

Resolution Number 2015-

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF SAN JUAN COUNTY, UTAH SUPPORTING COMMISSIONER PHIL LYMAN'S RIGHT TO LEGAL DUE PROCESS AND EFFECTIVE LEGAL REPRESENTATION

MAY 19, 2015

WHEREAS, the San Juan County Board of Commissioners do not condone trespass or conspiracy to commit trespass; and

WHEREAS, the San Juan County Board of Commissioners Board do fully support Commissioner Phil Lyman's right to full procedural due process in the courts of law, and to effective legal representation, to determine in the matter of the May 10, 2014 ride on the Recapture Canyon Road

- (1) If his actions constituted trespass or conspiracy, and if so,
- (2) What amount of compensation, fines and other punishment, if any, are just and appropriate; and

WHEREAS, Commissioner Lyman's defense asserted, among other things, that he confined his ride to the length of the pipeline maintenance road covered by the water company's Title V right of way as expressly allowed by the water company; and

WHEREAS, Commissioner Lyman's defense further asserted, among other things, that he urged others not to ride beyond the length of the pipeline maintenance road covered by the water's Title V right-of-way as expressly allowed by the San Juan Water Conservancy District; and

WHEREAS, Commissioner Lyman's defense asserted, among other things, that his ride did no damage to archaeological and other resources; and

WHEREAS, further legal proceedings in the trial court will happen in the coming months, with a possible appeal to the Tenth Circuit Court of Appeals thereafter; and

WHEREAS, the San Juan County Board of Commissioners do stand by and reaffirm Resolution Number 2014-03 dated June 2, 2014.

NOW THEREFORE, BE IT RESOLVED that the San Juan County Board of Commissioners on behalf of San Juan County and its residents do fully support Commissioner Phil Lyman's right of due process and effective legal representation to fully defend and litigate all claims and charges brought against him in connection with the May 10, 2014 ride on Recapture Canyon Road; and

BE IT FURTHER RESOLVED that Commissioner Lyman deserves every consideration of his defense that, among other things, he confined his ride to the length of the pipeline maintenance road covered by the San Juan Water Conservancy District's Title V right of way as expressly allowed by the water company; and

BE IT FURTHER RESOLVED that Commissioner Lyman deserves every consideration of his defense that, among other things, he urged others not to ride beyond the length of the pipeline maintenance road covered by the San Juan Water Conservancy District's Title V right-of-way as expressly allowed by the water company; and

BE IT FURTHER RESOLVED that Commissioner Lyman deserves every consideration of his defense that, among other things, his ride did no damage to archaeological and other resources; and

BE IT FURTHER RESOLVED that Commissioners Phil Lyman, a public servant and citizen of good character and no prior criminal record, deserves fairness and justice in the determination of fines, restitution and other punishment, if any that are appropriate; and

BE IT FURTHER RESOLVED, that Commissioner Lyman deserves good and effective legal representation through the balance of the trial court proceedings and appellate court proceedings in the even of an appeal.

Approved and adopted by the San Juan County Board of Commissioners this 19th day of May, 2015.

Signed,
Rebecca Benally

Bruce Adams

Commissioner Lyman did not vote on the resolution