



BOARD OF COMMISSIONERS MEETING
117 South Main Street, Monticello, Utah 84535. Commission Chambers
July 01, 2025, 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: <https://www.utah.gov/pmn/files/1293891.MP3>

<https://www.utah.gov/pmn/files/1293889.MP3>

VIDEO: <https://www.youtube.com/watch?v=9tSCEIGD3r8>

<https://www.youtube.com/watch?v=uwpICKfR5QE>

CALL TO ORDER

Time Stamp 0:00:10 (audio) & 0:00:53 (video)

Commission Chair Silvia Stubbs called the meeting to order at 11:00 a.m.

ROLL CALL

Time Stamp 0:00:21 (audio) & 0:01:04 (video)

Commission Chair Stubbs called for attendance:

PRESENT

Commission Chair Silvia Stubbs

Commission Vice Chair Lori Maughan

Commissioner Jamie Harvey

STAFF

Mack McDonald, County Administrative Officer (CAO)

Lyman W. Duncan, County Clerk/Auditor

Jens Nielson, Deputy County Attorney

INVOCATION

Time Stamp 0:00:43 (audio) & 0:01:26 (video)

Jamie Harvey, resident of Montezuma Creek, offered the opening prayer.

PLEDGE OF ALLEGIANCE

Time stamp 0:04:21 (audio) & 0:05:04 (video)

Lyman Duncan, resident of Monticello, led the audience in the Pledge of Allegiance.

CONFLICT OF INTEREST

Time Stamp 0:04:48 (audio) & 0:05:31 (video)

Commission Chair Stubbs asked each commissioner if they had any conflicts with today's agenda. Each affirmed they did not have any conflicts with today's commission agenda.

PUBLIC COMMENT

Public comments will be accepted through the following Zoom Meet link

<https://us02web.zoom.us/j/88279631170> Meeting ID: 882 7963 1170 One tap mobile +13462487799,,88279631170# US (Houston)

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 0:05:05 (audio) & 0:05:48 (video)

Mack presented the Public Comment portion of the meeting. He checked the sign-in sheet, he asked any in attendance if they had any comments, and then finally, he checked online for any comments.

Shanon Brooks, resident of Monticello, addressed page 47 - Responsibilities of the County Attorney. He mentioned several duties of the job description and felt the letter was a significant overreach. He mentioned a scheduling document and felt it was not in the role of the county attorney. The letter stated the land use document was not updated and should be for the residents and not the county government at large. The county residents have not had the chance to educate themselves and review the changes.

Lynn Martin, resident of the county, fully supports all of Shanon's comments.

Mrs. Martin, she feels the letter has all of the highlights of a scam. She encourages the county to reconsider the contract with the out of area attorney. She feels the contract needs to be put out for bid.

Alvin Chung, resident of the northern part of the county. He has several flight certifications and, in his opinion, relating to the Sky Ranch runway, he feels the air runway is safe.

Dan Wheeler lives in the north part of the county. He has many years of experience and feels the Sky Ranch runway is safe for use.

Chris Benson lives in Spanish Valley, and he feels that Sky Ranch is safe for the smaller planes.

Dallin Redd, he grew up in Monticello, and he is supportive of the runway and considers it to be safe for use.

James Schnepel, he wants the commission to send the packet back to the Planning Commission. He feels the Condition of Use (CUP) is not valid.

Jimmy Anderson, counsel for Mr. Spillman, will wait until # 11 is addressed in the meeting.

Joy Howell, Mexican Hat, asked for item #11 to be deleted. Her taxes have tripled over the past several years.

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 0:28:20 (audio) & 0:29:03 (video)

Mack presented the Consent Agenda for the commission to review and approve.

Commissioner Harvey motioned to approve #1 & #4, and wanted further discussion for items # 2 & #3

Motion made by Commissioner Harvey, Seconded by Commission Vice-Chair Maughan.
Voting Yea: Commissioner Harvey, Commissioner Chair Stubbs, Commission Vice-Chair Maughan

Mike Moulton, Interim Public Health Director, answered several questions regarding #2 & 3 of the consent agenda for the commission.

