

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
JANUARY 10, 1979 at 8:00 O'CLOCK  
P.M. IN THE CITY HALL.

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmen: Bruce N. Black  
Jon L. Hunt  
Michael T. Hurst

City Councilwoman: LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Absent was Councilman Francis M. Lyman

Also present were: Mr. Charles Lyman; Mr. LaRay Alexander; Mr. Peter Henderson  
and 11 boy scouts.

1. Prayer was offered by Councilman Black.
2. Minutes of City Council meeting held December 13, 1978 were approved.
3. All City officials present, introduced themselves and stated their particular assignments, for the information of the Boy Scouts in attendance.
4. Motion for adoption of the following resolution was made by Councilman Hunt, seconded by Councilman Hurst and unanimously carried:

RESOLUTION NO. 1979-1

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby authorized to execute the attached Application For Federal Mineral Lease Revenue Community Impact Account Grant Funds For Cities, Counties and Special Service Districts Within the State of Utah, Contract For Services, which is made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 10th day of January, 1979.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

5. Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1979-2

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City prepare and submit to the United States Department of Housing and Urban Development, an application for funds, under the Community Development Discretionary Grant Program (Small Cities) of the said department, with which to effect water system improvements; that the Mayor be, and he is hereby, authorized to execute all documents appurtenant to said application; and that the action of the Mayor executing a Notification of Intent to Apply for Federal Aid relative to this matter, is hereby ratified and confirmed.

PASSED, ADOPTED and APPROVED this 10th day of January, 1979.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

6. Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Hurst and unanimously carried:

RESOLUTION NO. 1979-3

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City of Blanding approve and authorize the following Citizen Participation Plan relative to an application to the United States Department of Housing and Urban Development for Community Development Discretionary Grant funds under the Small Cities Program:

Citizen Participation Plan

1. Purpose.

- a. Provide a means of expression and participation for all residents including those of low and moderate income, property and non-property owners, profit-making and non-profit organizations.
- b. Create a channel of communication between City government and citizens.
- c. Receive constructive input into City plans and programs.

2. Structure.

- a. Advertise public meetings and hearings to be conducted by the City relative to desired improvements which may be obtained through federal aid projects.
- b. Prepare notices and mail same to any special interest group (s) which may be concerned or particularly affected by a given City project.

3. Hearings.

- a. City will hold a public meeting for planning municipal projects.
- b. Planning meetings will be followed by public hearings on preliminary programs.
- c. Subject to substantial public input during public hearings indicative of controversy over proposed programs, the City will continue the advertising and public hearings until a satisfactory program is developed.
- d. Each necessary hearing will be advertised in the local media and receive such other additional coverage as circumstances may warrant.

4. Notices.

All notices and public hearings advertisements shall meet not less than the minimum statutory time limit requirements.

5. Amendments.

No program or project amendments and no budget revisions shall be submitted to the funding agency prior to presentation of the same at a public meeting.

6. Program reports.

Citizens shall be given the opportunity to review any proposed program, program information, and all program reports prior to their submission by a funding agency.

PASSED, ADOPTED and APPROVED this 10th day of January, 1979.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

7. Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Hunt and unanimously carried:

RESOLUTION NO. 1979-4

BE IT RESOLVED by the City Council of the City of Blanding, Utah that a public hearing be held on February 10, 1979 at 8:00 o'clock P.M. in the City Hall, 50 West 1st South Street, for the purpose of giving citizens an opportunity for expression and participation in the proposal of the City to obtain funds from the United States Department of Housing and Urban Development under the Community Development Discretionary Grants Small Cities Program; and to consider any amendments or revisions to such proposal as may appear warranted resultant from citizen expression and participation; said public hearing to be advertised in the San Juan Record, a weekly newspaper published in Monticello, Utah and having general circulation in the City, at least five (5) days prior to such hearing; and that notice of such hearing be given such other coverage as appears warranted to fulfill the requirements of the governing Citizen Participation Plan.

PASSED, ADOPTED and APPROVED this 10th day of January, 1979.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

8. Mayor Gibbons discussed with the Council the controversy between the U.S. Forest Service-Utah State Engineer and the City over the operation and maintenance of the Camp Jackson Reservoir. The Forest Service and Engineer are maintaining the reservoir dam is being endangered by overfilling and have threatened to sue the City if the reservoir is filled to a point higher than five feet below the crest of the dam and other maintenance measures are not carried out. The City Engineer advised that he disagrees with the Forest Service and State Engineer relative to the condition of the reservoir embankment and that prior to the spring water run-off impoundment, he will prepare an adequate maintenance program to negate any danger to the reservoir when operated at a reasonable capacity.

9. Mayor Gibbons suggested to the Council that perhaps the City should attempt the beginning of the Johnson Creek ditch during the ensuing summer season.

Mayor also advised the Council that the Environmental Protection Agency is advocating a solid waste landfill project for all communities and suggested this should be a low priority item for the City as the current disposal system is economically handled and of no particular threat to the environment.

10. Councilman Black inquired as to plans for necessary maintenance and enlargement of the Dusett Ditch and was advised that the work is scheduled to commence as quickly as the weather and terrain will permit.

11. Councilwoman McDaniel asked if property owners with adjacent sidewalks had been advised of their obligation for snow removal. The Recorder advised that notices have not been mailed but would be in the next few days.

12. Councilwoman McDaniel discussed with the Council reports of pornographic literature being distributed by the Go Fer Foods Market. It was agreed that the Police Department should investigate the matter and take action consistent with the governing City ordinances.

13. The Recorder discussed with the Council exorbitant and seemingly unjustified engineering charges in connection with the Maintenance and Construction invoices submitted by Utah Power and Light Company. It was agreed that the Recorder should advise the power company that further engineering service charges will not be paid without tangible, physical evidence of the engineering having been done.

14. The Recorder advised the Council of a Utah Power and Light Company rate increase request to the Federal Energy Regulatory Commission on all resale power customers. The increase to Blanding City would amount to approximately 43%. The Council agreed that the Recorder and City Attorney should represent the City at a meeting in Salt Lake City on January 26, 1979, for the purpose of organizing Utah Power and Light Company resale customers as intervenors to offer opposition at the proposed rate increase hearings.

15. The City Engineer requested the Council consider as sewer construction standards the allowance of 6" sewer collection lines in small confined areas. In the absence of a majority opinion, it was determined that 8" sewer collection lines would be a minimum requirement.

16. Motion was made by Councilman Hunt, seconded by Councilman Black and unanimously carried that the City advertise and hold a public hearing on the possible enactment of laws requiring single lot improvements, inclusive of curb, gutter and sidewalk installation in connection with building construction on such lots.

17. The City Engineer reported on the field examination of Mr. Paul Sommers of the Utah Water Resources Board, relative to the City's application to that agency for water well development funding. Mr. Sommers inspected the entire available water system, visited the local energy-related development projects and reviewed the City's Water System Master Plan. He advised that his agency has been charged with providing professional and financial assistance in seeing to adequate Utah municipal water systems and that he will be making favorable recommendations to the Water Resources Board relative to the need for funding Blanding City projects.

18. The City Engineer presented the following list of agencies or financial institutions with whom we are or may become involved in funding proposed water and sewer systems developments:

Community Impact Account Committee  
Division of Water Resources  
Farmers Home Administration  
Housing and Urban Development (Small Cities Program)  
Four Corners Regional Commission  
Soil Conservation Service (Indirectly through Blanding Irrigation Company)  
Economic Development Administration  
First Security Bank Investment Dept.-Bonding  
Kirchner, Moore and Company - Bonding  
Energy Fuels Nuclear, Inc. - Fees

Meeting adjourned at 11:10 P.M.

---

Francis D. Nielson  
Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD JANUARY  
24, 1979 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were:

City Councilmen: Bruce N. Black  
Jon L. Hunt  
Francis M. Lyman  
Councilwoman: LaRue McDaniel  
City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer

Absent was:

Mayor DeLamar Gibbons, M.D.  
City Councilman: Michael T. Hurst

Also present was Mr. John Adams of Arrowhead Development, Inc.

In the absence of Mayor Gibbons and Mayor Pro Tempore (Mayor Pro Tempore arrived later), motion was made by Councilman Hunt, seconded by Councilwoman McDaniel and unanimously carried that Councilman Black be authorized to chair the meeting.

1. Prayer was offered by the Engineer.
2. Minutes of City Council meeting held January 10, 1979 were approved.
3. Mr. John Adams advised the Council that following receipt of a permit to build their proposed uranium mill, Energy Fuels Nuclear, Inc. may be in a position to offer some financial assistance to the City for water system improvements.
4. Motion for adoption of the following resolution was made by Councilwoman McDaniel, seconded by Councilman Hunt and unanimously carried:

RESOLUTION NO. 1979-5

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute the attached utility extension agreement by and between the City of Blanding and Alma M. Palmer, wherein Mr. Palmer is granted the right to connect to the City water system and extend a transmission line therefrom and establishing terms and conditions under which he may recover costs of said line from third parties who may connect thereto.

PASSED, ADOPTED and APPROVED this 24th day of January, 1979.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

5. Following review of the final plat for Century Mobil Home Park and the final plat, 1st filing of Pinon Ridge Subdivision, motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1979-6

A RESOLUTION APPROVING AND ACCEPTING  
FINAL PLATS FOR A MOBIL HOME PARK AND  
SUBDIVISION FIRST FILING

WHEREAS, Arrowhead Development Corporation has prepared and presented a Final Plan, First Filing, for Pinon Ridge Subdivision in accordance with Section V of Blanding City Ordinance No. 1958-2B and has also filed a Final Plan for Century Mobil Home Park; and

WHEREAS, said Final Plans have been reviewed by the City Engineer and found to conform to the respective governing ordinances; and

WHEREAS, the development of said subdivision and Mobil Home Park are necessary to accommodate projected population increase and to assure the orderly growth and development of the community;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Final Plan, First Filing for Pinon Ridge Subdivision and Final Plan for Century Mobil Home Park as presented by Arrowhead Development Corporation, be approved and accepted by the City; and that the Mayor be, and he is hereby, authorized to execute all documents necessary to such approval and acceptance by the City.

PASSED, ADOPTED and APPROVED this 24th day of January, 1979.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

6. Following a discussion of the advisability of Police Department personnel attending schools, seminars and conferences away from the City from time to time, motion was made by Councilman Lyman, seconded by Councilman Hunt and unanimously carried that Police Patrolmen be authorized four (4) and the Chief of Police six (6) days annually for attendance at schools, seminars and conferences where overnight stay is required and that the per diem rate for City officials and employees in City service away from home overnight, be set at \$35.00 per day.
7. The Council discussed existing traffic control signing within the City. No action was taken.
8. Motion was made by Councilman Lyman, seconded by Councilman Hunt and unanimously carried that the City authorize power line construction on 500 North Street by Utah Power and Light Company, between approximately 50 West and 100 East Streets and the effecting of changeover from 4 KV to 12 KV of the area north of 500 North Street adjacent to Johnson Creek road, said construction and changeover estimated to cost \$8800.00.
9. Following discussion of the Utah Power and Light Company request to the Federal Energy Regulatory Commission for an increase in rates to resale customers, said increase to Blanding City being 38.6%, motion was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried that the City join with other Utah Power and Light Company resale customers to intervene before the Federal Energy Regulatory Commission in opposition to the rate increase request of Utah Power and Light Company to resale power customers; and that the City authorize payment of costs for counsel and rate specialists on a pro rata basis relative to power purchases by said resale customers for the Calendar year 1978.
10. Council discussed street surface conditions and the necessity for repairs resultant from abnormal weather effects.

Meeting adjourned at 10:10 P.M.

---

Francis D. Nielson  
Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD FEBRUARY  
14, 1978 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were: City Councilmen: Bruce N. Black  
Michael T. Hurst  
Francis M. Lyman  
City Councilwoman: LaRue McDaniel

Absent were: Mayor: DeLamar Gibbons, M.D.  
City Councilman: Jon L. Hunt

Also present: City Recorder: Francis D. Nielson  
City Attorney: Grant Hurst

The meeting was conducted by Francis M. Lyman, Mayor Pro Tempore.

1. Prayer was offered by Councilman Hurst.
2. Minutes of City Council meeting held January 24, 1979 were approved.
3. Councilman Black inquired as to the ownership and maintenance responsibility on the water line recently installed by Alma M. Palmer and Associates, extending from the Edge of the Cedars Museum to the Jerry Adams, Nyle Bennett, Lyman Palmer and Alma Palmer residences. The Recorder advised that Blanding City has not yet accepted the said line as part of the City system.
4. The Council discussed dog control problems, the apparent killing of dogs with poisonous substances, and agreed that the dog pound should be completed at the earliest possible date following melting of the snowpack.
5. Councilman Hurst advised that the Planning Commission is still studying proposed changes to the City Zoning Ordinance and is not yet ready to make a recommendation to the Council on the matter.
6. The Recorder reported to the Council on a meeting of Utah Power and Light Company resale power customers, held for the purpose of organizing intervention efforts in opposition to the rate increase request of Utah Power and Light Company before the Federal Energy Regulatory Commission, on sales of electricity to such resale customers.

Twenty One resale customers were represented at the meeting, and took the following action:

- A. Elected Mr. W. G. Arfmann, General Manager, Lincoln Service Corporation, Group Chairman.
- B. Chose Mr. Ted Rampton, Intermountain Consumer Power Association Representative, as Secretary.
- C. Agreed that organized intervention in opposition to the Utah Power and Light Company Rate Increase request before the Federal Energy Regulatory Commission, titled Docket No. ER 79-121 should be commenced.
- D. Agreed that, subject to verification of their competency, the law firm of Shea and Gardner, Washington, D. C., be retained as Counsel in the intervention proceedings.
- E. Agreed that costs of the intervention action should be allocated to the participants on the basis of their KWH purchase from Utah Power and Light Company during the period August 1, 1977 through July 31, 1978.
- F. Selected an Executive Committee to expedite procedural matters pertaining to the case, consisting of W. G. Arfmann, representing Wyoming; Ted Rampton, representing Utah; John C. Darrington, representing Idaho.

- G. Agreed that a resolution and memorandum of agreement to share legal costs should be executed by the governing bodies of the represented entities. Copies of such agreement will be furnished by Lincoln Service Corporation.

7. The Recorder advised that Federal Aviation Administration officials have now indicated that lengthening the Blanding Municipal Airport Runway will result in a reclassification of the airport from Basic Utility I to General Utility, requiring property ownership of not less than 250 feet on either side of the runway centerline. This will necessitate purchase of 100 feet of land on each side of the runway property for its full length, excepting the 2516 feet owned by the City north of the parking apron.

We have recommended to the Federal Aviation Administration that the project now be staged to permit the Parking Apron enlargement completion during Fiscal Year 1980 and that the Runway lengthening and necessary land purchase be completed as early as possible thereafter.

8. Motion was made by Councilman Black, seconded by Councilwoman McDaniel and unanimously carried that consistent with original hiring conditions, the City Engineers salary be fixed at \$1,750.00 per month effective as of February 1, 1979.

9. Motion was made by Councilman Hurst, seconded by Councilman Black and unanimously carried that the Recorder advise Canyonlands 21st Century Corporation that the City will allow no further increase in their utility account, that each months utility charges must be paid in their due time and the delinquent account should be retired on a scheduled payment basis.

10. The Recorder advised the Council that it would be advantageous to the City to adopt the Utah Power and Light residential service rate schedules. The Council requested a comparative charges chart be prepared prior to making a decision.

11. Councilman Lyman as Mayor Pro Tempore advised that the meeting was now open for the purpose of hearing comment and receiving input to the City of Blanding HUD Small Cities Program, Community Development Grant application for assistance to make improvements at the Water Treatment Plant and to the water distribution system. No citizens appeared and no comment was received relative to this matter and Councilman Lyman declared the hearing adjourned.

Meeting adjourned at 9:25 P.M.

---

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD FEBRUARY 28, 1979 AT  
8:00 O'CLOCK P.M. IN THE CITY  
HALL

Present were: Mayor Pro Tem Francis M. Lyman

City Councilman: Jon L. Hunt  
City Councilwoman: LaRue McDaniel

City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer

Absent were: Mayor DeLamar Gibbons, M. D.

Councilmen: Bruce N. Black  
Michael T. Hurst

Also Present: Robert F. & Gloria Gwilliam; Dana Nielson, President,  
Blanding Chamber of Commerce; Clarence M. Rogers;  
LaRell C. VanDyke, D.D.S.

1. Prayer was offered by the City Engineer.
2. Motion was made by Councilman Hunt, seconded by Councilwoman McDaniel and unanimously carried that the City prepare and operate an information booth at the proposed School Community Fair scheduled for March 21, 1979.
3. Minutes of City Council meeting held February 14, 1978 were approved.
4. The following letter was read in full to the Council:

February 13, 1979

Mr. Francis D. Nielson  
City Administrator  
City of Blanding  
P. O. Box 68  
Blanding, Utah 84511

Re: City of Blanding 201 Facility Plan

Dear Bud:

We are transmitting to you herewith a draft copy of a letter with supporting documents that is to be sent to Mr. Calvin K. Sudweeks, Director, Bureau of Water Quality, Utah Division of Health, wherein we are requesting a supplemental increase of the previously approved Federal Sewage Works Grant C 490201-01 ( Step 1 ) for the City of Blanding 201 Facility Plan.

The request for the supplemental grant increase has been made necessary by the additional engineering work required to complete the 201 Facility Plan due to the major revision in the design year projected population and the new per capita sewage flow proposed to be used for design purposes. In addition, other requirements contained in the Division of Health's and EPA's preliminary review comments must be fulfilled including the accomplishment of an archaeological/historical survey.

The amount of the grant increase requested to complete the Facility Plan is \$22,500. Of this amount, the grantee's share would be 25% or \$5,625.

In addition, we are submitting herewith a copy of an amendment to our engineering agreement which will require approval and execution in order that the additional work may be accomplished.

Please review all of the submitted material and present to your City Council for their approval and/or comments. If necessary, we will appear before your council to discuss this matter.

Very truly yours,  
HENNINGSON, DURHAM & RICHARDSON, INC. OF COLORADO  
S/ W. L. Bredar, P.E.  
Executive Vice President

Motion was made by Councilwoman McDaniel, seconded by Councilman Hunt and unanimously carried that the City approve, and in accordance with Resolution No. 1976-9 the City Administrator shall execute the following Amendment To Agreement Between the City of Blanding, Utah and Henningson, Durham and Richardson, Inc. of Colorado:

AMENDMENT I TO  
AGREEMENT BETWEEN THE  
CITY OF BLANDING, UTAH &  
HENNINGSON, DURHAM & RICHARDSON, INC. OF COLORADO

The April 14, 1976 agreement between the City of Blanding, Utah and Henningson, Durham & Richardson, Inc. of Colorado for Step 1 Engineering services for a 201 Facility Plan is hereby amended.

ENGINEERING SERVICES

The Engineer shall provide supplemental engineering services for the completion of the 201 Facility Plan by addressing as fully as is required the comments contained in the Environmental Protection Agency letters of August 25, 1978 and November 13, 1978, the Utah Division of Health letters of July 14, 1978 and September 25, 1978, the City of Blanding letters of July 7, 1978 and December 5, 1978, and in accordance with the new revised design year projected population and new per capita sewage flow proposed to be used for design purposes.

Included will be all the necessary on-site field work and surveys and in-house engineering work, and continuing conferences, contact work and coordination with the City, the Utah Division of Health, the Environmental Protection Agency, and any other agency or entity as necessary.

COMPENSATION

For all engineering services covered under this amendment, the Engineer shall receive compensation by a "lump sum fee". Compensation shall be increased to the original Step I agreement compensation.

The amended compensation shall be as follows:

	<u>Lump Sum</u>
Original Compensation	22,000.
Amendment I Compensation	22,500.
Total . . . . .	\$44,500.

Costs shall be defined as the actual salaries of employees working on the project plus 31.67% of salaries to cover direct labor overhead plus 105.75% of salaries to cover administrative overhead, plus all actual direct expenses, including printing, travel, sub-contracts with other consultants, etc. (see attached supporting documents.)

Engineer's costs and fixed fee for all work covered by this agreement amendment shall be billed in partial amounts monthly, based on work completed.

ACCEPTANCE

City of Blanding,  
Utah

Henningson, Durham & Richardson  
Inc. of Colorado

By \_\_\_\_\_  
Francis D. Nielson  
City Administrator

By S/ W. L. Bredar  
W. L. Bredar  
Executive Vice President

Date \_\_\_\_\_

Date 2-14-79

ATTEST:

\_\_\_\_\_  
Francis D. Nielson, Recorder

5. Robert F. and Gloria Gwilliam advised the Council of their intent to purchase land for residential purposes, in the area south of 200 South Street and West of Block 8 of the Lyman Subdivision and requested an indication from the Council relative to annexation of this contiguous territory to the City. The Council advised that prior precenent indicates a formal petition for annexation would receive favorable action.

6. Mr. Dana Nielson, President, Blanding Chamber of Commerce, discussed with the Council, a proposed City beautification project consisting of tree planting on Center Street between Main and 200 East Streets, and on Main Street between 100 North and 200 South Streets. The project would be completed by the Chamger of Commerce subject to the City of Blanding agreeing to the care and maintenance of the trees. The Council indicated support for the project and agreed to give the maintenance problem consideration in preparation of the Fiscal Year 1980 budget proposal.

7. Motion for adoption of the following resolution was made by Councilman Hunt, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1979-7

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute an application to the Federal Aviation Administration for assistance under the Airport Development Aid Program to construct a 1,000' extension to the runway and 132,000 sq. ft. addition to the Parking and Apron at the Blanding Municipal Airport.

PASSED, ADOPTED and APPROVED this 28th day of February, 1979.

\_\_\_\_\_  
DeLamar Gibbons, M.D.  
Mayor

ATTEST:

\_\_\_\_\_  
Francis D. Nielson  
Recorder

8. Mr. Clarence M. Rogers discussed with the Council the U. S. Forest Service Wilderness Area designation proposed for Dark Canyon and the need for opposition to the same. The Council agreed that individual members would indicate their opposition to this proposal.

9. Councilwoman McDaniel discussed with the Council the need for coordination of effort between the City and San Juan County Recreation Department in the operation and maintenance of area parks. Mrs. McDaniel also advised that citizens have expressed concern to her, relative to the water service charges assessed by the City, particularly with respect to yard watering and their feeling that the keeping of lawns and flowers is penalized by the current water rate schedule.

10. Motion for adoption of the following resolution was made by Councilman Hunt, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1979-8

BE IT RESOLVED by the City Council of the City of Blanding, Utah that:

1. The City adopt in total the following Utah Power and Light Company Electric Rate Schedules and Electric Service Regulations for electric service to its various electric customers and that said rate schedules and service regulations be made a part hereof by reference:

Electric Service Schedule No. 1  
Electric Service Schedule No. 2  
Electric Service Schedule No. 3  
Electric Service Schedule No. 4  
Electric Service Schedule No. 5  
Electric Service Schedule No. 6  
Electric Service Schedule No. 10  
Electric Service Schedule No. 19  
Electric Service Regulation No. 5

2. The effective date for these schedules shall be retroactive to February 26, 1979.

3. All previous schedules for electric service and electric service regulations in conflict herewith are hereby cancelled.

PASSED, ADOPTED and APPROVED this 28th day of February, 1979.

\_\_\_\_\_  
DeLamar Gibbons, M.D.  
Mayor

ATTEST:

\_\_\_\_\_  
Francis D. Nielson  
Recorder

Meeting adjourned at 10:10 P.M.

\_\_\_\_\_  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD MARCH 14,  
1979 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmen: Jon L. Hunt  
Francis M. Lyman  
City Councilwoman LaRue McDaniel

City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer

Absent were:

City Councilmen: Bruce N. Black  
Michael T. Hurst

1. Prayer was offered by the Recorder.
2. Minutes of City Council meeting held February 28, 1979 were approved.
3. Motion for adoption of the following resolution was made by Councilman Hunt, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1979-10

WHEREAS, agencies of the United States Government have proposed that the Dark Canyon-Wooden Shoe areas of the Manti-LaSal National Forest shall be designated as "Wilderness"; and

WHEREAS, such designation would render the areas unuseable for any and all practical purposes, inclusive of minerals and oil exploration and production; livestock grazing and all recreational activities with the possible exception of back-packing; and

WHEREAS, detrimental to the area economy, too much land in San Juan County has been removed from profitable use and development; and

WHEREAS, land-grabbing by Federal agencies for the purpose of perpetuating and increasing their authoritative and disruptive rule over the citizens of this nation, must be curtailed if the nation is to develop and prosper;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah that the proposal of the Government of the United States to designate the Dark Canyon-Woodenshoe area as wilderness be opposed, and the City of Blanding herewith registers such opposition.

PASSED, ADOPTED and APPROVED this 14th day of March, 1979.

\_\_\_\_\_  
DeLamar Gibbons, M.D.  
Mayor

ATTEST:

\_\_\_\_\_  
Francis D. Nielson  
Recorder

4. Motion was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried that the City pay a fee of \$35.00 for an ad in the Utah High School Class 2A Basketball Tournament program.

5. Mayor Gibbons discussed the following items with the Council:
  - A. Receipt of a letter from the postal department acknowledging a request for printing of a commemorative stamp relative to the Hole-In-The-Rock trek centennial.
  - B. Feasibility of a satellite television receiver-cable distribution system, which he agreed to further investigate.
  - C. Possibility of a metal-liquor purification facility being located in the area.
  - D. Federal funding for innovative solar heating devices.
  - E. The necessity to commence engineering on the proposed Johnson Creek concrete ditch project.
6. Councilman Hunt presented to the Council, for information only, a proposal from Service Station Supply Co., Inc. of Salt Lake City, Utah for installation of underground jet fuel storage facilities at the Blanding Airport, totalling \$13,827.59.
7. Councilman Hunt discussed with the Council the need for an established City Collector Road system. It was agreed that a Master Street Plan should be certified to the Council by the Planning Commission at the earliest possible date.
8. Councilwoman McDaniel discussed with the Council the necessity for a City-County cooperative Parks Improvement and Maintenance program. She agreed to pursue this matter further with County Recreation personnel. Mrs. McDaniel further advised that she, the City Engineer and President of the Chamber of Commerce will complete a survey relative to suitable sites for the proposed tree planting on Main and Center Streets, as soon as weather will permit.
9. The Engineer reviewed with the Council a Request For Pedestrian Safety Project Funds for submission to the Utah Department of Transportation, to construct sidewalk, curb and gutter on Main Street between 4th and 5th South Streets and construct a sidewalk only on the North side of Center Street between 1st and 2nd East Streets.
10. The Engineer advised the Council that the Utah State Community Impact Account Committee has awarded Blanding City \$158,550.00 for funding sewer treatment facilities.
11. The Council authorized the Utah State Parks Department to place Edge of the Cedars Museum directional signs on Center and 4th West Streets.

Meeting adjourned at 9:35 P.M.

---

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD MARCH 28, 1979 AT 8:00  
O'CLOCK P.M. IN THE CITY HALL

Present were:

Mayor: DeLamar Gibbons, M.D.  
City Councilmen: Bruce N. Black  
Jon L. Hunt  
City Councilwoman: LaRue McDaniel  
City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer

Absent were:

City Councilmen: Michael T. Hurst  
Francis M. Lyman

1. Prayer was offered by Mayor Gibbons.
2. Minutes of City Council meeting held March 14, 1979 were approved.
3. Motion for adoption of the following resolution was made by Councilman Hunt, seconded by Councilman Black and unanimously carried:

RESOLUTION NO. 1979-11

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute License Contract No. DOT-FA79RM-0279 permitting the United States Government to install and operate a 4-Box Visual Approach Slope Indicator at the Blanding Municipal Airport, a copy of said License Contract to be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 28th day of March, 1979.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

4. Motion for adoption of the following resolution was made by Councilman Hunt, seconded by Councilman Black and unanimously carried:

RESOLUTION NO. 1979-12

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute a State of Utah Department of Community Affairs Application For Federal Mineral Lease Revenue Community Impact Account Grant Funds For Cities, Counties and Special Districts Within The State Of Utah, Contract For Services, the same to be made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 28th day of March, 1979.

S/ De Lamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

5. Mayor Gibbons discussed briefly with the Council the Utah Community Progress Guidebook for the period 1978-1980.

6. The following letter of invitation from Governor Scott M. Matheson was read to the Council by Mayor Gibbons:

State of Utah  
Office of the Governor  
Salt Lake City, Utah 84114  
March 26, 1979

Mayor De LaMar Gibbons  
P.O. Box 68  
Blanding, Utah 84511

Dear Mayor Gibbons:

On Friday, March 30, 1979, I am planning to spend the day in Carbon County to become better acquainted with the problems you face as a local official.

I hope you can join me and other elected officials from the Southeastern District for lunch at the Country Club located west of Price on Highway 156 from 12:00 to 1:00 p.m.; and, at the Southeastern Utah Social Services Center dedication at 90 North 150 East, in Price, from 1:30 to 2:30 P.M. I would appreciate your extending this invitation to the members of your Council and look forward to seeing you.

Sincerely

S/ Scott M. Matheson  
Governor

7. Mayor Gibbons advised the Council of a conference being co-sponsored by the Office of Civil Rights and Urban Affairs and the Minority Economic Development Coalition of Utah, being held March 30, 1979, at Salt Lake City, Utah, for the purpose of presenting the requirements of the Environmental Protection Agency Minority Business Enterprise Policy.

8. Mayor Gibbons advised that the proposal to effect a Satellite-TV Receiver station and cable distribution system has been discussed briefly with Monticello City representatives and that their approval would be subject to a decision as to whether they may or may not stay in the electric power distribution business.

9. Councilman Black advised the Council of information received by him that John R. Seely, City Streets Foreman, dumped gravel in the driveway north of the Mini Mart, and asked that the matter be investigated.

10. Councilman Black discussed with the Council the possibility of increasing streamflow in the Upper Ditch by effecting closing of inspection holes in the Johnson Creek tunnel and enlarging the ditch on both sides of the tunnel. He also discussed the possibility and feasibility of obtaining culinary water from the proposed Recapture Reservoir project.

11. Councilman Hunt advised of needed street repairs in the area between 4th and 5th North streets on 2nd West Street.

12. Councilwoman McDaniel advised the Council of the following:

A. A preliminary curb-sidewalk replacement and tree planting survey has been completed in cooperation with the Chamber of Commerce. Further effort will be required in this matter.

B. A cooperative program with the San Juan County Recreation Department for Parks and Playgrounds development and maintenance, is still being pursued but cannot be effected until the County selects supervisory personnel.

C. There has been considerable favorable comment relative to the City's information booth and presentation at the School Community Fair.

13. The City Engineer advised the Council of the necessary and satisfactory sewer line maintenance project recently completed, primarily on the outfall line between 2nd East Street and Highway 163, utilizing water jet equipment for the removal of grit and sludge which was restricting flow and causing backup and overflow.

14. The Engineer advised that the proposed water well T-V scan project is scheduled for April 5th or 6th, subject to the terrain being dry enough to support the required equipment.

Meeting adjourned at 10:05 P.M.

MINUTES OF CITY COUNCIL MEETING  
HELD APRIL 25, 1979 at 8:00  
O'CLOCK IN THE CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmen: Bruce N. Black  
Jon I. Hunt

City Councilwoman: LaRue McDaniel

City Engineer: Philip L. Palmer

City Recorder: Francis D. Nielson

Absent were:

City Councilmen: Francis M. Lyman  
Michael T. Hurst

1. Prayer was offered by Councilman Black.
2. Minutes of City Council meeting held March 29, 1979 were approved.
3. Mayor Gibbons reported to the Council that he, the Engineer and Recorder had attended a public hearing in Denver, Colorado on April 11, 1979, called by Farmers Home Administration officials, relative to Energy Impacted Community grant assistance programs. Further information will be made available to affected communities following evaluation of public statements and input received at the said hearing.  
Mayor Gibbons also advised the Council of meetings in Denver with Energy Fuels Nuclear, Inc. officials and with Henningson, Durham and Richardson of Colorado, Inc. consulting engineers for City sewer and water projects. Resultant from the meeting with Energy Fuels was a commitment from them of not less than \$80,000.00 in advance utilities connection fees to be used in funding the drilling of a large diameter water well into the Navajo sandstone. The purpose of the meeting with the consulting engineers was to receive an update on the 201 facility Plan (step 1) study and clarify the direction desired by the City for mode of sewerage treatment.
4. The Council discussed possible waiving or revising requirements of the subdivision ordinance to permit less costly lot improvements and bring housing within the financial capability of a larger number of people. No action was taken on the matter.
5. In the matter of the City Streets foreman dumping gravel on private property, Councilman Black indicated that the amount was insignificant and given in exchange for gravel the citizen had placed in holes on a City street adjacent to his property.
6. The Council agreed that closing the inspection holes on the Johnson Creek tunnel would not effect an appreciable increase in the capacity of the upper ditch.
7. Councilwoman McDaniel advised that the Chamber of Commerce tree planting project would be limited to the East side of Main Street between 1st North and 3rd South Streets for the current year.
8. The Engineer reported the television camera to be used for examination of City water wells, had failed upon initial use and following required repairs will be returned to complete the examination.
9. The following letter was read in full to the Council:

April 17, 1979

The Honorable D.L. Gibbons, Mayor  
The City of Blanding  
Blanding, Utah 84511

Dear Mayor Gibbons:

Inasmuch as I am unable to continue effective service, please accept my immediate resignation from the City Council and all related responsibilities.

I have enjoyed my association with you and the members of the council, and wish you success and satisfaction in your continuing service.

Sincerely,  
S/ Michael T. Hurst

Motion was made by Councilman Hunt, seconded by Councilwoman McDaniel and unanimously carried that the resignation of Councilman Michael T. Hurst be accepted.

The Council agreed to consider a replacement for Councilman Hurst at the next regularly scheduled Council meeting.

10. Mayor Gibbons advised the Council that the estate of Hyrum Gibbons has some large volume water pumps which may be available as a grant to the City. Mayor Gibbons will discuss the matter with family members and report any further developments at a later meeting.

11. Councilman Black advised that a number of citizens have inquired of him as to whether the City may consider a reduction in water rates for the ensuing irrigation period as there appears to be an abundance of raw water. Following a discussion of water system operating revenues and expenditures for the current period, it was agreed that a water rate reduction is impossible.

12. Councilman Black inquired as to provisions for a street on the south side of the Utah State Office Building currently under construction. The Engineer advised that the proposed Master Street Plan includes an East-West Street south of the said office building, to extend from 100 East Street to U. S. Highway 163; that allowance for the street had been made in issuing a permit for the office building construction.

13. The Council discussed the increased use of the Blanding Airport and the need for additional aircraft parking area. It was agreed that a temporary parking ramp may be developed north of the hangar building.

14. The Council discussed the hazzardous pedestrian conditions on 5th North and 1st West Streets resulting from increased auto traffic relative to both rapid area residential development and accelerated San Juan School District use. It was agreed that the proposed area sidewalk program should be moved forward as fast as possible.

15. The following letter was read in full to the Council:

J. B. Wright  
Chief of Police  
Blanding, Utah 84511  
April 10, 1979

Dear Chief:

This letter is asking you to accept my resignation as of May 31, 1979. I have accepted employment with the City of Moab. I feel this decision is best for my family, myself and the Blanding Police Department.

At this time I would like to take the opportunity to say thank you for the assistance you have given me. The City of Blanding has provided me the opportunity to find out exactly what I want to be.

I have enjoyed my stay in Blanding and have made friends that will not be forgotten. I apologize for the circumstance in which I am resigning. I wish things could have been different, but they don't always work the way we plan or would like them to be.

I have no regrets and would like to thank everyone for everything.

Sincerely,  
S/ Richard Haycock

The Council agreed that Mr. Haycock should be paid the \$800.00 bonus promised him for remaining in the employ of the City for not less than 12 months following his graduation from POST Academy.

16. The Engineer discussed with the Council land owner and developer criticism of City policies relative to utility connection fees, excavation permits, building permit fees, development and inspection fees, etc. The Council was in general agreement that adopted policies must remain to assure controlled city growth.

17. The following survey relative to recreation facilities and programs was presented by the Engineer:

Rating Weighted Voting	#	#	Rating Total Voted
1. Tennis Court	462	67	Tennis Court
2. Children's Playground	390	58	Jogging
3. Jogging Track	359	57	Childrens Playground
4. Picnic Facility	355	49	Picnic Facility
5. Baseball/softball	304	49	Baseball/softball
6. Year round swim	273	45	Basketball
7. Basketball	267	42	Ice Skating
8. Bicycle Path	230	40	Bicycle Path
9. Ice Skating	227	38	Covered Pavilion
10. Open Grass area	208	36	Open Grass Area
11. Covered Pavilion	201	32	Wading Pool
12. Shooting Range	131	30	Shooting Range
13. Soccerfield	129	29	Year Round Swimming
14. Wading Pool	127	27	Soccer Field

18. The Engineer again discussed with the Council the Utah State Engineers attitude relative to further use of the Camp Jackson Reservoir; that the reservoir is not to be filled prior to permission being granted by the State Engineers office; and that such permission will not be granted until repairs to the reservoir are completed in accordance with plans and specifications to be approved by them.

19. The Engineer requested the Council consider appointments to fill vacancies on the City Planning Commission and Zoning Board of Adjustment which resulted from the resignation of Councilman Hurst and the moving away from the City by Mr. John B. Doss, respectively.

20. The following Capital Improvements Projects and Funding Proposal was presented to the Council by the Recorder:

(See following page)

CITY OF BLANDING  
CAPITAL IMPROVEMENTS PROJECTS AND FUNDING PROPOSAL  
WATER SYSTEM

Priority	Description	Year	Cost	FUNDING SOURCES				
				Farmers Home Administration	Ut. Bd. of Water Res	Community Impact Comm.	Energy Fuels Nuclear, Inc.	Blanding Irrig. Co.
1.	<u>Treatment Plant:</u> Install settling tubes in sedimentation basins, change filter media, required valves and piping.	1979	120,000.00			120,000.00		
2.	<u>Transmission Line:</u> Approx. 5,100'8" Ductile Iron pipe - Tie from East of 110,000 gallon concrete reservoir to 100 North Street to increase volume and pressure in City center.	1979	110,000.00			110,000.00		
3.	<u>Water Well:</u> Drill 16" dia. well into Navajo Sandstone to tap additional needed resource	1979	370,000.00		290,000.00		80,000.00	
4.	<u>Concrete Lined Ditch:</u> Excavate and Concrete-line approx. 9.5 miles of ditch from Johnson Creek to Reservoir No. 3 to replace worn-out pipeline.	1980	640,000.00	320,000.00				320,000.00
5.	<u>Distribution System:</u> Replace or parallel existing 2" and 4" pipes (40% of total need.)	1980	210,000.00	210,000.00				
6.	<u>Tunnel &amp; Collection System:</u> Concrete-line tunnel inlet portal and diversion ditch; renovate creek bed to avoid loss through gravel layers at head of pipeline	1981	80,000.00	80,000.00				
7.	<u>Enlarge Raw Water Reservoirs:</u> Raise embankment on Westwater reservoir approx. 10'; repair Camp Jackson reservoir; construct dam north of Westwater reservoir.	1981	270,000.00	270,000.00				

April 25, 1979 cont.

CITY OF BLANDING  
 CAPITAL IMPROVEMENTS PROJECTS AND FUNDING PROPOSAL  
 WATER SYSTEM

Project Priority	Description	Year	Cost	FUNDING SOURCES				
				Farmers Home Administration	Ut. Bd. Of Water Res	Community Impact Comm.	Energy Fuels Nuclear, Inc.	Blanding Irrig. Co.
8.	<u>Distribution System:</u> Complete installation of larger water mains in central City area	1982	385,000.00	385,000.00				
9.	<u>Water Well Equipment:</u> Install pumping equipment in well at 2nd South 4th West Street	1982	15,000.00	15,000.00				
10.	Purchase 720 acre feet of water rights from Blanding Irrigation Company	1982	40,000.00	40,000.00				
11.	<u>Treated Water Storage:</u> Construct 1.0 M.G. Concrete storage reservoir	1983	240,000.00	240,000.00				
TOTALS			2,480,000.00	1,560,000.00	290,000.00	230,000.00	80,000.00	320,000.00

CITY OF BLANDING  
 CAPITAL IMPROVEMENTS AND FUNDING PROPOSAL  
 SEWER SYSTEM

Project Description	Year	Cost	FUNDING SOURCES		
			EPA	Community Impact Comm.	Four Corners Reg. Comm.
Lagoons and Land Application Acreage Purchase, Lagoons Construction, Land clearing and levelling for Land Application, Sprinkling system installation, Outfall Line Construction.	1979-80	968,800.00	796,975.00	158,550.00	13,275.00

Note: 703,300.00 of total estimated project costs is eligible for 85% EPA participation  
 265,500.00 of total estimated project costs is eligible for 75% EPA participation and 5% FCRC participation.

21. Proposals for leasing from the City of pastureland lying adjacent to the Blanding Airport, were opened, read aloud and duly tabulated as follows:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
Brigham E. Stevens	\$251.00
LaVar B. Lyman	\$313.00

Motion was made by Councilman Black, seconded by Councilman Hunt and unanimously carried that the foregoing pasture lease proposal be, and the same is hereby accepted.

Meeting adjourned at 10:35 P.M.

---

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD MAY 9,  
1979 AT 8:00 O'CLOCK P.M. IN THE CITY  
HALL.

Present were: Mayor Dr. D. L. Gibbons  
City Councilmen: Bruce N. Black  
Jon I. Hunt  
Francis M. Lyman  
City Councilwoman: LaRue McDaniel  
City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer

Also Present: Mrs. Luwana Palmer  
Mr. Randy Brown

1. Prayer was offered by Councilman Hunt.
2. Minutes of City Council meeting held April 25, 1979 were approved.
3. The Council discussed contents of a letter written by Steve & Janet Wilcox of the City, relative to City water rates, the contention of the letter being that with an abundance of water, rates should be lowered inviting increased use to generate more revenue. It was pointed out that water system operating costs remain constant for each gallon of water treated and delivered and that the water system has never operated at a profit but has had to be subsidized from electric system profits. It was agreed that the Recorder would prepare a water system operations information sheet for distribution to the public.
4. Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Hunt and unanimously carried:

RESOLUTION NO. 1979-9

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute the Utah Liquor Fund Allotment affidavit of compliance as required by the Utah Liquor Control Commission and the Utah State Auditor.

PASSED, ADOPTED and APPROVED this 9th day of May, 1979.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

5. Councilman Black advised of complaints relative to water leaks and rough spots in the road surface of 4th West Street between 700 and approximately 1000 North. The Recorder stated that 4th West Street is the responsibility of San Juan County for maintenance; that the water leak in the street is scheduled for repair on May 10 or 11, 1979; and that the San Juan County Road department has indicated the street repairs will be completed as soon as the water leak repair is complete.
6. Following a discussion of the hazzardous traffic conditions existant at 200 North Street between Main and 100 East Streets during activities at the San Juan High School Baseball Field, motion was made by Councilman Black, seconded by Councilman Lyman and unanimously carried that when ball games or other public activities are in process at the San Juan High School Baseball field, 200 North Street between Main and 100 East street shall be barricaded so as to prohibit vehicle traffic thereon and no vehicles shall be parked in said street excepting that residents living on the south

side of said street may be allowed ingress and egress, and may be allowed normal parking privileges.

7. The Council agreed that every effort should be made for completion of the dog pound by May 31, 1979.

8. The Council discussed the 5th North 1st West Streets sidewalk project and agreed that it should be completed by the beginning of the 1979-1980 school year.

9. Following a discussion of the resignation of City Patrolmen Haycock and Hester and the applications of D. Alan Rogers and Dennis W. Gutke for positions of City Patrolman, motion was made by Councilman Black, seconded by Councilman Lyman and unanimously carried that D. Alan Rogers and Dennis W. Gutke be hired by the City as Police Patrolmen at salaries of \$1,100.00 and \$1,000.00, respectively, plus a \$25.00 monthly uniform allowance and all other employee benefits currently being awarded City employees.

10. Councilwoman McDaniel reviewed with the Council, her attendance at a Community Progress seminar, the status of the Chamber of Commerce tree planting project and the parks and playgrounds maintenance and operations needs.

11. The Engineer discussed a possible maintenance arrangement for the water line installed by Mr. Alma Palmer as an extension west and southerly from the Edge of the Cedars Museum. Mr. Palmer would be required to furnish all backhoe excavation work and the City would furnish materials and labor necessary to effect required maintenance on said line for the period from date hereof to and including October 1, 1979, at which time the City would accept the water line and full maintenance responsibility. The Council indicated agreement to such an arrangement.

12. Following a discussion of the Bureau of Outdoor Recreation Application for funding a park at the Southeast edge of the City, Motion was made by Councilman Lyman, seconded by Councilman Hunt and unanimously carried authorizing execution of an Assurance of Compliance with the Civil Rights Act as it pertains to the proposed park development.

13. Motion was made by Councilwoman McDaniel, seconded by Councilman Lyman and unanimously carried that the City submit a Letter of Assurance of the budgeting for development of the Southeast Park as required in connection with the Bureau of Outdoor Recreation application for park development funding assistance.

14. Motion was made by Councilman Hunt, seconded by Councilman Black and unanimously carried that the proposed southeast park be given the name Alexander Park.

15. The Engineer reported the television examination of Water Well No. 1 and the Southeast well was completed on May 7, 1979. The examination indicated a blockage at 500 feet in the southeast well and that it must be re-worked. Well No. 1 is free and clear of any obstructions and appears producible. At the suggestion of Mayor Gibbons, the Council agreed that the pump should be replaced in this well to make production possible when the peak irrigation season occurs.

16. Mayor Gibbons reported that his family has made available to the City, 3 45 HP and 2 75 HP water pumps, now surplus to their operations in Cache County. It was agreed by the Council that the City should take advantage of this generous offer, providing required voltage would make them useable.

17. The Council listed the following as possible candidates for the office of City Councilman vacated by Councilman Michael T. Hurst:

Leonard W. Hurst  
Lloyd Bayles  
Curtis Jones  
LaRell Van Dyke  
Dana Nielson  
Larry Dennison

Isaac Chamberlain  
Bruce Shumway  
Gregory Christensen  
Steven Lovell  
Sylvan Johnson

May 9, 1979 cont.

18. The Recorder presented the fiscal year 1980 proposed operating budgets for the General Fund and Utilities Fund in the amounts of \$708,901.17 and \$1,390,004.67 respectively, for review by the Council.

19. With the advise and consent of the Council, Mayor Gibbons declared May 18 and 19, 1979 to be official Cleanup-Fixup days.

20. The Council approved the Recorder's attendance at a Tax Limitation-Fiscal Procedure Act seminar to be held at Park City, Utah on May 14 and 15, 1979, under the direction of the Utah State Auditors office and the Utah League of Cities & Towns.

Meeting adjourned at 10:45 P.M.

---

Francis D. Nielson  
Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD JUNE 13,  
1979 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmen: Bruce N. Black  
Jon L. Hunt  
Francis M. Lyman

City Councilwoman: LaRue McDaniel

Recorder: Francis D. Nielson

Also present were: Mr. Grant A. Hurst, City Attorney; Mr. Hugh Kirkham, Chairman and Mrs. Clea Johnson, Member, City Planning Commission; Mr. Lynn A. Wright, Fire Chief; Mr. Charles Lyman.

1. Prayer was offered by Councilman Lyman.
2. Minutes of City Council meeting held May 9, 1979 were approved.
3. The following letter was read in full to the Council:

STATE OF UTAH  
Department of Natural Resources  
DIVISION OF WATER RIGHTS  
200 Empire Building  
231 East 400 South  
Salt Lake City, Utah 84111  
May 29, 1979

Blanding City Corporation  
Blanding, Utah 84511

Re: Camp Jackson Reservoir

Gentlemen:

The above-mentioned reservoir was inspected by members of my staff on May 29, 1979. At that time the following conditions existed:

1. Approximately 2 c.f.s. was flowing out of the spillway.
2. Approximately 1 c.f.s. was being released through the outlet.
3. Only 1 foot of freeboard remained.
4. The embankment was not saturated but a new slump was observed.
5. Water was standing in the valve chamber indicating a damaged outlet or seepage through the embankment.
6. Approximately 18 inches of snow remained in the shaded areas.
7. It could not be determined if a transbasin diversion from Recapture Creek was being made.

Because of the height of the water in the dam it appears as if the city is not in compliance with my order dated September 6, 1978, which stated that a 5 foot freeboard be maintained. As mentioned before, it could not be determined if you are in compliance with the order of February 28, 1979, that no diversion be made from the Recapture Creek Drainage.

I plan to send Mr. Morgan of my office to the site within the next three weeks. At that time the final determination will be made as to the integrity of the structure and of the intent of the city to comply with my orders.

If compliance is not forthcoming, it appears as though you leave no alternative but to seek court action or to have the reservoir breached. I would still request that city officials, legal counsel and members of my staff meet to try and resolve this matter.

Sincerely,  
S/ Dee C. Hansen  
State Engineer

4. Mayor Gibbons advised the Council that Community Consultants, Inc. desires to contract with the City for annual water meter repair and calibration. The Council agreed that the current meter calibration program is adequate.

5. Motion for adoption of the following ordinance was made by Councilman Lyman:

ORDINANCE NO. 1979-1

AN ORDINANCE OF THE CITY OF BLANDING, UTAH PROVIDING FOR THE ESTABLISHMENT OF A DIRECTOR OF FINANCE POSITION AND ADOPTION AUTHORIZED AND APPROPRIATE FINANCIAL ADMINISTRATIVE DUTIES OF SUCH POSITIONS.

The City Council of the City of Blanding does hereby ordain as follows:

ESTABLISHED PROVISIONS:

Pursuant to Section 10-6-157 and other pertinent provisions of the laws of the State of Utah, there is hereby established a Director of Financial position in city government which shall be authorized to perform the following financial administrative duties:

- (a) Supervise all financial accounting activities.
- (b) Advise all chief administrators on fiscal policy.
- (c) Manages city investments.
- (d) Handles debt administration.
- (e) Responsible for the preparation of internal and annual financial reports.
- (f) Administers insurance programs.
- (g) Responsible for the pre-auditing of all financial claims made against the city to determine if such claims were appropriately processed according to city and state legal requirements.
- (h) Responsible to determine if proper approval is obtained before any claim against the city is processed for payment.
- (i) Responsible to establish and supervise a city recorder position pursuant to city personnel requirements or to personally perform such responsibilities as established by city regulations or state statutes.
- (j) Responsible to supervise the purchasing system as established by city ordinance or resolution.
- (k) To perform such duties consistent with the above area of responsibility as may be required by the city administrator, the city council or state statutes.

PASSED, ADOPTED and APPROVED this 13th day of June, 1979.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

The motion was seconded by Councilwoman McDaniel, voting on the motion being as follows:

Those voting "aye":	Councilman Black Councilman Hunt Councilman Lyman Councilwoman McDaniel
---------------------	--

Those voting "Nay":	None
Those abstaining:	None

constituting all the members thereof. (The vacancy resulting from the resignation of Councilman Hurst has not been filled.)

Whereupon Mayor Gibbons declared the motion carried and Ordinance No. 1979-1 duly adopted and approved.

6. Motion for adoption of the following ordinance was made by Councilman Lyman:

ORDINANCE NO. 1979-2

AN ORDINANCE OF THE CITY OF BLANDING, UTAH PROVIDING THE MAYOR OF BLANDING CITY, TO ACT AS THE CITIES FINANCIAL OFFICER AND TO DELEGATE TO THE MAYOR SUCH CLAIM APPROVAL FINANCIAL AUTHORITY AS AUTHORIZED BY THE STATE STATUTE.

The City Council of the City of Blanding does hereby ordain as follows:

ESTABLISHED PROVISIONS

Pursuant to Section 10-6-122, 10-6-139, 10-6-158 and 10-6-159 and other pertinent provisions of the laws of the State of Utah, there is hereby provided for the authorization of the Mayor of Blanding City, to act as the cities financial officer and the delegation to the mayor claim approval financial authority as authorized by the state statutes and as defined as follows:

- (a) The Mayor is hereby authorized:
  - (1) To approve any payroll checks prepared for an authorized city employee hired in accordance with personnel policies established by city ordinance or resolution. The amount paid to any such authorized employee shall also be in agreement to a specific salary assigned to such employee pursuant to a salary schedule adopted by the governing body or an salary amount assigned by resolution of the city council.
  - (2) To approve claims submitted for the payment of routine expenditures, such as utility bills, payroll related expenses, supplies and materials, which were purchased according to authorized purchasing procedures established by ordinance or resolution.
  - (3) To approve any submitted claim which is in accordance with an authorized city contract.
  - (4) To approve claims submitted for capital purchases, which were made pursuant to established purchasing procedures, referenced in the budget document and approved by an appropriation resolution adopted for the current fiscal year budget.
- (b) The above claim approval authority delegated to the mayor is hereby subject to the following restrictions:
  - (1) No claim may be approved by the mayor which is not within the duly and legally adopted or adjusted budget.
  - (2) No claim may be approved which was not made in accordance with personnel and purchasing procedures established by ordinance or resolution.
  - (3) Any purchase or payment made in excess of \$5,000.00 shall be directly approved by the City Council, excepting resale power and maintenance-construction invoices from Utah Power and Light Company may be paid without City Council authorization.
- (c) The above authorization shall not prevent the governing body from approving all or part of a list of verified claims, including a specific claim in an amount in excess of the stated maximum, where certified by the financial officer.

- (d) The City Recorder or Director of Finance shall pre-audit all claims pursuant to state statute requirements and shall not disburse any payments without appropriate approval. Procedures shall be established where by documented approval is obtained as authorized by this ordinance. Monthly detail expenditure reports shall also be prepared and made available to the council.
- (e) Specific budgetary and administrative procedures consistent with this ordinance may be established by resolution.

PASSED, ADOPTED and APPROVED this 13th day of June, 1979.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

The motion was seconded by Councilwoman McDaniel, voting on the motion being as follows:

Those voting "aye":	Councilman Black
	Councilman Hunt
	Councilman Lyman
	Councilwoman McDaniel

Those voting "Nay":	None
Those abstaining:	None

constituting all the members thereof. (The vacancy resulting from the resignation of Councilman Hurst has not been filled.)

Whereupon Mayor Gibbons declared the motion carried and Ordinance No. 1979-2 duly adopted and approved.

7. Mayor Gibbons reported on a meeting attended by himself, the City Engineer and City Administrator, held at Delta, Utah with the Utah Water Resources Board, wherein the board considered the Blanding City application for \$250,000.00 from the Cities Loan Fund to be used in drilling a proposed large diameter well into the Navajo Sandstone. The application was approved by unanimous vote of the board.

8. Councilwoman McDaniel advised that local 4-H Clubs desire to maintain the Memorial Park at Center and 2nd East Streets. The Council approved this service project for the ensuing season.

9. Councilwoman McDaniel reported that Mr. Wendell Morsa, Landscape Architect with Utah State University, will attempt to locate a graduate Landscape Architect student to assist the City in Landscape planning.

10. Councilman Lyman presented the following Communications System Proposal from Canyonlands Communications:

CANYONLANDS COMMUNICATIONS  
Box 541  
Blanding, Utah 84511

Blanding City Council  
Francis M. Lyman  
Public Safety Councilman

Dear Mr. Lyman:

Enclosed is a communications system proposal for the city of Blanding. It has been engineered to fill the immediate needs of the fire dept., as well as provide expansion capabilities for every department of the city.

Item 1 is a used base station owned by UNDC and traded in when they changed systems. It is all solid-state and in like new condition. It would be installed at the city office where it could be used during the day for city functions, including police dispatching.

Item 2 - D.C. remote controls would be installed at the fire chiefs home and the Nursing Home thus providing 24 hour dispatcher coverage. These remotes are connected to the base station by leased telephone lines and give the same control as if in the city office.

Item 3 is used to interface the remotes to the base station.

Item 4 is a 10 code page encoder, one code would be used to call all fire dept. pagers. Other codes can be used in the future to call the city manager, engineer, etc.

Item 5 is a single code encoder to signal the Fire Dept. pagers from the remote locations.

Item 6 is a pager especially designed for Fire Dept. It is never turned off and does not require charging. Batteries are replaced about once a year.

Item 7 is needed for the fire truck to give contact with the dispatcher to confirm alarm response and to convey instructions. This mobile could also transmit instructions to the pagers while firemen are enroute.

Item 10 is a portable radio requested by the police dept.

Items 11 and 12 are options for the Walke/Talkies

Item	Quantity	Part Number	Description	Price each	Total
1	1	Mocom 70	Motorola 35 watt base station with city channel installed	775.00	775.00
2	2	801A	SSC DC remote control	220.00	440.00
3	1	802A	Remote panel	58.00	58.00
4	1	ITE-10	Reach tone encoder	182.00	182.00
5	2	ITAI-A	Reach remote encoders	60.00	120.00
6	6	FDS-1	Reach Pager	249.00	1494.00
7	1	BTH-201	Regency mobile (Fire truck)	300.00	300.00
8	1	AR-2	Cushcraft base station antenna, tower, cable	125.00	125.00
9			System installation	260.00	260.00
10	1	WH-400-C	Wilson mini-com portable 4 watt RF output 4 channel with antenna, batter, charger	587.00	587.00
11	1	LC-3-C	Case, leather	30.00	
12	1	SM-3-C	mike/spkr (optional)	25.00	
				<b>Total</b>	<b>4341.00</b>

Motion was made by Councilman Hunt, seconded by Councilwoman McDaniel and unanimously carried that the City accept the foregoing Communications System proposal, for installation at the earliest possible date.

11. The Council authorized payment of Fiscal Year 1980 membership dues to the Utah League of Cities and Towns.
12. Mayor Gibbons advised that the Utah Department of Transportation is administering a grant program for curb and gutter revision to facilitate wheelchair traffic. The Council agreed that the City should make application for such funds.
13. Mr. Hugh Kirkham, Planning Commission Chairman, reviewed with the Council a number of proposed changes to the City Zoning Ordinance and Zoning map. The Council agreed that considerable study will be required prior to making a decision on these matters. The Council expressed appreciation to the Planning Commission for their efforts in connection with the proposal.
14. The Council approved replacement of the sewer lateral extending west from 1st West Street on 2nd North Street, on a 50-50 cost sharing basis with the serviced residences.
15. Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1979-10

BE IT RESOLVED by the City Council of the City of Blanding, Utah that effective July 1, 1979 the Waste Collection and Airport Departments be operated as enterprise funds and that the financial records of the City be so adjusted at June 30, 1979.

PASSED, ADOPTED and APPROVED this 13th day of June, 1979.

\_\_\_\_\_  
DeLamar Gibbons, M.D.  
Mayor

ATTEST:

\_\_\_\_\_  
Francis D. Nielson  
Recorder

16. The Recorder reported that the Federal Aviation Administration advised by telephone that other F.Y. 1979 airport project failures has made funds available for land purchase at the Blanding Airport subject to land appraisal completion by the Utah Department of Transportation and Federal Aviation Administration approval of the same. The Council agreed that the land appraisal should be pursued.

17. Motion was made by Councilman Black, seconded by Councilwoman McDaniel and unanimously carried authorizing reimbursement of the following travel expenses.

Mayor	\$100.00 (Delta flight)
City Administrator	312.00 (Denver trip by Mayor, Administrator & Engineer)

18. An advertised hearing to afford citizenry input into proposed revenue sharing funds use produced no interest or comment. The funds use shall be continued for the purpose of water system improvements.

Meeting adjourned at 11:10 P.M.

\_\_\_\_\_  
Francis D. Nielson  
Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD JUNE 27, 1979 AT 8:00  
O'CLOCK P.M. IN THE CITY HALL.

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmen: Bruce N. Black  
Jon L. Hunt  
Francis M. Lyman

Councilwoman: LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Also present were: Mr. Cleal Bradford; Mr. LaRell VanDyke, D.D.S.; Mr. David Redd; Mr. Larry Turk; Mr. Val Hurst, Mr. John Raymond; Mr. John Dennison.

1. Prayer was offered by Councilman Lyman.
2. Minutes of City Council meeting held June 13, 1979 were approved.
3. Mr. David Redd as spokesman for a group of young men motorcycle enthusiasts under the legal driving age, requested the Council consider assisting them in obtaining an area on which they might legally ride motorcycles. The Council agreed that the area south of the Westwater Reservoir could be used for the requested purpose, subject to the group effecting a legal organization which could lease the property and qualify to accept the public liability involved in its operation and use.
4. The Council reviewed the proposed operating budgets of the General Fund, Class C and Collector Road Funds, and Bond Redemption and Interest Fund as well as the Cash Budgets for the Airport, Waste Collection and Electric, Water and Sewer Funds for the Fiscal year ending June 30, 1980.

Motion for adoption of the following resolution was made by Councilman Hunt, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1979-11

A RESOLUTION PROVIDING FOR THE APPROPRIATION  
OF FUNDS FOR OPERATION OF THE CITY OF BLANDING  
DURING THE FISCAL YEAR ENDING JUNE 30, 1980.

BE IT RESOLVED by the City Council of the City of Blanding, Utah that there be appropriated for operation of the City of Blanding during the fiscal year ending June 30, 1980, the following amounts from the respective funds and for the purpose shown:

(On next page)

CITY OF BLANDING  
OPERATING BUDGET  
1980

Account No.	Source of Revenue	Prior Years Actual Revenue 1978	Current Year Estimates	Ensuing Year Approved Budget Appropriation
3130	3100 - Taxes General Sales & Use Taxes	57,293.46 70,432.98	71,566.88 73,019.58	74,086.00 84,000.00
3210	3200 - Licenses & Permits Business Licenses & Permits	540.00	615.00	625.00
3221	Buildings, Structures and equipment	1,360.75	5,289.50	5,400.00
3223	Motor vehicle operation (Bicycle)	20.00	19.00	25.00
3225	Animal licenses			450.00
3317	3300 - Intergovernmental Cultural-recreation			20,000.00
3320	Federal shared revenue	18,960.00	17,766.00	18,208.00
3340	State grants		15,340.70	
3356	Class "C" Road Fund Allotment	7,652.28	9,275.17	9,300.00
3357	Collector Road Fund Allotment		6,502.42	7,500.00
3358	State liquor fund Allotment		8,496.40	4,248.20
3417	3400 - Charges For Services Engineering Services to Electric, Water & Sewer Administrative Charges to Electric, Water & Sewer			12,168.00
3431	Street, Sidewalk & Curb Repair			14,976.00
3480	Cemeteries - Lot Sale	520.00	250.00	450.00
3490	Miscellaneous	392.40	540.46	500.00
3510	3500 - Fines & Forfeitures Fines	16,481.06	17,631.36	18,800.00
3610	3600 - Miscellaneous Revenue Interest	6,788.88	2,238.73	2,300.00
3650	Sale of materials and Supplies		2,919.88	
3820	3800 - Contribution & Transfers Contributions from other funds	10,900.54	12,000.00	12,500.00
3850	Contribution class "C" Road surplus	24,688.36	29,339.11	39,141.00
3860	Contribution collector Road surplus			6,679.70
3870	Contributions general fund surplus	290,866.59	121,307.36	63,491.21
	Taxes, Ret. funds, Ins. preiums withheld	12,636.30	18,597.99	20,840.00
	<u>Total Revenue</u>	522,819.30	412,715.54	412,544.11

CITY OF BLANDING  
OPERATING BUDGET  
1980

Account No.	Function & Department	Prior Years Actual Expenditures 1978	Current Year Estimates	Ensuing Year Approved Budget Appropriation
4110	Legislative			
4111	Board of commissioners	2,768.39	1,922.00	2,212.00
4120	Judicial			
4122	City & Precinct Courts	4,081.19	4,750.00	5,130.00
4140	Administration Agencies			
4143	Treasurer			2,400.00
4144	Recorder	2,701.96	3,435.00	28,560.00
4145	Attorney	3,925.41	5,505.00	6,000.00
4150	Non departmental - Audit	870.00	870.00	925.00
4170	Elections	447.67		900.00
4180	Planning & Zoning		197.50	420.00
4190	Education & Community Prom.		335.00	400.00
	4200 Public Safety			
4210	Law enforcement	52,862.31	71,989.00	88,716.50
4220	Fire Department	5,320.49	4,284.00	5,850.00
4240	Protective inspection	60.00	60.00	60.00
	4400 Street & Public Imp.			
4410	Streets & Highways	32,480.06	42,545.00	134,106.11
4450	Engineer		20,460.00	33,168.00
	4500 Parks, Recreation & Public Prop.			
4510	Parks			44,800.00
4560	Recreation & Culture	39.66	722.00	2,750.00
	4800 Intergovernmental Exp.			
4830	Contributions to other funds	217,791.57	79,303.00	18,450.00
	4900 Miscellaneous			
	Taxes, Ret. funds, Ins. prem. Remitted	12,510.51	18,597.99	20,840.00
	Transferred to Bond Red. & Int. Fund	36,313.61	40,210.50	44,000.50
	Excess or Revenue over Expenditures	<u>150,646.47</u>	<u>117,529.55</u>	
	Total Expenditures	522,819.30	412,715.54	439,688.11

CITY OF BLANDING  
Year Ending June 30, 1980

CLASS "C" ROAD FUND  
SPECIAL REVENUE FUND OPERATING BUDGET

Account No.	Description	Revenue and Expenditures		Budget
		Actual 1978	Estimated 1979	Estimated 1980
21	Class "C" Road Fund			
	Revenues:			
3356	Class "C" road fund allotment	7,652.28	9,275.17	9,300.00
3610	Interest earnings	739.05	1,317.75	1,775.00
	Total Revenues	<u>8,391.33</u>	<u>10,592.92</u>	<u>11,075.00</u>
	Beginning balance-Unapprop. surplus	24,688.36	29,339.11	39,932.03
	TOTAL AVAILABLE FOR APPROPRIATION	<u>33,079.69</u>	<u>39,932.03</u>	<u>51,007.03</u>
	Expenditures: (Transfers to general fund)			
4415-410	Road maintenance			9,210.00
4415-420	New road construction	3,740.58		40,120.00
	TOTAL EXPENDITURES	<u>3,740.58</u>	<u>- - -</u>	<u>49,330.00</u>
	Ending balance-unapprop. surplus	29,339.11	39,932.03	1,677.03
	TOTAL EXPENDITURES & ENDING BAL.	<u>33,079.69</u>	<u>39,932.03</u>	<u>51,007.03</u>

COLLECTOR ROAD FUND  
SPECIAL REVENUE FUND OPERATING BUDGET

Account No.	Description	Revenue & Expenditures		Budget
		Actual 1978	Estimated 1979	Estimated 1980
22	Collector Road Fund			
	Revenues:			
3357	Collector road allotment		6,502.42	7,500.00
3610	Interest earnings		177.28	505.00
	Total Revenues		<u>6,679.70</u>	<u>8,005.00</u>
	Beginning balance-unapprop. surplus			6,679.70
	Total Available for Approp.		<u>6,679.70</u>	<u>14,684.70</u>
	Expenditures: (transfers to general fund)			
4416-420	New road construction			3,900.00
	Total Expenditures	<u>- - -</u>	<u>- - -</u>	<u>3,900.00</u>
	Ending balance-unappropriated surplus		6,679.70	10,784.70
	Total Expenditures & Ending Bal.		<u>6,679.70</u>	<u>14,684.70</u>

CITY OF BLANDING  
Year Ending June 30, 1980

BOND REDEMPTION AND INTEREST FUND BUDGET ESTIMATES AND APPROPRIATION

Account No.	Description	Revenue & Expenditures		Budget
		Actual 1978	Estimated 1979	Estimated 1980
	ALL BOND ISSUES			
	Revenues:			
3110	Current year property taxes	36,313.61	40,233.50	44,000.50
	Total Revenues	<u>36,313.61</u>	<u>40,233.50</u>	<u>44,000.50</u>
	Beginning bal.-unappropriated surplus			
	TOTAL AVAILABLE	<u>36,313.61</u>	<u>40,233.50</u>	<u>44,000.50</u>
4700	Department code			
	Expenditures;			
4700-810	Retirement of bonds	17,000.00	22,000.00	27,000.00
4700-820	Interest on bonds	19,185.00	18,072.50	16,712.50
	Paying agents fees	128.61	161.00	288.00
	TOTAL EXPENDITURES	<u>36,313.61</u>	<u>40,233.50</u>	<u>44,000.50</u>
	Ending bal-unappropriated surplus			
	TOTAL EXPENDITURES & ENDING BALANCE	<u>36,313.61</u>	<u>40,233.50</u>	<u>44,000.50</u>

CITY OF BLANDING  
Year Ending June 30, 1980

AIRPORT FUND  
(Enterprise)

CASH BUDGET

SPECIAL FUND  
OPERATING FUND

Account No.	Description	Revenues & Expenditures		Budget
		Actual 1978	Estimated 1979	Estimates 1980
CASH RECEIPTS:				
3782	Gasoline Taxes	1,466.39	2,480.00	2,920.00
3784	Land Leases	221.51	313.00	225.00
3785	Hangar Rentals	400.00	800.00	2,700.00
	Earned Interest	77.06	107.21	110.00
	Grant - San Juan County	3,618.09		
	TOTAL CASH RECEIPTS	<u>5,883.05</u>	<u>3,700.21</u>	<u>5,955.00</u>
ADD:				
Construction Grants:				
	Federal Aviation Administration			207,015.00
	State of Utah			7,800.00
	San Juan County			7,925.00
	Beginning Balance	2,037.69	1,983.61	65.87
	TOTAL AVAILABLE FOR DISBURSEMENT	<u>7,920.74</u>	<u>5,683.82</u>	<u>228,760.87</u>
CASH DISBURSEMENTS:				
	Salaries and Wages	1,800.00	1,800.00	1,800.00
	Employee Benefits	341.36	363.00	360.00
	Subscriptions & Memberships (License)	5.00	5.00	5.00
	Office Expense & Telephone	169.24	258.12	380.00
	Equip. Maintenance & Operating Supplies	2,512.19	1,684.50	1,800.00
	Building & Grounds Maintenance & Operating Supplies	393.96	723.33	750.00
	Insurance	715.38	775.00	800.00
	Capital Improvements			222,740.00
	TOTAL CASH DISBURSEMENTS	<u>5,937.13</u>	<u>5,617.95</u>	<u>228,635.00</u>
	Ending Cash Balance	<u>1,983.61</u>	<u>65.87</u>	<u>125.87</u>
	TOTAL DISBURSEMENTS & END. BALANCE	<u>7,920.74</u>	<u>5,683.82</u>	<u>228,760.87</u>

CITY OF BLANDING  
Year Ending June 30, 1980

WASTE COLLECTION FUND  
(Enterprise)

CASH BUDGET

SPECIAL FUND  
OPERATING FUND

Account No.	Description	Revenues & Expenditures		Budget
		Actual 1978	Estimated 1979	Estimates 1980
3441 CASH RECEIPTS				
	Service Sales (Gross)	30,124.90	31,983.00	33,800.00
	Delinquent Penalties Assessed	137.69	223.12	250.00
	TOTAL CASH RECEIPTS	<u>30,262.59</u>	<u>32,206.12</u>	<u>34,050.00</u>
DEDUCT:				
	Discounts Allowed	(261.40)	(130.00)	(150.00)
Cash Accountability Adjustments:				
	Increase-Decrease in Acct. Receivable	(1,405.15)	(511.00)	640.00
	Beginning Balance	- - - -	2,421.15	1,535.27
	TOTAL AVAILABLE FOR DISBURSEMENT	<u>28,596.04</u>	<u>33,986.27</u>	<u>36,075.27</u>
4423 CASH DISBURSEMENTS:				
	Salaries and Wages	18,285.00	21,630.00	23,520.00
	Employee Benefits	3,868.63	6,620.00	7,056.00
	Office Expense & Supplies	130.47	170.00	225.00
	Equip. Maintenance & Operating supplies	2,429.03	2,087.00	2,850.00
	Insurance	1,388.76	1,836.00	1,940.00
	Uncollectable Accounts Charged	73.00	108.00	130.00
	Depreciation			
	TOTAL CASH DISBURSEMENTS	<u>26,174.89</u>	<u>32,451.00</u>	<u>35,721.00</u>
	Ending Cash Balance	<u>2,421.15</u>	<u>1,535.27</u>	<u>354.27</u>
	TOTAL DISBURSEMENTS & END. BAL.	<u>28,596.04</u>	<u>33,986.27</u>	<u>36,075.27</u>

ELECTRIC, WATER & SEWER SYSTEMS  
Cash Budget  
Fiscal Year 1980

REVENUES:	Actual F.Y. 1978	3 Mos. Estimated F.Y. 1979	Estimated F.Y. 1980
<b>Sales and Services:</b>			
Electric System	489,080.94	597,050.53	648,000.00
Water System	92,170.62	101,105.50	121,000.00
Sewer System	28,193.25	29,668.50	31,000.00
<b>Delinquent Account Penalties:</b>			
Electric System	1,702.82	2,533.00	2,721.00
Water System	378.42	555.60	653.00
Sewer System	144.04	208.25	217.00
<b>Service Connections:</b>			
Electric System	9,081.26	8,255.00	8,956.00
Water System	7,630.70	8,411.00	11,856.00
Sewer System	5,600.00	5,850.00	5,400.00
<b>Sales of Materials and Supplies</b>			
Electric System	2,640.00	- - - -	- - - -
Water System	66.00	3,243.30	3,400.00
<b>Federal and State Grants:</b>			
Water System	60,000.00	10,000.00	278,800.00
Sewer System	- - -	13,050.00	242,200.00
<b>Fire Hydrant Use Charges:</b>			
Water System	1,470.00	1,750.00	2,100.00
Total Operating Revenue	<u>698,158.05</u>	<u>780,105.68</u>	<u>1,356,303.00</u>
<b>Deduct:</b>			
<b>Operating Charges:</b>			
<b>Discounts and Allowances:</b>			
Electric System	173.18	392.00	424.00
Water System	517.00	306.50	331.00
Sewer System	201.60	132.00	143.00
<b>Sales Tax Collections Included in Gross Receipts:</b>			
Electric System	11,675.28	13,390.35	14,451.00
Total Deductions	<u>12,567.06</u>	<u>14,220.85</u>	<u>15,349.00</u>
Operating Income	685,590.00	765,884.83	1,340,954.00
<b>ADD:</b>			
Other Income-Interest income received of debt redemption and interest reserve funds invested			
	2,862.41	2,843.07	4,395.00
Total Income	<u>688,453.40</u>	<u>768,727.90</u>	<u>1,345,349.00</u>
<b>ADD:</b>			
Contributions-General Fund Account Current			
	217,791.57	66,036.05	18,450.00
Line Extension Costs Advanced			
	16,321.59	1,696.00	15,000.00
Beginning Fund Balance			
	<u>52,099.84</u>	<u>78,454.72</u>	<u>122,005.67</u>
AVAILABLE FOR APPROPRIATION	974,576.40	913,218.67	1,391,004.67

EXPENDITURES:	Actual 1978	3 Mos. Estimated 1979	Estimated 1980
<b>Operating Expenses:</b>			
Salaries and Wages	35,093.08	51,540.00	57,724.00
Employee Benefits	9,489.18	14,023.00	15,706.00
<b>Printing and Advertising;</b>			
Ordinances and Publications	817.27	110.00	640.00
Travel	- - -	292.00	360.00
Office Expense and Supplies	3,104.48	2,721.00	3,047.00
Telephone		1,085.00	1,215.00
Facilities & Equipment Maintenance and Operating Supplies	16,759.94	45,736.00	30,185.00
Buildings and Grounds Maintenance and Operating Supplies	2,976.05	1,771.00	2,250.00
Resale Power Purchases	310,688.54	394,882.00	493,601.00
Rent	4,100.49	3,542.00	3,600.00
Professional & Technical Services	19,224.40	31,300.00	28,000.00
Insurance & Surety Bonds	4,802.79	4,272.00	4,500.00
Uncollectible Accounts	556.88	1,200.00	1,500.00
Reservoir Repairs	94,648.84	- - -	- - -
Total Operating Expenses	502,261.94	552,474.00	642,328.00
<b>Debt Service:</b>			
Principal	36,000.00	38,000.00	41,000.00
Interest	17,255.00	15,355.00	13,355.00
Paying Agents Fees	100.00	240.00	240.00
Total Debt Service	53,355.00	53,595.00	54,595.00
<b>Capital Expenditures:</b>			
Electric System	220,668.71	70,098.00	48,000.00
Water System	76,773.73	93,077.00	336,000.00
Sewer System	10,417.42	5,788.00	292,200.00
Total Capital Expenditures	307,859.86	168,963.00	676,200.00
Deposits Refunded	983.79	480.00	280.00
Line Extension Costs Refunded	1,709.59	3,101.00	4,200.00
Contributions to General Fund Accounts Current	10,900.54	12,600.00	13,200.00
TOTAL EXPENDITURES	877,070.72	791,213.00	1,390,803.00

PASSED, ADOPTED and APPROVED this 27th day of June, 1979.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

5. Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Lyman and unanimously carried:

RESOLUTION No. 1979-12

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Fiscal Year 1979 General Fund Operating Budget be adjusted as follows:

<u>Department</u>	<u>Increase</u>	<u>Decrease</u>
Council-Ordinances & Proceedings		2,042.84
City Court	523.01	
Treasurer and Recorder		372.61
Attorney	918.65	
Surveyor (Engineer)	16,593.45	
Audits		30.00
Planning & Zoning	147.50	
Advertising and Promotion	335.00	
Police Department	87.30	
Fire Department		4,043.80
Inspection Department		4,740.00
Streets and Highways		3,600.00
Parks and Recreation		3,775.66
Total	18,604.91	18,604.91

PASSED, ADOPTED and APPROVED this 27th day of June, 1979.

S/ DeLamar Gibbons, M.D.  
Mayor

Attest:

S/ Francis D. Nielson  
Recorder

6. The Council agreed that Mr. Clyde Thompson may harvest and have the hay at the Blanding Airport during the 1980 and 1981 seasons.

7. Mayor Gibbons requested the Council consider an official action in opposition to the Bureau of Land Managements proposal to designate certain areas of San Juan County as "Wilderness."

Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1979-13

A RESOLUTION OPPOSING DESIGNATING PORTIONS OF  
SAN JUAN COUNTY AS WILDERNESS AREAS BY THE  
UNITED STATES DEPARTMENT OF THE INTERIOR.

WHEREAS, the United States Department of the Interior, Bureau of Land Management has determined to inventory 1,995,474 acres of land in San Juan County, Utah, said process identified as UT-060 with various parcels from 164 through 233, for possible designation as "Wilderness"; and

WHEREAS, the land to be considered is currently being utilized for multiple purposes, including but not limited to: livestock grazing, outdoor sportsmens activities, jeeping, camping, oil, gas and minerals exploration and development, and has a network of roads across most of it consistent with such multiple use; and

WHEREAS, such "Wilderness" designation would render the areas unusable for the abovestated purposes as well as any and all practical uses with the possible exception of backpacking; and

WHEREAS, detrimental to the area economy, too much land in San Juan County has been removed from profitable use and development; and

WHEREAS, land grabbing by federal agencies for the purpose of perpetuating and increasing their authoritative and disruptive rule over the citizens of this nation, must be curtailed if the underdeveloped areas of the nation are to develop and prosper;

NOWHEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah that the proposal of the Department of the Interior, Bureau of Land Management to inventory areas of San Juan County for possible designation as "Wilderness" areas be

opposed and the City of Blanding hereby registers such opposition.

PASSED, ADOPTED and APPROVED this 27th day of June, 1979.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

8. The Council approved extension of an 8-inch watermain on 2nd West street from 5th South to Perkins Street by DeLamar Gibbons, M.D. et al; in accordance with installation specifications established by the City Engineer.

9. The Council approved purchasing the use of 16,000 shares of Blanding Irrigation Company water from Mr. Clarence Perkins at a cost of \$400.00 for the balance of the irrigation season, to be stored in the Westwater Reservoir.

10. Councilman Black suggested to the Council the advisability of City employees being given audience with the Council on a quarterly basis for discussing operation of the various departments. Councilman Black and the Recorder were requested to schedule such employee appearances.

11. Councilman Lyman read the following letter to the Council:

Police Department  
Box 68  
Blanding, Utah 84511  
June 19, 1979

Francis M. Lyman  
Councilman for Public Safety  
City of Blanding  
Blanding, Utah 84511

Dear Bishop Lyman:

I would like to request that one additional patrolman be added to the police department. The following problems are currently being encountered due to limited manpower.

1. There are no patrol activities between 2:00 A.M. and 9:00 A.M. five or six days a week. This time is covered by an officer on call at his home.
2. There is very limited patrol activity during the daytime. The chief is kept busy answering calls and trying to keep the department administration running smoothly.
3. When a major crime occurs, an officer is taken off the normal schedule and assigned exclusively to that case. This results in a further reduction of patrol activity and response capability.
4. Due to problems in the past and current jail standards, we cannot hold prisoners in the Blanding Jail for extended periods of time. When prisoners are held awaiting transportation, they must be checked every 15 to 30 minutes. All prisoners must be transported to the county jail in Monticello. This takes the only officer on duty out of town for approximately one and one-half hours. In his absence someone must be available to answer calls.
5. During times of heavy activity such as holidays, celebrations and weekends, more than one officer should be on duty.
6. There are many community education and crime prevention programs that need to be implemented in the schools, in cooperation with civic groups and throughout the community in general. There is not enough manpower to properly conduct this type of program.

As you know, it takes approximately one year to train an inexperienced officer to the point that he can handle all the normal duties of a patrolman. We often find that the new officer can not handle the pressures of police work and then we have to start over training someone else. During our recent recruiting effort, we received three applications. Two from the individuals that we hired and one from a 53 year old man with no police experience. If we start now, we may be able to hire a experienced man that knows what he is getting into and that wants to live in Blanding.

I would strongly recommend that action be taken now to strengthen the police department. It would be better to work on crime prevention and community education than to try and solve the crimes after they occur.

At the present time we are working hard trying to stay on top of things. Your assistance in helping us to keep ahead would be greatly appreciated.

Sincerely,  
S/ J. B. Wright  
Chief of Police

The Council requested that, in accordance with the previous item of business, the Chief-of-Police be requested to attend the City Council meeting scheduled for July 11, 1979.

12. Councilwoman McDaniel advised that there is considerable anxiety amongst the citizenry relative to dog control and again raised the question as to when the dog pound might be completed. The Engineer agreed to seek the assistance of the Lions Club in the dog pound construction.

13. The Engineer advised the Council that representatives of the State Engineers office will be at the Camp Jackson Reservoir at 11:00 A.M. on June 29, 1979 for an on-site review and discussion of the embankment controversy and attempt to arrive at an operation agreement as well as determine what corrective efforts may be warranted.

14. The Engineer discussed with the Council probable equipment problems with Water Well No. 1 and possible corrective measures necessary to the well operation. He also detailed for the Council the proposed extension of the Main street-5th South Street Drainage System.

15. Motion was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried that the City purchase a Backhoe-Frontend Loader at a cost not to exceed \$10,000.00.

16. Motion was made by Councilman Lyman, seconded by Councilman Black and unanimously carried that Cleal Z. Bradford be appointed to the position of City Councilman to fill the unexpired term of Michael T. Hurst, recently resigned, said term continuing until December 31, 1979.

17. Oath of office was administered by the Recorder to Cleal Z. Bradford, who duly accepted the duties of his office as City Councilman.

Meeting adjourned at 10:50 P.M.

---

Francis D. Nielson  
Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD JULY 11,  
1979 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.  
City Councilmen: Cleal Z. Bradford  
Francis M. Lyman

City Councilwoman: LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

City Attorney: Grant A. Hurst

Chief-of-Police: John B. Wright

Absent were: City Councilmen: Bruce N. Black  
Jon L. Hunt

Also Present: Mr. Albert T. Price, Agent, Blue Cross-Blue Shield of Utah

1. Prayer was offered by Councilwoman McDaniel.
2. Minutes of City Council meeting held June 27, 1979 were approved.
3. Motion for adoption of the following ordinance was made by Councilman Lyman:

ORDINANCE NO. 1979-3

AN ORDINANCE ADOPTING THE RULES OF THE ROAD 1978 - TRAFFIC CODE,  
AS AMENDED, PROVIDING FOR THE REGULATION OF THE PUBLIC STREETS AND ESTABLISH-  
ING PENALTIES FOR VIOLATIONS.

Be it ordained by the city council of the City of Blanding:

Section 1. TRAFFIC CODE ADOPTED.

A. The Utah Traffic Code - Rules of the Road 1978, as compiled, prepared and published as a code in book form by the Utah Department of Public Safety and the Utah League of Cities and Towns, three copies of which have been filed for use and examination by the public in the office of the recorder, is hereby approved and adopted as the traffic code for this municipality. The 1979 amendments to Chapter 6, Title 41, Utah Code Annotated, 1953 as enacted by Senate Bill 41 by the 1979 Utah Legislature are hereby adopted and incorporated into this ordinance.

B. Unless the context requires otherwise, all references in the Utah Traffic Code - Rules of the Road, 1978 to:

- (1) "The State Road Commission" shall mean this city and its officers, departments, agencies and agents.
- (2) "Local authorities" shall mean the city council of this municipality.
- (3) "The Department of Public Safety of the State of Utah" shall mean the chief of police of this city or his agent.
- (4) "Magistrate" shall mean the justice of the peace or judge of this city.

Section 2. CITATION TO CODE. Where a citation or complaint is issued, it shall be sufficient to use the number of the Utah Code followed by "the ordinances of the City of Blanding" to show the section of the ordinance of the city which has been violated.

Section 3. PRIMA FACIE SPEED - POSTED STREETS.

- (a) When appropriate traffic control or regulatory signs giving notice of speeds are posted, the prima facie maximum speed limits designated upon said signs shall apply to the appropriate streets or portions of streets so posted.
- (b) In the absence of any speed limit sign designating a speed limit applicable thereto, the prima facie speed limit shall be 30 miles per hour.

Section 4. TRAFFIC CONTROL. The traffic control and regulation of all public streets shall be as posted, regulated or controlled by appropriate traffic control devices, signs or other regulatory devices or controls.

Section 5. UNLAWFUL PARKING.

A. Parking at Curb. No motor vehicle shall be parked with the left side of the vehicle next to the curb, except on one way streets. It shall be unlawful to stand or park any motor vehicle in a street other than parallel with the curb and with the two right wheels of the vehicle within 12 inches of the regularly established curb line except on those streets which have been marked for angle parking; then vehicles shall be parked at the angle to the curb indicated by such marks.

B. Vehicles for Sale. It shall be unlawful to park any vehicle on any street for the purpose of displaying it for sale, or to park any vehicle from which merchandise is peddled on any business street.

C. Loading Zone. When so posted, it shall be unlawful for the driver of a passenger vehicle to stand or park such vehicle for a period of time longer than is permitted by the posted sign for the loading or unloading of passengers, or for the driver to stand or park any freight carrying motor vehicle for a period of time longer than is necessary to load, unload and deliver materials in any place designated as a loading zone and marked as such.

D. Parking Prohibited. It shall be unlawful for any person, except physicians on emergency calls or designated emergency vehicles when properly posted, to park any motor vehicle on any street in violation of the posted restrictions.

E. Alleys. No person shall park a motor vehicle within an alley in such manner or under such conditions as to leave less than ten feet of the width of the roadway available for the free movement of vehicular traffic. No person shall stop, stand, or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.

F. Cab Stands - Bus Stands. No motor vehicle other than a licensed taxicab shall be parked in any area designated by ordinance as a taxicab stand and no vehicle other than a bus shall be parked in a place so designated as a bus loading zone.

G. Parking Prohibited. It shall be an infraction for any person to park or leave standing on any public road, street, alley or municipal property any motor vehicle for 48 or more consecutive hours, and any vehicle so parked or left standing may be impounded or removed by the chief of police. For purposes of impoundment and removal, the chief of police may after making a reasonable effort to locate the owner impound and remove any motor vehicle which has been unmoved for 48 consecutive hours. The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded motor vehicle.

Section 6. STOP AND YIELD INTERSECTIONS. When appropriate traffic control or regulatory signs are posted at entrances to intersections identifying them as stop or yield entrances, such streets are hereby declared to be stop entrances as designated by the signs.

Section 7. PARKING OR BLOCKING STREETS OR HIGHWAYS. In addition to the parking provisions contained in the Utah Traffic Code, as adopted by this municipality, it shall be unlawful for any person to:

A. Remain standing, lying or sitting on any street or highway in such a manner as to obstruct the free passage of vehicular or pedestrian traffic thereon.

B. Willfully remain standing, lying or sitting on any street or highway in such manner for more than one minute after being requested to move by any police officer.

C. Willfully remain on such street or highway in such manner as to obstruct the free passage of any person or vehicle into or out of any property abutting upon the street or highway or any property having access to such street or highway.

Section 8. PENALTIES. Any person violating, causing or permitting a violation of any provision of this ordinance or the provisions adopted or incorporated by reference shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$299.00 or by a jail sentence not to exceed six months or by both.

Section 9. SEVERABILITY. The provisions of this ordinance and the provisions adopted or incorporated by reference are severable.

Section 10. REPEALER. The provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed.

Section 11. EFFECTIVE DATE. This ordinance shall take effect on the 11th day of August, 1979.

S/ DeLamar Gibbons, M. D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

The motion was seconded by Councilwoman McDaniel, voting on the motion being as follows:

Those voting "aye":	Councilman Bradford Councilman Lyman Councilwoman McDaniel
---------------------	--

Those voting "nay":	None
---------------------	------

Those absent:	Councilman Black Councilman Hunt
---------------	-------------------------------------

constituting all the members thereof.

Whereupon Mayor Gibbons declared the motion carried, Ordinance No. 1979-3 duly adopted and affixed his signature thereto in approval thereof, which was duly attested by the City Recorder.

4. Mayor Gibbons reported that a meeting of City Officials, State Engineers Office representative and U. S. Forest Service personnel was held at the Camp Jackson Reservoir, and that the following items were agreed to by those present:

a. The reservoir may be filled to within three feet of the top of the embankment.

b. The City will monitor the impoundment of water regularly to assure the three feet of freeboard is not exceeded.

c. The City will retain a soils analysis firm to examine the embankment material for porosity and permeability which might result in it giving way.

d. Subject to the analysis results, the City will prepare a plan for repairing a sluffed area and possibly raising the embankment.

e. The City will defoliate the embankment as needed.

Mayor Gibbons suggested that the Utah Water Resources Board should be requested to furnish staff engineering services in connection with proposed improvements at the Camp Jackson Reservoir as well as possible increasing the Dry Wash and Westwater Reservoirs capacity.

5. Mayor Gibbons proposed that the City request the Floyd W. Nielson estate allow City personnel to salvage the Frontier Theatre masonry blocks for use in constructing a larger administration building at the Blanding Airport and to replace the Johnson Creek Well pumphouse.

6. The Council discussed the engineering charges included as a part of the construction and maintenance invoices from Utah Power and Light Company. It was agreed that the matter should be considered at the time the power company delivers the electric distribution system maps.

7. Following a discussion of the availability of Allis-Chalmers pumping equipment from the old Smithfield Sugar Plant, the Engineer agreed to get specifications on the same from the manufacturer, to enable a better evaluation of the economic benefits to be derived from their salvage.

8. Councilman Bradford suggested that a request from the City to the Division of family services, might result in City welfaree assignees being required to serve a 40 hours work week rather than the currently required 96 hours per month.

Motion was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried that the City request the Utah Division of Family Services to require City Welfaree assignees serve a 40 hour work week to be eligible for their full assistance grant, and that Councilman Bradford be assigned to present the Citys' request to the local director of Utah Division of Family Services.

9. Councilman Lyman advised that H. Clyde Watkins, DVM, has expressed interest in developing a dog pound in connection with a proposed veterinary clinic, and to handle the community stray dog problem. Councilman Lyman will obtain a detailed proposal in this matter for Council consideration.

10. John B. Wright, Chief-of-police, requested the Council consider hiring an additional Patrolman for the following reasons:

- a. Increasing population requires more surveillance.
- b. Office work, reports are increasing.
- c. Additional patrolling is necessary to effect traffic control and as a deterrent to crime.
- d. Needed community education and crime prevention programs cannot be carried out under the current manpower situation.
- e. Twenty-four hour coverage of the City is impossible with a 3-man force.
- f. Required transportation of prisoners to the County Jail leaves the City without police service during that period.

Motion was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried that the City hire one additional police officer, consistent with the current police department employee qualification and salary criteria.

11. The City Engineer advised that cooperative agreements for curb, gutter and sidewalk construction on 5th North, 1st and 2nd West Streets, are currently being distributed to the affected property owners and are expected to be executed and returned prior to the next regularly scheduled council meeting.

12. Mr. Albert T. Price, Agent, Blue Cross-Blue Shield of Utah, presented a Health, Hospitalization, Dental Indemnity and Life Insurance coverage program for Blanding City Employees, monthly premiums for which would be as follows:

Single	49.60
Two-Party	109.62
Family	127.76

Motion was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried that the City contract with Blue Cross-Blue Shield of Utah for employee health care coverage, inclusive of health and hospitalization, dental indemnity and life insurance for premiums of \$49.60, \$109.62 and \$127.76 for single, two-party and families, respectively, said coverage to become effective August 1, 1979.

Meeting adjourned at 10:10 P.M.

---

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD JULY 25,  
1979 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmen: Bruce N. Black  
Cleal Z. Bradford  
Jon L. Hunt  
Francis M. Lyman

City Councilwoman: LaRue McDaniel

City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer

1. Prayer was offered by the Recorder.
2. Minutes of City Council meeting held July 9, 1979 were approved.
3. The following letter was read in full to the Council:

Church of Jesus Christ of Latter-day Saints  
Blanding 1st Ward  
Blanding, Utah  
July 9, 1979

Blanding City Council  
Blanding, Utah 84511

Gentlemen:

During the past few months we have become increasingly concerned over a problem which has arisen.

The parking lot north of the cultural hall on main street has become a popular place for many of our young people to gather. This in itself is not necessarily a problem, except that it might conceivably be a distraction to moving highway traffic.

The problem we are concerned with is the amount of litter which is left there by these congregating groups. It creates an unsightly mess along our mainstreet and on our church property.

We feel that perhaps we need to curtail the use of that parking lot. We recognize that it is used heavily by those frequenting the swimming pool and the tennis courts, but perhaps if we could establish a no parking policy after 8:00 P.M. in that particular area it would alleviate the problem.

We are open to your suggestions and recommendations on this matter but we feel that some action must be taken.

Respectfully,  
S/ George W. Bayles, Bishop  
Blanding First Ward

Councilman Lyman will instruct the police department to enforce parking regulations at the Church of Jesus Christ of Latter-Day Saints South Cultural Hall parking lot.

4. The following memorandum was read to the Council:

Intermountain Consumer Power Association  
A non-profit cooperative organization of  
consumer owned electric utilities

8722 South 300 West  
Sandy, Utah 84070  
July 19, 1979

M E M O R A N D U M

To: All Members of Utah Power & Light Rate Increase Intervenors  
 From: Edward C. Rampton  
 Subject: Meeting on Monday, August 6, 1979

Walt Arfman has asked me to notify all participants of the intervenor group of a meeting to be held Monday, August 6, 1979 at 10:00 A.M. at the ICPA Offices in Sandy, Utah.

The purpose of the meeting is to discuss the direction the intervention group will take now that the FERC Staff has rendered their Top Sheets. Also further information will be passed concerning opinions of counsel and rate analysts.

Inasmuch as your input and attendance will be important, we hope you will be in attendance.

S/ Ted Rampton  
 Resource Analyst, ICPA

ECR:mc

cc: ICPA Power Supply Committee  
 Jon Young  
 Cecil Kunz  
 Glen Willardson  
 Leon Bowler  
 Merrill Millett  
 Reece Nielsen  
 Joe Fackrell

The Council agreed that Mr. Grant A. Hurst, City Attorney, should represent the City at the intervenors conference.

5. Mayor Gibbons reviewed for the Council, the announcement of the United States Housing and Urban Development, Denver Regional Office, of a Small Cities Program seminar to be held in Salt Lake City on August 20, 1979.

The Council agreed that the City should be represented at the seminar.

6. Mayor Gibbons advised the Council of neighborhood complaints relative to Police Department and supervisory personnel parking infractions at 2nd North between Main and 1st East streets during the period the street is closed to parking for ball games at the adjacent field. It was agreed that the Police Department should be requested to control the matter.

7. Councilman Bradford discussed with the Council, the recommendation of the Planning Commission that the Zoning Ordinance be amended to allow mobil home parking in R-1 & R-2 zones during periods of house construction. No action was taken on the matter.

8. Councilman Hunt presented to the Council, the following information obtained by him, relative to water and sewer service connection fees charged by various cities:

<u>Town</u>	<u>To Prop. Line</u>	<u>3/4" Line</u>	<u>Sewer</u>	<u>Trailer Court or Apartment</u>
Monticello	No	\$200.00	\$350.00	Same per unit
Moab	Yes	\$300.00	\$300.00	Base plus \$35.00 per unit
Price	Yes	\$350.00	\$400.00	Base plus \$100.00 per unit
Richfield	Yes	\$400.00	\$450.00	Charge Meter Size
St. George	Yes	\$250.00	\$250.00	Charge for meter size
Vernal	Yes	\$1000.00	\$500.00	?
Beaver	Yes	\$500.00	\$200.00	Charge for meter Size
Dove Creek	Yes	\$500.00	\$150.00	?
Cortez	Yes	\$800.00	\$900.00	Base plus \$400 per unit

Councilman Hunt advised the Council that in his opinion the water and sewer service connection fees are too high, that they should be decreased and that he desires action by the City to install watermains and sewer collection lines within the City

right-of-way to the property line of the customers desired service point. He requested the Council consider a change in the current City utilities connection fee schedule and line extension policy.

9. The Engineer and Mrs. Judy Mainord reported that the 5th North-1st and 2nd West street sidewalk-curb and gutter cooperative improvement project contracts have been executed by approximately 50% of the affected residents; that Mr. Leo Black is financially incapable of participating; and that some residents desire an alternative financial plan for payment of their required one-third of costs, as a lump sum payment within thirty days after completion is virtually impossible.

The Council expressed appreciation for citizen assistance in furthering this street improvement project.

10. Councilman Lyman reported the Police Department has received 4 applications for the position of patrolman. It was agreed that Councilman Lyman and the Chief-of-Police should interview all candidates and select two for final interview by the Council prior to hiring.

11. Councilman Lyman expressed to the Council the concern of citizens on North 3rd West street over excessive speed of traffic in that area. The Council agreed that 30 MPH speed signs should be conspicuously placed on 3rd West street and that the police should patrol the area more often.

12. Councilwoman McDaniel expressed concern over the availability of pornographic literature in the community. It was agreed that those business houses offering the same for sale, should be petitioned to be more discriminant in the publications they offer for sale.

13. The Recorder advised the Council that the Utah Local Governments Trust is attempting to require continued City participation in their insurance program, alleging that they have a contract with the City which may only be cancelled by notice to them at not less than thirty days prior to the end of June of each fiscal year. The Council advised that the City would remain firm in its change of the employee insurance benefit program.

14. The Engineer discussed with the Council, the delay encountered in completing the Sewer 201 Facility Plan Study (Step 1), due to the USEPA and Utah Department of Health controversy as to the allowable gpcd and population projections. Mayor Gibbons agreed to contact the Utah congressional delegation in an effort to bring sufficient pressure on the Region VIII USEPA officials to get the problem resolved.

15. Motion was made by Councilman Lyman, seconded by Councilman Hunt and un-animously carried that a straight approach plan be approved for the Blanding Municipal Airport, subject only to radio announcement.

Meeting adjourned at 10:25 P.M.

---

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD AUGUST  
8, 1979 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmen: Bruce N. Black  
Cleal Z. Bradford  
Jon L. Hunt  
Francis M. Lyman  
City Councilwoman: LaRue McDaniel  
City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer  
City Attorney: Grant A. Hurst

Also present were: Mr. Gregory Christensen, Mr. Stanley Byrd, Mr. Larry Perkins.  
Mr. Dwight Laws

1. Prayer was offered by Councilman Black.
2. Minutes of City Council meeting held July 25, 1979 were approved.
3. The following letter was read in full to the Council:

July 30, 1979

TO THE BLANDING CITY COUNCIL:

As residents of 200 West 5th-7th North Streets in Blanding, we would like to present to the Blanding City Council our concerns with the potential fire risks in our neighborhood due to the lack of adequate water lines and number of fire hydrant locations.

As we understand the situation, the homes of Greg Christensen, Sawd Montano and possibly others, are on a 3/4 inch temporary water line that was installed by Palmer Builders. The line was paid for by the residents, in addition to the city hook-up fee, with the understanding that Blanding City would construct a full-service water line in 1978.

With the present inadequate water system, we are not certain what the insurance company's policy would be in the event of a fire-related loss. But, if an insurance company denied claim because of the inadequate water system, we feel the City of Blanding may have certain liabilities.

We would appreciate your consideration of this matter and any appropriate action that should be taken.

Sincerely,

S/ Stan Byrd  
Eva Byrd  
Greg Christensen  
Maxine Christensen  
Larry Perkins  
Muriel Perkins  
Cindy Walker  
Terry Walker

The Council advised that currently there are two applications filed with the Federal and State agencies relative to funding for the foregoing requested project, and that as funds are made available, the project will be completed.

4. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Black and unanimously carried:

RESOLUTION NO. 1979-14

A RESOLUTION SETTING THE MILL LEVY  
FOR 1979

BE IT RESOLVED by the City Council that the mill levy of the City for the year 1979 be set as follows:

<u>Purpose of Levy</u>	<u>Levy Authorized by</u>	<u>Mills Levied</u>
General City Purposes	(10-10-57)	8.8

Interest, Sinking Fund (10-7-9; 10-8-6; 10-13-22)	<u>13.2</u>
Total Levy	22.0

PASSED, ADOPTED and APPROVED this 8th day of August, 1979.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

5. Mayor Gibbons reported that he had made contact with Senator Hatch regarding the GPCD and population projection conflict between the Utah Department of Health and Region VIII Environmental Protection Agency officials as related to the City 201 Sewer Facility Plan Study, Step 1; that the Senator will correspond with those involved in an effort to get the matter resolved.
6. Mayor Gibbons reported on his attendance at the Southeastern Utah Association of Governments Board meeting held in Monticello, Utah on August 2, 1979 where the Farmers Home Administration 601 Development Assistance Program was discussed and an agreement reached by all present to request the Governor to reconsider his position that the State of Utah desires only planning funds from this program for the current fiscal period.
7. Mayor Gibbons advised the Council that San Juan County has adopted a zoning ordinance which allows incorporated cities within the County, zoning jurisdiction within one mile of their corporate boundaries.
8. Mayor Gibbons reported that the Floyd W. Nielson estate has indicated some interest in having the City salvage building blocks from the destroyed Frontier Theatre building.
9. Mr. Dwight Laws discussed with the Council, the need for additional softball fields in the community. He proposed a four-field complex with concession and other innovative facilities. The Council agreed that land for such a facility should be sought and further consideration and planning is warranted relative to the matter.
10. The Council discussed the Utah League of Cities and Towns Convention to be held September 6, 7 and 8, 1979 in Salt Lake City. Councilman Lyman advised that he may be able to attend some of the scheduled meetings.
11. Councilman Black advised that he had been in contact with management of the Mini-Mart and had been assured they are not selling or distributing Playboy Magazine and endeavoring not to be marketing any publications of questionable moral aspects.
12. Councilman Bradford requested the Council give individual thought to ways of resolving the indian alcohol problem which currently follows a cycle of drinking, arrest and incarceration for public intoxication, court fine assessment, and release to begin the same cycle. The Council agreed that the handling of the problem is having no rehabilitative effect and the situation warrants study and consideration.
13. Councilman Lyman reported that he and the Chief-of-police had interviewed candidates for the position of City Patrolman and had selected Tom Austin for the position following canvassing available Council members for approval. Mr. Austin is scheduled to begin working for the City on August 16, 1979.
14. Following a discussion of recommended ordinance revisions, motion was made by Councilman Bradford that the Blanding City Ordinances be revised as follows:

BLANDING CITY ORDINANCE  
No. 1979-4

AN ORDINANCE REVOKING PART 13-320 OF THE CODE OF REVISED ORDINANCES OF THE CITY OF BLANDING RELATING TO INTOXICANTS AND LIQUOR AS ORIGINALLY ADOPTED, AND ADOPTING A NEW PART 13-320 PROVIDING FOR DEFINITIONS OF ALCOHOLIC BEVERAGE, LIQUOR AND BEER, PROHIBITING THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES, IN MOTOR VEHICLES AND IN OR ABOUT VEHICLES WITH THE INTENTION OF OPERATING THE SAME, AND AMENDING EXISTING SECTIONS TO INCLUDE ALCOHOLIC BEVERAGES RATHER THAN JUST LIQUOR.

BE IT ORDAINED by the City Council of the City of Blanding, a Municipal Corporation of the State of Utah, that:

Section 1. Part 13-320, Chapter 13-300, Code of Revised Ordinances of the City of Blanding, as adopted by Ordinance No. 1978-1, is repealed in its entirety.

Section 2. A new part 13-320, Chapter 13-300 is adopted as follows:

13-321. DEFINITIONS:

"ALCOHOLIC BEVERAGE" MEANS AND INCLUDES "BEER" AND "LIQUOR" AS THEY ARE DEFINED HEREIN.

"BEER" MEANS ANY BEVERAGE CONTAINING NOT LESS THAN 1/2 OF 1 PERCENTUM OF ALCOHOL BY WEIGHT AND OBTAINED BY THE ALCOHOL FERMENTATION OF AN INFUSION OR DECOCTION OF ANY MALTED GRAIN OR SIMILAR PRODUCTS, AND INCLUDES ALE, STOUT OR PORTER. BEER MAY OR MAY NOT CONTAIN HOPS OR OTHER VEGETABLE PRODUCTS.

"LIQUOR" MEANS AND INCLUDES ALCOHOL, OR ANY ALCOHOLIC, SPIRITUS, VINOUS, FERMENTED, MALT, OR OTHER LIQUID, OR COMBINATION OF LIQUIDS, A PART OF WHICH IS SPIRITUS, VINOUS, OR FERMENTED, AND ALL OTHER DRINKS OR DRINKABLE LIQUIDS CONTAINING MORE THAN 1/2 OF 1 PERCENTUM OF ALCOHOL BY WEIGHT; AND ALL MIXTURES, COMPOUNDS OR PREPARATIONS, WHETHER LIQUID OR NOT, WHICH CONTAIN MORE THAN 1/2 OF 1 PERCENTUM OF ALCOHOL BY WEIGHT, AND WHICH ARE CAPABLE OF HUMAN CONSUMPTION, EXCEPT THAT THE TERM LIQUOR SHALL NOT INCLUDE "BEER" AS DEFINED HEREIN.

13-322. PUBLIC INTOXICATION PROHIBITED.

- A. It is a class C misdemeanor for any person to be under the influence of alcoholic beverage, a controlled substance or of any substance having the property of releasing toxic vapors, to a degree that the person may endanger himself or another in a public place or in a private place where he unreasonably disturbs another person.
- B. A peace officer or magistrate may release from custody an individual arrested under this section if he believes imprisonment is unnecessary for the protection of the individual or another.

13-323. BEER PROHIBITED IN PUBLIC PLACES.

IT SHALL BE UNLAWFUL FOR ANY PERSON TO CONSUME BEER OR ANY ALCOHOLIC BEVERAGE OR TO HAVE IN HIS POSSESSION ANY BEER OR ALCOHOLIC BEVERAGE WITHIN ANY PUBLIC PARK, BUILDING, STADIUM, STREET OR ALLEY OF THIS CITY.

13-324. INTOXICATED PERSON IN OR ABOUT VEHICLE.

IT SHALL BE UNLAWFUL FOR ANY PERSON UNDER THE INFLUENCE OF ALCOHOL OR ANY DRUGS TO BE IN OR ABOUT ANY VEHICLE WITH THE INTENTION OF DRIVING OR OPERATING SAID VEHICLE.

13-325. DRINKING IN VEHICLE.

IT SHALL BE UNLAWFUL FOR ANY PERSON TO DRINK ANY ALCOHOLIC BEVERAGE WHILE IN A MOTOR VEHICLE ON THE STREETS OR ALLEYS OF THIS CITY.

13-326. ILLEGAL SALE, MANUFACTURING, STORAGE OF ALCOHOLIC BEVERAGE.

It shall be unlawful for any person, except as permitted by state law, and the ordinances of this municipality to knowingly have in his possession any alcoholic beverage or to manufacture, keep, sell or store for sale, offer or expose for sale, import, carry, transport, advertise, distribute, give away, dispense, or serve ALCOHOLIC BEVERAGES.

13-327. POSSESSION OF LIQUOR.

It shall be unlawful except as permitted by state law and the ordinances of this municipality for any person to have or keep for sale or possession any liquor which has not been purchased from the state liquor store or package agency.

13-328. LIQUOR TO DRUNKEN PERSON.

It shall be unlawful for any person to sell or supply any alcoholic beverage or to permit alcoholic beverages to be sold or supplied to any person who is apparently under the influence of liquor.

13-329. ALCOHOLIC BEVERAGES AND MINORS.

- A. It shall be unlawful for alcoholic beverages to be given, sold, or otherwise supplied to any person under the age of 21 years, but this shall not apply to supplying liquor to such person for medicinal purposes only by the parent or guardian of such person or to the administering of liquor to such person by a physician in accordance with the provisions of this part.
- B. It shall be unlawful for any person under the age of 21 years to have possession of beer or any alcoholic beverage.

13-330. CANVASSING OR SOLICITING.

It shall be unlawful for any person to canvass or solicit for alcoholic beverages by mail, telephone, or other manner, and the person is hereby prohibited from engaging in such activities except to the extent that such prohibition may be in conflict with the laws of the United States or the State of Utah.

13-331. SOLICITATION OF DRINKS.

No person shall frequent or loiter in any tavern, cabaret, or night club, with the purpose of soliciting the purchase of alcoholic drinks. No proprietor or operator of any such establishment shall allow the presence in such establishment of any who violates the provisions of this section.

Section 3. In the opinion of the City Council it is necessary to the peace, health and safety of the inhabitants of the City of Blanding, Utah, that this Ordinance become effective immediately.

Section 4. This Ordinance shall take effect immediately upon posting.

PASSED by the City Council of the City of Blanding, Utah this 9th day of August, 1979.

S/ DeLamar Gibbons, M. D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

Date of Posting: \_\_\_\_\_

BLANDING CITY ORDINANCE  
No. 1979-5

AN ORDINANCE AMENDING PART 13-510 OF THE CODE OF REVISED ORDINANCES OF THE CITY OF BLANDING RELATING TO ASSAULT AND RELATED OFFENSES: SECTION 13-513 ENTITLED BATTERY BEING ADDED TO SAID PART.

BE IT ORDAINED by the City Council of the City of Blanding, a Municipal Corporation of the State of Utah, that:

Section 1. Part 13-510, Chapter 13-500, Code of Revised Ordinances of the City of Blanding, as adopted by Ordinance No. 1978-1, is amended by the inclusion of the following section:

13-513. BATTERY.

- A. Battery is any wilful and unlawful use of force or violence upon the person of another.
- B. It shall be unlawful for any person to commit a Battery within the limits of the City of Blanding. Battery is a class B misdemeanor.

Section 2. In the opinion of the City Council, it is necessary to the peace, health and safety of the inhabitants of the City of Blanding, Utah, that this Ordinance become effective immediately.

Section 3. This Ordinance shall take effect immediately upon posting.

PASSED by the City Council of the City of Blanding, Utah, this 9th day of August, 1979.

S/ DeLaMar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

Date of Posting: \_\_\_\_\_

The motion was seconded by Councilman Lyman, voting on the motion being as follows:

Those voting "aye":	Councilman Black Councilman Bradford Councilman Hunt Councilman Lyman Councilwoman McDaniel
---------------------	---

Those voting "nay":	None
---------------------	------

constituting all the members thereof.

Whereupon Mayor Gibbons declared the motion carried and ordinances No. 1979-4 and 1979-5 duly adopted.

15. The Recorder reported the following:

- A. The Nursing Home Park development has been accepted by the Blanding Lions Club and work has been commenced by them. Costs to the City for sprinkling system and grass seed are estimated to be \$2,500.00.
- B. The FAA is still attempting to get current year funding for the land purchase portion of the Airport Runway Extension Project. They are assisting in locating qualified personnel for the required land appraisal.

C. Dawson, Nagel, Sherman and Howard, bond counsel, are reviewing the requirements of the Utah Water Resources Board relative to the proposed \$250,000.00 loan for Water Well drilling purposes, and will advise in the near future the most desirable procedure.

16. The Engineer again discussed with the Council, the Planning Commissions' recommended changes to the zoning ordinance, and the proposed curb, gutter and sidewalk ordinance for individual lots.

The Council agreed that the zoning hearing should be tentatively scheduled for September 12, 1979 at 8:00 O'Clock P.M., subject to further review of the building code as it relates to accessory building size and setback regulations, said hearing date to be finally set at the next regularly scheduled Council meeting.

Meeting adjourned at 11:50 P.M.

---

Francis D. Nielson  
Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD AUGUST  
22, 1979 at 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmen: Bruce N. Black  
Cleal Z. Bradford  
Jon L. Hunt  
Francis M. Lyman

City Councilwoman: LaRue McDaniel

City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer

Also Present: Mr. Peter Henderson, Mr. Charles Lyman, Mr & Mrs. Robert Gwilliam,  
Mr. Randall Brown, Mr. Jon L. Hunt, Jr, Mr. Lee Nielson, Mr. Dwight Laws.

1. Prayer was offered by Mayor Gibbons.
2. Minutes of City Council meeting held August 8, 1979 were approved.
3. The Mayor and Council individually reviewed a copy of a letter from Senator Orrin G. Hatch directed to the United States Environmental Protection Agency, Region VIII, requesting said agency resolve the matter of allowable gallons per connection per day of sewage flow relative to the Blanding City 201 Sewer Facilities Plan, Step I study.
4. Mr. Dwight Laws and Mr. Lee Nielson reviewed with the Council, the need for additional softball facilities in the community and presented for consideration a proposed Softball Complex as developed by the Salt Lake County Recreation Department. It was agreed that the area adjacent to the Westwater Reservoir should be considered for use in developing a City Recreation Complex inclusive of the proposed softball facilities.
5. The following annexation petition was received by the Council:

April 10, 1979

Planning Commission  
City of Blanding

Gentlemen:

We, the undersigned, being the owners of record of the properties herein described, hereby request annexation of these same properties by the City of Blanding, to wit:

Parcel #1 (owned by the De Lamar Gibbons Family Corporation)

Beginning at a point 1320 feet West and 859 feet North of the South  $\frac{1}{4}$  corner of Section 27, Township 36 South, Range 22 East, Salt Lake Meridian; and running thence South 407.1 feet, thence East 214 feet thence North 407.1 feet, and thence West 214 feet to the beginning;

Parcel #2 (owned by Jon L. and Jacquie L. Hunt)

Beginning at a point 1,040 feet West and 859 feet North of the South  $\frac{1}{4}$  corner of Section 27, Township 36 South, Range 22 East, Salt Lake Meridian; and running thence West 66 feet, thence South 407.1 feet, thence West 214 feet, thence South 112.9 feet, thence East 280 feet, thence North 520 feet to the beginning;

Parcel #3 (owned by Robert F. and Gloria S. Gwilliam)

Beginning at a point 550.7 feet North and 813 feet West of the South  $\frac{1}{4}$  corner of Section 27, Township 36 South, Range 22 East, Salt Lake Meridian; and running thence South 210.5 feet, thence West 227 feet, thence North 210.5 feet, thence East 227 feet to the point of beginning.

Since it is the planned intention of the City of Blanding to extend the designated 6th West Street through these properties, this request is made with the understanding that the following portion of the land parcel described above as Parcel #2 will be dedicated and deeded to the City of Blanding for that purpose:

Beginning at a point 1,040 feet West and 859 feet North of the South  $\frac{1}{4}$  corner of Section 27, Township 36 South, Range 22 East, Salt Lake Meridian; and running thence West 66 feet, thence South 520 feet, thence East 66 feet, thence North 520 feet to the beginning.

Sincerely,

S/ Jon L. Hunt (for Jon & Jacquie)  
De Lamar Gibbons (For Gibbons family)  
Robert F. Gwilliam ( for Robert  
& Gloria Gwilliam)

Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1979-15

WHEREAS, a majority of the owners of real property and the owners of not less than one-third in value of the real property as shown on the last assessment rolls in territory lying contiguous to the City of Blanding have petitioned said City for annexation; and

WHEREAS, the petition was accompanied by an accurate plat or map of the territory to be annexed prepared under the supervision of a competent engineer or surveyor and certified by the same; and

WHEREAS, the petition and plat or map have been filed in the office of the City Recorder,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah:

Section 1. Territory Annexed. The territory described below is hereby declared annexed to the City of Blanding:

Parcel #1 (owned by the De Lamar Gibbons Family Corporation)

Beginning at a point 1320 feet West and 859 feet North of the South  $\frac{1}{4}$  corner of Section 27, Township 35 South, Range 22 East, Salt Lake Meridian; and running thence South 407.1 feet, thence East 214 feet thence North 407.1 feet, and thence West 214 feet to the beginning;

Parcel #2 (owned by Jon L. and Jacquie L. Hunt)

Beginning at a point 1,040 feet West and 859 feet North of the South  $\frac{1}{4}$  corner of Section 27, Township 36 South, Range 22 East, Salt Lake Meridian; and running thence West 66 feet, thence South 407.1 feet, thence West 214 feet, thence South 112.9 feet, thence East 280 feet, thence North 520 feet to the beginning;

Parcel #3 (owned by Robert F. and Gloria S. Gwilliam)

Beginning at a point 550.7 feet North and 813 feet West of the South  $\frac{1}{4}$  corner of Section 27, Township 36 South, Range 22 East, Salt Lake Meridian; and running thence South 210.5 feet, thence West 227 feet, thence North 210.5 feet, thence East 227 feet to the point of beginning.

Section 2. Effective Date. This resolution shall take effect immediately.

PASSED, ADOPTED and APPROVED this 22nd day of August, 1979.

S/ De Lamar Gibbons, M. D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

6. Mayor Gibbons presented the following memorandum to the Council:

SOUTHEASTERN UTAH ASSOCIATION OF GOVERNMENTS  
August 10, 1979

MEMORANDUM

To: Mayor, City and Town Councils, County Commissions

From: Gary R. Tomsic, Executive Director

Subject: Farmers Home Administration Section "601" Assistance to Energy Impacted Areas.

Summary: The Power Plant and Industrial Fuel Use Act of 1978 required FMHA to make grants for assistance to areas impacted by increased coal and/or uranium production, processing, or transportation.

Eligible Applicants: Local governments, council of local governments, and state governments in designated areas.

Funding Levels: Authorization: FY 1979 \$60 million; FY 80 \$120 million  
Appropriation: FY 1979 \$20 million; FY 80

Note: 10 percent of funds (FY 79 - \$2 million) set aside for planning.

Eligible Activities: (a) 100% of cost of preparation of growth management and/or housing plan  
(b) 75% of cost of developing or acquiring sites for housing public facilities or services.

