

SAN JUAN COUNTY COMMISSION MEETING
November 10, 2014

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, Commission Vice Chairman
 Phil Lyman, Commissioner
 Kelly Pehrson, Chief Administrative Officer
 Norman L. Johnson, Clerk / Auditor

Attendees: Jerry McNeely, Marilyn Boynton, Nick Sandberg, Bob Turri, Roma Young, Arlan
Henderson, David Bronson, Crystal Holt, Monte Wells, Todd Hurst, Pam Hansen

The minutes of October 27, 2014, with corrections, were approved by a motion from
Commissioner Maryboy and seconded by Commissioner Lyman. Voting was unanimous.

Crystal Holt - SJC Personnel

Crystal requested the Commission ratify the hiring of Lexi Latham as a part time custodian at the
PSB. A motion to ratify the requests was made by Commissioner Lyman and seconded by
Commissioner Maryboy. The voting was unanimous.

Crystal discussed the Employee Insurance renewal, plus the HSA option. The insurance rates for
2015 will remain the same. A motion was made by Commissioner Maryboy and seconded by
Commissioner Lyman to have the Chairman sign the necessary documents for the health
insurance program for 2015. Voting was unanimous. There will be an information meeting on
the new HSA (Health Savings Account) around December 3rd or 4th.

Tammy Gallegos – SJC Aging

Tammy presented several contract amendments with the State of Utah for the Aging Programs.
Following a brief discussion the commission approved the contract amendments on a motion by
Commissioner Lyman and seconded by Commissioner Maryboy. Voting was unanimous.

Pam Hansen – SJC Visitor Services

Pam presented three proposed applications for changes to the various County Enterprise Zones.
There was some discussion on the proposed changes and how that affects business. Pam will
bring back maps with the proposed changes in the near future.

Todd Hurst – South Area Road Foreman

Todd presented bids on several pieces of equipment to be purchased this year from the Road

Capitol Fund in place of a pickup truck. Todd wants to create a 2nd service truck and purchase a welder for \$4,011.50 from 4 Corners Welding and a compressor for \$2,675 from Meyers Tire. A motion to approve the purchase was made by Commissioner Maryboy and seconded by Commissioner Lyman. Voting was unanimous. Todd requested permission to purchase a 55 ton shop press from Meyers Tire for \$5,195. A motion to approve the purchase was made by Commissioner Lyman and seconded by Commissioner Maryboy. Voting was unanimous. Todd requested permission to purchase a transport truck chain rack from Best Deal Springs for \$ 2,846.20. A motion to approve the purchase was made by Commissioner Lyman and seconded by Commissioner Maryboy. Voting was unanimous. A discussion was held concerning the need for a four wheeler at the Road Department. It was decided to check with the Sheriff's Office as they are purchasing two Razors and may be exceeding a four wheeler.

Norman Johnson – SJC Clerk / Auditor

Norman gave an update on the General Elections held last Tuesday. He said on Election Day we had a turnout of 63% and at the present time we have received an additional 96 ballots which we will review to determine the validity for processing. The election canvass will be held next Monday at Noon, where any additional timely ballots will be added to the current results.

Norman presented two late TC-40CY (Low Income Abatement) forms for commission consideration. The taxpayers are Dan Black Sr., of Blanding and Linda Moore, from Bluff. Following a brief discussion the commission approved their abatement requests with a motion by Commissioner Lyman and seconded by Commissioner Maryboy. Voting was unanimous.

The Commission held a brief discussion about the 2015 commission meeting schedule and will make a decision prior to when the legal advertisement needs to be posted.

Kelly Pehrson – SJC CAO

Kelly presented a Master Resolution for the County Transportation District

Resolution 2014-07

A RESOLUTION COVENANTING TO NOT IMPAIR THE MINERAL LEASE REVENUES OF THE SAN JUAN COUNTY SPECIAL SERVICE DISTRICT SO AS TO NEGATIVELY IMPACTY SAID DISTRICT'S ABILITY TO REPAY ITS \$500,000 MINERAL LEASE REVENUE BOND, SERIES 2014; AND RELATED MATTERS.

