

**San Juan County Commission Work Meeting
Administration Building - Commission Room
Agenda
April 16, 2019**

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

Attendees: Bob Turri, Kendall Laws, David Carpenter, Tammy Gallegos, Ben Musselman, Monty Perkins, John Fellmeth, Rhetta Hall, Curtis Henderson, Kim Henderson, Candice Lyman, Shanon Brooks, Julia Brooks, Alan Nauman, Brandt Murray, Jean Pehrson, Cheryl Bowers, Jason Torgerson, Nick Sandberg, Jerry McNeely, Susan Smith, Gilbert Sombrero, Drew Cooper, Phil Lyman, Walter Bird, John Evans, Brian Stubbs, Kim Palmer, Natalee Randall, Nicole Perkins, Scott Burton, Kiley Milner, Darrell Williams, Robert Whitehorse, Bryson Henderson, Tyler Halls, Shawn Redd, Tim Young, Claudia Ketron, John Young, Jeremy Hunter Rubingh, David Byars, Graham Beyale, Ed Dobson, Jean Pehrson, Sarah Fields, William Love, Alastar Bitsoi, Cynthia Wilson, Kirk Benge, Lisa Nielson, Robert Greenler, John Rzczycki, Linda Sosa, Cindi Holyoak, Zak Podmore, Phillip Rentz, Carl Brinkly, Carol Mayer, Mary McGann, Jerry Morse, Evan Clapper

Tammy Gallegos - SJC Aging

Tammy presented the Four Year Aging Plan and explained a little bit about how it worked.

Monte Perkins - SJC Buildings and Maintenance

Monte came to talk to the commissioners about a proposed equipment purchase. Monte also talked to the commissioners about his job and what he does.

John Fellmeth - Budget Discussion

John came to the commission to discuss the county's financial situation. He discussed various financial statements and different funds that the county maintains.

Ben Musselman - SJC Public Works Director

Ben came to the commission to discuss biannual bids on batter, synthetic oil, and filters. Ben explained what specifications are looked for when viewing and deciding which bid to go with. After discussing the bids he recommended to the commission which bids he would like the county to go with. Ben also talked about a public hearing to abandon a road that has been damaged.

Shanon Brooks - Citizen Concerns

Shanon came to the commission to talk about national monuments and his concern of the expansion of The Bears Ears National Monument. Shanon also discussed the pro bono services of Steve Boos.

Kim Henderson - Citizen Concerns

Kim came to discuss the morale of the county and talked about reaching out to the citizens of the county regarding resolutions presented and passed.

Jerry McNeely - SJC Liaison

Jerry reported to the commission on several different meetings that he has attended. Jerry also met with SITLA, BLM and the jeep safari.

Nick Sandberg - SJC Planning

Nick reported to the commission on the Forest Service Plan revision and time period for public comment

Resolutions -

Resolutions listed below, to be considered in the next Commission meeting, were read into the record and discussed.

RESOLUTION RECOMMENDING CHANGING THE ROYALTY ALLOCATION FOR OIL, GAS AND OTHER MINERAL PRODUCTION ON THE UTAH PORTION OF THE NAVAJO RESERVATION TO BE USED TO BENEFIT UTAH NAVAJO.

RESOLUTION DIRECTING THAT OCCASIONAL MEETINGS OF THE SAN JUAN COUNTY COMMISSION BE HELD IN LOCATIONS OUTSIDE MONTICELLO, UTAH.

RESOLUTION DIRECTING THAT NO SAN JUAN COUNTY OFFICIAL OR EMPLOYEE MAY REPRESENT THAT A POLICY OR POSITION IS A POLICY OR POSITION OF THE COUNTY UNLESS THE SAN JUAN COUNTY COMMISSION HAS FIRST REVIEWED AND APPROVED THAT POSITION IN A FORMAL RESOLUTION OF THE COMMISSION.

RESOLUTION OF SAN JUAN COUNTY, UTAH, APPROVING AN ORDINANCE ENACTING A TEMPORARY LAND USE REGULATION PROHIBITING NEW LAND USE APPLICATIONS FOR PERMITS FOR COMMERCIAL USES IN THE HIGHWAY COMMERCIAL ZONE, WHICH EXTENDS 1,000 FEET ALONG BOTH SIDES OF US-191 FOR THE LENGTH OF THE ROADWAY IN SPANISH VALLEY.

