

**San Juan County Commission Meeting**  
**June 16, 2020**  
**Agenda**

**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):** Monte Perkins, David Gallegos, Tammy Gallegos, Kirk Benge, Elise Erler

1. **Invocation**
2. **Public Comment - Public comments will be accepted through the following google meet link. <https://meet.google.com/iaz-hgwg-mzf> or join by phone +1 470-268-2487 (PIN:335246395). 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 may mute your line.**

**Public Comments -**

**Sheila Canavan** - Sheila requested that the county attorney prepare an outline of a development agreement between the county and SITLA so that the public could be informed as to the agreement. She asked that cost-sharing and a provision for a possible future city be part of the outline.

**Marlene Huckabay** - Marlene stated that water use is a big deal and should be considered with regards to development.

**Dave Early** - Dave, Grand County resident, commented on the current drought and the possible water wars over water rights if the drought continues.

**Carolyn Dailey** - Carolyn stated that the development of the land by SITLA should be controlled by the county so that future negotiations between SITLA and the county could continue in the future.

**Monette Clark** - Monette asked the commission to table PC zone designation application until further consideration of the application could be looked at.

**Larry, Pack Creek resident** - Larry asked the commission to reject the application from SITLA.

**John Weisheit (Grand County resident)** - John spoke about the water rights for the Spanish Valley Special Service District. He explained that water would need to be imported from other sources to service the water needs of Spanish Valley which even then, would not be enough.

**Liz Thomas (Grand County resident)** - Liz spoke about development in Spanish Valley and stated that the SITLA proposal would tie the hands of the county in the future. She explained that more information should be gathered before a decision is made.

**Kevin Walker (Grand County resident)** - Kevin urged the commission to take a phased approach to development of the proposal so that continued cooperation could take place. He also stated that changes in Spanish Valley greatly affect Grand County residents.

**Jennifer Weidensee** - Jennifer agreed with the previous comments and suggested that the county be prudent. She also stated that she would like to see the proposal taken back to the drawing board for adjustments.

### **3. Consent Agenda (Routine Matters) - Mack McDonald, SJC Administrator**

- a. Meeting Minutes
- b. Check Registers
- c. State of Utah Coronavirus Relief Fund Local Government Allocation Agreement
- d. San Juan County Planning Commission Members appointment

Mack reviewed the consent agenda with the commission. He explained that the county would receive CARES Act funds to be used for COVID-19 prevention in the amount of \$7 which represents  $\frac{1}{3}$  of the funds that the county is able to receive. The rest of the funds would be received based on availability of the funds. Mack also talked about an analysis component that would need to take place to determine how the funds would be used within the county. Mack also said that Planning Commission appointments were talked about and that Melvin Nelson was recommended to serve on the Planning Commission. A motion to approve the Consent Agenda was made by Commissioner Grayeyes and 2nd by Commissioner Adams. Voting in favor was unanimous.

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

- a. Noxious Weed Update - Monte Perkins, SJC Weed Supervisor

Monte explained that the county received grants approvals from the state to fight noxious weeds.

- b. County Fire Restrictions - David Gallegos, SJC Fire Chief

David informed the commission that the State of Utah has issued a No Burn restriction in the state until June 30th due to dry and windy conditions. David explained that the county follows the state's restrictions.

A motion to accept the reports by Monte and David was made by Commissioner Grayeyes and 2nd by Commissioner Adams. Voting in favor was unanimous.

## **5. Business/Action**

- a. Sheriff's Office and Monticello City Police Agreement - Jason Torgerson, SJC Sheriff

Sheriff Torgerson presented to the commission an agreement for the county to assume law enforcement for the City of Monticello. He stated that the City of Monticello approved of the contract and agreed to the terms and that county attorney, Kendall Laws had reviewed the contract, made recommendations, and approved the contract. Sheriff Torgerson also explained that the contract is for \$230,000 for 5 years. Commissioner Adams stated that State law says that a county, by default, will assume responsibilities of municipalities who can not provide law enforcement. Alex Goble from the county attorney's office explained that the difference between the default and the proposed agreement is the level of service being negotiated by the City which includes a reimbursement from the City of Monticello.