Following a brief discussion a motion to adopt resolution 2014-07 was made by Commissioner Lyman and seconded by Commissioner Maryboy. Voting was unanimous. (The entire body of the resolution is made as an attachment to the minutes)

Kelly presented a resolution pertaining to the County Transportation District's participation in UCIP.

Resolution No. 2014-08

RESOLUTION OF SAN JUAN COUNTY APPROVING PARTICIPATION OF THE SAN JUAN COUNTY SPECIAL SERVICE TRANSPORTATION DISTRICT IN THE UTAH COUNTIES INDEMNITY POOL AS A SEPARATE COUNTY RELATED ENTITY MEMBER

WHEREAS, the Governing Body of San Juan COUNTY, Utah, a participating Member of the Utah Counties Indemnity Pool, is the proper authority to sponsor the participation of a separate county related entity; and

WHEREAS, the Governing Body of San Juan COUNTY, Utah, has been informed that the Bylaws of the Utah Counties Indemnity Pool require that a separate county related entity must be sponsored by a participating Member County by resolution of the member's governing body;

WHEREAS, the Governing Body of San Juan COUNTY, Utah, acknowledge that the Bylaws of the Utah Counties Indemnity Pool, requirements of eligibility have been met by the separate county related entity.

NOW, THEREFORE, be it resolved that the Governing Body of SAN JUAN COUNTY, Utah, hereby approves San Juan County Special Service Transportation District, as a separate county related entity member, eligible to participate in the Utah Counties Indemnity Pool.

RESOLVED ADOPTED AND ORDERED this _____ day of _____, 2014.

GOVERNING BODY
SAN JUAN COUNTY, UTAH

ATTEST:
By: _____
APPROVED AS TO FORM:
By: _____

A discussion on the resolution was held and a motion to approve Resolution 2014-08 was made by Commissioner Maryboy and seconded by Commissioner Lyman. Voting was unanimous.

Kelly provided the Commission with a draft contract for the County Administrator position. There was discussion about the content and it was agreed a few changes should be made but the Commissioners liked the concept and focus of the document. A motion was made by Commissioner Maryboy to accept and sign the County Administrator Employment Agreement as

soon as the recommended changes are made. The motion was seconded by Commissioner Lyman. Voting was unanimous.

Kelly presented a verbal expense plan to use the \$109,000 granted by Homeland Security this year. Following a brief discussion a motion was made by Commissioner Lyman and seconded by Commissioner Maryboy to approve the plan. Voting was unanimous.

Jerry McNeely – SJC Liaison

Jerry reported on his meetings with the BLM, SITLA, the Forrest Service and the Park Service. There are not any real big issues going on at present to report on however the Forrest Service is not very interested in widening their trails over 60 inches and they are still having issues in Pack Creek with the fencing “in or out” of the cattle.

Nick Sandberg – SJC Planner

Nick reported on the meetings on the Lands Bill. There has been good participation and we have received 45 comments in the mail. The preferred alternative seems to be “A”.

Nick talked about the County Energy Zone Map and asked if it was ready to be sent to Mark Ward for the State Legislative process? Commissioner Lyman would like to hold off just a bit for some additional information. Nick also requested signature on the letter concerning the definition of US Waters. A motion was made by Commissioner Lyman and seconded by Commissioner Maryboy to sign and send the letter.

Greg Adams – SJC Assessor’s Office

Greg had two road issues which citizens had asked be brought to the attention of the Commission. The Spanish Valley road, in the area of Legrand Johnson, is being used very heavily for industrial development and the residents are concerned about its safety. The Old LaSal highway, right at the top of the hill, is built over a spring. The spring is used by several local citizens and they are concerned that it be kept useable. The Commissioners are aware of the Spanish Valley situation however the Old LaSal Road would be a UDOT issue.

