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# 858 6805 5520
TUESDAY, APRIL 28, 2026 @ 1:00 PM

MINUTES OF TOWN COUNCIL

Roll Call.

Members Present: Mayor Clayton Calloway, Council Member Larry Freeberg, Council Member Duane Nyen, Council Member Martin Tidwell, Council Member Logan Cruz.

Staff Present: Bret Howser; Town Manager, Nancy Leigh, Town Clerk; Greg Sant, Planning & Building Administrator; Jared Tubbs, Public Works Director; Ciera Claridge, Deputy Clerk; Amanda Hunter, Code Compliance; Chief Dan Benson, Public Safety Director.

A. CALL TO ORDER

The Regular Meeting of the Brian Head Town Council was called to order on Tuesday, April 28, 2026, at 1:00 PM at Brian Head Town Hall, Council Chambers, 56 North Highway 143, Brian Head, UT 84719. The meeting was also accessible via Zoom.

B. PLEDGE ALLEGIANCE

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

C. DISCLOSURES

Mayor Calloway noted that disclosures are on file and available for viewing at the Town Hall during regular business hours. No members of the Council identified a potential conflict of interest with any item on the agenda.

D. APPROVAL OF THE MINUTES:

March 24, 2026, Town Council Minutes

The Mayor asked if all members had reviewed the March 24, 2026, minutes and whether any changes or corrections were needed. No corrections were offered.

Motion: Council Member Freeberg moved to approve the March 24, 2026, Council minutes. Council Member Nyen seconded the motion.

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

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

Mayor Calloway: The Mayor reported on his recent attendance at the Utah League of Cities and Towns Mid-Year Conference, noting that the event yielded valuable information, particularly regarding the statutory process for the upcoming potential property tax increase. He acknowledged that the full Council should have been made aware of his attendance in advance.

Council Member Cruz reported that he is glad to be back after an accident but is feeling better.

Bret Howser, Town Manager: reported that staff is loading up for project season and preparing to run through the statutory processes for the budget, the Transportation Utility Fee (TUF), and the property tax Truth in Taxation process. Bret noted that preliminary meetings have been held for most projects and that staff are developing a project website where residents can sign up for email updates on specific projects. Bret highlighted that the Elk Drive project would be the first to require proactive outreach to affected property owners, for which a contact list of cabin owners on Elk Drive has already been compiled.

Bret also provided an update on the planned digital sign for the front of Town Hall, noting discussions around placement, elevation, and protection from snow thrown by snowplows. The sign is expected to be installed and operational in early May alongside the commencement of several other town projects.

Ciera Claridge, Deputy Clerk, presented an update on America 250 planning efforts. Ciera reported that she participates in monthly Iron County meetings on the subject and that, after coordination with the Paiute ATV Trailway and Brian Head Chamber of Commerce, the town has elected to tie its America 250 celebration to the Brian Head Days event, planned for July 24–25, 2026, over Pioneer Weekend. A tentative schedule was expected to be posted publicly by the end of that week. Planned elements include America 250-themed signage and banners along the highway and potentially on light poles, an enhanced fireworks show, a 5K/10K run, line dancing, paddleboard activities on the pond, and a possible lumberjack competition (noted as a top survey request, though logistically difficult for the current year given a conflicting national competition). Ciera reported that the community survey response rate improved significantly after being posted to social media, with a number of respondents also volunteering to help. A motorcycle-related event was also referenced as a possibility pending further coordination with staff.

Greg Sant, Planning & Building Administrator, reported that the building season kickoff event held the previous Friday drew approximately 30–40 contractors, real estate agents, and property owners and was well received. Permits have been issued for the Town Hall renovation and shuttle stops, with permits for Elk Drive and Driftwood nearly ready. He also noted that the Planning Commission will discuss the possibility of a new mixed-use zone at its next meeting.

Public Comment on Non-Agenda Items: A member of the public participating via Zoom, identified as Dave Mason, raised the issue of winter access for the lower Timbercrest Subdivision lots. Dave noted that while the Blue Jay Way dedication (an agenda item) would greatly benefit the upper Timbercrest lots, no winter access solution currently exists for the lower lots and urged the Council to keep that need in mind as planning continues to the north or west.

