

Cedar Highlands Town Council Meeting Minutes ~ February 28, 2019
303 N 100 E / Cedar City, UT
Called to order by Mayor Steve Swann @ 7:00pm

Present:

Steve Swann, Mayor
Beth Gaines, Council Member
Linda Stetzenbach, Council Member
Susan Allman, Council Member
Paul Starks, Council Member

Declarations of conflicts of interest - None

Approval of Minutes from January 24, 2019

Paul Stark motioned to approve, Beth Gaines 2nd
In Favor - 0

Opposed - Susan Allman, Beth Gaines, Linda Stetzenbach, Paul Starks
Minutes approval tabled for clarifications and corrections.

There was much discussion about Council meeting recordings being posted on the website. Mayor stated they will be posted as time allows.

Public Comment:

Janice Swann - Is upset by the hostile environment directed at the council to disband the town. She is requesting that as a town we use critical information not emotions to make decisions. She also believes that there is bullying and a lot of people trying to discredit the mayor.

Michael Faye - Asked who is responsible for installation of culverts? Answer by Mayor Swann - Town is working on a road standard that will be implemented. He also stated that he knows everyone has their own opinion but thinks we should be civil and respectful to one another. In his opinion the town needs to be incorporated to access funds needed to repair and maintain roads.

Linford Nelson - Wanted it to be on the record that the mayor stated he needed to go before the Board of Equalization to have his private property taken out of the town. He went to his lawyer and his lawyer stated that is not the case. Answer by Mayor Swann - He was mistaken some towns use the Board of Equalization, some do not. Our city attorney had sent out a letter stating that municipality disconnection process is per U.C.A. 10-2-501, and to have his request considered he will need to follow the procedure as outlined in the code. Mr. Linford stated he had not received the letter, a copy of the cc letter was given to Mr. Linford. He also requested that his letter be sent to PO Box 1414, Cedar City, Utah
Attachment 1 - Letter copy

Larry Miracle - Is very concerned about tax increase. He also upset about the talk of short term rentals as these are illegal per HOA contract.

Jim Byer - Made comment about hostile environment mentioned by Janice Swann, he knows where the discontent is coming from and it's not the HOA.

He also stated that a new website is coming out and will have all information about what is going on in the town and it will be sent to all government councils.

Robert Shelton - Does not believe a part time Marshall is a viable solution for law enforcement, and is requesting that the council please contact him to discuss further.

He believes the mayor is being dishonest and not loyal to the town by not disclosing the name of the sub-division developer that is considering building in Cedar Highlands. He distributed two Utah codes that he believes the mayor is in violation of. The mayor stated he was contacted by a real estate agent and does not know who the developer is.

Attachment 2 - Utah Code 76-8-202 Official Misconduct - Unlawful acts based on "inside" information.
Attachment 3 - Utah Code 76-8-201 Official Misconduct - Unauthorized acts or failure of duty.

Jeanne Shelton - Graciously volunteered to take minutes if town clerk could not be present at the council meeting.

She is upset about additional taxes after town incorporation, with not additional services.

She has heard mention of a new sub-division developer coming into Cedar Highlands and wants to know who it is and why the mayor refuses to identify who it is. Mayor Swann stated he did not know who it was, the person who contacted him was a real estate agent.

Financial Report

Council did not receive all the documents requested. It is requested that next meeting a copy of all the canceled checks and a copy of supporting documentation for check and check register be provided.

They would also like to receive read only access to Mountain America Credit Union account as well as the PTIF.

The budget posted on the web site is incorrect, please take it down and correct document. Attachment 4 - Financial Report provided.

Road Resolution -

Susan would like to confirm that changes were made as requested regarding change of wording from seal to treat.

Mayor Swann handed out a proposal resolution for review regarding Public Works Allocation, to be discussed in detail at next work meeting. Attachment 5 - Resolution, Public Works Equipment

Law Enforcement -

Mayor Swann handed out a proposal resolution for review regarding Public Safety Strategy, to be discussed in detail at next work meeting. Attachment 6 - Resolution, Public Safety Strategy

State Auditor - Fayette Town

Council member Susan Allman wanted to present a state auditor report about the town of Fayette, UT, a small town that mishandled their fiduciary responsibilities. Mayor Swann became extremely upset directing his comments at length, at Susan Allman.

Linda Stetzenbach motioned to adjourn meeting, Beth Gaines 2nd. Motion was passed unanimously.

At the May 23, 2019 Council Meeting Beth Gaines motioned to approve the February 28, 2019 minutes with changes requested. Steve Swann 2nd. Motion passed unanimously.