Commission Reports:

Commissioner Adams – attended two of the open house meetings and a 7 County planning meeting. He will be going to UAC tomorrow for the rest of the week.

Commissioner Lyman – Provided a synopsis of several items and topics he discussed and would like to have made a part of the minutes: SEUHD - The commission could hire an Interim Public Health Officer and the board could be formed after the fact. This might make sense if we want to form a separate Public Health Service District. In the meantime, the commission could function as the board. We need to budget for Public Health. From Dave's analysis and from other information I have been able to gather, preliminary estimates are that the County will spend about the same as we spent last year. If we have budgeted 75K, I propose that we Budget that

plus another 25K just for the transition. We should definitely purchase the building for 40K and should probably buy the equipment and vehicles from SEUHD - which would probably be another 15K of capital purchases. Until we create a special service district, the Treasurer's office will handle the financial end of Public Health, I would like to get Tammy to assist with that. I would also like to have Sue Morell work on a contract basis starting January to help train the new office. I believe that, by March 31, we will be profitable and in a position to get more serious about forming a special service district. We should plan for a one year, transition.

UAC this week - Resolution asking the State Legislators to be the voice and the arm of the people's discontent.

Budget - Our cash position continues to improve. We should see more TRT and sales tax this year.

We need a County master plan for increasing revenue from Lake Powell.

Kenny Black suggested a Ranching National Conservation Area, which protects ranching in San Juan County. What a great idea. We need a Blue Ribbon Committee to explore how this would look and how it might integrate with the County Master Plan.

Recapture - We need to sue the BLM over the 2008 RMP. They admit that our inventory of roads and trails was not anywhere near complete, and that the County protested the RMP yet they have implemented it anyway. If we don't oppose it legally, we are leaving the entire county open to the same kind of criminalization they have pursued in the last few years. We should have a lawsuit going on the destruction of the Trail that is taking place in Recapture. It is not their trail, it is our trail, and they have not closed it, they have only issued a temporary closure and then have failed to follow through on the conditions required of them in such a closure. If we don't file a law suit soon, the BLM will continue to alter history to fit their misinterpretation of Recapture Canyon. It is one of those situations where you know it stinks, but you just didn't realize how sinister it is until you get into a law suit yourself. The BLM has an army of attorneys working for them and against San Juan County. They are not on BLM's payroll but instead masquerade as attorneys for the Wilderness Society and SUWA. BLM funds these groups through settlements and these groups have a very cozy relationship with Juan Palma and Lance Porter, or whoever is in a position to cause harm to San Juan County. We do not need to sue the BLM out of a spirit of vindictiveness, but to preserve some semblance of the principles of self-governance, self-determination, and county jurisdiction within the geographic and political boundaries of the county.

Lands Bill related - We need to get very specific about what the County wants. It is time to put it in writing and on a map.

Transfer of ownership to the County - Cal Black Airport and an end to the lawsuit. Including two sections adjacent to Hwy 276, and one additional section, Transfer of title to the Hole-in-the-rock corridor, Transfer of title to the Dark Canyon corridor, Transfer of title to the Arch Canyon road, Transfer of title to the Hotel Rock Trail, Transfer of title of all B and D roads on SITLA sections prior to any transfers. Transfer of title to Navajo Nation as trust lands for areas of historic

significance to Navajos. Transfer of title to the Ute Mountain Utes as Trust Lands for areas of historic significance to Utes. Transfer of title to the section just south of Bluff - or approval of R&PP lease of entire section for development of fair grounds, sewer infrastructure, park, golf course, equestrian center, native culture center, college extension, etc.

Recognition of Recapture Trail Loop and all trails current and proposed within 6 miles of Blanding, Monticello, and Bluff

Commissioner Maryboy – is also concerned about the status of the Halls Crossing area. He went to SLC this past week to meet with Utah Native American Officials and may need to return there this week.

11:45 AM - Meeting Adjourned (Department Budget reviews will begin at 1:00 PM)