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)](www.Zoom.us)
Via Zoom Meeting ID# 833 7882 3120

TUESDAY, JULY 11, 2024 @ 1:00 PM

AGENDA

A. CALL TO ORDER

B. PLEDGE ALLEGIANCE

C. DISCLOSURES

D. APPROVAL OF THE MINUTES:

June 11, 2024, Town Council Meeting

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

F. AGENDA ITEMS:

1. **HIDDEN SPRINGS PREMILARY PLAT APPROVAL.** Lester Ross, Building & Planning Official. The Council will review the Preliminary Plat for the Hidden Springs Subdivision.

2. **A RESOLUTION DECLARING THE INTENTION OF THE TOWN COUNCIL OF THE TOWN OF BRIAN HEAD, UTAH, FOR WATER SYSTEM IMPROVEMENTS AND RELATED IMPROVEMENTS FOR THE RANGER COURT AREA OF THE CEDAR BREAKS MOUNTAIN HOMESITES, UNIT B, BLOCKS A, B & C SUBDIVISON; TO DESIGNATE OR CREATE THE TOWN OF BRIAN HEAD, UTAH SPECIAL TAX ASSESSMENT AREA NO. 2024-01 (RANGER COURT); TO FUND THE COST AND EXPENSES OF SAID ASSESSMENT AREA BY SPECIAL TAX ASSESSMENTS TO BE LEVIED AGAINST THE PROPERTY BENEFITTED BY SUCH IMPROVEMENTS; TO PROVIDE NOTICE OF INTENTION TO AUTHORIZE SUCH IMPROVEMENTS AND TO FIX A TIME AND PLACE FOR PROTESTS AGAINST SUCH IMPROVEMENTS OR THE CREATION OF SAID ASSESSMENT AREA; TO DECLARE ITS INTENTION OF FUNDING A RESERVE FUND IN LIEU OF A GUARANTY FUND; AND RELATED MATTERS..** Shane Williamson, Town Treasurer. The Council will consider a resolution adopting the Ranger Court Special Service Area Notice of Intent for water system improvements.

3. **A RESOLUTION DECLARING THE INTENTION OF THE TOWN COUNCIL OF THE TOWN OF BRIAN HEAD, UTAH, FOR WATER SYSTEM IMPROVEMENTS AND RELATED IMPROVEMENTS FOR THE ELK DRIVE AREA OF THE CEDAR BREAKS MOUNTAIN ESTATES, UNIT C SUBDIVISON; TO DESIGNATE OR CREATE THE TOWN OF BRIAN HEAD, UTAH SPECIAL TAX ASSESSMENT AREA NO. 2024-02 (ELK DRIVE); TO FUND THE COST AND EXPENSES OF SAID ASSESSMENT AREA BY SPECIAL TAX ASSESSMENTS TO BE LEVIED AGAINST THE PROPERTY BENEFITTED BY SUCH IMPROVEMENTS; TO PROVIDE NOTICE OF INTENTION TO AUTHORIZE SUCH IMPROVEMENTS AND TO FIX A TIME AND PLACE FOR PROTESTS AGAINST SUCH IMPROVEMENTS OR THE CREATION OF SAID ASSESSMENT AREA; TO DECLARE ITS INTENTION OF FUNDING A RESERVE FUND IN LIEU OF A GUARANTY FUND; AND RELATED MATTERS.** Shane Williamson, Town Treasurer. The Council will consider a resolution adopting the notice of intent for the Elk Drive Special Assessment Area for water system improvements.

4. **SPRING CIRCLE SPECIAL ASSESSMENT AREA PETITION.** Shane Williamson, Town Treasurer. The Council will consider an SAA petition for Spring Circle for Water System Improvements.

5. **GENERAL FINANCE MANAGEMENT POLICY AND PROCEDURES.** Nancy Leigh, Town Clerk. The Council will consider a resolution for the General Finance Management Policy & Procedures.

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

G. ADJOURNMENT

Date: July 10, 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: Lester Ross, Building & Planning Official
Department: Administration
Date: July 9, 2024
Type of Item: Informational

Monthly Building report:

Building Permits Summary

May and June Issued Building Permit:

Additions/Remodels:	2
Single Family Dwellings:	7
Townhomes	4
Utilities:	2
Commercial	1
Total	16

Year To Date Building Permits Summary

YTD Residential	21
YTD Commercial	2
YTD Total	24

Fees Collected for 2023-2024

Residential Permit:	$ 190,593.17
Commercial Permit:	$ 12,074.83
Total	$ 202,668.00

May and June Plan Reviews

Residential Permits:	11
Commercial Permits:	0
Total:	11

Year To Date Plan Reviews:

Residential Permits:	22
Commercial Permits:	2
Total:	24

February total inspections completed:	88
Year to Date total inspections completed:	159

Land Use Report:

Land Use Permits Summary May and June issued Permits

Tree Removal:	2
Grading/Excavation:	2
Trenching/Encroachment:	1

Minor Alterations:	8
Totals:	13

Year To Date Issued Permits Totals:

Minor Alterations	8
Tree Removal:	3
Grading/Excavation	2
Trenching/Encroachment	2
Total	15

May and June Land Use Submitted applications:

Tree Removal:	6
Grading/Excavation	3
Trenching/Encroachment	1
Conditional Use	0
Lot Line Adjustment	0
Minor Plat Amendment	2
Preliminary Plat	0
Final Plat	0
Vacating ROW or Easement	0
Zone Amendment	0
Total	12

Year to Date Land Use Submitted applications:

Tree Removal:	8
Grading/Excavation	4
Trenching/Encroachment	1
Conditional Use	1
Lot Line Adjustment	0
Minor Plat Amendment	6
Preliminary Plat	1
Final Plat	1
Vacating ROW or Easement	1
Zone Amendment	0
Total	25

STAFF REPORT:

May and June have been a busy time in Brian Head the Constitution has started off with boom for this year. We have 21 new homes starting this year so far and there are more to come. We also have been working on the Hidden Springs subdivision, Land management Code updates and updating the subdivision ordinance to meet state law.

I would like to thank the Mayor, Town Council and all the staff in Brian Head for making my time here so wonderful. It was a hard decision that I made to leave, and I am going to miss working with you and in this wonderful Town. Thank you for all your support.

Brian Head Town Council Update

July 1, 2024

Brian Head Public Safety has had a good start to our summer season. We have been busy with our usual wide variety of incidents. But we have not been as busy with the number of cases pulled as the past few years have shown. This has left us a greater ability to stay more proactive and to be out patrolling the town and being very visible.

Sergeant Guymon was coming up the mountain on his day off and came upon a car fire. His quick response was timely, and we were able to get the right type of fire resources on scene. Sergeant Guymon called the deputy on duty and advised him of the scene. The concern was the trees and vegetation around the car fire. It was apparent that the car was going to be a total loss, but the threat of having a forest fire was great. Deputies and firefighters arrived and were able to contain the fire to only the vehicle.

Deputy Dunlap had a disorderly subject that was trying to break into a family condominium. He was found yelling and had broken glass out of a firehose standpipe in the hallway. Deputy Dunlap diffused the scene and after doing some first aid and then getting hospital clearance booked the subject on numerous charges associated with his conduct.

Deputy Mathews spent a couple of hours trying to catch up to a wild brumby (sheep herders' horse) that was running all through the town. He was able to finally get a rope on it. He tied it up and we watered it for a day before finding the owner and getting it back to the sheep herd.

We had a total of 57 incident reports for June. Of those 57, 13 were fire inspections and 9 were motorist assists. We did work a couple of reckless driver cases, a DUI, a couple of domestics, and a large variety of other call.


MARSHAL
BRIAN HEAD


BRIAN HEAD
FIRE DEPT

STAFF REPORT TO THE TOWN COUNCIL

BRIAN HEAD

ITEM: **PRELIMINARY PLAT REVIEW – HIDDEN SPRINGS**

AUTHOR: Lester Ross
DEPARTMENT: Administration
DATE: July 11, 2024
TYPE OF ITEM: Administrative Action

SUMMARY:

The Town Council will review the Preliminary Plat proposed by Ammil Development for Hidden Springs for a new multifamily town home subdivision on Pine Tree way.

BACKGROUND:

-On September 14, 2023, staff received an application for a Schematic Plan review for a new subdivision on four un-subdivided parcels on Pine Tree Way between Copper Chase, Elevate and Pine Tree Condos and along the east side of Pine Tree Way. These parcels are currently zoned R-3 Multi-Family Residential.

-On April 24, 2024, staff received an application for a Preliminary Pat for the Hidden Springs .
-On May 21, 2024, the Planning Commission held a public hearing and discussion for the Hidden Springs subdivision. Some of the public comments were

- Parking and Access to A-frame cabins
- Slope of Road A and C
- Storm water storage and Landside possibility
- Access to Pinetree condos during construction
- Removal of trees
- Land stability
- ADA compatible units
- Unit 38 parking and access
- Tree removal between unit 38 and Snowshoe Condos
- Turn around
- Building placement
- Parking and trespassing
- Snow removal and parking
- Trash for Phase 1
- Construction and equipment trespassing
- Increase traffic
- Snow storage

-On June 4, 2024, the Planning Commission held a discussion and voted to recommend approval of the Hidden Springs subdivision with the following conditions.

1. The slope at the intersections of Road A and Road B be 4% or less and not more than 10%for the first 200 feet.
2. Plans will show snow storage for parking areas
3. A dumpster location and enclosure will be added to the plans for Phase 1
4. Utility and construction easement will be determined, and proof of legal access will be provided before the approval of final plat.

-On June 11, 2024, the Town Council held a discussion and tabled the Hidden Springs Subdivision due to a noticing error on the June 4th Planning Commission meeting that was not properly posted on the State Public Notice Website. The Council remanded the Preliminary Plat back to the Planning Commission with the following items to be addressed by the Commission added the following items before the final plat and the approval of the development agreement.

1. Grading plan will need to include elevation for the building pads of lots 38 – 45
2. The parking lot will need to be paved unless approved by Planning Commission for a gravel surface.
3. Lots 41 -45 will need to meet the 25' setbacks.

The Council proposed, as part of the Development Agreement, that Ammil will provide parking next to the A frame units in exchange the Town will vacate 15 feet of the road easement allowing for lots 41-45 to meet the 25' setback requirements.

-On June 18, 2024, the Planning Commission reviewed the additional recommendations from the Council and voted to recomend approval of the Hidden Springs Subdivision with the following conditions.

1. The slope at the intersections of road A and Road B be 4% or less and not more than 10%for the first 200 feet.
2. Plans will show snow storage for parking areas
3. A dumpster location and enclosure will be added to the plans for Phase 1
4. Utility and construction easement will be determined, and proof of legal access will be provided before the approval of the Final Plat.
5. Grading plan will need to include elevation for the building pads of lots 38 – 45
6. The parking lot will need to be paved (unless approved by Planning Commission for a gravel surface.)
7. Lots 41 -45 will need to meet the 25' setbacks

On June 25, 2024, the Town Council held a discussion and voided to table the Hidden Springs subdivision asking the Developer to address the following concerns.

1. Needed parking for Units 38 – 45 on the same side of Pine Tree Way as the units are.
2. Units 41 – 45 needs to meet the required setbacks
3. Parking area needs to be paved
4. Road A and Pine Tree Way intersections.

ANALYSIS:

The following are the Standards for Review for a Preliminary Plat:

1. Purpose: The purpose of the preliminary plat is to review and resolve most of the technical details of the subdivision design in order to minimize changes and revisions which might otherwise be necessary on the final plat. The preliminary plat, and all information and procedures relating thereto, shall in all respects be in compliance with the provisions of this title and any other applicable ordinances.
2. Standards For Review: The applicant shall demonstrate that:
    a. Compliance with Schematic Plan: The proposal does not significantly deviate from the schematic plan insofar that the schematic plan was consistent with local ordinances and state statute. Water: The proposed water distribution system is connected to the Town's water system and meets the requirements of the Town; (2010 Code, amd. ord. 15-004, 4-28-2015)
        i. Schematic plan standards For Review: The applicant shall demonstrate that:

1. The proposed subdivision conforms to the Town General Plan, zoning regulations, Public Works Standards, Design Standards chapter 12 and other relevant sections of this title.
    a. The proposed subdivision (Townhomes and multi-family) is consistent with the existing zoning R 3 and the underlying General Plan Map and provisions.
    b. Zoning Regulations – The proposal seems consistent with the provisions of R 3 zone in Chapter 9-7-3 of the LMC with the following exceptions:
        i. Front setbacks along Pine Tree Way need to be a minimum of 25'
            1. The Town is working with the developer on removing part of the Road easement and making it a trail easement and then they will have the need 25 foot setback.
        ii. Maximum building coverage Buildings and developed area for the project will be 16.33% of the project area
        iii. Minimum landscaping, Landscaped area and undeveloped area will be 83.67% of the project area.
        iv. There will be an HOA for the development.
2. Design Standards – The proposal seems consistent with the provisions in Chapter 9-12 of the LMC with the following exceptions:
    a. Hazardous Site Conditions- The design of the subdivision has addressed site conditions.
        i. Due the slope on the northeast side of Pine Tree Way Ammil Development is working with the Town on the setbacks for units 41 though 45. It has been proposed to vacate 16 feet of the Pine Tree road easement making it 50 foot that meets Town standards and then creating a 16 foot Trail easement along the side of the road with a paved walking trail. This would allow them to place the cabins so they do not go so fare into the slope of the hill.
    b. Drainage – A Drainage plan has been submitted and has been reviewed by public works and the Town Engineer.
        i. Underground Stormtech system will be installed under paved parking lot to handle storm runoff from the roads on site.
    c. Centrally Located Facilities – the development does not appear to have any recreation facilities.
    d. Access- All the lots have access to open space trails in the subdivision.
    e. Trails and open space Access-there are several trails planned as part of the subdivision there will be a paved

Trail along Pine Tree aWy and improved trails throughout the subdivision.

f. Extension of Infrastructure- the prosed infrastructure has been reviewed and approved by Public Works and the Town Engineer. It will not be reared for them to extend the infrastructure past the development as they are in the middle of existing developments.
g. Maintenance of Common Facilities- there is an HOA and CC&R that will maintain the Common owned areas roads, water lines, sewer lines and trails.
h. Layout- Staff has reviewed the layout and is wanting feedback from the Planning Commission.
i. Development Design- the development as considered the efficiency of the public and private utilities in the subdivision.
j. Preservation of features- 83% of the project area will be landscaped or undeveloped.
k. Placement of buildings- - Staff has reviewed the building placement and is wanting feedback from the planning commission.
l. Removal of hazardous materials. The defensible space will be required and reviewed with the building permits for the structures and subdivisions.
m. Building placement- Staff has reviewed the building placement and is wanting feedback from the planning commission.

3. Water: The proposed water source is connected to the Town's water distribution system and has adequate supply, capacity, and method of distribution within the subdivision. (2010 Code, amd. ord. 15-004, 4-28-2015)
   a. The Water system has been reviewed by public works and the Town engineer, and the rough design has been approved.
4. Sewer: The proposed sewage system is connected to the Town's sewer system and meets State and Town standards and regulations. (2010 Code, amd. ord. 15-004, 4-8-2015)
   a. The Sewer system has been reviewed by public works and the town engineer and the rough design has been approved.
5. Fire Protection: The proposed method for fire protection complies with this title and other regulations as applicable.
   a. Public safety as reviewed the road layout and the locations of the fire hydrant and the design has been approved.
6. Appropriate Use: The proposed uses for the property are appropriate to the zone district and the layout/design is responsive to the constraints of topography, soil types, geologic

hazards, watercourses and floodplains, visual impacts, and preservation of views.

  a. Staff has reviewed the building placement and is wanting feedback from the planning commission.

7. Public Services: Adequate public services are available to meet the needs of the proposed subdivision, including roads, water, sewer, storm water, gas, electric, telecommunications, trails, transit, snow storage areas, police and fire protection, and recreation. If adequate services do not exist at the time of application, provision must be made for expansion of services concurrent to the subdivision development at the expense of the subdivider.

a. Public Works Standards
   i. Roads
      1. Pine tree way Road A, B, and C will be paved and meet the Public Works Standards.
      2. The turnaround area between Road A and C has been reviewed and approved by Public Safety and meets the fire turnaround requirements.
      3. The easement of Pine Tree Way has been questioned at the intersection of Road A and Pine Tree way.
   ii. UDOT- A traffic study has been done for the development and no mitigations are recommended at this time for the intersections of Ridge View Street and SR 143.
   iii. Snow Storage- Snow storage is addressed on sheet 4 and has been reviewed by staff.
   iv. Trash Enclosures – There will be 3 dumpsters within a trash enclosure between road A and B. Dumpster locations will need to be address for Phase 1 until Phase 2 is complete.
   v. Public utilities – utilities have been reviewed by Public Works and the Town Engineer.
   vi. Storm water – Storm water has been reviewed by Public Works and the Town Engineer.
   vii. Gas, electric, and telecommunications - Applicant should submit preliminary plat to Rocky Mtn. Power and Dominion Energy to ensure sufficient service from those entities.
   viii. Mail, Police/Fire and Recreation services all appear to be sufficient for the proposal.

Public Comments notes

- Parking and Access to A-frame cabins
  - Town Code allow parking to be up to 500 feet away from the dwelling 9-12-15 E
- Slope of Road A and C
  - Max slope at Intersections is 4% and then 10% for the first 200 feet max slope of 12% on the Road 9-12-11 B
    - Developer will need to address slope of road at intersections of Road A and B at Pine Tree way.
- Storm water storage and Landside possibility

  - Storm water and storage is being reviewed by the Engineer
- Access to Pinetree condos during construction
  - The developer is required to have a traffic control plan before the start of construction on pine tree way
- Removal of trees
  - The development is within Town Standards
- Land stability
  - Geo report was submitted with the Preliminary plat and is part of the Engineers review process.
  - Landslides and land instability is always a possibility with any development.
- ADA compatible units
  - ADA compatible units are not required for single family and multi-family town-home units.
- Unit 38 parking and access
  - Town Code allow parking to be up to 500 feet away from the dwelling 9-12-15 E
  - The access is not ideal
- Tree removal between unit 38 and Snowshoe Condos.
  - The Town Code requires all trees to be removed within 10 feet of the building. The side setback must be a minimum of 20′ that will allow for 10 feet of trees along the property line between unit 38 and Snowshoe Village
- Turnaround
  - The turnaround between road A and C is a tee or hammerhead turnaround and has been reviewed and approved by public safety.
- Building placement
  - 9-12-3 K. and M address building placement commission will need to review the requirements and decide if the subdivision meets the requirements.
    - Staff has reviewed the building placement
- Parking and trespassing
  - Town Code allow parking to be up to 500 feet away from the dwelling 9-12-15 E
  - The access is not ideal
- Snow removal and parking
  - The snow storage plan is sheet 4 and has shown the snow storage locations
  - Snow storage for the parking area will need to be shown on the plans.
- Trash for Phase 1
  - A dumpster location will need to be added for phase 1 ideally by the parking area
- Construction and equipment Trespassing
  - Ammil Development has provided a copy of the deed that gives the a road easement and on the Pine Tree condominiums it refers to the road and utility easements.
  - The use and access to the easement is being disputed and the Town will not make any stand on this issue until it has been worked out between the parties.
  - The use and access will need to be determined and will be reviewed by the Towns attorney before the final plat can be approved.
- Increase Traffic
  - Yes, this development will increase the traffic in the area.
- Snow Storage

    - The snow storage plan is sheet 4 and has shown the snow storage locations
- Environmental Impact study
    - The Town Code does not require an environmental impact study.

Town Council and Planning Commission Conditions

1. Need parking for Units 38 – 45 on the same side of Pine Tree Way as the units
    a. An updated Plot Plan has been submitted that shows 1 parking spot for each unit on the same side of the road. For this to work, the Town will need to vacate 16' feet of the ROW of Pine Tree Way this will need to be done by ordinance and will be included in the Development Agreement.
2. Units 41 – 45 need to meet setback requirements
    a. The units will meet setbacks if the Council agrees to the ROW vacation.
3. Parking area needs to be paved
    a. Updated plan has the parking area paved
4. Need Snow storage for the Parking area
    a. Updated plan shows the snow storage for the parking area
5. Road A and Pine Tree Way intersections
    a. Road A has been moved so it no longer goes over Pinetree Condos property. Due to the typography, they are not able to get the road a 90 degree. The plans have been sent to public safety for their input but there was not enogugh time to include Public Safety's opinion in this report.
6. The slope at the intersections of road A and Road B be 4% or less and not more than 10% for the first 200 feet.
    a. The slope of the road has been addressed on the updated plan. After talking with the Towns Engineer, the 4% needs to be long enough to allow vehicles to enter the road without scraping the road surface.
7. Plans will show snow storage for parking areas
    a. Plans have been updated to show snow storage.
8. A dumpster location and enclosure will be added to the plans for Phase 1
    a. They moved a dumpster next to the parking lot.
9. Utility and construction easement will be determined, and proof of legal access will be provided before the approval of final plat.
    a. This is no longer necessary as long as all the work and activities are on the owner's property.
10. Grading plan will need to include elevation for the building pads of lots 38 – 45
    a. A grading plan was submitted showing the elevation of the building pads of lots 38 -45. They did not include them on the updated plan the Council may want to include it as a condition of approval to be included on final plat.

STAFF RECOMMENDATION:

Subdivision Preliminary plats are an administrative action which means if they meet all the requirements set forth in the Towns Code, then the subdivision should be approved. Staff recommends a favorable recommendation with the following conditions

1. The Development Agreement will be finalized before approval of the Final Plat.
2. The building elevation for units 38 – 45 will be included on the Grading Plan on the Final Plat.

PROPOSED MOTION:

The Council can table, approve or disapprove listing what needs to be corrected for approval.

Recommended motion

I move to Table the preliminary plat for Hidden Springs until they can provide (list the conditions and items that are need for approval)

I move to ______________________ the preliminary plat for Hidden Springs to Town Council with the following conditions.

