

PANGUITTCH CITY COUNCIL MINUTES

JANUARY 24, 2006
6:30 P.M.

LIBRARY CONFERENCE ROOM
25 SOUTH 200 EAST
PANGUITTCH, UTAH 84759

Present at the City Council meeting were Mayor J. Arthur Cooper, City Manager Allen K. Henrie, City Recorder Cindy B. Johnson, City Council Members Eric Houston, Nick Reynolds, Tim Smith and Attorney Barry Huntington.

OPENING CEREMONY The opening ceremony was conducted by Tim Smith.

ADOPTION OF THE AGENDA

Eric Houston moved, seconded by Tim Smith to adopt the agenda as outlined. The motion passed with all in favor.

APPROVAL OF THE MINUTES

Eric Houston moved, seconded by Tim Smith to approve the minutes as corrected. The motion passed with all in favor.

UP COMING MEETINGS

A. Rural Water Conference - March 1, 2 & 3 - This conference is held in St. George and is for the maintenance guys. It is a very informative conference and helps the maintenance crew obtain their continuing education hours.

Eric Houston moved, seconded by Nick Reynolds to approve attendance by Kory Owens and Troy Pollock to the Rural Water Conference in St. George. The motion passed with all in favor.

B. 143 Public hearing - February 8, 2006 @7:00 p.m., City Office - This is an information item regarding the Highway 143 public hearing meeting. Allen K. Henrie asked for all those who could attend to do so. It is an important meeting and he would appreciate any support.

GRAZING OF GOATS AT THE SEWER LAGOONS Allen K. Henrie explained that Bill Frandsen would like to lease the land where the sewer lagoons are located to graze some goats there. Allen reported that

the goats would keep the vegetation under control better and that many cities are using goats in their sewer lagoons for this reason.

**PANGUITCH CITY COUNCIL MINUTES
JANUARY 24, 2006
PAGE 2**

Allen recommended the city try this for a year and see how it works.

Nick Reynolds moved, seconded by Tim Smith to allow Bill Frandsen use of the sewer lagoon areas for the grazing of goats for a one year period trial basis and review in a year. The motion passed with all in favor.

PUBLIC HEARING - WATER RATE INCREASE OUTSIDE CITY LIMITS

Mayor Cooper declared the public hearing open at 7:08 p.m. Those in attendance were: Jolyn Smith, Laura Mosdell, Royce Pollock, Val Church and Cindy Cooper.

Mayor Cooper and Allen K. Henrie explained that the Attorney for the Utah League of Cities and Towns recommended that if someone is connected to our system or the city is providing any service to a home or property owner, that property should be annexed into the city. He explained that the most recent water project done was mainly geared towards the subdivisions south of town.

Royce Pollock asked what the city attorney said when the subdivisions were originally developed. Val Church stated that as far as he could remember the developers paid for the water system and the city agreed to furnish the water. Mr. Church asked what the water revenue was used for and asked if the water used outside the city limits cause pressure to our water system. Mr. Church also stated that they were forced to connect to our sewer system.

Allen K. Henrie reported that the state had said that anyone hooked to our water system needed to be hooked to our sewer system. Mr. Church asked if the Public Service Commission would approve of this water rate increase for water users outside the city limits. Allen stated that the PSC does not get involved in this type of service. The reason the rate increase is being considered is because when the last water project was put in, about \$300,000.00 was geared towards the subdivisions south of town for better water pressure. However, percentage wise their water increase was less than those who live in the city and it was felt that the rate should have been on a percentage basis.

Val Church stated that he is in favor of being annexed but will not be held hostage by the city wanting to raise water rates. Allen reported on what other communities do regarding providing services outside the city

limits. Cindy Cooper asked what percentage of an increase the city is looking at.

Royce Pollock expressed his frustration with the planning and zoning meeting held a couple of months ago. He felt the residents in the subdivisions were treated as though they were free loaders and that they

PANGUITCH CITY COUNCIL MINUTES
JANUARY 24, 2006
PAGE 3

should not be held hostage or treated unfairly. An agreement was already made for water service to the homes in the subdivisions. (The city does not have a problem providing service to the homes, but they should have been increase by a percentage to be fair to those who live in the city.)

Allen K. Henrie responded to Royce Pollock telling him the areas wanting to be annexed by the city. He went on to say that the city can begin the annexation process if we are providing services and 51% of the property owners are in agreement to be annexed.

Royce Pollock stated again that he does not want to be held hostage by the city. Eric Houston explained that approximately \$300,000.00 was used to increase the water pressure in the south subdivisions. The increase was at a higher percentage in the city than the county and needs to be more fair.

Mayor Cooper stated that he considers those who live in the county a part of Panguitch City and would like to see the areas annexed.

Allen K. Henrie has some concerns about providing secondary water due to pressure and the costs associated with it.

Mayor Cooper thanked those in attendance and said that he has had several county property owners approach him stating that they are in favor of annexation. He thanked them for expressing themselves.

Mayor Cooper declared the public hearing closed at 7:45 p.m.

Later in the council meeting the council discussed the water rates/annexation of the subdivisions south of town. Nick Reynolds feels the two issues need to be separated and dealt with separately.

GARFIELD COUNTY VOLUNTEER CENTER - Marsha Holland/Lori Mecham
Marsha Holland, Lori Mecham and Shauna Talbot were in attendance to discuss the Garfield County Volunteer Center program.

