

San Juan County Commission Meeting
August 18, 2020
Agenda
11:00 A.M. - Electronic Meeting

Present: Willie Grayeyes - Commission Vice Chair (via Google Hangouts)
Bruce Adams - Commissioner
Mack McDonald - Administrator
John David Nielson - Clerk

Absent: Kenneth Maryboy - Commission Chair

Attendees (via Google Hangouts): William Shott, Linda Simmons, Marcia Shumway, Kirk Benge, Scott Burton, Walter Bird, Chad Booth

1. **Invocation**
2. **Public Comment - Public comments will be accepted through the following google meet link. meet.google.com/rzd-wjrs-fah or by phone 1 575-616-5120 (PIN:836050382). There will be a three minute time limit for each person wishing to comment. If you exceed the three minute time limit the meeting controller will mute your line.**

Mack read the agenda into the record. A motion to accept the agenda was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

Public Comments -

Carolyn Dailey - Carolyn Dailey requested a moment of silence for all individuals in the county who have lost loved ones due to the coronavirus.

3. **Consent Agenda (Routine Matters) - Mack McDonald, SJC Administrator**
 - a. Meeting Minutes
 - b. Check Registers

Commissioner Adams made a motion to accept the consent agenda. Commissioner Grayeyes 2nd the motion and asked for clarification on the report by Nick Sandberg regarding the BLM's invitation to allow the county to be a consulting party in the Oil & Gas Lease sale process. After clarification was given, voting in favor of accepting the consent agenda was unanimous.

4. **Recognitions, Presentations and Informational Items**

- a. Update from the County Seat TV Programming and Marketing

Chad reviewed with the commission the efforts of the County Seat program to give exposure to rural counties and issues that they face. He explained that an average of 84,000 viewers watch their program weekly. Chad also explained that the program is also viewed on Facebook and YouTube. He explained that the program has given exposure to the issues in Spanish Valley, roads and road conditions on reservation, Chad also urged the commission or others who feel

that an issue should be addressed to call the County Seat so that they know there is something to be addressed. He also stated that the County Seat could help get a local message from county out to media outlets.

b. Rural Co-Working and Innovation Center Grant

Mack asked the commission to approve a letter of support for a grant that the county is applying for. Mack stated that the grant is meant to allow greater access to business people who are traveling through rural areas and need a place to work. He explained that the county would like to use the grant funds to create a work space in the basement of the Monticello Library to allow for individuals traveling through the area to rent the workspace to be able to work remotely. Mack explained that the grant would require the county to make a 25% match which would be done by creating a space in the library for individuals to use. A motion to approve the letter was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

c. Muley Point access and proposal of a Visitor-Use project and possible formal dismissal of the complaint of RS2477 for that road - William (Billy) Shott, Superintendent Glen Canyon National Recreation Area

Billy reported to the commissioners of a potential project on Muley Point to allow greater use of the area to visitors. He explained that a donor approached park services with an idea to create an area to accommodate increased visitation. This area would create an accessible trail and a possible campground and RV campground. Billy also explained that an environmental analysis would need to be conducted before the project could continue. Stipulations of the donor would be to preserve the natural beauty and visibility of the area and the abandonment, by the county, of a section of the road leading to Muley Point. Billy explained that the idea behind the project would be to increase and not decrease visitation. Commissioner Adams expressed concern that the donor wanted the county to give up its RS2477 claim and stated that he does not want to abandon the RS2477 claim. He also spoke about a similar project and concern in the Goosenecks State Park area. Billy also suggested that the project area could be opened up to a concession area similar to Halls Crossing. Billy wanted to give the donor an idea of the county's stance on the project. Commissioner Adams stated that he would like to get an opinion from the county attorney and the state attorney general on abandoning the RS2477 claim. Billy explained that there was precedent in abandoning part of a road without weakening a case not to abandon other roads. Commissioner Adams suggested that a project proposal with the abandonment and one without the abandonment be created. Commissioner Grayeyes asked if the proposed project is inside the original area of the Bears Ears National Monument. Billy Shott stated that the proposed project lies outside of the original Bears Ears National Monument.

d. Halls Crossing Concessionaire Services Update - William (Billy) Shott, Superintendent Glen Canyon National Recreation Area