Procedures: (a) Governor recommends areas to FmHA for designation on July 15, 1979.  
(b) FmHA formal designation of impacted areas by August 15, 1979.  
(c) Governor submits "state investment strategy" to FmHA by July 15, 1979.  
(d) Based on "state investment strategy" local areas apply for project funds

Comments: (a) Carbon, Emery, Grand, and San Juan Counties were recommended for designation and have been approved by FmHA.  
(b) The State of Utah has determined not to submit a "state investment plan" this year. Instead the state is requesting planning money to fund a position to prepare the "investment strategy." This means that local counties and communities will not be eligible to apply for FmHA "601" construction funds during federal FY 79.

- (c) At their August 2, 1979 meeting, the SEUAOG Executive Board, voted to formally protest the State of Utah's decision, and will request Governor Matheson to reconsider submitting the "investment strategy" required to make local governments eligible for this year's funding. The SEUAOG Executive Board will indicate their belief that enough data already exists at the AOG and state level to readily formulate that strategy.
- (d) The SEUAOG will be applying for "601" planning funds for a full-time "circuit riding planner" to assist local municipalities and counties in the development and administration of zoning, sub-division and master plan documents. This individual will meet regularly with planning and zoning commissions and board of adjustment to provide any needed staff support.

It was agreed that as quickly as we are advised of funds available under the FmHA 601 Assistance program the City should make application for public facilities development assistance.

- 7. Councilman Bradford inquired as to the installation of speed limit signs on 3rd West Street and was advised that signs have been ordered but have not yet been received.
- 8. Councilman Hunt advised that Mr. Eugene Orr is desirous of relocating his Auto Body and Glass business and raised the question of zoning restrictions in the area outside the corporate limits of the City lying South and West of the south end of 300 West Street. The Council agreed that clarification of the San Juan County Zoning ordinance is necessary prior to determining the zoning status of the area in question.
- 9. Councilman Lyman advised that the Chief-of-Police is desirous of attending a 5-day Crime Prevention In Smaller Communities seminar, and has requested this seminar be in addition to the six days annual allowance with pay and per diem expenses afforded him. The Council agreed that the Chief-of-Police will have to select those schools and seminars most valuable to his administration under the annual allowance and can be granted no further consideration.
- 10. The Engineer reported his attendance at the HUD Small Cities Seminar held in Salt Lake City, August 20, 1979; that funding assistance application criteria is essentially the same as that of previous years; and that preapplications must be filed not later than October 15, 1979.
- 11. Following discussion of the proposed individual lot ordinance, the Council concluded that it should be re-written and submitted at a later meeting.
- 12. The Council discussed proposed amendments to the Uniform Building Code relative to accessory use building requirements and agreed that the City Attorney should prepare proposed amendments prior to further consideration.

Meeting adjourned at 10:20 P.M.

---

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
SEPTEMBER 12, 1979 AT 8:00 O'CLOCK  
P.M. IN THE CITY HALL

Present were: Mayor De Lamar Gibbons, M. D.

City Councilmen: Cleal Z. Bradford  
Jon L. Hunt  
Francis M. Lyman

City Councilwoman: LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

City Attorney: Grant A. Hurst

Absent: City Councilman Bruce N. Black

Also Present were: Mrs. Clea S. Johnson, Mr. Richard Mainord, members of the City Planning Commission; and the following Citizens:

Robert Hosler	Nanette Allen	Afton Fisher
Connie Swenson	Eve Lynn Perkins	Jennielean Nielson
Charles Lyman	Phillip Sabey	Kenneth P. McDonald
Robert I. Kelly	Dayne Shumway	J. Glen Shumway
Eva L. Shumway	Susan Butt	Allie Nielson
J. Rex Nielson	Lynda Shumway	Kathie D. Patterson
Eleanor Black	Marva J. Laws	Theda Harris
Anna Pehrson	LaRay Alexander	Lynn A. Wright
Don Ellis Smith		

1. Prayer was offered by Councilman Bradford.
2. Minutes of City Council meeting held August 22, 1979 were approved.
3. In accordance with Section VIII of Blanding City Ordinance No. 1978-1, the Council conducted a public hearing relative to the following amendments to the said ordinance as recommended by the Planning Commission and detailed for those present by the Building Official, Philip L. Palmer:

I. ZONING MAP CHANGES

Rezone from Commercial "C" to Multiple Family Residential "R-2" the following areas:

Blocks 2, 3, 4, 5; the West  $\frac{1}{2}$  of Blocks 44,53; beginning at a point North 66' from the W $\frac{1}{2}$  Corner of Section 26, T. 36 S., R 22 E., SLB&M, and running thence N. 210'; thence E. 210', thence S. 210'; thence W. 210' to the point of beginning.

II. ZONING ORDINANCE CHANGES.

Conditional Uses.

A conditional use provision is proposed which would create the tools for some flexibility to benefit the public. This Section 2.4 would be inserted on page five (5) of the existing ordinance and fit just ahead of Section III.

Proposed Conditional uses for each Zone

- |     |                                      |
|-----|--------------------------------------|
| R-1 | Section 3.1.n Historic Buildings     |
|     | Section 3.1.o Mobile Home Temporary  |
| R-2 | Section 3.2.n Historic Buildings     |
|     | Section 3.2.o Mobile Homes Temporary |

Commercial  
Section 3.3.o Historic Buildings  
Industrial  
Section 3.4.p Historic Buildings  
Open Space  
Section 3.5.p Historic Buildings  
MH  
Section 3.6.m Historic Buildings

Residential Standards R-1 & R-2

R-1 (3.1.f) Minimum Lot Width - change to read -  
"70 feet minimum lot width at the front setback line."

R-2 (3.2.f) Minimum Lot Width - change to read -  
"70 feet minimum lot width at the front setback line."

R-1 (3.1.i) Minimum side setback -  
change to read 10 feet in place of 7 feet  
change to read 15 feet in place of 25 feet  
no change

R-2 (3.2.i) Minimum side setback -  
change to read 7 feet in place of 10 feet  
change to read 15 feet in place of 25 feet  
no change

R-2 (3.2.d) Permitted Home Occupations -  
strike 'beauty parlor'. Both R-1 and R-2 zones  
would then permit 'beauty parlor' as a home occupation.

Mobile Home Standards (MH)

MH (3.6.f) Minimum Front Setback  
f.1 change to read "For corner properties (lots)-  
15 feet."  
f.2 change to read "For all other properties (lots)-  
10 feet."

MH (3.6.g) Minimum Rear Setback  
g.1 change to read "For all structures - 5 ft."  
g.2 eliminate.

MH (3.6.h) Minimum Side Setback  
Add h-1 to read "For structures adjacent to streets -  
10 feet."

Add h-2 to read "For other locations - 5 feet."

Add h-2 to read "Minimum of 20 feet required between all  
habitable structures."

Non-Conforming Uses and Structures.

Section 4.1b. b-5

Current wording

b-5 If active operation of a non-conforming use is dis-  
continued for a period of 6 consecutive months,  
the structure or tract of land shall thereafter  
be used only for a conforming use. A stated intent  
to resume operations shall not affect this provision.

PROPOSED CHANGE

b-5 (a) A non-conforming use which has been  
abandoned shall not thereafter be returned to such  
non-conforming use. A non-conforming use shall be  
considered abandoned when:

1. The intent of the owner to discontinue the use  
is apparant;

2. The characteristic equipment and the furnishings of the non-conforming use have been removed and have not been replaced by similar equipment and furnishings within one year, subject to part (b) below;
3. The building or premises are left vacant for a period of one year or more, subject to part (b) below; or
4. The use has been replaced by a conforming use.

(b) In regards to subparts (2) and (3) above, if a statement of intent to resume operations is filed with the Board of Adjustment before the expiration of the one-year period, the period of discontinued use may be extended for an additional period not to exceed six months. In no event, however, regardless of expressed interest, shall such discontinuance extend beyond a period of 18 consecutive months without the right to continue the non-conforming use being permanently terminated.

#### Section 4.1 b. b-6

##### Current wording

- b-6 A non-conforming use shall terminate if the structure in which it is operated is damaged or destroyed from any cause whatsoever and the cost of repairing the damage exceeds fifty percent of the replacement cost of the structure on the date of the damage.

##### PROPOSED REVISION

- b-6 A non-conforming use shall terminate if the structure in which it is operated is damaged or destroyed from any cause whatsoever and the cost of repairing the damage exceeds sixty percent of the replacement cost of the structure on the date of the damage. However, if a statement of intent to repair the damaged structure is filed with the Board of Adjustment within thirty days of the date of damage, and if such repair is begun within ninety days of such date, the non-conforming use may be continued. The area of the non-conforming use may not be enlarged or extended by more than the percentage set forth in sub-section b-4 above. Also, the owner, lessee or user of the particular structure must use his best efforts to see that the repairs are completed within six months of the date of damage. The Board of Adjustment may, for good cause shown, and the owner, lessee or user shall have the burden of showing that he has diligently pursued the completion of the repairs, allow a maximum of six 30-day extensions for the completion of the repair work. In no event, however, except upon a showing by the owner, lessee or user that he has diligently pursued having the repairs completed and otherwise used his best efforts to comply with the time limits of this section; and a showing of extraordinary circumstances that have prevented completion of the work within said time limits; and a showing that to terminate the right to continue the non-conforming use would result in an extreme hardship on the owner, lessee or user, shall the right to continue the non-conforming use continue beyond one year from the date of damage.

The citizenry present expressed agreement with the proposed Zoning Map and Zoning Ordinance changes. Concern was expressed by a number of those present that because of the uncertainty of commercial development needs, property may be

restricted to commercial status for a period of time which would not only render a hardship upon the owner but would result in the unused area deteriorating to an unsightly nuisance. The Council agreed that the attorney should include in the amendments to the zoning ordinance, an allowance for Residential construction in Commercial areas, subject to proper safeguards of neighborhood consent, Planning Commission, Building Official and City Council approval.

4. The Council conducted a Public Hearing for allowing citizen expression and participation relative to an application by the City to the United States Department of Housing and Urban Development for Community Development Discretionary Grant fund under the Small Cities Program. The citizenry present expressed a desire that an application be prepared requesting assistance for water system development and improvements.

5. Motion for adoption of the following resolution was made by Councilman Hunt, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1979-16

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City prepare and submit to the United States Department of Housing and Urban Development, an application for funds, under the Community Development Discretionary Grant Program (Small Cities) of the said department, with which to effect water system improvements; that the Mayor be, and he is hereby, authorized to execute all documents appurtenant to said application.

PASSED, ADOPTED and APPROVED this 12th day of September, 1979.

S/ De Lamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

6. Motion for adoption of the following resolution was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1979-17

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City of Blanding approve and authorize the following Citizen Participation Plan relative to an application to the United States Department of Housing and Urban Development for Community Development Discretionary Grant Funds under the Small Cities Program:

Citizen Participation Plan

1. Purpose.
  - a. Provide a means of expression and participation for all residents including those of low and moderate income, property and non-property owners, profit-making and non-profit organizations.
  - b. Create a channel of communication between City government and citizens.
  - c. Receive constructive input into City plans and programs.
2. Structure.
  - a. Advertise public meetings and hearings to be conducted by the City relative to desired improvements which may be obtained through federal aid projects.
  - b. Prepare notices and mail same to any special interest group (s) which may be concerned or particularly affected by a given City project.

## 3. Hearings.

- a. City will hold a public meeting for planning municipal projects.
- b. Planning meetings will be followed by public hearings on preliminary programs.
- c. Subject to substantial public input during public hearings indicative of controversy over proposed programs, the City will continue the advertising and public hearings until a satisfactory program is developed.
- d. Each necessary hearing will be advertised in the local media and receive such other additional coverage as circumstances may warrant.

## 4. Notices.

All notices and public hearings advertisements shall meet not less than the minimum statutory time limit requirements.

## 5. Amendments.

No program or project amendments and no budget revisions shall be submitted to the funding agency prior to presentation of the same at a public meeting.

## 6. Program reports.

Citizens shall be given the opportunity to review any proposed program, program information, and all program reports prior to their submission by a funding agency.

PASSED, ADOPTED and APPROVED this 12th day of September, 1979.

S/ De Lamar Gibbons, M. D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

7. Mayor Gibbons expressed appreciation for those citizens attending and taking part in the public hearings.

8. Councilman Bradford requested some information relative to Planning Commission members responsibilities and was advised that the same are detailed in Chapter 12-000 of the Blanding City Ordinances as well as the pertinent Sections of the Utah Code Annotated 1953 as amended.

9. Councilman Hunt called to the attention of the Council, the necessity for development of a larger administration building and a Taxi-way at the Blanding Municipal Airport.

10. Councilman Lyman reviewed with the Council, the following Police Department Activity report:

POLICE DEPARTMENT ACTIVITY  
August 1979

Calls:	127	Major Crimes:	0
Citations:	20	Minor Crimes:	7
Collisions:	5	Fines Imposed:	\$1864.00
Warnings:	52	Fines Collected:	\$1218.00
Open Doors:	1	Open Windows	7
Business Checks:	1188	Arrests:	19
School Checks:	170		
Assists:	28	<u>Hours Worked</u>	
		Wright	193
<u>Miles Driven</u>		Rogers	178
Vehicle #1	486	Gutke	175
Vehicle #2	2675	Part-Time	54

11. Councilwoman McDaniel advised the Council that there is considerable citizen concern over the Dog Pound and sidewalk construction needs and requested that they be given all possible attention.

Meeting adjourned at 10:55

---

Francis D. Nielson  
Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD SEPTEMBER  
26, 1978 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmen: Bruce N. Black  
Cleal Z. Bradford

City Councilwoman: LaRue McDaniel

City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer

Absent were:

City Councilmen: Jon L. Hunt  
Francis M. Lyman

Also present were: Mr. Harold P. Mosley, Mr. Larry D. Thompson, Mr. Jerry Westring, Mr. John Solheim, Mr. Fred Solheim, Mr. Tim Borden and Mr. Gary Beavers.

1. Prayer was offered by Councilwoman McDaniel.
2. Minutes of City Council meeting held September 9, 1979 were approved.
3. Mayor Gibbons and Councilwoman McDaniel advised the Council of a Utah Department of Highways Planning meeting scheduled October 4, 1978 at 7:00 P.M. at Price, Utah. It was agreed that, if possible, the City should have representation at the meeting.
4. The Recorder advised that the City has received from the Environmental Protection Agency, an amendment to its Sewer 201 Facilities Study, Step 1, Grant Agreement, offering to increase the grant amount by \$2,625.00. In accordance with the recommendation of the Recorder, the Council declined authorization for acceptance of the amendment, to allow our consultants further discussions with the Environmental Protection Agency relative to additional study and effort requirements necessitated by changing local conditions.
5. The Recorder advised the Council that the land appraisal necessary to the proposed airport runway extension and parking apron enlargement, is currently in process by the Utah Department of Transportation.
6. The Engineer presented to the Council, a Plot Plan for a 32-Unit Apartment Complex proposed for development south of Continental Street between 2nd and 3rd West Streets by the DeLamar Gibbons Family Corporation. He advised the Council that the proposed development is in accordance with Blanding City Ordinance No. 1978-1 (Zoning) and has been approved by the Planning Commission.

Mr. Jerry Westring and Mr. Larry D. Thompson, residents of the proposed apartment complex development area, discussed with the Council the matter of density (23.1 units per acres), suggested that increased traffic would create hazzardous conditions and requested the Council deny approval of the development.

Following considerable discussion the Council agreed that the proposed apartment complex meets the requirements of all governing city ordinances and regulations.

Motion was made by Councilman Bradford that the City may advise agencies and institutions requiring the same, that the DeLamar Gibbons Family Corporation proposed apartment complex development to be located south of Continental Street between 2nd and 3rd West Streets, meets the requirements of all governing City ordinances and regulations; and that the plot plan relative to the same has been received by the City and cleared through the required authorizing review process.

The motion was seconded by Councilwoman McDaniel, voting on the motion being as follows:

Those voting "aye": Councilman Black  
Councilman Bradford  
Councilwoman McDaniel

Those voting "nay": None

Those absent: Councilman Hunt  
Councilman Lyman

constituting all the members thereof.

Whereupon the motion was declared as carried.

7. Mr. Gary Beavers of Nichols Associates, Inc. presented to the Council, a revised Final Plan of the Pinon Ridge Subdivision proposal for Segó Development Corporation, successor in interest to Arrowhead Development Corporation, which revised plan has been reviewed and approved by the Building Official and Planning Commission.

Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1979-18

A RESOLUTION APPROVING A REVISED FINAL PLAN  
FOR THE PINON RIDGE SUBDIVISION

WHEREAS, Segó Development Corporation has prepared and presented a revised Final Plan for Pinon Ridge Subdivision in accordance with Section V of Blanding City Ordinance No. 1958-2B; and

WHEREAS, said revised Final Plan has been reviewed by the City Building Official and City Planning Commission, and found to conform to the respective governing ordinances, excepting those requirements which are herewith waived; and

WHEREAS, the development of the said subdivision is necessary to accommodate projected population increase and to assure the orderly growth and development of the community;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah that the revised Final Plan for Pinon Ridge Subdivision as presented by Segó Development Corporation, be approved and accepted by the City; that the sidewalk requirements of the pertinent subdivision ordinance be waived and an eight feet wide bicycle path of bituminous surfacing material on one side of the street only, be substituted for the waived sidewalk requirement; and that the Mayor be, and he is hereby authorized to execute all documents necessary to approval and acceptance by the City.

PASSED, ADOPTED and APPROVED this 26th day of September, 1979.

S/ DeLamar Gibbons, M. D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

8. Councilman Black inquired as to the status of the drainage facilities project at 5th South and 1st East Streets which the Engineer advised were nearing completion.

Councilman Black also requested information relative to the status of the Reservoir No. 2 water well and was advised that technicians and consultants can offer no solution to the sand problem which causes extreme equipment wear and that the well will have to be abandoned until additional technology may warrant further attempts at utilization.

9. Councilman Bradford asked for clarification on the matter of proposed residential development approval in commercially zoned areas relative to approval being for R-1 or R-2 housing. It was explained that no designation would be given such residential development but that each proposal would be considered on its own merits by the reviewing agencies.

10. Councilwoman McDaniel suggested that some regulation is needed relative to the parking situation in the area of the Southern Utah Industries, Inc. plant and the San Juan Center for Higher Education at 5th North and 4th West Streets. It was agreed that the City should advise the area users of the necessity to utilize all available off-street parking.

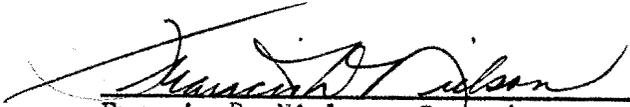
Councilwoman McDaniel again inquired as to the status of the sidewalk and dog pound projects and was advised that no help is currently available for the needed construction.

11. Mr. Harold P. Mosley advised the Council that he had been issued a "Stop Work" order at his commercial building project on South Highway 163, by the City Building Official and that he considered the materials being used, and mode of construction adequate; that he further deems it his right to do his own construction work.

Mr. Mosley was advised that building code and Utah State law requires construction of commercial buildings be done only by contractors licensed by the State of Utah.

It was agreed that Mr. Mosley should avail of two licensed building contractors in the area to arbitrate the matter of alleged inferior building materials used and subject to their unqualified approval of such materials, his availing of licensed contractor privileges and obtaining a building permit, he may proceed with his project.

Meeting adjourned at 11:20 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD OCTOBER  
10, 1979 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL.

Present were: City Councilmen: Cleal Z. Bradford  
Jon L. Hunt  
Francis M. Lyman

City Councilwoman: LaRue McDaniel  
City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer  
Chief Of Police: John B. Wright  
Fire Chief: Lynn A. Wright

Also Present were: Mr. Jim Allred, Mr. Gerald Black, Mr. Gorden Hawkins,  
Mr. Sylvan P. Johnson, Mr. Charles Lyman, Mr. Kelly  
Lyman, Mr. LaRell C. VanDyke.

(Meeting was conducted by Councilman Lyman, Mayor Pro Tem)

Absent were: Mayor D. Lamar Gibbons and Councilman Bruce N. Black

1. Prayer was offered by Councilman Bradford.
2. Minutes of City Council meeting held September 26, 1979 were approved.
3. The Recorder advised that Mayor Gibbons requested the Council consider retaining the services of Mr. Lynn Lee for preparation of application for grant funds from various State and Federal agencies.

Motion was made by Councilman Bradford, seconded by Councilwoman McDaniel and unanimously carried that the City retain the services of Mr. Lynn Lee, on an individual application basis, for preparation of applications for grant funds to state and federal agencies.

4. Chief of Police, John B. Wright, discussed with the Council, general operation of the Police Department, detailed scheduled training and educational activities, commented briefly on the status of certain cases currently being worked by the department and presented the following Activity and Crime Prevention and Public Education reports for the month of September, 1979:

POLICE DEPARTMENT ACTIVITY

September 1979

Calls:	130	Major Crimes:	3
Citations:	15	Minor Crimes	2
Collisions	1	Fines Imposed:	\$572
Warnings:	45	Fines Collected:	\$491
Open Doors:	8	Open Windows:	6
Business Checks:	1081	Arrests:	7
School Checks:	157		
Assists:	23	<u>HOURS WORKED</u>	
		Wright	166
		Rogers	173
<u>MILES DRIVEN</u>		Gutke	173
Vehicle #1	1254	Austin	187
Vehicle #2	1968	Part-time	32

CRIME PREVENTION AND PUBLIC EDUCATION

September 1979

Crime Prevention and Public Education activities for the month of September are as follows:

1. Chief Wright attended a five day workshop on advanced crime prevention. Some of the subjects covered were: arson, crime analysis, neighborhood watch, juvenile crime and vandalism, alarm systems, robbery awareness, pharmacy crime prevention and burglary.
2. We have been coordinating a program that will provide at least one positive contact for each student every school year. Monticello City is obtaining a grant to fund this program and it will be presented in each Blanding School.
3. Additional materials were acquired: handouts, phone stickers and information on the sources of other materials.
4. We are presently finalizing plans to have State Crime Prevention Personnel present a seminar in San Juan County on Neighborhood Watch and Operation Identification.
5. Fire Chief, Lynn A. Wright, briefly reported Fire Department activities during the current calendar year, stating there have been 14 fires to date, 2 of which were given "major fire" status.  
Mr. Wright and other fire department members demonstrated for the Council, the use of the new fire warning-paging system and expressed satisfaction with the reduced response time it has afforded. He advised that three additional pagettes are needed to provide broader support and complete coverage.  
Following a discussion of possible compensation to volunteer firemen for response to fires and training sessions, it was agreed that the department should prepare a compensation schedule for consideration by the Council.
6. Councilwoman McDaniel again inquired relative to the status of the 5th North, 1st and 2nd West curb, gutter and sidewalk project. The engineer stated that there are currently no contractors interested in this project.
7. Councilman Hunt advised that he has received a number of inquiries relative to hangar rental fees at the hangars currently under construction at the Blanding Airport. The Recorder advised that rental fees will be established on the basis of amortization of construction costs and will have to be approved by San Juan County; that, preliminary discussions have been held with the County Commissioners but final establishing of rental fees will require further study.
8. The Recorder reported discussions with Environmental Protection Agency Officials relative to increasing the Sewer 201 Facility Plan, Step 1 Grant, and that they are currently considering the additional study requirements prior to submitting a grant amendment offer.
9. Motion was made by Councilman Bradford, seconded by Councilwoman McDaniel and unanimously carried that the following individuals be appointed to the office of Judge-of-Election for the municipal election to be held November 6, 1979:

Hattie Jones	Phyrl C. Black	<u>ALTERNATES:</u>
Esther Shumway	Eloise B. Mahon	Francelle R. Blickenstaff
Paula Jones	Josephine H. Bayles	Inez N. Conway
Mabel Shumway	Lucy M. Harris	Nadine P. Bayles
Velma Lyman	Ruth P. Lyman	Ila S. Johnson
Gladys Jack	Virginia B. Hurst	Venice N. Lyman

Meeting adjourned at 9:35 P.M.

---

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD OCTOBER  
24, 1979 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were: Mayor De Lamar Gibbons, M. D.

City Councilmen: Bruce N. Black  
Cleal Z. Bradford  
Jon L. Hunt  
Francis M. Lyman  
City Councilwoman: LaRue McDaniel

City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer  
City Fire Chief: Lynn A. Wright

Also Present were: Mrs. Judy Mainord, Mrs. Marsha Keele; Mrs. Patsy Shumway; Mrs. Janet Wilcox; Mr. Dwight D. Laws.

1. Prayer was offered by Mayor Gibbons.
2. Minutes of City Council meeting held October 10, 1979 were approved.
3. Mayor Gibbons discussed with the Council, the advantages and possibilities of a local cable television system.
4. The following letter was read in full to the Council:

State of Utah  
Department of Natural Resources  
Division of Water Rights  
200 Empire Building  
231 East 400 South  
Salt Lake City, Utah 84111  
October 10, 1979

Blanding City Corporation  
50 West 1st South  
P. O. Box 68  
Blanding, Utah 84511

Subject: Camp Jackson Reservoir

Gentlemen:

As you are aware, on July 2, 1979, a new order was issued on the above-mentioned reservoir allowing you to store water up to a point 3 feet below the lowest part of the embankment crest, but with the stipulation that repairs would be made to the structure as discussed on the field inspection July 2, 1979.

Inspection reports dated July 23, 1979, August 10, 1979, and August 30, 1979, have been received in this office, but no mention has been made of any repairs. It is my opinion that the City has been negligent in the pursuance of repairs for this project, and that the structure as it exists is in need of repair.

We have gone the extra mile in allowing you to store water without any notable response. Therefore, this letter will serve as official notice that the outlet for Camp Jackson is to remain open, and that water is not to be diverted to the site from Recapture Creek until such time as the proper repairs have been made and approved by this office.

Yours truly,  
S/ Earl M. Staker  
Deputy State Engineer

cc: U. S/ Forest Service - Price  
U. S. Forest Service - Ogden

The Council agreed that the Rollins Company, Geology and Soils specialists should be retained to study the Camp Jackson Reservoir embankment and determine the maintenance which may be required.

5. Councilmember Lyman introduced the following resolution, which resolution was thereupon read in full and is as follows:

RESOLUTION NO. 1979-19

WHEREAS, the City of Blanding (herein "City"), in the County of San Juan and State of Utah, is a legally and regularly created, established, organized and existing third class city under the laws of the State of Utah; and

WHEREAS, there is an immediate and pressing need for the City, in the County of San Juan and State of Utah, to issue its negotiable bonds for the purpose of paying the cost of improving, enlarging, and extending the City's joint electric, water and sewer system, including without limitation, the construction and other acquisition of a water well, a pump station and a water transmission line (the "Project") and all costs incident to the authorization and issuance of such bonds; and

WHEREAS, there are not sufficient funds in the treasury of the City available for the purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLANDING, SAN JUAN COUNTY, STATE OF UTAH:

Section 1. In the judgment of the City Council (herein the "Council"), it is advisable to provide for the holding of an election to be called and held in the City to submit to the qualified registered electors of the City, the question of whether bonds of the City, in the amount of \$250,000.00, shall be issued and sold.

Section 2. Said question shall be submitted at a special election of the qualified registered electors of the City, to be held in the City on Tuesday, the 27th day of November, 1979, the question of the issuance of such bonds to be in substantially the following form:

Shall the City Council of the City of Blanding, San Juan County, Utah be authorized to issue and sell the negotiable, coupon, joint electric, water and sewer revenue bonds of the City in the principal amount of \$250,000.00, or so much thereof as may be necessary, in one series or more, said bonds to mature not more than twenty (20) years from their date or dates, for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction and other acquisition of a water well, a pump station, and a water transmission line, and all costs incident to the authorization and issuance of such bonds, such bonds to be payable from the net revenues of the joint electric, water and sewer system, and such bonds to be issued and sold, upon such terms and conditions and which such other details as the City Council may determine?

Section 3. The election shall be held in the regularly established voting districts Nos. 10 and 18, and 11 and 17, and the polling places within said combined voting districts and the officials and judges who are hereby appointed to conduct the said election are as set out in the form of notice of election in Section 6 of this resolution.

Section 4. The election shall be held on Tuesday, the 27th day of November, 1979, and the polls shall be opened at the hour of 7:00 o'clock, a.m. of said day, and shall be closed at the hour of 8:00 o'clock p.m. of said day.

Section 5. The ballot to be used in voting upon the proposition to be submitted shall be prepared and furnished by the City Recorder to the judges of election, to be furnished by them to the qualified electors, and shall be in the following form:

OFFICIAL BALLOT

THE CITY OF BLANDING  
IN THE COUNTY OF SAN JUAN AND STATE OF UTAH  
SPECIAL BOND ELECTION  
NOVEMBER 27, 1979

QUESTION SUBMITTED:

Shall the City Council of the City of Blanding, San Juan County, Utah be authorized to issue and sell the negotiable, coupon, joint electric, water and sewer revenue bonds of the City in the principal amount of \$250,000.00, or so much thereof as may be necessary, in one series or more, said bonds to mature not more than twenty (20) years from their date or dates, for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction and other acquisition of a water well, a pump station, and a water transmission line, and all costs incident to the authorization and issuance of such bonds, such bonds to be payable from the net revenues of the joint electric, water and sewer system, and such bonds to be issued and sold, upon such terms and conditions and with such other details as the City Council may determine?

FOR THE ISSUANCE OF BONDS	
AGAINST THE ISSUANCE OF BONDS	

If the voter desires to vote in favor of the question submitted, he shall mark a cross (X) in the square opposite the words "For the Issuance of Bonds". If he desires to vote against the question submitted, he shall mark a cross (X) in the square opposite the words "Against the Issuance of Bonds".

On the reverse side of the ballot shall be the following:

OFFICIAL BALLOT FOR  
THE CITY OF BLANDING  
SAN JUAN COUNTY, STATE OF UTAH  
SPECIAL BOND ELECTION  
TUESDAY, NOVEMBER 27, 1979

\_\_\_\_\_  
City Recorder, City of Blanding  
San Juan County, State of Utah

Section 6. The notice of election, signed by the Mayor and by the City Recorder of said City, shall be published in the San Juan Record, a weekly newspaper published in Monticello, Utah, and of general circulation within the City of Blanding by publication once a week during three consecutive weeks, the first publication to be not less than twenty-one (21) days and not more than thirty-five (35) days before the election. Said notice shall also include a notice of the meeting of the City Council to canvass the votes in such election. The City Council hereby provides that notice of said bond election and meeting shall be given by posting of such notice by the City Recorder in at least five public places in said City at least twenty-one (21) days before the election, pursuant to Section 11-14-3, Utah Code Annotated 1953, since the City of Blanding is a city of the third class where there is no newspaper published in such City, which notice for both publication or posting shall be in substantially the following form:

THE CITY OF BLANDING  
SAN JUAN COUNTY, UTAH  
NOTICE OF BOND ELECTION TO BE HELD  
TUESDAY, NOVEMBER 27, 1979 AND  
OF MEETING TO BE HELD  
NOVEMBER 28, 1979

PUBLIC NOTICE IS HEREBY GIVEN that a special bond election will be held in the City of Blanding, San Juan County, State of Utah, on Tuesday, the 27th day of November, 1979, at which election there shall be submitted to the registered qualified electors of the City the following question:

Shall the City Council of the City of Blanding, San Juan County, Utah be authorized to issue and sell the negotiable, coupon, joint electric, water and sewer revenue bonds of the City in the principal amount of \$250,000.00, or so much thereof as may be necessary, in one series or more, said bonds to mature not more than twenty (20) years from their date or dates, for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction and other acquisition of a water well, a pump station, and a water transmission line, and all costs incident to the authorization and issuance of such bonds, such bonds to be payable from the net revenues of the joint electric, water and sewer system, and such bonds to be issued and sold, upon such terms and conditions and with such other details as the City Council may determine?

Said election shall be held in the regularly established voting districts Nos. 10 and 18, and 11 and 17, and the polling places within said combined voting districts, and the judges and alternates who have been appointed to conduct the election are as follows:

VOTING DISTRICTS NOS. 10 AND 18

<u>Polling Place</u>	<u>Judges of Election</u>	<u>Alternates</u>
The Blanding City Office Office Building 50 West 1st South St. Blanding, Utah	Francelle R. Blickenstaff Paula A. Jones James F. Kindred	Hattie G. Jones Venice N. Lyman Mabel C. Shumway

VOTING DISTRICTS NOS. 11 AND 17

<u>Polling Place</u>	<u>Judges of Election</u>	<u>Alternates</u>
The San Juan County Library Building (Also known as the Blanding Library) 27 West 3rd So. Street Blanding, Utah	Josephine H. Bayles Robert E. Hosler Eloise B. Mahon	Phyrl C. Black Lucy Harris Marion A. Jones

The boundaries of the above-designated combined voting districts shall consist of all of the above-listed voting districts located within the City boundaries and the voting districts therein shall be the same as those established for the last general election within the County of San Juan, Utah.

Any qualified elector shall vote at the polling place provided for the voting district in which he resides.

A map showing the description of the boundaries of the voting districts and showing the boundaries of the City of Blanding, Utah, is on file at the office of the City Recorder of the City and is available for public inspection, at the City Hall, 50 West 1st South, Blanding, Utah. Any qualified elector may determine the boundaries of the City and the voting districts for the election by inquiry directed to the City Recorder of the City.

The voting at such election shall be by paper ballot, which ballots will be furnished by the City Recorder of Blanding to the judges of election, to be by them furnished to the qualified electors.

The polls at each polling place shall be opened at the hour of 7:00 o'clock a.m., and will be kept open until and will be closed at the hour of 8:00 o'clock p.m.

No person shall be permitted to vote at said election unless he or she shall be registered voter residing in the voting district in which he or she offers to vote. The County Clerk of San Juan County will register at his office during regular office hours, except Saturdays, Sundays and holidays, and except during the ten-day period immediately preceding the November 27, 1979, election, any person who on the day of the bond election will be a qualified elector, such person to be registered in the same manner as provided by law for registration by registration agents. Absentee voting will be permitted in the manner provided by law.

The maximum principal amount of bonds to be issued is \$250,000.00. The maximum number of years from their respective dates for which such bonds may run is twenty years. The bonds are to be issued for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by construction and other acquisition of a water well, a pump station, and a water transmission line, and all costs incident to the authorization and issuance of such bonds, such bonds to be payable solely from the net revenues of the City's joint electric, water and sewer system.

A verified written complaint to contest the results of election on the above bond question may be instituted by filing with the Clerk of the District Court of the County in which the City of Blanding is located, but shall be instituted within forty days after the votes cast at such election have been canvassed and not thereafter, and as provided by Section 11-14-12, Utah Code Annotated 1953.

FURTHER NOTICE IS HEREBY GIVEN that the City Council of the City of Blanding will meet in open public session at the City Hall, 50 West 1st South Street, Blanding, Utah, at the hour of 12:00 noon on Wednesday, November 28, 1979 for the purposes of canvassing the results of such election.

IN WITNESS WHEREOF, the City Council of the City of Blanding, San Juan County, State of Utah, has caused this notice to be given as required by law this 24th day of October, 1979.

S/ DeLamar Gibbons, M.D.  
Mayor, City of Blanding  
San Juan County, State of Utah

(SEAL)

ATTEST:

S/ Francis D. Nielson  
City Recorder, City of Blanding  
San Juan County, State of Utah

Section 7. The elector's oath to be used at the election shall be prepared and furnished by the City Recorder of the City to the judges of election and shall be in substantially the following form:

STATE OF UTAH )  
 ) SS.  
COUNTY OF SAN JUAN )

ELECTOR'S OATH

The undersigned, having been first duly sworn upon oath, deposes and says under the pains and penalties of perjury, as follows:

That I am a citizen of the United States; that I am 18 years of age or older; that I am now a resident of the State of Utah; that I am a resident of San Juan County, and of the voting district or preceinct of the City of Blanding, Utah in which I am offering to vote; that I am a duly registered voter of San Juan County and I am a qualified voter of and reside within the confines of the City of Blanding, Utah; and that I have not previously voted at the bond election being held on this 27th day of November, 1979, in the City of Blanding, Utah.

\_\_\_\_\_  
Signature of Elector

\_\_\_\_\_  
Address of Elector

I, the undersigned, Judge of election, hereby certify that the person whose signature appears above, signed the foregoing statement on this 27th day of November, 1979, immediately after I administered to him an oath in the following words:

You do solemnly swear (or affirm) that you have read the oath to which you are about to subscribe your signature and that the facts recited therein are true and correct, so help you God (or under the pains and penalties of perjury).

\_\_\_\_\_  
Judge of Election

Section 8. The City Recorder shall provide a blank form of oath to be taken by each of the judges of election, which oath shall be in substantially the following form:

FOR SPECIAL BOND ELECTION OF  
THE CITY OF BLANDING  
SAN JUAN COUNTY, UTAH  
HELD ON  
TUESDAY, NOVEMBER 27, 1979

STATE OF UTAH )  
 )  
COUNTY OF SAN JUAN ) SS.  
 )  
CITY OF BLANDING )

JUDGE'S OATH

I, \_\_\_\_\_, do solemnly swear to (or affirm) that I am a citizen of the United States and the State of Utah; that I am a qualified elector of the City of Blanding; that I will perform all duties incumbent upon a judge of election according to law, and to the best of my ability; that I will endeavor to prevent fraud, deceit, and abuse in conducting same; that I will not disclose how any elector voted if, in the discharge of my duties, such knowledge comes to me, unless required to do so in some court of competent jurisdiction and that I will not disclose the result of the voting until the polls have closed.

\_\_\_\_\_  
Judge

Subscribed and sworn to before me this 27th day of November, 1979.

\_\_\_\_\_  
Judge

Section 9. Immediately after the polls are closed, the judges appointed to conduct the election shall proceed to count and canvass the votes, and shall promptly thereafter certify the result and make returns thereof to the City Council, and the said Council shall meet on Wednesday, November 28, 1979 at 12:00 noon (i.e., within ten (10) days) after the date of said election) and shall at that time publicly canvass the returns. If a majority of the votes cast at such election are in favor of the proposition submitted, then the City Council shall cause an entry of that fact to be made upon its minutes, and thereupon this City Council shall be authorized to issue such bonds.

Section 10. The maximum principal amount of bonds to be issued is \$250,000.00, the maximum number of years from their respective dates for which such bonds may run is twenty years, and the purposes for which the bonds are to be issued is for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction and other acquisition of a water well, a pump station, and a water transmission line, and all costs incident to the authorization and issuance of such bonds.

Section 11. The Council has determined and hereby finds and determines that there are no residents of the municipality who are able to read the Navajo language but unable to read the English language and that therefore publication, posting and printing of the aforesaid Election Notice, Ballot, and other election materials in the Navajo language is unnecessary for the purposes of the Voting Rights Act Amendments of 1975; however, to assist any electors of the municipality who speak the Navajo language, the Council has appointed one Judge of Election at each polling place who is fluent in the Navajo and English languages.

Section 12. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 13. All acts and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, or part of any resolution, heretofore repealed.

Section 14. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 15. This resolution is necessary for the preservation of the public health, peace and safety of the inhabitants of the City of Blanding, and it is hereby declared that an emergency exists and that this resolution shall become effective upon its adoption.

ADOPTED AND APPROVED this 24th day of October, 1979.

S/ De Lamar Gibbons, M.D.  
Mayor

(SEAL)

ATTEST:

S/ Francis D. Nielson  
Recorder

Councilmember McDaniel moved the adoption of the foregoing resolution, which motion was seconded by Councilmember Black, put to a vote, and was carried by the affirmative vote of a majority of a quorum, the vote being as follows:

Those Voting Yes:	Bruce N. Black Cleal Z. Bradford Jon L. Hunt Francis M. Lyman LaRue McDaniel
Those Voting No:	None
Those Absent:	None

6. Motion was made by Councilman Bradford, seconded by Councilman Lyman and

unanimously carried that the terms and conditions set forth in letter from under date of October 17, 1979 by the firm of Dawson, Negal, Sherman and Howard, relative to the issuance of Blanding City Revenue Bonds, be, and the same are hereby accepted.

7. Councilman Black advised the Council that he has received complaints relative to the sale of lewd magazines at the Go Fer Market. The Council requested the Recorder write Bren-Mar Corporation advising that the City desires they cease and desist from sale of any lewd or pornographic magazines and books.

8. Councilman Lyman advised that no agreement has been reached with Dr. H. Clyde Watkins, DVM, relative to Dog Pound Operation; that discussions are on-going.

9. Councilman Bradford discussed with the Council, the following:

a. The necessity for completing sidewalk construction in the area West and South from the Albert R. Lyman Elementary School. Mrs. Judy Mainord, Mrs. Marsha Keele, Mrs. Patsy Shumway and Mrs. Janet Wilcox spoke in support of completing this project.

b. The proposed Softball Quad project is logically a Planning Commission function and they will follow through with appointment of a Task Committee to carry it on.

c. The local ad hoc committee currently studying local health facilities and personnel needs could possibly function more efficiently if they could be given official designation, either by direct appointment from the City Council, or by a City appointed Board of Health.

d. The Code of Revised Ordinances of the City should be reviewed relative to boards and commissions required for carrying out City functions and responsibilities as well as delineating authority.

10. Councilman Hunt advised that he is desirous of seeing the 5th North and 2nd West Street curb, gutter and sidewalk project completed and that he will assume responsibility for locating necessary plumbing contractors to complete the sewer line on 2nd West street to enable the curb, and sidewalk project to continue.

11. Councilman Hunt advised the Council of hazardous condition existing at the airport gasoline dispensing facilities, resultant from possible water seepage into gasoline storage tanks.

Motion was made by Councilman Lyman, seconded by Councilman Bradford and unanimously approved that Councilman Hunt be authorized to procure a water control device for installation on the airport gasoline pumping facilities.

12. The Council agreed that a new administration building is needed at the airport. Mayor Gibbons requested Councilman Hunt develop a preliminary plan for such a facility.

13. The Council agreed that the hangar buildings currently under construction at the Airport, should have electric service and that, in the event San Juan County will not fund the installation of required electric wiring, the City should have the installation made and adjust the lease fees sufficient for cost reimbursement.

14. Mr. Dwight Laws, representing W. R. Hurst, Inc., presented to the Council a proposal for drainage culvert installation and backfilling the area at the rear of the Husky Service Station property, to enable the off-street parking of their trucks. The Council agreed that the City may purchase the required culvert for the proposed project, subject to installation of the same and the required land-fill being done by W. R. Hurst, Inc. in accordance with the City Engineers specification and under his inspection.

15. Motion was made by Councilman Black, seconded by Councilman Bradford and unanimously carried that the City waive the building permit fee for the Boy Scouts of America Building to be constructed north of the Blanding Clinic.

16. Lynn A. Wright, Fire Chief, presented the following proposed compensation schedule for services rendered by the volunteer firemen:

BLANDING VOLUNTEER FIRE DEPARTMENT COMPENSATION RECOMMENDATIONS

All fires to be classified in one of three different areas;

Class I Fire

A small fire which involves little time or work such as a small grass fire or an automobile fire.

Class II Fire

A fire of greater magnitude requiring more time and use of more hose. An example would be a grass fire involving an hour or more time, with a lot of overhaul and clean-up; also a structure fire involving more time, etc.

Class III Fire

A major fire requiring several hours work, such as Bill Roberts home and Harry Warren's trailer.

It is recommended that the following compensation be paid per man, as follows:

Class I Fire	\$ 5.00
Class II Fire	\$15.00
Class III Fire	\$25.00
Volunteer Fire Department Meetings	\$5.00
Drills (three hours)	\$10.00

Motion was made by Councilman Lyman, seconded by Councilman Black and unanimously carried that the City adopt the foregoing schedule for compensating the Volunteer Fire Department for services rendered, and that the same be made retroactive to July 1, 1979.

Meeting adjourned at 11:10 P.M.

\_\_\_\_\_  
Francis D. Nielson  
City Recorder

MINUTES OF A SPECIAL MEETING OF THE  
BLANDING CITY COUNCIL HELD NOVEMBER  
13, 1979 AT 12:00 O'CLOCK NOON IN  
THE CITY HALL

Present were City Councilmen: Bruce N. Black  
Cleal Z. Bradford  
Jon L. Hunt  
Francis M. Lyman  
City Councilwoman: LaRue McDaniel  
City Recorder: Francis D. Nielson  
City Engineer: Philip I. Palmer

Absent was Mayor DeLamar Gibbons, M. D.

The meeting was conducted by Councilman Francis M. Lyman, Mayor Pro Tempore.

1. Prayer was offered by Councilman Lyman.
2. The election returns from the municipal election held November 6, 1979 were duly canvassed as follows:
  - A. The statements of Disposition of Ballots were verified for accuracy.
  - B. The Tally Lists were verified for accuracy indicating the following results:

<u>Name of Candidate</u>	<u>Number of Votes Received</u>				<u>Total</u>
	<u>Dist. #10</u>	<u>Dist. #11</u>	<u>Dist. # 17</u>	<u>Dist. #8</u>	
LaRell C. VanDyke	84	42	41	36	203
Sylvan P. Johnson	49	46	34	51	180
Charles Lyman	53	33	39	51	176
Bruce N. Black	72	81	84	73	310
Cleal Z. Bradford	89	87	110	69	355
Francis M. Lyman	89	106	115	80	390

Motion was made by Councilwoman McDaniel, seconded by Councilman Black and unanimously carried that the foregoing election returns be accepted as being correct, and that Bruce N. Black, Cleal Z. Bradford and Francis M. Lyman be declared elected to the office of City Councilman for the period January 1, 1980 to and including December 31, 1983.

3. Motion was made by Councilman Bradford, seconded by Councilwoman McDaniel and unanimously carried that the Judges of Election and Registration Agents for voting districts No. 10, 11, 17 and 18 be paid the amount of \$30.00 and \$60.00 each, respectively, for services rendered in connection with the Municipal Election held November 6, 1979.

4. The following ordinance was read in full to the Council:

BLANDING CITY ORDINANCE

No. 1979-6

AN ORDINANCE AMENDING THE BLANDING CITY ZONING MAP RECLASSIFYING CERTAIN PROPERTIES FROM COMMERCIAL C TO MULTIPLE FAMILY RESIDENTIAL R-2

BE IT ORDAINED by the City Council of the City of Blanding, a Municipal Corporation, State of Utah, that:

Section I. The Zoning Map of the City of Blanding is amended as follows:

The following described properties are reclassified from commercial zone C to multiple family residential R-2: the areas identified within the municipal limits of the City of Blanding as Blocks 2, 3, 4, and 5; the west one-half ( $\frac{1}{2}$ ) of Blocks 44 and 53; the east one-half ( $\frac{1}{2}$ ) of Blocks 61, 45, and 36; the north one-half ( $\frac{1}{2}$ ) of Block 12; and the property owned by the Nielson Family immediately west of the Blanding City Clinic, which is more particularly described as follows:

Beginning at a point which is 66 feet North of the West  $\frac{1}{4}$  Corner of Section 26, Township 36 South, Range 22 East, SLB&M and running thence North 210 feet; thence East 210 feet; thence South 210 feet; thence West 210 feet to the point of beginning.

Section II. Pursuant to Utah Code Annotated, 1953, as amended, 10-9-5, and Part 8.3 of S8 of the Zoning Ordinance, 1978-1, 15 days notice of the public hearing regarding these amendments was posted on the affected properties and published in the San Juan Record, a newspaper of general circulation in the municipality.

Section III. Inasmuch as the necessary notices and public hearings have been held on this matter, and it is necessary, in the opinion of the City Council, to the peace, health, and safety of the inhabitants of the City of Blanding, Utah, this Ordinance shall take effect immediately.

PASSED by the City Council of the City of Blanding, Utah, this 13th day of November, 1979.

CITY OF BLANDING  
S/ Mayor Pro Tempore

ATTEST:

S/ City Recorder

DATE OF POSTING: 11-14-79

Motion for adoption of Ordinance No. 1979-6 was made by Councilman Bradford and seconded by Councilman Hunt, voting on the motion being as follows:

Those voting "aye": Councilman Black  
Councilman Bradford  
Councilman Hunt  
Councilman Lyman  
Councilwoman McDaniel

Those voting "Nay": None  
constituting all the members thereof.

Whereupon the Mayor Pro Tempore declared the motion carried and Ordinance No. 1979-6 duly adopted.

5. The following ordinance was read in full to the Council:

ORDINANCE NO. 1979-7

AN ORDINANCE AMENDING THE BLANDING CITY ZONING ORDINANCE, ORDINANCE NO. 1978-1, PROVIDING FOR CONDITIONAL USES AND THE ESTABLISHMENT OF PERMITTED CONDITIONAL USES IN THE RESPECTIVE USE DISTRICTS; FURTHER PROVIDING FOR AMENDMENT OF THE PROVISIONS REGARDING TERMINATION OF NON-CONFORMING USES; ESTABLISHING A DEFINITION FOR HISTORIC BUILDINGS, AND MODIFYING THE SETBACK REQUIREMENTS IN SEVERAL OF THE USE DISTRICTS.

BE IT ORDAINED by the City Council of the City of Blanding, a Municipal Corporation, State of Utah, that:

Section I. The Blanding City Zoning Ordinance, Ordinance No. 1978-1, is amended as follows:

A. Section II of said Ordinance is amended by the addition thereto as Part 2.4 thereof, the following provision:

2.4 CONDITIONAL USES:

a. Purpose of Conditional Use Provisions.

Certain uses which may be harmonious under particular conditions and in specific locations within a zoning district, but be improper under general conditions and in other locations, are classed as conditional uses within the various districts and require conditional use permits.

b. Conditional Use Permit.

A conditional use permit shall be required for all uses listed as conditional uses in the district regulations or elsewhere in this Ordinance. A conditional use permit may be revoked upon failure to comply with conditions precedent to the original approval of the permit, as such are established by the Board of Adjustment or Building Inspector, as the case may be.

1. Application. Application for a conditional use permit shall be made by the property owner or certified agent thereof to the Building Inspector. The Building Inspector shall submit the application to the Board of Adjustment, except that the Board of Adjustment may authorize the Building Inspector to grant or deny conditional use permits, subject to such limitations or qualifications as are deemed necessary to maintain the integrity of the Blanding City Master Plan and general well-being of the neighborhood.
2. Documents. Applications for conditional use permits shall be accompanied by detailed site plans drawn to scale, statements and other documents as required by the Board of Adjustment to assist it in arriving at an appropriate decision.
3. Fee. Applications for any conditional use permit shall be accompanied by the appropriate fee as determined by resolution of the City Council, no part of which is returnable.
4. Public Hearing. No public hearing need be held; however, a hearing may be held when the Board of Adjustment shall deem such a hearing to be necessary and in the public interest.

(a) The Building Inspector shall submit to the Board of Adjustment a record of the hearing, together with a report of findings and recommendations relative thereto, for the consideration of the Board of Adjustment.

(c) Such hearing, if deemed necessary, shall be held not more than thirty (30) days from the date of application. The particular time and place shall be established by the Building Inspector.

(d) The Building Inspector shall cause notice of hearing to be posted on any affected property for not less than ten (10) days prior to the date of said hearing and by any other method the Board of Adjustment may provide. Failure of the property owners to receive notice of said hearing shall in no way effect the validity of action taken.

c. Determination.

The Board of Adjustment, or upon authorization, the Building Inspector, may permit a conditional use to be located within any district in which the particular conditional use is permitted by the use regulations of this Ordinance. In authorizing any conditional use, the Board of Adjustment shall impose such requirements and conditions as required by law and any conditions as may be necessary for the protection of adjacent properties and the public welfare.

1. The Board of Adjustment shall establish policies regarding landscaping, fencing, lighting, ingress-egress, height of buildings, etc. to guide the decision of the Building Inspector to insure consistency in the issuance of conditional use permits.
2. The Building Inspector is authorized to bring any conditional use permit application before the Board of Adjustment if, in his opinion, the general public interest will be better served by review by the Board of Adjustment.

3. The Board of Adjustment shall not authorize a conditional use permit unless the evidence as presented is such to establish, that:
  - (a) The proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood and the community; and
  - (b) Such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
  - (c) The proposed use will comply with regulations and conditions specified in this Ordinance for such use; and
  - (d) The proposed use will conform to the intent of the Blanding City Master Plan.
  
4. The Board of Adjustment and or the Building Inspector, as the case may be, shall consider the following in making its determination of whether to grant a conditional use. These are meant by way of example and not by limitation:
  - (a) Effect the proposed use has on neighboring property, i.e., whether such use is in harmony with it or would have an adverse effect on the neighborhood;
  - (b) Effect the proposed use has on the future development of the area;
  - (c) Traffic congestion or hazard;
  - (d) Public convenience and welfare;
  - (e) Public safety (gasoline storage, poisons, explosives, etc.);
  - (f) Regulation of competitive uses;
  - (g) Concept of best and highest use;
  - (h) Municipal services - are they adequate to service and supply the proposed use and all ramifications thereof? (E.g., water supply, schools, sewer, fire, and police.)

d. Appeal of Decision.

Any person shall have the right to appeal the decision of the Building Inspector to the Board of Adjustment by filing a letter with the Board of Adjustment within five (5) days of the Building Inspector's action stating the reason for said appeal and requesting a hearing before the Board of Adjustment at the earliest regular meeting of the Commission.

Any person shall have the right to appeal to the City Council any decision rendered by the Board of Adjustment by filing, in writing and in triplicate, the reasons for said appeal with said City Council at any regular meeting thereof within ten (10) days following the date upon which the decision from which appeal is being taken is made by the Board of Adjustment. After receiving said appeal, the City Council may reaffirm the Board of Adjustment decision or set a date for public hearing.

1. Notification of Board of Adjustment. The City Council shall notify the Board of Adjustment of the date of said review in writing at least seven (7) days preceding said date set for hearing so that said Board of Adjustment may prepare the record for said hearing.

2. Determination of City Council. The City Council after proper review of the decision of the Board of Adjustment, may affirm, reverse, alter, or remand for further review and consideration any action taken by said Board of Adjustment.

e. Inspection.

Following the issuance of a conditional use permit by the Board of Adjustment, the Building Inspector shall approve an application for building permit and shall insure that development is undertaken and completed in compliance with said permits.

f. Time Limit.

Unless there is substantial action under a conditional use permit within a maximum period of one (1) year of its issuance, the conditional use permit shall expire. The Board of Adjustment may grant a maximum extension of six (6) months under exceptional circumstances and when deemed to be in the public interest.

g. Temporary Conditional Use Permit.

A conditional use permit for temporary uses may be issued pursuant to the above provisions for a maximum period of six (6) months, with renewals at the discretion of the Board of Adjustment for not more than three (3) successive periods thereafter.

B. Part 3.1 of Section III of said Ordinance is amended by the addition of Subpart n. and o. thereto, as follows:

3.1 n. Conditional uses: The following may be allowed as conditional uses in the R-1 District:

n-1 Historic Buildings. The Board of Adjustment or Building Inspector may permit as a conditional use in Historic Buildings, the following uses:

- 1. Offices and accessory commercial uses as deemed appropriate if designed for use by the occupants of and visitors to the offices; provided that access to such uses is only from within the building and that there is no exterior evidence to such uses as signs or display windows.
- 2. Limited retail businesses which do not change the basic character of the building in the district in which it is located.

3.1 o. Temporary conditional uses: The following may be allowed as temporary conditional uses in the R-1 District:

o-1 Mobile homes. A maximum of one mobile home per building lot may be allowed for the use and occupancy of the owner or lessee of said lot, or agent of either, and if such occupancy is deemed necessary to provide said person and/or his family a place to live while a permanent structure is being constructed on said building lot for their occupancy.

C. Part 3.2 of Section III of said Ordinance is amended by the addition thereto of Subpart n. and o., as follows:

3.2 n. Conditional uses: The following may be allowed as conditional uses in the R-2 District:

n-1 Historic Building. Historic buildings may be used for offices and accessory commercial uses and or limited retail businesses subject to the same restrictions as set forth in section 3.1 n n-1 in R-1 Districts.

3.2 o. Temporary conditional uses: The following may be allowed as temporary conditional uses in the R-2 District:

- o-1 Mobile homes. A maximum of one mobile home per building lot may be allowed for the use and occupancy of the owner or lessee of said lot, or agent of either, and if such occupancy is deemed necessary to provide said person and/or his family a place to live while a permanent structure is being constructed on said building lot for their occupancy.

D. Part 3.3 of Section III of said Ordinance is amended by the addition thereto of Subpart o., as follows:

3.3 o. Conditional uses: The following may be allowed as conditional uses in the C- District:

- o-1 Historic Building. Historic buildings may be used for offices and accessory commercial uses and or limited retail businesses subject to the same restrictions as set forth in section 3.1 n n-1 in R-1 Districts.

- o-2 Residential Uses. Any use allowed as a permitted use in an R-1 or R-2 District so long as, in addition to the considerations set forth in Section II, Subpart 2.4 c. 4., the following conditions are met:

1. Written consent to the issuance of the conditional use permit is given by the majority of the owners of real property and the owners of not less than seventy five percent (76%) of the value of real property which is within 520 feet from any point on the lot for which the conditional use is sought; and
2. The City Council approves the issuance of the permit for a residential use in a commercial district by resolution; and
3. The set back, lot size, height, and lot coverage requirements of the R-2 District are fully complied with by the applicant.

E. Part 3.4 of Section III of said Ordinance is amended by the addition thereto of Subpart P., as follows:

3.4 p. Conditional uses. The following may be allowed as conditional uses in the I-District:

- p-1 Historic Building. Historic buildings may be used for offices and accessory commercial uses and or limited retail businesses subject to the same restrictions as set forth in section 3.1 n n-1 in R-1 Districts.

F. Part 3.5 of Section III of said Ordinance is amended by the addition thereto of Subpart p., as follows:

3.5 p. Conditional uses: The following may be allowed as conditional uses in the O- District:

- p-1 Historic Buildings. Historic buildings may be used for offices and accessory commercial uses and or limited retail businesses subject to the same restrictions as set forth in section 3.1 n n-1 in R-1 Districts.

G. Part 3.6 of Section III of said Ordinance is amended by the addition thereto of Subpart m., as follows:

3.6 m. Conditional uses: The following may be allowed as conditional uses in the MH-District:

- m-1 Historic Buildings. Historic buildings may be used for offices and accessory commercial uses and or limited retail businesses subject to the same restrictions as set forth in section 3.1 n n-1 in R-1 Districts.

H. Section IV, Part 4.1 b. b-5 as it currently reads is hereby revoked in its entirety and the following amendment substituted therefor:

b-5 1. A non-conforming use which has been abandoned shall not thereafter be returned to such non-conforming use. A non-conforming use shall be considered abandoned when:

- (a) The intent of the owner to discontinue the use is apparent;
- (b) The characteristic equipment and the furnishings of the non-conforming use have been removed and have not been replaced by similar equipment and furnishings within one year, subject to part 2. below;
- (c) The building or premises are left vacant for a period of one year or more, subject to part 2. below; or
- (d) The use has been replaced by a conforming use.

2. In regards to subparts (b) and (c) above, if a statement of intent to resume operations is filed with the Board of Adjustment before the expiration of the one-year period, the period of discontinued use may be extended for an additional period not to exceed six months. In no event, however, regardless of expressed interest, shall such discontinuance extend beyond a period of 18 consecutive months without the right to continue the non-conforming use being permanently terminated.

I. Section IV, Part 4.1 b. b-6 as it currently reads is hereby revoked in its entirety and the following amendment substituted therefor:

b-6 A non-conforming use shall terminate if the structure in which it is operated is damaged or destroyed from any cause whatsoever and the cost of repairing the damage exceeds sixty percent of the replacement cost of the structure on the date of the damage. However, if a statement of intent to repair the damaged structure is filed with the Board of Adjustment within thirty days of the date of damage, and if such repair is begun within ninety days of such date, the non-conforming use may be continued. The area of non-conforming use may not be enlarged or extended by more than the percentage set forth in sub-section b-4 above. Also, the owner, lessee or user of the particular structure must use his best efforts to see that the repairs are completed within six months of the date of damage. The Board of Adjustment may, for good cause shown, and the owner, lessee or user shall have the burden of showing that he has diligently pursued the completion of the repairs, allow a maximum of six 30-day extensions for the completion of the repair work. In no event, however, except upon a showing by the owner, lessee or user that he has diligently pursued having the repairs completed and otherwise used his best efforts to comply with the time limits of this section; and a showing of extraordinary circumstances that have prevented completion of the work within said time limits; and a showing that to terminate the right to continue the non-conforming use would result in an extreme hardship on the owner, lessee or user, shall the right to continue the non-conforming use continue beyond one year from the date of damage.

J. Section IX of said Zoning Ordinance is amended beginning with Subpart 9.11, as follows:

Subparts 9.11 through 9.29 are renumbered 9.12 through 9.30 respectively. A new subpart 9.11 is added as follows:

9.11 Historic Buildings: Any building listed in the National Register of Historic Places or on the Utah State Register of Historic Sites or any building so designated by a formal resolution of the City Council upon recommendation of the Building Inspector.

K. Section III, Part 3.1, Subpart 1 of said Zoning Ordinance is amended as follows:

1. Part 3.1 f. is amended to read as follows:
  - 3.1 f. Minimum Lot Width.  
70 feet at the front set back line.
2. Part 3.1 i. is amended to read as follows:
  - 3.1 i. Minimum Side Setback for Structures.
    - i-1 Side setback not abutting a street - 10 feet or 1 foot for each 3 feet of building height or fraction thereof, whichever is greater.
    - i-2 Side setback abutting a local collector street- 15 feet.
    - i-3 Side setback abutting an arterial street - 40 ft.

L. Section III, Subpart 3.2 of said Ordinance is amended as follows:

1. Part 3.2 d. is amended to read as follows:
  - d-9 Under no circumstances shall any of the following be considered a home occupation: antique shop, barber shop, clinic, restaurant, or veterinarian's clinic.
2. Part 3.2 f. is amended to read as follows:
  - 3.2 f. Minimum Lot Width.  
70 feet at the front setback line.
3. Part 3.2 i. is amended to read as follows:
  - 3.2i. Minimum Side Setback for Structures.
    - i-1 Side setback not abutting a street - 7 feet, or 1 foot for each 3 feet of building height, or fraction thereof, whichever is greater.
    - i-2 Side setback abutting a local or collector street - 15 feet.
    - i-3 Side setback abutting an arterial street - 40 feet.

M. Section III, Part 3.6 of said Zoning Ordinance is amended as follows:

1. Part 3.6 f. is amended to read as follows:
  - 3.6 f. Minimum Front Setback for Structure.
    - f-1 For corner properties abutting local or collector streets - 15 feet.
    - f-2 For all other properties - 10 feet.
2. Part 3.6 g. is amended to read as follows:
  - 3.6 g. Minimum Rear Setback for Structure.  
All structures - 5 feet.
3. Part 3.6 h. is amended to read as follows:
  - 3.6 h. Minimum Side Setback for Structure.
    - h-1 All structures adjacent to streets - 10 feet.
    - h-2 All other structures - 5 feet.
    - h-3 Minimum of 20 feet between all habitable structures.

Section II. Pursuant to Utah Code Annotated, 1953, as amended, §10-9-5, and Part 8.3 of S8 of the Zoning Ordinance, 1979-1, 15 days notice of the public hearing regarding these amendments was posted on the affected properties and published in the San Juan Record, a newspaper of general circulation in the municipality.

Section III. Inasmuch as the necessary notices and public hearings have been held on this matter, and it is necessary, in the opinion of the City Council, to the peace, health, and safety of the inhabitants of the City of Blanding, Utah, this Ordinance shall take effect immediately.

PASSED by the City Council of the City of Blanding, Utah, this 13th day of November, 1979.

CITY OF BLANDING  
S/ Mayor Pro Tempore

ATTEST:

S/ City Recorder

Date of Posting: 11-14-79

Motion for adoption of Ordinance No. 1979-7 was made by Councilman Black and seconded by Councilman Bradford, voting on the motion being as follows:

Those voting "Aye": Councilman Black  
Councilman Bradford  
Councilman Hunt  
Councilman Lyman  
Councilwoman McDaniel

Those voting "Nay": None  
constituting all the members thereof.

WHEREUPON the Mayor Pro Tempore declared the motion carried and Ordinance No. 1979-7 duly adopted.

6. The following ordinance was read in full to the Council:

ORDINANCE NO. 1979-8

AN ORDINANCE AMENDING §9-531, PART 9-530, CHAPTER 9-500 OF THE CODE OF REVISED ORDINANCES OF THE CITY OF BLANDING RELATING TO THE ADOPTION OF THE UNIFORM BUILDING CODE.

BE IT ORDAINED by the City Council of the City of Blanding, a Municipal Corporation of the State of Utah that:

Section I. §9-531, Part 9-530, Chapter 9-500, Code of Revised Ordinances of the City of Blanding, as adopted by Ordinance No. 1978-1, is amended as follows:

9-531. ADOPTION OF BUILDING CODE. The Uniform Building Code, 1976 Edition, published by the International Conference of Building Officials and printed as a code in book form, three copies of which have previously been filed with the recorder/clerk for use and examination by the public, hereby is approved and adopted as the building code of this municipality. Any updated edition of the Uniform Building Code may be adopted, in whole or in part, or as modified as the City Council may deem appropriate, as the building code of this municipality, by resolution of the City Council.

Section II. In the opinion of the City Council, it is necessary to the peace, health, and safety of the inhabitants of the City of Blanding, that this Ordinance become effective immediately.

Section III. This Ordinance shall take effect immediately upon posting.

PASSED by the City Council of the City of Blanding, Utah, this 13th day of November, 1979.

ATTEST:  
S/ City Recorder

S/ Mayor ProTempore

DATE OF POSTING: 11-14-79

Motion for adoption of Ordinance No. 1979-8 was made by Councilman Hunt and seconded by Councilwoman McDaniel, voting on the motion being as follows:

Those voting "Aye": Councilman Black  
Councilman Hunt  
Councilman Lyman  
Councilwoman McDaniel

Those voting "nay": None  
Those abstaining: Councilman Bradford  
constituting all the members thereof.

Whereupon the Mayor Pro Tempore declared the motion carried and Ordinance No. 1979-8 duly adopted.

7. The following resolution was read in full to the Council:

RESOLUTION NO. 1979-20

A RESOLUTION ADOPTING THE UNIFORM BUILDING CODE  
1979 EDITION, WITH A MODIFICATION OF S301-(b)  
2 THEREOF.

A Meeting of the City Council of the City of Blanding, State of Utah was held at the Blanding City Offices, Blanding, Utah on the 13th day of November, 1979. A quorum of the City Counsellors being present, whereupon the following resolution was offered, seconded and adopted:

RESOLVED, that pursuant to S9-531, the Code of Revised Ordinances of the City of Blanding, as amended, the Uniform Building Code, 1979 Edition, is hereby adopted as the building code of this municipality, with the following modification:

S301-(b) 2 is amended to substitute the figure "256 square feet" for the figure "120 square feet", and that the following sentence be added to said section, "In no event shall any one side of any accessory building exceed sixteen (16) feet in length."

IT IS FURTHER RESOLVED, that this Resolution adopting the 1979 Edition of the Uniform Building Code be effective immediately.

DATED this 13th day of November, 1979.

CITY OF BLANDING  
S/ Mayor Pro Tempore

ATTEST:

S/ City Recorder  
DATE OF POSTING: 11-14-79

Motion for adoption of Resolution No. 1979-20 was made by Councilman Hunt, seconded by Councilwoman McDaniel and unanimously carried.

WHEREUPON the Mayor Pro Tempore declared the motion carried and Resolution No. 1979-20 duly adopted.

8. Councilman Bradford raised the question as to whether or not there is a conflict between Chapter 9 Part 9-521 of the Revised Ordinances of the City of Blanding, and Blanding City Resolution No. 1979-20. The Council agreed the question should be considered by the City Attorney.

9. The following letter was read in full to the Council:

City of Blanding  
Blanding, Utah  
November 8, 1979

Mayor and City Council  
City of Blanding  
City Office  
Blanding, Utah 84511

RE: Planning and Zoning Commission Actions November 7, 1979

Dear Mayor and City Council:

At the regular meeting of the Planning and Zoning Commission held on November 7, 1979 three motions passed that should be brought to your attention in order to receive your formal action as elected City Officials where required.

1. Two petitions were received and considered by the Commission. The requests were to rezone from R-2 to C. Both requests were recommended by the commission for approval by the Council as soon as possible. It was recommended by the Commission that the petition from Grayson Development be changed to leave an R-2 buffer strip fronting 100 East Street.
2. A motion passed to have Philip Palmer contact Energy Fuels Nuclear regarding a verbal offer to donate property for a softball complex in the area of the proposed Mobile Home Park. The purpose being to assess if the offer was in good faith and to see if it would be appropriate for the City (County also) to pursue a request for this donation and how to pursue the request.
3. A motion passed requesting from the City Council a "Job Description" type of tasks, duties, responsibilities and involvements that the Council desires the Planning Commission to be concerned with and the scope of involvement. Also that the Planning and Zoning Commission use "Task Committees" to solve specific needs and problems. That Dwight Laws be the Task Leader for the Softball Quad project.

Please consider these requests and recommendations.

City of Blanding  
Planning and Zoning Commission

S/ Hugh P. Kirkham, P.E.  
Chairman

10. The following petitions for rezoning property were received by the Council:

GRAYSON Development Corporation  
November 7, 1979

Blanding City Zoning Board  
Blanding, Utah 84511

Gentleman:

This letter is to request a zoning change on the back portion of the attached parcel of land. We request that the zoning designation be changed from R-2 to C in order that our company be able to develop a 120,000 sq. ft. shopping center on this site.

Please find enclosed a \$50.00 check to cover the hearing costs. I will personally be present at the meeting to answer any questions.  
Thank you.

Sincerely,  
S/ Steve L. Bronson

Encl.  
SLB/kb

Mokee Realty  
5958 Westminster Avenue  
Westminster, California 92683  
October 1, 1979

City of Blanding  
50 West 1st South St.  
P. O. Box 68  
Blanding, Utah 84511

Attention: Mr. Philip Palmer, City Mayor & City Council

RE: PROSPECTOR DEVELOPMENT AREA

Request is hereby made for a rezoning to commercial property for the parcel of land in the City of Blanding described as follows:

Beginning at a point which is 3454.59 feet North and 2107.1 feet East of the S  $\frac{1}{2}$  corner of Section 34, T 36 S, R 22 E, SLB&M, and running thence East 395.01 feet; thence North 503.33 feet; thence West 481.01 feet (said point being on the East right of way line of U. S. Highway No. 163), thence Southwest along the East boundary of said right of way line of State Highway No. 163 to a point which is 260 feet West of point of beginning; thence East 260 feet more or less to the point of beginning.

Current plans for this property include but are not limited to the construction of additional units on the Prospector Motor Lodge, a deluxe western style family restaurant, plus several commercial stores and offices.

Enclosed please find the required \$50.00 application fee.

Your prompt and serious consideration to this request would be greatly appreciated. Thank you.

Respectfully

S/ Ray Wm Palmer  
5958 Westminster Ave.  
Westminster, California  
92683

Motion was made by Councilman Bradford, seconded by Councilman Hunt and unanimously carried that the City advertise a Public Hearing to be held November 28, 1979 at 8:00 O'Clock P.M. in the City Hall, relative to the foregoing requests for rezoning property.

11. Councilman Bradford discussed with the Council a possible realignment of Council assignments as well as functioning within assigned responsibilities inclusive of involving the general citizenry on Task and Study Committees.
12. Councilman Black expressed concern over the continuation of the sidewalk project during freezing weather when the concrete may be damaged. The Council concluded that the project should be halted immediately following a downturn in temperatures to a point considered unsafe by the City Engineer.
13. The City Engineer reported that Mr. Harold Mosley is attempting to complete construction at his property on South Highway 163 which he had been ordered to stop pending compliance with certain conditions. The Council reaffirmed that Mr. Mosley must comply with agreed-to conditions prior to continuing his construction project.

Meeting adjourned at 1:40 P.M.

---

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD NOVEMBER  
28, 1979 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmen: Cleal Z. Bradford  
Francis M. Lyman  
City Councilwoman: LaRue McDaniel  
City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer

Absent were: City Councilmen: Bruce N. Black  
Jon L. Hunt

Also present were: Mrs. Marsha Keele; Mrs. Kathy Patterson; Mrs. Lynda Shumway;  
Mr. Charles Lyman; Mr. Kay P. Lyman.

1. Prayer was offered by the Recorder.
2. Minutes of City Council meetings held October 24 and November 13, 1979 were approved.
3. Councilman Lyman reported that following consultation with the Chief of Police, he authorized the hiring of Mr. George A. Jones on a part-time basis as a Patrolman with the Police Department.  
Motion was made by Councilwoman McDaniel, seconded by Councilman Lyman and unanimously carried, ratifying and confirming the action of Councilman Lyman and the Chief of Police in hiring Mr. George A. Jones on a part-time basis as a Patrolman for the Police Department, fixing salary base at \$900.00 per month from which payment would be computed on a percentage basis relative to full time consideration being a 40 hour work week.
4. Councilwoman McDaniel inquired as to the status of the Christmas decorations installation and the sidewalk construction project. The Engineer advised that the streets crew will commence putting up the decorations on Monday, December 3, subject to replacement light bulbs being available, and that the sidewalk project has been suspended until the frost goes out of the ground.
5. Councilwoman McDaniel requested a letter be sent to all residents and business establishments with concrete sidewalks alongside their property, advising of their snow removal responsibility under City Ordinances.
6. Following a discussion of the need to carry on with the 5th North, 1st and 2nd West Street curb, gutter and Sidewalk project, it was agreed that the City should request agenda time with the San Juan County Commission at their meeting scheduled December 3, 1979, to discuss continued County participation in this project. The Engineer will follow up on this matter.
7. The Council authorized an adjustment in electricity service charges to Ray Lyman North Trailer Court No. 2, for such period of time as is required to allow the occupant to recover the difference between charges to him at general service rate and the eligible hot water heat rate during the period from February through October, 1979; the amount being approximately \$60.00.
8. Mr. Kay P. Lyman and Mr. Charles Lyman advised the Council of their intent to sell land North of 700 North Street between 1st and 3rd West Streets, to the San Juan School District and requested a statement of their status relative to the City sub-division ordinance regulations as a result of the proposed sale and their desire to phase their total property development. The Council agreed that the sub-division ordinance must be adhered to and that the current requirement is submission of a preliminary plat indicating the proposed phased development.
9. The Council conducted a hearing on petitions by Grayson Development Corporation and Mokee Realty to re-zone the following areas from Residential "R-2" to Commercial "C":

Beginning at a point 3,454.59 feet North and 2,057.1 feet East of the South  $\frac{1}{4}$  corner of Section 34, Township 36 South, Range 22 East, Salt Lake Base and Meridian, and running thence East 445.01 feet; thence South  $0^{\circ}16'15''$  East 109.14 feet; thence South  $89^{\circ}43'45''$  West 112.54 feet; thence South  $29^{\circ}43'17''$  West 410.58 feet more or less; thence North  $83^{\circ}16'43''$  West 167.52 feet; thence Northeasterly paralleling U. S. Highway No. 163 right-of-way to the point of beginning.

Beginning at a point 3,454.59 feet North and 2,057.1 feet East of the South  $\frac{1}{4}$  Corner of Section 34, Township 36 South, Range 22 East, Salt Lake Base and Meridian, and running thence East 445.01 feet; thence North 503.33 feet; thence West 271.01 feet to a point 210 feet East of U. S. Highway No. 163 East right-of-way line; thence Southwesterly paralleling said right-of-way to the point of beginning.

Mrs. Lynda Shumway inquired as to whether the Commercial area would extend to the West boundary of 1st East Street and was informed that the Commercial zone would terminate 100 feet west of the west boundary of 1st East Street.

The Council agreed that a formal ordinance should be prepared for their consideration relative to accomplishing the foregoing requested rezoning.

10. Councilman Bradford discussed the following with the Council:

- A. The possible efficiencies which could result in aligning Council assignments consistent with Ordinance categorization.
- B. The value of charting departmental organization.
- C. Department salary schedules and job descriptions.
- D. Advantages of utilizing a computer system for keeping current in all phases of accounting, finance, budgetary and inventory control as well as ease in report preparation.
- E. Ordinance requirements relative to the appointment of an Electric System Operating Board and a Board of Health.
- F. The necessity for a City appointed Dog Pound Operator.
- G. Current status of the Master Street Plan.

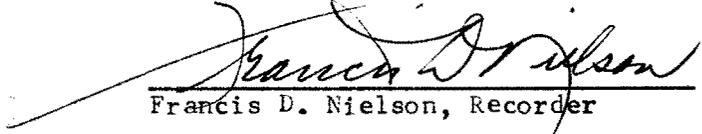
It was agreed that Councilman Bradford and the City Administrator would cooperate in the preparation of Departmental Organization Charts, Job Descriptions and Salary Schedules.

The City is currently in the preliminary stages of computerizing its operations.

Mayor Gibbons will appoint an interim Board of Health and formal resolutions will be drawn appointing a permanent Board of Health and Electric System Operating Board.

H. Clyde Watkins, DVM has proposed that the City build a dog pound on his premises southeast of the City, to be operated for the City by Him for agreed upon fees. He would apply all fees due him towards purchase of the facility and upon his acquiring full ownership, he would continue as City appointed Dog Pound Operator for consideration of the established fees. The Council agreed that a construction cost estimate must be considered prior to entering into this type of agreement.

Meeting adjourned at 10:50 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD DECEMBER  
12, 1979 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmen: Bruce N. Black  
Cleal Z. Bradford  
Jon L. Hunt  
Francis M. Lyman

City Councilwoman: LaRue McDaniel

City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer

Also Present were: Mr. Dwight D. Laws; Mr. Curt Pehrson

1. Prayer was offered by the Engineer.
2. Minutes of City Council meeting held November 28, 1979 were approved.
3. Mr. Curt Pehrson, Planning Assistant, Southeastern Utah Association of Governments, discussed with the Council, the planning functions of his organization and requested their cooperation in preparation of a proposed Growth Management Plan for the SEUAOG area. The plan would be developed from an initial Community and/or County survey which would obtain input on Community or County needs from a sampling of a given percentage of households from each jurisdiction. This information would result in a prioritized list of goals from which a program to match the goals would follow. The communities and county governments would then prepare a prioritized program for their county and the four counties comprising the SEUAOG would prepare from these programs, a prioritized area growth master plan.  
The Council agreed that the survey procedure may be carried out in the community but reserved further commitment to the total planning function.
4. Mayor Gibbons counselled those present on the necessity for confidentiality relative to personal items discussed in executive session.
5. Mr. Dwight Laws registered a complaint with the Council relative to the Justice of the Peace court handling of a traffic citation issued to his daughter.
6. The Council discussed matters relative to the operation and conduct of the Justice of the Peace Court, inclusive of reappointment of George M. Low to the position of Justice of the Peace. No action was taken on the matter.
7. Mr. Dwight Laws advised the Council that no decision has been reached on the site for a proposed Quad-Softball field project.
8. Mayor Gibbons advised the Council that Mark and Steve Wright are considering requesting a franchise from the City for installation of cable television facilities within the City utilizing City-owned utility poles for the distribution net. No action was taken on this matter.
9. Councilman Black inquired as to the Job responsibilities of City Employees Gerald M. Black and Jay W. Palmer.  
The Recorder advised that Mr. Black is Superintendant of the Water and Sewer systems and responsible for their maintenance and operation; that Mr. Palmer is City Shop Foreman and responsible for the maintenance of City vehicles and equipment. The nature of their work requires cooperation between them. Particularly, the daily water treatment plant routine necessitates a cooperative work schedule. Accordingly, Mr. Palmer also holds the title of Assistant Water and Sewer Systems Operator.
10. Councilman Hunt inquired as to the status of the Johnson Creek Well Pumpouse repairs and was advised that nothing has been done at this date; that the water system operators desire to remove the engine from the building effecting the necessary engine repairs during the winter season, and either construct a new building to house the

equipment or repair the old building next spring.

The Council approved removal of the engine and later building maintenance, or new construction if affordable.

11. Councilman Lyman advised that San Juan County, after January 1, 1980, will commence charging \$3.00 per prisoner for meals furnished at the County jail.

12. Motion was made by Councilwoman McDaniel, seconded by Councilman Lyman and unanimously carried that the City construct a dog pound on the property of H. Clyde Watkins, D.V.M. in accordance with terms and conditions to be set forth in a formal agreement between Dr. Watkins and the City which would allow him to acquire the pound through services and operation fees.

13. Councilwoman McDaniel reported the following relative to a meeting of City officials with members of the San Juan County Commission:

- A. San Juan County will participate in the City Sidewalk, Curb and Gutter projects scheduled for Calendar year 1980 in the amount of \$24,000.00.
- B. San Juan County desires City approval of building construction in areas adjacent to the City corporate boundaries prior to their issuing a construction permit.
- C. The County Commission desires that interactions between the City and County be covered under an interlocal cooperative agreement, which they requested the City initiate.

14. The Council discussed water projects generally without taking any specific action.

15. The following assignments were made by the Mayor and duly accepted by the Council members:

Council Assignments  
Effective January 1, 1980

Assignment 1. Title 9-000, Portion of 10-000.

Licensing; Control and Regulation of Business and Construction; Public Health.

Council Member - Jon L. Hunt

Assignment 2. Title 11-000.

Public Works: Streets; Airport; Parks & Public Places.

Council Member: LaRue McDaniel

Assignment 3. Title 12-000.

Planning and Zoning.

Council Member: Cleal Z. Bradford

Assignment 4. Title 13-000, Portion of 10-000.

Public Safety: Police; Fire; Safety Inspection.

Council Member: Francis M. Lyman

Assignment 5. Title 14-000.

Utilities: Electric; Water; Sewer; Waste Collection.

Council Member: Bruce N. Black

16. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Hunt and unanimously carried:

RESOLUTION NO. 1979-21

A RESOLUTION APPOINTING A MUNICIPAL  
POWER BOARD.

BE IT RESOLVED by the City Council of the City of Blanding that the action of the Mayor appointing the Mayor and members of the City Council as

the Blanding City Municipal Power Board for terms to run concurrently with their respective elected offices be, and the same is hereby ratified, confirmed and consented to by the City Council.

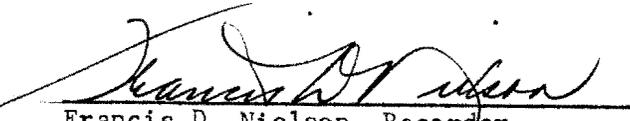
PASSED, ADOPTED and APPROVED this 12th day of December, 1979.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

Meeting adjourned at 10:55 P.M.

  
Francis D. Nielson, Recorder

ADMINISTRATION OF OATH OF OFFICE  
January 2, 1978, 12:00 O'Clock Noon

Present were:

Mayor: - DeLamar Gibbons, M.D., Mayor-Elect  
City Councilman, Elect - Jon L. Hunt  
City Councilwoman, Elect - LaRue McDaniel  
City Recorder: - Francis D. Nielson

Also Present: 15 Citizens

Oath of Office was administered by the City Recorder to DeLamar Gibbons, M.D. who duly accepted the office of Mayor.

Oath of Office was administered by the City Recorder to Jon L. Hunt and LaRue C. McDaniel who duly accepted their offices of City Councilman and City Councilwoman, respectively.

---

Francis D. Nielson  
City Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
JANUARY 25, 1978 AT 8:00 O'CLOCK  
P.M. IN THE CITY HALL.

Present were: Mayor De Lamar Gibbons

City Councilmen: Jon L. Hunt  
Francis M. Lyman

City Councilwoman: LaRue C. McDaniel

City Recorder: Francis D. Nielson

Absent were Councilmen: Bruce N. Black  
Michael T. Hurst

Also Present: Mr. Lynn A. Wright, Fire Chief and the following members of the  
Blanding Volunteer Fire Department:

Gerald M. Black  
Tony Oriett  
Dan Woodard

Mr. George M. Low, Justice of the Peace  
Mr. Earl Stevens, Blanding Chamber of Commerce representative

1. Prayer was offered by Councilman Hunt.
2. Minutes of City Council meeting held December 14, 1977 were read and approved.
3. Mr. Lynn A. Wright, Fire Chief, presented the following information to the Council:

CITY OF BLANDING  
Volunteer Fire Department

Lynn Wright, Fire Chief  
Gordon Redd, Assistant Fire Chief  
Tony Oriett, Training Captain  
Gerald Black, Captain in charge of apparatus maintenance  
Dan Woodard, Captain in charge of personnel

Dale Black Jerry Black  
Jim Allred Gordon Hawkins  
Derald Kurtz Don Roberts  
Don Smith

The GOAL of the Blanding Fire Department is to provide adequate fire protection of life and property to the citizens of this community.

Immediate needs are:

Training: Training manuals  
More Personnel: 18 men  
Full turnouts: coat, helmet, boots and gloves  
Air compressor  
Breathing apparatus with spare bottle  
Pike Poles  
Hand lanterns  
Ladders  
Smoke ejectors  
Rope  
Salvage covers  
Hall runners  
Hose  
Nozzles  
Fire truck repair  
Fire phones (at least two more for a total of 9)  
Testing of emergency alarm system  
Better siren for notification of emergency

This city is going to grow and anything done at this time should also take into consideration future needs. These needs are:

- A four bay fire station
- A 1250 GPM triple combination pumper
- A snorkel or aerial ladder truck.
- A communications system

We need a fulltime city fire inspector.  
The threads on all the fire hydrants need to be NST.

We have a lot of growth outside of the city limits. What is the city policy regarding fire department responses to these families?

What compensation do the fire fighters have for attending training drills and loss of personal items at fires?

The Council discussed with Mr. Wright and other fire department members, the foregoing matters, and advised that the miscellaneous equipment requirements should be purchased out of the current years operating budget, the other desired items should be prioritized, cost information should accompany final requests, the appointment of members to the department is the right and responsibility of the department subject only to advise and consent of the Council, compensation for training and fire fighting sessions should be revised in accordance with a program satisfactory to Department members, and that the Mayor and Council desire to support the department in every way possible to assure it being able to carry out its assigned functions.

4. At the request of Councilman Hunt, adoption of the proposed zoning ordinance was postponed until February 8, 1978, to allow him to further study the matter.

5. The Recorder advised the Council of a meeting scheduled for Friday, January 27, 1978 in the Commissioners room of the San Juan County Courthouse. Mayor Gibbons, Mrs. McDaniel and the Recorder accepted assignments to attend.

6. The following 1978 Calendar Year street improvement program was approved by the Council for submission to the San Juan County Commissioners and Road Department, as well as to be included in the Class "C" Road program:

Grade, Drain and Gravel:

- 2nd South Street between 2nd & 3rd East Streets
- 2nd East Street. Between Highway 163 and 1st North Street

Armor Coat:

- 3rd West Street from 550 North to Intersection with Reservoir Road.
- 6th North Street Between 2nd & 3rd West Streets
- 7th North Street Between 2nd & 4th West Streets
- 3rd West Street Between 5th South & Continental Streets
- Continental Street Between 2nd & 3rd West Streets.

Seal and Chip:

- 1st West Street - Total
- 1st East Street - Between 2nd North & 550 South
- 2nd East Street - Between Center & 550 South

7. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Hunt and unanimously carried.

RESOLUTION NO. 1978-1

BE IT RESOLVED by the City Council of the City of Blanding that the amount of \$70,939.76 be transferred from the Blanding City Account No. 0994657, Zions First National Bank, to Blanding City Joint Utility Improvement Fund, Account No. 036-0806-19, First Security Bank, Blanding Branch, Blanding, Utah.

PASSED, ADOPTED and APPROVED this 25th day of January, 1978.

S/ De Lamar Gibbons, Mayor

ATTEST:

S/ Francis D. Nielson, Recorder

8. Motion for adoption of the following resolution was made by Councilman Hunt, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1978-2

WHEREAS, Utah Power and Light Company, the wholesale electricity supplier to the City of Blanding, has increased the cost of such electricity by the amount of 10.00 per cent, effective December 1, 1977; and

WHEREAS, Blanding City has certain fixed electric system operating costs as well as debt service requirements necessitating a consistent source of net income, and

WHEREAS, the inflationary cost spiral continues to erode the net operating income of the City,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding that effective retroactively to December 1, 1977, the following electricity service rates be, and they are hereby, adopted, and the action of the City Recorder in charging such rates for electric service on and after December 1, 1977 is hereby ratified and confirmed:

<u>Residential - General</u>	<u>Residential - Electric Water Heater</u>
60 KWH's - 8.75¢ per KWH	(30 gallons or greater capacity)
140 KWH's - 6.25¢ per KWH	60 KWH's - 8.75¢ per KWH
500 KWH's - 4.05¢ per KWH	140 KWH's - 6.25¢ per KWH
All over 700 KWH's - 3.75¢ per KWH	500 KWH's - 2.5¢ per KWH
	All over 700 KWH's - 3.75¢ per KWH

Total Electric

60 KWH's - 8.75¢ per KWH
140 KWH's - 6.25¢ per KWH
500 KWH's - 2.5¢ per KWH
All over 700 KWH's - 2.4¢ per KWH

BE IT FURTHER RESOLVED that all new electric connections and all extensions of electric lines for the service of any and all customers shall be done only upon receipt of a duly executed agreement, satisfactory to the City Administrator, indicating said customers understanding of, and willingness to abide by, payment terms for costs incurred in making such connections or line extensions.

PASSED, ADOPTED and APPROVED this 25th day of January, 1978.

S/ DeLamar Gibbons, Mayor

ATTEST:

S/ Francis D. Nielson, Recorder

9. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1978-3

BE IT RESOLVED by the City Council of the City of Blanding that all bank withdrawals by the City of Blanding must bear the signature of the Mayor or a member of the City Council and the City Treasurer; and further that the following are hereby authorized to execute signature cards relative to the aforesated bank withdrawals:

DeLamar Gibbons, Mayor  
Bruce N. Black, City Councilman  
Jon L. Hunt, City Councilman  
Michael T. Hurst, City Councilman  
Francis M. Lyman, City Councilman  
LaRue C. McDaniel, City Councilwoman  
Francis D. Nielson, Treasurer

PASSED, ADOPTED and APPROVED this 25th day of January, 1978.

S/ De Lamar Gibbons, Mayor

ATTEST:

S/ Francis D. Nielson, Recorder

10. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Hunt and unanimously carried:

RESOLUTION NO. 1978-4

BE IT RESOLVED by the City Council of the City of Blanding, that the following be, and they are hereby, appointed to their respective offices for the period from February 1, 1978 to and including January 31, 1980:

George M. Low, Justice of the Peace

Francis D. Nielson, Recorder and Treasurer,  
and City Administrator

PASSED, ADOPTED and APPROVED this 25th day of January, 1978.

S/ DeLamar Gibbons, Mayor

ATTEST:

Francis D. Nielson, Recorder

11. The following letter from the School Community Group Sidewalk Committee was read to the Council:

Blanding, Utah  
January 4, 1978

Mr. Francis D. Nielson  
City Manager  
Blanding, Utah 84511

Dear Mr. Nielson:

The Blanding School Community Group Sidewalk Committee has been meeting on a regular basis for the past several months in order to investigate possibilities for improving safety conditions for children traveling to and from our local schools. We have identified several problem areas and have formulated several solutions that we wish to recommend to you. The recommendations that follow are what we consider immediate needs of the school age children of the community and we solicit your support in their implementation. Our ultimate goal is to find a way to provide more sidewalks. The suggestions listed below are less costly and hopefully within the means of the city's budget.

The suggestions are as follows:

1. We recommend that crosswalks are painted onto the streets at each corner and in the middle of the block on all the streets that adjoin the schools in Blanding. We also recommend that crosswalks are painted onto the street behind the Blanding Elementary School.
2. We recommend that properly designated bus zones are painted on appropriate curbs at all schools.
3. We recommend that double yellow lines be painted onto all roadways adjoining the schools in Blanding.
4. We recommend that the proper legal speed limit (20 m.ph.) be painted on the surfaces of the roads on all highways adjoining the schools in Blanding.

It is our understanding that Mr. Hugh Kirkham of the State Highway Department will do this painting for the city if he is requested to do so by your office and if weather conditions permit.

- 5. We recommend that all defaced speed signs near the schools be replaced.
- 6. We recommend that all the roads adjoining schools have stop signs or yield signs posted at their intersections.
- 7. We recommend that a 'NO U-TURN' sign be placed on the road south of the Albert R. Lyman Elementary School and that a safe U-turn area be designated.
- 8. We recommend that the City Police Department patrol the school areas during morning arrival and afternoon dismissal times in order to enforce speed limits, etc.
- 9. We recommend that the shoulder of the curve on the street south of the Albert R. Lyman Elementary School be widened with gravel in order to create a broader walking surface. It is our understanding from Commissioner Dave Guymon, that the county will provide this repair if requested to do so by your office.

Thank you for any assistance you can render.

Sincerely yours,  
 S/ Esther Frank, SCG Chairman  
 S/ Judy Mainord, SCG Sidewalk Chairman

CC: Mayor D. L. Gibbons  
 Janet Wilcox

The Council agreed that all cooperation possible should be given to this proposal.

12. Motion was made by Councilwoman McDaniel, seconded by Councilman Lyman and unanimously carried that Mr. John Seely, City Streets Foreman should remove snow from the Sidewalks in the areas of the schools subject to the availability of equipment from the San Juan County Road Department.

13. The following letter was read in full to the Council:

P. O. Box 275  
 Monticello, Utah 84535  
 December 19, 1977

Mr. Francis D. Nielson  
 City Office  
 Blanding, Utah 84511

Dear Bud:

Several years ago when I undertook to represent the City of Blanding, I was motivated in a considerable measure by the fact that no one else was available to do the work. I have now been advised that Grant A. Hurst is planning to open an office in Blanding and will be there during a regular time each week. I think this is a good thing.

Under these circumstances it seems to me that it would be desirable for the City to retain Grant to represent it. There are several advantages:

- 1. Grant would be there regularly and could perform more effectively.
- 2. It would help Grant to get established which would, in my judgment, be a benefit to the folks in the community in making legal services more available.
- 3. It would relieve me so I can take care of other committments which I have.

Please consider this as my resignation to take effect as soon as arrangements can be made with Grant. I would hope that this could be accomplished as near as possible to the first of the year, but I will be willing to assist after that time in making the transaction since there are several cases pending. I should be grateful if you would submit this letter to the mayor and city council.

I have appreciated very much my association with the City and its officers and employees and have nothing but pleasant recollections about that.

One last observation: I have been working for the City for \$30.00 an hour. This is below the going rate and I think you should consider paying Grant more than this.

Very truly yours,  
 S/ Robert (L. Robert Anderson)

14. Motion for adoption of the following resolution was made by Councilman Hunt, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1978-5

BE IT RESOLVED by the City Council of the City of Blanding that Grant A. Hurst be, and he is hereby appointed to the position of City Attorney for the period February 1, 1978 to and including January 31, 1980.

PASSED, ADOPTED and APPROVED this 25th day of January, 1978.

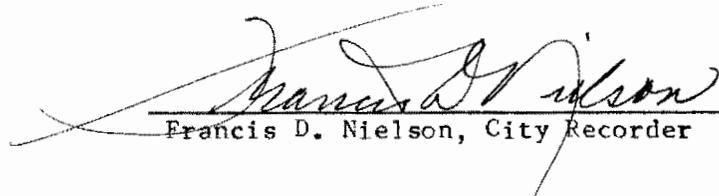
S/ DeLamar Gibbons, Mayor

ATTEST:

S/ Francis D. Nielson, Recorder

15. The Council discussed problems relative to the apparent unavailability of telephone service to new residents and businesses and requested the Recorder write the Continental Telephone System advising of current and projected growth trends to enable them to better anticipate area telephone service needs.

Meeting adjourned at 11:50 P.M.

  
Francis D. Nielson, City Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
FEBRUARY 8, 1978 at 8:00 O'CLOCK  
P.M. IN THE CITY HALL.

Present were: Mayor De LaMar Gibbons, M.D.

City Councilmen: Bruce N. Black  
Jon L. Hunt  
Francis M. Lyman

City Councilwoman: LaRue C. McDaniel

City Recorder: Francis D. Nielson

Absent was City Councilman Michael T. Hurst

Also Present: John B. Wright, Chief of Police;  
Mr. Jim Allred, Canyonlands Communications;  
Mr. Wilbur F. Laws; George M. Low, Justice of the Peace;  
Mr. Buckley Jensen

1. Prayer was offered by Councilman Lyman.
2. Minutes of City Council meeting held January 25, 1978 were read and approved.
3. Mr. John B. Wright, Chief of Police, requested the Council consider raising the pay scale for auxiliary police officers from \$25.00 to \$30.00 per eight-hour shift.

Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Hunt and unanimously carried:

RESOLUTION NO. 1978-6

BE IT RESOLVED by the City Council of the City of Blanding, Utah that effective retroactively to February 1, 1978, auxiliary police officers be compensated for assistance at the rate of \$30.00 per eight-hour shift.

PASSED, ADOPTED and APPROVED this 8th day of February, 1978.

Attest: Francis D. Nielson, Recorder S/ D. L. Gibbons, Mayor

4. The Council discussed with Mr. Jim Allred of Canyonlands Communications, proposals for improving the Police Department Communication system, particularly to make the department available to the public during the hours when the City Office is closed.

Motion was made by Councilman Black, seconded by Councilman Lyman and unanimously carried that the City have an extension to the Police Department telephone installed at the San Juan Nursing Home to avail of nursing home employees for paging the police department during hours when the City office is closed.

5. The Council discussed with Mr. Jim Allred, a communications system for the volunteer fire department. Mr. Allred was requested to prepare a formal proposal to be presented to the Council at a later meeting.

6. Mr. Wilbur Laws requested the Council reconsider its decision to open Third East Street South from 5th South to the old City Sewer Treatment plant property. It was explained to Mr. Laws that the street is necessary for servicing the water well drilled on the City property, as well as a dog pound under development and other proposed facilities. Mr. Laws then requested access east from the end of the proposed road, to his adjacent property. The Council agreed to individually tour the area under discussion prior to making a decision on the matter.

7. Motion for adoption of the following ordinance was made by Councilman Lyman:

ORDINANCE NO. 1978-1

An ordinance regulating land use, providing for the establishment of zoning districts and establishing procedures for the administration and enforcement of such regulations.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLANDING, UTAH.

SECTION 1

GENERAL

1.1 Title

This ordinance shall be known and cited as the "ZONING ORDINANCE" of the City of Blanding, Utah

1.2 Purpose

The zoning regulations and districts, as hereinafter set forth, have been made in accordance with a comprehensive study of the City of Blanding with reasonable consideration, among other things being given to the existing and potential uses for each of the districts, to the character of the districts as they relate to the community, to the conservation of land and building values, and to the most appropriate use of land throughout the City of Blanding. This ordinance is designed to promote the health and the general welfare; to prevent overcrowding of land; to avoid undue concentration of population; to prevent scattered, haphazard new growth; to avoid land use conflicts; to upgrade and maintain an attractive appearance; and to facilitate the adequate provision of streets, utilities, schools, parks, and other public facilities.

1.3 Separability

If any part or provisions of this ordinance or the application thereof to any person, property, or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation and direction to the part, provision, section, or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the integrity or validity of the remainder of this ordinance or the application thereof to other persons, property, or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without any such part, provision, section or application.

1.4 Scope

- a. This ordinance applies to all private lands situated within the boundaries of the City of Blanding and any public lands legally subject to its provisions.
- b. The provisions of this ordinance may be regarded as minimum requirements for the protection of the public health, safety, comfort, morals, convenience, prosperity, and welfare.
- c. This ordinance is not intended to abrogate or annul any building permit, certificates of occupancy, or other lawful permit issued before the effective date of this ordinance.
- d. Wherever higher or more restrictive standards are established by the provisions of any other applicable statute, ordinance or regulation, the provisions of such other statutes, ordinances or regulations shall apply.

1.5 Allication

- a. No building, structure, or land shall hereafter be used and no building or structure or part thereof shall be erected, constructed, reconstructed, altered, repaired, moved, or structurally altered except in conformance with the regulations herein specified for the district in which it is located; nor shall a yard, lot, or open space be reduced in dimensions or area to an amount less than the minimum requirements set forth herein.

- b. No structure shall hereafter be erected, altered, or used until a proper permit therefor has been issued by the responsible official designated by City Council.
- c. No person, firm or corporation and no officer or employee thereof shall knowingly sell, rent or lease or offer to sell, rent or lease any land or structure for any use or purpose contrary to the provisions of this ordinance.

1.6 Establishment of Zoning Districts

In order to carry out the provisions of this ordinance, the City of Blanding, Utah, is hereby divided into the following basic zoning districts:

- R-1 Residential
- R-2 Residential
- C Commercial
- I Industrial
- O Open Space
- MH Mobile Home

1.7 Zoning District Map

- a. The boundaries of these zoning districts are hereby established and shall be established as shown on maps entitled "Zoning District Map of the City of Blanding, Utah," which maps and all future official amendments thereto are hereby made a part of this ordinance.
- b. Unless otherwise defined on the zoning district maps, district boundary lines are lot lines; the centerline of streets, alleys, railroad rights-of-way or such lines extended; section lines; municipal corporate lines; the centerline of streambeds; or other lines drawn to scale on the zoning district map.
- c. It is the intent of this ordinance that all lands within the boundaries of the City of Blanding, Utah shall be located within one of the enumerated zoning districts. It is the further intent of this ordinance that if any land within the boundaries of the City of Blanding, Utah shall be determined not to be within one of the enumerated zoning districts, whether such determination result from annexation, from judicial declaration, or from any other reason or cause, then and in that event no permits shall be issued for the use of the land or for the erection or alteration of any structures thereon until the area has been examined by Council and a zoning classification established within a reasonable period of time. If no zoning classification is established for the land within 120 days from the date on which the area was found without classification, then any use which is authorized in the R-1 zoning district shall be permitted.

1.8 Uniform District Regulations

- a. The provisions of this ordinance shall apply uniformly to all geographical areas bearing the same district classification.
- b. Where an ownership of record is divided by a district boundary line, each such parcel thus created shall conform to the regulations pertaining to the zoning district in which each parcel is located.
- c. If one of the parcels described in b. above is smaller than the minimum zone lot size of the district in which it is located, it may be combined with the larger parcel and used for a use permitted in either of the zone districts applying to the entire ownership parcel.

1.9 Zone Lot for Structures and Uses

The land area occupied by a use and/or building site designated for a structure shall be deemed the Zone Lot for the purposes of this ordinance, and shall be provided and maintained for each use and/or structure in accordance with the provisions of the district in which the structure is located. The boundaries of a designated Zone Lot may be amended if all of the requirements of this ordinance can be maintained. Where more than one structure or use is to be placed on a designated Zone Lot the provisions of Section VII shall apply.

SECTION II

ADMINISTRATION AND ENFORCEMENT

2.1 Administering and Enforcing Agency

There is hereby vested in the Building Inspector the power and the duty to administer and enforce the provisions of this ordinance. For this purpose he shall administer such persons and monies as the City Council may provide. Incidental to this charge, he shall:

- a. Administer rules and procedures established by the City Council for conducting the zoning affairs of the City of Blanding, including issuing permits, collecting fees, coordinating with other officials, and developing necessary forms and etc.
- b. Intervene and participate, when deemed desirable, in public hearings before the Board of Adjustment on behalf of the City, and have decisions of the Board reviewed in Court when Council considers such review desirable.
- c. Receive and review all applications for permits and approve or disapprove such applications as a basis for the issuance of permits by the City Recorder.
- d. Receive all applications for amendment to this ordinance and to the Zoning district map, refer such applications to other City officials for comment and present such comments and applications to the City Council for final disposition.
- e. Propose to the Planning Commission any changes to this ordinance or to the Zoning District Map that may be desirable or necessary.
- f. Maintain a current zoning ordinance and map or maps showing the current zoning classification of all lands within the municipality.
- g. Maintain a current register of all non-conforming uses.
- h. Maintain such records and files as may be necessary in the conduct of the above duties.
- i. Make any examinations investigations relative to the use of land or structures to determine compliance with these regulations.

2.2 Violations, Penalties and Remedies

- a. A failure to comply with any of the provisions of this ordinance shall constitute a violation of this ordinance. Everyday on which a violation exists shall constitute a separate violation and a separate offense. The Building Inspector shall, in writing state the nature of the violation to the owner, the developer, tenant, leesee or manager and the method and time by which the violation must be corrected. After any such order has been served on any use, any building or any tract of land, no work shall proceed on such use, building or tract of land except to correct the violation.
- b. Any person, firm or corporation violating any provisions of this ordinance, upon conviction thereof, shall be fined not more than \$300.00 or imprisoned not more than ninety (90) days, or both. Each day during which the illegal erection, construction, reconstruction alteration, maintenance or use continues shall be deemed a separate offense.
- c. In addition to any of the foregoing remedies, the City Attorney acting in behalf of the City Council or any proper person may maintain an action for an injunction to restrain any violation of this ordinance. The imposition of any penalty hereunder shall not preclude the municipality or any proper person from instituting any appropriate action or proceeding to require compliance with the provisions of this ordinance and with administrative orders and determinations made hereunder.

2.3 Board of Adjustment

a. Creation and Organization

There is hereby created a Board of Adjustment, hereinafter referred to in this Article as "the Board." The membership of the Board shall consist of five residents of the municipality, appointed by the City Council. Their terms of office are five years, and must be fixed so that the term of office of one member expires each year.

Appointments to fill vacancies are to be made only for the unexpired portion of the term. The Board shall elect from its own membership its officers, who shall serve annual terms and who may succeed themselves. For the conduct of any hearing or the taking of any action, a quorum of three (3) members is required. No member of the Board shall hold any other office with the City of Blanding.

b. Rules for Proceeding Before the Board.

The Board shall adopt rules governing its actions. Among other things, such rules shall require that:

- b-1 The Board shall reach decisions on matters within its jurisdiction only after a public hearing.
- b-2 The Board shall give notice of such hearing to the public, the applicant, the Planning Commission, the Building Commissioner, and to such other persons or agencies as the board may designate by rule, and to any person who has made timely request for notice. The board shall give notices in such manner and at such time as shall be prescribed by rule.
- b-3 At any public hearing, any interested party may appear and, after being duly sworn, may offer evidence and testimony and cross examine witnesses.
- b-4 All evidence and testimony shall be presented publicly.
- b-5 The Board shall keep a record of the proceedings, for each case heard, either stenographically or by sound recording, and a transcript of the proceedings, and copies of graphic or written material received in evidence shall be made available to any party at cost. The record of proceedings shall include all documents and physical evidence considered in the case.
- b-6 The Board shall render a written decision on each case heard within 45 days of the hearing. Each decision must be accompanied by reasons therefore and based on findings of fact. Conclusions based on any provisions of this ordinance, or on any rule or regulation, must contain a reference to the provisions, rule, or regulation relied on and the reasons why the conclusion is deemed appropriate in light of the facts found. The Board may deliberate in executive session and such deliberations shall not be a part of the record of proceedings. However the record shall show the grounds for each decision and the vote of each member upon each question. This record of proceedings shall be a public record.

c. Administration

The City Council may establish reasonable fees to be paid by an applicant requesting a hearing before the Board. The Board will have such technical assistance and monies as Council may provide.

d. Powers of the Board.

The Board shall have the power to modify the requirements of this ordinance as hereinafter provided. In the exercise of this power the Board may affirm, reverse, or modify the order of decision appealed from and make such order as ought to be made and to that end shall have all of the powers of the officer appealed from.

e. Variances

The Board of Adjustment may authorize, upon appeal, such variances from the terms of this ordinance as will not be contrary to the public interest. The purpose of the variance shall be to modify the strict application of the requirements of this ordinance where, owing to exceptional and extraordinary circumstances, literal enforcement of the terms of the ordinance will result in unnecessary hardship. Every such variance authorized shall not be personal to the applicant but shall run with the land. No variance shall be authorized unless the Board shall find that all of the following conditions exist:

- e-1 That the variance will not authorize a Permitted Use other than those specifically enumerated in the zoning district in which the variance is sought.

- e-2 That owing to extraordinary circumstances, literal enforcement of the provisions of this ordinance will result in unnecessary hardship.
  - e-3 That the extraordinary circumstances were not created by the owner of the property and do not represent a general condition of the district in which the property is located.
  - e-4 That the variance, if granted, will not substantially or permanently injure any adjacent conforming property.
  - e-5 That the variance will not alter the character of the district in which it is located.
  - e-6 That the variance, if granted, is the minimum variance and the least modification that will afford the relief sought.
  - e-7 That the variance will be in harmony with the spirit of this ordinance and will not adversely affect the public health, safety, or welfare.
- f. Appeals from the Board

Any person, firm, or corporation aggrieved by any decision of the Board has recourse to court review of the Board's actions, provided a petition stating that the decision is illegal in whole or in part, and specifying the grounds of illegality is filed within thirty (30) days after the filing of the decision in the office of the Board.

SECTION III  
DISTRICT REGULATIONS

3.1 R-1 Residential District

a. Purpose

This District is intended as a low density residential area of one and two family dwellings and is intended to include related recreational, religious, cultural and educational facilities normally required to provide a balanced and attractive residential area.

b. Permitted Uses.

- b-1 Permanent One-Family Dwellings
- b-2 Permanent Two-Family Dwellings
- b-3 Public parks and playgrounds
- b-4 Public and private schools, elementary and secondary
- b-5 Churches and parish houses
- b-6 Essential public utility and public service installations for the benefit and protection of the immediate surrounding area. Such uses shall not include business offices, repair, sales, or storage facilities.

c. Permitted Accessory Uses

Any use which complies with all of the following conditions may be operated as an Accessory Use to a Permitted Use:

- c-1 Is clearly incidental and customary to and commonly associated with the operation of the Permitted Use.
- c-2 Is operated under the same ownership and on the same Zone Lot as the Permitted Use.
- c-3 Does not include structures or structural features inconsistent with the Permitted Use.
- c-4 Does not include residential occupancy.
- c-5 Does not include a floor area of over 50 per cent of the floor area of the Permitted Use.

d. Permitted Home Occupations.

Home occupations shall be allowed provided all the following conditions are met or written approval is endorsed by at least 80% of the occupant's neighbors who reside within one block radius from proposed location.

- d-1 Such use must be conducted entirely within a dwelling and carried on by the inhabitants living there and no others;
- d-2 Such use must be clearly incidental and secondary to the use of the dwelling for dwelling purposes and must not change the residential character thereof;
- d-3 The total area used for such purposes may not exceed one half the first floor area of the user's dwelling unit;
- d-4 There must be no advertising display or other indications of the home occupation on the premises; except that specifically allowed.
- d-5 There must be no sales of stock, supplies or products conducted on the premises;
- d-6 There must be no exterior storage on the premises of material or equipment used as a part of the home occupation;
- d-7 There must be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line;
- d-8 A home occupation must provide additional off-street parking area adequate to accommodate all needs created by the home occupation;
- d-9 Under no circumstances shall any of the following be considered a home occupation: Antique shop, barber shop, clinic, restaurant or veterinarian's clinic.

e. Minimum Lot Area

7000 square feet

f. Minimum Lot Width

70 feet at the front setback line; 65 feet minimum Front Lot width.

g. Minimum Front Setback for Structures

- g-1 For properties abutting local or collector streets - 25 feet
- g-2 For properties abutting arterial streets - 40 feet

h. Minimum Rear Setback for Structures

- h-1 Structure containing a Permitted Use - 20 feet
- h-2 Structure containing an Accessory Use only - 5 feet

i. Minimum Side Setback for Structures

- i-1 Side setback not abutting a street - 7 feet, or one foot for each 3 feet of building height of fraction thereof, whichever is greater.
- i-2 Side setback abutting a local or collector street - 25 feet
- i-3 Side setback abutting an arterial street - 40 feet

j. Maximum Building Height

- j-1 Buildings containing a Permitted Use - 35 feet
- j-2 Buildings containing an Accessory Use only - 20 feet

k. Maximum Lot Coverage.

- k-1 Dwelling units and their Accessory Uses shall cover no more than 30% of the total lot area.
- k-2 All other Permitted Uses and their Accessory Uses shall cover no more than 25% of the total lot area.

l. Required Off-Street Parking.

The provisions of Section V, Off-Street Parking Maintenance, shall be in full force and effect for this District.

- l-1 For each dwelling unit - 1 space
- l-2 For each classroom in an elementary or junior high school - 2 spaces.
- l-3 For each four seats in a Senior High School Auditorium, Church or principal place of assembly - 1 space

m. Fences, Walls and Retaining Walls

- m-1 Fences, walls and retaining walls up to 48 inches in height may be erected on any part of the Zone Lot.
- m-2 Fences, walls and retaining walls, on an interior lot, may be erected to a height of 72 inches on any part of the Zone Lot not in the front setback space.
- m-3 Fences, walls and retaining walls, on a corner lot, may be erected to a height of 72 inches on any part of the Zone Lot not in the front setback space, and in addition, on the side of the lot adjacent to the street, shall not continue a 72 inch height forward of the rear line of a structure containing a Permitted Use.
- m-4 Barbed wire, sharp pointed metal fences and electrically charged fences shall not be permitted.
- m-5 Fences shall be maintained in a good state of repair.
- m-6 Open mesh fences of any height may be erected on Zone Lots containing schools, public parks and playgrounds.
- m-7 The height of fences under this section shall include combinations of walls and fences.

3.2 R-2 Residential District

a. Purpose

This District is intended as a high density residential, office and institutional area providing living accommodations for the small or non-family and providing services to the broader community.

b. Permitted Uses.

- b-1 Permanent One-Family Dwellings
- b-2 Permanent Two-Family Dwellings
- b-3 Multiple Family dwelling
- b-4 Public parks and playgrounds
- b-5 Public and private schools, elementary and secondary
- b-6 Boarding and rooming houses.
- b-7 Hospitals, nursing homes and sanitariums.
- b-8 Medical and dental clinics.
- b-9 Churches and parish houses.
- b-10 Higher educational institutions and vocational schools.
- b-11 Essential public utility and public service installations and facilities for the benefit and protection of the surrounding area. Such uses shall not include business offices, repair, sales, or storage facilities.

c. Permitted Accessory Uses.

Any use which complies with all of the following conditions may be operated as an Accessory Use to a Permitted Use:

- c-1 Is clearly incidental and customary to and commonly associated with the operation of the Permitted Use.
- c-2 Is operated under the same ownership and on the same Zone Lot as the Permitted Use.
- c-3 Does not include structures or structural features inconsistent with the Permitted Use.
- c-4 Does not include residential occupancy.
- c-5 Does not include a floor area of over 50 per cent of the floor area of the Permitted Use.

d. Permitted Home Occupations.

Home occupations shall be allowed provided all the following conditions are met or written approval is endorsed at at least 80% of the occupant's neighbors who reside within one block radius from proposed location.

- d-1 Such use must be conducted entirely within a dwelling and carried on by the inhabitants living there and no others;
- d-2 Such use must be clearly incidental and secondary to the use of the dwelling for dwelling purposes and must not change the residential character thereof;
- d-3 The total area used for such purposes may not exceed one half the first floor area of the user's dwelling unit;
- d-4 There must be no advertising display or other indications of the home occupation on the premises; except that specifically allowed;
- d-5 There must be no sales of stock, supplies or products conducted on the premises;
- d-6 There must be no exterior storage on the premises of material or equipment used as a part of the home occupation;
- d-7 There must be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line;
- d-8 A home occupation must provide additional off-street parking area adequate to accommodate all needs created by the home occupation;
- d-9 Under no circumstances shall any of the following be considered a home occupation: antique shop, barber shop, beauty parlor, clinic, restaurant or veterinarian's clinic.

e. Minimum Lot Area

7000 square feet

f. Minimum Lot Width (65 feet at Property Front.)

70 feet at the front setback line.

g. Minimum Front Setback for Structures

g-1 For Properties abutting local or collector streets - 25 feet

g-2 For properties abutting arterial streets - 40 feet

h. Minimum Rear Setback for Structures

h-1 Structure containing a Permitted Use - 20 feet

h-2 Structure containing an Accessory Use only - 5 feet

i. Minimum Side Setback for Structures

i-1 Side setback not abutting a street - 10 feet, or one foot for each 3 feet of building height or fraction thereof, whichever is greater.

i-2 Side Setback abutting a local or Collector street - 25 feet

i-3 Side setback abutting an arterial street - 40 feet

j. Maximum Building Height

j-1 Buildings containing a Permitted Use - 50 feet

j-2 Buildings containing an Accessory Use only - 30 feet

k. Maximum Lot Coverage.

k-1 Dwelling units and their Accessory Uses shall cover no more than 50% of the total lot area.

k-2 All other Permitted Uses and their Accessory Uses shall cover no more than 40% of the total lot area.

l. Required Off-Street Parking.

The Provisions of Section V Off-Street Parking Maintenance, shall be in full force and effect for this District.

l-1 For each dwelling unit - 1 space

l-2 For each classroom in an elementary or junior high school - 2 spaces.

l-3 For each four seats in a Senior High School Auditorium, Church or principal place of assembly - 1 space.

1-4 For all other Permitted Uses, for each 600 square feet of floor area - 1 space.

m. Fences, Walls and Retaining Walls.

m-1 Fences, walls and retaining walls up to 48 inches in height may be erected on any part of the Zone Lot.

m-2 Fences, walls and retaining walls, on an interior lot, may be erected to a height of 72 inches on any part of the Zone Lot not in the front setback space.

m-3 Fences, walls and retaining walls, on a corner lot, may be erected to a height of 72 inches on any part of the Zone Lot not in the front setback space, and in addition, on the side of the lot adjacent to the street, shall not continue a 72 inch height forward of the rear line of a structure containing a Permitted Use.

m-4 Barbed wire, sharp pointed metal and electrically charged fences shall not be permitted.

m-5 Fences shall be maintained in a good state of repair.

m-6 Open mesh fences of any height may be erected on Zone Lots containing schools, public parks and playgrounds.

m-7 The height of fences under this section shall include combinations of walls and fences.

3.3 C Commercial District

a. Purpose

This commercial district is for personal and business services and for general retail and wholesale business of the city. It is intended to accommodate those commercial facilities which serve local residents, nearby residents, and the traveling public.

b. Permitted Uses.

Any general business, commercial, or wholesale activity, including by way of example but not limited to the following:

- b-1 Automobile sales and repair shops
- b-2 Bakeries
- b-3 Banks
- b-4 Barber and beauty shops
- b-5 Blacksmith shops
- b-6 Cabinet making and carpentry shops
- b-7 Cleaning establishments
- b-8 Churches
- b-9 Clothing stores
- b-10 Dairies
- b-11 Drug stores
- b-12 Florists
- b-13 Gas stations
- b-14 Grocery stores
- b-15 Hardware stores
- b-16 Laundries
- b-17 Lumber yards
- b-18 Machine shops
- b-19 Meat stores
- b-20 Office, studios, clinics
- b-21 Personal service shops
- b-22 Places of amusement or recreation
- b-23 Places serving food or beverages
- b-24 Plumbing shops
- b-25 Printing and publishing establishments
- b-26 Public facilities or utilities
- b-27 Sporting good stores
- b-28 Theaters
- b-29 Use car sales lots
- b-30 Veterinary establishments

c. Permitted Accessory Uses

Any use which complies with all of the following conditions may be operated as an Accessory Use.

- c-1 Is clearly incidental and customary to and commonly associated with the operation of the Permitted Use.
- c-2 Is operated under the same ownership and on the same Zone Lot as the Permitted Use.
- c-3 Does not include structures on structural features inconsistent with the Permitted Use.
- c-4 Does not include residential occupancy.
- c-5 Does not include a floor area of over 50 per cent of the floor area of the Permitted Use.

d. Permitted Home Occupations

None.

e. Minimum Lot area

None. However a Zone Lot must be designated and maintained for each structure containing a Permitted Use.

f. Minimum Lot Width

None.

g. Minimum Front Setback for Structures

5 feet.

h. Minimum rear Setback for Structures

20 feet.

i. Minimum Side Setback for Structures. None.

j. Maximum Building Height. 50 feet

k. Maximum Lot Coverage

Structures containing Permitted Uses and their Accessory Uses shall cover no more than 60 percent of the total lot area.

l. Required Off-Street Parking. The Provisions of Section V, Off-Street Parking Maintenance, shall be in full force and effect for this District.