1. The Development Agreement will be finalized before approval of the Final Plat.
2. The building elevation for units 38 – 45 will be included on the Grading Plan on the Final Plat.

ATTACHMENTS:

A. Preliminary plat
B. A frame Profile Exhibit
C. Schematic Plan
D. Pinetree Plat
E. Development Agreement
F. Public Notice
G. Public comments

B&G PROJECT NUMBER 231008

HIDDEN SPRINGS

PRELIMINARY PLAT

LOCATED IN BRIAN HEAD, UTAH

WEST 1/4 CORNER OF SECTION 2, T 36S, R 9 W, SLM

PARCEL # A-1150-0005-0005, A-1144-0001-0012, A-1144-0001-0012-02, A-1150-5-7

1 RIDGEVIEW STREET, BRAIN HEAD, UTAH 84719

VICINITY MAP

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	SITE PLAN
3	PARKING PLAN
4	SNOW STORAGE PLAN
5	GRADING PLAN
6	UTILITY PLAN
7	OFFSITE UTILITY PLAN
8	DETAILS
9	DETAILS
10	DETAILS
11	DETAILS

GENERAL NOTES

1) CONTRACTOR IS RESPONSIBLE TO VERIFY LOCATIONS OF ALL UTILITIES PRIOR TO COMMENCEMENT OF WORK IN ANY ZONE.
2) ALL WORK AND MATERIALS SHALL COMPLY WITH BRIAN HEAD STANDARD SPECIFICATIONS.
3) PROJECTS SHALL INSTALL AN INFORMATIONAL SIGN ON SITE BEFORE CONSTRUCTION BEGINS. THIS SIGN WILL HAVE A MINIMUM SIZE, PLACEMENT LOCATION AND CONTENT INFORMATION WITH THE COMPANY NAME, PHONE CONTACT AND GRADING PERMIT NUMBER.
4) PROJECTS SHALL SUBMIT A DUST CONTROL PLAN WITH DETAILS ON EQUIPMENT, SCHEDULING AND REPORTING OF DUST CONTROL ACTIVITIES.
5) A MANDATORY PRE-CONSTRUCTION MEETING WILL BE REQUIRED ON ALL PROJECTS PRIOR TO ANY GRUBBING, GRADING OR CONSTRUCTION ACTIVITIES. THE PERMIT HOLDER WILL BE REQUIRED TO NOTIFY ALL DEVELOPMENT SERVICE INSPECTORS.
6) FOLLOW APPENDIX 'J' STANDARDS FOUND IN THE IBC.
7) ALL OBJECTS SHALL BE KEPT OUT OF THE SIGHT DISTANCE CORRIDORS THAT MAY OBSTRUCT THE DRIVER'S VIEW.

DUST CONTROL

THESE DUST CONTROL MEASURES MUST BE OBSERVED AT ALL TIMES:

EARTH MOVING ACTIVITIES:

1) APPLY WATER BY MEANS OF TRUCKS, HOSES AND/OR SPRINKLERS AT SUFFICIENT FREQUENCY AND QUANTITY, PRIOR TO CONDUCTING, DURING AND AFTER EARTHMOVING ACTIVITIES.
2) PRE-APPLY WATER TO THE DEPTH OF THE PROPOSED CUTS OR EQUIPMENT PENETRATION.
3) APPLY WATER AS NECESSARY AND PRIOR TO EXPECTED WIND EVENTS.
4) OPERATE HAUL VEHICLES APPROPRIATELY IN ORDER TO MINIMIZE FUGITIVE DUST AND APPLY WATER AS NECESSARY DURING LOADING OPERATIONS.

DISTURBED SURFACE AREAS OR INACTIVE CONSTRUCTION SITES:

1) WHEN ACTIVE CONSTRUCTION OPERATIONS HAVE CEASED, APPLY WATER AT SUFFICIENT FREQUENCY AND QUANTITY TO DEVELOP A SURFACE CRUST AND PRIOR TO EXPECTED WIND EVENTS.
2) INSTALL FENCE BARRIER AND/OR "NO TRESPASSING" SIGNS TO PREVENT ACCESS TO DISTURBED SURFACE AREAS.

PROJECT MAP

JULY 2024

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle #4
St. George, Utah 84770
Phone (435) 673-2337

AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY
Call before you Dig
1-800-662-4111
BLUE STAKES LOCATION CENTER (UTAH)

OWNER / DEVELOPER
AMMIL DEVELOPMENT LLC
CHELSEA CURCURU
chelsea@ammildevelement.com
(774) 454-9404
5725 S. VALLEY VIEW BLVD
LAS VEGAS, NV 89118

ENGINEERING CONTACT
BUSH AND GUDGELL, INC.
205 EAST TABERNACLE #4
ST GEORGE, UT 84770
RICK MEYER – PROJECT MANAGER
(435)-673-2337

No.5567007
WILLIAM F. MEYER, JR.
07/02/2024
STATE OF UTAH

No	Date	By	Revision

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

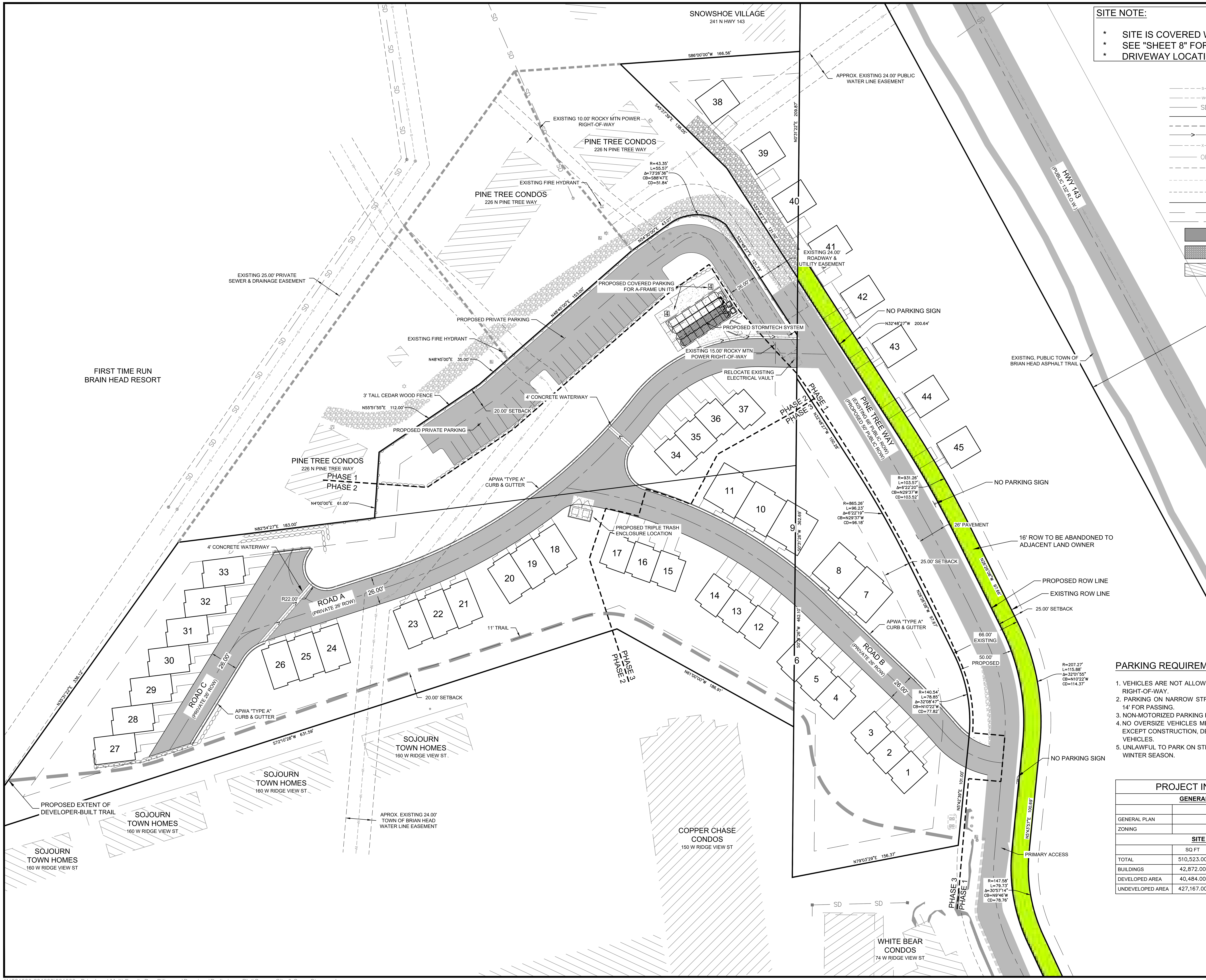
DATE: JULY 2024
DRAWN: CBW
APPROVED: WFM
SCALE: NOTED
JOB NO. 231008

COVER SHEET
HIDDEN SPRINGS
BRIAN HEAD, UTAH

SHEET 1 OF 11 SHEETS

FILE: 231008

X:\231000-231999\231008 - Brianhead Multi-Family Due Diligence\Drawings\Preliminary Plat\Cover - Site & Snow Storage.dwg



SITE NOTE:

- SITE IS COVERED WITH TREES AND VEGETATION.
- SEE "SHEET 8" FOR ROAD CROSS SECTIONS
- DRIVEWAY LOCATIONS ARE ASSUMED

LEGEND

- EXISTING SEWER
- EXISTING WATER
- EXISTING STORM DRAIN
- EXISTING RIGHT OF WAY LINE
- EXISTING LOT LINES
- DRAINAGE CHANNEL FLOW LINE
- EXISTING FENCING
- EXISTING OVER HEAD POWER
- EASEMENT LINE
- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- RIGHT-OF-WAY LINE
- LOT SETBACK LINE
- CENTER LINE
- EXISTING ASPHALT
- EXISTING GRAVEL SURFACE ROAD
- EXISTING BUILDING

AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY
Call before you Dig
1-800-662-4111
BLUE STAKES LOCATION CENTER (UTAH)

OWNER / DEVELOPER

AMMIL DEVELOPMENT LLC
CHELSEA CURCURU
chelsea@ammildevelopment.com
(774) 454-9404
5725 S. VALLEY VIEW BLVD
LAS VEGAS, NV 89118

ENGINEERING CONTACT

BUSH AND GUDGELL, INC.
205 EAST TABERNACLE #4
ST GEORGE, UT 84770
RICK MEYER – PROJECT MANAGER
(435)-673-2337

PARKING REQUIREMENTS

1. VEHICLES ARE NOT ALLOWED TO BE PARKED IN THE PUBLIC RIGHT-OF-WAY.
2. PARKING ON NARROW STREETS PROHIBITED: MINIMUM OF 14' FOR PASSING.
3. NON-MOTORIZED PARKING PROHIBITED.
4. NO OVERSIZE VEHICLES MEASURING 8' WIDE AND 26' LONG, EXCEPT CONSTRUCTION, DELIVERY AND EMERGENCY VEHICLES.
5. UNLAWFUL TO PARK ON STREETS NOV 1 TO APRIL 30 DURING WINTER SEASON.

PROJECT INFORMATION

GENERAL SITE INFO

		CURRENT
GENERAL PLAN		HDR
ZONING		R-3

SITE AREAS

	SQ FT	AC	%
TOTAL	510,523.00	11.72	100.00
BUILDINGS	42,872.00	0.98	8.40
DEVELOPED AREA	40,484.00	0.93	7.93
UNDEVELOPED AREA	427,167.00	9.81	83.67

PROFESSIONAL ENGINEER
No.5567007
WILLIAM F. MEYER, JR.
07/02/2024
STATE OF UTAH

No	Date	By	Revision

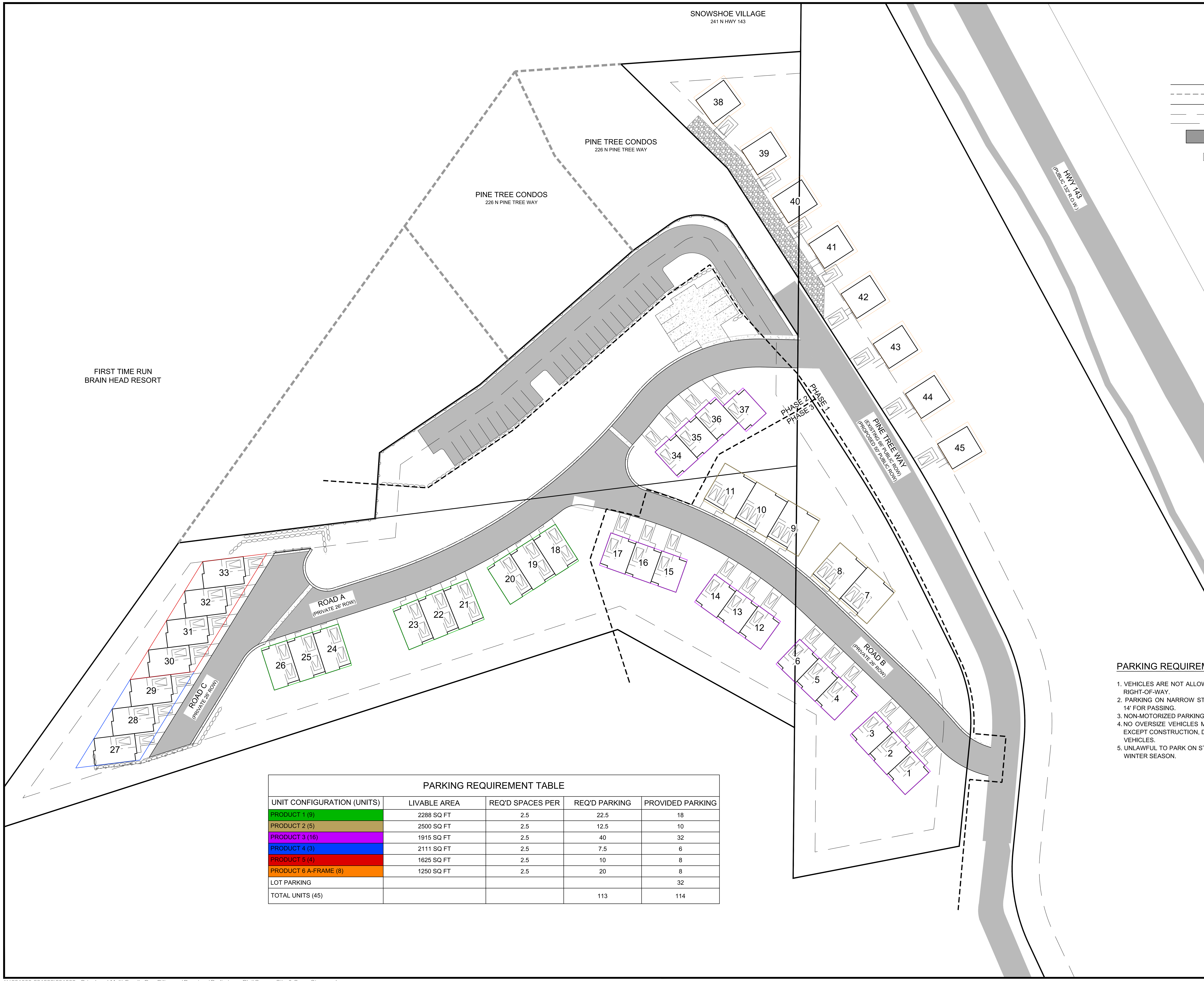
BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

DATE: JULY 2024
DRAWN: CBW
APPROVED: WFM
SCALE: 1" = 40'
JOB NO. 231008

SITE PLAN
HIDDEN SPRINGS
BRIAN HEAD, UTAH

SHEET 2 OF 11 SHEETS
FILE: 231008

X:\231000-231999\231008 - Brianhead Multi-Family Due Diligence\Drawings\Preliminary Plat\Cover - Site & Snow Storage.dwg



LEGEND

- EXISTING RIGHT OF WAY LINE
- EXISTING LOT LINES
- RIGHT-OF-WAY LINE
- LOT SETBACK LINE
- CENTER LINE
- EXISTING ASPHALT
- ACCOUNTED PARKING

AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY

Call before you Dig

1-800-662-4111

BLUE STAKES LOCATION CENTER (UTAH)

OWNER / DEVELOPER

AMMIL DEVELOPMENT LLC
CHELSEA CURCURU
chelsea@ammildevelopment.com
(774) 454-9404
5725 S. VALLEY VIEW BLVD
LAS VEGAS, NV 89118

ENGINEERING CONTACT

BUSH AND GUDGELL, INC.
205 EAST TABERNACLE #4
ST GEORGE, UT 84770
RICK MEYER – PROJECT MANAGER
(435)-673-2337

PARKING REQUIREMENTS

1. VEHICLES ARE NOT ALLOWED TO BE PARKED IN THE PUBLIC RIGHT-OF-WAY.
2. PARKING ON NARROW STREETS PROHIBITED: MINIMUM OF 14' FOR PASSING.
3. NON-MOTORIZED PARKING PROHIBITED.
4. NO OVERSIZE VEHICLES MEASURING 8' WIDE AND 26' LONG, EXCEPT CONSTRUCTION, DELIVERY AND EMERGENCY VEHICLES.
5. UNLAWFUL TO PARK ON STREETS NOV 1 TO APRIL 30 DURING WINTER SEASON.

PARKING REQUIREMENT TABLE

UNIT CONFIGURATION (UNITS)	LIVABLE AREA	REQ'D SPACES PER	REQ'D PARKING	PROVIDED PARKING
PRODUCT 1 (9)	2288 SQ FT	2.5	22.5	18
PRODUCT 2 (5)	2500 SQ FT	2.5	12.5	10
PRODUCT 3 (16)	1915 SQ FT	2.5	40	32
PRODUCT 4 (3)	2111 SQ FT	2.5	7.5	6
PRODUCT 5 (4)	1625 SQ FT	2.5	10	8
PRODUCT 6 A-FRAME (8)	1250 SQ FT	2.5	20	8
LOT PARKING				32
TOTAL UNITS (45)			113	114

GRAPHIC SCALE

40 0 20 40 80

(IN FEET)
1 inch = 40 ft.

No. 5567007
WILLIAM F. MEYER, JR.
07/02/2024
STATE OF UTAH

No	Date	By	Revision

BUSH & GUDGELL, INC.

Engineers - Planners - Surveyors

205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

DATE: JULY 2024
DRAWN: CBW
APPROVED: WFM
SCALE: 1" = 40'
JOB NO. 231008

PARKING PLAN

HIDDEN SPRINGS
BRIAN HEAD, UTAH

SHEET 3 OF 11 SHEETS

FILE: 231008

SNOW REMOVAL REQUIREMENTS (PINE TREE WAY)

1. FROM NOVEMBER 1 TO APRIL 30 SNOW RESTRICTIONS ARE IN PLACE.
2. PUBLIC WORKS WILL BE ON ROADWAYS AS SOON AS SNOW DEPTH REACHES 4".
3. HWY 143 IS UDOT'S RESPONSIBILITY.
4. MAJOR STREETS WILL BE CLEARED FIRST THEN MOVE TO SECONDARY AND SIDE STREETS ASAP.
5. NO PARKING OR PLACING ANY OBJECT THAT INTERFERES WITH SNOW PLOWING OR REMOVAL EFFORTS ON TOWN STREETS.
6. TOWN STORAGE FOR SNOW EXTENDS 5'-10' BEHIND CURB.
7. SNOW REMOVED FROM YOUR PROPERTY REMAINS ON YOUR PROPERTY. SHOVELING, PLOWING OR BLOWING SNOW BACK INTO STREET IS PROHIBITED AND COULD BE FINED.
8. DRIVEWAY SNOW STORAGE IS ADJACENT TO DRIVEWAY.
9. KEEP DUMPSTER AND HYDRANT AREAS CLEAR.

