

**San Juan County Commission Meeting**  
**Administration Building - Commission Room**  
**Agenda**  
**September 3, 2019**

**Present:** Kenneth Marbo - Commission Chairman  
Willie Grayeyes - Commissioner Vice Chairman  
Bruce Adams - Commissioner  
David Everitt - CAO  
John David Nielson - Clerk

**Attendees:** Bob Turri, Pat Smith, Jeremy Redd, Jon Haderlie, Jason Torgerson, Karah Nay, Jason Nay, Jerry McNeely, David Carpenter, Carolyn Dailey, Monette Clark, Kirk Benge, Kendall Laws, Marlene Huckabay, Amanda Podmore, Bill Love, Phil Rentz, Lynda Smirz,

**Karah Nay - San Juan Stampede**

Karah gave came to the commission to update the commission on the San Juan Stampede rodeo that took place in July. She explained that with sponsors and ticket sales, the rodeo was ran under budget. Karah suggested that the rodeo might fair better in the future if the contestant payout was increased.

**Jason Torgerson - SJC Sheriff**

Sheriff Torgerson reviewed a proposed ongoing contract that San Juan County has with the BLM regarding law enforcement in service areas. He briefly explained how the contract would work between the two entities.

**Pat Smith - SJC Library**

Pat informed the commissioners that the SJC Library will be asking the commission for an increase in tax revenue for the 2020 calendar year.

**Ben Musselman - SJC Public Works**

Ben came to the commission to discuss the possibility of purchasing a new service for the south maintenance shop. He explained that bids have been requested and that the Chevrolet Medium Duty truck is the recommended truck.

Ben also talked discussed modifications with the contract that the Forest Service has with San Juan County. He explained that the contract discusses road improvements such as graveling roads, cattle guard installation, and grading work at dispersed camping areas.

**Kendall Laws - SJC Attorney**

Kendal came to discuss a resolution authorizing outside legal counsel to conduct centrally assessed property tax appeals. Kendall explained that the current legal counsel, Peters &

Scofield, would like all counties that they represent to pass a resolution supporting their counsel. There was a discussion on how fees to the county are dependant on which centrally assessed company decides to appeal their tax assessment.

**David Everitt - SJC Administrator**

David discussed with the commission a possible compensation study countywide to help the county be proactive when considering additional compensation for county employees. David also talked about an updated resolution regarding the proposed oil and gas lease sales conducted by the BLM. Commissioner Adams explained how the process of the lease sales takes place and what happens after the sale. Commissioner Grayeyes expressed concern about the lack of guarantee that sacred sites would be protected from drilling.

**Jerry McNeely - SJC Liaison**

Jerry updated the commission on Grand Water and Sewer meeting where Ken's Lake was discussed. He also mentioned a meeting and a field trip with Ben Musselman. Jerry also talked about projects that SITLA are working on. Jerry discussed with Mike Diem from the Forest Service the fire that occurred west of the Abajo Mountains. Jerry also stated that he has received several calls regarding road issues. Jerry also mentioned pedestrian and road safety around Wilson Arch with the construction going on.

**Nick Sandberg - SJC Planning**

Nick informed the commission of another upcoming oil and gas lease sale in December 2019. He explained proposed sale sites would be located in Monticello, Richfield, Price, Moab, and Vernal. Nick explained that in the Monticello field office a total of 9 parcels will be in the lease sale and told the commissioners where the 9 parcels are located.

A motion to go into executive session was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous.

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A motion to approve the August 20, 2019 meeting minutes was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous.

**Citizen Comments:**

**Marlene Huckabay** - Marlene asked the commission to consider withdrawing the SITLA property from being sold to Love's Truck Stop. She was also in favor of Lynda Smirz being appointed to the Planning and Zoning Commission.

**Monette Clark** - Monette thanked the commission for their hard work and for moving the commission meetings around. She also asked the commission to appoint Lynda Smirz to the vacant spot on the Planning and Zoning Commission.

**Carolyn Dailey** - Carolyn followed up with the commission on a proposed resolution submitted to the commission regarding an ad hoc Spanish Valley Development Advisory Committee which would discuss development in the Spanish Valley area.

**Bill Love** - Bill came to the commission to discuss several problems with water and water rights for San Juan County.

**Lynda Smirz** - Lynda presented her request to be appointed to the Planning and Zoning Commission. She expressed her interest in being appointed and explained why she would be a good fit for the commission.

**Patrick Baril** - Patrick thanked the commission for the moratorium placed in Spanish Valley. He commended Landmark Design and asked the commission to support an ordinance being drawn up by Landmark Design. Patrick also requested that a public hearing scheduled in Monticello be moved to Spanish Valley.

**Phillip Rentz** - Phillip came to express appreciation to the Commissioners Maryboy and Grayeyes in spite of the criticism within the county.

