

San Juan County Work Meeting
Hideout Community Center - Conference Room
Agenda
February 19, 2019

Present: Kenneth Maryboy - Commission Chairman
Willie Grayeyes - Commission Vice Chairman
Bruce Adams - Commissioner
Tammy Gallegos - SJC Administration
John David Nielson - Clerk

Attendees: Lynn Stevens, Bill Boyle, Kendall Laws, Nick Sandberg, Lynn Stevens, Anna Tom, Betty Jones, Wallace Tom, Randy Rarick, Alan Nauman, Ted Powell, Susan Smith, Gilbert Sombrero, Cheryl Bowers, Janet Ross, Lady with Janet Ross, Nancy Dunow, Shanon Brooks, Tammy Squires, Ted Powell, Bob Turri, Cassandra Begay, Minnie John, Ann Leppanen, Linda Sosa, Amanda Podmore, Dan Meyers, Jocelyn Meyers, Brant Murray, David Carpenter, Kevin D, Kim Henderson, Marilyn Holly, Phillip Rentz, Unreadable, Rebecca M, Justin Johansen, Jared Anderson, Natalie Randall, Wendy Black, Ted Black, Jim Sayers, Paula H Sayers, Joe B Lyman, Kim V Palmer, Jeff Egly

Emry Telecom & UETN - County Broadband Project Update

Jeff Egly, with UETN, explained what UETN does. He also talked about the broadband project of connecting schools in southern San Juan County. He explained how Emry Telcom would be partnering with UETN

Jared Anderson and Justin Johansen from Emry Telcom explained how the project would help make the quality of life better by increasing broadband and cell service. He also mentioned the steps of the project and stated that community support is helpful in obtaining grants.

David Carpenter - SJC Recorder

David came to talk about a couple of equipment purchases for the recorder's office. He also provided price quotes of the requested purchases.

David also came with a travel request to attend a training in Midway.

Ann Leppanen - Bluff Town Mayor

Ann Leppanen presented 2 resolutions that Bluff Town passed at their town meeting. She explained that the resolutions supported the resolutions to re-establish a transfer station in Bluff, to hold regular commission meetings in the southern portion of the county, and to direct the San Juan County Attorney to prepare of a comprehensive inventory or civil lawsuits that the county is apart of. Mayor Leppanen also talked about an interlocal agreement between the county and Bluff.

Joe B Lyman - Blanding City Mayor

Joe B Lyman presented a resolution passed by Blanding City Council and read part of the resolution indicating Blanding City Council's opinion to maintain protection of the land. He also discussed the resolution which rescinds prior resolutions of San Juan County opposing the establishment of the Bears Ears National Monument.

Nick Sandberg - SJC Planning

Nick discussed with the commission to talk about a letter received from the Forest Service. Nick also mentioned that he now has the administrative draft.

Bruce Adams - SJC Commissioner

Commissioner Adams proposed to the commission a possible resolution supporting lease sales by the BLM. He discussed reasons why he supports the lease sales. Commissioner Adams also talked about grants from CIB.

Kenneth Maryboy - SJC Commissioner

Commissioner Maryboy presented and read several new resolutions for consideration and allowed for comments to be made.

1. RESOLUTION DIRECTING THAT THE COUNTY ADMINISTRATOR COMMENCE LIVE VIDEO STREAMING AND LIVE AUDIO STREAMING OF COUNTY COMMISSION MEETINGS AND WORK SESSIONS FOR ONLINE VIEWING AND PARTICIPATION
2. RESOLUTION SUPPORTING H.R. 871, THE BEARS EARS EXPANSION AND RESPECT FOR SOVEREIGNTY ACT, WHICH HAS BEEN INTRODUCED IN THE UNITED STATES HOUSE OF REPRESENTATIVES, 116TH CONGRESS TO EXPAND THE BOUNDARIES OF THE BEARS EARS NATIONAL MONUMENT, ENSURE PROMPT ENGAGEMENT WITH THE BEARS EARS COMMISSION AND PROMPT IMPLEMENTATION OF PRESIDENTIAL PROCLAMATION 9558, DATED DECEMBER 28, 2016 ESTABLISHING THE BEARS EARS NATIONAL MONUMENT.
3. 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
4. RESOLUTION DIRECTING THAT THE COUNTY ADMINISTRATOR COMPILE AN ORGANIZATIONAL CHART OF ALL SAN JUAN COUNTY OFFICERS AND EMPLOYEES
5. RESOLUTION DIRECTING THAT THE COUNTY ADMINISTRATOR COMPILE ALL PROCEDURES USED BY THE SAN JUAN COUNTY COMMISSION IN THE REVIEW AND CONSIDERATION OF OFFICIAL ACTIONS TAKEN BY THE COMMISSION
6. RESOLUTION OPPOSING THE UTAH H.B. 93 AMENDING UTAH CODE 17-3-3 COUNTY FORMATION TO DELETE THE STATUTORY REQUIREMENT OF A MAJORITY VOTE OF BOTH PORTIONS OF A COUNTY IN THE EVENT OF A PROPOSED SPLITTING OF THE COUNTY
7. RESOLUTION DIRECTING THAT THE COUNTY ATTORNEY SHALL PROVIDE WRITTEN LEGAL MEMORANDA CONTAINING A COMPLETE LEGAL ANALYSIS OF ALL PROPOSED COMMISSION RESOLUTIONS SUBMITTED FOR REVIEW IN ADVANCE OF ANY COMMISSION MEETING WHERE THOSE RESOLUTIONS WILL BE CONSIDERED OR ACTED UPON.

