:

1. Protection of lives and property.
2. Being of assistance to the public.
3. Deterrence of criminal activity by visibility and patrols during hours in which most vandalism and criminal activities take place.
4. To issue citations and make arrests as necessary to accomplish the primary mission and responsibilities.

The following is suggested to be immediately implemented:

1. Assignment of definite duty hours including night duty assignments.
2. Require daily duty activity and performance log from each deputy which should include:
 - a. time shift begins and ends
 - b. log all activity including destinations, purpose, mileage and time to and from specific points and places
 - c. identify people and/or circumstances encountered, unusual activities or occurrences, vehicles and etc.
 - d. log of time, activities and purposes when called to duty during off hours
 - e. log activities, mileage and etc. when using patrol car during off duty hours
3. Require a time and activity log of each jailer for each shift.
4. Begin an effective and continued effort to enforce the law which requires all residents of San Juan County, and persons who work in the County from other states have Utah license plates or are properly pro-rated.
5. Make every effort to improve relationships and cooperation with City and State law enforcement agencies and personnel.
6. Prepare and submit to the Commission a monthly report including logs of deputies and jailers, of your departments activities.

I believe the foregoing will greatly improve the effectiveness and efficiency of law enforcement services to the people of San Juan County. It will also provide better information on which both you and the Commission can evaluate the people in your department for any future merit and performance pay increases.

Perhaps most importantly activity logs will provide information which will be invaluable in prevention of future law suits against the County similar to past problems or at least assist in defending the County and individuals involved.

It is my desire as Chairman of the Commission and also as the Commissioner who has the assignment of law enforcement to work cooperatively with you and your department to improve protective services to the people of San Juan County.

Sincerely,

/s/ Calvin Black
Calvin Black, Chairman
San Juan County Commission

Sheriff Wright declined to respond to the letter until he can further study it.

Sheriff Wright: We had a little situation here last month that kind of agitated me just a little bit, but I don't want to use names. I think you could put it together, but we had a political person in town who spent some time getting another person out of jail. I don't object to that totally but that night two Mexicans went to jail. The next night we had two people in on similar charges including theft and another political person appeared on the scene and neither one of those guys went to jail.

Commissioner Black: The one you're talking about so that it is a matter of record, let's talk about it.

At this point Sheriff Wright requested the matter be discussed in an executive session. Commissioner Black stated that Sheriff Wright made a statement that was not true. Sheriff Wright denied Commissioner Black's statement.

Sheriff Wright: It did gripe me. I did not want to take anyones right to be dad away from them. However, this left me in a bad position. We are the ones that are accused of being discriminatory, and there were two Chicanos who went to jail and there were two different situations where Anglos did not in three days. Now, if this happened every six months it would be no big deall.

Sheriff Wright again, requested an executive session. The Commission denied this request, stating that the discussion began in open meeting and should continue in an open meeting as no one has anything to hide.

Commissioner Black: Approximately a month ago, I was in Salt Lake City and I had a call at 2:00 a.m., from my daughter-in-law. My son who runs the motel in Blanding had a problem with the motel telephone system. The entire system was out of order. My son had called and left a message on my recorder stating that the part was being flown into Ogden and then would be put on the bus to Monticello. He was to pick it up at the bus station at 2:00 a.m. in Monticello. When my daughter-in-law called she said that Buddy was in Monticello at the Sheriff's Office. He had been arrested for drunk driving. Buddy had arrived in Monticello a little early and was trying to find out where the bus station was and went down to a bar at 12:50 a.m. My son had one beer and got general directions to the bus station. He then drove downtown and in trying to locate the bus station would drive up to the curb and look and then drive out. He then turned around and was headed to the Navajo Trails for more directions when he was stopped by a police officer. He was informed that he was under arrest for DUI. My son offered to take a breathalyzer test, and explained why he had been driving in that manner. After his arrest he was given a breathalyer test and went .05. I telephoned and spoke to my son and the arresting officier. I then telephoned Keith Redd and asked him as a personal friend and asked him to try to get my son out on bail. I was not calling him as a County Commissioner calling the Mayor. When Mr. Redd got to the Sheriff's Dept. he informed them that he was there as a friend of mine not as the Mayor, he was not representing me as Commissioner. Mr. Redd then telephoned the Judge and explained the situation, and as an individual he was able to get the Judge to let Buddy out on bail.

Sheriff Wright: The charges were dismissed.

Commissioner Black: I was unaware of that. My son did not want me to be involved in this matter.

Sheriff Wright suggested a number of problem areas in law enforcement, including his opinion that offenders for the same crime are not treated in the same manner. Sheriff Wright requested an executive session to discuss these matters.

The Commission declined. Commissioner Black stated that since insinuations have been made he would like it to be a matter of record.

