

Cedar Highlands, UT Town Council Meeting August 22, 2019

Minutes of the Cedar Highlands Town Council meeting which was convened at 6:00 p.m. on August 22, 2019 at the Cedar City Library, 303 N 100 E, Cedar City, Utah.

Council Members in Attendance:

Jim Byler, Mayor
Beth Gaines, Council Member
Linda Stetzenbach, Council Member
Paul Starks, Council Member
Susan Allman, Council Member

Pledge of Allegiance

Conflicts of Interest: None noted.

Approval of Agenda: Beth Gaines inquires of the Council as to the order of the agenda items. The Council is satisfied with how it is currently set. Susan Allman makes a motion to approve the agenda. Second by Linda Stetzenbach. Voting: Paul Starks, aye; Beth Gaines, aye; Susan Allman, aye; Linda Stetzenbach, aye; Mayor Byler, aye. Motion passed 5 aye, 0 nay.

Public Speakers: Larry Miracle states he has filed his property tax appeal at the County offices in Parowan and encourages other residents to do the same. His feeling is the Town's reputation has improved amongst the County agencies.

Minutes Approval: Paul Starks makes a motion to approve the minutes from June 20, 2019, August 1, 2019, and August 14, 2019. Second by Linda Stetzenbach. Voting: Susan Allman, aye; Beth Gaines, aye; Paul Starks, aye; Linda Stetzenbach, aye; Mayor Byler, aye. Motion passed 5 aye, 0 nay. Draft meeting minutes from November, 12, 2018, January 24, 2019, April 12, 2019, May 9, 2019, May 23, 2019, June 10, 2019, and July 17, 2019 will be posted on the Town website and utah.gov for consideration at the next scheduled Town Council meeting. The corrections that Susan Allman made to the May 9, 2019 minutes will be discussed then also. Mayor Byler states that he will abstain as to any discussion on these minutes as he was not the Mayor at the time. Since some of these minutes are quite old and incorrect, Beth Gaines will check with Utah State officials as to whether these draft minutes actually need approval.

Sheriff Contract: Mayor Byler states the law enforcement agreement between Iron County and the Town of Cedar Highlands has been approved and signed by the Iron County Commissioners. The Mayor changed the names of the Mayor and the Town Clerk on the Town's signature page to reflect the current Mayor and the current Town Clerk. The Town will owe \$14,732.50 for the remainder of 2019 once the agreement is approved by the Town Council, signed and returned to the County. Mayor Byler and the Council are unhappy that the former Mayor did not place a

higher priority on getting this agreement signed, but are extremely pleased that the community will now have the same full law enforcement services as was had before incorporation. Beth Gaines makes a motion to approve the Interlocal Cooperative Agreement for Law Enforcement Services. Second by Susan Allman. Voting: Beth Gaines, aye; Susan Allman, aye; Linda Stetzenbach, aye; Paul Starks, aye; Mayor Byler, aye. Motion passed 5 aye, 0 nay.

Jim Newberry Permit: Resident Jim Newberry obtained a building permit for a room addition in September 2018, prior to the Town adopting the current fee schedule. Mr. Newberry now has no plans to build his addition. Susan Allman makes a motion to cancel Jim Newberry's building permit and to refund \$1,750.34, the balance of the fee paid. Second by Linda Stetzenbach. Voting: Paul Starks, aye; Linda Stetzenbach, aye; Beth Gaines, aye; Susan Allman, aye; Mayor Byler, aye. Motion passed 5 aye, 0 nay.

Bills to Pay:

ARC Contractors's Inc.	\$3,300.00
Rob Yates, reimbursement for welding on backhoe	135.00

The Wheeler CAT backhoe lease has been cancelled as of August 6, 2019, and a final prorated bill was to have been sent. A bill was received for the full amount of \$1,062.00. The Council agrees to not pay this bill and to wait for the prorated bill.

Road Maintenance Proposal/Culverts: The roadwork previously scheduled to start on August 19, with volunteer labor and a rented backhoe has been cancelled. Cedar Highlands HOA President Mike Brask had a conversation with Ray Bulloch of Bulloch's Dirt Works, Inc. and Mr. Bulloch indicated hourly equipment rental rates have decreased, making it more affordable to hire out for road repairs. Mike Brask relayed this information to Mayor Byler, who then shared it with the Council. The Council agreed to put the roadwork out for bid, and a Request for Quote was prepared and advertised, with a contract to be awarded by close of business on August 25, 2019. A written proposal has already been received by Bulloch's Dirt Works. Paul Starks makes a motion to allocate up to an additional \$5,000.00 over the \$29,000.00 previously allocated for road material and repair. Second by Linda Stetzenbach. Voting: Susan Allman, aye; Beth Gaines, aye; Linda Stetzenbach, aye; Paul Starks, aye; Mayor Byler, aye. Motion passed 5 aye, 0 nay. Linda Stetzenbach makes a motion to accept Bulloch's bid if no other bids are received timely. Second by Susan Allman. Voting: Paul Starks, aye; Beth Gaines, aye; Linda Stetzenbach, aye; Susan Allman, aye; Mayor Byler, aye. Motion passed 5 aye, 0 nay.

