



WEED BOARD MEETING

**117 South Main Street, Monticello, Utah 84535. Commission Chambers
February 13, 2025 at 7:00 AM**

AGENDA

APPROVAL OF AGENDA

APPROVAL OF MINUTES

1. Consideration and Approval of Weed Board Minutes from January 9th, 2025

CITIZEN COMMENTS

BUSINESS/ACTION

2. Consideration and approval of San Juan County Weed Ordinance Changes

WEED SUPERVISORS REPORT

3. Consideration and Approval of February Weed Supervisors Report

NEXT MEETING

ADJOURN

****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****



Weed Board
Meeting Minutes
January 9th, 2025

1) Call To Order

Frank Smith began the meeting of the San Juan County Weed Board at 7:35 am on January 9th, 2025.

2) Roll Call

The following people were present: Erin Pettit, Mitch Maughan, Lori Maughan, Cade Lewis, Blake Peterson, Dennis Gines, Charlie Tracy, Todd Adair and Frank Smith.

3) Approval of Agenda

Blake Peterson made a motion to approve the agenda. Dennis Gines seconded the motion, and the motion was approved by all board members present.

4) Approval of Minutes

Dennis Gines made a motion to approve the minutes. Charlie Tracy seconded the motion and the motion was approved by all board members present.

5) Citizens Comments

6) Supervisor Report

Frank Smith reported that he will seek continuing grants for the Spray Days and San Juan River projects. He mentioned efforts to obtain a new spray truck this year. He reported that during the off season he will do in-depth repair of our current spray vehicles before the season starts. He reported that he would begin creating a flyer to include with tax notices. He reported that the weed crew applied 1000 gallons of herbicide to the West side of the Monticello airport property. He reported that enforcement letters would be submitted for the boards approval soon.

7) Business/Action

Blake Peterson was nominated to be the board chair and was subsequently voted chair for 2025 by the board members present. Dennis Gines was nominated as vice chair and was subsequently voted vice chair for 2025 by the board members present. County Commission member Lori Maughan attended and agreed to be the Commission liaison for the County Weed Board

8) Next Meeting

9) Adjourn

Charlie Tracy made a motion to adjourn and Dennis Gines seconded and the board adjourned with approval from all members present.

Noxious Weeds

90.001 Definitions

90.002 Violation

90.003 Enforcement; abatement; notice of complaint

90.004 Right to a hearing

90.005 Weed Control Board; authority

NOXIOUS WEEDS

§ 90.001 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABATEMENT. The removal and stoppage of the spread of such noxious weeds, as defined under the state's Noxious Weed Act, UCA Title 4, Ch. 17, as amended, the administrative rules promulgated under that code, or any noxious weed as defined by the County's Weed Control Board, consistent with UCA Title 4, Ch. 17, § 107.

NOXIOUS WEED. Any such noxious weed, as defined under the state's Noxious Weed Act, UCA Title 4, Ch. 17, as amended, the administrative rules promulgated under that code, or any noxious weed as defined by the County's Weed Control Board, consistent with UCA Title 4, Ch. 17, § 107.

NUISANCE. The presence of any such noxious weed, as defined under the state's Noxious Weed Act, UCA Title 4, Ch. 17, as amended, the administrative rules promulgated under that code, or any noxious weed as defined by the County's Weed Control Board, consistent with UCA Title 4, Ch. 17, § 107.

OCCUPANT. Any person who has, or has a right to, the physical occupancy or use of property.

OWNER. The person, firm or corporation in whose name property is listed in the records of the County Recorder's office.

PERSON. An individual, trust, firm, estate, company, corporation, partnership, association, state, state or federal agency or entity, municipality, commission or political subdivision of a state.

PROPERTY. Any real property, premises or location on which noxious weeds are alleged to exist located in San Juan County, Utah..

§ 90.002 VIOLATION.

(A) Any person, whether as Owner or Occupant, who creates, maintains, allows or aids in creating, maintaining or allowing, or otherwise contributes to, the nuisance of the presence of any noxious weed, is in violation of this subchapter.

(B) A violation of any provision in this Subchapter is a Class B Misdemeanor and upon conviction, the Owner or Occupant are subject to the fines, imprisonment or other penalties that apply to a conviction of a Class B misdemeanor.

(C) A separate violation shall be deemed committed upon each day during which a violation occurs or continues.

(D) If a penalty for a violation of an ordinance includes any possibility of imprisonment, the County shall, under UCA § 78B-22-301, provide for indigent defense services, as that term is defined in UCA § 78B-22-102. (Ord. 07, passed 4-7-2020) Penalty, see § 10.999

§ 90.003 ENFORCEMENT; ABATEMENT; NOTICE OF COMPLAINT.

(A) Upon the receipt of any complaint received by the Weed Control Board regarding the existence of a nuisance caused by presence of any noxious weed upon a property in the County, the Weed Control Board, will provide notice to the Owner and Occupant and inspect the property for the presence of a noxious weed.

