

---

# *PANGUITCH CITY COUNCIL MINUTES*

---

March 26, 2024  
CITY COUNCIL – 5:30 P.M.  
55 S MAIN GARFIELD COUNTY COURTHOUSE  
PANGUITCH, UT 84759

Those present at the City Council meeting were Mayor Kim Soper, City Manager Mat Houston, City Recorder Tyrissa Howell, City Attorney Barry Huntington, and Council Members Mike Sarles, Tracy Wright, Cindy Stewart, and David Dodds. Council Member Paul Dastrup was in attendance via Zoom.

Others present were Jon Torgerson, Rob Veater, Terrence White, Tom Avant, Kadden Figgins, Chad Justis, Tom Talbot, Teresa Wood, Anne Excell, Julie Bishop, Joe Orman, Randi Miller, Abby Belvins, DeAnn Brown, Mark Boshell, Hollie Henrie and Thomas Canny. Jared Woolsey, Collette Cox, and Ted Black were in attendance via Zoom.

The meeting was called to order at 5:30 p.m.

## OPENING CEREMONY

Council member Mike Sarles conducted the opening ceremony.

## ADOPTION OF THE AGENDA

Mike Sarles moved, seconded by Tracy Wright to adopt the agenda. The motion passed with all in favor.

## APPROVAL OF THE MINUTES

Tracy Wright moved, seconded by Cindy Stewart to approve the minutes. The motion passed with all in favor.

## BIC BUILDING DECISION

### ROB VEATER, GARFIELD COUNTY EMPLOYEE, HISTORY OF COURTHOUSE RENOVATION

Rob Veater discussed the process Garfield County went through to do an 8-million-dollar remodel on the courthouse which included a level 2 seismic upgrade, roof repairs, mold and asbestos removal, windows, sprinkler system installation, and new HVAC.

### JON TORGERSON, FORMER MAYOR, HISTORY ON PURCHASE OF BIC BUILDING

Jon Torgerson served as the mayor from 1982 to 1989 and then from 1998-2001. In 1986 the Fire Marshall condemned the high school which remained vacant for a couple of years before Panguitch City purchased it for \$1. Panguitch City then invested \$154,000 into upgrading the building, including remodeling the bathrooms, electrical work, plumbing, asbestos abatement, new windows, roof repair, painting, and flooring.

### TED BLACK, STATE FIRE MARSHAL, SAFETY AND RECOMMENDATIONS

Ted Black the State Fire Marshall stated the building would need to be brought up to the current fire code, electrical code and commercial fire sprinklers be added, a new HVAC system, and replacement of stairways. His recommendation would be to replace the entire building with a new one. He stated that it is on record that the BIC building was condemned in 1986 and his evaluation is now on record. Paul Dastrup asked how would the second level meet egress. David Dodds asked what level of renovation would be required to meet the code. Ted stated if use changed or an increase in occupancy the building would be required to meet the current code. Mike Sarles stated the building would be used for office space and the gymnasium would be used as it currently is. Ted stated he would not assemble in the gym due to the lack of egress. Paul stated public safety must be the number one concern. Cindy Stewart stated the legal liability of the BIC building is huge.

**TERRENCE WHITE, NAYLOR, WENTWORTH AND LUND ARCHITECTS, COST ESTIMATES**

Terrence White from Naylor, Wentworth, and Lund walked through the building in 2018 and again in 2023. He recommends that a structure analysis be done on the building due to the fact the building was built before any code was in place and would need to be retrofitted for seismic activity. David Dodds asked would the City have legal liability if something were to happen. It was confirmed that Panguitch City would be liable for anything that occurred in the building. Barry Huntington added the City's liability would depend on the knowledge at the time of the event.

