

**SAN JUAN COUNTY COMMISSION MEETING**  
**October 14, 2013**

The regular meeting of the San Juan County Commission was held at 10:00 A.M. in the Commission Room at Monticello, Utah.

Present:       Bruce Adams, Chairman  
                  Kenneth Maryboy, Vice Chairman  
                  Phil Lyman, Commissioner (by Telephone)  
                  Kelly Pehrson, Chief Administrative Officer  
                  Norman L. Johnson, County Clerk /Auditor

Attendees: Nick Sandberg, Barbara Trask, Bob Turri, Monte Wells, Trudy De Angelis, Marilyn Boynton, Susan DeLorme, Jerry McNeely, Linda Larson, Tammy Galegos, Chester Johnson, Harry Johnson, Rick Eldredge, John Young, Walter Bird, Howard Randall

The Minutes of September 23, October 7 and October 9, 2013 were approved on a motion of Commissioner Lyman and seconded by Commissioner Adams. Commissioner Maryboy was absent for the vote.

Chester Johnson – Montezuma Creek

Chester discussed with the Commission a problem relating to re-establishing the west boundary line of the Reservation and BLM in the Montezuma Creek area. The fence is down and there needs to be a cattle guard to prevent the cattle from crossing into the wrong area. Sheriff Eldredge agreed that there is a problem and asked the commissioners to have the county surveyor reestablish the line. The Sheriffs Office would work with the BLM and the permit holders to get the fence back up. Placing a cattle guard may be the responsibility of UDOT. Kelly Pehrson will follow up on the issue.

Public Hearing – PCIB Application

A motion was made by Commissioner Maryboy and seconded by Commissioner Lyman to go into a public hearing to receive public input on a proposed PCIB application.

The public hearing is held to receive input on a proposed application to the PCIB in the amount of \$230,000 for the purchase of an ambulance and 3 vehicles for the Aging Department. Two of the Aging vehicles will be 4 WD and the third a van. There was discussion on the amount of interest that would be attached to any loan amount above the requested \$115,000 grant. There were no public comments made.

Commissioner Maryboy made a motion to close the Public hearing. The motion was seconded by Commissioner Lyman. Voting was unanimous

Commissioner Maryboy made a motion to approve the PCIB application. The motion was seconded by Commissioner Lyman. Voting was unanimous

Susan DeLorme – SJC Victims Advocate

Susan presented the annual renewal of the Violence Against Women, grant. Following a brief discussion a motion to approve signing the grant document was made by Commissioner Maryboy and seconded by Commissioner Lyman. Voting was unanimous.

Rick Eldredge – SJC Sheriff

Sheriff Eldredge and John Young, SJC Jail Commander, presented a resolution and statistical information pertaining to the viability of increasing the capacity of the County Jail. The State of Utah is looking at possibilities relating to moving the prison at Draper. One of the options is to place some of the inmates in county jails. A boiler plate resolution has been developed, by UAC, from which recommendations can be made to the State Prison Relocation Board. There was a good discussion on the opportunity the County has in expanding our facility and the related costs and break even points.

A motion was made by Commissioner Lyman and seconded by Commissioner Maryboy that the county sign Resolution 2013-08 and authorize Sheriff Eldredge to peruse the project as outlined.

**Resolution 2013-08**  
**A resolution committing to the construction of new**  
**jail beds for use by the Utah state prison system**

(The entirety of the resolution is made as an attachment to the minutes hereof.)

Howard Randall – SJC Assessor

Howard presented three lists to the Board of Equalization (BOE) for 2013. Commissioner Phil Lyman acknowledged and recused himself from any discussion or actions pertaining to properties in his name that appear on the lists. Howard stated that he had earlier in the week given a copy of the lists to Commissioner Lyman for his review. Howard stated that a decision needs to be made on the BOE values today; so that the taxing notices process can precede on schedule.

The lists for August 19 and 26, 2013 are the hearing officer recommendations. The Assessor's Office list is of those changes which have come to attention after the valuation notices were mailed out or after the tax rolls were closed in May. The properties still in question from 2012, which have not had the values stipulated, are listed at the higher rate for 2013; however, the BOE can adjust those values back to the 2012 BOE value if they wish. There was considerable discussion on where the 2013 values should be placed on the properties that are not yet settled from the 2012 appeals.

A motion was made by Commissioner Maryboy and seconded by Commissioner Lyman that the Commission go into a Board of Equalization to discuss and make adjustment to the 2013 property tax rolls. Voting was unanimous. Commissioner Lyman re-stated his desire to be recused for any discussion, or vote, relating to properties on the lists under his name. Based on

previous discussion the BOE stated that the 2013 values on appealed properties, that have not been stipulated, should be placed at the 2012 BOE value.