- l-1 Places of public assembly - 1 space for each four seats
- l-2 Medical and dental clinics - 1 space for each professional or paraprofessional practitioner
- l-3 Offices - 1 space for each 300 square feet of gross leasable area.
- l-4 Retail establishments - 1 space for each 150 square feet of gross leasable area.
- l-5 Customer service establishments - 1 space for each 200 square feet of gross leasable area.
- l-6 Restaurant or bar - 1 space for every 100 square feet of gross leasable area.
- l-7 Motel, Hotel or other Tourist accommodation - 1 space for each bedroom or unit.
- l-8 The Building Commissioner shall determine the classification of a Permitted Use in Cases where there is a question and apply a reasonable parking requirement.

m. Fences, Walls, and Retaining Walls.

- m-1 Fences, walls and retaining walls not exceeding 72 inches in height may be erected on any part of the Zone Lot.
- m-2 Barbed wire, sharp pointed metal fences and electrically charged fences shall not be permitted.
- m-3 Fences shall be maintained in a good state of repair.

- m-4 Open mesh fences of any height may be erected on Zone Lots containing schools, public parks and playgrounds.
- m-5 The height of fences under this section shall include combinations of walls and fences.
- n. Required Off-Street Loading
  - n-1 One useable off-street loading space of not less than 200 square feet shall be provided for each 10,000 square feet of floor area. This space shall be provided in addition to Off-Street Parking Requirements.

3.4 I Industrial District

- a. Purpose

This district is intended to identify and preserve land suitable for exclusive industrial use and to provide for the orderly grouping of light manufacturing or industrial operations in an appropriate setting. It is the further intent of this district to establish such regulatory controls as to reasonable assume a harmonious relationship between the industrial uses and the community.
- b. Permitted Uses.
  - b-1 Light manufacturing, assembly, processing and fabrication plants.
  - b-2 Transportation terminals.
  - b-3 Special trades contractors (plumbing, heating, electrical, masonry, cabinet maker, etc.)
  - b-4 Auto servicing and repair.
  - b-5 Warehousing and wholesaling
  - b-6 Offices
  - b-7 Public utility and yards
  - b-8 Junk yards, shall be screened from surrounding uses.
  - b-9 Public facilities for the service and protection of the area.
  - b-10 Rail yards and trackage
  - b-11 Heavy equipment rental, repair, servicing and storage.
  - b-12 Animal care
  - b-13 Plant husbandry and sales
  - b-14 Lumber yards
- c. Permitted Accessory Uses.

Any use which complies with all of the following conditions may be operated as an Accessory Use to a Permitted Use:

  - c-1 Is clearly incidental and customary to and commonly associated with the operation of the Permitted Use.
  - c-2 Is operated under the same ownership and on the same Zone Lot as the Permitted Use.
  - c-3 Does not include structures or structural features inconsistent with the Permitted Use.
  - c-4 Does not include residential occupancy.
  - c-5 Does not include a floor area of over 50 percent of the floor area of the Permitted Use.
- d. Permitted Home Occupations

None.
- e. Minimum Lot area

None. However a Zone Lot must be designated and maintained for each structure containing a Permitted Use.
- f. Minimum Lot Width

None.
- g. Minimum Front Setback for Structures

25 feet.
- h. Minimum Rear Setback for Structures

20 feet.
- i. Minimum Side Setback for Structures

20 feet.
- j. Maximum Building Height

50 feet.

k. Maximum Lot Coverage

Structures containing Permitted Uses and their accessory uses shall cover no more than 50 percent of the total lot area.

l. Required Off-street Parking

The provisions of Section V, Off-Street Parking Maintenance, shall be in full force and effect for this District.

l-1 There shall be provided an off-street parking area equal to one-fourth the gross floor area of all structures containing a Permitted Use.

m. Fences, Walls and Retaining Walls

m-1 Fences of any height may be erected on any portion of the Zone Lot.

m-2 Fences shall be maintained in a good state of repair.

n. Required Off-Street Loading

n-1 One usable off-street loading space of not less than 200 square feet shall be provided for each 5000 square feet of floor area. This space shall be provided in addition to off-street parking requirements.

o. Limitations on External Effects of Uses

o-1 No use or activity shall be permitted to produce hazardous conditions or noxious influences, such as noise, vibration, heat, glare, radiation, fumes, smoke, or other pollutants to a degree detrimental to existing or prospective development of the community.

o-2 All fuel, raw materials, and products stored outdoors shall be enclosed by a solid fence or wall adequate to conceal such; raw materials, and products from adjacent residential and commercial districts.

o-3 No highly flammable or explosive liquids, solids, or gases shall be stored in bulk above ground.

3.5 O Open Space District

a. Purpose

This District is intended to preserve land for recreations, agriculture and for other public and private open uses.

b. Permitted Uses

b-1 Agriculture

b-2 Animal Husbandry

b-3 Cemeteries

b-4 Any open space use providing entertainment or recreation

b-5 Public parks and playgrounds

b-6 Water reservoir

b-7 Campground with toilet, utility and cooking facilities.

Structures in this District shall be the minimum necessary for the operation of the Permitted Use.

c. Permitted Accessory Uses

Any use which complies with all of the following conditions may be operated as an Accessory Use to a Permitted Use.

c-1 Is clearly incidental and customary and commonly associated with the operation of the Permitted Use.

c-2 Is operated under the same ownership and on the same Zone Lot as the Permitted Use.

c-3 Does not include structures or structural features inconsistent with the Permitted Use.

c-4 Does not include residential occupancy.

c-5 Does not include a floor area of over 50 percent of the floor area of the Permitted Use.

d. Permitted Home Occupations

None.

e. Minimum Lot area

None.

- f. Minimum Lot Width  
None.
- g. Minimum Front Setback for Structures  
25 feet.
- h. Minimum Side Setback for Structures  
20 feet.
- i. Minimum Rear Setback for Structures  
20 feet.
- j. Maximum Building Height  
35 feet.
- k. Maximum Lot Coverage  
None.
- l. Required Off-Street Parking  
The provisions of Section V, Off-Street Parking Maintenance, shall be in full force and effect for this District.  
l-1 There shall be no off-street parking requirements to this District.
- m. Fences, Walls and Retaining Walls  
m-1 Fences of any height may be erected on any portion of the Zone Lot.
- n. Required Off-Street Loading  
None.
- o. Limitations on External Effects of Uses  
None.

3.6 MH Mobile Home District

- a. Purpose  
To provide areas with proper facilities for mobile homes.
- b. Permitted Uses
  - b-1 Mobile home park
  - b-2 Public park or playground
  - b-3 One family dwelling
- c. Permitted Accessory Uses  
Any use which complies with all of the following conditions may be operated as an Accessory Use to a Permitted Use.
  - c-1 Is clearly incidental and customary to and commonly associated with the Operation of the Permitted Use.
  - c-2 Is operated under the same ownership and on the same Zone Lot as the Permitted Use.
  - c-3 Does not include structures or structural features inconsistent with the Permitted Uses.
  - c-4 Does not include residential occupancy.
  - c-5 Does not include a floor area of over 20% of the floor area of the Permitted Use.
- d. Permitted Home Occupations  
Home occupations shall be allowed provided all the following conditions are met or written approval is endorsed by at least 80% of the occupant's neighbors who reside within one block radius from proposed location.
  - d-1 Such use must be conducted entirely within a dwelling and carried on by the inhabitants living there and no others;

- d-2 Such use must be clearly incidental and secondary to the use of the dwelling for dwelling purposes and must not change the residential character thereof;
- d-3 The total area used for such purposes may not exceed one half the first floor area of the user's dwelling unit;
- d-4 There must be no advertising display or other indications of the home occupations on the premises; except that specifically allowed;
- d-5 There must be no sales of stock, supplies or products conducted on the premises;
- d-6 There must be no exterior storage on the premises of material or equipment used as a part of the home occupation;
- d-7 There must be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line;
- d-8 A home occupation must provide additional off-street parking area adequate to accommodate all needs created by the home occupation.
- d-9 Under no circumstances shall any of the following be considered a home occupation: antique shop, barber shop, clinic, beauty shop, restaurant or veterinarian's clinic.
- e. Minimum Lot Area  
There shall be provided for each mobile home sought to be parked a minimum land area of 4000 square feet.
- f. Minimum Front Setback for Structures
  - f-1 For properties abutting local or collector streets - 25 feet.
  - f-2 For properties abutting arterial streets - 40 feet.
- g. Minimum Rear Setback for Structures
  - g-1 Structures containing a Permitted Use - 20 feet.
  - g-2 Structures containing an Accessory Use only - 5 feet.
- h. Minimum Side Setback for Structures  
5 Feet
- i. Maximum Building Height
  - i-1 Buildings containing a Permitted Use - 35 feet.
  - i-2 Buildings containing an Accessory Use only - 20 feet.
- j. Required Off-Street Parking  
The provisions of Section V, Off-Street Parking Maintenance, shall be in full force and effect for this District.
  - j-1 For each dwelling unit - 1 space.
  - j-2 For each mobile home space - 1 space.
  - j-3 For each five Mobile Home spaces there shall be provided on the Zone Lot an additional off-street parking space for guests and service vehicles.
- k. Fences, Walls and Retaining Walls
  - k-1 Fences, walls and retaining walls up to 48 inches in height may be erected on any part of the Zone lot.
  - k-2 Fences, walls and retaining walls may be erected to a height of 72 inches on any portion of the Zone Lot not in the front setback spaces.
  - k-3 Barbed wire, sharp pointed metal fences and electrically charged fences shall not be permitted.
  - k-4 Fences shall be maintained in a good state of repair.
  - k-5 Open mesh fences of any height may be erected on Zone Lots containing parks and playground.
  - k-6 The height of fences in this section shall include combinations of walls and fences.
- l. Off-Street Loading Requirements  
None.

SECTION IV

NON-CONFORMING USES AND STRUCTURES

4.1 Non-Conforming Use.

a. Definition

A "non-conforming use" shall be any use which on the effective date of this ordinance or as a result of subsequent amendments thereto, does not conform to the Permitted Uses established for the District in which the "non-conforming use" is located.

b. Regulations

b-1 A non-conforming use may be continued on the same land area and the same floor area as that which existed on the date when the use first became non-conforming.

b-2 A Permitted Use shall not be considered non-conforming for failure to comply with off-street parking requirements, off-street loading requirements, and sign regulations.

b-3 A non-conforming use may be changed to a conforming use or to any use which is a Permitted Use in a more restrictive District than the District in which the non-conforming use is located.

b-4 The area occupied by a non-conforming use may not be enlarged or extended by more than 25 percent of the total area of the use existing at the time it became non-conforming.

b-5 If active operation of a non-conforming use is discontinued for a period of 6 consecutive months, the structure or tract of land shall thereafter be used only for a conforming use. A stated intent to resume operations shall not affect this provision.

b-6 A non-conforming use shall terminate if the structure in which it is operated is damaged or destroyed from any cause whatsoever and the cost of repairing the damage exceeds fifty percent of the replacement cost of the structure on the date of the damage.

4.2 Non-Conforming Structure

a. Definition

A "non-conforming" structure shall be any structure which on the effective date of this ordinance or as the result of subsequent amendments thereto, does not comply with the provisions of this ordinance relating to setbacks, height and land area coverage.

b. Regulations

b-1 A non-conforming structure may be altered, repaired or enlarged provided its degree of non-conformity is not increased.

b-2 A non-conforming structure found to be unsafe by the Building Commissioner may be restored to a safe condition.

SECTION V

OFF-STREET PARKING AND LOADING MAINTENANCE

5.1 General

a. For all Permitted Uses which are established after the effective date of this ordinance, off-street parking and loading in the amounts specified for Permitted Uses in Section III, District Regulations, shall be provided and maintained.

b. These requirements shall not be retroactive to Uses existing on the date this ordinance becomes effective, but shall apply to any expansion of these Uses which takes place after that date.

c. Off-street parking and loading facilities shall be provided on the same Zone Lot and under the same ownership as the Permitted Use for which the parking is required.

d. Parking spaces required by each of two or more Permitted Uses located on the same Zone Lot need not be separated and may be used jointly.

5.2 Specifications

Off-street parking and loading required by this ordinance shall be maintained in accordance with the following specifications:

- a. Individual parking and loading spaces shall be at least 200 square feet in size.
- b. Parking and loading areas provided under the requirements of this ordinance shall not be used for the sale, repair or servicing of vehicles and equipment.
- c. Parking and loading areas shall be graded for proper drainage and provided with an all weather surface of gravel, asphalt or concrete.
- d. Each parking or loading space must be usable and readily accessible.
- e. Parking and loading areas shall be provided with entrances and exits located so as to minimize traffic congestion.

SECTION VI  
SIGN REGULATIONS

6.1 Scope of Regulations

These regulations shall apply to signs erected, altered, and maintained by and for Permitted Uses in all districts. Signs governed by several ordinances shall comply with all such regulations. The following sign types shall be deemed to be outside the scope of these regulations:

- a. Signs required by law or authorized for a public purpose
- b. Nameplates and addresses
- c. Cornerstones and historical markers
- d. Building name signs
- e. Decorations
- f. Window displays
- g. Real estate "For Sale", rental or lease signs
- h. Informational and directional signs
- i. Danger or warning signs of a cautionary nature
- j. Traffic signs
- k. Religious symbols

6.2 General Requirements

- a. Signs shall be allowed only for and in conjunction with a Permitted Use and shall be located on the same Zone Lot as the Permitted Use.
- b. Signs controlled by this Section shall be erected only after the approval by the Building Commissioner of a permit therefore. An application for such approval shall contain a sketch or drawing of the proposed sign and a notation as to its height, size, and location on the structure or Zone Lot.
- c. Signs shall be maintained in a good state of repair. Broken signs, signs unreadable because of deterioration, signs on vacant buildings may be ordered repaired or removed by the Building Commissioner.

6.3 Sign Regulations in Zoning Districts

- a. R-1 Residential District
  - a-1 Home occupations shall be permitted one non-illuminated sign of one square foot in area.
  - a-2 All Permitted Uses other than dwellings shall be permitted signs totaling twenty square feet in total sign area.
- b. R-2 Residential District
  - b-1 Home occupations shall be permitted one non-illuminated sign of one square foot in area.
  - b-2 All Permitted Uses other than one- and Two family Dwellings shall be permitted signs totaling forty square feet in total sign area.
- c. C Commercial District
  - c-1 All Permitted Uses shall be permitted signs totaling 300 square feet in total sign area.

- c-2 The maximum height for any sign shall not exceed thirty feet.
- d. I Industrial District
  - d-1 All Permitted Uses shall be permitted signs totaling 300 square feet in total sign area.
  - d-2 The maximum height for any sign shall not exceed thirty feet.
- e. O Open Space District
  - e-1 All Permitted Uses shall be permitted signs totaling 100 square feet in total sign area.
  - e-2 The maximum height for any sign shall not exceed 20 feet.
- f. MH Mobile Home District
  - f-1 All Permitted Uses shall be permitted signs totaling 100 square feet in total sign area.
  - f-2 The maximum height for any sign shall not exceed 20 feet.

6.4 Joint Identification Signs

Under Section 6.2, General Requirements, of these regulations, a sign or signs are allowed only for and in conjunction with a Permitted Use. This Section, Joint Identification Signs, is intended to allow additional sign area for the identification of building complexes of two or more Permitted Uses on the same Zone Lot where the combination of uses desires to be identified by a single name, symbol or other designation. This sign area shall be in addition to the sign area allowed to individual uses for identification and shall be subject to the following provisions:

- a. The sign message shall not repeat the message of a sign allowed for any of the Permitted Uses in the complex thereby adding to the allowable sign message area for that use.
- b. For each such combination of Permitted Uses there shall be allowed one Joint Identification Sign not exceeding 100 square feet in area.
- c. The maximum height for any such sign shall not exceed 30 feet.

6.5 Sign Area Measurement

- a. The structure or bracing of any sign shall be omitted from measurement unless such structure or bracing has been made an integral part of the message.
- b. Where a sign has two or more display faces, the area of all such faces shall be measured unless such faces join back to back, are parallel to each other and are no more than 24 inches apart.
- c. The area of any backing or background material that is a part of the sign display shall be included in the sign area to be measured.
- d. The area of any sign shall be measured by determining the sum of the area of each square, rectangle, triangle, circle or portion or combination thereof that encompasses the outer limits of all portions of the sign.

SECTION VII  
DEVELOPMENT PLANS

7.1 Purpose

Under the normal provisions of this ordinance a Zone Lot must be designated and maintained for each structure containing a Permitted Use. Pursuant to the procedures hereinafter set forth, two or more structures may be erected and maintained on the same Zone Lot and several Zone Lots containing individual structures may be combined into one development complex. This procedure is intended to permit developments of several structures containing the same or different uses while yet maintaining adequate standards for the preservation of the public health, safety and welfare. This Section alters no other provision of this ordinance other than the requirement that a separate Zone Lot be maintained for each structure containing a Permitted Use.

7.2 Development Plans. Submittal and Contents.

A development plan shall be filed with the Building Inspector in any instance where two or more structures containing Permitted Uses are to occupy a single Zone Lot. Such a filing shall include:

- a. A statement certifying that the signatories are the owners of the tract described and agree to be bound by the provisions of the Development Plan, and
- b. Plats or plans drawn to scale showing at least the following detail:
  - b-1 The legal description of the land area included in the proposed Zone Lot
  - b-2 The land area to be included in the Development Plan.
  - b-3 The proposed finish grade of the designated area.
  - b-4 The location of each existing and proposed structure with a notation as to the Permitted Uses which will occupy the structures.
  - b-5 All public and private streets immediately adjacent to and within the site, including those proposed.
  - b-6 All pedestrian areas and open areas
  - b-7 Location and height of all fences and walls
  - b-8 Location, size and height of all signs
  - b-9 Type of surfacing such as paving, turf, gravel
  - b-10 Location of all fire hydrants

7.3 Development Plans, Review and Approval

The Building Inspector will receive all Development Plans submitted pursuant to this section and shall review them for completeness. If such plans are found complete, he shall transmit them with any comments to the Planning Commission. The Planning Commission may confer with any agency or person in its review of the Development Plan, and after such review will approve or disapprove the Plan. Approvals may be accompanied by conditions or limitations. The approved plan shall then be returned to the Building Inspector for the issuance of proper permits and for recording and filing. The Planning Commission's review of the Development Plan shall be based on the following standards:

- a. The structures noted on the plan must meet all of the limitations as to height, setback, lot coverage and other regulations governing in the zoning district in which the Development Plan is located.
- b. Adequate provisions must be made for:
  - b-1 Proper grading, paving, gutters, and treatment of turf to handle storm water and prevent erosion.
  - b-2 Pedestrian ways and open spaces which are safe and convenient and separated from vehicular traffic, loading and parking.
  - b-3 Safe and efficient vehicular circulation both on the site and at entrances to the public street system.
  - b-4 Safe play and recreational areas for residential complexes intended for family occupancy.
  - b-5 In commercial complexes, screening or planting to shield any adjacent residential areas from the visual encroachment of commercial architecture and activity.
- c. Buildings shall not be so arranged that any inhabited building is inaccessible by emergency vehicles.
- d. Buildings containing dwelling units shall be so arranged so that windows and entrances are assured adequate exposure to light and air and oriented to preserve visual and audible privacy between adjacent buildings.

7.4 Development Plans. Significance.

Development Plans, approved by the Planning Commission and recorded and filed by the Building inspector shall be binding upon the owner or owners of the land included in the Plan and all permits and certificates shall be issued in accordance with the recorded plan.

SECTION VIII  
AMENDMENT PROCEDURES

8.1 Statement of Public Policy

It is the intent of the municipality that these regulations, which include this ordinance and the official map, have been established for the purpose of promoting sound and desirable development and of maintaining a stable community. In harmony with this purpose, the ordinance and map shall not be amended except to (1) correct an obvious error or oversight in the regulations, or to (2) recognize changing conditions in the community, which require that amendments be adopted for the promotion of the public health, safety and general welfare. In conformity with this statement of policy, Council may initiate amendments or any person, firm or corporation may initiate amendments in the manner hereinafter set forth.

8.2 Amendments. Type and How Made.

- a. Amendments shall be to two types:
  - a-1 Language amendments which seek to change the wording of the zoning ordinance; and
  - a-2 Map amendments which seek to change the district boundary lines on the official map.
- b. Applications for amendments of either types shall be made to the Building Inspector. The Building Inspector may develop forms for this purpose. The application shall include among other things:
  - b-1 The name and address of the applicant.
  - b-2 The applicant's interest in the application.
  - b-3 The nature and effect of the proposed amendment.
  - b-4 A description and map of any area sought to be rezoned.
  - b-5 A statement of the legal basis for such an amendment, whether to correct an error or to recognize changing conditions.
- c. The Building Inspector shall assemble the application and shall forward a copy to the Planning Commission and to any other agency which he feels might be affected by the amendment. Any such agency may require additional information of a reasonable and pertinent nature from the applicant.
- d. The Planning Commission shall consider the application and forward its recommendations to the Building Inspector. Nothing herein shall be construed to prohibit the Planning Commission from developing close working relationships with Council in order to appraise Council of development policies and problems of the municipality.
- e. The building Inspector shall submit to Council the completed application including agency comments and Planning Commission recommendations.

8.3 Public Hearing

No amendment to this ordinance or map shall be enacted until after a public hearing has been held at which all interested parties have had an opportunity to be heard. Notice of such a hearing shall be by posting any affected property for 15 days prior to such a hearing and by any other method that Council may provide. Such posting shall include information on the nature of the amendment sought and the date, time and place of the public hearing. The applicant shall be responsible for notification and posting as prescribed by Council.

8.4 Protests to Map Amendments

In the event that 20 percent of the property owners of the land included within a proposed change, or 20 percent of the property owners located within 200 feet from the perimeter of the proposed change file a written protest with Council at least four hours prior to the time of the public hearing, then and in that event an amendment to the official map shall not become effective except by a favorable vote of four Councilmen.

8.5 Minimum Size of Area.

a. Intent and Minimum Size

It is the intent of this ordinance that zoning districts be of such a size as to function effectively and for the benefit of the community or a significant segment of the populace. For that reason, no amendment to this ordinance shall be adopted whereby the zoning classification is changed unless the area to be zoned meets the following minimum size requirements:

- R-1 5 acres
- R-2 5 acres
- C 5 acres
- I 5 acres
- O 1 acre
- MH 2 acres

b. How measured

For the purpose of computing the size of an area for compliance with Section 8.5 there shall be included:

- b-1 One half of the area of abutting streets not, however, to exceed 50 feet
- b-2 All of the area of public rights-of-way interior to the area being changed
- b-3 Adjacent and contiguous land within the municipality already zoned in the zoning classification being sought for the new area
- b-4 Adjacent and contiguous land outside the municipality that is zoned in a similar category or is used substantially for uses similar to those being sought by the applicant.

SECTION IX

DEFINITIONS

The following words, terms and phrases are hereby defined and shall be interpreted as such throughout this Ordinance. Terms not herein defined shall have the meaning customarily assigned to them.

- 9.1 ACCESSORY STRUCTURE: A subordinate building, the use of which is incidental to that of a main building located on the same Zone Lot.
- 9.2 BOARDING HOUSE: A dwelling other than a hotel where, for compensation and by prearrangement for definite periods, meals are provided for three (3) or more but not exceeding twelve (12) persons on a weekly or monthly basis.
- 9.3 BUILDING: Any enclosed structure intended for shelter, housing, or enclosure of persons, animals or chattel.
- 9.4 BUSINESS SERVICES: Any activities conducted for gain which render service primarily to other commercial and industrial enterprises, or which service and repair appliances and machines used in a home or business.
- 9.5 DAY NURSERIES, PRIVATE: Any place, home or institution which receives young children conducted for cultivating the normal aptitude for exercise, play, observation, imitation and construction.
- 9.6 DISTRICTS: Any section or sections of the City of Blanding for which the regulations governing the use of land and the use, density, bulk, height and coverage of buildings and other structures are uniform.
- 9.7 DWELLING: A structure or portion thereof used for residential purposes.
- 9.8 FLOOR AREA: The sum of the areas of the several floors of a building measured between the exterior faces of the walls at each floor.

- 9.9 GARAGE, PRIVATE: An accessory building or a part of a main building used for storage purposes only for not more than three (3) automobiles, or for a number of automobiles which does not exceed two times the number of families occupying the dwelling unit to which such garage is accessory, whichever number is greater. Such space shall not be used for storage of more than one commercial vehicle, which shall not exceed one and one-half (1½) tons rated capacity, per family living on the premises, and not to exceed two spaces shall be rented to persons not residing on the premises for storage of non-commercial passenger vehicles only.
- 9.10 GASOLINE SERVICE OR FILLING STATION: Any area of land, including structures thereon, that is used for the retail sale of gasoline or oil fuels, but not butane or propane fuels, or other automobile accessories, and incidental services including facilities for lubrication, hand washing and cleaning or otherwise servicing automobiles, but not including painting, major repair or automatic washing.
- 9.11 HOME OCCUPATION: A gainful occupation conducted by members of the family only within the dwelling or on the premises, which is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof, provided that no display except a regulated sign will indicate from the exterior that the building or land is being utilized in part for any purpose other than that of a dwelling.
- 9.12 HOSPITAL: An institution intended primarily for the medical diagnosis, treatment, and care of patients being given medical treatment. A hospital shall be distinguished from a clinic by virtue of providing for bed and patient care.
- 9.13 INTERIOR LOT: A lot located near the center of a block with a street on one side and private property on the other three sides or private property on two sides and an alley on the fourth side.
- 9.14 JUNK YARD OR SALVAGE YARD: A lot, land or structure, or part thereof, used for the collecting, storage or sale of waste paper, rags, scrap metal or discarded material; or for the collecting, dismantling, storing and salvaging of machinery of vehicles not in running condition, or for the sale of parts thereof.
- 9.15 LOADING SPACE: A space within the main building or on the same Zone Lot providing for the standing, loading or unloading of a vehicle.
- 9.16 MOBILE HOME: Any vehicle or structure designed and equipped to provide sleeping and living quarters, and designed to be transported from place to place by another vehicle. Mobile homes shall be callified as follows:
- Class I MOBILE HOME: Any mobile home which may be transported over the highways in one piece by a single vehicle. Any such structure from which the wheels have been removed shall not be construed to be a permanent dwelling structure.
- Class II MOBILE HOME: Any mobile home which must be transported over the highways in two or more sections. Any such structure from which the wheels have been removed shall not be construed to be a permanent dwelling structure.
- 9.17 MOBILE HOME SPACE: A plot of ground within a mobil home area which is designed for and designated as the location for only one automobile and one mobile home and not used for any other purposes whatsoever other than the customary accessory use thereof.
- 9.18 MODULAR OR PRECONSTRUCTED HOME: Any home built of standard building materials and designed to be transported over the highways to a permanent location by the use of special transporting equipment.
- 9.19 MOTEL: A building or series of buildings in which lodging is offered for compensation, and which is distinguished from a hotel primarily by reason of providing direct independent access to, and adjoining parking for, each rental unit.

- 9.20 NON-CONFORMING STRUCTURE: A structure which does not conform to the Building location regulations of the district in which it is located.
- 9.21 NON-CONFORMING USE: A use carried on within any building or on any Zone Lot which does not conform to the Use or Density Regulations of the district in which it is located.
- 9.22 PARKING SPACE: An off-street space available for the parking of one (1) motor vehicle and having an area of not less than two hundred (200) square feet exclusive of passageways and driveways appurtenant thereto and having direct access to a street or alley.
- 9.23 PERMITTED USE: A use enumerated for a Zoning District.
- 9.24 PUBLIC UTILITY: Any person, firm, corporation, municipal department or board duly authorized to furnish and furnishing under state or municipal regulations, to the public, electricity, gas, steam, communication, telegraph, transportation or water.
- 9.25 RECREATIONAL FACILITIES: Land, and structures, along with accessory equipment, design and utilized for leisure time activities of a predominantly "outdoor" nature and of more specific purpose than passive park-like open spaces.
- 9.26 RETAIL STORE: A commercial establishment for the sale of material goods or commodities directly to the consumer.
- 9.27 SETBACK: The horizontal distance between any structure and the established Zone lot line.
- 9.28 SIGN: Any device or display of letters, words, models, banners, flags, pennants, symbols or other representations which are in the nature of an announcement or advertisement or calls attention to a product, service, organization, person or event. The word "sign" does not include the flag, pennant, or insignia of any nation, state, city or other political unit.
- 9.29 ZONE LOT: A single parcel of contiguous land occupied or intended to be occupied by such structure and uses as permitted under this ordinance.

PASSED, APPROVED and ADOPTED this 8th day of March, 1978.

---

De LaMar Gibbons, M.D.  
Mayor

ATTEST:

---

Francis D. Nielson  
Recorder

Councilwoman McDaniel seconded the motion for adoption of the foregoing Ordinance No. 1978-1, voting on the motion being as follows:

Those voting "Aye":                    Councilman Bruce N. Black  
   Councilman Jon L. Hunt  
   Councilman Francis M. Lyman  
   Councilwoman LaRue C. McDaniel

Those voting "Nay"                    None

Those absent:                            Councilman Michael T. Hurst

constituting all the members thereof.

Whereupon Mayor Gibbons declared the motion carried.

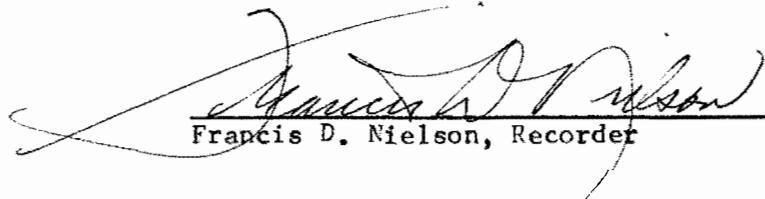
8. Mr. Buckley Jensen presented a preliminary proposal for a 46 lot subdivision to be developed in the area east of the San Juan Nursing Home. Mr. Jensen was advised by the Council that they would favor such a development but that any formal action on such would have to await annexation of such property to the City.

9. The Recorder advised the Council that Neff Engineering Company of Salt Lake City has obtained such on-site information as necessary prior to submission of an airport runway extension and parking apron enlargement proposal which should be ready for consideration in March.

10. Mayor Gibbons discussed with the Council the Hole-In-The-Rock Centennial to take place in 1980. He advised of interest indicated by the Utah Historical Society and that a meeting to discuss the matter with them is desirable in the near future. He suggested that a State Holiday might be appropriate recognition of the event, that a commemorative stamp could be printed and that Newspaper and periodicals could be utilized for publication of relative articles. Councilman Lyman accepted an assignment to promote the Commemorative stamp printing.

11. Mayor Gibbons advised the Council that the Utah Outdoor Recreation Agency desires the City to submit an Outdoor Recreation plan and application for funding of projects contained therein. The City must have a program developed and an application submitted by June 1, 1978 to participate in 50/50 matching funds for the 1978-1979 fiscal year.

Meeting adjourned at 11:20 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD MARCH 8, 1978  
6 o'clock P.M. in the City Hall.

Present were: Mayor DeLaMar Gibbons, M.D.

City Councilmen: Jon L. Hunt  
Francis M. Lyman

City Councilwoman: LaRue C. McDaniel

Recorder: Francis D. Nielson

Absent were City Councilmen: Bruce N. Black  
Michael T. Hurst

Also present: John B. Wright, Chief of Police; Mrs. Judy Mainord,  
Mrs. Patsy Shumway, Mrs. Carla Lyman, Mrs. Dorothy Nielson,  
Miss Jan Christiansen of the Community School Sidewalk Group;  
Mr. Keith Rawlinson, Mr. Bob Garcia, Continental Telephone  
System; Mr. Louis Mazzullo, Mr. Earl Stevens, Mr. Jerry  
Westring, Blanding Chamber of Commerce; Mr. Harold J. Lyman,  
Utah Department of Employment Security; Mr. Lewis A. Black.

1. Prayer was offered by Councilwoman McDaniel.
2. Minutes of City Council meeting held February 8, 1978 were read and approved.
3. The Community School Sidewalk Group presented to the Council, the results of their survey relative to use of certain routes to and from schools in the community and the areas of greatest sidewalk need together with their recommendations in the matter as follows:

March 8, 1978

City Council  
Blanding City  
Blanding, Utah 84511

Dear Mayor and Members of the City Council:

The Blanding School Community Group Sidewalk Committee conducted a survey during the month of February in order to ascertain the most heavily traveled streets to the local schools and whether the citizens of Blanding desired sidewalks in these areas. Because of the results of this survey, we wish to make the following recommendation.

We recommend that the City of Blanding undertake the construction of sidewalks that would connect all four schools within the city. Three of the proposed sidewalk routes would run north and south. They are: #1 - 500 south 1st west north to 500 north 1st west curving around to adjoin Albert R. Lyman Elementary school; #2 - 500 South 2nd west north to 400 north 2nd west curving east one block and joining the proposed sidewalk on 1st west 400 north; #3 - 500 south 1st east north to 2nd north and 1st east. The fourth proposed route would run east and west, beginning on 1st west and 2nd north going east past the San Juan Jr. High School to the Blanding Clinic. Routes number one and number two we feel should receive first priority and routes number three and four the next priority.

Our survey indicated that the majority of the population returning the questionnaires favored sidewalks along these routes.

We feel that this recommendation is in the best interests of the safety of the students traveling to and from the local schools and the community in general. We sincerely hope that the City Council will accept this recommendation and give it financial priority as soon as possible.

The SCG Sidewalk Committee also wishes to ask the City Council for a written response to this recommendation.



3/8/78 cont.

4. Mr. Keith Rawlinson and Mr. Bob Garcia of Continental Telephone System presented to the Council an underground cable installation proposal for providing additional and more efficient telephone service to the community north of center street.

The Council agreed that the proposed improvements are necessary, requested that consideration be given to providing larger cable north on 1st West street, that perhaps proposed improvements to blocks 19 & 20 should be handled from 1st South street to avoid excavation in paved areas; and that a copy of the bid documents be furnished the City for consideration as to adequacy in the excavation, backfill and cleanup specifications.

5. The Council approved attendance of the Mayor, Recorder and such members of the Council as possible, at the HJD Small Cities Workshop to be held in Salt Lake City on Monday, March 13, 1978 from 9:00 a.m. to 4:00 p.m.

6. The following letter and proposal from Neff Engineering Company, relative to Airport improvements was read to the Council:

Neff Engineering and Construction Co.  
2500 Evergreen Avenue  
Salt Lake City, Utah 84109

Mr. Francis D. Nielson  
Blanding, Utah

RE: Blanding Municipal Airport

Dear Mr. Nielson:

Last week I spent some time with the FAA in Denver, Colorado concerning the proposed airport project at the Blanding Municipal Airport. The FAA engineers are of the opinion that the project can qualify; however, it will be necessary to prepare an Environmental Impact Assessment Report including the holding of a Public Hearing on the revised Airport Layout Plan. This probably will take six months in time before the FAA will give the approval. The project could be designed and ready for bid during this period of time.

Attached is a cost estimate (preliminary) of the project using average costs of state road project which might be on the high side.

The FAA insists on a lump sum engineering fee and a contract satisfactory to them. We have used the standard engineering fee of 10% to arrive at a lump sum fee. We have prepared a standard Engineer's agreement and have sent copies to the FAA for their review and approval. Enclosed is a copy for your review. Do not have the contract executed until the FAA gives their approval.

The greatest cost item on the proposed project is excavation to keep the runway high enough to give a sight clearance for the entire length of the runway.

Very truly yours,

S/ John Elwood Neff

BLANDING MUNICIPAL AIRPORT

FAAP No. 5-49-0002-02

March 1, 1978

Project: Construct a 1000' extension to the N-S Runway on the North end of the existing N-S Runway and a parking apron (135,600 sq. ft.)

PRELIMINARY COST ESTIMATE

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
<u>Runway Extension</u>				
1.	Unclassified Excavation	60,000 cy yds	1.10	66,000.00
2.	Crushed Aggregate Base Course	3250 Tons	3.60	11,700.00
3.	Mixed in place surface course	2340 tons	6.30	14,742.00
4.	Bituminous Material SC-800	140 tons	125.00	17,500.00
5.	Seal Coat (chips)	84 tons	20.00	1,680.00
6.	Bituminous Material SCR-2	10 tons	130.00	1,300.00
				<u>112,922.00</u>

Parking Apron

1. Unclassified Excavation	3000 cu yds	1.10	3,300.00
2. Crushed Aggregate Base Course	58.0 tons	3.60	21,096.00
3. Mixed in place surface course	2500 tons	6.30	15,750.00
4. Bituminous Material SC-800	150 tons	125.00	18,750.00
5. Seal Coat (chips)	150 tons	20.00	3,000.00
6. Bituminous Material CRS-2	18 tons	130.00	2,340.00
			<u>64,236.00</u>

Extend Runway Lighting

1. Runway Marker Lights	10 each	400.00	4,000.00
2. Remove and replace threshold lights	lump sum		1,000.00
3. Cable etc.	lump sum		<u>3,000.00</u>
			8,000.00

Total 185,158.00

Contingency 10,000.00

Engineering 19,500.00  
214,658.00

NEFF ENGINEERING

7. The Council discussed with Mr. Lewis Black, problems relative to the Pioneer Estates Subdivision being developed by Mr. Keith Rogers. The Council indicated concern over incomplete road construction and indicated they would be favorable to accepting 1st East street and Pioneer Road as Collector streets subject to Mr. Rogers installation of Curb and Gutter on said streets.

8. The Council discussed with Mr. John B. Wright, Chief of Police, possible department communications improvements.

Motion was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried that the City have a telephone system developed by Continental Telephone Co. whereby residents of Blanding could dial a local number which would be answered in the County Sheriff's office where the dispatcher on duty could contact a Blanding officer and dispatch him to the area of need; said number listed and advertised to be dialed if there is no answer at the regular police department number.

9. Motion was made by Councilman Lyman, seconded by Councilman Hunt and unanimously carried that City Police officers attending the Peace Officer Standards and Training academy be allowed a bonus of \$800.00 following completion of one year of satisfactory service in the City Police Department upon their return from said academy; it being understood and agreed that there is to be no bonus payment for service of less than one full year.

10. The Council agreed that employee salaries shall be reviewed at budget preparation time and shall be increased by not less than the national Cost of living index increase.

11. John B. Wright, Chief of Police, discussed the following matters with the Council:

1. A possible guarantee of three work shifts per month for each of the three qualified Police Reserve Officers.
2. Dog poisoning has reached serious proportions with seven dogs reported poisoned in the central community area in recent weeks.
3. The County Emergency Services department has indicated there is a Crash-Truck available for City use, with foam dispensing and oil fire retardant capabilities, should the Council deem such a unit worthwhile for City use.

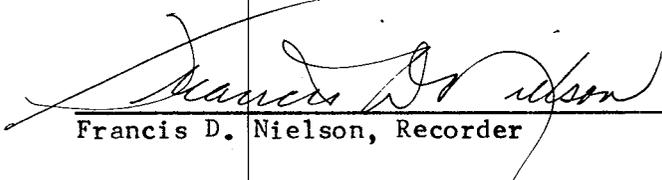
12. Councilwoman McDaniel advised that the Postal Department is currently studying possible postal service improvements for the community and suggested that mail delivery should be considered. It was agreed that the Recorder should contact Congressman McKays office for information relative to the process required to initiate a study of mail delivery possibilities in the City.

13. Councilwoman McDaniel advised that Mr. Gerald Bates has offered his services to refurbish the City Christmas Decorations. The Council agreed that such material as necessary should be provided Mr. Bates to avail of his generous offer.

14. The Council again reviewed the proposed extension of 3rd East Street South from 5th South Street. No further action was taken.

15. The Mayor advised that a Hole-In-The-Rock Centennial Committee has been organized in the area with Mr. Hardy Redd of LaSal, Utah as General Chairman and communities of the County having Community Chairmen; that the next regularly scheduled committee meeting will be held March 31, 1978 at 7:30 P.M. in the Blanding Library.

Meeting adjourned at 1:05 A.M. March 9, 1978

  
Francis D. Nielson, Recorder

MINUTES OF A SPECIAL MEETING OF THE  
BLANDING CITY COUNCIL HELD MARCH 28,  
1978 at 7:00 o'clock P.M. IN THE  
CITY HALL

Present were: Mayor D. L. Gibbons, M.D.  
City Councilmen: Jon L. Hunt  
Michael T. Hurst  
Francis M. Lyman

City Councilwoman: LaRue C. McDaniel  
Recorder: Francis D. Nielson

Absent was Councilman Bruce N. Black

Also present: Mr. Ron Berg

1. Prayer was offered by the Mayor.
2. Minutes of City Council meeting held March 8, 1978 were read and approved.
3. Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman Lyman and unanimously carried:

RESOLUTION No. 1978-7

BE IT RESOLVED by the City Council of the City of Blanding, Utah that monthly charges for water delivered to customers residing within the boundaries of the City be as follows:

First 5,000 gallons or fraction thereof:	\$5.00
Next 15,000 gallons @ \$.40 per one thousand	
Next 10,000 gallons @ \$.50 per one thousand	
Next 20,000 gallons @ \$.60 per thousand	
All over 50,000 galls @ \$.75 per one thousand	

PASSED, ADOPTED and APPROVED this 28th day of March, 1978.

\_\_\_\_\_  
D. L. Gibbons, M.D.  
Mayor

ATTEST:

\_\_\_\_\_  
Francis D. Nielson  
Recorder

4. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1978-8

A RESOLUTION REQUESTING ACTION  
TO EFFECT MAIL DELIVERY IN THE  
CITY

WHEREAS, inhabitants of the City of Blanding and its environs are serviced by the U. S. Post Office Department at a central post office where all mail must be gotten from rented mail boxes or from the general delivery window and;

WHEREAS, the traffic at such central post office is becoming increasingly difficult to handle, which situation has created a safety hazzard, and;

WHEREAS, accelerating area energy-related developments are resulting in a rapidly increasing population which is worsening the existing mail service situation, and;

WHEREAS, the Post Office Department population and minimum deliveries requirements are met in the current community situation,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah that the United States Post Master at Blanding, Utah be, and he is hereby, requested to immediately initiate action for effecting mail delivery to the residents and businesses of the City and its environs.

PASSED, ADOPTED and APPROVED this 28th day of March, 1978.

S/ DeLamar Gibbons, M.C.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

5. Mr. Ron Berg of the Community School Group, discussed with the Council the Utah League of Cities sponsored Community Progress Program and invited the Mayor and Council to be present at a Seminar on such program to be held in Monticello on April 14, 1978.

Mayor Gibbons expressed to Mr. Berg, the appreciation of the City for his interest and presentation.

6. Councilman Hunt advised the Council of a survey conducted by him relative to the possibility of some sidewalk construction on 1st West Street. He stated that he had contacted 30 of 34 property owners residing on the West side of 1st West Street; that 28 were favorable, 1 was opposed and 1 undecided, as to participation in a cooperative program of sidewalk, curb and gutter construction wherein the City, County and property owners would share equally in the costs. The Recorder was requested to have this matter again considered by the County Commissioners as it has been several years since they expressed a desire to be involved in such a program.

7. The Council approved purchase of a Wind Indicator for the airport. Councilman Hunt was authorized to follow up on this matter.

8. Councilman Hunt discussed with the Council the need for Jet fuel facilities at the airport. He will bring the matter to the attention of San Juan County Commissioners as they would have responsibility to fund any such improvements.

9. The Council discussed a possible land exchange which would involve Canyonlands 21st Century Corporation exchanging land in their plant-site area to the City for acreage near the Blanding Airport, the City would then exchange the acreage obtained from Canyonlands 21st Century Corporation to the Ute Mountain Ute Tribe of Indians for land necessary to the Northerly extension of the airport runway. The recorder will attempt to get an opinion from some of the White Mesa Ute people relative to such a proposal.

10. Councilwoman McDaniel reported considerable criticism from citizens relative to mishandling of garbage and refuse containers by City collection personnel. The recorder will discuss this matter with Mr. Oris Black.

11. Councilwoman McDaniel advised that she had not observed the police patrolling the school areas during the heavy morning and evening traffic periods. Councilman Lyman agreed to discuss the matter with the Chief of Police.

12. At Mayor Gibbons request, the Council approved retaining Mr. Owen W. Burnham to prepare applications for Curb, gutter and sidewalk; and waterworks system improvement funds under the Housing and Urban Development Small Cities Program.

13. Mayor Gibbons reported that Mr. John Morgan of Farmers Home Administration will be in attendance at the next regularly scheduled City Council meeting to discuss federal loan and grant funds available to the City from his agency.

14. The Council approved the Recorder proceeding with dog pound construction in the area of the water treatment plant, including the expenditure of such funds as required to complete the project.

15. Motion was made by Councilman Lyman, seconded by Councilman Hunt and un-animously carried that the Blanding Lions Club be authorized to develop a Park and Playground on City land which was formerly used as a sewage treatment plant site.

16. Mayor Gibbons reported that Kent D. Tibbitts is to proceed with an application for funds from the Utah Outdoor Recreation Agency for recreational developments in the area between Blanding City Reservoirs No. 3 and 4.

17. The following departmental assignments and responsibilities were given the Council by Mayor Gibbons:

Councilman Black: Electric Department  
Health & Sanitation  
Waste Collection

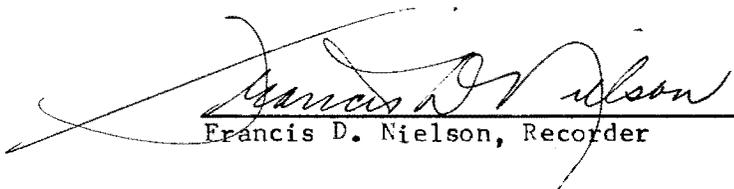
Councilman Hunt: Water System  
Sewer System

Councilman Hurst: Airport  
Planning and Zoning

Councilman Lyman: Public Safety

Councilwoman McDaniel: Streets and Sidewalks  
Parks and Playgrounds  
Beautification

Meeting adjourned at 10:05 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD APRIL 12,  
1978 AT 8:00 P.M. IN THE CITY HALL

Present were: Mayor D. L. Gibbons, M.D.

City Councilmen: Bruce N. Black  
Jon L. Hunt  
Michael T. Hurst  
Francis M. Lyman

City Councilwoman: LaRue C. McDaniel

City Recorder: Francis D. Nielson

Also Present were: Mr. Al Mark; Mrs. Fern Palmer, Mrs. Marilyn Palmer; Mr. John Morgan of Farmers Home Administration; Bishop Preston G. Nielson, Blanding Sixth Ward.

1. Prayer was offered by Councilman Black.
2. Minutes of City Council meeting held March 28, 1978 were read and approved.
3. Mr. John Morgan, District Office Manager, Monticello Office, Farmers Home Administration, discussed with the Council, the grant and loan programs available to municipalities through his agency. He suggested that Blanding would be eligible for grant funds available for Industrial Park development and encouraged submission of an application for the same. He further advised that loans are made to municipalities at a 5% interest rate, loan repayment may be made over a period of 40 years or the depreciated life of the facility for which the loan is obtained.

Motion was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried that the City submit an application to Farmers Home Administration for grant funds with which to construct a water line to a proposed industrial park site adjacent to the Blanding Airport.

4. Mr. Al Mark discussed with the Council the possibility of his obtaining a variance to the Zoning Ordinance for the purpose of conducting a business in the residentially zoned area at the Northwest corner of Block 62. The Council concluded that any action on the matter would have to await the appointment of a required Board of Adjustment whose recommendation would probably be binding.

The following letter was read to the Council:

Dear Gentlemen:

RE: Home formerly owned by Corry Jones

I would appreciate consideration of my proposal to have a zoning variance regarding this property.

Presently it is being used as a rental (family).

I would like to use this space as office space. A leasee has agreed to use this property. No internal structures will be changed. Agreement includes outside yard upkeep, which will be an improvement. Approximately 3 offices (3 individuals with secretaries), will use the facility. With the curb & gutter improvements - parking will not be a problem. Nor does the nature of the business lend itself to an increase in local traffic.

S/ Max Jones, D.P.M.

Motion was made by Councilman Lyman, seconded by Councilman Black and unanimously carried that a Board of Adjustment, as required by Section of Ordinance No. 1978-1, be appointed at the earliest possible date and a recommendation be sought from them relative to possible changes of the zoning map in the Commercial and Industrial zones.

5. Proposals for leasing pasture lands from the City, lying adjacent to the Blanding Airport, were opened, read aloud and duly tabulated as follows:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
Clarence Perkins	\$208.00
Brig Stevens	\$221.51

Motion was made by Councilman Lyman, seconded by Councilman Hunt and unanimously carried that the proposal of Brig Stevens for leasing pasture land from the City be, and the same is hereby accepted for the period and in accordance with the conditions of the offering for lease.

6. The Council discussed the deteriorating condition of sidewalks in the 200 block of North Main Street as well as other sidewalk needs. It was agreed that this matter should receive further consideration in connection with preparation of the ensuing years budget.

7. Motion for adoption of the following resolution was made by Councilman Hunt, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1978-9

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the intersection of 5th North and 2nd East Streets be, and the same is hereby, declared to be a No U-Turn intersection.

PASSED, ADOPTED and APPROVED this 12th day of April, 1978.

8. The Recorder was authorized to contact Kirchner, Moore and Company relative to possible refunding of outstanding Electric, Water and Sewer Revenue Bonds and the possible marketing of additional revenue bonds to avail of utilities extension and improvements capital.

9. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Hunt and unanimously carried.

RESOLUTION NO. 1978-10

BE IT RESOLVED by the City Council of the City of Blanding that Francis D. Nielson and Velda J. Nielson, be, and they are hereby, appointed Bail Commissioners for the City of Blanding, authorized and empowered to set bail and receive fines in or for violation of City and State laws within the City of Blanding and to issue receipts for the same.

PASSED, ADOPTED and APPROVED this 12th day of April, 1978.

10. Councilwoman McDaniel presented to the Mayor and Council, a report of discussions had and information received at the recent Utah League of Cities and Towns Workshop.

11. Councilwoman McDaniel advised that the residents along Second West Street where sidewalk construction has been proposed on a cooperative basis with Blanding City, San Juan County and property owners sharing the costs, equally, had expressed some anxiety relative to the period of time they would be allowed to pay their proportionate share of costs. No decision has at yet been reached on this matter.

12. Councilwoman McDaniel again raised the question of Police Traffic Patrol during the morning hours when school traffic is heavy.

13. Councilman Hunt advised of the necessity to respond by letter to the Community School Sidewalk Group relative to the status of projects and proposals requested by them, as an indication of appreciation for the efforts and concern for citizen welfare shown by the said group.

14. The Council discussed briefly, the facilities which should be considered in the proposed Southeast Park and Playground.

15. Motion was made by Councilman Lyman, seconded by Councilman Black and unanimously carried that the City retain the services of Butterfield and Associates for preparation of the Preapplication to Housing and Urban Development Administration for the 1st West Street Sidewalk and Water Well No. 1 equipment under the Small Cities Program.

Meeting adjourned at 11:55 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD APRIL 26,  
1978 IN THE BLANDING CITY HALL.

Present were: Mayor DeLaMar Gibbons, M.D.

City Councilmen: Bruce N. Black  
Jon L. Hunt  
Michael T. Hurst  
Francis M. Lyman

Councilwoman: LaRue C. McDaniel

Recorder: Francis D. Nielson

Also Present: Mr. William K. Dinehart, Executive Director, Southeastern Utah Association of Governments; Mr. Tim Borden, Mr. John Adams, Mr. John F. Black, of Energy Fuels Nuclear, Inc.; Mr. Kay P. Lyman; Mr. Merwin Shumway; Mr. Preston G. Nielson; Mr. Gordon S. Bird; Mr. Earl Stevens; Mr. Phillip Palmer; Mrs. Phillip Palmer; Mr. Keith Rogers.

1. Prayer was offered by Councilman Hurst.
2. Minutes of City Council meeting held April 12, 1978 were read and approved.
3. Mr. William K. Dinehart made a presentation to the Council, relative to the functions of, and services available through, the Southeastern Utah Association of Governments.
4. The following Petitions for annexation were received and reviewed by the Council:

PETITION FOR ANNEXATION

The undersigned owners of real property and the owners of not less than one-third value of the real property as shown by the last assessment rolls hereby petition the municipality of Blanding for annexation to the municipality of the property shown on the attached plat or map as certified by the engineer or surveyor whose name appears thereon.

Signatures:

Kay P. Lyman  
Velma H. Lyman  
Kay P. Lyman as agent for Allie L. Platt  
Bryce Redd  
Cathy Redd  
Lyle Johnson  
Clea Johnson  
Daniel Wolf  
Donalee Wolfe  
Glen Erickson  
Ray Brown  
LuRae Brown  
Lynn F. Lyman  
Hazel B. Lyman  
Mareen Shumway  
Merwin Shumway

PETITION FOR ANNEXATION

The undersigned owners of real property and the owners of not less than one-third in value of the real property as shown by the last assessment roles hereby petition the City of Blanding, Utah for annexation to the municipality of the property shown on the attached plat or map as certified by the engineer or surveyor whose name appears thereon.

S/ Gordon S. Bird, Partner for  
Winter & Bird - A Parnership

Notary Public S/ Effie Brockmeier  
Date: 4/25/78  
Commission Expires 3/1/1980

PETITION FOR ANNEXATION

The undersign owners of real property and the owners of not less than one-third in value of the real property as shown by the last assessment roles hereby petition the City of Blanding, Utah for annexation to the municipality of the property shown on the attached plat or map as certified by the engineer or surveyor whose name appears thereon.

Signatures:

Preston Nielson  
Kay P. Lyman  
Lynn F. Lyman  
Hazel B. Lyman  
Dorothy S. Nielson  
John Black  
Linda Black  
J. Buckley Jensen  
Pauline S. Jensen  
Shirley B. Ensle  
Emma Esplin

Notary Public Effie Brockmeier  
Date: 4/26/78

Commission Expires March 1, 1980

Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Hurst and unanimously carried:

RESOLUTION NO. 1978-11

A RESOLUTION DECLARING THE ANNEXATION  
OF TERRITORY TO THE CITY OF BLANDING

WHEREAS, a majority of the owners of real property and the owners of not less than one-third in value of the real property as shown on the last assessment rolls in territory lying contiguous to the City of Blanding have petitioned said City for annexation; and

WHEREAS, the petition was accompanied by an accurate plat or map of the territory to be annexed prepared under the supervision of a competent engineer or surveyor and certified by the same; and

WHEREAS, the petition and plat or map have been filed in the office of the City Recorder,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah:

Section 1. TERRITORY ANNEXED. The territory described below is hereby declared annexed to the City of Blanding:

A tract of land to be annexed into the corporate boundary of the City of Blanding, County of San Juan and State of Utah. Said tract being located in the Southeast quarter of Section 22, Township 36 South, Range 22 East, SLB & M, and whose legal description is:

Beginning at the SE Corner of Section 22, T 36 S, R 22 E, SLB & M; thence S  $89^{\circ}54'29''$  W 2134.91 feet more or less, along the south line of said section 22 to the SW corner of Kay P. Lyman, et al., property which point is on the existing city limits; thence North 404 feet more or less, along the existing City limit and property line of Kay P. Lyman, et al., to NE corner of Clyde and Carolyn Hunt property; thence West 500 feet along north line of Hunt property to a point on the N-S centerline of said Section 22; thence North 39 feet along said centerline; thence East 500 feet to existing City limit and Kay P. Lyman, et al., property line; thence North 422.67 ft., mor or

less, along City limit and Kay P. Lyman, et al., property line to a point in the West property line of Buckley Jensen parcel; thence West 500 feet to a point on the N-S centerline of Section 22; thence North 350.23 feet, more or less, along said centerline to a point on the Northwest boundary of Blanding Irrigation Company property; thence northeasterly along the boundary line of Blanding Irrigation Company on a curve to the right having a radius of 576.44 feet, an arc length of 192.66 feet, and a chord with a bearing and distance of N 35°55'00" E. 191.77 ft., to a point of tangency; continue thence along the boundary line of Blanding Irrigation Company N 45°29'30" E 361.65 feet to a point on the South boundary of Francis J. Nielson property; thence East 20.24 feet more or less, along the extension of said boundary line; thence N 45°30'00" E 35.87 ft. more or less, to a point of intersection with the southwesterly extension of the Southeastern boundary line of Blanding City concrete storage reservoir property; thence North 344.5 feet more or less, along City property line; thence East 239.11 feet more or less, to a point on the West boundary line of Preston and Dorothy Nielson property; thence North 450 feet more or less, along said West boundary line to a point situated 191.78 feet south of the East-West centerline of said Section 22; thence N 87°39'57" E, 623.03 feet; thence S 80°06'14" E 543.47 feet; thence S 58°03'01" E 166.93 feet; thence S 85°18'47" E 580.3 feet; thence S 00°34'42" W 591.4 feet; thence S 85°25'44" E 299.24 feet; to a point on the West right-of-way line of Blue Mountain Road; thence along said West right-of-way line S 06°26'07" W 307.4 feet more or less; continuing thence along said West right-of-way line S 06°45'26" W 1326.49 feet more or less to the point of beginning.

A tract of land to be annexed into the corporate boundary of the City of Blanding, County of San Juan and State of Utah. Said tract being located in the Northeast quarter of Section 27, Township 36 South, Range 22 East, SLB & M, and whose legal description is:

Beginning at a point on the north line of Section 27, T 36 S., R 22 E, SLB & M; said point being West 660.0 feet from the northeast corner of said Section 27; and running thence West along said North section line 1260.31 feet to a point on the existing Blanding City limits; thence along existing City limits in the following courses; South 220.0 feet, East 310.0 feet, South 643.0 feet, East 290.31 feet, South 217.0 feet, and East 660 feet to a point 1080.0 feet South of point of beginning; thence North 1080.0 feet to point of beginning. Contains 23.68 acres.

A tract of Land to be annexed into the corporate boundary of the City of Blanding, County of San Juan and State of Utah. Said tract of land being located in the Southeast quarter of Section 34, Township 36 South, Range 22 East, SLB & M, and whose legal description is:

Beginning at a point which is N 89°56'16" E 474.5 feet from the South 1/4 corner of Section 34, T 36 S, R 22 E, SLB & M; thence N 00°00'00" E 2639.48 feet more or less to a point on the East-West centerline of said Section 34, which is also a point on the existing City limits; thence East along said East-West centerline and City limit 622.41 feet more or less to the West property line of land owned by Richard C. Perkins; thence S 00°15'00" W 1469.98 feet along said West property line which is also the existing City limit; continuing thence S 00°00'00" E 1168.82 more or less along said West property and City limit line to a point on the South line of said Section 34; thence S 89°56'16" W 616.0 feet more or less along said South line of Section 34 to the point of beginning.

Section 2. EFFECTIVE DATE: This resolution shall take effect immediately.

PASSED, ADOPTED and APPROVED by unanimous vote of the Blanding City Council this 26th day of April, 1978.

S/ DeLaMar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
City Recorder

Mayor Gibbons advised the foregoing petitioners for annexation that City policy currently requires all streets and utility services in annexed and subdivided land to be provided by the subdivider or developer and that no permits can be issued for construction of any buildings on subdivided lands until such street and utility work is completed in accordance with the accepted subdivision plans, except that a bond may be issued in lieu of the completion of all such improvements, said bond to guarantee the completion of the proposed improvements.

5. The following letter was read in full to the Council:

Energy Fuels Nuclear, Inc.  
Suite 445  
Three Park Central  
1515 Arapahoe  
Denver, Colorado 80202  
April 13, 1978

Mr. Francis D. Nielson  
City Administrator  
50 West 1st South  
Blanding, Utah 84511

Dear Mr. Nielson:

As you are aware, Energy Fuels Nuclear, Inc. has an active program for the exploration, development and production of uranium properties located in southeastern Utah. Additionally, Energy Fuels has announced its intentions to construct a uranium mill approximately six miles south of Blanding to treat ores mined by the Company and ores purchased from independent operators.

At the present time, we have all but completed the environmental work necessary for the preparation of an environmental impact statement for the mill. In February 1978 we submitted to the United States Nuclear Regulatory Commission our application for a mill license. According to the Commission's schedule, our application should be processed within nine months. Construction of the mill will commence immediately upon issuance of the license and should be completed during the first quarter of 1980.

Within one year after the mill is completed, we expect the number of Energy Fuels' employees associated with the mill, exploration and mining activities to be between 350 and 450 persons. Most of these employees will live within the Blanding area. All of this, of course, is contingent upon receiving the necessary permits and approvals from the United States Nuclear Regulatory Commission and other state and federal agencies. However, Energy Fuels has the financial ability and expertise to accomplish its program once these permits and approvals are issued.

Should you have any questions, please do not hesitate to call.

Sincerely,  
ENERGY FUELS NUCLEAR, INC.  
S/ Robert W. Adams  
Chairman of the Board

RWA/GWG/kc

6/ The Council were advised of the Utah Class B and C Road school to be held at Kanab, Utah on May 10, 11 and 12, 1978.

7. Councilwoman McDaniel discussed the following items with the Council:

- A. The City Cleanup-Fixup program is being promoted by the Chamber of Commerce on May 19 and 20, 1978. The San Juan County Road Department equipment and operators will be required as in the past. John R. Seely, City Street Foreman is to coordinate the program with San Juan County.
- B. There has been considerable local comment relative to drug abuse in the community and the City Police should be actively pursuing control of this problem. It was agreed that the Narcotics officers functioning through the State Narcotics Control Division should be left to the handling of narcotics related investigations.

8. Mayor Gibbons suggested to the Council that the Hopi-Navajo Adjustment Agency proposal to move some Navajo Indians into the area on Mustang and Alkali Mesas has received only consideration as to its negative aspects, and that there may be some business values being overlooked in the matter as considerable local commercial business would be generated as a result of moving the proposed number of people into an area so near the community.

9. Mayor Gibbons suggested that a culvert should be placed in the ditch which crosses the road south of the nursing home as quickly as one can be obtained.

10. The Council discussed with Mr. Philip Palmer, the possibility of retaining him as City Engineer. Mr. Palmer indicated that he would be willing to serve the City at a beginning salary of \$1500.00 per month and that he felt qualified to serve the cities needs. No formal action was taken on the matter.

11. The Council discussed the possible resignation of Mr. Ronald Kennedy as Water System Manager, to accept employment in Emery County.

Motion was made by Councilman Lyman, seconded by Councilwoman McDaniel that the City increase the salary of Mr. Ronald Kennedy to \$1,050.00 per month, effective May 1, 1978, providing he elects to remain employed by the City.

12. Councilman Hurst recommended that the following be appointed to the zoning Board of Adjustment:

- Mr. Eugene E. Blickenstaff
- Mr. John B. Doss
- Mr. George A. Jones
- Mr. Albert Kuipers
- Mr. Steven Bronson

The Council agreed that further consideration should be given this matter.

13. Motion was made by Councilman Black, seconded by Councilman Lyman and unanimously carried that the lane easterly from the Southeast well should remain open for public use.

14. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Black and unanimously carried:

RESOLUTION NO. 1978-12

BE IT RESOLVED by the City Council of the City of Blanding that Utah Power and Light Company Schedules 6 and 19 be adopted by the City as the terms and conditions under which electricity is sold to Commercial electric customers; that said schedules are made a part hereof by reference.

PASSED, ADOPTED AND APPROVED THIS 26th day of April, 1978.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

15. The Council discussed with Mr. Keith Rogers, matters pertaining to the Blue Mountain Estates Subdivision and the agreement relative to the right-of-way access at the south end of the City Park lying between Park Street and the U.S. Highway 163. No action was taken on these matters.

Meeting adjourned at 12:10 A.M.

---

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD MAY 10, 1978 AT 8:00  
O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmen: Jon L. Hunt  
Francis M. Lyman

City Councilwoman: LaRue McDaniel

City Recorder: Francis D. Nielson

Absent were City Councilmen: Bruce N. Black  
Michael T. Hurst

Also present: Gordon S. Bird and Wilbur B. Winter, Canyonlands 21st Century Corporation; Mr. Conney Shumway; Mr. Tierre Patterson and Mrs. Kathie Patterson; Mrs. Michael Northern; Mr. Merlin Bowen; Mr. Earl Stevens, Blanding Chamber of Commerce; John B. Wright, Chief of Police and Mrs. Elaine Wright; Mark S. Hester, City Patrolman.

1. Prayer was offered by Councilman Lyman.

1-A. Mayor Gibbons presented an outstanding cadet plaque to Mark S. Hester, from POST.

2. Mr. Tierre Patterson and Mrs. Kathie Patterson discussed with the Council a prior request of the Council to consider rezoning the East one-fourth of Block 61 from residential to a Commercial zone. The Council advised that in accordance with provisions contained therein, no amendments can be made to the zoning ordinance or the official zoning map prior to consideration of the same by a Zoning Board of Adjustment and the convening of a duly advertised public hearing, at which time anyone may present arguments for or against proposed amendments.

Mrs. Patterson also requested the City effect a continuous maintenance program to keep the drainage ditch on 5th South and 1st East streets free of debris and impounded water, as it is becoming a breeding place for mosquitos. The Council advised that the ditch will be maintained consistent with the availability of equipment and manpower.

3. Mr. Gordon S. Bird and Mr. Wilbur B. Winter requested clarification by the Council of the proposed alignment for the southern extension of 3rd West Street. Mr. Bird and Mr. Winter were advised that 3rd West Street is to be extended South from its intersection with Continental Street, at a width of 66 feet; the West line is to be maintained and the East line is to be offset 34 feet.

4. Minutes of City Council meeting held April 26, 1978 were read and approved.

5. The following letter was read in full to the Council:

May 5, 1978

Mr. John Neff  
Neff Engineering and  
Construction Company  
2500 Evergreen Avenue  
Salt Lake City, Utah 84109

Dear Mr. Neff:

Subject: Engineering agreement; proposed ADAP project;  
Blanding Municipal Airport

We have reviewed your revised lump sum engineering agreement for an environmental impact assessment report and the design and construction engineering for a proposed 1000' runway extension and parking apron at the Blanding Municipal Airport. The agreement is acceptable for federal funding if an ADAP project develops subject to the following comments:

1. The backup cost data is considered reasonable. Please have data in your files to substantiate hourly rates (salary plus cost multiplier) in the event an audit is conducted.

2. Who will pay for construction control testing and mix design testing?

Before you begin designing the project, we would like to have a predesign meeting to discuss design and construction standards pertinent to the project. Contact Mr. Craig Sparks of this office, (303) 837-3062, on this matter. We make periodic trips to Salt Lake City and other areas in Utah, and a meeting could be coordinated with one of these trips.

Send us one copy of the executed contract. If you have any questions please call.

Sincerely,

Victor J. Kiesling  
Chief, Engineering Section  
Airports Division

cc:  
Mr. Bud Nielson, City Coordinator  
P. O. Box 68  
158 Continental (City Hall)  
Blanding, Utah 84511

6. The following letter was read in full to the Council

The Council approved attendance at the aforesated meeting by Councilman Lyman and the Recorder.

7. Mr. Michael Northern and Mr. Merlin Bowen requested the Council consider allowing use of the area south of the Westwater Reservoir for a Motorcycle Raceway. After due discussion it was agreed that the matter of possible City liability should be resolved prior to committing the land for such use.

8. Mayor Gibbons declared the meeting open for Public Hearing in the matter of the City's HUD Small Cities Program wherein the City has made application for funds with which to purchase and install pumping equipment for Well No. 1; to construct sidewalks, curbs and gutters and do City Planning in the amounts of \$41,000, \$115,000 and \$5,000 respectively. Mayor Gibbons asked for comments, statements or arguments relative to the application and proposal. There being no response, the Mayor declared the hearing complete.

9. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1978-13

BE IT RESOLVED by the City Council of the City of Blanding, Utah that Mayor Gibbons be, and he is hereby, authorized to execute an agreement with Neff Engineering Company, 2500 Evergreen Avenue, Salt Lake City, Utah, wherein said engineering company will perform certain services in connection with proposed improvements to the Blanding Municipal Airport, a copy of said agreement is attached hereto and made a part hereof by reference; execution of the same shall be attested to by the City Recorder.

PASSED, ADOPTED and APPROVED this 10th day of May, 1978.

S/ De Lamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

10. Motion for adoption of the following resolution was made by Councilman Hunt, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1978-14

WHEREAS, in March, 1958 the City of Blanding passed an ordinance abandoning portions of certain streets and subsequently sold the same to Mr. Oren Kenneth Palmer and to Mr. Alma M. Palmer; and,

WHEREAS, the deeds issued to the purchasers of said streets were apparently recorded at the San Juan County Recorders office; and,

WHEREAS, the City of Blanding received payment for said streets, receipt for which is properly recorded in the financial records of the City; and,

WHEREAS, purchasers now desire to dispose of the portions of streets, which disposition requires issuance of title insurance unavailable to them in the circumstances;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby authorized to execute quit-claim deeds, quit-claiming all City right, title and interest in and to the portions of streets vacated by that certain ordinance known as "AN ORDINANCE VACATING PORTIONS OF STREETS" adopted January 7, 1957 and a subsequent ordinance known as CORRECTING

ORDINANCE VACATING PORTIONS OF STREETS" adopted March 24, 1958; that execution of said deeds be duly attested by the City Recorder and a copy of said deeds be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 10th day of May, 1978.

S/ De Lamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

11. Motion for adoption of the following resolution was made by Councilwoman McDaniel, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1978-15

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute an application for funding under the HUD Small Cities Program, said application to include a request for funds with which to purchase pumping equipment for Blanding City Water Well No. 1 as well as funds for sidewalk construction in areas of critical pedestrian safety hazards resultant from the necessity to walk on paved streets during muddy weather.

PASSED, ADOPTED and APPROVED this 10th day of May, 1978.

S/ De Lamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

12. The following letter was read in full to the Council:

804 South 725 East  
Sandy, Utah 84070  
May 4, 1978

Mayor and City Council  
City Office  
Blanding, Utah 84511

RE: Employment Proposal

Dear Mayor and Council:

We appreciated the opportunity to discuss possible employment with Blanding City on Wednesday April 26, 1978. On Thursday April 27, 1978 I spoke briefly with Mr. Nielson and Mayor Gibbons. They both indicated that the Council approved to offer employment to me in an engineering role. I suggested to both that the next step, in my opinion, would be to get some particulars down in writing and I offered to initiate that document.

I hereby forward my acceptance of your job offer and propose the following conditions be considered by you.

Before the conditions are listed I do wish to inform you that on Tuesday May 2, 1978 in regular Council Meeting of Sandy City I submitted my resignation as City Engineer effective June 1, 1978. Our home is listed For Sale and we are proceeding full steam ahead on arranging housing in Blanding with hopes of moving near the 1st of June. WE ARE MOVING. If the following conditions are not agreeable please revise and return as soon as possible.

1. Starting Date

June 19 is proposed as a starting date. It does need to be left flexible to some extent in order to allow me to complete the moving process and not leave it to my wife. If the process can be completed before this date, I am anxious to join your staff.

2. Salary

I would accept a starting salary of \$1,550.00 per month. I request consideration of an increase to \$1,750.00 per month after successfully completing a six month probation period. I also ask you to approve a cost of living increase review each July 1 plus a review for merited increases in January each year based on quality and quantity of work produced and job performance evaluation.

Please Note that I feel confident in being able to recommend some fee schedules to produce revenue to partially cover this salary.

3. Retirement

I accept the job on the basis of being able to continue on with the State Retirement system where the City would contribute to that fund the 5% maximum participation.

4. Insurance

The job is accepted on the basis of being included in the City's group insurance programs. Also that the City pay the premiums for both me the employee and the entire family as my dependents. We are anxious to receive information concerning the type of coverage and if it includes any dental coverage.

5. Vacation

The job is accepted on the basis of accumulating paid vacation at the rate of one (1) day per month employed.

6. Sick Leave

The job is accepted on the basis of accumulating sick leave one (1) day per month employed, or as established by present policy.

7. Holidays

As per present policy

8. Transportation

Use of private vehicles for City business be compensated at rates currently acceptable by the State and Federal guidelines.

9. Moving Expense

None requested. Any offer would be accepted.

Although appearing somewhat cumbersome and a little selfish, I trust that listing the above items will serve as a basis for establishing something in writing regarding our discussions. Please weigh them and let us know of your decision.

Every person hopes to better himself in considering employment changes. We have faith that there are some benefits in your community that will compensate our family in the long range outlook.

As I indicated in our discussion, I will refrain from any Engineering business on the side that would require the City's approval causing a conflict of interest.

Please forward your response.

Respectfully,

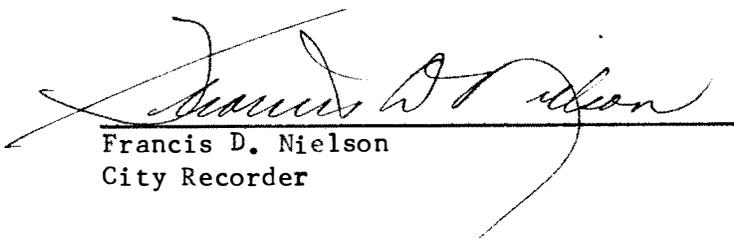
S/ Philip L. Palmer, P.E.

Motion was made by Councilman Hunt, seconded by Councilman Lyman and unanimously carried that Mr. Phillip Palmer be hired by the City in accordance with the terms of the foregoing letter and that the City defray Mr. Philip Palmer's moving costs in an amount up to \$1,000.00.

13. The Recorder was requested to have Mr. John R. Seely and the men which he supervises, perform necessary maintenance on the Westwater Reservoir ditch, to assure the flow of water into the reservoir upon completion of the reservoir repairs.

14. The Council approved ordering of a Police Patrol Car, to cost \$5,973.33.

Meeting adjourned at 10:40 P.M.



---

Francis D. Nielson  
City Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD MAY 24, 1978 at 8:00  
O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.  
City Councilmen: Bruce N. Black  
Jon L. Hunt  
Michael T. Hurst  
Francis M. Lyman  
City Councilwoman: LaRue McDaniel  
City Recorder: Francis D. Nielson

Also Present were: Mr. Steven Sowby and Mr. Kent Stringham of Community Consultants, Inc.

1. Prayer was offered by Mayor Gibbons.
2. Minutes of City Council meeting held May 10, 1978 were read and approved.
3. Mr. Steven Sowby and Mr. Kent Stringham of Community Consultants, Inc. reviewed with the Council their progress to date on the water system leak survey and meter calibration projects. They stated that during the ensuing weeks they will be checking all service connections for leaks and requested public advertising of their activities so that the cooperation of residents might be assured, as the program requires entering upon private property and in residences where leaking pipes may be indicated. They further requested the Council give consideration to retaining their firm to prepare a Water System Master Plan for the City.

Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1978-16

BE IT RESOLVED by the City Council of the City of Blanding that Community Consultants, Inc. be, and they are hereby, retained to complete a Water System Master Plan for the City in accordance with the following proposal:

OUTLINE OF MASTER PLAN PROPOSAL

Introduction

On August 24, 1977 a proposal was made to Blanding City for Community Consultants to do a Master Plan of the waterworks system after other phases including a water audit, meter repair, and underground leak survey was complete. It will include the phases listed below.

Scope of Work

1. Complete up-to-date map of Water System.
2. Analysis of historical water system uses and consumption.
3. Analysis of meter reading practices and meter accuracy.
4. Evaluation of rate system and user fees.
5. Determination of present and projected population.
6. Analysis of raw water requirements necessary.
7. Review of existing water supply sources and adequacy.
8. Determination of transmission and distribution system capacities.
9. Analysis of existing water treatment facilities.
10. Development of cost estimates for future construction.
11. Actual fire flow field tests and measurements.

Fee

Our fee as proposed in August will be \$8400.00 for all services listed above. Billings will be made monthly based on a percentage of project completed.

It is anticipated that this project will take 90 days for completion.

PASSED, ADOPTED and APPROVED this 24th day of May, 1978.

\_\_\_\_\_  
DeLamar Gibbons, M.D.  
Mayor

ATTEST:

\_\_\_\_\_  
Francis D. Nielson  
Recorder

4. The following letter was read in full to the Council:

Department of Housing and Urban Development  
Regional Office  
Executive Tower-1405 Curtis Street  
Denver, Colorado 80202

May 19, 1978

Honorable DeLamar Gibbons  
Mayor of Blanding  
Blanding, Utah 84511

Dear Mayor Gibbons:

This is to acknowledge receipt of your Community Development Block Grant preapplication for Federal Assistance. A review of the preapplication has been initiated and we will advise you should any additional information be required. Please do not submit any additional information unless it has been requested by this office.

Preapplication Number SP-78-49-0021 has been assigned to your preapplication. All future correspondence pertaining to this project should reflect this number.

Sincerely,

S/ Robert J. Matuschek  
Assistant Regional Administrator  
Community Planning and Development

5. Councilman Hunt advised the Council that Mr. George Petty has indicated a water well pumping equipment supplier may test the Blanding Well No. 1 if there is a possibility of selling the required equipment to the City following the test. Councilman Hunt will follow up on this.
6. The Council discussed the status of the repair project at Reservoir No. 4 and determined that all mountain pipeline water should be diverted into the reservoir upon completion of the repair and that the Duzett Ditch should receive immediate necessary maintenance to transport the maximum amount of water to the reservoir.
7. The Council again discussed the necessity for Jet fuel storage and dispensing equipment at the airport. Councilman Hunt agreed to investigate the possibility of a tank truck with necessary filtering equipment to service jet planes.
8. Councilman Lyman reported on a meeting of the Utah League of Cities and Towns representatives relative to the Local Governments Trust Insurance Program wherein those present agreed the program will now be self-funding, with no appreciable difference in the rate structure and services.
9. Councilwoman McDaniel advised the Council that the San Juan County Recreation Department has requested the City maintain the Memorial, South and Reservoir Parks previously maintained under the County Program. Mrs. McDaniels will obtain further information on the County Recreation budget and

programming from Commissioner Black prior to any decision being made on this matter.

10. Councilwoman McDaniel advised that the public needs now to be educated relative to the U-turn restrictions in the area of the Albert R. Lyman School, and that one additional No U-Turn sign is needed at the west edge of the curbing at approximately 10 West on 5th North Street, said sign to be on the south side of the street and facing west.

11. The Council reviewed the proposed operating budgets for the General Fund Class "C" Road Fund and Bond Redemption and Interest Fund, as well as the proposed cash budget for the Electric, Water and Sewer Fund, for the fiscal year ending June 30, 1979.

Motion was made by Councilman Lyman, seconded by Councilman Hurst and unanimously carried that the proposed General Fund, Class "C" Road Fund and Bond Redemption and Interest Fund budgets together with the proposed Electric, Water and Sewer Fund Cash Budget, in the amount of \$774,611.11, \$37,665.39, \$40,207.50 and \$918,232.14 respectively, be presented at a public hearing on June 28, 1978 at 8:00 O'Clock P.M. in the City Hall.

12. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Hunt and unanimously carried:

RESOLUTION NO. 1978-17

BE IT RESOLVED by the City Council of the City of Blanding that the following individuals be and they are hereby, appointed to the Blanding City Zoning Board of Adjustment for the respective period shown:

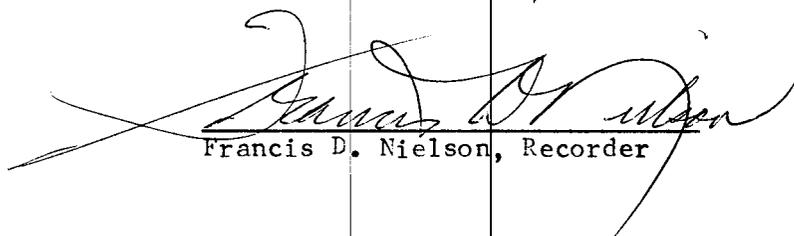
<u>Name</u>	<u>Terms of Office</u>
Eugene E. Blickenstaff	May 24, 1978 - May 31, 1983
John B. Doss	May 24, 1978 - May 31, 1982
George A. Jones	May 24, 1978 - May 31, 1979
Albert L. Kuipers	May 24, 1978 - May 31, 1980
Patsy B. Shumway	May 24, 1978 - May 31, 1981

DeLamar Gibbons, M.D.  
Mayor

ATTEST:

\_\_\_\_\_  
Francis D. Nielson  
Recorder

Meeting adjourned at 11:15 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A SPECIAL MEETING OF THE  
BLANDING CITY COUNCIL HELD JUNE 21,  
1978 at 8:00 P.M. IN THE CITY HALL.

Present were: Mayor DeLamar Gibbons, M.D.  
City Councilman Francis M. Lyman  
City Councilwoman LaRue McDaniel

City Recorder: Francis D. Nielson  
City Engineer: Philip Palmer

City Justice of the Peace: George M. Low

Absent were: City Councilmen: Bruce N. Black  
Jon L. Hunt  
Michael T. Hurst

Also Present were: Mr. Merlin Bowen; Mr. Alexander Fisher; Mr. Alden Hamblin;  
Mr. Rayburn Jack; Mr. Lyle Johnson, Mr. Norman Lyman, Mr.  
Michael Northern; Mr. Jerry Westring.

1. Prayer was offered by Councilman Lyman.

2. Mr. Merlin Bowen and Mr. Michael Northern again requested the Council allow them to develop a Motorcycle Racing Course in the area south of the Westwater Reservoir. The Council agreed that a temporary course could be developed at the southern part of the property providing a reasonable distance from the pipeline right-of-way to the water treatment plant is maintained and providing the City is saved harmless from any accident, injury or catastrophic occurrence which may result from the carrying out of the proposed activities. It was further understood that those desiring use of the property shall incorporate under the laws of the State of Utah, to become a legal and responsible entity for carrying out there proposed functions.

Also, the City of Blanding will attempt to secure land from the United States Department of the Interior, as a permanent site for development of the type of facility being proposed.

3. The following letter was read in full to the Council:

Blanding Chamber of Commerce  
Blanding, Utah 84511  
June 9, 1978

Dear Mayor and Council Members:

The Blanding Chamber of Commerce is in the process of ordering fireworks for the Fourth of July Celebration. The cost this year will be \$630.00 for the same display we had last year.

These activities are carried out for the service of our community and all labor and expense are volunteered by local merchants and citizens.

We would like to request your financial help in providing these activities, and feel that if half the expense of the fireworks could be born by the city, private individuals would not have to be taxed so heavily as they have been in the past.

We would appreciate your consideration in your next meeting as this has been brought up in Council meeting during May.

Sincerely,  
S/ Jerry T. Westring, President  
Blanding Chamber of Commerce

The Council agreed that the City should appropriate \$315.00 to the Blanding Frontier Days Committee to assist in presenting Frontier Days activities.

4. The following letter was read in full to the Council:

Rayburn E. Jack  
P. O. Box 923  
Blanding, Utah 84511

Blanding City Council  
Blanding, Utah 84511

Dear City Council Members:

We are requesting a parade permit for July 4th, 1978. The parade entries will be assembled and judged in front of the Blanding Elementary School. We will begin the parade at 10:00 A.M. and proceed to Main Street on 3rd South. At Main Street the parade will turn North and go to Center. They will turn East on Center and go one block to 1st East and then proceed North to the High School, where the parade will disassemble.

We are also planning a Skateboard Competition from 1:30 p.m. to 2:30 p.m. that would require closing 2nd North from Main Street to 1st East.

We would appreciate permission for both activities and the necessary assistance from the Police Dept. to make both functions as safe as possible and to reroute thru traffic. We would also like to thank the City for their help in making former celebrations a success.

Enclosed please find a tentative schedule of events being planned. We are looking forward to an enjoyable day.

Sincerely,  
S/ Rayburn E. Jack  
Chairman  
Chamber of Commerce, 4th of  
July Committee

The Council agreed that a parade permit could be issued and that the parade route should follow as requested except that it should continue north on Main Street to 1st North, turn east one block and continue North on 1st East to the disassembling point.

5. The Council reviewed a proposal for annexing land to the City, as presented by Mr. Alexander Fisher. The formal petition for annexation will be presented at the next regularly scheduled City Council meeting.

6. The Recorder advised the Council of a seminar to be conducted by Mr. Morris Johnson of the University of Utah, Department of Community Services, on Thursday, June 29, 1978 at 7:00 o'clock, P.M. in the City Hall, for the purpose of instructing the City Planning Commission, Zoning Board of Adjustment and City Council on the carrying out of assigned functions and responsibilities of all agencies relative to Planning and Zoning matters.

7. Mr. George M. Low, Justice of the Peace, advised the Council that hereafter, all contested court cases will be routed through the District Court to afford a proper record and avail of a lawyer-trained judge.

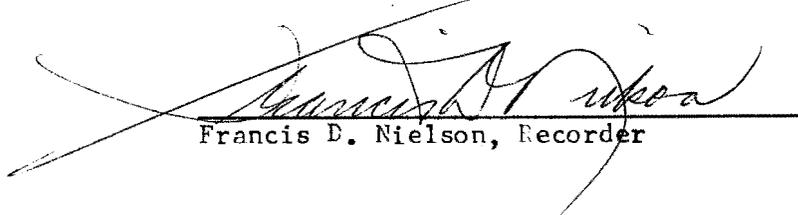
8. Mayor Gibbons reported that the San Juan County Commission, at the request of Commissioner Guymon, had approved the acceptance of and the responsibility for improving the Blue Mountain Road from Blanding to Monticello, subject to United States Forest Service approval.

9. The Council conducted a Public Hearing on the proposed expenditure of the cities Revenue Sharing Funds for the Fiscal Year ending June 30, 1978. The Council proposed to spend the entire fund for water system improvements which would benefit all citizens equally. The proposal was apparently approved by those present as no negative opinions were expressed.

10. The Council discussed water and electrical rates relative to the San Juan Nursing Home, with the Administrator, Mr. Rayburn Jack.

11. Councilman Lyman was appointed by Mayor Gibbons to serve as a representative from the City to the Manpower Council of the Southeastern Utah Association of Governments.

Meeting adjourned at 10:30 P.M.



Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD JUNE 28, 1978 at 8:00  
o'clock P.M. IN THE CITY HALL

Present were: Mayor De Lamar Gibbons, M.D.

City Councilmen: Bruce N. Black  
Jon L. Hunt  
Michael T. Hurst

City Councilwoman: LaRue W. McDaniel  
Recorder: Francis D. Nielson  
Engineer: Philip L. Palmer

Absent: Councilman Francis M. Lyman

Also present were: Mr. Alexander A. Fisher; Mr. James Gordon Bayles; Mr. Earl Stevens.

1. Prayer was offered by Councilman Hurst.
2. Minutes of City Council meetings held May 24 and June 21, 1978 were read and approved.
3. A petition for annexation of land contiguous to the City was presented to the council by Mr. Alexander A. Fisher.

Motion for adoption of the following resolution was made by Councilwoman McDaniel, seconded by Councilman Black and unanimously carried:

RESOLUTION NO. 1978-18

A RESOLUTION DECLARING THE ANNEXATION  
OF TERRITORY TO THE CITY OF BLANDING

WHEREAS, a majority of the owners of real property and the owners of not less than one-third in value of the real property as shown on the last assessment rolls in territory lying contiguous to the City of Blanding have petitioned said City for annexation; and

WHEREAS, the petition was accompanied by an accurate plat or map of the territory to be annexed prepared under the supervision of a competent engineer or surveyor and certified by the same; and

WHEREAS, the petition and plat or map have been filed in the office of the City Recorder,

Utah: NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding,

Section 1. Territory Annexed. The territory described below is hereby declared annexed to the City of Blanding:

Property included in the Northwest annexation near Edge of Cedars and from approximately 200 North to 500 North between approximately 500 West to 700 West whose legal description is:

Beginning at a point which is North 2415.35 feet and West 761.97 feet from the South 1/4 Corner of Section 27, Township 36 South, Range 22 East, SLB & M; thence West 558; thence South 301 feet; thence West 1100 feet; thence North 543 feet; thence East 540 feet; thence North 600 feet; thence West 320 feet; thence North 200 feet; thence East 320 feet; thence South 25 feet; thence East 560 feet; thence North 962.5 feet; thence East 451.29 feet; thence North 105 feet; thence East 341.71 feet; thence South 138 feet; thence

East 41 feet; thence South 297 feet; thence East 33 feet; thence South 88.5 feet; thence East 6 feet; thence South 286 feet; thence West 5.4 feet; thence South 281 feet; thence West 33.6 feet; thence South 752 feet; thence West 276 feet; thence South 242 feet; to the point of beginning. Containing approximately 77.5 acres.

Section 2. Effective Date. This resolution shall take effect immediately.

PASSED, ADOPTED and APPROVED this 28th day of June, 1978.

S/ De Lamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

4. Mr. James Gordon Bayles alleged to the Council that he is being harrassed and mistreated by City Patrolman Mark S. Wester, citing the incidence of a recent arrest on charges of reckless driving and foreign license plates. Mr. Bayles was advised that his allegations will be proper consideration.

5. The Council again reviewed the proposed operating budgets of the General Fund, Class C and Collector Road Funds and Bond Redemption and Interest Fund as well as the cash budget of the Electric, Water and Sewer Operating Fund for the fiscal year ending June 30, 1979.

Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Hurst and unanimously carried:

RESOLUTION NO. 1978-19

A RESOLUTION PROVIDING FOR THE APPROPRIATION OF FUNDS FOR OPERATION OF THE CITY OF BLANDING DURING THE FISCAL YEAR ENDING JUNE 30, 1979

BE IT RESOLVED by the City Council of the City of Blanding, Utah that there be appropriated for operation of the City of Blanding the following amounts from the respective funds and for the purpose shown:

CITY OF BLANDING  
1979

OPERATING BUDGET

Acct. No.	Prior Years Actual Revenue			Current Year Estimates	Insuing Year Approved Budget Appropriation	
	1975	1976	1977			
<u>3100-Taxes</u>						
3110	General Property tax-current	40,994.27	37,959.53	44,393.96	57,293.46	78,500.00
3120	Delinquent prior year's taxes	894.26	3,488.70	1,691.72		
3130	General Sales & Use Taxes	27,083.92	43,336.72	53,313.55	72,749.38	76,000.00
<u>3200 Licenses &amp; Permits</u>						
3210	Business Licenses & Permits	390.00	489.00	450.00	545.00	2,800.00
3221	Bldgs, Structures & Equip.	168.90	645.80	1,387.60	1,362.00	4,800.00
3223	Motor vehicle operation (Bike)	25.00	85.00	245.00	- -	500.00
<u>3300-Intergovernmental</u>						
3311	General Government		5,937.30	770.00		41,000.00
3312	Public Safety	9,700.45				110,000.00
	Airport					132,000.00
3320	Federal Shared Revenue	10,288.00	14,087.00	18,227.00	18,980.00	19,448.00

6/28/78 cont.

Acct. No.		Prior Years Actual Revenue			Current	Ensuing Year
		1975	1976	1977	Year Estimates	Approved Budget Appropriation
3340	State Grants				5,655.00	56,729.00
3350	State shared revenue					
3356	Class "C" Road Fund allotment	8,526.21	6,940.83	14,278.44	7,652.28	7,193.04
3358	State liquor fund allotment	6,372.30	4,248.20	4,248.20	4,248.20	4,248.20
3370	Grants from local units	2,211.62	2,056.46	5,626.70	3,618.09	46,842.00
3430	Streets & Public Improvements					
131	Street, sidewalk & curb repair	180.00				
3440	Sanitation					
3443	Refuse collection charges	15,287.45	17,524.58	18,657.38	28,383.06	30,600.00
3480	Cemeteries	470.00	700.00	280.00	500.00	600.00
3510	Fines	10,238.40	7,879.00	6,718.50	12,705.86	12,500.00
3610	Interest	17,768.79	2,890.26	4,729.09	6,025.15	2,200.00
3620	Park & Concessions	1,404.89	1,782.33	1,351.87	1,376.00	2,400.00
3650	Sale of Materials & Supplies	40.06	318.52	1,193.31	386.00	1,000.00
	Employee Taxes, Ret. funds,					
	Ins. Premiums	12,787.53	8,219.98	11,368.53	11,761.17	14,686.00
	Insurance Recovery-Truck loss	2,890.67				
3820	Contributions from other funds	154,888.40	19,295.38	234,672.01	8,000.00	9,600.00
3840	Recurring transfers from other funds	24,287.77	185,671.22	47,410.56	251,814.89	60,880.21
3850	Contribution Class "C" road surplus	9,412.43	14,543.80	14,037.08	24,688.36	29,240.11
3870	Contributions general fund surplus	26,960.34	13,553.07	36,206.83	41,089.39	30,820.55
	Total Revenue	383,491.66	391,659.68	523,263.33	558,834.29	774,611.11

CITY OF BLANDING  
F Y 1979

OPERATING BUDGET

Account No.						
4110	Legislative					
4111	Board of commissioners					2,120.00
4113	Ordinances and proceedings	555.17	620.96	489.75	1,239.00	1,450.00
4120	Judicial					
4122	City & precinct courts	2,652.15	2,742.42	3,536.93	3,792.60	5,120.00
4140	Administration agencies					
4143	Treasurer	1,994.85	1,322.11	2,038.63	1,640.74	1,965.00
4144	Recorder	1,994.84	1,322.10	2,038.63	1,640.73	1,965.00
4145	Attorney	1,503.52	2,778.84	1,219.47	3,611.91	4,800.00
4147	Surveyor					4,050.00
4150	Non Departmental (Audits)	589.50	589.50	589.50	870.00	900.00
4170	Elections		388.14	1,086.75	447.67	
4180	Planning & Zoning	54.33				
	<u>4200 Public Safety</u>					
4210	Law enforcement	50,679.13	47,288.56	52,521.07	52,409.67	76,390.00
4220	Fire Department	2,784.18	3,701.99	6,261.92	2,195.15	12,550.00
4240	Protective inspection	60.00	60.00	60.00	60.00	4,800.00
	<u>4400 Street &amp; Public Improvements</u>					
4410	Streets & Highways	21,534.48	24,144.32	26,960.59	28,747.72	183,173.60
4415	Class "C" Road	4,286.29	2,180.06	4,107.42	3,740.58	37,000.00
	Waste Collection & Disposal	21,341.53	12,729.04	14,666.88	26,576.07	41,911.00
	Airport	3,633.35	3,352.44	4,824.35	5,245.44	220,171.00
4510	<u>4500 Parks, Recreation &amp; Public Prop.</u>					
	Parks	46.55	75.13	105.34	125.00	13,750.00
	<u>4800 Intergovernmental Expenditures</u>					
4830	Bond Redemption & Interest	29,020.00	28,047.20	27,036.90	32,980.69	40,207.50
	Contributions to other funds	15,275.23	154,330.36	48,344.32	260,895.45	107,602.01
	<u>4900 Miscellaneous</u>					
	Payroll Taxes, Ret. Funds, Ins. Prem., Remitted	11,718.47	8,332.04	9,782.24	11,675.00	14,686.00
	Excess or revenue over expenditures	213,768.09	97,654.47	317,592.64	120,940.87	- - -
	TOTAL EXPENDITURES	169,723.57	294,005.21	205,670.69	437,893.42	774,611.11

CITY OF BLANDING

F Y 1979

CLASS "C" ROAD FUND  
SPECIAL REVENUE FUND

OPERATING BUDGET

Account No.	DESCRIPTION	Revenues & Expenditures		Budget
		Actual 1977	Estimated 1978	Estimated 1979
21	CLASS "C" ROAD FUND			
	Revenues:			
3356	Class "C" Road Fund allotment	14,278.44	7,652.28	7,652.28
3610	Interest earnings	480.26	640.05	773.00
	Total Revenues	14,758.70	8,292.33	8,425.28
	Beginning balance-Unappropriated surplus	14,037.08	24,688.36	29,240.11
	TOTAL AVAILABLE FOR APPROPRIATION	28,795.78	32,980.69	37,665.39
	Expenditures: (transfers to general fund)			
4415-410	Road Maintenance			14,000.00
4415-420	New road construction	4,107.42	3,740.58	23,000.00
	Total Expenditures	4,107.42	3,740.58	37,000.00
	Ending balance-unappropriated surplus	24,688.36	29,240.11	655.39
	TOTAL EXPENDITURES & ENDING BALANCE	28,795.78	32,980.69	37,655.39

COLLECTOR ROAD FUND  
SPECIAL REVENUE FUND

OPERATING BUDGET

Account No.	DESCRIPTION	Revenues & Expenditures		Budget
		Actual 1977	Estimated 1978	Estimates 1979
22	COLLECTOR ROAD FUND			
	Revenues:			
3357	Collector road allotment			4,000.00
	Total Revenues			4,000.00
	TOTAL AVAILABLE FOR APPROPRIATION			4,000.00
	Expenditures: (transfers to general fund)			
4416-410	Road maintenance			4,000.00
	Total Expenditures			4,000.00
	TOTAL EXPENDITURES & ENDING BALANCE			4,000.00

CITY OF BLANDING  
F Y 1979

BOND REDEMPTION  
AND INTEREST FUND

BUDGET ESTIMATES  
AND APPROPRIATION

Account No.	Description	Revenues & Expenditures		Budget
		Actual 1977	Estimated 1978	Estimates 1979
	ALL FOND ISSUES			
	Revenues			
	Property Taxes			
3110	Current year property taxes (from general fund)	27,036.90	36,298.61	40,207.50
	Total Revenues	27,036.90	36,298.61	40,207.50
	TOTAL AVAILABLE	27,036.90	36,298.61	40,207.50
	Expenditures:			
4700-810	Retirement of bonds	18,000.00	17,000.00	22,000.00
4700-820	Interest on bonds	8,922.50	19,173.89	18,072.50
	Paying Agents Fees	114.40	124.72	135.00
	TOTAL EXPENDITURES	27,036.90	36,298.61	40,207.50
	TOTAL EXPENDITURES & ENDING BALANCE	27,036.90	36,298.61	40,207.50

CITY OF BLANDING  
Electric, Water & Sewer Systems  
Cash Budget-F Y 1979

INCOME:	REVENUES		
	Actual F Y 1977	3 Mos. Est. F Y 1978	Estimates F Y 1979
Sales and Services	439,547.53	596,321.47	684,000.00
Delinquent Account Penalties	1,990.55	1,838.68	2,200.00
Line Extension Costs Advanced	5,863.51	15,799.01	15,000.00
Water Development Grant (San Juan County)	-	20,000.00	-
Water Development Grant (State of Utah)	10,000.00	40,000.00	-
Sale of Materials & Supplies	235.41	66.00	-
Contributions-General Fund Acct. Current	48,344.32	234,672.01	107,602.01
Interest Income	1,070.13	3,800.00	3,450.00
Rentals	1,800.00	1,800.00	1,800.00
Total Receipts	508,851.45	914,297.17	814,052.01
<b>Deduct:</b>			
Discounts and Allowances	(479.08)	(1,047.53)	(1,200.00)
Line Extension Costs Refunded	(830.87)	(1,807.30)	(2,700.00)
<b>Add:</b>			
Withheld Payroll Taxes, Retirement Funds and Insurance Premiums	6,891.56	8,452.94	14,550.00
	514,433.06	919,895.28	824,702.01
Beginning Fund Balances	58,005.04	34,526.23	93,530.13
Available For Appropriation	572,438.10	954,421.51	918,232.14
<b>EXPENDITURES:</b>			
<b>Operating Expenditures:</b>			
Salaries and Wages	32,192.00	34,715.00	58,200.00
Employee Benefits	8,184.98	9,417.17	14,550.00
Subscriptions & Memberships; Printing and Advertising	100.46	10.00	450.00
Travel & Vehicle Allowances		557.27	250.00
Office Supplies & Expenses	2,928.71	3,106.45	3,600.00
Equipment & Facilities Maintenance and Operating Supplies	29,392.57	86,871.84	42,000.00
Building & Grounds Maintenance and Operating Supplies	3,403.17	6,296.82	6,300.00
Special Departmental Supplies (Resale Power Purchases)	248,403.64	321,449.65	396,000.00
Rent	1,754.15	1,675.25	1,800.00
Professional & Technical Services	3,263.73	12,871.02	28,000.00
Insurance and Surety Bonds	1,693.40	5,335.77	6,000.00
Uncollectible Accounts Charged	1,493.45	1,500.00	2,100.00
Total Operating Expenditures	332,810.26	483,806.24	559,250.00
<b>Capital Expenditures:</b>			
Tunnel Payment		3,000.00	1,500.00
Improvements Other Than Buildings	103,656.97	282,674.24	247,000.00
Equipment	7,977.73	814.80	6,800.00
Total Capital Expenditures	111,634.70	286,489.04	255,300.00
<b>Other Expenditures:</b>			
Bond Redemption & Interest Sinking Fund Payments	62,832.00	62,832.00	62,832.00
Contributions-General Fund Account Current	9,672.01	8,000.00	9,600.00
Crisis Intervention Payment Refund		300.00	
Electric Connection Refund		35.00	
Customers Deposits Refunded	1,246.18	906.84	600.00
Payroll Taxes, Retirement Funds and Insurance Premiums Remitted	6,743.32	8,346.98	14,550.00
Sales Taxes Remitted	12,973.40	11,675.28	15,800.00
Total Other Expenditures	93,446.91	92,096.10	103,382.00
Total Expenditures	537,911.87	860,891.38	917,932.00
<b>INCOME IN EXCESS OF EXPENDITURES</b>	34,526.23	93,510.13	300.14

6/28/78 cont.

PASSED, ADOPTED and APPROVED this 28th day of June, 1978.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

6. Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Hurst and unanimously carried:

RESOLUTION NO. 1978-20

BE IT RESOLVED by the City Council of the City of Blanding, that the employee salaries be set as follows for the individuals and respective positions shown:

Philip L. Palmer, City Engineer	\$1,550.00 per month
Francis D. Nielson, City Administrator	1,400.00 per month
John B. Wright, Chief of Police	1,100.00 per month
John R. Seely, Streets Foreman	1,100.00 per month
Gerald M. Black, Water System Manager	900.00 per month
Mark S. Hester, Patrolman	900.00 per month
Velda J. Nielson, Treasurer	850.00 per month
Richard L. Haycock, Patrolman	850.00 per month
Oris C. Black, Garbage Truck Operator	850.00 per month
Kyle L. Lyman, Assistant Water System Manager	825.00 per month
Erwin Oliver, Garbage Truck Operator	800.00 per month
George M. Low, Justice of the Peace	250.00 per month

PASSED, ADOPTED and APPROVED this 28th day of June, 1978.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

7. The Recorder advised the Council that the application to Farmers Home Administration for grant funds to extend the City watermain south to the Airport is complete and ready for submission; and further that the HUD Small Cities Program application information requirements have been entirely met and can only await the Regional Office decision.

8. The Council advised that the 6 inch pipeline from Main and 5th South Street to the Southeast well must be completed at the earliest convenience and that if E. A. Black Plumbing and Heating is incapable of completing the project, a different firm may be hired on a time and materials basis, for the line completion.

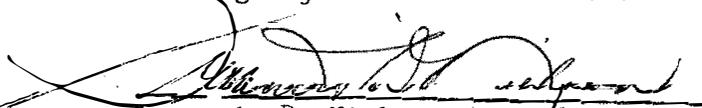
9. Councilman Hunt reported no further contact with pump suppliers relative to possibly testing the Blanding Water Well No. 1; that he is still endeavoring to avail of a proposal to carry out the testing program.

10. Councilwoman McDaniel requested the Council consider replacing the sidewalks and curbs in the 200 block on North Main Street. Councilman Hunt agreed to discuss with the adjacent property owners the need for repairs in an effort to get their cooperation in payment for such a project on a 50-50 cost sharing basis.

11. Mr. Philip L. Palmer, City Engineer, discussed with the Council the necessity for their review of the Sewer 201 Facility Study draft, so they might make recommendations as to whether or not it addresses the issues as required.

Mr. Palmer further discussed with the Council, the necessity for a procedure policy in the matter of proposed annexation of land to the City, the wisdom of conducting a utility connection fee study and the need for Street excavation control with accompanying excavation permit & fee requirements and schedule.

Meeting adjourned at 10:40 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD JULY 12, 1978 AT 8:00  
o'clock P.M. IN THE CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmen: Bruce N. Black  
Jon L. Hunt  
Michael T. Hurst  
Francis M. Lyman

City Councilwoman: LaRue McDaniel

City Recorder: Francis D. Nielson; City Engineer: Phillip L. Palmer

Also Present were: Mr. John B. Doss; Mr. Gordon A. Hawkins; Mr. Albert Mark;  
Mr. Earl Stevens, Mr. George M. Low.

1. Prayer was offered by Councilman Hurst.
2. Minutes of City Council meeting held July 28, 1978 were read and approved.
3. The Recorder notified the Council of the Utah League of Cities and Towns Convention scheduled for September 7, 8, and 9, 1978.
4. Mr. Gordon A. Hawkins discussed with the Council, problems and conditions which he had observed at the water treatment plant which were apparently the result of neglect and lack of understanding the plant operation. The Council authorized retaining Mr. Hawkins for training current treatment plant personnel in the plant operation, at the rate of \$10.00 per hour.
5. Mayor Gibbons advised the Council that Mr. Dan Webb of the Utah Department of Employment Security, can assign a number of young people to the City for use in a widewalk construction program.  
Motion was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried, that the City obtain labor assistance through the Utah Department of Employment Security, for the purpose of removing the deteriorated sidewalk and curb and gutter in the 200 block of North Main Street, to utilize such labor in the replacement of the sidewalk, curb and gutter, within their ability to assist in the same, and to continue their use and assistance as it may appear valuable to the City.
6. Mayor Gibbons advised that Monsanto Chemical Corporation has proposed to establish a Silicon plant in the area of the Four Corners Power Line, and suggested that the merits of the San Juan area as a possible site, should be expressed to them. It was agreed that this matter should be referred to the Chamber of Commerce.
7. Councilman Hunt expressed concern over what appears to him to be a lack of progress in accomplishing needed water resource development and that this should be the focal point of the cities endeavors.
8. The Council discussed the status of the proposed airport improvement project to extend the Runway and Tiedown-Parking areas. Mayor Gibbons requested the Recorder contact Neff Engineering Company relative to the progress of the project application with the Federal Aviation Administration.
9. Councilman Hunt again indicated to the Council the necessity for Jet fuel facilities at the airport. He stated that he has had no success in locating a truck which would handle the filtering requirements for dispensing jet fuel. Councilman Hunt will contact Mr. Al Brinton at the Civil Defense Distribution Center in Salt Lake City relative to the availability of a U.S. Surplus jet fuel dispensing unit.
10. Councilman Hurst presented to the Council a request by the Planning Commission to consider a public hearing relative to effecting possible changes to the official zoning map and moved adoption of the following resolution, which was duly seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1978-21

BE IT RESOLVED by the City Council of the City of Blanding, Utah that a Public Hearing be held on August 9, 1978 at 8:00 O'Clock P.M. in the City Hall for the purpose of considering the following changes and additions to the official Blanding City Zoning Map:

1. Rezone - Residential (R-2) to Commercial (C). All areas currently zoned RESIDENTIAL (R-2) within Blocks 1,2,3,4,5, 12,18,28,36,44,45,53 and 61
2. Rezone - Industrial (I) to Commercial (C)  
21st Century Property near Perkins St. (700 South) between 200 West & 300 West whose legal description is: Beginning at a point which is 1096.91 feet East and 2710.94 feet North from the S 1/4 corner of Section 34, Township 36 South, Range 22 East, SLB & M. Thence West 660 feet thence North 308 feet, thence East 660 feet thence South 308 feet to the point of beginning. Containing 4.67 acres.
3. Rezone - Commercial (C) to Mobile Home District (MH)  
Richard Perkins property near 1100 South and 200 West, whose legal description is: Beginning at a point which North  $72^{\circ}30'14''$  East, 1143.34 feet from the South 1/4 corner of Section 34, Township 36 South, Range 22 East, SLB & M; thence North 709.06 feet, thence South  $88^{\circ}04'40''$  East 270.0 feet, thence South 700.01 feet, thence West 268.85 feet to the point of beginning. Containing 4.87 acres.
4. Initial Zoning - Commercial (C)  
21st Century Property near 750 South between 200 West & 300 West whose legal description is: Beginning at a point which is 1096.91 feet East and 2710.94 feet North of the South 1/4 Corner of Section 34, Township 36 South, Range 22 East, SLB & M. Thence West 622.41 feet, thence South 23.1 feet thence East 622.41 feet, thence North 23.1 feet to the point of beginning. Containing 0.33 Acres.
5. Initial Zoning - Residential (R-2)  
21st Century Property near 900 South between 200 West & 300 West whose legal description is: Beginning at a point which is 1096.91 feet East and 2687.84 feet North of the S 1/4 corner of Section 34, Township 36 South, Range 22 East, SLB & M. Thence South  $00^{\circ}15'00''$  West 1083.55 feet more or less, thence West 617.53 feet, thence North 1085.11 feet more or less, thence East 622.41 feet more or less to the point of beginning. Containing approximately 15.43 acres.
6. Initial Zoning - Mobile Home District (MH)  
21st Century Property near 1100 South between 200 West and 300 West whose legal description is: Beginning at a point which is North  $89^{\circ}56'16''$  East 474.5 feet from the South 1/4 corner of Section 34, Township 36 South, Range 22 East, SLB & M; thence North 1529.27 feet; thence East 617.53 feet; thence South  $00^{\circ}15'00''$  West 310.30 feet; thence South 1170 feet; thence South  $89^{\circ}56'16''$  West 616 feet to the point of beginning. Containing approximately 21.67 acres.
7. Initial Zoning - Residential (R-1)  
North annexation property from 500 North to 1300 North approximately and between 100 East (Blue Mountain Road) and 400 West, whose legal description is: Beginning at the SE Corner of Section 22, Township 36 South, Range 22 East, SLB & M; thence South  $89^{\circ}54'29''$  West 660 feet more or less; thence South 1080 feet; thence West 660 feet; thence North 217 feet; thence West 290.31 feet; thence North 643 feet; thence West 310 feet; thence north 220 feet; thence South  $89^{\circ}54'29''$  West 214.6 feet more or less; thence North 404 feet more or less; thence West 500 feet; thence North 39 feet; thence East 500 feet; thence North 422.67 feet more or less; thence West 500 feet to a point on the N-S centerline of Section 22; thence North 350.23 feet; thence Northeasterly on a curve to the right having a radius of 576.44 feet, an arc length of 192.66 feet and a chord with a bearing and distance of North  $35^{\circ}55'00''$  East, 191.77 feet,

to a point of tangency; continuing thence North 45°29'30" East 361.65 feet; thence East 20.24 feet more or less; thence North 45°30'00" East 35.87 feet more or less; thence North 344.5 feet more or less; thence East 239.11 feet more or less; thence North 450 feet more or less to a point situated 191.78 feet South of the E-W centerline of said section 22; thence North 87°39'57" East 623.03 feet; thence South 80°06'14" East 543.47 feet; thence South 58°03'01" East 166.93 feet; thence South 85°18'47" East 580.3 feet; thence South 00°34'42" West 591.4 feet; thence South 85°25'44" East 299.24 feet to a point on the West right-of-way line of Blue Mountain Road; thence along said west right-of-way South 06°26'07" West 307.4 feet more or less; thence continuing along said right-of-way South 06°45'26" West 1326.49 feet more or less to the point of beginning.

8. Original Zone - Residential (R-1)

Property included in the Northwest annexation near Edge of Cedars and from Approximately 200 North to 500 North between Approximately 500 West to 700 West whose legal description is:

Beginning at a point which is North 2415.35 feet and West 761.97 feet from the South 1/4 Corner of Section 27, Township 36 South, Range 22 East, SL&M; thence West 558 feet; thence South 301 feet; thence West 1100 feet; thence North 543 feet; thence East 540 feet; thence North 600 feet; thence West 320 feet; thence North 200 feet; thence East 320 feet; thence South 25 feet; thence East 560 feet; thence North 962.5 feet; thence East 451.29 feet; thence North 105 feet; thence East 341.71 feet; thence South 138 feet; thence East 41 feet; thence South 297 feet; thence East 33 feet; thence South 88.5 feet; thence East 6 feet; thence South 286 feet; thence West 5.4 feet; thence South 281 feet; thence West 33.6 feet; thence South 752 feet; thence West 276 feet; thence South 242 feet; to the point of beginning. Containing approximately 77.5 acres.

BE IT FURTHER RESOLVED that all advertisements and posting be effected consistant with the requirements of Ordinance No. 1978-1.

PASSED, ADOPTED and APPROVED this 12th day of July, 1978.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

11. Councilman Hurst advised that Mr. Fermit Butt has resigned as a member of the Planning Commission, moved that such resignation be accepted by the Council and that Mrs. Clea S. Johnson be appointed to fill the Planning Commission vacancy. The motion was seconded by Councilman Hunt and un-animously carried.

12. Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1978-22

BE IT RESOLVED by the City Council of the City of Blanding, Utah that Philip L. Palmer be, and he is hereby, appointed to the office of Building Inspector for the City of Blanding, from date hereof until removal or replacement by the City Council.

PASSED, ADOPTED and APPROVED this 12th day of July, 1978.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

13. The Council discussed the proposed Main Street Sidewalk improvements and the deteriorated condition of the curb and gutter from the center of the 100 South block to 3rd South Street. Councilwoman McDaniel agreed to contact the School Community Group and avail of their services as contacts with the land owners between Center Street and 4th South Street relative to a cooperative project with the City, wherein the City would replace or construct new sidewalks and the landowner would replace the curb and gutter where needed.

14. Mr. Philip Palmer, City Engineer discussed the following items with the Council:

1. Necessity for a review of utility connection fees, zoning change hearings and advertisement fees and street excavation permit fees.
2. Procedural policy for subdivision of land.
3. Policies and procedures in the annexation of land to the City.
4. The values of keeping congressional representatives informed as to our growth status and impacted conditions, for which a form letter was presented.
5. Review of the Henningson, Durham & Richardson, Inc. 201 Facility Plan draft.

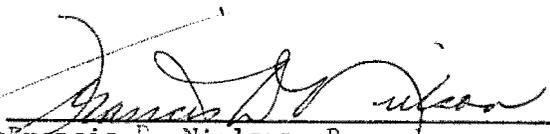
It was agreed that a resolution relative to utility connection fees, street excavation permit fees, advertising and hearing fees, construction and inspection fees as well as fees for other services and special requirements of citizens, shall be prepared by the City Engineer and City Recorder and presented at the next regularly scheduled Council meeting.

15. Mr. John B. Doss suggested that an overview of the water system plans and development programs should be prepared and presented to the public, through the local media so that they might be aware of action being taken or proposed by the City.

16. The Council discussed whether or not the establishing of a Home for delinquent girls at the residence at 171 North 2nd West Street, formerly utilized as a Group Home, warrants consideration as to licensing or zoning change. It was agreed that the home might be operated as proposed.

17. The Recorder advised that the U.S. Forest Service and Utah Division of Water Resources has required that the Camp Jackson reservoir be drained to a point where three feet of freeboard exists and that repair of slough areas be accomplished following drainage of the reservoir prior to next years use.

Meeting adjourned at 11:15 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD JULY 26,  
1978 AT 8:00 O'CLOCK P.M. IN THE CITY  
HALL.

Present: Mayor DeLamar Gibbons, M.D.

City Councilmen: Bruce N. Black  
Michael T. Hurst  
Francis M. Lyman

City Councilwoman: LaRue W. McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Absent was City Councilman Jon L. Hunt

Also present: Mr. John B. Doss, Mr. Earl Stevens

1. Motion was made by Councilman Hurst, seconded by Councilwoman McDaniel and unanimously carried that Councilman Francis M. Lyman be appointed Mayor Pro Tempore for the conducting of City business in the absence of the Mayor.

The meeting proceeded under the the direction of Councilman Lyman as Mayor Pro Tempore.

2. Prayer was offered by Councilwoman McDaniel.

3. Minutes of City Council meeting held July 12, 1978 were approved.

4. At the request of Mr. John B. Doss, Councilman Hurst discussed with the Council, the advisability of establishing a control zone around the City for maintenance of adjacent zoning control.

Motion was made by Councilman Hurst, seconded by Councilwoman McDaniel and unanimously carried that the City petition San Juan County to effect a control zone around the City with a four-mile radius from the Intersection of Main and Center Streets, to prohibit area development detrimental to the public welfare and give continuity to the City Zoning and master plan.

Mayor Gibbons assumed the chair at this point.

5. Councilman Lyman advised that the previous meeting statement of concern and dissatisfaction relative to water resource development and general water system improvement progress, warrants answer, to the effect that, as city history bears out, the greatest single thrust of each governing body, including the current one, has been in the direction of water development; that the water system has received the largest expenditure of City funds; that there is a water audit, a rate study and a water master plan currently being completed for the purpose of giving direction in the resolution of problems as well as development procedures. He suggested that past accomplishments must be recognized and that it is individual Council responsibility to understand policies, plans and proposals relative to the water system and its operation; and that a means should be devised to keep the public informed and aware of the same.

6. The Recorder advised the Council of the continued anxiety expressed by the U.S. Forest Service and Utah State Engineers office over the condition of the Camp Jackson Reservoir and its being maintained at an alleged unsafe level; that as a result of these agencies edicts relative to the matter, the reservoir is being drained to where it has three feet of freeboard and will be maintained at that level until the balance of the water is needed in the culinary system.

7. The City Engineer advised the Council that the Southeast well is properly equipped to produce the available water.

8. The Recorder advised the Council that Smith Plumbing and Heating will be available to complete the 500 South Street pipeline, commencing July 31, 1978.

9. Councilman Black suggested to the Council that the City should pursue the purchase of water shares in the Blanding Irrigation Company.

Motion was made by Councilman Hurst, seconded by Councilman Lyman and unanimously carried that the City purchase any Blanding Irrigation Company water shares which may be currently available at a price not to exceed \$1.25 per share.

10. The Council discussed submitting an application to the State of Utah for Energy Impacted funds and granted authority to the Recorder and Engineer to prepare such application, to include waterworks and sewer system improvement projects.

11. Mayor Gibbons requested that the Allen Canyon drainage water appropriation information be obtained from the State of Utah and that the feasibility of bringing the upper Allen Canyon water into the City system be considered.

12. The City Engineer suggested to the Council that any land, to which there is an attached water right or filing, petitioned for annexation to the City or as a subdivision development, be required to offer the City a first right-of-refusal to purchase such water right.

13. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1978-23

BE IT RESOLVED by the City Council of the City of Blanding that the City Recorder be, and he is hereby, authorized to negotiate a land exchange between the City of Blanding, and Winter-Bird, a Partnership, involving an equal number of acres, the City land being in Section 10, Township 37 South, Range 22 East, and the Winter-Bird land being in Section 34, Township 36 South, Range 22 East, both in Salt Lake Meridian, Utah; said exchange being subject to a further land exchange between the City and the Ute Mountain Ute Tribe of Indians, wherein the City would exchange the land to be obtained from Winter-Bird for land at the North end of the Blanding Municipal Airport.

PASSED, ADOPTED and APPROVED this 26th day of July, 1978.

S/ DeLaMar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

14. The Recorder was requested to discuss with Neff Engineering, Inc. the possible relocating of the Airport Administration Building and to obtain information relative to cost sharing of such relocation as well as possibly enlarging the same.

