

## **PANGUITCH CITY COUNCIL MINUTES**

**FEBRUARY 11, 2014  
CITY COUNCIL - 6:30 P.M.**

**LIBRARY CONFERENCE ROOM  
25 SOUTH 200 EAST  
PANGUITCH, UTAH 84759**

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Those present at the City Council meeting were Mayor Eric Houston, City Manager Lori Talbot, City Recorder Donna Osborn, Council Members, Lloyd Brinkerhoff, Rick Miller, Trudi Owens, Tim Smith, Kim Soper, and Attorney Barry Huntington.

Others present were Art Cooper, Jane Excell, Linda Miller, John Holland, A. J. Johnson and Andy Black.

The meeting was called to order at 6:30 p.m.

### **OPENING CEREMONY**

Rick Miller conducted the opening ceremony.

### **ADOPTION OF THE AGENDA**

**Trudi Owens moved, seconded by Lloyd Brinkerhoff to adopt the agenda as outlined. The motion passed with all in favor.**

### **APPROVAL OF THE MINUTES**

**Lloyd Brinkerhoff moved, seconded by Rick Miller to approve the minutes. The motion passed with all in favor.**

### **UP COMING MEETINGS**

**Main Street Luncheon** February 19, 2014 at noon at the Flying M.

**Garfield County Tourism Conference** March 25, 2014 from 11:00 a.m. to 3:00 p.m. at Ruby's Inn.

### **JANE EXCELL - J. P. FINES REPORT**

Jane Excell explained the J. P. Fines report to the Council. This report and payment must be submitted to Utah State by the 10<sup>th</sup> of each month. Page 1 of the report details the traffic cases disposed and the criminal misdemeanors and infractions cases disposed. Page 2 details the revenue collected and the revenue disbursed. Page 3 shows the revenue retained. Subsequent pages show specific detail including who paid the fines and how they were paid. The final page is a copy of the report sent to the State.

### **POLICE REPORT**

Sheriff Danny Perkins was absent.

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**SCENIC BYWAY 12 ANNUAL REPORT - JOHN HOLLAND**

John Holland, who is the coordinator of the Scenic Byway 12 committee presented the annual report. Highway 12 was designated a National Scenic Byway All American Road in 2002. Each community on Highway 12 including the gateway communities of Panguitch and Torrey are represented on the committee. Art Cooper is the representative for Panguitch and has served for 10 years.

The accomplishments for 2013 were explained. Byway wayside improvements were completed in conjunction with UDOT. These include The Cut Wayside, Red Canyon Birdseye Pink ledges, Upper Valley Granary, and Bryce Canyon Plateau.

The action plan document for the Red Canyon Bike Extension was completed in 2013. Funding received from a Federal Lands Access Program Grant was awarded to extend the bike path segment from Bryce Canyon City to the Bryce Canyon boundary. This project will continue to be a priority for the committee.

An Economic Impact Study was begun in 2013 and will conclude in May 2014. Ten years of data is being analyzed as well as visitor surveys and business owner surveys to complete this study

Work on the Scenic Byway 12 Gateway monument signs was finished in December 2013.

The goals for the Scenic Byway 12 are listed on page 4 of the report.

There are 5 committee meetings a year. Information on meetings as well as agendas and minutes are posted on the website [www.scenicbyway12.com](http://www.scenicbyway12.com).

The funding for Scenic Byway 12 has changed because the Federal Transportation Bill in 2012 eliminated funding for Scenic Byways. Funding now is largely provided by the counties. Income and expenses are detailed on page 5 of the annual report. The Bike Path will continue to be a priority for funding for the next year.

**DONATION - AMERICAN LUNG ASSOCIATION - CLIMB FOR AIR**

A.J. Johnson and Andy Black were present to report on the Climb for Air Event and to request a donation. The Climb for Air event will be held the 22<sup>nd</sup> of February 2014. All participants from Panguitch pay their own expenses and all donations go to the American Lung Association in memory of Cindy Breinholt. The Panguitch team has done well in both the competition and the donations.

**Trudi Owens moved, seconded by Kim Soper to donate \$200.00 to the Panguitch team for the American Lung Association Climb for Air. The motion passed with all in favor.**

**DONATION - GARFIELD MEMORIAL HEALTH CARE FOUNDATION**

**Lloyd Brinkerhoff moved, seconded by Trudi Owens to table the donation to the Garfield Memorial Health Care Foundation until July. Tim Smith abstained from the vote. Lloyd Brinkerhoff, Rick Miller, Trudi Owens, and Kim Soper voted in favor.**

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**TRUCK**

Kim Soper and Kory Owens test drove a 2008 Ford Ranger XLT extend cab pickup truck with 4 wheel drive offered for sale by Joe & Margaret Decker for \$8000.00. The truck is clean and runs well. \$10,000.00 was budgeted for a truck this year, so the money is available.