Shanon Brooks - Monticello Citizen

Shanon made comments on:

Resolution #2 expressing concern that the resolution does not have the majority support of the county citizens and asking why the county would propose a resolution that does is not supported by the majority of the county population.

Resolution #6 expressing concern that the county pass a resolution that would not allow the citizens to breakaway from the county if they wanted to.

Joe B Lyman - Blanding Citizen

Joe stated that he liked the idea of most of the resolutions presented.

Wendy Black - Blanding Citizen

Wendy talked about a letter that she wrote to Commissioner Maryboy, his response to that letter and then encouraged him to listen to the people of the county.

Ted Powell - Blanding Citizen

Ted explained that he is not in favor of a Bears Ears expansion and that public lands should be used and not shutdown. He also explained citizens should be allowed to split the county if they wanted to.

Anna Tom - McCracken Mesa

Anna expressed her concern over conflicts of interest.

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A motion to approve the February 5, 2019 minutes was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous.

Citizen Comments -

Minnie John - Red Mesa Chapter

Minnie mentioned that the chapter has received recreation funds and road funds in the past and asked if those funds would be available again in 2019 so that the chapter can provide services to the community.

Lynn Stevens - Hole-in-the-Rock Foundation

Lynn Stevens commented on the transfer station and talked the allegation of human remains being found on the property being used by the Hole-in-the-Rock Foundation which is now in the county's possession.

Kim Henderson - Monticello Citizen

Kim asked the commissioners if they had taken into consideration comments made at the previous commission meeting. Kim also asked the commissioners who wrote the resolutions.

Cheryl Bowers - Blanding City Council

Cheryl read part of a resolution passed by Blanding City Council opposing additional expansion of the Bears Ears, Shash Jaa, and Indian Creek units and further land designation without local input. She also encouraged the commissioners to talk to the citizens and find out what they want.

Shanon Brooks - Monticello Citizen

Shanon mentioned that he is in favor of several of the 7 resolutions presented during the work meeting. Shanon also questioned why the commission might consider passing the resolution requesting that commission meetings be held throughout the county when the county attorney explained that it was against the law to hold commission meetings anywhere except the county seat. Shanon also asked the commission not to pass the resolution rescinding prior resolutions related to the Bears Ears National Monument. Lastly, Shanon asked the commission why would condemn and attack the President of the United States.

Public Hearing -

A motion to go into Public Hearing and receive public comment with respect to the issuance of bonds and any potential economic on the private sector was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous.

Commissioner Adams explained that the reason for the public hearing is to hear public comments on the proposed purchase of a home for daycare treatment by San Juan Counseling. He explained that the purchase would be made with funds from CIB

The County LBA will be seeking a loan of \$350,000 at 2.5% interest for 30 years to help San Juan Counseling purchase a house for day treatment.

After there were no public comments a motion was made by Commissioner Adams to leave the public hearing. Commissioner Grayeyes 2nd the motion and voting was unanimous.

Public Hearing -

Commissioner Adams made a motion to go into Public Hearing to receive comments about the boundaries of the Eastland Special Service District and was 2nd by Commissioner Grayeyes. Voting was unanimous.

Janet Ross, Board Chair of the Eastland Special Service District, asked the Commissioners to adopt a letter adjusting the legal description of the Special Service District so that the district can be incorporated into the state.

After there were no more comments a motion to leave Public Hearing was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous.

A motion was made by Commissioner Adams to allow the Commission Chair to sign the letter approving the Eastland Special Service District boundary change.

Natalie Randall - SJC Visitors Services

Natalie came to the commission to talk about the Enterprise Zone. A motion to sign the renewal agreement was made by Commissioner Grayeyes and 2nd by Commissioner Adams. Voting was unanimous.

John David Nielson - SJC Clerk

Presented the 2019 elected officials pay schedule for approval. A motion to sign the pay schedule was made by Commissioner Adams and 2nd by Commissioner Grayeyes. Voting was unanimous.

Commissioner Maryboy passed the chair to Commissioner Adams ..

Commissioner Adams presented the resolutions for approval-

1 - RESOLUTION DIRECTING THAT DOCUMENTS BE COMPILED AND RESEARCH UNDERTAKEN IN ORDER TO RE-ESTABLISH A BLUFF TRANSFER STATION.