A motion to approve the contract with the City of Monticello was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

- b. Bail Commissioner Discussion & Consideration - Jason Torgerson, SJC Sheriff  
Sheriff Torgerson explained what a bail commissioner does and that county deputies have been serving as bail commissioners. He stated that one of the requirements to be a bail commissioner is to be bonded in the amount of \$2,500. Sheriff Torgerson requested that the commission give him approval to move forward and allow the bail commissioners to use his bond as an elected official, also called a criminal bond. A motion to allow deputies to be sworn as bail commissioners using the elected officials criminal bond was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

- c. Proposed water pipeline and stock troughs on SITLA lands on Bluff Bench, 3-4 miles NE of Bluff Consideration - Nick Sandberg, SJC Planning  
Nick informed the commission of a SITLA proposed 3 mile pipeline project NE of Bluff on a grazing allotment that would help bring water to livestock, allow better livestock distribution, and allow for better livestock management. A motion to approve the letter of support for the project was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor were Commissioners Grayeyes and Adams. Commissioner Marboy abstained from voting.

- d. Consideration of the Agreement with the Department of Human Services, Aging and Adult Services for funding to provide Home Delivered Meals (Meals on Wheels), delivery services (grocery, RX assistance, etc), transportation, expansion of CM services as needed, telehealth, outreach, and other services necessary to keep high-risk individuals for severe illness from COVID-19 safe in their homes. - Tammy Gallegos, SJC Aging Director

Tammy explained that this agreement is an added service to the county. She stated that the agreement allows for the county to reach citizens that are not currently reached by Aging services including those who are already being serviced. A motion to accept the agreement was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

- e. Consideration of the Agreement for COVID-19 San Juan County - DREAM and DCP COVID Response 2020 - Kirk Benge, SJC Public Health Director

Kirk explained that the agreement would provide \$131,000 over a two year period to the county from the CDC via the State of Utah to assist with Coronavirus investigations. Kirk stated that he has nurses and 3 National Guardsmen currently working on cases and also assisting UNHS with cases. Kirk said that he plans on using the money to hire qualified individuals for the duration of the contract. A motion to approve the agreement was made by Commissioner Grayeyes and 2nd by Commissioner Adams. Voting in favor was unanimous.

- f. Consideration of the letter to rescind the SITLA Easement Application for the County Road D2104 Extension - Kenneth Maryboy, SJC Commissioner

Commissioner Maryboy presented a letter rescinding a previous approval of the county to grant a legal easement across the SITLA portion of County Road D2104. Commissioner Adams questioned why the letter rescinding the previous approval was being proposed since the road is already existing. He explained that the letter only provides citizens a legal use over a .2 mile section of SITLA land. Commissioner Grayeyes talked about a road improvement being in the National Monument. A motion to approve the letter was made by Commissioner Grayeyes and 2nd by Commissioner Maryboy. Voting in favor were Commissioners Maryboy and Grayeyes. Voting against the letter was Commissioner Adams.

- g. San Juan County Economic Development Board Members appointment - Natalie Randall, SJC Economic Development Director

Natalie reviewed with the Commissioners the need to fill 3 vacancies for the Economic Development Board. One vacancy by a citizen, one by a member of the commission, and one by a member of the Chamber of Commerce. She stated that 3 letters of interest were received and she recommended that the commission approve Andrea Wilson to fill one of the vacancies. Commissioner Maryboy suggested that Commissioner Grayeyes fill the 2nd vacancy. Mack explained that initially, there would be several meetings to discuss how COVID funding should take place. A motion to approve Andrea Wilson and Commissioner Grayeyes as board members on the Economic Development Board was made by Commissioner Adams and 2nd by Commissioner Maryboy. Voting in favor was unanimous.

- h. Utah Office of Tourism Co-op Grant Application letter of support/fiscal commitment of \$275,000 match for 2021 Transient Room Tax - Natalie Randall, SJC Economic Development Director

Natalie stated that she is applying for a grant from the Utah Office of Tourism. She explained that if approved the county would need to provide a match of \$270,000 which would come out of

a projected \$617,103 TRT collection for 2020. The Utah Office of Tourism would provide \$275,000 and a partner match of \$178,000 from State Parks in Page, AZ, Garfield County, Wayne County, Grand, County, and Washington County. She explained that the funds would be used in 2021 for marketing. Commissioner Grayeyes asked if the county would be able to provide the required match to which Natalie stated that the county would be able to provide the match. A motion to approve the grant application was made by Commissioner Grayeyes and 2nd by Commissioner Adams. Voting in favor was unanimous.