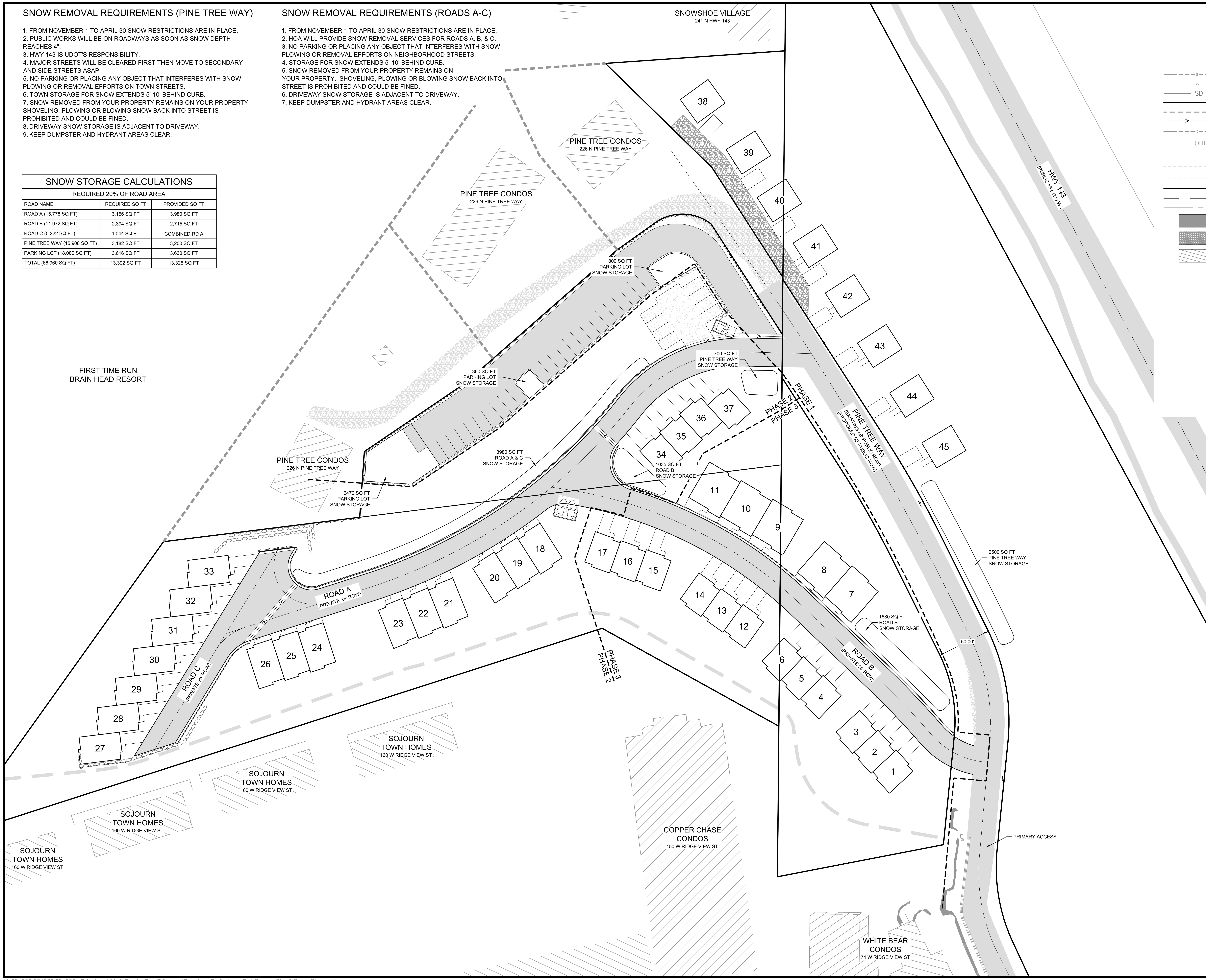
SNOW REMOVAL REQUIREMENTS (ROADS A-C)

1. FROM NOVEMBER 1 TO APRIL 30 SNOW RESTRICTIONS ARE IN PLACE.
2. HOA WILL PROVIDE SNOW REMOVAL SERVICES FOR ROADS A, B, & C.
3. NO PARKING OR PLACING ANY OBJECT THAT INTERFERES WITH SNOW PLOWING OR REMOVAL EFFORTS ON NEIGHBORHOOD STREETS.
4. STORAGE FOR SNOW EXTENDS 5'-10' BEHIND CURB.
5. SNOW REMOVED FROM YOUR PROPERTY REMAINS ON YOUR PROPERTY. SHOVELING, PLOWING OR BLOWING SNOW BACK INTO STREET IS PROHIBITED AND COULD BE FINED.
6. DRIVEWAY SNOW STORAGE IS ADJACENT TO DRIVEWAY.
7. KEEP DUMPSTER AND HYDRANT AREAS CLEAR.

SNOW STORAGE CALCULATIONS

REQUIRED 20% OF ROAD AREA

ROAD NAME	REQUIRED SQ FT	PROVIDED SQ FT
ROAD A (15,778 SQ FT)	3,156 SQ FT	3,980 SQ FT
ROAD B (11,972 SQ FT)	2,394 SQ FT	2,715 SQ FT
ROAD C (5,222 SQ FT)	1,044 SQ FT	COMBINED RD A
PINE TREE WAY (15,908 SQ FT)	3,182 SQ FT	3,200 SQ FT
PARKING LOT (18,080 SQ FT)	3,616 SQ FT	3,630 SQ FT
TOTAL (66,960 SQ FT)	13,392 SQ FT	13,325 SQ FT



LEGEND

- EXISTING SEWER
- EXISTING WATER
- EXISTING STORM DRAIN
- EXISTING RIGHT OF WAY LINE
- EXISTING LOT LINES
- DRAINAGE CHANNEL FLOW LINE
- EXISTING FENCING
- EXISTING OVER HEAD POWER
- EASEMENT LINE
- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- RIGHT-OF-WAY LINE
- LOT SETBACK LINE
- CENTER LINE
- EXISTING ASPHALT
- EXISTING GRAVEL SURFACE ROAD
- EXISTING BUILDING

OWNER / DEVELOPER

AMMIL DEVELOPMENT LLC
CHELSEA CURCURU
chelsea@ammildevelopment.com
(774) 454-9404
5725 S. VALLEY VIEW BLVD
LAS VEGAS, NV 89118

ENGINEERING CONTACT

BUSH AND GUDGELL, INC.
205 EAST TABERNACLE #4
ST GEORGE, UT 84770
RICK MEYER – PROJECT MANAGER
(435)-673-2337

AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY
Call before you Dig
1-800-662-4111

GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.

No.5567007
WILLIAM F. MEYER, JR.
07/02/2024
STATE OF UTAH

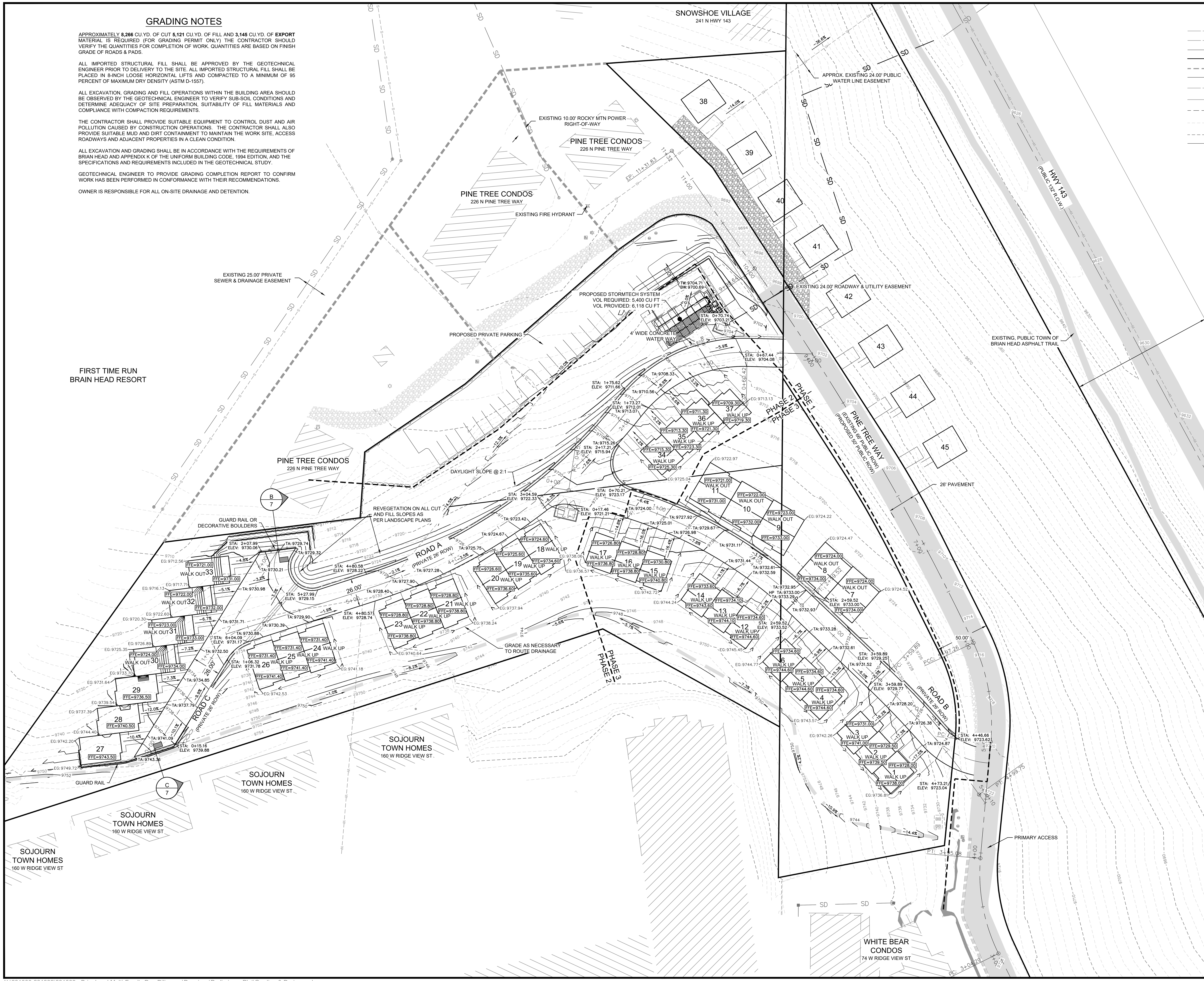
No	Date	By	Revision

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

DATE: JULY 2024
DRAWN: CBW
APPROVED: WFM
SCALE: 1" = 40'
JOB NO. 231008

SNOW STORAGE PLAN
HIDDEN SPRINGS
BRIAN HEAD, UTAH

X:\231000-231999\231008 - Brianhead Multi-Family Due Diligence\Drawings\Preliminary Plat\Cover - Site & Snow Storage.dwg



GRADING NOTES

APPROXIMATELY **8,266** CU.YD. OF CUT **5,121** CU.YD. OF FILL AND **3,145** CU.YD. OF **EXPORT** MATERIAL IS REQUIRED (FOR GRADING PERMIT ONLY) THE CONTRACTOR SHOULD VERIFY THE QUANTITIES FOR COMPLETION OF WORK. QUANTITIES ARE BASED ON FINISH GRADE OF ROADS & PADS.

ALL IMPORTED STRUCTURAL FILL SHALL BE APPROVED BY THE GEOTECHNICAL ENGINEER PRIOR TO DELIVERY TO THE SITE. ALL IMPORTED STRUCTURAL FILL SHALL BE PLACED IN 8-INCH LOOSE HORIZONTAL LIFTS AND COMPACTED TO A MINIMUM OF 95 PERCENT OF MAXIMUM DRY DENSITY (ASTM D-1557).

ALL EXCAVATION, GRADING AND FILL OPERATIONS WITHIN THE BUILDING AREA SHOULD BE OBSERVED BY THE GEOTECHNICAL ENGINEER TO VERIFY SUB-SOIL CONDITIONS AND DETERMINE ADEQUACY OF SITE PREPARATION, SUITABILITY OF FILL MATERIALS AND COMPLIANCE WITH COMPACTION REQUIREMENTS.

THE CONTRACTOR SHALL PROVIDE SUITABLE EQUIPMENT TO CONTROL DUST AND AIR POLLUTION CAUSED BY CONSTRUCTION OPERATIONS. THE CONTRACTOR SHALL ALSO PROVIDE SUITABLE MUD AND DIRT CONTAINMENT TO MAINTAIN THE WORK SITE, ACCESS ROADWAYS AND ADJACENT PROPERTIES IN A CLEAN CONDITION.

ALL EXCAVATION AND GRADING SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF BRIAN HEAD AND APPENDIX K OF THE UNIFORM BUILDING CODE, 1994 EDITION, AND THE SPECIFICATIONS AND REQUIREMENTS INCLUDED IN THE GEOTECHNICAL STUDY.

GEOTECHNICAL ENGINEER TO PROVIDE GRADING COMPLETION REPORT TO CONFIRM WORK HAS BEEN PERFORMED IN CONFORMANCE WITH THEIR RECOMMENDATIONS.

OWNER IS RESPONSIBLE FOR ALL ON-SITE DRAINAGE AND DETENTION.

LEGEND

- EXISTING SEWER
- EXISTING WATER
- EXISTING STORM DRAIN
- RIGHT-OF-WAY LINE
- EXISTING LOT LINES
- DRAINAGE CHANNEL FLOW LINE
- EXISTING FENCING
- EXISTING OVER HEAD POWER
- EASEMENT LINE
- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- CENTER LINE
- EXISTING GROUND CONTOUR
- FINISH GROUND CONTOUR
- DRAINAGE FLOW
- PAD= 00.0 FINISH PAD ELEVATION
- LOCATION ELEVATION SPOT ELEVATION
- SD STORM DRAIN
- STORM DRAIN PIPE
- TW:77.90 TOW: TOP OF WALL
- BW:77.90 BOW: BOTTOM OF WALL
- FL FLOW LINE
- EXISTING ASPHALT
- EXISTING GRAVEL SURFACE ROAD
- EXISTING BUILDING

OWNER / DEVELOPER

AMMIL DEVELOPMENT LLC
CHELSEA CURCURU
chelsea@ammildevelopment.com
(774) 454-9404
5725 S. VALLEY VIEW BLVD
LAS VEGAS, NV 89118

ENGINEERING CONTACT

BUSH AND GUDGELL, INC.
205 EAST TABERNACLE #4
ST GEORGE, UT 84770
RICK MEYER – PROJECT MANAGER
(435)-673-2337

AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY
Call before you Dig
1-800-662-4111
BLUE STAKES LOCATION CENTER (UTAH)

No.5567007
WILLIAM F. MEYER, JR.
07/02/2024
STATE OF UTAH

No	Date	By	Revision

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

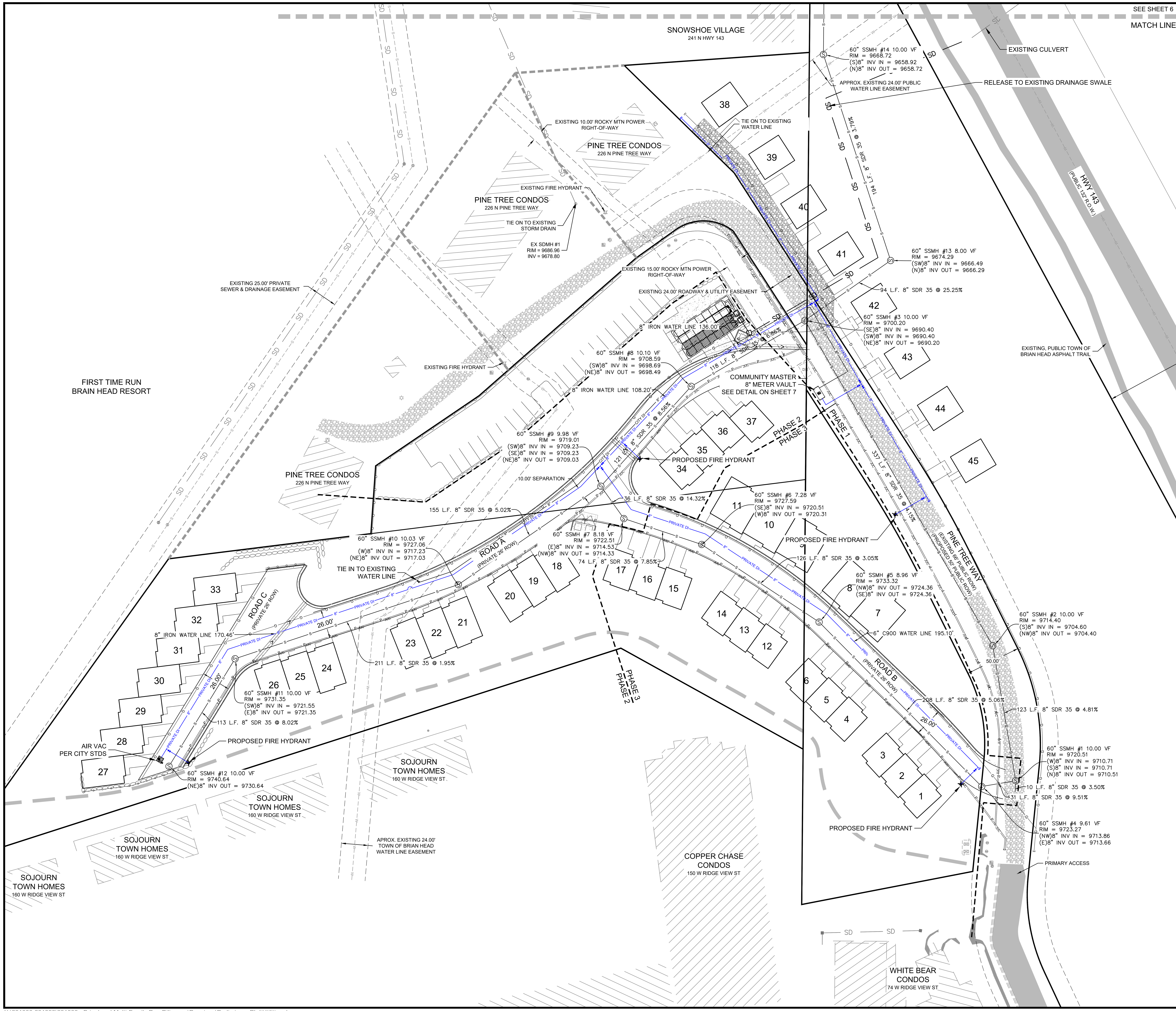
DATE: JULY 2024
DRAWN: CBW
APPROVED: WFM
SCALE: 1" = 40'
JOB NO. 231008

GRADING & DRAINAGE PLAN

HIDDEN SPRINGS
BRIAN HEAD, UTAH

SHEET 5 OF 11 SHEETS
FILE: 231008

X:\231000-231999\231008 - Brianhead Multi-Family Due Diligence\Drawings\Preliminary Plat\Grading & Drainage.dwg



LEGEND

— S —	EXISTING SEWER
— W —	EXISTING WATER
— SD —	EXISTING STORM DRAIN
	RIGHT OF WAY LINE
	EXISTING LOT LINES
—>	DRAINAGE CHANNEL FLOW LINE
— X —	EXISTING FENCING
— OHP —	EXISTING OVER HEAD POWER
	EASEMENT LINE
	LOT SETBACK LINE
	CENTER LINE
— S —	PROPOSED SEWER LINE
— CITY DI — 8" —	PROPOSED DUCTILE IRON WATER LINE (PUBLIC)
— PRIVATE DI — 8" —	PROPOSED DUCTILE IRON WATER LINE (PRIVATE)
— G —	PROPOSED GAS LINE
— P —	PROPOSED POWER LINE
— JUC —	PROPOSED JUC TRENCH
	WATER GATE VALVE
	AIR VAC PER CITY STDS
	FIRE HYDRANT PER CITY STDS
	EXISTING ASPHALT
	EXISTING GRAVEL SURFACE ROAD
	EXISTING BUILDING

PROFESSIONAL ENGINEER
No.5567007
WILLIAM F. MEYER, JR.
07/02/2024
STATE OF UTAH

No.	Date	By	Revision

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

OWNER / DEVELOPER

AMMIL DEVELOPMENT LLC
CHELSEA CURCURU
chelsea@ammildevelopment.com
(774) 454-9404
5725 S. VALLEY VIEW BLVD
LAS VEGAS, NV 89118

ENGINEERING CONTACT

BUSH AND GUDGELL, INC.
205 EAST TABERNACLE #4
ST GEORGE, UT 84770
RICK MEYER - PROJECT MANAGER
(435)-673-2337

AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY
Call before you Dig
1-800-662-4111
BLUE STAKES LOCATION CENTER (UTAH)

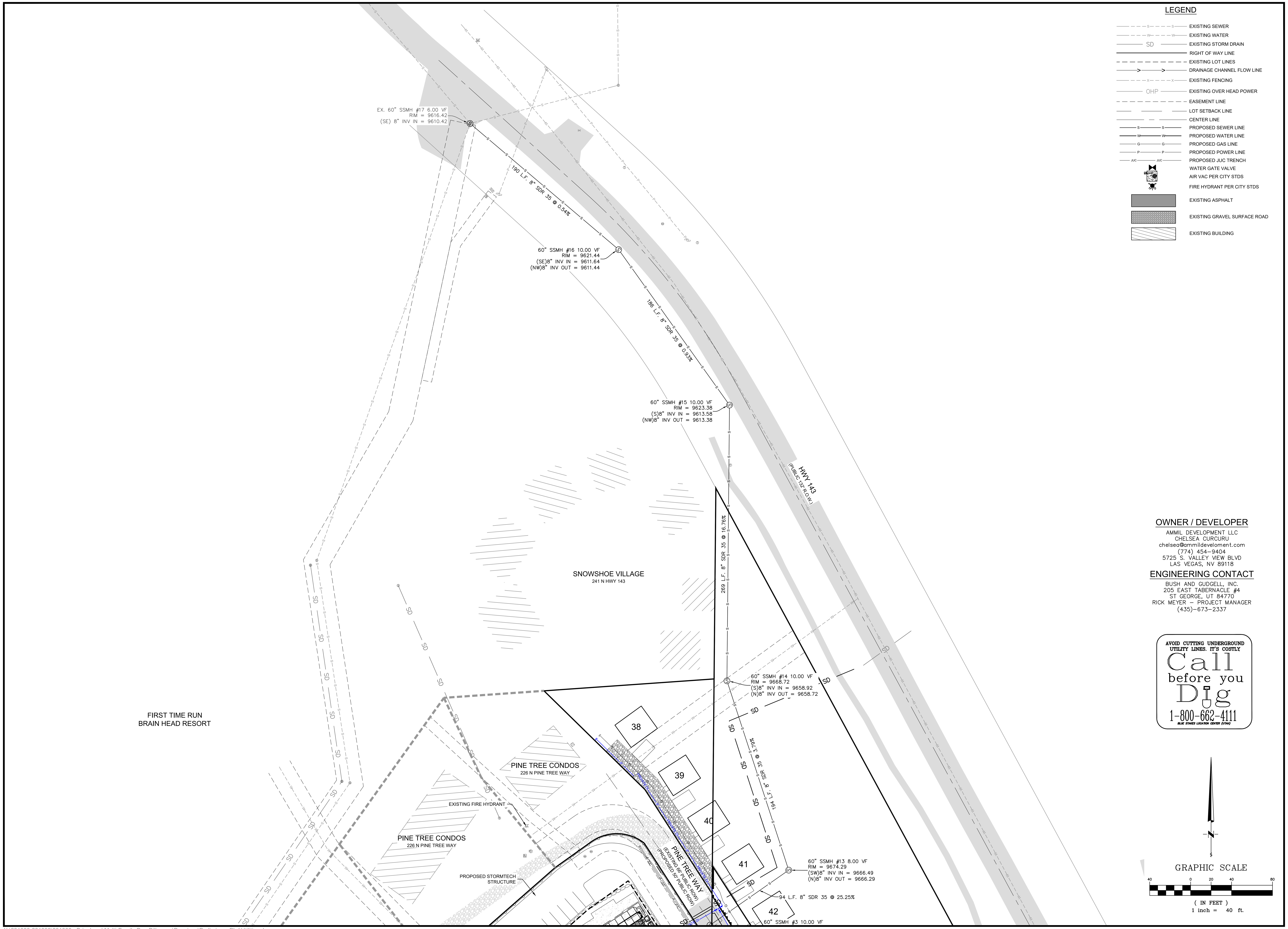
DATE: JULY 2024
DRAWN: CBW
APPROVED: WFM
SCALE: 1" = 40'
JOB NO.: 231008

GRAPHIC SCALE
40 0 20 40 80
(IN FEET)
1 inch = 40 ft.

