

## Cedar Highlands, UT Town Council Special Meeting

**APPROVED**

July 22, 2019

Minutes of the Cedar Highlands Town Council meeting which was convened at 6:59 p.m. on July 22, 2019 at the home of Mayor Jim Byler, 1967 South High Cedar View Drive, Cedar Highlands, Utah.

### Council Members in Attendance:

Jim Byler, Mayor

Beth Gaines, Councilmember

Susan Allman, Councilmember

Paul Starks, Councilmember

Linda Stetzenbach, Councilmember - not present

### Pledge of Allegiance

**Conflicts of Interest:** No conflicts noted.

**Public Comments:** Mayor Byler intends to eliminate the public comment cards that have been used in the past and have a more informal public comment period. This will be addressed further at a future meeting. Upon inquiry, no one present wishes to address the council.

Mayor Byler gives a summary of events that have transpired, which facilitated the need for today's meeting. The previous mayor, Steve Swann, had informed the council that he would not transfer control of Cedar Highlands' bank accounts until a new mayor was appointed. In a text message exchange between Susan Allman and Swann last week, after Mayor Byler was appointed, Swann accused the council of committing illegal acts, reported to the state auditor that the debit card had been used illegally, and that he would not go to Mountain America Credit Union (MACU) to transfer control of the accounts. Mayor Byler spoke to Utah State Auditor Seth Oveson, who supported the council's and the new mayor's authority to have the accounts transferred without the ex-mayor present. Mr. Oveson had also contacted MACU to help facilitate the transfer. At MACU earlier today, Mayor Byler, Beth Gaines, and Susan Allman were informed that Swann had already removed his name and had ex-treasurer Zelpha Taylor named as the principal on the accounts. After unsuccessfully trying to contact Zelpha Taylor, with the authority granted by the state auditor and documentation of the new mayor's appointment, Mayor Byler, Beth Gaines, and Susan Allman are now the authorized users on the MACU accounts. MACU provided copies to the council of all account

records since the inception of the accounts, and the council intends to fully examine all transactions made.

**Appointment of Clerk:** Mayor Byler nominates Jeanne Shelton to be the volunteer clerk. All councilmembers present are unanimous in their support for this nomination. **Jeanne Shelton is named the volunteer clerk.**

**Appointment of Treasurer:** Mayor Byler nominates Beth Gaines to be the volunteer treasurer. All councilmembers present are unanimous in their support for this nomination. **Beth Gaines is named the volunteer treasurer.**

Resident Rob Shelton questions if the state auditor will do a follow-up audit of the town's finances now that the town has new leadership. Mayor Byler states that issue did not come up in his conversation with the auditor, Seth Oveson, but that based on the complaints received prior to the initial audit, there were numerous red flags for financial impropriety, even though none were found. Based on the results of the audit, which cited numerous violations of law, this mayor and council will follow the law and be completely open and transparent with the town's finances.

Beth Gaines states that it is illegal to charge for GRAMA requests unless the town has passed an ordinance stating that there will be a defined amount charged for such requests, which has not been done.

HOA President Mike Brask emailed to all councilmembers and Mayor Byler an updated road agreement between the HOA and the town.

A work meeting is scheduled for **Thursday, July 25, 2019 at 1:00 p.m. at Linford Nelson's office, 252 N 200 W, Cedar City, UT.**

Resident Reggie Tashjian inquires if the Fire Wise equipment has been recovered from Steve Swann's residence. Beth Gaines, Paul Starks, and Susan Allman all state that they have some of the equipment at their homes.

**Motion to adjourn by Paul Starks, 2<sup>nd</sup> by Beth Gaines - unanimous. Meeting adjourned at 7:28 p.m.**

Minutes submitted by Volunteer Clerk Jeanne Shelton