15. Following discussion of the safety hazards resultant from athletic activities conducted at the San Juan High School Baseball field, motion was made by Councilwoman McDaniel, seconded by Councilman Lyman and carried unanimously, that the agencies carrying out activities at the San Juan High School Baseball field be authorized to effect the closing of 2nd North Street between Main and 1st East Streets during the periods of their activities; and that such agencies should receive the cooperation of the City Police Department in carrying out such street closing.

16. Councilwoman McDaniel advised that the School Community Sidewalk Group has completed a survey of the 23 property owners in the main street-Center to 2nd North Street area, relative to their participation in a sidewalk-curb and gutter replacement project; that 14 desired to participate, 1 refused to participate, 2 would participate in repairs only and 6 were unavailable.

17. Councilman Black advised that there is a possibility of obtaining donated labor to construct the dog pound and that he will follow up on the matter.

18. The following Fee Proposal Summary was presented to the Council for their consideration:

FEE PROPOSAL SUMMARY  
(For Council consideration & evaluation)

1. Public Hearing Fee.

Requests for City action requiring a public hearing shall be assessed a fee to defray advertising, posting and staff time, in the amount of.....\$50.00

(Ordinances currently being revised by League of Cities indicates a \$5.00 filing fee charge and a \$20.00 fee if hearing is actually held.)

2. Development Fee.

Proposed commercial, industrial and residential developments shall be assessed on the basis of acreage to cover staff time required in review and approval process.....\$70.00  
(Per Acre)  
(not considered as an impact fee)

3. Water Connection Fees.

- 3/4 Inch - \$ 988.00 plus \$45.00 for meter
- 1 Inch - 1644.00 plus \$60.00 for meter
- 1½ Inch - 3289.00 plus \$110.00 for meter
- 2 Inch - 5265.00 plus furnish meter and vault
- 3 Inch - 10,524.00 plus furnish meter and vault
- 4 Inch - To be calculated
- 6 Inch - To be calculated

Fee Breakdown:

	<u>Portion</u>	<u>Percent of Total</u>
a. Large distribution lines	\$ 130.00	13%
b. New wells & mountain water	633.00	64%
c. Storage tanks	160.00	16%
d. Telemetry	65.00	7%

The applicant for water service would be responsible for all costs to have the service lateral installed and it would be done according to City specifications and under City inspection.

Single units and duplexes would be allowed 3/4 inch meters. Triplexes and fourplexes would be required to have a 1 inch meter. All others would have to be calculated

4. Sewer Connection Fee.

- a. Each dwelling unit \$450.00
- b. Each full or partial bathroom 450.00  
(Motels, Service Stations, etc.)
- c. Industrial & Commercial users - to be calculated

The applicant for sewer connection would be responsible for all costs to have the sewer lateral installed. All work would be done in accordance with City specifications and under City inspection.

5. Electrical Connection Fee.

UP&L Invoice plus 5%

6. Building Permit Fee.

Fee schedule per Uniform Building Code of International Conference of Building Officials. (Blanding is a Class A member)

<u>Building Value</u>	<u>Fee</u>
1.00 to 500.00	\$ 5.00
501.00 to 2,000.00	5.00 plus 1.00/100
2,001.00 to 25,000.00	20.00 plus 4.00/1000
25,001.00 to 50,000.00	112.00 plus 3.00/1000
50,001.00 to 100,000.00	187.00 plus 2.00/1000

Note: Fees shall be doubled on any building started prior to obtaining a permit.

Reinspection (call back) \$10.00

Plan Checking Fee: 50% or 65% of permit fee.

Impact Fee on Police, Fire, Parks, etc. should be considered.

7. Street Excavation Permit Fee.

Revised Ordinances will require \$200.00 Bond.

For a large project bond should be increased to \$1,000.00

Permit Fee 30.00

Penalty if cut is made prior to obtaining permit 80.00

8. Other Licenses and Fees are established in revised ordinances. (Animal, Bicycle, Business, etc.)

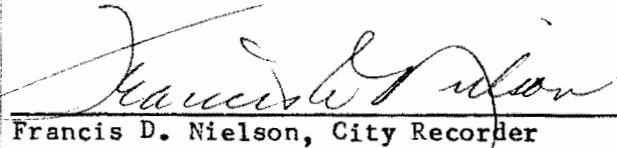
9. Business Licenses - Discuss Increase.

10. Contractors Licenses - Discuss Increase.

The Council agreed that prior to adopting a fee schedule in the foregoing matters, a meeting should be held with those developers, builders, contractors and parties who would be most affected by such action. A meeting for this purpose was scheduled for August 2, at 8:00 o'clock p.m. in the City Hall.

19. Mr. Earl Stevens of Radio Station KUTA volunteered the assistance of the station to keep the public informed of City programs and development proposals.

Meeting adjourned at 10:40 P.M.

  
Francis D. Nielson, City Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD AUGUST  
9, 1978 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were:

City Councilmen Bruce N. Black  
Jon L. Hunt  
Michael T. Hurst  
Francis M. Lyman

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Absent were:

Mayor DeLamar Gibbons, M.D.  
City Councilwoman LaRue W. McDaniel

Also Present:

Mr. John Adams; Mr. Tim Borne; Mr. Phillip Taylor of Arrowhead Development Corp.; Mr. Glen Erickson, Mrs. Judy Erickson, Mr. Kay P. Lyman, Mr. Charles Lyman, Mr. & Mrs. Jack Pehrson, Mr. Lynn Lee, Mr. Wm Ellis Palmer, Mr. Albert Mark, Mr. Richard Perkins, Mrs. Margaret Taylor, Mrs. Kathy Patterson, Mr. Tierre Patterson, Mr. Leonard W. Hurst, Mr. LaRell C. Van Dyke, D.D.S., Mr. Calvin Van Dyke, Mr. John B. Doss, Mrs. Clea S. Johnson, Mr. Lyle N. Johnson, Mr. Bryant Christensen, United States District Forester.

In the absence of Mayor Gibbons, the meeting was conducted by Councilman Francis M. Lyman, Mayor Pro Tempore.

1. Prayer was offered by Councilman Jon L. Hunt.
2. Minutes of City Council meeting held July 26, 1978 were approved.
3. Mayor Pro Tem Lyman declared the meeting open for the discussion of the following proposed changes to the official City Zoning Map:
  - a. Rezone - Residential (R-2) to Commercial (C)  
All areas currently zoned RESIDENTIAL (R-2) within Blocks 1,2,3,4,5,12,18,28,36,44,45,53 and 61.
  - b. Rezone - Industrial (I) to Commercial (C)  
21st Century Property near Perkins Street. (700 South) between 200 West and 300 West whose legal description is: Beginning at a point which is 1096.91 feet East and 2710.94 feet North from the South  $\frac{1}{4}$  corner of Section 34, T 36 S, R 22 E, SLB&M. Thence West 660 feet, thence North 308 feet, thence East 660 feet, thence South 308 feet to the point of beginning. Containing 4.67 Acres.
  - c. Rezone - Commercial (C) to Mobile Home District (MH)  
Richard Perkins property near 1100 South and 200 West whose legal description is: Beginning at a point which is North 72°30'14" East, 1143.34 feet from the South  $\frac{1}{4}$  corner of Section 34, T 36 S, R 22 E, SLB&M; thence North 709.06 feet, thence South 88°04'40" East 270.0 feet, thence South 700.01 feet, thence West 268.85 feet to the point of beginning. Containing 4.87 Acres.
  - d. Initial Zoning - Commercial (C)  
21st Century Property near 750 South between 200 West and 300 West whose legal description is: Beginning at a point which is 1096.91 feet East and 2710.44 feet North of the South  $\frac{1}{4}$  Corner of Section 34, T 36 S, R 22 E, SLB&M. Thence West 622.41 feet, thence South 32.1 feet; thence East 622.41 feet, thence North 23.1 feet to the point of beginning. Containing 0.33 Acres.

e. Initial Zoning - Residential (R-2)

21st Century Property near 900 South between 200 West and 300 West whose legal description is: Beginning at a point which is 1096.91 feet East and 2687.84 feet North of the  $s\frac{1}{4}$  corner of Section 34, T 36 S, R 22 E, SLB&M. Thence South  $00^{\circ}15'00''$  West 1083.55 feet more or less, thence West 617.52 feet, thence North 1085.11 feet more or less, thence East 622.41 feet more or less to the point of beginning. Containing approximately 15.43 Acres.

f. Initial Zoning - Mobile Home District (MH)

21st Century Property near 1100 South between 200 West and 300 West whose legal description is: Beginning at a point which is North  $89^{\circ}56'16''$  East 474.5 feet from the  $S\frac{1}{4}$  corner of Section 34, T 36 S, R 22 E, SLB&M; thence North 1529.27 feet; thence East 617.53 feet; thence South  $00^{\circ}15'00''$  West, 361.30 feet; thence South 1170 feet; thence South  $89^{\circ}56'16''$  West 616 feet to the point of beginning. Containing approximately 21.67 Acres.

g. Initial Zoning - Residential (R-1)

North annexation property from 500 North to 1300 North approximately and between 100 East (Blue Mountain Road) and 400 West, whose legal description is: Beginning at the SE Corner of Section 22, T 36 S, R 22 E, SLB&M; thence South  $89^{\circ}54'29''$  West 660 feet more or less; thence South 1080 Feet; thence West 660 feet; thence North 217 feet; thence West 290.31 feet; thence North 643 feet; thence West 310 feet; thence North 220 feet; thence South  $89^{\circ}54'29''$  West 214.6 feet more or less; thence North 404 feet more or less; thence West 500 feet; thence North 39 feet; thence East 500 feet; thence North 422.67 feet more or less; thence West 500 feet to a point on the N-S centerline of Section 22; thence North 350.23 feet; thence Northeasterly on a curve to the right having a radius of 576.44 feet, an arc length of 192.66 feet and a chord with a bearing and distance of North  $35^{\circ}55'00''$  East, 19177 feet, to a point of tangency; continuing thence North  $45^{\circ}29'30''$  East 361.65 feet; thence East 20.24 feet more or less; thence North  $45^{\circ}30'00''$  East 35.87 feet more or less; thence North 344.5 feet more or less; thence East 239.11 feet more or less; thence North 450 feet more or less to a point situated 191.78 feet South of the E-W centerline of said Section 22; thence North  $87^{\circ}39'57''$  East 623.03 feet; thence South  $80^{\circ}06'14''$  East 543.47 feet; thence South  $58^{\circ}03'01''$  East 166.93 feet; thence South  $85^{\circ}18'47''$  East 580.3 feet; thence South  $00^{\circ}34'42''$  West 591.4 feet; thence South  $85^{\circ}25'44''$  East 299.24 feet to a point on the West right-of-way line of Blue Mountain Road; thence along said West right-of-way South  $06^{\circ}26'07''$  307.4 feet more or less; thence continuing along said right-of-way South  $06^{\circ}45'26''$  West 1326.49 feet more or less to the point of beginning.

h. Original Zone - Residential (R-2)

Property included in the Northwest annexation near Edge of Cedars and from approximately 200 North to 600 North between approximately 500 West to 700 West whose legal description is:

Beginning at a point which is North 2415.35 feet and West 761.97 feet from the  $S\frac{1}{4}$  Corner of Section 27, T36S, R 22 E, SLB&M; thence West 558 feet; thence South 301 feet; thence West 1100 feet; thence North 543 feet; thence East 540 feet; thence North 600 feet; thence West 320 feet; thence North 200 feet; thence East 320 feet; thence South 25 feet; thence East 560 feet; thence North 962.5 feet; thence East 451.29 feet; thence North 105 feet; thence East 341.71 feet; thence South 136 feet; thence East 41 feet; thence South 297 feet; thence East 33 feet; thence South 88.5 feet; thence East 6 feet; thence South 286 feet; thence West 5.4 feet; thence South 281 feet;

thence West 33.6 feet; thence South 752 feet; thence West 276 feet; thence South 242 feet to the point of beginning. Containing approximately 77.5 Acres.

The following citizens expressed opposition to the proposed changes in Blocks 36,45 and 61 of Blanding Townsite Survey, Plat A:

J. Lynn Lee  
William Ellis Palmer  
Tierre Patterson  
Kathy Patterson  
Jack Pehrson

The following citizens expressed themselves as favoring the proposed zoning changes:

Mr. John B. Doss  
Mr. LaRell C. VanDyke  
Mr. Calvin Van Dyke

No opposition was expressed to any recommended zoning changes excepting those proposed for Blocks 36,45 and 61 of Blanding Townsite Survey, Plat A.

Motion for adoption of the following resolution was made by Councilman Hunt, seconded by Councilman Black and unanimously carried:

RESOLUTION NO. 1978-24

WHEREAS, the City Council of the City of Blanding has received a recommendation from the City Planning Commission that certain amendments be made to the official City Zoning Map; and

WHEREAS, the recommended amendments have been reviewed by the City Building Inspector and found by him to be consistant with the proper development of the City; and

WHEREAS, the required Notice of Public Hearing on the proposed amendments has been properly posted, a Public Hearing has been held and all the legal requirements necessary to the amendment procedure have been met in accordance with Section 8 of Blanding City Ordinance No. 1978-1; and

WHEREAS, amendments to the Official Blanding City Zoning Map hereafter following, are necessary to the peace, safety, health and general welfare of the citizens of the City of Blanding;

NOW THEREFORE BE IT RESOLVED that:

Section 1. Rezoning or Initial zoning classification.

The following tracts of land lying within the corporate boundaries of the City shall be given the following respective zoning classification and the official City Zoning Map shall be amended accordingly:

a. Rezone - Residential (R-2) to Commercial (C)

All areas currently zoned RESIDENTIAL (R-2) within Blocks 1,2,3,4,5,12,18,28,44 and 53.

b. Rezone - Industrial (I) to Commercial (C)

21st Century Property near Perkins Street. (700 South) between 200 West and 300 West whose legal description is: Beginning at a point which is 1096.91 feet East and 2710.94 feet North from the South  $\frac{1}{4}$  corner of Section 34, T 36 S, R 22 E, SLB&M. Thence West 660 feet, thence North 308 feet, thence East 660 feet, thence South 308 feet to the point of beginning. Containing 4.67 Acres.

c. Rezone - Commercial (C) to Mobile Home District (MH)

Richard Perkins property near 1100 South and 200 West whose legal description is: Beginning at a point which is North 72°30'14" East, 1143.34 feet from the South  $\frac{1}{4}$  corner of Section 34, T 36 S, R 22 E, SLB&M; thence North 709.06 feet, thence South 88°04'40" East 270.0 feet, thence South 700.01 feet, thence West 268.85 feet to the point of beginning. Containing 4.87 Acres.

d. Initial Zoning - Commercial (C)

21st Century Property near 750 South between 200 West and 300 West whose legal description is: Beginning at a point which is 1096.91 feet East and 2710.44 feet North of the South  $\frac{1}{2}$  Corner of Section 34, T 36 S, R 22 E, SLB&M. Thence South  $00^{\circ}15'00''$  West 1083.55 feet more or less, thence West 617.52 feet, thence North 1085.11 feet more or less, thence East 622.41 feet more or less to the point of beginning. Containing approximately 15.43 Acres.

f. Initial Zoning - Mobile Home District (MH)

21st Century Property near 1100 South between 200 West and 300 West whose legal description is: Beginning at a point which is North  $89^{\circ}56'16''$  East 474.5 feet from the S $\frac{1}{2}$  Corner of Section 34, T 36 S, R 22 E, SLB&M; thence North 1529.27 feet; thence East 617.53 feet; thence South  $00^{\circ}15'00''$  West 361.30 feet; thence South 1170 feet; thence South  $89^{\circ}56'16''$  West 616 feet to the point of beginning. Containing approximately 21.67 Acres.

g. Initial Zoning - Residential (R-1)

North annexation property from 500 North to 1300 North approximately and between 100 East (Blue Mountain Road) and 400 West, whose legal description is: Beginning at the SE Corner of Section 22, T 36 S, R 22 E, SLB&M; Thence South  $89^{\circ}54'29''$  West 660 feet more or less; thence South 1080 feet; thence West 660 feet; thence North 217 feet; thence West 290.31 feet; thence North 643 feet; thence West 310 feet; thence North 220 feet; thence South  $89^{\circ}54'29''$  West 214.6 feet more or less; thence North 404 feet more or less; thence West 500 feet; thence North 39 feet; thence East 500 feet; thence North 422.67 feet more or less; thence West 500 feet to a point on the N-S centerline of Section 22; thence North 350.23 feet; thence Northeasterly on a curve to the right having a radius of 576.44 feet, an arc length of 192.66 feet and a chord with a bearing and distance of North  $35^{\circ}55'00''$  East, 191.77 feet, to a point of tangency; continuing thence North  $45^{\circ}29'30''$  East 361.65 feet; thence East 20.24 feet more or less; thence North  $45^{\circ}30'00''$  East 35.87 feet more or less; thence North 344.5 feet more or less; thence East 239.11 feet more or less; thence North 450 feet more or less to a point situated 191.78 feet South of the E-W centerline of said Section 22; thence North  $87^{\circ}39'57''$  East 623.03 feet; thence South  $80^{\circ}06'14''$  East 543.47 feet; thence South  $58^{\circ}03'01''$  East 166.93 feet; thence South  $85^{\circ}18'47''$  East 580.3 feet; thence South  $00^{\circ}34'42''$  West 591.4 feet; thence South  $85^{\circ}25'44''$  East 299.24 feet to a point on the West right-of-way line of Blue Mountain Road; thence along said West right-of-way South  $06^{\circ}26'07''$  307.4 feet more or less. thence continuing along said right-of-way South  $06^{\circ}45'26''$  West 1326.49 feet more or less to the point of beginning.

h. Original Zone - Residential (R-2)

Property included in the Northwest annexation near Edge of Cedars and from approximately 200 North to 600 North between approximately 500 West to 700 West whose legal description is:

Beginning at a point which is North 2415.35 feet and West 761.97 feet from the S $\frac{1}{4}$  Corner of Section 27, T 36 S, R 22 E, SLB&M; thence West 558 feet; thence South 301 feet; thence West 1100 feet; thence North 543 feet; thence East 540 feet; thence North 600 feet; thence West 320 feet; thence North 200 feet; thence East 320 feet; thence South 25 feet; thence East 560 feet; thence North 962.5 feet; thence East 541.29 feet; thence North 105 feet; thence East 341.71 feet; thence South 135 feet; thence East 41 feet; thence South 297 feet; thence East 33 feet; thence South 88.5 feet; thence East 6 feet; thence South 286 feet; thence West 5.4 feet; thence South 281 feet; thence West 33.6 feet; thence South 752 feet; thence West 276 feet; thence South 242 feet; to the point of beginning. Containing approximately 77.5 Acres.

Section 2. Effective Date.

This resolution shall become effective at 12:01 A.M. August 10, 1978, the peace, safety, health and general welfare of the citizens of the City of Blanding so requiring.

PASSED, ADOPTED and APPROVED this 9th day of August, 1978.

S/ Francis M. Lyman  
Mayor Pro Tempore

ATTEST:

S/ Francis D. Nielson  
Recorder

4. Mr. Bryant L. Christensen, District Forester, Manti-LaSal National Forest, discussed with the Council a proposed exchange of land on the Blanding Watershed, between the Forest Service and Mr. Kloyd Perkins, wherein Mr. Perkins would exchange the Camp Jackson area for a like number of acres adjoining the Camp Jackson parcel south boundary. The Council declined to take a position in the matter prior to on-site inspection and further discussion with Mr. Perkins.

5. Following review of a Preliminary Plan presented by Arrowhead Development Corporation for a Subdivision development in the area north of the Albert R. Lyman School and West of the Johnson Creek Road; motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Hunt and unanimously carried:

RESOLUTION NO. 1978-25

WHEREAS, Arrowhead Development Corporation, Inc. has prepared and presented a Preliminary Plan for the subdividing of land within the City in accordance with Section IV of Blanding City Ordinance No. 1958-2-B, said subdivision being known as Blanding Heights Subdivision; and

WHEREAS, the curbs, gutters and sidewalks designed for the said subdivision constitute a variance from the requirements of the Master Street Plan; and

WHEREAS, it appears that the designed curbs, gutters and sidewalks would adequately serve the proposed development; and

WHEREAS, the development of the said subdivision is necessary to the housing of projected additional population, is consistent with the promotion of a sound, desirable and stable community, and is in the interest of the public health, safety and general welfare;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding that the Preliminary Plan of Arrowhead Development Corporation for the subdividing of land within the City, said subdivision to be known as Blanding Heights Subdivision, be, and the same is hereby, approved, inclusive of the designed curbs, gutters and sidewalks.

PASSED, ADOPTED and APPROVED this 9th day of August, 1978.

S/ Francis M. Lyman  
Mayor Pro Tempore

ATTEST:

S/ Francis D. Nielson  
Recorder

6. Following review of plans submitted by Arrowhead Development Corporation for development of a Mobil Home Park at the Southwest edge of the City, Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman Black and unanimously carried:

RESOLUTION No. 1978-26

WHEREAS, Arrowhead Development Corporation has prepared and presented a Preliminary Plan for the development of a Mobile Home Park in an area at the Southwest edge of the City in accordance with Section 3.6 of Blanding City Ordinance No. 1978-1; and

WHEREAS, the Preliminary Plan has designed water and sewer utilities at the back lot lines and in an inaccessible area for proper service and maintenance and

WHEREAS, the per unit impact of a Mobile Home on the Community has been determined to be approximately 67 percent of a regular residential unit, and

WHEREAS, the development of a Mobile Home Park is essential to the projected increased population as well as the orderly growth and development of the community;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding that the Preliminary Plan of Arrowhead Development Corporation to develop a Mobil Home Park to be known as Century Mobil Home Park be, and the same is hereby, approved and accepted by the City, with the understanding that all water and sewer utility distribution and collection lines shall be installed in the streets; and that the service connection fee charges shall be not more than 67 percent of those fees charges assessed a regular residential unit.

PASSED, ADOPTED and APPROVED this 9th day of August, 1978.

S/ Francis M. Lyman  
Mayor Pro Tempore

ATTEST:

S/ Francis D. Nielson  
Recorder

7. The following matter was introduced to the Council by the City Engineer:

Mr. Richard Nielson from Paradise, Utah has purchased 4 lots from Kay Lyman on 300 West and actually in the Lyman Reservoir. He applied for 4 building permits on these 4 lots (which are side by side) last Thursday, August 3rd. I met with him and told him he would have to go through a subdivision approval as required for 3 lots or more and that all improvements would be required and bonded for. He, of course, didn't agree and brought Kay Lyman in on Friday morning and we discussed it all again. Their position is that the City has committed to them that no curb and gutter and sidewalk is required and that the two inch water line is okay for now, that these lots are on an existing street and no subdivision is required.

I told them I would issue the building permits with curb gutter, sidewalk as requirement and that they should contribute half the cost of a six inch (min.) water main along their frontage. They want to appeal these requirements to the Council.

Following a lengthy discussion of the foregoing matter, motion was made by Councilman Hurst, seconded by Councilman Black and unanimously carried that the curb gutter and sidewalk requirements of Ordinance No. 1958-2B will be waived in the proposed development of the property 190 feet deep abutting the East side of 300 West Street between 800 and 900 North Streets, and that hereafter exceptions to the foregoing ordinance may be considered and granted only by a duly constituted majority of the City Council convened in legal session.

8. Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman Hunt and unanimously carried:

RESOLUTION NO. 1978-27

BE IT RESOLVED by the City Council of the City of Blanding as follows:

Section 1. Service Charges and Permit Fees.

Service Charges and Permit Fees shall be assessed as follows:

- a. Public Hearing Fee.  
Requests for City action requiring a public hearing shall be assessed a fee to defray advertising, posting and staff time in the amount of . . . . . \$50.00
  
- b. Development Fee.  
Proposed commercial, industrial and residential developments shall be assessed on the basis of acreage to cover staff time required in review and approval process . . . . . \$70.00  
(per acre)
  
- c. Water Connection Fees  
3/4 Inch - \$988.00 plus \$45.00 for meter  
1 Inch - \$1644.00 plus \$60.00 for meter  
1½ Inch - \$3289.00 plus \$110.00 for meter  
2 Inch - \$5265.00 plus furnish meter and vault  
3 Inch - \$10,524.00 plus furnish meter and vault  
4 Inch and Larger - to be calculated.  
  
The applicant for water service will be responsible for all costs to have the service lateral installed and it will be done according to City specifications and under City inspection.  
  
Single units and duplexes will be allowed 3/4 Inch meters. Triplexes and Fourplexes will be required to have 1 Inch meters. All others will be calculated.
  
- d. Sewer Connection Fees.  
Each dwelling unit . . . . . \$450.00  
Commercial units requiring multiple bathrooms - each full or partial bathroom. . . . . \$450.00  
  
Other Industrial and Commercial Installations will be calculated.

The applicant for sewer connection will be responsible for all costs to have the sewer lateral installed. All work will be done according to City specifications and under City inspection.

e. Electrical Connection Fees:

Utah Power and Light Co. Invoice plus 5%

f. Building Permit Fees:

Fee schedule per the Uniform Building Code of the International Conference of Building Officials as periodically revised.

Fees shall be doubled on any structure started prior to obtaining a permit.

Reinspection (call back) . . . . . \$10.00

Plan Checking Fee - 50% of Building Permit

g. Street Excavation Permit:

Excavation Permit. . . . . \$30.00

Penalty for excavation prior to obtaining permit. . . . . \$80.00

On all projects costing \$200.00 or less, a cash bond of \$200.00 will be required.

All projects costing over \$200.00 will require a bond of 1,000.00 for each 1,000.00 or fraction thereof of the total cost.

Section 2. Effective date.

This resolution shall take effect at 12:01 P.M. August 10, 1978 the peace, safety, health and general welfare of the citizens of the City of Blanding so requiring.

PASSED, ADOPTED and APPROVED this 9th day of August, 1978.

S/ Francis M. Lyman  
Mayor Pro Tempore

ATTEST:

S/ Francis D. Nielson  
Recorder

Meeting adjourned at 1:25 A.M. on  
August 10, 1978

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD AUGUST  
23, 1978 AT 8:00 o'clock P.M. IN THE  
CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmen: Bruce N. Black  
Michael T. Hurst  
Francis M. Lyman  
City Councilwoman: LaRue McDaniel  
City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer

Absent was City Councilman Jon L. Hunt

Also present: Mr. Albert Mark; Mrs. Linda Mark; Mr. Kay P. Lyman; Mr. Charles Lyman; Mr. Kent Stringham of Community Consultants, Inc.

1. Prayer was offered by Philip L. Palmer

2. Minutes of City Council meeting held August 9, 1978 were approved with the following amendments:

Item 3. Paragraph prior to motion for adoption of Resolution No. 1978-24 shall have added the final sentence: The Council shall continue action on blocks 36,45 and 61 to a later meeting.

Item 5. The word "sidewalk" at the end of Resolution No. 1978-25 shall be followed by a comma and: subject to a decision as to whether a fence, wall or curb and gutter shall be constructed along Johnson Creek Road.

3. Mr. Kay P. Lyman and Mr. Charles Lyman requested the Council to consider participation by the City in the cost of an 8-inch watermain on 700 North Street between 100 and 200 West Streets. Following considerable discussion in which it was brought out that the City had earlier proposed to build an 8-inch watermain on 700 North Street, motion was made by Councilman Black that the City pay fifty percent of the cost difference between a 6-inch watermain and an 8-inch watermain to be constructed on 700 North Street between 100 West and 200 West Streets. The motion received no second.

Motion was made by Councilman Hurst that the City adopt the following policy relative to watermain installation costs within subdivisions:

1. The cost of watermain installation within subdivisions of eight inches (8") in diameter and less shall be borne solely by the subdivider or developer.
2. When, in the opinion of the City Engineer, the overall City water distribution system would be benefited, the City may pay the material cost differential for lines greater than 8 inches (8") in diameter installed in subdivisions, excepting that should the subdivision development require watermain installation or replacement of greater than 8 inches (8") in diameter, the City shall not participate in installation costs.

The motion was seconded by Councilwoman McDaniel and unanimously carried.

4. Mr. Charles Lyman requested information on road construction specifications within subdivisions and was advised that such general specifications are currently under consideration by the City Engineer and will be available for distribution by August 28, 1978.

5. Motion was made by Councilman Black that the City pay fifty percent of the materials cost difference between a six-inch (6") and eight-inch (8") watermain to be constructed on 700 North Street between 100 West and 200 West streets.

The motion was seconded by Councilman Lyman, voting on the motion being as follows:

Those voting "aye": Councilman Black  
Councilman Lyman

Those voting "nay": Councilman Hurst  
Councilwoman McDaniel  
Mayor Gibbons

Those absent: Councilman Hunt

Whereupon Mayor Gibbons declared the motion defeated.

6. Councilman Hurst advised that Mr. Bruce Adams has requested a ruling relative to construction of an apartment house in an area zoned as a Mobile Home Court and if such use cannot be made of the property that the necessary hearing be held to determine if a zone classification change could be effected. The matter is to be referred to the City Attorney.

7. Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1978-31

WHEREAS, the City Council of the City of Blanding has received a recommendation from the City Planning Commission that certain amendments be made to the official City Zoning Map; and

WHEREAS, the recommended amendments have been reviewed by the City Building Inspector and found by him to be consistent with the proper development of the City; and

WHEREAS, the required Notice of Public Hearing on the proposed amendments has been properly posted, a Public Hearing has been held and all the legal requirements necessary to the amendment procedure have been met in accordance with Section 8 of Blanding City Ordinance No. 1978-1; and

WHEREAS, amendments to the Official Blanding City Zoning Map hereafter following, are necessary to the peace, safety, health and general welfare of the citizens of the City of Blanding;

NOW THEREFORE BE IT RESOLVED that:

Section 1. Rezoning.

The following tracts of land lying within the corporate boundaries of the City shall be given the following respective classification and the official City Zoning Map shall be amended accordingly:

- a. Rezone - Residential (R-2) to Commercial (C).

All areas currently zoned Residential(R-2) within Blocks 36,45 and 61 of Blanding Townsite Survey, Plat A.

Section 2. Effective Date.

This resolution shall become effective at 12:01 A.M., August 24, 1978, the peace, safety, health and general welfare of the citizens of the City of Blanding so requiring.

PASSED, ADOPTED and APPROVED this 23rd day of August, 1978.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

8. Mr. Kent Stringham of Community Consultants, Inc. presented his firms Underground Water Leak Survey Report for the City and reviewed the same with the Council. He also reported the firms Blanding City Water Master Plan progress to date.

9. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Hurst and unanimously carried:

RESOLUTION NO. 1978-28

A RESOLUTION AUTHORIZING THE TRANSFER  
OF BOND FUNDS TO AN OPERATING ACCOUNT

BE IT RESOLVED by the City Council of the City of Blanding that all funds in the Blanding City General Obligation Electric, Water and Sewer Bond fund, Account No. 0994657-30 at Zions First National Bank, be transferred to the Blanding City Joint Utility Improvement Fund, Account No. 036 09006 19 at the Blanding Branch, First Security Bank, Blanding, Utah, and that the above-stated Account No. 0994657-30 be closed.

PASSED, ADOPTED and APPROVED this 23rd day of August, 1978.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

10. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Hurst and unanimously carried:

RESOLUTION NO. 1978-29

A RESOLUTION AUTHORIZING THE TRANSFER  
OF INVESTMENT FUNDS TO AN OPERATING ACCOUNT

BE IT RESOLVED by the City Council of the City of Blanding that all funds excepting Ten Dollars (\$10.00) be transferred from the Blanding City Electric, Water and Sewer Investment Fund, Account No. 0994653-12 at Zions First National Bank, to the Blanding City Joint Utility Improvement Fund, Account No. 036 08006 19 at the Blanding Branch, First Security Bank, Blanding, Utah.

PASSED, ADOPTED and APPROVED this 23rd day of August, 1978.

S/ DeLamar Gibbons, M.D.

Attest:

S/ Francis D. Nielson  
Recorder

11. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Hurst and unanimously carried:

RESOLUTION NO. 1978-30

A RESOLUTION AUTHORIZING EXECUTION OF A  
SIDEWALK CONSTRUCTION AGREEMENT WITH THE  
UTAH DEPARTMENT OF TRANSPORTATION (UDOT)

BE IT RESOLVED by the City Council of the City of Blanding that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding and the Utah Department of Transportation, dated August 10, 1978, a copy of which is attached hereto and made a part

hereof by reference, relative to sidewalk construction within the U-163 right-of-way in the City of Blanding, the same to be attested by the City Recorder.

PASSED, ADOPTED and APPROVED this 23rd day of August, 1978.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

12. Mayor Gibbons reported Citys preapplication for an Industrial Development Grant has been approved by Farmers Home Administration and the City is now authorized to file a formal application for federal assistance to be submitted by not later than October 1, 1978.

13. Councilwoman McDaniel reported commencement of the North Main Street Sidewalk project at this date.

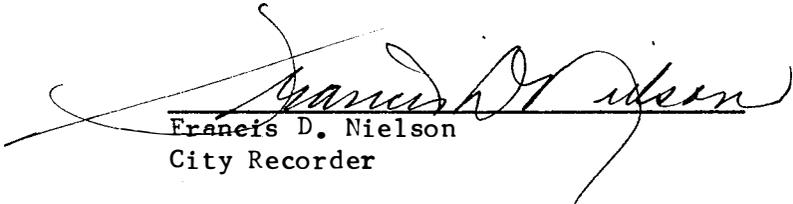
Mrs. McDaniel suggested a community fall cleanup program might be warranted and accepted an assignment to solicit support and organization of such an effort from the local civic clubs.

14. The City Engineer, Philip L. Palmer, reported most of the equipment on hand for production of the Treatment Plant Water Well and that installation is anticipated in the ensuing week.

Mr. Palmer also reported visiting with our congressional representative Mr. Gunn McKay relative to water and sewer system needs and the impact being felt in the community from nuclear energy exploration and production, as well as the projected impact from programmed milling operations. He stated that Mr. McKay was sympathetic to the need and would so indicate by support of grant applications.

15. Motion was made by Councilman Lyman, seconded by Councilman Hurst and unanimously carried, ratifying and confirming the action of the City Administrator in hiring Mr. Jay W. Palmer as manager of the City Shop and assistant to the Water System Operator.

Meeting adjourned at 11:20 P.M.

  
Francis D. Nielson  
City Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD SEPTEMBER  
13, 1978 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmen: Bruce N. Black  
Jon L. Hunt  
Michael T. Hurst  
Francis M. Lyman

City Councilwoman: LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Also Present:

Elaine S. Montella  
Josephine Bayles  
Kathie D. Patterson  
Alma J. Redd  
Afton Fisher  
Kenneth Black  
Rose Nugent  
Anna Pehrson  
DeVar Shumway  
James L. Billings  
Jeffrey S. Bailey  
R. Rick Lyman  
Connie Brown  
Don Cowger  
Al Mark  
Betty Shumway

Clea S. Johnson  
Perry Allen  
Nadine Adams  
Wm Ellis Palmer  
Gerald M. Black  
Eleanor Black  
Stephen K. Meyer  
Pauline Dean  
Madge Shumway  
Lynda Shumway  
Kirk Bailey  
Morris Swenson  
Donna Jones  
Harold Mosley  
Lynda Mark  
Gordon Adams

Grant L. Bayles  
Tiere Patterson  
Hilda Perkins  
Susan Butt  
Darrel Piepgrass  
Gene Glickstaff  
John Doss  
Jack W. Pehrson  
Sallee Billings  
Jim Shumway  
Earl Stevens  
Connie Swenson  
Elsie Cowger  
Betty Pehrson  
Dan Shumway  
Nanette Allen

1. Prayer was offered by the Recorder.
2. Minutes of City Council meeting held August 23, 1978 were approved.
3. Mrs. Elaine Montella discussed with the Council the problem created by solid waste collection personnel from throwing the emptied containers to the ground rather than replacing them with some degree of care to the place from which they got them. Mrs. Montella also advised that waste container lids are being carelessly handled, oftentimes being run over by the waste collection truck or left where other vehicles run over them. The following list of citizens was presented in support of improved handling of the solid waste collection service.

Elaine S. Montella  
Timothy Reed  
Sheila Johnson  
LeAnn Shumway  
Gene Johnson  
Karma Mikesell  
Peter Bergshoeff  
Ilene Hamblin  
Linda Roberts  
Edith Allred  
Etta Shumway  
Lyle Johnson  
Elnora Nielson  
James J. Harris  
Ruby Whitethorne  
Thomas Wozniak  
Brenda Coóby  
Sylvia Roberts  
Stella Kay  
Glenna Stevens  
Arlene Lyman  
Clisbee Black

Penny Bowen  
Jenice Palmer  
Bernice Burtenshaw  
Shirley Shumway  
Sharon Smith  
Morris Swenson  
Millie Abbott  
Edward Whitethorn  
Pam Bronson  
Irene Redd  
Mary Perkins  
Marcia Johnson  
Ver Dawn Butt  
Mike Lyman  
Betty Dandy  
Jeraldene Bayles  
Janis Shumway  
Cec Wormell  
Chloe Ann Shumway  
Bruce Stevens  
Kaye Bradford  
Carolyn W. Guymon

Laurel Reed  
Carolyn Hunt  
Karen Kartchner  
Merwin Shumway  
Kathleen Stubbs  
Carole Palmer  
Myron Abbott  
Sandy Laws  
Glenna Black  
Eleanor M. Laws  
David E. Johnson  
Susanne Johnson  
Calvin Butt  
Joni Lyman  
Jim Dandy  
Wynn Lameman  
Suede Jamison  
Annette Wormell  
Tery Tso  
Eleanor Black  
Naida Black  
Richard Guymon

Keri Miller  
 John Begay  
 Billie May  
 Old Man Oshley  
 Linda Johnson  
 Dorothy Bear  
 Terry Carlson  
 Laurel Hawkins  
 Eleanor M. Laws  
 Deanna Judd  
 Efton Pach  
 Francelle Blickenstaff  
 Carolyn Black

Lorraine David  
 Curtis Begay  
 Ezra Begaye  
 Mrs. DeVar Shumway  
 Chet Johnson  
 R. L. Phillips  
 Bonnie Crum  
 Louvene P. Guymon  
 Lorraine Laws  
 Kenneth P. Calhoun  
 Gerry Osborn  
 Marci Stevens  
 Lulu J. Katso

Daisy Cowboy  
 Kathie Patterson  
 Sara Begaye  
 Shirley Shumway  
 June Morrell  
 Ann Phillips  
 Clea Johnson  
 Pauline Miller  
 Jan Hawkins  
 Ileen Gibbons  
 Kay V. Jones  
 Betty Dandy  
 Pamela Howell

Councilman Bruce N. Black will bring this matter to the attention of the waste collection personnel.

4. Mrs. Linda Shumway as spokesman for a number of citizens discussed with the Council, matters relating to Ordinance No. 1978-1, Blanding City Zoning Ordinance, with particular emphasis on Section 1.5 and Section 4. Her remarks were addressed to the following:

1. The rights of residential owners in Commercial areas.
2. Recent amendments to the official zoning map which placed previously zoned Residential (R-2) area into a Commercial (C) zone.

Considerable opinion was expressed by those present to the effect that too much area of a residential nature was being included in the Commercial zone and that the precluding of a further residential development in the Commercial Zone was not in the best interests of the property owners.

Mayor Gibbons expressed to those present the appreciation of the City for their interest and advised that the Council would give the matter further consideration subject to it following the established required procedure of first being heard by the Building Inspector and then the Planning Commission from which a recommendation would have to be received by the Council.

5. The Recorder presented a parking proposal from San Juan High School for the 100 East Street area between San Juan High School and the Zenos L. Black Career Education Center. Essentially the proposal would allow parking in the entire street excepting the crosswalk and driveway areas. Bus loading is no longer to be done in the street and an area at the rear of the Junior High School has been reserved for this purpose. The proposal also included some signing on school district property, not falling within City jurisdiction.

Motion was made by Councilman Lyman, seconded by Councilman Hurst and unanimously carried that the parking proposal of the San Juan High School for 100 East Street, between 200 and 500 North Streets, be approved, and that the City of Blanding purchase paint and signs to mark the required areas consistent with such proposal.

6. Tierre and Kathy Patterson discussed with the Council the problems created by the drainage ditch which passes their residence at the corner of 500 South and 100 East Street. The Council agreed that the City Engineer should review the matter and recommend corrective measures.

7. Mayor Gibbons advised the Council of a scheduled hearing before the Utah Public Service Commission on September 18, 1978, petitioned by Utah Power and Light Company to consider proposed construction of Steam Electric Generating Plants in Emery County and the availability, terms and conditions of power availability, terms and conditions of power sales to its resale customers; nature of such hearing hereafter following:

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of UTAH POWER & LIGHT COMPANY for Approval of its Proposed Construction and Operation of Steam Electric Generating Plants in Emery County, Utah.

CASE NO. 78-035-03

NOTICE OF HEARING

SPECIAL NOTICE TO ALL RESALE CUSTOMERS  
OF UTAH POWER & LIGHT COMPANY

Notice is hereby given that proposed recommendations of the Utah Division of Public Utilities, which have been filed in the above-entitled proceedings, may have an important impact upon the availability of firm power from Utah Power & Light Company to meet your future load requirements.

A copy of the proposed testimony of Dr. George R. Compton containing the recommendations of the Division of Public Utilities is attached, together with a copy of the Commission's Order of September 12, 1978, setting forth the hearing time and date when said testimony will be considered by the Commission.

The Division's recommendations, if adopted, would require that municipalities and rural electric associations, which receive Bureau of Reclamation power, invest in Utah Power & Light Company's proposed power plants as a condition of receiving future load requirements. Also, the Division recommends the cancellation of all existing firm power contracts between such resale preference customers and Utah Power & Light Company. Some parties to the proceedings may request enlargement of these recommendations to extend to all resale customers, present and future, and not simply limit these issues to those entities receiving Bureau of Reclamation power.

Considering the potential significant future impact on your energy needs and supplies, serious attention and consideration ought to be given to your full participation in the remainder of these proceedings.

By Order of the Commission.

DATED at Salt Lake City, Utah this 12th day of September, 1978.

S/ Victor N. Gibb, Secretary

The Council agreed that the City should be represented at the above stated hearing. Mayor Gibbons, the Recorder and such Councilmen as available shall attend.

8. Mayor Gibbons reported his attendance at the recent Utah League of Cities and Towns Convention; that the topics of concern there pertained to zoning and the recent Proposition 13 enacted in California.

9. Mayor Gibbons reported on-site inspection of the Camp Jackson area with Councilmen Hurst and Lyman, the Recorder, Mr. Kloyd Perkins, Mr. Harold Frost, and Forest Ranger Bryant Christensen. He stated that the City still supports Mr. Perkins proposal to exchange the Camp Jackson area for other suitable area in the Manti-LaSal National Forest, which action would remove the threat of contamination from the Blanding City Watershed.

10. Motion was made by Councilman Black, seconded by Councilman Hunt and un-animously carried that the City contract with a local contractor for construction of a concrete floor for the dog pound.

11. Motion was made by Councilman Hunt, seconded by Councilman Lyman and un-animously carried that the City purchase a Personalfone for the Water Department to permit them a line of communication with the City office and Police Department.

12. Councilman Hunt advised that the Water Department is in need of a reliable source of transportation. The Council agreed that proposals should be obtained for a new ½ ton truck for the water department and the matter should be resolved by not later than the regular meeting scheduled for October 11, 1978.

13. The Council agreed that the Street Department crew should regularly schedule the sweeping and cleaning of the gutters on the Main Street-Center Street area.

14. Councilman Hurst again advised of the necessity for waste collection container racks in the Public Park areas to control scattering of waste material.

15. Councilman Lyman requested the Council consider participation with other jurisdictions in offering a reward for the apprehension of person or persons responsible for recent vandalism inflicted upon the Blanding Elementary School premises and equipment. The Council indicated a desire to cooperate in this matter at such time as the investigating authorities agree that such would be beneficial.

16. Councilwoman McDaniel advised the Council that the local Lions Club would like to participate in a program to obtain some permanent type waste collection containers for the business area providing they may be relieved of liability for damages to persons or property which might result from such as cyclists or skate board operators running into containers. It was agreed that such equipment being given to the City would relieve the Lions Club of any responsibility.

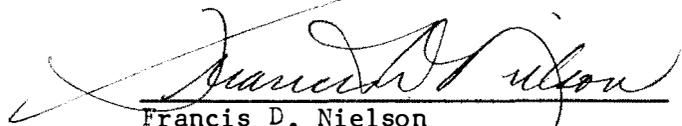
17. Councilwoman McDaniel discussed with the Council, the possibility of tree planting in the business area of Main and Center Streets, the necessity for street lights at 3 particular locations, speed limit signs for North 300 West Street and the proposed budget for Mr. Gerald Bates refurbishing of Christmas Decorations.

The Council agreed that Mrs. McDaniel should further discuss the tree planting proposal with the business community; authorized the installation of Street Lights at 100 West 500 North Street, 200 South 500 West Street, 700 North 300 West Street, and 300 East 500 South Street; authorized the purchase and installation of 30 MPH speed limit signs on north 300 West Street; and authorized the expenditure of \$600.00 for refurbishing the Christmas decorations.

18. The City Engineer reported that the pump has been placed in the Blanding Water Well No. 1 and subject to Utah Power and Light Company personnel availability, the well should be ready for production in the ensuing week.

19. The Recorder reported Plans and Specifications completed for the proposed airport extension project and that the land acquisition proposal is currently under review by the Ute Mountain Ute Tribe.

Meeting adjourned at 10:45 P.M.

  
Francis D. Nielson  
City Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
SEPTEMBER 27, 1978 AT 8:00 O'clock  
P.M. IN THE CITY HALL.

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmen: Bruce N. Black  
Jon L. Hunt  
Francis M. Lyman  
Councilwoman: LaRue McDaniel

City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer

Absent was Councilman Michael T. Hurst

Also present: Mr. Earl Stevens, Mr. James Billings, Mrs. Sallee Billings  
and Mr. Larell VanDyke

1. Prayer was offered by Mayor Gibbons.
2. Minutes of City Council meeting held September 13, 1978 were approved.
3. Mayor Gibbons advised that public sentiment has indicated that changes to Sections 3.3b, Commercial District Permitted Uses and Section 4.1 & 2, Non-conforming Uses & Structures of the City Zoning Ordinance, may be warranted, subject to the required review process and recommendation of the Building Inspector and Planning Commission.
4. The following ordinance was read in full to the Council:

ORDINANCE NO. 78-1

AN ORDINANCE REVISING, CODIFYING AND COMPILING  
THE GENERAL ORDINANCES OF THE CITY OF BLANDING

BE IT ORDAINED by the City council of the City of Blanding:

Section 1. CODE ADOPTED.

The Code of Revised Ordinances of the City of Blanding revising, codifying and compiling the general ordinances of this municipality is hereby adopted as the ordinances of this municipality.

Section 2. EFFECTIVE DATE.

The Code of Revised Ordinances hereby adopted shall become effective the 28th day of October, 1978.

DATED this 27th day of September, 1978.

S/ DeLamar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
City Recorder

Motion for adoption of the foregoing ordinance was made by Councilman Lyman and seconded Councilman Hunt, voting on the motion being as follows:

Those voting "aye": Councilman Black  
Councilman Hunt  
Councilman Lyman  
Councilwoman McDaniel

Those voting "nay": None

Those absent: Councilman Hurst

constituting all the members thereof.

Whereupon Mayor Gibbons declared the motion carried and Ordinance 78-1 duly adopted and approved and affixed his signature thereon in approval thereof which was duly attested by the City Recorder.

5. The Recorder reported well No. 1 now producing at approximately 150 GPM, with some apparent damage to the pump having resulted from pumping silt and sand at high revolutions per minute; and that the pump will possibly have to be replaced.
6. Councilman Hunt requested information as to whether the Street Department had established a schedule for cleaning of the Main Street gutter-sidewalk areas. The Recorder advised that Mr. Seely of the Street Department has stated he will take care of the matter as requested.
7. Councilman Hunt asked if bids or quotations had been requested on a  $\frac{1}{2}$  ton pickup for the water department. The Recorder advised that Streater Chevrolet has quoted a unit at \$5,600.00 and that Bennett Ford has not yet responded on the matter; that further quotes would be sought, including, at the Councils request, a quote from Redd's of Monticello, Utah.
8. Councilwoman McDaniel reported discussing a fall cleanup campaign with the Chamber of Commerce and that their officers were favorable to such a program. She further suggested a meeting to be held October 4, 1978 at 8:00 P.M. with the Main Street-Center Street business community to discuss an area beautification program as well as the proposed fall cleanup proposal and it was agreed that, subject to a favorable reaction from such meeting, the Mayor should issue a proclamation declaring the week ending October 14, 1978 as fall cleanup week.
9. Councilwoman McDaniel advised that the School Community Group has indicated a desire and willingness to assist in gathering or disseminating information relative to sidewalk programs. It was agreed that the cost details and payment schedule requirements relative to the North Main sidewalk-curb and gutter replacement project, should be given to the SCG for carrying to and discussing with the adjacent property owners who are cooperating with the City in such project.
10. Councilman Black asked if there were any further plans for sidewalk construction in the area West on 5th North Street and South on 1st West Street from the Albert R. Lyman School. The Recorder advised that considerable engineering has been completed on this area, that sewer line construction must be completed before any further street design or construction can take place.
11. Councilman Lyman reported some internal discord with the Police Department between the Patrolman and that the Chief of Police is endeavoring to resolve the matter prior to involving the Council.
12. The Recorder reported receipt of copies of the proposed Airport Improvement project, that copies have been mailed to the Federal Aviation Administration and the Utah State Division of Aeronautics.
13. The Council discussed alleged drug traffic in the community and the necessity for continual efforts to curb the same.
14. The City Engineer reported that the pump on Water Well No. 1 stopped this evening possibly due to wear on bearings and that it will be started again tomorrow for obtaining water samples by the District Sanitarian for submission to the State Laboratory for analysis as to potability.

Meeting adjourned at 9:25 P.M.

  
Francis D. Nielson  
City Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD OCTOBER 11, 1979 AT  
8:00 O'CLOCK P.M. IN THE CITY  
HALL

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmen: Jon L. Hunt  
Michael T. Hurst  
Francis M. Lyman

City Councilwoman: LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

City Attorney: Grant A. Hurst

Absent was Councilman Bruce N. Black

Also Present were: Mr. Hanson Bayles, Mr. Jimmy Bayles, Mrs. Afton Fisher, Mr. Steven Hancock; Mark S. Hester, City Patrolman; Mrs. Grace Hunt; Mr. Donald Jack, San Juan County Superintendant of Schools; Mr. Kenneth P. McDonald; Mrs. Eve Lynn Perkins, Mr. Terry B. Perkins; Mrs. Lynda Shumway; Mr. Earl Stevens; Mrs. Connie Swenson; Dr. LaRell C. VanDyke; Mrs. Elaine Wright; John B. Wright, Chief of Police; and Mr. Hardy Redd

1. Prayer was offered by Philip L. Palmer.
2. Minutes of City Council meeting held September 27, 1978 were approved.
3. Mr. Jimmy Bayles appeared before the Council to question the fidelity of City police officer Mark S. Hester. He stated that pursuant to a request of his attorney to obtain from Patrolman Hester, information relative to a citation which the officer had written against him, he sought Mr. Hester and found him at Mark's Power Equipment, engaged in work inconsistent with that required of on-duty police officers. Mr. Bayles presented a list of names of citizens who he stated felt as he, that tax payers were paying Patrolman Hester for services not received or slovenly given. When asked if the list of names should be entered in the official record of the meeting, Mr. Bayles withdrew the list.

Councilman Lyman stated that it would be inappropriate to conduct an open, public hearing relative to a request for censuring or dismissing a police officer and that a formal public hearing on the matter should be held at a later date, where a proper examination of the matter could be carried out.

Motion was made by Councilman Hurst, seconded by Councilwoman McDaniel and unanimously carried that the Council convene an executive session on Wednesday, October 25, 1978 at the hour of 7:00 o'clock P.M. for the purpose of examining the charges of infidelity and misfeasance brought against City Patrolman Mark S. Hester by Mr. Jimmy Bayles.

4. Mr. Donald V. Jack, Superintendant of Schools, San Juan School District, discussed with the Council, the need for a Fire Hydrant in the vicinity of the Zenos L. Black Career Education Center and the San Juan High School. The Council agreed that the City does not have funds to make such an installation but that a Fire Hydrant could be attached to the City Watermain in the area, at school district expense, under City engineering inspection, at the earliest date equipment and a qualified contractor become available.
5. Councilwoman McDaniel reported on or discussed the following matters.
  - A. A Committee of citizens has been formed to prepare a Main Street Beautification Program.
  - B. The Community Fall Cleanup campaign is currently underway with the cooperation of the Chamber of Commerce; that equipment will be available on Saturday, October 14, 1978 for hauling away any large items which people cannot handle by themselves.

C. Commissioner Calvin F. Black has been contacted relative to the legality of San Juan County participating in a Comprehensive City Sidewalk construction program, with the City, Property Owners and San Juan County sharing equally the costs. Mr. Black had indicated the County could legally proceed on this but that engineering and cost estimates would have to be completed prior to formal County action.

6. Councilman Hurst raised the question as to whether or not the Clear Zone Easements would be adequate on the North end of the Airport Runway following completion of the proposed runway extension project. The Recorder advised that engineering consultants on the project have cleared this matter with the Federal Aviation Administration.

7. Councilman Hurst advised that the Utah Division of Aeronautics has requested a development plan for the Blanding Airport indicating projects proposed for the next 18 months, those proposed within the next 5 years and those proposed within the next 10 to 20 years.

Councilman Hurst recommended the following airport development program:

PROJECTS TO BE COMPLETED WITHIN:

<u>18 Months</u>	<u>5 Years</u>	<u>10 - 20 years</u>
Runway Extension, Parking Apron Enlargement and Necessary Lighting Installation (Current project) Curb on South Ramp Re-surface Runway Jet Fuel System Installation	Terminal Construction Taxiway	Install Navigational aids Weather Station Cross Strip

Motion was made by Councilman Lyman, seconded by Councilman Hunt and unanimously carried that the foregoing Airport Development Proposal be accepted as the official Airport Development Plan.

8. Councilman Lyman reported on the following matters:

- A. Investigation of vandalism at the Blanding Elementary School is now being carried out on a cooperative basis between the City Police and San Juan County Sheriffs Department; that the investigation is being hampered somewhat by interrogation limitations imposed by laws relative to juveniles and an apparent lack of parental cooperation in case of certain suspects.
- B. Previously reported internal strife with members of the Police Department is apparently resolving itself.
- C. Investigation of drug traffic is an ongoing, difficult matter requiring undercover efforts and considerable confidentiality; that public discussion is generally a deterrent to success.

9. The City Engineer reported a new pump has been delivered for Well No. 1 and that W. E. Hoggard, Jr. will have a large drilling rig available within a few days, to pull the old pump, clean the well and install the new pump.

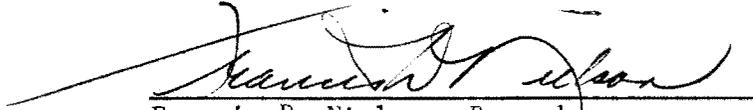
10. The Council reviewed the proposals of Great Basin GMC Truct, Inc. and Redds, Inc. for furnishing a ½ ton truck to the City, in the amounts of \$5,341.49 and \$5,610.55, respectively. Following discussion of the matter it was agreed that the proximity of service facilities makes the higher proposal more attractive, and the Recorder was authorized to negotiate with Redds, Inc. for purchase of the unit proposed for sale by them.

11. Mr. Hanson Bayles suggested to the Council that with the Federal and State governments arranging particular holidays to fall on Mondays, an inconvenience is created to residents South of 1st South Street in that there is no collection of solid wastes on these days; that perhaps it would be equitable to rotate the North and South pickup schedules from year to year. The Council agreed to give this matter consideration.

12. Mr. Hardy Redd of LaSal, Utah, informed the Council of program proposals for the 1980 County Centennial celebration, to consist of a pageant, trail rides, jeep trips, guided tours, a graphic of current County life and complexion to be prepared by a National Geographic magazine Reporter, and he urged City Council representation on the Centennial Planning Committee.

Mr. Redd further advised that as a candidate for the Utah State House of Representatives, he would be pleased to hear local problems and recommendations which might help him effectively serve such office.

Meeting adjourned at 9:25 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD OCTOBER  
25, 1978 AT 8:00 O'CLOCK P.M. IN  
THE CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.  
City Councilmen: Bruce N. Black  
Jon L. Hunt  
Michael T. Hurst  
Francis M. Lyman  
City Councilwoman: LaRue McDaniel  
City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer

Also Present: Mr. Roy Thayn; Mr. Dean Wheadon and Mr. Kent Stringham of Community Consultants, Inc.

The meeting was called to order by Mayor Pro Tempore Francis M. Lyman

1. Prayer was offered by Councilman Hurst.
2. Minutes of City Council Meeting held October 11, 1978 were approved.
3. Mr. Roy Thayn requested the Council consider purchasing propane from Williams Energy Company for whom he is the local distributor.

Motion was made by Councilwoman McDaniel, seconded by Councilman Hurst and unanimously carried that the City request proposals for furnishing propane to the City at its various points of delivery, from local suppliers.

Mayor Gibbons entered the meeting and assumed the chair from this point.

4. The Council discussed briefly a Utah Department of Transportation meeting being held this evening in Monticello and matters of local interest which may have profitably been presented there.

5. Mr. Dean Wheadon and Mr. Kent Stringham of Community Consultants, Inc. presented to and discussed with the Council the first draft of a Water System Master Plan for the City. The Council members agreed to study the plan and recommend corrections and for additions to the same, prior to a final plan being presented at a special council meeting to be held November 29, 1978.

6. Mayor Gibbons requested the City Engineer survey the Dusett Ditch to ascertain what effort is necessary to increase its capacity.

7. The Council discussed the City's Community Impact Account Application and agreed that the Recorder and Engineer should attend the next meeting of the Community Impact Account Committee.

8. Councilman Black reported that he discussed with the Waste Collection Service personnel, citizen complaints relative to the handling of waste containers, and had received assurances of future compliance with required care of, and respect for, customers property.

9. Councilwoman McDaniel advised that the Main Street Beautification Committee is seeking prices for trees proposed for the Main Street project.

10. The City Engineer reported discussing with Mr. Calvin Black of the San Juan County Commission, the proposed cooperative sidewalk construction program wherein Blanding City, San Juan County and adjacent property owners would share equally the construction costs. The current proposal would involve a total of \$36,000.00 or \$12,000.00 from each of the participating entities. The City Engineer would complete all design, inclusive of required drainage engineering. Such a cooperative program would continue on a prioritized basis relative to the area of development, recognizing safety factors to pedestrian traffic, with an annual appropriation based on participants ability to fund a given project.

11. The City Engineer reported the following relative to the current water situation:

1. Energy Drilling Company, Inc. will commence installing a new pump at Well No. 1 on Monday, October 30, 1978.
2. Following installation of the pump at Well No. 1, the contractor will move to the Southeast well to remove the pump for inspection by Reda Pump Company field men.
3. Current water production from mountain streamflow has receded to .3 CFS or 135 GPM. Reservoir No. 3 is at the 17 foot level. Current water use is 640,000 gallons perday, exceeding production by 446,000 gallons.

Meeting Adjourned at 10:10 P.M.

---

Francis D. Nielson  
City Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
NOVEMBER 8, 1978 AT 8:00 O'CLOCK  
P.M. IN THE CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmen: Bruce N. Black  
Jon L. Hunt  
Michael T. Hurst  
Francis M. Lyman  
City Councilwoman: LaRue McDaniel  
City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer

Also present: Mr. Perry Allen

1. Prayer was offered by Councilman Black.
2. Minutes of City Council meeting held October 27, 1978 were approved.
3. The Recorder advised that the Utah State Natural Resources Community Impact Board has determined not to approve our application for funding from the current year Impact Account funds and has suggested we request reconsideration of the application during the ensuing year's funding cycle. The Recorder further advised that a conference on the matter has been scheduled in the Board Chairman's office on November 17, 1978.
4. The Recorder advised the Council of discussions with First Security Bank of Utah Investment Department officials, relative to their acting as Financial Consultants to the City in the obtaining of capital through sale of Revenue and General Obligation Bonds for financing necessary improvements to the utility systems. The bank officials will forward a contract relative to the matter for the Councils consideration.
5. Mayor Gibbons suggested the Council should pursue a cooperative project with the Blanding Irrigation Company for construction of a proposed concrete-lined ditch to carry water from Johnson Creek to the North end of White Mesa.
6. The Recorder advised that the Farmers Home Administration District representative from Richfield, Utah, will be in Blanding on November 16, 1978 to discuss Community Facility financing through his agency.
7. The Council discussed the critical water shortage problem, concluding that the media should be utilized to advise the citizens of the necessity for water conservation.
8. Councilman Lyman advised the Council that Justice of the Peace, George M. Low and the Municipal Court are alleged, by Duane A. Frandsen, Attorney at Law, to have submitted information to the Utah State Department of Public Safety, Drivers License Division, relative to the guilt of an individual prior to completion of a scheduled trial, resulting in the loss of the individuals driving privileges. The allegation was made in letter form to the Department of Public Safety, with copies to the City Attorney and others. Inasmuch as the trial has not been held and no determination of guilt or innocence has been established, nor has any information on the matter been issued by the court, Justice of the Peace Low desires a retraction of the allegations by Attorney Frandsen. The Council requested the Recorder discuss the matter with the City Attorney prior to taking any further action.
9. The Engineer reviewed with the Council an application to the Utah Department of Natural Resources, Water Resources Board, requesting financial assistance through the Community Loan Fund for the purpose of drilling a large diameter well into the Navajo Sandstone, the amount requested being \$350,000.00.

10. Councilwoman McDaniel advised that Mr. Gerald Bates has commenced the renovation of City Christmas decorations and suggested the purchase of one additional cross-street stringer and the necessary repair supplies.

Motion was made by Councilman Hunt, seconded by Councilman Black and unanimously carried that Mr. Gerald Bates be authorized to purchase one cross-street stringer and necessary supplies for renovation of the City Christmas decorations.

Meeting adjourned at 10:05 P.M.



Francis D. Nielson  
Recorder

MINUTES OF A SPECIAL MEETING OF THE  
BLANDING CITY COUNCIL HELD NOVEMBER  
29, 1978 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmen: Michael T. Hurst  
Francis M. Lyman  
City Councilwoman: LaRue McDaniel  
City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer

Absent were:

City Councilmen: Jon L. Hunt  
Bruce N. Black

Also Present: Mr. Stephen E. Sowby, P.E. Vice President, Community Consultants, Inc.

1. Prayer was offered by Councilman Hurst.
2. Minutes of City Council meeting held November 8, 1978 were approved.
3. Mr. Stephen E. Sowby, P.E., Vice President of Community Consultants, Inc., presented their final draft of a Water System Master Plan for the City of Blanding. The plan includes a schedule of prioritized improvements and construction including resource development, increase of raw water storage capacity, treatment plant and distribution system improvements, the total estimated cost of which would be \$2,100,000.00.

Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1978-31

BE IT RESOLVED by the City Council of the City of Blanding that the Water System Master Plan for the City of Blanding as prepared by Community Consultants, Inc. of Provo, Utah be, and the same is hereby, adopted as the official guideline for developments and improvements to the Blanding City Water system.

PASSED, ADOPTED and APPROVED this 29th day of November, 1978.

S/ DeLaMar Gibbons, M.D.  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

4. The Council reviewed a Report on Funding Sources for Blanding Water System Improvements as prepared by Community Consultants, Inc. The report included the following recommendations:

IX. RECOMMENDATIONS

It is the recommendation of this report that the city first pursue funding from the Economic Development Administration, through the South Eastern Economic Development District because of the potential of a project totaling \$1,250.00.

Second, an application should be submitted to HUD under the Community Development Block grant small cities program. This grant request should range between \$200,000 and \$300,000.

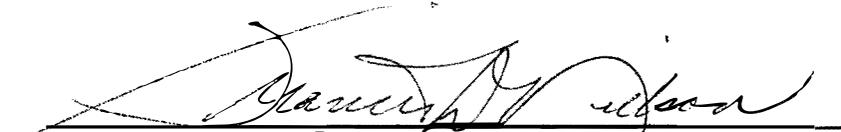
The third option recommended is an application to the Community Impact Account in the amount of \$200,000 to \$400,000. This application should be tied to a request from the Cities Loan Fund for between \$100,000 and \$200,000.

Because of the 5% interest rate, the Farmers Home Administration should be the last agency approached if funding cannot be obtained from those listed above.

A grant application to Four Corners Regional Commission for supplemental assistance should be filed at such time as the basic grant is being processed by another agency.

It is further recommended that the city meet jointly with the Soil Conservation Service and the Irrigation Company to determine the involvement and participation of these agencies in a joint construction project for the transmission ditch and lining.

Meeting adjourned at 9:40 P.M.



---

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD DECEMBER 13, 1978 AT  
8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were: Mayor DeLaMar Gibbons, M.D.

City Councilmen: Michael T. Hurst  
Francis M. Lyman  
City Councilwoman: LaRue McDaniel  
City Recorder: Francis D. Nielson  
City Engineer: Philip L. Palmer  
City Attorney: Grant A. Hurst

Absent were City Councilmen: Bruce N. Black  
Jon L. Hunt

Also Present: Mr. Kay P. Lyman  
Mr. Charles K. Lyman

1. Prayer was offered by the Recorder.
2. Minutes of City Council meeting held November 29, 1979 were approved.
3. The following letter was read in full to the Council:

UTAH DEPARTMENT OF COMMUNITY AFFAIRS

December 8, 1978

Mayor DeLaMar Gibbons  
P. O. Box 68  
Blanding, Utah 84511

Dear Mayor Gibbons:

The Community Impact grant monies will be presented December 18, 1978 at 11:00 a.m. in the Governor's Board Room, State Capitol Building, Salt Lake City, Utah.

Governor Scott M. Matheson feels strongly about the purpose and value of the Community Impact Account and is committed to assisting those communities which are being impacted by mineral resource development. He is pleased that your project met the criteria for receiving the funds, and would like to present you with your community's check.

We hope you will find it convenient to meet with the Governor for this presentation.

Sincerely,  
S/ Peter Grundfossen  
Deputy Director

Mayor Gibbons indicated he would be able to attend the Governor's Board Room funds presentation December 18, 1978, subject only to favorable flying weather.

4. Mayor Gibbons advised that the City is eligible to receive \$2,139.00 for Low-income housing improvements. The Council agreed that application for the eligible funds should be submitted and that, subject to qualifying criteria being met, the funds should be expended on the Jim Astin residence at 412 South 2nd West Street.

5. The following letter was read in full to the Council:

November 18, 1978

Dear Mr. Nielson:

A proper street drainage system for safe flood control is needed on 4th North and 3rd West in Blanding. Every time it rains or snows the runoff water floods across the paved road, onto my parking or driveway, on the grass and around my house.

Last spring during the last snow storm my basement floor got heavily flooded from the run-off water. I didn't file a complaint because I'll be a good neighbor about it that time, the Flood did some damage to my furniture,

carpet, and left a bad odor of mildew smell.

With all the new homes going up in the block west of my home, run-off waters are going to get worse because the immediate surrounding areas are all sloping down my way. That last rain storm we had last week brought mud, trash, and silt across my lot.

Now, I would like the city to instigate a flood control or drainage system on the west side of 3rd West at its earliest convenience.

Please be advised that if nothing is going to be done about this you can expect a suit claim for damages from me the very next time my basement gets flooded.

Sincerely, a good neighbor,  
S/ Charles Harrison

The Council requested the Recorder advise Mr. Harrison that the drainage area on the West side of 3rd West street between 4th and 5th North streets will be developed so far as possible, to keep any runoff accruing on that side of the street from running onto or causing damage to property on the East side of the said street.

6. The following proposed ordinance No. 9-526 was discussed by the Council and tabled for further study:

PROPOSED ORDINANCE 9-526

4.9-526

- A. No officer of Blanding City shall grant any building permit or license for the construction of any structure to be used for a residence or business or combination of those or for any other purpose except for the construction of such upon an improved lot.
- B. For purposes of this Section, an improved lot is one having the following improvements which have met the specifications and passed inspection by the city engineer and building inspector:
  - 1. Street grading and surfacing;
  - 2. Curbs and gutters;
  - 3. Sanitary sewers, including laterals to the property lines of each lot;
  - 4. Street drainage and drainage structures;
  - 5. Water lines, including laterals to the property lines of each lot;
  - 6. Fire hydrants where required; and,
  - 7. Sidewalks.
- C. All such improvements required hereunder shall meet the same minimum standards of design and specifications for materials and construction as required by Blanding City Ordinance 1958-2-B(XI); and the owner or developer may in lieu of actual installation of the improvements, guarantee the same by either of the methods set forth in subpart (d)(1) (bond-corporate surety) or D-(2) (money-escrow) of said ordinance.
- D. Any one or more of the improvements required in part B above may be temporarily waived by the City Council upon recommendation of the Planning Commission if the circumstances and location of the proposed construction site are such that the installation of a particular improvement at that particular site, at that particular time, would result in inhibiting uniform growth and beautification of the City rather than encouraging and promoting the same.

In any event, if such temporary waiver is granted, the owner or developer shall file with the San Juan County Recorder a covenant that shall run with the land, which in effect shall provide that the land is subject to an assessment in favor of the City of Blanding in an amount necessary to complete the above-listed improvements at such time as the City Council upon recommendation of the Building official deems it appropriate to have the said improvements completed.

7. Councilwoman McDaniel reported that the San Juan County Commission will budget \$12,000.00 in their 1979 Calendar Year Budget for a cooperative sidewalk curb and gutter project in the City of Blanding.

8. Motion was made by Councilman Lyman that the Blanding City Subdivision Ordinance No. 1958-2 be amended as follows:

Section XII

A. A preliminary plan shall be required for all sub-divisions, but under the conditions listed below, approval of the preliminary plan by the Planning Commission and by the City Council shall be authorization for the subdivider to sell lots within the subdivision covered by the preliminary plan by metes and bounds, and the requirements of a final plan may (shall) in the discretion of the City Council be waived. When final plans are not required, the subdivider shall provide such improvements (on existing streets) within the subdivision as are set forth above in subpart (XI) (A) and as shall be required by the City Council. In any event, the subdivider (s) shall be required to file with the San Juan County Recorder a covenant that shall run with each parcel of land within the subdivision, which in effect shall provide that the land is subject to an assessment in favor of the City of Blanding in such amount necessary to complete the improvements which were originally waived by the City Council, and the City Council may at any time require the completion of such improvements.

This amendment shall take place thirty days after its first posting.

The motion was seconded by Councilman Hurst, voting on the motion being as follows:

Those voting "aye": Councilman Hurst  
Councilman Lyman  
Councilwoman McDaniel

Those voting "nay": None

Those absent: Councilman Black  
Councilman Hunt

constituting all the members thereof.

Whereupon Mayor Gibbons declared the motion carried and the amendment of Section XII A of Blanding City Ordinance No. 1958-2 duly adopted.

9. Mayor Gibbons reported meeting with Mr. Don Nielson of the Utah Department of Transportation to discuss a survey being conducted by the Department relative to the development of air carrier service for rural Utah. In addition to the programmed Runway and Parking area improvements, such service would necessitate improved passenger service facilities (administration building), and the development of a travel agency in the community.

Mayor Gibbons advised that a meeting will be held in Phoenix, Arizona on January 18, 1979 to discuss Federal subsidy of rural airports and the efforts necessary to maintain the operation of small airlines.

10. Councilman Lyman advised of his discussions with the Chief-of-Police, relative to concerns of the Chief that the City recognize additional police department manpower requirements to keep pace with the increasing City population.

11. Motion was made by Councilman Lyman, seconded by Councilman Hurst and unanimously carried that Merk Ewart, Blanding Auxiliary Police Officer, be authorized compensation in accordance with the current payment rate, for services rendered the City when assigned to official police duty.

12. Councilman Hurst raised the question as to procedures necessary for the annexation of the area proposed for development of a state office building and was advised that the required plat and petition are currently being prepared by the property owners.

13. Councilman Hurst advised that the Planning Commission has need of a secretary to keep a record of its activities. It was agreed that the commission members

should select three or four possible candidates from which one should serve its secretarial needs without compensation.

14. Following a discussion of additional needed hangar-shelter facilities at the airport, motion was made by Councilman Hurst, seconded by Councilman Lyman and unanimously carried that the City Engineer and Administrator have a Hangar-Shelter proposal or plan prepared for consideration by the Council.

15. Councilwoman McDaniel advised of a discussion with John R. Seely, City Streets Foreman, relative to citizen violations in the use of public property by constructing walls, fences and placing objects in the streets. The Council requested that such violators be given notice of their liability for any damage to public and/or private property which may result from the illegal use of public property; and that as developments may require it, any walls, fences and/or objects placed on public property, shall be removed at the violators expense.

16. Councilwoman McDaniel reported that the sidewalk areas on north main street remain snowpacked and that the adjacent property owners fail to remove the snow. The Council agreed that property owners should be advised that adjacent sidewalks are their responsibility in the matter of snow removal.

17. The Recorder reported a meeting of the Engineer, Attorney and himself with representatives of the Farmers Home Administration to discuss loan and grant funds available to municipalities through that agency. The Administration officials advised that funds for municipal projects are available at an interest rate of five percent, subject to meeting eligibility criteria.

18. The following statement of fund balances was presented by the Recorder:

City of Blanding  
Operating Fund Balances  
December 13, 1978

General Operating Funds:

General Fund (Includes \$5,600.00 Sidewalk Const. Fund)	\$19,810.71
Class "C" Road Fund	29,865.91
Airport Construction Fund	2,036.29
Collector Road Fund	6,502.42
Revenue Sharing Fund	3,088.48

Electric, Water and Sewer Funds:

Operating Fund	(141.90)
Joint Utility Operating Fund	281.37

(We owe UP&L \$33,601.20 for Construction and Maintenance)

19. The City Engineer discussed with the Council a controversy which has developed between the U. S. Forest Service, Utah State Engineers Office and the City over the operation and maintenance of the Camp Jackson Reservoir. The Forest Service and State Engineer are alleging unsafe condition of the dam and that it is being filled in excess of a safe operating level. They have threatened court action if the reservoir is filled to a point greater than five feet below the top of the dam. The City Engineer indicated there is some maintenance necessary, such as tree and shrub removal from the embankment and the destroying of burrowing rodents, but that the structure appeared adequate for impounding of water to within two feet of the top of the embankment. He further recommended raising the embankment to increase reservoir storage capacity.

20. The Engineer advised that he has reviewed the Arrowhead Development Corporations Sub-division and Mobil Home Court plans and submitted to them a list of required changes and applicable fees.

Meeting adjourned at 10:45 P.M.

---

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD JANUARY 12, 1977 at 8:00  
P.M. IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Michael T. Hurst  
Francis M. Lyman  
H. Brent McAllister  
Kenneth D. Shumway

Recorder: Francis D. Nielson

1. Prayer was offered by Mayor McDonald.
2. Minutes of City Council Meeting held December 22, 1976 were read and approved.
3. Applications for the utility man position vacated by the resignation of Mr. Bert D. Jackson, were received from the following:

Mr. George R. Bradford  
Mr. Ronald E. Hartman  
Mr. Herbert Eddie Hester

Motion was made by Councilman Lyman, seconded by Councilman Shumway and unanimously carried that Mr. George R. Bradford be hired as City Utility man at a beginning salary of \$600.00 per month, effective March 14, 1977.

4. The following letters were read in full to the Council:

Mesa Adjustment Service  
P. O. Box 2063  
Grand Junction, Colorado 81501  
November 16, 1976

C & C Construction Company, Inc.  
S. Highway 163  
Blanding, Utah 84511

Haliday Construction Company  
Blanding, Utah 84511

Re: Insured - City of Blanding, Utah  
Policy - PS 568 78 04  
Company - Gulf Insurance Co., Texas  
Claimant- C & C Construction Company  
Haliday Construction Company  
Co. File- Not given  
Our File- MAS-76-2700-T

Gentlemen:

Your notice of claim filed against the City of Blanding, was apparently received under the date of 8/31/76, is acknowledged. The notice of claim and your list of exhibits were turned over thereafter by the City of Blanding to the undersigned for investigation and evaluation by the undersigned, acting in behalf of the Gulf Insurance Company of Dallas, Texas and the City of Blanding, Utah.

We have now completed our investigation into this matter and have been advised by the interested insurance carrier that your respective claims as enunciated in your notice of claim and the attached list of exhibits are herewith denied in their entirety.

Very truly yours,  
Mesa Adjustment Service  
S/ F. A. Thompson, Manager

5. The Council agreed that a special meeting should be held January 19, 1977 at 8:00 P.M. for the purpose of considering a resolution calling for an election relative to the possible sale of \$225,000 in General Obligation bonds to finance utilities systems improvements.

6. Motion for adoption of the following resolution was made by Councilman Shumway and unanimously approved.

RESOLUTION NO. 1977-1

BE IT RESOLVED by the City Council of the City of Blanding that Mr. Bruce N. Black be, and he is hereby appointed to the office of City Councilman for the period from January 19, 1977 to and including December 31, 1979; said appointment being made necessary by the resignation of City Councilman David L. Guymon who assumed the office of San Juan County Commissioner on January 1, 1977.

PASSED, ADOPTED and APPROVED this 12th day of January, 1977.

\_\_\_\_\_  
Kenneth P. McDonald, Mayor

ATTEST:

\_\_\_\_\_  
Francis D. Nielson, Recorder

Meeting adjourned at 9:45 P.M.

\_\_\_\_\_  
Francis D. Nielson, City Recorder

Representative of minutes of January 19, 1977

STATE OF UTAH )  
 )  
COUNTY OF SAN JUAN ) SS.  
 )  
CITY OF BLANDING )

The City Council of Blanding, in the County of San Juan and State of Utah, met in special session at the hour of 7:00 o'clock p.m., on Wednesday, the 19th day of January, 1977, at the City Hall at 50 West First South Street within the City, being the regular meeting place of the City Council, due, legal and timely notice of the meeting having been served upon all members of the City Council, as required by law and the rules and ordinances of the City. Upon roll call the following members, constituting a quorum, were present:

Mayor: Kenneth P. McDonald  
Councilmembers: Bruce N. Black  
Francis M. Lyman  
H. Brent McAllister  
Michael T. Hurst  
Kenneth D. Shumway

Absent: None

constituting all the members thereof.

There were also present:

City Recorder: Francis D. Nielson  
City Attorney: L. Robert Anderson

Councilmember H. Brent McAllister introduced and moved the adoption of the following resolution, which resolution was thereupon read in full and is as follows:

RESOLUTION NO. 1977-2

WHEREAS, the City of Blanding (herein "City"), in the County of San Juan and State of Utah, is a legally and regularly created, established, organized and existing third class city under the laws of the State of Utah; and

WHEREAS, there is an immediate and pressing need for the City, in the County of San Juan and State of Utah, to issue its negotiable general obligation bonds for the purpose of paying, in part, the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, the electric light distribution system changeover to 12,000 volts, the improvement of water volume and the addition of fire hydrants and the increase in capacity of the sewer lagoon, including equipment and furnishings for such improvements (the "Project") and all costs incident to the authorization and issuance of such bonds; and

WHEREAS, there are not sufficient funds in the treasury of the City available for the purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLANDING, SAN JUAN COUNTY, STATE OF UTAH:

Section 1. In the judgment of the City Council (herein the "Council") it is advisable to provide for the holding of an election to be called and held

in the City to submit to the qualified registered electors of the City, the question of whether general obligation bonds of the City, in the amount of \$225,000.00 shall be issued and sold.

Section 2. Said question shall be submitted at a special election of the qualified registered electors of the City of Blanding, and the election is hereby called to be held in the City on Tuesday, the 22nd day of February, 1977, the question of the issuance of such bonds and the proposition to appear on the ballots to be in substantially the following form:

Shall the City Council of the City of Blanding, San Juan County, Utah, be authorized to issue and sell the negotiable, coupon, general obligation bonds of the City in the maximum principal amount of \$225,000.00, or so much thereof as may be necessary, in one series or more, said bonds to bear interest at a rate or rates not to exceed seven per centum (7%) per annum, and to mature in not more than fifteen (15) years from their date or dates, for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including all costs incident to the authorization and issuance of such bonds, and such bonds to be payable from ad valorem tax proceeds, and such bonds to be issued and sold, upon such terms and conditions and with such other details as the City Council may determine?

Section 3. The election shall be held in the regularly established voting districts Nos. 10 and 11 (having the same boundaries as indicated for the last general election, i.e. the November 2, 1976 election) within the City, and the polling place within said voting districts and the officials and judges who are hereby appointed to conduct the said election are as set out in the form of notice of election in Section 6 of this resolution.

Section 4. The election shall be held on Tuesday, the 22nd day of February, 1977, and the polls shall be opened at the hour of 7:00 o'clock a.m. of said day, and shall be closed at the hour of 8:00 o'clock p.m. of said day. The election shall be held and conducted, and the results thereof determined, in the manner provided in the Utah Municipal Bond Act. In addition there shall be full compliance with all applicable provisions of the Voting Rights Act of 1965, 42 U.S.C. 1973-1973-bb-4, as amended by the Voting Rights Act Amendments of 1975, Public Law 94-73, and all applicable rules of the Bureau of the Census of the Department of Commerce and of the Attorney General of the United States.

Section 5. The ballot to be used in voting upon the proposition to be submitted shall be prepared and furnished by the City Recorder to the judges of election, to be furnished by them to the qualified registered electors, and shall be in the following form:

OFFICIAL BALLOT

THE CITY OF BLANDING  
IN THE COUNTY OF SAN JUAN AND STATE OF UTAH  
SPECIAL BOND ELECTION

February 22, 1977

QUESTION SUBMITTED:

Shall the City Council of the City of Blanding, San Juan County, Utah, be authorized to issue and sell the negotiable, coupon, general obligation bonds of the City in the maximum principal amount of \$225,000.00, or so much thereof as may be necessary, in one series or more, said bonds to bear interest at a rate or rates not to exceed seven per centum (7%) per annum, and to mature in not more than fifteen (15) years from their date or dates, for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water, and sewer system, including all costs incident to the authorization and issuance of such bonds, and such bonds to be payable from ad valorem tax proceeds, and such bonds to be issued and sold, upon such terms and conditions and with such other details as the City Council may determine?

FOR THE ISSUANCE OF BONDS \_\_\_\_\_

AGAINST THE ISSUANCE OF BONDS \_\_\_\_\_

If the voter desires to vote in favor of the question submitted, he shall mark a cross (X) in the square opposite the words "For the Issuance of Bonds."  
If he desires to vote against the question submitted, he shall mark a cross (X) in the square opposite the words "Against the Issuance of Bonds."

On the reverse side of the ballot shall be printed in both English and American Indian the following:

OFFICIAL BALLOT FOR  
THE CITY OF BLANDING  
SAN JUAN COUNTY, STATE OF UTAH  
SPECIAL BOND ELECTION  
TUESDAY, FEBRUARY 22, 1977

\_\_\_\_\_  
City Recorder  
City of Blanding  
San Juan County, State of Utah

Section 6. The notice of election, signed by the Mayor and by the City Recorder of said City, shall be published in the San Juan Record, a weekly newspaper published in Monticello, Utah, and of general circulation within the City of Blanding by publication once a week during three consecutive weeks, the first publication to be not less than twenty-one (21) days and not more than thirty-five (35) days before the election. The City Council hereby provides that notice of said bond election may also be given by posting of such notice by the City Recorder in at least five public places in said City at least twenty-one (21) days before the election, pursuant to Section 11-14-3, Utah Code Annotated 1953, since the City of Blanding is a city of the third class where there is no newspaper published in such City, which notice for both publication or posting shall be in substantially the following form:

NOTICE OF GENERAL OBLIGATION BOND ELECTION  
OF THE CITY OF BLANDING  
SAN JUAN COUNTY, UTAH  
TUESDAY, FEBRUARY 22, 1977

PUBLIC NOTICE IS HEREBY GIVEN that a special bond election will be held in the City of Blanding, San Juan County, State of Utah, on Tuesday, the 22nd day of February, 1977, at which election there shall be submitted to the registered qualified electors of the City the following question:

Shall the City Council of the City of Blanding, San Juan County, Utah, be authorized to issue and sell the negotiable, coupon, general obligation bonds of the City in the maximum principal amount of \$225,000.00, or so much thereof as may be necessary, in one series or more, said bonds to bear interest at a rate or rates not to exceed seven per centum (7%) per annum, and to mature in not more than fifteen (15) years from their date or dates, for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including all costs incident to the authorization and issuance of such bonds, and such bonds to be payable from ad valorem tax proceeds, and such bonds to be issued and sold, upon such terms and conditions and with such other details as the City Council may determine?

Said election shall be held in the regularly established voting districts Nos. 10 and 11 (the boundaries of which are the same as those established for the last general election, i.e. the November 2, 1976 election), and the polling places within said voting districts, and the judges and alternates who have been appointed to conduct the election are as follows:

VOTING DISTRICT NO. 10

<u>Polling Place</u>	<u>Judges of Election</u>	<u>Alternates</u>
The Blanding City Office Bldg., 50 W. 1st So. Street Blanding, Utah	Paula A. Jones Francelle Blickenstaff Betty Dandy	Venice Lyman Guen Smith Dolores Bayles

VOTING DISTRICT NO. 11

<u>Polling Place</u>	<u>Judges of Election</u>	<u>Alternates</u>
The San Juan County Library Bldg (Also known as the Blanding Library) 27 W. 3rd So. Street Blanding, Utah	Eloise Mahon Phyrl Black Phyllis Norton	Josephine Bayles Inez Conway Verda Black

The boundaries of the above-designated voting districts shall consist of all of the above-listed voting districts located within the City boundaries and the voting districts therein shall be the same as those established for the last (November 2, 1976) general election within the County of San Juan, Utah.

Any qualified elector shall vote at the polling place provided for the voting district in which he resides.

A map showing the description of the boundaries of the voting districts and showing the boundaries of the City of Blanding, Utah, is on file at the offices of the City Recorder of the City and is available for public inspection, at the City Hall, 50 West 1st South, Blanding, Utah. Any qualified elector may determine the boundaries of the City and the two voting districts for the election by inquiry directed to the City Recorder of the City.

The voting at such election shall be by paper ballot, which ballots will be furnished by the City Recorder of Blanding to the judges of election, to be by them furnished to the qualified electors.

The polls at each polling place shall be opened at the hour of 7:00 o'clock a.m., and will be kept open until and will be closed at the hour of 8:00 o'clock p.m.

No person shall be permitted to vote at said election unless he or she shall be a registered voter of the City residing in the voting district in which he or she offers to vote. The County Clerk of San Juan County will register at her office during regular office hours, except Saturdays, Sundays and holidays, and except during the ten-day period immediately preceding the February 22, 1977, election, any person who on the day of the special bond election will be a qualified elector, such person to be registered in the same manner as provided by law for registration by registration agents. Absentee voting will be permitted in the manner provided by law.

The maximum principal amount of bonds to be issued is \$225,000.00. The maximum number of years from their respective dates for which such bonds may run is fifteen years. The maximum rate of interest which such bonds may bear is seven per centum (7%) per annum. The bonds are to be issued for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including all costs incident to the authorization and issuance of such bonds, such bonds to be payable from ad valorem taxes.

A verified written complaint to contest the results of election on the above bond question may be instituted by filing with the Clerk of the District Court of the County in which the City of Blanding is located, but shall be instituted within forty days after the votes cast at such election have been canvassed and not thereafter, and as provided by Section 11-14-12 Utah Code Annotated 1953.

IN WITNESS WHEREOF, the City Council of the City of Blanding, San Juan County, State of Utah, has caused this notice to be given as required by law this 19th day of January, 1977.

---

Mayor  
City of Blanding  
San Juan County, Utah

(SEAL)

Attest;

---

City Recorder  
City of Blanding  
San Juan County, Utah

Section 7. The oath of electors to be used at said election shall be prepared and furnished by the City Recorder of the City to the Judges of Election and shall be in substantially the following form:

STATE OF UTAH            )  
                              )  
COUNTY OF SAN JUAN    )  SS.                               ELECTOR'S OATH  
CITY OF BLANDING        )

The undersigned, having been first duly sworn upon oath; deposes and says under the pains and penalties of perjury, as follows:

That I am a citizen of the United States; that I am of lawful voting age; that I am now a resident of the State of Utah, of San Juan County and of the voting district or precinct of the City of Blanding in which I am offering to vote; that I am a duly registered voter of San Juan County and I am a qualified voter of and reside within the confines of the City of Blanding and that I have not previously voted at the bond election being held on this 22nd day of February, 1977 in the City of Blanding, Utah.

\_\_\_\_\_  
Signature of Elector

\_\_\_\_\_  
Address of Elector

I, the undersigned, Judge of election, hereby certify that the person whose signature appears above, signed the foregoing statement on this 22nd day of February, 1877, immediately after I administered to him an oath in the following words:

You do solemnly swear (or affirm) that you have read the oath to which you are about to subscribe your signature and that the facts recited therein are true and correct, so help you God (or under the pains and penalties of perjury).

\_\_\_\_\_  
Judge of Election

Section 8. The City Recorder shall provide a blank form of oath to be taken by each of the judges of election, which oath shall be in substantially the following form:

For Special General Obligation Bond Election of  
the City of Blanding  
San Juan County, Utah  
Held on Tuesday, February 22, 1977

STATE OF UTAH )  
 )  
COUNTY OF SAN JUAN ) SS. JUDGE'S OATH  
 )  
CITY OF BLANDING )

I, \_\_\_\_\_, do solemnly swear to (or affirm) that I am a citizen of the United States and the State of Utah; that I am a qualified elector of the City of Blanding; that I will perform all duties incumbent upon a judge of election according to law, and to the best of my ability; that I will endeavor to prevent fraud, deceit, and abuse in conducting same; that I will not disclose how any elector voted if, in the discharge of my duties, such knowledge comes to me, unless required to do so in some court of competent jurisdiction, and that I will not disclose the result of the voting until the polls have closed.

\_\_\_\_\_  
Elector

Subscribed and sworn to before me this 22nd day of February, 1977.

\_\_\_\_\_  
Judge of Election

Section 9. Immediately after the polls are closed, the judges appointed to conduct the election shall proceed to count and canvass the votes, and shall promptly thereafter certify the result and make returns thereof to the City Council, and the said Council shall meet within ten (10) days after the date of said election, to wit: on Wednesday, the 23rd day of February, 1977, at the hour of \_\_\_\_ o'clock \_\_\_\_ .m., at the regular meeting place of said Council in Blanding, Utah, and shall publicly canvass the returns, and if the majority of the votes cast at such election are in favor of such proposition submitted, then the City Council shall cause an entry of that fact to be made upon its minutes, and thereupon this City Council shall be authorized to issue such bonds.

Section 10. The maximum principal amount of bonds to be issued is \$225,000.00, the maximum number of years from their respective dates for which such bonds may run is fifteen years, the maximum rate of interest which said bonds may bear is seven per centum (7%) per annum, and the purposes for which the bonds are to be issued is for the purpose of paying, in part, the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including all costs incident to the authorization and issuance of such bonds.

Section 11. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 12. All acts and resolutions or parts of resolutions inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 13. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 14. This resolution is necessary for the preservation of the public health, peace and safety of the inhabitants of the City of Blanding, and it is hereby declared that an emergency exists and that this resolution shall become effective upon its adoption.

ADOPTED AND APPROVED this 19th day of January, 1977.

S/ Kenneth P. McDonald  
Mayor

(SEAL)

Attest:

S/ Francis D. Nielson  
City Recorder

Councilmember McAllister moved the adoption of the foregoing resolution, which motion was seconded by Councilmember Lyman, put to a vote, and was carried by the affirmative vote of a majority of a quorum, the vote being as follows:

Those Voting Aye:	Kenneth P. McDonald
	Bruce N. Black
	Francis M. Lyman
	H. Brent McAllister
	Michael T. Hurst
	Kenneth D. Shumway

Those Voting Nay: None

Those Absent: None

Thereupon, other business not concerning electric, water and sewer facilities was considered.

Thereafter, there being no further business to come before the meeting, on motion duly made, seconded and unanimously carried, the meeting was adjourned.

ADOPTED AND APPROVED this 19th day of January, 1977.

S/ Kenneth P. McDonald  
Mayor

(SEAL)

Attest:

S/ Francis D. Nielson  
City Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD FEBRUARY  
9, 1977 AT 8:00 O'CLOCK IN THE BLANDING  
CITY HALL

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Michael T. Hurst  
Francis M. Lyman  
H. Brent McAllister  
Kenneth D. Shumway

City Recorder: Francis D. Nielson

Absent Was Councilman Bruce N. Black

Also present was Mr. Kloyd Perkins

1. Prayer was offered by Councilman Lyman.
2. Minutes of City Council meetings held January 12 and 19, 1977 were read and approved.
3. Mr. Kloyd Perkins discussed with the Council matters related to the Blanding City water shed on the Abajo Mountains and his use of privately owned land thereon. He presented the following agreement and letter pertaining to the matter:

M  
Watersheds  
Blanding

AGREEMENT

This is an amendment to the letter of July 21, 1955 to the Forest Supervisor by the City of Blanding and the reply thereto by the letter of August 11, 1955 by the Forest Supervisor.

The City requested in its letter of July 21, 1955 that the Forest Service take the necessary action in removing all livestock from the area from which water drains into the head of the Blanding culinary water system and in numbered paragraph 2 it was mentioned that all the area in the vicinity of and below camp Jackson which drains into the pipeline be included.

The Forest Service agreed to that request by the Forest Supervisor's reply of August 11, 1955.

In the Camp Jackson area there are 54.89 acres of privately owned land over which the Forest Service has no jurisdiction. Most of the private land area is owned by the National Forest permittee who grazes livestock on the National Forest range south of Camp Jackson.

One of the principal streams of water on the Blanding watershed flows through the private land.

It is agreed that:

1. In order to reduce the contamination of the water the Forest Service will construct a fence from the Camp Jackson - Recapture pass westerly and southerly past the south end of the Camp Jackson Reservoir dam and south of the reservoir drainage, and on westerly to approximately the west side of the private land and, thence southerly to the divide between the drainage above the Blanding pipeline intake and the Johnson Creek drainage south of and below the intake.
2. The permittee who owns most of the private land and holds permit to graze the National Forest land immediately south of the Blanding watershed drainage shall have the privilege of grazing the National Forest land south and east of the fence along with his private land on the same sides of the fence, subject to conservative grazing use of the area as may be agreed to by the Forest officer in charge.

3. Should the permittee dispose of the private land and it can no longer be used for grazing in connection with adjacent Forest land this agreement may be canceled.
4. If the National Forest land within the Blanding watershed is not conservatively grazed, the Forest Service may cancel this agreement.
5. If at any time the City of Blanding has reason to believe that the grazing of livestock on the National Forest land above mentioned on the Blanding watershed is a cause of culinary water contamination and can support the belief with proof this agreement may be canceled.
6. If the national forest permittee wishes to forego use of the National Forest land within the Blanding watershed and use his private land as he sees fit, he may signify his desire to cancel this agreement.
7. Either party to this agreement may cancel it by giving notice six months in advance of the cancellation date.
8. Any improvements on National Forest or private land may be removed by the party who constructed same within six months after cancellation of this agreement.
9. The permittee agrees to fence the east and south sides of the above proposed portion of the Blanding watershed to make possible conservative and controlled grazing. This will be a fence satisfactory to the Forest Service, up the ridge between Recapture and Johnson Creek and down the ridge on the Johnson Creek side to the watershed fence; thereby connecting with the watershed fence where it leaves the ridge in either place and; the permittee agrees to graze this area as directed by the Forest officer in charge.

Signed:

CITY OF BLANDING

3/21/56

By LaRay Alexander  
Mayor

NATIONAL FOREST LIVESTOCK PERMITTEE:

3/21/56

S/ W. R. Young  
S/ Earl H. Perkins

MANTI-LASAL NATIONAL FOREST

3/22/56

S/ Julian R. Thomas  
Forest Ranger

Blanding, Utah  
January 25, 1977

Reed C. Christensen  
Forest Supervisor  
Manti-LaSal National Forest  
Price, Utah

Dear Sir:

In June of 1976 I sold my Forest permits that surrounded my privately owned land. At this time Mr. Roy Verner assumed this agreement, (see enclosure) would be cancelled, and said he would look into it further. I agreed not to cause trouble if permitted livestock got on my land for this 1976 season.

However, it has been 8 months and nothing has been done, and soon another season will be upon us.

In addition to the 54.89 acres referred to in the agreement, I have 34 acres above the Blanding watershed fence which I haven't used for 20 years on the promise from the Forest Service that they would trade to me other land.

My request is that we move the part of the 54.89 acres which lay above the watershed fence to the area south of the acreage below the fence. Then move the upper 34 acres next to this. In this way I could block off my ground and still be well below the watershed fence. Agreements could then be made allowing full use of this area until deeds were properly changed.

I have lost 1 years use of this ground because Mr. Verner did nothing. So I am asking that you consider this request as soon as possible.

Yours truly,

S/ Kloyd Perkins

enc.

The Council agreed that Mr. Perkins position is meritorious and his exchange proposal would be beneficial to the City.

4. The following water emergency plan was presented to the Council by Councilman Hurst:

BLANDING CITY WATER EMERGENCY PLAN

1. Proclaim an emergency and issue the following instructions to citizens:
  - a. Fix all water leaks
  - b. Use less water when bathing
  - c. Lower the float or place a brick in toilet bowls
  - d. Wash only full sink or washer loads of dishes
  - e. Wash only full washer loads of clothing
  - f. Bathe small children together
  - g. Do not wash cars or water lawns
  - h. Do not run tap while shaving or brushing teeth
  - i. Do not run tap to obtain hotter or colder water
2. Eliminate all non-essential uses of water, by issuing direct requests to owners of non-essential outlets.
3. Install a pump at the second reservoir well.
4. Provide a pump at Westwater Spring for stock and construction purposes, and shut down the outlet at the city park.
5. Apply for emergency or disaster funds to refurbish and develop all watershed and underground potential, and to renovate and upgrade the culinary system.

The Council agreed that Mayor McDonald should issue an official Declaration of Emergency existing with the water system; authorized the expenditure of funds necessary to placing in operation the City water wells at Johnson Creek and the vicinity of the Water Storage Reservoir; and applications submitted to the Utah State Eng ineer for water wells to be drilled near 2nd East at Center Street, between Main and 1st West Streets on 1st North Street and between 1st North and 2nd North Streets on 1st West Street.

5. The Council agreed that Mayor McDonald should appoint the following to a Citizens Advisory Committee for the studying of possible water resources which could be utilized by the City, and potential fund sources which may be available for water development programs:

Councilman Michael T. Hurst  
Councilman Kenneth D. Shumway  
Mr. Cleal Z. Bradford  
Mr. Lynn F. Lyman  
Mr. Eugene Shumway

As the authority to program for and expend the funds is not abrogable by the Council, such a committee could only study, submit programs and recommend to the Council, a course of action.

6. The Recorder was authorized to advise the District Engineer of the Utah Department of Highways of the cities desire to participate in the street signing program available under the Safe Streets and Sidewalks Act.

7. The Recorder was authorized to have Utah Power and Light Company proceed with construction of a power line into the farming area southeast of the City on the following conditions:

The main or trunk line is to begin at or near the entrance to the Stephen Meyer field and extend south approximately one and one-half miles to the Nielson field Northwest of Browns canyon.

The customers to be served by such line shall advance costs of constructing such line, to the City, totalling \$10,000.00. The \$10,000.00 shall be recoverable by the said customers at the rate of one-third of their respective monthly power service charges for a period not to exceed five (5) years, at the end of which time should there be a credit remaining to the customers, the City would take the same by book write-off.

Lateral lines necessary to serve the individual customers shall be constructed by the City on an annual guarantee basis wherein the customer agrees to use not less than one-fifth of the cost of such service lateral or remit the amount of difference between actual use and the one-fifth of costs to the City, annually, or until such time as the cost of such lateral has been fully recovered by the City.

8. Motion for adoption of the following resolution was made by Councilman McAllister, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1977-3

BE IT RESOLVED by the City Council of the City of Blanding that effective March 1, 1977 the rates for water service to Blanding City customers be set as follows:

Within the City Limits

\$5.00 Minimum Charge  
\$5.00 first 5,000 gallons  
.20¢ each additional 1000 gallons

Outside the City Limits

\$10.00 Minimum Charge  
\$10.00 first 5000 gallons  
.40¢ each additional 1000 gallons

PASSED, ADOPTED and APPROVED this 9th day of February, 1977.

S/ Kenneth P. McDonald  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

9. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman McAllister and unanimously carried:

RESOLUTION NO. 1977-4

BE IT RESOLVED by the City Council of the City of Blanding that the following amendment to the Lease Agreement between the City of Blanding and Utah Navajo Development Council dated October 27, 1976 be, and it is hereby approved:

FIRST AMENDMENT TO LEASE AGREEMENT

This First Amendment to Lease Agreement made and entered into this 9th day of February, 1977, by and between CITY OF BLANDING, A municipal corporation of the State of Utah, of Blanding, San Juan County, State of Utah, hereinafter called CITY, and UTAH NAVAJO DEVELOPMENT COUNCIL, a Utah nonprofit corporation, of Blanding, San Juan County, State of Utah, hereinafter called COUNCIL.

WITNESSETH:

WHEREAS, on the 27th day of October, 1976, CITY and COUNCIL entered into a Lease Agreement (hereinafter called LEASE) wherein CITY leased to COUNCIL the following described tract of land situated in San Juan County, State of Utah, to-wit:

Beginning at a point 133.68 feet East of the Northwest Corner of the Southwest Quarter of the Northwest Quarter of Section 27, Township 36 South, Range 22 East, Salt Lake Meridian and running thence South 125 feet; thence East 147.32 feet; thence North 125 feet; thence West 147.32 feet to the point of beginning.

and,

WHEREAS, paragraph 3 of LEASE reads as follows:

City has previously entered into an agreement with certain third parties for their use of water originating on the above described land, a copy of which agreement is attached hereto as "Exhibit A" and made a part hereof by reference.

and,

WHEREAS, the water referred to in paragraph 3 of LEASE is commonly known as the Westwater Spring which is located in the NW¼ of Section 27, Township 36 South, Range 22 East, Salt Lake Meridian, at a point approximately 200.0 feet South of the Westwater Canyon Bridge on the Elk Mountain road and is evidenced by the Certificate of Appropriation of Water dated the 12th day of May, 1930, issued by the State Engineer of the State of Utah, bearing Application No. 10576 and Certificate No. 1877, which gives the point of issuance of said spring as South 1,422.0 feet and East 281.0 feet from the Southeast corner of Section 21, Township 36 South Range 22 East, of the Salt Lake Meridian in San Juan County, State of Utah, which spring and the right to use the same is hereinafter called WATER RIGHT: and,

WHEREAS, CITY has secured from the third parties referred to in paragraph 3 of the LEASE a relinquishment of all of their right, title and interest in and to WATER RIGHT, excepting 100 gallons per day which shall be perpetually retained by the third party or his heirs and assigns; and,

WHEREAS, CITY and COUNCIL desire that WATER RIGHT be included as part of the property leased under the lease; and,

WHEREAS, COUNCIL understands that the constitution and laws of the State of Utah place certain limitations on the power of CITY to grant to others the right to use its water and that this agreement is subject to those limitations,

NOW THEREFORE, in consideration of the covenants and between the parties hereto that WATER RIGHT shall be deemed to be a part of the property covered by LEASE as fully and completely as if it were described therein as part of the tract of land covered thereby, with the understanding that 100 gallons per day may be claimed by the said third party at anytime.

WITNESS the hands of the parties hereto on the day and year first above set forth.

CITY OF BLANDING

ATTEST:

BY S/ Kenneth P. McDonald, Mayor

S/ Francis D. Nielson, Recorder

UTAH NAVAJO DEVELOPMENT COUNCIL

S/ Cleal Bradford, Executive Director

ATTEST:

Ruth M. Johnson, Secretary

PASSED, ADOPTED and APPROVED this 9th day of February, 1977.

S/ Kenneth P. McDonald  
Mayor

ATTEST:

S/ Francis D. Nielson, Recorder

Meeting Adjourned at 11:10 p.m.

  
Francis D. Nielson, Recorder

NOTICE OF SPECIAL MEETING

TO THE CITY COUNCIL OF  
THE CITY OF BLANDING  
COUNTY OF SAN JUAN, STATE OF UTAH:

NOTICE IS HEREBY GIVEN that a special public meeting of the City Council of the City of Blanding, will be held at 50 West First South Street, Blanding, Utah, at 12:01 o'clock p.m., on Wednesday, the 23rd day of February, 1977, for the purpose of publicly canvassing the returns and declaring the results of an election held on the issuance of \$225,000.00 of general obligation bonds of the City, and for the transaction of such other business incidental to the foregoing as may come before said meeting.

S/ Kenneth P. McDonald, Mayor  
S/ Francis D. Nielson, City Recorder

ACKNOWLEDGMENT OF NOTICE AND  
CONSENT TO SPECIAL MEETING

We, the undersigned members of the City Council of Blanding, Utah, do hereby acknowledge receipt of the foregoing notice of a special meeting, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us, and consent and agree to the holding of such special meeting at the time and place specified in said notice, and to the transaction of any and all business which may come before such meeting.

S/ Bruce N. Black  
Michael T. Hurst  
Francis M. Lyman  
H. Brent McAllister  
Kenneth D. Shumway  
City Council  
City of Blanding, County of San Juan  
State of Utah

STATE OF UTAH                    )  
  )  
COUNTY OF SAN JUAN        )) SS.  
  )  
CITY OF BLANDING            )

The City Council of the City of Blanding, San Juan County, State of Utah, met in special public session on Wednesday, the 23rd day of February, 1977, at 50 West First South Street, in Blanding, Utah, at the hour of 12:01 o'clock p.m., due legal and timely notice of said meeting having been given to all members as required by law and the rules of said Council.

The meeting was called to order by the Mayor.

On roll call the following members, constituting a quorum were present:

Present:

Mayor:                            Kenneth P. McDonald  
Councilmembers:                Bruce N. Black  
  Francis M. Lyman  
  H. Brent McAllister  
  Michael T. Hurst  
  Kenneth D. Shumway

Absent:                            None

constituting all the members thereof.

There were also present:

City Recorder:                Francis D. Nielson  
City Attorney:                 L. Robert Anderson

The Mayor declared the purpose of the meeting was for the City Council to meet as required by Section 11-14-11, Utah Code Annotated, 1953, as a Board of Canvassers within ten days after the election hereinafter designated in order to publicly canvass the returns and to declare the results of the special general obligation bond election held in said City on Tuesday, the

22 day of February, 1977, at which election there was submitted to such qualified and registered electors of the City the question of issuing \$225,000.00 of general obligation bonds.

The returns of the special bond election were then publicly canvassed by the City Council by counting the number of votes cast in each voting district as follows:

<u>Combined Election District</u>	<u>Polling Place</u>	<u>For the Bonds (number of Affirmative Votes)</u>	<u>Against the Bonds (Number of Negative Votes)</u>	<u>Number of Mutilated Ballots</u>	<u>Total</u>	<u>Number of Chal-lenged Voters</u>
10	Blanding City Office Building, 50 West First South Street Blanding, Utah	51	7	-0-	58	-0-
11	San Juan County Library, 27 West Third South Street, Blanding, Utah	63	7	-0-	70	-0-
Absentee Ballots		None				
Total		114	14	-0-	128	-0-

Thereupon Councilmember McAllister introduced the following resolution which was read in full and is as follows:

RESOLUTION 1977-5

WHEREAS, the City Council of the City of Blanding, State of Utah, met at the hour of 12:01 o'clock p.m. on Wednesday, the 23rd day of February, 1977, in accordance with law, for the purpose of canvassing returns in public and declaring the result of the special bond election held in said City on Tuesday, the 22nd day of February, 1977, at which election the following question was submitted to the electors qualified to vote thereon:

Shall the City Council of the City of Blanding, San Juan County, Utah, be authorized to issue and sell the negotiable, coupon, general obligation bonds of the City in the maximum principal amount of \$225,000.00, or so much thereof as may be necessary, in one series or more, said bonds to bear interest at a rate or rates not to exceed seven per centum (7%) per annum, and to mature in not more than fifteen (15) years from their date or dates, for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including all costs incident to the authorization and issuance of such bonds, and such bonds to be payable from ad valorem tax proceeds, and such bonds to be issued and sold, upon such terms and conditions and with such other details as the City Council may determine?

and

WHEREAS, the City Council of the City of Blanding has publicly and regularly canvassed all of the returns of said election, and it appears that the judges of said election of each and every polling place in said City have made full and complete returns thereof, and said election was duly and regularly called and held in each election district in said City, at the polling places designated.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLANDING, STATE OF UTAH:

Section 1. That said City Council does hereby make an official finding that on the question of issuing the general obligation bonds of the City in the principal amount of \$225,000.00, for the purpose set forth in said election question:

(a) That the total number of votes cast in said City at said election was 128;

(b) That the number of affirmative votes so cast in favor of such question and for the issuance of said bonds in the principal amount of \$225,000.00 was 114;

(c) That the number of negative votes so cast against such question and against the issuance of the bonds in the principal amount of \$225,000.00 was 14;

(d) That the number of mutilated ballots was -0-; and

(e) That the number of challenged voters and votes was -0-.

Section 2. That at said election, there was and is a majority of 100 votes cast in favor of such question and for the issuance of such bonds in the principal amount of \$225,000.00.

Section 3. That it is hereby certified, recited and declared:

(a) That said bond election was duly and regularly called and held in said City on Tuesday, the 22nd day of February, 1977, in manner and form provided by law, and that at said election all qualified and registered electors of said City were given an opportunity and permission to vote;

(b) That none but qualified and registered electors of said City were permitted to vote;

(c) That no votes were received at any voting place in the said City except from such qualified and registered electors; and

(d) That any person who applied for a ballot at said election whose qualifications to vote were challenged by any one or more of the election officials or by any other person at the time the ballot was applied for received a ballot and was permitted to vote if the name of such person was shown on the registration lists as a registered voter in the City and such person signed an oath sworn to before one of the election officials that he or she was a qualified elector of said City. That the election officials kept a list of the names of each person so challenged, the grounds for the challenge, and whether such person was permitted to vote. Such list was made in duplicate and the duplicate list was available to this City Council when it canvassed the election results.

Section 4. That it is hereby declared that the bond proposition carried and that at said election the authority was given to the City Council of the City of Blanding, State of Utah, to issue and sell general obligation bonds in the principal amount of two hundred twenty five thousand dollars (\$225,000.00), for the purpose set forth in said election question.

Section 5. That the City Recorder of the City of Blanding, Utah, be, and he hereby is, authorized and directed to hold in safekeeping all of the oaths, ballots and the ballot boxes in the manner and for the period provided by law for other elections.

Section 6. That if any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 7. That all acts and resolutions or parts of resolutions inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 8. That the officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

ADOPTED and APPROVED this 23rd day of February, 1977.

S/ Kenneth P. McDonald  
Mayor

(SEAL)

ATTEST:

S/ Francis D. Nielson  
City Recorder

It was then moved by Councilmember McAllister and seconded by Councilmember Lyman that all rules of the City Council which might prevent, unless suspended, the final passage and adoption of said resolution at this meeting, be, and the same hereby are, suspended for the purpose of permitting the final passage and adoption of said resolution at this meeting.

The question being upon the adoption of said motion and the suspension of the rules, the roll was called with the following result:

Those voting Aye: Kenneth P. McDonald  
Bruce N. Black  
Francis M. Lyman  
H. Brent McAllister  
Michael T. Hurst  
Kenneth D. Shumway

Those Voting Nay: None

Those Absent: None

Five members having voted in favor of said motion, the presiding officer declared said motion carried and the rules suspended.

Councilmember Shumway moved that said resolution be passed and adopted.

Councilmember Hurst seconded the motion for the adoption of the resolution, and the same on being put to a vote was unanimously carried by the affirmative vote of all members present, the vote being as follows:

Those Voting Aye: Kenneth P. McDonald  
Bruce N. Black  
Francis M. Lyman  
H. Brent McAllister  
Michael T. Hurst  
Kenneth D. Shumway

Those Voting Nay: None

Those Absent: None

Thereupon, the City Recorder was ordered and directed to enter the foregoing proceedings upon the records of the City Council and to incorporate the findings in the official minutes of the City Council.

There being no further business, and upon motion duly made, seconded and unanimously carried, the meeting adjourned.

S/ Kenneth P. McDonald, Mayor

Attest:

S/ Francis D. Nielson, City Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
MARCH 9, 1977 AT 8:00 O'CLOCK  
P.M. IN THE CITY HALL

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Bruce N. Black  
Michael T. Hurst  
Francis M. Lyman  
H. Brent McAllister  
Kenneth D. Shumway

Recorder: Francis D. Nielson

Also Present: Mr. Harold J. Lyman, Manager, Blanding Office,  
Utah Department of Employment Security;  
Mr. Terry Palmer, Palmer Builders;  
Mr. John F. Black; Mr. Devon M. Hurst; Mr. George  
M. Low, Justice of the Peace; Mr. Cleal Z. Bradford,  
Chairman and Mr. Lynn F. Lyman, member, Mayor's Water  
Resource Advisory Council; Mrs. Carol Freebairn and  
7 Boy Scouts.

1. Prayer was offered by Councilman Black.
2. Minutes of City Council meetings held February 9 and 23, 1977 were read and approved.
3. Mr. Harold J. Lyman, Manager, Blanding Office, Utah Department of Employment Security, advised the Council of Manpower Programs available to the City under Titles III and IV of the 1973 Comprehensive Training and Employment Act.
4. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman McAllister and unanimously carried:

RESOLUTION NO. 1977-4 A

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Honorable Edward Sheya, Judge, Seventh Judicial District, Utah, be, and he is hereby, released from all duties and responsibilities as Justice of the Peace, Pro Tem in and for the City of Blanding, effective as of the date hereof; BE IT FURTHER RESOLVED that Mr. Eric Swenson, Attorney-at-Law of Bluff, San Juan County and State of Utah, be, and he is hereby, appointed to the Office of Justice-of-the-Peace, Pro Tem, in and for the City of Blanding, authorized and empowered to adjudicate matters requiring a lawyer-trained judge in accordance with the Statutes of the State of Utah therein governing, for the period from date hereof to and including the first Monday in February, 1978.

PASSED, ADOPTED and APPROVED this 9th day of March, 1977.

\_\_\_\_\_  
Kenneth P. McDonald, Mayor

ATTEST:

\_\_\_\_\_  
Francis D. Nielson, Recorder

5. Mr. Terry Palmer, Palmer Builders, presented to the Council a preliminary plan for the development of a sub-division in the area of 4th North Street between 3rd and 4th West Streets. Following a rather lengthy discussion of the matter, it was tabled for consideration at a later meeting.

6. The following report from the Mayor's Water Resource Advisory Committee was reviewed and discussed by the Committee and Council:

DECISIONS OF COMMITTEE  
February 22, 1977

1. Immediate Needs:

List of Projects

- A. West Water - pipe to treatment plant
- B. Pump installation on well by storage tank

2. Short Range Needs:

List of Projects

- A. Pump water from 4th reservoir - repair leaks during summer after dry out time.
- B. Dike springs below pipe line intake south of road in Johnson Creek.
- C. Pull and repair pump on Johnson Creek well

3. Intermediate Range Needs:

List of Projects

- A. Drill shallow wells close to and/or in community
- B. Johnson Creek federal well near forest boundry on mountain road
- C. Cement key way at head of pipeline
- D. Drill additional well(s) in Johnson Creek above head of pipeline.

4. Long Range Needs:

List of Projects

- A. Dam in Indian Creek at head of tunnel
- B. Encourage large users to drill own wells.
- C. Raise dam level at 4th reservoir
- D. Camp Jackson water assessment
- E. Allen Canyon water assessment
- F. Addition springs on mountain piped into pipeline

5. Items to Check:

- A. Potential for local service district
- B. Filing on Indian Creek (owner's rights)
- C. San Juan County Water Conservancy participation and project recommendation
- D. Funding from State and Federal for above projects

6. Committee Assignments:

- A. Immediate - Lynn Lyman, Devon Hurst, Eugene Shumway
- B. Short Range - All Members
- C. Short Long Range - No Assignments
- D. Devon Hurst, Mike Hurst, Cleal Bradford

It was agreed that the Committeewould meet with the Council at the regular meetings of the Council held on the second Wednesday of each month for reporting progress and plans pertinent to their assignment.

7. Mr. John F. Black advised the Council of a proposed sub-division development on his property North of the Albert R. Lyman school, and requested the Council's reaction to the possibility of his annexing such property to the City. The Council advised that there is currently no moratorium on City boundary line extensions, but that all petitions for annexation must be considered as and when received.

8. The Council discussed with Mr. Devon M. Hurst, matters related to the leakage problem at the Westwater Reservoir, the possibility of his drilling some shallow water exploration holes within the City as well as other water system problems. Mr. Hurst estimated shallow water wells within the Corporate limits of the City,

could be drilled and equipped with pump for production, at a cost of from \$1300 to \$1600.00.

9. Motion was made by Councilman Hurst, seconded by Councilman Black and unanimously carried that the Recorder be authorized to contract for the drilling of two shallow water exploration holes within the City limits, one approximately 500 feet water exploration hole in the area where the Johnson Creek Road intersects the Manti-LaSal National Forest boundary, the drilling of test holes as may be required to avail of information as to the area of leakage at the Westwater Reservoir, and to enter into negotiations with the Utah Department of Wildlife Resources for pumping the water remaining in the Westwater Reservoir below the conservation level, into the City culinary water system prior to further Bentonite sealing of such reservoir.

10.

RESOLUTION NO. 1977-9

WHEREAS, the City of Blanding (herein "City"), in the County of San Juan and State of Utah, is a legally and regularly created, established, organized and existing third class city under the laws of the State of Utah; and

WHEREAS, there is an immediate and pressing need for the City, in the County of San Juan and State of Utah, to issue its negotiable general obligation bonds for the purpose of paying, in part, the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, the electric light distribution system changeover to 12,000 volts, the improvement of water volume and the addition of fire hydrants and the increase in capacity of the sewer lagoon, including equipment and furnishing for such improvements (the "Project") and all costs incident to the authorization and issuance of such bonds; and

WHEREAS, at a special bond election held in the City on the 22nd day of February, 1977, a majority of the qualified electors approved a proposal to authorize the City Council of the City (herein the "Council"), to issue and sell bonds in the aggregate amount of \$225,000.00, or so much thereof as may be necessary, at one time or from time to time, said bonds to bear interest at a rate or rates not to exceed seven per centum (7%) per annum, and to mature in not more than fifteen (15) years from their date, for the Project; and

WHEREAS, the Council has not previously issued any of said bonds authorized at said election; and

WHEREAS, the City Council has determined, and does hereby declare:

(a) The City shall forthwith issue its City of Blanding General Obligation Electric, Water and Sewer Bonds, Series February 1, 1977 (herein the "bonds") in the aggregate principal amount of \$225,000.00, for the Project;

(b) The bonds shall be payable as to both principal and interest from general (ad valorem) taxes levied against all taxable property within the City without limitation as to rate or amount; and

(c) The City shall sell the bonds after public advertisement and upon competitive bids.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLANDING, SAN JUAN COUNTY, STATE OF UTAH:

Section 1. The Mayor and the City Recorder be, and they hereby are, authorized and directed to have published a notice of sale of the bonds in The San Juan Record, a newspaper published in Monticello, Utah, and having local and general circulation in the City, at least ten days prior to the date of opening bids, said notice to be in substantially the following form:

Section 2. The official notice of bond sale shall be in substantially the following form:

OFFICIAL NOTICE OF BOND SALE

CITY OF BLANDING, UTAH  
 GENERAL OBLIGATION ELECTRIC, WATER AND SEWER BONDS  
 SERIES FEBRUARY 1, 1977 - \$225,000.00

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of the City of Blanding (herein sometimes designated as the "Council" and the "City" respectively), in the County of San Juan and State of Utah, will, on Wednesday, the 30th day of March, 1977, at the hour of 11:30 o'clock A.M., M.S.T., at the City Hall at 50 West First South Street, Blanding, Utah, receive sealed bids and publicly open the same for the purchase of negotiable, coupon, general obligation electric, water and sewer bonds of the City, particularly described below:

BOND PROVISIONS

ISSUE: "City of Blanding, Utah, General Obligation Electric, Water and Sewer Bonds, Series February 1, 1977," in the principal amount of \$225,000.00, dated as of the first day of February, 1977, in the denomination of \$5,000.00 each, consisting of 45 bonds numbered consecutively in regular numerical order from 1 to 45, both inclusive, and payable to bearer (herein the "bonds").