(B) If the presence of a noxious weed is confirmed in accordance with UCA Title 4, Ch. 17, § 108, the County, through the Weed Control Board, will provide written notice to the Owner and Occupant that if the noxious weeds are not removed and abated to the satisfaction of the Weed Control board, within five (5) working days, the County will designate and declare the Property a Public Nuisance, consistent with §4-17-109, Utah Code Annotated.

(C) If the Public Nuisance is not removed within five working days after the Property is declared a Public Nuisance, the County after providing reasonable notice may enter the property, without the consent of the Owner or Occupant, and perform any work necessary, consistent with sound weed prevention and control practices, to control the weeds on the Property, consistent with §4-17-110, Utah Code Annotated.

(D) In the event that the County is required to control weeds on the Property, the County may seek reimbursement from the Property Owner of record or the Occupant of the property. In that event, the County shall send a documented description of the expense for labor and materials spent to bring the property into compliance and a demand for payment within 30 days of the day on which the weed control took place, consistent with §4-17-110, Utah Code Annotated.

(E) The Property Owner or the Occupant will be required to reimburse the County for the County's expense within 90 days after receipt of the demand for payment, consistent with §4-17-110, Utah Code Annotated.

(F) If the demand for payment is not paid within 90 days after receipt, the charges become a lien against the property and are collectible by the County Treasurer at the time general property taxes are collected, consistent with §4-17-110, Utah Code Annotated.

§ 90.004 RIGHT TO A HEARING.

(A) Any person served with notice to control noxious weeds may appeal the terms of the notice before the County Weed Control Board by filing a Notice of Appeal

(B) Within 10 days of being served with the Notice. The Notice of Appeal shall be filed with the County Clerk of San Juan County with a copy delivered to the County Attorney's Office.

(B) Any person may appeal the decision of the County Weed Control Board to the San Juan County Appeal Authority by filing a Notice of Appeal within 10 days after the date of receipt of the decision of the County Weed Control Board. The Notice of Appeal shall be filed with the County Clerk of San Juan County with a copy delivered to the County Attorney's Office.

(C) Any person served with notice to control noxious weeds who has had a hearing before both the County Weed Control Board and the county legislative body may further appeal the decision of the county legislative body by filing written notice of appeal with a court of competent jurisdiction.

(D) Consistent with UCA Title 4, Ch. 17, § 111, any person receiving notice of a complaint may request a hearing to the Weed Control Board (or to the Administrative Law Judge, if there is not a standing Weed Control Board) by filing a request, in writing, with the County Administrator within ten days of receiving notice of the complaint from the county. Appeals from a decision from the Weed Control Board shall be consistent with UCA Title 4, Ch. 17, § 111. (Ord. 07, passed 4-7-2020; Ord. 2023-03, passed 5-16-2023)

§ 90.005 WEED CONTROL BOARD; AUTHORITY.

In accordance with UCA Title 4, Ch. 17, § 107, the County authorizes the Weed Control Board to administer the Weed Control Program for the County, consistent with the duties, powers and limitation of UCA Title 4, Ch. 17. (Ord. 07, passed 4-7-2020)

Weed Department Report
Weed Board Meeting
February 13th, 2025

- I will be attending the Utah Weed Control Association (UWCA) later this month. This years sessions include several that focus on Phragmites control. While we do have areas of significant phragmites stands along the San Juan River and in other areas we have not previously addressed this noxious weed to any meaningful extent. With this training I plan to formulate a plan to begin addressing this weed. In addition I plan to speak with the several agricultural drone spraying vendors about contracting their services in the future as part of our enforcement spraying.
- We have been allotted an additional \$10,000.00 this year to purchase additional herbicides to be used to spray non-compliant landowner properties as part of our increased enforcement efforts. I intend to purchase Milestone, Glyphosate and Quinstar as part of this effort.
- Grants have been delayed this year by the UDAF ISM grant program. They are in the process of implementing a new grant submittal service and an updated geospatial database program known as The Spatial Invasive Infestation and Priority Analysis 3 (SIIPA3). These new systems will require that I attend several online training sessions on the use of these programs. Grant submittal will likely not happen till late March.
- As I mentioned earlier I will be receiving some good info on phragmites control at an upcoming conference. With this info I plan to include phragmites as part of our ongoing San Juan River Project grant. With a plan for this additional weed I can justify additional funding on this grant submittal.
- I plan to finish spraying the West side of the airport near the highway this year. If our efforts from last year and this year are largely successful we will be able to maintain this property as a partner to Monticello city for a very minimal cost to either the county or the city.
- Further drafts of the new control letters will be submitted to the weed board by e-mail shortly. I encourage the board to review these letters and suggest any changes or additions. I will then submit the final drafts for consideration and acceptance by the board pending Mitch Maughan's approval.