F. AGENDA ITEMS

1. **LAND MANAGEMENT CODE AMENDMENT, CHP. 7-13 ASPEN MEADOWS MOUNTAIN ZONE AMENDMENT** An ordinance amending the LMC, Chapter. 7.13 (Zone District Regulations - Aspen Meadows Mountain Zone .

Greg Sant, Planning & Building Administrator, presented a draft ordinance amending the Land Management Code (LMC), Chapter 7.13 (see attached). Greg explained that the amendment revises Land Management Code (LMC) Chapter 7-13 to convert the existing Aspen Meadows Overlay Zone into its own standalone zone specific to Aspen Meadows, removing the "overlay" designation. The item had previously been reviewed by the Planning Commission, which recommended approval. Council Member Tidwell summarized the practical effect: the amendment reduces the burden on the Council for rezoning decisions by placing the responsibility on staff to ensure development aligns with the existing development agreement. A question was raised by Council Member Freeberg regarding two parcels shown in an unusual color on the zone map. Greg acknowledged that the color was a mapping artifact from a cut-and-paste of a different exhibit and would be corrected in the professionally prepared final version. No public hearing was required at the Council level for this item.

Motion: Council Member Tidwell moved to adopt ordinance No. 26-004, an ordinance amending the Town Code, Title 9 (Land Management Code), Chapter 7.13 for the Aspen Meadows Mountain Zone as presented. Council Member Nyen seconded the motion.

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

2. **GENERAL PLAN LAND USE MAP AMENDMENT FOR ASPEN MEADOWS MOUNTAIN ZONE.** An ordinance amending the General Plan Land Use Map Amending from Annex Transition to Aspen Meadows Mountain Zone.

Greg Sant, Planning & Building Administrator, presented a draft ordinance amending the General Plan Land Use Map (see attached). Greg explained that now that the zone itself has been established in the Land Management Code, the General Plan Land Use Map must be amended to reflect the new Aspen Meadows Mountain Zone designation in place of the prior Annex Transition designation. Greg noted that the Review Standards and process for amending the General Plan mirror those for the zoning designation change, and that the request meets all applicable standards of review. No questions were raised by Council members.

Motion: Council Member Tidwell moved to adopt ordinance No. 26-005 amending the General Plan Land Use Map for the Aspen Meadows area from Annex Transition to Aspen Meadows Mountain Zone as presented. Council Member Nyen seconded the motion.

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

3. **ZONE DISTRICT MAP AMENDMENT FOR ASPEN MEADOWS MOUNTAIN ZONE.** An ordinance amending the Land Management Code, Chapter 6, Zone District Map from Annexed Transition to Aspen Meadows Mountain Zone.

This item addressed the corresponding amendment to the Zone District Map to reflect the newly established Aspen Meadows Mountain Zone. (See attached draft ordinance).

Motion: Council Member Tidwell moved to adopt ordinance No. 26-006, amending the Town Code, Title 9, Chapter 6 Zone District Map for Aspen Meadows area from Annex Transition to Aspen Meadows Mountain Zone as presented. Council Member Nyen seconded the motion.

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

4. **BLUE JAY WAY ROAD DEDICATION ORDINANCE.** An ordinance dedicating a portion of Blue Jay Way.

Greg Sant, Planning & Building Administrator, introduced a draft ordinance dedicating a portion of Blue Jay Way to the Town (see attached). Greg gave a brief history and purpose of the road dedication. The Timbercrest subdivision was annexed into the Town without a direct road connection to the existing street network; Blue Jay Way was the nearest road. The dedication formalizes the connection between Blue Jay Way and Granite Court, providing official access to the Timbercrest subdivision. This action also accommodates a property owner on Blue Jay Way who wishes to install a waterline and sewer line within the Town's right-of-way.