Comments by Robert Whitehorse agreed with the resolution

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A motion to approve commission minutes from March 19, 2019 and April 2, 2019 was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous.

Citizen Comments -

Mary McGann, Jerry Morse, Terry Clapper - Grand County Counsel

Members of the Grand County Council came to introduce themselves to the county commission and express their desire for good cooperation and working together.

Alan Nauman - Solar Power

Alan suggested that the county look into solar energy and sign a 25 year contract which would save the county money.

Bill Love -

Bill talked a little bit about the proposed moratorium and encouraged the commission to look after the residents of the county after the moratorium has passed. He also read part of a letter from a resident in Spanish Valley.

Sarah Fields - SJC resident

Sarah expressed concern that a list of appointed and elected boards and committees within the county is not on the San Juan County website. She asked that an updated list be put on the county website.

Darrell Williams - Legislative Aid to Council Delegate Charlene Tso

Darrell expressed his desire to work with the commission on issues impacting the county and mentioned some upcoming legislation presented by Senator Romney. Darrell also commented on the resolutions presented by Commissioner Adams.

Shanon Brooks - Monticello resident

Shanon volunteered to facilitate a meeting between the county commission and county attorney. He also offered several suggestions that would help find out what the citizens of the county would like to have happen.

Kiley Milner - SJC resident

Kiley expressed her support of the moratorium and to the commissioners for serving the people.

Bob Turri - SJC resident

Bob expressed his opinion of the lack of public involvement.

John David Nielson read the agenda into the record. A motion to approve the agenda was made by Commissioner Adams. Commissioner Grayeyes 2nd the motion with the caveat that the proposed resolutions would be read and dealt with. Commissioner Grayeyes also requested a status report in writing on previously passed resolutions (2019-03, 2019-05, 2019-7, 2019-08, 2019-09) so that the status could be reviewed. Commissioner Adams indicated that county staff is doing their best to keep up with passed resolutions. Voting was unanimous on approving the agenda.

Scott Burton - SJC Deputy Assessor

Scott presented a subdivision, Flat Iron Mesa Subdivision Phase 23 for approval. A motion to approve the subdivision was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous.

Jason Torgerson - SJC Sheriff

Sheriff Torgerson presented for approval the maintenance contract that was discussed in April 2,2019 work meeting. A motion to approve the contract was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous.

Walter Bird - SJC Personnel

Walter presented 3 new hires for approval. Walter recommended that the county hire Asa Bradford, out of 4 possible candidates, as a new corrections officer. Walter also requested that

Emma Squires and Lucia Regalado be hired as dispatchers. A motion to approve the hires was made by Commissioner Grayeyes and 2nd by Commissioner Adams. Voting was unanimous.

Kirk Bengé - Public Health Director

Kirk came to the commission seeking an out of state travel request for Brittany Carleson to attend a conference covering ??? in Raleigh, NC. A motion to approve the travel was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous.

Resolutions -

1 - RESOLUTION SUPPORTING EMPLOYMENT OPPORTUNITIES FOR COUNTY RESIDENTS THROUGH THE CONTINUED OPERATION OF KAYENTA MINE ON BLACK MESA IN ARIZONA

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

2 - RESOLUTION SUPPORTING EMPLOYMENT OPPORTUNITIES FOR COUNTY RESIDENTS THROUGH THE CONTINUED OPERATION OF THE NAVAJO GENERATING STATION

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

Commissioner Maryboy passed the chair to Commissioner Adams.

1 - RESOLUTION AUTHORIZING SAN JUAN COUNTY TO FILE A LAWSUIT AGAINST THE SAN JUAN COUNTY ATTORNEY, KENDALL LAWS, RELATED TO HIS FAILURE TO COMPLY WITH THE LAWFUL DIRECTIVES OF THE COUNTY AS STATED IN RESOLUTIONS 2019-04 AND 2019-06 AND FURTHER AUTHORIZING THE CHAIRMAN OF THE SAN JUAN COUNTY COMMISSION TO RETAIN OUTSIDE LEGAL COUNSEL TO BRING THE LAWSUIT.

