



The Regular Meeting of the
Brian Head Town Council Acting
Brian Head Town Hall – Council Chambers
56 North Highway 143 – Brian Head, UT 84719
www.Zoom.us (Click Here)

Via Zoom Meeting ID# 864 9248 4905

TUESDAY, NOVEMBER 12, 2024 @ 1:00 PM

AGENDA

- A. CALL TO ORDER**
- B. PLEDGE ALLEGIANCE**
- C. DISCLOSURES**
- D. APPROVAL OF THE MINUTES:**
 - 1. October 8, 2024, Town Council Meeting Minutes
 - 2. October 22, 2024, Town Council Meeting Minutes
- E. REPORTS / PUBLIC INPUT ON NON-AGENDA ITEMS.** Public input is limited to three (3) minutes on non-agenda items.
- F. AGENDA ITEMS:**
 - 1. PRESENTATION OF THE PROTEST PERIOD RESULTS FOR THE 2024-01 (RANGER COURT) & 2024-02 (ELK DRIVE) SPECIAL ASSESSMENT AREAS.** Shane Williamson, Town Treasurer.
The Council will consider a resolution for the bonding on the Snowshoe/Toboggan Special Assessment Area.
 - 2. FUTURE AGENDA ITEMS.** The Council will discuss potential items for future agendas.
- G. ADJOURNMENT**

Date: November 8, 2024

Available to Board Members as per Ordinance No. 11-003 authorizes public bodies, including the Town, to establish written procedures governing the calling and holding of electronic meetings at which one or more members of the public board may participate by means of electronic communications. In compliance with the Americans with Disabilities Act, persons needing auxiliary communications aids and services for this meeting should call Brian Head Town Hall @ (435) 677-2029 at least three days in advance of the meeting.

CERTIFICATE OF POSTING

I hereby certify that I have posted copies of this agenda at the following conspicuous locations: the Post Office, The Mall, and the Brian Head Town Hall and have posted copies on the Utah Meeting Notice Website and the Brian Head Town website and have caused a copy of this notice to be delivered to the Daily Spectrum, a newspaper of general circulation.

Nancy Leigh, Town Clerk



STAFF REPORT TO THE TOWN COUNCIL

BRIAN HEAD

ITEM: BUILDING AND PLANNING DEPARTMENT REPORT

AUTHOR: Greg Sant, Building & Planning Official
DEPARTMENT: Administration
DATE: November 12, 2024
TYPE OF ITEM: Informational

BUILDING REPORT:

Building Permits Summary

October 2024 - Issued Building Permits

Additions/Remodels:	1
Single Family Dwellings	3
Minor Alterations	1
Townhomes	0
Utilities:	1
Commercial	0
Total	<u>6</u>

Year To Date Building Permits Summary

YTD Residential	104
YTD Commercial	<u>2</u>
YTD Total	106

Fees Collected for 2024

Residential Permit:	\$ 597,091
Commercial Permit:	<u>\$ 29,443</u>
Total	\$ 626,534

October 2024 total inspections completed: 167

Year to Date total inspections completed: 804

LAND USE REPORT:

Land Use Permits Summary

October 2024 issued Permits

Tree Removal:	3
Grading/Excavation:	1
Trenching/Encroachment:	0
Totals:	<u>4</u>

Year To Date Issued Permits Totals:

Tree Removal:	19
Grading/Excavation	6
Trenching/Encroachment	17
Total	<u>42</u>

October 2024 Land Use Submitted applications:

Conditional Use	2
Lot Line Adjustment	0
Minor Plat Amendment	0
Preliminary Plat	0
Final Plat	0
Vacating ROW or Easement	0
Zone Amendment	0
Total	<u>2</u>

Year to Date Land Use Submitted applications:

Conditional Use	3
Lot Line Adjustment	2
Minor Plat Amendment	7
Preliminary Plat	1
Final Plat	1
Vacating ROW or Easement	1
Zone Amendment	0
Total	<u>15</u>

STAFF REPORT:

There were 6 new building permits for residential construction this quarter. Additionally, there were 4 new permits issued for Tree Removal, Grading and Excavation and Encroachment. Furthermore, we worked on the Construction Mitigation Policy with builders.

Currently, we are working on a Conditional Use Permit revision as well as 2 block wall approval submittals to the Planning Commission.

ATTACHMENTS:



Brian Head Town Council Update

November 1, 2024

Marshal's Office:

October is all ways an interesting month. It's interesting to see what our "new" look to our "shoulder season" is going to look like. This month was busy with a variety of incidents.