Snow Removal RFQ: A preliminary Request for Quote for snow removal has been prepared for Council to review. Vendors will be given two weeks from the time of posting to respond, and a contract will be awarded by the next scheduled Council meeting.

Planning Commission Ordinance: Linda Stetzenbach has submitted an amended Ordinance 2, An Ordinance to Establish a Planning Commission for the Town of Cedar Highlands, to reflect that Planning Commission members must be residents of Cedar Highlands, and that there is no requirement to have a Town Council member sitting on the Planning Commission. Beth Gaines makes a motion to approve the Amended Ordinance 2, with modifications as noted on the record.

Second by Paul Starks. Voting: Susan Allman, aye; Beth Gaines, aye; Linda Stetzenbach, aye; Paul Starks, aye; Mayor Byler, aye. Motion passed 5 aye, 0 nay.

Mayor Byler would like to thank former Commission Member Roger Thomas for his time and service on the Planning Commission. The Mayor makes clear that Mr. Thomas' removal had nothing to do with his work, ethics, or professionalism, and that the Council will gladly accept Mr. Thomas' wisdom and expertise going forward. The Council and community members present applaud Mr. Thomas.

Planning Commission Vacancies: Two Planning Commission vacancies will be posted on the Town website and will be addressed at the next scheduled meeting.

Reports:

Mayor Byler states there are two open Council seats for the General Election in November, and only two candidates remain on the ballot. If no person declares as a write-in candidate by the September 3, 2019 deadline, then there will be no election in November.

George Colson is the Iron County Emergency Manager and he indicated to Mayor Byler that he would like to address the Town Council to introduce himself and to explain what services he is able to provide to the community. The Mayor will invite Mr. Colson to speak at the September Town Council meeting.

Susan Allman would like to have a list of all commissions, committees, and Governmental groups to which a Town representative may attend meetings. Mayor Byler will create a list of agencies, including when and where they meet, for the Council members and the community to consider.

Susan will be starting Community Connections meetings again, a means to keep community members informed of happenings in the Town. Information such as worker recommendations etc. can be shared via the OurCedarHighlands.com website. Susan is requesting anyone to email information to her. Resident Greg Pierce offers to assist.

Beth Gaines states the balance of the Public Treasurer's Investment Fund (PTIF) is \$53,133.99, State Bank of Southern Utah (State Bank) checking account is \$5,755.22, and State Bank savings account is \$15,010.00, for a total of \$73,899.21. Mayor Byler reminds all that some large expenditures have just been approved so the fund balances will be closer to \$36,000.00 to carry the Town until property tax revenues are available near the end of the year. The Mayor requests that all financial documents be posted on the Town website. The final financial report for fiscal year 2018/2019 is forthcoming and will also be posted.

After meeting with Bradi Frei of MyCityInspector.com, it was learned that a report is to be filed with the State of Utah quarterly for the building permit fee surcharge. Beth will prepare and file this report for all past reporting periods.

Paul Starks reports that Rocky Mountain Power may shut off the power to the Town during dangerous fire weather conditions, i.e. 4% humidity, 30 mph winds. Community members are

encouraged to be proactive in preparing for this possibility. Rocky Mountain Power has an app in which one can sign up for outage notifications. Iron County Emergency Manager George Colson may have additional information when he speaks to the Council next month.

Update on the bike race last week, no incidents were reported within the Town.

CHHOA President Mike Brask states that Ray Bulloch will be available for hire for residential work if and when his company is working on the roads in Cedar Highlands. Residents are advised to call Bulloch's directly.

Resident Larry Miracle inquires as to the status of Linford Nelson's petition to withdraw from the Town. Mr. Nelson has never followed up on his petition.

The next Town Council meeting is scheduled for September 26, 2019 at 6:00 p.m. at the Cedar City Public Library, 303 N 100 E, Cedar City, Utah.

**At 8:07 p.m. Linda Stetzenbach makes a motion to adjourn. Second by Paul Starks.
Voting: Linda Stetzenbach, aye; Paul Starks, aye; Susan Allman, aye; Beth Gaines, aye;
Mayor Byler, aye. Motion passed 5 aye, 0 nay.**

Minutes submitted by Town Clerk Jeanne Shelton.