Bret Howser, Town Manager, provided additional historical context: the original Timbercrest plat had shown a proposed road connection across what was then Forest Service land, but that land has since changed ownership and now has a cabin on it. A subsequent easement was recorded along the existing pavement, but an easement provides less utility than a formal right-of-way, particularly for utilities. The Davies family, who owns the property across which the road passes, cooperated with the Town on converting that easement to a right-of-way. In exchange, the Town is conveying a portion of town-owned Lot 4 to the Davies family so that their lot remains approximately the same size after the dedication. Bret noted this was particularly fortuitous, as it also aligns the full road width with Granite Court.

Discussion touched on the proposed 30-foot right-of-way width, which is consistent with the widths of Blue Jay Way and Granite Court, though narrower than the town's typical 50-foot standard for new subdivisions. Bret noted that the 30-foot width provides adequate lane width and some snow storage capacity, with additional snow storage available on adjacent town-owned property. A written public comment questioning whether 30 feet was sufficient to support traffic for the 43 homes served was acknowledged; Bret affirmed that 30 feet is adequate for two-lane traffic in this context. Council members also briefly discussed the proximity of two existing driveways near the road curve, with Mr. Sant noting that driveway setback standards from intersections are primarily applicable to 90-degree intersections, making the standards less critical in this curved configuration.

Motion: Council Member Freeberg moved to adopt ordinance No. 26-007 dedicating a portion of Blue Jay Way to the Town as presented. Council Member Nyen seconded the motion.

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

5. CONSIDERATION FOR ADOPTION OF A RESOLUTION ESTABLISHING THE TERMS AND CONDITIONS OF THE ISSUANCE OF THE TOWN'S NOT TO EXCEED $777,273 SPECIAL ASSESSMENT BONDS, SERIES 2026 (UNIT 3 ASSESSMENT AREA); AUTHORIZING THE EXECUTION BY THE TOWN OF A MASTER RESOLUTION, A BOND PURCHASE AGREEMENT, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS. A resolution to authorize the sale of the bonds for the Brian Head Unit 3 Special Assessment Area.

Bret Howser, Town Manager, presented a draft resolution for the Special Assessment Bonds for the Brian Head Unit 3 and Elk Drive SAA. Bret explained that the Special Assessment Area (SAA) for Brian Head Unit 3 has completed all prior statutory steps—the SAA was created, the assessment was levied by ordinance, and the Town is now ready to issue bonds. This item and the following item (Elk Drive) are the final Council-level actions required for bond issuance; the Town Manager will then execute the associated master resolutions administratively. Bret noted that the project for Unit 3 is scheduled to begin the following week, making timely bond issuance necessary to maintain the Town's cash position. A question was raised regarding the Town's cumulative outstanding SAA bond balance relative to its $5,000,000 statutory cap; Bret indicated the balance is approximately $2–3 million, taking into account prior payoffs and the significant prepayments received in both the Unit 3 and Elk Drive projects.

Motion: Council Member Freeberg moved to adopt resolution No. 26-567 approving the bonds for the Brian Head Unit 3 and Elk Drive Special Assessment Areas as presented. Council Member Tidwell seconded the motion.

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

6. CONSIDERATION FOR ADOPTION OF A RESOLUTION ESTABLISHING THE TERMS AND CONDITIONS OF THE ISSUANCE OF THE TOWN'S NOT TO EXCEED $323,437 SPECIAL ASSESSMENT BONDS, SERIES 2026 (SPECIAL TAX ASSESSMENT AREA NO. 2024-02 (ELK DRIVE)); AUTHORIZING THE EXECUTION BY THE TOWN OF A MASTER RESOLUTION, A BOND PURCHASE AGREEMENT, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS. A resolution to authorize the sale of the bonds for the Elk Drive Special Assessment Area.

Bret Howser, Town Manager, explained that this is a companion item that addresses bond issuance for the Elk Drive Special Assessment Area. Council Member Nyen asked what would occur if additional prepayments were received; Bret clarified that the prepayment deadline has already passed. Bret also noted that following these two bond issuances, he intends to bring a policy question to the next Council meeting regarding whether the Town wishes to waive impact fees for participants in these SAAs.

Motion: Council Member Nyen moved to adopt resolution No. 26-568 approving the issuance of the bonds for the Elk Drive Special Assessment Area as presented. Council Member Tidwell seconded the motion.