MATURITIES: The bonds shall mature serially in regular numerical order on the first day of February in each of the designated amounts and years, as follows:

<u>Bond Numbers</u> (All Inclusive)	<u>Amounts</u> <u>Maturing</u>	<u>Years</u> <u>Maturing</u>
1	\$ 5,000	1979
2 - 3	10,000	1980
4 - 5	10,000	1981
6 - 7	10,000	1982
8 - 9	10,000	1983
10 - 12	15,000	1984
13 - 15	15,000	1985
16 - 22	35,000	1986
23 - 29	35,000	1987
30 - 37	40,000	1988
38 - 45	40,000	1989

PRIOR REDEMPTION: The bonds maturing on and before the first day of February, 1987, shall not be subject to prior redemption. The bonds maturing on and after the first day of February, 1988, shall be subject to redemption prior to their respective maturities at the City's option in inverse numerical order on the first day of February, 1987, or on any interest payment date thereafter, for the principal amount of each bond so redeemed, accrued interest thereon to the redemption date, and a premium consisting of two per centum (2%) of the principal amount of each bond so redeemed, upon giving thirty (30) days' prior notice by publication and by mail addressed (among others) to the original purchaser of the bonds or to the manager of any purchasing syndicate.

INTEREST RATES AND LIMITATIONS: The following interest limitations are applicable:

A. Interest coupons shall be payable on the first day of February, 1978, and semiannually thereafter on the first days of February and August in each year.

B. The maximum interest rate is seven per centum (7%) per annum.

C. The maximum interest spread permitted for the issue is one and one-half per centum (1-1/2%) per annum, i.e. the maximum rate of interest accruing on any bond prior to its maturity cannot exceed the minimum rate of interest accruing on any other bond prior to its maturity by more than one and one-half per centum (1-1/2%) per annum.

D. Each interest rate specified and to be evidenced by any coupon must be stated in a multiple of one-eighth (1/8) or one-twentieth (1/20) of one per centum (1%) per annum.

E. One interest rate only shall be stated for any maturity of the issue, i.e. all bonds of the same maturity shall bear the same rate of interest.

F. Each bond shall bear interest from its date to its stated maturity date at the interest rate stated in the bid. No bond shall bear more than one rate of interest. A zero (0) rate of interest cannot be named.

G. Interest on each bond shall be evidenced to and including its maturity by only one (1) set of coupons payable to bearer, supplemental coupons shall not be permitted, and no interest payment shall be evidenced by more than one (1) coupon.

If any bond shall not be paid upon presentation at its maturity, it shall draw interest at the same rate per annum until the principal thereof is paid in full.

PAYMENT: Both the principal of and the interest on the bonds shall be payable in lawful money of the United States of America, without deduction for exchange or collection charges, at Zions First National Bank, Salt Lake City, Utah.

REGISTRATION FOR PAYMENT: The authorizing resolution and the bonds will contain NO provision for the registration of bonds for payment as to either principal or interest, or both.

SECURITY: The bonds will, in the opinion of bond counsel, be direct general obligations of the City, payable as to both principal and interest from general (ad valorem) taxes levied against all taxable property within the City without limitation as to rate or amount.

AUTHORIZATION: Said bonds constitute the bond authorization voted upon by the qualified electors of said City at a special bond election held in said City on the 22nd day of February, 1977.

PURPOSE OF ISSUE: The bonds were authorized for the purpose of paying in part, the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, the electric light distribution system changeover to 12,000 volts, the improvement of water volume and the addition of fire hydrants and the increase in capacity of the sewer lagoon, including equipment and furnishings for such improvements (the "Project") and all costs incident to the authorization and issuance of such bonds.

#### TERMS OF SALE

BID PROPOSALS: No specified form of bid is required. Any bidder is required to submit an unconditional bid specifying the lowest rate or rates of interest and premium, if any, at which the bidder will purchase the bonds. It is also requested for informational purposes only, but is not required, that each bid disclose (a) the total net interest cost in dollars and cents to the City and (b) the average net interest rate in a stated per cent. Each proposal must be in writing for all of the bonds herein offered for sale, enclosed in a sealed envelope marked on the outside "Proposal for Bonds," and addressed to Mr. Francis D. Nielson, City Recorder, City Hall, 50 West First South Street, Blanding, Utah 84511.

SALE BELOW PAR, DISCOUNT AND COMMISSION PROHIBITED: None of the bonds will be sold for less than their principal amount and accrued interest to the date of delivery, nor will any discount or commission be allowed or paid on the sale of any of the bonds.

BID CHECK: Each bid shall be accompanied by a cashier's check or a certified check of a solvent bank or trust company made payable to the City of Blanding in an amount of at least \$4,500.00, or by a cash deposit in like amount. Such check or cash deposit will be held as evidence of good faith pending the delivery of the bonds, which deposit (check or cash) shall be promptly returned to any such bidder if his bid be not accepted.

CUSIP NUMBERS: Any bidder has the option to have the applicable CUSIP numbers printed on the filing panel on the back of the bonds, at the request and expense of the bidder. If a wrong number is imprinted on any bond or if a number is not printed thereon, although so requested, such shall not constitute cause to refuse delivery of any bond.

TAX EXEMPT STATUS: In the opinion of bond counsel, the interest on the bonds is exempt from taxation by the United States of America under present federal income tax laws. In the event that prior to the delivery of the bonds to the successful bidder for the bonds herein offered for sale, the income received by private holders from obligations of the same type and character shall be taxable by the terms of any federal income tax law hereafter enacted, the successful bidder may, at its election made prior to the delivery of the bonds, be relieved of its obligations under the contract to purchase the bonds. Any such option shall be exercised by a letter addressed to bond counsel hereinafter designated and deposited in the United States mails, as first-class mail, postage prepaid, and as airmail unless so mailed in Denver, Colorado. In such case the deposit accompanying its bid will be returned upon request. Pursuant to Section 11-14-14 Utah Code Annotated 1953, the bonds and the interest thereon shall also be exempt from taxation in the State of Utah, including taxation under the individual income tax laws and the corporate franchise tax laws of the State.

SALE RESERVATIONS: The City Council reserves the right (1) to reject any and all bids for the bonds, (2) to reoffer the bonds for sale, as provided by law, and (3) to waive any irregularity or informality in any bid.

BASIS OF AWARD: The bonds, subject to such reservations, will be sold to the responsible bidder making the best bid therefor, which bid will be determined by deducting the amount of the premium bid, if any, from the total amount of interest which the City would be required to pay from the date of the bonds to the respective maturity dates at the coupon rate or rates specified in the bid, and the award will be made on the basis of the lowest net interest cost to the City. If there are two (2) or more equal bids for the issue, and such equal bids are the best bids received and for not less than the principal amount of the bonds and accrued interest, the City Council will determine which bid will be accepted.

TIME OF AWARD: The City Council will open bids at the time hereinabove specified. It intends to take action awarding the bids or rejecting all bids immediately after the time herein specified for opening bids, and upon determining the best bid. In any event the City Council will take action awarding the bonds or rejecting all bids not later than thirty-six (36) hours after the expiration of the time herein specified for opening bids.

MANNER AND TIME OF DELIVERY: The deposit of the best bidder will be credited to the purchaser at the time of delivery of the bonds (without accruing interest). If the successful bidder for the bonds fails or neglects to complete the purchase of said bonds within ten (10) days after the bonds are made ready and are tendered by the City for delivery, the amount of this deposit will be forfeited (as liquidated damages for non-compliance with the bid) to the City, except as herein-after provided. In that event the City Council may reoffer the bonds for sale as provided by law. The purchaser will not be required to accept delivery of any of the bonds, if they are not tendered for delivery within sixty (60) days from the date herein stated for opening bids; and if said bonds are not so tendered within said period of time, the good faith deposit will be returned to the purchaser upon its request. The City contemplates, however, effecting the delivery of the bonds to the purchaser thereof in about forty-five (45) days from the date herein designated for opening bids and as soon as reasonably possible thereafter. The purchaser will be given seventy-two (72) hours' notice of the time fixed by the City for tendering the bonds for delivery.

PAYMENT AT AND PLACE OF DELIVERY: The successful bidder or bidders will be required to accept delivery of, and to make payment of the balance due for, the bonds (1) at some bank or trust company in the City of Salt Lake City, Utah, or (2) at the successful bidder's request and expense, at some other bank or trust company in the United States of America, as requested. Payment of the balance of the purchase price due at delivery must be made in Federal Reserve Funds or other funds acceptable to the City and to the bank or trust company designated as the place of delivery for immediate and unconditional credit to the City, or as directed by the City.

LEGAL OPINION, BONDS, AND TRANSCRIPT: The legality of said bond issue will be approved by:

Messrs. Dawson, Nagel, Sherman & Howard  
2900 First of Denver Plaza  
633 Seventeenth Street  
Denver, Colorado 80202

whose unqualified, final approving opinion, together with the printed bonds, a certified transcript of the legal proceedings, including therefor a certificate stating that there is no litigation pending affecting the validity of the bonds as of the date of their delivery, and other closing documents, will be furnished to the purchaser without charge by the City. A certified true copy of the approving opinion of bond counsel will be printed upon each bond at the City's expense. The matters passed upon by bond counsel do not extend beyond those mentioned in their approving opinion (see "Form of Opinion" below), and bond counsel specifically has no responsibility for the accuracy or completeness of any information furnished to any person in connection with any offer or sale of the bonds.

FORM OF OPINION: Bond counsel's unqualified, final approving opinion will recite, in conventional form, that the designated law firm has examined the Constitution and laws of the State of Utah and a certified copy of the record of the proceedings of the City Council of the City of Blanding taken preliminary to and in the issue of the bonds, describing them in some detail, and that the designated firm has examined bond numbered one (but not CUSIP numbers, if any) of said issue and has found the same properly executed and in due legal form. The last paragraph of the approving opinion will read (subject to the provisions hereinabove entitled "Tax Exempt Status") substantially as follows:

"It is our opinion that such proceedings show lawful authority for said issue of bonds under the laws of the State of Utah now in force; that said issue of bonds in the amount aforesaid is the valid and binding obligation of the City of Blanding; that all of the taxable property in said City is subject to the levy of a tax to pay the same without limitation of rate or amount; that the obligations of the City of Blanding are subject to the reasonable exercise in the future by the State of Utah and its governmental bodies of the police power inherent in the sovereignty of the State, and to the exercise by the United States of the powers delegated to it by the Federal Constitution; and that interest on said bonds is exempt from taxation by the United States of America under present federal income tax laws, and that pursuant to Section 11-14-14 Utah Code Annotated 1953, the bonds and the interest thereon are exempt from taxation in the State of Utah including taxation under the individual income tax laws and the corporate franchise tax laws of the State.

"As Bond Counsel, we are passing upon only those matters set forth in this opinion and are not passing upon the accuracy or completeness of any statements made in connection with any sale of the bonds."

INFORMATION: This Official Notice of Bond Sale (a condensation of which was ordered published), a prospectus, and financial and other information concerning the City and the bond's may be obtained from Mr. Francis D. Nielson, City Recorder, City Hall, 50 West First South Street, Blanding, Utah 84511, or from the City's fiscal agent, Kirchner, Moore & Company, 1600 Broadway, Denver, Colorado 80202.

By order of the City Council of the City of Blanding, Utah, dated this 9th day of March, 1977.

/s/ Kenneth P. McDonald  
Mayor  
City of Blanding, Utah

(SEAL)

Attest:

/s/ Francis D. Nielson  
City Recorder

Section 3. The City Recorder of said City be, and hereby is, empowered, ordered and directed to submit a written copy of the Official Notice of Sale herein prescribed to the appropriate investment officer of the State of Utah immediately upon the adoption of this resolution.

Section 4. The officers of the City are hereby authorized and directed to give such other notice of said bond sale as they shall determine, including but not limited to the publication of the notice authorized by Section 2 hereof or an excerpt thereof in any financial newspapers and periodicals, and the distribution among investment bankers and others of a bond brochure or prospectus relating to said bonds.

Section 5. A certified copy of this resolution shall be filed by the Recorder of said City in the records thereof.

Section 6. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 7. All acts and resolutions or parts of resolutions inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 8. The officers of the City be, and they are hereby, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 9. This resolution is necessary for the preservation of the public health, peace and safety of the inhabitants of the City of Blanding, and it is hereby declared that an emergency exists and that this resolution shall become effective upon its adoption.

ADOPTED AND APPROVED THIS 9th day of March, 1977.

/S/ Kenneth P. McDonald  
Mayor

(SEAL)

Attest:

/S/ Francis D. Nielson  
City Recorder

Councilmember Hurst moved the adoption of the foregoing resolution, which motion was seconded by Councilmember Lyman, put to a vote, and was carried by the affirmative vote of a majority of a quorum, the vote being as follows:

Those Voting Aye: Kenneth P. McDonald  
Bruce N. Black  
Francis M. Lyman  
H. Brent McAllister  
Michael T. Hurst  
Kenneth D. Shumway

Those Voting Nay: None  
Those Absent: None

Thereupon, other business not concerning electric, water and sewer facilities was considered.

Thereafter, there being no further business to come before the meeting, on motion duly made, seconded and unanimously carried, the meeting was adjourned.

ADOPTED AND APPROVED this 9th day of March, 1977.

/s/ Kenneth P. McDonald  
Mayor

(SEAL)

Attest:

/s/ Francis D. Nielson  
City Recorder

11. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Black and unanimously carried:

RESOLUTION NO. 1977-6

BE IT RESOLVED by the City Council of the City of Blanding, Utah, that effective retroactively to March 1, 1977, the Blanding City Electric Utility Rates be set as follows:

Residential Rates Electric Service Rates

<u>General</u>	<u>Electric Water Heating</u>
60 KWH's - 8.5¢ per KWH	60 KWH's - 8.5¢ per KWH
140 KWH's - 6.05¢ per KWH	140 KWH's - 6.05¢ per KWH
500 KWH's - 3.85¢ per KWH	500 KWH's - 2.42¢ per KWH
All over 700 KWH's - 3.3¢ per KWH	All over 700 KWH - 3.3¢ per KWH

Total Electric

60 KWH's - 8.5¢ per KWH  
 140 KWH's - 6.05¢ per KWH  
 500 KWH's - 2.42¢ per KWH  
 All over 700 KWH - 2.2¢ per KWH

Add tax .0475

WATER RATES

<u>City Limits</u>	<u>Out of City Limits</u>
\$5.00 first 5,000 gallons	\$10.00 first 5,000 gallons
.20¢ per 1,000 gallons over 5,000	.40¢ per 1,000 gallons over 5,000

SEWER

\$3.00

Garbage Service

\$2.00

Commercial Electric Rates

(Same as Utah Power and Light Company Schedule #6)

Demand Meter: 7.942¢ per KWH first 500 KWH plus next 70 KWH per KW of Power in excess of 5 KW up to and including 435 KW

7.73¢ per kwh next 55 kwh per kw of power in excess of 435 kw  
 5.541¢ per kwh next 500 kwh  
 3.429¢ per kwh next 5,000 kwh  
 2.038¢ per kwh next 10,000 kwh  
 1.370¢ per kwh next 400 kwh per kw of power

----- 1.109¢ per kwh all additional kwh -----

7.942¢ 1st 500 kwh  
 5.541 next 500 kwh  
 3.429 next 5000 kwh  
 2.038 next 10,000 kwh  
 1.370 all additional kwh      Add tax of .0475

Water: Rates - minimum \$6.00  
Sewer Service and Garbage Service negotiable

/s/ Kenneth P. McDonald  
Mayor

Attest:

S/ Francis D. Nielson  
Recorder

Meeting Adjourned at 11:40 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD MARCH 23, 1977 AT 8:00  
O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Kenneth P. McDonald

City Councilmen: Bruce N. Black  
Francis M. Lyman  
H. Brent McAllister  
Kenneth D. Shumway

City Recorder: Francis D. Nielson

Absent was Councilman Michael T. Hurst

Also present were: Mr. G. Robert Thompson and Mr. Jay Bell, Utah Power and Light Company; Mr. Terry Palmer, Palmer Builders; Mr. Ronald E. Kennedy, City Water System Manager; Mr. John R. Seely, City Street Superintendent; Mr. Norman F. Nielson, Chairman, San Juan County Water Conservancy District; Mr. Kay P. Lyman.

1. Prayer was offered by Councilman Black.
2. Minutes of City Council meeting held March 9, 1977 were read and approved.
3. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman McAllister and unanimously carried:

RESOLUTION NO. 1977-7

BE IT RESOLVED by the City Council of the City of Blanding that the Mayor be and he is hereby authorized to execute the following agreement with Utah Power and Light Company, the same to be attested by the City Recorder:

ELECTRIC SERVICE AGREEMENT

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1977, whereby UTAH POWER & LIGHT COMPANY, herein referred to as "Company" agrees to purchase and BLANDING CITY CORPORATION, herein referred to as "City" agrees to supply to Company electric service in the form of single and/or three-phase alternating current at approximately 60 cycles per second and 2,400/4,160 or 7,200/12,470 volts at various locations outside of Blanding City limits to be mutually agreed upon and from time to time set forth in letter addendums to this Agreement.

It is agreed by the parties hereto that power and energy purchased by Company hereunder will be used solely for service to customers outside of Blanding City limits.

All power and energy delivered by City hereunder shall be paid for by Company at a rate of \_\_\_\_\_ above the average cost of power and energy delivered to the City by Company. Such rate shall be computed monthly and payments for service supplied hereunder shall be made monthly.

This Agreement shall have an initial term of five (5) years from the commencement of service hereunder, and it shall automatically be extended for like periods of five (5) years from the expiration of said initial five (5) year period or any extension thereof unless either Company or City notified the other in writing not less than 90 days prior to the end of the initial five (5) year period of any extension thereof, signifying its desire to terminate this Agreement.

UTAH POWER & LIGHT COMPANY

BLANDING CITY CORPORATION

By \_\_\_\_\_  
Vice President

By \_\_\_\_\_  
Mayor

ATTEST:

COUNTERSIGNED:

\_\_\_\_\_  
City Recorder

PASSED, ADOPTED and APPROVED this 23rd day of March, 1977.

\_\_\_\_\_  
Kenneth P. McDonald, Mayor

Attest:

\_\_\_\_\_  
Francis D. Nielson, Recorder

4. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman McAllister and unanimously carried:

RESOLUTION NO. 1977-8

A RESOLUTION ACCEPTING PALMER BUILDERS  
SUBDIVISION PROPOSAL

WHEREAS, Palmer Builders, General Contractors of Blanding, Utah, have proposed a housing development in the area between 3rd and 4th West Streets, and 3rd and 5th North Streets; and

WHEREAS, it would be advantageous to the City of Blanding to have an east-west right-of-way across the proposed development, said right-of-way to contain a street and water pipeline and sewer collection line easements and provide for access from 3rd West street to the Edge-of-the-Cedars museum area; and

WHEREAS, the City of Blanding will require water meters on all residential installations thereon placed; and

WHEREAS, the Blanding Subdivision Ordinance requires street construction in subdivisions to be normally completed by the subdivider, and

WHEREAS, a cul-de-sac is proposed as part of the sub-division; and

WHEREAS, there is a current need for the type of housing herewith proposed;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding as follows:

1. The Subdivision proposal evidenced by the preliminary plat attached hereto and made a part hereof by reference, is hereby accepted by the City Council, subject to the lot boundaries being finally set and marked by physical survey, it being understood that the plat herewith presented has only the total property corners currently located.
2. The City of Blanding will construct a street to be known as 4th North Street, East and West from 3rd West to 4th West Street, including grading and gravelling the same but not to include curb and gutter, and the City shall at some future date surface the said street with bituminous material as it may consider necessary.
3. The City of Blanding shall designate the areas of the proposed street in which water and sewer lines shall be placed by the subdivider and said water and sewer lines shall meet the specifications prescribed by the City, shall be totally constructed by the subdivider excepting the placing of water meters by the City, for which the City shall be paid \$135.00 per water meter.
4. Construction of cul-de-sac proposed for the development shall be the responsibility of the subdivider excepting that the bituminous surfacing requirement is hereby waived.
5. All requirements of the Blanding City Subdivision Ordinance unmentioned here, with which this subdivision proposal may not be consistent are hereby waived as it is the legal authority of

this council to hereby so do.

PASSED, ADOPTED and APPROVED this 23rd day of March, 1977.

Kenneth P. McDonald, Mayor

Attest:

Francis D. Nielson, Recorder

5. Motion was made by Councilman Lyman, seconded by Councilman Black and unanimously carried that the 70 feet front lot requirement of the City of Blanding, be waived for the lot hereafter described:

Beginning at a point East 1444 feet and North 130.4 feet of the Center of Section 27, T.36 S., R 22 E., SLM and running thence West 110 feet; thence North 69 feet; thence East 110 feet; thence South 69 feet to the point of beginning.

6. Mr. Ronald Kennedy, Manager of the water department detailed for the Council the current water resource status and efforts being made relative to placing city wells in production. He stated that streams are now producing .6 CFS or 270,000 gallons per day and the average daily use is 290,000 gallons per day.

The operator has now removed approximately 1/2 of the equipment from the Johnson Creek well and the balance should be removed by tomorrow evening, at which time it will be determined what course of action should be pursued to get the well back in production.

It is currently proposed that following placing the Johnson Creek well in service the drilling equipment will be moved to the well site near the National Forest boundary and a water exploration hole drilled to approximately 500 feet to test the Brushy Basin formation. The equipment is then to be moved to the City well No. 1 and the maintenance there necessary completed to put that well in production.

7. Mr. John Seely, Street Superintendant reported to the Council that the County and City crews are currently sealing City streets which have weathered badly during the past year and advised the council that the following street improvement program should be carried out during the current Calendar year:

CONSTRUCTION:

- Grade, Drain & Gravel - 2nd East Street between Center and 1st North Streets.
- Grade, Drain & Gravel - 2nd South Street between 2nd & 3rd East Streets.
- Grade, Drain & Gravel - 4th North Street between 3rd & 4th West Streets.
- Armor Coat - 3rd West Street from 5th North Street to Intersection with Reservoir Road. (This would be approximately 50% City and 50% County responsibility.)
- Armor Coat - 7th North Street between 2nd and 4th West Streets.
- Armor Coat - 6th North Street between 2nd & 3rd West Streets
- Armor Coat - 2nd West street between 5th and 7th North Streets.
- Armor Coat - 3rd West Street from 5th South Street south approximately 770 feet.
- Armor Coat - Continental Street between 2nd and 3rd West Streets.
- Seal and Chip - All remaining streets excepting 5th South street between 2nd East and East City limits, 4th South Street between 2nd East and East City Limits, 3rd East Street between 3rd and 5th South Streets, 3rd North Street between Main and 4th West Streets.

Motion was made by Councilman Lyman, seconded by Councilman Shumway and unanimously carried that the foregoing proposal for Street Improvement be adopted by the City for the current Calendar year.

8. Motion was made by Councilman Black, seconded by Councilman Lyman and unanimously carried that the City request financial assistance from the San Juan County Water Conservancy District in the amount of \$20,000.00 to partially defray costs of the

water well maintenance program currently underway as well as fund the drilling of some shallow water exploration holes within the City limits.

9. The Recorder advised the Council of the General Obligation Bond Sale scheduled for Wednesday, March 30, 1977 at 11:30 A.M.

10. The Council discussed annexing certain land in the area North of 7th North Street and East of 3rd West Street and agreed that subject to the receipt of a paper petition and corrected plat the same could be annexed.

Meeting adjourned at 11:35 P.M.



Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD APRIL 13, 1977 AT 8:00  
O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Bruce N. Black  
Michael T. Hurst  
Francis M. Lyman  
Kenneth D. Shumway  
Recorder: Francis D. Nielson

Absent was Councilman H. Brent McAllister

Also Present were: Mr. LaRay Alexander, representing the San Juan County Recreation Department; Ben J. Black, City Marshall; Melvin M. Halliday, City Patrolman; Mr. Notah Tahy; Mr. Norman Johnson; Mr. Devon M. Hurst; Mr. Joe F. Lyman; Mr. Niel L. Blackburn and Mr. C. Brian Wengreen, Genge/Call Engineering, Inc.

1. Prayer was offered by Councilman Lyman.
2. Minutes of City Council meeting held March 23, 1977 were read and approved.
3. The Council reviewed with Mr. Neil L. Blackburn and Mr. C. Brian Wengreen of Genge/Call Engineering, Inc., said firms Proposal For Professional Consulting Services relative to preparing a Photogrammetric Base Map with ratio and Rectified Photography at 200 feet to the inch; Compile Utility Index Base Maps of Sewer Collection and Water Distribution Systems; and Prepare a Master Hydrology Analysis and Storm Drain Master Plan.

The Council further discussed with Mr. Blackburn and Mr. Wengreen, the possibility of an agreement with their firm for furnishing engineering services necessary to proposed water distribution system extensions and improvements as well as water well maintenance and drilling of new wells.

Motion for adoption of the following Resolution was made by Councilman Lyman, seconded by Councilman Hurst and unanimously carried:

RESOLUTION NO. 1977-10

BE IT RESOLVED by the City Council of the City of Blanding that Genge/Call Engineering, Inc. be, and they are hereby, retained for the purpose of furnishing required engineering on those projects to be authorized by the State of Utah under a grant of \$50,000.00 allocated to the City for drought relief; the details of retaining such firm to be set forth in an engineering agreement relative to the specific projects allowed.

PASSED, ADOPTED and APPROVED this 13th day of April, 1977.

\_\_\_\_\_  
Kenneth P. McDonald, Mayor

ATTEST:

\_\_\_\_\_  
Francis D. Nielson, Recorder

4. Motion was made by Councilman Lyman, seconded by Councilman Black and unanimously carried that the City conduct a Public Hearing on Wednesday, May 11, 1977 at 8:00 o'clock P.M. in the City Hall for the purpose of discussing with and providing an opportunity for, citizens to present written and oral comments on the possible use of Revenue Sharing Funds received by the City during Entitlement Period Eight, said use to be during Fiscal Year 1978.

5. The following letters of resignation were read in full to the Council:

City of Blanding  
Police Department

Mayor McDonald  
Blanding City Council

After long consideration and much thought, I wish to notify the Mayor and Council of the City of Blanding, of my resignation as Chief of Police. This will be in effect the 30th day of April, 1977.

S/ Ben J. Black  
April 7, 1977

City of Blanding  
Police Department

Mayor McDonald  
Blanding City Council

After long consideration and much thought, I wish to notify the Mayor and Council of the City of Blanding, of my resignation as a police officer. This will be in effect the 30th day of April, 1977.

S/ Mike Halliday  
April 7, 1977

Motion was made by Councilman Hurst, seconded by Councilman Shumway and unanimously carried that the resignations of Ben J. Black and Melvin M. Halliday as City Marshall and Patrolman, respectively, be accepted by the City.

6. Mr. LaRay Alexander, representing the San Juan County Recreation department, discussed with the Council, the possibility of operating the Blanding Swimming Pool during the ensuing summer, by first filling the pool with water trucked in from area wells and the City then allowing that amount of water required to replace evaporation and backwashing losses. It was agreed that the matter should be presented to the citizens through the local media and their responses be weighed prior to making a decision.

7. The Council discussed with Mr. Devon Hurst, maintenance necessary to producing water at the Water Plant well. Mr. Hurst agreed to contact Peterson Drilling Company in an effort to obtain their services in the matter.

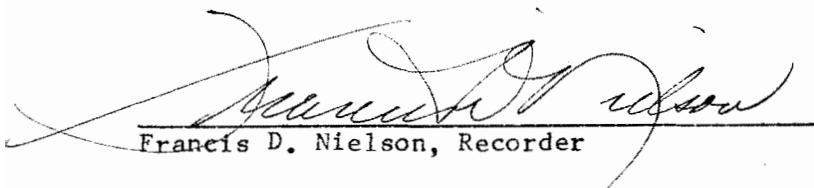
8. Motion was made by Councilman Hurst, seconded by Councilman Shumway and unanimously carried authorizing equipping both the 1st West Street and Center Street water wells.

9. The Council authorized compensation to Mr. Lynn Lyman for his assistance with the water system, as deemed warranted by the Recorder.

10. The Council agreed that water rationing should become effective on May 1, 1977 at the rate of 50 gallons per person per day.

11. Motion was made by Councilman Black, seconded by Councilman Shumway and unanimously carried that John Bevan Wright be hired as City Marshall and Ex-officio Chief of Police, effective at May 1, 1977 at salary of \$850.00 per month with \$25.00 per month uniform allowance and \$33.88 per month insurance allowance as well as all other employee benefits afforded employees of the City.

Meeting adjourned at 1:05 A.M. April 14, 1977.



Francis D. Nielson, Recorder

MINUTES OF A SPECIAL MEETING  
OF THE BLANDING CITY COUNCIL  
HELD APRIL 22, 1977 AT 9:00  
O'CLOCK A.M. IN THE CITY HALL

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Bruce N. Black  
Michael T. Hurst  
Francis M. Lyman  
H. Brent McAllister  
Kenneth D. Shumway

Recorder: Francis D. Nielson

Also present: Dr. Kenneth B. Maughan, Superintendent, San Juan School District; Mr. John Bevan Wright and Mr. Mark Hester.

1. Motion was made by Councilman Hurst, seconded by Councilman Shumway and unanimously carried that the City advance six months uniform allowance to all City police for the purchase of new uniforms.
2. Motion was made by Councilman Lyman, seconded by Councilman Hurst and unanimously carried that the City purchase a pump, the necessary hose and pipe to pump water from Indian Creek directly north of the Indian Creek tunnel entrance into the tunnel diversion ditch.
3. Motion for adoption of the following resolution was made by Councilman Shumway, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1977-11

A RESOLUTION ESTABLISHING WATER  
RATES WITHIN THE CITY OF BLANDING

BE IT RESOLVED by the City Council of the City of Blanding that effective May 1, 1977 City water rates be, and they are hereby set as follows:

Within the Corporate Limits of the City:

\$5.00 for the first 5,000 gallons or fraction used thereof monthly.  
\$1.50 for each additional 1,000 gallons used in excess of 5,000  
gallons monthly.

Outside the Corporate Limits of the City:

\$10.00 for the first 5,000 gallons or fraction used thereof monthly.  
\$3.00 for each additional 1,000 gallons used in excess of 1,000  
gallons monthly.

BE IT FURTHER RESOLVED that any and all prior resolutions or regulations relative to the charges for water services by the City of Blanding are hereby rescinded.

PASSED, ADOPTED and APPROVED this 22nd day of April, 1977.

\_\_\_\_\_  
Kenneth P. McDonald, Mayor

Attest:

\_\_\_\_\_  
Francis D. Nielson, Recorder

4. The Council discussed with Dr. Kenneth B. Maughan, Superintendent, San Juan School District the possible construction of a Rodeo Arena in the area East of the School District Bus Garage. The Council indicated this should not become a place for keeping livestock or holding large rodeo activities, but that it was a school administration problem.
5. Motion was made by Councilman McAllister, seconded by Councilman Hurst and unanimously carried that the City hire Mr. Mark Hester as a City Patrolman, effective May 1, 1977 at a salary of \$650.00 per month plus the other general employee benefits.

6. Councilman McAllister tendered a verbal resignation as a City Councilman effective immediately, necessitated by his moving from the City.

Motion was made by Councilman Lyman, seconded by Councilman Hurst and unanimously carried that the resignation of Councilman McAllister be, and it is hereby, accepted.

Meeting adjourned at 10:20 A.M.



---

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD APRIL 27, 1977 AT 8:00  
O'CLOCK P.M. IN THE BLANDING  
CITY HALL

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Bruce N. Black  
Michael T. Hurst  
Kenneth D. Shumway  
Recorder: Francis D. Nielson

Absent was Councilman Francis M. Lyman

Also Present were: Mr. M. James Camberlango; Mr. Lynn Wright, Fire Chief;  
Mr. John B. Wright, Chief of Police.

1. Prayer was offered by Councilman Hurst.
2. Minutes of City Council meetings held April 13 and 22, 1977 were read and approved.
3. Mr. Lynn Wright, Fire Chief, discussed with the council, the necessity for curtailing burning permits within the City, effected by him; the apparent need for additional fire hydrants in the City, which, it was pointed out to him, are included in the programmed water distribution system improvements; and the fire simulation training program being initiated for firemen training.
4. Mr. M. James Camberlango, representing Ivory Company, presented a preliminary plat for a subdivision proposal planned for the area north of the Albert R. Lyman school. Mr. Camberlango also requested an indication from the Council as to whether annexation of the proposed subdivision area might be acceptable to them.  
The Council advised that some proposed lots do not meet the minimum lot requirements of the subdivision ordinance and that subject to revising the proposal to meet such requirements, annexation of the property could be given consideration when the required petition is presented.
5. The following statement of Goals, Problems and Procedures relative to the operation of the police department were presented by John B. Wright, Chief of Police.

GOALS

1. Have all members of the Department look and act like officers at all times. Wear a uniform if on scheduled shift. Treat everyone politely and with consideration.
2. Have an officer on call at all times. Set up a good communications system so that the public can contact an officer any time. (see attachment)
3. Put patrol cars in good condition. All good equipment on the blue car. Decals for the side. Use brown car for transporting prisoners and backup car when blue car is in maintenance. Identify who will do periodic maintenance and send in at regular intervals. Same firm to do all periodic maintenance.
4. Straighten up office. All old records and reserve supplies including reloading equipment to be stored in reserve room.
5. Organize records. Establish a good report and filing system.
6. Coordinate with other agencies (ie) Sheriff's Office, Family Services, Mental Health, etc. Know what services are available and the criteria for obtaining assistance.
7. Learn and teach the other officer exact legal procedures for arrest, confinement, etc. Avoid charges of harrassment, false arrest, excessive force, etc.
8. Establish written guidelines for officers. Exact procedures to be followed in handling juveniles, accidents, major crime investigations, etc. COMPLETE records and reports to be kept on ALL activity.

9. Reorganize the reserves. Find out current restrictions and certification procedures. Establish strict guidelines for working, carrying weapons, making arrests, etc.

10. Coordinate with Judge Low. Establish procedures for working with the court. Attend court sessions whenever possible.

#### COMMUNICATIONS

1. For immediate use

- A. Telephone in police office, city office and Chief's home.
- B. Radio in city office during daytime, in Chief's home at night.
- C. Daytime calls.
  - (1) Answered by day shift officer if in office.
  - (2) Answered by city office if no one is in the police office.

D. Night time and weekend calls

- (1) Answered by Chief or wife.
- (2) If not home, call Zenith number. \$5.00 per month and \$.60 per call paid by city.

2. For future, investigate other possible communication systems.

#### PROBLEMS AND RECOMMENDATIONS

1. Minimum of 48 hours a week not actively covered.

2. Dogs.

- a. Pound? Care and feeding.
- b. Capturing
- c. Destroying

3. Traffic Control

- a. See attachment

4. Adequate compensation and time off for officers.

5. Additional shifts and/or compensation for reserves.

6. New equipment.

- a. SX-70 camera. Approximately \$230.00 minus 15%-20% off.  
\* Not yet evaluated.
- b. Shotgun rack for car
- c. Radar gun
  - (1) old radar out of order.

#### TRAFFIC CONTROL

1. Have study done of existing traffic light and Center Street between main and 1st East. No "U" turn signs needed?

2. Can sand be cleaned from streets so that lines can be seen?

3. 3rd West

- a. Is sign needed at 5th South? (by Kent Redds)
- b. 1st South, no sign.
- c. 3rd North, no sign.
- d. 5th North, no sign (short factor)

4. 4th West

- a. No sign on west side 4th North.
- b. No sign on west side 3rd North.

5. No sign at 1st West and 3rd South (Elementary School)

6. No sign at 3rd East and 5th South (Notah Tahy)

7. No sign at 2nd East and 2nd North (New church)

8. New speed limit signs

- a. 30 mph sign at 2nd West and Center to be moved to 1st West & Center.
- b. 25 mph sign 4th West and Center. West of intersection.
- c. 25 mph sign 4th West and Center. South of intersection.
- d. 30 mph sign 4th West and Center. North of Intersection.
- e. 30 mph sign 4th West and Center. East of intersection.
- f. 25 mph sign North of dump road turnoff. (one presently at nursing home)
- g. 40? mph sign North of nursing home. (past 3rd West intersection)
- h. 25 mph sign North of nursing home (west side)

- 9. Need "No U Turn" sign on Main between Center and 1st North.
- 10. Need "No U Turn" sign on Main between Center and 1st South.
- 11. Paint curbs in no parking zones in front of Foy's Barbershop and new bank building.
- 12. Need larger sign, "Right Lane, Right Turn Only" at Payday Drug. Need "Right Turn Only" painted on street.
- 13. Need "Right Lane, Right Turn Only" sign on Main street east end of Library. "Right Turn Only" painted on street by Mortuary.

The Council indicated approval of the foregoing proposals and commended Chief Wright for his demonstrated progressive attitude.

6. Motion authorizing execution of the following agreement was made by Councilman Black, seconded by Councilman Hurst and unanimously carried:

UTAH DEPARTMENT OF TRANSPORTATION  
AERONAUTICAL OPERATIONS DIVISION

PROJECT APPLICATION AND GRANT AGREEMENT  
FOR STATE AID FOR DEVELOPMENT OF PUBLIC AIRPORTS

Part I - Project Information

Blanding Municipal Cor. (hereinafter called the "Sponsor") hereby makes application to the Utah Department of Transportation (hereinafter called the "State") for a grant of state funds pursuant to Title 2 Aeronautics, Utah Code Annotated 1953, and the Chapters thereunder, for the purpose of aiding in financing an improvement project (hereinafter called the "Project") for the development of the Blanding Municipal Airport (hereinafter called the "Airport") located in San Juan County.

It is proposed that the Project consists of the following described airport improvements or development:

Marking, Stripping runways, taxiways, and aprons,  
Work to be done by U.D.O.T. forces (need for agreement with Blanding for reimbursement of local share).

as shown on the attached map accompanied by a detailed engineering cost estimate showing each item in the Project by description, quantity, unit cost, total cost, engineering and contingencies. (The map shall show (1) the boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the Sponsor for airport purposes, and proposed additions thereto; (2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars, and roads), including all proposed extensions and reductions of existing airport facilities; (3) the location of all existing and proposed nonaviation areas and of all existing and proposed improvements thereon including the access road; and (4) airport vicinity zoning). It is understood that the State will approve in writing the project plans and specifications before start of construction.

The estimated total project is \$1,200.00. The requested State share of the project is \$600.00 which is 50%. Other governmental agencies granting money to the project are \$600.00 local share.

The Project engineer is intended to be \_\_\_\_\_  
The FFA Project No. is \_\_\_\_\_ (if applicable).

Part II - Representations

The Sponsor hereby represents and certifies as follows:

- 1. Legal Authority - The Sponsor has the legal power and authority to:
  - (1) do all things necessary in order to undertake and carry out the Project in conformity with applicable statutes;
  - (2) accept, receive, and disburse grants of funds from the State in aid of the Project;
  - (3) carry out all of the provisions of Parts III and IV of this document.
- 2. Funds - The Sponsor now has \$ \_\_\_\_\_ available for use in defraying its share of the Project. The present status of these funds is as follows:

Other methods of defraying the Sponsor's share of Project costs are detailed as follows:

3. Compatible Land Use - The Sponsor has taken the following actions to assure compatible usage of land adjacent to or in the vicinity of the Airport:

4. Defaults - The Sponsor is not in default on any obligation to the State or any agency of the State Government relative to the development, operation, or maintenance of any airport, except as stated herewith:

5. Possible Disabilities - There are no facts or circumstances (including the existence of effective or proposed leases, use agreements, or other legal instruments affecting use of the Airport or the existence of pending litigation or other legal instruments or legal proceedings affecting use of the Airport) which in reasonable probability might make it impossible for the Sponsor to carry out and complete the Project or carry out the provisions of Parts III and IV of the Project Application, either by limiting its legal or financial ability or otherwise, except as follows:

6. Land - (a) The Sponsor holds the following property interest in the following areas of land which are to be developed or used as part of or in connecting with the Airport, subject to the following exceptions, encumbrances, and adverse interests, all of which areas are identified on the aforementioned attached map:

The Sponsor further certifies that the above is based on a title examination by a qualified attorney or title company and that such attorney or title company has determined that the Sponsor holds the above property interests as noted.

(b) The Sponsor will acquire within a reasonable time, but in any event prior to the completion of the construction work under the Project, the following property interests in the following areas of land:

(c) The Sponsor will acquire within a period of one year from the start of construction work under the Project, the following property interest in the following areas of land:

1. Recite character of property interest in each area and list and identify for each all exceptions, encumbrances, and adverse interests of every kind and nature, including liens, easements, leases, etc. Areas to be included are to be dimensioned to State standard for the category of airport and will include interest in the clear zone areas.

PART III - Sponsor's Assurances

In consideration for grant monies made available to the airport, the Sponsor hereby covenants and agrees with the State, as follows:

1. The Sponsor will operate the Airport as such for the use and benefit of the public throughout the useful life of the facilities developed under this Project, but in any event for at least ten (10) years from the date hereof. The furtherance of this covenant, (but without limiting its general applicability and effect) the Sponsor specifically agrees that it will keep the airport open to all types, kinds, and classes of aeronautical use on fair and reasonable terms without discrimination between such types, kinds, and classes; provided, that the Sponsor may establish such fair and equal and not unjustly discriminatory conditions to be met by all users of the Airport; and provided further, that the Sponsor may prohibit or limit any given type, kind or class of aeronautical use of the Airport if such action is necessary - (a) For safe and efficient use of the Airport; )b) To keep operation activities within acceptable noise levels: (c) To serve the civil aviation needs of the public.

2. The Sponsor covenants and agrees that, unless authorized by the State, it will not either directly or indirectly, grant or permit any person, firm, or corporation the exclusive right at the Airport or at any other Airport now or hereafter owned or controlled by it, to conduct any aeronautical activities, including, but not limited to, charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operation, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity.

3. The Sponsor agrees that it will operate the Airport for the use and benefit of the public, on fair and reasonable terms, and without unjust discrimination. In furtherance of this covenant (but without limiting its general applicability and effect), the Sponsor specifically covenants and agrees:

a. That in its operation and the operation of all facilities on the airport, neither it nor any person or organization occupying space of facilities thereon will discriminate against any person or class of persons by reason of race, color, creed, or national origin in the use of any of the facilities provided for the public on the Airport.

b. That in any agreement, contract, lease, or other arrangement under which a right or privilege at the Airport is granted to any person, firm, or corporation to render to the public any service (including the furnishing or sale of any aeronautical parts, materials, or supplies) essential to the operation of aircraft at the Airport, the Sponsor will insert and enforce provisions requiring the contractor:

(1) To furnish said service on a fair, equal, and not unjustly discriminatory basis to all users thereof, and

(2) To charge fair, reasonable, and not unjustly discriminatory prices for each unit or service; provided, that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

c. That it will not exercise or grant any right or privilege which would operate to prevent any person, firm, or corporation operating aircraft on the Airport from performing any services on its own aircraft with its own employees (including, but not limited to maintenance and repair) that it may choose to perform.

d. In the event the Sponsor itself exercises any of the rights and privileges referred to in subsection b, the services involved will be provided on the same conditions as would apply to the furnishing of such services by contractors or concessionaries of the Sponsor under the provisions of such subsection b.

4. Nothing contained herein shall be construed to prohibit the granting or exercise of an exclusive right for the furnishing of nonaviation products and supplies of any service of a nonaeronautical nature or to obligate the Sponsor to furnish any particular nonaeronautical service at the Airport.

5. The Sponsor will operate and maintain in a safe and serviceable condition the Airport and all facilities thereon and connected therewith which are necessary to serve the aeronautical users of the Airport other than facilities owned or controlled by the United States, or the State, and will not permit any activity or uses thereon which would interfere with its use for airport purposes; Provided, that nothing contained herein shall be construed to require that the Airport be operated for aeronautical uses during temporary periods when snow, flood, or other climatic conditions interfere with such operation and maintenance; and provided further, that nothing herein shall be construed as requiring the maintenance, repair, restoration or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the Sponsor.

6. Insofar as it is within its power and reasonably possible, the Sponsor will either by the acquisition and retention of easements or other interests in or rights for the use of land or airspace or by the adoption and enforcement of zoning regulations, prevent the construction, erection, alteration, or growth of any structure, tree, or other object in the approach areas of the runways of the Airport, which would constitute an obstruction to air navigation according to the criteria or standards prescribed in Part 77 of the Federal Aviation Regulations. In addition, the Sponsor will not erect or permit the erection of any permanent structure or facility which would interfere materially with the use, operation, or future development of the Airport, in any portion of a runway approach area in which the Sponsor has acquired, or may hereafter acquire, property interests permitting it to so control the use made of the surface of the land. In addition the Sponsor will clear said area or areas of any existing structure or any natural growth which constitutes an obstruction to airspace within the standards established by said Part 77 unless exceptions to or deviations from the aforementioned obligations have been granted to it in writing by the State.

7. The Sponsor will furnish the State with such annual or special airport financial and operational reports as may be reasonably requested. Such reports may be submitted on forms furnished by the State, or may be submitted in such manner as the Sponsor elects as long as the essential data is furnished. The Airport and all Airport records and documents affecting the Airport, including deeds, leases, operation and use agreements, regulations, and other instruments will be made available for inspection and audit by the State, or his duly authorized representative upon reasonable request. The Sponsor will furnish to the State a true copy of any such documents.

8. The Sponsor will not enter into any transaction which would operate to deprive it of any of the rights and powers necessary to perform any or all of the covenants made herein, unless by such transaction the obligation to perform all such covenants is assumed by another public agency found by the State to be eligible to assume such obligations and having the power, authority, and financial resources to carry out all such obligations. If an arrangement is made for management or operation of the Airport by any agency or person other than the Sponsor or an employee of the Sponsor, the Sponsor will reserve sufficient rights and authority to insure that the Airport will be operated and maintained in accordance with these covenants.

9. The Sponsor will keep up to date, by amendment, the attached map of the Airport showing:

(1) The boundaries of the Airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the Sponsor for airport purposes, and proposed additions thereto;

(2) The location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars, and roads), including all proposed extensions and reductions of existing airport facilities; and

(3) The location of all existing and proposed nonaviation areas and of all existing improvements thereon, including the access road, said attached map, and each amendment, revision, or modification thereof, shall be subject to the approval of the State which approval shall be evidenced by the signature of a duly authorized representative of the State on the face thereof. The Sponsor will not make or permit the making of any changes or alterations in the Airport or any of its facilities that might adversely affect the safety, utility, or efficiency of the Airport.

(4) Airport vicinity zoning.

10. Insofar as is within its power and to the extent reasonable, the Sponsor will take action to restrict the use of land adjacent to or in the immediate vicinity of the Airport to activities and purposes compatible with normal airport operations including landing and takeoff of aircraft.

11. If at any time it is determined by the State that there is any outstanding right or claim of right in or to the airport property, other than those set forth in Part II, paragraphs 6(a), 6(b) and 6(c), the existence of which creates an undue risk of interference with the operation of the Airport or the performance of the covenants of this Part, the Sponsor will acquire, extinguish, or modify such right or claim of right in a manner acceptable to the State.

12. The Sponsor will not dispose of, or abandon in any manner, any portion of the Airport shown on the approved map without the written consent of the State.

13. It is understood and agreed that as to the land acquired or to be acquired for future development of the airport, the Sponsor will construct and complete thereon a useful and usable facility consistent with the State Airport System Plan not later than the time of forecasted need; and if the land so acquired or any part thereof, is not used within the forecast period for the purpose for which it was acquired, the Sponsor will refund the State share of acquisition cost or fair market value of the land, whichever is greater, plus the State share of net revenue, at the time of sale or expiration of the period stated in this agreement. It is further understood and agreed that the Sponsor will deposit all net revenues derived from the interim use of the land into a special fund to be used exclusively for approved items of airport development, but in no case may the State share of such funds be used to match State aid funds in future grants. It is still further understood and agreed that the Sponsor will not dispose of the land by sale, lease, or otherwise without the prior consent and approval of the State.

14. The Sponsor will maintain, at its own expense, the following aeronautical use items and activities:

(1) A standard, mounted windsock for observation of wind direction and velocity from the ground and while airborne together with a standard segmented circle, both in good repair.

(2) Enforcement of zoning in the vicinity of airports to minimize environmental problems associated with aeronautical uses.

(3) A current license issued by the State designating the Airport for public use.

(4) Runway or boundary lights in good repair and on from dusk to dawn of each calendar day.

(5) The runway, taxiways, and apron in a state of good repair which would include annual crack filling and mowing of vegetation at least 15 feet outside of hard surfaced areas as necessary to maintain a weed height of not more than 12 inches.

(6) The boundary fence, when in place, in a state of good repair.

(7) The main runway, associated taxiway and apron to be cleared of snow as soon as practical after a snowstorm and the airport to remain open for use during the months.

15. It is understood that the State will participate in the amount of grant monies herein mentioned in the engineering estimate or in the herein mentioned per cent share of the actual project cost, whichever is least.

16. In the event the State does not grant monies under this application, the covenants herein mentioned shall not become effective.

17. Sponsor shall have no authorization to bind the State of Utah or the Utah Department of Transportation or its Aeronautical Operations Division to any agreement, settlement, liability or understanding whatsoever, nor to perform any acts as agent for the State of Utah, except as herein expressly set forth.

18. Sponsor hereby agrees to indemnify and save harmless the State of Utah, Utah Department of Transportation, and Aeronautical Operations Division, and their officers, agents, and employees from and against any and all loss, damages, injury, and liability, and any claims therefore, including claims for personal injury or death, damages to personal property and liens of workmen and materialmen, howsoever caused, resulting directly or indirectly from the performance of this agreement or from the use or operation of the airport improvements and facilities being purchased, constructed or otherwise developed under this agreement.

Part IV - Project Agreement and Acceptance

If the Project or any portion thereof is approved by the State, and State aid for such approved Project is accepted by the Sponsor, it is understood and agreed that all airport development included in such Project will be accomplished in accordance with the plans and specifications for such development, as approved by the State, and the herein assurances with respect to the Project and the Airport.

IN WITNESS WHEREOF, The parties hereto do hereby ratify and adopt all statements, representatives, warranties, covenants, and agreements contained or referenced herein and do hereby cause this document to be executed in accordance with the terms and conditions hereof.

Executed for the Sponsor this 27th day of April 1977.

CITY OF BLANDING  
S/ Kenneth P. McDonald  
Mayor

(SEAL)

Attest:

S/ Francis D. Nielson  
Recorder

7. Motion for adoption: Motion of the following resolution was made by Councilman Hurst, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1977-12

BE IT RESOLVED by the City Council of the City of Blanding that the Mayor be and he is hereby authorized to execute the following agreement with Genge/Call Engineering, Inc.:

AGREEMENT FOR ENGINEERING SERVICES

THIS AGREEMENT, made this 27th day of April, 1977 by and between the City of Blanding, hereinafter referred to as the OWNER, and Genge/Call Engineering, Inc., hereinafter referred to as the ENGINEER:

The OWNER intends to carry out the work outlined on the attached sheet (Exhibit No. 1)

The ENGINEER agrees to perform the various professional engineering services required to carry out the described work.

WITNESSETH:

That for and in consideration of the mutual covenants and promises between the parties hereto, it is hereby agreed;

SECTION A - BASIC ENGINEERING SERVICES

That the ENGINEER shall furnish basic engineering services as follows:

1. The ENGINEER will prepare and furnish 5 copies of an engineering report which shall determine project feasibility and contain preliminary plans and cost estimates.

2. The ENGINEER will attend conferences with the OWNER and representatives of the funding or regulatory agencies.
3. After the preliminary engineering report has been reviewed and approved by the applicable agencies and the OWNER directs the ENGINEER to proceed, the ENGINEER will perform the necessary design surveys, accomplish the detailed design of the project, prepare detailed plans, specifications and contract documents, and make a final cost estimate based on the final design for the entire system.
4. Prior to the advertisement for bids, the ENGINEER will provide not to exceed 15 copies of detailed plans, specifications, and contract documents for use of agencies from whom approval of the project must be obtained. The cost of such plans, specifications, and contract documents shall be included in the basic compensation paid to the ENGINEER.
5. The ENGINEER will furnish additional copies of plans, specifications and contract documents as required by prospective bidders, material suppliers, and other interested parties but may charge for the actual cost of such copies. Upon award of each contract, the ENGINEER will furnish to the OWNER five sets of the plans, specifications, and contract documents for execution, the cost of these sets being included in the basic compensation paid to the ENGINEER. Original documents, survey notes, tracings, and the like, except those furnished to the ENGINEER by the OWNER, are and shall remain the property of the ENGINEER.
6. The ENGINEER will attend the bid opening and tabulate the bid proposals, make an analysis of the bids, and make recommendations for awarding contracts for construction.
7. The ENGINEER will check and approve any necessary shop and working drawings furnished by contractors.
8. The ENGINEER will interpret the intent of the plans and specifications to protect the OWNER against defects and deficiencies in construction on the part of the contractors. The ENGINEER will not, however, guarantee the performances by any contractor.
9. The ENGINEER will provide horizontal and vertical control for all structures in the form of bench marks or reference points to be used by the contractor in staking the construction and shall provide construction staking of pipelines where required.
10. The ENGINEER will review and approve estimates for progress and final payments.
11. The ENGINEER will make final inspection of all construction and a written certification of final inspection to the OWNER.
12. The ENGINEER will provide the OWNER with one set of reproducible "as-builts" plans, and two sets of prints at no additional cost to the OWNER.
13. The ENGINEER will prepare notices and advertisement of final payment if required by state statutes.
14. The ENGINEER will be available to furnish engineering service and consultations necessary to correct all unforeseen project operating difficulties for a period of one year after the date of final inspection and acceptance of the facility by the OWNER. This service will include instruction of the OWNER in initial project operation and maintenance but will not include supervision of normal operation of the system or preparations or manuals of operation and maintenance. Such consultation and advice shall be furnished without additional charge.
15. The ENGINEER further agrees to obtain and maintain at the Engineer's expense, such insurances as will protect him and the OWNER from claims under the Workman's Compensation Act and from all claims for bodily injury, death, or property damage which may arise from the negligent performance by the functions and services required under this Agreement.

NOTE: In the event that a force account to project is instituted, the owner shall act as and accept the responsibilities of the contractor referred to in the above. Contracting procedures (advertising, bid opening, etc.) will not be required in the event that the owner performs the required work.

SECTION B - COMPENSATION FOR BASIC ENGINEERING SERVICES

Payment for the services specified in Section A shall be in accordance with the schedule set out in Section D hereof. The ENGINEER will render to OWNER for such services an itemized bill, separate from any other billing, at the end of each month for compensation for services performed hereunder during such month, the same to be due and payable by OWNER to the ENGINEER on or before the 10th day of the following month.

The costs for basic services, as outlined in Section A, Items Number 1-15, shall be on a time and expense basis, not to exceed the fee as shown on Curve B., attached (Exhibit No. 2).

SECTION C - ADDITIONAL ENGINEERING SERVICES

In addition to the foregoing basic services, the following services may be required upon written authorization of the OWNER.

1. Laboratory testing and inspection of samples and materials.
2. Subsurface explorations, boring or soil tests. Supervision of said explorations shall be furnished by the ENGINEER as part of the basic fee without additional charge.
3. Property surveys, descriptions of needed land and easement rights and maps, plans or estimates related thereto; assistance in negotiating for land and easement rights.
4. Necessary data and filing maps for water rights, water adjudications, and litigation.
5. Redesigns or additions ordered by the OWNER after final plans have been accepted by the OWNER.
6. Appearances before courts or boards on matters of litigation related to the project.
7. Detailed full-time inspection performed during construction. The ENGINEER'S undertaking hereunder shall not relieve the contractor of his obligation to perform the work in conformity with the plans and specifications and in a workman like manner; shall not make the ENGINEER an insurer of the contractor's performance; and shall not impose upon the ENGINEER any obligation to see to it that the work is performed in a safe manner.

Payment for the services specified in this Section shall be in accordance with the schedule set out in Section D hereof. The ENGINEER will render to OWNER for such services an itemized bill, separate from any other billing, at the end of each month for compensation for services performed hereunder during such month, the same to be due and payable by OWNER to the ENGINEER on or before the 10th day of the following month.

SECTION D

SCHEDULE OF RATES AND CHARGES FOR ADDITIONAL ENGINEERING SERVICES

<u>Personnel</u>	<u>Rate of Pay</u>
Principal Engineer	\$30.00
Senior Project Engineer	26.00
Construction Engineer	24.00
Project Engineer	20.00
Staff Engineer	16.00
Inspector	16.00
Draftsman Supervisor	18.00
Design Draftsman	15.00
Draftsman	10.00
Clerical	9.00
Accounting	10.00
One Man Survey Party	22.00
Two Man Survey Party	30.00
Three Man Survey Party	38.00

<u>Personnel</u>	<u>Rate of Pay</u>
Four Man Survey Party	\$42.00
Computer Time	15.00
Distance Measuring Instrument	20.00
Direct Expenses:	
Travel (Transportation, Lodging, Meals, etc.)	
Material Testing	

REIMBURSABLE EXPENSES FOR ADDITIONAL ENGINEERING SERVICES

1. Travel time from office at above rates for both ways.
2. Actual cost of subsistence and lodging.
3. Actual cost of materials required for the job and used in surveying, drafting, and allied activities, including printing and reproduction costs.
4. Actual cost of special tests and services of special consultants, as referred to in Section C of this agreement.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in duplicate on the respective dates indicated below.

OWNER:

S/ Kenneth P. McDonald  
Mayor  
4/27/77

(SEAL)

ATTEST:

S/ Francis D. Nielson  
Recorder

ENGINEER: Genge/Call Engineering, Inc.

S/ James C. Kaiserman (?)  
President  
4/21/77

(SEAL)

ATTEST:

George Jorgensen  
V. Pres.

PASSED, ADOPTED and APPROVED this 27th day of April, 1977.

\_\_\_\_\_  
Kenneth P. McDonald, Mayor

Attest:

\_\_\_\_\_  
Francis D. Nielson, Recorder

8. The Council reviewed a proposed contract for repairing the Water Plant Well, as prepared by Genge/Call Engineering, Inc, and agreed that the repair of the well, according to the specifications of the aforestated contract, should be advertised in the "Contractor" magazine.

9. Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Hurst and unanimously carried:

RESOLUTION NO. 1977-13

BE IT RESOLVED by the City Council of the City of Blanding that Mayor McDonald be, and he is hereby, authorized to execute the following agreement:

AGREEMENT

This Agreement entered into this 27th day of April, 1977, by and between the State of Utah, First Party, sometimes referred to herein as the STATE and the City of Blanding, a city incorporated under the laws of the State of Utah, Second Party, sometimes referred to herein as the CITY:

W I T N E S S E T H

THAT WHEREAS, the Utah Legislature has authorized the expenditure of funds in the form of grants for drought relief under the direction of the Governor's office, and

WHEREAS, the CITY is qualified for said drought relief funds and is experiencing a diminished water supply due to extreme weather conditions, and

WHEREAS, the CITY desires to alleviate the water shortage through redeveloping and equipping an existing well to supplement its present culinary water supply.

NOW THEREFORE, the Parties hereby mutually agree as follows:

1. The CITY agrees to redevelop and equip an existing well to supply additional culinary water for the city water system. The CITY further agrees to obtain whatever approval is necessary from the State Board of Health and other such agencies of the State and Federal government as required to construct and operate the project.
2. The STATE agrees to grant the CITY not more than \$50,000.00 toward the construction of said project, and the CITY agrees to pay all costs in excess of the STATE grant. The CITY further agrees to supply the necessary manpower and equipment to complete the construction of said project in accordance with the approved plans.
3. Of the total amount granted by the STATE to the CITY, the STATE agrees to pay \$10,000.00 upon execution of this Agreement. The remaining \$40,000.00 shall be paid upon completion of the various portions of the project. The CITY shall submit to the STATE an itemized statement of the costs incurred and the work completed with each request for payment of funds.
4. The CITY further agrees that this project shall be completed on or before December 31, 1977, unless an extension for completion of the project is obtained in writing from the STATE.
5. The CITY agrees that payment by the STATE as set forth above is contingent upon the CITY having a valid water right approved by the State Engineer for the use of the water to be developed or used by the project.
6. The CITY hereby agrees to indemnify and save harmless the State of Utah and their officers, agents, and employees from and against any and all loss, damages, injury, liability, and claims therefore, including claims for personal injury or death, damages to personal property and liens of workmen and materialmen, howsoever caused, resulting directly or indirectly from the construction or operation of this project.

IN WITNESS WHEREOF, the Parties hereto have executed these presents the day and year first written above.

STATE OF UTAH

CITY OF BLANDING

\_\_\_\_\_  
Governor

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Lieutenant Governor

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Attorney General

APPROVED AS TO FORM:

APPROVED AS TO  
AVAILABILITY OF FUNDS:  
STATE FINANCE DEPARTMENT

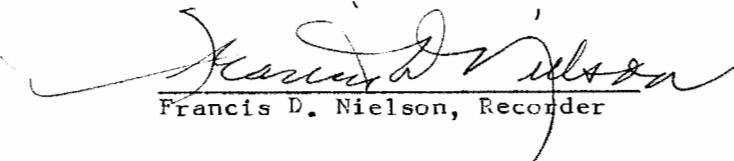
\_\_\_\_\_  
Assistant Attorney General

\_\_\_\_\_  
Budget Officer

\_\_\_\_\_  
Director of Finance

PASSED, ADOPTED and APPROVED this 27th day of April, 1977.

Meeting adjourned at 11:40 p.m.

  
\_\_\_\_\_  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD MAY 11, 1975 AT 8:00 P.M.  
O'CLOCK IN THE CITY HALL

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Bruce N. Black  
Michael T. Hurst  
Francis M. Lyman  
Kenneth D. Shumway

City Recorder: Francis D. Nielson

Also Present were: Mr. Mark Ewart, Mrs. Linda Ewart

1. Prayer was offered by Councilman Shumway.
2. Minutes of City Council Meeting held April 27, 1977 were read and approved.
3. The Council reviewed the amount of Revenue Sharing funds allocated to the City of Blanding for Entitlement Period 8, and considered the use which could be made of the same as well as other on hand Revenue Sharing Funds and any interest which may be earned on Revenue Sharing Funds during the current and ensuing budgetary periods, in accordance with a Public Notice duly advertised in the April 21, 1977 issue of the San Juan Record, a newspaper published in Monticello, Utah and of general circulation in the City of Blanding.

Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1977-14

BE IT RESOLVED by the City Council of the City of Blanding that all Revenue Sharing Funds allocated to the City of Blanding under Entitlement Period 8 of PL 92-512 State and Local Fiscal Assistance Act of 1972 as amended by PL 94-488 State and Local Assistance Amendment of 1976, totalling \$14,257.00 together with prior received funds from the said PL 92-512 and interest earned from investment thereof totalling \$12,074.83, as well as any subsequent interest earnings which may accrue during the current or ensuing budgetary period, be, and they are hereby, allocated to the development of water resources and for alleviating the current critical water shortage resultant from prolonged drought.

PASSED, ADOPTED and APPROVED this 11th day of May, 1977.

\_\_\_\_\_  
Kenneth P. McDonald  
Mayor

Attest:

\_\_\_\_\_  
Francis D. Nielson, Recorder

4. The Council discussed need for impervious material with which to effect sealing of the Westwater Reservoir. Councilman Shumway accepted an assignment to locate such material.
5. Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1977-15

BE IT RESOLVED by the City Council of the City of Blanding that Genge/Call Engineering, Inc. be, and they are hereby, authorized to advertise for bids for the drilling of a well for the City of Blanding subject to review of, and concurrence in, the bid document requirements, by Mr. Bryce Montgomery of the State of Utah, Division of Utah Resources.

PASSED, ADOPTED and APPROVED this 11th day of May, 1977.

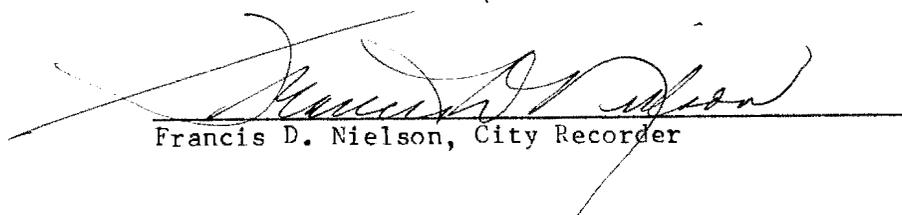
Attest:

\_\_\_\_\_  
Kenneth P. McDonald, Mayor

\_\_\_\_\_  
Francis D. Nielson, Recorder

6. The Council discussed a proposed Rodeo Grounds development in the area east of the Zenos I. Black Career Education Center and the San Juan School District Bus Garage. It was agreed that the proposed location is in conflict with the land use plan currently being considered by the City Planning Commission and that the school district should be requested to seek another location for such facility.

Meeting adjourned at 9:50 p.m.



---

Francis D. Nielson, City Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD MAY 25, 1977 AT 8:00  
O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Kenneth P. McDonald

City Councilmen: Bruce N. Black  
Michael T. Hurst  
Francis M. Lyman  
Kenneth D. Shumway

City Recorder: Francis D. Nielson

Also Present: Mr. George M. Low, Justice of the Peace.  
Mrs. Leona Bailey

1. Prayer was offered by the Recorder.
2. Minutes of City Council meeting held May 11, 1977 were read and approved.
3. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Hurst and unanimously carried:

RESOLUTION NO. 1977-16

A RESOLUTION OF THE CITY COUNCIL OF BLANDING,  
UTAH, REQUESTING THE HOUSING AUTHORITY OF SAN  
JUAN COUNTY TO ADMINISTER THE EMERGENCY HOUS-  
ING FUNDS ALLOCATED TO THE CITY OF BLANDING

BE IT RESOLVED by the City Council of Blanding, Utah, the Mayor concurring therein, that

WHEREAS the legislature of the State of Utah has appropriated the sum of Three Million Dollars for emergency housing expenditures, \$5,576.00 of which amount has been allocated to be spent within the political jurisdiction of the City of Blanding; and the City Council of Blanding is of the opinion that the administration and expenditure of said funds can be more effectively handled through the Housing Authority of San Juan County;

NOW THEREFORE, the Mayor and City Council of Blanding requests the Housing Authority of San Juan County to administer and expend the \$5,576.00 in emergency housing funds allocated for expenditure within the political jurisdiction of the city of Blanding in accordance with the following provisions:

1. The entire \$5,576.00 allocation shall be spent within the political jurisdiction of the City of Blanding on or before June 30, 1978.
2. The entire \$5,576.00 allocation shall be spent for the rehabilitation of owner occupied single family dwellings which are now existing.
3. No portion of the \$5,576.00 allocation shall be spent without the consent of the City Council of Blanding.
4. All expenditures shall be made for and in behalf of recipients with incomes below the maximum allowed by the Utah Emergency Appropriations for Housing Act of 1973.
5. The City Council of Blanding shall have the right to withdraw this request and the authority hereby granted, together with all funds being administered pursuant to this resolution, if it finds any act or failure to act on the part of the San Juan County Housing Authority in administering said funds to be unsatisfactory to it.

PASSED: May 25, 1977

S/ Kenneth P. McDonald, Mayor  
Francis M. Lyman, Councilman  
Kenneth D. Shumway, Councilman  
Michael T. Hurst, Councilman  
Bruce N. Black, Councilman

ATTEST:

S/ Francis D. Nielson, City Recorder

4. Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1977-17

BE IT RESOLVED by the City Council of the City of Blanding that the Mayor be, and he is hereby, authorized to execute the following Paying Agents Agreement:

AGREEMENT

This agreement, made and entered into this 13th day of May, 1977, by and between the City of Blanding, Utah, hereinafter called the Principal, and the Zions First National Bank, a national banking association, hereinafter called the Bank.

W I T N E S S E T H

WHEREAS, the Principal is desirous of authorizing and contracting with the Bank to act as a paying agent for the purpose of receiving for payment and cancellation of the above named bonds and interest coupons of the Principal, and to perform certain other services in connection with the handling of the said bonds and coupons.

Now, therefore, it is agreed by and between the parties hereto, each in consideration of the promises and acts to be performed by the other as follows:

1. The Bank agrees to act as paying agent for the Principal in receiving for payment and cancellation of the above bonds and coupons of the Principal, and in addition, the Bank agrees to perform the necessary services in connection with the handling of said bonds and coupons after payment and cancellation.
2. Not later than 3 business days after the due date of maturing bonds and interest coupons, the Principal will forward to the Bank's Stock Transfer and Bond Paying Section of the Trust Department, the amount necessary to pay all bonds and coupons due, plus fees.
3. The Bank shall retain all bonds and coupons that it has received for cancellation and paid as paying agent of the Principal, and approximately 60 days after a maturity date, or a date agreed upon, shall prepare and deliver to the Principal, an itemized statement of all bonds and coupons paid, cancelled and retained by the Bank during the previous period.
4. The Bank shall return all cancelled bonds and coupons to the Principal unless the Principal shall direct otherwise in writing.
5. For the performance of the above services by the Bank, the Principal shall pay the Bank fees in accordance with the attached schedule, which becomes a part of this Agreement.
6. The Bank's services as Paying Agent cease one (1) year from the final maturity date. The Bank is directed to present the final statement, paid bonds and coupons, and money (if any) to the Principal. The Principal agrees to pay all unpaid bonds and coupons (if any) from the money turned over to it by the Bank.
7. The Bank agrees to indemnify the Principal for all errors or omissions for which the Bank is responsible in connection with the services to be rendered under this agreement.

- 8. This agreement cancels all other such agreements presently in force for services as paying agent.
- 9. This agreement shall be for a period of Thirteen (13) years from the date hereof, and shall continue from year to year thereafter until either party shall give sixty (60) days notice in writing to the other to the effect that the contract is terminated at the end of the then current contract year. This agreement, however, may be amended at any time upon agreement of both parties.

In Witness Whereof, the City of Blanding has caused these presents to be executed for it in its name by it: Mayor and its seal affixed, attested by the Recorder and the Bank has caused these presents to be executed for it and in its name by its Trust Officer, the day and year first written.

ATTEST:

S/ Francis D. Nielson  
Recorder

CITY OF BLANDING  
PRINCIPAL

By S/ Kenneth P. McDonald  
Mayor

ZIONS FIRST NATIONAL BANK  
A NATIONAL BANKING ASSOCIATION

By Emerita Crosland  
Trust Officer

PASSED, ADOPTED and APPROVED this 25th day of May, 1977.

Kenneth P. McDonald,  
Mayor

Attest:

Francis D. Nielson  
Recorder

5. Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1977-18

BE IT RESOLVED by the City Council of the City of Blanding that funds totalling \$50,000.00 be transferred from Blanding City General Obligation Bond Fund, Series 2-1-77, at Zions First National Bank, Salt Lake City, Utah, to the Blanding City Joint Utility Improvement Fund at the Blanding Branch, First Security Bank of Utah, Blanding, Utah.

PASSED, ADOPTED and APPROVED this 25th day of May, 1977.

Kenneth P. McDonald  
Mayor

Attest:

Francis D. Nielson  
Recorder

6. Motion was made by Councilman Hurst, seconded by Councilman Lyman and unanimously carried that the City hold a formal budget hearing on June 22, 1977 at 8:00 o'clock, P.M. in the City Hall for the purpose of considering the adoption of a cash budget for the Electric, Water and Sewer Operating Fund, as well as Operating budgets for the Class C Road Fund, Bond Redemption and Interest Fund, and the General Fund for the fiscal year ending June 30, 1978 in the amounts of \$817,722.00; \$24,970.00; \$36,427.50, and \$423,212.95 respectively.

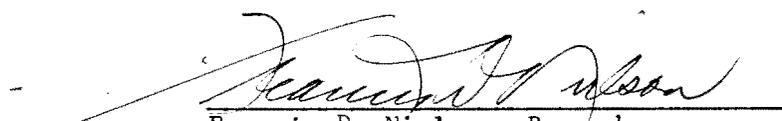
7. Following considerable discussion relative to the possibility of providing water for filling the Blanding Swimming Pool for the current season the matter was tabled for further study.

8. Mrs. Leona Bailey discussed with the Council the problem of no water pressure at her residence on Reservoir Road, during periods when the Water Treatment Plant is using all water which the collection system will produce. It was generally agreed that Mrs. Bailey could resolve the matter by providing a storage tank near her home, which would be filled during periods of adequate water pressure and would be of great enough capacity to operate her household during the periods of inadequate pressure.

9. The Recorder advised the Council that advertisements for bids for drilling an approximately 1800 feet well, 20 inches in diameter, will be published in the Salt Lake Tribune and Deseret News on Wednesday, June 1, 1977, with a bid opening scheduled for June 15, 1977.

10. By unanimous vote of the City Council, Mr. Kent D. Tibbitts was appointed to fulfill the unexpired term of City Councilman created by the resignation of Mr. Brent McAllister, said term expiring December 31, 1977.

Meeting Adjourned at 10:05 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD JUNE 8, 1977 AT 7:36 P.M.  
IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Bruce N. Black  
Michael T. Hurst  
Francis M. Lyman  
Kenneth D. Shumway  
Kent D. Tibbitts

City Recorder: Francis D. Nielson

Also Present: Hugh P. Kirkham, Chairman, Planning Commission  
Mr. Oris G. Black, Garbage Truck Operator and  
Mrs. Phyrll Black

1. Prayer was offered by Mayor McDonald.
2. Minutes of City Council meeting held May 25, 1977 were read and approved.
3. Oath of Office was administered by the Recorder to Mr. Kent D. Tibbitts, who duly accepted the responsibilities of City Councilman for the period from date hereof to and including December 31, 1977.
4. Councilman Shumway reported for the Mayors' Water Committee that a need exists for a new diversion works on Indian Creek at the North portal of the Indian Creek tunnel. The Council agreed that the Committee should proceed with planning and funding arrangements necessary to completion of the proposed improvement.
5. Motion was made by Councilman Black, seconded by Councilman Hurst and unanimously carried authorizing Mr. Lynn F. Lyman to purchase a gasoline driven engine and pump necessary to handle the streamflow being pumped from west of the current Indian Creek diversion into the Indian Creek tunnel.
6. Mr. Hugh Kirkham, Chairman, Planning Commission, reviewed with the Council, a proposed zoning ordinance for the City as approved by the Planning Commission.  
Motion was made by Councilman Lyman, seconded by Councilman Shumway and unanimously carried, that the City hold a public hearing relative to adopting of a zoning ordinance, on July 20, 1977 at 8:00 o'clock P.M. in the auditorium of the San Juan High School, if such is available, or if such is unavailable, then in the multi-purpose room of either the Blanding Elementary or Albert R. Lyman Elementary school.
7. Mr. Oris G. Black and Mrs. Phyrll C. Black discussed with the Council, problems relative to the Waste Collection and disposal service, particularly the difficulty in getting any dependability from the welfare assignees and the impossibility of one person handling the responsibilities on a given day.

Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1977-19

BE IT RESOLVED by the City Council of the City of Blanding that effective July 1, 1977, Garbage Service or Waste Collection and Disposal rates be increased in the amount of Fifty per cent (50%) to all customers of the City of Blanding; and further that all customers be advised of the requirements relative to volume and containers, and that the ordinance governing waste collection and disposal will be hereafter strictly enforced.

PASSED, ADOPTED and APPROVED this 8th day of June, 1977.

Attest:

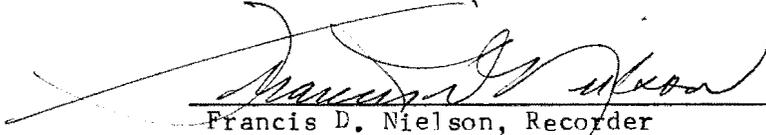
Kenneth P. McDonald  
Mayor

Francis D. Nielson  
Recorder

8. The Recorder read a letter to the Council from Mr. Mark Page, Area Engineer, State Engineers office indicating a possible City violation of Water Allocation Rights in the Indian Creek drainage by pumping water from below the regular diversion point.

9. Motion was made by Councilman Shumway, seconded by Councilman Tibbitts and unanimously carried authorizing Councilman Hurst and the Recorder to fly to Salt Lake City for the Federal-State Drought Funds seminar to be held at 10:00 o'clock A.M. on Thursday, June 9, 1977 at the State Capitol Building.

Meeting Adjourned at 11:00 P.M.

  
\_\_\_\_\_  
Francis D. Nielson, Recorder

MINUTES OF A SPECIAL MEETING  
OF THE BLANDING CITY COUNCIL  
HELD JUNE 15, 1977 AT 7:30  
O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Kenneth P. McDonald

City Councilmen: Bruce N. Black  
Michael T. Hurst  
Francis M. Lyman  
Kenneth D. Shumway  
Kent D. Tibbitts

City Recorder: Francis D. Nielson

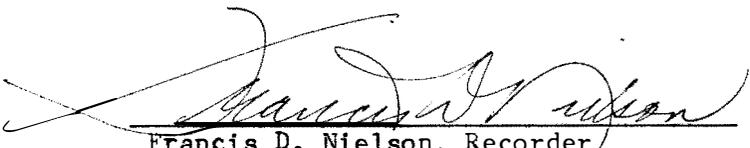
Also Present: Mr. Niel Blackburn and Mr. George Jorgensen, Genge/Call  
Engineering, Inc.; Mr. Dennis W. Brooks, Layne-Western Co.,  
Inc; Mr. Devon M. Hurst, H & H Drilling, Inc.

1. Sealed bids for the construction of a waterwell for the City of Blanding  
were opened, read aloud and duly tabulated as follows:

Name of Bidder	Amount of Bid
Layne-Western Co., Inc.	\$196,600.00

Inasmuch as only one bid was received and as it was considerable in excess  
of the engineers estimate, it was agreed by the Council that the project should  
be readvertised and other bids sought.

Meeting adjourned at 9:15 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
 OF THE BLANDING CITY COUNCIL  
 HELD JUNE 22, 1977 AT 8:00  
 O'CLOCK P.M. IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald

City Councilmen: Bruce N. Black  
 Michael T. Hurst  
 Kenneth D. Shumway  
 Kent D. Tibbitts

City Recorder: Francis D. Nielson

Absent was Councilman Francis M. Lyman

Also Present: Anthony Camberlango, James Camberlango, Ivory and Company; Mr. Harold Lyman, Manager, Blanding Office, Utah Department of Employment Security; Mr. Dana Nielson, member Blanding Chamber of Commerce Board of Directors.

1. Prayer was offered by Councilman Tibbitts.
2. Minutes of City Council meetings held June 8 and 15, 1977 were read and approved.
3. The Council again reviewed the proposed operating budgets of the General Fund, Class "C" Road Fund and Bond Redemption and Interest Fund as well as the cash budget of the Electric, Water and Sewer Operating Fund for the fiscal year ending June 30, 1978.

Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1977-21

A RESOLUTION PROVIDING FOR THE APPROPRIATION  
 OF FUNDS FOR OPERATION OF THE CITY OF BLANDING  
 DURING THE FISCAL YEAR ENDING JUNE 30, 1978.

BE IT RESOLVED by the City Council of the City of Blanding, Utah that there be appropriated for the operation of the City of Blanding the following amounts from the respective funds and for the purpose shown:

THIRD-CLASS CITY (OR TOWN) BLANDING  
GENERAL FUND  
 OPERATING BUDGET FOR THE FISCAL YEAR ENDING  
 JUNE 30, 1978

ACCOUNT NO.	SOURCE OF REVENUE	REVENUES ACTUAL PAST FISCAL YEAR	APPROVED APPROPRIATION CURRENT FISCAL YEAR
310	TAXES:		
311.1	General Property Taxes--Current	44,393.96	54,700.00
311.2	Delinquent Prior Years' Taxes	4,491.72	
313	General Sales & Use Taxes	52,478.98	56,000.00
318	Franchise Taxes		
319	Penalties & Interest -DElinqu. Taxes		
320	LICENSES AND PERMITS:		
321	Business Licenses	485.00	500.00
322	Truck & Vehicle Permits	4.00	12.00
323	Building & Construction Permits	1,271.60	1,500.00
325	Other:	270.00	300.00
330	INTERGOVERNMENTAL REVENUE:		
331	Grants from Federal Government	700.00	
333	Federal Revenue Sharing	18,216.00	18,980.00
334	Grants from State Government	4,908.60	
335	State-Shared Revenue		
335.1	State Liquor Fund Allotment	4,248.20	4,248.20
335.3	Other	2,100.00	2,000.00

340	CHARGES FOR SERVICES:		
341	General Government Fees		
342	Public Safety Fees		
342.1	Special Police Services		
342.2	Special Fire Protection Services		
342.5	Other		
343	Highway and Street Service Fees		
343.1	Street, Sidewalk & Curb Fees		
343.2	Parking Meter Revenue		
343.3	Street Lighting Service		
343.5	Engineering Fees		
343.6	Other		
	Airport Revenue	1,251.87	1,500.00
344	SANITATION SERVICES:		
344.1	Sewage Service Charges		
344.2	Refuse Collection Charges	18,326.59	20,000.00
344.6	Other		
347	CULTURE, PARKS & RECREATION FEES:		
347.1	Golf Fees		
347.2	Swimming Pool Fees		
347.3	Playground Fees		
347.4	Park & Recreation Concessions		
347.5	Auditorium Use Fees		
347.6	Library Use Fees		
347.8	Other:		
349	CEMETERY:		
349.1	Burial Fees		
349.2	Sale of Cemetery Lots	310.00	450.00
349.9	Other		
350	FINES AND FORFEITURES:		
351	Fines	6,783.80	7,500.00
352	Forfeitures		
360	MISCELLANEOUS REVENUES:		
361	Interest Earnings	855.66	1,325.45
362	Rents and Royalties		
364	Sale - Comp for Loss of Fixed Assets		
365	Contributions from Other Funds	7,750.00	8,000.00
367	Contributions from Private Sources		
368	Balances from Discontinued Funds		
369	Other	1,342.81	1,000.00
	Withheld Taxes, Ret. Funds, Ins. Premiums	9,396.94	12,000.00
380	TRANSFERS FROM OTHER FUNDS:		
	Expendable Revenue from Fund Balances:	83,617.39	313,476.98
	General Obligation Bond Sales (Net)	220,215.00	
	Total	483,488.12	503,492.63

THIRD-CLASS CITY (OR TOWN) BLANDING

Schedule 2

G E N E R A L F U N D

OPERATING BUDGET FOR THE FISCAL YEAR ENDING  
JUNE 30, 1978

ACCOUNT NO.	FUNCTIONS & DEPARTMENTS	ACTUAL EXPENDITURES PRIOR FISCAL YEAR			APPROVED APPROPRIATION CURRENT FISCAL YEAR		
		GENERAL GOVERNMENT	FEDERAL REV. SHAR.	TOTAL EXPEND.	GENERAL GOVERNMENT	FEDERAL REV. SHAR.	TOTAL
410	GENERAL GOVERNMENT:						
411	Administrative:						
411.1	Administration	3,043.29		3,043.29	3,500.00		3,500.00
411.2	Mayor and City Council	630.00		630.00	750.00		750.00
411.3	City Recorder - Clerk						
411.4	City Treasurer						
411.5	City Attorney	1,454.38		1,454.38	2,000.00		2,000.00
411.6	Independent Acct. & Auditing	589.50		589.50	750.00		750.00
412	Municipal Court	3,037.08		3,037.08	3,500.00		3,500.00
413	Executive						
414	Elections	1,083.80		1,083.80	850.00		850.00
419	General Government Buildings						
420	PUBLIC SAFETY:						
421	Police Department	49,323.20		49,323.20	52,000.00		52,000.00
422	Fire Department	4,923.01		4,923.01	5,200.00		5,200.00
424	Inspection Department	180.00		180.00	540.00		540.00
429	Other Protection:						
429.1	Civil Defense						
429.2	Flood Control						
430	PUBLIC WORKS:						
431	Streets and Highways:						
431.1	Roadways	17,622.22		17,622.22	18,500.00		18,500.00
431.2	Snow Removal						
431.3	Street Lighting	4,448.53		4,448.53	4,800.00		4,800.00
	Airport	4,857.63		4,857.63	5,200.00		5,200.00
432	Sanitation:						
432.3	Waste Coll. & Disposal	14,428.67		14,428.67	16,500.00		16,500.00

ACCOUNT NO.	FUNCTIONS & DEPARTMENTS:	ACTUAL EXPENDITURES PRIOR FISCAL YEAR			APPROVED APPROPRIATION CURRENT FISCAL YEAR		
		GENERAL GOVERNMENT	FEDERAL REV. SHAR	TOTAL EXPENDITURES	GENERAL GOVERNMENT	FEDERAL REV. SHAR.	TOTAL
440	PUBLIC HEALTH:						
441.1	Health Services						
441.7	Hospitals						
450	CULTURE, PARKS & RECREATION:						
451	Recreation:						
451.1	Golf Courses						
451.2	Swimming Pools						
451.3	Playgrounds						
451.4	Other						
452	Parks	105.00		105.00	125.00		125.00
453	Cemeteries						
455	Libraries						
460	CONSERVATION & ECONOMIC DEV.:						
461	Conservation						
465	Econom. Develop. & Assist.						
470	DEBT SERVICE:	27,036.90		27,036.90	36,427.50		36,427.50
480	INTERGOVERNMENTAL EXPENDITURES:						
	Contributions to E.W. & S. Fund		27,850.99	27,850.99	220,215.00	40,680.45	260,895.45
490	MISCELLANEOUS EXPENDITURES:						
	Payroll Taxes, Ret. Funds, Ins., Etc.	9,396.94		9,396.94	11,675.00		11,675.00
	FUND BALANCE:	291,776.53	21,700.45	313,476.98	80,279.68		80,279.68
	TOTAL:	433,936.68	49,551.39	483,488.12	462,812.18	40,680.45	503,492.63

CLASS "C" ROAD FUND  
 OPERATING BUDGET FOR THE FISCAL YEAR ENDED  
 JUNE 30, 1978

ACCOUNT NO.	SOURCE OF REVENUE	ACTUAL PAST FISCAL YEAR	APPROVED BUDGET CURRENT YEAR
335.2	Class "C" Road Fund Allotment	7,085.40	7,193.04
360	Miscellaneous Revenue		
361	Interest Earnings	358.27	440.00
365	Contributions from Other Funds		
	TOTAL REVENUES:	7,443.67	7,633.04
	Beginning Fund Balance	14,037.08	17,373.33
	TOTAL	<u>21,480.75</u>	<u>25,006.37</u>

EXPENSES:

431	Streets and Highways	4,107.42	24,970.00
	TOTAL EXPENSES:	<u>4,107.42</u>	<u>24,970.00</u>
	Ending Fund Balance	17,373.33	36.37
	TOTAL	<u>21,480.75</u>	<u>25,006.37</u>

CITY OF BLANDING  
 Bond Redemption & Interest Fund  
 OPERATING BUDGET FOR FISCAL YEAR ENDED  
 JUNE 30, 1978

ACCOUNT NO.	SOURCE OF REVENUE	ACTUAL PAST FISCAL YEAR	APPROVED BUDGET CURRENT YEAR
	Transferred From General Fund	27,036.90	36,427.50
	TOTAL REVENUES	<u>27,036.90</u>	<u>36,427.50</u>
	Beginning Fund Balance		
	TOTAL	27,036.90	36,427.50
	EXPENSES:		
	Principal	18,000.00	17,000.00
	Interest	8,922.50	19,275.00
	Paying Agent Fees	114.40	152.50
	TOTAL EXPENSES	<u>27,036.90</u>	<u>36,427.50</u>
	Ending Fund Balance		
	TOTAL	27,036.90	36,427.50

CITY OF BLANDING  
Electric, Water and Sewer Fund  
Cash Budget-F.Y. 1978

	F.Y. 1977 3 months Estimated	F.Y. 1978 Budget Estimates
<b>REVENUES:</b>		
Operating Income:		
Electricity Sales	373,935.28	492,000.00
Water Sales	69,173.56	78,000.00
Sewer Service Sales	25,295.00	26,400.00
Electric Connection Fees	1,605.00	4,800.00
Water Connection Fees	3,897.87	5,280.00
Sewer Connection Fees	4,450.00	2,400.00
Electric Delinquent Penalties	1,309.17	1,700.00
Water Delinquent Penalties	340.57	510.00
Sewer Delinquent Penalties	155.31	205.00
Electric Line Extension Charges	6,732.26	5,500.00
Total Operating Income (Gross)	486,894.02	616,795.00
Deduct:		
Operating Charges:		
Electric Line Extension Charges Refunded	728.28	1,200.00
Water line Extension Charges Refunded	44.19	50.00
Discounts and Allowances:		
Electric	202.21	250.00
Water	167.13	180.00
Sewer	120.00	140.00
Sales Taxes	12,973.40	8,610.00
Total Operating Charges	14,235.21	10,430.00
Operating Income (Net)	472,658.81	606,365.00
Other Income:		
Earned Interest (Bond Funds)	2,771.68	4,556.00
Contribution From General Fund	69,850.99	260,895.45
Withheld Taxes, Retirement Funds & Ins. Premiums	6,927.79	7,650.00
Total Income	552,209.27	879,466.45
<b>EXPENDITURES:</b>		
Operating Expenses:		
Salaries and Wages	32,042.00	35,340.00
Employee Benefits	8,102.20	9,100.00
Printing and Advertising	46.80	280.00
Office Expense and Supplies	2,958.12	3,200.00
Equipment and Facilities Maintenance and operating supplies	20,147.82	33,000.00
Building and Grounds Maintenance and Operating Supplies	3,944.08	4,200.00
Special Departmental Supplies	249,438.25	364,800.00
Professional and Technical Services	1,421.73	11,000.00
Insurance	2,893.40	3,600.00
Allowance For Uncollectible Accounts	2,100.00	2,400.00
Paying Agents Fees	167.37	320.00
Total Operating Expenses	323,261.77	467,240.00
Debt Service Payments	57,596.00	62,832.00
Capital Expenditures:		
Electric System	64,068.59	58,000.00
Waterworks	27,964.78	210,000.00
Sewer System	4,211.72	12,000.00
Withheld Taxes, Retirement Funds and Insurance Premiums Remitted	6,740.98	7,650.00
Total Expenditures	483,843.84	817,722.00
Revenues In Excess of Expenditures	68,365.43	299.00
Deduct:		
Allowance For Depreciation	51,200.00	54,300.00
Net Income	17,165.43	7,444.45

PASSED, ADOPTED and APPROVED this 22nd day of June, 1977.

Kenneth P. McDonald, Mayor

Attest:  
Francis D. Nielson, Recorder

4. The Council considered a request from Jimmy Butt for permission to hold a dance at the parking lot of First Security Bank. The Council advised that permission to hold such a dance would be granted subject to approval of the same being obtained from owners of the adjacent Gateway Motel and provided there are no curfew violations.

5. Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1977-20

WHEREAS, on December 8, 1941, the City of Blanding purchased 5.02 acres of land from W. R. and Neta Young of Blanding, San Juan County, Utah, said land being more particularly described as follows:

TRACT NO. 1:

Beginning at a point which is North 30 degrees 38' East 1211.6 feet from the Southernmost point of Homestead Entry Survey No. 44 in the LaSal National Forest on unsurveyed land, (which Southernmost point of said Homestead Entry is North 55°04' West 13,017.8 feet from the Northwest corner of section 31, Township 34 South, Range 23 East, S.L.M.), thence 33°55' East 656.3 feet, thence North 40°15' West 295.6 feet, thence south 32°37' West 309.1 feet, thence 16°16' West 206.3 feet, thence South 8°58' East 315.7 feet to place of beginning containing 3.41 acres.

TRACT NO. 2:

Beginning at a point which is North 32°29' East 1166.9 feet from the above designated Southernmost point of Homestead Entry Survey No. 44, thence North 52°41' East 333.4 feet, thence North 27°34' East 378.3 feet, thence North 40°15' West 97.6 feet, thence South 33°55' West 686.3 feet, thence South 8°58' East 43.0 feet to place of beginning containing 1.61 acres.

and

WHEREAS, the said land is on the Abajo Mountains of the Manti-LaSal National Forest and is part of the acreage known as Camp Jackson; and

WHEREAS, the City of Blanding subsequently constructed a reservoir on the afore described land, for the impounding of water to be used in the Blanding culinary water system, and

WHEREAS, the said reservoir area and the balance of the acreage known as Camp Jackson are an integral part of the Blanding City Watershed which should be kept as free of contamination as it is possible so to do; and

WHEREAS, the current owners of record, of the aforesaid Camp Jackson acreage, are desirous of making an exchange of such land for other lands lying within the boundaries of the said Manti-LaSal National Forest; and

WHEREAS, such a land exchange would eliminate the hazzard of stream contamination from the Camp Jackson acreage, by precluding possible residential development thereon;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah that the proposed exchange of the Camp Jackson acreage owned by Mr. Kloyd Perkins and/or the estate of Mr. Earl Perkins, for other lands owned by the United States of America situated on the Manti-LaSal National Forest and under the management of the United States Forest Service, is essential to maintaining Blanding City Watershed water quality control; and that the United States Forest Service be, and they are hereby, requested to effect such exchange at the earliest convenience consistent with the governing legal requirements.

PASSED, ADOPTED and APPROVED this 22nd day of June, 1977.

S/ Kenneth P. McDonald, Mayor

Attest:

S/ Francis D. Nielson, City Recorder

6. Motion was made by Councilman Tibbitts, seconded by Councilman Black and unanimously carried that the Frontier Days Committee be authorized a permit to hold a parade in the City on July 4, 1977, the parade route to begin at the Blanding Elementary School, proceed east to Main Street, North to 2nd North Street, East to 1st East Street and end in front of the San Juan High School.

7. The following Ordinance was read in full to the Council:

ORDINANCE NO. 1977-3

AN ORDINANCE PROVIDING FOR THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY - ANNEXING LAND THERETO

IT appearing that the requirements of Section 10-31-1, Utah Code Annotated, 1953, as amended, have been met with reference to the annexation hereinafter set forth:

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Blanding as follows:

1. That the following described tracts of land, situated in San Juan County, State of Utah, to-wit:

Beginning at a point South 10.0 feet and West 1890.0 feet from the Northeast Corner of Section 27, Township 36 South, Range 22 East, Salt Lake Meridian and running thence North 270 feet; thence West 210 feet; thence South 270 feet; thence East 210 feet to the point of beginning.

Beginning at the Southeast Corner of Section 22, Township 36 South, Range 22 East, Salt Lake Meridian and running thence North 6°45'26" East 1326.46 feet; thence South 89°32'15" West 815.99 feet; thence South 0°13'02" East 1616.38 feet; thence South 84°44'32" East 614.54 feet; thence North 6°35'13" East 364.43 feet to the point of beginning.

be and the same are hereby annexed to the City of Blanding and the limits of this City are hereby extended accordingly.

2. That this ordinance shall be published once in the San Juan Record, a newspaper published in San Juan County and of general circulation within the City of Blanding.

3. That this ordinance shall go into effect at the expiration of the 20th day following publication or on the 30th day following final passage of the ordinance, whichever date is most remote from such final passage of the said ordinance.

PASSED, ADOPTED and APPROVED this 22nd day of June, 1977.

\_\_\_\_\_  
Kenneth P. McDonald  
Mayor

Attest:

\_\_\_\_\_  
Francis D. Nielson  
Recorder

Date of Publication \_\_\_\_\_

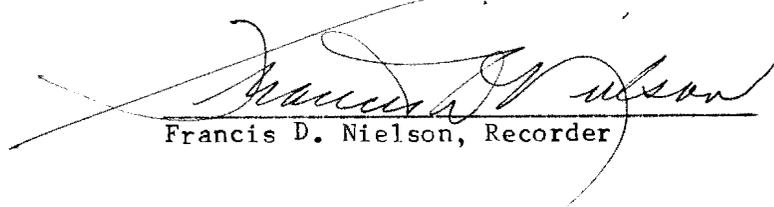
Date of Posting \_\_\_\_\_

8. Motion was made by Councilman Hurst, seconded by Councilman Shumway and unanimously approved, that the Ivory and Company Sub-Division proposal, preliminary plan be accepted subject to final engineering of boundaries and utilities detail being completed

and presented.

9. Mr. Harold J. Lyman, Manager, Blanding Office, Department of Employment Security discussed with the Council, the availability of CETA funds in the amount of \$3,724.00 for possibly training personnel by the City on a works project. The Council agreed that Mr. Lyman should write up a program wherein an individual would be trained in a work experience program by the City for Parks and Playgrounds operations assistance.

Meeting adjourned at 10:25 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD JULY 27,  
1977 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were: Mayor Kenneth P. McDonald

City Councilmen: Bruce N. Black  
Francis M. Lyman  
Kenneth D. Shumway

City Recorder: Francis D. Nielson

Absent were:

City Councilmen: Michael T. Hurst  
Kent D. Tibbitts

Also Present were: John B. Wright, Chief-of-Police; Michael R. Allsop, City  
Patrolman; Melvin M. Halliday, Deputy, San Juan County  
Sheriff Department; Mr. Mark Ewart, Blanding Auxiliary  
Police; Mr. Dana Nielson, Blanding Chamber of Commerce.

1. Prayer was offered by Councilman Black.
2. Minutes of City Council meeting held June 22, 1977 were read and approved.
3. Chief of Police, John B. Wright, submitted the following report and proposal to the Council:

Police Department Activity  
1-26 July 77

Calls:	101	Major Crimes:	1
Citations:	22	Minor Crimes:	10
Collisions:	3	Fines Imposed:	Approx \$1200.00
Warnings:	22	Fines Collected:	Approx \$1000.00
Business Checks:	397	Hours Worked:	Approx 50
Open Doors:	1		
School Checks:	78	Arrested:	15
Assists:	41		

Proposal: Utilize Job Service program to increase department to 4 men from  
6-9 Months. Temporary position.

Cost: City pays all benefits. Estimated cost \$125.00 per month.

Benefits: Increase coverage  
More emphasis on problem areas.  
More time with 2 men available.  
Trained replacement. Vacation, Academy etc.

Problems: Time lost selecting applicant.  
Time lost training applicant.  
Cost  
Could not offer permanent position.

Mr. Wright also discussed with the Council the liabilities inherent in use of auxiliary police or individuals not certified through Utah Peace Officers Standards and Training programs for regular duty assignments. The Council requested that the Auxiliary police force be kept active and that we await possible changes in the current regulations which would contemplate authorized use of such officers.

Mr. Wright further reported both patrol cars now in satisfactory running condition, communications system apparently adequate but that bringing the office work up-to-date will still require considerable effort.

4. Councilman Lyman was temporarily assigned by the Mayor as Councilman in charge of Public Safety.
5. The Recorder discussed with the Council expenses and problems relative to the pumping operations at the Westwater Reservoir. The Council requested that the pumping be continued until such time as the reservoir is emptied.
6. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Black and unanimously carried:

RESOLUTION NO. 1977-22 f

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the property tax mill levy for the City of Blanding be set as follows for the Calendar Year 1977:

<u>Purpose of Levy</u>	<u>Mills Levied</u>
General City Purposes	13.5
Tort Liability	.5
Interest, Sinking Fund	<u>7.</u>
Total	21

PASSED, ADOPTED and APPROVED this 27th day of July, 1977.

\_\_\_\_\_  
Kenneth P. McDonald  
Mayor

Attest:

Francis D. Nielson  
Recorder

7. The following letter was read in full to the Council:

ROPER HELICOPTERS  
Municipal Airport  
Blanding, Utah 84511  
July 1, 1977

Blanding City Council

Dear Sirs:

I hereby submit to you my desire to renew the operating contract between myself and the city for operating the airport for another year. I feel that my record over the past few years is a good one and that it speaks for itself. My family and I have the man power and the know-how to continue doing a good job. I have felt that it was MY responsibility to keep things running and in good repair and have therefore kept city involvement and outside costs to a minimum. I have also felt a deep responsibility to foster and help aviation to grow in all its facets. I have taught many dozens of students to fly and in thinking back I can't recall even one having a serious accident. Aviation is growing rapidly at the Blanding Airport in the flying and also the mechanicing end. I think we might anticipate a certain amount of competitive businesses starting up and I think this is always a healthy thing.

Hoping that you will consider this request in a favorable way

I remain,  
Sincerely  
S/ Loyd Roper

Motion was made by Councilman Black, seconded by Councilman Shumway and unanimously carried that the City renew the airport operating agreement with Mr. Loyd B. Roper for the period from September 1, 1977 to and including August 31, 1978.

8. The following letter was readin full to the Council:

L. Robert Anderson  
Attorney at Law  
P. O. Box 275  
Monticello, Utah 845 35  
July 5, 1977

Mr. Francis D. Nielson  
City Office  
Blanding, Utah 84511

Mr. Clyde Christensen  
City Office  
Monticello, Utah 84535

RE: C & C Construction Company vs. City of Monticello and City of Blanding,  
Civil No. 3907 in the District Court of San Juan County

Dear Bud and Clyde:

On May 31, 1977, I sent to you a copy of the Memorandum Decision and other documents indicating that Judge Sheya has granted our motion to dismiss.

Plaintiffs have appealed to the Utah Supreme Court and I have received a copy of their brief. Merlin Lybbert tells me that there is a recent Utah Supreme Court case which holds that the provisions of the Waiver of Immunity Act requiring that notice of the claim be given do not apply to injunctive relief and that we could be in trouble on the appeal insofar as sustaining Judge Sheya on that point, we would probably end up having to defend ourselves.

I am enclosing a copy of a letter from Mr. Lybbert dated June 17, 1977, which indicates that plaintiffs would withdraw their appeal if we would agree to comply with the provisions of the statutes relating to bidding. I cannot find any fault with such an agreement since we are obligated by law to do that anyway. Accordingly, I told Mr. Lybbert that we were agreeable to the principle. He is going to get an exact written proposal and I will send that on as soon as I receive it.

I should be grateful if you would take this up with the respective city councils and mayors. I think it would be well to have some kind of a resolution approving this.

I am enclosing a copy of a letter dated June 29, 1977 from Bennion Redd, County Attorney, indicating that the County is agreeable to the appeal being dismissed with an agreement that in the future the statutes be complied with.

Unless I hear back from you immediately, I will assume that there is no objection to what is proposed.

Very truly yours,  
S/ L. Robert Anderson

LRA/v1

Enclosures

CC: Mr. Merlin R. Lybbert  
Attorney at Law  
Continental Bank Building  
Salt Lake City, Utah 84101

Mr. F. Bennion Redd  
San Juan County Attorney  
San Juan County Courthouse  
Monticello, Utah 84535

P.S. Since I dictated the above, I received a letter from Mr. Lybbert dated July 1, 1977, a copy of which I am also enclosing.

Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Shumway and unanimously approved:

RESOLUTION NO. 1977-24

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City Attorney be, and he is hereby authorized to proceed with the necessary arrangements for dismissal of the appeal in the matter of C & C Construction/ Holliday VS San Juan County, Blanding and Monticello cities, including agreeing to advertisement for bid of all projects, the cost of which exceeds statutory force account limitations, providing the same is accomplished without payment of damages, injunctive relief or admission of wrongdoing as alleged in plaintiffs complaint.

PASSED, ADOPTED and APPROVED this 27th day of July, 1977.

Meeting adjourned at 10:20 P.M.

  
\_\_\_\_\_  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
AUGUST 10, 1977 AT 8:00 O'CLOCK  
P.M. IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Bruce N. Black  
Michael T. Hurst  
Francis M. Lyman  
Kent Tibbitts

City Recorder: Francis D. Nielson

Absent was Councilman Kenneth D. Shumway

Also present: Mr. G. R. Thompson, Utah Power & Light Co., Mr. Dean  
Wheadon, Water and Wastewater Services Co., Mr. Terry  
Palmer, Palmer Builders.

1. Prayer was offered by Councilman Tibbitts.
2. Minutes of City Council meeting held July 27, 1977 were read and approved.
3. The Council discussed with Mr. G. R. Thompson, Utah Power and Light Co. Representative, a proposed Electric Service Agreement and letter of addendum thereto, wherein the City will supply electric service to the Company.

Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Tibbitts and unanimously carried:

RESOLUTION NO. 1977-25

BE IT RESOLVED by the City Council of the City of Blanding that the Mayor be, and he is hereby authorized to execute the following agreement and letter of addendum thereto, with Utah Power and Light Company, the same to be attested by the City Recorder:

ELECTRIC SERVICE AGREEMENT

THIS AGREEMENT, made and entered into this 10th day of August, 1977, whereby UTAH POWER & LIGHT COMPANY, herein referred to as "Company" agrees to purchase and BLANDING CITY CORPORATION, herein referred to as "City" agrees to supply to Company electric service in the form of single and/or three-phase alternating current at approximately 60 cycles per second and 2,400/4,160 or 7,200/12,470 volts at various locations outside of Blanding City limits to be mutually agreed upon and from time to time set forth in letter addendums to this Agreement.

It is agreed by the parties hereto that power and energy purchased by Company hereunder will be used solely for service to customers outside of Blanding City limits.

All power and energy delivered to Company by City hereunder shall be paid for by Company at the average unit cost per KWH for the previous billing month of power and energy purchased by City from Company plus one and one-half (1½) mill per KWH. Payments for service supplied to Company under that certain resale agreement dated April 1, 1967, hereunder shall be made monthly.

This agreement shall have an initial term of five (5) years from the commencement of service hereunder, and it shall automatically be extended for like periods of five (5) years from the expiration of said initial five (5) year period or any extension thereof unless either Company or City notifies the other in writing not less than 90 days prior to the end of the initial five (5) year period or any extension thereof, signifying its desire to terminate this Agreement.

UTAH POWER & LIGHT COMPANY  
S/J. C. Taylor (?) Vice President  
S/ Robert Thompson (?)

BLANDING CITY CORPORATION  
S/ Kenneth P. McDonald, Mayor  
S/ Francis D. Nielson, City Recorder

Utah Power & Light Company  
51 East Main Street  
P. O. Box 277  
American Fork, Utah 84003

August 10, 1977

Blanding City  
City Office  
Blanding, Utah 84511

ATTENTION: Francis D. Nielson, City Manager

Dear Mr. Nielson:

As provided by an Agreement dated, August 10, 1977, between Blanding City and Utah Power & Light Co. we are noting a point of delivery where we propose to accept delivery of three phase power at approximately 12,470 volts.

A designated point of delivery shall be at that point near where Blanding City's 12.5 KV distribution facilities cross under and attach to Utah Power & Light Co. facilities - structure #210 of the Pinto-Abajo 138-69 KV line, 3.61 feet southeast from the NW corner of Section 36, T 36 S, R 22 E, S.I.B.M.

This letter is to be attached to said Agreement as an addendum by mutual agreement.

Sincerely,

G. R. Thompson  
Special Representative

Date August 10, 1977

GRT:ch

Approved: Blanding City Corporation

By: S/ Kenneth P. McDonald  
Mayor

PASSED, ADOPTED and APPROVED this 10th day of August, 1977.

Kenneth P. McDonald, Mayor

ATTEST:

Francis D. Nielson, Recorder

4. Mr. Dean Wheadon, Water and Wastewater Services Co., discussed with the Council, services offered by his company. The Council agreed that the City should enter into a meter calibration program immediately with Mr. Wheadon's Company and requested that he prepare and present to the Council at its next regularly scheduled meeting, a Water Audit proposal.

5. Following review of the final Palmer Builders Cedar Heights Sub-division Plat, motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1977-26

BE IT RESOLVED by the City Council of the City of Blanding that the Cedar Heights Plat of Palmer Builders be, and it is hereby, accepted by the City of Blanding, including the Cul-de-Sac with 45' radius.

PASSED, ADOPTED and APPROVED this 10th day of August, 1977.

Kenneth P. McDonald, Mayor

ATTEST:

Francis D. Nielson, Recorder

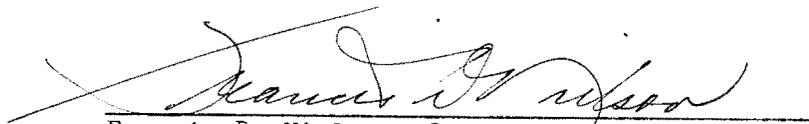
6. Motion was made by Councilman Lyman, seconded by Councilman Tibbitts and un-animously carried, authorizing a water connection for the Palmer Builders Concrete plant to be located approximately 1/2 mile north of the Blanding City 110,000 gallon water storage tank.

7. Dr. D. L. Gibbons advised the Council of his intent to construct a twelve unit apartment house on 4th North Street between 2nd and 3rd West Streets. He further advised that San Juan County may decide to sell the Blanding Clinic and that he desires support of the City in purchasing the same. The Council readily agreed to support his purchase of the clinic building.

8. The Council authorized the local Cub Scout units to use 1st South Street between 1st and 2nd West Streets, and 3rd South Street between 2nd and 3rd East Streets, on August 16, 1977, 6:30 to 8:30 p.m. for carrying out their Cub Mobile Races, subject to their coordinating the required street closing with the City Police Department.

9. A Drought Relief Project Summary for the City, prepared by Genge/Call Engineering, Inc. was approved by the Council for mailing to various pertinent Federal and State agencies.

Meeting Adjourned at 10:50 p.m.

  
Francis D. Nielson, City Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
AUGUST 24, 1977 AT 8:00 O'CLOCK  
P.M. IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Michael T. Hurst  
Francis M. Lyman  
Kent D. Tibbitts

Recorder: Francis D. Nielson

Absent were Councilmen Bruce N. Black  
Kenneth D. Shumway

Also present: Mr. Deam Wheadon, Mr. James E. Smith and Mr. Stephen Sowby of  
Community Consultants, Inc.

1. Prayer was offered by Councilman Hurst.
2. Minutes of City Council meeting held August 10, 1977 were read and approved.
3. The following letter and proposal were presented to the Council by representatives of Community Consultants, Inc.

Community Consultants, Inc.  
744 South 100 East  
Provo, Utah 84601  
August 24, 1977

Keith P. McDonald, Mayor  
Blanding City  
Blanding, Utah 84511

Dear Mayor McDonald:

We are pleased to submit our proposal to perform engineering services for completion of a Water Audit and Leak Survey of the Blanding City waterworks system. Our firm of Community Consultants, Inc. is a Utah based corporation specializing in a broad range of technical water and sewage services, including meter calibration and repair, water conservation techniques, water system leak surveys, water system auditing, sewer system infiltration and inflow studies, sewer system cleaning, water system master planning, and water quality analysis.

The attached two pages contain our proposal and approach to the work. You will find that the additional revenue generated from our meter repairs and reduction of water loss will more than pay for our services in a short period of time. If it is not feasible to undertake the complete project at this time, we would be pleased to undertake any number of phases in order to meet the desires of the City.

We appreciate the opportunity to submit this proposal and trust that you will have success in this effort.

Respectfully,  
S/ Stephen E. Sowby, P. E.  
Vice President

SES:bd

OUTLINE OF BLANDING CITY  
WATER AUDIT PROPOSAL

Phase 1. Preliminary Water Audit

A preliminary audit to determine the total unaccounted for water volume and the dollar value both in cost and revenue will be made. A study will also be made of the historical water use and consumption patterns.

\$3200.00

Phase 2. Residential Meter Calibration

Calibration (and repair if necessary) of the city's residential water meters. A five-year program completing approximately 20% of the meters each year is suggested.

	<u>5/8 X 3/4</u>	<u>1"</u>
Calibration only	\$9.00	\$12.00
Calibration & Repair	15.00	21.00
Calibration & Repair if City pulls meter	11.00	15.00

1st year approximate cost (163 meters x \$11.00) \$1,800.00

Phase 3. Large Meter Accuracy Test

A test for accuracy of all large meters of sizes larger than 1 1/2 inches will be made, including any master meters measuring water entering or leaving the distribution system, plus all large commercial or industrial meters.

Price = \$50.00 per inch diameter

Approximate cost (10 meters x 4 inches x \$50.00/inch)= \$2,000.00

Phase 4. Water Rate Study

After all water is accurately metered, a rate and user fee study will be made of both the waterworks and sewage systems. This will aid the city in charging proper fees and obtaining sufficient revenue for effective system operation, including budgeting, accounting, and management practices.

\$2,300.00

Phase 5. Water Leak Survey

A complete water leak survey of the entire water distribution system will be made by dividing the city into several districts and investigating the leakage potential in each district. By this method, which includes operation of the valves, underground leaks will be located for repair.

\$9,600.00

Phase 6. Water System Master Plan

Upon completion of the phases listed above a complete water system master plan will be developed using accurate field data and flow measurements obtained. An up-to-date map and report will be prepared outlining recommended system improvements and costs, water source requirements, areas of inadequate service, and a financial program for implementation.

\$8,400.00

Phase 7. Report

A brief report will be prepared and submitted at the completion of each phase along with a final report at the end of the entire project.

No Charge

Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Tibbitts and unanimously carried:

RESOLUTION NO. 1977-27

BE IT RESOLVED by the City Council of the City of Blanding that Community Consultants, Inc., be retained to carry out the following functions for the City of Blanding, according to the terms and for the fees hereinafter set forth:

Phase 1. Preliminary Water Audit

A preliminary audit to determine the total unaccounted for water volume and the dollar value both in cost and revenue will be made. A study will also be made of the historical water use and consumption patterns. \$3,200.00

Phase 2. Residential Meter Calibration

Calibration (and repair if necessary) of the city's residential water meters. A five-year program completing approximately 20% of the meters each year is suggested.

	<u>5/8 x 3/4</u>	<u>1"</u>	
Calibration only	\$ 9.00	\$12.00	
Calibration & Repair	15.00	21.00	
Calibration & Repair if City pulls meter	11.00	15.00	
1st year approximate cost (163 meters x \$11.00)			\$1,800.00

Phase 3. Large Meter Accuracy Test

A test for accuracy of all large meters of sizes larger than 1 1/2 inches will be made, including any meter meters measuring water entering or leaving the distribution system, plus all large commercial or industrial meters.

Price = \$50.00 per inch diameter  
 Approximate cost (10 meters x 4 inches x \$50.00/inch)= \$2,000.00

Phase 4. Water Rate Study

After all water is accurately metered, a rate and user fee study will be made of both the waterworks and sewage systems. This will aid the city in charging proper fees and obtaining sufficient revenue for effective system operation, including budgeting, accounting, and management practices.

(Limited to the expenditure of \$1,000.00)

PASSED, ADOPTED and APPROVED this 24th day of August, 1977.

S/ Kenneth P. McDonald, Mayor

ATTEST:

S/ Francis D. Nielson, Recorder

5. Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman Tibbitts and unanimously carried:

RESOLUTION NO. 1977-28 :

A RESOLUTION PROVIDING HEALTH, DENTAL, HOSPITAL, MEDICAL, DISABILITY AND DEATH BENEFITS FOR EMPLOYEES OF THIS MUNICIPALITY

WHEREAS, several of the cities and town of the State of Utah have joined together to creat a Utah Local Government Trust for the purpose of providing health, dental, hospital, medical, disability, and death benefits to the employees and their dependents, and

WHEREAS, the Trust represents the most economical and satisfactory method whereby cities, towns, counties and other units of local government and may join together for the purpose of providing the above-named benefits, and

WHEREAS, the Trust is authorized to contract with an insurance underwriter for the purpose of paying premiums to the insurance underwriter and securing the benefits hereinabove stated, and

WHEREAS, the Trust has agreed with Gem State Mutual of Utah to underwrite group insurance benefits according to the terms and provisions of the pamphlet marked Exhibit A, a copy of which is attached hereto and incorporated herein by reference, and

WHEREAS, the Trust has agreed with the Aetna Life and Casualty to underwrite dental insurance benefits according to the terms and provisions of the pamphlet marked Exhibit B, copy of which is attached hereto and incorporated herein by reference, and

WHEREAS, it is the opinion of this municipality that the plan of group insurance will be of benefit to the municipality, to its officers and employees and their dependents, and it will benefit the municipality by stabilizing its employment and increasing the efficiency of those employees.

NOW, THEREFORE, BE IT RESOLVED BY Blanding City;

1. This municipality hereby applies for membership in the Utah Local Government Trust.
2. If accepted by the Trust, this municipality agrees to the terms and conditions of the Trust.
3. On acceptance by the Trust of this municipality's application for membership and payment of the premium to the Trust, this municipality shall be a member of the Trust and its officers and employees and their dependents shall be entitled to and shall receive the benefits provided in Exhibits A and B.
4. The governing body may from time to time appoint a person to act as insurance officer. That person is hereby authorized and directed to pay to the Trust the premium charged by the Trust for the benefits provided.
5. The monthly premium shall be as follows:
  - A. For Employee only . . . . . \$ 37.00
  - B. For employee and one dependent. . . . . \$
  - C. For employee and two or more dependents . . \$ 85.00
6. A. The municipality shall pay 100 per cent of the employee's monthly premium and the employee shall pay -0- per cent of his or her monthly premium.  
  
B. The municipality shall pay -0- per cent for each dependent of the employee that is insured by the Trust and the employee shall pay 100 per cent for the insured dependents.
7. The insurance officer is hereby authorized and directed to provide for a system of payroll deductions from the salaries of employees that elect to participate in the insurance program offered by the Trust and authorized by this Resolution.
8. The officers of this municipality are hereby authorized and directed to do all things necessary to give effect to this Resolution and to the terms and conditions of the Trust.
9. This municipality shall not withdraw from participation in the Trust except on giving the Trustees of the Trust at least 60 days' notice of its intention so to do.

10. The Trustees of the Trust shall on or before June 1 of each and every year advise the municipality of the individual and family premium rates to be charged the municipality.

Dated the 24th day of August, 1977.

S/ Kenneth P. McDonald  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

6. Mayor McDonald reported that the driller on the Southeast Well has abandoned the original hole and moved to a new location approximately 20 feet away.

7. The Council authorized submitting the following information to Genge/Call Engineering, Inc. as well as to various pertinent agencies:

City of Blanding  
Culinary Water Status Report  
August 13, 1977  
(Prepared by Francis D. Nielson, City Administrator)

STREAMFLOW:

The measuring gauge on the Johnson Creek pipeline indicates total streamflow has receded to .3 C.F.S. or 135 gallons per minute.

JOHNSON CREEK WELL:

When first produced, the Johnson Creek Well yielded 160 gallons per minute. Plugged perforations reduced this to 60 gallons per minute. The pump had to be removed and replaced at a cost of \$3,637.50, re-perforating at a cost of \$2,052.00 restored the well to its original capacity. It has now receded to 120 gallons per minute, probably due to lowering of the water table.