UTILITY PLAN
HIDDEN SPRINGS
BRIAN HEAD, UTAH

SHEET 6 OF 11 SHEETS
FILE: 231008

X:\231000-231999\231008 - Brianhead Multi-Family Due Diligence\Drawings\Preliminary Plat\Utilities.dwg



No.5567007
WILLIAM F. MEYER, JR.
07/02/2024
STATE OF UTAH

No	Date	By	Revision

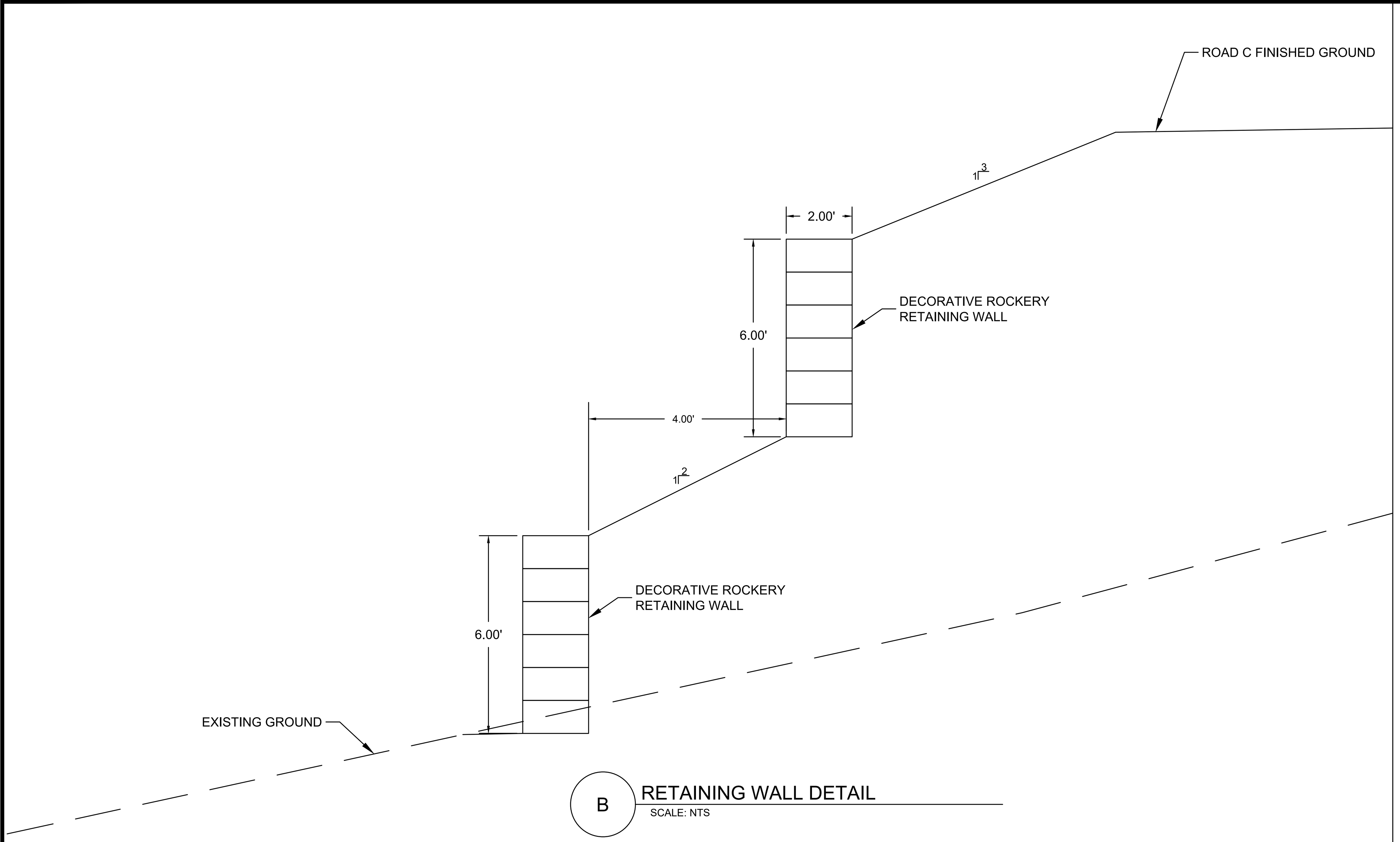
BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

DATE: JULY 2024
DRAWN: CBW
APPROVED: WFM
SCALE: 1" = 40'
JOB NO. 231008

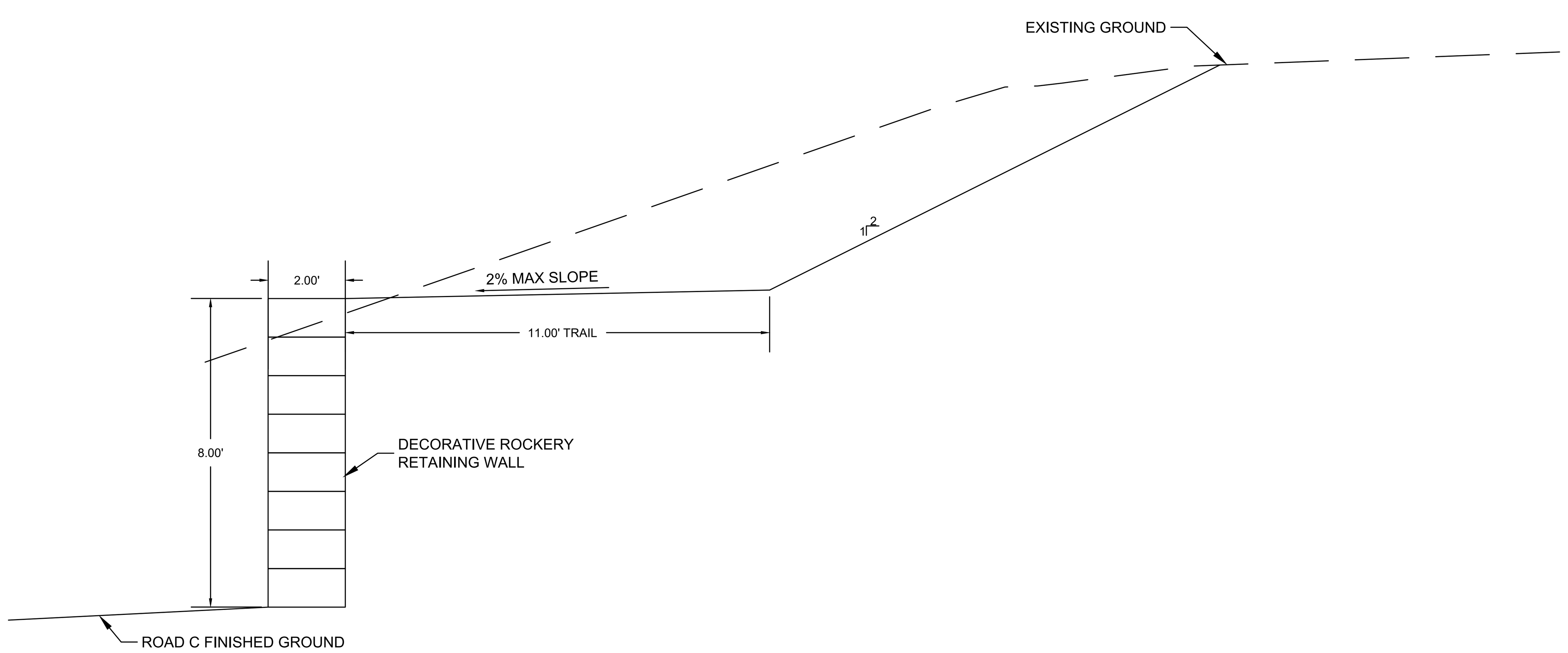
OFFSITE UTILITY PLAN
HIDDEN SPRINGS
BRIAN HEAD, UTAH

SHEET 7 OF 11 SHEETS
FILE: 231008

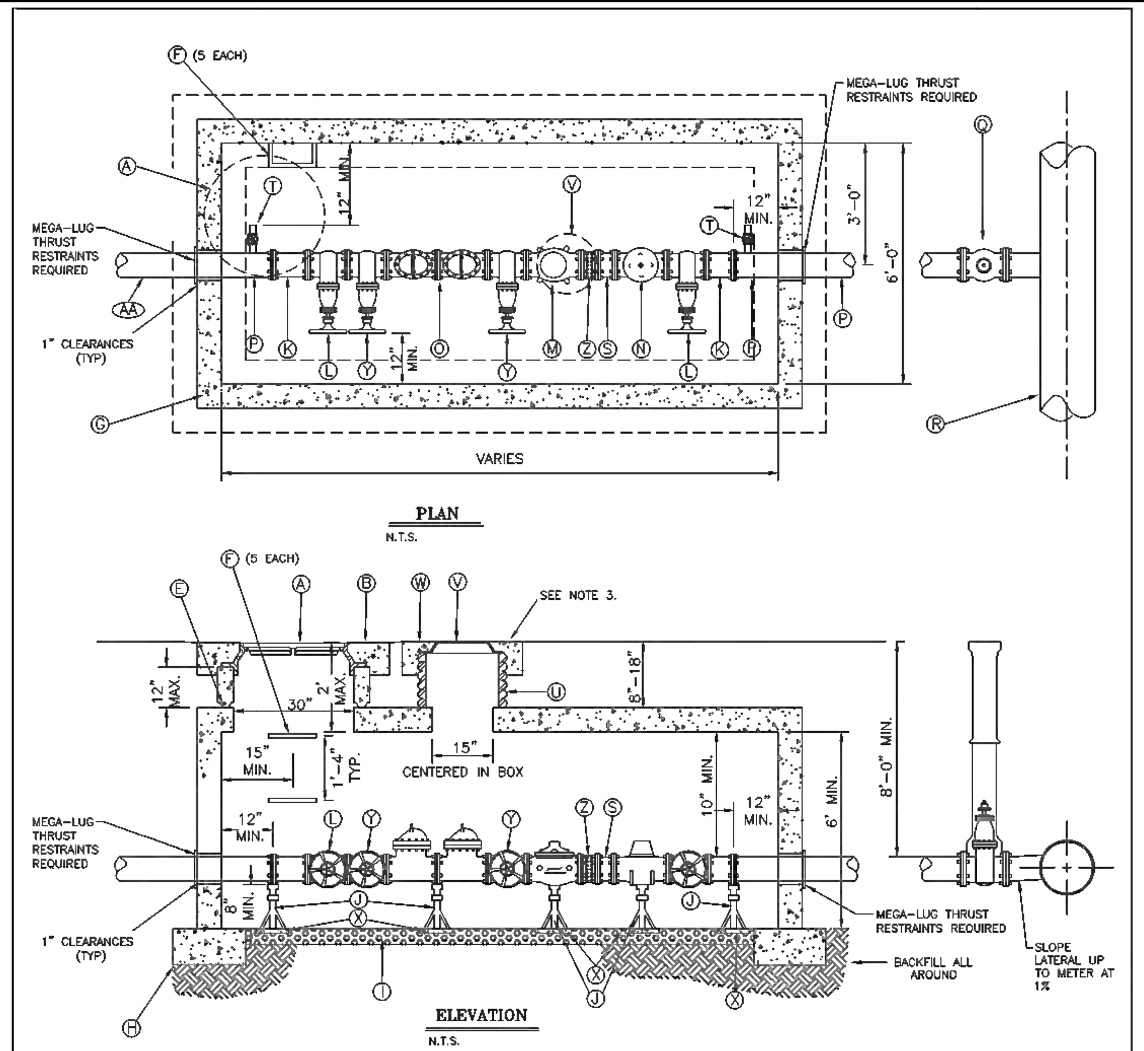
X:\231000-231999\231008 - Brianhead Multi-Family Due Diligence\Drawings\Preliminary Plat\Utilities.dwg



B RETAINING WALL DETAIL
SCALE: NTS



C RETAINING WALL DETAIL
SCALE: NTS



NOTES:

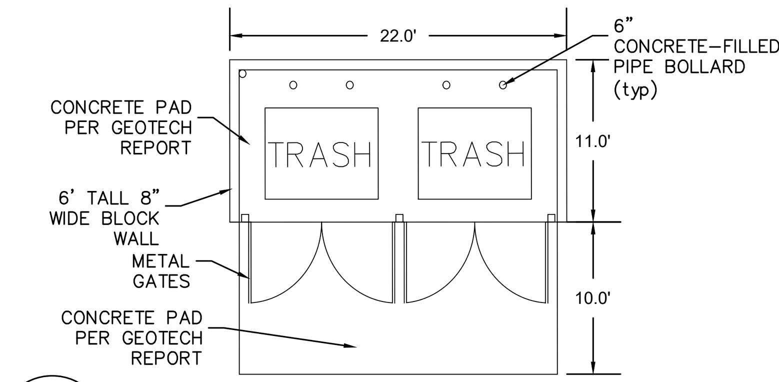
1. UNLESS OTHERWISE SHOWN ALL MATERIALS PER BRIAN HEAD TOWN STANDARDS.
2. CONCRETE VAULT LENGTH & WIDTH SHALL BE SUFFICIENT TO CONTAIN ALL FITTINGS AND MAINTAIN INDICATED CLEARANCE FROM WALLS.
3. WATER METER LIDS & COVERS SHALL ONLY BE INSTALLED IN LANDSCAPED AREAS UNLESS APPROVED BY WATER SUPERINTENDENT.
4. NOT ALLOWED ON PRIVATE SYSTEMS WITH FIRE HYDRANTS.
5. VAULTS ARE DESIGNED TO MEET ASTM C858 WITH AASHTO HS-20 LOADING.
6. PRV IS REQUIRED FOR 80 PSI PRESSURE OR GREATER.
7. STRAINER IS REQUIRED IF A PRV IS REQUIRED.
8. ALL PIPE MATERIALS AND FITTINGS MUST BE RATED FOR WATER SYSTEM PRESSURE.
9. ONLY NFPA 13R FIRE SPRINKLER SYSTEMS ARE ALLOWED WITH THIS DETAIL.
10. FIRE SPRINKLER SYSTEMS SHOULD BE DESIGNED ACCORDING TO REDUCED PRESSURE WHEN USING A PRV IN THE VAULT.

LEGEND

NO.	*	ITEM	DESCRIPTION	NO.	*	ITEM	DESCRIPTION
A		MANHOLE RING AND COVER (RIBLESS)	D&L A-1180 O.A.E.	P		DUCTILE IRON PIPE OR COPPER PIPE	CEMENT LINED OR COPPER
B		4' Ø X 8" THICK CONCRETE COLLAR	W/ 40" Ø #4 BARS & FIBERS	Q		GATE VALVE WITH BOX	SEE W1
C		NOT USED		R		FIRE LOOP OR CITY WATER MAIN	
D		NOT USED		S		FLANGED SPOOL 12" LONG	
E		GRADE RING(S)	MUST BE SEALED	T		1 1/2" PIPE TAP WITH GATE VALVE AND 4" NIPPLE	
F		MANHOLE STEP	(M.A. INDUSTRIES INC. O.A.E.)				
G		CONCRETE VAULT TOP	AMCOR UV6127T O.A.E.	U		18" DIA. HDPE PIPE	PER PIPE SPEC
H		9" X 18" FOOTING W/ 3-#4 BARS		V		RING & LID w/ 2" PUNCHOUT	D&L-2241 O.A.E.
I		4" THICK DRAIN GRAVEL		W		30"x30"x8" THICK CONCRETE COLLAR	
J		(5) LEVELING JACKS (LENGTH VARIES)	SLIDEWINDER PART #23538 BY BARKER MANUF. CO.	X		12" x 12" x 2" CONCRETE BLOCK	
K		6" MIN. FLANGE ADAPTOR	CEMENT LINED	Y		BACKFLOW ASSEMBLY VALVE	
L		GATE VALVE WITH HANDWHEEL	NON-RISING STEM	Z		STRAINER (IF REQUIRED)	PURCHASED FROM CITY
M		FLOW METER (PURCHASED FROM CITY)	MACH 10	AA		DUCTILE IRON PIPE OR COPPER PIPE (TO 10' OUTSIDE OF VAULT)	
N		PRESSURE REDUCING VALVE (IF REQ'D)	AWWA APPROVED				
O		DOUBLE CHECK DETECTOR VALVE (DCDA)	AWWA APPROVED				

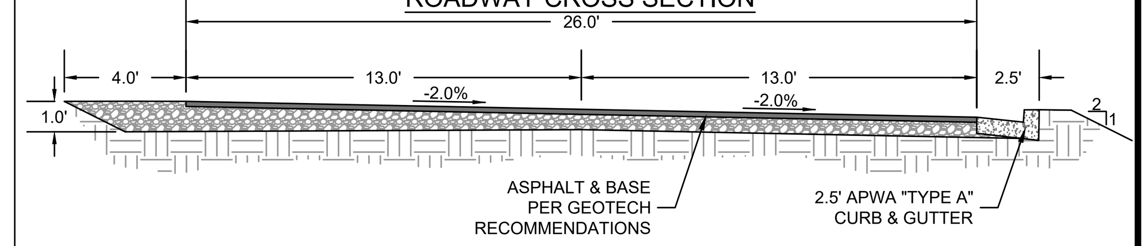
BRIAN HEAD TOWN

REVISIONS				STANDARD DWG. NO.	
DATE	DESCRIPTION	BY	1 1/2"-4" WATER METER (COMBINED CULINARY & FIRE SPRINKLER FLOWS)	W6	1 OF 1
				APPROVED:	
				DATE:	BY: RKB