**Kim Soper moved, seconded by Rick Miller to purchase the 2008 Ford Ranger for the maintenance crew. The motion passed with all in favor.**

**BUSINESS LICENSE - LAURA WINDERS - CABIN CLEANING**

Laura Winders has submitted a business license application and paid the license fee for her cleaning business. Attorney Barry Huntington advised the council to check with Laura Winders' probation officer before approving the business license.

**Kim Soper moved, seconded by Tim Smith to table the business license application by Laura Winders until further information can be obtained from the probation officer. The motion passed with all in favor.**

**OPEN MEETING TRAINING**

Attorney Barry Huntington conducted the Open and Public Meetings Act training.

Public bodies exist to aid in the conduct of the people's business, so their actions and deliberations should be taken and conducted openly.

A meeting means the convening of a public body with a quorum present. A quorum is a simple majority of membership of a public body.

Notice requirements include an annual public notice of the date, time, and place of regularly scheduled meetings. Also required is a 24 hour public notice of the agenda, date, time and place of each of its meetings. Emergency meetings can be held when unforeseen circumstances make it necessary, and a majority must vote in favor to hold such a meeting.

Agendas must be specific and an item that is not included on the agenda may be discussed but no final action may be taken at that meeting.

Except for site visits and field tours, written minutes and recordings must be kept of all open meetings and are public records. Minutes are the official record of action taken. Anyone in attendance can make their own recordings of the meeting. Minutes and recordings must include date, time and place of meeting, the name of members present and absent, the substance of all matters proposed, discussed, or decided, the vote taken, and comments by the public or information any member requests to be entered. Written minutes shall be made available to the public within a reasonable time after the end of the meeting. Written minutes and recordings of an open meeting are permanent records.

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Closed meetings are never required, but may be held if a quorum is present, and two-thirds of the members vote to close the meeting. The matters that can be discussed in a closed meeting include discussion of the character, professional competence, or physical or mental health of an individual; strategy sessions to discuss pending or reasonably imminent litigation; deployment of security personnel; investigative proceedings regarding allegations of criminal misconduct; or discussion of real estate transactions. A recording of the closed meeting is required and minutes may also be kept, but they are not public records.

Electronic meetings may be held if the public body has adopted a resolution, rule, or ordinance governing the use of electronic meetings. Public notice must be given and an anchor location provided.

A public body may remove any person who willfully disrupts a meeting to the extent that orderly conduct is seriously compromised. Such removal does not constitute closing the meeting.

It is a class B misdemeanor to destroy, damage, or change the record-copy of a record.

If any changes are made in the state law, Attorney Huntington will inform the Council.

**PENDING BUSINESS**

The Park Project was discussed. Jones & DeMille sent an email of the estimated cost differences of the changes requested by the City Council.

**Lloyd Brinkerhoff moved, seconded by Tim Smith to remove one family restroom, change the other family restroom to a mechanical room, and install a forced air natural gas furnace for the heating. The motion passed with all in favor.**

**DEPARTMENT REPORTS**

**Streets and Roads:** Kim Soper explained that a concerned citizen asked if the City would chip seal the roads this year. He was informed that the budget is tight and the City is uncertain how much chip sealing can be financed, but some chip sealing will be done. Tim Smith suggested that we work with the other communities as well as the county to see if they are willing to help, since the smaller communities receive help from the county for their roads. 300 West is in poor repair and will need to be included in the chip sealing this year. The City will chip seal one-fourth of the town each year depending on funds.

**Website:** The website [www.panguitch.org](http://www.panguitch.org) is seriously outdated and contains incorrect information. The website [www.panguitch.com](http://www.panguitch.com) is designed and hosted by Mark Wade with Oculus Media. This website is geared for the visitors to Panguitch whereas [www.panguitch.org](http://www.panguitch.org) contains government information and information for Panguitch citizens. Possible solutions would be to combine the two websites under

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www.panguitch.com, or to contract with someone to design a new www.panguitch.org website and allow city staff to update the information on the website as needed. Kim Soper will research this issue and report back to the Council.

**Swimming pool:** Emails have been received from Gunnison and Kanab with information about their pools.

**Garfield Travel Council:** The Travel Council has funded the kiosks for Panguitch City and other communities, and Main Street was funded. The combined funding is in the amount of approximately \$9000.00.

**CURRENT BILLS** The council reviewed the current bills to be paid. The payment for employees' vision insurance will be removed from the current bills.

**Tim Smith moved, seconded by Kim Soper to pay the current bills.  
The motion passed with all in favor.**

**ADJOURNMENT**

**Meeting adjourned at 7:50 p.m.**

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Eric Houston, Mayor

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Donna Osborn, City Recorder