



BOARD OF COMMISSIONERS MEETING
117 South Main Street, Monticello, Utah 84535. Commission Chambers
June 20, 2023 at 11:00 AM

MINUTES

The public will be able to view the meeting on San Juan County's Facebook live and YouTube channel

Audio Link:

Video Link: <https://www.youtube.com/watch?v=nq9DpKrW3LI>

CALL TO ORDER

Time Stamp 0:00:01 (audio & video)

Commission Chair Adams called the meeting to order at 11:02 a.m.

ROLL CALL

Time Stamp 0:00:01 (audio & video)

Present:

Commission Chair Bruce Adams
Commission Vice Chair Sylvia Stubbs
Commissioner Jaime Harvey

Staff/Others:

Mack McDonald, County Administrative Officer (CAO)
Laura Kemner, Deputy Clerk/Auditor
Brittany Ivins, County Attorney

INVOCATION

Time Stamp 0:00:33 (audio & video)

Prayer offered by Randy Day, resident of Moab

PLEDGE OF ALLEGIANCE

Time Stamp 0:00:41 (audio & video)

Commission Chair Adams led the attendees in the Pledge of Allegiance

PUBLIC COMMENT

Public comments will be accepted through the following Zoom Meeting <https://us02web.zoom.us/j/3125521102> Meeting ID: 312 552 1102 One tap mobile +16699006833, 3125521102# US (San Jose)

There will be a three-minute time limit for each person wishing to comment. If you exceed that three-minute time limit the meeting controller will mute your line.

Time Stamp 0:01:30 (audio & video)

Kylie Miller, resident of Pole Canyon (near Spanish Valley), spoke against the Balanced Rock Resort project and stated that the community needs residential homes, not more overnight rentals.

Kim Jacobs, resident of Spanish Valley, spoke against the Balanced Rock Resort project and asked that the overnight overlay portion of the real estate project be denied.

Pete Patterson, resident of Spanish Valley, reiterated his opposition to the Balanced Rock Resort project and its high-density housing and drain on local water resources.

Monette Clark, resident of Spanish Valley, added her voice against the Balanced Rock Resort project, she wants more residential homes in the valley.

Marlene Huckaby, resident of Spanish Valley, feels that Spanish Valley is getting trashed by San Juan County.

CONSENT AGENDA (Routine Matters) Mack McDonald, San Juan County Administrator

The Consent Agenda is a means of expediting the consideration of routine matters. If a Commissioner requests that items be removed from the consent agenda, those items are placed at the beginning of the regular agenda as a new business action item. Other than requests to remove items, a motion to approve the items on the consent agenda is not debatable.

Time Stamp 0:12:34 (audio & video)

Motion made by Commissioner Stubbs, Seconded by Commissioner Adams
Voting Yea: Commissioner Stubbs, Commissioner Adams

1. Approval of the June 2nd through the 14th, 2023 Check Registers
2. Ratify the Annual Road Master Agreements including the Bear's Ears National Monument Road Stabilization, the Bears Ears Access Maintenance Agreement and the Devil's Canyon Campground Slurry Seal Maintenance Agreement with the U.S. Forest Service
3. Approval of the County Surveyor Vacancy Notice
4. Approval of a Letter of Recommendation for Commissioner Jamie Harvey's Consideration for the Bears Ears National Monument Advisory Committee.

5. Approval of a Memorandum of Understanding – UOT Forever Mighty 2021
6. Approval of the State of Utah, Administrative Office of the Courts, Annual Security Contract

RECOGNITIONS, PRESENTATIONS, AND INFORMATIONAL ITEMS

7. Historic Commission Update and Presentation, Nancy Kimmerle

Time Stamp 0:14:35 (audio & video)

Nancy Kimmerle, Historical Commission representative, was unable to attend the commission meeting, hence, Colette Cox, representative from the Governor’s Office filled in for her. She stressed the need for economic development and prosperity to extend throughout the rural areas of the state. She spoke of the Inland Port and how the rural areas can connect with and benefit from the established ports.

