

**San Juan County Commission Work Meeting  
Administration Building - Commission Room  
Agenda  
May 21, 2019**

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

**Attendees:** Trenton Duke, Heber Heyder, Jason Johnson, Rudy Sandavol, Gary Torres, Bob Turri, Wendy Black, Kendall Laws, Nick Sandberg, Leah Farrell, Rachel Appel, Tara Benally, Kelly Mike Green, Ann Leppanen, Scott Nielson, Brandon Hoffman, Clark Maughan, Terry Garner, Retta Hall, Sara Fields, Doug Allen, Cordell Shumay, Eula Wilson-Beeson, Ellis J Beeson, Rex Lee Jim, Lauren Bernally, Jeremy Redd, Paula Sayers, Jim Sayers, David Carpenter, Kim Henderson, Julia Brooks, Shanon Brooks, Jason Torgerson, Jerry McNeely, Kirk Benge, Olivia Merten, Kiley Miller, Jeannie Bondio, Mike Bondio, Anna Tom, Wallace Tom, Harv Holiday, Patrick Baril, Susan Baril, Jeff Mattson, Larry Witt, Carolyn Dailey, Hank Stevens, Marlene Huckabay, Cheryl Bowers, David Filfred, Albert Holiday, Clarke Abbey, Monette Clark, Craig Sanchez, Jennifer Swanson, Colby A Smith, Holly Sloan

**David Everitt - CAO**

David came to the commission to talk about his initial scope of work, projects that he is working on and confirming the county administrator as the GRAMA appeals officer. David also talked about a possible joint San Juan and Grand County meeting on June 10, 2019.

**David Everitt - CAO**

David discussed with the commission, The Rules of Procedure document created to help clarify the functions of the commission, county administrator, clerk, and attorney. The draft rules and procedures were reviewed and discussed.

**John David Nielson - SJC Clerk**

John David discussed with the commission a referendum application that was submitted by citizens challenging Resolution 2019-21. Attorney Laws offered some insight into the referability of the referendum application and explained that his office's position was that the referendum was not referable.

### **John David Nielson/Leonard Gorman - Vote By Mail Settlement Agreement**

John David Nielson and Lauren Bernally talked to the commission about the Vote By Mail Settlement Agreement. Lauren Bernally briefly reviewed the agreement and its stipulations as well as other documents and reports. Lauren also discussed PlusCodes which help to place voters at their proper locations. Rex Lee Jim from the Navajo Nation encouraged the commission to comply with the settlement agreement. John David discussed aspects of the agreement including satellite offices, radio ads, certified language interpreters, and voting locations.

### **John David Nielson - Clerk**

John David presented an amended SSBG contract to approved and explained the purpose of the contract.

### **David Everitt - CAO**

David presented an updated aging contract for Aging Director Tammy Gallegos who was away at a training and discusses how the money from the contract would be used.

### **Gary Torres - BLM Updates**

Gary updated the commission on issues that are on the BLM's radar including the Monument Advisory Committee meeting that will be held in Monticello on June 5th - 6th. Gary also suggested that the commissioners talk with the state director at that time. Gary also talked about an abandoned mine reclamation program, road issues and closures. Clark Maughan, BLM Fire Manager, gave a brief update on the fire season for San Juan County.

### **Heber Heyder - State Fire Updates**

Heber explained his role as San Juan County Fire Warden to the commission. He then gave an update to the commission on the 2018 season. Also discussed was training for new firefighters. Jason Johnson explained to the commission that different departments meet regularly to discuss upcoming and potential fire issues.

Navajo Mountain Chapter President Hank Stevens addressed the commission requesting support from the county regarding fires on Navajo Mountain. Tara Benally from Rural Utah Project also gave an update on Plus Coding which would be helpful during a fire.

### **USFS - USFS Updates**

Terry Garner discussed with the commission the annual Chief's Letter which discusses potential fire concerns for 2019. He also discussed a formal agreement that the county has which allows USFS to respond to fires as well as the 2018 annual fire report.

### **Jerry McNeely - SJC Liaison**

Jerry updated the commission on meetings he attended with Grand Water and Sewer, SITLA, BLM, (lisbon valley mine, black ridge area, sewer and water projects)

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A motion to approve the May 7, 2019 commission minutes was made by Commissioner Grayeyes and 2nd by Commissioner Adams. Voting was unanimous.

**Citizen Comments:**

**Patrick Baril - San Juan County resident**

Patrick talked about a change in wording in a previous draft of the Resolution covering the moratorium and dark skies. He stated that he supports the moratorium and the dark sky plan.

**Colby Smith - San Juan County resident**

Colby spoke about a subsection 4(C) in the ordinance drafted by the county attorney's office. He asked that the part of the subsection talking about land use entitlements be clarified.

**Wendy Black - San Juan County resident**

Wendy asked the commission about the plan to hire a new administrator and what steps would be followed.

**Cheryl Bowers - San Juan County resident**

Cheryl requested that the commission allow for the referendum to go forward so that it could be voted on by the citizens of San Juan County.

**Kelly Mike Green - San Juan County resident**

Kelly asked that the county help increase the size of the LaSal cemetery. Kelly also mentioned that San Juan County is in the Downwinders area covered by the Uranium Compensation Act which allows for compensation and asked for support as he attempts to make the qualifying process easier.

**Jeannie Bondio - San Juan County resident**

Jeannie apologized for the rudeness of the citizens at previous meetings. She also talked about a planning and zoning meeting tape where inappropriate comments were made by the commissioners of the planning and zoning commission. Jeannie also requested that 2 individuals from northern San Juan County be advisors on the Planning and Zoning commission.