WATER PLANT WELL:

We have expended \$2,518.00 in an unsuccessful effort to remove a metal obstacle lodged at about 530 feet in this well. As a drilling rig becomes available, we will further pursue this matter. The pump and pipe are on hand to produce the well.

RESERVOIR STORAGE:

We received permission from the Department of Fisheries to pump the conservation pool water from the Westwater Reservoir. The reservoir was leaking at the rate of 300,000 gallons per day and it was deemed wise to use the water rather than let it waste through leakage. The water was pumped to the treatment plant and that in excess of required daily City use overflowed into the Park Reservoir for storage. Water from the mountain pipeline was also stored in this reservoir, resulting in it being at approximately 80% capacity on completing drainage of the Westwater Reservoir at August 9th.

WATER WELL DRILLING:

Proposed Deep Well (1800', recommended by Utah Water Resources Personnel).

First Bid Opening, June 22, 1977

1 bid received, \$196,000.00  
Funds available, 86,000.00  
No award - Readvertised.

Second Bid Opening, July 20, 1977

2 bids received, \$186,000.00; \$140,000.00 - conditional  
Funds Available \$86,000.00  
No Award. Low Bidder equipment seemed to be inadequate.

Should funds become available to complete the drilling of this well, it would then require 40,000.00 to equip it and an additional \$30,000.00 to pipe the water into the distribution system. Although the Navajo Sandstone is unquestionable the most sure source of supply to us, it appears the costs of getting to and producing from it are prohibitive.

SOUTHEAST WELL:

The San Juan County Water Conservancy District has authorized a \$20,000.00 Loan/Grant for an exploratory well into the Bluff Sandstone (approximately 950' deep), in an area adjacent to the Southeast corner of the City, for the purpose of testing an area of some known underground water. At this date, the driller has reached a depth of 760' and is in process of setting 8" diameter casing to 580' prior to completing the well. Two water zones have been encountered thus far, the amount of water in them is not yet known.

SUMMARY:

Current Production, 255 gallons per minute - 367,200 gallons per day.  
Current Average Daily Consumption - 520,000 gallons.  
Net loss - 152,800 gallons (plus seepage and evaporation, from Park Reservoir)

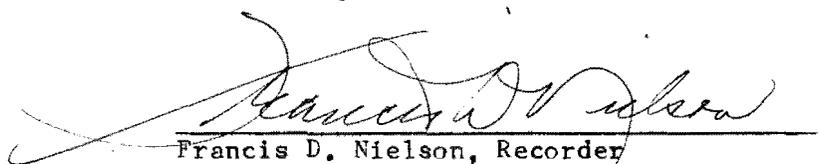
Drilling of the proposed deep well - 1800' appears unfundable and the project will have to be at best postponed and probably abandoned.

Of the \$10,000.00 received from the State Drought Fund, \$4,387.00 has been expended for engineering services and water well maintenance, leaving a balance on hand of \$5,613.00. The remaining \$40,000.00 allocated to the City from Drought Funds, held by the State was being considered for use on the deep well project. It appears now, that those funds would best be expended in getting the Water Treatment Plant Well (Well No. 1) in production and in sealing the Westwater Reservoir.

Should the drought conditions continue through the ensuing winter months, the small mountain streams, if not then completely dried up, will be lost to freezing and the source of supply will be limited to well water from Johnson Creek - 120 gallons per minute; Water Plant Well - 85 gallons per minute, and whatever production may be obtained from the Southeast Well currently being drilled. A program of austerity and rigid control will then be mandatory.

8. Motion was made by Councilman Hurst, seconded by Councilman Lyman and unanimously carried that Mrs. Elnora Nielson and Mrs. Susan Butt be appointed registration agents for Blanding City for the ensuing municipal election to be held November 8, 1977, in election districts #10 and #11, respectively.

Meeting adjourned at 11:10 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD SEPTEMBER  
14, 1977 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL

Present were: Mayor Kenneth P. McDonald

City Councilmen: Bruce N. Black  
Francis M. Lyman  
Kenneth D. Shumway

City Recorder: Francis D. Nielson

Absent were Councilmen: Michael T. Hurst  
Kent D. Tibbitts

Also present: Mr. Bruce Adams

1. Prayer was offered by Councilman Shumway.
2. Minutes of City Council Meeting held August 24, 1977 were read and approved.
3. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Black and unanimously carried:

RESOLUTION NO. 1977-29

BE IT RESOLVED by the City Council of the City of Blanding that the San Juan County Justice of the Peace in and for the Blanding Precinct, be, and he is hereby appointed Justice of the Peace, Pro Tempore for the City of Blanding, authorized to hear Blanding City cases in the absence of the regularly appointed City Justice of the Peace or when a change of Judge is required by a defendant for reasons of prejudice, or other justification, and, when a lawyer-trained Judge is not required.

PASSED, ADOPTED and APPROVED this 14th day of September, 1977.

S/ Kenneth P. McDonald  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

4. Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Shumway and unanimously carried.

RESOLUTION NO. 1977-30

BE IT RESOLVED by the City Council of the City of Blanding that the amount of \$72,476.69 be transferred from the Blanding City Account No. 0994657, Zions First National Bank, to Blanding City Joint Utility Improvement Fund, Account No. 036-08006-19, First Security Bank, Blanding Branch, Blanding, Utah.

PASSED, ADOPTED and APPROVED this 14th day of September, 1977.

S/ Kenneth P. McDonald  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

5. Motion was made by Councilman Black, seconded by Councilman Lyman and unanimously carried that the amount of \$400.00 be authorized for completion of the Dog Pound at the old Sewer Treatment Plant.

6. Motion for adoption of the following resolution was made by Councilman Shumway, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1977-31

BE IT RESOLVED by the City Council of the City of Blanding that the Subdivision proposed of Montclair Development, Inc. known as Moki Drive Subdivision be, and the same is hereby accepted by the City Council, that the Curb, Gutter, sidewalk and bituminous surfacing of streets as contained in the City Subdivision Ordinance No. 1958-12 are hereby waived in the instance of the subject subdivision proposal.

PASSED, ADOPTED and APPROVED this 14th day of September, 1977.

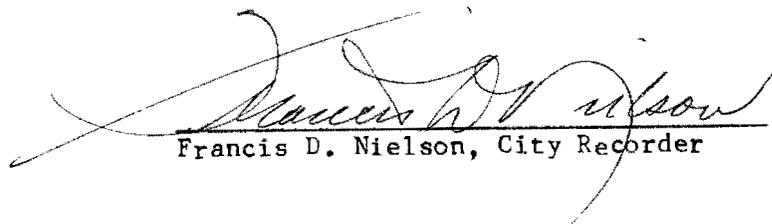
S/ Kenneth P. McDonald  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

7. Motion was made by Councilman Lyman, seconded by Councilman Shumway and unanimously carried that Mr. Bruce Adams be authorized to construct a 6" sewer line beginning at 550 South Second East Street and running south on said street to an intersection with the Blanding City Outfall sewer line, a distance of approximately 400 feet; that Mr. Adams have the right to collect a percentage of the cost of the said sewer line from property owners adjacent thereto up to an amount equal to the cost of said line, plus interest at the rate of 10 per cent per annum, pro-rated to the said adjacent lots inclusive of lots owned by him.

Meeting adjourned at 10:10 P.M.

  
Francis D. Nielson, City Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD OCTOBER 12, 1977 AT  
8:00 O'CLOCK P.M. IN THE  
CITY HALL.

Present were: Mayor Kenneth P. McDonald

City Councilman: Bruce N. Black  
Kenneth D. Shumway  
Kent D. Tibbitts

City Recorder: Francis D. Nielson

Absent were Councilmen: Michael T. Hurst  
Francis M. Lyman

1. Prayer was offered by Councilman Black.
2. Minutes of City Council meeting held September 14, 1977 were read and approved.
3. Motion was made by Councilman Shumway, seconded by Councilman Tibbitts and unanimously carried that the following individuals be appointed Judges and Alternate Judges of Election for the Municipal Election to be held November 8, 1977:

Judges of Election

Alternate Judges of Election

Voting District No. 10 (North Blanding)

Paula A. Jones  
Francelle R. Blickenstaff  
Dolores G. Bayles

Venice N. Lyman  
Bernice R. Helquist

Voting District No. 11 (South Blanding)

Eloise B. Mahon  
Phyrl C. Black  
May N. Biggs

Pearl Bayles  
Josephine Bayles  
Myrtle H. Redd

4. Pursuant to a request made by such firm, the Recorder presented to the Council, a brochure of Valley Engineering, Inc., a consulting engineering firm with offices in Logan, Richfield and Vernal, Utah, who desire to establish an office in Southeastern Utah, probably at Moab. The purpose for requesting their brochure being presented was to obtain an indication of possible Blanding City support of such area services. The Council indicated that current City engineering ties are adequate for the foreseeable future.
5. The Recorder reviewed for the Council, costs incurred to date in drilling and casing the Southeast water well as follows:

H & H Drilling, Inc. (Drilling)	21,240.00
Vinton Pipe and Steel (Casing)	3,426.35
Birdwell Division (Logging)	1,425.00
Utah Power & Light Co. (Elec. Conn)	<u>2,200.00</u>
Total	28,291.35

6. Motion for adoption of the following resolution was made by Councilman Shumway, seconded by Councilman Black and unanimously carried:

RESOLUTION NO. 1977-32

WHEREAS, the City has caused a water well to be drilled on City property near lot 3 block 63, Blanding City Survey, Plat A, and;

WHEREAS, the area in which the well has been drilled has had considerable, recent residential development, and;

WHEREAS, the water pipelines serving the said area are currently inadequate to provide water for culinary and Fire Hydrant needs,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding that consistent with the Planned Use of City Revenue Sharing Funds, said funds be allocated to the construction of a water transmission line, six inches (6") in diameter, from a connection point at Main and 5th South Street, easterly along 5th South Streets, ~~easterly along 5th South Street~~ to an intersection with 3rd East Street and then South along 3rd East Street to the City Southeast water well, together with all necessary valves and connection materials necessary to tie into existing water lines on the proposed pipeline route and service the needs of the area.

PASSED, ADOPTED and APPROVED this 10th day of October, 1977.

S/ Kenneth P. McDonald  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

7. Motion for adoption of the following resolution was made by Councilman Tibbitts, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1977-33

BE IT RESOLVED by the City Council of the City of Blanding that the action taken by the Mayor, Councilman Lyman and Councilman Hurst increasing the salary of City Patrolman Mark S. Hester to \$802.00 per month, effective October 1, 1977, be, and the same is hereby ratified and confirmed.

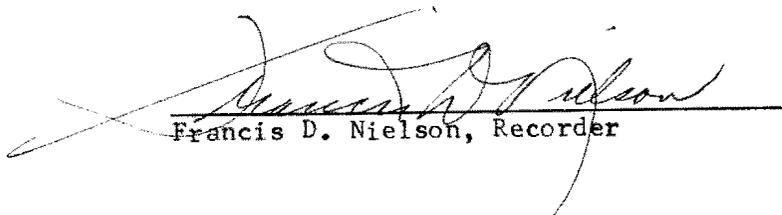
PASSED, ADOPTED and APPROVED this 10th day of October, 1977.

S/ Kenneth P. McDonald  
Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

Meeting adjourned at 10:10 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
OCTOBER 26, 1977 AT 8:00 O'CLOCK  
P.M. IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald

City Councilmen: Bruce N. Black  
Michael T. Hurst  
Francis M. Lyman  
Kent D. Tibbitts

City Recorder: Francis D. Nielson

Absent was Councilman Kenneth D. Shumway

Also Present: Mr. Devon M. Hurst, H & H Drilling, Inc.

1. Prayer was offered by Councilman Lyman.
2. Minutes of City Council meeting held October 12 were read and approved.
3. Motion was made by Councilman Hurst, seconded by Councilman Lyman and unanimously carried that the resignation of Mr. Michael R. Allsop as City Patrolman be accepted, effective October 31, 1977.
4. Following the Councils review of his application for employment and personal interview with Mr. Richard L. Haycock, motion was made by Councilman Lyman, seconded by Councilman Black and unanimously carried that Richard L. Haycock be hired by the City for the position of City Patrolman effective November 1, 1977, at a salary of \$650.00 per month, plus \$25.00 per month uniform allowance and all other general employee benefits currently provided City employees; that said salary be increased to \$700.00 per month following 30 days satisfactory service; and further that, subject to his desiring such, the City would advance up to six months uniform allowance to enable the immediate purchase of the regulation Police Department uniform.
5. Following a discussion of the current water situation, motion was made by Councilman Tibbitts, seconded by Councilman Hurst and unanimously carried that the City contract the services of H & H Drilling Company, Inc. for completion of the Southeast Water Well, Repair of the Blanding Well No. 1, and the drilling of a 6" diameter well in the area of 4th West and 2nd South Street; contract prices for the foregoing work shall be \$80.00 per hour for operation of the drilling rig on the completion of the Southeast Well and for drilling the 4th West 2nd South Well, including setting casing and installing equipment; and shall be \$800.00 per day plus equipment losses in the repairing of Blanding Well No. 1.
6. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Hurst and unanimously carried:

RESOLUTION NO. 1977-33A

BE IT RESOLVED by the City Council of the City of Blanding that the action of Mayor McDonald in executing the following agreement be, and the same is hereby, ratified and confirmed:

AGREEMENT

Agreement made the \_\_\_\_\_ day of September, 1977, between C & C Construction Company, a Utah corporation and JERALD HOLIDAY dba JERALD HOLIDAY CONSTRUCTION, hereinafter called Plaintiffs, and SAN JUAN COUNTY, CITY OF MONTICELLO and CITY OF BLANDING, hereinafter called Defendants.

WHEREAS, Plaintiffs filed a Complaint against Defendant in the Seventh Judicial District Court in and for San Juan County, State of Utah, Civil No. 3907, in which Plaintiffs alleged the Defendants failed to comply with Utah's competitive bidding statutes and in which Plaintiffs sought damages and injunctive relief requiring Defendants to comply with said statutes, and

WHEREAS, Plaintiff's Complaint was dismissed and Judgment entered of no cause of action pursuant to Rules 12b and 56 of the Utah Rules of Civil Procedure after a hearing on Defendants' Motion to Dismiss, and

WHEREAS, Plaintiffs have filed an appeal from said Judgment of the Seventh Judicial District Court in and for San Juan County to the Supreme Court of the State of Utah, and

WHEREAS, Plaintiffs and Defendants have reached an Agreement resolving the disputes raised by Plaintiffs' Complaint,

NOW, THEREFORE, in consideration of the premises, it is agreed as follows:

1. Plaintiffs and Defendants hereby stipulate and agree that the appeal pending before the Utah Supreme Court may be dismissed. The parties by and through their respective counsel will cause the necessary documents to be prepared and filed to obtain an Order of said Court dismissing the said appeal.

2. Defendants hereby agree that they shall strictly adhere to the provisions of Sections 10-7-20; 17-15-3; 27-12-108.1 and 27-12-108.2, Utah Code Annotated, as amended, and all other statutes of the State of Utah applicable to Defendants relating to competitive bidding. It is understood that the foregoing Agreement shall not be construed as an admission that the defendants, or any of them, have violated any of the statutes as aforesaid, any claimed violation or violations are expressly denied.

3. Defendants further agree that they shall secure a formal resolution of the Board of Commissioners and the City Councils authorizing execution of this Agreement.

Dated this \_\_\_\_\_ day of September, 1977.

C & C CONSTRUCTION COMPANY

BY \_\_\_\_\_

JERALD HOLIDAY CONSTRUCTION

BY \_\_\_\_\_

SAN JUAN COUNTY

BY \_\_\_\_\_  
Edward Boyle, Commissioner

CITY OF MONTICELLO

BY \_\_\_\_\_  
Gene Etherington, Mayor

CITY OF BLANDING

BY \_\_\_\_\_  
Kenneth P. McDonald, Mayor

PASSED, ADOPTED and APPROVED this 26th day of October, 1977.

S/ Kenneth P. McDonald, Mayor

ATTEST:

S/ Francis D. Nielson  
Recorder

7. The following letter was read in full to the Council:

Dames & Moore  
Suite 200  
250 East Broadway  
Salt Lake City, Utah  
October 11, 1977

Kaiserman Associates, Inc.  
2211 South 300 West  
Salt Lake City, Utah 84115

Attention: Mr. George Jorgensen

Gentlemen:

Inspection and Recommendations  
Reservoir Seepage  
Lower Blanding Reservoir  
Near Blanding, Utah

INTRODUCTION

This report presents our recommendations regarding seepage corrections resulting from our inspection of the subject reservoir. These recommendations were presented verbally to Mr. Bud Nielson of Blanding City and Mr. George Jorgensen of Kaiserman Associates, Inc.

PURPOSE FOR STUDY

It was reported that the reservoir had leaked at the rate of approximately 1,300,000 gallons per day prior to the placing of bentonite on the bottom of the reservoir. The bentonite had decreased the seepage to 300,000 gallons per day. However, this value was in excess of an acceptable seepage rate and the reservoir had been drained to save water and to allow inspection and to take corrective action. This report provides a record of our inspection and recommendations for corrective measures that should further reduce the pond seepage.

OBSERVED CONDITIONS

Inspection of the dam and reservoir area indicated that the dam structure was performing well and that little or no settlement could be detected along the crest of the embankment. Seepage of water had not been observed immediately downstream from the embankment. Seeps from rock ledges had occurred some distance downstream and had reduced significantly after draining of the reservoir. A source of obvious seepage could be detected in the reservoir basin where an open crack existed at the surface. This crack had opened as much as two inches.

Based on observations of the geology downstream of the reservoir, it appeared that vertical rock ledges exist underneath the surface clayey silt surface soils and have caused the differential settlement and cracking noted. This settlement resulted from the saturation and waterloading of the clayey silt overburden material. The crack occurs at the location where the vertical sandstone cliff cause a differential in-depth of overburden. The cracking follows a relatively straight line along the left abutment side of the reservoir. Exposed sandstone ledges were noted along the right abutment side of the reservoir. These ledges were broken but did not appear to have deep vertical cliffs.

Four test pits were dug with a backhoe to determine depth and characteristics of the overburden material. In all test pits at least five feet of clayey silt material was encountered which had sufficient permeability characteristics to reduce seepage below the rate which had been noted from the reservoir. Two of the pits were dug to investigate the open crack that had formed. In these test pits the open crack could be followed down through the clayey silt material and into underlying gravel material. Although the cliff was not defined by the test pit program, we feel that from observing the conditions downstream from the reservoir this cliff exists in approximately the location of the cracks noted in the reservoir.

## CONCLUSIONS AND RECOMMENDATIONS

The major portion of the water loss is occurring through the fracture that was noted along the left abutment portion of the reservoir. Minor seepage is also occurring through the exposed sandstone material near the right abutment. The degree to which the seepage can be reduced will be proportional to the amount of cracks that are physically sealed by construction techniques. There was no indication of stability problems or water loss problems that would cause piping (internal erosion). Therefore, the repairs to be undertaken are solely to repair the reservoir bottom so that excessive water loss can be prevented.

We recommend sealing the cracks on the left abutment side of the reservoir by excavating a trench following the observed crack. This trench should be a minimum of four feet in depth and 20 to 30 feet in width and should essentially follow the crack from the upstream toe of the construction embankment through the entire length of the reservoir. The trench should be 20 to 30 feet in width and should follow the irregular shape of the crack that has resulted from a regular shaped cliff formation. The excavated trench should then be filled with the clayey silt soils excavated from the trench. These materials should be replaced in layers not exceeding one foot in thickness and compacted to a density of at least 90 percent as a maximum density determined by the AASHTO\*T-180, Method of Compaction. The trench should be filled to within one foot of the existing surface. At that elevation a six-inch layer of bentonite should be placed in the trench and covered with an additional six inches of sand and gravel material obtained from the gravel pit used for dam embankment construction. Exposed sandstone on the right abutment area should be covered with at least one foot of compacted clayey silt material obtained from selective borrow areas within the reservoir area covered by six inches of bentonite and six inches of gravel.

## FUTURE OBSERVATIONS

The patching of cracks and covering of sandstone areas should significantly reduce the seepage from the reservoir. Following these repairs future major seepage would be expected to develop in additional cracks not repaired by the recommended procedures. As a check on the deficiency of the repair program, it would be advisable to drain and inspect the reservoir after one year of operation. Then repeat the repair program if additional cracking is noted.

We appreciate being asked to provide this service for you. If you have any questions concerning the conclusions or recommendations stated herein, please call us.

Yours very truly,  
DAMES & MOORE  
S/ George C. Toland, Partner  
Profession Engineer No. 2311  
State of Utah

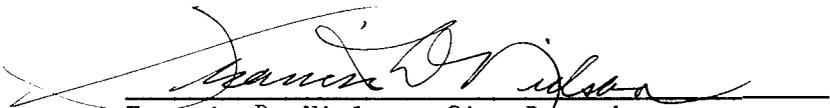
GCT/pc

The Recorder advised the Council that Genge/Call Engineering, Inc. is preparing plans and specifications relative to advertising for bids for repair of the Blanding Reservoir No. 4, consistent with the recommendations contained in the foregoing letter.

8. The Council reviewed the decision of the Federal Power Commission relative to a power rate increase by Utah Power and Light Company under FPC Docket Nos. ER 76-654 and E 9145.

9. The Recorder advised the Council that L. Robert Anderson, City Attorney is currently studying the Utah Statutes relative to required procedures in adopting a zoning ordinance and that he will correspond with us on this matter prior to the next City Council meeting.

Meeting adjourned at 10:45 P.M.

  
Francis D. Nielson, City Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD NOVEMBER 9, 1977 AT  
8:00 O'CLOCK P.M. IN THE  
CITY HALL

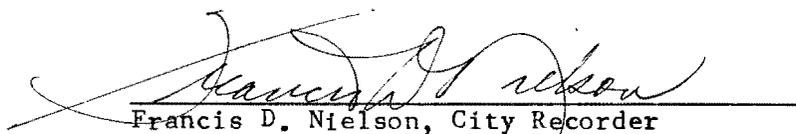
Present were: Mayor Kenneth P. McDonald  
City Councilmen: Bruce N. Black  
Michael T. Hurst  
Kenneth D. Shumway

City Recorder: Francis D. Nielson

Absent were: Councilmen: Francis M. Lyman  
Kent D. Tibbitts

1. Prayer was offered by the Recorder.
2. Minutes of City Council meeting held October 26, 1977 were read and approved.
3. Motion was made by Councilman Hurst, seconded by Councilman Shumway and unanimously carried that a public hearing be held December 13, 1977 at 7:30 O'Clock P.M. in the multipurpose room of the Blanding Elementary School, relative to the proposed adoption of a zoning ordinance for the City of Blanding; and that notice of such public hearing be advertised in the November 24, 1977 issue of the San Juan Record.
4. The Council discussed the matter of cleaning the Blanding Water Well No. 1 and equipping the same to test water production from the Navajo Sandstone. Current prices indicate production equipment would total approximately \$32,000.00 for pump, motors, cable and control panel.
5. The Council discussed a request from Plateau Resources, Inc. for permission to connect to the City water system on south highway 163 and run a four inch water line to their installation near the junction of the Highways U.S. 163 and Utah 95, for the purpose of obtaining only that water needed for domestic and laboratory operations. The council agreed that such connection could be effected and line extended subject to the City being able to connect to the same at the Blanding Airport, and provided the water use should be limited consistent with that deemed available from year to year.
6. Motion was made by Councilman Shumway, seconded by Councilman Black and unanimously carried that the City initiate an airport improvement project for the enlargement of the Parking, Tiedown and Hangar areas to accommodate the increased traffic.
7. Motion was made by Councilman Shumway, seconded by Councilman Black and unanimously carried that Councilman Hurst be appointed to represent the City on the San Juan County Planning Commission.

Meeting adjourned at 10:00 P.M.

  
Francis D. Nielson, City Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD DECEMBER  
14, 1977 AT 8:00 O'CLOCK P.M. IN THE  
CITY HALL.

Present were: Mayor: Kenneth P. McDonald  
City Councilmen: Francis M. Lyman  
Kenneth D. Shumway  
Kent D. Tibbitts  
City Recorder: Francis D. Nielson

Absent: Councilmen: Bruce N. Black  
Michael T. Hurst

Also Present: Mr. Dean Wheadon of Community Consultants, Inc; Mr. John Sanford and Mr. Jim Dandy, San Juan Rodeo Club; Mr. Steven Lovell and 27 Boy Scouts.

1. Prayer was offered by Mayor McDonald.
2. Minutes of City Council meeting held November 9, 1977 were read and approved.
3. Mr. Dean Wheadon of Community Consultants, Inc., reviewed with the Council, a report prepared by his firm, relative to the City water system, including water losses from defective meters, leaks and unmetered sales; statement of meters repaired and replaced; and a preliminary rate study.

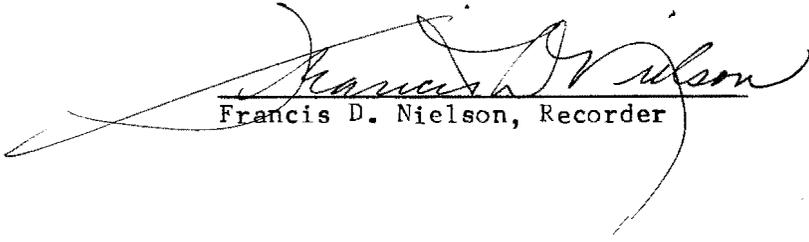
Motion was made by Councilman Lyman, seconded by Councilman Tibbitts and unanimously carried that the City retain the firm of Community Consultants, Inc., for the purpose of conducting a comprehensive water system leak survey consistent with and for the fee stipulated on their proposal of August 24, 1977, said fee being \$9,600.00.

4. Mr. John Sanford and Mr. Jim Dandy presented a proposal to the Council for development of a Rodeo Arena in the area of Blanding City Reservoir No. 2. The proposal anticipated utilizing ground erroneously assumed to belong to Blanding City which when deleted from the proposal left insufficient area for the intended purpose.

A discussion ensued as to possible sites for a Rodeo Arena with no conclusions being drawn. Mr. Sanford and Mr. Dandy were assured of the interest and cooperation of Blanding City Officials.

5. Motion was made by Councilman Lyman, seconded by Councilman Shumway and unanimously carried that the Recorder be, and he is hereby, authorized to proceed with the installation of 2200 feet of 6" Pipeline from the corner of 5th South and Main Street, easterly to the Southeast well.
6. Motion was made by Councilman Tibbitts, seconded by Councilman Lyman and unanimously carried that the Recorder be authorized to make application to the Utah Water Resources Board for a \$125,000 interest free loan, said funds to be used for water improvements.

Meeting adjourned at 11:10 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD JANUARY  
14, 1976 at 7:30 P.M. IN THE CITY  
HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: David L. Guymon  
Michael T. Hurst  
Francis M. Lyman  
H. Brent McAllister  
Kenneth D. Shumway

1. Oath of Office was administered by the Recorder to David L. Guymon who duly accepted his responsibilities as City Councilman.
2. Prayer was offered by the Recorder.
3. Minutes of City Council meeting held December 10, 1975 were read and approved.
4. The Recorder presented to the Council, Statements of Fund Balances and Expenditures and Budgetary Comparison at December 31, 1975.
5. The Recorder reviewed for the Council, attendance at a meeting with representatives of the Utah Department of Health, U.S. Environmental Protection Agency, and City engineering consultants, Henningson, Durham & Richardson, Inc. of Colorado, relative to sewerage treatment requirements and the preparation of an application for Grant funds with which to improve sewerage treatment facilities. It was borne out during discussions that facilities of a much less complicated nature will suffice for the Blanding situation and that costs should be considerably less than the earlier estimate of \$450,000.00. A third cell will be required to meet Utah State Health Department standards and Chlorination equipment will have to be installed on the discharge side to be used only when short-circuiting results and the coliform content exceeds allowable State standards. Constructual arrangements with Mr. J. Glen Shumway for his use of the discharged water, will insure the total retainment of all sewerage and should result in an EPA discharge permit being unnecessary.

Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1976-1

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City proceed, through its engineering consultants, Henningson, Durham and Richardson, Inc. of Colorado, to complete the studies necessary, and prepare an application for a Step 1 201 Facilities Plan Grant to be forwarded to the U. S. Environmental Protection Agency, through, and be subject to, the approval of the Utah Department of Health, Water Pollution Committee. Said study and plan to cost an estimated \$15,500.00, of which sum the City would be required to pay twenty five percent.

PASSED, ADOPTED and APPROVED this 14th day of January, 1976.

Kenneth P. McDonald  
Mayor

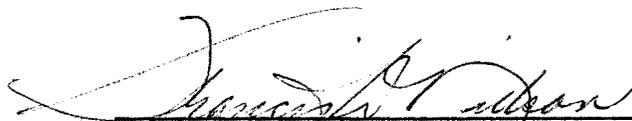
ATTEST:

Francis D. Nielson  
Recorder

7. Department assignments were made by the Mayor to the City Councilmen as follows:

David L. Guymon-----Streets and Sidewalks  
Michael T. Hurst, Jr.-----Airport, Industrial Development, Cemetery,  
Association of Governments  
Francis M. Lyman----- Electric System, Finance, Planning & Zoning  
H. Brent McAllister-- Public Safety  
Kenneth D. Shumway--- Health & Sanitation, Water & Sewer Systems

Meeting adjourned at 9:50 P.M.

  
\_\_\_\_\_  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
JANUARY 28, 1976 AT 7:30 P.M. IN  
THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: David L. Guymon  
Michael T. Hurst  
Francis M. Lyman  
H. Brent McAllister  
City Re Kenneth D. Shumway  
City Recorder: Francis D. Nielson  
City Justice of the Peace: George M. Low  
City Fire Chief: Richard Frank

Also present were the following citizens: Peter Bergshoeff  
Eva Bergshoeff  
Herb Clark  
Linda Henderson  
Peter Henderson  
Carolyn Hunt  
J. Clyde Hunt  
Janet Wilcox

1. Prayer was offered by Mayor McDonald.
2. Minutes of City Council meeting held January 14, 1976 were read and approved.
3. Richard Frank, City Fire Chief, requested the council consider payment to firemen of \$2.50 per meeting or training session and that there be no further payment for response to fires, his reasoning being that firemen respond well to fire but need some incentive to attend meetings and drills. Mr. Frank also requested the Council consider paying him \$50.00 per month for conducting fire drills at public schools and carrying out fire inspections in the City. He reported that the Fire Department responded to 20 fire calls during 1975 and advised the department needs additional fire hose, 5 additional sets of water-proof clothing, a fog nozzle and a foam dispenser.  
  
The Council declined to take action on the fire department matters pending Councilman McAllister reviewing them, as his assignment is Public Safety and he was not present during the discussion.
4. Mr. Peter Bergshoeff as spokesman for citizens present, requested the Council consider a study of traffic regulation, and particularly, traffic sign needs in the City. Councilman Guymon advised that such a study had been initiated by the Street and Police Departments, scheduled to be completed and ready for consideration by the City Council on February 25, 1976.
5. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Guymon and unanimously carried:

RESOLUTION NO. 1976-2

BE IT RESOLVED by the City Council of the City of Blanding, Utah that Francis D. Nielson be, and he is hereby, appointed to the office of City Administrator, Recorder and Treasurer; and further that Velda J. Nielson be, and she is hereby, appointed to the office of Deputy Recorder and Treasurer; both for the period from date hereof to and including the 7th day of February, 1978.

PASSED, ADOPTED and APPROVED this 28th day of January, 1976.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Recorder

January 28, 1976 cont.

6. Motion for adoption of the following resolution was made by Councilman McAllister, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1976-3

BE IT RESOLVED by the City Council of the City of Blanding, Utah, that George M. Low be, and he is hereby, appointed to the office of Justice of the Peace for the period from date hereof to and including the 7th day of February, 1978.

PASSED, ADOPTED and APPROVED this 28th day of January, 1976.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Recorder

7. The Council discussed problems relative to control of dogs and the requirements of Section of ordinance No. 1973-2 requiring the use of a dog pound. Motion was made by Councilman McAllister, seconded by Councilman Hurst and unanimously carried that the City construct a dog pound in the old sewer digester tank to be completed by not later than March 31, 1976.

8. The following letter was read in full to the Council:

U. S. Environmental Protection Agency  
Region VIII  
1860 Lincoln Street  
Denver, Colorado 80203

Blanding - City of  
50 West First South  
Blanding, Utah 84511

Re: NPDES Discharge Permit  
Violation(s) for UT-0020435

Dear Sir:

Your municipality has been issued a NPDES Discharge Permit as required by the Federal Water Pollution Control Act Amendments of 1972 (FWPCA) (33 U.S.C. 1251 et seq) to discharge wastewater from the municipality's sewage treatment facilities. The "Self-Monitoring" Section of this permit requires your municipality to analyze the discharge of the treatment facility. The results of these tests are to be reported to this Office and to the respective State at the addresses and at the frequency specified in the permit.

Our records indicate that this requirement has not been fulfilled by your municipality. Consequently, your municipality is in violation of the self-monitoring requirements.

It should be recognized that a violation of the permit conditions can result in an assessment of a civil and/or criminal penalty. Therefore, it is imperative that your municipality submit to this Office, within fifteen (15) days from the date of your receipt of this letter, your plans for meeting these self-monitoring requirements, and also the names and telephone numbers of the person (s) responsible for the self-monitoring.

If you should have any questions regarding the contents of this letter, or need further information, please contact Mrs. Barbara Hanson of this Office, telephone (303) 837-3874.

Sincerely yours,  
S/ Robert J. Burm, Acting Chief  
Permits Administration and Compliance Branch  
Enforcement Division

The Council requested the Recorder to discuss this matter with our engineering consultants, Henningson, Durham & Richardson, Inc., and have them advise the Environmental Protection Agency of current plans relative to the improvements programmed for the City sewerage treatment facilities.

9. Motion was made by Councilman Guymon, seconded by Councilman Lyman and unanimously carried authorizing installation of a telephone at the City shop.

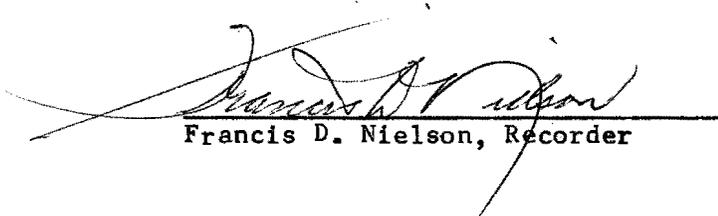
10. Motion was made by Councilman Shumway, seconded by Councilman Lyman and unanimously carried that the water connection at the Iva Hatch residence be rerouted, to extend north from Fourth South street on 2nd East Street to a point which would be due east of the southeast corner of the house.

11. Mayor McDonald requested Councilman Hurst act as liaison between the City and the local off-reservation Navajo Indian group. Councilman Hurst accepted the assignment.

12. The Council authorized the Recorder to prepare a proposal for extending the Electric distribution system into the farming area southeast of the City; and to present such proposal for consideration by prospective customers at the Recorder's convenience.

13. The Council discussed a proposal of the police department to purchase ammunition re-loading equipment on a cooperative basis with the Four Corners Peace Officers Association, the Blanding Auxiliary Police and the Blanding Police Department. The equipment is to cost approximately \$600.00 and be equally shared.

Meeting adjourned at 10:10 P.M.



Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD February 11, 1976 AT  
7:30 P.M. IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: David L. Guymon  
Michael T. Hurst  
Francis M. Lyman  
H. Brent McAllister

Recorder: Francis D. Nielson

Absent was Councilman Kenneth D. Shumway

Also Present: Mr. Sam Lewis  
Mr. Cleal Z. Bradford

1. Prayer was offered by Councilman Guymon.
2. Minutes of City Council meeting held January 28, 1976 were read and approved.
3. Mr. Sam Lewis requested permission to connect to the City watermain on Johnson Creek Road approximately 1/2 mile north of the City. Mr. Lewis was advised that current water distribution and supply problems within the City prohibit making further water connections outside the City limits.
4. Mr. Cleal Bradford requested the Council to consider leasing to the Utah Navajo Development Council, a small parcel of land owned by the City of Blanding in Westwater Canyon, said land to be combined with adjacent land, on which Utah Navajo Development Council proposes to develop an amphitheatre for the purpose of staging for the public, plays and pageants depicting Indian history and culture.

The Council expressed agreement to execution of such a lease when formally prepared and presented, general conditions being that terms of a prior third-party resource agreement would be included; lease fee would be a nominal \$10.00; expiration date would be ten (10) years from date of execution with an option to renew conditioned upon diligent performance; Blanding City would be saved harmless from any liability claims arising out of the use of said land; and the lease shall become null and void two years from date of execution if development has not then commenced.

5. Motion for adoption of the following resolution was made by Councilman McAllister, seconded by Councilman Hurst and unanimously carried:

RESOLUTION NO. 1976-4

BE IT RESOLVED by the City Council of the City of Blanding, Utah as follows:

1. That all prior regulations governing compensation to Volunteer Firemen for any and all activities relative to services performed for and in behalf of Blanding City are hereby rescinded.

2. That commencing March 1, 1976, approved volunteer firemen of the City of Blanding shall be compensated at the rate of \$2.50 per meeting or fire drill attended not to exceed 24 such meetings or drills annually, and that there be no compensation for responding to and taking part in actual fire fighting.

3. That the Fire Chief be paid \$50.00 per month for carrying out fire inspections, drills, conducting department meetings, supervising fire fighting and all department training and activities, as well as keeping records of all the foregoing; including preparation of and presentation to the Council of a report of all department functions and activities monthly.

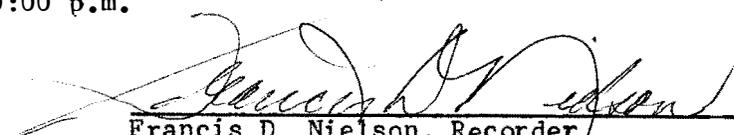
PASSED, ADOPTED and APPROVED this 11th day of February, 1976.

Attest:

Recorder

\_\_\_\_\_  
Mayor

Meeting adjourned at 10:00 p.m.

  
\_\_\_\_\_  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
FEBRUARY 25, 1976 AT 7:30 P.M.  
IN THE CITY HALL

Present were: Mayor Kenneth P. McDonald  
City Councilmen: David L. Guymon  
Michael T. Hurst  
Francis M. Lyman  
Kenneth D. Shumway

Recorder: Francis D. Nielson

Absent was Councilman Brent McAllister

Also present: Ben J. Black, City Marshall  
John I. Sanford

1. Prayer was offered by Councilman Hurst.
2. Minutes of City Council meeting held February 11, 1976 were read and approved.
3. The Council discussed a prior lease of the airport pasture land to Mr. Lloyd Shumway, such lease having been succeeded to by Mr. John I. Sanford. Mr. Sanford contended that the lease conditions included one month of use during calendar year 1976. As there was no official record of the action taken in negotiating the lease with Mr. Shumway, the same having been done by private conversation with a majority of the City Councilmen concurred in by the Mayor; the consensus was that such an additional month of use had been granted by the Council. The Recorder advised that formal action would then be required of the Council, rescinding a resolution currently effective prohibiting leasing the said land for periods beyond December 31 of any given year. The Council then agreed that should there be an indication on the cancelled check involved in the lease transaction with Mr. Shumway, so indicating the additional land use, the pasture could be used by Mr. Sanford and action ratifying and confirming the previous lease and rescinding the resolution therein governing could be taken at a later session of the Council, that in no case could the land be used by Mr. Sanford beyond March 31, 1976 under the subject lease.
4. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Hurst and unanimously carried:

RESOLUTION NO. 1976-5

BE IT RESOLVED by the City Council of the City of Blanding, Utah that Mr. Pete M. Black and Mr. Richard Mainord be, and they are hereby appointed to the Blanding City Planning Commission from date hereof to and including the first Monday in February, 1980, be it further resolved that Mr. Kermit Butt and Mr. Hugh P. Kirkham are continued as members of the said Commission for the period expiring on the first Monday in February, 1978, as is Councilman Francis M. Lyman for the current period of his office; and further that Mr. J. Lynn Lee and Mr. Lyle N. Johnson be issued letters of appreciation for service to the Planning Commission through the period of termination of their respective appointments on February 2, 1976.

PASSED, ADOPTED and APPROVED this 25th day of February, 1976.

\_\_\_\_\_  
Kenneth McDonald, Mayor

ATTEST:

\_\_\_\_\_  
Francis D. Nielson, Recorder

5. The Council discussed a proposed apartment complex to be developed on property in the area of 5th North and Third West Streets, and the general neighborhood concern that too many families might be concentrated in a small area. The Council concluded that the developer and affected neighborhood residents should endeavor to resolve the problem; that so long as the construction meets City Building Code requirements the City has no ordinances or regulations to preclude such development.

6. Councilman Guymon advised that the used San Juan County Rock Crusher screens are not available for City use with which to construct a dog pound, they having been removed from place of storage by person or persons unknown.

Motion was made by Councilman Lyman, seconded by Councilman Hurst and unanimously carried authorizing expenditure of funds necessary to procurement of realock fencing necessary to construction of a dog pound as previously proposed.

7. Motion was made by Councilman Guymon, seconded by Councilman Lyman and unanimously carried authorizing retaining of Henningson, Durham and Richardson, Inc. to complete the engineering necessary to extension of 3rd West Street, North to an intersection with Reservoir Road, and further authorizing negotiations for the necessary right-of-way easement.

8. Council authorized proceeding with curb and gutter construction on U.S. 163 from the intersection of 1st East and Center Streets Northeasterly to the Intersection of 1st North and U.S. 163, funds for said construction having been previously allocated.

9. Council authorized the Recorder to obtain proposals for installation of a radio transmission and receiving network for the City to consist of 4 mobile units to be installed in City vehicles and a base station to be located within the City office building.

10. The following letter was read in full to the Council:

United States Department of the Interior  
Bureau of Land Management  
Moab District Office  
P. O. Box 970  
Moab, Utah 84532  
February 20, 1976

Dear Citizen:

The Bureau of Land Management is soliciting public comment to aid in the developing of a management plan for the Grand Gulch-Cedar Mesa area. This area is located in the south central portion of San Juan County, with the San Juan River as its southern border. The area contains the 40,000 acre Grand Gulch primitive area as well as other proposed primitive sights. The entire study area is highly scenic and primitive, and provides the recreationist with an unhindered experience in a pristine wilderness setting. Some areas are only accessible by foot or horseback. Archaeological resources, which are relatively undisturbed, are extensive in types and incidence. This is especially true as it relates to the remains of the Anasazi Indian culture.

Protection and proper management of the fragile desert forms, the high scenic sandstone land forms, wildlife, and archaeological values will be discussed at a public workshop. This workshop will be held at the Howard Johnson Motor Lodge on February 26 at 7:00 p.m. in Salt Lake City, Utah. Public comment is essential in identifying both reasonable alternatives and environmental impacts of the various draft proposals.

We would appreciate any efforts you can make to help us with the management plan. We hope you will attend this meeting.

Sincerely yours,  
S/ S. Gene Day  
District Manager

11. The Chief-of-Police reviewed with the Council the following street signing and traffic study on which action was deferred pending adoption of the revised ordinances of the City:

STREET EVALUATION

By Blanding Police Department  
February 25, 1976

THROUGH STREET RECOMMENDATIONS

1. Fifth south to be made a through street from the dairy to Main.
  - A. Stop signs to be put up at Park and Second West.
  - B. Yield signs on other intersections.
2. Center be made a through street west to Fifth West.
  - A. Stop signs for north and south bound traffic be installed at First west, second west, third west, and fourth west.
3. Second North be made a through street from U.S. 163 to Fourth West.
  - A. Stop signs be placed at First East and Second and Third West for north and south bound traffic.
  - B. All other intersections be controlled by a Yield sign.

Note: Council requested 3rd West Street be considered the through street and stop signs be so indicative.

4. A study be made of third West with reference to making it a through street. (From fifth south north to Center, and Center north to Second North, and on North to the City water tank. If the street is put on through.

(Above note applies hereto)

THIRD EAST

Third East and Third South Recommendations:

1. Small tree on the southeast corner be removed.

All other intersections on Third East seem to be OK.

SECOND EAST

Second East and Second North Recommendations:

1. The tree on the southeast corner either be removed or trimmed high enough to allow clear line of sight.
2. The curbs around the church and clinic be properly painted.
3. A stop sign be installed on the southeast corner.

Second East and First North Recommendations:

1. The tree on the northeast corner be removed.

Second East and Center Recommendations:

1. The curbs be properly painted.
2. Parking signs be installed.
3. Contact be made with the people that usually park here and explain to them the changes and our requests.

Second East and First South Recommendations:

1. The tree on the southeast corner be pruned high from the ground.
2. Move the yield sign on the northeast corner 5 feet closer to the street.
3. Move the yield sign on the southwest corner 16 feet closer to the street.

Second East and Second South Recommendations:

1. Remove tree on the southwest corner.
2. Move yield sign on the southwest corner 16 feet closer to the street.

Second East and Third South Recommendations:

1. Remove small bushes and tree on northeast corner.
2. Move yield sign on northeast corner 12 feet closer to the street.
3. Move yield sign on southwest corner 16 feet closer to the street.

FIRST EAST

First East and First North Recommendations:

1. Street is in bad need of repair. Chuck holes.

First East and Center Recommendations.

1. Street repair. Chuck holes.

First East and Second South Recommendations:

1. Large trees on the northeast corner need to be pruned high and back away from the street.

First East and Fourth South Recommendations:

1. The trees on the northeast corner be removed or pruned very high.

All other intersections seem to be OK.

SECOND EAST

Second East and Fourth South Recommendations:

1. Move yield sign on southwest corner 8 feet closer to the street.

Second East and Fifth South Recommendations:

1. Remove bushy tree on northwest corner.

MAIN STREET

Main and Second North

There is a large amount of traffic that goes through this intersection  
Recommendations:

1. The yield sign on the southeast corner be raised, approx. 3 feet.
2. The no U turn sign that is in the middle of the block be moved up and put on a light pole on the north side of the intersection.
3. No U-turn signs be painted on the cement wall on the north side of Second North.
4. The No Parking signs be repainted.

Main and First North Recommendations:

1. The curbs be painted with red paint. (near corners and driveways)
2. Parking signs be put up to show proper parking procedure.

(Note: Yellow paint is now proper for curb marking.)

Main and Center Recommendations:

1. Larger signs indicating the route of #163.

Main and First South Recommendations:

1. Paint the curbs near fire plugs and on corners.
2. Have the State Highway Dept. put two additional No Parking signs up on the poles between the drug store and the corner of center street. The two existing signs are hard to see.
3. Properly paint all curbs near driveways.

Main and Second South Recommendations:

1. Lower the stop sign on the northeast corner to where the bottom is 6 feet off the ground.

Main and Third South Recommendations:

1. Curbs be properly painted.
2. The large chuck holes in the street be repaired.

Main and Fourth South Recommendations:

1. Curbs be properly painted.

Main and Fifth South Recommendations:  
This intersection appears to be OK

(Consideration should be given to eliminating vegetation from S.W. Corner of intersection)

Main and Park Recommendations:  
1. A stop sign be put up.

Main and Perkins Street:  
1. A stop sign be put up.

#### FIRST WEST

First West and First North Recommendations:  
1. Yield sign on the northeast and southwest corners be raised so the bottom of the sign is about six feet from the ground.  
2. Move both yield signs four feet closer to the street.

First West and First South Recommendations:  
1. Curb on the northeast corner be properly painted.

First West and Second South  
1. Yield sign on the southwest corner be moved about 10 feet closer to street.

First West and Third South Recommendations:  
1. Curb be properly painted.

First West and Fourth South Recommendations:  
1. Yield sign on the southwest corner is loose and needs to be stabilized.  
2. Yield sign on the northeast corner is down and needs to be put on a metal post and in cement.

First West and Fifth South Recommendations:  
1. A stop sign be put up on the northwest corner for south bound traffic.

#### SECOND WEST

Second West and Fourth North Recommendations:  
1. The board and picket fence on the southeast corner be removed or changed so that the line of sight is not blocked.

Second West and Third North Recommendations:  
1. Tree on the northeast corner either be removed or pruned high.

Second West and Second North Recommendations:  
1. Stop signs be put up for north and south bound traffic.

Second West and First North Recommendations:  
1. Hedge on the southeast corner be removed or trimmed way down.

Second West and Center Recommendations:  
1. Stop signs be put up for north and south bound traffic.  
2. Trees on the northwest corner be trimmed or removed.

Second West and Second South Recommendations:  
1. Road work is required. (Chuck holes)

Second West and Fourth South Recommendation:  
1. The brush on the southwest corner needs to be removed.

Second West and Fifth South Recommendations:  
1. Stop signs be put up for north and south bound traffic.  
2. No speed bumps be put in on the south end of this street.

All other intersections on Second West appear to be OK.

THIRD WEST

Third West and Second North Recommendations:

1. Hedge on the southwest corner be removed or trimmed way down.
2. Stop signs be put up to take the place on the yield signs that are now up. They would apply to north and south bound traffic.

(Council concluded that stop signs should be placed on 2nd North instead of 3rd West.)

Third West and Center Recommendations:

1. Stop signs be put up on the southeast and northwest corners for north and south bound traffic.

Recommendations:

- A. That third West be made a through street.
- B. If third west is made a through street all the intersections and their signs be re-evaluated.

FOURTH WEST

Fourth West and West Water Road Recommendations:

1. Trees on the northwest corner be removed.
2. Shrubs on the southwest corner be removed or trimmed down.

Fourth West and Third North recommendations:

1. Trees on the northwest corner be removed or pruned properly.

Fourth West and First North recommendations:

1. Shrubs on the northwest corner be removed.
2. Put a stop on a steel pole on the southwest corner.

Fourth West and Center recommendations:

1. Stop signs be installed on the northwest and the southeast corners.  
(stop signs will apply to north and south bound traffic)
2. A large STOP be painted in the middle of the road, for south bound traffic just north of the intersection.
3. Remove the yield sign on the southwest corner.

Fourth West and First South recommendations:

1. Picket fence on the northeast corner be removed.  
  
A. If Third west is made a through street it will take a lot of the traffic off Fourth West, this may call for more evaluation.

FIFTH WEST

Fifth West and Center Recommendations:

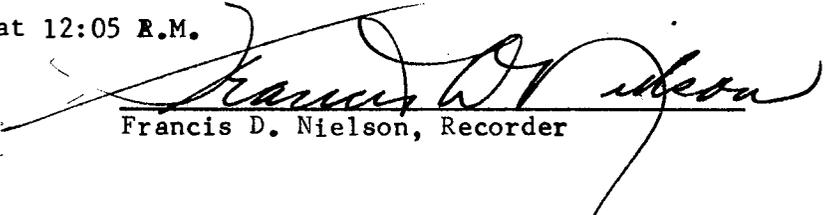
1. A Dead End sign be put up on the northwest corner for West bound traffic.

All other intersections seem to be OK

GENERAL RECOMMENDATIONS:

1. Better and more clearly marked school zones.
2. School zone signs be placed in the middle of the road for approaching vehicles on streets passing both elementary schools.
3. These signs be put into place and removed by school children. (Prior to and after school.)
4. No speed bumps be put on Continental street.
5. More education on traffic rules and regulations.
6. Stricter Enforcement on traffic violations.

Meeting adjourned at 12:05 A.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD MARCH 10, 1976 AT 7:30  
P.M. IN THE CITY HALL.

Present were City Councilmen: David L. Guymon  
Francis M. Lyman  
H. Brent McAllister  
Kenneth D. Shumway  
*Michael T. Hurst*  
Recorder: Francis D. Nielson

Absent was Mayor Kenneth P. McDonald  
and ~~City Councilman Michael T. Hurst~~

Also present were: Norman F. Nielson, Richard C. Nielson, Aroe G. Brown, Ivan  
Watkins, Richard Guymon.

In the absence of Mayor McDonald, the meeting was conducted by Councilman  
McAllister, Mayor Pro Tempore.

1. Prayer was offered by Councilman McAllister.
2. The Recorder reviewed with interested parties the following proposal to extend  
electricity into the farming area southeast of the City:

ELECTRIC LINE EXTENSION PROPOSAL  
Southeast Farming Area

Trunk Line Extension - Approximately 10,958 feet, 7200 Volts.

ESTIMATED COST: \$10,190.94

Connection to the existing system would be effected at the end of the lane at  
the Steven Meyer field entrance. Construction costs of the existing line to  
this connection point were borne by Ervin R. Guymon. We are proposing that  
as compensation for use of the existing line Mr. Guymon be authorized to effect  
not more than two connections to the proposed trunk line at points acceptable  
to him. This would eliminate further cash outlay for purpose of purchasing  
the existing line.

Pro-rata cost distribution:

(For the purposes of this estimate we are using a percentage of line to  
proposed individual service junctions. At final billing we will use  
actual footage costs)

John I. Sanford	107.31
Lyle Palmer	107.31
Jess Grover	158.04
Delores Hurst	208.26
Parley O. Hurst	208.26
O. Frost Black	208.26
Eugene Guymon	664.22
Ivan Watkins	868.82
Jess Grover	868.82
Aroe G. Brown	868.82
Francis Laws	868.82
Kloyd Perkins	1,585.84
Norman & Connie Nielson	3,468.16
Total	<u>10,190.94</u>

LATERAL LINE EXTENSIONS: (Primary)

Three-phase Power 320.00 per 400' span  
Single-Phase Power 225.00 per 400' span

Tap Units:

Three-Phase Power (Existing Pole) 240.00  
Single-Phase Power (Existing Pole) 80.00

(If a new pole is required add \$130.00)

Cut out Units:

Three-Phase	215.00
Single Phase	85.00
Guy Unit	180.00

Transformers:

5 KVA	295.00
10 KVA	330.00
15 KVA	435.00
25 KVA	455.00

Single-Phase requires 1 transformer  
Three-Phase requires 2 Transformers

LATERAL LINE EXTENSIONS: (Secondary)

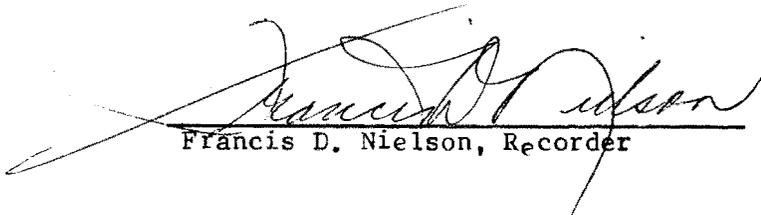
Triplex - \$85.00 to \$130.00 per 100 feet.

All metering furnished by City

Interested parties agreed to furnish the City with length of proposed lateral lines and approximate Kilowatt capacity of their installations to enable our computing construction cost estimates, by not later than April 15, 1976.

3. Minutes of City Council meeting held February 25, 1976 were read and approved.
4. The Council again discussed the traffic hazzard existing on 2nd West Street between 5th South and Continental streets resultant from Truck Parking thereat. Councilman McAllister will advise the Police Department personnel to request the cooperation of the truck owners in clearing the area.
5. Inasmuch as only one proposal has been received to date, to furnish a Transmitter-Receiver network for the City, the Council declined to take action on the matter.

Meeting adjourned at 9:25 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
APRIL 14, 1976 AT 7:30 P.M. IN  
THE BLANDING CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: David L. Guymon  
Michael T. Hurst  
H. Brent McAllister  
Kenneth D. Shumway

Recorder: Francis D. Nielson

Absent: Councilman Francis M. Lyman

Also Present were: Mr. Richard Frank, Fire Chief; Mr. & Mrs. Peter Bergshoeff;  
Mr. & Mrs. Clyde Hunt, Mr. Brian Stubbs; Mr. Charles Lyman;  
Mr. Calvin Van Dyke.

1. Prayer was offered by Councilman Shumway.
2. Minutes of City Council meeting held March 10, 1976 were read and approved.
3. Mr. Richard Frank, Fire Chief, presented a report of Fire Department activities for the month of March, 1976:

BLANDING FIRE DEPARTMENT  
ACTIVITY REPORT  
March 1976

No. fires (1 in January, 1 in February)

Fire drills held at all 5 school buildings - March 31, 1976 (drills were also held January 27, 1976, and February 24, 1976)

Made 10 checks on trash burning.

Fire truck inspected and/or run once a week

Classroom drill meeting held March 23, 1976

House fire drill held March 26, 1976

Roster:	Attended 3-23-76	Attended 3-26-76
Richard L. Frank, Chief	x	x
Leauard A. Oriett	x	x
Gordon Redd	x	x
Gorden Hawkins	x	x
Dan Woodard	x	x
Don Roberts	x	
Gerald Black		x
Don Smith		x
Kim Smith		x
Ned Smith		x
Curtis Palmer		x

Mr. Frank requested that Mr. Leauard A. Oriett be approved to act as a member of the volunteer fire department.

Motion was made by Councilman Shumway, seconded by Councilman Guymon and unanimously carried authorizing Mr. Leauard A. Oriett to act as a member of the Blanding Volunteer Fire Department.

4. Mr. & Mrs. Peter Bergshoeff and Mr. & Mrs. Clyde Hunt discussed with the Council the proposed extension of Third West Street from approximately 600 North Street, Northerly to an intersection with Reservoir Road. Bershoeffs and Hunts expressed strong opposition to the proposal which would require from them a tract of land

approximately 60' X 405'. Permission was granted the City by Bergshoeffs and Hunts to survey across their land. No further action was taken on this matter.

5. The Council reviewed with Mr. Brian Stubbs and Mr. Charles Lyman, the process necessary for annexation of property to the City as well as utility extension policies.

6. Mr. Calvin Van Dyke, representing the Blanding Chamber of Commerce, discussed with the Council, the ensuing cleanup--Fixup program currently being organized and promoted by the Chamber of Commerce. Mr. Van Dyke was assured of City cooperation in the proposed effort and requested to keep the City advised on plans and equipment needs in time to assure of San Juan County Road Department Assistance during the period when heavy equipment will be required.

7. Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman McAllister and unanimously carried:

RESOLUTION NO. 1976-6

A RESOLUTION AUTHORIZING ENTERING INTO A COOPERATIVE AGREEMENT WITH THE UTAH STATE DIVISION OF AERONAUTICS FOR INSTALLATION OF VARIABLE APPROACH PATH INDICATORS AT THE BLANDING MUNICIPAL AIRPORT.

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City enter into a cooperative agreement with the Utah State Division of Aeronautics for the installation of Variable Approach Path Indicators at the Blanding Municipal Airport including purchase of necessary materials and supplies, the total authorized expenditure for said installation, not to exceed \$1,000.00.

PASSED, ADOPTED and APPROVED this 14th day of April, 1976.

S/ Kenneth P. McDonald, Mayor

ATTEST:

S/ Francis D. Nielson, Recorder

8. Council approved use of City men and equipment for removal of earth excavated from the McArthur Norton property and currently piled on a City street, said earth to be transported to 2nd South Street between 2nd and 3rd East Streets for use as fill on which to build a street surface.

9. The Council agreed to review the Model Code of City Ordinances as prepared by the Utah League of Cities and Towns, at the next regularly scheduled City Council meeting to be held April 28, 1976.

10. At the request of Mayor McDonald action was deferred on the proposed Westwater Land lease agreement with Utah Navajo Development Council, until the next regularly scheduled City Council meeting.

11. The following letter was read in full to the Council by the Recorder:

Henningson, Durham & Richardson  
April 2, 1976

Mayor & Town Council  
City of Blanding  
P. O. Box 68  
Blanding, Utah 84511

Re: Blanding 1 M.G. Reservoir

Gentlemen:

This letter is to advise you that the completion date for the above project was February 27, 1976. No work has been accomplished since December 30, 1975, with the exception of some joint repair inside of the tank.

The following items remain to be completed.

1. Leaks @ footing & floor joints.
2. Tank gauge to be installed.
3. Outside ladder needs secured @ manhole & repainted.
4. Pour deck on control valve vault.
5. Outside finish on tank & roof drip edge.
6. Backfill around tank & final grades for drains.
7. Replace barbed & woven wire fence along East property line.

I feel the above items should all be completed on or before April 15, 1976, or the one hundred dollars (\$100.00) per day liquidated damages should be assessed by you the owner, not as a penalty but for additional expenses incurred relating to this project.

Yours very truly,  
Henningson, Durham & Richardson, Inc.  
S/ Jim Franklin

The Council directed the Recorder to advise Hurst Building and Supply Company by letter, that the penalty provisions of the 1.0 M.G. Concrete Storage Reservoir construction contract will commence at May 1, 1976 if the facility remains unuseable at that date.

12. Motion for adoption of the following resolution was made by Councilman McAllister, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1976-7

A RESOLUTION AUTHORIZING EXECUTION OF A MUTUAL RELEASE RELATIVE TO EQUIPMENT OWNED BY BLANDING CITY ASSIGNED FOR USE BY WESTERN JUNIPER PRODUCTS, INC. RECENTLY HOUSED IN A BUILDING RENTED FROM E. A. BLACK.

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute the following Mutual Release:

MUTUAL RELEASE

This indenture made this 7th day of April, 1976, between Western Juniper Products, Inc., a Utah corporation, Allan Black, and the City of Blanding.

WHEREAS, Western Juniper Products, Inc. entered into a contract with the City of Blanding to carry out a Four Corners Juniper Oil Demonstration Project, and,

WHEREAS, Western Juniper, pursuant to said contract, rented certain premises from Allan Black, and,

WHEREAS, disputes and differences have arisen with respect to the balance of the rent due for the period during which Western Juniper occupied said premises, and,

WHEREAS, all of the parties hereto have agreed to settle all the said disputes and differences by the transfer of one generator and other good and valuable consideration to Allan Black, and by the execution of this Mutual Release: Now this indenture witnesseth, that in pursuance of this Agreement, and for the consideration stated above, Western Juniper Products, Inc., Blanding City, and Allan Black, do hereby release each other, their heirs, executors, administrators, estates, and effects, from all sums of money, amounts, actions, claims, and demands whatsoever up to the date and execution of this Agreement.

DATED this 7th day of April, 1976.

Blanding City  
S/ Kenneth P. McDonald, Mayor

Western Juniper Products, Inc.  
S/ Francis J. Nielson, President

Allan Black

PASSED, ADOPTED and APPROVED this 14th day of April, 1976.

S/ Kenneth P. McDonald, Mayor

Attest:  
S/ Francis D. Nielson, Recorder

13. The following letter was read in full to the Council by the Recorder:

Henningson, Durham & Richardson  
March 31, 1976

State Clearing House  
State Capitol Bldg.  
Salt Lake City, Utah 84511

Re: City of Blanding, Utah, Notice of Intent to  
Apply for Federal Aid for a EPA Step 1,  
201 Facility Plan, Study

Gentlemen:

Enclosed, please find two (2) copies of the Completed Form, "Notice of Intent to Apply- - -" for the City of Blanding, Utah. Attached to each is a copy of the Engineering Agreement for the subject study. The Agreement will be modified to include the new Appendix C-1 as required by the EPA.

This material is being submitted in behalf of Mr. Bud Nielson, City Administrator.

We trust that this submittal conforms with your requirements and we request that you notify either Mr. Nielson or our office should changes be required.

Very truly yours,

Henningson, Durham & Richardson, Inc.  
of Colorado

S/ William T. Murray, P.E.  
Project Engineer

14. The following letter was read in full to the Council by the Recorder:

Henningson, Durham & Richardson  
April 1, 1976

Utah State Board of Health  
44 Medical Drive  
Salt Lake City, Utah 84113

Attention: Mr. Fred Pehrson

Re: Blanding, Utah  
201 Facility Plan Preliminaries

Gentlemen:

Enclosed please find two (2) copies of a map which delineates the proposed study area for the Blanding, Utah 201 Facility Plan. This area was selected by the City of Blanding and our firm.

The enclosed is a copy of portions of two USGS 15 minute quadrangles; Blanding, Utah and Brushy Basin Wash, Utah. The proposed study area lies entirely within the Blanding Quadrangle but a portion of the Brushy Basin Wash Quadrangle is included to aid perspective.

We are proceeding with the study based on the assumption of your concurrence with the proposed study area. Please advise us of your agreement with or suggested changes to the proposed study area at your earliest convenience.

Yours very truly,

Henningson, Durham & Richardson, Inc.  
of Colorado

S/ William T. Murray, Project Engineer

15. Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1976-8

A RESOLUTION AUTHORIZING EXECUTION OF AN  
ENGINEERING AGREEMENT WITH HENNINGSON,  
DURHAM AND RICHARDSON, INC.

BE IT RESOLVED by the City Council of the City of Blanding that Mayor Kenneth P. McDonald be, and he is hereby, authorized to execute the following engineering agreement:

ENGINEERING AGREEMENT WITH THE  
CITY OF BLANDING, UTAH FOR  
201 FACILITY PLAN STUDY

THIS AGREEMENT, made the \_\_\_\_\_ day of \_\_\_\_\_, 1976, by and between the CITY OF BLANDING, UTAH, hereinafter called the "City", and HENNINGSON, DURHAM & RICHARDSON, INC. OF COLORADO, also known as HDR, hereinafter called the "Engineer";

WITNESSETH:

WHEREAS, the City intends to prepare a Step I - 201 Facility Plan, relating to its waste water treatment plant and sanitary sewer system, and

WHEREAS, the Engineer is a Consulting Engineer experienced in sanitary engineering and is familiar with the City and required work based on previous work in Blanding and other cities.

NOW THEREFORE, the City and the Engineer for the considerations hereinafter named, agree as follows:

ARTICLE I - SCOPE OF WORK

Services to be performed by the Engineer in completing the Step I - 201 Facility Plan, are described as follows:

1. Introduction -

- (a) Briefly state the authorization, purpose and scope of the report.
- (b) Describe and prepare a map, to a suitable scale, showing the boundaries of the proposed 201 planning area.

2. Effluent Limitations -

- (a) Review and discuss State Water Quality Criteria in the planning area.
- (b) Review, discuss, and include in the report copies of existing NPDES permits in the planning area.
- (c) Develop wastewater treatment plant design criteria based on (a) and (b) above.
- (d) Items (a), (b) and (c) will form a basis for evaluation of existing wastewater treatment facilities in the planning area.

3. Current Situation -

- (a) Discuss the role of all organizations involved in planning, financing, and operating publicly owned wastewater treatment facilities in the planning area.
- (b) Study and discuss briefly the current economic base, land use patterns and population.
- (c) Study and discuss U. S. Census population history.
- (d) Present and discuss current population in the planning area.
- (e) Prepare a map or maps, to suitable scale, showing land use in the planning area in accordance with information furnished by the City Staff or local planning agencies.

- (f) Discuss existing quality, quantity and uses of surface and ground water supplies in accordance with readily available information.
- (g) Discuss existing environmental conditions such as air quality, noise levels, energy production and consumption, wetlands, flood plains, historic and archeological sites, plant and animal ecology, Federal or State projects and other environmentally sensitive areas. Sources of information for this item will be documented.
- (h) Discuss climate, topography and other pertinent and related factors.

4. Water Use, Wastewater Characteristics and Infiltration/Inflow -

- (a) Project future population, yearly to 2000, in accordance with information furnished by the City Staff or governmental planning agencies or to the satisfaction of such planning agencies.
- (b) Study such past water use records as are available to develop:
  - (1) Annual average daily water use and per capita water use;
  - (2) Per capita winter water use;
  - (3) General water quality;
  - (4) Discuss water use attributable to industrial, commercial, and domestic purposes.
- (c) Obtain wastewater flows and characteristics by installing flow monitoring equipment and performing two 24 hour composite sampling surveys with appropriate laboratory analysis to develop:
  - (1) Annual average daily wastewater flow and per capita wastewater flow;
  - (2) Average concentration of important organic constituents such as BOD, SS and  $\text{NH}_3\text{-N}$ , in both the raw sewage and treated effluent;
  - (3) Review past engineering reports related to project.
- (d) Review and summarize existing State surveys of wastewater treatment plants.
- (e) Describe and evaluate capacity and efficiency of existing publicly owned wastewater treatment plants.
- (f) Project future changes in wastewater flow and strength from industries served by the City including the effects of pretreatment and user cost recovery.
- (g) Review with the City Staff and discuss combined sewers and tributary drainage (location maps will be presented if appropriate).
- (h) Project wastewater flow and organic strength yearly to 2000.
- (i) Briefly assess the future environment of the planning area if no further waste treatment facilities are constructed.
- (j) Evaluate the existing sewage collection system to determine the possible existence of infiltration or inflow to the system. The evaluation of the sewage collection system would include the following:
  - (1) Investigation of geological and geographical conditions, soil types, topography, rainfall data and ground water levels.
  - (2) Investigation of the existing sewage collection system to determine:
    - i. sizes, length, depths and materials of construction.
    - ii. conditions of pipe,
    - iii. manholes; types and physical conditions,
    - iv. sources, quantities and causes of inflow and infiltration.

- (3) Analyze rainfall, water usage and wastewater flow records as available as a means of determining possible existence of inflow/infiltration.
- (4) Should the I/I analysis indicate the possible existence of excessive I/I, a separate sewer system evaluation survey would be required and would be performed in accordance with an auxiliary contract agreeable to all concerned parties.

NOTE: During the infiltration/inflow analysis, the City shall provide assistance in office and field, including locating manholes, opening manholes and assistance to Engineer in observing and inspecting sewers, measuring, gauging, and sampling sewage flow and simulating runoff, if required.

5. Alternatives -

- (a) Evaluate the alternative of optimizing performance of existing facilities.
- (b) Consider alternate waste treatment systems:
  - (1) Treatment and discharge;
  - (2) Treatment and reuse;
  - (3) Land application;
  - (4) Optimization of existing facilities;Consideration will include evaluation of monetary, environmental and implementation factors.
- (c) Develop and consider appropriate subalternate systems for each alternative considered in item 6(c), including evaluation of monetary, environmental, and implementation factors.
- (d) Evaluation of the alternatives will be conducted according to the following general description:
  - (1) Initial screening to select viable subalternatives.
  - (2) Preparation and comparison of preliminary cost estimates for the viable subalternatives including operation and maintenance costs and capital costs.
  - (3) General environmental impacts including primary and secondary impacts.
  - (4) Institutional arrangements for construction, operation and financing treatment facilities.
  - (5) Industrial use and/or pretreatment factors.
  - (6) Flow and waste reduction measures.
  - (7) Location of proposed interceptors and trunk sewers.
  - (8) Sludge disposal alternatives.
  - (9) Location of facilities.
  - (10) Revision of wasteload allocations.
  - (11) Phased construction.
  - (12) Flexibility associated with expansion and new technological advances.
  - (13) Reliability of facilities.
- (e) Select the best plan for wastewater treatment and prepare a draft report for appropriate review.

6. Plan Selection -

- (a) Conduct a public hearing and solicit views of concerned interests regarding draft report and preliminary plan selection.
- (b) Submit with the Facility Plan a report summarizing public participation.
- (c) Prepare an evaluation and ranking of the subalternatives on the basis of environmental effects, costs, feasibility, resources and reliability.
- (d) Evaluate the selected plan on the basis of cost-effectiveness, effluent requirements, public involvement, operational considerations, and probable effects on the environment.

7. Preliminary Design and Cost Estimates -

- (a) Describe the selected plan including presentation of a process flow diagram, description of unit processes, preliminary plant site arrangement plan, preliminary location plans of major sewers and design data.
- (b) Present detailed preliminary capital and operation and maintenance cost estimates for the selected plan.

8. Implementation -

- (a) Review existing institutional arrangements regarding legal authority and financial capability to construct and operate proposed treatment works and discuss any changes that may be appropriate.
- (b) List the implementation steps required and present a time schedule for each step and the entire project.
- (c) Summarize the general requirements for operation and maintenance of the selected plan. Detailed requirements will be prepared concurrently with design plans and specifications.
- (d) Discuss generally financial requirements of the selected plan. Detailed requirements, a user charge system, will be prepared concurrently with design plans and specifications.

9. Summary of Environmental Considerations -

- (a) Summarize the results and recommendations of the study and report regarding:
  - (1) Existing environmental conditions;
  - (2) Future environment without the project;
  - (3) Evaluation of alternatives;
  - (4) Environmental effects of the selected plan.
- (b) A separate environmental impact statement may be prepared by the EPA if the EPA deems this to be required.

10. Summary, Conclusions and Recommendations -

- (a) A summary of the items in the report which, in the Engineer's opinion, have a major significance.
- (b) A listing of the major conclusions drawn from the report by the Engineer.
- (c) A listing of the recommendations made by the Engineer.

NOTE: Completed report will be submitted to the City and then to the State and EPA for approval. The required number of copies of the completed report will be submitted for required review. 25 copies of the completed and approved Facility Plan will be presented to the City.

ARTICLE II - COMPENSATION

For all services for the work described in Article I, the Engineer shall receive compensation in the lump sum amount of \$22,000.00.

Engineer's fee for all work will be billed in partial amounts, in accordance with the schedule as shown below. A cost summary for Article I follows this Agreement.

Partial payments will be due within 30 days after date of invoice and if not paid, interest at the rate of 8% per annum will be billed from date of invoice.

ANTICIPATED PAYMENT SCHEDULE

<u>Anticipated Date of Payment Request</u>	<u>Tasks Completed</u>	<u>Amount earned &amp; Billed to City</u>	<u>EPA Funds</u>	<u>Local Funds</u>
July 1, 1976	1 thru 4	\$10,400	\$7,800	\$2,600
October 1, 1976	5	7,000	5,250	1,750
February 1, 1977	6 thru 10 (Plus Printing)	4,600	3,450	1,150
Totals		<u>\$22,000</u>	<u>\$16,500</u>	<u>\$5,500</u>

ARTICLE III - ACCESS TO RECORDS

1. The Engineer shall maintain books, records, documents and other evidence directly pertinent to performance on EPA grant work under this agreement in accordance with accepted professional practice, appropriate accounting procedures and practices, and 40 CFR Sections 30.605, 30.805, and 35.935-7. The United States Environmental Protection Agency, the Comptroller General of the United States, the United States Department of Labor, the City of Blanding and the Colorado Department of Health or any of their duly authorized representatives shall have access to such books, records, documents and other evidence for the purpose of inspection, audit and copying. The Engineer will provide proper facilities for such access and inspection.
2. The Engineer agrees to include in all his contracts and all their sub-contracts directly related to project performance which are in excess of \$10,000 the five items of this clause.
3. Audits conducted pursuant to this provision shall be in accordance with generally accepted auditing standards and formally established audit regulations, procedures and guidelines of the reviewing or audit agencies.
4. The Engineer agrees to the disclosure of all information and reports, resulting from access to records pursuant to paragraphs 1 and 2, above, to any of the agencies referred to in paragraph 1, above. In those cases where the audit concerns the engineer, the auditing agency will afford the engineer an opportunity for an audit exit conference, and an opportunity to comment on the pertinent portions of the draft audit report. The engineer will be provided copies of the formal draft audit report at the time of its transmission. Such transmission will include the written comments, if any, of the auditing firm.
5. Records under paragraphs 1 and 2 above shall be maintained and made available during performance on EPA grant work under this agreement and until three years from date of final EPA grant payment for the project. In addition, those records which relate to any "Dispute" appeal under an EPA grant agreement, or litigation, or the settlement of claims arising out of such performance, or costs or items to which an audit exception has been taken, shall be maintained and made available until three years after the date of resolution of such appeal, litigation, claim or exception.

ARTICLE IV - SERVICES TO BE PERFORMED BY OTHERS

The following items of services performed by other professionals, are not included in the engineer's services:

1. Soil testing or other sub-surface exploration and reports.
2. Property ownership information, relating to right-of-way procurement.
3. Property and/or easement acquisition.
4. Property and/or boundary surveys required for easements and/or right-of-way.
5. Preparation of easement and/or right-of-way descriptions and drawings.
6. Location verification of existing utilities and/or appurtenances, including excavation.

ARTICLE V - SCHEDULE

The Engineer shall complete services under Article I in accordance with the attached time schedule.

IN WITNESS WHEREOF, we have executed this Agreement as of the date and year above first written.

CITY OF BLANDING, UTAH

By \_\_\_\_\_  
Kenneth P. McDonald, Mayor

HENNINGSON, DURHAM & RICHARDSON,  
INC. OF COLORADO

By \_\_\_\_\_  
W. L. Bredar  
Executive Vice-President

COST SUMMARY

<u>Task</u>	<u>Manhours Required</u>	<u>Cost</u>
1. Introduction	8	\$ 200
2. Effluent Limitations	20	600
3. Assess Current Situation	30	800
4. Water Use, Wastewater Characteristics & I/I		
4(a) & 4(b) - Project Future Population & Summarize Historical Water Use	30	800
4(c) - Evaluate Wastewater Flows & Strengths	80	3,000
4(d) thru 4(i) - Project Future Wastewater Characteristics & Evaluate Existing POTW's	48	1,200
4(j) - Infiltration/Inflow Analysis	120	3,800
5. Alternatives:		
5(a) thru 5(d) - Develop Alternatives	120	3,000
5(e) thru 5(f) - Evaluate Alternatives	160	4,000
6. Plan Selection	40	1,000
7. Preliminary Design & Cost Estimates	40	1,000
8. Arrangements for Implementation	40	1,000
9. Summary of Environmental Considerations	20	600
10. Summary, Conclusions & Recommendations	16	400
Sub-Total	<u>772</u>	<u>\$21,000</u>
Printing		600
Total 201 Facility Plan Cost		<u>\$22,000</u>
Federal Share - 75% Federal Grant		\$16,500
City Share - 25%		\$ 5,500

PASSED, ADOPTED and APPROVED this 14th day of April, 1976.

\_\_\_\_\_  
Kenneth P. McDonald, Mayor

ATTEST:

\_\_\_\_\_  
Francis D. Nielson, Recorder

16. Motion for adoption of the following resolution was made by Councilman McAllister, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1976-9

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, FRANCIS D. NIELSON TO EXECUTE DOCUMENTS WITH THE FEDERAL GOVERNMENT RELATIVE TO AN APPLICATION FOR SEWER FACILITY PLANNING GRANT FUNDS.

WHEREAS, the City of Blanding is desirous of making application to the Federal government through the Environmental Protection Agency for grant funds with which to complete an evaluation of its sewerage collection and disposal system, said grant funds being authorized under the Water Pollution Control Act (33 U.S.C. 466 et seq.); and

WHEREAS, continuity of the application process and the expeditious handling of documents necessary thereto may best be handled through the office of the City Administrator;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding that the City Administrator, Francis D. Nielson, be, and he is hereby authorized to execute documents on behalf of the City of Blanding with the Environmental Protection Agency of the United States of America, relative to an application for grant funds for a 201 Facility Plan, including the furnishing of such information as the said Environmental Protection Agency may request, signing and submission of reports and other documents, and the receiving of funds.

PASSED, ADOPTED and APPROVED this 14th day of April, 1976.

\_\_\_\_\_  
Kenneth P. McDonald, Mayor

ATTEST:

\_\_\_\_\_  
Francis D. Nielson, Recorder

17. The Recorder discussed with the Council the possibility of availing of work experience personnel through the Utah State Department of Employment Security Job Service for the purpose of possibly developing the proposed small park north of the San Juan Nursing Home and the proposed winter sports area in the vicinity of the Park and Westwater reservoirs. The Council agreed that negotiations for such personnel should be continued.

18. Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman McAllister and unanimously carried.

RESOLUTION NO. 1976-10

A RESOLUTION REQUESTING SAN JUAN COUNTY TO INITIATE A STUDY OF LAW ENFORCEMENT AGENCIES WITHIN SAN JUAN COUNTY FOR THE PURPOSE OF DETERMINING THE FEASIBILITY OF THEIR CONSOLIDATION UNDER THE UTAH INTERLOCAL CO-OPERATION ACT.

WHEREAS, the State of Utah has authorized local governmental units to enter into joint or cooperative agreements with each other for the purpose of permitting the most efficient use of their powers on a basis of mutual advantage and thereby provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs of local communities, said authority being known as the Interlocal Co-operation Act; and

WHEREAS, San Juan County and its sub-divisions of government do not belong to a regional governmental organization of the State of Utah but has elected to plan and regulate its own affairs through its duly elected officials, in accordance with which philosophy there is a constant inherent obligation to study, consider, promote and endeavor to improve the services and functions entrusted to the administration and supervision of said elected officials; and

WHEREAS, the State of Utah has launched a major program to improve the criminal justice system of the State, including the training and performance of enforcement officers, said program being known as the Utah Standards and Goals Program, in which San Juan County and its governmental sub-divisions has an opportunity and an obligation to participate; and

WHEREAS, relative to the foregoing, there may be advantages in consolidation of the law enforcement agencies of San Juan County and its incorporated cities, the enumeration of some such advantages hereafter following:

I. The effective use of manpower.

- A. There may be duplication of manhours, greater productivity - case load per manhour.
- B. Elimination of time-consuming coordination efforts in crime detection.
- C. Efficient use of individual knowledge and training through assignments and departmentalizing.
  - 1. Detective Bureau
  - 2. Traffic
  - 3. Detention Facilities
  - 4. Training
- D. Adjustment for 40-hour work week (As may be required under the federal law currently on the calendar of the Supreme Court.)
- E. Personnel adjustments to afford protection during vacation, sick leave and mandated training absences.
- F. Centralization of record keeping (the elimination of duplication)
- G. Improved retirement program (cities)
- H. Elimination of jurisdictional conflicts.
- I. Effective use of manpower should create a high morale factor.

II. Equipment and Facilities.

- A. The advantages of volume purchasing.
- B. Centralization of maintenance facilities.
- C. Optimum use of detention facilities. (recent incidents have emphasized the necessity for controlled detention.)

III. Communications.

- A. All units would be responsive to a central dispatcher.
- B. Easy public access to source of service.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah, that the San Juan County Commission be, and it is hereby, requested to initiate a study of the possible consolidation of law-enforcement agencies of San Juan County and its incorporated cities under the Utah Interlocal Co-operation Act, for the purpose of ascertaining whether or not such consolidation would effect an organization capable of more efficiently and/or economically servicing the needs of law enforcement, within San Juan County.

PASSED, ADOPTED and APPROVED this 14th day of April, 1976.

S/ Kenneth P. McDonald, Mayor

ATTEST:

S/ Francis D. Nielson, Recorder

Meeting adjourned at 12:20 A.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULARLY SCHEDULED MEETING  
OF THE BLANDING CITY COUNCIL HELD APRIL  
28, 1976 AT 7:30 P.M. IN THE CITY HALL

Present were: Mayor Kenneth P. McDonald  
City Councilmen: David L. Guymon  
Michael T. Hurst  
Francis M. Lyman  
Kenneth D. Shumway  
Recorder: Francis D. Nielson

Absent was Councilman Brent McAllister

Also present: Mrs. Ada Rigby; Mrs. Theresa Redd; Mr. John Sanford; Mr. Keith Rogers; Mr. Alma Jones.

1. Prayer was offered by the Recorder.
2. Minutes of City Council Meeting held April 14, 1976 were read and approved.
3. Proposals for leasing pastureland adjacent to the Blanding Airport were opened, read aloud and duly tabulated as follows:

<u>Name of Bidder</u>	<u>Amount</u>
John Sanford	\$157.00
Jesse S. Chandler	175.50
Erwin Oliver	150.00
Alma U. Jones	125.00

Motion was made by Councilman Lyman, seconded by Councilman Guymon and unanimously carried that the City accept the proposal of Mr. Jesse S. Chandler of \$175.50 for lease of City owned pastureland adjacent to the Blanding Airport for the period May 1 through December 31, 1976.

4. Mr. Keith Rogers requested the Council verify that plastic pipe would be acceptable as watermain lines, within the Blue Mountain Sub-Division being developed in the Southeast area of the City.

The Council agreed that plastic pipe meeting the standards prescribed by the Utah Plumbing Code would be acceptable for installation within the City of Blanding. The Council further agreed that all watermains within the Blue Mountain Sub-Division shall be valved so as to isolate not more than each 1040 feet section.

5. Mayor McDonald advised the Council that Mr. Neldon Holt is desirous of purchasing an approximate 50 feet length of 2½ inch fire hose currently stored at the old sewer treatment plant yard. The Council agreed that such hose would be valuable to the City for use at the water loading valve and should not be sold.

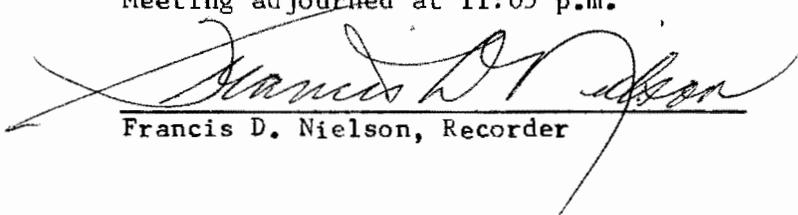
6. The Council agreed to meet with Hurst Building & Supply Company at the site of the 1.0 M.G. Concrete Water Storage Reservoir, on Thursday, April 15, 1976 at 8:00 o'clock A.M. in an effort to finalize project completion requirements.

7. The Council agreed to meet in executive session May 4, 1976 at 7:00 o'clock, P.M. to review the model code of ordinances being considered for adoption by the City.

8. Councilman Guymon advised the Council that Mr. Don Mose whose address is 8 South 4th West, desired the City to remove trees from the North side of his property. The Council agreed that removal of such trees should be done by property owners.

9. Councilman Hurst reported attendance at a meeting of the local off-reservation Indian Group who desired information relative to possible City participation in their proposed development of a group center. Councilman Hurst advised the group that the City could supply utility services, public safety assistance, Street Maintenance and other City services at normal rates but the City has no funds or precedent for expending the same on club or group facilities.

Meeting adjourned at 11:05 p.m.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD MAY 27,  
1976 AT 8:30 P.M. IN THE CITY HALL

Present were: Mayor Kenneth P. McDonald  
City Councilmen: David L. Guymon  
Michael T. Hurst  
Francis M. Lyman  
Recorder: Francis D. Nielson

Absent was Councilman H. Brent McAllister

1. Prayer was offered by ~~Councilman~~ Mayor McDonald
2. Minutes of City Council meeting held April 28, 1976 were read and approved.
3. The Council received a plat and petition to annex land from Mr. Larry Perkins and Mr. Kay Lyman.

Motion was made by Councilman Shumway, seconded by Councilman Lyman and unanimously carried authorizing utilities service to the Larry Perkins residence on land represented by a petition for annexation on file with the City Recorder.

4. Motion authorizing execution of the following agreement was made by Councilman Lyman, seconded by Councilman Guymon and unanimously carried:

AGREEMENT FOR TRANSFER OF FUNDS FROM CLASS B & C ROADS ACCOUNT

THIS AGREEMENT, between the Utah Department of Transportation, hereinafter called "DOT" first party; and Blanding, a body corporate and governmental subdivision of the State of Utah, hereinafter called "Local Authority" a second party,

WITNESSETH:

1. From the 1976 transfer to the Class B & C Roads account of \$5,777,031.27 the DOT has apportioned the sum of \$7,085.40 to the Local Authority and credited the account of the Local Authority with that sum under the provisions of Sections 27-2-17 and 27-2-18 and Chapter 8 Title 27 Utah Code Annotated 1953. Upon the execution of this agreement by the parties hereto the DOT agrees to authorize the transfer to the Local Authority said sum as well as any State held balance or portion thereof, due from previous apportionments under provisions of the law and in accordance with rules and regulations governing those funds.

2. A detailed statement of the proposed expenditure of said allotment due the Local Authority, approved by the parties hereto, is made a part of this agreement by reference.

3. All of the provisions contained under Section III of the "Rules and Regulations Governing Class B and Class C Road Funds" approved by the parties hereto and published by the DOT as of January 1970 are made part of this agreement by reference. Copies of said rules and regulations have been mailed to each Local Authority and file copies are retained by the DOT in its Salt Lake City offices as well as at each of its district offices throughout the State.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in quadruplicate by their proper officers thereunto duly authorized.

Date: \_\_\_\_\_ 19 \_\_\_\_\_  
Local Authority

Date: \_\_\_\_\_ 19 \_\_\_\_\_  
By DOT

S/ Kenneth P. McDonald, Mayor  
David L. Guymon, Councilman  
H. Brent McAllister, Councilman  
Francis M. Lyman, Councilman

UTAH DEPARTMENT OF TRANSPORTATION

Kenneth D. Shumway, Councilman

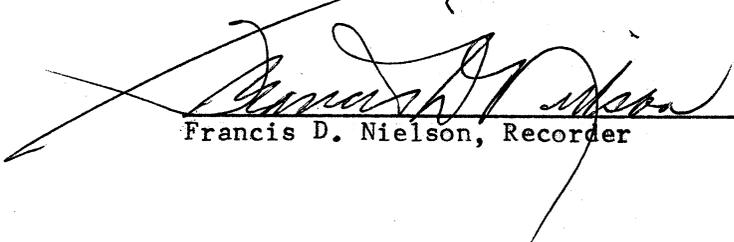
ATTEST: Francis D. Nielson, Recorder

5. Motion was made by Councilman Hurst, seconded by Councilman Lyman and unanimously carried authorizing execution of the General Revenue Sharing Planned Use Report for the Seventh Entitlement Period beginning July 1, 1976 and ending December 31, 1976, totalling \$9,766.00, the full amount to be expended for public Safety Capital Improvements, specifically the purchase of a building in which to house the Fire Department equipment.

6. The Council reviewed the proposed operating budgets of the General Fund, Class C Road Fund and the General Obligation Bond Principal and Interest Fund; and the proposed cash budget of the Electric, Water and Sewer Operating Fund for the Fiscal Year ending June 30, 1977 and Totalling \$240,215.12, \$25,371.86, \$27,047.00 and \$553,479.43 respectively.

Motion was made by Councilman Lyman, seconded by Councilman Shumway and unanimously carried that the foregoing budget proposals be presented and considered for adoption at a public hearing to be conducted June 23, 1976 at 8:30 P.M. in the City Hall.

Meeting adjourned at 11:05 P.M.



---

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD JUNE 23, 1976 at 8:30  
P.M. IN THE CITY HALL

Present were: Mayor Kenneth P. McDonald  
City Councilmen: David L. Guymon  
H. Brent McAllister  
Kenneth S. Shumway

Recorder: Francis D. Nielson

Absent were Councilmen: Michael T. Hurst  
Francis M. Lyman

Also present: George M. Low, Justice of the Peace,  
Mrs. Barbara Tate and Miss Marjorie Christensen; Peter M.  
Bergshoeff; Mrs. Eva Bergshoeff; Mr. Clyde Hunt; Mrs.  
Caroline Hunt.

1. Prayer was offered by Councilman Shumway.
2. Minutes of City Council meeting held May 27, 1976 were read and approved.
3. Mrs. Barbara Tate and Miss Marjorie Christensen discussed with the Council problems related to carrying out the Miss Blanding Pageant. It was agreed that the City of Blanding would continue to fund the pageant in an amount up to \$100.00 annually and that Mayor McDonald would request the Chamber of Commerce to make the conducting of the pageant an annual assignment of one of the elected Chamber of Commerce Directors.
4. Peter M. Bergshoeff and Eva Bergshoeff, and J. Clyde Hunt and Caroline Hunt discussed with the Council the proposed construction necessary for an extension of 3rd West Street North from approximately 5th North Street to an intersection with Reservoir Road, and the necessary right-of-way for such construction across land owned by Bergshoeffs and Hunts. Bergshoeffs and Hunts verbally agreed that a 40 feet wide strip of land running North-South on the east edge of their property, could be dedicated as a street right-of-way for the northerly extension of 3rd West Street as hereinbefore described.
5. Mrs. Eva Bergshoeff and Mrs. Caroline Hunt advised the Council that an association of citizens calling themselves the "Blanding Beautification Committee", is desirous of seeing some program of tree planting and street beautification carried out. Mrs. Bergshoeff and Mrs. Hunt were commended for their interest in such matters and requested to present any specific proposals relative to City beautification, to the City Planning Commission for their consideration prior to possible action by the City Council.
6. Mr. George M. Low, Justice of the Peace, reported to the Council, matters relating to the City Justice Court, particularly the recent penalties assessed to offenders of the controlled substance laws. Mr. Low further advised the Council that his current salary is satisfactory to the position and that he plans to attend the orientation session scheduled for Utah Justices of the Peace in correlation with the Utah League of Cities and Towns Convention scheduled in September of the current year; and that expenses necessary to attendance at such orientation session should be budgeted for the ensuing fiscal year.
7. Motion for adoption of the following resolution was made by Councilman Guymon, seconded by Councilman McAllister and unanimously carried:

RESOLUTION NO. 1976-11

WHEREAS on the day of <sup>23</sup>June, 1976 the City Council of the City of Blanding approved enlarging the boundaries to include certain lands contiguous to the then corporate limits of the City, certain of which land is more particularly described herein,

Beginning at a point South 10.0 feet and West 1920.31 feet from the Northeast Corner of Section 27, Township 36 South, Range 22 East, Salt Lake Meridian and running thence South 210.0 feet; thence East 310.0 feet; thence South 643.0 feet; thence West 620.0 feet; thence North 853.0 feet; thence East 310.0 feet to the point of beginning.

WHEREAS a portion of the above described tract of land was dedicated for use as City Streets; and

WHEREAS on or about the \_\_\_\_ day of June 1976, Mr. Tony Certonio did enter upon a portion of one of the said dedicated streets and did complete excavation of material lying in said street, including coarse gravel previously placed thereon by him, as well as other gravel, both pit-run and crushed rock placed thereon by San Juan County, and did remove such coarse gravel and crushed rock therefrom in violation of the ordinances of the City of Blanding;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding that the City Attorney, L. Robert Anderson, be advised of the foregoing described excavation and violation of City Ordinance, and that the said City Attorney be requested to initiate action consistent with the alleged offense.

PASSED, ADOPTED and APPROVED this 23rd day of June, 1976.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Recorder

8. Motion was made by Councilman Guymon, seconded by Councilman Shumway and unanimously carried authorizing execution of the following agreement:

AGREEMENT FOR TRANSFER OF FUNDS FROM CLASS B & C ROADS ACCOUNT

THIS AGREEMENT, between the Utah Department of Transportation, hereinafter called "DOT" first party; and Blanding, a body corporate and governmental subdivision of the State of Utah, hereinafter called "Local Authority" a second party,

WITNESSETH:

1. From the 1976 transfer to the Class B & C Roads account of \$5,777,031.27 the DOT has apportioned the sum of \$7,085.40 to the Local Authority and credited the account of the Local Authority with that sum under the provisions of Sections 27-2-17 and 27-2-18 and Chapter 8 Title 27 Utah Code Annotated 1953. Upon the execution of this agreement by the parties hereto the DOT agrees to authorize the transfer to the Local Authority said sum as well as any State held balance or portion thereof, due from previous apportionments under provisions of the law and in accordance with rules and regulations governing those funds.

2. A detailed statement of the proposed expenditure of said allotment due the Local Authority, approved by the parties hereto, is made a part of this agreement by reference.

3. All of the provisions contained under Section III of the "Rules and Regulations Governing Class B and Class C Road Funds" approved by the parties hereto and published by the DOT as of January 1970 are made part of this agreement by reference. Copies of said rules and regulations have been mailed to each Local Authority and file copies are retained by the DOT in its Salt Lake City offices as well as at each of its district offices throughout the State.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in quadruplicate by their proper officers thereunto duly authorized.

Date: June 23, 1976

Date: \_\_\_\_\_ 19\_\_\_\_  
By DOT

CITY OF BLANDING

S/ by Kenneth P. McDonald, Mayor  
David L. Guymon, Councilman  
Michael T. Hurst, Councilman  
Francis M. Lyman, Councilman  
H. Brent McAllister, Councilman  
Kenneth D. Shumway, Councilman

UTAH DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Director

\_\_\_\_\_  
Secretary

ATTEST:

S/ Francis D. Nielson, Recorder

(Seal)

9. The following resolution was read in full to the Council:

RESOLUTION NO. 1976-12

A RESOLUTION PROVIDING FOR THE APPROPRIATION OF FUNDS FOR OPERATION OF THE CITY OF BLANDING DURING FISCAL YEAR 1977.

BE IT RESOLVED by the City Council of the City of Blanding, Utah that there be appropriated for the operation of the City of Blanding the following amounts from the respective funds and for the purpose shown:

THIRD-CLASS CITY BLANDING  
GENERAL FUND  
June 30, 1977

ACCOUNT NO.	SOURCE OF REVENUE:	REVENUES ACTUAL PAST FISCAL YEAR	APPROVED APPROPRIATION CURRENT FISCAL YEAR
310	TAXES:		
311.1	General Property Taxes--Current	37,959.53	43,200.00
311.2	Delinquent Prior Years' Taxes	3,488.70	1,220.00
313	General Sales & Use Taxes	43,336.72	43,000.00
318	Franchise Taxes		
319	Penalties & Interest-Delinq. Taxes		
320	LICENSES AND PERMITS:		
321	Business Licenses	489.00	1,280.00
322	Truck & Vehicle Permits		15.00
323	Building & Construction Permits	645.80	750.00
325	Other:	92.00	300.00
330	INTERGOVERNMENTAL REVENUE:		
331	Grants from Federal Government	5,937.30	
333	Federal Revenue Sharing	14,087.00	18,400.00
334	Grants from State Government		
335	State-Shared Revenue		
335.1	State Liquor Fund Allotment	4,248.20	6,372.30
335.3	Other	2,056.46	3,000.00
340	CHARGES FOR SERVICES		
341	General Government Fees		
342	Public Safety Fees		
342.1	Special Police Services		
342.2	Special Fire Protection Services		
342.3	Other		
343	Highway and Street Service Fees		
343.1	Street, Sidewalk & Curb Fees		
343.2	Parking Meter Revenue		
343.3	Street Lighting Service		
343.5	Engineering Fees		
343.6	Other		

344	SANITATION SERVICES:			
344.1	Sewage Service Charges	17,524.58	18,000.00	
344.2	Refuse Collection Charges	17,524.58	18,000.00	
344.6	Other	1,782.33	1,600.00	
347	CULTURE, PARKS & RECREATION FEES:			
347.1	Golf Fees			
347.2	Swimming Pool Fees			
347.3	Playground Fees			
347.4	Park & Recreation Concessions			
347.5	Auditorium Use Fees			
347.6	Library Use Fees			
347.8	Other:			
349	CEMETERY:			
349.1	Burial Fees			
349.2	Sale of Cemetery Lots	700.00	500.00	
349.9	Other			
350	FINES AND FORFEITURES:			
351	Fines	7,879.00	8,500.00	
352	Forfeitures			
360	MISCELLANEOUS REVENUES:			
361	Interest Earnings	1,982.70	850.00	
362	Rents and Royalties		165.00	
364	Sale - Comp for Loss of Fixed Assets			
365	Contributions from Other Funds (E.W.& S)	19,295.38	5,000.00	
367	Contributions from Private Sources			
368	Balances from Discontinued Funds			
369	Other Miscellaneous	318.52	100.00	
	Withheld Employee Taxes, Ret. Funds, Insurance Premiums	8,219.98	11,675.00	
380	TRANSFERS FROM OTHER FUNDS:			
	Expendable Revenue from Fund Balances	199,224.29	83,617.39	
	TOTAL	369,267.49	247,544.69	

CERTIFICATION OF BUDGET

I, the undersigned, certify that the attached schedules are a true and correct copy of the BUDGET OF BLANDING CITY for the fiscal year ended June 30, 1977 as approved and adopted by the City Council by ordinance or resolution No. 1976-12 dated June 23, 1976.

S/ Francis D. Nielson  
Treasurer

SUBSCRIBED AND SWORN TO BEFORE ME  
29th day of July 1976

(Seal) \_\_\_\_\_ Notary Public

THIRD-CLASS CITY OF BLANDING  
GENERAL FUND  
 OPERATING BUDGET FOR THE FISCAL YEAR ENDING  
 June 30, 1977

ACCOUNT NO.	FUNCTIONS & DEPARTMENTS:	ACTUAL EXPENDITURES PRIOR FISCAL YEAR			APPROVED APPROPRIATION CURRENT FISCAL YEAR		
		GENERAL GOVERNMENT	FEDERAL REV. SHAR.	TOTAL EXPEND.	GENERAL GOVERNMENT	FEDERAL REV. SHAR.	TOTAL
410	GENERAL GOVERNMENT:						
411	Administrative:						
411.1	Administration	3,065.17		3,065.17	6,182.50		6,182.50
411.2	Mayor and City Council	1,850.00		1,850.00	1,720.00		1,720.00
411.3	City Recorder - Clerk						
411.4	City Treasurer						
411.5	City Attorney	1,128.84		1,128.84	3,000.00		3,000.00
411.6	Independent Acct. & Auditing	589.50		589.50	750.00		750.00
412	Municipal Court	2,742.42		2,742.42	3,005.00		3,005.00
413	Executive						
414	Elections	388.14		388.14	500.00		500.00
419	General Government Buildings						
420	PUBLIC SAFETY:						
421	Police Department	47,288.56		47,288.56	52,034.20		52,034.20
422	Fire Department	3,701.99		3,701.99	4,441.00		4,441.00
424	Inspection Department	60.00		60.00	700.00		700.00
429	Other Protection:						
429.1	Civil Defense						
429.2	FloodControl						
430	PUBLIC WORKS:						
431	Streets and Highways						
431.1	Roadways	13,925.74		13,925.74	15,772.00		15,772.00
431.2	Snow Removal						
431.3	Street Lighting	4,043.53		4,043.53	3,700.00		3,700.00
	Airport	3,352.44		3,352.44	3,715.00		3,715.00
432	Sanitation:						
432.3	Waste Coll. & Disposal	12,729.04		12,729.04	14,570.00		14,570.00

440	PUBLIC HEALTH:						
441.1	Health Services						
441.7	Hospitals						
450	CULTURE, PARKS & RECREATIONS:						
451	Recreation:						
451.1	Golf Courses						
451.2	Swimming Pools						
451.3	Playgrounds						
451.4	Other	75.13		75.13	1,250.00		1,250.00
452	Parks						
453	Cemeteries						
455	Libraries						
460	CONSERVATION & ECONOMIC DEV.:						
461	Conservation						
465	Econom. Develop. & Assist.						
470	DEBT SERVICE:						
	G. O. Bond Principal & Interest	28,047.20		28,047.20	27,047.00		27,047.00
480	INTERGOVERNMENTAL EXPENDITURES:						
	Contributions to E. W. & S. Systems	137,875.36	16,455.00	154,330.36	45,000.00	48,978.12	93,978.12
490	MISCELLANEOUS EXPENDITURES:						
	Employees Payroll Taxes, Ret. Funds, Ins. Prem.	8,332.04		8,332.04	11,675.00		11,675.00
	FUND BALANCE	53,039.27	30,578.12	83,617.39	2,654.87		2,654.87
	TOTAL	322,234.37	47,033.12	369,267.49	198,566.57	48,978.12	247,544.69

6/23/76

CLASS "C" ROAD FUND  
 OPERATING BUDGET FOR THE FISCAL YEAR ENDED  
 June 30, 1977

ACCOUNT NO.	SOURCE OF REVENUE	ACTUAL PAST FISCAL YEAR	APPROVED BUDGET CURRENT YEAR
335.2	Class "C" Road Fund Allotment	8,526.21	7,085.40
360	Miscellaneous Revenue		
361	Interest Earnings	891.45	825.00
365	Contributions From Other Funds		
	TOTAL REVENUES:	9,417.66	7,910.40
	Beginning Fund Balance	14,543.80	17,461.46
	TOTAL	23,961.46	25,371.86
	EXPENSES:		
431	Streets and Highways	6,500.00	25,000.00
	TOTAL EXPENSES:	6,500.00	25,000.00
	Ending Fund Balance:	17,461.46	371.86
	TOTAL	23,961.46	25,371.86

CITY OF BLANDING  
 Bond Redemption & Interest Fund  
 OPERATING BUDGET FOR FISCAL YEAR ENDED  
 June 30, 1977

ACCOUNT NO.	SOURCE OF REVENUE	ACTUAL PAST FISCAL YEAR	APPROVED BUDGET CURRENT YEAR
	Contribution from General Fund	28,047.20	27,047.00
	TOTAL REVENUES	28,047.20	27,047.00
	Beginning Fund Balance		
	TOTAL	28,047.20	27,047.00
	EXPENSES:		
	Bond Principal	18,000.00	18,000.00
	Bond Interest	9,932.50	8,923.50
	Paying Agents Fees	114.70	123.50
	TOTAL EXPENSES:	28,047.20	27,047.00
	Ending Fund Balance		
	TOTAL	28,047.20	27,047.00

CITY OF BLANDING  
Electric, Water and Sewer Fund  
Cash Budget  
Fiscal Year Ending June 30, 1977

	Actual F.Y. 1976	Estimated F.&. 1977
<b>REVENUE RECEIPTS:</b>		
Operating Revenues:		
Received From Sales and Services:		
Electricity	\$226,111.10	\$298,000.00
Water	58,772.35	61,000.00
Sewer Service	27,637.88	28,100.00
Forfeitures and Penalties:		
Electricity	818.19	1,084.00
Water	182.27	195.00
Sewer Service	104.18	115.00
Receipts From Other Agencies	7,500.00	- -
Line Extension Costs Advanced by Customers	2,665.53	15,000.00
Sales of Materials and Supplies	90.00	- -
Bulk Water Sales	823.65	600.00
Total Operating Revenues	\$324,705.15	\$404,094.00
Other Revenue:		
Earned Interest	4,682.26	3,300.00
Contributions From Other Funds	154,330.36	214,500.00
Total Other Revenue	159,012.62	217,800.00
Cash Accountability Adjustments:		
Discounts Allowed:		
Electricity	137.03	210.00
Water	152.85	204.00
Sewer Service	147.44	198.00
Line Extension Advancements Refunded	5,125.56	1,200.00
Balance - Cash Receipts	478,154.89	620,082.00
Add - Non Cash Revenue:		
Guymon Field Electric Extension Allowance	4,462.55	- -
Allowance for Water Treatment Plant Electricity	1,191.54	1,200.00
Allowance For Uncollectible Accounts	1,184.06	1,800.00
Customers Sewer Connection Allowance	145.40	- -
Employees Payroll Taxes, Insurance Premiums and Retirement Funds Withheld	5,331.03	5,700.00
Allowance For Utilities Furnished to General Depts.	7,009.69	7,500.00
Total Revenues	497,479.16	636,282.00
Beginning Fund Balances:		
Water Improvement Fund	1,260.31	7,427.82
Electric, Water and Sewer Operating Fund	27,834.88	21,434.68
Bond Redemption and Interest Fund (4-1-59)	3,985.75	12,140.46
Bond Redemption and Interest Fund (4-1-75)	- -	4,042.15
Bond Redemption and Interest Reserve Fund (4-1-59)	48,825.00	48,825.00
Electric, Water and Sewer Investment Fund	50,623.02	12,437.82
Joint Utility Improvement Fund	147,956.58	341.88
Total Beginning Fund Balances	280,485.53	106,649.81
Total Available For Appropriation	777,964.69	742,931.81

EXPENDITURES:

Operating Expenses:

Salaries and Wages	28,547.18	30,600.00
Employee Benefits	6,656.05	7,038.00
Printing and Advertising	59.40	110.00
Office Supplies and Expenses	2,593.72	2,700.00
Equipment and Facilities Maintenance and Operating Supplies	14,179.66	16,000.00
Buildings and Grounds Maintenance and Operating Supplies	2,772.26	3,000.00
Special Departmental Supplies - Resale Power Purchase	141,058.19	228,000.00
Facilities and Equipment Rent	1,788.00	1,800.00
Professional and Technical Services	1,417.00	2,200.00
Insurance and Surety Bonds	1,272.69	1,400.00
Uncollectible Accounts Charged	1,184.06	1,800.00
Total Operating Expenses	201,528.21	294,648.00

Capital Expenditures:

Electric System	187,633.97	108,000.00
Waterworks	175,997.53	43,000.00
Sewer System	6,340.11	12,000.00
Total Capital Expenditures	369,971.61	163,000.00

Debt Service Payments:

Principal	43,000.00	37,000.00
Interest	21,455.00	19,825.00
Total Debt Service Payments	64,455.00	56,825.00

Other Expenditures:

Employees Payroll Taxes, Insurance Premiums and Retirement Funds Remitted	5,194.90	5,700.00
Sales Taxes Remitted	8,938.60	14,155.00
Customers Deposits Refunded	1,185.78	900.00
Contributions To Other Funds	19,295.38	8,800.00
Sewer Connection Refund	145.40	- -
Prepaid Expenses	600.00	- -
Total Expenditures	671,314.88	544,028.00

Ending Fund Balances:

Water Improvement Fund	7,427.82	- -
Electric, Water and Sewer Operating Fund	21,434.68	20,070.81
Bond Redemption and Interest Fund 4-1-59	12,140.46	11,880.00
Bond Redemption and Interest Fund 4-1-75	4,042.15	3,828.00
Bond Redemption and Interest Reserve Fund	48,825.00	48,825.00
Electric, Water and Sewer Investment Fund	12,437.82	3,300.00
Joint Utility Improvement Fund	341.88	111,000.00
Total Ending Fund Balances	106,649.81	198,903.81
Total Expenditures and Ending Fund Balance	777,964.69	742,931.81

Motion for adoption of the foregoing resolution was made by Councilman McAllister, seconded by Councilman Guymon and unanimously carried.

Meeting adjourned at 11:15 P.M.

---

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
JULY, 14, 1976 at 8:30 P.M. IN  
THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: David L. Guymon  
Francis M. Lyman  
H. Brent McAllister

Recorder: Francis D. Nielson

Absent were Councilmen: Michael T. Hurst  
Kenneth D. Shumway

Also present: Mrs. Phyrll Black and five members of Troop #318, Boy Scouts of America;  
Mrs. Janet Wilcox; Mr. Kay P. Lyman; Mr. Arthur Hobbs; Ben J. Black,  
Chief of Police; 20 Citizens titled by themselves as "A Concerned  
Citizens Group" with R. Dan Well as designated spokesman.

1. Prayer was offered by Councilman Guymon.
2. Minutes of City Council meeting held June 23, 1976 were read and approved.
3. Mr. Kay P. Lyman and Mr. Arthur Hobbs discussed with the Council the construction of a proposed City Street between 3rd and 4th West Streets, north of the Arthur Hobbs and Dee Hancock properties on property owned by Mr. Kay P. Lyman and the Jehovahs Witnesses Church. The Council agreed that subject to the approval of the Jehovahs Witnesses local representatives and agreement between Mr. Lyman and Mr. Hobbs, the proposed street could be angled Southeasterly from the center of the area it is crossing to effect a proper intersection with, and crossing of, 3rd West Street to continue without 90° (Ninety degree) turn requirements, easterly on Seventh North Street.

4. A group titled Concerned Citizens presented through their appointed spokesman, Mr. R. Dan Webb, the following:

"I have been asked to be the spokesman for this group. The concerns which I will enumerate do not necessarily represent the feelings of all of our group. When I have concluded others may want to add to the list of concerns or comment on them.

1. We feel that our police department must be accessible. That simple phone call to a number understood by all should be sufficient to locate our law officers. We do not feel that such a request is beyond our economic or technological capabilities of our community.
2. We feel that a police officer on duty should be accountable for his time. That while on duty he should be for the most part continuously accessible and about the business of doing police work.
3. We feel that our police department should be under an understood obligation to inform the news media of all arrests, as a deterrent to crime and as evidence of the impartial treatment that all citizens of our community can expect.
4. We feel that a police officer should be in uniform while on duty so that he might be identified as a source of help. We feel that a uniform seems to support an officers authority as he carries out his assignment.
5. We expect radar to be used regularly on our city streets. Is it going to take another fatality before we see significant improvement in the policing of our city's streets.
6. We continue to observe an increasing number of users of controlled drugs on our streets. We smell the marijuana in restaurants. We observe the participants sitting in their cars smoking marijuana. Any local citizen can identify several known users and their haunts. Others seem to be able to make numerous arrests although our City Judge has not rid us of any of them.
7. We feel that a policeman should when on duty, be patrolling our streets, not at home or in his office. We believe that a police dept's duties and responsibilities should be specifically outlined to them. That a periodical public evaluation of their progress toward accomplishing those responsibilities should be held.

Thank you. "

Ben J. Black, Chief of Police, responded to some of the items contained in the foregoing statement and a general discussion of the questions raised was carried out with all present participating, and without apparent conclusion or solution of the issues.

5. Motion was made by Councilman Lyman, seconded by Councilman Guymon and unanimously carried authorizing the construction of a sewer collection lateral on 4th South Street between 2nd and 3rd East Streets.

6. The Council authorized the purchase of Pontiac LeMans Patrol Car from Paul Kellogg Motors, Cortez, Colorado at a price of \$3859.00 plus the price of air conditioning installation not to exceed \$425.00, and subject to such air conditioning unit being of the regular LeMans factory installation type.

Meeting adjourned at 12:40 P.M.

---

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD AUGUST  
11, 1976 at 8:30 P.M. IN THE CITY  
HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: David L. Guymon  
Francis M. Lyman  
H. Brent McAllister  
Kenneth D. Shumway

Recorder: Francis D. Nielson

Absent: City Councilman Michael T. Hurst

Also present were: Ben J. Black, Chief of Police; Brett Allen Black.

1. Prayer was offered by Councilman McAllister.
2. Minutes of City Council meeting held July 14, 1976 were read and approved.
3. The following letter was read in full to the Council:

Division of Health  
44 Medical Drive  
Salt Lake City, Utah  
84113

August 2, 1976.

The Honorable Mayor and City Council  
City of Blanding  
Blanding, Utah 84511

Re: Waterworks System Rating  
Blanding, Utah

Gentlemen:

Enclosed are copies of a warning letter and a Report of Survey dated October 21 and March 10, 1975 (respectively) which outline required improvements in physical equipment and maintenance necessary for the Blanding water treatment plant.

Our letter dated October 21, 1975 stated "...A 'Not Approved' rating will be assigned to the Blanding waterworks system if the water treatment plant is not in compliance with the Division of Health Standards by March of 1976...."

A resurvey was made of the water treatment plant on June 29, 1976 by Mr. Larry Scanlan of our staff, Dave Johnson of the Southeastern District Health Department, and your water superintendent, Ron Kennedy. This survey revealed that chemicals are being added in only trace amounts without effective coagulation. Enclosed is our report of chemical analysis #76-678A which shows that there is no detectable alum arriving at the flash mix basin from the alum feed line. The alum feeder was operating during the survey; however, a venturi jet feeder was malfunctioning causing all of the alum solution to discharge to the treatment plant floor rather than the flash mix basin. Chlorination facilities at the plant were not operating because a chlorine tank was allowed to become exhausted. The chlorine tank was immediately replaced and chlorination was resumed. At the time of the survey, the plant was operating at 1300 gallons per minute (gpm) while the maximum allowable rate for this plant is 750 gpm. Also revealed was the fact that Blanding has committed themselves to our previous written recommendations to repair certain essential equipment at the plant in a letter to this office dated September 15, 1975. These repairs have not as yet begun.

At the present time, we have no choice but to rerate the Blanding waterworks system "Not Approved" effective immediately. If a higher rating is desired, please contact this office; however, equipment at the treatment plant must be repaired and operated properly prior to possible consideration of upgrading.

Sincerely,  
S/ Lynn M. Thatcher  
Deputy Director of Health

LPS:ndp

Enclosures

cc: Southeastern District Health Dept  
Farmers Home Administration  
Federal Housing Administration  
Veterans Administration  
State Division of Real Estate  
Four Corners Regional Commission  
Ron Kennedy, Water Supt. of Blanding City  
Henningson, Durham & Richardson, Ins  
Francis D. Nielson, City Administrator

4. Motion was made by Councilman Guymon and seconded by Councilman Lyman and unanimously approved authorizing the City Administrator to retain the services of the nearest, available, franchised representatives for equipment in use at the Water Treatment Plant for the purpose of completing the necessary maintenance of such equipment to assure its maximum operating efficiency.

5. The following letter from the Southeastern Utah Health District was read in full to the Council and the therein referred to report relative to the City Dump was reviewed:

Southeastern Utah Health District  
Moab, Utah  
July 26, 1976

Honorable Mayor & City Council  
50 West 1st South  
Blanding, Utah 84511

Dear Gentlemen:

Please find enclosed a copy of a survey conducted by Dennis Downs of the Bureau of Solid Waste Management of the State Division of Health on June 14, 1976. This survey is conducted periodically throughout the State to view the progress regarding development of sanitary landfill operations.

In viewing the report you will find that there is room for improvement. I would hope that correction of some of the items found on this report will be forthcoming and that step by step, continued progress will take place.

If you need assistance in interpreting the report or have questions, please contact me at the enclosed address or leave a message at the Health Office in the Courthouse.

Sincerely,  
S/ Dave Johnson  
District Sanitarian

cc: Marion Hazelton-Administrator  
S.E. Utah Health District

6. Chief of Police, Ben J. Black, presented to the Council, the following list of applicants for the position of City Patrolman:

Reed Allsop  
Bert Jackson  
Francis Laws  
Willie Ronson

The Council requested further information be gotten and references checked on Mr. Ronson following which a decision would be made relative to hiring him.

7. Motion for adoption of the following resolution was made by Councilman McAllister, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1976-13

BE IT RESOLVED by the City Council of the City of Blanding that the City Administrator commence holding planning and progress report meetings with the City department heads, effective August 17, 1976 and weekly thereafter for such period of time as in the Administrators judgement such meetings are beneficial to the City; consistent with the Utah State statutes creating such City Management office

and in accordance with the laws and ordinances of the City to direct and plan City operations, including review and approval of work schedules, the devising of work report form and general employee and equipment operations control.

Meeting Adjourned at 11:20 p.m.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE BLANDING CITY COUNCIL HELD AUGUST 25, 1976 at 8:30 P.M. IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Michael T. Hurst  
H. Brent McAllister  
Kenneth D. Shumway  
Recorder: Francis D. Nielson

Absent were Councilmen: David L. Guymon  
Francis M. Lyman

Also present were: George M. Low, Justice of the Peace; Ben J. Black, Chief of Police; Mr. Reed Allsop.

1. Prayer was offered by Councilman Hurst.
2. Minutes of City Council meeting held August 11, 1976 were read and approved.
3. George M. Low, Justice of the Peace, advised the Council that he has some turquoise jewelry on hand which he has received as forfeited bail and requested counsel on disposition of the same. The Council agreed that such items should be kept in the City's safety deposit box at First Security Bank and that final disposition should be in accordance with direction from the City Attorney.
4. The following Fire Department Activity Report was reviewed by the Council:

BLANDING FIRE DEPARTMENT  
ACTIVITY REPORT  
July 1976

6 Fires in July  
No school drills.  
19 Checks and burning permits on trash and grass burning.  
Fire trucks inspected and/or run once a week.  
6 Man hours drilling on tanker truck.  
Checked and lubricated 8 fire hydrants for annual maintenance.

ROSTER	ATTENDED	ATTENDED
	July 5	July 20
R. L. Frank, Chief	X	X
Tony Oriet	X	X
Gordon Redd	X	X
Gorden Hawkins	X	
Curtis Palmer		
Dan Woodard	X	X
Don Roberts	X	X
Gerald Black	X	

The Smiths are out of town so much, they have been dropped from the Active Roll.

5. The Council approved installation of a 4" plastic water line to serve the Edge of the Cedars complex.

6. Motion was made by Councilman McAllister, seconded by Councilman Hurst and unanimously carried that the Airport Operators Agreement between the City and Loyd B. Roper be extended for the period September 1, 1976 to August 31, 1977.

