

The Regular Meeting of the Brian Head Town Council
Brian Head Town Hall – Council Chambers
56 North Highway 143 – Brian Head, UT 84719
[www.Zoom.us \(Click Here\)](https://www.zoom.us/j/84539079066)
Via Zoom Meeting ID# 845 3907 9066
TUESDAY, FEBRUARY 13 @ 1:00 PM

MINUTES OF THE TOWN COUNCIL

Roll Call.

Members Present: Mayor Clayton Calloway, Council Member Larry Freeberg, Council Member Kelly Marshall, Council Member Martin Tidwell, Council Member Mitch Ricks.

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Chief Dan Benson, Public Safety Director.

A. CALL TO ORDER

Mayor Calloway called the regular meeting of the Brian Head Town Council to order at 1:00 p.m.

B. PLEDGE ALLEGIANCE

Mayor Calloway led the Council and others in the Pledge of Allegiance.

C. DISCLOSURES

Council Member Tidwell stated that he may have a potential conflict of interest with Agenda Item F-2, Highland Drive Road Vacation, in which he is the Homeowners Association president for Steam Engine Meadows which is the subdivision where the road vacation is located.

There were no conflicts of interest with today's agenda items. Mayor Calloway stated that the disclosure statements are on file with the Town Clerk and are available for public inspection during normal business hours.

D. APPROVAL OF THE MINUTES:

December 12, 2023, Town Council Meeting

Motion: Council Member Marshall moved to approve the December 12, 2023. Council Member Tidwell seconded the motion.

Action: Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Marshall, Council Member Tidwell, Council Member Freeberg, Council Member Ricks, Mayor Calloway).

E. REPORTS / PUBLIC INPUT ON NON-AGENDA ITEMS. Public input is limited to three (3) minutes on non-agenda items.

Nancy Leigh, Town Clerk, reported there will be a ballot box for the President Primary Election. Nancy reported that the ballot box will be available to the public until election day on March 5, 2024.

Mayor Calloway reported that the annual Brian Head Business Breakfast is scheduled for February 29, 2024, at 9 a.m. at the Brian Head Public Safety Building. Mayor Calloway reported

he has personally invited several businesses to the Business Breakfast and will hope for a good turnout.

Chief Dan Benson

1. Thanked the public works crew for their assistance in changing Village Way to one-way traffic during the weekend due to the heavy traffic and challenges in parking.
2. Reported he sent his staff report for the agenda item F-3, MOU with Iron County. Chief Benson reported that the staff report was not attached to the Council's packet.

F. AGENDA ITEMS:

- 1. PUBLIC HEARING: HIGHLAND DRIVE ROAD VACATION.** A public hearing to receive comments on a Road Vacation for 105' on the North end of Highland Drive.

Lester Ross, Building and Planning Official, gave a brief background on the Highland Drive Road Vacation in which the Town is the applicant for this Road Vacation. Lester explained that with the construction of the Aspen Meadows Southeast Neighborhood Subdivision, the developers chose to not continue with Highland Drive through the Southeast Neighborhood and a thorough road and the Aspen Meadows developers chose not to continue with a through road on Highland Drive and worked with the Town to make it a cul-de-sac.

Lester explained that Aldo Baisi, Public Works Director, worked with Rosenberg Engineering on a plat amendment for the Steam Engine Meadows Phase 1 Amended Subdivision which was submitted to the Planning Commission which held a public hearing and approved the plat amendment.

Mayor Calloway stated that during the public hearing, the Council will not engage with the public but will answer any questions once the public hearing is closed. Mayor Calloway recessed the regular meeting of the Town Council and opened the public hearing at 1:15 p.m. to receive comments from the public.

There were no comments and no written comments were submitted. Mayor Calloway closed the public hearing and reconvened the regular meeting at 1:16 p.m.

- 2. ORDINANCE VACATING 105' OF THE NORTH END OF HIGHLAND DRIVE AND A 50' TURNAROUND EASEMENT.** An ordinance vacating 105' of the north end of Highland Drive to create a cul-de-sac in the Steam Engine Meadows Phase 1 Amended Subdivision on lot 55 and adjacent properties.

Lester Ross, Building & Planning Official, presented a draft ordinance vacating 105' of Highland Drive and the 50' temporary turnaround easement (see attached). Lester requested the Council adopt the ordinance that will be recorded with the amended plat for Steam Engine Meadows Phase 1 Amended Subdivision.

The Council discussed the following:

1. Mayor Calloway inquired as to who initiated the change for Highland Drive. Lester responded that the Town initiated the change for Highland Drive.
2. Mayor Calloway commented that the Town should receive just compensation for disposing of property and inquired as to what the just compensation was for this road vacation. Lester responded that the Town was getting a 50' cul-de-sac at the end of Highland where the road previously just ended. There is a 30' snow storage location on the end of the cul-de-sac.

