

CEDAR HIGHLANDS TOWN COUNCIL MEETING MINUTES  
Cedar City Library, Cedar City, Utah  
July 17, 2019

Meeting called to order by Council Member, Beth Gaines at 6:03pm

Present:

Beth Gaines, Council Member

Paul Starks, Council Member

Linda Stetzenbach, Council Member

Susan Allman, Council Member

Declaration of Conflict of Interests: none

Susan moved to move action items of the Agenda first. Seconded by Beth. Unanimously approved.

Actions:

Minutes of the July 2, 2019 work session – motion to approve Paul Starks 1<sup>st</sup>; Linda Stetzenbach 2<sup>nd</sup>. Unanimously approved.

Other prior minutes that have not been approved were tabled.

Public Comments:

Jay Hampton- He wants the community to look into all things to support whether or not to do away with the town. He feels the mayor must work with the HOA. The HOA is needed as it gives a vote to all members. He asked where the town money was spent? Beth advised that the new accounting system, Pelorus, will provide an accurate accounting of all funds to the property owners. That information will be provided shortly.

Manny Mosqueda- He looked at the last spreadsheet and the town may not be in as financially bad shape as thought. A full accounting must be made. He also thinks the people that were dragged into the town should be allowed out.

Susan said they are in process of reviewing the land owners that were included in the town without their knowledge.

Roger Thomas- He believes there are a lot of advantages to staying a town including immunities to lawsuits along with other possible advantages. He said he will support what ever is best for the town.

Mike Fay- He believes the town is better than an HOA to generate funds. We shouldn't judge the town by what happened in the first 1 ½ years. There was bad management and using money for an attorney was one example. He also said if any member of the town council does not believe in the town's viability, they should step down immediately. Susan Allman advised that the council must review all the financial and other benefits of being a town and do what is best for the community.

Bill Rosser- He stated everyone is questioning the future of the town. We need to find out what is best for all property owners.

Nick Palanza- He believes having another layer of government only increases taxes. Nothing is for free. Everyone knew there was a dirt road when they purchased their property. He states the HOA is very functional to run the community. Most people want less taxes and bureaucracy.

Jo Olds- She stated that her daughter deals with grants and to say the HOA cannot obtain grants is a total fallacy. She also thanked the council members for standing up for police and fire protection.

Linford Nelson- He said the town has not been able to control 5000 acres, when it is difficult to control the 500 acres in the HOA area. And the cost is too high for the town to function. Property rights must be protected.

#### Selection of the new Mayor:

Linda Stetzenbach read the proper procedure to appoint a new mayor from the Utah Open & Public Meetings Act and the Utah Election Code. The new mayor will finish the 2 ½ year term remaining due to the resignation of Steve Swann. The interviews, discussion and selection must be public. Whoever is appointed will need to take the oath of office, but still can act until that takes place.

The 3 candidates that submitted resumes: Jim Byler, Mike Fay and Jim Hilton.

The council members reviewed the resumes prior to the interviews. The same questions were asked of all 3 candidates by each of the council members.

Jim Byler was interviewed via cell phone as he is out of state. Mike Fay and Jim Hilton were present.

All candidates were given ample time to answer all the questions and make additional comments.

The first vote was a tie:

Paul Starks and Linda Stetzenbach voted for Jim Byler

Beth Gaines and Susan Allman voted for Jim Hilton

The second vote resulted in the selection of the mayor:

Paul Starks, Linda Stetzenbach and Susan Allman- Jim Byler

Beth Gaines- Jim Hilton

With the vote, Jim Byler was appointed the Mayor of Cedar Highlands.

#### Finances:

The former mayor is still on the account with the credit union. In order to close the account and move it to State Bank, the new and former mayor need to be present or the meeting minutes

showing the appointment of the new mayor. The debit card cannot be used in the meantime to pay bills. None of the bills can be paid until the account is changed. Paul Starks made a motion to transfer the account, Beth Gaines 2<sup>nd</sup>, unanimously approved.

The following invoices for approval:

Wheeler CAT	\$1062.00
Wheeler CAT	1062.00
Wheeler CAT	72.39
ARC Constructors, Inc.	4950.00
CICWCD	73.50
CICWCD	78.50
Durham Jones & Pinegar	2809.03

Beth Gaines made a motion to pay the invoices, Paul Starks 2<sup>nd</sup>, unanimously approved.

Date of next Town Council meeting: Thursday, August 1, 2019 from 6-9pm

Adjournment at 8:01pm- Susan Allman 1<sup>st</sup>, Beth Gaines 2<sup>nd</sup>, all approved.

Respectfully submitted by: Regina Tashjian, town resident