

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 \(Click Here\)](https://www.zoom.us/j/86492484905)

Via Zoom Meeting ID# 864 9248 4905
TUESDAY, NOVEMBER 12, 2024 @ 1:00 PM

MINUTES OF THE TOWN COUNCIL

Roll Call:

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

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Shane Williamson, Town Treasurer; Chief Dan Benson, Public Safety Director; Ciera Claridge, Deputy Town Clerk.

A. CALL TO ORDER

Mayor Calloway called the regular meeting of the Brian Head Town Council to order at 1:00 pm on November 12, 2024.

B. PLEDGE ALLEGIANCE

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

C. DISCLOSURES

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:

1. October 8, 2024, Town Council Meeting Minutes

Motion: Council Member Tidwell moved to approve the October 8, 2024, Town Council Meeting Minutes. Council Member Marshall seconded the motion.

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

2. October 22, 2024, Town Council Meeting Minutes

Motion: Council Member Marshall moved to approve the October 22, 2024, Town Council Meeting Minutes. Council Member Tidwell seconded the motion.

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

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 the annual Community Input Forum is scheduled for December 10, 2024, at 6:00 pm at the Town Hall Council Chambers.

Council Member Tidwell

1. The annual Holiday Lighting Project is now complete. Council Member Tidwell reported that in the last Council meeting he recognized people who donated to the lighting project financially. He would also like to recognize those individuals who donated their time and labor: Brian Head Public Works, Bristlecone Building, Cedar Breaks Lodge, General Store.
2. He contacted Greg Gordon, Iron County Today Newspaper, about the Nutcracker Ice Las Vegas event that is scheduled for December 14th and 15th 2024 at the Brian Head Ice Rink located adjacent to The Mall. There will be two shows that are free to the public. Santa Clause will be there along with a bonfire and smores for the public. Council Member Tidwell encouraged the public to attend the event.
3. Council Member Tidwell reported he encouraged Mr. Gordon, Iron County Today Newspaper, to contact the Town Clerk for a list of events for the Town's 50th anniversary celebration. Council Member Tidwell reported that in speaking with Mr. Gordon, he informed him of some of the events for the 50th anniversary celebration.
4. Thanked Flint Decker, Aspen Meadows Development Manager, for the tour of Aspen Meadows along with those who participated in the tour.

Council Member Ricks

1. thanked those who participated in the annual Holiday Lighting Project. Council Member Ricks reported that it was a wonderful sight to see when coming into town .
2. Thanked Flint Decker, Aspen Meadows Developer, for the tour he provided for the Council last week and keeping the Council informed of the development in Aspen Meadows.

Shane Williamson, Town Treasurer, reported that Greg Sant, Planning Administrator, passed his residential building inspection test and is now certified for residential building inspections.

F. AGENDA ITEMS:

1. **PRESENTATION OF THE PROTEST PERIOD RESULTS FOR THE 2024-01 (RANGER COURT) & 2024-02 (ELK DRIVE) SPECIAL ASSESSMENT AREAS.** A resolution for the bonding on the Snowshoe/Toboggan Special Assessment Area.

Shane Williamson, Town Treasurer, presented the results of the Elk Drive and Ranger Court Special Assessment Areas protest period results (see attached). Shane reported that the Council held a public hearing for both SAAs on August 27, 2024, which began the 60-day protest period which ended on October 26, 2024.

Shane presented the following protest results:

Ranger Court Special Assessment Area Protest Results:

The Town received one (1) official protest which resulted in a total of 5.6% protest for the Ranger Court SAA. Shane reported that each lot within the SAA boundary is allowed one protest. Two letters were received from two owners of one lot, which counted as one protest.

Elk Drive Special Assessment Area Protest Results:

There were no official protests received for the Elk Drive SAA, which resulted in a zero percent (0%) protest for this SAA.

Shane reported that both SAAs have passed the legal requirements for the area and staff are currently working with an appraiser for an appraisal of the lots. Once this is completed, the Council will consider a Notice to Create resolution for each SAA.

Shane reported that the Council will not need to take action at this time since the only requirement is to present the protest results.

The Council discussed the following:

1. Both SAAs are identified as a category "B" for the Fire Mitigation Map.
2. Council Member Tidwell inquired if the properties would meet the 4:1 ratio value on the properties since category "B" requires a 4:1 according to the Town's SAA Policy. Shane reported that state statute requires a 3:1 value but will verify with the Town Attorney to determine if the Council proceeds with the 4:1 value if there will be any legal ramifications.
3. Council Member Tidwell commented that the current SAA Policy could be in conflict with the State Code and if it is determined by the Town Attorney, then the Council will need to amend the current SAA Policy.
4. Janelle Cassel, Elk Drive SAA Sponsor, reported there is one lot that is one-fourth of an acre located on Elk Drive and if the Council decides to apply the 4:1 value, it is likely that property would not qualify, and the Town could end up with a lot of properties that could not meet the qualifying value for an SAA.
5. Bret reported that state statute requires a 3:1 value, it is the Town's requirement for a 4:1 value for this area and the Council has the authority to implement it, but they also have flexibility as well.
6. Janelle Cassell inquired if it would help the Elk Drive SAA to pass if a few property owners were willing to pay their assessment in full. Bret responded that it would be better to reduce the total amount of the SAA since whatever is borrowed is a risk to the Town.
7. Council Member Tidwell commented that the Council would take that into consideration.

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

The Council did not address this item.

G. ADJOURNMENT

Motion: Council Member Tidwell moved to adjourn the regular meeting of the Brian Head Town Council for November 12, 2024. Council Member Marshall seconded the motion.

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

The regular meeting of the Brian Head Town Council was adjourned at 1:14 pm on November 12, 2024.

December 10, 2024

Date Approved


Nancy Leigh, Town Clerk

