



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# 810 5169 3864
TUESDAY, OCTOBER 22, 2024 @ 1:00 PM

MINUTES OF THE TOWN COUNCIL

Roll Call.

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

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Shane Williamson, Town Treasurer; Amanda Hunter, Code Enforcement; Deputy Marshal Danny Abbott.

A. CALL TO ORDER

Mayor Calloway called the regular meeting to order at 1:00 pm on October 22, 2024.

B. PLEDGE ALLEGIANCE

Mayor Calloway led the Council and others with 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. September 10, 2024, Town Council Meeting Minutes

Motion: Council Member Ricks moved to approve the September 10, 2024, Town Council 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 Freeberg, Council Member Marshall, Council Member Ricks. **Abstain:** Council Member Tidwell, who was not present for the meeting).

2. September 10, 2024, Town Council Closed Meeting Minutes

Motion: Council Member Marshall moved to table the September 10, 2024, Town Council Closed Session Minutes. Council Member Tidwell seconded the motion.

Action: **Motion carried 4-0-1 (summary: Yes = 5 Vote: Yes:** Mayor Calloway, Council Member Freeberg, Council Member Marshall, Council Member Ricks. **Abstain:** Council Member Ricks, who was not present for the meeting).

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

Council Member Marshall reported the Holiday Lighting committee will be installing the lights on November 1, 2024, and are asking for volunteers to assist with the lighting of the Town. Lunch will be provided for participants, and we are asking everyone to meet at 10 am at the Town Pavilion.

Flint Decker, Aspen Meadows, presented a check for the Holiday Lighting during the report.

Council Member Tidwell reported that Amanda Hunter, Code Enforcement, has done an excellent job in working with the local businesses to collect donations for the Holiday Lighting Program. The Town received \$3,500 from local businesses who contributed donations for the Town's Holiday Lighting program. Council Member Tidwell recognized the following local businesses as contributors:

- Brian Head General Store, Brian Head Resort, Aspen Meadows Development, Pizano's Pizzeria, Rosela's Mexican Restaurant, Georg's Ski Shop, Brianhead Sports, and Cedar Breaks Lodge donated with seven volunteers to assist in the installation of the lights. Council Member Tidwell reported that sponsors will receive a window sticker recognizing them for their generous donations.

Council Member Tidwell reported that the deer and trees are now completed at the Bearflat Pumphouse and the wayfinding signage along the highway should be completed this week. Council Member Tidwell reported that the committee chose colors that could be lit up year-round.

Bret Howser, Town Manager

1. The Town has set the closing date for the Division of Drinking Water Bonds for November 6, 2024, and November 14, 2024.
2. Aspen Meadows is offering a tour of their development on Friday, October 25, 2024. Those interested in going on the tour will need to meet at the Town Hall at 2:00 pm on October 25, 2024.
3. Trail work in the Aspen Meadows area will be one of the highlights of the tour of Aspen Meadows. The trail was previously known as the Scout Loop Trail. Crews will be working on the trail, weather permitting and a grand re-opening celebration will be scheduled for the summer 2025. Discussion took place on the Crooked River project where the trail crosses and the issue with the land sliding on the back portion of the new buildings. Bret explained that the area is not actively sliding and the footbridge that is located further south of Crooked River will be repaired as well.
4. Reminded the Council of the Town's Holiday party scheduled for November 15, 2024, from 6 – 9 pm and will be at Big Shots in St. George. Those who have not RSVP, please do so as soon as possible.
5. Spring Circle Special Assessment Area (SAA): Bret reported Jon Ficken, Public Works Director, Shane Williamson, Town Treasurer, and himself met with Rhett from Alpha Engineering about possible options for the SAA. The engineer will submit some options, and the costs associated with it. Staff researched funding options from the Division of Drinking Water and found that it is not an option at this time. One of the issues was there are no cabins/homes located within the SAA area.

1 **Shane Williamson, Town Treasurer**, reminded the Council to complete the Fraud Questionnaire
2 from the Town's Auditor. The Council can either complete the questionnaire electronically or a
3 physical copy is available as well.
4

5 **Amanda Hunter, Code Enforcement**, presented a Code Enforcement Report from May through
6 September 2024 (see attached). Amanda reported there are some individuals that staff are
7 working on to ensure they are in the process of becoming compliant. Council Member Tidwell
8 inquired about camping and if the number of violations reduced from the prior year. Amanda
9 reported that camping has dramatically decreased since last year.
10

11 **Chief Dan Benson, Public Safety Director**

- 12 1. The Resort will be burning slash piles and will have their snowmaking crews monitor the
13 burning once the clearing index allows.
- 14 2. The department has received grants over the years, and one new grant that has been
15 received is for an exhaust removal system for the Public Safety Building.
- 16 3. The department receiving a snocat (groomer) next week, the snowcat is from an OHV
17 grant from Utah Outdoor Recreation along with an extremely generous donation from a
18 private individual. The snocat will be used for rescue efforts and to pull vehicles off the
19 snowmobile trail. Mayor Calloway requested staff to draft a letter to the individual
20 thanking them for their generous donation.
- 21 4. Deputy Marshall Abbott has just finished a grant for wildland fire gear that the
22 department is anticipating receiving. Another grant was for a new compressor for the
23 SCBAs that the department has.
24

25 **Council Member Freeberg** reported on an article that identifies Brian Head as one of the ten best
26 ski resorts and reported that winter homes are still affordable with a medium home price of
27 \$283,000.
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29 **Dwayne Nyen**, Property Owner on Trail Road, thanked the staff who is overseeing the building
30 boom in Town even with the recent staff turnover. Trail Road is one-third (1/3) completed and
31 encouraged the Town to ensure that the equipment and materials are out of the road in order to
32 plow the road adequately this winter.
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35 **F. AGENDA ITEMS:**
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- 37 1. **A RESOLUTION AUTHORIZING THE \$604,060 TOWN OF BRIAN HEAD, UTAH**
38 **TAXABLE SPECIAL ASSESSMENT BONDS, SERIES 2024 (SPECIAL ASSESSMENT**
39 **AREA NO. 2023-1 SNOWSHOE-TOBOGGAN (THE "BONDS"), PROVIDING FOR THE**
40 **CONTINUANCE OF A RESERVE FUND AS PROVIDED BY STATUTE; AND RELATED**
41 **MATTERS.** A resolution for the bonding on the Snowshoe/Toboggan Special Assessment Area.