Deputy Abbott was able to follow a DUI case through, and pass it onto federal prosecutors. A man was working construction in Brian Head and was found while on patrol to have run off the road. In dealing with this subject, it was determined that this person was under the influence of illicit drugs. While dealing with him it was also determined that this man was out of prison on parole. An interaction with this subject lead marshals to discover more drugs and a firearm. All of this added up to a serious criminal episode which will put this subject into federal prison for an extended period. This is a good example of proactive police work as well as working with our partner agencies in finding and locating offenders. An early morning patrol led deputies to a major arrest of a chronic offender.

Deputy Bettridge has been working with federal agencies (DEA, Prosecutors) as well as with Las Vegas PD to arrest and prosecute a drug dealer(s) who have been found to sell drugs (Fentanyl) through the mail. It is believed that these dealers are responsible for a death/overdose in Brian Head last March. This kind of effort takes a lot of time and coordination. It is our belief that if we can chase these incidents through to the end, we will show a strong stance against this criminal activity in Brian Head. This type of arrest will be classified as a homicide and suspects will face the law on committing such crimes.

Deputies handled a couple of tragic cardiac events where a couple of our guests having prior health issues suffered cardiac arrests. Deputies worked hard to revive and bring the patients back, but in the end, they did not make it. These are challenging for all of us. Dealing with the families and in one incident the patient was from out of state is tough. There is a ripple effect to these incidents that travels through our department and our community. It is comforting to families to know that trained and experienced medical professionals arrived on scene in a timely manner and provided immediate aid in an effort to prolong their loved ones life.

Total Incidents= 85

Fire Inspections- 27

Citizen/ Motorist Assist- 16

Medicals- 4

911/Alarms- 5

Fires- 8

Animal Problem- 1

Agency Assist- 1

Civil- 2

Traffic Accident- 3

Traffic Hazard/Issue- 8

Assault- 1

Suicidal- 1

Trespassing- 1

Unsecure Premise- 1

Burglary- 1

Domestic- 1

Fire Department:

The fire department took advantage of some warmish weather and did some training with the trucks and sprayed some water. “Unmanned” master streams were set up. These types of hose lays are used to protect structures that might be affected by a neighbor’s home on fire. We also use them in hazardous material incidents to cool potentially explosive containers like a propane tank.

We are happy to announce a couple of new volunteer firefighters. Dwayne Nyen and Justice D. are actively engaged with our trainings and recently responded to

their first structure fire. We are happy to have them and welcome them to our team.

We recently took delivery of our new snowcat. This will be a great tool for us in search and rescue. We can also use it to build helicopter landing spots in the backcountry for rescue and patient care.









BRIAN HEAD
PUBLIC WORKS DEPARTMENT UPDATE
November 7th, 2024

Public Works continue to work on planning and preparation for the snow season. Three storms into the season has allowed us to evaluate shifts needed to best suit the needs of the town. Four new employees have come up to speed very quickly and continue to learn. A GIS conference attended by the Director.

The following are updates on the projects assigned to us, as well as self-identified projects.

STREETS

- Plowing continues as needed.
- Blue staking completed for the season. (approx.450 requests)
- The crew continues to haul salt in preparation for snow season.
- Snow markers are being repaired and replaced throughout town. (ongoing)

WATER

- Staff continue to monitor the water system.
- Pump and heater installed in new chlorination building.
- Meters continue to be replaced/repared throughout the system. (ongoing)

SEWER

- Staff continue to monitor the sewer system.

PARKS & TRAILS

- Christmas lights hung on the ski bridge.
- Fallen trees removed from Manzanita trail.
- Christmas lights hung at Bear Flat well house, as well as trees requested.

EQUIPMENT

- Work continues to prep and maintain snow removal equipment.
- Chains have been installed on snow removal equipment.

PUBLIC WORKS MAINTENANCE SHOP

- The breakroom project is complete. Employees have strongly expressed their gratitude for this project being approved.

IN-HOUSE PROJECTS

- Public workers will continue to work on in-house projects and maintain buildings and equipment as needed.

If you have any questions or concerns, please do not hesitate to call.



BRIAN HEAD

STAFF REPORT TO THE TOWN COUNCIL

ITEM: PRESENTATION OF THE PROTEST PERIOD RESULTS FOR THE 2024-01 (RANGER COURT) & 2024-02 (ELK DRIVE) SPECIAL ASSESSMENT AREAS

AUTHOR: Shane Williamson, Town Treasurer
DEPARTMENT: Administration
DATE: November 12, 2024
TYPE OF ITEM: Informational

SUMMARY:

The Council will review the results of the 60-day protest period for the Ranger Court and Elk Drive Special Assessment Areas (SAA).