A motion to table the resolution until the next meeting was made by Commissioner Grayeyes. Commissioner Adams suggested that Commissioner Maryboy contact the Utah Attorney General's office for a legal review and recommendation of the resolution. Commissioner Maryboy stated that he had hoped the resolution would be passed today. Commissioner Adams also suggested that before the commission does anything regarding Bears Ears that the citizens of the county be allowed to vote on the issue. Commissioner Maryboy questioned whether putting referendums on the ballot would cost additional money. Commissioner Adams passed the chair back to Commissioner Maryboy and 2nd the motion made by Commissioner Grayeyes. Commissioner Adams Commissioner Voting in favor were Commissioner Grayeyes and Commissioner Adams. Commissioner Maryboy abstained

Commissioner Maryboy passed the chair back to Commissioner Adams.

2 - RESOLUTION REQUESTING THE STATE AUDITOR TO REVIEW CONTRACTS AND INVOICES PAID TO OUTSIDE LEGAL COUNSEL AND TO REVIEW THE SAN JUAN COUNTY ATTORNEY'S SUPERVISION OF ALL OUTSIDE COUNSEL REPRESENTATION.

A motion to approve the resolution was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Commissioners voting in favor are Commissioners Maryboy and Grayeyes. Commissioner Adams abstained.

3 - RESOLUTION TERMINATING THE REPRESENTATION OF SAN JUAN COUNTY BY THE MOUNTAIN STATES LEGAL FOUNDATION AND WILLIAM PERRY PENDLEY IN HOPI TRIBE, et al. v. DONALD TRUMP, et al., CASE NO. 1-17-CV-2590; UTAH DINE BIKEYAH, et al. v. DONALD TRUMP, et al., CASE NO. 1:17-CV-2605 (TSC); AND NATURAL RESOURCES DEFENSE COUNCIL, INC, et al., v. DONALD TRUMP, et al., CASE NO. 17-CV2606 (TSC) AND DIRECTING THAT NO FURTHER PAYMENT SHALL BE MADE FOR SERVICES RENDERED BY MOUNTAIN STATES LEGAL FOUNDATION AND WILLIAM PERRY PENDLEY AFTER THE DATE OF THIS RESOLUTION.

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

4 - RESOLUTION IN OPPOSITION TO THE STATE OF UTAH'S PETITION TO THE U.S. SECRETARY OF AGRICULTURE AND THE U.S. FOREST SERVICE FOR A STATE SPECIFIC RULE GOVERNING MANAGEMENT OF FOUR MILLION ACRES OF INVENTORIED ROADLESS AREAS IN UTAH'S NATIONAL FORESTS.

A motion to approve the resolution was made by Commissioner Maryboy and 2nd by Commissioner Grayeyes. Commissioner Adams stated that approving the resolution would make it difficult for people to access the areas affected by the resolution. Commissioners voting in favor of the resolution are Commissioners Maryboy and Grayeyes. Commissioner Adams voted against the resolution.

5 - SUPPORTING S. 367, THE "AMERICA'S NATURAL TREASURES OF IMMEASURABLE QUALITY UNITE, INSPIRE, AND TOGETHER IMPROVE THE ECONOMIES OF STATES (ANTIQUITIES ACT) ACT OF 2019" (ANTIQUITIES ACT OF 2019) AND H.R. 1050, THE UNITED STATES HOUSE OF REPRESENTATIVES VERSION OF THE ANTIQUITIES ACT OF 2019.

A motion to approve the resolution was made by Commissioner Maryboy. The motion died for lack of 2nd.

Commission Reports -

Commissioner Adams - Commissioner Adams attended UAC. He reported that UAC has cancelled their contract with Adam Trupp. He enjoyed the conference. He will attend a UCIP board meeting tomorrow.

Commissioner Grayeyes - Commissioner Grayeyes attended UAC and discussed what was presented. He also attended the 7 county coalition meeting where the railroad was discussed.

Commissioner Maryboy - Commissioner Maryboy met with the chapters and Shirley Silversmith in Salt Lake City. He stated that he will continue to meet with the chapters.

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