**Jon Haderlie - Larsen and Company**

Jon came to the commission to present the 2018 financial audit findings. Jon discussed the audit report and explained that Larson & Company tested the balance sheets in each fund and found that the financial statements are inherently corrected as they have been reported. Jon also explained that there are certain parts of the financial statements which they do not give an opinion on. He also talked about a report given the state auditor indicating which internal controls need to be looked at as well as a report that is required by the federal government. Jon made the recommendation that the commission find an individual who can keep the books for the Spanish Valley SSD. Jon also commended the San Juan County staff. Jon discussed a couple of findings with the commission. He explained that there was a budget fund finding and a deficit fund balance finding and discussed how to mitigate each finding.

A motion to accept the report given by Jon Haderlie was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous.

**Jason Torgerson - SJC Sheriff**

Sheriff Torgerson presented a new pay schedule for approval. The proposed pay schedule was previously discussed in the August 26, 2019 Work Meeting. Working on quarterly reports regarding accountability was discussed. A motion to approve the new proposed pay schedule was made by Commissioner Grayeyes and 2nd by Commissioner Adams. Voting was unanimous.

**Ben Musselman - SJC Public Works Director**

Ben requested permission to purchase a mechanics truck for the south road department. A motion to approve the request was made by Commissioner Adams and 2nd by Commissioner Maryboy. Voting was unanimous.

Ben also requested that modifications be made to Schedule A of the agreement with the Forest Service. A motion to approve the signing of the two documents was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous.

A motion to have the chairman sign the revised Schedule A was made by Commissioner and 2nd by Commissioner . Voting was unanimous.

**Paige Wray - USU Extension**

Dayna Young from USU Extension came with a request for out of state travel to Colorado Springs, Minneapolis, Minnesota, and Hershey, Pennsylvania. Commissioner Adams made a motion to approve the request and also clarified that the county only pays a small portion of the

travel with the bulk being paid by USU. Commissioner Grayeyes 2nd the motion. Voting was unanimous.

#### **Nick Sandberg - SJC Planning**

Nick presented a letter for approval covering the SITLA range improvement project. Nick explained where the improvements would take place. A motion to approve and sign the letter was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous. Commissioner Adams explained that the funding for the improvements does not affect the county's budget.

#### **David Everitt - CAO**

David Everitt read the proposed resolution title with the Whereas's of the Resolution.

**ADOPTION BY THE BOARD OF COUNTY COMMISSIONERS OF SAN JUAN COUNTY, ACTING AS THE GOVERNING BOARD OF MEXICAN HAT SPECIAL SERVICE DISTRICT, OR A PARAMETERS RESOLUTION RELATING TO THE ISSUANCE BY MEXICAN HAT SPECIAL SERVICE DISTRICT OF A WATER REVENUE AND REFUNDING BOND IN AN AMOUNT OF NOT TO EXCEED \$200,000 AND CALLING FOR A PUBLIC HEARING RELATING THERETO.**

A motion to approve the resolution was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous.

#### **Kendall Laws - SJC Attorney**

Kendall presented for approval, a resolution authorizing outside legal counsel to file cross appeals. A motion to approve the resolution was made by Commissioner Grayeyes.

#### **David Everitt - CAO**

David Everitt requested that the commission approve the resolution that was discussed. A motion to approve the resolution was made by Commissioner Grayeyes and 2nd by Commissioner Maryboy. Commissioners voting in favor of the resolution are Commissioners Maryboy and Grayeyes. Commissioner Adams voted against the resolution.

David also discussed the upcoming mediation that will take place later in September. He explained that the commission would still need to approve any results from the mediation. A motion to appoint Bruce Adams and David Everitt to act in the county's behalf at mediation was made by Commissioner Grayeyes and 2nd by Commissioner Adams. Voting was unanimous.

#### **Commission Reports:**

**Commissioner Maryboy** - Commissioner Maryboy had nothing to report

**Commissioner Grayeyes** - Commissioner Grayeyes spoke about healing and explained that in order for healing to occur there needs to be a commitment from both sides. After Commissioner Adam's report Commissioner Grayeyes spoke about a resolution that was discussed and

passed at summer conference for the national association of counties in Las Vegas. He explained that the resolution disallowed certain groups such as Utah Dine Bikeyah from participating in land designation discussions. He expressed a desire to have Commissioner Adams make a statement, while in Washington D.C., asking for more discussion on allowing certain groups to participate in land designation issues. Commissioner Adams explained that stances on public land issues would not be discussed during his trip to Washington D.C.

**Commissioner Adams** - Commissioner Adams will attend a CIB meeting and then will fly to Washington D.C. to attend the NACO conference on western lands and to ask that the PILT payments from the federal government be fully funded. He will also have a radio interview where PILT money will be discussed. Commissioner Adams also mentioned that the county commissioners and councils fall meeting will be in Midway on September 25-26.