

**RESOLUTION NO. 2019 - 03**

**RESOLUTION DIRECTING THAT DOCUMENTS BE COMPILED AND RESEARCH UNDERTAKEN IN ORDER TO RE-ESTABLISH A BLUFF TRANSFER STATION**

**WHEREAS**, San Juan County is one of the largest counties in the United States and all of its citizens need reasonable access to a nearby County waste transfer station.

**WHEREAS**, citizens of the southern half of the county have been served by a waste transfer station located west of the City of Bluff, Utah.

**WHEREAS**, having a nearby waste disposal site is a basic need of all County citizens and it is unclear why the San Juan County Commission acted in a way that deprived many citizens of the County of the only reasonable means available to them to address this basic need.

**WHEREAS**, on November 20, 2018, the San Juan County Commission, ignoring the objections of a representative from the Town of Bluff and a resolution of the Mexican Water chapter, voted to convey the land on which the Bluff transfer station is located to a private, non-profit corporation; the Hole in the Rock Foundation.

**WHEREAS**, in Resolution NUCDEC-769-18, on December 11, 2018, the Navajo Utah Commission questioned the legality of the transfer as a potential violation of a 1993 Intergovernmental Agreement between the Navajo Area Indian Health Service and the County, which provided the County with funds for the construction of the Bluff transfer station. The Resolution called on the County to rescind the conveyance to the Hole in the Rock Foundation.

**WHEREAS**, on January 4, 2019, the Town of Bluff sent a letter calling upon the San Juan County Commission to rebuild the "transfer station in Bluff for the community-at-large."

**WHEREAS**, in light of the size of the County and the fact that the previous County Commission effectively removed the waste transfer station that serviced the southern half of the County, the San Juan County Commission believes it to be a duty of the County to establish a new waste transfer station near the City of Bluff to serve the southern half of the County.

**WHEREAS**, as a first step in establishing a new waste transfer station, the San Juan County Commission needs to evaluate information concerning the best location for such a site and determine how to budget for the construction of the new station.

**NOW, THEREFORE, BE IT RESOLVED:**

Section 1: The County Administrator shall immediately compile all of the documents associated with the conveyance to the Hole in the Rock Foundation of the land on which the current Bluff transfer station is located to the in order for the Commission to review and consider the legality of the transfer of land to the Hole in the Rock Foundation. This shall include all procedural

documents that were the basis of the Commission's actions, as well as the appraisal or valuation of the lands exchanged as part of this transaction.

Section 2: The County Attorney is directed to make a thorough legal analysis of the legality of the land exchange with the Hole in the Rock Foundation and provide that analysis to the Commission by not later than February 8, 2019.

Section 3: All County employees are to immediately cease work on the conveyance to the Hole in the Rock Foundation.

Section 4: The County Administrator shall immediately contact the Monticello BLM Manager to obtain all forms and documents necessary to begin the process of requesting public lands under the Recreation and Public Purposes Act, 43 U.S.C. 869, 43 C.F.R. 2740, for a new waste transfer station located near the City of Bluff to serve its citizens residing in the southern half of the County.

Section 5: The County Administrator shall research other available options of acquire land and re-establish a waste transfer station near the City of Bluff to serve citizens residing in the southern half of the County. As part of this, the County Administrator shall provide an estimate of the cost of construction and identify any items in the 2019 County budget that can be reallocated to pay for the construction. With regard to the potential budget reallocation, the County Administrator shall provide information on the Cal Black Airport for the last five years, explaining the past budget allocations and expenditures in detail and the need for the 2019 budget allocation.

**PASSED, ADOPTED AND APPROVED** by the Board of San Juan County Commissioners this 15th day of January 2019.

Those voting aye: Commissioner Grayeyes, Commissioner Maryboy, Commissioner Adams

Those voting nay: 0

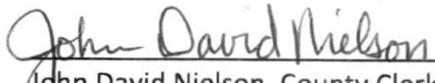
Those abstaining: 0

Absent:

**Board of San Juan County Commissioners**

  
Kenneth Maryboy, Chairman

**ATTEST:**

  
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John David Nielson, County Clerk/Auditor