**JARED WOOLSEY, COUNTY BUILDING INSPECTOR**

Jared Woolsey, the County Building Inspector stated that the scope of work required to be done to the BIC building would necessitate bringing the building up to code. David Dodds stated that if the building must be brought up to the current code it becomes non-feasible financially for the city. He also voiced concern that there are issues with gymnastics being on the second level of the building and exit discharge. Kim Soper raised concerns about the safety of the occupants. Jared stated he is not comfortable in having the building occupied. Mike Sarles stated that phase 1 of the grant would fix the roof and remodel the classrooms, update the electrical, update the HVAC, abate the mold, and replace windows. Jared stated that when you remove the mold you will expose interior walls which will require the building to be brought up to structural code. The extent of the mold would not be known until the removal process begins. Kim Soper stated the roof is sagging and will likely have more damage underneath when it is opened.

**TOM AVANT, THE IRON ROCK GROUP**

Tom Avant from the Iron Rock Group in Kanab stated he believes the renovation would only be a level 1 update. He recommends a structural engineer look at the building.

**COLLETTE COX, GOVERNOR'S OFFICE OF ECONOMIC OPPORTUNITY**

Collette Cox from the Governor's Office of Economic Opportunity stated that her office is prepared to distribute the grant money and begin the renovation of the

BIC building and that Panguitch City would have a good chance at getting a \$600,000 grant next year. Mayor Soper asked if the money could be used for another building. Collette stated that the committee would have to review it and decide. David Dodds asked if there are any obligations to do phase 2 or 3. Collette stated no.

*The council held a 10-minute break.*

David Dodds stated that he has gone back and forth on using the grant to fix the BIC building. He stated he has two concerns. One is that he is not sure the money from Phase 1 can get the building to a usable state. His second concern was that the building would not be up to fire or seismic code. He asked if Panguitch City is willing to accept that liability. He stated that he is not.

Cindy Stewart stated that she worked in the BIC building from 2018 to 2021. The northeast corner of the building would fill up with water, the carpets would be full of water, and buckets were placed to catch water. A garden hose was placed to siphon water off the roof to help avoid water leaking into the building. It was starting to make people sick. She feels people should never have been allowed to use the building. She stated that she doesn't want the liability.

Tracy Wright reported that there have been 267 earthquakes within a 30-mile radius in the last 30 years. The largest in 2015 at a 3.9 magnitude. She feels like the building has not been maintained and she questioned why the City Office and Social Hall were not required to add fire suppression when they were remodeled. She would like to use the grant to fix the roof to stop the damage and do the mold abatement. She believes a maintenance plan could be developed to keep the building in good condition. She wants to keep the gym available for use. She suggested that the city should be run like a business. Fixing the building and collecting rent for the building would pay the city back.

Mike Sarles reported that he began searching for a grant when a gentleman asked to purchase the BIC building and community members voiced that they wanted to save the building. He believes the building could be much more than it currently is and could bring people into the community. People in the community want to save the building. This grant would stop the deterioration of the building. Mike stated

he wants to save historical structures and make Panguitch a place people want to visit.

Paul Dastrup expressed that it would be nice to do what the county did to the courthouse, but it requires a lot of money that he feels should be going into the city's infrastructure. His concern is the health and safety of the public as the building is a liability having serious structural issues, and in an earthquake zone. He believes that the grant money wouldn't be sufficient to make the building safe, therefore he cannot support moving forward with the grant.

Kim Soper stated he believes the building should be demolished. Many members of the community have voiced their opinion that money should not be invested in the building. Panguitch could have an earthquake at any time that destroys the building. He stated that you can't put a price on a life, he is not willing to take the risk and if he had a vote, he would vote against putting money into renovating the building.

Paul Dastrup stated the city should not be competing with local businesses. Mike Sarles said the building is intended for small start-up businesses that would be required to move to a new space in 12 to 16 months.

**David Dodds moved, seconded by Cindy Stewart to direct the City Manager Mat Houston to send a letter to the grant committee respectfully declining the grant. Paul Dastrup voted in favor. Mike Sarles and Tracy Wright voted against. The motion passed.**

## **ADJOURNMENT**

Cindy Stewart moved to adjourn the meeting at 8:50 PM.

---

Kim Soper, Mayor

---

Tyrissa Howell, City Recorder