Billy introduced Heidi who gave an update on the Concession Contract at Halls Crossing which has been issued to Aramark. She explained that several projects have been completed to upgrade the Halls Crossing area. Heidi stated that at Glen Canyon National Recreation Area

concession contracts are being granted under the 1998 Concession law as well as the 1965 Concession law. She explained that Halls Crossing and Bullfrog are contracts under the 1965 Concession whose contracts can be extended indefinitely. Heidi then reviewed with the commissioners prospectus procedures. The prospectus is a document on how the contract is treated. She also said that a financial analysis of the business opportunity at Halls Crossing would need to be conducted before any determination is made on whether the Halls Crossing portion of the contract could be broken out separately. Heidi mentioned that the Parks Service has proposed revisions to regulations that govern the concession contracts and encouraged the commission to read and make comments on the regulation changes. Commissioner Adams stated that over the years, he has noticed that business in the Halls Crossing area has been moving over to the Bullfrog marina and that the commission feels that more effort could be made by the concessionaire to provide better services for visitors to Halls Crossing.

e. Clarks Market Thank you letter - Linda Simmons, SJC EMS Director
Linda presented a thank you letter to Clark's Market for their donation of \$2,867.44 to EMS. A motion to approve the thank you letter was made by Commissioner Grayeyes and 2nd by Commissioner Adams who complimented Linda on her work for EMS and also thanked Clarks Market for their donation. Voting in favor was unanimous.

5. Business/Action

a. Consideration of a Purchase Agreement with APCO Institute for Training & Certification Software for 911 Dispatch - Marcia Shumway, SJC Sheriff's Office
Marcia presented a proposed purchase agreement to purchase software that will enhance the dispatcher service and work with the current Spillman system, which is the CAD (Computer Aided Dispatch) program. Marcia also explained that it would also allow the county to certify dispatchers in EMD???, Fire, and Police as well as bring the county in compliance with the ESA??? Standards and Guidelines. The funds in the amount of \$28,532.45 will be paid for with CARES Act funds. Maintenance and recertification costs would be built into the budget each year. A motion to approve the agreement was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

b. Consideration of a Purchase Agreement with Motorola Solutions Intellicom Spillman Interface for 911 Dispatch - Marcia Shumway, SJC Sheriff's Office
Marcia presented a purchase agreement with Motorola in the amount of \$9,424.68 to interface with the Spillman system. A motion to approve the contract was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

c. Consideration of a contract between San Juan County Public Health Department for Tobacco Contract FY21-FY25 with the Utah Department of Health - Kirk Bengé, SJC Public Health Director
Kirk presented, for consideration, a contract to facilitate tobacco prevention in the schools. Kirk stated that an update to the contract allowed for Public Health to enforce e-cigarette and vaping liquids precautions and safety at local vendors which provided an additional \$54,000 in funds.

The update will also allow Public Health to pass through \$81,600 in grants to local community, government, and educational organizations to help prevent substance abuse and tobacco start up. A motion to approve the contract was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

- d. Consideration of a contract between San Juan County Public Health Department for Home Visiting FY2017 Early Childhood Utah Funding with the Utah Department of Health - Kirk Bengé, SJC Public Health Director

Kirk presented, for consideration, a contract which will fund home visiting efforts in the amount of \$55,000. The visiting would focus on homes with pregnant mothers and children under the age of 6 in areas of poverty. A motion to approve the contract was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

- e. Consideration of a contract between San Juan County Public Health Department for Local Health Dept WIC Program with the Utah Department of Health - Kirk Bengé, SJC Public Health Director

Kirk presented, for consideration, an amended contract which was signed earlier in the year. Additional funding to the contract brings the amount of the contract to \$132,817. A motion to approve the amended contract was made by Commissioner Grayeyes and 2nd by Commissioner Adams. Voting in favor was unanimous.

- f. Consideration of a contract between San Juan County Public Health Department 2020-2021 Nurse Home Visiting with the Utah Department of Health - Kirk Bengé, SJC Public Health Director

Kirk requested, for consideration, a contract to allow for nurses to visit homes of qualified families and provide services for the period of July 1, 2020 through June 30, 2021. A motion to approve the contract was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

- g. Consideration and approval of the Cooperative Agency Agreement with San Juan County and the Aeronautical Operations Division of the State of Utah, Utah Department of Transportation for the Halls Crossing Airport project AIP-16 Rehab RWY 1/19 and Reconstruct RWY 1/19 Lighting (Design & CM) - Mack McDonald, SJC Administrator

Mack presented, for consideration, an agreement that allows for the State of Utah to be the pass through of funds to the Halls Crossing Airport Project. Mack explained that the commission had already approved agreements associated with the project and they would be passing the agreement with the State as part of the project. A motion to approve the agreement was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

