BRIAN HEAD

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)

Via Zoom Meeting ID# 829 5378 3768

TUESDAY, FEBRUARY 11, 2025 @ 1:00 PM

MINUTES OF THE TOWN COUNCIL

Roll Call:

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

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Shane Williamson, Town Treasurer; Jon Ficken, Public Works Director, Ciera Claridge, Deputy 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 1:10 pm (due to technical difficulties).

B. PLEDGE ALLEGIANCE

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

C. DISCLOSURES

- Council Member Mitch Ricks stated that he may have a potential conflict of interest with Agenda Item F-4, Town's 50th Anniversary Budget in which he is one of the bands that are playing and will be receiving compensation.

There were no other 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:

January 14, 2025, Town Council Meeting.

Motion: Council Member Tidwell moved to approve the January 14, 2025 Town Council minutes. Council Member Freeberg seconded the motion.

Action: **Motion carried 5-0-0 (Summary: 5-0-0 Yes = 5 Vote: Yes:** Council Member Freeberg, Council Member Tidwell, Council Member Marshall, 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.

Mayor Calloway reported that Parowan City has been recruiting the Town's public safety personnel to fill some of their positions.

Bret Howser, Town Manager

1. Cecile Wallis, Guest Service Representative (GSR), is retiring from the Town as of February 24, 2025. Brittany Feller, GSR, will now be publishing the Town's Newsletter. Staff are still working on coverage for the additional day.
2. Reported that Greg Sant, Building Administrator, reported he has received his certifications for Mechanical and Plumbing and will be working towards achieving his electrical certification. Greg will be taking over the building inspections for residential and the Town will continue to contract out for the commercial inspections. Currently, Greg is working with Lester Ross, a past employee, on learning plan reviews and once completed, Greg will be reviewing plans for the Town.
   The Council congratulated Greg on his achievements.
3. Updated the Council on the Utah League of Cities and Town's Legislative Policy Commission on potential bills that could impact Brian Head.
4. Is currently working on a draft bill requesting 20-acres of land from the Forest Service and it could be a rider to a larger bill.

F. AGENDA ITEMS:

1. SPECIAL ASSESSMENT AREA POLICY RATIO REQUIREMENTS. Administrative directions on the Town's SAA policy regarding the property value to assessment amount ratio.

Shane Williamson, Town Treasurer, explained he is requesting Council's direction regarding the interpretation of the Town's Special Assessment Area Policy as it relates to the ratio requirements. Currently the Town's SAA Policy identifies the coverage ratio for property vs improvements as follows:

- 3:1 which is the State's requirement.
- 4:1 was identified by the Council with the Fire Mitigation Map.
- 5:1 identified by the Council and Fire Mitigation Map.

Shane explained that he did learn that primary structure values could be included for improvements towards the ratio coverage. This could be a determination on which the SAA meets the Town's Policy when the ratio is higher than 3:1. Chief Benson reported that he would be in favor of an SAA area where there is already cabins built out since the SAA Policy was established as a tool for areas that need fire mitigation.

Shane explained he would like the Council's direction on what the Town's Policy is. There are currently three (3) SAA areas that the Council has approved of the petition: a) Elk Drive, b) Ranger Court, and c) 275 East. All three SAAs are pending the Notice of Creation resolution which is the next step.

- Elk Drive has the highest number of cabins located in the SAA area, but according to the SAA Policy's Fire Mitigation Map, they are required to meet the 4:1 coverage ratio.
- Ranger Court's coverage ratio is 4:1based on the Fire Mitigation Map.
- 275 East's coverage ratio is 4:1 based on the Fire Mitigation Map.

The Council discussed the following:

1. The Town is working with a new attorney that specializes in Special Assessment Areas.
2. Previously, the Town identified the average lot value for determining whether the SAA met the ratio coverage.
3. Staff completes appraisals on the properties to come up with the average value and then would apply the ratio coverage of 3:1, 4:1, or 5:1. The attorneys have reported that staff can identify the cumulative value of the SAA area.
4. SAA areas that have a majority of cabins vs. raw land would significantly increase their value.
5. The Town takes a risk when bonding for SAAs, but if there are areas with there are more structures, there is more of the fire protection value.
6. One type of SAA is a waiver and consent process in which 100% of the property owners agree and sign off on the SAA, which will bypass the ratio coverage requirement along with the public hearing and contest stage of a SAA.
7. Council Member Tidwell commented that he remembers when the Town accumulated SAA debt and foreclosed on properties and believes the Town should follow its approved policy.
8. Currently 275 East does not meet the 3:1 ratio coverage which is the minimum required by the State, as a cumulative value for the area.
9. Council Member Marshall suggested the Council review the Fire Mitigation Map again to identify more "A" areas which requires the minimum 3:1 ratio coverage.
10. Bret suggested that when the current bonds come off the books, then the Town Council could recalibrate the ratios since the Town is still paying on the bonds.
11. Spring Circle SAA was put on hold due to the cost and value.
12. Shane and reported that Elk Drive SAA is the only one that meets the Town's policy of 4:1. Range Court and 275 East do not meet the 4:1 ratio coverage.
13. Bret reported that the Council can still make exceptions to the ratios if they decide to.
14. Mayor Calloway commented that he believes it is stretching the Town's risk.
15. Council Member Marshall commented she agrees with Council Member Rick in which the SAA would provide fire protection of the cabins and leave the policy as is, but allow the Council to have the flexibility to say if they are close to meeting the ratio coverage, then the Council could make that decision and would like to review each SAA individually for risk.
16. Council Member Tidwell commented that it could be self-correcting for those with raw land since those property owners may not approve of the SAA. If the process works correctly, then those would never approve of the SAA if they had to pay more than they felt was reasonable.
17. Council Member Tidwell stated he would like to the keep the policy as is and the Council could look at exceptions.
18. Council Member Ricks commented that the Town can provide more flexibility. He agrees with the raw land, but if there are significant improvements then the Council should consider moving forward with the improvements and open the door for sewer to be part of it, if possible.
19. Council Member Tidwell commented that staff should be aware that this is an option when reviewing a potential SAA.