A detailed review was made of the BOE list for August 19<sup>th</sup>, August 26<sup>th</sup> and the Assessor's Office. Howard stated that the Hearing Officer had also reviewed and concurred with the Assessor's Office list. A motion to approve the August 19<sup>th</sup> list placing the 2013 values at the 2012 BOE value was made by Commissioner Maryboy and seconded by Commissioner Adams. Voting was unanimous. A motion to approve the August 26<sup>th</sup> BOE list and the Assessor's Office list was made by Commissioner Maryboy and seconded by Commissioner Lyman. Voting was unanimous.

The San Juan Mortuary has recently changed hands and the new owners have made a request of the Commission to have the BOE allow them the opportunity to make an appeal on their 2013 value. Following a brief discussion it was motioned by Commissioner Lyman and seconded by Commissioner Maryboy to add the San Juan Mortuary to the BOE list thereby preserving their right to appeal to the State Tax Commission if they so desired. Voting was unanimous.

A motion was made by Commissioner Maryboy and seconded by Commissioner Lyman to have the Commission go out of BOE. Voting was unanimous.

#### Norman L. Johnson – SJC Clerk Auditor

Norman presented a Local Consent form for a limited-service restaurant liquor license for the Line Camp Steakhouse. Following an explanation and brief discussion the commission authorized the chairman to sign the form. He also presented the 2013 Tax Roll process for the next two weeks and advised the Commission that he will need to contact them individually for approval on the Circuit Breaker, VA and Blind abatement list approval as there will not be another commission meeting before they need to be approved and entered into the system.

#### Kelly Pehrson – SJC CAO

Kelly reporting for Rick Bailey said the Homeland Security Grant of \$107,000 had been approved and would be spent as outlined in a previous Commission Meeting. A copy of the grant will be given to the County Auditor. Emergency Services is working on a plan to replace the water truck which was wrecked and totaled during the fire season. He also said the total financial loss on county roads, during the floods, is not enough to trigger FEMA Funding so a plan is being worked on to go to the CIB for repair work funding.

Kelly presented an up-dated CIB priority list for review and approval. Following a brief discussion Commissioner Maryboy motioned to approve the list. Commissioner Lyman seconded the motion. Voting was unanimous. The Transportation District has requested Shane Shumway of Blanding be appointed to serve on the Board replacing Gene Foushee of Bluff, who held an open seat. Commissioner Lyman Made a motion to approve the request and Commissioner Maryboy seconded the motion. Voting was unanimous. Kelly presented a contract with Creamer & Noble for work at the Cal Black Airport in a not to exceed contract of \$108,000. A motion to approve the contract was made by Commissioner Lyman and seconded

by Commissioner Maryboy. Voting was unanimous.

Kelly presented two building permits for approval:

David Bieber – Residence – Elk Meadows

Larry Witt – Garage with living space – LaSal

A motion to approve the building permits provided all fees are paid and the proper signatures are in place was made by Commissioner Maryboy and seconded by Commissioner Lyman. Voting was unanimous.

Commissioner Phil Lyman – gave his report for the week, as he will be leaving the conference call. He stated his appreciation for everyone’s work on the NPS issues and was grateful for the leadership, commitment and dedication exhibited by the EMS, S/O and other Administrative Officials. He feels we were in the forefront of the resolution. Commissioner Adams agreed and made comment on sending Governor Herbert a letter of appreciation.

#### Jerry McNeely – SJC Liaison

Jerry discussed his last two or three week’s activities with the commission. He has met with as many of the Federal personnel as possible but with the shutdown it was a bit difficult. He said there is not a great deal going on right now with SITLA but that this week he will be meeting with the RS2477 attorneys.

#### Nick Sandberg – SJC Planner

Nick said the Gunnison Sage Grouse hearings were all cancelled due to the shutdown however we may still need to make a written response on the Economic Analysis and the Environmental Assessment documents. He will attend a meeting with the Colorado group on Thursday. He handed out a draft outline for the Lands Bill Open Houses scheduled for the 22<sup>nd</sup>, 23<sup>rd</sup> and 24<sup>th</sup> starting in Monticello and ending in Bluff. He said he has seen a PEW Trust proposal with ideas on the lands bill.

#### Commission Reports:

Commissioner Adams – said UDOT will be holding their May Board Meeting next year in Monticello. He will be in the area this week.

Commissioner Maryboy - will be around this week but may need to go to SLC to meet with Mr. Shirley and the other Tribes. When the Government re-opens there will be a meeting in Washington D.C. on the Trust Fund Hearings. The Navajo Nation is renovating their Jails and will be contacting the county about housing some of their prisoners. Commissioner Maryboy said he made the announcement this week, in Shiprock that he is running for the Navajo Nation President in the next election. He said that he has received good support.

Public Comments:

Marilyn Boynton asked about the fencing issue in Montezuma Creek and was told nothing will happen until the boundary line can be established and the various parties contacted.

Meeting Adjourned 11:13 AM