- h. CONSIDERATION FOR ADOPTION OF A RESOLUTION SUPPORTING THE REPEAL OF HB359 - Mack McDonald, SJC Administrator

Mack presented a resolution requesting the repeal of HB359 which was passed at the end of the previous legislative session without debate or public hearings and comments. He stated that HB359 allows a city to annex county land into their boundaries without getting consent from the county. Mack explained that there would be a special legislative session on August 20th where legislatures would be asked to repeal HB359 and fix the language of the bill and present it as a new bill, HB6007. A motion to adopt the resolution in support of the repeal of HB359 was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

- i. Subdivisions for Approval - Scott Burton, SJC Building Department
 - i. Flat Iron Mesa Ranch, Phase 25
 - ii. Dyke/Double R Ranch Amendment
 - iii. Entrada Subdivision Amendment 1
 - iv. Zufelt Subdivision Amendment 1
 - v. San Juan Estates, Phase 3 Lot 33, Amendment 2

Scott presented a subdivision amendment for approval from the commission. He explained that the owner of the lot is subdividing the lot in multiple phases. A motion to approve the subdivision amendment and allow Commissioner Adams to sign the platte map was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

- j. **Public Hearing** to solicit public comment, written or oral, on mid-year adjustments to the 2020 General Fund and related budgets

A motion to go into Public Hearing was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

John David reviewed with the commission proposed adjustments to the 2020 General Fund and other budgets. He explained that adjustments were made to the budget after reviewing increases and decreases in revenues and expenses from the adopted 2020 budget which resulted in the following changes to the different county funds.

2020 Mid-Year Budget Adjustments

#	Fund	2020 Budget	2020 Adjustment	Revised Budget
10	General Fund	\$14,848,652	\$488,321	\$15,291,973
21	B-Road	\$5,227,923	No Adjustments	\$5,227,923
24	MBA	\$1,362,500	No Adjustments	\$1,362,500
25	Health	\$1,449,576	\$89,856	\$1,359,720
26	EMS	\$726,481	\$552,031	\$1,278,512

46	Road Capital	\$105,000	\$540,000	\$645,000
57	Landfill	\$663,798	No Adjustments	\$663,798
63	Tort Liability	\$240,000	\$12,000	\$252,000
64	Tax Stability	\$135,000	No Adjustments	\$135,000
72	Library	\$555,753	\$105,103	\$450,650

Expenses

10	General Fund	\$14,848,652	\$515,259	\$15,363,911
21	B-Road	\$7,216,890	No Adjustments	\$7,216,890
24	MBA	\$1,362,500	\$126,933	\$1,489,433
25	Health	\$1,176,442	No Adjustments	\$1,176,442
26	EMS	\$726,481	No Adjustments	\$726,481
46	Road Capital	\$50,463	\$1,694,000	\$1,744,463
57	Landfill	\$1,225,927	\$182,000	\$1,043,927
63	Tort Liability	\$240,000	No Adjustments	\$240,000
64	Tax Stability	\$135,000	\$485,000	\$620,000
72	Library	\$574,125	\$69,101	\$505,024

John David also explained that a change from the state had been made which mandated an increase in the contribution percentage provided to state retirement benefits for Tier 2 Public Safety employees. The contribution change increased from 23.13% to 28.10%. John David explained that the county could opt to pay the entire 28.10% of the contribution itself or pay 25.83% and require the employees to contribute the remaining 2.27% from their bi-weekly pay. He also stated that the county had 19 Tier 2 Public Safety employees that would be affected and that as part of the budget adjustments, the entire 28.10% cost had been factored in.

Public Comment -

Monette Clark - Monette asked how much CARES Act funds had been received by the county.

A motion to leave public hearing was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

k. **CONSIDERATION FOR ADOPTION OF A RESOLUTION ADOPTING MID-YEAR ADJUSTMENTS FOR THE 2020 SAN JUAN COUNTY GENERAL FUND AND RELATED BUDGETS**

John David requested that the commission pass the resolution accepting the mid-year adjustments to the 2020 General Fund and related budgets. A motion was made by Commissioner Adams to pass the resolution adopting the mid-year adjustments to the 2020 budget and related funds and to recommend that the county contribute the newly mandated retirement percentage increase of 28.10% for Tier 2 Public Safety employees. Commissioner Grayeyes 2nd the motion. Voting in favor was unanimous

- l. **Public Hearing** to consider proposed revisions to the San Juan County Spanish Valley Zoning Map as approved by the board of San Juan County Commissioners on November 19, 2019.