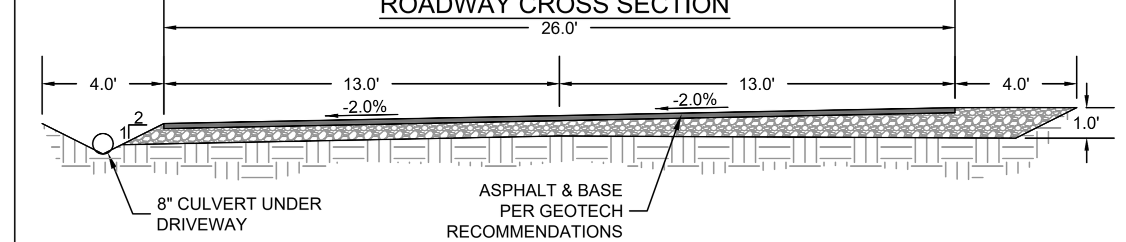


A TRASH ENCLOSURE DETAIL
SCALE: NTS

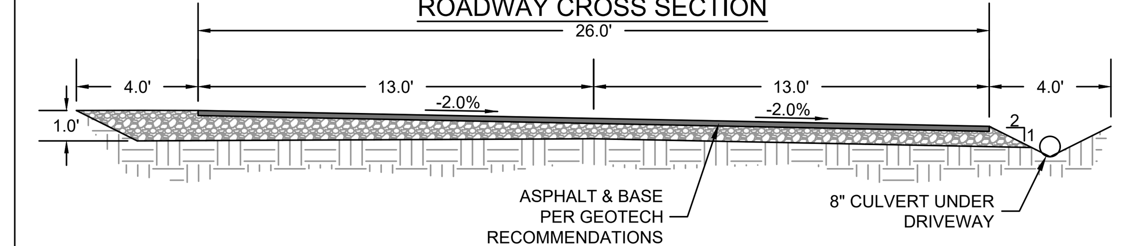
"ROAD A" SUPERELEVATED ROADWAY CROSS SECTION

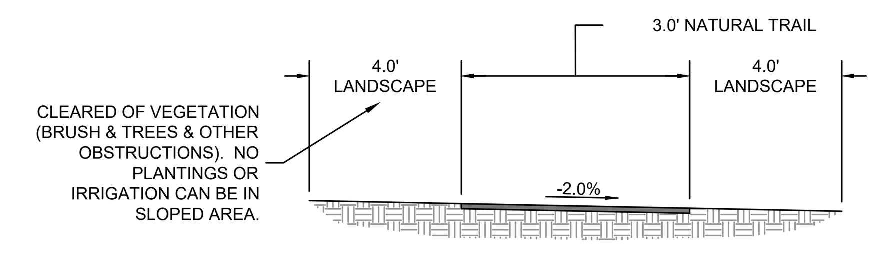


"ROAD B" SUPERELEVATED ROADWAY CROSS SECTION

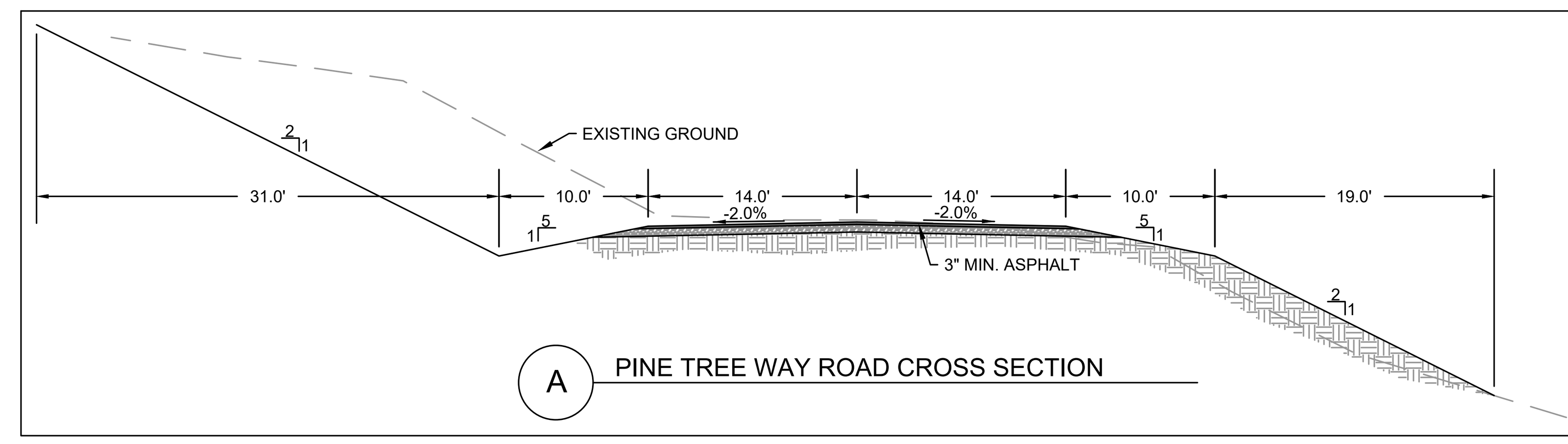


"ROAD C" SUPERELEVATED ROADWAY CROSS SECTION

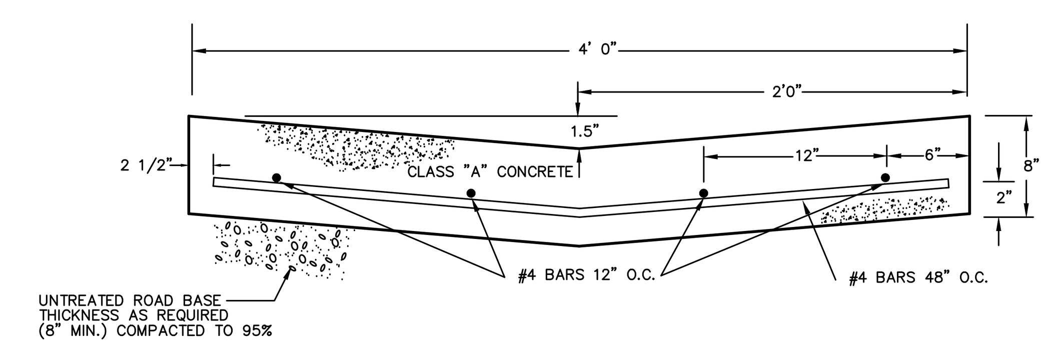




11' TRAIL CROSS SECTION



A PINE TREE WAY ROAD CROSS SECTION



4' CONCRETE WATERWAY DETAIL

PROFESSIONAL ENGINEER
No.5567007
WILLIAM F. MEYER, JR.
07/02/2024
STATE OF UTAH

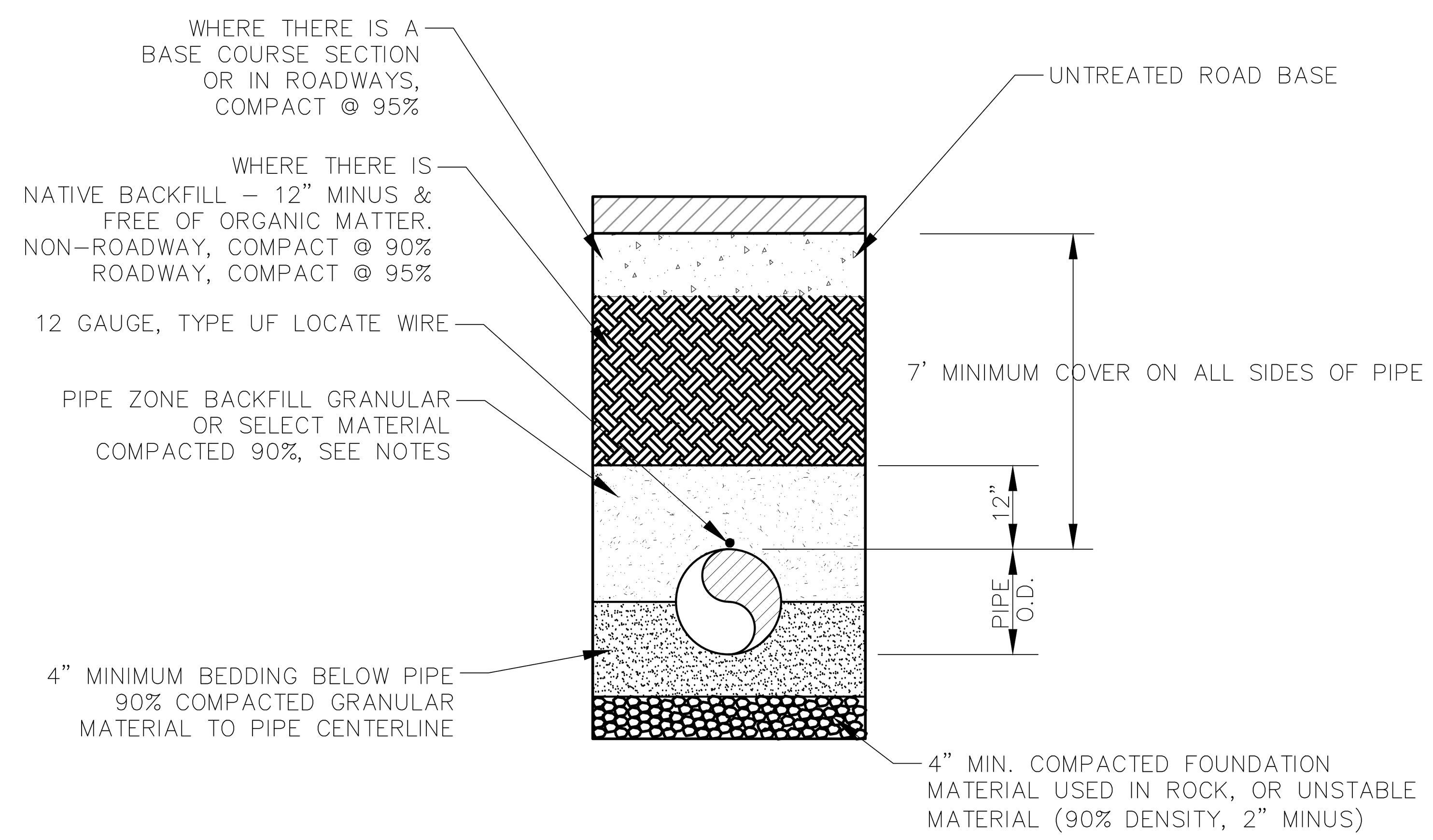
No	Date	By	Revision

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

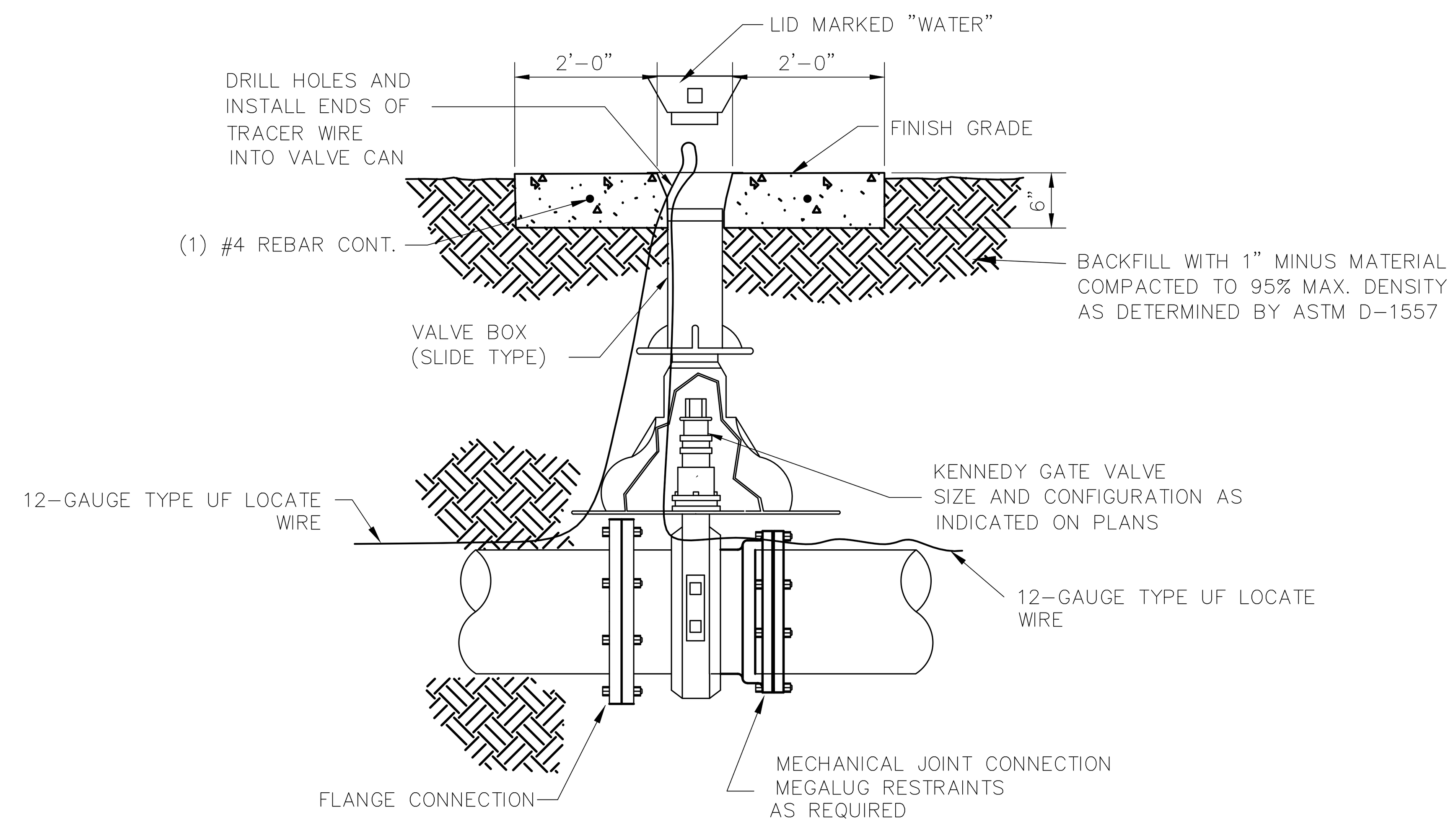
DATE: JULY 2024
DRAWN: CBW
APPROVED: WFM
SCALE: NTS
JOB NO. 231008

DETAILS
HIDDEN SPRINGS
BRIAN HEAD, UTAH

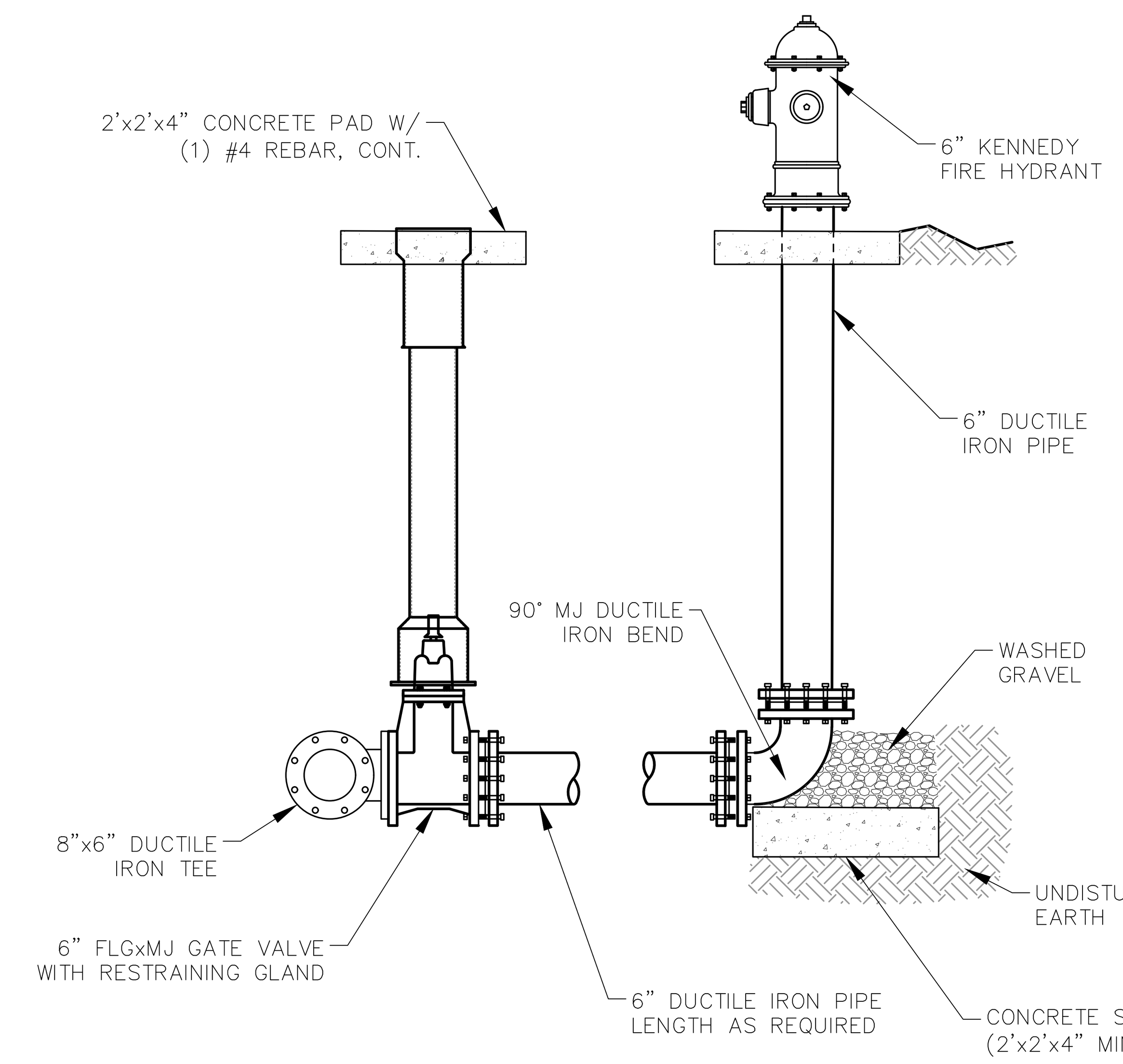
FILE: 231008



TYPICAL TRENCH DETAIL



TYPICAL GATE VALVE



FIRE HYDRANT CONNECTION

DESIGN DATA:

BASED ON 200 PSI TEST PRESSURE
SOIL TYPE = SILTY SAND
DEPTH OF BURY 7 - 8* FEET
TRENCH TYPE #5
SAFETY FACTOR = 1.5

THRUST RESTRAINT REQUIREMENTS FOR 8" D.I. PIPE

Horizontal Bend Angle	Restr.Length (ft)
11.25	2 (1*)
22.5	3 (3*)
45	5 (5*)
90	12 (11*)

Vertical Bend Angle	Restr.Length High Side (ft)*	Restr.Length Low Side (ft)*
11.25	3 (3*)	1 (1*)
22.5	6 (5*)	2 (2*)
45	12 (10*)	4 (4*)

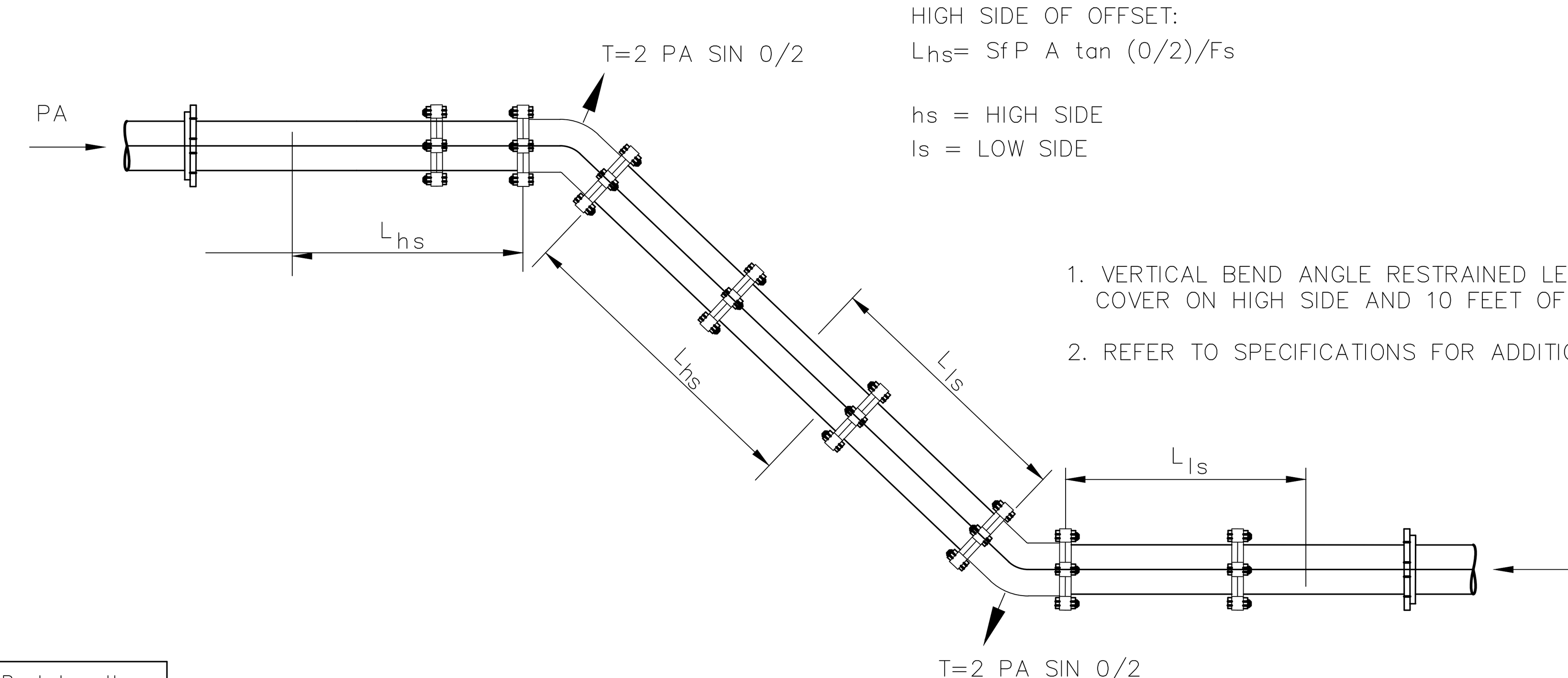
NOTES:

1. THRUST RESTRAINT PIPE SECTIONS AT BEND LOCATIONS REQUIRE INTERIOR RESTRAINT TYPE DUCTILE IRON PIPE OR EXTERIOR RESTRAINT TYPE DUCTILE IRON PIPE w/V-BIO POLY WRAP.
2. DEFLECTION ANGLES FOR DI PIPE LESS THAN 11.25° (AS SHOWN ON THE PLANS) SHALL BE ACCOMPLISHED BY DEFLECTING PIPE JOINTS A MAXIMUM OF 5 DEGREES FOR EACH 20 FT. LENGTH OF PIPE. THE CURVATURE RADIUS SHALL BE NO LESS THAN 380 FT.
3. ALL FITTINGS, VALVES, BENDS, ETC. ARE TO HAVE JOINT RESTRAINTS AS REQUIRED BY SPECIFICATIONS. THRUST BLOCKS MAY ONLY BE USED WHERE SPECIFICALLY NOTED ON THE PLANS.

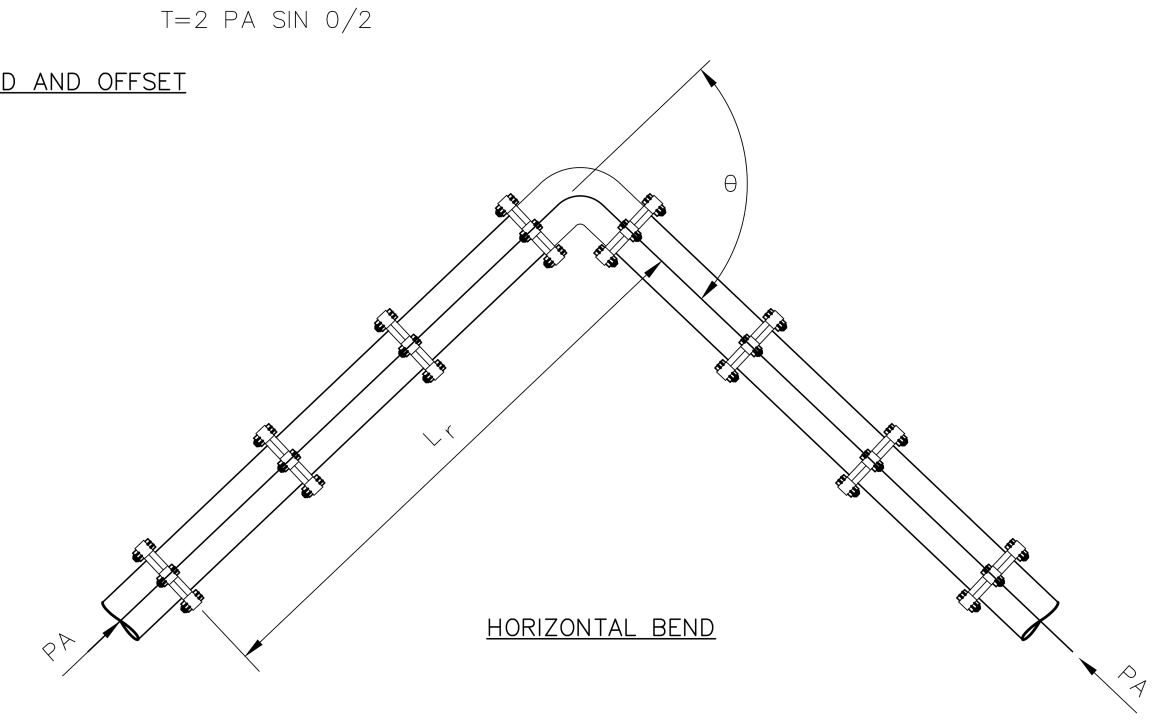
HIGH SIDE OF OFFSET:
L_{hs}= SfP A tan (0/2)/Fs

hs = HIGH SIDE
ls = LOW SIDE

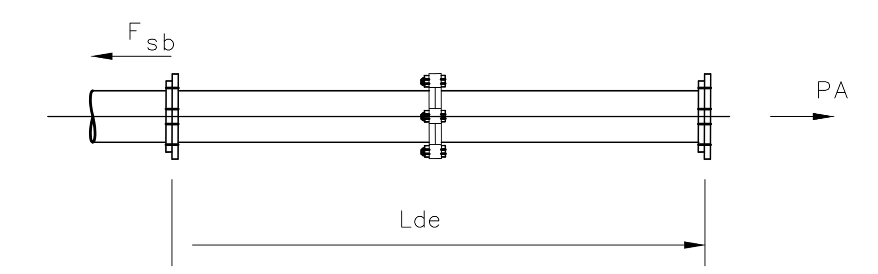
1. VERTICAL BEND ANGLE RESTRAINED LENGTHS BASED ON 7 FEET OF COVER ON HIGH SIDE AND 10 FEET OF COVER ON LOW SIDE.
2. REFER TO SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.