BACKGROUND:

The Town Council reviewed and accepted petitions to create Special Assessment areas in the Ranger Court and Elk Drive areas in May and June 2024. Subsequently, the Town Council adopted resolutions for the intent to create both areas in August 2024. The adoptions of these two resolutions initiate the official 60-day protest periods beginning on August 27, 2024, and ending on October 26, 2024.

ANALYSIS:

As part of state law requirements, a public hearing is to be held on August 27, 2024, which officially kicked off the 60-day protest period for both the Ranger Court and Elk Drive SAAs. Each parcel owner received a letter in the mail detailing the protest requirements. The deadline for protests was October 26, 2024. As per state law requirements, if the Town receives 40% written protests, then the SAA automatically fails. Each parcel is allowed one protest. That said, the following are the results of the protest period:

Brian Head Town Special Tax Assessment Area 2024-01 (Ranger Court)

Protest Period Summary

The proposed Brian Head Town Special Tax Assessment 2024-01 (Ranger Court) solicited written protests from parcel owners within the area for a period of 60 days, ranging from August 27, 2024, through October 26, 2024. A public meeting will be held on November 12, 2024 at 1:00 PM MST in the Brian Head Town Council Chambers to review the following protests results: 18 lots total in the area, with 1 (one) protest received, totally 5.6% of the area.

Brian Head Town Special Tax Assessment Area 2024-02 (Elk Drive)

Protest Period Summary

The proposed Brian Head Town Special Tax Assessment 2024-02 (Elk Drive) solicited written protests from parcel owners within the area for a period of 60 days, ranging from August 27, 2024, through October 26, 2024. A public meeting will be held on November 12, 2024 at 1:00 PM MST in the Brian Head Town Council Chambers to review the following protests' results: 25 lots total in the area, with 0 (zero) protests received, totally 0% of the area.

The next steps in the process are to have the parcels appraised to ensure that the areas meet the two-thirds coverage requirements (meaning, an assessment of \$30k would require the lot to appraise for \$90k to meet the requirement). Once these appraisals are received, the Town Council will consider the adopting of a resolution that will officially create the Special Assessment Areas. The goal is to have this done in December or early January.

FINANCIAL IMPLICATIONS:

The public hearing has no direct financial implications itself. However, if the SAA proceeds, the Town will issue bonds for the projects which will be backed by assessments placed on each parcel.

BOARD/COMMISSION RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

N/A

PROPOSED MOTION:

No motion. Informational only.

ATTACHMENTS:

A – Protest Letters

**Brian Head Town
PO Box 190068
56 North Hwy 143
Brian Head, UT 84719**

August 19, 2024

To Whom it May Concern,

I am writing concerning the creation of the Special Assessment Area No. 2024-01 (Ranger Court). My name is Ray Inkel and co owner with Susan Baughman of Parcel # A-1143-0001-0010, Lot #3 Block A 949 E. Ridge Top Drive. We have owned this property for over 15 years and spend time with family in the area often.

I am writing in PROTEST of this special tax assesment.

The description of the work to be done is lacking in specificity and does not provide landowners with the information for what the assesment will cover. One sentence in a 5 page document that refers to "Water System Improvements" does not define the scope of work. Does Water improvements and extending water lines also include sewer lines for drainage? Does the extention of water lines include fire hydrant access for emergency fire situations? Does the extending of waterlines and street improvements mean regrading roads? For an assesment of over \$26,000 we deserve to know more about what work will be done.

Plans for the work will be made after the Assesment is put in place. Added "improvements" may drive up costs changing our assesment. I understand in several other previous SAA's that cost overruns have been the normal and residents end up paying more than the original assesment.

If "Water System Improvement" is only water infrastructure and not wastewater/sewer infrastructure it is very unwise. If water is provided to an area the city should take concern with how waste and drainage will happen. Current city codes require new construction to be connected to sewer lines and that no septic systems can be constructed if not already in place and formerly permitted. (Town Code 7-2-3 B). Bringing water to this area without additional sewer asks for contamination of the groundwater and obvious disregard of city regulations. I know that most of the properties in this assesment area do not have any preexisting septic systems. This is unacceptable and a gross oversight by the city if it is intent on protecting its water sources.

Overall we would agree to the SAA if indeed it does address water AND sewer infrastructure. If we will be assessed for future sewer improvements then it would be wise to do all of the work at one time.

This Special Assessment Area was presented before in 2022. At that time I pointed out that the map of affected lots which lists property owners that have agreed to the assesment petition was incorrect. Lot 3 Unit B Block A (949 E. Ridge Top) is marked as a YES but this is our property and we did not agreed to this assesment. This map has not been updated and should be before any more meetings or hearings.

Sincerely

Ray Inkel
Susan Baughman