42 Shane Williamson, Town Treasurer, presented a draft resolution authorizing the issue of
43 bonds for the Division of Drinking Water (DDW) (see attached resolution). Shane reported
44 that the bonds are for the Snowshoe/Toboggan Special Assessment Area and the Special
45 Assessment Bond is a zero percent interest rate. The original bonding was approximately
46 \$604,060. Shane reported that it is important to note there are two other funding sources from
47 DDW Board: a grant for over \$500,000 and a direct grant from DDW for \$279,000. The Town
48 contributed \$375,000 towards the sewer improvements in the area and the bonds are
49 scheduled to close November 6, 2024. Shane requested the Council approve the resolution.

- 1 **Motion:** Council Member Marshall moved to adopt resolution No. 24-551, a resolution
2 authorizing \$604,060 for the Town of Brian Head Taxable Assessment Bonds,
3 series 2024 as presented. Council Member Tidwell seconded the motion.
4 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Council Member Marshall,
5 Council Member Tidwell, Council Member Freeberg, Council Member Ricks,
6 Mayor Calloway).

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9 **2. BRIAN HEAD TOWN'S 50TH ANNIVERSARY CELEBRATION UPDATE.** An update
10 for the upcoming 50th anniversary celebration events in 2025.

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12 Nancy Leigh, Town Clerk, reported the Town will hold its 50th Anniversary celebration events
13 in two separate venues. The first venue will be from March 12th through the 15th, 2025 and will
14 include some of the following activities:

- 15 1. A Skijoring event, snow sculptures, cross-country ski tour, snowshoeing tour,
16 snowmobile tours, bands, and fireworks for March 12th itself when the Town turns
17 fifty. There will also be a special luncheon for residents and those individuals who
18 have been a part of Brian Head. The mayor will give a speech along with some other
19 individuals who had an impact on Brian Head.
20 2. The second venue is from July 24 - 26, 2025 and will include a lumberjack
21 competition, fishing derby where there will be fish with golden tags and prizes,
22 cowboy poetry & smores at the park, car show, planting 50 trees for Arbor Day and
23 those participating will receive a special spade identifying the 50th anniversary, along
24 with bands and fireworks to finish off the event.

25
26 The Council discussed the following:

- 27 1. Council Member Tidwell suggested staff research using a light show with drones instead
28 of fireworks for the July venue.
29 2. Mayor Calloway commented that if the light/drone show is a success it could be used for
30 future fireworks shows when there is a high danger of fire.
31 3. Volunteers will be needed to assist with the multiple events happening during the 50th
32 celebration.
33 4. Council Member Ricks suggested as part of the merchandise that will be available for
34 sale, that staff consider beanies in the winter and hats for the summer events.
35 5. Nancy reported that volunteers will receive a T-shirt and souvenirs for their
36 participation.
37 6. Council Member Ricks reported that he can assist with bands since he is in a classic rock
38 band.
39 7. Nancy reported that banners along with a sign on the entryway sign will be throughout
40 the town during the year.

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43 **3. SPECIAL ASSESSMENT AREA POLICY AMENDMENT.** A resolution for an amendment
44 to the Special Assessment Area Policy

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46 Bret Howser, Town Manager, presented a draft resolution amending the Special Assessment
47 Area Policy (see attached). Bret reported that during a previous Council meeting, a resolution
48 was presented but had different changes than what he identified. Bret reported the draft
49 policy shows changes either in red font or blue font. Some of the main changes are a 60%
50 requirement for a petition.
51

Council Member Tidwell inquired about the term of ten years and currently the interest rate is at 8%. Bret explained that he believes the Town can receive a better rate on municipal bonds.

Motion: Council Member Marshall moved to adopt resolution No. 24-552, a resolution amending the Special Assessment Area Policy as presented. Council Member Ricks 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).

John Stark, resident, inquired as to whether an SAA had consent and waiver for 100% of the property owners if the Council would lower the fire mitigation risk to an automatic 3:1 value (improvements vs. value of property). Bret explained that the tier in the fire mitigation is related to the risk for the Town. If there is more benefit for the Town, then the Town would be ready to take on the risk of a SAA. If there is 100% of the property owners in support of a SAA, it would reduce the risk significantly and it would make sense to consider the "B & C" area to mitigate the risk. Bret explained that the Town could move forward and would not need to be stated in the SAA policy.

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

November 5, 2024, Planning Commission tentative agenda items:

1. Conditional Use Permit (CUP) amendment for 339 Spruce Drive for a snow removal company.
2. Conditional Use Permit for 141 Mountain View Drive for a snow removal company.
3. Two retaining wall reviews. Staff are waiting on applications for the two retaining wall reviews.

November 12, 2024, Town Council Meeting tentative agenda items.

1. Ranger Court and Elk Drive SAA Notice of Creation Resolution.
2. Construction Mitigation Policy

G. ADJOURNMENT

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

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

The regular meeting of the Brian Head Town Council was adjourned at 1:40 p.m. on October 22, 2024.

November 12, 2024

Date Approved

Nancy Leigh

Nancy Leigh, Town Clerk