VERTICAL DOWN BEND AND OFFSET

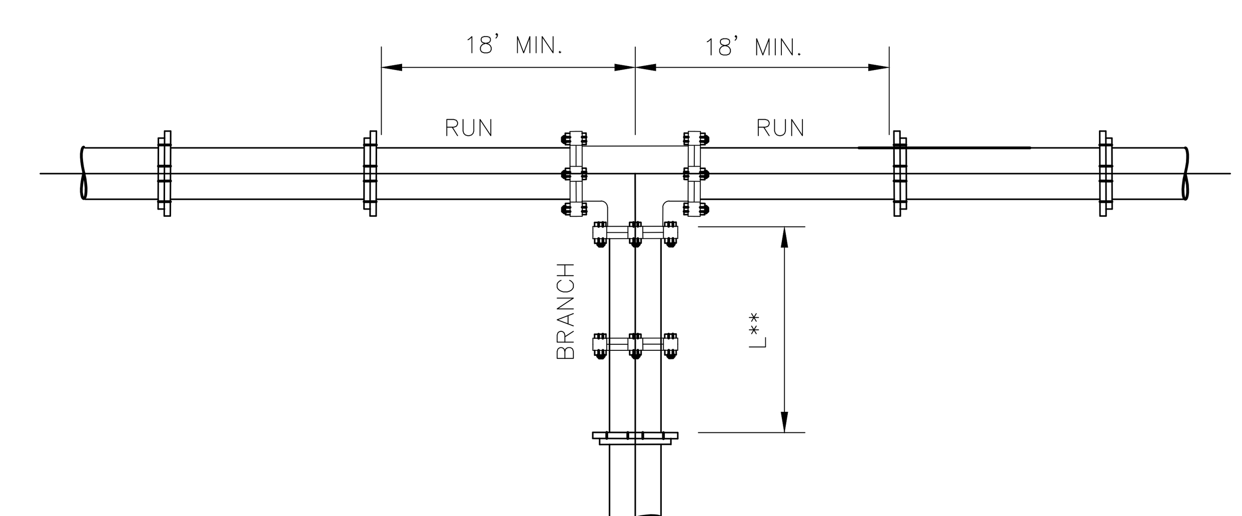


HORIZONTAL BEND



DEAD ENDS TO BE RESTRAINED FOR 27(24*) FEET FOR 8"ø D PIPE.

DEAD END



8"ø TEE WITH 8"ø BRANCH SIZE TO BE RESTRAINED FOR 1(1*) FOOT FOR DI PIPE.

** - ONLY RESTRAIN THE BRANCH OUTLET OF THE TEE.

TEE

MEGALUG THRUST RESTRAINT DETAILS

No.5567007
WILLIAM F. MEYER, JR.
07/02/2024
STATE OF UTAH

No	Date	By	Revision

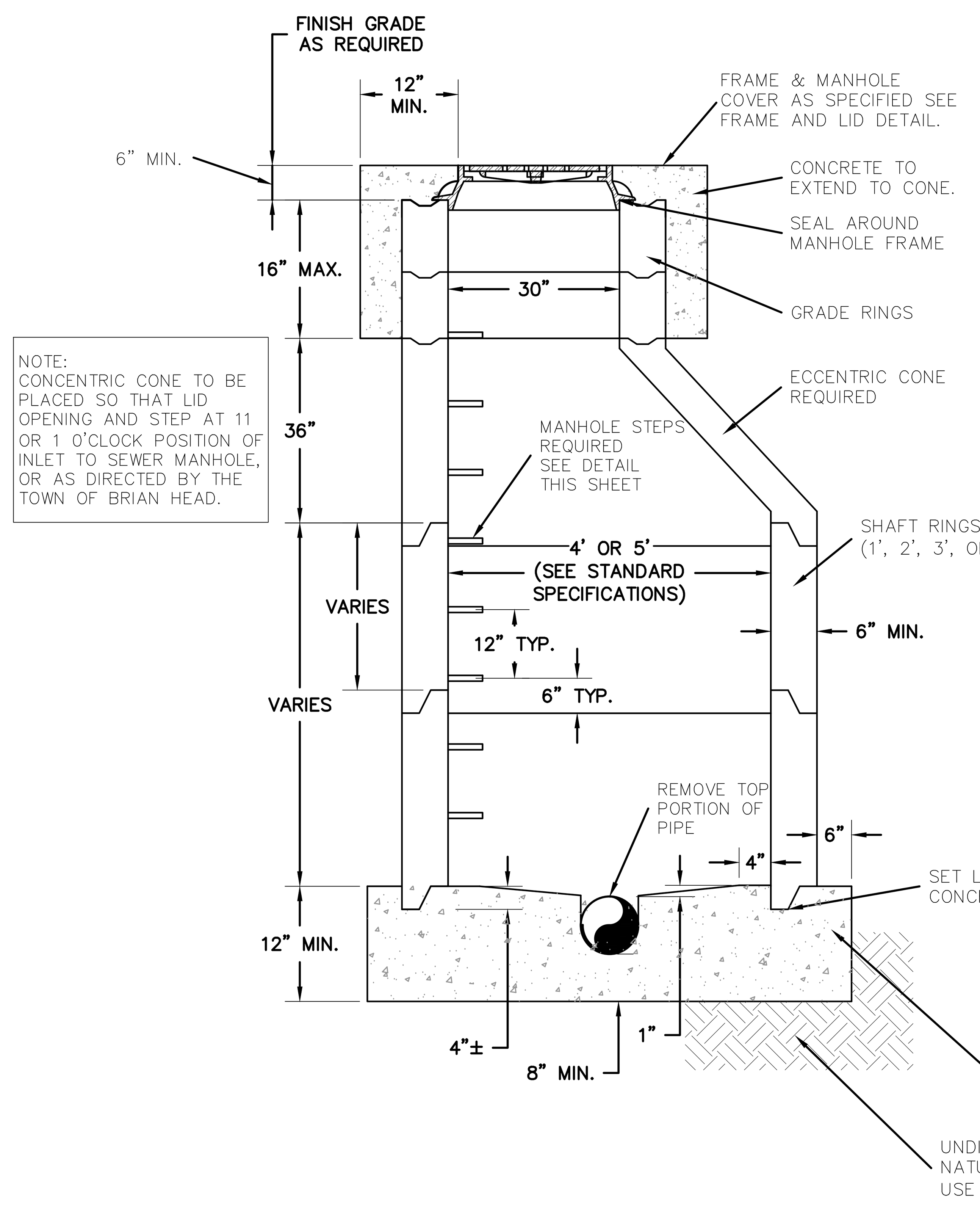
BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

DATE: JULY 2024
DRAWN: CBW
APPROVED: WFM
SCALE: NTS
JOB NO. 231008

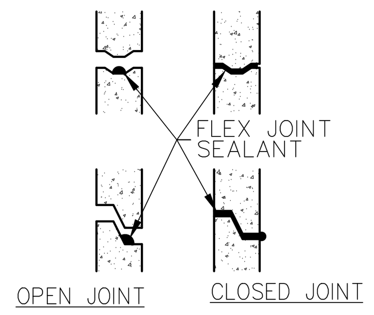
DETAILS
HIDDEN SPRINGS
BRIAN HEAD, UTAH

SHEET 9 OF 11 SHEETS
FILE: 231008

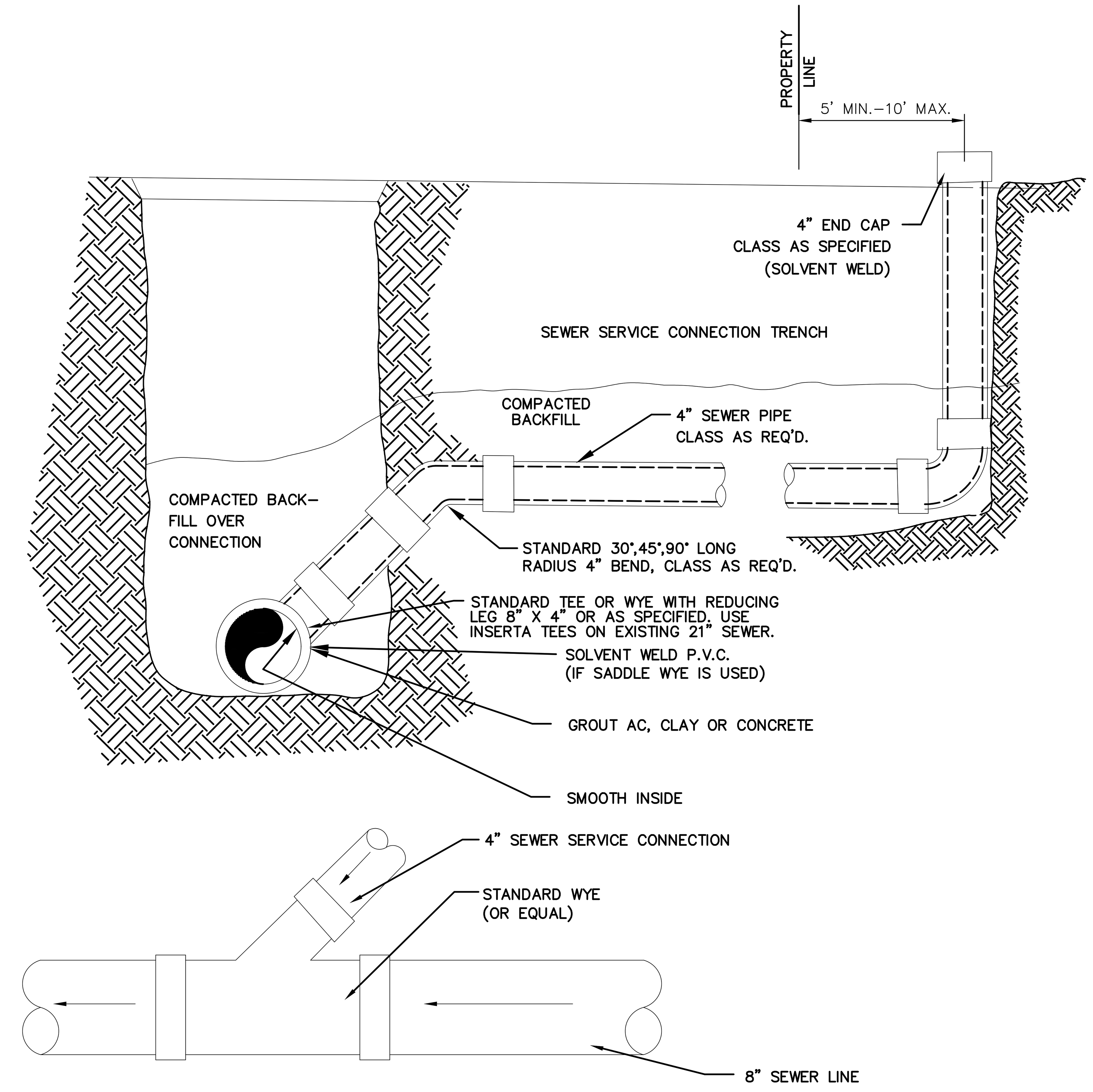
X:\231000-231999\231008 - Brianhead Multi-Family Due Diligence\Drawings\Preliminary Plat\Details.dwg



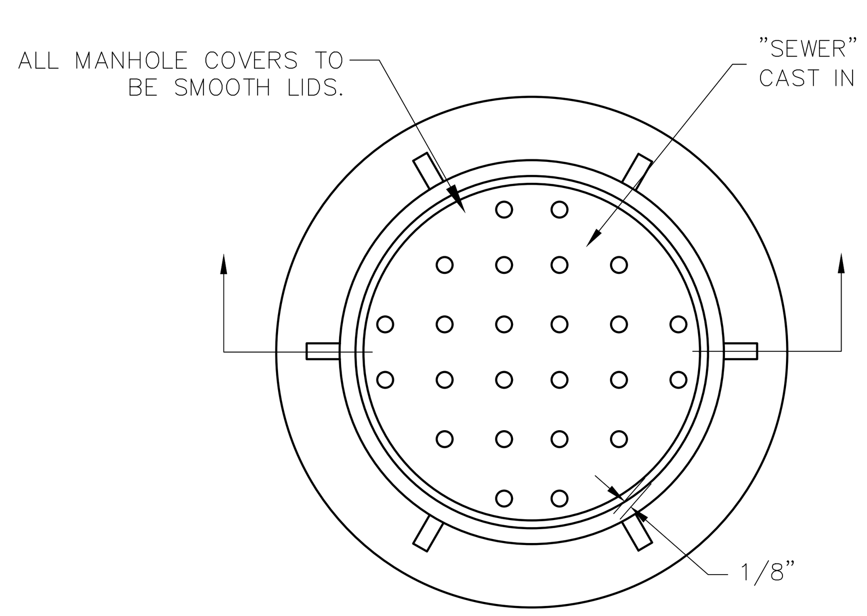
SEWER MANHOLE



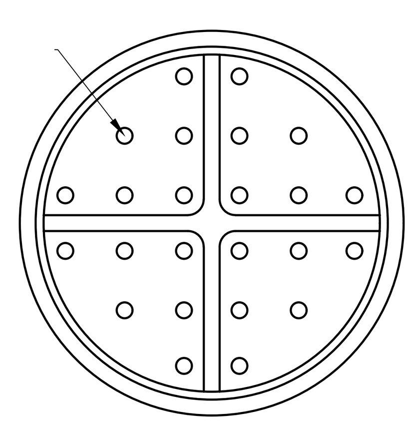
JOINT DETAILS



SEWER SERVICE CONNECTION

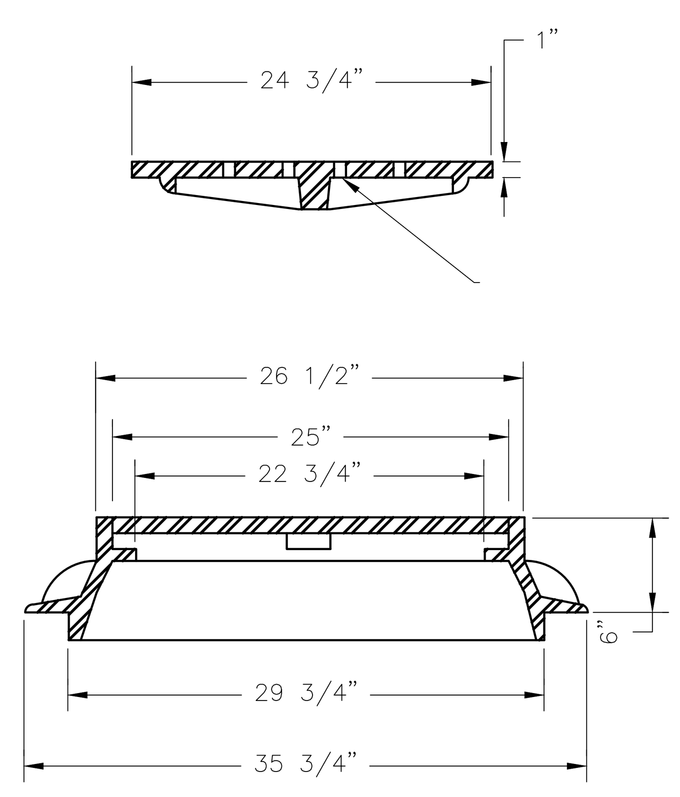


PLAN OF COVER & FRAME



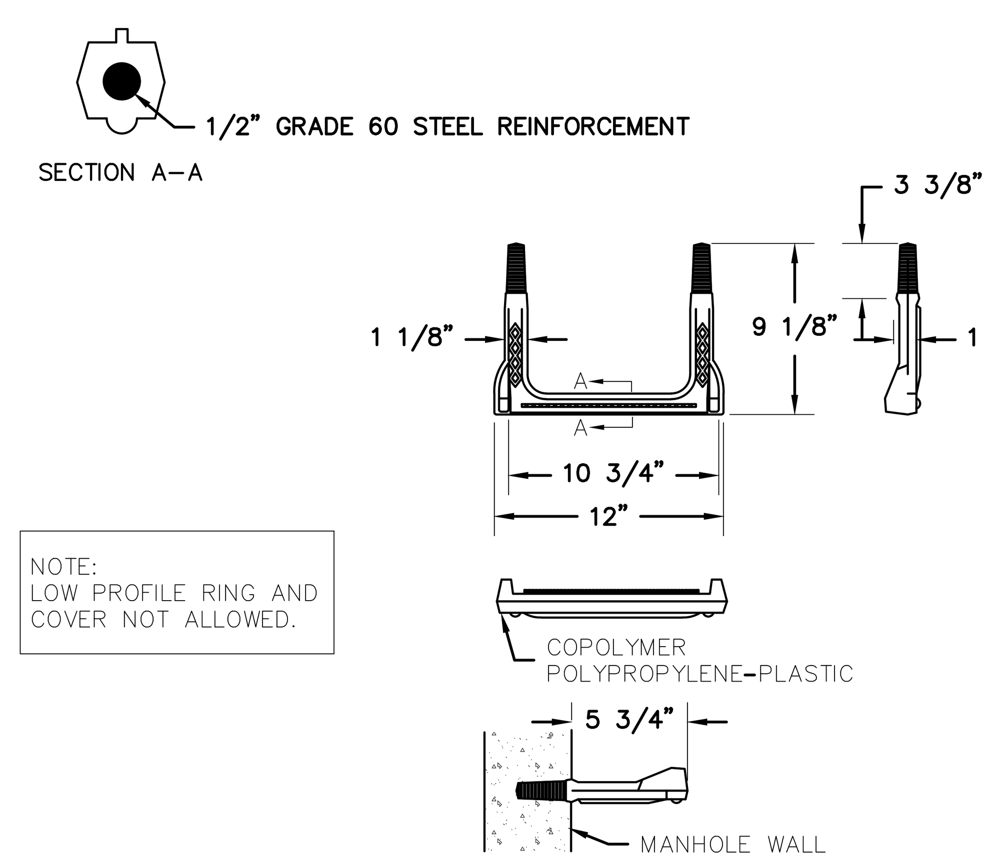
BOTTOM VIEW OF COVER

NOTE:
CAST IRON FRAME & COVER TO MEET REQUIREMENTS OF ASTM A 48 (CLASS 30) REQUIRED MINIMUM COMBINED WEIGHT 402 lbs.



SECTION 1

MANHOLE FRAME & COVER



NOTE:
LOW PROFILE RING AND COVER NOT ALLOWED.