3. Lester explained that the disposed property from the 105' of Highland Drive was split between three property owners that are adjacent to the cul-de-sac.
4. Bret Howser, Town Manager, reported that he believes the Town received just compensation for this road vacation.
5. Mayor Calloway inquired as to the temporary turnaround. Lester responded that on the plat map, where the road dead-ended, the Town allowed Aspen Meadows to do a temporary cul-de-sac and once that phase is completed, the temporary cul-de-sac would be abandoned and the road would continue but the Town is not continuing with the road. Lester explained that the original plat map of Steam Engine Meadows Phase 1 Amended to see where the temporary turnaround is identified.
6. Mayor Calloway inquired as to the delay in bringing this to the Council when the cul-de-sac was completed almost a year ago. Bret responded that at the time, there was a time limitation to get the project completed since Aspen Meadows was donating for the paving of Highland Drive, and during a discussion it was determined that it would be financially beneficial for the Town to make the change in creating the cul-de-sac and the Town staff was making changes to the area and a new plat was draft but during the transition of staff, it was lost in the process.
7. Mayor Calloway commented that with the new state regulations, the Town Council would be taken out of the subdivision process. Lester explained that the law requires all municipalities to implement this change by January 2025.
8. Council Member Tidwell inquired as to the dark black line drawn on the plat map since it looks like the cul-de-sac goes into lot 55 and the way that it is presented, lot 55 owns the cul-de-sac instead of the Town.
9. Council Member Tidwell inquired as to how the property from the road that was vacated split up. Lester responded that the property was split three ways and the lot in the end gave up some of their property but in return received a cul-de-sac instead of a thorough road, but the owner was satisfied with the change.
10. Lester reported that all three lot owners are satisfied with the split in the property and will sign off on the plat.
11. Council Member Tidwell inquired as to the square footage for lot 55 and requested staff to verify the square footage since the cul-de-sac looks like it was drawn into lot 55.
12. Mayor Calloway commented that he would like to know the square footage for each of the three lots to ensure the Town receives fair compensation.
13. Lester explained that the Twon will not be installing or maintaining that particular section of road as fair compensation. Mayor Calloway commented that he will also consider that.

Motion: Council Member Ricks moved to table Agenda Item F-2, Highland Drive Road Vacation for further information and corrections to the plat map. Council Member Tidwell seconded the motion.

Action: Motion carried 4-1-0 (**summary: Yes = 4, No = 1, Abstain = 0. Vote: Yes:** Council Member Freeberg, Council Member Ricks, Council Member Tidwell, Mayor Calloway. **No:** Council Member Marshall).

3. MEMORANDUM OF UNDERSTANDING (MOU) FOR MEDICAL TRANSPORT SERVICES WITH IRON COUNTY. A MOU for Medical Transport Services with Iron County to negotiate for such services.

Chief Dan Benson presented a draft Memorandum of Understanding (MOU) to the Council for their consideration (see attached). Chief Benson reported that Senate Bill 2020-64, allowed municipalities and counties to handle their agreements for medical transport services. Chief

Benson reported that Gold Cross currently handles the ambulance service that all of Iron County and in a discussion with the Emergency Management, George Coleson, who reported that an agreement has never been drafted with Gold Cross for medical transport services. Chief Benson reported that Iron County is in the process of drafting that agreement. Brian Head has submitted some information to Iron County for the agreement.

Chief Benson explained that the MOU would allow Iron County to negotiate for medical transport services for all of Iron County unless the Town decides to draft an agreement. Chief Benson reported that this would be beneficial to Brian Head because Iron County would handle the negotiations for ambulance services. Chief Benson reported that some of the information that was submitted to the County and after a discussion with George Coleson about receiving better services to Brian Head in the way of identifying an ambulance staged in Brian Head on busy weekends and holidays instead of Parowan.

Motion: Council Member Tidwell moved to approve the Memorandum of Understanding with Iron County for medical transportation services as presented and authorize the Mayor to sign the MOU as presented. Council Member Marshall seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Freeberg, Council Member Ricks, Council Member Marshall, Council Member Tidwell, Mayor Calloway).**

4. FUTURE AGENDA ITEMS. The Council will discuss potential items for future agendas.

February 27, 2024, Town Council Tentative Agenda:

1. Engine Brake Ordinance. Bret reported he is waiting for information from UDOT to complete the language for the ordinance. Bret reported that this agenda item will be on the Council's agenda as soon as he receives information from UDOT.
2. Fiscal Year 2023 Annual Audit Presentation.

Bret reported that staff is working on the FY2025 Strategic Plan and will have a draft presented to the Council in March 2024.

G. ADJOURNMENT

Motion: Council Member Freeberg moved to adjourn the regular meeting of the Town Council. Council Member Tidwell seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Freeberg, Council Member Ricks, Council Member Marshall, Council Member Tidwell, Mayor Calloway).**

The regular meeting of the Brian Head Town Council was adjourned at 1:37 p.m. on February 13, 2024.

February 27, 2024

Date Approved



Nancy Leigh, Town Clerk