Motion to approve # 1-5:

Motion made by Commissioner Harvey, Seconded by Commission Vice-Chair Maughan.
Voting Yea: Commissioner Harvey, Commissioner Chair Stubbs, Commission Vice-Chair Maughan

1. Approval of \$7,101.01 in Small Purchases; \$3,150 for the Wheeler Install Machine Software Subscription, \$2,609 for Ford Delete Bundles, \$1,342.01 for the Century Equipment Assembly Case for the Road Department.
2. Approval of the San Juan County Health Department Tobacco Contract Between San Juan County and the State of Utah Department of Health and Human Services for Fiscal Year 2021 through Fiscal Year 2025, Amendment 9
3. Approval of the San Juan County Summer Food Service Program 2024 contract between the Utah Department of Health and Human Services and San Juan County, Amendment 1
4. Ratification of the Appointment of Kirk Crowley as the San Juan County Transportation District Manager

RECOGNITIONS, PRESENTATIONS, AND INFORMATIONAL ITEMS

5. Discussion on the Utah Association of Counties' Civil Services and Counties Recovery Services Opportunities. Lori Maughan, Commissioner

Time Stamps 0:35:33 (audio) & 0:36:15 (video)

Commission Vice-Chair Maughan presented the recovery services available to the county through membership in the Utah Association of Counties for the commission to discuss. The Civil Services part is for legal services. The next part, regarding recovery services, is paid only when recovery is successful.

6. 2025 State of Utah Division of Forestry, Fire and State Lands Fire Restriction Order (Stage 1) Fire Restriction Awareness and Announcement.

Time Stamp 0:41:04 (audio) & 0:41:47 (video)

Mack presented the fire restriction awareness announcement. The restriction includes all federal (forest service, BLM), state (SITLA) and county lands. The Navajo Nation has also issued a fire restriction.

7. Employee Recognition and Thanks to Jeremy Hoggard, Emergency Medical Services Director, for Receiving EMS Instructor of the Year by the State of Utah Bureau of Emergency Medical Services and Rosa Vagas, Executive Assistant, for the Outstanding Leader Award from the State of Utah Homeless Services Board. Mack McDonald, Chief Administrative Officer.

Time Stamp 0:42:27 (audio) & 0:43:10 (video)

Mack presented the employee recognition honors to Jeremy Hoggard and Rosa Vargas. Commission Chair Stubbs congratulated the two employees.

8. Discussion of the Cost Savings Withdrawal from Workers Compensation Fund Insurance and Transitioning to the Utah Governments Local Trust. Mack McDonald, Chief Administrative Officer

Time Stamp 0:45:45 (audio) & 0:46:28 (video)

Mack presented the discussion regarding the potential change of Workers Compensation Fund to the Utah Governments Local Trust for worker's compensation insurance.

9. Discussion of the Adjustment in Compensation for the San Juan County Assessor. Rick Meyer, County Assessor

Time Stamp 0:51:19 (audio) & 0:52:02 (video)

Rick Meyer, Count Assessor, presented the adjustment in his salary for the commission to review and approve. Once elected, the newly elected assessor has three years to become licensed, or else the State of Utah will remove the elected official. He wants the county to

recognize that once the licensing needs are completed, in exchange, the employee will receive higher compensation.

Commissioner Maughan expressed her concerns regarding the compliance issues raised over the past year by the State Tax Commission. Commissioner Stubbs is concerned with the cash problems of the county. Commissioner Harvey wants to revisit the issue once all the items with the State of Utah Tax Commission are completed.

BUSINESS/ACTION

10. Consideration and Discussion of Fee Adjustments for Litter Cleanup Amendments with Utah State H.B. 53. Jed Tate, Landfill Manager

Time Stamp 1:06:00 (audio) & 1:06:43 (video)

Jed Tate, Landfill Manager, presented the county fee adjustments which are required by the state of Utah. The new law requires all loads delivered to the landfill to be covered and secured. The minimum fine is \$10. Five dollars will be forwarded to the state (July 2026), five dollars will remain with the county. Jed stated that many Utah counties require uncovered loads to be doubled in fee price! The Utah Highway Patrol are stopping individuals and fining them \$200 for the 1st offense.

Jed asked the commission to double the "tipping" fees. Before all of this happens, there will be an education piece reminding residents of the newly enacted laws. The landfill will hand out flyers and tell drivers that all loads are to be covered and secured.

The commission asked Jed to bring all the materials back for the August meeting.

11. Consideration and Approval of the Written Findings and Record of Facts, Directing the County Attorney's Office to Respond in Writing to the Seventh District Court Judge Don M. Torgerson. Jens Nielson, Deputy County Attorney.