8. State of Utah Division of Water Resources Watershed Presentation, Hollee Wood

Time Stamp 0:42:38 (audio & video)

Andrew Reiss, Division of Watershed employee, was filling in for Hollee Wood. He spoke of the history of the 2020 Watershed Council Act. Once enacted, the Division interviewed over 800 individuals throughout the state of Utah in an effort to gain as many views as possible. The state and local councils are directed to safeguard the watershed throughout the state. San Juan County is in the Colorado River Council. The Act requires that eleven different interests be considered before any action can be considered. The councils are to be the think tanks for policy decisions in the local area.

9. Presentation by the State of Utah, Administrative Office of the Courts. Chris Talbot, Court Facilities Director

Time Stamp 0:55:18 (audio & video)

Chris spoke about the facility space leased from San Juan County. He expressed concerns about the roof leaking water and its impact on the building air quality. The issues affect the in-person court proceedings. The state offered to prepay rent if it would help in facilitating repairs.

10. 2023 Election Proclamation by Governor Spencer J. Cox. Lyman Duncan, County Clerk/Auditor

Time Stamp 1:06:52 (audio & video)

Mack presented the Governor’s Election Proclamation since Lyman was out due to a medical emergency. Congressman Stewart has formally resigned his position as a Congressman for the 2nd District. Therefore, Governor Cox has called for a Primary & General Election this fall to select the new official.

11. 2023 Property Tax Abatement Program. Lyman Duncan, County Clerk/Auditor

Time Stamp 1:09:10 (audio & video)

Mack presented the 2023 Property Tax abatement program, detailing the various programs that offer property tax assistance to veterans, elderly, blind, and low income county residents.

BUSINESS/ACTION

12. Consideration and Approval of the 2023 Interlocal Agreement with the Town of Bluff for Primary & General Elections Services. Lyman Duncan, County Clerk/Auditor

Time Stamp 1:14:11 (audio & video)

Mack presented the Interlocal Election Agreement with the Town of Bluff for the commission to review and approve.

Motion made by Commissioner Stubbs, Seconded by Commissioner Harvey
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

13. Consideration and Approval of the 2023 Glamping Campground Alcohol Application. Lyman Duncan, County Clerk/Auditor

Time Stamp 1:15:40 (audio & video)

Mack presented the application for the commissioners to review and approve. Questions were asked regarding the type of license.

Motion made by Commissioner Stubbs, Seconded by Commissioner Harvey
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

14. Consideration and Approval of a Contract with Zions Way to Purchase Caregiver In Home Care Services. Tammy Gallegos, Aging Director

Time Stamp 1:17:51 (audio & video)

Tammy Gallegos presented the contract for the commission to review and approve.

Motion made by Commissioner Stubbs, Seconded by Commissioner Harvey
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

15. Consideration and Approval of a Contract with Zions Way to Purchase Alternatives In Home Care Services. Tammy Gallegos, Aging Director

Time Stamp 1:18:56 (audio & video)

Tammy Gallegos presented the contract for the commission to review and approve.

Motion made by Commissioner Stubbs, Seconded by Commissioner Harvey
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

16. Consideration and Approval of a Contract with Comfort At Home Care to Purchase Alternatives In Home Care Services. Tammy Gallegos, Aging Director

Time Stamp 1:20:01 (audio & video)

Tammy Gallegos presented the contract for the commission to review and approve.

Motion made by Commissioner Stubbs, Seconded by Commissioner Harvey
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

17. Consideration and Approval of a Contract with Comfort At Home Care to Purchase Caregiver In Home Care Services. Tammy Gallegos, Aging Director

Time Stamp 1:20:31 (audio & video)

Tammy Gallegos presented the contract for the commission to review and approve.

Motion made by Commissioner Stubbs, Seconded by Commissioner Harvey
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

18. Consideration and Approval of a Contract with Edward Tapaha to Purchase Translation Services for the In Home Programs. Tammy Gallegos, Aging Director

Time Stamp 1:21:06 (audio & video)

Tammy Gallegos presented the contract for the commission to review and approve.