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

7. **OLYMPIC DRIVE / SALT PILE DRIVE GRAVEL ROAD IMPROVEMENT SPECIAL ASSESSMENT AREA PETITION.** A discussion on a petition for a Special Assessment Area for gravel road improvements for Olympic Drive /Salt Pile Drive.

Bret Howser, Town Manager, introduced this discussion item. Petition sponsor Steven James, participating via Zoom, organized neighbors on Olympic Drive and Salt Pile Drive to request a gravel road improvement SAA after watching the town's gravel road improvement program push their roads further back in priority. Bret noted that since the staff report was written, one additional signature had been received, bringing the petition to 60 percent of affected lot owners, meeting the typical threshold.

Bret outlined several policy considerations for the Council, as gravel-road-only SAAs (without an accompanying waterline project) represent a new application of the SAA tool for the town. Bret noted that the proposed project cost of approximately $75,000 is too small to sell as market-rate bonds, so the Town would likely need to self-finance the project in a manner similar to what was done with Steam Engine Meadows Phase 1C, where most property owners paid up front and a small portion was internally financed by the Town.

Additional project benefits identified included improved access to the Town's new Saltpile Well installation and the potential to install power conduit within the road as construction occurs, reducing the cost of future utility work. Bret noted the Town has executed similar conduit-in-road agreements with the power company on other projects (Trail Road and planned for Forest Drive).

Discussion centered on which lots should be included in the SAA boundary. Mayor Calloway raised the question of whether lots at the corner of Olympic Drive and Meadow that could theoretically be accessed from Meadow should nonetheless be included, given that the SAA is for a road improvement rather than utilities. Bret suggested including all lots bordering Olympic Drive within the boundary and allowing the Board of Equalization process to determine the appropriate assessment for each lot based on actual benefit received, consistent with how the town has handled similar situations. Council members agreed this approach was reasonable, avoiding the need to resolve boundary edge cases before moving forward.

Council Member Tidwell and Council Member Nyen both expressed support for the SAA-for-roads concept, viewing it as a productive mechanism for neighbors to collectively improve their roads without placing the full burden on the town. Council Member Cruz echoed support for the approach.

The Council directed staff to move forward, expand the proposed SAA boundary to include all lots bordering Olympic Drive, and return at the next Council meeting with a formal agenda item to accept the petition. Bret indicated he would also need to negotiate attorney's fees separately for this item, as the attorneys typically receive a percentage of bond proceeds and no bonds will be sold in this case. Bret stated the Town may attempt to adapt existing SAA documentation internally to minimize legal costs relative to the modest project size.

No formal action was taken; this item was a discussion. Staff were directed to return at the next meeting with a formal petition acceptance item.

8. FUTURE AGENDA ITEMS. Discussion on potential items for future Council agendas.

Bret Howser, Town Manager, previewed the next Council meeting agenda, noting it will be a substantive session focused on initiating the statutory budget adoption process. Agenda items are expected to include resolutions and public hearing notices related to the tentative budget, the Transportation Utility Fee, statutory officers' compensation, and the property tax Truth in Taxation process—totaling approximately six to seven items on these subjects alone.

Bret explained the new statutory framework: at the first May meeting, the Council will schedule public hearings for the second May meeting on the tentative budget, the TUF, and statutory officers' compensation. A separate public hearing on the property tax increase is required in August and must be the only item on the agenda for that meeting. The Council will adopt an interim budget in June and operate on it through the summer, with the property-tax-related funds sequestered separately until formally adopted following the August public hearing.

Council members asked about the relationship between the public forums held in March and the upcoming statutory process. Bret affirmed that the March forums—which were publicly noticed and held before any formal decision was made—bolster the Town's position that the public was given meaningful opportunity to weigh in prior to the decision being finalized, even though the statutory adoption cannot occur until August.

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 Tidwell, Council Member Nyen, Council Member Cruz, Council Member Freeberg, Mayor Calloway).

The regular meeting of the Town Council was adjourned at 2:38 pm on April 28, 2026.

May 12, 2026
Date Approved

Nancy Leigh, Town Clerk

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