Time stamp 1:22:55 (audio) & 1:23:38 (video)

Jens Nielson Deputy County Attorney presented the Seventh District Court "Written Findings and Record of Facts for the commission to review and approve." Jens read a letter regarding the Sky Ranch airstrip regarding safety for the public and pilots. Jimmy Anderson, legal counsel for Spillman, asked if they had any questions for him. He stated the concessions have not taken place.

Time Stamp 2:02:35 (1st audio file) & 2:03:18 (video)

Commissioner Harvey asked for an executive session to occur with the county attorney. Jens stated that the debate and discussion should remain in the public's view.

Motion to enter executive session:

Motion made by Commissioner Harvey, Seconded by Commission Vice-Chair Maughan.
Voting Yea: Commissioner Harvey, Commissioner Chair Stubbs, Commission Vice-Chair Maughan

Time Stamp 0:00:09 (2nd audio file) & 0:00:09 (2nd video)

Motion to exit executive session:

Motion made by Commissioner Harvey, Seconded by Commission Vice-Chair Maughan.
Voting Yea: Commissioner Harvey, Commissioner Chair Stubbs, Commission Vice-Chair Maughan

Jens handed out the sample letter to each commission member. He stated the letter could be used if needed. Commissioner Harvey read the letter to the audience and asked Jens to respond to the Judge's inquiry.

Motion made by Commissioner Harvey, Seconded by Commission Vice-Chair Maughan.
Voting Yea: Commissioner Harvey, Commissioner Chair Stubbs, Commission Vice-Chair Maughan

12. Consideration and Approval of the Request for General Plan Update. Mitch Maughan, County Attorney

Time Stamp 0:04:42 (2nd audio file) & 0:04:42 (2nd video)

Mitch Maughan, County Attorney, presented the General Plan update for the commission to review and approve. Mitch spoke at length about the 2025 Planning & Zoning Ordinance, which received a great deal of public comment, and felt this commission needed to understand the key points. The 1st point is the Land Use Ordinance, which hasn't been updated since 2011. He talked about the draft 2019 Spanish Valley Ordinance (which was passed by a past commission without public input), which created 10 different zones, and it has created a stranglehold on the planning & zoning ordinance for the county. He stated the U.S. Court of Appeals, and the Utah Supreme Court has chided San Juan County for their less than desirable state of the ordinances. The 2nd point he stated that it is critical for the county to pass viable Land Use ordinances. The planning & zoning commission has spent over a year preparing the document. He feels many residents consider government involvement into the zoning ordinances to be overreach.

He recommended the commission to generally support the General (Comprehensive) Plan, which will allow the Planning & Zoning document to be added onto later. His 1st recommendation is for the commission to hire legal counsel to address the Land Use portion of the general plan. Mike Hansen is an attorney from SLC, and he has worked on the document in the past. Commission Chair Stubbs asked who was involved in the process so far and asked if Mack or the other commissioners were involved. Commissioner Maughan asked for clarification about the past six months and the processes which were completed during this time. Kristen spoke about the need for the General Plan (s/b updated every 5 years) and for the Land Use documents & to be updated and approved. Mack said the Drinking Water and the USDA portions need to be updated.

Commissioner Harvey thanked Mitch for his efforts in developing the General Plan, and asked if the Land Use Ordinance was more urgent than the General Plan? Mitch responded that his comments were accurate, and he is concerned that if the commission does not act on the general plan, that we might be sued. Commissioner Harvey wants the public to be included in

the general plan. Commissioner Stubbs is concerned with receiving additional informational items in a disorganized fashion.

Motion to approve the process to have the planning commission to begin developing the general plan.

Motion made by Commissioner Harvey, Seconded by Commission Vice-Chair Maughan.
Voting Yea: Commissioner Harvey, Commissioner Chair Stubbs, Commission Vice-Chair Maughan

COMMISSION REPORTS

Time Stamp 1:17:58 (2nd audio file) & 1:17:58 (2nd video)

Commission Chair Stubbs thanked everyone for attending the employee luncheon at the fairgrounds yesterday.

Jens clarified the accuracy of several comments made in the public comment portion of the meeting. The county attorney isn't limited to filing lawsuits, prosecuting inmates. The attorney has wide latitude in addressing issues within the county.

ADJOURNMENT

Time Stamp 1:23:12 (2nd audio file) & 1:23:12 (2nd video)

Motion to Adjourn:

Motion made by Commissioner Harvey, Seconded by Commission Vice-Chair Maughan.
Voting Yea: Commissioner Harvey, Commissioner Chair Stubbs, Commission Vice-Chair Maughan

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: _____