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

2 - RESOLUTION DIRECTING THAT REGULAR MEETINGS OF THE SAN JUAN COUNTY COMMISSION BE HELD IN LOCATIONS IN THE SOUTHERN PORTION OF THE COUNTY AND SETTING A SCHEDULE FOR SUCH MEETINGS.

A motion was made by Commissioner Grayeyes to table the resolution and ask Walter Bird to further review on whether regular commission meetings could be held in other locations around the county. Commissioner Maryboy 2nd the motion. Voting was unanimous.

3 - RESOLUTION DIRECTING THE SAN JUAN COUNTY ATTORNEY, KENDALL LAWS, TO IMMEDIATELY PREPARE A COMPREHENSIVE INVENTORY OF ALL CIVIL LITIGATION IN WHICH THE COUNTY IS A PARTY.

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

4 - RESOLUTION RESCINDING ALL PRIOR RESOLUTIONS OF THE SAN JUAN COUNTY COMMISSION OPPOSING THE ESTABLISHMENT OF THE BEARS EARS NATIONAL MONUMENT OR CALLING FOR THE DIS-ESTABLISHMENT OR REDUCTION OF THE BEARS EARS NATIONAL MONUMENT, SPECIFICALLY RESCINDING RESOLUTIONS NOS. 2015-09 (A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SAN JUAN COUNTY, UTAH, SUPPORTING LOCALLY-DRIVEN LAND MANAGEMENT PLANNING AND OPPOSING PRESIDENTIAL DESIGNATION OF A NATIONAL MONUMENT(S) THROUGH AUTHORITY OF THE ANTIQUITIES ACT OF 1906), 2016-08 (DEFICIENCIES OF A PROPOSAL OF A NON-GOVERNMENTAL ORGANIZATION FOR ESTABLISHMENT OF A NATIONAL MONUMENT IN SAN JUAN COUNTY; NOTIFICATION OF A COUNTY PREROGATIVES AND INTENT FOR LAND USE PLANNING), AND 2017-02 (RESOLUTION REQUESTING AND RECOMMENDING THE REVERSAL OF THE DESIGNATION OF THE BEARS EARS AREA AS A NATIONAL MONUMENT), CONDEMNING THE ACTIONS OF PRESIDENT DONALD TRUMP IN VIOLATING THE ANTIQUITIES ACT OF 1906 BY UNLAWFULLY REDUCING THE BEARS EARS NATIONAL MONUMENT THROUGH THE PROCLAMATION OF DECEMBER 4, 2017 (NO. 9681) AND CALLING UPON THE UNITED STATES TO FULLY RESTORE THE BEARS EARS NATIONAL MONUMENT.

A motion to approve the resolution was made by Commissioner Grayeyes and 2nd by Commissioner Maryboy. Commissioner Adams issued a comment stating that the action of

President Trump to reduce the monument was not an illegal action and that other presidents have reduced sizes of monuments. He felt that there could be legal implications by approving the resolutions and talked to the other commissioners about training and conflicts of interest. He stated that he is against the resolution. There were 2 votes approving the resolution by Commissioner Grayeyes and Maryboy and 1 vote not approving the resolution by Commissioner Adams.

5 - RESOLUTION DIRECTING THE SAN JUAN COUNTY ATTORNEY, KENDALL LAWS, TO IMMEDIATELY WITHDRAW THE COUNTY'S MOTION TO INTERVENE 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-CB-2606 (TSC) AND TO FURTHER IMMEDIATELY TERMINATE ANY AND ALL REPRESENTATION AGREEMENTS BETWEEN SAN JUAN COUNTY AND THE MOUNTAIN STATES LEGAL FOUNDATION.

A motion to approve the resolution was made by Commissioner Grayeyes and 2nd by Commissioner Maryboy. Commissioner Adams stated felt that passing the resolution was cause legal implications. Commissioner Grayeyes and Commissioner Maryboy voted to approve the resolution and Commissioner Adams voted to not approve the resolution.

Commission Reports -

Commissioner Adams - Commissioner Adams mentioned that he attended legislature meetings. He also encouraged the commissioners to work together.

Commissioner Grayeyes - Commissioner Grayeyes attended legislature meetings where he lobbied against HB78 and explained why he lobbied against it. He also made a presentation as a chapter official. Commissioner Grayeyes also talked about HB93 which talks about splitting counties which he is opposing. He also reported on a meeting with Kim Coleman and Governor Herbert where HB93 was discussed. Lastly, Commissioner Grayeyes attended a meeting in Window Rock where he met with representatives from the Navajo Nation.

Commissioner Maryboy - Commissioner Maryboy reported that he attended the legislative session. He reported meeting with Representative Phil Lyman and talked about HB93. Commissioner Maryboy also attended the House Democratic Caucus as the Mexican Water Chapter President. Later on he was able to meet with Governor Herbert. Finally, Commissioner Maryboy also talked about meeting with the DOJ to talk about agreements between a new oil company and the Navajo Nation.

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