**Kiley Miller - San Juan County resident**

Kiley read a letter from Linda Smerse discussing the pollution caused by motor vehicles

**Shanon Brooks - San Juan County resident**

Shanon thanked the commissioner for working on and bettering procedures. He also mentioned a change in the code which allows 2 commissioners to meet without notice. Shanon also questioned the hiring of David Everitt without the input of Commissioner Adams. Shanon suggested that funds be used to improve english language skills. He also discussed rights of leaders and citizens.

**Carolyn Dailey - Pack Creek resident**

Carolyn talked about the formation of the Northern San Juan County Coalition and talked about the moratorium and requested that 2 individuals from northern San Juan County be advisors on the Planning and Zoning Commission.

**Walter Bird - SJC Personnel**

Walter presented 2 labor light equipment positions and 2 seasonal positions for approval. He requested that Christopher Honecker and Tyler Draper be approved for the light equipment positions and Taylor Torgerson and Dylan Bird be approved for the two seasonal positions. A motion to approve the hires was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous.

**Nick Sandberg - SJC Planning**

Nick presented two letter for approval which discuss range improvement proposals. The letters discussed the Slickhorn Polly Mesa Water Well System and the Lake Canyon Stock Water Wells Phase III project. A motion to have the chairman to sign the letters was made by Commissioner Grayeyes and 2nd by Commissioner Adams. Voting was unanimous. Nick also presented a memorandum of agreement regarding the Lisbon Valley Mining Company's 2017 Mine Plan revision. He stated why San Juan County is signing as a concurring

party and not a decision making party and also explained that the memorandum explains how cultural resources will be treated during mining pit expansion. A motion to approve the signing of the memorandum was made by Commissioner Adams and 2nd by Commissioner Maryboy. Voting in favor of the memorandum- Commissioner Adams, Voting against the memorandum- Commissioner Grayeyes., Abstaining - Commissioner Maryboy

### **Kirk Benge - SJC Public Health**

Kirk requested that the commission ratify the Public Health by-laws which were discussed during the work meeting. A motion to ratify the by-laws was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous.

### **Ben Musselman - SJC Public Works**

Ben presented several bids for approval that were discussed in the previous work meeting. Ben recommended that the Mountain States bid for patch oil be approved. A motion to allow the road department to use Mountain States was made by Commissioner Grayeyes and 2nd by Commissioner Adams. Voting was unanimous. Ben also recommended that the county accept the bid for a new printer/copier from Image Net Consulting. A motion to approve the recommendation was made by Commissioner Grayeyes and 2nd by Commissioner Adams. Voting was unanimous.

### **John David Nielson - SJC Clerk**

John David presented the amended SSBG contract for approval. A motion to approve the amended SSBG contract was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous.

John David also asked the commission if they were ready to make a decision on the referendum that had been discussed in the work meeting. A motion was made by Commissioner Grayeyes that the referendum was not referable according to the legal opinion given. Commissioner Maryboy 2nd the motion. Voting in favor of the motion were Commissioners Maryboy and Grayeyes. Voting against the motion was Commissioner Adams.

### **Resolutions/Ordinances**

Resolutions and Ordinances listed below were read into the record by David Everitt.

1. **RESOLUTION RATIFYING A CONTRACT WITH DAVID EVERITT TO SERVE AS THE SAN JUAN COUNTY ADMINISTRATOR ON AN INTERIM BASIS**

A motion to approve the resolution was made by Commissioner Grayeyes and 2nd by Commissioner Maryboy. Commissioners voting to approve the resolution were Commissioners Maryboy and Grayeyes. Commissioner Adams voted against the resolution.

2 **AN ORDINANCE ENACTING A TEMPORARY LAND USE REGULATION THAT PROHIBITS NEW LAND USE APPLICATION PERMITS FOR COMMERCIAL USES IN THE HIGHWAY COMMERCIAL ZONE EXTENDING 1,000 FEET ALONG EACH SIDE OF US HIGHWAY-191 FOR THE LENGTH OF THE ROADWAY IN THE AREA KNOWN AS "SPANISH VALLEY."**

A motion to approve the ordinance was made by Commissioner Grayeyes with the request to change the wording in Section 4 (C) from "...land use applications deemed complete by the County **or** paid all applicable fees..." to "...land use applications deemed complete by the County **and** paid all applicable fees..." Commissioner Adams 2nd the motion and questioned if all the technical language of the ordinance had been answered. Attorney Laws explained that the ordinance was written with input from the Building Department and the process that they currently use. Commissioner Maryboy allowed for Colby Smith to clarify his Citizen's Comment. Commissioner Adams discussed some of the concerns with the ordinance. After the discussion Commissioner Grayeyes clarified his motion to support the moratorium and change the wording in Section 4 (C) as stated in his previous motion. Voting was unanimous.

### **Commission Reports**

**Commissioner Adams** - Commissioner Adams attended AOG in Price. He also wrote a letter regarding Insight Terminal Solutions as a CIB board member.

**Commissioner Grayeyes** - Commissioner Grayeyes traveled back to Princeton University to make a presentation

**Commissioner Maryboy** - Commissioner Maryboy mentioned several deaths in his community of friends, attended the Aneth Chapter meeting. Will attend a veterans memorial celebration

Motion to adjourn was made by Commissioner Adams and 2nd by Commissioner Grayeyes.

1:09