Motion made by Commissioner Stubbs, Seconded by Commissioner Harvey
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

19. Consideration and Approval of a Contract with Rocky Mountain Personal Care to Purchase Alternatives In Home Care Services. Tammy Gallegos, Aging Director

Time Stamp 1:21:38 (audio & video)

Tammy Gallegos presented the contract for the commission to review and approve.

Motion made by Commissioner Stubbs, Seconded by Commissioner Harvey
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

20. Consideration and Approval of a Contract with Rocky Mountain Home Health to Purchase Alternatives In Home Care Services. Tammy Gallegos, Aging Director

Time Stamp 1:22:10 (audio & video)

Tammy Gallegos presented the contract for the commission to review and approve.

Motion made by Commissioner Stubbs, Seconded by Commissioner Harvey
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

21. Consideration and Approval of the Utah Legal Services Contract for Services. Tammy Gallegos, Aging Director

Time Stamp 1:22:41 (audio & video)

Tammy Gallegos presented the contract for the commission to review and approve.
Motion made by Commissioner Stubbs, Seconded by Commissioner Harvey
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

22. Consideration and Approval of a Contract with Rocky Mountain Home Care to Purchase Caregiver In Home Care Services. Tammy Gallegos, Aging Director

Time Stamp 1:23:15 (audio & video)

Tammy Gallegos presented the contract for the commission to review and approve.

Motion made by Commissioner Stubbs, Seconded by Commissioner Harvey
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

23. Consideration and Approval of a Contract with Shelia Knight, RN for Medicaid Aging Waiver Services. Tammy Gallegos, Aging Director

Time Stamp 1:23:36 (audio & video)

Tammy Gallegos presented the contract for the commission to review and approve.

Motion made by Commissioner Stubbs, Seconded by Commissioner Harvey
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

24. Consideration and Approval of the Extension of the Cooperative Wildfire System Agreement. David Gallegos, County Fire Chief

Time Stamp 1:24:22 (audio & video)

David Gallegos presented the contract for the commission to review and approve.

Motion made by Commissioner Harvey, Seconded by Commissioner Stubbs
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

25. Consideration and Approval of Spanish Valley Overnight Accommodations Overlay Application, Balanced Rock Resort. Mack McDonald, Chief Administrative Officer

Time Stamp 1:26:21 (audio & video)

Mack presented the Balanced Rock Resort Overlay Application for the commission to review and approve. Jim Schnepal of Gardner Plumb LLC (developer) spoke at length about the project and its impact upon the Spanish Valley area. He addressed dark sky, parking, open space, water, and rental unit concerns.

Motion made by Commissioner Harvey, Seconded by Commissioner Stubbs
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

26. Consideration and Approval of Snow Minor Subdivision Amendment 1. Mack McDonald, Chief Administrative Officer

Time Stamp 1:59:02 (audio & video)

Mack presented the amendment to split one lot into three lots for the commission to review and approve.

Motion made by Commissioner Stubbs, Seconded by Commissioner Harvey
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

27. Consideration and Approval of Spanish Valley Storm Water Master Plan. Mack McDonald, Chief Administrative Officer

Time Stamp 2:00:46 (audio & video)

Mack presented the Spanish Valley Storm Water Master Plan for the commission to review and approve. Greg Poole, Project Manager, Hansen Allen & Luce, Inc., also presented three key parts or objectives of the plan: Protect real estate developments from flooding, mitigate impact on Pack Creek, plan facilities with maintenance in mind.

Motion made by Commissioner Stubbs, Seconded by Commissioner Harvey
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

28. CONSIDERATION AND APPROVAL OF A RESOLUTION UPDATING THE SAN JUAN COUNTY LIBRARY SYSTEM BOARD OF DIRECTOR BYLAWS. Nicole Perkins, Library Director

Time Stamp 2:18:03 (audio & video)

Nicole Perkins, Library Director, presented the County Library by-laws for the commission to review and approve. There were several minor changes to the by-laws including changes to the Board of Directors.