Marsha Holland reported that the organization has been in operation for three years now and they have accomplished quite a lot. The group is working on four new projects this year. Marsha also went over the 211 information line and the volunteer center. They are striving to get this information out to all of the communities in Garfield County. She

also went over the Earned Income Tax Credit available to the lower income households and reported that they are going to have a free tax day on February 7, 2006.

Lori Mecham stated that they are there to help with Medicare issues and
PANGUITCH CITY COUNCIL MINUTES
JANUARY 24, 2006
PAGE 4

literacy programs. They have started holding a farmers market in Bryce Valley to encourage economic development. Other projects are a blanket drive and an angel tree. Their motto is to save the world. They also do Learn and Serve projects in the schools with the idea that the kids will learn to volunteer when they are young and continue to do so through adulthood. They strongly promote volunteerism.

They asked that the city pass this information on to our citizens and asked for a list of our events in our community that would need volunteers.

Mayor Cooper thanked the ladies for all of their efforts with this great program they are running. They are doing a great job.

PROJECT APPROVAL FORM UPDATE Cindy Johnson has been working on a new project approval form with the help of the county building inspector. The council viewed the proposed project approval form. Allen K. Henrie stated that he feels this new form will help with the past problems and is pleased with it.

Eric Houston moved, seconded by Tim Smith to approve the new project approval form and begin using it immediately. The motion passed with all in favor.

CITY COUNCIL ASSIGNMENTS Mayor Cooper went over the council assignments. One item not on the list was someone to be on the trails committee. The city council decided to take turns on this committee attending the meetings.

Eric Houston moved, seconded by Nick Reynolds to approve the City Council Assignments prepared by Mayor Cooper. The motion passed with all in favor.

CITY PER DIEM Allen K. Henrie reported that the city has always tried to follow the county's per diem rate which has increased to 41 cents per mile for mileage. He asked the council if they would like to increase our mileage per diem.

Tim Smith moved, seconded by Eric Houston to raise the per diem mileage rate to 41 cents per mile. The motion passed with all in favor.

BUSINESS LICENSE/RENT OF BIC BUILDING CLASSROOM - Justin Baugh
Justin Baugh, who is a certified accountant, has applied for a business license to do taxes and would also like to rent a room at the BIC Building for five to six months out of the year.

**PANGUITCH CITY COUNCIL MINUTES
JANUARY 24, 2006
PAGE 5**

There is space available, however Allen K. Henrie informed Mr. Baugh that if someone was wanting to rent the space for the entire year they would have to go with that renter. Currently this is not a problem.

Attorney Huntington is to prepare a lease agreement for a space in the BIC building on a month to month basis for Justin Baugh with the option to cancel if and when a renter wants the space year round.

Nick Reynolds moved, seconded by Tim Smith to approve the business license for Justin Baugh and instruct Attorney Huntington to prepare a lease as listed above. The motion passed with all in favor.

GREEN DUMPSTERS Mayor Cooper and Allen K. Henrie went to County Commission to discuss the chain link fence that is to be built where the dumpsters are to be relocated. The city located the inter-local agreement which states the county would purchase and install a chain link fence at the new location and now the commissioners are against this. The fence will cost approximately \$12,000.00.

Eric Houston suggested that the city obtain bids on the cost of the fencing and hire the inmates to construct the fence. Allen K. Henrie reported on some old fencing that had been torn down and feels that the city may be able to use it. Allen will contact the owner of the old fencing and see if they are willing to sell it. We need to get the dumpsters moved soon so a new trail head can be built where the dumpsters are now located.

Mayor Cooper feels we need to move quickly and adequately on getting these moved.

Tim Smith moved, seconded by Eric Houston to instruct Allen K. Henrie to move forward and obtain bids for fencing and get moving on removal of the dumpsters to the new location so the old location can be used for a new trail head. The motion passed with all in favor.

SALE OF INDUSTRIAL PARK LAND Allen K. Henrie went over the industrial park policy regarding purchasing property to the new council members.

John Gillette is interested in a piece of property at the industrial park and wanted to know costs of the property. The lot he is interested in has sewer and water to it as well as a chip sealed road.

Eric Houston moved, seconded by Nick Reynolds to sell industrial park land to John Gillette, Ken and Ren Construction and Eldon
PANGUITCH CITY COUNCIL MINUTES
JANUARY 24, 2006
PAGE 6

Allison going with the appraisal done in 2004 plus 10%. The motion passed with all in favor.

CITIZEN COMMENT There was none.

MULTI PURPOSE EVENT CENTER Scott Christensen has recently had hip surgery and is doing well. The event center is slow right now.

PENDING BUSINESS The pending business list was edited.

DEPARTMENT REPORTS

Robert Driedonks letter/Leaking roof - Attorney Huntington has written a letter to Robert Driedonks outlining that he must be out of the building by 1/31/2006. He has also been working with Attorney Lee on the leaking roof issue at the Triple C.

Food Tax removal - A letter has been sent to the state senator and representative expressing the city's concern regarding removing the state sales tax on food.

CURRENT BILLS The council reviewed the current bills to be paid.

Eric Houston moved, seconded by Tim Smith to pay the current bills. The motion passed with all in favor.

ADJOURNMENT

Meeting adjourned at 9:15 p.m.

J. Arthur Cooper, Mayor

Cindy Johnson, City Recorder