- i. Subdivisions for Approval - Scott Burton, SJC Building Department
  - i. Turkey Trot Estates, Phase 1, Lot 1 Amended
  - ii. Turkey Trot Estates Phase 2, Lot 8 Amended
  - iii. Mt Peele Estates, Lot 8 Amended
  - iv. San Juan Estates, Phase 3, Lot 33 Amended
  - v. El Rancho Estates Subdivision Amendment No. 4
  - vi. Coates 2 Subdivision Amendment 1

Scott presented several subdivision amendments for approval. He explained that all of the lots were being divided into smaller lots. He reviewed each amendment with the Commission. A motion to approve the subdivision amendments was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

- j. Approval of SITLA PC Zone Application and Preliminary Community Structure Plan as recommended by the Planning Zoning on June 11, 2020 - Walter Bird, SJC Planning & Zoning Director

Walter presented an application from SITLA to be rezoned to the PC Zone. Included in the application is a planned community development plan. He explained that the application was approved and recommended by the Planning and Zoning Commission. He explained that this is only an application to rezone and not to develop. Once approved, SITLA could then move forward with developmental plans which would still need to be brought back to the commission for approval. Mack stated that there is confusion about the application. He informed the commission that SITLA is asking that their property, not currently in the Planned Community District be zoned into the District. He said that the application is the 1st step in the process and that later on, the applicant, SITLA, would still need to come back to the commission for approval of proposed plans. He explained that SITLA is trying to go through a process of transparency. Elise Erler from SITLA, commented that the process approved by the commission in November is what SITLA is willing to work under. She explained that the process is thorough and lengthy and stated that experience shows that the maximum amount of land (units or square feet) requested in the proposal is never achieved. (2:00:00) A motion to deny the application and clarify ongoing confusion was made by Commissioner Grayeyes. Attorney Laws suggested that the commission table the approval of the application until the confusion surrounding the application could be clarified. Commissioner Adams made a substitute motion to table the approval of the application until a future commission meeting. The motion died due to the lack of a 2nd. Liz Thomas asked what tabling the item would mean to the process of making a decision on the application. Mack McDonald explained that if the application were tabled, public outreach

would occur to clarify the application better. Carolyn Dailey also asked if a public meeting could happen to allow for public input. Commissioner Adams asked when the Planning Commission would meet again and if the proposed timeline would work with that Commission to make another recommendation. Following that discussion, Commissioner Grayeyes made a motion to table the approval of the application and bring it back in the 2nd meeting in July. Commissioner Adams 2nd the motion. Voting in favor was unanimous.

k. **Property Tax Rate Approval - John David Nielson, SJC Clerk**  
John David asked the commission to approve the county's tax rate for 2020. He talked about the previous Truth in Taxation public meeting that was held where a tax increase was recommended and also the decision by the commission earlier in the year to not accept the increase. John David asked if the commissioners had any questions regarding the tax rate breakdown which was previously emailed to the commissioners. He suggested that the commission accept the state certified rate of 0.003544 for the county. Commissioner Grayeyes asked what the Clerk's recommendation would be. John David suggested going with the state certified rate and explained that due to an overall increase in property values the recommended rate was lower than the 2019 rate. Commissioner Adams clarified that the tax rate was lower than the 2019 tax rate. A motion to approve the state certified tax rate was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting in favor was unanimous.

#### **Commission Reports -**

**Commissioner Adams** - Commissioner Adams reported attending Zoom meetings with CIB, UCIP, UAC, and Gubernatorial presentations.

**Commissioner Grayeyes** - Commissioner Grayeyes has been trying to get feedback from the public on the naming of the Arch that was discussed in the previous commission meeting. He also talked about proposed BLM oil and gas lease sales and a proposed White Mesa Uranium tailings plan. In the proposed plan, ore would be sent to the White Mesa plant for processing. He explained that storage tanks would leak into the ground and contaminate the water in the White Mesa area and eventually the Bluff area. Commissioner Grayeyes also talked about a public hearing on Land & Water Conservation Funds.

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

Meeting adjourned at 12:21 p.m.