Motion made by Commissioner Harvey, Seconded by Commissioner Stubbs
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

29. Consideration and Approval of the Blue Mountain Community Market to lease the County lot located at 52 East 100 South across from the County Building by Elaine Gizler, Economic Development and Visitor Services Director.

Time Stamp 2:21:25 (audio & video)

Elaine Gizler, Economic Development and Visitor Services Director, presented the lease for the commission to review and approve. The proposal is to lease the property directly north of the county building to Alex Gomez and Carlos Martinez. They intend to sponsor an open market on Saturday and Sunday, two times per month, during the months from April through August.

Motion made by Commissioner Stubbs, Seconded by Commissioner Harvey
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

30. Consideration and Approval of Off-Highway Vehicle Recreation Grant, TJ Adair, Road Superintendent

Time Stamp 2:35:41 (audio & video)

TJ Adair, Road Superintendent, presented the grant for the commission to review and approve. The grant requires the commission to accept the contract.

Motion made by Commissioner Harvey, Seconded by Commissioner Stubbs
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

31. Consideration and Approval to Purchase \$199,677.00 in Equipment for Trail Maintenance, TJ Adair, Road Superintendent

Time Stamp 2:37:35 (audio & video)

TJ Adair, Road Superintendent, presented the proposal to purchase equipment that will help in cleanup in remote areas. Due to Covid-19, equipment needs to buy ordered with the hope that it arrives before the calendar year ends.

Motion made by Commissioner Harvey, Seconded by Commissioner Stubbs
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

32. CONSIDERATION AND APPROVAL OF A RESOLUTION SUPPORTING CONGRESSMAN CURTIS'S CONGRESSIONAL HOUSE BILL H.R. 3397 - TO REQUIRE THE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT TO WITHDRAW A RULE OF THE BUREAU OF LAND MANGEMENT RELATING TO CONSERVATION AND LANDSCAPE HEALTH

Time Stamp 2:41:58 (audio & video)

Mack presented the resolution for the commission to review and approve. Several comments were made regarding the impact that the proposed BLM "rule 30-30" will have on the residents of San Juan County. The rule proposes conservation leases as an alternative to grazing leases.

Motion made by Commissioner Harvey, Seconded by Commissioner Stubbs
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

COMMISSION REPORTS

Time Stamp 2:50:38 (audio & video)

Dates of additional meetings were discussed that required the commissioners to attend. Merlin Grover from Blanding was selected to be an honoree for a rodeo to be held in Ogden.

Commissioner Harvey recently spoke with the Utah Navajo Commission regarding barriers that can be overcome while in partnership with the county. The Navajo Commission desires to have electrical charging stations throughout the Utah portion of the Dine Nation. He also spoke

about the issue of alcohol licenses near or on the Nation property; he expressed their appreciation for denying the license proposed for Montezuma Creek. He also spoke about the child prevention grant from the Utah Department of Health. The grant will fund two positions which will be based on the Dine Nation property. He asked Brittany Ivins, county attorney, to create an agreement between the Nation and the county to help address domestic violence. Red Mesa Chapterhouse passed a resolution regarding the proposal to allow the state to take over the road from Montezuma Creek to Red Mesa, AZ.

EXECUTIVE SESSION

33. A Closed Executive Session to for a Strategy Session to Discuss Pending or Reasonably Imminent Litigation as Permitted Under UCA 52-4-205.

Time: 2:03 p.m.

To enter into the Executive Session:

Motion made by Commissioner Stubbs, Seconded by Commissioner Harvey
Voting Yea: Commissioner Stubbs, Commissioner Harvey, Commissioner Adams

ADJOURNMENT

The Board of San Juan County Commissioners can call a closed meeting at any time during the Regular Session if necessary, for reasons permitted under UCA 52-4-205

All agenda items shall be considered as having potential Commission action components and may be completed by an electronic method **In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the San Juan County Clerk's Office: 117 South Main, Monticello or telephone 435-587-3223, giving reasonable notice**

APPROVED: _____
San Juan County Board of County Commissioners

DATE: _____

ATTEST: _____
San Juan County Clerk/Auditor

DATE: _____