MANHOLE STEPS

PROFESSIONAL ENGINEER No.5567007 WILLIAM F. MEYER, JR. 07/02/2024 STATE OF UTAH

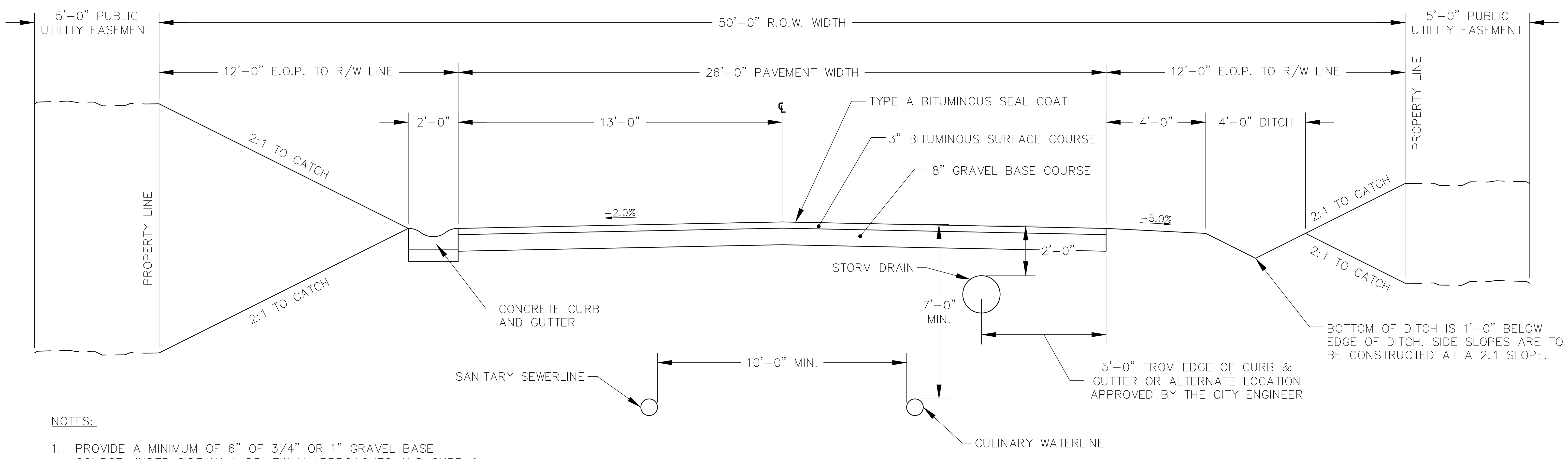
No	Date	By	Revision

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

DATE: JULY 2024
DRAWN: CBW
APPROVED: WFM
SCALE: NTS
JOB NO. 231008

DETAILS
HIDDEN SPRINGS
BRIAN HEAD, UTAH

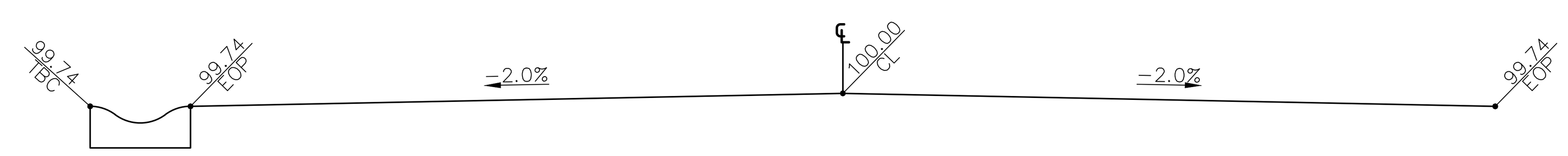
SHEET 10 OF 11 SHEETS
FILE: 231008



STANDARD ROADWAY SECTION

NOTES:

1. PROVIDE A MINIMUM OF 6" OF 3/4" OR 1" GRAVEL BASE COURSE UNDER SIDEWALK, DRIVEWAY APPROACHES AND CURB & GUTTER.
2. THE 3" BITUMINOUS SURFACE COURSE ON 8" GRAVEL BASE COURSE MAY BE INCREASED BY THE CITY ENGINEER WHEN THE SUBGRADE C.B.R. IS LESS THAN 10 OR WHEN A GREATER DEPTH IS NECESSARY TO PROVIDE SUFFICIENT STABILITY. DEVELOPER MAY SUBMIT AN ALTERNATIVE PAVEMENT DESIGN BASED ON A DETAILED SOILS ANALYSIS FOR APPROVAL BY THE CITY ENGINEER (THE DEPTH SUBMITTED BY THE DEVELOPER MAY BE INCREASED BY THE CITY ENGINEER).
3. MAXIMUM DIFFERENCE IN ELEVATION BETWEEN CURB ON OPPOSITE SIDE OF STREET SHALL NOT EXCEED 1'-0".
4. ON ARTERIAL STREETS THE DESIGN ENGINEER WILL PROVIDE A PAVEMENT DESIGN FOR REVIEW BY THE TOWN. LOCATION OF SIDEWALK AND CURB & GUTTER MAY VARY ON INDIVIDUAL ARTERIAL STREETS PER DIRECTION BY THE CITY ENGINEER. WALKS ARE 6' WIDE.
5. IF CURB & GUTTER IS REQUIRED, FOLLOW THE LEFT SIDE OF THE ROADWAY SECTION. IF CURB & GUTTER IS NOT REQUIRED, FOLLOW THE RIGHT SIDE OF THE ROADWAY SECTION.



ELEVATION DIFFERENCE FOR TYPICAL ROAD SECTION

No.5567007
WILLIAM F. MEYER, JR.
07/02/2024
STATE OF UTAH

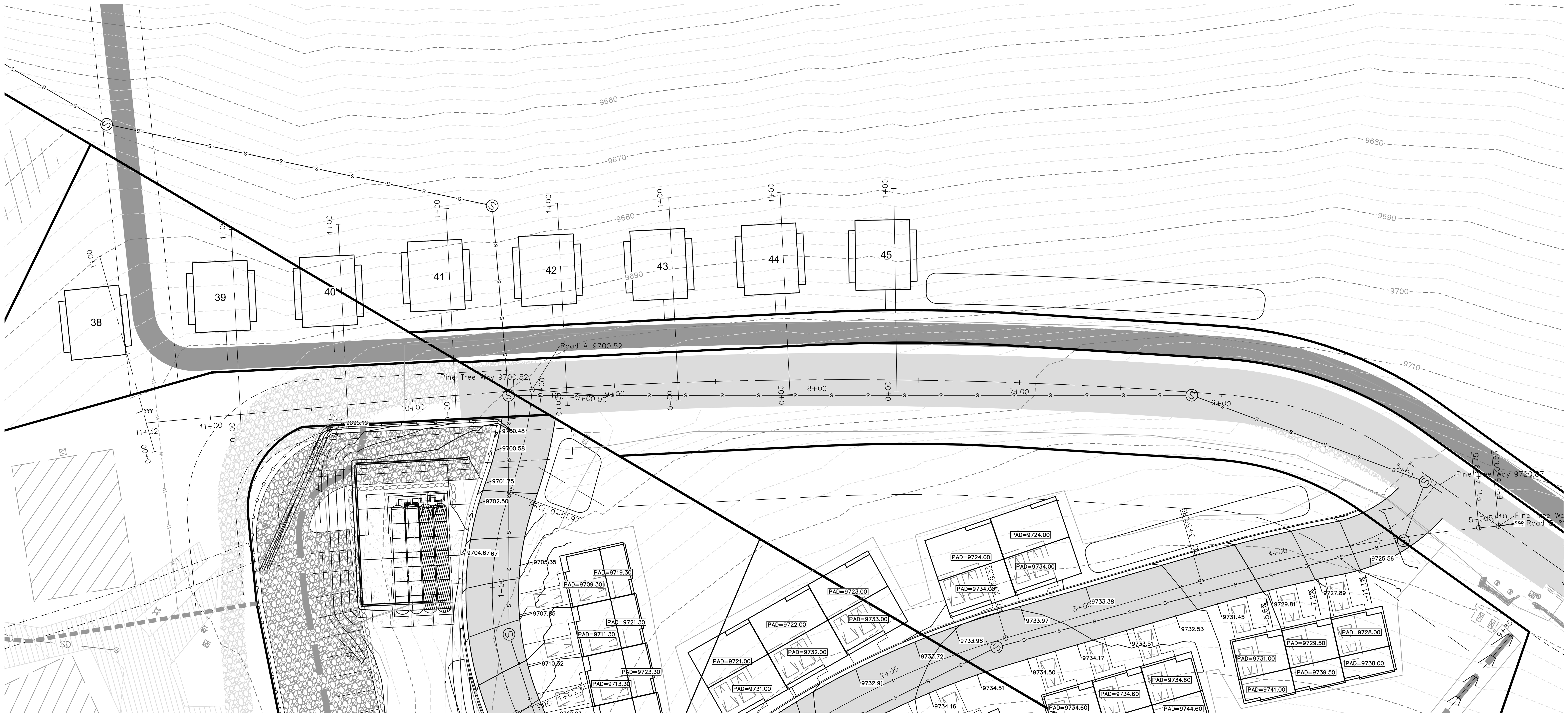
BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

No | Date | By | Revision

DATE: JULY 2024
DRAWN: CBW
APPROVED: WFM
SCALE: NTS
JOB NO. 231008

DETAILS
HIDDEN SPRINGS
BRIAN HEAD, UTAH

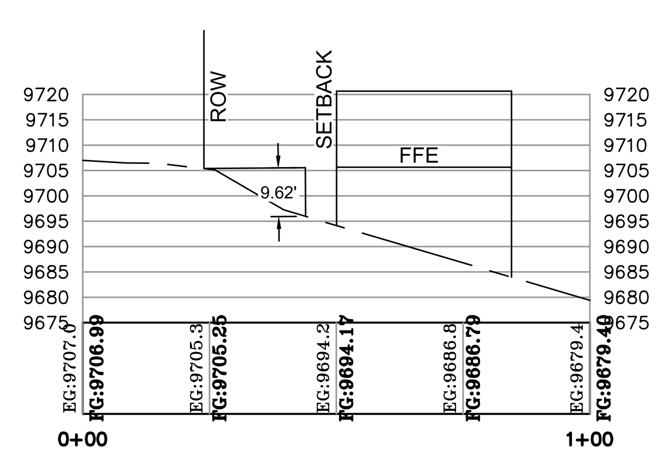
SHEET 11 OF 11 SHEETS
FILE: 231008



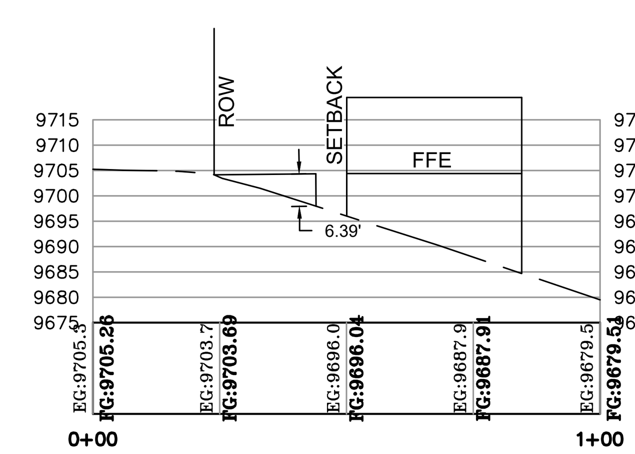
GRAPHIC SCALE

30 0 15 30 60

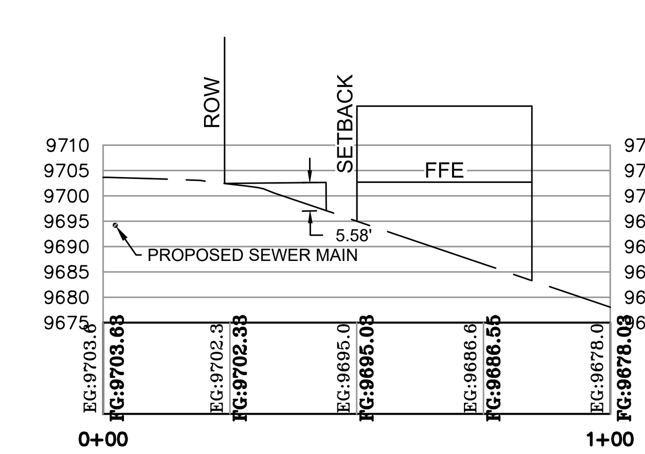
(IN FEET)
1 inch = 30 ft.



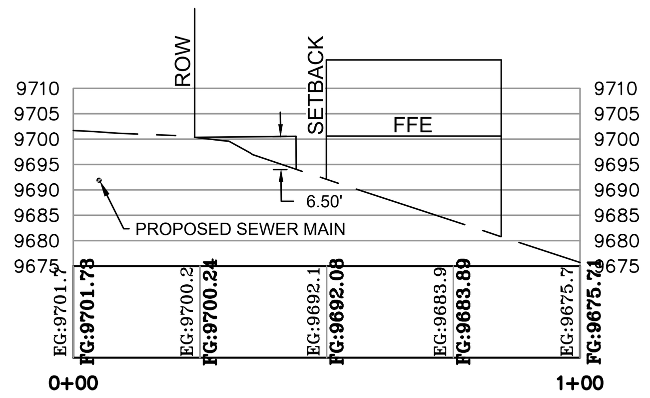
A Frame 45
H: 1"=50'
V: 1"=50'
STA: 0+00 TO STA: 1+00



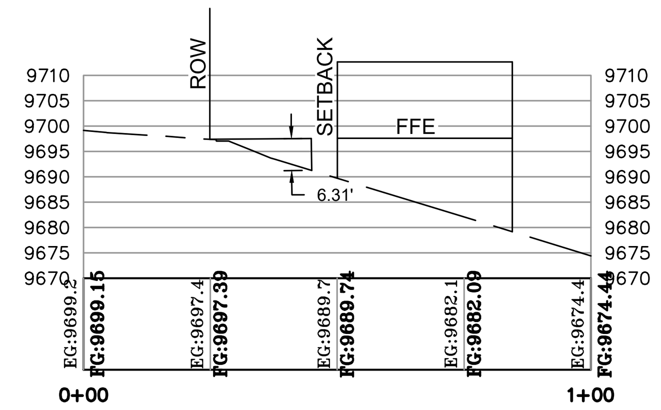
A Frame 44
H: 1"=50'
V: 1"=50'
STA: 0+00 TO STA: 1+00



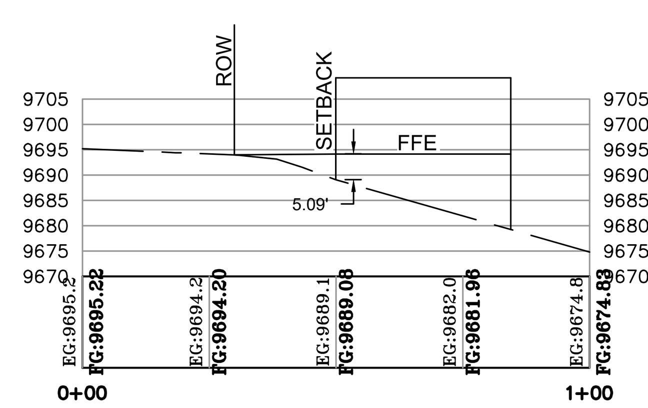
A Frame 43
H: 1"=50'
V: 1"=50'
STA: 0+00 TO STA: 1+00



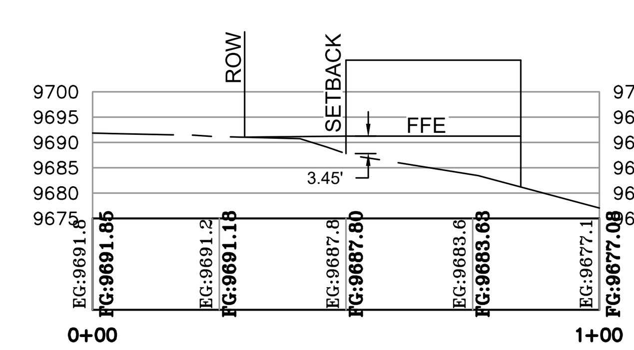
A Frame 42
H: 1"=50'
V: 1"=50'
STA: 0+00 TO STA: 1+00



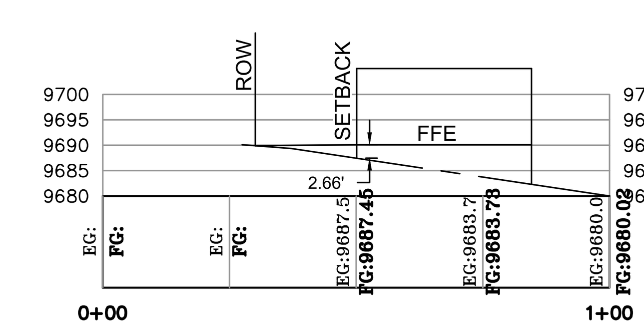
A Frame 41
H: 1"=50'
V: 1"=50'
STA: 0+00 TO STA: 1+00



A Frame 40
H: 1"=50'
V: 1"=50'
STA: 0+00 TO STA: 1+00



A Frame 39
H: 1"=50'
V: 1"=50'
STA: 0+00 TO STA: 1+00



A Frame 38
H: 1"=50'
V: 1"=50'
STA: 0+00 TO STA: 1+00

No | Date | By | Revision

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

DATE: JUNE 2024
DRAWN: CBW
APPROVED: WFM
SCALE: 1" = 30'
JOB NO. 231008

A FRAME PROFILE EXHIBIT
HIDDEN SPRINGS
@ BRIAN HEAD, UTAH

SHEET 1 OF 1 SHEETS

FILE: 231008

B&G PROJECT NUMBER 231008

HIDDEN SPRINGS

SCHEMATIC PLAN REVIEW

LOCATED IN BRIAN HEAD, UTAH

WEST 1/4 CORNER OF SECTION 2, T 36S, R 9 W, SLM

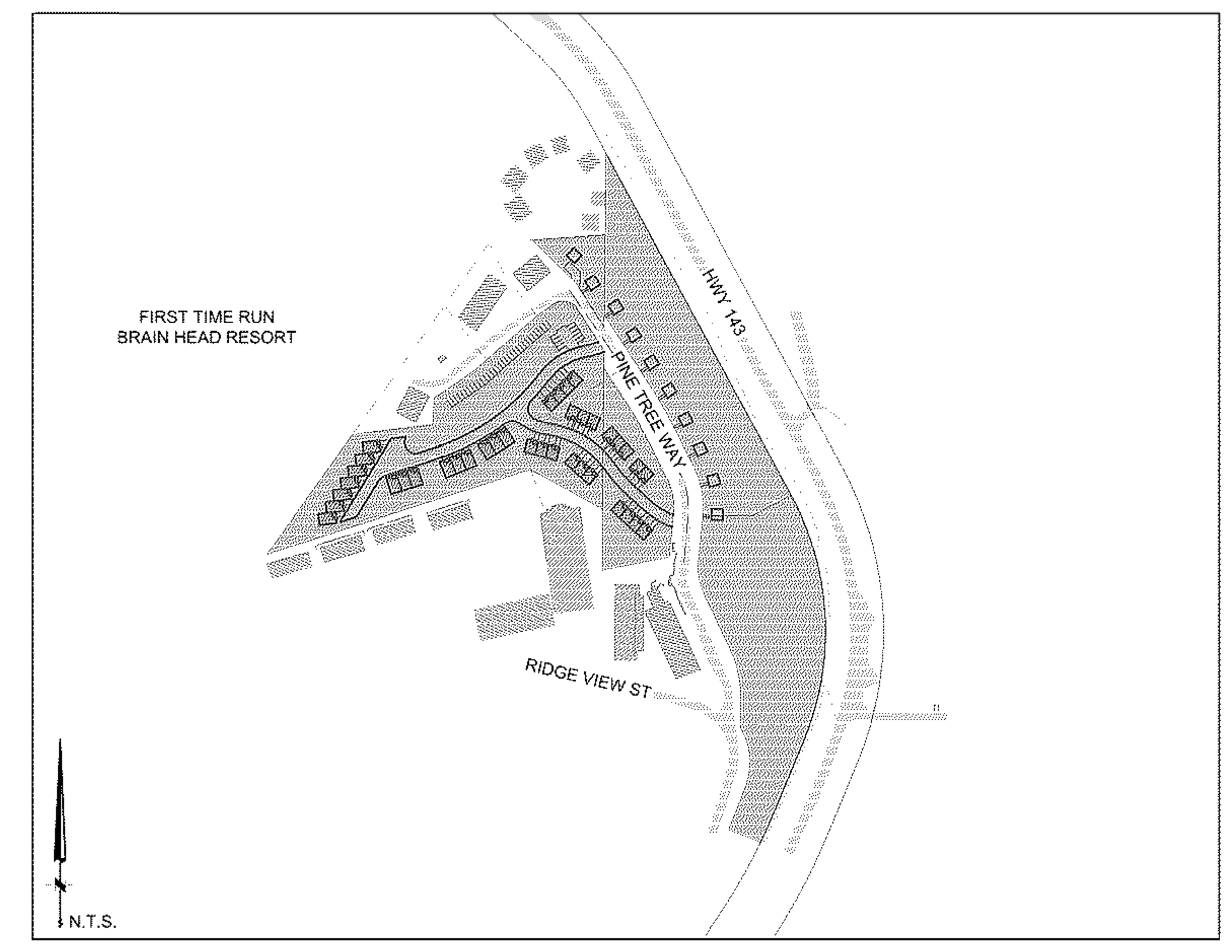
PARCEL # A-1150-0005-0005, A-1144-0001-0012, A-1144-0001-0012-02, A-1150-5-7

1 RIDGEVIEW STREET, BRAIN HEAD, UTAH 84719

VICINITY MAP

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	EXISTING CONDITIONS
3	SLOPE ANALYSIS
4	SCHEMATIC SITE PLAN

PROJECT MAP



GENERAL NOTES

1) CONTRACTOR IS RESPONSIBLE TO VERIFY LOCATIONS OF ALL UTILITIES PRIOR TO COMMENCEMENT OF WORK IN ANY ZONE.
2) ALL WORK AND MATERIALS SHALL COMPLY WITH BRIAN HEAD STANDARD SPECIFICATIONS.
3) PROJECTS SHALL INSTALL AN INFORMATIONAL SIGN ON SITE BEFORE CONSTRUCTION BEGINS. THIS SIGN WILL HAVE A MINIMUM SIZE, PLACEMENT LOCATION AND CONTENT INFORMATION WITH THE COMPANY NAME, PHONE CONTACT AND GRADING PERMIT NUMBER.
4) PROJECTS SHALL SUBMIT A DUST CONTROL PLAN WITH DETAILS ON EQUIPMENT, SCHEDULING AND REPORTING OF DUST CONTROL ACTIVITIES.
5) A MANDATORY PRE-CONSTRUCTION MEETING WILL BE REQUIRED ON ALL PROJECTS PRIOR TO ANY GRUBBING, GRADING OR CONSTRUCTION ACTIVITIES. THE PERMIT HOLDER WILL BE REQUIRED TO NOTIFY ALL DEVELOPMENT SERVICE INSPECTORS.
6) FOLLOW APPENDIX 'J' STANDARDS FOUND IN THE IBC.
7) ALL OBJECTS SHALL BE KEPT OUT OF THE SIGHT DISTANCE CORRIDORS THAT MAY OBSTRUCT THE DRIVER'S VIEW.

DUST CONTROL

THESE DUST CONTROL MEASURES MUST BE OBSERVED AT ALL TIMES:

EARTH MOVING ACTIVITIES:

1) APPLY WATER BY MEANS OF TRUCKS, HOSES AND/OR SPRINKLERS AT SUFFICIENT FREQUENCY AND QUANTITY, PRIOR TO CONDUCTING, DURING AND AFTER EARTHMOVING ACTIVITIES.
2) PRE-APPLY WATER TO THE DEPTH OF THE PROPOSED CUTS OR EQUIPMENT PENETRATION.
3) APPLY WATER AS NECESSARY AND PRIOR TO EXPECTED WIND EVENTS.
4) OPERATE HAUL VEHICLES APPROPRIATELY IN ORDER TO MINIMIZE FUGITIVE DUST AND APPLY WATER AS NECESSARY DURING LOADING OPERATIONS.