Commissioner Black further stated that one matter referred to was a personal one which did not involve Commissioner Black's public office and that this fact was made clear to all parties involved.

Sheriff Wright's claim of preferential treatment for defendants charged with the same crime brought a response from the County Attorney, that in the incident that Sheriff Wright referred to involving him, he was acting in the capacity of a private citizen, not the County Attorney, and that this was made clear to all parties involved including the police officers.

COMMISSIONER BLACK'S REPORT

Commissioner Black reported that he will be attending a meeting in Richfield for rural County Commissioners regarding public lands.

RESOLUTION 1985-4 RE: BLUFF SPECIAL SERVICE DISTRICT

Representatives from Bluff met with the Commission regarding the proposed Special Service District. The majority of those present felt that the Resolution creating the District should not be passed at this time, due to the fact that there is opposition to the District. Commissioner Bailey made a motion to approve the adoption of the following Resolutuion. The motion was seconded by Commissioner Holliday and carried unanimously.

RESOLUTION 1985-4

WHEREAS, a petition for the creation of a Bluff Special District has been presented to the San Juan County Commission and numerous hearings have been held in connection therewith, and the time is now appropriate for the San Juan County Commission as Governing Authority to either adopt a Resolution establishing the Service District or determine that the proposal to establish such district be abandoned, and

WHEREAS, numerous individuals have requested that their property be deleted from the proposed Service District, and other parties, including members of a proposed Board to govern this District have

Indicated their concern and belief that:

- (1) the Service District should not be created at this time,
- (2) further educational efforts and efforts to involve all of the people in the decision making process in the creation of the proposed District should be pursued, and
- (3) the possibility of creating such a district should be reviewed within six months from the date hereof,

NOW THEREFORE, be it resolved:

- (1) That the proposal to establish the Bluff Service District shall be abandoned.
- (2) That a committee consisting of: Mr. Jim Sayers, Mr. Mark Richmond, Mrs. Rayma Percell, Mr. Bill Davis, Mrs. Kathy Carson, Mr. Jeff Anderson, and Mr. Ward Drollinger, be established to act as an adhoc committee to :
 - (a) investigate and define all reasonable possibilities for the disposal of sewage in the Proposed District's Area,
 - (b) inform the residents of that Area of their findings and recommendations for solving any problems defined or discovered and
 - (c) report back to the San Juan County Commission within six months from the date hereof, as to their recommendations with regard to the desirability of establishing a service district at that time, and finally,
 - (d) to act in the capacity of reviewing proposals, educating the public, and assuring maximum public, and assuring maximum public involvement in the decision making process.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF SAN JUAN COUNTY, UTAH, THIS 28th DAY OF January, 1985.

SAN JUAN COUNTY COMMISSIONERS:

/s/ Calvin Black
Calvin Black, Chairman

ATTEST: /s/ Gail D. Johnson
Clerk-Gail D. Johnson

Those Commissioners voting for adoption:

Calvin Black
Kenneth Bailey
Jerry Holliday

Those voting against: none

COMMUNITY DEVELOPMENT BLOCK GRANT PRIORITIES LISTED

The Commission listed the following priorities for Community Development Block Grant funds:

1. Jail
2. Law enforcement complex in Montezuma Creek
3. Industrial Park south of Blanding
4. Community building in Mexican Hat

MOTION TO DEFER RAISE FOR SHERIFF WRIGHT


Commissioner Black passed the chair, and made a motion to defer the salary increase for Sheriff Wright until the Commission receives a satisfactory response to their letter. The motion was seconded by Commissioner Holliday and carried unanimously.

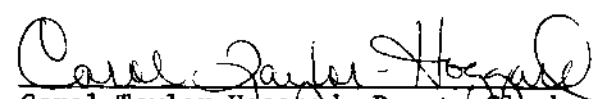
BILLS APPROVED FOR PAYMENT:

ABAJO PETROLEUM, INC.	FUEL/ROAD DEPT.	882.90
ARNOLD MACHINERY COMPANY	PARTS/ROAD DEPT.	2,244.34
WAYNE BALL	JANITOR/M-LIBRARY	220.00
JOE BARNETT	TOOL ALLOWANCE/1-85	25.00
KARL BARTON	SUBSISTANCE/1-85	104.00
JOHNSON BEGAY	SUBSISTANCE/1-85	88.00
BLUE CROSS-BLUE SHIELD	INSURANCE FOR COUNTY	1,306.06
STEVEN BRADFORD	SUBSISTANCE/1-85	104.00
BRODART, INC.	SERVICE/3-85	124.60
DAVID BRONSON	FICA PMT/SICK LEAVE/79-81	94.29
BRYAN, ROBERT F.	TOOL ALLOWANCE/1-85	25.00
CATE EQUIPMENT COMPANY	PARTS/ROAD DEPT.	247.20
CONTINENTAL TEL CO OF THE WEST	TELEPHONE CHARGES	1,434.33
JERRY COOK	EXPENSES DURING TRAINING	218.25
LORA DOUGLASS	REPAIR/TYPEWRITER/M-LIBRARY	37.50
DSG, INC.	REPAIR/TYPING ELEMENTS	29.96
CARL EISEMANN	TRAVEL/TRAVEL COUNCIL	132.44
F & S SERVICE, INC.	PARTS/ROAD DEPT.	2,602.88
JOHN FELLMETH	REPAIR BILL ON WHITE CAR	135.62
GRANT, JIMMY	SUBSISTANCE/1-85	104.00
HAWKINS, STANLEY M.	SUBSISTANCE/1-85	113.00
HOLLY, THOMAS	SUBSISTANCE/1-85	104.00
HUMPHREYS, PEGGY	TRAVEL/TRAVEL COUNCIL	134.59
INTERNATINAL BUSINESS MACHINE	MAINTENANCE AGREEMENT	610.98
KAR PRODUCTS INC.	PARTS/ROAD DEPT.	44.90
SOLOMAN LOVATO	FICA PAID/SICK LEAVE/79-81	7.43
LUSTRE-CAL NAMEPLATE CORP.	TAGS/FIXED ASSETS	201.05
KAY P. LYMAN	COMPLETION OF CONTRACT	1,000.00
MARTINEAU, GARY	JANITOR/B-LIBRARY	385.00
MEETINGS INTERNATIONAL	CASSETTE TAPES	15.90
MONTICELLO MERCANTILE	SUPPLIES/VENDING MACHINE	256.19
NATIONAL ASSOC. OF COUNTIES	FEE/PROGRAM ENTRY	15.00
NATINAL COALITION/JAIL REFORM	JAIL PACKET	10.00
VICTOR NEBEKER	TOOL ALLOWANCE/1-85	25.00
ODETTE, BERT	JANITOR/M-LIBRARY	165.00
OFFICE OUTPOST	SUPPLIES/TRAVEL COUNCIL	33.55

OFFICE OF RECOVERY SERVICES	CHILD SUPPORT/20154128 R/1	50.00
CLINT PALMER	SUBSISTANCE/1-85	72.00
TIERRE J. PATTERSON	TOOL ALLOWANCE/1-85	25.00
REGIONAL SUPPLY INC.	SUPPLIES/ROAD DEPT.	22.77
RENTZ, JACK	SUBSISTANCE/1-85	88.00
ROLAND COMMUNICATIONS, INC.	PARTS/COMMUNICATIONS	300.00
ROSS EQUIPMENT CO., INC.	PARTS/ROAD DEPT.	323.24
SALT LAKE STAMP COMPANY	SUPPLIES/RECORDER'S OFFICE	34.65
SAN JUAN COUNTY ATTORNEY	TRAVEL/ATTORNEY	13.00
SAN JUAN HEALTH CARE SERVICES	CAPITAL TRANSFER/COMPUTER	2,930.00
THE SAN JUAN RECORD	PUBLIC NOTICE/ASST. TO COMMISSION	48.40
STORY HOUSE CORP.	SUPPLIES/M-LIBRARY	34.00
SWENSON, ERIC P.	PUBLIC DEFENDER/S.J. COUNTY	500.00
SUSAN TAYLOR	MILEAGE/FIXED ASSETS	36.96
UNIVERSITY RADIOLOGIST	PAYROLL DEDUCTION	100.00
UTAH GAS SERVICE COMPANY	UTILITIES/COURTHOUSE	2,700.61
UTAH POWER & LIGHT COMPANY	UTILITIES/LA SAL FIRE STATION	534.81
WESTERN OFFICE PRODUCTS	SUPPLIES/TRAVEL COUNCIL	33.60
WHEELER MACHINERY COMPANY	PARTS/ROAD DEPT.	1,717.91
HAROLD WILLIAMS	SUBSISTANCE/1-85	72.00
MAYCOM TELEMATICS CO.	50% ON UPGRADE OF PHONE SYSTEM	5,664.50
U.S.E. CREDIT UNION	REPLACEMENT FOR CHECK #14926	5,366.53
SUE MORRELL	REFUND OF AMOUNT DEDUCTED FROM 1-31-85 CK.	25.00
FIRST SECURITY BANK OF UTAH	PURCHASE B-ROAD TCD	1,126,849.00

There being no further business for this day the meeting adjourned at approximately 5:50 p.m.


Commissioner Calvin Black, Chairman


Carol Taylor-Hoggard, Deputy Clerk