7. The following Memorandum from the Utah Division of Health, was read in full to the Council:

Division of Health  
44 Medical Drive  
Salt Lake City, Utah 84113  
August 20, 1976

MEMORANDUM TO: All Local Health Officers

SUBJECT: Emergency Measures for the Control of Rabies

At its regularly scheduled meeting on August 18, 1976, the State Board of Health adopted the following revision to its Code of Communicable Disease Rules and Regulations, to be effective immediately.

" CODE OF COMMUNICABLE DISEASE RULES AND REGULATIONS

"VI. Minimum Control Measures for Specific Communicable Diseases

"Rabies

"A. Human Cases

"B. Animal

"1. Reporting required (see appendix B & D) (Section 26-6-16)

"Effective immediately, all dogs and cats in the State of Utah are to be appropriately immunized against rabies either by private veterinarians or clinics conducted for such purpose. Unvaccinated animals are subject to confinement and possible destruction.

"All pets should be confined and leashed according to local regulations and ordinances.

"Further outbreak in animals or human disease may result in the imposition of immediate quarantine and prohibition of animal transport in and out of the State."

For your information, I am enclosing a suggested revision for Appendix B of these Rules and Regulations.

Please notify those individuals in your area who have responsibilities of this nature.

S/ Bruce (something or other)  
Lyman J. Olsen, M.D., M.P.H.  
Director of Health

cc: Public Health Nurses

8. The Council approved a rabies immunization clinic to be held September 11, 1976 from 8:00 A.M. to 12:00 Noon, for the purpose of immunizing all area dogs and cats against Rabies, said clinic to be held under the direction of the Police Department.

9. The Council discussed with the Chief of Police and Mr. Reed Allsop, the possibility of Mr. Allsop entering into an on-the-job training program with the Blanding Police Department to be financed by a Title VI grant from the Utah Department of Employment Security.

Motion was made by Councilman McAllister, seconded by Councilman Shumway and unanimously carried that the City enter into an agreement with the Utah Department of Employment Security for the training of a patrolman within the Blanding Police Department, said agreement to be for the period from September 1, 1976 to and including March 31, 1977 and to include grant payments to the City of \$5,026.70, said grant payments to be representative of all salary and employee benefits to be paid a trainee during such period; that Mr. Reed

Allsop be accepted as such trainee, and that the City Administrator be authorized to execute such documents as are necessary to ~~implement~~ the training program.

10. Ben J. Black, Chief of Police, reported to the Council the solving of burglary cases at the Flower Shop and San Juan TV and Appliance by the apprehension of two juveniles from whom they recovered most of the stolen articles.

11. Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman McAllister and unanimously carried:

RESOLUTION NO. 1976-14

BE IT RESOLVED by the City Council of the City of Blanding that the City accept the grant offer and execute the Grant Agreement/~~Amendment~~ as submitted to the City by the United States Environmental Protection Agency, dated August 13, 1976, in the amount of \$16,500.00, for the purpose of carrying out a project entitled, "Facilities Plan and Studies Necessary to Determine the Most Cost Effective and Environmentally Sound Method of Wastewater Treatment for the City of Blanding"; that in accordance with Resolution No. 1976-9 execution of such document be effected by the City Administrator.

PASSED, ADOPTED and APPROVED this 25th day of August, 1976.

\_\_\_\_\_  
Kenneth P. McDonald, Mayor

ATTEST:

\_\_\_\_\_  
Francis D. Nielson, City Recorder

12. The following "Notice of Claim" was read in full to the Council:

NOTICE OF CLAIM

To: The Honorable Kenneth P. McDonald  
Mayor  
City of Blanding

The Blanding City Council

The Honorable Gene Etherington  
Mayor  
City of Monticello

The Monticello City Council

San Juan County Auditor

San Juan County Commissioners

The undersigned are contractors and taxpayers residing in the City of Blanding, San Juan County, State of Utah.

The cities of Monticello and Blanding together with San Juan County have had a long standing practice for over twenty years in which one half of the cost of the materials, labor, fuel, repairs, and gravel used for public improvement projects have been paid by the respective cities and one half paid by the county. The county has furnished its equipment for such projects at no cost to the cities.

Blanding and Monticello with the cooperation of the county, have carried on said public improvements without calling for or procuring bids from anyone for the construction of said improvements, and without entering into contracts with the lowest responsible bidder, or with anyone, for the construction of the same as required by the laws of the State of Utah.

The Claimants herein have invested large amounts of capital in earth moving equipment, gravel products, and equipment, and other construction equipment for the purpose of conducting their business on a profitable basis.

The practices of the cities of Blanding and Monticello in cooperation with San Juan County have deprived the Claimants from asserting their lawful right to submit competitive bids for public improvement projects.

Said practices have unlawfully placed the cities and the county in direct competition with private enterprise.

Said practices have unlawfully allowed work to be done for private individuals.

Said practice has resulted in the unlawful expenditure of money through the various departments of the cities and county without any contracts whatsoever in many cases.

The laws of the State of Utah clearly provide that the cities must not construct or make any improvements or carry on construction work which amounts to an improvement without calling for bids.

The Claimants herein have conducted exhaustive negotiations with city and county officials with respect to their problem. The officials have chosen to continue the unlawful practices as outlined above. Said officials have stated that they shall continue to perform work and erect improvements without making any contracts and without submitting the performance of said work to competitive bidders, and that moneys will be expended through the various departments of the cities and county without having carried out the above mentioned lawful procedures.

A list of projects complained of is attached hereto, marked Exhibit "A" and incorporated herein by reference. Said list is not meant to be all inclusive.

Claimants consider all agreements to construct public improvements arising out of the unlawful practices alleged above to be void.

Claimants further demand that all projects underway presently be halted immediately, and that no further funds be expended on said projects.

Claimants further demand that said projects be submitted to competitive bidders as required by Utah Law.

Claimants further demand payment in the amount of \$966,000.00 for damages caused to Claimants by the unlawful practices of the cities of Blanding and Monticello and San Juan County which have prevented Claimants from participating in competitive bidding for the construction of public improvements.

Claimants further demand that the cities and county refrain from carrying out work for private individuals.

C & C Construction, Inc.  
Blanding, Utah

S/ William Certonio  
Wm T. Certonio  
Tony Certonio

Jerry Holliday dba Jerry  
Holliday Construction  
Blanding, Utah

S/ Jerry Holliday

EXHIBIT "A"

Monticello City Water Reservoir  
Blanding City Road at 3rd West  
Fenceline Work on Blanding Third Reservoir  
Work on Ken Helquist Reservoir  
Work on Earl Randal's Farm at Montezuma Creek  
Ditch Work to Third Reservoir in Blanding  
City Garbage Dump Improvements  
Forest Service Road Work  
School Grounds Road Building for Access to Auditorium  
Culvert Installation on Drywash Reservoir  
Road Construction for New Road to Rest Home  
County Provided Gravel to Cities (Hauling, etc.)  
and to Private Individuals

The Council advised the Recorder to refer the foregoing matter to the City Attorney.

13. Following discussion of a request by Smith Plumbing and Heating that the City furnish electricity to operate a sewer lift in the vicinity of 700 South 2nd East, the Council agreed that to do so would establish a precedent wherein maintenance obligations would result and other similar areas could hold to for consideration and action; that such would constitute discrimination against current sewer system users in that no one is guaranteed more than gravity flow service for the service charges.

14. The following note and letter were read to the Council:

Bud, Riley sent this letter to the San Juan Record last week, but Mr. Shannon chose not to run it as he feared "libel" charges so he returned it. I told Riley he should still send it to the City Council. I suggested mailing to you as you would see that it was read at City Council meeting.  
Thanks, Janet Wilcox

An open letter to Mayor K. McDonald and the Blanding City Council:

Gentlemen:

After observing for two years, a very bad situation that is growing steadily worse, I can no longer restrain myself and as a citizen that has suffered thousands of dollars damage from burglaries and witnessed the recovery of a very small percent. I must speak out and demand that something be done about our local Police Chief Ben Black.

The Westside Market has been broken into six times in two years. Two of those burglaries were solved. I am sure the others could have been if an effort had been made.

The last robbery occurred the night of July 14th. There was between 4 and 5 thousand dollars worth of Indian Jewelry taken. When Ben Black was summoned he came and graciously did nothing. I plead with him to take finger prints. There were many places he could have done so. He promised me he would. He never did. He told me he had a prime suspect but because he hadn't taken the finger prints he couldn't catch them I guess. At least we no longer hear anything about it.

Space will not permit me to list all of my grievances. Everyone you talk with has one.

True, Bennie submits a good report. We don't give a hoot about flowery paper work. We want to see a small roster of unsolved crimes. We want a police force that can be contacted when they are needed.

We don't think we need more police cars and more policemen. We want to see those we already have, spend less time feeding their pigs and more time doing Police work.

As an alternative to more service. If we can't get it we strongly urge you to cut salaries commensurate with services rendered.

As a resident of Blanding for 65 years I have been acquainted with every Town Marshall and every City Policeman from the days of Joe Porter before World War I to the present. Some of those Marshalls received as little as \$10.00 per month. Our present force is costing us many times what any other has ever done and we are getting the poorest service.

We wouldn't mind the expense if we could get a 1st class job. What we do object to is paying for a first rate Police force and receiving the services of a 4th rate department.

The situation is absolutely intolerable. We demand action.

Respectfully,  
S/ Wm R. Hurst

15. The Council again discussed the matter of a proposed lease of land in the Westwater Canyon area, to Utah Navajo Development Council. No action was taken on the matter.

16. The following letter was read in full to the Council:

Henningson, Durham & Richardson  
310 Capitol Life Center  
Denver, Colorado 80203  
August 20, 1976

Mr. Richard C. Hansen  
Assistant Director  
Bureau of Water Quality  
Division of Health  
44 Medical Drive  
Salt Lake City, Utah 84113

Re: Blanding Water Treatment Plant

Dear Mr. Hansen:

The following is for confirmation of our telephone conversation of Wednesday, August 18, 1976. We are recommending to the City of Blanding that they install sampling taps on the two filter effluent lines for the purpose of measuring filter effluent turbidity. We have also recommended that they purchase a Hach Model 2100A turbidimeter. We have further recommended that they measure and record turbidity each hour during the working day from:

1. Raw water to the plant.
2. Each filter effluent (two sampling points).
3. Finished water from the plant.

Although you have suggested and prefer, the installation of continuous turbidity monitors, we believe that Blanding will obtain better, more dependable results with the Hach 2100A and hourly sampling. The 2100A is also substantially less expensive than a continuous unit and, of course, several continuous units would be required.

The existing Blanding water treatment plant has two (2) rapid sand filters, each with an area of 225 square feet. The plant is designed for 1.0 MGD. Thus, the design filter loading is 1.54 gpm/sq.ft. At times the plant treats up to 1.8 MGD and the filter loading would then increase to 2.8 gpm/sq.ft.

For your information we have included some correspondence from you and from HDR to the City, both somewhat over a year old, regarding the above subject.

We trust you will confirm by letter your verbal approval of our recommendation. Should you have any questions, please give us a call.

Yours very truly,

HENNINGSON, DURHAM & RICHARDSON, INC. OF COLORADO.

By William T. Murray, P.E.

cc: J. Franklin  
Bud Nielson

Meeting adjourned at 12:05 A.M.

  
Francis D. Nielson, Recorder

MINUTES OF A SPECIAL MEETING OF  
THE BLANDING CITY COUNCIL HELD  
SEPTEMBER 29, 1976 AT 8:30 P.M.  
IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: David L. Guymon  
Francis M. Lyman  
H. Brent McAllister  
Kenneth D. Shumway

Recorder: Francis D. Nielson

Absent was Councilman Michael T. Hurst

Also Present were: Mr. J. Clyde Hunt, Mr. M. Peter Bergshoeff.

1. Prayer was offered by Councilman Guymon.
2. Minutes of City Council meeting held August 25, 1976 were read and approved.
3. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Guymon and unanimously carried.

RESOLUTION NO. 1976-15

A RESOLUTION ESTABLISHING ELECTRIC, WATER,  
SEWER AND WASTE COLLECTION SERVICE RATES  
AND FIXING UTILITY SERVICE CONNECTION FEES.

WHEREAS, Utah Power and Light Company, the wholesale electricity supplies to the City of Blanding has increased the cost of such electricity to the amount of 33.9%; and,

WHEREAS, Blanding City has certain fixed electric system operating costs as well as debt service requirements necessitating a consistent source of net income, and

WHEREAS, the inflationary cost spiral continues to erode the net operating income of the City,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding that effective retroactively to the 1st day of September, 1976, the following Electric, Water and Sewer utility service rates and connection fee charges be and they are hereby adopted:

ELECTRICITY

Residential - General

60 KWH's - 7.8¢ per KWH  
140 KWH's - 5.5¢ per KWH  
500 KWH's - 3.5¢ per KWH  
All over 700 KWH's - 3.0¢ per KWH

Residential - Electric Water Heater  
(30 gallon or greater capacity)

60 KWH's - 7.8¢ per KWH  
140 KWH's - 5.5¢ per KWH  
500 KWH's - 2.2¢ per KWH  
All over 700 KWH's - 3.0¢ per KWH

Residential - Total Electric

60 KWH's - 7.8¢ per KWH  
140 KWH's - 5.5¢ per KWH  
500 KWH's - 2.2¢ per KWH  
All over 700 KWH's - 2.0¢ per KWH

Commercial Customers are to be billed in accordance with Utah Power and Light Schedule No. 6 which is hereby adopted and made a part hereof by reference for all customers currently, or in the future to be, serviced by a Demand meter; all other commercial customers shall be charged the May 31, 1975 effective rate plus twenty five per cent (25%).

ADD 4.75% Sales Tax unless exempt.

The 20% Out-Of-City-Limits surcharge on electricity has been rescinded.

WATER

Within City Limits:

\$4.00 first 5,000 gallons  
15¢ each additional 1,000 gallons

Outside City Limits:

\$8.00 first 5,000 gallons  
.30¢ each additional 1,000 gallons

SEWER SERVICE

Residential - \$3.00 per month  
Commercial - \$6.00 per month or negotiated

WASTE COLLECTION

Residential - \$2.00 per month  
Commercial - Negotiated on basis of volume

CONNECTION FEE CHARGES

Water System Connections at Property Line.....\$25.00

Sewer System Connections at Property Line.....\$300.00

Electric System Connections at Customers meter socket - all costs charged the City by Utah Power and Light Company.

The foregoing connection charges shall apply only where connections at such prices are economically feasible.

PASSED, ADOPTED and APPROVED this 29th day of September, 1976.

4. M. Peter Bergshoeff and J. Clyde Hunt discussed with the Council the possibility of sewer and water line extensions north on 3rd West Street. The Council agreed the extensions of such lines would be permitted at adjacent property owners expense. Bergshoeff and Hunt also requested deeds be prepared at the earliest convenience to resolve the matter created by earlier erroneous survey North of the South 1/4 Corner of Section 22, Township 36 South, Range 22 East, Salt Lake Meridian, said error involving a parcel of land 39 feet in width and 465 feet in length.

The Recorder agreed that deeds could be prepared by not later than October 5, 1976, on all parcels of land for which he may then have a legal description.

5. The Council approved a payment of \$45.69 for expenses submitted by the Chief of Police, incurred in obtaining a new patrol car at Salt Lake City.

6. The Council approved not more than 24 hours of excavation at the Indian Creek tunnel project to be performed by a D-8 Tractor at a cost of \$50.00 per hour, fifty percent of which costs are to be borne by Blanding City and Fifty Percent by the Blanding Irrigation Company.

7. The following letter was read in full to the Council:

L. Robert Anderson  
Attorney at Law  
P.O. Box 2757  
Monticello, Utah 84535  
September 24, 1976

Mr. Francis D. Nielson  
Blanding City Office  
Blanding, Utah 84511

RE: City VS Wendell Black

Dear Bud:

In the above matter the defendant is charged with driving while intoxicated, reckless driving, and leaving the scene of an accident. I think this occurred when some damage occurred to Bruce Black's service station.

Sept. 29, 1976 cont.

The defendant was arraigned before Judge Low and asked that the matter be heard by a judge who is a member of the Bar.

In accordance with his usual practice, Judge Low referred this to the District Court and it was on the calendar on September 15. At that time Judge Sheya indicated that he was setting cases into February of next year and it would be at least that long until this case could be heard by him.

The law does provide that a judge Pro-Tem can be appointed. I am sure that we could get Bruce Halliday, Bennion Redd, or Eric Swenson to hear this case, but they would probably expect to be compensated. Rather than accept a trial setting to far away, I told the judge that we would like to inquire of the City to find out if it would like to stand the expense of hiring a judge Pro-Tem. The judge continued this matter until October 13 to see what the City wants to do.

Would you please take this up with the city Fathers and tell me what they would like to do. If I do not get any response by October 13, I will go ahead and ask Judge Sheya to set the case before the District Court.

Very truly yours,  
S/ Robert  
Robert Anderson

CC: Chief of Police, Ben Black  
Justice of the Peace, George Low

City of Blanding  
P. O. Box 68  
Blanding, Utah 84511  
October 5, 1976

Mr. L. Robert Anderson  
Attorney at Law  
Monticello, Utah

Dear Pres. Anderson:

Re: City vs Wendell Black

The City Council would not approve hiring a lawyer as Judge Pro-Tem in the above referenced matter. I trust the matter will be carried on Judge Sheyas' calendar and handled as he can get to it.

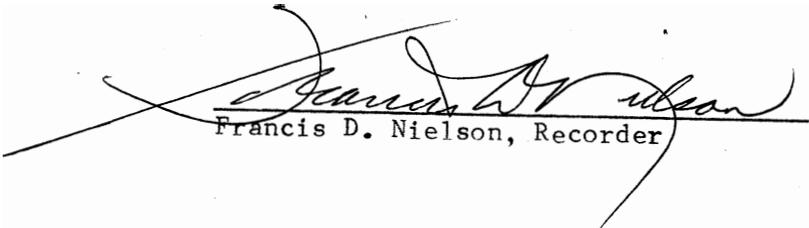
Best personal regards.

Sincerely,  
S/ Bud  
Francis D. Nielson  
City Administrator

CC: Ben Black  
George Low

The Council agreed that no Judge Pro-Tem would be retained and that the matter should remain to be handled by Judge Sheya when his calendar may permit the same.

Meeting adjourned at 11:25 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
OCTOBER 27, 1976 at 8:30 P.M.  
IN THE CITY HALL.

Present were Mayor Kenneth P. McDonald  
City Councilmen: David L. Guymon  
Michael T. Hurst  
Francis M. Lyman  
H. Brent McAllister  
Kenneth D. Shumway

Recorder: Francis D. Nielson

1. Prayer was offered by Councilman Hurst.
2. Minutes of City Council meeting held September 29, 1976 were read and approved.
3. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Shumway and unanimously carried.

RESOLUTION NO. 1976-16

A RESOLUTION DISCONTINUING ACCEPTANCE  
OF DEPOSITS FROM LESSEES AND RENTERS OF  
PROPERTY UTILIZING CITY UTILITY SERVICES

BE IT RESOLVED by the City Council of the City of Blanding that effective January 1, 1977, the City will no longer accept desposits to guarantee payment of accounts for Electric, Water, Sewer and Waste Collection services and that all accounts then guaranteed by deposit be phased out, by refund, as the customer discontinues services at the address whereat he may then be residing or doing business, as the case may be, for whatsoever reason he may discontinue such service. Be it further resolved that all future billings be charged to the account of the owner of the property being served.

PASSED, ADOPTED and APPROVED this 27th day of October, 1976.

S/ Kenneth P. McDonald, Mayor

ATTEST:

S/ Francis D. Nielson, Recorder

4. Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman Lyman and unanimously carried.

RESOLUTION NO. 1976-17

A RESOLUTION FIXING COMMENCEMENT TIME  
OF CITY COUNCIL MEETINGS

BE IT RESOLVED by the City Council of the City of Blanding that effective November 1, 1976, all regular meeting of said Council shall commence at the hour of 8:00 o'clock, P.M.

PASSED, ADOPTED and APPROVED this 27th day of October, 1976.

S/ Kenneth P. McDonald, Mayor

ATTEST:

S/ Francis D. Nielson, City Recorder

5. Motion was made by Councilman Hurst, seconded by Councilman McAllister and unanimously carried that the City conduct a public hearing on Tuesday, November 9, 1976 at 7:30 o'clock P.M. at the San Juan High School auditorium, on the matter of adopting a zoning ordinance for the City, and that the same be properly advertised as required by Utah State Law.

6. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Guymon and unanimously carried:

RESOLUTION NO. 1976-18

A RESOLUTION AUTHORIZING TRANSFER OF FUNDS

BE IT RESOLVED by the City Council of the City of Blanding that effective at the date of maturity of a Time Certificate of Deposit in the amount of \$13,180.00, representative of an investment of funds of the Blanding City Electric, Water and Sewer Investment Fund, Account No. 0994653 at Zions First National Bank, Salt Lake City, Utah, said maturity date being November 29, 1976, all funds be transferred therefrom to the Blanding City Electric, Water and Sewer Operating Fund, Blanding Branch, First Security Bank of Utah, Blanding, Utah.

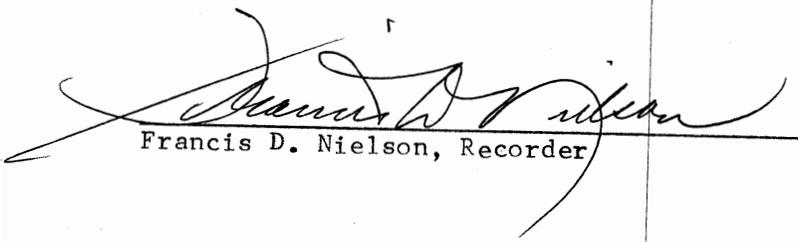
PASSED, ADOPTED and APPROVED this 27th day of October, 1976.

S/ Kenneth P. McDonald, Mayor

ATTEST:

S/ Francis D. Nielson, City Recorder

Meeting adjourned at 10:40 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
NOVEMBER 10, 1976 AT 8:00 P.M.  
IN THE CITY HALL.

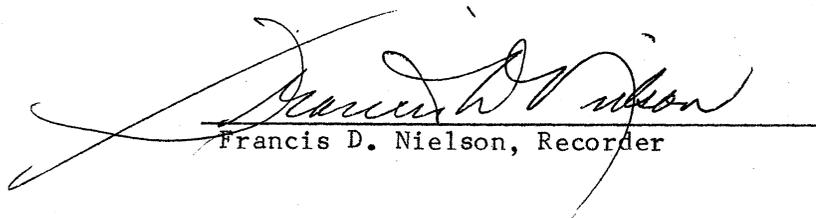
Present were: Mayor Kenneth P. McDonald  
City Councilmen: David L. Guymon  
Michael T. Hurst  
Francis M. Lyman  
H. Brent McAllister  
Kenneth D. Shumway

Recorder: Francis D. Nielson

Also Present: Mrs. Janet Wilcox

1. Prayer was offered by Councilman Shumway.
2. Minutes of City Council meeting held October 27, 1976 were read and approved.
3. The Recorder advised that the advertising of a public hearing on the proposed zoning Ordinance had been postponed at the request of Mr. Herschell Hester, Utah League of Cities consultant, to allow him time to clarify questions he has on the matter.
4. The Recorder reported that Kirchner, Moore and Company representatives are currently considering our financial needs relative to utilities extensions and improvements and will attempt to have a proposal ready for our consideration by December 15, 1976.
5. The Council discussed the necessity for adopting a street extension and construction policy. It was agreed that the sub-division ordinance would have to be adhered to in all future development of streets and the City should be involved in street construction only in those instances where traffic flow and safety factors indicate the general public welfare requires consideration and expenditure of funds.
6. Motion was made by Councilman McAllister, seconded by Councilman Lyman and unanimously carried that the City offer a \$100.00 reward for information leading to the arrest and conviction of the person or persons responsible for the destruction of and damage to City Street signs on or about October 30, 1976.

Meeting adjourned at 9:05 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD NOVEMBER  
24, 1976 AT 8:00 P.M. IN THE CITY HALL

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Michael T. Hurst  
Francis M. Lyman  
H. Brent McAllister  
Kenneth D. Shumway

Recorder: Francis D. Nielson

Absent was Councilman David L. Guymon

Also Present: Mr. Kay P. Lyman

1. Prayer was offered by Councilman Hurst.
2. Minutes of City Council meeting held November 10, 1976 were read and approved.
3. The Council discussed with Mr. Kay P. Lyman, the possibility of annexing land in the area North of 5th North Street and East of 2nd West Street, as well as the necessity for street rights-of-way being therein dedicated and the possible routes of the same. It was agreed that the matter must be reviewed by the Planning Commission and conform to a master street plan to be up dated for the area as well as adhere to the Sub-division ordinance.
4. Motion was made by Councilman McAllister, seconded by Councilman Hurst and unanimously carried that the amount of \$770.00 received from the Federal Government Anti-Recession fund, be appropriated to construction purposes at the auxiliary fire station shed to complete a partition wall, insulate the room created and install a heating unit, for the purpose of effecting frost free storage of the auxiliary fire truck.
5. The Council discussed the problem of non-appearance of law violators to answer to citations in the Justice-of-the Peace Court. The Council agreed that all such persons should be issued a summons by the court and the appropriate action taken consistent with the laws therein governing.
6. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1976-19

WHEREAS, It has come to the attention of Blanding City that some cities, counties, or other bodies politic, have paid the expenses for instruction given to certain law enforcement officers and upon completion of their training, some such officers have immediately left the employ of the city, county, or body politic, to work for some other organization and thereby cause a financial loss to result to the paying entity:

NOW THEREFORE, BE IT RESOLVED BY the Blanding City Council that each law enforcement officer attending such training shall be required by agreement, to remain in the employ of Blanding City for one full year after the completion of said training or pay the agreed consideration paid by Blanding City for his training.

BE IT FURTHER RESOLVED BY the Blanding City Council that the personnel officer in charge of determining who should be trained is hereby instructed to have each participant sign an appropriate agreement to complete the intent of this resolution.

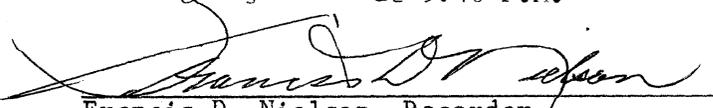
Passed by the Blanding City Council this 24th day of November, 1976

S/ Kenneth P. McDonald, Mayor

ATTEST:

S/ Francis D. Nielson, City Recorder

Meeting adjourned at 9:40 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
DECEMBER 8, 1976 AT 8:00 P.M.  
IN THE CITY HALL.

Present were Mayor Kenneth P. McDonald  
City Councilmen: David L. Guymon  
Michael T. Hurst  
H. Brent McAllister

Recorder: Francis D. Nielson

Absent: Councilmen: Francis M. Lyman  
Kenneth Shumway

Also Present were: Mr. Clarence Rogers and Mr. Keith Rogers.

1. Prayer was offered by Councilman McAllister.
2. Minutes of City Council meeting held November 24, 1976 were read and approved.
3. The Council discussed with Mr. Keith Rogers, the Preliminary Plan of the proposed Pioneer Estates Sub-division. It was agreed that a resolution stating the details of the matter would be prepared by the City of Blanding and subject to Planning Commission approval could be executed by the Council not later than the first regularly scheduled meeting of said Council in January 1977.
4. The following letter was read in full to the Council:

Division of Health  
44 Medical Drive  
Salt Lake City, Utah 84113  
November 29, 1976

The Honorable Mayor and City Council  
City of Blanding  
Blanding, Utah 84511

Re: Waterworks System Rating  
Blanding, Utah

Gentlemen:

At the telephoned request of your water superintendent, Ron Kennedy, two members of our staff made an inspection of the improvements and repairs which have been made to the Blanding Water Treatment plant on November 16th, 1976. This inspection revealed the fact that all broken equipment has been repaired and is now operable. Also, a Hach Model 2100A Turbidimeter has been made available for turbidity monitoring at the plant. We commend the Blanding City officials for undertaking these much needed improvements.

Mr. Kennedy indicated that several broken steel ribbon flocculator paddles have been on order and will be replaced when received. He has also indicated that a cross connection with the plant's raw water supply located in the chemical feeding room will be corrected. The method chosen for correction of the cross connection (a pressurized raw water supply line and a pressurized finished water line separated by a gate valve) will be a physical disconnection (not merely a placement of a check valve in the line). This physical disconnection will also remedy some alum and line feeding problems associated with fluctuating raw water line pressure by supplying the feeders with the constant pressure hydro-pneumatic system at the plant. We understand the raw water line will serve only the carbon feeder with no connection to the finished water pressurized line.

During this inspection, a typical "jar test" was demonstrated on the plant's raw water. Your operator was instructed in the methods used to perform this test as well as assessing its significance. It was suggested that further testing be performed by your operator to optimize the chemical quantities applied. We wish to advise the Mayor and City Council that addition of alum in amounts sufficient to produce a settleable floc is required for proper operation of the

plant. This will require an additional chemical cost over and above the costs experienced in the past up to about \$40.00 per day during the summer months to properly operate the plant. We recommend that you support your water superintendent with the necessary additional funds.

Because of the improvements and repairs which have been completed at the water treatment plant, we hereby re-rate the Blanding Waterworks System "Classification Pending", which will remain in effect for a maximum of two years. During or at the end of this period, the waterworks system will be reviewed for compliance with Division of Health regulations and further upgrading may be considered at that time. We remind you that this possible upgrading in the future will depend upon the routine submittal of at least two samples for bacteriologic analysis each month and the submittal of a properly completed Water Treatment Plant Report form at the end of each month. Enclosed, at your water superintendent's request, is an explanation of the four possible waterworks system ratings used by the Division of Health.

If you have any questions, please contact this office.

Very truly yours  
S/ Howard M. Hurst for  
Lynn M. Thatcher  
Deputy Director of Health

Enclosure ;

UTAH STATE DIVISION OF HEALTH  
Explanation of Public Water Supply Ratings

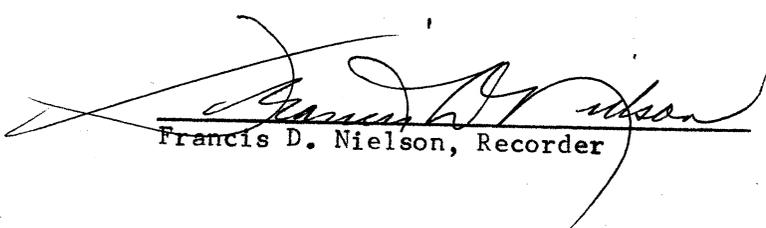
"Approved" means (1) that the system has no defects which might be expected to result in contamination of the water, (2) that the required number of water samples has been submitted regularly for bacteriologic analysis, (3) that bacteriologic quality of the water has met the requirements of the State of Utah, and (4) that operation reports (where required) have been submitted to the State Health Division regularly.

"Provisionally Approved" means that the supply has met all of the requirements specified for an "Approved" rating, except for minor defects in the process of correction.

"Not Approved" means (1) that bacteriologic quality of the water has not met the requirements of the State of Utah, or (2) that the required number of water samples has not been submitted regularly for bacteriologic analysis, and (3) that the system has defects which are not in the process of being corrected, and (4) that operation reports (where required) have not been submitted to the State Health Division regularly.

"Classification Pending" relates to "Not Approved" supplies for which acceptable plans and time table for necessary water system improvements have been submitted to and accepted by the State Health Division. The plans presented must insure correction of the water system deficiencies which resulted in the "Not Approved" status. The "Classification Pending" rating is continued, so long as the planned improvements are completed on the agreed schedule, until the total project is completed and until a suitable surveillance program is conducted to determine the effectiveness of the improvements. Following conclusion of the surveillance program, the system is re-rated.

Meeting adjourned at 10:10 p.m.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD DECEMBER  
22, 1976 AT 8:00 P.M. IN THE CITY  
HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: David L. Guymon  
Michael T. Hurst  
H. Brent McAllister  
Kenneth D. Shumway

Recorder: Francis D. Nielson

Absent was Councilman Francis M. Lyman

Also present was Mr. LaRay Alexander and Mr. Keith Rogers.

1. Prayer was offered by the Recorder.
2. Minutes of City Council meeting held December 8, 1976 were read and approved.
3. Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman Guymon and unanimously carried:

RESOLUTION NO. 1976-20

WHEREAS, Mr. Keith Rogers and Associates have filed with the City a Preliminary Plan of the proposed Pioneer Estates Subdivision within the City of Blanding, said plan consisting of Plats A,B,C,D,E and F properly certified by Registered Land Surveyor, Parley M. Neeley, State of Utah No. 1722; and

WHEREAS, in the opinion of the Blanding City Council the proposed subdivision would be beneficial to the orderly development of the City of Blanding; and

WHEREAS, certain requirements of Blanding City Ordinance No. 1958-12 an ordinance regulating subdivisions with the City of Blanding, are not being met by the proposed Pioneer Estates Subdivision, particularly, curbs, gutters and bituminous street surfacing, the installation of which would make the proposed project economically unfeasible.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding that Plats A, B, C,D, E and F of the Pioneer Estates Subdivision be, and they are hereby, approved and all dedication of streets, easements and other parcels of land intended for public purposes for the perpetual use of the public are hereby accepted, excepting that the City of Blanding accepts no liability or responsibility for the maintenance of irrigation ditches or canals located upon or within the said subdivision, such ditches and canals being the responsibility of the owner and the subdivider.

BE IT FURTHER RESOLVED that the provisions of Article XI, A of Blanding City Ordinance No. 1958-12 are hereby waived as relating to bituminous street surfacing, curb and gutter installation and sidewalk construction excepting that the excavation for sidewalk construction shall be completed.

PASSED, ADOPTED and APPROVED this 22nd day of December, 1976.

S/ Kenneth P. McDonald, Mayor

ATTEST:

S/ Francis D. Nielson, Recorder

4. Mr. LaRay Alexander reported to the Council that a perimeter road has been constructed around the remaining unsold property on the eastern portion of the cemetery, that a sprinkling system will be installed on this land in the spring and suggested the Council should consider reclaiming grave plots on lots where it appears there is no further family use intended.

Mr. Alexander also advised the Council that the San Juan Recreation Board has made application for federal ant-recession funds to effect improvements at the City Parks operated by the County. He called attention to vandalism at Parks and Playgrounds and requested a more diligent and regular inspection of these properties by the local police.

Mr. Alexander outlined for the Council the activities of the local Senior Citizens Group and requested the Council provide land for a Senior Citizens Center in the area north of the San Juan Nursing Home, and suggested the San Juan County Recreation Board could develop a small park in this vicinity adjacent to the proposed Senior Citizens Center.

5. Motion was made by Councilman Guymon, seconded by Councilman Shumway and unanimously carried that the City make a portion of City land adjacent to the San Juan Nursing Home available to the local Senior Citizens Group and that the City request the San Juan County Recreation Board develop a park on the remaining City land in that area; that the details of this matter be handled as required, when and if a formal agreement is reached.

6. The following summons was read in full to the Council:

Francis J. Nielson of  
Arnovitz, Smith & Nielson  
1305 J. C. Penny Building  
310 South Main Street  
Salt Lake City, Utah 84101  
Telephone: 322-0524

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT,  
IN AND FOR SAN JUAN COUNTY, STATE OF UTAH

C & C CONSTRUCTION COMPANY, A	)	
Utah Corporation; JERALD HOLLIDAY	)	
dba JERALD HOLLIDAY CONSTRUCTION,	)	
	)	
Plaintiffs,	)	COMPLAINT
	)	
vs.	)	Civil No. _____
	)	
SAN JUAN COUNTY: CITY OF MONTI-	)	
CELLO: CITY OF BLANDING,	)	
	)	
Defendants.	)	
	)	

Plaintiffs complain of Defendants and for cause of action, allege as follows:

1. That Plaintiff, C. & C Construction Company, is and at all times herein mentioned, was a corporation organized and existing under the laws of the State of Utah, and has its principal place of business in the City of Blanding, County of San Juan, State of Utah.
2. That the Plaintiff, Jerald Holliday dba Jerald Holliday Construction, is a resident of the City of Blanding, County of San Juan, State of Utah.
3. That Defendants, City of Monticello and City of Blanding, are and at all times herein mentioned, were municipal corporations organized and existing under the laws of the State of Utah.
4. That Defendant, San Juan County, is and at all times herein mentioned was a political subdivision of the State of Utah, organized and existing under and by virtue of the laws of the State of Utah.
5. That Plaintiffs are experienced contractors, specializing in earth moving, production and delivery of sand and gravel, street and highway construction, reservoir construction, grading and foundation work for buildings and other related areas, and have invested large amounts of capital in heavy equipment to carry

out construction projects of this nature.

6. That Plaintiffs own real property in the City of Blanding, County of San Juan, State of Utah on which they have paid substantial taxes for many years prior to the filing of this action,

7. That the Defendants have a duty to enter into contracts on their behalf with the lowest responsible bidder, for the construction of all public improvements that may be ordered by said Defendants as more fully hereinafter appears:

U.C.A. - 10-7-20. "Lowest responsible bidder" defined -- Necessity for contract -- Call for bids -- Acceptance or rejection -- Preferred bidders--As used in this act the words "lowest responsible bidder" mean any prime contractor who has bid in compliance with the invitation to bid and within the requirements of the plans and specifications for a construction project, who is the low bidder, who has furnished a bid bond or equivalent in money as a condition to the award of a prime contract and who furnishes a payment and performance bond as required by law.

Whenever the board of commissioners or City Council of any city or the board of trustees of any town shall contemplate making any new improvement to be paid for out of the general funds of the city or town, the governing body shall cause plans and specifications for, and an estimate of the cost of, the improvement to be made. If the estimated cost of the improvement, in case of a city of the first class, shall be less than \$12,000, or in a town or a city of the second or third class less than \$8,000. the city or town may make the improvement without calling for bids for making the same. If the estimated cost of the proposed improvement shall exceed the amounts above mentioned, the city or town shall, if it shall determine to make the improvement, do so by contract let to the lowest responsible bidder after publication of notice at least twice in a newspaper of general circulation printed and published in such city or town at least five days prior to the opening of bids; provided, that where no newspaper is printed or published therein, such notice shall be posted at least five days prior to the opening of bids in at least five public places in the city or town, the notice so posted to remain posted for at least three days; provided further that when the cost of a contemplated improvement shall exceed the sum of \$12,000. a and \$8,000. respectively, the same shall not be so divided as to permit the making of such improvement in several parts, except by contract; provided further, that such governing body shall have the right to reject any or all bids presented, and all notices calling for bids shall so state. If all bids are rejected and the governing body decides to make the improvement, it shall advertise anew in the same manner as before. If after twice advertising as herein provided no bid shall be received that is satisfactory, such governing body may proceed under its own direction to make the improvement.

Nothing in this article shall be construed to require bids to be called for or contracts let for the conduct or management of any of the departments, business or property of such city or town, or for lowering or repairing water mains or sewers, or for grading, repairing or maintaining streets, sidewalks, bridges, culverts or conduits in any city or town.

Purchase made by cities or town, whether or not required by this section to be made after a call for bids, shall be made in accordance with the provisions of section 63-2-50.

U.C.A. - 17-15-3. Buildings and bridges -- Contracts for--Notice to contractors -- The board of County commissioners shall not erect or repair any courthouse, jail, hospital or other public building or bridge where the expenditure exceed \$12,000. in any county of the first or second class, or \$10,000. in any county in any of the remaining classes, or contract therefor, until plans and specifications have been made and have been adopted by the board. All such buildings and bridges must be erected or repaired by contract let to the lowest responsible bidder after publication of notice at least once a week for three consecutive weeks in a newspaper of general circulation published in the county, or, if there is no such newspaper, then after posting such notice for at least twenty days in at least five public places in the county. The board of county commissioners may reject any and all bids. The person to whom any such contract is awarded shall be required to execute a bond to be approved by the board for the faithful performance of such contract.

U.C.A. -27-12-108.1 Class B and C Roads -- Construction projects --Requirements for bids on contracts-- The county commissioners of the counties with respect to class B roads and governing officials of the cities and towns with respect to class C roads shall cause to be made plans, specifications, and estimates preparatory to the construction of any project on a class B or C road; the estimated cost of which for any one project exceeds \$40,000. for labor and materials. All projects in excess of \$40,000. shall be performed under contract to be let to the lowest responsible bidder. Whenever the estimated cost of the construction shall exceed the sum of \$40,000. for labor and materials, the same shall not be so divided as to permit the construction in several parts, except by contract. The advertisement on bids for such work shall be published in a newspaper of general circulation in the county in which such work is to be performed at least once a week for three consecutive weeks, or if there is no such newspaper, then after posting such notice for at least twenty days in at least five public places in the county. Sealed bids shall be received by the commissioners or governing officials as the case may be, and opened at the time and place designated in the advertisement, and the contract awarded; provided, that the county commissioners or governing officials, as the case may be, shall have the right to reject any and all bids; provided further, that the person, firm or corporation to whom any such contract is awarded shall be subject to all the provisions of sections 14-1-5 to 14-1-9 inclusive.

U.C.A.- 27-12-108.2 Class B and C Roads -- Construction and maintenance--Definitions--Estimates lower than bids-- Construction is defined as the work which would apply to (1) any new roadbed either by addition to existing systems or relocation or change of grade of existing roads; (2) resurfacing of existing roadways with more than a two-inch blanket; (3) new structures or replacement of existing structures, except the replacement of drainage pipe; or (4) any single project of improvement to an existing roadway, the estimated cost of which exceeds \$40,000. for labor and materials.

Maintenance is defined as (1) the reworking of an existing surface by the application of up to and including two-inch blanket; (2) the installation or replacement of signs, signals, safety devices, guardrails, seal coats and culverts. In general terms, maintenance shall mean the keeping of a road facility in a safe and usable condition to which it has previously been constructed or improved.

Where estimates of a qualified engineer referred to in section 27-12-108.1 are substantially lower than any responsible bid received or in the event no bids are received, the counties or cities may perform with the work by force account.

8. That the purpose of the statutes cited above is to procure competitive bidding for public improvement contracts, accord the same treatment to all bidders, and thereby to safeguard public funds by preventing fraud, favoritism, and extravagance in their expenditure.

9. That the provisions of the above-mentioned statutes requiring the letting of contracts for public improvements in competitive bidding have been violated by the Defendants through a scheme which has prevented, restricted, and suppressed competition among persons who have desired to become bidders, as shall hereinafter more fully appear.

10. That Defendants have violated the statutes cited above as follows:

(A) That Defendant, City of Monticello, through its city commissioners, resolved and determined to construct a certain water storage reservoir for the purpose of increasing the water supply of Monticello during the summer months, and for that purpose appropriated of the funds of said city a sum in excess of \$60,000. for the carrying on of said work. That Monticello made said improvement without submitting the performance of said work and the construction of the reservoir to competitive bidders.

That Defendant, City of Monticello, through its city commissioners, resolved and determined to construct various roads and highways and for that purpose appropriated funds in excess of \$40,000. for carrying on said work. That Monticello made said improvements without submitting the performance of said work to competitive bidders.

That the work herein referred to is but two of the various improvements which were carried out and now in contemplation by said Defendant without in any manner awarding contracts therefor to the lowest responsible bidder, or any bidder at all, and without in any manner making contracts for said improvements.

That Defendant, City of Monticello, has failed to enter into contracts for the construction of the city water reservoir, city roads, and other public improvements. That they have not given notice for bids for the construction of said projects, nor for any public improvements, nor in any manner solicited bids therefor as required by law.

That in like manner, the said Defendant, City of Monticello, now threatens to carry on other public improvements, wholly in violation of law.

(B) That Defendant, City of Blanding, through its city commissioners resolved and determined to construct a road at 3rd West in Blanding, and for that purpose funds in excess of \$40,000. have been appropriated from various sources for the carrying on of said work. That Blanding is making said improvement without submitting the performance of said work and the construction of the road to competitive bidders.

That the work herein referred to is but one of the various improvements which is being carried out and now in contemplation by said Defendant without in any manner awarding contracts therefor

to the lowest responsible bidder, or any bidder at all, and without in any manner making contracts for said improvements.

That Defendant, City of Blanding has failed to enter into contracts for the construction of the road at 3rd West in Blanding and for other public improvements. That they have not given notice for bids for the construction of said project, nor for any public improvements, nor in any manner solicited bids therefor as required by law.

That in like manner, the said Defendant, City of Blanding, now threatens to carry on other public improvements wholly in violation of law.

(c) That Defendant, San Juan County, has induced Defendants, City of Monticello and City of Blanding, to violate the statutes cited above and conspired with them in said violation in that said Defendant, San Juan County, has unlawfully made its vast fleet of heavy equipment available at no cost to Monticello and Blanding to carry out the aforementioned public improvement projects.

That Defendant, San Juan County, has also furnished to Defendants, Monticello and Blanding, one-half of the cost of all of the materials, labor, fuel, repairs, and gravel used for the public improvement projects mentioned above.

That said scheme totally subverts the competitive bidding requirements for public improvements set forth in the above-cited statutes, jeopardizes the safety of public funds, promotes fraud and favoritism, defeats competition, and has prevented Plaintiffs from becoming bidders.

(D) That Defendant, San Juan County, has performed labor and supplied equipment to numerous private individuals and Federal governmental agencies at no cost, thus depriving Plaintiffs of work.

(E) That Defendants have failed to prepare or have prepared accurate plans, specifications, and estimates on which to base a Judgment as to the cost of public improvements so that a determination could be made if Defendants should call for bids on said projects.

That Defendants, not knowing the accurate costs involved in a proposed public improvement, unlawfully failed to advertise for bids for public improvements.

(F) That Plaintiffs are informed and believe and, based on such information and belief allege, that the Defendant, San Juan County, through its county commissioners have resolved and determined to construct or repair or participate in the construction or repair of public improvements including but not limited to public buildings, bridges, museums, roads and highways, and for that purpose appropriated funds for the carrying on of said work. That San Juan County has made, is making and is about to make said improvements without submitting the performance of said work and the construction of said public improvements to competitive bidders.

That San Juan County has not given notice for bids for construction of said projects, nor in any manner solicited bids therefor as required by law.

That in like manner, the Defendant, San Juan County, now threatens to carry on other public improvements, wholly in violation of law.

11. That by reason of the foregoing, the described acts and transactions of the Defendants are ultra vires and constitute illegal and void acts on the part of the Defendants.

That said acts have resulted in injury to the Plaintiffs by unlawfully preventing them from carrying out their statutory right to bid on public improvement projects and participating in the income derived therefrom.

That the wrongs complained of herein arose out of an unlawful scheme in which all of the Defendants have participated.

13. That unless Defendants are enjoined from the acts described above, Plaintiffs will be irreparable injured, because they will be unable to continue their businesses without the income derived from public improvement projects.

14. That Plaintiffs duly served a notice of claim on the Defendants.

15. That Defendants, City of Monticello and City of Blanding, have rejected said claim and the Defendant, San Juan County, has not responded to the claim, although ninety (90) days have elapsed since the claim was filed.

That no response is a negative response under the laws of the State of Utah.

16. That by reason of the premises, Plaintiffs are entitled to recover from the Defendants the sum of \$966,000.00.

WHEREFORE, Plaintiffs pray:

1. That Defendants, and each of them be enjoined and restrained from carrying out or participating in the construction of any public improvements as defined by the applicable laws of the State of Utah, presently underway or planned, which, as determined by this Court, have not been properly submitted to competitive bidding.

2. That the Court issue an injunction requiring the Defendants to cease participating in the scheme described in paragraph 10 (c) herein, in which the Defendant, San Juan County, has made its fleet of heavy equipment available at no cost to the Defendants, City of Monticello and City of Blanding, for the construction of public improvements and in which Defendant, San Juan County, has furnished to the City of Monticello and the City of Blanding one-half of the cost of all materials, labor, fuel, repairs, and gravel used in the construction of said public improvements.

3. That the Defendant, San Juan County, be enjoined and restrained from supplying equipment, materials, and labor to private individuals or businesses, except as provided by law.

4. For Judgment declaring that the Defendants shall prepare or have prepared accurate plans, specifications, and estimates for contemplated public improvements on which they can base a decision as to whether said projects should be submitted to competitive bidding.

5. That Plaintiffs have Judgment against the Defendants herein for NINE HUNDRED SIXTY-SIX THOUSAND DOLLARS (\$966,000.00).

6. That Plaintiffs recover Judgment against the Defendants for the costs of this action.

7. That Plaintiffs have such other and further relief as the Court deems proper.

DATED this 21st day of December, 1976.

S/ Francis J. Nielson  
Attorney for Plaintiffs.

The Council requested that this matter referred to the City attorney and City Insuror for disposition.

7. Motion was made by Councilman McAllister, seconded by Councilman Hurst and unanimously carried authorizing the purchase of a one-thousand gallon propane tank from Mr. Wilbur Laws for use at the Johnson Creek well location, at a price not to exceed \$600.00

8. Motion for adoption of the following resolution was made by Councilman Hurst, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1976-21

WHEREAS, the Electric, Water and Sewer systems of the City of Blanding cannot now adequately serve the increasing population, and improvements and extensions to each of these systems is now necessary; and

WHEREAS, the City Council has determined that the financing of the aforesaid necessary improvements and extensions can best be financed through the sale of General Obligation bonds; and

WHEREAS, the City has received the following proposal relative to the sale of such General Obligation bonds:

KIRCHNER, MOORE AND COMPANY

Honorable Mayor and City Council  
P.O. Box 68  
City of Blanding  
Blanding, Utah 84511

Attention: Mr. Francis Nielson, City Clerk

Gentlemen:

As you are aware, Kirchner, Moore and Company has been involved with the City of Blanding for several years as its financial consultant. We have been advised that the City of Blanding proposes to authorize by vote, and issue approximately \$210,000. of water and sewer bonds. In this connection, we offer the following proposal to continue as Financial Consultant to the City:

As Financial Consultant, and at our expense, we will:

1. Employ Dawson, Nagel, Sherman and Howard, nationally recognized bond counsel to draft resolutions calling for a bond election and draft the notices for publication, and if the bond election is successful, draft all legal proceedings for the authorization and issuance of the bonds.
2. Submit to you our suggestion as to the most suitable schedule of maturities, considering your present indebtedness;
3. Assist the City in preparing an information pamphlet for voters prior to the bond election and prepare ballots and affidavits for the bond election;
4. Upon favorable vote at the bond election, prepare a financial summary and notice of sale with ample copies to be mailed to interested bidders;
5. Attend the bid opening of bond proposals and assist the City in evaluating the bids and in determining the most advantageous bid for the City of Blanding;
6. Furnish the printed bonds ready for execution;
7. Upon execution of all legal proceedings prepared by bond counsel, furnish the unqualified approving legal opinion of bond counsel as to the legality of bonds issued.

For these services, we are to be allowed and paid a fee of \$8,000. said fee to be payable at the time the bonds are issued and the proceeds received by the City. In the event the first bond election fails to carry, or the project is abandoned, our charge will be \$1,000. If a second election is determined advisable by the City, it is understood that we will proceed with the services outlined above for a second bond election whenever scheduled by the City Council.

It is understood and agreed that Kirchner, Moore and Company may submit a bid for the bonds at the time of sale, as principals and for our own account.

Respectfully submitted,  
KIRCHNER, MOORE AND COMPANY

The above proposal is hereby accepted for an on behalf of the City of Blanding, Utah by proper resolution duly passed this 22 day of December 19 76 .

\_\_\_\_\_  
Kenneth P. McDonald, Mayor

ATTEST:

\_\_\_\_\_  
Francis D. Nielson, City Recorder

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding that the foregoing proposal of Kirchner, Moore and Company be accepted and that Mayor McDonald be, and he is hereby, authorized to execute the acceptance of such proposal in behalf of the City of Blanding, the same to be attested by the City Recorder.

PASSED, ADOPTED and APPROVED this 22nd day of December , 19 76 .

S/ Kenneth P. McDonald, Mayor

ATTEST:

S/ Francis D. Nielson, City Recorder

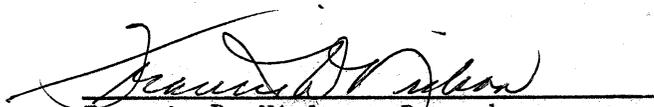
9. The Council authorized the Recorder to investigate, and subject to his judgement of its value, purchase a surplus backhoe-frontend loader being currently offered for sale by the State of Utah, Department of Transportation.

10. The Recorder advised the Council of a State Health Department Air Quality Classification Hearing to be held at Moab, Utah on January 13, 1977.

11. Councilman David L. Guymon submitted a verbal resignation as a City Councilman necessitated by his election to the office of San Juan County Commissioner. Mr. Guymon's resignation was accepted effective at 11:59 P.M. December 31, 1976.

12. Following a discussion of possible appointees to fill the vacancy created by the resignation of Councilman Guymon, the Council agreed to the appointment of Mr. William B. Redd to fill the unexpired term, subject only to Mr. Redd's acceptance.

Meeting adjourned at 10:40 P.M.

  
\_\_\_\_\_  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD JANUARY 8, 1975 at 7:30  
P.M. IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
and City Councilmen: Francis M. Lyman  
H. Brent McAllister  
Kirk P. Nielson  
Kenneth D. Shumway

Recorder: Francis D. Nielson  
Absent was Councilman John F. Black

Also present was: Ben J. Black, Chief of Police

1. Prayer was offered by Councilman Lyman.
2. Minutes of the City Council meetings held December 11 and 31, 1974 were read and approved.
3. Ben J. Black, Chief of Police, presented the police department annual report to the Council. Mr. Black also requested clearance of the following men for membership in the Blanding Auxiliary Police Department:

George A. Jones  
Notah Tahe

Motion was made by Councilman H. Brent McAllister, seconded by Councilman Kenneth D. Shumway and unanimously carried that George A. Jones and Notah Tahe be cleared for membership in the Blanding Auxiliary Police Department and authorized to act, subject to appointment by the Chief of Police from time to time, as police officers of and for the City of Blanding.

4. Motion was made by Councilman Nielson, seconded by Councilman Shumway and unanimously carried that all regularly employed Blanding City Police Department employees be required to have a physical examination, not less than one (1) time each year; that the City of Blanding shall pay costs involved in such physical examination.

5. Motion for adoption of the following resolution was made by Councilman Francis M. Lyman, seconded by Councilman H. Brent McAllister and unanimously carried:

RESOLUTION No. 1975-1

WHEREAS, It has come to the attention of the City of Blanding that some cities, counties, or other bodies politic, have paid the expenses for instruction given to certain law enforcement officers and upon completion of their training, some such officers have immediately left the employ of the city, county, or body politic, to work for some other organization and thereby cause a financial loss to result to the paying entity:

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Blanding that each law enforcement officer attending such training, such officers at this time being Dennis W. Gutke and Julie A. Ryan, shall be required, by agreement, to remain in the employ of the City of Blanding for one full year after the completion of said training or pay the agreed consideration paid by the City of Blanding for his training.

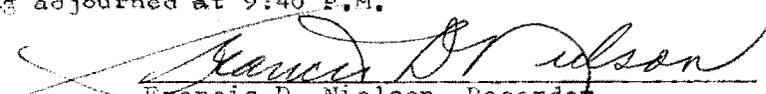
BE IT FURTHER RESOLVED BY the City Council of the City of Blanding that the personnel officer in charge of determining who should be trained is hereby instructed to have each participant sign an appropriate agreement to complete the intent of this resolution.

Passed by the City Council of the City of Blanding this 8th day of January, 1975.

S/ Kenneth P. McDonald, Mayor

Attest:  
S/ Francis D. Nielson, Recorder

Meeting adjourned at 9:40 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A SPECIAL MEETING  
OF THE BLANDING CITY COUNCIL  
HELD JANUARY 29, 1975 at  
5:00 P.M. IN THE CITY HALL

Present were Mayor Kenneth P. McDonald  
City Councilmen: John F. Black  
Francis M. Lyman  
H. Brent McAllister  
Kirk P. Nielson  
Kenneth D. Shumway

Recorder: Francis D. Nielson  
City Attorney: L. Robert Anderson

1. Motion was made by Councilman Kirk P. Nielson, seconded by Councilman Kenneth D. Shumway and unanimously carried that the City adhere to the conditions imposed on employees by the Fair Labor Standards Act relative to working only 40 hours per week; that all City departments be given the responsibility to so schedule their work activities that noone works longer than 40 hours per week; and further that such employee be given responsibility for recording the hours worked by him, such record to be given over to the City Administrator not less than once each week.

2. Councilman Francis M. Lyman introduced the following resolution which was read in full and is as follows:

RESOLUTION No. 1975-2

WHEREAS, the City Council of the City of Blanding, State of Utah, met at the hour of 5:00 o'clock p.m., on January 29, 1975, in accordance with law, for the purpose of canvassing returns in public and declaring the result of the special bond election held in said City on Tuesday, January 28, 1975, at which election the following question was submitted to the electors qualified to vote thereon:

Shall the City Council of the City of Blanding, San Juan County, Utah, be authorized to issue and sell the negotiable, coupon, joint electric, water and sewer revenue bonds of the City in the principal amount of \$150,000.00, or so much thereof as may be necessary, in one series or more, said bonds to bear interest at a rate or rates not to exceed eight and one-half per centum (8-1/2%) per annum, and to mature not more than forty (40) years from their date or dates, for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction of an electric system substation and certain electric distribution lines, and all costs incident to the authorization and issuance of such bonds, such bonds to be payable from the net revenues of the joint electric, water and sewer system, and such bonds to be issued and sold, upon such terms and conditions and with such other details as the City Council may determine?

and

WHEREAS, the City Council of the City of Blanding has publicly and regularly canvassed all of the returns of said election, and it appears that the judges of said election of each and every polling place in said City have made full and complete returns thereof, and said election was duly and regularly called and held in each election district in said City, at the polling places designated.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLANDING, STATE OF UTAH:

Section 1. The City Council does hereby find that on the question of issuing the joint electric, water and sewer revenue bonds of the City in the

principal amount of \$150,000.00, for the purpose set forth in said election question:

(a) The total number of votes cast in said City at said election was 106;

(b) The number of affirmative votes cast in favor of such question and for the issuance of said bonds in the principal amount of \$150,000.00 was 99;

(c) The number of negative votes cast against such question and against the issuance of said bonds in the principal amount of \$150,000.00 was 7;

(d) The number of mutilated ballots was -0-; and

(e) The number of challenged voters and votes was -0-.

Section 2. A majority of the votes cast at the election was for such question and the issuance of such bonds in the principal amount of \$150,000.00.

Section 3. It is hereby certified, recited and declared:

(a) Said bond election was called and held in the City on Tuesday, January 28, 1975, in the manner and form provided by law; at said election all qualified and registered electors of the City were permitted to vote;

(b) Only qualified and registered electors of said City were permitted to vote; and

(c) Any person who applied for a ballot at said election whose qualifications to vote were challenged by any election official or by any other person at the time the ballot was applied for received a ballot and was permitted to vote if the name of such person was shown on the registration lists as a registered voter in the City and such person signed an oath sworn to before one of the election officials that he or she was a qualified elector of said City. The election officials kept a list of the names of each person so challenged, the grounds for the challenge, and whether such person was permitted to vote. Such list was made in duplicate and the duplicate list was available to this City Council when it canvassed the election results.

Section 4. It is hereby declared that the bond proposition carried and, as a result, the City Council of the City of Blanding, Utah, is authorized to issue and sell the City's joint electric, water and sewer revenue bonds in the principal amount of \$150,000.00 for the purpose set forth in said election question.

Section 5. The City Recorder of the City is hereby authorized and directed to hold in safekeeping all of the oaths, ballots and the ballot boxes in the manner and for the period provided by law for other elections.

Section 6. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 7. All acts and resolutions or parts of resolutions inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 8. The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

ADOPTED AND APPROVED this 29th day of January, 1975

S/ Kenneth P. McDonald, Mayor

(SEAL)

Attest:

S/ Francis D. Nielson, City Recorder

It was then moved by Councilman Francis M. Lyman and seconded by Councilman John F. Black that all rules of the City Council which might prevent, unless suspended, the final passage and adoption of said resolution at this meeting, be, and the same hereby are, suspended for the purpose of permitting the final passage and adoption of said resolution at this meeting.

The question being upon the adoption of said motion and the suspension of the rules, the roll was called with the following result:

Those Voting Aye: John F. Black  
Francis M. Lyman  
H. Brent McAllister  
Kirk P. Nielson  
Kenneth D. Shumway

Those Voting Nay: None

Those Absent None

Five members having voted in favor of said motion, the presiding officer declared said motion carried and the rules suspended.

Councilman Kirk P. Nielson moved that said resolution be passed and adopted.

Councilman Kenneth D. Shumway seconded the motion for the adoption of the resolution, and the same on being put to a vote was unanimously carried by the affirmative vote of all member present, the vote being as follows:

Those Voting Aye: John F. Black  
Francis M. Lyman  
H. Brent McAllister  
Kirk P. Nielson  
Kenneth D. Shumway

Those Voting Nay: None

Those Absent: None

Thereupon, the City Recorder was ordered and directed to enter the foregoing proceedings upon the records of the City Council and to incorporate the findings in the official minutes of the City Council.

There being no further business, and upon motion duly made, seconded and unanimously carried, the meeting adjourned.

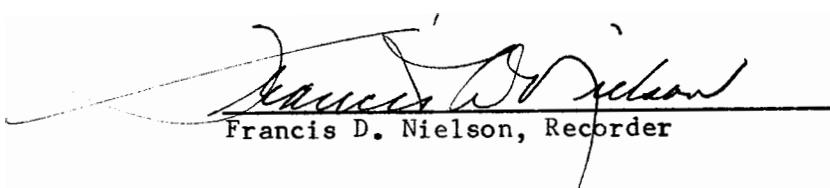
S/ Kenneth P. McDonald, Mayor

(SEAL)

Attest:

S/ Francis D. Nielson, City Recorder

Meeting adjourned at 5:45 p.m.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD FEBRUARY 12, 1975 AT  
7:30 P.M. IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Francis M. Lyman  
H. Brent McAllister  
Kirk P. Nielson  
Kenneth D. Shumway

Recorder: Francis D. Nielson  
Absent was Councilman John F. Black

Also Present: Ben J. Black, Chief of Police

1. Prayer was offered by the Recorder.
2. Minutes of City Council meetings held January 8 and 29, 1975 were read and approved.
3. Motion was made by Councilman Francis M. Lyman, seconded by Councilman Kenneth D. Shumway and unanimously carried that the City hold a Public Hearing on March 12, 1975 for the purpose of considering an increase in the Operating Budget for the current fiscal period; and that the necessary legal advertisement of such hearing be effected.
4. Motion was made by Councilman Kirk P. Nielson, seconded by Councilman H. Brent McAllister and unanimously carried that the City accept the proposal of General Adjustment Bureau, Inc, totalling \$3340.67 in settlement of the Garbage Truck cab and chassis destruction and costs related to transferring the Pah-Mor unit to a new truck; and further that the City Administrator be, and he is hereby, authorized to execute such documents as are necessary to effect such settlement.
5. Motion for adoption of the following resolution was made by Councilman H. Brent McAllister, seconded by Councilman Kirk P. Nielson and unanimously carried:

RESOLUTION NO. 1975-3

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City accept the following proposal of Kirchner, Moore and Company, for the purchase of \$150,000.00 Blanding City Joint Electric, Water and Sewer Revenue Bonds; and further that Mayor McDonald be, and he is hereby, authorized to execute the acceptance of such proposal; the same to be duly attested by the City Recorder:

Kirchner, Moore And Company  
1600 Broadway  
Denver, Colorado  
80202

Honorable Mayor and City Council  
City of Blanding  
Blanding, Utah

Attention: Mr. Francis D. Nielson  
City Administrator

Gentlemen:

We are in receipt of a copy of the executed legal proceedings pertaining to the voter approval of \$150,000 of Joint Electric, Water and Sewer Revenue Bonds of the City of Blanding. Due to the provisions of the covenants of the outstanding revenue bonds of the City which state that there shall be no bonds issued on parity with the lien of the outstanding bonds, these additional bonds must be designated as second lien bonds.

For \$150,000 of second lien Joint Electric, Water and Sewer Revenue Bonds of the City of Blanding, we will pay you the full par value thereof plus accrued interest from date of issue to date of delivery for bonds dated February 1, 1975, maturing February 1 in each of the years and bearing interest as follows:

<u>Amount</u>	<u>Maturity</u>	<u>Coupon</u>
\$ 5,000	1976	7%
5,000	1977	7%
5,000	1978	7%
5,000	1979	7%
5,000	1980	7%
5,000	1981	7%
5,000	1982	7%
35,000	1983	6.90%
40,000	1984	6.80%
40,000	1985	6.80%

Bonds maturing February 1, 1981 and thereafter are optional for prior redemption at the option of the City on February 1, 1980 and on interest payment dates thereafter at par plus a premium of 2%.

Recognized municipal bond counsel, Dawson, Nagel, Sherman and Howard, have prepared all necessary legal proceedings adopted by the City to date. It is our understanding that the City will adopt such proceedings as said attorneys may prepare for the actual issuance of the bonds, subject to the specific terms and provisions of the bond resolution being acceptable to the City Council of the City of Blanding. The City agrees to pay the direct expenses of services of Dawson, Nagel, Sherman and Howard, Attorneys at Law, Denver, Colorado, and the printing of bonds by the Rocky Mountain Bank Note Company of Denver, as well as other expenses incident to the authorization of the bonds. There is to be no charge for services that Kirchner, Moore and Company may have rendered prior to this agreement or in connection with the actual issuance of the bonds.

This agreement is subject to the availability of an unqualified approving legal opinion of Messrs. Dawson, Nagel, Sherman and Howard, Denver, Colorado, at the time of delivery of the bonds. The bonds are to be available to us for payment and delivery on or before April 1, 1975 and if such delivery schedule cannot be effected, our agreement to purchase these bonds is subject to our confirmation.

This proposal is for acceptance or rejection at the City Council meeting of February 12, 1975.

Respectfully submitted,  
KIRCHNER, MOORE AND COMPANY  
S/ by \_\_\_\_\_

-----  
The above proposal to purchase \$150,000 Joint Electric, Water and Sewer Revenue Bonds of the City of Blanding, Utah, described above, is hereby accepted for and on behalf of the City of Blanding by proper resolution duly passed this 12 day of February, 1975.

S/ Kenneth P. McDonald, Mayor

Attest:

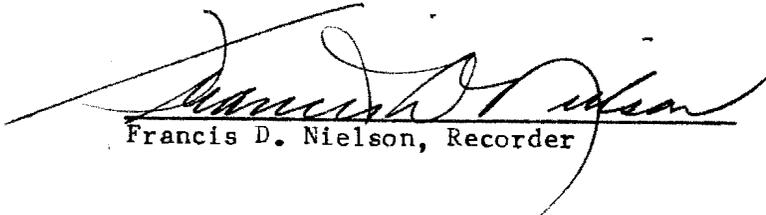
S/ Francis D. Nielson, City Recorder

PASSED, ADOPTED and APPROVED this 12th day of February, 1975.

6. The Recorder advised the Council that bids for the construction of a 1.0 million gallon water storage reservoir will be opened at the City Hall at 11:00 o'clock A.M. M.D.T. on Tuesday, February 25, 1975.

7. Motion was made by Councilman Kenneth D. Shumway, seconded by Councilman Francis M. Lyman and unanimously carried that the City authorize payment of \$500.00 plus one water connection, to Mr. Kloyd Perkins, for a tract of land 142' X 160', on which the 1.0 million gallon water storage reservoir is to be located.
8. Mayor McDonald reviewed for the Council, various proposals of members of the Bicentennial Committee, advising that those programs finally selected should receive the support of Blanding City.
9. The Council discussed with the Chief of Police, the necessity of compliance with the regulations of the Fair Labor Standards Act and the work schedule for members of the Police Department. The Chief of Police and Recorder are to check with Federal and State agencies relative to the availability of manpower training programs which might afford funding for additional police department personnel.

Meeting adjourned at 9:20 P.M.



Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD MARCH 12, 1975 AT 7:30  
P.M. IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: John F. Black  
Francis M. Lyman  
Kirk P. Nielson  
Kenneth D. Shumway

Recorder: Francis D. Nielson

Absent was Councilman H. Brent McAllister

Also present were: Mr. Wm B. Redd; William Severin; George M. Low, Justice  
of the Peace.

1. Prayer was offered by Mayor McDonald.
2. Minutes of City Council Meeting held February 12, 1975 were read  
and approved.
3. The following letter was read in full to the Council:

Henningson, Durham & Richardson, Inc.  
of Colorado  
March 1, 1975

City of Blanding  
P. O. Box 68  
Blanding, Utah 84511

Attention: Mr. Bud Nielson

Re: Blanding, Utah 1.0 M. G. Concrete Reservoir  
HDR Project #141010

Gentlemen:

Bids on the above project were received and tabulated on February 25, 1975,  
at 11:00 A.M. M.D.T. Ten bids were received and are summarized on the  
attached bid tabulation form.

From the bid tabulation, it is apparent that the Hurst Building and Supply  
Company of Blanding, Utah is the low bidder on the project in the amount  
of \$157,130.00, however the proposal submitted by them contained a  
qualification on rock work as follows:

"If rock work is required, add cost of drilling and shooting  
plus 15 percent".

In conversation with Hurst Building and Supply Company after the bid opening,  
they agreed to delete the rock qualification and accept the bid unconditionally  
in the amount of \$157,130.00. This agreement has been submitted in writing  
to the City in a letter from Hurst Building and Supply Company, dated  
February 25, 1975.

The Engineers Estimate for this project was \$190,00. The low bid sub-  
mitted by Hurst Building and Supply Company of \$157,130. is approximately  
17% under the Engineers Estimate.

In summary we would recommend that the City of Blanding award the contract  
to Hurst Building and Supply Company based on their low bid of \$157,130., and  
based on their agreement to accept the award on an unconditional basis.

Upon award of a construction contract by the City, we will prepare the  
construction contract for execution by the City and the Contractor.

Very truly yours,  
Henningson, Durham & Richardson, Inc.  
S/ W. L. Bredar, P.E.  
Executive Vice President

WLBLCm  
Enc.

4. Motion for adoption of the following resolution was made by Councilman John F. Black, seconded by Councilman Francis E. Lyman and unanimously carried:

RESOLUTION NO. 1975-4

WHEREAS, the City Council of the City of Blanding has determined that it is necessary to the peace, health, safety and general welfare of the citizens of the City of Blanding that a 1.0 M.G. Concrete Reservoir be constructed for the storage of treated water and for the purpose of stabilizing pressure and creating a more even flow of water in the water distribution system; and

WHEREAS, the City entered into an agreement with the engineering firm of Henningson, Durham and Richardson, Inc. of Colorado, to prepare plans and specifications for the said reservoir; and

WHEREAS, advertising for bid proposals to construct the said reservoir in accordance with the aforesaid plans and specifications, was duly and legally carried out, said proposals to be submitted to the City of Blanding at the City Hall, by not later than 11:00 o'clock A.M., M.D.T., on February 25, 1975, to be there opened, read aloud and duly tabulated; and

WHEREAS, on the said date, Ten (10) bid proposals were received by the City from the general contractors and for the amounts hereafter following:

<u>Name of Bidder</u>	<u>Amount</u>
Angle Construction Co. Richfield, Utah	\$185,000.00
Bodell Construction Co. Salt Lake City, Utah	\$198,000.00
Knowlton H. Brown Const. Co. Brigham City, Utah	\$175,000.00
Christensen & Griffith Const. Co. Tooele, Utah	\$163,680.00
Clegg Construction Co. Orem, Utah	\$171,500.00
Robert, Dougan Const. Co. Denver, Colorado	\$243,500.00
Hurst Building & Supply Co. Blanding, Utah	\$157,130.00
(Qualification: If rock work is required, add cost of drilling and shooting, plus 15%)	
Intermountain Const. Co. Salt Lake City, Utah	\$173,900.00
Nielson's, Inc. Dolores, Colorado	\$228,685.00
White and Sons Const. Co., Inc. Rifle, Colorado	\$187,000.00

and

WHEREAS, Hurst Building and Supply Company, Blanding, Utah, submitted the low bid proposal, excepting that they inserted a qualification relative to the possibility of rock being encountered during required excavation, and the proposal specifications did not make allowance for qualifying bid proposals; and

WHEREAS, it would be impossible for the City to award a construction contract to a bidder whose proposal was qualified; and

WHEREAS, Hurst Building and Supply Company submitted a letter to the City under date of February 25, 1975, deleting the qualification from their bid proposal and agreeing to an unconditional proposal of \$157,130.00; and

WHEREAS, the City has received a letter from the aforesaid engineering firm, recommending award of a contract to Hurst Building and Supply Company, Blanding, Utah for construction of the aforesaid 1.0 M. G. Concrete Reservoir, in accordance with their unconditional bid proposal;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah that a construction contract be awarded to Hurst Building and Supply Company, Blanding, Utah, for the construction of a 1.0 M. G. Concrete Reservoir, in accordance with the plans and specifications prepared under agreement by the engineering firm of Henningson, Durham & Richardson, Inc. of Colorado, and according to the bid proposal received by the City under date of February 25, 1975, made unconditional by letter of the same date, for a total cost of \$157,130.00; that said engineering firm have the necessary contract documents prepared for execution by Hurst Building and Supply Company and the City of Blanding, in accordance with the aforesaid engineering agreement.

PASSED, ADOPTED and APPROVED this 12th day of March, 1975.

S/ Kenneth P. McDonald, Mayor

ATTEST:

S/ Francis D. Nielson, Recorder

5. The following letter was read in full to the Council:

United States Department of the Interior  
Bureau of Land Management  
P. O. Box 1327  
Monticello, Utah 84535  
March 10, 1975

Blanding Mayor and City Council  
Blanding, Utah 84511

Dear Sir:

You are cordially invited to attend a meeting on April 15, 1975, where we will review decisions we have made in the Montezuma Management Framework Plan.

You may recall that a public meeting was held on June 12, 1974, concerning various management recommendations then being considered. Some of the principal issues discussed and commented on at that time pertained to:

1. A state exchange involving land on Bluff Bench.
2. A proposed protective corridor for the San Juan River.
3. A proposed protective corridor for U-95.
4. Withdrawal of several areas from mineral activity.
5. Off road vehicle use in several areas.

The information received from the public contributed greatly in arriving at decisions made in the plan. We would appreciate the opportunity to discuss these decisions with anyone who may be interested, in the courtroom of the San Juan County Courthouse in Monticello on April 15, 1975, at 7:00 p.m. Those decisions which seemed to attract the greatest public interest will be presented and discussed at the meeting. Copies of the entire plan will be available for public review by appointment at the District Office after the meeting. Arrangements for such review should be made so time, as necessary, can be scheduled.

I also wish to emphasize that Bureau planning is a dynamic and continuing process. While decisions we wish to discuss have been made to meet our evaluation of present needs, we intend to be responsive to future conditions, and we will change management decisions, as necessary, to meet future needs. We are always open to suggestions anyone may wish to make concerning management of national resource lands.

Sincerely yours,  
S/ Frank C. Shields  
District Manager

6. In accordance with Sections 10-10-50,51,52 of the Utah Uniform Municipal Fiscal Procedures Act and the required public advertisement, the Council held a public hearing for the purpose of considering amending the current period operating budget of the General Fund; following which, motion for adoption of the following resolution was made by Councilman Kenneth D. Shumway, seconded by Councilman Kirk P. Nielson and unanimously carried:

RESOLUTION 1975-5

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Operating Budget of the General Fund be amended as follows:

Revenues: (Increase)	
Grants From Federal Governemnt	\$14,676.00
Refuse Collection Charges	3,500.00
Insurance Receipts (Truck Loss)	<u>3,340.67</u>
Total Revenues	\$21,516.67
Expenditures: (Increase)	
Police Department	3,480.00
Street Department	11,196.00
Waste Collection Department:	
Operating Expenses	3,205.52
Capital Expenditures	<u>6,685.00</u>
	\$24,566.52

Adjustment necessary to anticipated Unappropriated Surplus.

PASSED, ADOPTED and APPROVED this 12th day of March, 1975.

Kenneth P. McDonald, Mayor

ATTEST:

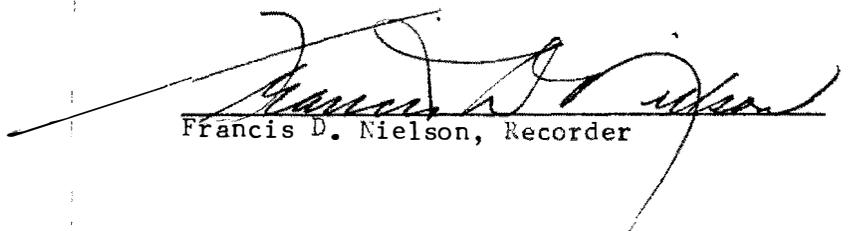
Francis D. Nielson, Recorder

7. George M. Low, Justice of the Peace, advised the Council that there is a need in the City for a Constable to act as process server; that this responsibility is outside the jurisdiction of police officers. Following discussion of the matter the Council concluded to seek further interpretation of the statutes prior to taking action.

8. Mr. William Severin, representing a group of local citizenry currently in process of organizing a Civil Air Patrol Squadron, requested the Council consider allowing the said group, in cooperation with the San Juan Sheriffs' Posse and Blanding Medical Technicians Group, the use of a room in the City Office Building in which to establish a communications base for coordinating efforts during periods of emergency.

Motion was made by Councilman Francis M. Lyman, seconded by Councilman John F. Black and unanimously carried authorizing use of Room No. 108 in the City Office building by the afore-stated groups and for the afore-stated purpose.

Meeting Adjourned at 10:35 P.M.



Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF  
THE BLANDING CITY COUNCIL HELD  
APRIL 9, 1975 AT 7:30 P.M. IN  
THE CITY HALL.

Present were Mayor Kenneth P. McDonald  
City Councilmen: John F. Black  
Francis M. Lyman  
H. Brent McAllister  
Kirk P. Nielson  
Kenneth D. Shumway

Recorder: Francis D. Nielson  
City Attorney: L. Robert Anderson

Also Present: Mr. Gordon S. Bird & Mr. Robert Sherwood of Canyonlands  
21st Century Corporation;  
Mr. Calvin F. Black, Chairman, Mr. Dick Broderick and Mr.  
Edward S. Boyle, members, San Juan County Board of Commissioners;  
Mr. Kay P. Lyman.

1. Prayer was offered by Councilman Nielson.
2. Minutes of City Council meeting held March 12, 1975 were read and approved.
3. Councilman Lyman introduced and moved the adoption of the following ordinance, which was thereupon read in full:

ORDINANCE NO. 1975-1

AN ORDINANCE CONCERNING THE JOINT ELECTRIC,  
WATER AND SEWER SYSTEM OF THE CITY OF BLANDING,  
UTAH: PROVIDING FOR THE ISSUANCE AND SALE OF  
JOINT ELECTRIC, WATER AND SEWER IMPROVEMENT  
REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT  
OF \$150,000.00, PROVIDING OTHER DETAILS RELATING  
THERE TO: RATIFYING ACTION PREVIOUSLY TAKEN IN  
CONNECTION THEREWITH: AND REPEALING ALL ACTION  
IN CONFLICT HEREWITH.

WHEREAS, the City of Blanding (herein "City"), in the County of San Juan and State of Utah, is a legally and regularly created, established, organized and existing third class city under the laws of the State of Utah; and

WHEREAS, there is an immediate and pressing need for the City to issue its negotiable bonds for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, the construction of an electric system sub-station and certain electric distribution lines (the "Project") and all costs incident to the authorization and issuance of such bonds; and

WHEREAS, there are not sufficient funds in the treasury of the City available for the purpose; and

WHEREAS, at a special bond election held in the City on the 29th day of January, 1975, a majority of the qualified electors approved a proposal to authorize the City Council of the City (herein the "Council"), to issue and sell revenue bonds in the aggregate amount of \$150,000.00, or so much thereof as may be necessary, at one time or from time to time, said bonds to bear interest at a rate or rates not to exceed eight and one-half per centum (8-1/2%) per annum, and to mature in not more than forty (40) years from their date, for the Project, the question of the issuance of such bonds being in the following form:

Shall the City Council of the City of Blanding, San Juan County, Utah, be authorized to issue and sell the negotiable, coupon, joint electric, water and sewer revenue bonds of the City in the principal amount of \$150,000.00, or so much thereof as may be necessary, in one series or more, said bonds to bear interest at a rate or rates not to exceed eight and one-half per centum (8-1/2%) per annum, and to mature not more than forty (40) years from their date or dates, for

the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction of an electric system substation and certain electric distribution lines, and all costs incident to the authorization and issuance of such bonds, such bonds to be payable from the net revenues of the joint electric, water and sewer system, and such bonds to be issued and sold, upon such terms and conditions and with such other details as the City Council may determine?

;and

WHEREAS, the Council has not previously issued any of said bonds authorized at said January 28, 1975 election; and

WHEREAS, the City now owns and operates as a joint public utility an electrical, water and sewer system (herein the "joint system" or "system"); and

WHEREAS, the only outstanding bonds payable from income or net revenues derived from the operation of the system or any part thereof and for the payment of which such income or net revenues is pledged are the City of Blanding Joint Electric, Water and Sewer Refunding and Improvement Revenue Bonds, Series April 1, 1959 (herein the "1959 Bonds"), now outstanding in the principal amount of \$223,000.00, authorized by Ordinance No. 1959-1 and an amendatory Ordinance No. 1959-4, passed and approved on January 15, 1959, and on February 26, 1959, respectively; and

WHEREAS, said Ordinance No. 1959-1 was duly approved by the legal voters of the City of Blanding on the 17th day of February, 1959 (and while such 1959 bonds were originally authorized in the principal amount of \$800,000.00), \$500,000.00 of such authorized series was delivered to the lawful purchasers thereof on April 1, 1959, and pursuant to Ordinance No. 63-6, an additional \$100,000.00 of said authorized 1959 bonds were delivered to the lawful purchaser thereof on February 10, 1964; and

WHEREAS, Section 14 of said Ordinance No. 1959-1 provides as follows:

#Section 14. That nothing in this ordinance contained shall be construed in such a manner as to prevent the issuance by the City of additional bonds or other obligations payable from the income derived from the operation of the system and constituting a lien upon said revenues inferior and junior to the lien of the bonds herein authorized, nor to prevent the issuance of bonds or other obligations refunding all or a part of the bonds herein authorized; provided, however, that the City is not, and has not been, in default as to any payments required to be made in Section 12 of this ordinance for a period of not less than twenty-four months immediately preceding the issuance of such additional bonds or other obligations; and provided, further, that before any such additional bonds or other obligations are authorized or actually issued, other than refunding bonds or other refunding obligations, the earnings derived from the operation of said system for the fiscal year immediately preceding the date of the issuance of such additional obligations shall have been sufficient to pay the cost of operation and maintenance for such fiscal year, and, in addition, sufficient to pay an amount representing one hundred fifty per centum (150%) of the maximum combined principal and interest requirements, for a single year, on the outstanding bonds authorized by this ordinance and the bonds or other obligations proposed to be issued.

"A written certification by a licensed engineer, or at the City's option a certified public accountant, to be employed by the City, that said earnings are sufficient to pay said amounts, shall be conclusively presumed to be accurate in determining the right of the City to authorize, issue, sell and deliver said additional bonds or other obligations.

"Nothing herein contained shall be construed so as to permit the City to issue bonds or other obligations payable from the revenues of the system and having a lien thereon either on a parity with, or prior and superior to, the bonds authorized by this ordinance.

"Any additional junior lien bonds or other obligations issued in compliance with the terms hereof shall bear interest payable semiannually on the first days of April and October in each year, except that the first coupon on any bond may represent interest accruing for any period not in excess of one year, and such obligations shall mature on the first day of April in the years designated by the City Council during the term of said bonds or other obligations."

; and

WHEREAS, the 1959 Bonds delivered on April 1, 1959 and the 1959 Bonds delivered on February 10, 1964 in legal effect constitute securities of one issue which are payable from the same accounts and are subject to the same limitations; and

WHEREAS, pursuant to the provisions of SS 55-3-1 through 55-3-22, Utah Code Annotated 1953, and all laws amendatory thereof and supplemental thereto (herein sometimes designated the Granger Act), the Council is authorized to provide for such improvements and extensions to the system, and by an ordinance passed by the Council, to defray all or a part of the cost thereof by the issuance of revenues of such joint system, and providing a sinking fund and reserve to discharge the same; and

WHEREAS, after extensive discussion and inquiry, the Council has determined, and does hereby declare, that the proposal submitted (which was one of several submitted) by Kirchner, Moore & Company, Inc., Denver, Colorado (herein "Purchaser"), for the purchase for cash of the additional revenue bonds herein authorized (herein "1975 Bonds" or merely "bonds") at the interest rates hereinafter set forth in accordance with the purchase contract between the City and the Purchaser, for the principal amount of the bonds and accrued interest thereon to the date of their delivery, was and is the best proposal submitted for the bonds, and that the proposal be and hereby is accepted; and

WHEREAS, the Council has determined and hereby does determine that such interest rates hereinafter designated are the lowest rate or rates obtainable for the 1975 Bonds; and

WHEREAS, the City has never pledged or in any way hypothecated the system or any part thereof or (except for the 1959 Bonds), revenues derived and to be derived from the operation of the system, or any part thereof, to the payment of any bonds now outstanding or for any other purpose (excluding proceedings authorizing the issuance of bonds which have heretofore been redeemed in full, both principal and interest), with the result that the revenues to be derived from the joint system may now be pledged lawfully and irrevocably to the payment of the 1975 Bonds; and

WHEREAS, such bond payment shall be made however, solely from the net revenues of the system, and the lien of the additional revenue bonds on such revenues is to be subordinate to the existing lien thereon of the outstanding 1959 Bonds of the net revenues of the system; and

WHEREAS, the Director of Finance of the State of Utah on the 2nd day of April, 1975, waived any and all rights it may have had for the prior right of purchase of these bonds; and

WHEREAS, the engineers for the Utah Power and Light Co. of Salt Lake City, Utah (the engineer for the Project), have filed with the City Recorder a report indicating the amount of the costs of the Project, and that the contract for the acquisition of the Project has heretofore been awarded by the Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLANDING, SAN JUAN COUNTY, UTAH:

Section 1. Short Title. This ordinance may be cited as the "4-1-75 Revenue Bond Ordinance."

Section 2. Election Approval. Said election held on January 28, 1975, resulted in the approval of the issuance of said bonds, and the result of said election has been previously so declared.

Section 3. Ratification. All action heretofore taken (not inconsistent with the provisions of this ordinance) by the Council and the officers of the City of Blanding directed toward the continuing operation of the joint system and the improvement and extension of the joint system (such improvement and extension being herein sometimes designated the "Project"), and the issuance of its proposed improvement revenue bonds be, and the same hereby is, ratified, approved and confirmed, including, without limiting the generality of the foregoing, the sale of the 1975 Bonds to the Purchaser for the principal amount thereof and accrued interest thereon, but no discount nor premium.

Section 4. Authorization of Bonds. In order to provide funds to defray the cost of the Project and thereby adequately to supply service to the inhabitants of the City, there shall be, and there hereby are, authorized to be issued bonds of the City to be known as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1975," in the aggregate principal amount of \$150,000.00, which bonds shall be payable solely from the net revenues to be derived from the operation of the system and not otherwise. Such net revenues shall be deemed the gross revenues of the system after deduction only for the cost of operating and maintaining the system and keeping it in good repair and working condition.

Section 5. Bond Details. The bonds shall be issued payable to bearer, dated as of April 1, 1975, consisting of 30 bonds in the denomination of \$5,000.00 each, numbered consecutively in regular numerical order from 1 through 30, bearing interest from their date until their respective maturities at the respective rates hereinafter designated, such interest being evidenced by only one set of coupons and pertaining to the bonds, the bonds being numbered, bearing interest and maturing serially in regular numerical order on the first day of April in each of the designated amounts and years, as follows:

<u>Bond numbers</u> <u>(All Inclusive)</u>	<u>Principal</u> <u>Maturing</u>	<u>Interest Rate</u> <u>(Per Annum)</u>	<u>Years</u> <u>Maturing</u>
1	\$5,000	7.00%	1976
2	5,000	7.00%	1977
3	5,000	7.00%	1978
4	5,000	7.00%	1979
5	5,000	7.00%	1980
6	5,000	7.00%	1981
7	5,000	7.00%	1982
8 - 14	35,000	6.90%	1983
15 - 22	40,000	6.80%	1984
23 - 30	40,000	6.80%	1985

all interest evidenced by such coupons payable to bearer, being payable on October 1, 1975, and semi-annually thereafter on the first days of April and October in each year. The principal of, the interest on and any prior redemption premiums due in connection with the bonds (such principal, interest and premiums of the bonds or other designated securities being herein sometimes designated as the "Bond Requirements") shall be payable in lawful money of the United States of America, without deduction for exchange or collection charges, at the Zions First National Bank, Salt Lake City, Utah (herein "Paying Agent"). In the event that any bond shall not be paid upon its presentation at maturity, interest thereon shall continue at the same rate per annum until the principal thereof is paid in full.

Section 6. Bonds numbered 1 through 5, maturing on or before April 1, 1980, shall not be subject to redemption prior to their respective maturities. Bonds numbered 6 through 30, maturing on and after April 1, 1981, shall be subject to redemption prior to their respective maturities, at the option of the City, in inverse numerical order, on April 1, 1980, or on any interest payment date thereafter, at a price equal to the principal amount of each bond so redeemed, accrued interest thereon to the redemption date, and a premium of 2% of the principal amount so redeemed. Notice of redemption shall be given by the City Treasurer, in the name of the City, by publication of such notice at least once, not less than thirty days prior to the redemption date, in a newspaper of general circulation in the City, and a copy of such notice shall be sent by registered mail, at least thirty days prior to the redemption date (a) to Kirchner, Moore & Company, Denver, Colorado and

(b) to Zions First National Bank, i.e., the Paying Agent. Such notice shall specify the number or numbers of the bonds to be so redeemed (if less than all are to be redeemed) and the date fixed for redemption, and shall further state that on such redemption date there will become due and payable upon each bond so to be redeemed at the Paying Agent, the principal amount thereof, accrued interest thereon to the redemption date, and the stipulated premium, and that from and after such date interest will cease to accrue. Notice having been given in the manner hereinbefore provided, the bond or bonds so called for redemption shall become due and payable on the redemption date so designated; and upon presentation thereof at the Paying Agent, together with all appurtenant coupons maturing subsequent to the redemption date, the City will pay the bond or bonds so called for redemption.

Section 7. Negotiability. The bonds hereby authorized shall be fully negotiable and shall have all the qualities of negotiable paper, and the holder or holders thereof shall possess all rights enjoyed by the holders of negotiable instruments under the provisions of the Granger Act and the Uniform Commercial Code - Investment Securities.

Section 8. Form and Execution of Bonds and Coupons. The bonds shall be manually signed and executed by the Mayor of the City, the corporate seal of the City shall be affixed on each bond, and the bonds shall be manually subscribed, executed, countersigned and attested by the City Recorder and by the City Treasurer of the City. The coupons for interest attached to said bonds shall be signed with the engraved, imprinted, stamped or otherwise reproduced facsimile signatures of the Mayor, the City Recorder and the City Treasurer. The printing of said facsimile signatures by said Mayor, City Recorder and City Treasurer upon said coupons is hereby adopted by this Council as the authorized and authenticated signing of said coupons by said officials, which officials, by the execution of said bonds and a signature certificate, shall adopt as and for their signatures the facsimile thereof appearing on said coupons. Pursuant to Section 11-14-15, Utah Code Annotated, 1953, the use of facsimile signatures be, and the same hereby is, authorized by the Council. Pursuant to Section 55-3-4 Utah Code Annotated 1953, the bonds and coupons bearing the signatures (manual or facsimile) of the officers in office at the time of signing thereof shall be the valid and binding obligations of the City, notwithstanding that before the delivery thereof and the payment therefor any or all of the persons whose signatures appear thereon shall have ceased to fill their respective offices. Each such officer at the time of the execution of the bonds and of a signature certificate pertaining thereto by such officer, may adopt as and for his own facsimile signature the facsimile signature of his predecessor in office in the event that such facsimile signature appears upon any of the bonds or coupons.

Section 9. Special Obligations. All of the bonds, as to all Bond Requirements, shall be payable and collectible solely out of the net revenues of the system. The holder or holders of the bonds may not look to any general or other fund for the payment of the Bond Requirements of such obligations, except the designated funds pledged therefor; and the bonds shall not constitute an indebtedness nor a debt within the meaning of any constitutional provision or statutory limitation.

Section 10. Incontestable Recital. Pursuant to Section 55-3-16 of the Granger Act, the bonds shall recite that they are issued under the authority of the Granger Act; such recital shall conclusively import full compliance with all the provisions of the Granger Act; and the bonds issued containing such recital shall be incontestable for any cause whatsoever after their delivery for value.

Section 11. Form of Bonds. The bonds, including indebtedness certificate to be endorsed thereon and the coupons thereto attached, shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF UTAH  
COUNTY OF SAN JUAN

CITY OF BLANDING  
JOINT ELECTRIC, WATER AND SEWER IMPROVEMENT REVENUE BOND SERIES APRIL 1, 1975

No. \_\_\_\_\_

\$5,000.00

The City of Blanding in the County of San Juan, State of Utah, (herein "City"), for value received, hereby promises to pay to the bearer hereof, solely from the special funds provided therefor, as hereinafter set forth, on the first day of April, 19\_\_\_\_, the principal sum of

FIVE THOUSAND DOLLARS

and to pay solely from such special funds interest hereon from date until maturity at the rate of \_\_\_\_\_ per centum (\_\_\_\_%) per annum, evidenced by only one set of interest coupons, such interest being payable on the first day of October, 1975, and semi-annually thereafter on the first days of April and October in each year. If upon presentation at maturity, payment of this bond is not made as herein provided, interest shall continue at the same rate per annum until the principal hereof is paid in full. The principal of, interest on and any prior redemption premium due in connection with this bond (such principal, interest and premium being herein sometimes designated as the "Bond Requirements" of the bond or bonds designated) are payable in lawful money of the United States of America, without deduction for exchange or collection charges, at the Zions First National Bank, Salt Lake City, Utah, upon presentation and surrender of this bond and the interest coupons pertaining hereto as they severally become due.

Bonds of the series of which this bond is a part (herein the "1975 Bonds" or merely the "bonds") which mature on and after the first day of April, 1981, are subject to prior redemption in inverse numerical order, at the option of the City, on the first day of April, 1980, or on any interest payment date thereafter, at a price equal to the principal amount thereof, accrued interest thereon to the redemption date, and a premium consisting of two per centum (2%) of the principal amount of each bond so redeemed. Redemption shall be made upon not less than thirty days' prior notice to be given in the manner and upon the conditions provided in the ordinance authorizing the issuance of this bond.

This bond does not constitute a debt nor an indebtedness of the City within the meaning of any Constitutional or statutory provision or limitation, shall not be considered or held to be a general obligation of the City, and is payable and collectible solely out of and there is pledged the net income derived from the operation of the City's municipally owned joint electric, water and sewer system (herein "joint system" or "system"); and the holder hereof may not look to any general or other fund for the payment of the Bond Requirements of this obligation, except the special funds pledged therefor. Payment of the Bond Requirements of the 1975 Bonds shall be made solely from, and as security for such payment there are pledged, pursuant to Ordinance No. 1975-1 passed and approved on the 9th day of April, 1975, two special funds identified as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1975, Reserve Fund", into which funds the City covenants to pay respectively, from the net revenues of the system ("net revenues" being defined as the gross revenues of the system after there shall have first been paid therefrom only the necessary and reasonable expenses of the operation and maintenance of the joint system), sums sufficient to pay when due the principal of and the interest on the bonds of the series of which this is one, and to maintain a reasonable and specified reserve for such purpose. For a description of such funds and the nature and extent of the security afforded thereby for the payment of the Bond Requirements of the 1975 Bonds, reference is made to that ordinance. The 1975 Bonds are equitable and ratably secured by a lien on the net revenues of the system and such bonds constitute, subject only, and subordinate to, the prior lien, of the City of Blanding, Joint Electric, Water and Sewer Refunding and Improvement Revenue Bonds, Series April 1, 1959, an irrevocable and first lien (but not necessarily an exclusively first lien) upon such net revenues. Bonds in addition to the series of which this is one, subject to expressed conditions, may be issued and made payable from the net revenues of the joint system and having a lien thereon subordinate and junior to the lien thereon on a parity with the lien of the 1975 Bonds, in accordance with the provisions of such ordinance.

The 1975 Bonds are issued pursuant to that ordinance. Reference is hereby made to the ordinance for the provisions, among others, with respect to the custody and application of the proceeds of such bonds, the collection and disposition of revenues of the joint system, the funds charged with and pledged to the payment of Bond Requirements of the bonds, the nature and extent of the security, the terms and conditions on which the bonds are to be issued, the rights, duties and obligations of the City, and the rights of any holder of the bonds.

It is hereby certified, recited and declared that the issuance of this bond has been authorized by the electors of the City qualified to vote on the question at a special bond election held thereon on the 28th day of January, 1975.

This bond is one of a duly authorized series of 30 bonds in the aggregate principal amount of \$150,000 for the purpose of defraying the cost of constructing improvements and extensions to the joint system, the joint system to be owned and controlled by the City, all in full conformity with the Constitution and laws of the State of Utah, and ordinances of the City duly enacted, adopted and published prior to issuance hereof.

The 1975 Bonds and the coupons pertaining thereto, are issued under the authority of Sections 55-3-1 and 55-3-22, both inclusive, Utah Code Annotated 1953, and all laws amendatory thereof and supplemental thereto. This recital conclusively imports full compliance with all the provisions of that act. This bond, as well as the other bonds of such series issued containing such recital, is incontestable for any cause whatsoever from and after its delivery for value.

The City covenants and agrees with the holder of this bond and with each and every person who may become the holder hereof that it will keep and perform all of the covenants of such ordinance, including, without limiting the generality of the foregoing, its covenant against the sale or mortgage of the joint system or any part thereof unless provision shall be made for the payment of the Bond Requirements of the 1975 Bonds, including its covenants that it will fix, maintain and collect rates for services rendered by the system sufficient to produce revenues or earnings sufficient to pay an amount at least equal to the sum of the annual operation and maintenance expenses of the system and one hundred forty per centum (140%) of both the principal of and interest on the 1975 Bonds and any other obligations payable during each next succeeding fiscal year from the revenues of the system (excluding the reserves therefor).

This bond is subject to the conditions, and every holder hereof by accepting the same agrees with the obligor and every subsequent holder hereof, that (a) the delivery of this bond to any transferee shall vest title in this bond and in the interest coupons attached hereto in such transferee to the same extent for all purposes as would the delivery under like circumstances of any negotiable instrument payable to bearer; (b) the obligor and any agent of the obligor may treat the bearer of this bond as the absolute owner hereof for all purposes, and shall not be affected by any notice to the contrary; (c) the principal of and the interest on this bond shall be paid, and this bond and each of the coupons pertaining thereto are transferable, free from and without regard to any equities between the obligor and the original or any intermediate holder hereof, or any setoffs or cross-claims; and (d) the surrender to the obligor or any agent of the obligor of this bond and of each of the coupons shall be a good discharge to the obligor for the same.

It is further certified, recited and warranted that all the requirements of law have been fully complied with by the proper officers of the City in the issuance of this bond.

IN WITNESS WHEREOF, the City of Blanding, San Juan County, State of Utah, has caused this bond to be manually signed and executed by its Mayor and to be manually subscribed, executed, and countersigned by its City Treasurer and to be manually subscribed, executed and attested by the City Recorder; has caused the corporate seal to be hereto affixed; and has caused the annexed coupons to be signed with the facsimile signatures of its Mayor and its City Recorder and its City Treasurer, which officials, by the execution hereof, do adopt, as and for their own proper signatures, their facsimile signatures appearing on each of said coupons, all as of the first day of April, 1975.

s/ Kenneth P. McDonald, Mayor  
City of Blanding  
County of San Juan, State of Utah

Countersigned:

s/ Francis D. Nielson, City Treasurer  
City of Blanding  
County of San Juan, State of Utah

(SEAL)

Attest:  
s/ Francis D. Nielson, City Recorder

(Form of Coupon)

Coupon No. \_\_\_\_\_ \$ \_\_\_\_\_

On the first day of April, October, 19\_\_ (unless prior to the maturity of this coupon, the bond to which this coupon is attached, if callable prior to such date, is called for prior redemption, on a date which is prior to such due date), the City of Blanding, in the County of San Juan and State of Utah, will pay to bearer in lawful money of the United States of America, without deduction for exchange or collection charges, at the Zions First National Bank, Salt Lake City, Utah, the amount herein stated solely from and secured by a pledge of two special funds created from the net revenues of the City's joint electric, water and sewer system, being interest on its City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1975. This Coupon is issued under the provisions of Sections 55-3-1 to 55-3-22, Utah Code Annotated 1953, and all other laws amendatory thereof and supplemental thereto; it does not constitute an indebtedness of the City within any state Constitutional or statutory limitations; and it pertains to

Bond No. \_\_\_\_\_ (Facsimile Signature) Mayor  
\_\_\_\_\_  
(Facsimile Signature) City Recorder (Facsimile Signature) City Treasurer

(Form of Certificate on Bond)

AUDITOR'S CERTIFICATE

I hereby certify that this bond does not constitute an indebtedness of the City of Blanding, in the County of San Juan and State of Utah, within any state Constitutional or statutory limitation, and is issued according to law.

DATED as of this first day of April, 1975.

\_\_\_\_\_  
City Recorder and  
Ex Officio City Auditor

Section 12. Period of Project's Usefulness. It is hereby determined and recited that the period of usefulness of the facilities to be acquired with the proceeds of the bonds herein authorized is not less than 11 years from the date of the bonds.

Section 13. Bond Execution and Delivery. The Mayor, Recorder and Treasurer of the City are hereby authorized and directed to prepare and execute the bonds as herein provided. When the bonds have been duly executed, the City Treasurer shall deliver them to the Purchaser on Receipt of the agreed purchase price.

Section 14. Disposition of Bond Proceeds.

A. Accrued Interest. All moneys received as accrued interest at the time of delivery of the bonds or any portion thereof shall be credited to the 1975 Bond Fund, hereinafter created, to apply on the bonds payable therefrom.

B. Acquisition Fund. The proceeds derived from the sale of the bonds promptly upon the receipt thereof shall be credited to a separate account which shall be known as the "Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1975, Acquisition Fund" (herein the "Acquisition Fund"). The moneys in the Acquisition Fund, except as herein otherwise specifically provided, shall be used solely for the Project. Moneys shall be withdrawn from the Acquisition Fund for the Project, only upon warrants drawn upon the City Treasurer, signed by the City Recorder, and countersigned by the Consulting Engineer or any successor thereof designated by the City Council; provided that in the case of any purchase or other acquisition, the

countersigning may be by the City Attorney or other appropriate person (instead of the Consulting Engineer). No such warrant for any sum for construction work shall be issued until the Council has received engineering approval from the Consulting Engineer certifying that such sum is due and owing for such construction, nor shall such warrant be issued until the Council has adopted a resolution accepting such certificate and directing the drawing of such warrant.

C. Completion of Project. When the Project shall have been completed in accordance with the plans and specifications therefor, and when all amounts due therefor, including all proper incidental expenses, shall have been paid, the Consulting Engineer shall file a certificate so stating, and thereupon the treasurer shall transfer to the 1975 Bond Fund, hereinafter created, all moneys remaining in the Acquisition Fund, if any.

D. Purchaser Not Responsible. But the purchaser of the bonds shall in no manner be responsible for the application or disposal by the City or by its officers of the funds derived from the sale of the bonds or of any other funds herein designated.

Section 15. Income Fund. So long as any of the 1975 Bonds shall be outstanding as to any Bond Requirements, all income and revenues derived from the operation of the joint system shall continue to be credited to a special account heretofore created by Ordinance No. 1959-1 and designated "City of Blanding Gross Income Joint Electric, Water and Sewer System Fund" (herein "Income Fund").

Section 16. Administration of Income Fund. So long as any of the 1975 Bonds shall be outstanding as to any Bond Requirements, the following payments shall be made from the Income Fund:

A. Operation and Maintenance Expenses. Firstly, as a first charge thereon, there shall be set aside each month as an operation and maintenance fund such reasonable percentage of the Income Fund as the City Council shall determine to be necessary and reasonable to defray operation and maintenance expenses of the joint system. Any surplus remaining at the end of the fiscal year and not needed for operation and maintenance purposes, shall be transferred to the Income Fund and be used for the purposes thereof, as herein provided. The term "operation and maintenance expenses," as used in this ordinance, means all reasonable and necessary current expenses of the City, paid or accrued, of operating, maintaining and repairing the joint system.

B. Principal, Interest and Reserve Requirements for 1959 Bonds. Secondly, after provision is made for operation and maintenance as aforesaid, there shall be set aside and paid monthly the amounts required by paragraphs B and C of Section 12 of Ordinance No. 1959-1, such payments to be from net revenues (i.e., of the moneys remaining in the Income Fund after payment only of operation and maintenance expenses).

C. Principal and Interest Payments for 1975 Bonds. Thirdly, after provision is made for the aforesaid payments, from such net revenues (i.e., of the moneys remaining in the Income Fund after payment only of operation and maintenance expenses and provision for the 1959 Bonds), there shall be credited to a separate account hereby created and to be known as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1975, Interest and Bond Retirement Fund" (herein "1975 Bond Fund"), the following:

(1) Monthly, commencing on the first day of the month immediately succeeding the first or only date on which any of the bonds are delivered, an amount in equal monthly installments necessary, together with any moneys therein and available therefor, to pay the next maturing installment of interest on the 1975 bonds then outstanding, and monthly thereafter, commencing on said interest payment date, one-sixth of the amount necessary to pay the next maturing installment of interest on the outstanding 1975 bonds.

(2) Monthly, commencing on the first day of the month immediately succeeding the first or only date on which any of the 1975 bonds

are delivered, an amount in equal monthly installments necessary, together with any moneys therein and available therefor, to pay the next maturing installment of principal on the outstanding 1975 bonds, and monthly thereafter, commencing on said payment date, one-twelfth of the amount necessary to pay the next maturing installment of principal on the 1975 bonds.

D. 1975 Reserve Fund Payments. Fourthly, into a separate account hereby created, to be kept separate from all other accounts and to be known as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1975, Reserve Fund" or "Reserve Fund"), from any moneys remaining in the Income Fund there shall be set aside and paid annually at least \$8,000 per year commencing not later than the first day of April, 1976 and on April 1, in each of the years 1977 through 1980, until a reserve has been accumulated in an amount equal to not less than \$40,000 (herein "1975 Minimum Reserve"). After the 1975 Minimum Reserve has been accumulated, such amounts or amount, if any, shall be deposited annually from any moneys remaining in the Income Fund into the Reserve Fund necessary to maintain the 1975 Reserve Fund as a continuing reserve in an amount not less than the 1975 Minimum Reserve to meet possible deficiencies in the 1975 Bond Fund. No payment need be made into the 1975 Reserve Fund so long as the moneys therein shall equal not less than the 1975 Minimum Reserve. The moneys in the 1975 Reserve Fund shall be accumulated and maintained as a continuing reserve to be used, except as hereinafter provided in paragraph E and F of this Section 16, only to prevent deficiencies in the payment of the Bond Requirements on the 1975 Bonds hereby authorized resulting from the failure to deposit into the 1975 Bond Fund sufficient funds to pay such Bond Requirements as the same accrue.

E. Termination Upon Deposits to Maturity. No payment need be made into the 1975 Bond Fund, the 1975 Reserve Fund, or both, if the amounts in the designated two funds total a sum at least equal to the entire amount of the outstanding 1975 Bonds, as to all Bond Requirements to their respective maturities or due dates, and both accrued and not accrued, in which case, moneys in such two funds in an amount at least equal to such Bond Requirements shall be used solely to pay such as the same accrue, and any moneys in excess thereof in such funds and any other moneys derived from the operation of the system may be used in any lawful manner determined by the Council.

F. Defraying Delinquencies in 1975 Bond and Reserve Funds. If, in any month, the City shall, for any reason fail to pay into the 1975 Bond Fund the full amount above stipulated from the net revenues of the joint system, then an amount shall be paid into the 1975 Bond Fund in such month from the 1975 Reserve Fund equal to the difference between that paid from such portion of the net income and the full amount so stipulated. The money so used shall be replaced in the 1975 Reserve Fund from the first revenues thereafter received from the operation of the joint system, not required to be otherwise applied. If, in any year, the City shall, for any reason, fail to pay into the 1975 Reserve Fund the full amount above stipulated from the net income, the difference between the amount paid and the amount so stipulated shall in a like manner be paid therein from the first revenues thereafter received from the operation of the system not required to be otherwise applied. The money in the 1975 Bond Fund and the 1975 Reserve Fund shall be used solely and only for the purpose of paying the Bond Requirements of the 1975 bonds; but any moneys at any time in excess of the Minimum Reserve of the 1975 Reserve Fund may be withdrawn from and used for the redemption of the 1975 Bonds as they become due or on any redemption date; and any moneys in the 1975 Bond Fund and the 1975 Reserve Fund in excess of accrued and unaccrued Bond Requirements to the respective maturities or due dates of the outstanding bonds may be used as hereinabove provided in paragraph E of this Section 16.

G. Payment of Additional Obligations. Fifthly, any balance remaining in the Income Fund, after provision is made for the aforesaid payments, may be used by the City for the payment of interest on and the principal of additional bonds or other obligations hereafter authorized to be issued and payable from the revenues of the joint system, including reasonable reserves therefor, as the same accrue; but the lien of such additional bonds or other obligations on the net income and revenues of the joint system and the pledge thereof for the payment of such additional obligations shall be on a parity with, or subordinate to, the lien and pledge of the 1975 Bonds, as hereinafter provided.

H. Use of Surplus Revenues. After making the payments hereinabove required to be made by paragraphs A to G, inclusive, of this Section 16 hereof, any remaining income and revenues derived from the operation of the joint system in the Income Fund shall be used for any one or any combination of purposes, as follows:

(1) For the prior redemption of the bonds or any other outstanding bonds or other obligations incurred and payable from the revenues of the joint system, in accordance with the provisions of the bonds or other obligations and the ordinance authorizing their issuance, including but not necessarily limited to this ordinance, but not in excess of a price at which such bonds or other obligations can be purchased in the open market, and

(2) For the improvement and extension of the joint system and

(3) As the City Council at its option may from time to time determine and direct.

Section 17. General Administration of Funds. The funds and accounts hereinabove designated shall be administered as follows:

A. Places and Times of Deposits. Each of the special accounts expressly designated in this ordinance shall be maintained and kept as a book account separate from all other accounts as a trust account solely for the purposes herein designated therefor, which special book accounts shall be in one bank account or more, in a bank or banks which are members of the Federal Deposit Insurance Corporation and of the Federal Reserve System, and are qualified depositories for public funds under the laws of the State (herein "Insured Bank") as determined and designated by the Council. Each such trust account shall be continuously secured to the fullest extent required or permitted by the laws of the State for the securing of public funds and shall be irrevocable and not withdrawable by anyone for any purpose other than the respective designated purposes. Each periodic payment shall be credited to the proper account not later than the date therefor herein designated, but when any such date shall be a Saturday, a Sunday or a legal holiday, then such payment shall be made on or before the next preceding secular day. Notwithstanding any other provision herein to the contrary, moneys shall be deposited with the Paying Agent at least five (5) days prior to each interest payment date herein designated sufficient to pay the Bond Requirements then becoming due on the outstanding bonds.

B. Investment of Moneys. Any moneys in any account expressly designated in this ordinance, and not needed for immediate use, may be invested or reinvested by the City Treasurer by deposit in one or more Insured Banks, and in Federal Securities which either (1) shall be subject to redemption at any time at a fixed value by the holder thereof at the option of such holder, or (2) shall mature not later than 5 days prior to the date or respective dates on which the proceeds are to be expended as estimated upon each date of such investment or reinvestment, but Federal Securities in the Reserve Fund shall ~~so be~~ subject to redemption at the holder's option at face value or shall mature at least five days prior to the last maturity date of the outstanding bonds. For

the purpose of any such investment or reinvestment, Federal Securities shall be deemed to mature at the earliest date on which the obligor is, on demand, obligated to pay a fixed sum in discharge of the whole of such obligations. Federal Securities so purchased as an investment or reinvestment of moneys in any such account shall be deemed at all times to be a part of the account, and any interest accruing thereon and any other gain realized therefrom, as well as any interest and other gain from the deposit of moneys in an Insured Bank shall be credited to the account, and any loss resulting from such investment or reinvestment in Federal Securities or in a bank shall be charged to the account; but any yield from investments or reinvestments of moneys in the Reserve Fund in excess of the Minimum Bond Reserve shall be credited to the Bond Fund as the same is received and shall be used to pay the principal of, or interest on the 1975 Bonds. The Treasurer shall present for redemption or sale on the prevailing market at the best price obtainable any Federal Securities and certificates of deposit so purchased as an investment or reinvestment of moneys in the account whenever it shall be necessary so to do in order to provide moneys to meet any withdrawal, payment or transfer from such account; provided, that amounts in the 1975 Reserve Fund shall be maintained, invested and such allowable investments presented for redemption or sale in securities which are allowable by this Section and to redeem or sell such securities in order to meet any deficiency in the 1975 Bond Fund.

C. Character of Funds. The moneys in any account herein authorized shall consist either of lawful money of the United States of America or Federal Securities, or both such money and such securities, except as herein otherwise expressly provided. Moneys deposited in a demand or time deposit account in or evidenced by a certificate of deposit of an Insured Bank appropriately secured according to the laws of the State shall be deemed lawful money of the United States of America. But moneys credited to the Acquisition Fund may only be invested in one or more accounts in or evidenced by one or more certificates of deposit of the paying Agent, in Federal Securities or in municipal securities in which such moneys may be legally invested, or any combination thereof, as the Council may at any time or from time to time determine.

D. Federal Securities Defined. "Federal Securities" means bills, certificates or indebtedness, notes, bonds or similar securities which are direct obligations of, or the principal and interest of which securities are unconditionally guaranteed by, the United States of America.

E. Arbitrage Covenant. The City hereby covenants for the benefit of each holder of the bonds that 1975 Bond proceeds shall not be invested in such manner as to result in the loss of exemption from federal income taxation of interest on the bonds or on any bonds subsequently issued.

Section 18. Bond Lien. The 1975 Bonds, subject to the payment of operation and maintenance expenses of the joint system, and subject to the lien of the 1959 Bonds, the payment of which lien is as hereinabove recited, constitute an irrevocable and first (but not necessarily an exclusively first) lien upon the revenues derived from the operation of the joint system, said lien being subordinate to the lien thereon of the outstanding 1959 bond.

Section 19. Equality of Bonds. The 1975 Bonds from time to time outstanding shall not be entitled to any priority one over the other in the application of the revenues of the joint system, regardless of the time or times of their issuance, it being the intention of the Council that there shall be no priority among the 1975 Bonds regardless of the fact that they may be actually issued and delivered at different times.

Section 20. Additional Bonds or Other Obligations.

A. Limitations Upon Issuance of Parity Obligations. Nothing in this ordinance contained shall be construed in such a manner as to prevent the issuance by the Council of additional bonds or other

obligations, for the purpose of improving, enlarging or extending the joint system, payable from any income derived from the operation of the joint system and constituting a lien upon such revenues on a parity with, but not prior or superior to, the lien of the 1975 Bonds, nor to prevent the issuance of obligations refunding all or a part of the 1975 Bonds; but before any such additional parity obligations are authorized or actually issued, other than refunding obligations (unless any lien on any revenues of the joint system of the bonds refunded is subordinate to the lien of the 1975 Bonds and the lien on revenues of the joint system of the refunding obligations is on a parity with the lien thereon of the 1975 Bonds), firstly, the City shall not have been in default as to any payments required to be made in Section 16 of this ordinance for the 24 months immediately preceding the issuance of such additional obligations, or if the 1975 Bonds have not been issued and outstanding for a period of at least 24 months, for the longest period any of the 1975 Bonds have been issued and outstanding, and secondly, the gross revenues derived from the operation of the system for the fiscal year immediately preceding the date of the authorization and issuance shall have been an amount which would be sufficient to pay the operation and maintenance expenses of the system for such year and sufficient to pay an amount representing 140% of the combined maximum annual principal and interest requirements of the outstanding 1975 Bonds and any other obligations of the City payable from all or any part of the revenues of the joint system (and on a parity with the lien of the 1975 Bonds), and the obligations proposed to be issued, excluding the reserves therefor.

B. Certification of Earnings. A written opinion or certification by a licensed engineer, or at the City's option, a certified public accountant, to be employed by the City, that the conditions hereinabove imposed for the issuance of parity obligations have been met, shall be conclusively presumed to be accurate in determining the right of the City to authorize, issue, sell and deliver such obligations on a parity with the 1975 Bonds.

C. Junior Obligations Permitted. Nothing herein contained, except as herein otherwise specifically stated shall be construed so as to prevent the City from issuing obligations payable from the revenues of the joint system and having a lien thereon subordinate, inferior and junior to the lien of the 1975 Bonds (subject to the limitations of Ordinance No. 1959-1).

D. Superior Obligations Prohibited. Nothing herein contained shall be construed so as to permit the City to issue obligations payable from the revenues of the joint system, and having a lien thereon prior and superior to the 1975 Bonds.

Section 21. Refunding Bonds. The provisions of Section 20 hereof are subject to the exception that if at any time after the obligations herein or hereafter authorized, or any part thereof, shall have been issued, the Council shall find it desirable to refund such obligations, the obligations, or any part thereof, may be refunded (but only with the consent of the holder or holders thereof, unless the obligations, at the time or times of their required surrender for payment, shall then mature, or shall then be callable for prior redemption upon proper call), without changing the priority of the lien for the payment of the refunding obligations on the revenues of the system, except as parenthetically provided in paragraph A of Section 20 hereof; and the refunding obligations so issued shall enjoy complete equality of lien with the portion of the obligations which is not refunded, if any there be; and the holder or holders of the refunding obligations shall be subrogated to all of the rights and privileges enjoyed by the holder or holders of the obligations refunded thereby. The refunding obligations shall be issued with such details as the Council may by ordinance provide; but if only a part of the outstanding obligations is refunded, and if such obligations are refunded in such manner that the refunding obligations increase the aggregate annual principal and interest requirements evidenced by such refunding obligations and by the outstanding obligations not refunded on and prior to the last maturity date of such unrefunded obligations, then such obligations may not be refunded without the consent of the holder or holders of the unrefunded portion of said obligations.

Section 22. Protective Covenants. The City hereby covenants and agrees with each and every holder of the 1975 Bonds:

A. While the 1975 Bonds authorized herein or any of them remain outstanding and unpaid, the rates for all services rendered by the joint system to said City and to its inhabitants and to all consumers within or without the boundaries of said City shall be reasonable and just, taking into account and consideration the cost and value of the account and consideration the cost and value of the joint system, the cost of maintaining and operating the joint system, and the amounts necessary for the retirement of all bonds and other securities payable from the revenues of the system, the accruing interest thereon, and reserve therefor; and there shall be charged against all purchasers of service, including said City, such rates and amounts as shall meet the requirement of this and the preceding sections of this ordinance, and which shall be sufficient to produce revenues to pay the operating and maintenance charges, and one hundred forty per centum (140%) of the next succeeding year's requirements, both as to the principal of and the interest on bonds and any other obligations payable from the revenues thereof, excluding the reserves therefor; that no free service shall be furnished by said joint system; that should the City elect to use for municipal purposes the joint system, or any part thereof, any use of the joint system or of the services rendered thereby by the City, or any department thereof, will be paid for from the City's general fund or other available revenues at the reasonable current value of the use so made or services so rendered; and that all the revenues so derived from the City shall be deemed to be revenues derived from the operation of the joint system, to be used and accounted for in the same manner as any other revenues derived from the operation of said joint system.