Motion: Council Member Ricks moved to leave the Town's SAA Policy as is. Council Member Tidwell seconded the motion.

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

2. **CONTRACT APPROVAL FOR ENGINEERING SERVICES.** A contract for Engineering Services for the Town's shuttle stops.

Bret Howser, Town Manager, presented a contract from Ensigned Engineering for the design and construction management for the crosswalks and shuttle stops Projects (see attached). Bret reported this is part of the Beautification Bond Projects and the amount requested for the contract is $100,252.

Motion: Council Member Marshall moved to approve the Ensign contract for the design and construction management in a form approved by the Town Manager in the amount of $100,252. 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 Ricks, Council Member Freeberg, Mayor Calloway).

Council Member Freeberg inquired if the Town has the approval from the Utah Department of Transportation (UDOT) for the crosswalks. Bret reported they have started the process, and a warrant study is typically required for crosswalks. Bret reported there is a process through UDOT, despite the study, if there is a shuttle stop located, then crosswalks can be created, he is trying to contact someone from UDOT in the design of crosswalks and shuttle stops.

3. **TOWN'S 50TH ANNIVERSARY BUDGET REVIEW.** A review of the budget for the Town's 50th Anniversary Celebrations in March and July 2025.

Nancy Leigh, Town Clerk, presented the Town's 50th Anniversary budget for Council approval (see attached). Nancy reported she is requesting $85,000 for the 50th Anniversary celebration which also includes a contingency.

The Council discussed the following:

1. The drone show and ski joring events are the most expensive, where the drone show is $25,000 and the ski joring is $12,000.
2. There are seven (7) days of events with four days of events taking place March 12 – 15th and three days of events on July 24-26, 2025.
3. Ciera Claridge, Deputy Clerk, reported she is overseeing the ice sculping event, but with the lack of snow this year, she is also considering another event for hot air balloons where they do a presentation of candle sticking, but she is waiting for a quote for this event.
4. Council Member Tidwell commented that he has contacts for wood carving and hot air balloons if needed.
5. Council Member Tidwell suggested staff invite State Representatives Celeste Maloy, and Representative Rex Shipp.
6. Nancy reported there are some events that will bring revenue back in, such as the car show, bounce houses, and the Village Way Fair vendors as a special event.
7. The Town would receive sales taxes from the food trucks and vendors as well.

8. Council Member Ricks suggested that staff's time needs to be included in the cost. Bret reported that he sees overtime in administration and public works departments and would need to build in some overtime for the events.
9. The funds would be identified in the Town's surplus.
10. Mayor Calloway gave an update on the Brian Head Peak shack in which phase 1 is fully funded. Phase 2 includes the parking area, signage, etc. They have been working with the local businesses on donations and now have commitments of $20,000.

4. TOWN'S 50TH ANNIVERSARY – DRONE SHOW CONTRACT APPROVAL.

A contract for the Drone show for the Town's 50th Anniversary Celebration.

Nancy Leigh, Town Clerk, presented a contract for a drone show for the Town's 50th Anniversary (see attached). Nancy reported the contract is for $25,000, which includes two drone shows which staff plan to have one during the March events and the other show during the July events. Nancy reported that in researching drone shows, the average costs range from $20,000 to $35,000 for a show. She was able to get two shows for $25,000.

The council inquired if there are weather related issues if there is a provision for a refund. Nancy explained that there is a provision for a refund and in speaking with the owner of the company, they would work with the Town. Staff will identify a provision in the contract to give notice if there are high winds in order to get a refund.

Motion: Council Member Marshall moved to approve the contract from Droneshow.com in the amount of $25,000. Council Member Freeberg seconded the motion.

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

5. CONTRACT APPROVAL FOR ROCKY MOUNTAIN POWER STREETLIGHT REMOVAL AND REPLACEMENT.

A contract for the streetlight removal and replacement with Rocky Mtn. Power.

Bret Howser, Town Manager, presented a contract from Rocky Mountain Power for streetlight removal and replacement. Bret explained that this contract needs to be approved by the Council since it has a time limitation to pay. Bret reported the streetlights have already been budgeted for and are included in the beautification bond. Bret explained that $50,000 was identified for streetlights and this is step one for the streetlight project.

Council Member Freeberg inquired if the removal of the streetlights includes the disposal of the existing streetlights. Bret commented he believes it is included but will need to verify it with Rocky Mountain Power.

Motion: Council Member Tidwell moved to approve the Rocky Mountain Power contract in the amount of $50,000 for the removal and replacement of streetlights as presented. Council Member Marshall seconded the motion.

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

Bret reported that Rocky Mountain Power is required to have the project completed within 150 days of signing the contract.

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

The Council did not address this item.

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 Marshall Council Member Tidwell, Council Member Ricks, Council Member Freeberg, Mayor Calloway).

The regular meeting of the Brian Head Town Council was adjourned at 2:45 pm on February 11, 2025.

February 25, 2025
Date Approved

Nancy Leigh
Nancy Leigh, Town Clerk