Walter explained to the commission that revisions to the current zoning map passed by the commission in November 2019 were being requested by the commission because issues and problems were recognized. The request to make changes to the map were made to the Planning and Zoning Commission in December 2019. Following that request recommended changes to the map were made in June 2020 by the Planning & Zoning Commission. Walter stated that recommended changes were made to commercial zones, A1 zones, PC zones and other designations within Spanish Valley to be in compliance with state law and accommodate residents living in the area. Walter also stated that there was a Public Hearing on the changes and that public comments were received. He said that the Planning & Zoning Commission also agreed to alleviate concerns of Marlene Huckabay whose property would be located in the commercial zone.

A motion to go into public hearing was made by Commissioner Adams and was 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

Public Comment -

Carolyn Dailey - Carolyn stated that even though there have been some good changes made to the map, it also reverts back to the previous zoning in Spanish Valley. Carolyn stated that the map would put existing residential properties into the commercial zone and create split zone properties. She also expressed concern that Marlene Huckabay's property would be put into the commercial zone causing her problems. She asked the commission to send the map back to the Planning & Zoning Commission to make other changes to the map

Marlene Huckabay - Marlene stated that at the meeting on June 11th the Planning & Zoning Commission agreed to keep her property residential. She asked the commission to keep her property residential and was thankful that her feelings were heard and considered.

Monette Clark - Monette agreed with Carolyn Dailey's comments and would like the map to go back to the Planning & Zoning Commission for adjustments. She said that she would like to see adjustments made to properties on an individual basis. She also thanked those who have put work into considering changes to the map.

Ann Austin - Ann stated that she felt that the map is a good compromise and appreciated Lloyd Wilson for reaching out to citizens for their input. She asked that the commission to approve the revisions to the map.

Elise Erler - Elise explained that from SITLAs perspective, the changes to the map are reasonable and asked the commission to approve the map

Liz Thomas - Liz reminded the commissioners that the county hired Landmark Design to create a zoning map in Spanish Valley. She explained that the map passed in November 2019 was a well balanced map that had room for commercial development as well as protected homes and residential areas. She explained that Landmark had fixed split zone parcels that were discovered after the map was passed in November 2019 as well as other tweaks. She stated that the proposed map reverts back to the old map and creates several split zone properties.

A motion to leave public hearing was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

- m. Consideration for approval proposed revisions to the San Juan County Spanish Valley Zoning Map as approved by the Board of San Juan County Commissioners on November 19, 2019 - Walter Bird, SJC Planning and Zoning Director

Walter stated that the changes made to the map were requested by the San Juan County Commission and that the Planning and Zoning Commission implemented the requested changes. He requested that the commission approve the map with the proposed revisions. A motion by Commissioner Adams was made to approve the map and allow for changes to keep property owner Marlene Huckabay's property as residential. Commissioner Grayeyes did not 2nd the motion because he was concerned that the commission was forcing new zoning onto established residents. Mack McDonald stated that the previous map had rezoned several commercial businesses as residential property and at the direction of the San Juan County Commission he approached the Planning and Zoning Commission with requested changes. The motion to approve the revised map died for lack of a 2nd.

- n. Public Hearing to consider a petition for property owners in the Deer Haven Park Subdivision in LaSal to vacate a portion of Cottontail Lane - Walter Bird, SJC Planning and Zoning Director

A motion to go into public hearing was made by Commissioner Grayeyes and 2nd by Commissioner Adams. Voting in favor was unanimous.

Walter stated that construction of the Deer Have Park subdivision, created in the early 2000s, did not follow property lines or stay within the right-of-way. The request from LaSal residents is being made to vacate a portion of the road so that amendments could be made to the plat to be in line with what the landscape currently is.

Public Comment -

No public comment

A motion to leave the public hearing was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

A motion to have the county vacate a portion of Cottontail Lane, per the petition from LaSal residents, was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

6. Commission Report

Commissioner Adams - Commissioner Adams reported that he will attend a UCIP meeting in Salt Lake City on Thursday and will make it a one day trip.

Commissioner Grayeyes - Commissioner Grayeyes reported that due to health organization, Navajo Nation and other orders, not much is going on. He stated that there are plans to help connect the students in Navajo Mountain.

A motion to adjourn was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

Meeting adjourned at 2:15 p.m.