B. The City hereby additionally covenants and agrees with each and every holder of the 1975 Bonds issued hereunder that the protective covenants in paragraphs B to M, inclusive, of Section 17 of Ordinance No. 1959-1 shall inure to the benefit of the holder or holders from time to time of the bonds herein authorized; and the provisions (paragraph B through M) of that Section are hereby adopted by reference thereto as if set forth verbatim herein in full; provided, however:

(1) Any reference in said Section 17 of Ordinance No. 1959-1 to the bonds authorized in Ordinance No. 1959-1 shall be construed herein as referring to the 1975 Bonds herein authorized.

(2) The audits and reports required by paragraph F of Section 17 of Ordinance No. 1959-1 shall also be sent to the Purchaser hereinabove named.

(3) The references in said Section 17 of Ordinance No. 1959-1 to Section 12 of said Ordinance No. 1959-1 shall be construed as meaning Section 16 of this Ordinance.

Section 23. Events of Default; Remedies for and Duties upon Defaults. The provisions of Sections 18 to 20, inclusive, of Ordinance No. 1959-1, are hereby adopted by reference thereto as if set forth verbatim herein in full, and such provisions shall be in full force and effect as if they were so set forth verbatim herein in full; provided, that the reference therein to bonds shall be construed as referring to the 1975 Bonds.

Section 24. Revenues and Income Defined. As used herein, the term "revenues" or "income" from the joint system will include all income and revenue derived by the City from the operation as a joint system of the municipal electric, water and sewer system, or any part thereof, whether resulting from additions, improvements, enlargements, extensions, repairs or betterments to the joint system, or otherwise, and will include all revenues received by the City or any municipal corporation succeeding to the rights of the City from the system and from the sale of electricity, water, electrical facilities and water and sewer facilities to inhabitants of what is now the City of Blanding

(including all territorial annexations which may be made while such revenue bonds or any part thereof are outstanding), or from the sale of such facilities distributed by means of the joint system owned and operated by the City as the same at any time exist to serve customers outside the city limits as well as customers within the city limits.

Section 25. Defeasance. When all principal and interest requirements of the 1975 Bonds have been duly paid, the pledge and lien and all obligations hereunder shall thereby be discharged and the bonds shall no longer be deemed to be outstanding within the meaning of this ordinance. There shall be deemed to be such due payment when the City has placed in escrow or in trust with a commercial bank located within or without the State and exercising trust powers, an amount sufficient (including the known minimum yield available for such purpose from Federal Securities in which such amount wholly or in part may be initially invested) to meet all such Bond Requirements of the 1975 Bonds, including any required redemption premiums, as the same become due at final maturity or on designated redemption dates. The Federal Securities will become due prior to the respective times on which the proceeds thereof shall be needed, in accordance with a schedule established and agreed upon between the City and such bank at the time of the creation of the escrow or trust, or the Federal Securities shall be subject to redemption at the option of the holders thereof to assure such availability as so needed to meet such schedule.

Section 26. Delegated Powers. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance, including without limitation:

A. Printing Bonds. The printing of the bonds, and

B. Final Certificates. The execution of such certificates as may be reasonably required by the Purchaser, relating, inter alia, to the signing of the bonds, the tenure and identity of the officials of the Council and of the City, the delivery of the bonds, the receipt of the bond purchase price, and if it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity thereof, and also relating to the absence and existence of factors affecting the exemption of interest of the 1975 Bonds from federal income taxation.

Section 27. Bondholder's Remedies. Each holder of any bond issued hereunder shall be entitled to all of the privileges, rights and remedies provided at law or in equity or by statute, except no real or personal property pertaining to the system or otherwise has been conveyed to secure the payment of the bonds by deed of trust, or mortgage to a trustee for the benefit and security of the holder or holders from time to time of the bonds authorized hereunder or by any other encumbrance or other pledge of property, and the covenants and the other contractual provisions concerning revenues of the joint system. Nothing in this article contained shall affect or impair the right of any holder of any bond issued hereunder to enforce the payment of the Bond Requirements due in connection with his bond or the obligation of the City to pay the Bond Requirements of each bond issued hereunder to the holder thereof at the time and the place expressed in the bond and in the appurtenant coupons.

Section 28. Privilege of Amendments. This ordinance may be amended or supplemented by instruments adopted by the Council in accordance with the laws of the State, without receipt by the City of any additional consideration, but with the written consent of the holders of 66% in aggregate principal amount of the bonds authorized by this ordinance and outstanding at the time of the adoption of such amendatory or supplemental instrument (not including in any case any bonds which may then be held or owned for the account of the City, but including such refunding securities as may be issued for the purpose of refunding any of the bonds herein authorized if such refunding securities are not owned by the City).

Section 29. Limitations upon Amendments. No such instrument shall have the effect of permitting:

A. A change in the maturity or in the terms of redemption of the principal of any outstanding bond or any installment of interest thereon; or

B. A reduction in the principal amount of any bond or the rate of interest thereon, without the consent of the holder of the bond; or

C. The creation of a lien upon or a pledge of revenues ranking prior to the lien or to the pledge created by this ordinance; or

D. A reduction of the principal amount or percentages or otherwise affecting the description of bonds, the consent of the holders of which is required for any such modification or amendment; or

E. The establishment of priorities as between bonds issued and outstanding under the provisions of this ordinance; or

F. The modification of or otherwise affecting the rights of the holders of less than all of the bonds then outstanding.

Section 30. Ordinance Irrepealable. The provisions of this ordinance shall constitute an irrevocable contract between the City and the holder or holders of the 1975 Bonds. After the issuance of any of the 1975 Bonds, this ordinance shall be and remain irrepealable, and no change, variation or alternation of any kind in the provisions of this ordinance shall be made in any manner, except as provided in Sections 28 and 29 of this ordinance, until such time as all of the Bond Requirements shall have been paid in full, cancelled and discharged, as herein provided or provision duly made therefor.

Section 31. Repealer Clause. All orders, bylaws, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any order, bylaw, resolution or ordinance, or part thereof, heretofore repealed.

Section 32. Severability Clause. If any section, paragraph, clause or provision of this ordinance shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 33. Filing Certified Copy of Ordinance. A certified copy of this ordinance shall be filed by the City Recorder in the records of the City.

Section 34. Emergency Clause and Effective Date. This ordinance will promote the health, safety, prosperity, security and general welfare of the inhabitants of the City, and the peace, health and safety of the City; an emergency is declared to exist by virtue of the necessity of consummating the bond sale on favorable terms at this time and in order to acquire immediately the necessary improvements and extensions; and this ordinance shall become effective and be in full force and effect after the expiration of twenty-one days after publication in accordance with law at least once in the San Juan Record, a newspaper published in Monticello, Utah, and of general circulation in the City of Blanding, there being no newspaper published therein, and additionally posted in three public places within the City.

Section 35. Contests. In accordance with Section 55-3-16 Utah Code Annotated 1953, the Council has provided for the publication of this ordinance in a newspaper having general circulation in the City, and in accordance with said Section, for a period of thirty days after the date of such publication, any person in interest shall have the right to contest the legality of such ordinance, or any of the improvement revenue bonds authorized hereby, or any of the provisions made for the security and payment of said 1975 Bonds, and after such time no one shall have any cause or action to contest the regularity, formality or legality thereof for any cause whatsoever.

ADOPTED and APPROVED this 9th day of April, 1975.

(SEAL)

S/ Kenneth P. McDonald, Mayor  
City of Blanding, State of Utah

ATTEST:

S/ Francis D. Nielson, City Recorder  
City of Blanding, State of Utah

Councilman Lyman moved the adoption of the foregoing ordinance, which motion was seconded by Councilman Shumway, put to a vote, and was carried by the affirmative vote of all members, the vote of the Council being as follows:

Those Voting Aye: John F. Black  
Francis M. Lyman  
H. Brent McAllister  
Kirk P. Nielson  
Kenneth D. Shumway

Those Voting Nay: None

Those Absent: None

Whereupon Mayor McDonald declared the motion carried and Ordinance No. 1975-1 duly adopted and approved.

4. Councilman McAllister introduced and moved the adoption of the following resolution which was thereupon read in full to the Council:

RESOLUTION NO. 1975-6

WHEREAS, the City Council of the City of Blanding (herein "Council" and "City" respectively), in the County of San Juan and State of Utah; has authorized the issuance of its "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1975" in the aggregate principal amount of \$150,000.00 by Ordinance No. 1975-1; and

WHEREAS, it is also desirable to authorize the above-designated bonds by resolution to insure a compliance with Section 11-14-14 Utah Code Annotated, 1953 and in order to take advantage of Section 11-14-21 Utah Code Annotated 1953.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLANDING, SAN JUAN COUNTY, STATE OF UTAH:

Section 1. Authorization of Bonds. The "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1975," in the aggregate principal amount of \$150,000.00, be, and the same hereby are authorized to be issued as provided in said Ordinance No. 1975-1 and the provisions of that ordinance are hereby adopted by reference thereto as if set forth verbatim herein in full, and such provisions shall be in full force and effect as if they so set forth herein verbatim in full; provided, however, that any reference therein to that instrument as an ordinance shall be construed as a reference in such adopted provisions to a resolution.

Section 2. Ratification. All action heretofore taken (not inconsistent with the provisions of this ordinance) by the Council and the officers of the City of Blanding directed toward the issuance of its improvement revenue bonds be, and the same hereby is, ratified, approved and confirmed, including, without limiting the generality of the foregoing, the sale of the Bonds.

Section 3. Severability Clause. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 4. Repealer. All acts and resolutions, or parts of resolutions, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, or part of any resolution, heretofore repealed.

Section 5. Publication. This resolution shall be published once in The San Juan Record, a newspaper of general circulation in the City (there being no newspaper published therein). For a period of thirty days after such publication, any person in interest shall have the right to contest the legality of such resolution or proceedings or any bonds authorized hereby or any provisions made for the security and payment of such bonds. After such time no one shall have any cause of action to contest the regularity, formality, or legality of this resolution or of the bonds for any cause whatsoever.

Section 6. Emergency. This resolution is necessary for the preservation of the public health, peace and safety of the inhabitants of the City of Blanding, and it is hereby declared that an emergency exists and that this resolution shall become effective upon its adoption.

ADOPTED and APPROVED this 9th day of April, 1975.

S/ Kenneth P. McDonald, Mayor  
City of Blanding, State of Utah

(SEAL)

Attest:

S/ Francis D. Nielson, City Recorder  
City of Blanding, State of Utah

Motion for adoption of the foregoing resolution by Councilman McAllister, was seconded by Councilman Lyman and unanimously carried; voting on the motion being as follows:

Those voting Aye: John F. Black  
Francis M. Lyman  
H. Brent McAllister  
Kirk P. Nielson  
Kenneth D. Shumway

Those voting Nay: None

Those Absent: None

Whereupon Mayor McDonald declared the motion carried and Resolution No. 1975-6 duly adopted and approved.

5. Mr. Gordon S. Bird and Mr. Robert Sherwood of Canyonlands 21st Century Corporation requested the Council consider a lease-ourchase arrangement wherein their company could avail of the equipment which was used in the Juniper Oil Extraction Pilot study. The Council agreed that the equipment should be put to beneficial use but advised that the City is contractually obligated to Western Juniper Oil Products, Inc., through October, 1977 for use of the subject equipment. The Council indicated a willingness to arrange for Canyonlands 21st Century to use the said equipment, subject to said Corporation purchasing the interest of Western Juniper Oil Product, Inc., or making such other satisfactory arrangements as might be necessary to satisfy the aforestated Blanding City contractual obligation.

6. The San Juan County Board of Commissioners proposed to the Council that a coordinating committee, composed of representatives from the Commission, Blanding and Monticello cities, the San Juan School District and other at-large County area representatives, could render service to the citizens by promoting and correlating matters of mutual interest and concern.

The Commission members requested an indication of Blanding Citys' desire relative to the new sales tax law and were advised by the Council that the revenue from local option sales tax is necessary to the operation of the general City government.

The Council and Commission discussed cooperative use of facilities and services. Blanding City will continue to furnish water to the golf coure, from the Park Reservoir, and will consider furnishing utilities services at other parks and playgrounds operated by San Juan County within Blanding and its environs. The Commission agreed that the San Juan County Road Department

would continue to service City Street needs under the same cooperative program as carried on in past years.

7. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Nielson and unanimously carried:

RESOLUTION NO. 1975-7

WHEREAS, the United States Department of the Interior, Bureau of Land Management, hereafter Bureau, has determined to remove its District office from Monticello, Utah to Price, Utah, allegedly to achieve economy and efficiency in Bureau operations; and

WHEREAS, the Bureau has failed to date, to establish that economy and efficiency would be achieved by the proposed move, but only that personnel convenience would be served; and

WHEREAS, the removal of a Federal Office and its operations personnel from San Juan County would have detrimental effects upon the County economy; and

WHEREAS, the decision to remove the said office was made prior to a proper public hearing before the people of the affected area; and

WHEREAS, a belated public hearing on the matter was carried out by the Bureau in an atmosphere and attitude of sub-servience of the people to what should be their servant, contrary to the principles established by the founding fathers of this nation for a government of the people, the said hearing being sadly indicative of the usurpation of the peoples rights by a governing agency and a further deterioration of the freedoms originally guaranteed under the constitution of these United States.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah that the removal of their District Office from Monticello, Utah by the United States Department of the Interior; Bureau of Land Management, be, and it is hereby apposed, unless and until, such time as the avowed purpose of achieving economy and efficiency of operations can be satisfactorily shown; and further, that those herewith responsible, as well as all who govern in any capacity, examine their motives and purposes relative to selflessness or selfishness, that the rights, will, welfare and well-being of the people might be best served.

PASSED, ADOPTED and APPROVED this 9th day of April, 1975.

\_\_\_\_\_  
Kenneth P. McDonald, Mayor

Attest:

\_\_\_\_\_  
Francis D. Nielson, Recorder

8. Mr. Kay P. Lyman discussed with the Council, the annexing of land North of the present City boundaries. Mr. Lyman agreed that the annexation petition should be formally presented at the next regularly convened meeting of the City Council.

9. Motion was made by Councilman Lyman, seconded by Councilman Nielson and unanimously carried authorizing Mayor McDonald to execute the following affidavit:

AFFIDAVIT

City or County of Blanding, Utah

Utah Liquor Control Commission  
1625 South 9th West - P. O. Box 1408  
Salt Lake City, Utah 84110

Gentlemen:

In accordance with your recent letter relative to participation in certain liquor profits of the state of Utah in connection with liquor law enforcement for the current year, we hereby certify as follows:

We have appropriated and reserved in our current operating budget, on a separate ledger sheet in the police or sheriff's budget (whichever is applicable) the amount of \$2,655.13 which will be used only for the prevention, detection and control of violations of the current liquor laws in our area.

Very truly yours,

Kenneth P. McDonald, Mayor  
Box 68  
Blanding, Utah 84511

Home phone - 678-2775  
Office phone - 678-2791

Date: May 28, 1975

10. Motion was made by Councilman Shumway, seconded by Councilman McAllister and unanimously carried authorizing execution of the following agreement by Mayor McDonald:

AGREEMENT

This Agreement made and entered into by J. KEITH ROGERS, as Trustee under a Trust Agreement dated October 5, 1973, between Clarence Rogers, as Trustor and J. Keith Rogers, as Trustee, of 1411 Locust Lane, Provo, Utah County, State of Utah, hereinafter referred to as OWNER and CITY OF BLANDING, A Municipal Corporation, hereinafter referred to as CITY.

WITNESSETH:

WHEREAS, Owner is the owner of the following described land situated in San Juan County, State of Utah, to-wit:

Beginning 3960 feet North and 1917.3 feet East of the S½ corner of Section 34, Township 36 South, Range 22 East, Salt Lake Meridian, said point being on the West right-of-way line of State Highway U-47, and running thence South 19°57' West 346.21 feet along said right-of-way line; thence North 325.43 feet; thence East 110 feet to the point of beginning,

Beginning at a point which is North 0°01' West 3960 feet and North 89°58' West 877 feet from the Southeast corner of Section 34, Township 36 South, Range 22 East, S.L.B. & M., and running thence South 89°58' East 44.3 feet; thence South 325.43 feet to HW/RW; thence Southwesterly along HW/RW to a point South of point of beginning; thence North to point of beginning.

and,

WHEREAS, City desires to use said land which is near the South Blanding Park as an access to the City water loading valve, and,

WHEREAS, Owner is willing that City use said land as long as Owner has no other use for said land and provided that said right shall be revocable at the will of the Owner and that any use thereunder shall not

ripen into any rights adverse to owner;

NOW, THEREFORE, in consideration of One Dollar and other good and valuable consideration it is hereby agreed by and between the parties hereto as follows:

1. Owner grants to City the license to use the land above described as access to the City water loading valve and construct thereon such improvements as are necessary for said use of said property.

2. The license herein granted may be revoked at any time by the Owner by giving ten days written notice to City.

3. Any improvements constructed on said land by City shall be of such nature as to not injure or impair the value of said property.

4. Unless sooner terminated this Agreement shall run for a term of ten years from the date hereof.

IN WITNESS WHEREOF, the parties have hereunto set their hands on this \_\_\_\_\_ day of \_\_\_\_\_, 1975.

\_\_\_\_\_  
J. Keith Rogers, Trustee

By \_\_\_\_\_  
City of Blanding

11. Motion for adoption of the following resolution was made by Councilman Shumway, seconded by Councilman Nielson and unanimously carried:

RESOLUTION NO. 1975-8

BE IT RESOLVED by the City Council of the City of Blanding that Mayor McDonald be, and he is hereby, authorized to execute the construction contract with Hurst Building and Supply Company for construction of a 1.0 million gallon Storage Reservoir, when such contract and accompanying Performance and Payment Bonds have been properly prepared for execution by the concerned parties.

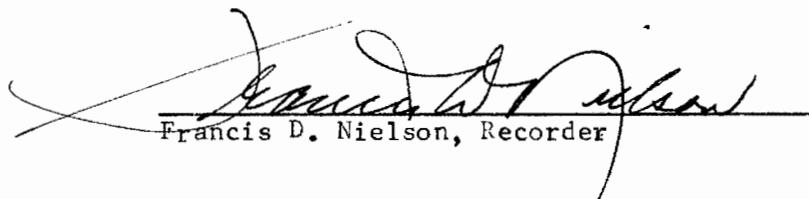
PASSED, ADOPTED and APPROVED this 9th day of April, 1975.

12. The Council discussed and then tabled a proposed Trust Agency Agreement submitted for their consideration, by Zions First National Bank.

13. By unanimous agreement, City Council meetings were set for an 8:30 p.m. starting time during the ensuing Daylight Savings Time Period.

14. The sewerage discharge permit submitted by the Environmental Protection Agency was discussed and an evaluation by our consulting engineers, of the conditions imposed therein, was ordered.

Meeting adjourned at 11:00 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING  
OF THE BLANDING CITY COUNCIL  
HELD MAY 14, 1975 AT 8:30 P.M.  
IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Francis M. Lyman  
H. Brent McAllister  
Kirk P. Nielson  
Kenneth D. Shumway

Recorder: Francis D. Nielson

Absent was Councilman John F. Black  
Also present were: John H. Baker, District Fire Warden  
Dennis W. Gutke, City Patrolman

1. Prayer was offered by Councilman Shumway.
2. Minutes of City Council meeting held April 9, 1975 were read and approved.
3. Mr. John H. Baker, District Fire Warden, discussed with the Council, a proposed cooperative fire truck purchase and operation, wherein the Federal Government, State of Utah, San Juan County and the City of Blanding would obtain a truck previously used by the U. S. Army, install certain equipment to make the same useable as a pump and hose car which would be housed by the City of Blanding and available for use by the local Federal, State and County agencies as well as by the City of Blanding for fire fighting purposes. Blanding City's share of the costs would be \$1165.50.

Motion was made by Councilman Nielson, seconded by Councilman Shumway and unanimously carried that the City enter into a cooperative agreement with the United States of America, State of Utah and San Juan County wherein a pump and hose car would be purchased by the participating entities, housed by the City of Blanding and available for use by such participating parties; in the fighting of fire; that \$1165.00 be appropriated by the City of Blanding for purchase of said pump & hose car.

4. Dennis W. Gutke, City Patrolman, discussed with the Council, problems created by the traveling public failing to make a turn on U. S. Highway 163 at the intersection of Main and Center Streets and continuing either West on Center Street or North on Main Street. The Council agreed that the Utah Department of Highways should be requested to effect better signing of the Highway and that a Dead End sign should be placed at 5th West and Center Streets.

5. The following ordinance was read in full to the Council:

ORDINANCE NO. 1975-2

AN ORDINANCE PROVIDING FOR THE ENLARGEMENT  
OF THE BOUNDARIES OF THE CITY: ANNEXING  
LAND THERETO

IT APPEARING THAT the requirements of Section 10-3-1, Utah Code Annotated, 1953, as amended, have been met with reference to the annexation hereinafter set forth;

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Blanding as follows:

1. That the following described tracts of land, situated in San Juan County, State of Utah, to-wit:

Beginning at a point North 66.0 feet and West 51.0 feet from the Quarter Corner between Sections 26 and 27 Township 36 South, Range 22 East, Salt Lake Meridian and running thence North 1255.5 feet; thence South 89°52'30" East, 820.0 feet; thence South 1319.7 feet; thence West 400.0 feet; thence North 276 feet; thence West 210.0 feet; thence South 210.0 feet; thence West 210.0 feet to the point of beginning.

Beginning at a point South 10.0 feet and West 1920.31 feet from the Northeast Corner of Section 27, Township 36 South, Range 22 East, Salt Lake Meridian and running thence South 210.0 feet; thence East 310.0 feet; thence South 643.0 feet; thence West 620.0 feet; thence North 853.0 feet; thence East 310.0 feet to the point of beginning.

Beginning at a point North 550.7 Feet and West 813 Feet from the South Quarter Corner of Section 27, Township 36 South Range 22 East, Salt Lake Meridian and running thence South 89°51' West 227.0 feet; thence North 309.5 feet; thence North 89°51' East 227.0 feet; thence South 309.5 feet to the point of beginning.

Beginning at the Northwest Corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 26, Township 36 South, Range 22 East, Salt Lake Meridian and running thence East 761.3 feet; thence South 0°30' West 337.0 feet; thence South 68°55' West 442.9 feet; thence West 343.8 feet; thence North 0°09' West 496.3 feet to the point of beginning.

Beginning at a point East 35.0 feet from the South Quarter Corner of Section 22, Township 36 South, Range 22 East, Salt Lake Meridian and running thence North 404.0 feet; thence West 465.0 feet to the point of beginning.

be and the same are hereby annexed to the City of Blanding and the limits of the City are hereby extended accordingly.

2. That this ordinance shall be published once in the San Juan Record, a newspaper published in San Juan County and of general circulation within the City of Blanding.

3. That this ordinance shall go into effect at the expiration of the 20th day following publication or on the 30th day following final passage of the ordinance, whichever date is most remot from such final passage of the said ordinance.

PASSED, ADOPTED and APPROVED this 14th day of May, 1975.

S/ Kenneth P, McDonald  
Mayor .

ATTEST:

S/ Francis D. Nielson  
Recorder

Motion for adoption of the foregoing ordinance was made by Councilman H.Brent McAllister and seconded by Councilman Shumway.

Voting on the motion was as follows:

Those voting "Aye": Councilman Lyman  
Councilman McAllister  
Councilman Nielson  
Councilman Shumway

Those voting "Nay": None  
Those absent: Councilman Black

Whereupon Mayor McDonald declared the motion carried and Ordinance No. 1975-2 duly adopted and approved.

6. Following review of the proposed Fiscal year 1976 Operating Budget by the Council, Motion was made by Councilman Lyman, seconded by Councilman McAllister and unanimously carried that the tentative operating budgets for the General Fund, Class C. Road Fund, Bond Redemption and Interest Fund, and the cash budget of the Electric, Water and Sewer Operating Fund, in the amounts of \$191,145.62, \$22,000.00, \$26,800.00 and \$274,730.00 respectively be presented for public hearing at 8:30 o'clock P.M. on Wednesday June 25, 1975 at the City hall; that notice of such hearing be advertised in the San Juan Record.

7. The following ordinance was read in full to the council:

ORDINANCE NO. 1975-3

AN ORDINANCE IMPOSING A THREE-FOURTHS OF ONE PER CENT MUNICIPAL SALES AND USE TAX, PROVIDING FOR THE PERFORMANCE BY THE STATE TAX COMMISSION OF ALL FUNCTIONS INCIDENT TO THE ADMINISTRATION, OPERATION AND COLLECTION OF A SALES AND USE TAX HEREBY IMPOSED, PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING THE PREVIOUSLY ENACTED UNIFORM LOCAL SALES AND USE TAX ORDINANCE OF THE MUNICIPALITY.

BE IT ORDAINED BY THE CITY COUNCIL OF BLANDING CITY, UTAH:

Section 1. Title. This ordinance shall be known as the "Uniform Local Sales and Use Tax Ordinance of the City of Blanding.

Section 2. Purpose. The 41st Session of the Utah Legislature of Utah has authorized the counties and municipalities of the State of Utah to enact sales and use tax ordinances imposing a three-fourths of one per cent tax thus enabling this municipality to increase its local option sales and use tax from one-half of one per cent to three-fourths of one per cent.

Additionally, said Session of the Legislature has enacted amendments to Chapters 15 and 16 of Title 59, Utah Code Annotated, 1953, sufficiently to require this municipality to modify its sales and use tax ordinance to bring about conformity to those changes.

It is the purpose of this ordinance to conform the Uniform Local Sales and Use Tax of the municipality to the requirements of the Uniform Local Sales and Use Tax law of Utah, Chapter 9 of Title 11, Utah Code Annotated, 1953, as currently amended by repealing the previously enacted Uniform Local Sales and Use Tax Ordinance of this municipality and re-enacting by this ordinance a new Uniform Local Sales and Use Tax ordinance.

Section 3. Effective Date - Continuance of Former Ordinance. This ordinance shall become effective as of 12:01 o'clock a.m., July 1, 1975. The provisions of the previously enacted Uniform Local Sales and Use Tax ordinance of the municipality which is repealed hereby and which are in conflict herewith shall continue effective until 12:00 o'clock midnight, June 30, 1975. The provisions of this ordinance which are not in conflict with said former ordinance shall be deemed to be a continuation thereof and any right, duties and obligations arising thereunder shall not in any way be deemed abrogated or terminated.

Section 4. Sales Tax.

(a)(1) From and after the effective date of this ordinance, there is levied and there shall be collected and paid a tax upon every retail sale of tangible personal property, services and meals made within the municipality at the rate of three-fourths of one per cent (3/4%).

(2) For the purpose of this ordinance all retail sales shall be presumed to have been consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has no permanent place of business in the state, or has more than one place of business, the place or places at which the

the retail sales are consummated shall be as determined under the rules and regulations prescribed and adopted by the State Tax Commission. Public utilities as defined by Title 54, Utah Code Annotated, 1953, shall not be obligated to determine the place or places within any county or municipality where public utilities services are rendered, but the place of sale or the sales tax revenues arising from such service allocable to the city shall be as determined by the State Tax Commission pursuant to an appropriate formula and other rules and regulations to be prescribed and adopted by it.

(b) (1) Except as hereinafter provided, and except insofar as they are inconsistent with the provisions of the Uniform Local Sales and Use Tax Law of Utah, all of the provisions of Chapter 15, Title 59, Utah Code Annotated, 1953, as amended, and in force and effect on the effective date of this ordinance, insofar as they relate to sales taxes, excepting Sections 59-15-1 and 59-15-21 thereof, and excepting for the amount of the sales tax levied therein, are hereby adopted and made a part of this ordinance as though fully set forth herein.

(2) Wherever, and to the extent that in Chapter 15 of Title 59 Utah Code Annotated, 1953, the State of Utah is named or referred to as the taxing agency, the name of this municipality shall be substituted therefor. Nothing in this subparagraph (b) shall be deemed to require substitution of the name of the municipality for the word "State" when that word is used as part of the title of the State Tax Commission, or of the Constitution of the State of Utah, nor shall the name of the municipality be substituted for that of the State in any section when the result of that substitution would require action to be taken by or against the municipality or any agency thereof, rather than by or against the State Tax Commission in performing the functions incident to the Administration or operation of this ordinance.

(3) If an annual license has been issued to a retailer under Section 59-15-3 of the said Utah Code Annotated, 1953, an additional license shall not be required by reason of this section.

(4) There shall be excluded from the purchase price paid or charged by which the tax is measured:

(A) The amount of any sales or use tax imposed by the State of Utah upon a retailer or consumer;

(B) Receipts from the sale of tangible personal property upon which a sales or use tax has become due by reason of the same transaction to any other municipality and any county in the State of Utah, under a sales or use tax ordinance enacted by that county or municipality in accordance with the Uniform Local Sales and Use Tax Law of Utah.

#### Section 5. Use Tax.

(a) An excise tax is hereby imposed on the storage, use, or other consumption in this municipality of tangible personal property from any retailer on or after the operative date of this ordinance for storage, use or other consumption in the municipality at the rate of three-fourths of one per cent (3/4%) of the sales price of the property.

(b)(1) Except as hereinafter provided, and except insofar as they are inconsistent with the provisions of said Uniform Local Sales and Use Tax Law of Utah, all of the provisions of Chapter 16, Title 59, Utah Code Annotated, 1953, as amended and in force and effect on the effective date of this ordinance, applicable to use taxes, excepting the provisions of Sections 59-16-1 and 59-16-25 thereof, and excepting for the amount of the tax levied therein, are hereby adopted and made a part of this section as though fully set forth herein.

(2) Wherever and to the extent that in said Chapter 16 of Title 59, Utah Code Annotated, 1953, the State of Utah is named or referred to as the

taxing agency, the name of this municipality shall be substituted therefor. Nothing in this subparagraph (b) shall be deemed to require the substitution of the name of this municipality for the word "State" when that word is used as part of the title of the State Tax Commission, or of the Constitution of the State of Utah, nor shall the name of the municipality be substituted for that of the State in any section when the results of that substitution would require action to be taken by or against the municipality or any agency thereof, rather than by or against the State Tax Commission in performing the functions incident to the administration or operation of this ordinance.

(3) There shall be exempt from the tax due under this section:

(A) The amount of any sales or use tax imposed by the State of Utah upon a retailer or consumer;

(B) The storage, use or other consumption of tangible personal property, the gross receipts from the sales of or the cost of which has been subject to sales or use tax under a sales or use tax ordinance enacted in accordance with the Uniform Local Sales and Use Tax Law of Utah by any other municipality and any county of the State.

Section 6. Contract with State Tax Commission. Heretofore, this municipality has entered into an agreement with the State Tax Commission to perform all functions incident to the administration or operation of the sales and use tax ordinance of the municipality. That contract is hereby confirmed and the mayor is hereby authorized to enter into such supplementary agreement with the State Tax Commission as may be necessary to the continued administration and operation of the local sales and use tax ordinance of the municipality as re-enacted by this ordinance.

Section 7. Penalties. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine in an amount less than \$300.00 or imprisonment for a period of not more than six months, or by both such fine and imprisonment.

Section 8. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance, including but not limited to any exemption is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

It is the intention of the City Council that each separate provision of this ordinance shall be deemed independent of all other provisions herein.

Adopted by the City Council of the City of Blanding, Utah, this 14th day of May, 1975.

S/ Kenneth P. McDonald  
Mayor

ATTEST:

S/ Francis D. Nielson  
City Recorder

Date of First Publication or posting: May 29, 1975 (San Juan Record)

Voting on the motion was as follows:

Those voting "Aye": Councilman Lyman  
Councilman McAllister  
Councilman Nielson  
Councilman Shumway

Those Voting "Nay": None  
Those Absent: Councilman Black

Whereupon Mayor McDonald declared the motion carried and ordinance No. 1975-3 duly adopted and approved.

8. Motion was made by Councilman Lyman, seconded by Councilman McAllister and unanimously carried, authorizing execution of the following agreement:

AGREEMENT FOR TRANSFER OF FUNDS FROM CLASS B & C ROADS ACCOUNT

THIS AGREEMENT, between the State Road Commission of Utah, hereinafter called "Road Commission," first party; and Blanding City, a body corporate and governmental subdivision of the State of Utah, hereinafter called "Local Authority" second party,

WITNESSETH:

1. From the 1975 transfer to the Class B & C Roads account of \$5,652,849.29 the Road Commission has apportioned the sum of \$6,940.83 to the Local Authority and credited the account of the Local Authority with that sum under the provisions of Sections 27-2-17 and 27-2-18 and Chapter 8 Title 27 Utah Code Annotated 1953. Upon the execution of this agreement by the parties hereto the Road Commission agrees to authorize the transfer to the Local Authority said sum as well as any State held balance or portion thereof, due from previous apportionments under provisions of the law and in accordance with rules and regulations governing those funds.

2. A detailed statement of the proposed expenditure of said allotment due the Local Authority, approved by the parties hereto, is made a part of this agreement by reference.

3. All of the provisions contained under Section III of the "Rules and Regulations Governing Class B and Class C Road Funds" approved by the parties hereto and published by the Road Commission as of January 1952, are made part of this agreement by reference. Copies of said rules and regulations have been mailed to each Local Authority and file copies are retained by the Road Commission in its Salt Lake City offices as well as at each of its district offices throughout the State.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in quadruplicate by their proper officers thereunto duly authorized.

Date \_\_\_\_\_

Date \_\_\_\_\_

BLANDING CITY

STATE ROAD COMMISSION OF UTAH

S/ Kenneth P. McDonald, Mayor  
Kirk P. Nielson, Councilman  
Kenneth D. Shumway, Councilman  
H. Brent McAllister, Councilman  
Francis M. Lyman, Councilman

9. Motion for adoption of the following resolution was made by Councilman McAllister, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1975-9

BE IT RESOLVED by the City Council of the City of Blanding, Utah that effective June 1, 1975, the Electric, Water, Sewer and Waste Collection service rates be, and they are hereby, set as follows, to remain so until said Council shall alter them by resolution:

ELECTRICITY

Residential - General

60 KWH's - 6.3¢ per KWH  
140 KWH's - 4.6¢ per KWH  
500 KWH's - 2.9¢ per KWH  
Over 700 KWH's - 1.73¢ per KWH

Residential - Electric Water Heater

(30 gallon or greater capacity)

60 KWH's - 6.3¢ per KWH  
140 KWH's - 4.6¢ per KWH  
Over 200 KWH's - 1.73¢ per KWH

Residential - Electric Heat  
(Total Electric Homes)

60 KWH's - 6.3¢ per KWH  
140 KWH's - 4.16¢ per KWH  
500 KWH's - 1.73¢ per KWH  
Over 700 KWH's - 1.5¢ per KWH

Commercial - General

500 KWH's - 4.6¢ per KWH  
500 KWH's - 3.5¢ per KWH  
5000 KWH's - 2.3¢ per KWH  
Over 6000 KWH's - 1.4¢ per KWH

Commercial - Total Electric

500 KWH's - 4.6¢ per KWH  
500 KWH's 3.5¢ per KWH  
4000 KWH's - 1.73¢ per KWH  
Over 5000 KWH's - 1.4 per KWH

Add to all Electric Charges, the current sales tax

WATER

\$4.00 per month minimum charge for up to 5,000 gallons  
15¢ per 1,000 gallons for each 1,000 gallons used in excess of 5,000 gallons.

SEWER SERVICE

Residential - \$3.00 per month  
Commercial - \$6.00 per month or negotiated

WASTE COLLECTION

Residential - \$2.00 per month  
Commercial - Negotiated on basis of volume

Add 20% to customers living outside the corporate limits of the City, to all services.

10. Motion was made by Councilman Lyman, seconded by Councilman Nielson and unanimously carried authorizing improvements to be made to the Clarence Christensen and Jay Peterson residences in the amounts of \$1,000.00 and \$1,500.00, respectively, from the Blanding City Emergency Housing Appropriation Act fund allocation, as administered by the San Juan County Housing Authority.

11. The following bulletin from the Utah Liquor Control Commission was read in full to the Council:

State of Utah  
Utah Liquor Control Commission  
1625 South 900 West  
Salt Lake City, Utah 84110  
May 2, 1975

BULLETIN

TO: ALL COUNTIES, CITIES AND TOWNS WITHIN THE STATE OF UTAH

Gentlemen:

The Utah Liquor Control Commission has been approached by the Utah Licensed Club Association wishing to extend the closing hours of the state liquor stores, located on the club premises, during day-light savings time. Our present regulation closes all club liquor stores at midnight. It has now been proposed, by the club owners, to extend that closing hour to 2 a.m. during day-light savings time.

This 2 a.m. closing time for club liquor stores would coincide with some County Ordinances which now allow clubs to remain open until 2 a.m. during the period day-light savings time is in effect.

We are desirous to find what ordinances you might have regarding consumption or closing time of clubs in your area. We do not want to contravene any existing ordinances that you might have, nor the wishes of your residents.

We would appreciate hearing from you giving us the information relative to existing ordinances and your feelings regarding a proposal to shift closing hours.

We intend in the near future to hold a Public Hearing and will see that you are invited to same. We will appreciate your response to this letter.

Sincerely,  
UTAH LIQUOR CONTROL COMMISSION  
S/ Gerald E. Hulbert, Chairman  
Norma Giles Thomas, Commissioner  
Herbert J. Corkey, Jr. Commissioner

12. The following letter was read in full to the Council:

State of Utah  
Division of Wildlife Resources  
1596 West North Temple  
Salt Lake City, Utah 84116  
April 23, 1975

Honorable Mayor and City Council  
Blanding City  
Blanding, Utah 84511

Gentlemen:

Reference is made to a letter dated March 10, 1975 from Mr. Richard Hansen, Assistant Director, Bureau of Water Quality, pertaining to the Blanding Water Works System.

We would not take exception to Mr. Hansen's report but would like to point out that we do have a vested interest in the Blanding water supply reservoirs in the form of fish conservation pools and, therefore, the recommendation for the regular application of copper sulfate causes us some concern.

Copper sulfate can have detrimental effects on bottom fauna through continual use due to the accumulation of toxic precipitates of this compound in the bottom muds.

Since bottom organisms represent a major food source for fish, we are concerned that the productivity of these waters may be significantly reduced through repeated use of this compound and urge that discretion be exercised in its application.

Sincerely,  
S/ John E. Phelps  
Director

cc: Bureau of Water Quality

13. The following letter was read in full to the Council:

Henningson, Durham & Richardson, Inc.  
April 29, 1975

Mr. Francis Nielson  
City Administrator  
City of Blanding  
P. O. Box 68  
Blanding, Utah 84511

Re: Blanding Water Treatment Plant

Dear Bud:

This letter is written following our April 22, 1975 visit to the Blanding Water Treatment Plant and is intended to present our recommendations regarding plant operation. This letter will address the State's "Conclusions and Recommendation" (copy attached), questions posed by the plant operator and some of our general recommendations.

A letter from Mr. Richard C. Hansen of the Utah Division of Health to the Blanding Mayor and Council dated March 10, 1975 contained a report of a State Survey of the Water Plant. The report presented the State's "Conclusions and Recommendations" resulting from the survey. The following addresses each of the items concluding the report:

1. There would be advantages to fencing and closing the reservoirs to public use. There are also disadvantages to such action, namely citizen complaint. We agree that the reservoir use should be restricted. It is our understanding that the City has various agreements that presently will not allow use restrictions. We suggest that you pursue this point further to see if the reservoirs can be closed to public use in the future.

It is true that algae growth can be controlled through the use of copper sulfate. However, copper sulfate may also affect other aquatic life. The State suggested a dose of 0.25 ppm. Manufacturers of copper sulfate say that it is toxic to trout at 0.14 ppm. However, the City of Westminster, Colorado, one of our clients reports that doses up to 1.0 ppm in a 10 million gallon raw water reservoir have not been toxic to rainbow trout. We suggest that should an algae bloom develop, copper sulfate at 0.25 ppm be tried in one reservoir to determine the affect on the fish and algae, in accordance with the State's recommendation. If possible, it would be wise to close the reservoir to public use for a few days after addition of the chemical. If the smaller reservoir was full at the time of chemical addition about 150 pounds of sulfate should be added to obtain a concentration of 0.25 ppm. The larger reservoir would require about 325 pounds when full. When not full, a reasonable estimate of water volume stored must be made to determine the required amount of chemical. We discussed the method of addition of sulfate with the plant operator during our visit.

2. The answer is obvious and the flash-mixer is now in continuous operation.
3. This is basically a maintenance item. The flocculator is marketed by Dorr-Oliver and has been (and is) used with success. We recommend that this unit be reconditioned by factory authorized personnel and placed back in service. It is an integral part of proper plant operation.
4. Rather than install continuously monitoring turbidimeters, we recommend the installation of a Hach Model 2100A turbidimeter. This instrument would allow the operator to make as many turbidity readings as necessary during the day. It sells for \$600 to \$700 as opposed to \$3,000 to \$4,000 for the installation of the continuous type, but does not produce a continuous recording. The State will accept this alternate.

It would be necessary to obtain a sample of each filter effluent, bring it to the turbidimeter and make and record the reading. To do this sample taps in each filter effluent must be made. We will assist you in this if you desire.

5. We recommend that factory authorized personnel inspect and repair the chlorine feed machine to insure proper operation. BIF no longer markets this type of equipment although parts and service are supposed to be available. If satisfactory repair of the machine can not be obtained, it may be necessary to replace it with a suitable model manufactured by Wallace & Tiernan, Capitol Controls or Fischer-Porter Company.
6. The answer is to provide vents if the State wants vents.
7. This is an area for City input.
8. The State's report does not present sufficient information to draw the stated conclusion. However, if the bacteriologic quality of the finished water is poor, it is remedied by adequate chlorination.
9. Monthly reports should be submitted to the State. In order to properly comply, additional testing apparatus should be obtained. We recommend that you obtain the following:

- A. Total Hardness Reagents and Testing Outfit.
- B. Two 50 ml Class A Burets with Teflon plugs.
- C. Water Quality Test Kit.

Items A. & B. can be obtained from VWR Scientific, P. O. Box 5287 Denver, Colorado 80217 (303-388-5651)

- A. Hardness Titrant, EDTA, Catalog No. HL 20052-4 (or a larger size).
- B. Hardness Buffer Solution, Catalog No. HL 12205-3 (or a larger size).
- C. Total Hardness Indicator, Catalog No. JTL 126-3 (or a larger size).

D. Hardness Testing Outfit, Catalog No. 66140-000.

E. Two 50 ml Burets; Catalog No. 17456-325 or 17456-143.

Similar items are available from Sargent-Welch Scientific Company, P. O. Box 7196 Denver, Colorado 80207 (303-399-8220) or perhaps other scientific warehouses in your area. The Water Quality Test Kit should be similar to Hach Model DR-EL/2.

Most of the operator's questions may be addressed with two general recommendations, operator training and education and factory authorized service for plant equipment.

In regard to operator training and education, we recommend that the City obtain for the operator a membership in the Intermountain Section of the American Water Works Association (AWWA). This organization publishes a monthly Journal which contains technical articles related to water plant operation and has periodic meetings and seminars to disseminate information. The meetings also allow association with other operators and discussion of common problems and their solutions. Thus a certain amount of the City's budget should be allocated for attending some meetings and seminars.

The State of Utah presently does not have a mandatory water plant operator certification program. Consequently, they do not have a program for operator training and education. However, both programs can be expected in the future, it is just a matter of time. In our opinion, one major requirement for proper plant operation is operator training and education. Until the State gets their program organized, little is available to you in this area. We do have personnel familiar with plant operation on our staff and we would be pleased to make this service available to you for operator training and education. We believe this is mandatory for proper operation of the plant.

We recommend that you obtain factory authorized service for the major plant equipment including, the plant control system, the chemical feeders (lime, alum, carbon and chlorine) and the flocculator. This will serve two purposes, placing the equipment in satisfactory operating condition and instruction of the plant operator in proper use and care. This is very important to proper plant operation.

For this service we suggest that you contact:

Mr. Edward B. Ambler  
Control Sales, Inc.  
4000 Forest Street  
Denver, Colorado 80216  
303-399-7230

This company provides factory authorized service for all of the equipment listed above and has given satisfactory service to our clients in the past. Arrangements should be made for this company to evaluate the service needs of the equipment, perform required service, instruct the operator in proper operation and care of the equipment and to perform continuing service and repair for the equipment.

We also recommend that three reference books be obtained for the plant operator. These are:

1. The latest edition of "Standard Methods for the Examination of Water and Wastewater"
2. "Simplified Procedures for Water Examination"
3. "Water Quality and Treatment"

All three books can be obtained from:

AWWA  
6666 West Quincy Avenue  
Denver, Colorado 80237  
303-988-1426

Bud, we realize that all of the above recommendations require a substantial cash outlay. However, production of a safe water supply should be one of the primary functions of City Government. With increasing restrictions and demands imposed by State and Federal Governments, the cost of producing domestic water will also be increasing. In light of the situation today, the above recommendations are not excessive. We strongly urge you to implement the recommendations, particularly those related to plant equipment servicing and operator training and education.

You have a considerable investment in your Treatment Plant but it will not produce the quality water as intended, without adequate maintenance and proper operating and testing techniques.

Since this letter is by necessity long, we may have abbreviated some explanations. If we can be of further assistance or if you have further questions, please give us a call.

Very truly yours,

HENNINGSON, DURHAM & RICHARDSON, INC.  
OF COLORADO

S/ William T. Murray, P.E.  
Project Engineer

Reviewed by:

S/ W. L. Bredar, P.E.  
Executive Vice-President

The Council authorized contact of and retaining the maintenance personnel necessary to effecting repairs required at the Blanding Water Treatment Plant, to conform with recommendations of the Utah Division of Health as set forth in their letter of March 10, 1975, as advised in the foregoing letter from Henningson, Durham & Richardson, Inc.

14. Motion was made by Councilman Nielson, seconded by Councilman Shumway and unanimously carried authorizing execution of the following agreement:

Re: \$150,000.00 City of Blanding, Utah  
G.O. Water Impr. Bonds  
Series 5-1-74 02-33-313870-8

This agreement, made and entered into this 14th day of May, 1975, by and between the City of Blanding, hereinafter called the Principal, and the Zions First National Bank, a national banking association, hereinafter called the Bank.

W I T N E S S E T H

WHEREAS, the Principal is desirous of authorizing and contracting with the Bank to act as a paying agent for the purpose of receiving for payment and cancellation of the above named bonds and interest coupons of the Principal, and to perform certain other services in connection with the handling of the said bonds and coupons.

NOW, THEREFORE, it is agreed by and between the parties hereto, each in consideration of the promises and acts to be performed by the other as follows:

1. The Bank agrees to act as paying agent for the Principal in receiving for payment and cancellation of the above bonds and coupons of the Principal, and in addition, the Bank agrees to perform the necessary services in connection with the handling of said bonds and coupons after payment and cancellation.

2. Not later than 3 business days before the due date of maturing bonds and interest coupons, the Principal will forward to the Bank's stock Transfer and Bond Paying Section of the Trust Department, the amount necessary to pay all bonds and coupons due, plus fees.
3. The Bank shall retain all bonds and coupons that it has received for cancellation and paid as paying agent of the Principal, and approximately 60 days after a maturity date, or a date agreed upon, shall prepare and deliver to the Principal, an itemized statement of all bonds and coupons paid, cancelled and retained by the Bank during the previous period.
4. The Bank shall return all cancelled bonds and coupons to the Principal unless the Principal shall direct otherwise in writing.
5. For the performance of the above services by the Bank, the Principal shall pay the Bank fees in accordance with the attached schedule, which becomes a part of this Agreement.
6. The Bank's services as Paying Agent cease one (1) year from the final maturity date. The Bank is directed to present the final statement, paid bonds and coupons, and money (if any) to the Principal. The Principal agrees to pay all unpaid bonds and coupons (if any) from the money turned over to it by the Bank.
7. The Bank agrees to indemnify the Principal for all errors or omissions for which the Bank is responsible in connection with the services to be rendered under this agreement.
8. This agreement cancels all other such agreements presently in force for services as paying agent.
9. This agreement shall be for a period of eleven (11) years from the date hereof, and shall continue from year to year thereafter until either party shall give sixty (60) days notice in writing to the other to the effect that the contract is terminated at the end of the then current contract year. This agreement, however, may be amended at any time upon agreement of both parties.

IN WITNESS WHEREOF, the City of Blanding has caused these presents to be executed for it in its name by its Mayor and its seal affixed, attested by the Recorder and the Bank has caused these presents to be executed for it and in its name by its \_\_\_\_\_, the day and year first written.

ATTEST

\_\_\_\_\_ Principal

By \_\_\_\_\_

Zions First National Bank  
A National Banking Association

By \_\_\_\_\_

FEE SCHEDULE

PAYMENT OF PRINCIPAL AND INTEREST ON MUNICIPAL,  
COUNTY, STATE, SCHOOL DISTRICT, BRIDGE AND  
OTHER GOVERNMENT BONDS:

For the payment of Interest:

.10 per coupon

Minimum for each Coupon Maturity is \$35.00

For the Payment of Principal:

\$1.25 per 1,000 bond

\$2.50 per 5,000 bond

FOR DESTRUCTION & CERTIFICATION TO MUNICIPALITY

2 1/2 ¢ per coupon with minimum of \$50.00 per interest maturity

\$2.50 per bond

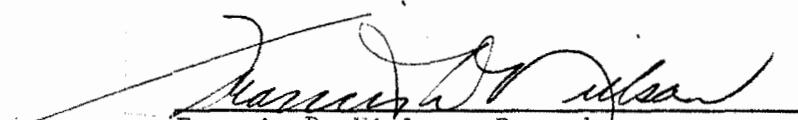
INVESTMENT FEE

1/10 of 1%

15. Motion was made by Councilman McAllister, seconded by Councilman Shumway and unanimously carried authorizing the installation of bituminous mounds or bumps, on 2nd West Street between 5th South and Perkins Streets, at two locations to be determined by the City Streets Foreman and City Administrator.

16. Motion was made by Councilman Lyman, seconded by Councilman McAllister and unanimously carried that Francis D. Nielson be allowed pasture rights to the land around the Blanding Sewer Lagoons, for the period from date hereof to and including December 31, 1979, as consideration for materials and labor contributed to fencing at the said sewer lagoon property and the Blanding Airport pasture property; subject only to State and/or Federal Agencies prohibiting such use.

Meeting adjourned at 12:01 A.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD JUNE 11,  
1975 AT 8:30 P.M. IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Francis M. Lyman  
H. Brent McAllister  
Kirk P. Nielson  
Kenneth D. Shumway

Recorder: Francis D. Nielson  
Absent was Councilman John F. Black

Also Present: Ben J. Black, City Marshall; John B. Wright, Patrolman;  
Dennis W. Gutke, Patrolman; Janet Wilcox, Reporter for  
San Juan Record.

1. Prayer was offered by Councilman Lyman.
2. Minutes of City Council meeting held May 14, 1975 were read and approved.
3. The City Marshall presented the following Salary Schedule to the Council, and recommended its adoption:

PAY STEPS & PLAN FOR PATROLMAN

Step #1		
Starting -	\$625.00	
Step #2	\$655.00	One year/completion of the academy, whichever comes first to end of second year.
Step #3	\$685.00	Third Year.
Step #4	\$720.00	Fourth Year.
Step #5	\$755.00	Fifth Year.
Senior Patrolman	\$800.00	Sixth Year & up.

All steps will be in addition to regular cost of living raises.

Steps & Pay Plans for Chief Of Police

Step #1	\$830.00	First Year
Step #2	\$875.00	Second Year
Step #3	\$916.00	Third Year
Step #4	\$965.00	Fourth Year
Step #5	\$1,005.00	Fifth Year
Step #6	\$1,065.00	Sixth Year and up

The Council declined to take action on this matter pending further study.

4. The City Marshall proposed that the City seek grant funds through the local office of the Utah Department of Employment Security, under Federal Titles 1, 2 or 6, for the purpose of training an additional police officer. Title 1 provides funds for salaries only, Titles 2 and 6 provide funds for salaries and employee benefits. The Council questioned the ability of the City to fund the expenses of an additional officer once trained but authorized the Marshall to seek a program under either Title 2 or 6 which they would have to review prior to its acceptance.

CITY OF BLANDING  
STREET IMPROVEMENT & MAINTENANCE PROGRAM PROPOSAL  
Calendar Year 1975

6/11/75 cont.

5. The Council authorized reimbursement to the City Marshall of \$91.38 for expenses incurred in the attendance by he and his wife at the Chiefs of Police Convention held in St. George, Utah during March, 1975.

6. Following a discussion of the necessity for court appearances in Arizona by the City Marshall, relative to matters preceding his employment by Blanding City, it was agreed such appearances could be considered as compensatory time for hours worked in excess of past regular work week requirements, and no salary adjustments for such time would be required.

7. The regular City Dog Clinici was scheduled for June 28, 1975.

8. The following schedule of street maintenance and construction was approved by the Council:

Location	Nature of Proposed work	Length
<b>Maintenance:</b>		
3rd North St. (entire street)	Seal and Chip (prior excavated and refilled areas will require patching before seal & chips are applied)	2600 ft.
Various Aread	Patching Holes and Eroded Shoulders	
<b>Construction:</b>		
1st So. St. - Between Main St. and 1st East St.	Curb & Gutter, So. side of street only ; Grade and Gravel from present road bed to curb.	460 ft.
1st East St. - Between U. S. 163 and 1st No. St.	Curb & Gutter, East side of street only; Grade and Gravel an approx. 50 ft. road bed to curb.	385 ft.
3rd West St. - Extend St. from approx. 570 No. to intersection with Reservoir Rd.	Clear right-of-way; Grade & Gravel	3200 ft.*
South of San Juan Nursing Home - Between 3rd and 4th West Streets	Curb & Gutter; Grade & Gravel an approx. 50 ft. road bed	460 ft. **
3rd West St. - Extend South from approx. 570 South to Canyonlands 21st Century Bldg.	Grade & Gravel	950 ft.
Continental St. - Between 2nd & 3rd West Streets	Grade & Gravel	480 ft.

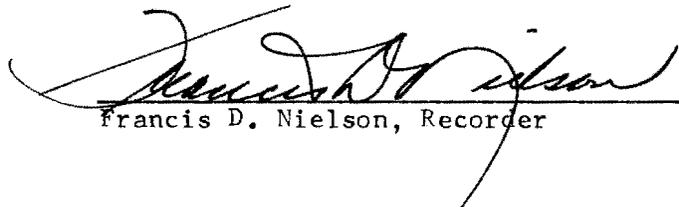
\* The continually worsening traffic situation on North 4th West Street must be resolved by opening 3rd West Street past the San Juan Nursing Home, to an intersection with Reservoir Road. The existing, extremely hazzardous condition can no longer be ignored without possible serious results. There is one remaining, unresolved right-of-way problem which may necessitate condemnation proceedings. Engineering should be commenced on this project at the earliest possible date.

\*\* This project is subject to curb and gutter participation by the San Juan Nursing Home.

The Council agreed that a tour of City Streets should be made Thursday morning, June 12, 1975 at 7:30 a.m.

9. The Council considered a request by Canyonlands 21st Century Corporation for use of the Boiler used in the Juniper Oil Extraction pilot study. It was agreed that the pilot study equipment should be put to beneficial use but that commitments to Western Juniper Oil Products, Inc. necessitate their release of such equipment for other use, through the period ending September 30, 1977.

Meeting adjourned at 10:45 p.m.



Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD JUNE 25,  
1975 AT 8:30 P.M. IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Francis M. Lyman  
Kirk P. Nielson  
Kenneth D. Shumway

Recorder: Francis D. Nielson

Absent: Councilman John F. Black  
Councilman H. Brent McAllister

Also Present: Mr. Harold Lyman; Ben J. Black, Chief of Police; Eugene G. Orr, Maintenance Shop Supervisor.

1. Prayer was offered by the Recorder.
2. Minutes of City Council meeting held June 11, 1975 were read and approved.
3. Following review of the proposed operating budgets for fiscal year 1976, motion for adoption of the following resolution was made by Councilman Francis M. Lyman and seconded by Councilman Kenneth D. Shumway.

RESOLUTION NO. 1975-10

A RESOLUTION PROVIDED FOR THE APPROPRIATION  
OF FUNDS FOR OPERATION OF THE CITY OF BLANDING  
DURING FISCAL YEAR 1976.

BE IT RESOLVED by the City Council of the City of Blanding, Utah that there be appropriated for operation of the City of Blanding during Fiscal Year 1976, the following amounts from the respective funds and for the purpose shown:

		<u>GENERAL FUND</u>	
		OPERATING BUDGET FOR THE FISCAL YEAR ENDING	
		JUNE 30, 1976	
Account No.	<u>SOURCE OF REVENUE:</u>	Revenues Actual Past Fiscal Year	Approved Appropriation Current Fiscal Year
310	<u>TAXES:</u>		
311.1	General Property Taxes--Current	40,994.27	39,700.00
311.2	Delinquent Prior Years' Taxes	894.26	1,840.00
313	General Sales & Use Taxes	27,083.92	33,000.00
318	Franchise Taxes		
319	Penalties & Interest - Delinq. Taxes		
320	<u>LICENSES AND PERMITS:</u>		
321	Business Licenses	390.00	425.00
322	Truck & Vehicle Permits (Bicycle	25.00	25.00
323	Building & Construction Permits	168.90	275.00
325	Other	220.00	325.00
330	<u>INTERGOVERNMENTAL REVENUE:</u>		
331	Grants from Federal Government	9,700.45	30,400.00
333	Federal Revenue Sharing	10,288.00	15,363.00
334	Grants from State Government		
335	State-Shared Revenue		
335.1	State Liquor Fund Allotment	6,372.30	6,372.30
335.3	Other	2,211.62	3,100.00
340	<u>CHARGES FOR SERVICES:</u>		
341	General Government Fees		
342	Public Safety Fees		
342.1	Special Police Services	40.06	
342.2	Special Fire Protection Services		
342.5	Other		
343	Highway and Street Service Fees		
343.1	Street, Sidewalk & Curb Fees	180.00	270.00
343.2	Parking Meter Revenue		
343.3	Street Lighting Service		
343.5	Engineering Fees		

343.6	Other:		
	Airport Revenue	1,276.89	1,300.00
<u>344</u>	<u>SANITATION SERVICES:</u>		
344.1	Sewage Service Charges		
344.2	Refuse Collection Charges	15,287.45	16,560.00
344.6	Other		
<u>347</u>	<u>CULTURE, PARKS &amp; RECREATION FEES:</u>		
347.1	Golf Fees		
347.2	Swimming Pool Fees		
347.3	Playground Fees		
347.4	Park & Recreation Concessions		
347.5	Auditorium Use Fees		
347.6	Library Use Fees		
347.8	Other:		
<u>349</u>	<u>CEMETERY:</u>		
349.1	Burial Fees		
349.2	Sale of Cemetery Lots	470.00	500.00
349.9	Other		
<u>350</u>	<u>FINES AND FORFEITURES:</u>		
351	Fines	10,218.40	10,500.00
352	Forfeitures		
<u>360</u>	<u>MISCELLANEOUS REVENUES:</u>		
361	Interest Earnings	16,877.34	1,150.00
362	Rents and Royalties	128.00	
363	Sale - Comp for Loss of Fixed Assets	2,890.67	
365	Contributions from Other Funds	4,888.40	5,000.00
367	Contributions from Private Sources		
368	Balances from Discontinued Funds		
369	Other Sale of G. O. Bonds	150,000.00	
	Withheld Payroll Taxes, Ins. Premiums, etc.	12,787.53	13,350.00
<u>380</u>	<u>TRANSFERS FROM OTHER FUNDS:</u>		
	Expendable Revenue from Fund		
	Balances:	<u>51,248.11</u>	<u>199,224.29</u>
	TOTAL:	<u>364,641.57</u>	<u>378,779.59</u>

CERTIFICATION OF BUDGET

I, the undersigned, certify that the attached schedules are a true and correct copy of the BUDGET of Blanding City for the fiscal year ended June 30, 1976 as approved and adopted by the Blanding City Council by ordinance or resolution No. 1975-10 Dated June 25, 1975.

S/ Francis D. Nielson  
Recorder & Treasurer

SUBSCRIBED AND SWORN TO BEFORE ME

\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_

(Seal) \_\_\_\_\_ Notary Public

GENERAL FUND  
 OPERATING BUDGET FOR THE FISCAL YEAR ENDING  
 JUNE 30, 1976

ACCOUNT NO.	FUNCTIONS & DEPARTMENTS:	ACTUAL EXPENDITURES PRIOR FISCAL YEAR			APPROVED APPROPRIATION CURRENT FISCAL YEAR		
		General Government	Federal Rev. Shar.	Total Expend.	General Government	Federal Rev. Shar.	Total
<u>410</u>	<u>GENERAL GOVERNMENT:</u>						
411	Administrative:						
411.1	Administration	3,957.36		3,957.36	3,125.00		3,125.00
411.2	Mayor and City Council	720.00		720.00	1,050.00		1,050.00
411.3	City Recorder - Clerk						
411.4	City Treasurer						
411.5	City Attorney	1,371.02		1,371.02	1,500.00		1,500.00
411.6	Independent Acct. & Auditing	589.50		589.50	589.50		589.50
412	Municipal Court	2,632.15		2,632.15	2,800.00		2,800.00
413	Planning & Zoning	54.33		54.33			
414	Elections				450.00		450.00
419	General Government Buildings						
<u>420</u>	<u>PUBLIC SAFETY:</u>						
421	Police Department	50,679.13		50,679.13	47,288.00		47,288.00
422	Fire Department	2,784.18		2,784.18	3,225.00		3,225.00
424	Inspection Department	60.00		60.00	175.00		175.00
429	Other Protection:						
429.1	Civil Defense						
429.2	Flood Control						
<u>430</u>	<u>PUBLIC WORKS:</u>						
431	Streets and Highways:						
431.1	Roadways	18,863.28		18,863.28	15,874.00		15,874.00
431.2	Snow Removal						
431.3	Street Lighting	2,671.20		2,671.20	2,800.00		2,800.00
432	Sanitation:						
432.3	Waste Coll. & Disposal	21,341.53		21,341.53	16,140.00		16,140.00
432.5	Sewage Coll. & Disposal						
433	Airport	3,633.35		3,633.35	3,500.00		3,500.00

440	PUBLIC HEALTH:						
441.1	Health Services						
441.7	Hospitals						
450	CULTURE, PARKS & RECREATION:						
451	Recreation:						
451.1	Golf Courses						
451.2	Swimming Pools						
451.3	Playgrounds						
451.4	Other						
452	Parks	46.55		46.55	175.00		175.00
453	Cemeteries						
455	Libraries						
460	CONSERVATION & ECONOMIC DEV.:						
461	Conservation						
465	Econom. Develop. & Assist.						
470	DEBT SERVICE:						
	G. O. Bond Principal & Interest	29,020.00		29,020.00	29,000.00		29,000.00
480	INTERGOVERNMENTAL EXPENDITURES:						
	Contributions to Elec., Wtr. & sewer	13,025.23	2,250.00	15,275.23	190,097.94	46,973.96	237,071.90
490	MISCELLANEOUS EXPENDITURES:						
	Payroll Taxes & Ins. Premiums remitted						
		11,718.47		11,718.47	13,350.00		13,350.00
	FUND BALANCE:	167,613.33	31,610.96	199,224.29	666.19		666.19
	TOTAL	330,780.61	33,860.96	364,641.57	331,805.63	46,973.96	378,779.59

## CLASS "C" ROAD FUND

Operating Budget for the Fiscal Year Ended  
June 30, 1976

Account No.	Source of Revenue	Actual Past Fiscal Year	Approved Budget Current Year
335.2	Class "C" Road Fund Allotment	8,526.21	6,940.83
360	Miscellaneous Revenue		
361	Interest Earnings	891.45	800.00
365	Contributions from Other Funds		
	Total Revenues:	9,417.66	7,740.83
	Beginning Fund Balance	9,412.43	14,543.80
	TOTAL	18,830.09	22,284.63
<u>Expenses:</u>			
431	Streets and Highways	4,286.29	22,000.00
	Total Expenses:	4,286.29	22,000.00
	Ending Fund Balance;	14,543.80	284.63
	TOTAL:	18,830.09	\$22,284.63

CITY OF BLANDING  
ELECTRIC, WATER AND SEWER FUND  
Cash Budget  
Fiscal Year Ending June 30, 1976

	ACTUAL		Estimated F. Y. 1976
	F. Y. Ended 3-31/75	April 1 - June 30, 1975*	
<b>REVENUE RECEIPTS:</b>			
<b>Operating Revenues:</b>			
Received From Sales and Services:			
Electricity	172,376.73	50,996.30	201,000.00
Water	48,140.79	12,551.00	55,000.00
Sewer Service	25,497.35	5,930.75	27,000.00
Forfeitures & Penalties:			
Electricity	697.26	235.41	700.00
Water	215.96	62.32	225.00
Sewer	119.96	32.80	125.00
Rent Receipts	53.50		
Line Extension Costs Advanced	510.75	50.00	2,800.00
Sale of Materials and Supplies	1,124.65	100.00	750.00
Pole Use Agreement Receipts		1,368.00	700.00
Total Operating Revenues	248,736.95	71,326.58	288,300.00
<b>Other Revenue:</b>			
Received From Sale of Revenue Bonds		150,000.00	
Earned Interest	9,480.69	3,264.59	3,950.00
Federal Grant Funds	540.94	450.27	
Contributions From Other Funds	13,025.23	2,250.00	237,071.90
Total Other Revenue	23,046.86	155,964.86	241,021.90
<b>Cash Accountability Adjustments:</b>			
Discounts Allowed:			
Electricity	176.47	53.00	200.00
Water	228.95	31.90	245.00
Sewer Service	202.20	23.10	210.00
Line Extension Advancements Refunded	457.67	95.68	650.00
Balance - Cash Receipts	270,718.52	227,087.76	528,016.90

Add - Non Cash Revenue:

Electricity Allowance-Water Treatment Plant	721.50		
Employee Payroll Taxes, Insurance Premiums and Etc. Withheld	5,252.70	1,287.03	6,000.00
Officials Allowance, Employee Benefits	189.48		
Allowance For Uncollectible Accounts	<u>1,180.75</u>		<u>1,200.00</u>
Total Revenues	278,062.95	228,374.79	535,216.90

Beginning Fund Balances:

Electric, Water & Sewer Operating Fund	16,555.12	7,692.68	27,834.88
Bond Redemption & Interest Fund (4-1-59)	42,331.24	42,089.51	3,985.74
Bond Redemption & Interest Reserve Fund (4-1-59)	<u>48,825.00</u>	<u>48,825.00</u>	<u>48,825.00</u>
Electric, Water & Sewer Investment Fund	40,712.34	49,204.67	50,623.02
Joint Utility Improvement Fund			<u>147,956.58</u>
Total Beginning Fund Balances	148,423.70	149,072.17	280,485.53

Total Available For Appropriation 426,486.65 377,446.96 815,702.43

EXPENDITURES:

Operating Expenses:

Salaries and Wages	28,112.65	6,816.00	31,000.00
Employee Benefits	5,466.00	1,482.24	6,000.00
Printing and Advertising	458.75		500.00
Office Supplies and Expenses	2,609.63	601.70	2,800.00
Equipment and Facilities Maintenance and Operating Supplies	10,850.97	1,639.43	15,000.00
Buildings & Grounds Maintenance & Operating Supplies	2,419.98	1,675.08	2,900.00
Special Departmental Supplies (Resale Power Purchase)	106,540.30	29,772.12	122,000.00
Facilities & Equipment Rent	1,400.00		1,500.00
Professional & Technical Services	1,206.00	1,056.00	1,800.00
Insurance & Surety Bonds	1,513.34		1,800.00
Uncollectible Accounts Charged	<u>1,180.75</u>		<u>1,200.00</u>
Total Operating Expenses	161,758.37	43,042.57	186,500.00

Capital Expenditures:

Electric System	24,806.93	3,752.91	190,000.00
Water System	25,216.54	3,290.35	195,000.00
Sewer System	<u>2,850.57</u>	<u>597.90</u>	<u>78,163.00</u>
Total Capital Expenditures	52,874.04	7,641.16	463,163.00

Debt Service Payments:

Principal	35,000.00	36,000.00	43,000.00
Interest	13,825.00	6,475.00	21,455.00
Paying Agents Fees	456.09	61.00	500.00
Total Debt Service Payments	<u>49,281.09</u>	<u>42,536.00</u>	<u>64,955.00</u>

Other Expenditures:

Employee Payroll Taxes, Insurance Premiums, etc.	5,214.71	1,379.67	7,100.00
Sales Taxes Remitted	6,797.69	2,073.83	7,900.00
Customers Deposits Refunded	<u>1,488.58</u>	<u>288.20</u>	<u>1,600.00</u>
Total Expenditures	277,414.48	96,961.43	731,218.00

Ending Fund Balances:

Electric, Water & Sewer Operating Fund	7,692.68	27,834.88	6,901.43
Bond Redemption & Interest Fund (4-1-59)	42,089.51	3,985.74	15,708.00
Bond Redemption & Interest Reserve Fund (4-1-59)	48,825.00	48,825.00	48,825.00
Electric, Water & Sewer Investment Fund	49,204.67	50,623.02	13,050.00
Water Improvement Fund	1,260.31	1,260.31	
Joint Utility Improvement Fund		<u>147,956.58</u>	
Total Ending Balances	149,072.17	280,485.53	84,484.43

Total Expenditures and Ending Balance 426,486.65 377,446.96 815,702.43

\*Three-month period reported for the purpose of bringing Electric, Water and Sewer Systems operating period into conformity with Section 10-10-26, Uniform Municipal Fiscal Procedures Act. Prior operating period ending March 31, annually, required by Blanding City Revenue Bond Ordinance No. 1959-1.

Voting on the motion was as follows:

Those voting "Aye": Councilman Lyman  
Councilman Nielson  
Councilman Shumway

Those voting "Nay." None

Those Absent: Councilman Black  
Councilman McAllister

Whereupon Mayor McDonald declared the motion carried and Resolution No. 1975-10 duly adopted and approved.

4. Mr. Harold J. Lyman expressed appreciation for the efforts of governing and administrative personnel of the City in servicing the City needs.

5. The Recorder advised the Council that the U. S. Department of Health Education & Welfare is now advocating payment of Social Security Taxes by governmental subdivisions on monthly rather than quarterly basis.

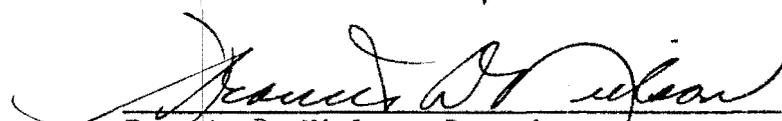
The Council approved the submission of a letter to the Utah Congressional delegation opposing the aforesaid proposal of the Department of Health, Education and Welfare.

6. Motion was made by Councilman Nielson, seconded by Councilman Lyman and un-animously carried authorizing purchase of the following described tract of land from Mr. Kloyd Perkins, at a cost of \$2,250.00:

BEGINNING AT A POINT 598.3 FEET NORTH OF THE SOUTH QUARTER CORNER OF SECTION 15, TOWNSHIP 36 SOUTH, RANGE 22 EAST, SALT LAKE MERIDIAN AND RUNNING THENCE NORTH 691.7 FEET: THENCE WEST 142 FEET: THENCE SOUTH 691.7 FEET: THENCE EAST 142 FEET TO THE POINT OF BEGINNING.

7. Motion was made by Councilman Shumway, seconded by Councilman Nielson and un-animously carried, authorizing two water connections, with appropriate air-valve controls, to be made by the U. S. Forest Service, Mr. Kloyd Perkins and Mr. Ervin R. Guymon, on the existing pipeline which extends from Johnson Creek to Brushy Basin, said connections to make water available for cattle grazing on the area.

Meeting adjourned at 10:40 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD JULY 23,  
1975 AT 8:30 P.M. IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: H. Brent McAllister  
Kirk P. Nielson  
Kenneth D. Shumway

Recorder: Francis D. Nielson

Absent: Councilmen: John F. Black  
Francis M. Lyman

1. Prayer was offered by Mayor McDonald.
2. Minutes of the City Council meeting held June 25, 1975 were read and approved.
3. The following resolution was read in full to the Council:

RESOLUTION NO. 1975-11

AUTHORIZING EXECUTION OF A PAYING AGENTS  
AGREEMENT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that Mayor McDonald be, and he is hereby, authorized to execute the following paying agents Agreement with Zions First National Bank, his signature to be attested to by the City Recorder:

AGREEMENT

This agreement, made and entered into this 23rd day of July, 1975, by and between City of Blanding, Utah, hereinafter called the Principal, and the Zions First National Bank, a national banking association, hereinafter called the Bank.

W I T N E S S E T H

Whereas, the Principal is desirous of authorizing and contracting with the Bank to act as a paying agent for the purpose of receiving for payment and cancellation of the above named bonds and interest coupons of the Principal, and to perform certain other services in connection with the handling of the said bonds and coupons.

Now, therefore, it is agreed by and between the parties hereto, each in consideration of the promises and acts to be performed by the other as follows:

1. The Bank agrees to act as paying agent for the Principal in receiving for payment and cancellation of the above bonds and coupons of the Principal, and in addition, the Bank agrees to perform the necessary services in connection with the handling of said bonds and coupons after payment and cancellation.

2. Not later than 3 business days before the due date of maturing bonds and interest coupons, the Principal will forward to the Bank's stock Transfer and Bond Paying Section of the Trust Department, the amount necessary to pay all bonds and coupons due, plus fees.

3. The Bank shall retain all bonds and coupons that it has received for cancellation and paid as paying agent of the Principal, and approximately 60 days after a maturity date, or a date agreed upon, shall prepare and deliver to the Principal, an itemized statement of all bonds and coupons paid, cancelled and retained by the Bank during the previous period.

4. The Bank shall return all cancelled bonds and coupons to the Principal unless the Principal shall direct otherwise in writing.

5. For the performance of the above services by the Bank, the Principal shall pay the Bank fees in accordance with the attached schedule, which becomes a part of this Agreement.

6. The Bank's services as Paying Agent cease one (1) year from the final statement, paid bonds and coupons, and money (if any) to the Principal. The Principal agrees to pay all unpaid bonds and coupons (if any) from the money turned over to it by the Bank.

7. The Bank agrees to indemnify the Principal for all errors or omissions for which the Bank is responsible in connection with the services to be rendered under this agreement.

8. This agreement cancels all other such agreements presently in force for services as paying agent.

9. This agreement shall be for a period of Ten (10) years from the date hereof, and shall continue from year to year thereafter until either party shall give sixty (60) days notice in writing to the other to the effect that the contract is terminated at the end of the then current contract year. This agreement, however, may be amended at any time upon agreement of both parties.

In Witness Whereof, the City of Blanding has caused these presents to be executed for it in its name by its Mayor and its seal affixed, attested by the Recorder and the Bank has caused these presents to be executed for it and in its name by its \_\_\_\_\_, the day and year first written.

ATTEST

\_\_\_\_\_  
Recorder

PRINCIPAL

By \_\_\_\_\_  
Mayor

Zions First National Bank  
A National Banking Association

By \_\_\_\_\_

Motion for adoption of the foregoing resolution was made by Councilman Nielson, seconded by Councilman McAllister and unanimously carried.

4. The following resolution was read in full to the Council:

RESOLUTION NO. 1975-12

A RESOLUTION AUTHORIZING PARTICIPATION IN  
THE GROUP INSURANCE PLAN OF THE UTAH LEAGUE  
OF CITIES AND TOWNS.

WHEREAS, the Utah League of Cities and Towns, an association of municipalities of the State of Utah, pursuant to a resolution passed in convention on September 1, 1949, and thereafter amended to modernize the program from year to year, has established a group insurance plan whereby all municipalities or public agencies may, at their election, become participants for the purpose of providing their officers and employees and their dependents with death benefits, surgical, hospitalization and other sickness benefits, and

WHEREAS, said group insurance plan, its benefits and costs are more particularly described in the insurance policies entered into by said company and the League and a pamphlet marked Exhibit "A" copies of which are hereto attached and made a part here of and,

WHEREAS, said plan contemplates that a portion of its cost or premium payments shall be paid by the said municipality or public agency and a portion by its employees, i.e., the public agency will pay all of the premium for the purchase of benefits of an employee without dependents and one-half of the premium payment for the provision of benefits for an employee and his dependents; and

WHEREAS, it is the opinion of the Blanding City Council that this plan of group insurance will not only be a great benefit to said officials, employees and their dependents, but will benefit the public agency by stabilizing its employment and increasing the efficiency of its government, and it is deemed that the payment by the public agency of its portion of the premiums specified in the copies of the policies hereto attached are payments for a governmental purpose:

NOW, THEREFORE, BE IT RESOLVED by the City Council of Blanding City that this public agency become a participant in the before-described group insurance plan, thereby providing death benefits and surgical, hospitalization and other sickness benefits to its employees and to the dependents of such employees as elect to provide such benefits for their dependents.

BE IT FURTHER RESOLVED that the proper fiscal officers of this public agency be and they are hereby authorized to pay the committee established therefor by the Utah League of Cities and Towns as Trustees under the plan, its proportion of the premium payments specified under the terms of the attached policies, which during the policy year beginning July 1, 1975 shall be as follows:

Full premium upon employee without dependents \$22.80 per month;  
Portion of premium upon employee with dependents \$ \_\_\_\_\_ per month;  
(Contribution by employee with dependents \$ \_\_\_\_\_ per month, or  
a total premium paid by the municipality and such employee with  
dependents \$52.96 per month);

and that said officers be and are hereby authorized to establish a system of payroll deduction from the salaries of employees who elect to include their dependents in the plan whereby their proportion of the premium payments required by the plan may be paid.

BE IT FURTHER RESOLVED that the proper officials of the public agency do all things necessary to carry out fully the terms and conditions of said insurance policies and the plan of group insurance thus established and that two signed copies of this resolution be forwarded to the Utah League of Cities and Towns.

BE IT FURTHER RESOLVED that this public agency become a participant in the above-described group insurance plan, effective this 1st day of July, 1975.

City of Blanding

ATTEST:

S/ Kenneth P. McDonald, Mayor

S/ Francis D. Nielson, Recorder

Motion for adoption of the foregoing resolution was made by Councilman Shumway, seconded by Councilman McAllister, and unanimously carried.

5. The following resolution was read in full to the Council:

RESOLUTION NO. 1975-13

AUTHORIZING A COOPERATIVE SIDEWALK CONSTRUCTION PROJECT

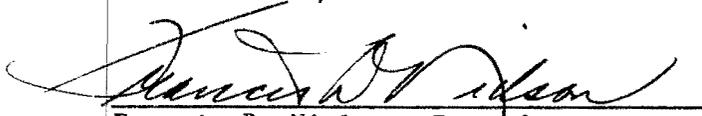
BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City construct a sidewalk on the west side of the right-of-way between Center and 1st North Streets on a 50/50 sharing basis with the adjacent property owners; said construction to be completed as quickly as a contractor can be found to do same.

PASSED, ADOPTED and APPROVED this 23rd day of July, 1975.

7/23/75 cont.

6. The Recorder reported that the City Attorney advised against revision of the City Ordinances relative to the imposition of jail sentences, until such time as a final opinion is gotten from the U. S. District Court on Justices of the Peace authority to impose imprisonment, as has recently been challenged and such challenge upheld in a Utah District Court.

Meeting adjourned at 9:45 P.M.



---

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD AUGUST 13,  
1975 AT 8:30 P.M. IN THE CITY HALL.

Present were: Mayor: Kenneth P. McDonald  
City Councilmen: John F. Black  
Francis M. Lyman  
H. Brent McAllister  
Kirk P. Nielson

Recorder: Francis D. Nielson

Absent was Councilman Kenneth D. Shumway

1. Prayer was offered by Councilman Nielson.
2. Minutes of City Council meeting held July 23, 1975 were read and approved.
3. Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Nielson and unanimously carried:

RESOLUTION NO. 1975-14

BE IT RESOLVED by the City Council of the City of Blanding, Utah that Bert Dean Jackson be hired as the City Maintenance Shop Foreman and assistant water treatment plant operator, at a salary of \$575.00 per month, to be raised to \$600.00 per month following two months of satisfactory service; that Mr. Jackson be enrolled in the Utah State Retirement System and the Utah League of Cities Group Insurance Program.

PASSED, ADOPTED and APPROVED this 13th day of August, 1975.

4. The Mayor and Recorder reported being in attendance at a meeting of San Juan County citizens, called the San Juan County Commission, for the purpose of discussing the advisability of forming an Association of Governments for San Juan County. The concensus of those in attendance was that to avail of programs and funds provided through the governmental agencies, a San Juan County Association of Governments is necessary. The group present recommended the following representation for such an association:

San Juan County Commission	3 members
San Juan School District	2 member, 1 staff, 1 elected
City of Blanding	2 members, 1 staff, 1 elected
City of Monticello	2 members, 1 staff, 1 elected
Utah Navajo Development Council	2 members, 1 staff, 1 elected
San Juan County - at large -	2 members, to be appointed

by the San Juan County Commission.  
Tribal Council or Chairman - 1 member, to be appointed by  
Tribal Council or Chairman - must be a Utah Citizen.

Following research of the legal technicalities by the San Juan County Attorney, the group will again meet to further consider the matter.

5. Utah Power and Light Company billings on the Sub-station and distribution Line installation were reviewed by the Council. It was agreed that the distribution line installation charges should be paid, less the engineering charges pending receipt of as-constructed drawings; and less 10% of charges, subject to inventory of the materials charged. It was agreed that payment for the sub-station installation charges should be deferred pending receipt of individual invoices on the major items as well as clarification of vehicle charges, third party contract details, margin charges and receipt of the engineering design and as-constructed drawings.

6. The Recorder reported that Mr. Jim Franklin of Henningson, Durham and Richardson, Inc. has done the field work and is now doing the drafting on the

8/13/75 cont.

proposed sewer line from the North end of 5th West Street to the Edge of the Cedars Indian Cultural Center site.

7. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Black and unanimously carried:

RESOLUTION NO. 1975-15

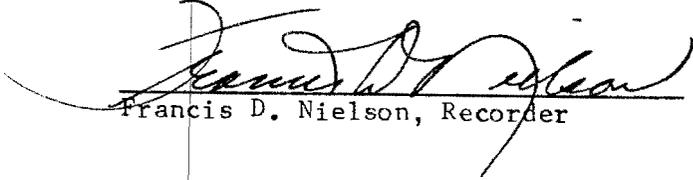
BE IT RESOLVED by the City Council of the City of Blanding, Utah that Zions First National Bank be authorized to transfer from the Blanding City Electric, Water and Sewer Investment Fund, Blanding City Account No. 39-111 and Zions First National Bank Account No. 02-39-313710-6, to the First Security Bank of Utah, Blanding Branch and Blanding City Electric, Water & Sewer Operating Fund, Blanding City Account No. 50, 51, 52, the amount of \$41,285.86.

PASSED, ADOPTED and APPROVED this 13th day of August, 1975.

8. The following letter was read in full to the Council from Mr. & Mrs. R. J. Noonan:

The Council requested a letter of gratitude and commendation be sent to Mr. & Mrs. Noonan.

Meeting adjourned at 10:20 p.m.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD AUGUST 27,  
1975 AT 8:30 IN THE CITY HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilman: John F. Black  
Francis M. Lyman  
Kirk P. Nielson  
Kenneth D. Shumway

Recorder: Francis D. Nielson

Absent was Councilman H. Brent McAllister

Also present were: Bruce Cornwell; Michael Redd; Don Ellis Smith; Guen Smith; Kim Smith; Ned Smith; Bruce E. Stevens; Earl Stevens; George M. Low, Justice of the Peace.

1. Prayer was offered by Councilman Shumway.
2. Minutes of City Council meeting held August 13, 1975 were read and approved.
3. The following citizens requested the Council consider repealing Ordinance No. 1971-2, An Ordinance Regulating Smoke Emissions, Noises and the Operation of Motor Cycles and Motor Bikes:

Don Ellis Smith  
Guen L. Smith  
Kim Smith  
Ned Smith  
Bruce Cornwell  
Michael Redd  
Earl Stevens

The thrust of their argument for repeal of the ordinance was that it discriminated particularly against those individuals using motor cycles and motorbikes as an economical means of transportation, both in the conduct of business and for recreational purposes; that the regular curfew ordinance and disturbing the peace ordinance should be adequate for control of offenses which might be committed by motor driven cycles.

Michael Redd advised the Council that he had been cited by the Blanding Police for a violation of Ordinance No. 1971-2 and that he felt the circumstances relative to the violation were such that consideration should be given to dismissal of the charge. The Council agreed that only the Mayor has authority to act in the matter of commuting sentence or dismissing charges and they as a body would decline to act on such matters.

Bruce E. Stevens advised the Council that his attendance at the meeting was also in the interest of Ordinance No. 1971-2, to the extent that, should the ordinance be repealed, some other regulations be imposed to assure continued abatement of the noise so noticeable during the period of enforcement of the existing ordinance.

The Council declined to take action on this matter, pending further discussion with City law-enforcement personnel, relative to the purposes served by the subject ordinance.

4. George M. Low, Justice of the Peace, requested of the Council, per diem expenses necessary to his attending the Justice of the Peace school to be held during the Municipal League Convention in Salt Lake City on September 3,4,5 & 6, 1975. The Council agreed to the payment of such expenses.
5. Motion for adoption of the following resolution was made by Councilman Nielson, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1975-16

A RESOLUTION APPOINTING A JUSTICE OF THE PEACE, PRO TEMPORE

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Honorable Edward Sheya, Judge of the 7th Judicial District of the State of Utah be, and he is hereby, appointed Justice of the Peace, Pro Tempore, for the City of Blanding, to officiate in all Blanding Municipal Court cases requiring a qualified Utah Barrister.

APPROVED, ADOPTED and APPROVED this 27th day of August, 1975.

6. Motion was made by Councilman Black, seconded by Councilman Lyman and unanimously carried that J. Rex Nielson be permitted to cover the property line to curb area on the south and east sides of the Mini-mart located at the Northwest corner of the intersection of Main and Center streets, with a bituminous surfacing material.

7. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Shumway and unanimously carried:

RESOLUTION NO. 1975-17

A RESOLUTION AUTHORIZING WORK TO BE COMPLETED AT THE INDIAN CREEK TUNNEL.

BE IT RESOLVED by the City Council of the City of Blanding, Utah that:

1. The City enter into a cooperative project with the Clanding Irrigation Company, costs of the same estimated to be \$45,000.00 and to be borne equally with the City and said Company; for the purpose of completing maintenance and construction work necessary to the preservation and continued use of the Indian Creek Tunnel.

2. The Mayor and City Administrator be, and they are hereby, authorized to negotiate with individuals, companies and agencies necessary to carrying out the said project; including, but not limited to the hiring of equipment, and personnel, and the purchasing of materials and supplies which may be required.

3. The actions heretofore taken by officials, and administrators of the City in obtaining engineering from the Utah Water Resources Board, and financial assistance from the San Juan County Water Conservancy District, are hereby ratified and confirmed as though previously authorized by the City.

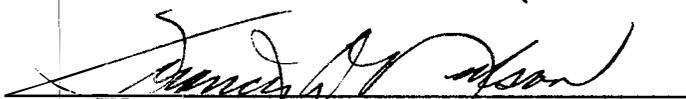
4. An emergency exists, in that the continued flow of water to the City is imperiled, and all requirements relative to legal project advertising and the bid-call process are hereby waived in order that the project may be expedited prior to winter weather, prohibiting its completion; all for the preservation of the health, safety and general well-being of the citizens of the City of Blanding.

PASSED, ADOPTED and APPROVED this 27th day of August, 1975.

8. The Recorder brought to the attention of the Council a statement for services, received from Woodward, Glyde, Incorporated, relative to soil studies completed at the site of the 1.0 M.G. concrete reservoir currently under construction, which included twelve (12) hours of staff consultation @ \$35.00 per hour. The Council agreed that Henningson, Durham & Richardson, Inc. project engineers, should be requested to clarify the purposes of such exorbitant charges.

9. The Recorder advised the Council of a meeting scheduled for Wednesday, September 3, 1975 at 10:00 a.m. at the site of the 1.0 M.G. Concrete Reservoir for the purpose of discussing with the project engineers and the contractor, certain apparent construction problems and inadequacies.

Meeting adjourned at 11:10 p.m.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD OCTOBER  
10, 1975 IN THE CITY HALL AT 7:30 P.M.

Present were: City Councilmen: H. Brent McAllister  
Kirk P. Nielson  
Kenneth D. Shumway

Recorder: Francis D. Nielson

Absent was Mayor Kenneth P. McDonald and  
City Councilmen John F. Black  
Francis M. Lyman

(The meeting was conducted by Councilman Nielson as Mayor Pro Tempore)

1. Prayer was offered by Councilman McAllister.
2. Minutes of City Council meeting held August 27, 1975 were read and approved.
3. The Recorder reported on progress at the Indian Creek Tunnel south portal improvement project; that the excavation is approximately 75% complete, construction costs totalling \$11,137.90 to date.
4. Motion was made by Councilman Kenneth D. Shumway, seconded by Councilman H. Brent McAllister and unanimously carried that the Emergency Housing Funds allocated for improvements to the Alice Shumway residence be increased to \$2,500.00.
5. Motion was made by Councilman McAllister, seconded by Councilman Shumway and unanimously carried appointing the following individuals to the office of Judge or alternate Judges of Election for the municipal election to be held November 4, 1975:

Blanding District No. 10

Paula A. Jones  
Beatrice B. Helquist  
Cecelia Tibbitts  
Afton J. Stevens, Alternate

Blanding District No. 11

Eloise B. Mahon  
Phyrl C. Black  
Fern L. Palmer  
Inez Conway, Alternate  
Pearl Bayles, Alternate  
Josephine Bayles, Alternate  
Nancy Bradford, Alternate  
Eva L. Shumway, Alternate

6. Motion for adoption of the following resolution was made by Councilman H. Brent McAllister, seconded by Councilman Kenneth D. Shumway and unanimously carried:

RESOLUTION NO. 1975-18

A RESOLUTION AUTHORIZING THE EXECUTION OF  
AIRPORT OPERATING AGREEMENTS

BE IT RESOLVED by the City Council that the Mayor be, and he is hereby, authorized to execute the following Agreement Granting Commercial Privileges For Aeronautical Activities at the Blanding Municipal Airport, and Blanding Municipal Airport Manager Agreement, said agreement being made retroactive to September 1, 1975:

AGREEMENT GRANTING COMMERCIAL PRIVILEGES FOR AERONAUTICAL ACTIVITIES  
AT THE BLANDING MUNICIPAL AIRPORT

Agreement made this 1st day of September, 1975, by and between the City of Blanding, a body corporate and politic of the State of Utah hereinafter called Lessor and Loyd Roper, hereinafter called Lessee.

In consideration of the mutual covenants and agreements herein contained it is agreed by and between the parties as follows:

1. Lessor leases to Lessee the administration building containing an office, waiting room and restrooms; the gasoline storage space and gasoline tanks, pumps and all facilities and equipment used in the dispensing of gas and oils located on the Blanding Municipal Airport in Section 10, T. 37 S., R 22 E., SLM, located

near Blanding, Utah.

2. This lease is for a period of one (1) year, commencing with the date of this agreement.

3. The following rights and privileges are granted to Lessee to wit:

a. The non-exclusive right to sell airplanes, airplane parts, and aviation supplies and equipment of every kind and character.

b. The non-exclusive right to use, in common with others, all public airport facilities and improvements of a public nature which are now, or may hereafter be, connected with, or appurtenant to, the airport, including, but not limited to landing, taxiing, parking areas and other common use facilities.

c. The right to construct facilities such as ramps, office building, etc., required in connection with the services to be provided by Lessee with such construction to be at sites to be mutually agreed upon by the parties hereto, and in accordance with the airport layout plan.

d. Title to all buildings, structures and other improvements of a permanent character which are constructed, built, or caused to be placed upon the airport by Lessee during the term of this agreement shall remain the property of the Lessee and at the expiration of this agreement, the Lessor shall have the right and option to purchase all permanent improvements at their actual value. If the parties cannot agree to such value, then either party can seek a judicial determination thereof. In the event Lessor does not exercise its option to purchase said permanent improvements, the Lessee shall have sixty (60) days from termination of agreement in which to remove such improvements. If said improvements are not moved within such sixty (60) day period, Lessor shall have the right to have them removed and cost of moving shall be charged against Lessee, to be collected as may be necessary, including sale of said improvements.

e. To give instructions in aviation, aeronautics and aeronautical engineering, to engage in the renting of aircraft and charter service of aircraft for passengers and cargo and the right to make reasonable charges for the services and facilities of said airport other than the landing and take off areas.

4. Lessee agrees:

a. To operate the premises leased for the use and benefit of the public and:

i. To furnish said service on a fair, equal, and not unjustly discriminatory basis to all users thereof.

ii. To charge fair, reasonable and not unjustly discriminatory prices for each unit or service; provided, that the Lessee may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

b. Not to discriminate against any person or class of persons by reason of race, color, creed or national origin in providing any services or in the use of any of its facilities provided for the public, in any manner prohibited by Part 15 of the Federal Aviation Regulations and to comply with such enforcement procedures as the United States might demand that the Lessor take in order to comply with the sponsor's assurances.

c. To provide and maintain sufficient fixtures and equipment to meet public demand for services offered.

d. To provide and maintain adequate staff and employees with skills, licenses and certificates appropriate to the activities conducted.

e. To maintain accurate and acceptable records which are to be made available for examination by the Lessor.

f. To operate during specified minimum hours agreed to in writing by the parties and to conform to all rules, regulations, fixed based operator's standards and ordinances adopted by the Lessor or other applicable government bodies, including safety, health and sanitary codes.

g. To demonstrate evidence of financial stability and good credit rating as required by Lessor.

h. To meet reasonable indemnity and insurance minimums required by Lessor.

i. To conduct his operations in and upon said airport and in connection therewith in strict compliance with the regulations of the Federal Aviation Administration, statutes of Utah and the ordinances of the City of Blanding and that he will transact his business in such a manner as will develop and maintain the good will and active interest of the citizens of the City of Blanding and the general public who may have occasion to use said airport or to come in contact with Lessee.

j. To furnish the following services in a good workmanlike manner: keep the administration building clean and do all minor maintenance, including repainting when needed; to keep the waiting room section open during daylight working hours; to notify Lessor when any structures, equipment or fixtures need repair or replacements; to fill all fuel reports monthly as required; keep logs of landings and takeoffs; and answer all calls to Blanding Unicom.

k. Rent the hangar space in the Lessors hangar in accordance with Lessors rent schedule, collect for the same and remit monthly to Lessors office in the City of Blanding. Nothing herein contained either expressed or implied shall be construed as granting to Lessee or any person, group, Company, Corporation or Agency, any right of use of any portion of said hangar, for any purpose, without payment for same in accordance with Lessors rent schedule. Lessors rent schedule may be changed from time to time at which instance copies of same will be furnished Lessee.

5. The following rights and privileges are reserved to the Lessor:

a. The right to further develop or improve the landing area or the airport as it sees fit, regardless of the desires or view of the leasee and without interference or hindrance.

b. The right, but shall not be obligated to Lessee, to maintain and keep in repair the landing area of the airport and all publicly owned facilities of the airport, together with the right to direct and control all activities of Lessee in this regard.

c. The right to take any action it considers necessary to protect the aerial approaches of the airport against obstruction together with the right to prevent Lessee from erecting or permitting to be erected any building or other structure on the airport or constitute a hazard to aircraft.

d. The right to temporarily close the airport or any of the facilities thereon for maintenance improvement or for the safety of the public.

e. The right to approve or deny any sublease of the premises and property leased.

6. The Lessor Agrees:

a. Lessee can engage in nonaeronautical activities which support the aeronautical activities and relate to added service to the flying public.

b. To furnish heat, power and water for the entire administration building and power for gasoline pumps.

c. Lessee shall have the option to extend this agreement on a year to year basis for a maximum of four (4) consecutive year to year renewals, upon the same terms and conditions as contained in this agreement provided the Lessee shall give Lessor at least sixty (60) days notice in writing previous to the expiration of the yearly term of this agreement or each renewal thereof, and in the event the Lessee shall fail to give Lessor written notice of his election to exercise this option for a yearly renewal of this agreement at least sixty (60)

days prior to the expiration of the term, this option to renew the agreement shall thereafter be and become null and void and of no further force and effect, without notice from the Lessor.

7. Lessee will be responsible for any damages to said premises or any part thereof occasioned by the negligence of Lessee and all other risk of loss shall be upon Lessor.

8. Lessee understands and agrees that no right or privilege has been granted to Lessee which would operate to prevent any person, firm or corporation operating aircraft with its own regular employees (including, but not limited to, maintenance and repair) that it may choose to perform.

9. The parties understand and agree that nothing herein contained shall be construed to grant or authorize the granting of an exclusive right forbidden by Section 308 of the Federal Aviation Act of 1958, or for aeronautical activities such as, but not limited to: A. Charter operations. B. Pilot training. C. Aircraft rental. D. Aerial photography. E. Crop dusting. F. Sale of Aviation Petroleum products. G. Air Carrier operation. H. Aircraft sales and service incidental thereto. I. Any other activity which, because of its direct relationship to the operation of aircraft, can be regarded as an aeronautical activity.

10. This lease shall be subordinated to the provisions of any existing or future agreement between Lessor and the United States, relative to the operation or maintenance of the airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal funds for the development of the airport.

11. In the event Lessee fails to remedy any default hereunder or take action to commence the correction of same within thirty (30) days after having received from Lessor written notice of such default, then the Lessor at its option may terminate this agreement and Lessee shall promptly quit claim and deliver possession of the premises and property to Lessor upon termination. The Lessee may terminate this agreement at any time, with or without cause, by giving the Lessor sixty (60) days written notice of Lessee's intention to so terminate this lease.

WITNESS the hands of the parties the day and year first above written.

LESSOR:  
CITY OF BLANDING  
S/ Kenneth P. McDonald, Mayor

ATTEST:

S/ Francis D. Nielson, Recorder

OPERATOR:  
S/ Loyd B. Roper

BLANDING MUNICIPAL AIRPORT MANAGER AGREEMENT

Agreement made this 1st day of September 1975, by and between the City of Blanding, a body corporate and politic of the State of Utah hereinafter referred to as owner and Loyd Roper of Blanding, Utah, hereinafter referred to as Manager, witnesseth:

1. Owner hereby employs Manager and Manager hereby accepts said employment subject to the terms and conditions of this contract.

2. The term of this employment will commence the date of this agreement and continue for a term of one year thereafter and during any extension of this agreement. If manager becomes incapacitated from performing his duties for a period of thirty (30) consecutive days or shall neglect duties or have any habit or do anything to such extent as will in the reasonable opinion of the owner have a visible and detrimental effect upon him or his services hereunder, the same shall be considered a violation of this agreement and shall terminate the same at the option of the owner.

3. The duties of Manager shall include, but not be limited to the following:

a. To manage and supervise owner's Blanding Municipal Airport, located in Section 10, T. 37 S., R. 22 E., S.L.M. located near Blanding, Utah.

b. Protect the owner's interest at all times in regard to the airport and exercise general supervision over all activities thereon in accordance with the owner's obligations to the Federal Government.

c. Enforce all rules, regulations and ordinances adopted by the owner which pertain to the airport.

d. Issue, when appropriate, Notices to Airman (NOTAMS) through the nearest Federal Aviation Administration Facility and to lift and remove same when they are no longer applicable.

e. Make regular daily inspection to all airport facilities and advise the owner immediately of any needed repairs or snow removable.

f. Take whatever reasonable action is necessary in the event of an emergency at the airport, to insure the protection of life and property.

g. Assure that all airport facilities and services are available to the public on fair and reasonable terms without unjust discrimination.

h. Inform the owner of any information or development concerning the operation of the airport which requires official action on the part of the owner.

i. Display in a conspicuous public location all airport rules, regulations and other applicable informational buttetins for the use and benefit of the public using the airport.

j. Keep and maintain any records required by the owner.

k. Make reports and attend meetings required by the owner.

l. Keep the grounds, parking area, runways, taxi strips and other airport property clean and free of accident and fire hazards.

m. To file with the City Council of the City of Blanding a monthly report showing the number of aircraft landings, gallons of fuel sold, and a summary statement of the month's progress and activities, such report to be filed within ten (10) days from the end of each month.

n. To furnish and park at airport a trailer house so that Manager or his employee can maintain a full residency condition to protect the airport.

4. Owner agrees as follows:

a. To furnish materials and equipment necessary for the maintenance of runway, lights, painting, fences, structures and fixtures, and will furnish all labor for major maintenance and repairs.

b. To pay manager \$150.00 per month for each month that manager fully complies with his duties and obligations under this agreement.

c. To provide a trailer parking area with sewer and water connections near the administration building, upon which manager shall park and connect a trailer house which he is to maintain at the airport. Owner will not be responsible for heat for said trailer house.

5. In the event of Default by either of the parties during the term of this agreement the other party shall have the right to give notice thereof to the party in Default, such notice to be given in writing and if such condition of Default is not removed or restored within ten (10) days after the

receipt of such notice then the other party shall forthwith have the option of declaring this Agreement in Default and may proceed to enforce his/its rights in accordance with law.

WITNESS the hands of the parties the day and year first above written.

OWNER:

CITY OF BLANDING  
S/ Kenneth P. McDonald, Mayor

ATTEST:

S/ Francis D. Nielson, Recorder

MANAGER:

S/ Loyd B. Roper

PASSED, ADOPTED and APPROVED this 8th day of October, 1975.

7. Motion for adoption of the following resolution was made by Councilman Kenneth D. Shumway, seconded by Councilman H. Brent McAllister and unanimously approved:

RESOLUTION NO. 1975-19

A RESOLUTION AUTHORIZING THE MAYOR TO APPOINT THE UTAH LEAGUE OF CITIES AND TOWNS TO PREPARE AND SUBMIT TO THE CITY COUNCIL ORDINANCES AND PROVIDING COMPENSATION THEREFOR.

WHEREAS, the Utah League of Cities and Towns (hereafter "League") is uniquely qualified to prepare and submit to the governing body of this municipality ordinances for the government of this municipality, and;

WHEREAS, this municipality requires current municipal ordinances, and;

WHEREAS, the League has prepared a comprehensive model municipal ordinance code designed for amendments, deletions and additions to meet the special needs of this municipality, and;

WHEREAS, this municipality desires to purchase from the League its comprehensive municipal ordinances;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Blanding that:

1. The Mayor is hereby authorized to appoint the league to prepare and submit to the City Council a revision of the city ordinances for the City, together with such additions, amendments and changes as the League may deem necessary.

2. The terms and provisions of the "Agreement" which set forth the duties and obligations of this municipality and the League and provide for the compensation to be paid the League are hereby approved, and payment by the City authorized according to the terms and provisions contained therein.

Dated this 8th day of October, 1975.

Signed by Kenneth P. McDonald, Mayor  
John F. Black, Councilman  
Francis M. Lyman, Councilman  
Brent McAllister, Councilman  
Kirk P. Nielson, Councilman

Meeting adjourned at 9:35 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A SPECIAL MEETING OF THE  
BLANDING CITY COUNCIL HELD NOVEMBER  
10, 1975 AT 12:15 P.M. IN THE CITY  
HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: H. Brent McAllister  
Francis M. Lyman  
Kirk P. Nielson

Deputy Recorder: Velda J. Nielson

Absent were:  
City Councilmen: John F. Black  
Kenneth D. Shumway

1. The election returns from the municipal election held November 4, 1975 were duly canvassed as follows:

1. The Statements of Disposition of Ballots were verified for accuracy.

2. The Tally Lists were verified for accuracy indicating the following results:

Name of Candidate	Number of Votes Received		Total
	District #10	District #11	
Francis M. Lyman	209	239	448
David L. Guymon	179	167	346
Michael T. Hurst	126	174	300
Bruce N. Black	141	103	244
Kirk P. Nielson	138	103	241
Jay D. McDaniel	62	81	143

Motion was made by Councilman Nielson, seconded by Councilman Lyman and unanimously carried that the foregoing election returns be accepted as being correct and that Francis M. Lyman, David L. Guymon and Michael T. Hurst be declared elected to the office of City Councilmen for the period January 1, 1976 to and including December 31, 1979.

Meeting adjourned at 1:00 p.m.

  
Velda J. Nielson, Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD NOVEMBER  
12, 1975 AT 7:30 P.M. IN THE CITY  
HALL.

Present were: Mayor Kenneth P. McDonald  
City Councilmen: John F. Black  
Francis M. Lyman  
Kirk P. Nielson

Recorder: Francis D. Nielson

Absent: Councilmen: H. Brent McAllister  
Kenneth D. Shumway

Also present: Ben J. Black, Chief of Police.

1. Prayer was offered by Councilman Black.
2. Minutes of City Council meetings held October 10, & November 10, 1975 were read and approved.
3. The Chief of Police requested permission to have cabinets constructed for the Police Office, stating the necessity for an evidence storage facility as well as other storage space.

Motion was made by Councilman Black, seconded by Councilman Nielson and un-animously carried that the proposal of Taylor Palmer, in the amount of \$\_\_\_\_\_ for construction of cabinets in the Police Department Office, be accepted.

4. Motion was made by Councilman Lyman, seconded by Councilman Black and unanimously carried that two officers from the Police Department be authorized to attend scheduled Peace Officer Standards and Training sessions to be held in Moab, Utah on \_\_\_\_\_ and \_\_\_\_\_, said authorization to include cost of meals.

5. The Recorder reviewed for the Council, costs to date on the Indian Creek tunnel project, as follows:

Holiday Construction:

D-8, 155 hrs. @ 50.00	\$7,750.00
D-7, 100.5 hrs. @ 28.00	2,814.00
Scraper, 98.5 hrs. @ 45.00	4,432.50

C. & C. Construction:

D-7, 178.5 hrs. @ 30.00	5,355.00
Scraper, 109 hrs. @ 40.00	4,360.00

Supervision and Mileage 1,365.00

72" Diameter C.M. Pipe	6,784.00
Bans for 72" pipe	743.96

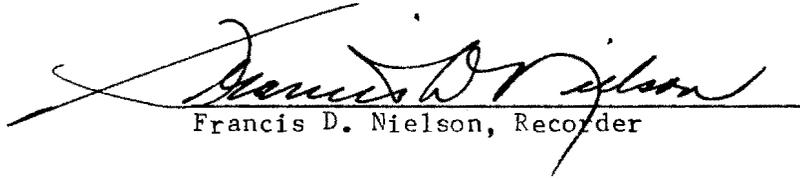
Total \$33,604.46

The Recorder further advised that at the suggestion of Governor Rampton, we are currently exploring the possibility of obtaining grant funds from the Four Corners Regional Commission to construct the proposed downhill structure necessary to completion of the tunnel project.

6. Motion was made by Councilman Black, seconded by Councilman Lyman and unanimously carried, authorizing the purchase of a short-block to be installed in the  $\frac{1}{2}$  ton chevrolet pickup which John R. Seely uses in behalf of the City.

7. Motion was made by Councilman Black, seconded by Councilman Nielson and unanimously carried that the salary of Ronald F. Kennedy, water department Superintendant, be set at \$700.00 per month, effective December 1, 1975.

Meeting adjourned at 9:46 P.M.

  
Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE  
BLANDING CITY COUNCIL HELD DECEMBER  
10, 1975 IN THE CITY HALL

Present were: Mayor Kenneth P. McDonald  
City Councilmen: Francis M. Lyman  
Kirk P. Nielson  
Kenneth D. Shumway

Recorder: Francis D. Nielson  
Absent were Councilmen John F. Black  
H. Brent McAllister

Also Present: Dennis W. Gutke, Patrolman

1. Prayer was offered by Councilman Lyman.
2. Minutes of City Council meeting held November 12, 1975 were read and approved.
3. The Council reviewed the proposed application to the United States Department of Housing and Urban Development (HUD) a Community Development Block Grant totalling \$138,000 with which to complete the following:

Acquire and Improve Site For Section 8, Housing  
Rehabilitate Sub-standard Housing  
Sewer and Water Improvements to Serve Housing  
Park Development For Elderly Housing  
Demolish Delapidated Structures

There were no citizens in attendance to discuss the proposal and the Council declined further action pending convening of the next regularly scheduled hearing on the matter, set for December 17, 1975 at 8:00 o'clock P.M. in the City Hall.

4. The following letter, Settlement Agreement and Statement of Intent to be found, as transmitted to us from Utah Power and Light Company, were read in full to the Council.

Utah Power & Light Company  
P. O. Box 899  
Salt Lake City, Utah 84110  
December 4, 1975

Blanding City  
Blanding, Utah 84511

Gentlemen:

As you are aware, Utah Power & Light Company has pending before the Federal Power Commission an application for rate increase. Since June 3, 1975, these new rates have been in effect, but amounts being collected have been subject to refund.

A proposed settlement agreement has been prepared after meetings with the Intervenors and members of the Federal Power Commission staff, a copy of which is enclosed herewith.

This settlement agreement, if approved by the Commission, would result in a small refund to customers taking service under rate schedule RS-1 and to Sierra Pacific Power Company in connection with interim service under rate schedule RS-3. The enclosed sheet shows amounts of these refunds through September. The actual amount will vary depending on the date the settlement agreement is approved.

It is preferred for all customers, whether or not they intervened in the action, to consent to the settlement agreement. We have prepared an appropriate form which is enclosed for signature by a proper person to signify such consent. A self-addressed stamped envelope for the return of this signed form is enclosed.

If possible, I would like to receive all signed consents prior to December 12, 1975. If you cannot complete the signature by that date or if you have any question concerning the agreement, please get in touch with me at your earliest convenience. My telephone number is (801) 350-3650.

Very truly yours,  
S/ Verl R. Topham

BEFORE THE FEDERAL POWER COMMISSION

Utah Power & Light Company

Docket No. E-9145

SETTLEMENT AGREEMENT

1. Utah Power & Light Company has pending before the Federal Power Commission a rate increase proceeding resulting from Utah Power & Light Company's tendering for filing on November 29, 1974, proposed changes in its rate schedules resulting in increased rates for electric service to wholesale for resale customers, which customers include municipalities, rural electric cooperative, investor-owned public utilities and the Navajo Tribal Authority in the states of Utah, Idaho and Wyoming, the effectiveness of which increase was suspended for thirty days to June 3, 1975, and pursuant to the order the suspended rates became effective on June 3, 1975.

2. California-Pacific Utilities Company (Cal-Pac), Sierra Pacific Power Company (Sierra Pacific) and Lincoln Service Corporation (Lincoln Service) as customers, intervened in opposition to the rate increase and in the case of Lincoln Service, also in opposition to the rate design proposed by Utah Power. Mt. Wheeler Power, Inc. (Mt. Wheeler), who is not a direct customer of Utah Power but who is a customer of Sierra Pacific under a ~~tariff~~ whereby Utah Power's rates to Sierra Pacific may be passed on to Mt. Wheeler, also intervened in opposition to the rate increase.

3. At a conference on October 8, 1975, Utah Power and Sierra Pacific, there represented, agreed on the aggregate amount of the rate increase which would be applicable to that intervenor. Lincoln Service, being represented at that conference, desired to maintain its position with respect to the rate design but did not disagree with the aggregate amount of the rate increase unless its position with respect to rate design is upheld by the Commission. The intervenor Mt. Wheeler, in responding to the Commission staff's invitation to attend the conference, specifically expressed their desire to have the amount of the increase agreed upon and settled. The parties also agreed to settlement of all other issues of this docket, with the exception of the rate design question reserved by Lincoln Service as noted above. Such agreement specified that a revised fuel clause will be filed in conformity with Order No. 517. This revised fuel clause has now been filed with the Commission.

Pursuant to these informal agreements, Utah Power and the intervening parties hereto hereby agree as follows:

A. Using the cost of service and capitalization structure summarized in attachment B hereto solely for purposes of settlement and without prejudice to or waiver by any party, the rates will be revised to produce an aggregate annual increase of \$29,866 (an amount within ten dollars of the amount found appropriate by the Federal Power Commission staff) under schedule RS-1, \$277,812 under schedule RS-2, and \$31,374 under schedule RS-3, based on actual sales for the twelve-month period ended December 31, 1974. These increases reflect differences between revenues computed from Tariff Schedules RS-1, RS-2 and RS-3 in effect prior to June 3, 1975, and the revised rate schedules appearing in attachment A hereto, hereinafter referred to as "revised rates." With respect to RS-3, it was agreed by all parties at the settlement conference that:

(1) Service rendered during 1974 was an interim service awaiting line construction that would permit effectuation of the full contract service and was not representative of

load conditions for which the rate was designed.

(2) Rate RS-3 was placed in effect on an interim basis pursuant to FPC Order issued April 29, 1975, Docket No. E-9145, on June 3, 1975, and interim service thereunder was supplied until August 13, 1975, when full contract service was initiated.

(3) Staff's cost-of-Service shows excess revenue of \$59,942 based upon proposed RS-3 and the non-representative loads served during 1974 and during 1975 up to August 13, 1975. Sierra-Pacific and Utah Power have agreed that a refund of \$11,749 would equitable represent the excess charges under RS-3 during the non-representative service period between June 3, 1975, and August 13, 1975.

(4) When Sierra Pacific's contract load of 50 Mw at 100% load factor was effectuated, the rate level became cost-justified.

b. Within thirty days after issuance by the Commission of an order approving this Settlement Agreement, Utah Power will tender the revised schedules for rates to be effective as of a date not less than thirty days thereafter.

c. The intervenors hereby consent to such filing and will cooperate in securing an order by the Commission approving this Settlement Agreement.

d. Within thirty days from the date of issuance of the Commission's order accepting the revised rates, Utah Power will begin billing under the revised rates and will refund to the customers the differences between any amounts collected under the presently effective rates and the amounts which would have been collected under the revised rates since June 3, 1975. Such refunds will be made to each of the customers on the basis of actual billing dates and energy used during the period since June 3, 1975.

e. Pursuant to Section 35.19a of the regulations under the Federal Power Act, interest on the refunds made pursuant to this paragraph shall be paid at the rate of nine percent (9%) per annum from the date of receipt of payment from each of the customers until refunded.

f. Utah Power has filed revised fuel clauses in conformity with the provisions of Order No. 517.

4. By submitting this Settlement Agreement, neither Utah Power, the intervenors nor the Commission staff shall be considered as necessarily agreeing with any rate-making principle or any method of cost of service determination or any allocation underlying the revised rates or any method used in determining said rates or refunds, and neither Utah Power, the intervenors nor the Commission staff is to be prejudiced by this Settlement Agreement or by the negotiations leading to it in this or any future proceeding.

5. None of the provisions of this Settlement Agreement shall become effective unless and until the Commission has entered an order accepting and approving this settlement as to all of its terms and conditions without modification, and has accepted the revised rates for filing. In this connection, Utah Power and the intervenors hereby request the Commission to grant all such waivers and special permissions with respect to the requirements of the Commission's regulations as may be necessary to effectuate all of the provisions hereof.

6. This Settlement Agreement is entered into by and between Utah Power and the intervenors, by their respective officers or attorneys, who represent that they are fully authorized to do so. This Settlement Agreement may be executed in two or more counterparts and an intervenor or customer may become a party hereto by signing a counterpart or by a separate instrument signifying its intent to be a party hereto and to be bound by the provisions hereof.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1975  
For Applicant:

UTAH POWER & LIGHT COMPANY

By Sidney G. Baucom  
Senior Vice President and General  
Counsel

STATEMENT OF INTENT TO BE BOUND

The undersigned customer of Utah Power & Light Company hereby signifies its intent to be bound by the provisions of the Settlement submitted to the Federal Power Commission by Utah Power & Light Company in Docket No. E-9145.

DATED this \_\_\_\_\_ day of December, 1975.

\_\_\_\_\_  
By \_\_\_\_\_

Its \_\_\_\_\_

The Council directed the Recorder advise Utah Power and Light Company that the City of Blanding elects not to execute the foregoing Statement of Intent to be Bound, at this date, as the same apparently serves no purpose to the City or the power company.

5. The Council discussed demands of the United States Environmental Protection Agency, that the City take certain steps relative to Sewerage Treatment, within an arbitrarily chosen period of time. The Council declined to take action at this time to implement compliance therewith, due to the unavailability of funds.

6. Dennis W. Gutke, City Patrolman, advised the Council that he has opportunity for employment in Salt Lake County, effective approximately February 1, 1976 and that he desires to meet all obligations to the City prescribed in an agreement between himself and the City, in the which for certain educational privileges afforded him he is bound to remain in the employ of the City through April 1, 1976 or forfeit to the City the sum of \$1153.50.

The Council expressed appreciation to Mr. Gutke for services rendered the City during the period of his employment and advised that due to other departmental arrangements recently entered into, no financial loss would be sustained by Blanding City as a result of his terminating employment, and therefore, no relief would be sought under the aforestated agreement.

7. The following resolution was read in full to the Council.

RESOLUTION NO. 1975-20

WHEREAS, It has come to the attention of Blanding City that some cities, counties, or other bodies politic, have paid the expenses for instruction given to certain law enforcement officers and upon completion of their training, some such officers have immediately left the employ of the city, county, or body politic, to work for some other organization and thereby cause a financial loss to result to the paying entity:

NOW, THEREFORE, BE IT RESOLVED BY the City Council of Blanding City that each law enforcement officer attending such training shall be required, by agreement, to remain in the employ of Blanding City for one full year after the completion of said training or pay the agreed consideration paid by Blanding City for his training.

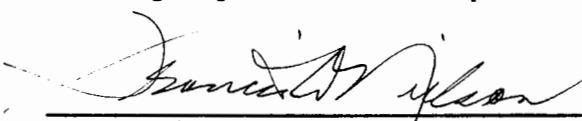
BE IT FURTHER RESOLVED BY the City Council of Blanding City that the personnel officer in charge of determining who should be trained is hereby instructed to have each participant sign an appropriate agreement to complete the intent of this resolution.

PASSED by the City Council of Blanding City this 10th day of December, 1975.

\_\_\_\_\_  
Mayor

S/ Francis D. Nielson  
Recorder

Meeting adjourned at 9:30 p.m.

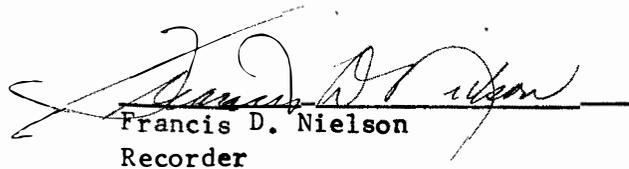
  
\_\_\_\_\_  
Francis D. Nielson, Recorder

OATH OF OFFICE CEREMONY  
CITY HALL  
January 1, 1976, 10:00 o'clock A.M.

Present: Mayor Kenneth P. McDonald  
City Councilmen: - elect: Michael T. Hurst  
Francis M. Lyman

Recorder: Francis D. Nielson

Oath of Office was administered by the Recorder to Michael T. Hurst and Francis M. Lyman who duly accepted their responsibilities as City Councilmen.

  
Francis D. Nielson  
Recorder