DISTURBED SURFACE AREAS OR INACTIVE CONSTRUCTION SITES:

1) WHEN ACTIVE CONSTRUCTION OPERATIONS HAVE CEASED, APPLY WATER AT SUFFICIENT FREQUENCY AND QUANTITY TO DEVELOP A SURFACE CRUST AND PRIOR TO EXPECTED WIND EVENTS.
2) INSTALL FENCE BARRIER AND/OR "NO TRESPASSING" SIGNS TO PREVENT ACCESS TO DISTURBED SURFACE AREAS.

SEPTEMBER 2023

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle #4
St. George, Utah 84770
Phone (435) 673-2337

AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY
Call before you Dig
1-800-662-4111
BLUE STAKES LOCATION CENTER (UTAH)

OWNER / DEVELOPER

AMMIL DEVELOPMENT LLC
CHELSEA CURCURU
chelsea@ammildevelopment.com
(774) 454-9404
5725 S. VALLEY VIEW BLVD
LAS VEGAS, NV 89118

ENGINEERING CONTACT

BUSH AND GUDGELL, INC.
205 EAST TABERNACLE #4
ST GEORGE, UT 84770
RICK MEYER – PROJECT MANAGER
(435)-673-2337

No	Date	By	Revision

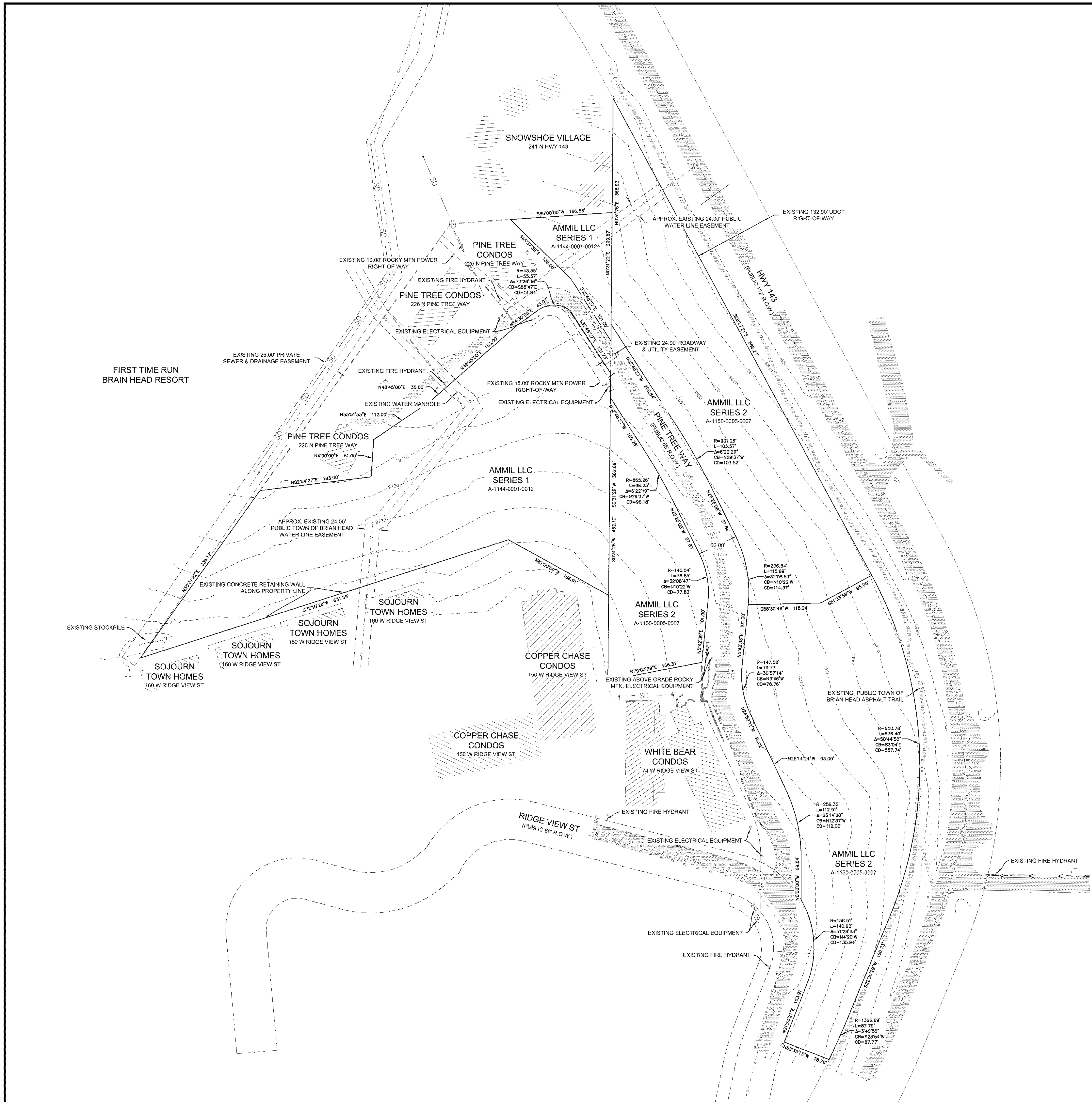
BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

DATE: SEPT 2023
DRAWN: CBW
APPROVED: WFM
SCALE: NOTED
JOB NO. 231008

COVER SHEET
HIDDEN SPRINGS
BRIAN HEAD, UTAH

SHEET 1 OF 4 SHEETS

FILE: 231008-SCHEMATIC PLAN REVIEW



LEGEND

- EXISTING SEWER
- EXISTING WATER
- SD EXISTING STORM DRAIN
- EXISTING RIGHT OF WAY LINE
- EXISTING LOT LINES
- DRAINAGE CHANNEL FLOW LINE
- EXISTING FENCING
- OHP EXISTING OVER HEAD POWER
- EASEMENT LINE
- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- EXISTING ASPHALT
- EXISTING GRAVEL SURFACE ROAD
- EXISTING BUILDING

SITE NOTE:

SITE IS COVERED WITH TREES AND VEGETATION.

OWNER / DEVELOPER

AMMIL DEVELOPMENT LLC
CHELSEA CURCURU
chelsea@ammildevelopment.com
(774) 454-9404
5725 S. VALLEY VIEW BLVD
LAS VEGAS, NV 89118

ENGINEERING CONTACT

BUSH AND GUDGELL, INC.
205 EAST TABERNACLE #4
ST GEORGE, UT 84770
RICK MEYER - PROJECT MANAGER
(435)-673-2337

AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY
Call before you Dig
1-800-662-4111

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

No.	Date	By	Revision

DATE: SEPT 2023
DRAWN: CBW
APPROVED: WFM
SCALE: 1" = 80'
JOB NO.: 231008

EXISTING CONDITIONS
HIDDEN SPRINGS
BRIAN HEAD, UTAH

SHEET 2 OF 4 SHEETS

SLOPE LEGEND

- 0% TO 9.999% SLOPE RANGE
- 10% TO 24.999% SLOPE RANGE
- 25% TO 39.999% SLOPE RANGE
- 40% TO 1000% SLOPE RANGE

LEGEND

- EXISTING SEWER
- EXISTING WATER
- SD — EXISTING STORM DRAIN
- EXISTING RIGHT OF WAY LINE
- EXISTING LOT LINES
- DRAINAGE CHANNEL FLOW LINE
- EXISTING FENCING
- OHP — EXISTING OVER HEAD POWER
- EASEMENT LINE
- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- EXISTING ASPHALT
- EXISTING GRAVEL SURFACE ROAD
- EXISTING BUILDING

OWNER / DEVELOPER

AMMIL DEVELOPMENT LLC
CHELSEA CURCURU
chelsea@ammildevelopment.com
(774) 454-9404
5725 S. VALLEY VIEW BLVD
LAS VEGAS, NV 89118

ENGINEERING CONTACT

BUSH AND GUDGELL, INC.
205 EAST TABERNACLE #4
ST GEORGE, UT 84770
RICK MEYER – PROJECT MANAGER
(435)-673-2337

AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY
Call before you Dig
1-800-662-4111
BLUE STAKES LOCATION CENTER (UTAH)

GRAPHIC SCALE

80 0 40 80 160

(IN FEET)
1 inch = 80 ft.

No	Date	By	Revision

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

DATE: SEPT 2023
DRAWN: CBW
APPROVED: WFM
SCALE: 1" = 80'
JOB NO. 231008

SLOPE ANALYSIS
HIDDEN SPRINGS
BRIAN HEAD, UTAH

SHEET 3 OF 4 SHEETS

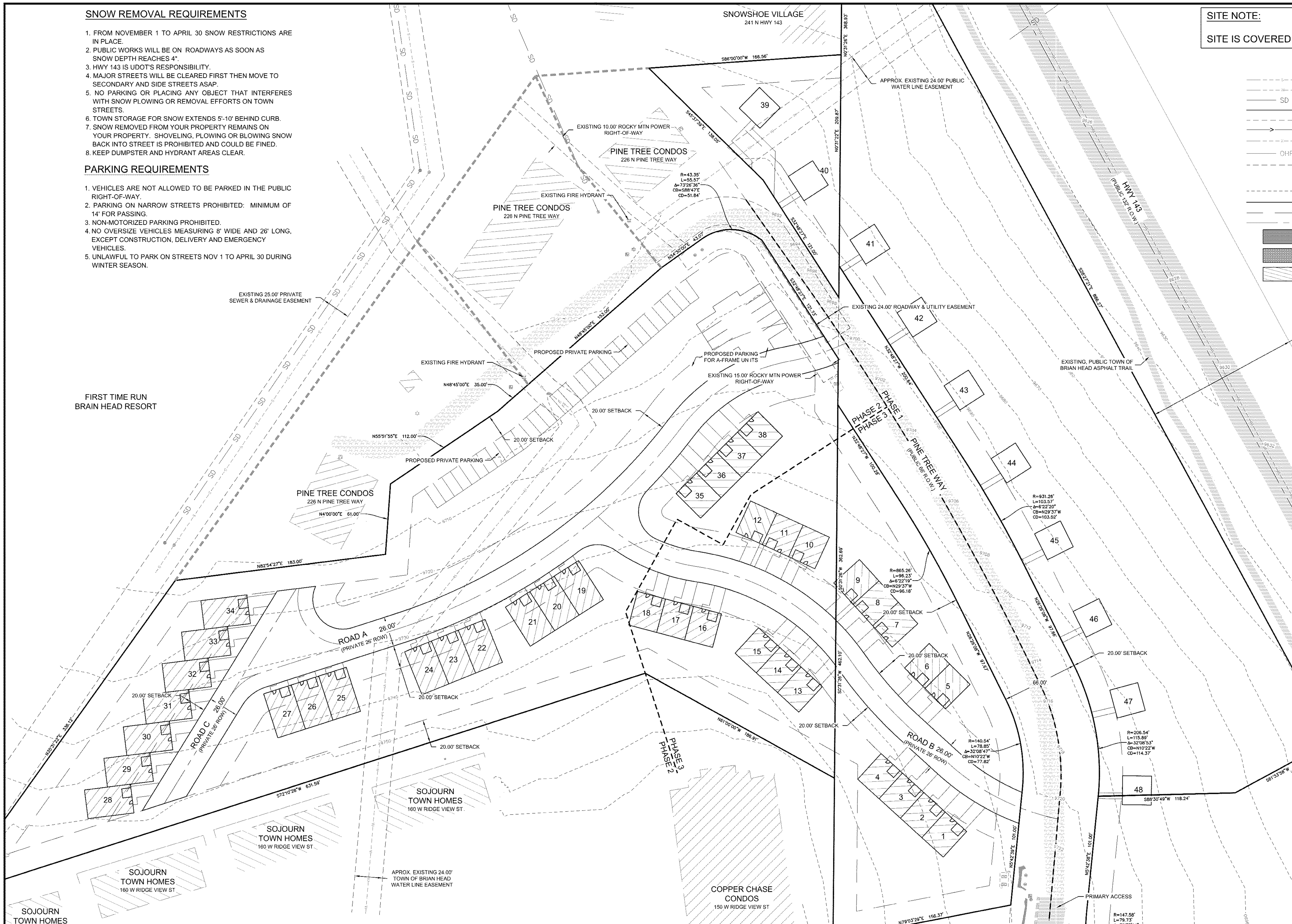
FILE: 231008-SCHEMATIC PLAN REVIEW

SNOW REMOVAL REQUIREMENTS

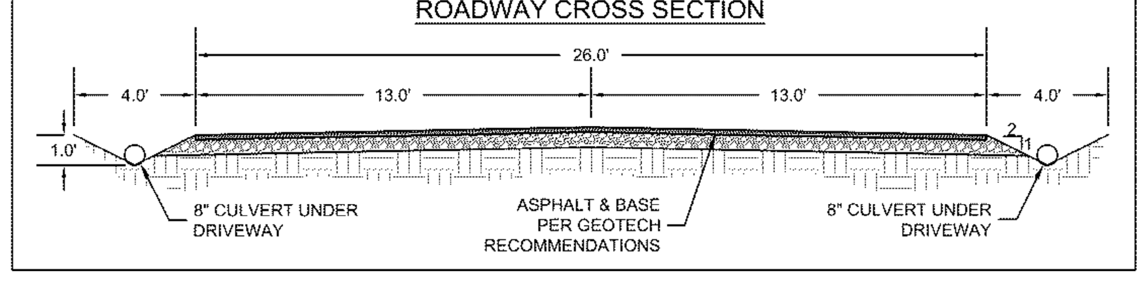
1. FROM NOVEMBER 1 TO APRIL 30 SNOW RESTRICTIONS ARE IN PLACE.
2. PUBLIC WORKS WILL BE ON ROADWAYS AS SOON AS SNOW DEPTH REACHES 4".
3. HWY 143 IS UDOT'S RESPONSIBILITY.
4. MAJOR STREETS WILL BE CLEARED FIRST THEN MOVE TO SECONDARY AND SIDE STREETS ASAP.
5. NO PARKING OR PLACING ANY OBJECT THAT INTERFERES WITH SNOW PLOWING OR REMOVAL EFFORTS ON TOWN STREETS.
6. TOWN STORAGE FOR SNOW EXTENDS 5'-10' BEHIND CURB.
7. SNOW REMOVED FROM YOUR PROPERTY REMAINS ON YOUR PROPERTY. SHOVELING, PLOWING OR BLOWING SNOW BACK INTO STREET IS PROHIBITED AND COULD BE FINED.
8. KEEP DUMPSTER AND HYDRANT AREAS CLEAR.

PARKING REQUIREMENTS

1. VEHICLES ARE NOT ALLOWED TO BE PARKED IN THE PUBLIC RIGHT-OF-WAY.
2. PARKING ON NARROW STREETS PROHIBITED: MINIMUM OF 14' FOR PASSING.
3. NON-MOTORIZED PARKING PROHIBITED.
4. NO OVERSIZE VEHICLES MEASURING 8' WIDE AND 26' LONG, EXCEPT CONSTRUCTION, DELIVERY AND EMERGENCY VEHICLES.
5. UNLAWFUL TO PARK ON STREETS NOV 1 TO APRIL 30 DURING WINTER SEASON.



ROADWAY CROSS SECTION



SITE NOTE:

SITE IS COVERED WITH TREES AND VEGETATION.

LEGEND

- EXISTING SEWER
- EXISTING WATER
- EXISTING STORM DRAIN
- EXISTING RIGHT OF WAY LINE
- EXISTING LOT LINES
- DRAINAGE CHANNEL FLOW LINE
- EXISTING FENCING
- EXISTING OVER HEAD POWER
- EASEMENT LINE
- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- RIGHT-OF-WAY LINE
- LOT SETBACK LINE
- CENTER LINE
- EXISTING ASPHALT
- EXISTING GRAVEL SURFACE ROAD
- EXISTING BUILDING

OWNER / DEVELOPER

AMMIL DEVELOPMENT LLC
CHELSEA CURCURU
chelsea@ammildevelopment.com
(774) 454-9404
5725 S. VALLEY VIEW BLVD
LAS VEGAS, NV 89118

ENGINEERING CONTACT

BUSH AND GUDGELL, INC.
205 EAST TABERNACLE #4
ST GEORGE, UT 84770
RICK MEYER - PROJECT MANAGER
(435)-673-2337

AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY
Call before you Dig
1-800-662-4111

GRAPHIC SCALE

40 0 20 40 80

(IN FEET)
1 inch = 40 ft.

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

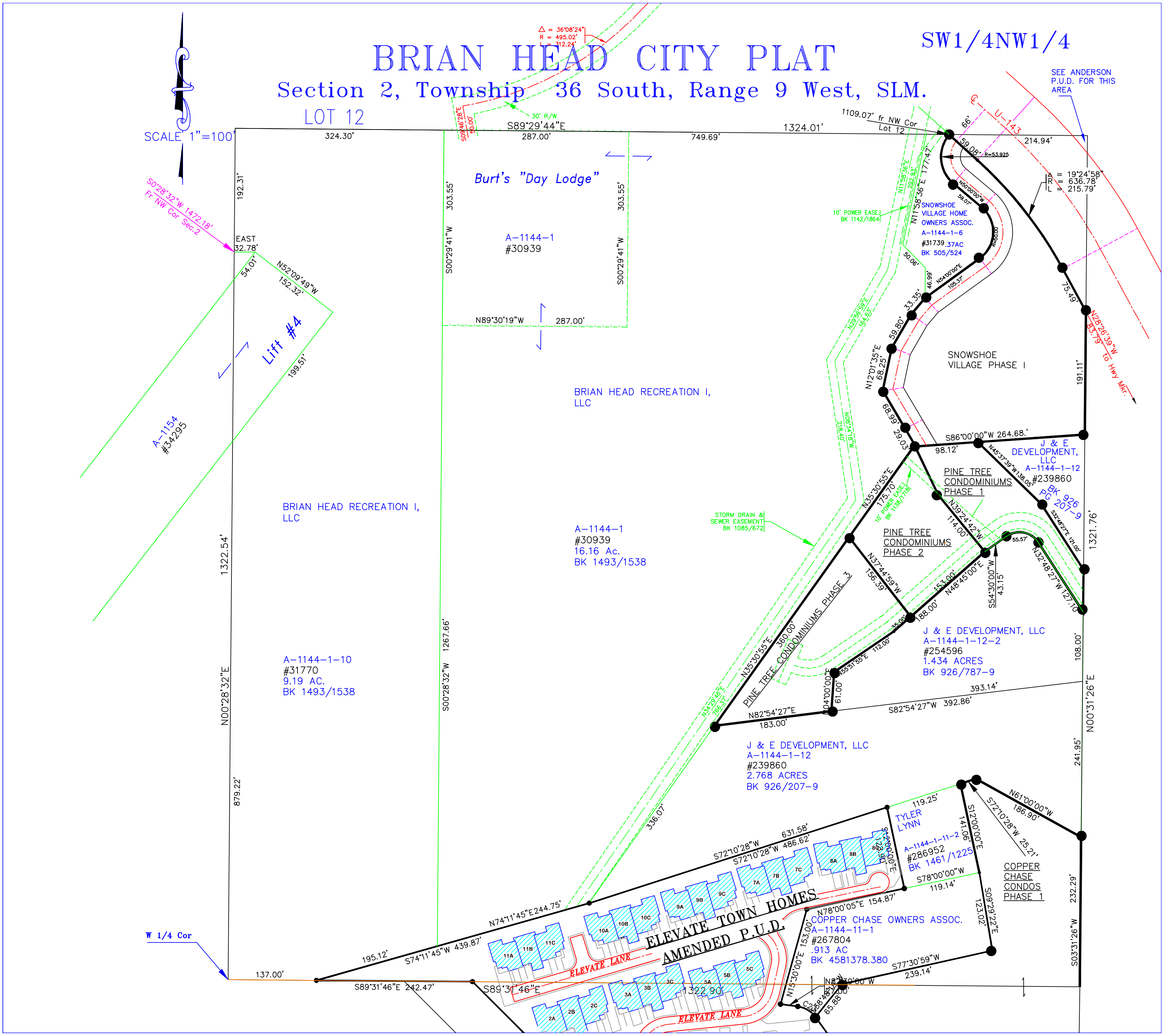
No	Date	By	Revision

DATE: SEPT 2023
DRAWN: CBW
APPROVED: WFM
SCALE: 1" = 40'
JOB NO. 231008

SCHEMATIC SITE PLAN
HIDDEN SPRINGS
BRIAN HEAD, UTAH

FILE: 231008-SCHEMATIC PLAN REVIEW

X:\231000-231999\231008 - Brainhead Multi-Family Due Diligence\Drawings\Schematic Plan\Hidden Springs Schematic Plan Review.dwg



BRIAN HEAD CITY PLAT
Section 2, Township 36 South, Range 9 West, SLM.
SW1/4NW1/4
SCALE 1"=100'
LOT 12
SEE ANDERSON P.U.D. FOR THIS AREA
Burt's "Day Lodge"
A-1144-1
#30939
BRIAN HEAD RECREATION I, LLC
A-1144-1
#30939
16.16 Ac.
BK 1493/1538
BRIAN HEAD RECREATION I, LLC
A-1144-1-10
#31770
9.19 AC.
BK 1493/1538
Lift #4
A-1154
#34295
SNOWSHOE VILLAGE HOME OWNERS ASSOC.
A-1144-1-6
#31739 .37AC
BK 505/524
SNOWSHOE VILLAGE PHASE I
J & E DEVELOPMENT, LLC
A-1144-1-12
#239860
BK 926 PG 207-9
PINE TREE CONDOMINIUMS PHASE 1
PINE TREE CONDOMINIUMS PHASE 2
PINE TREE CONDOMINIUMS PHASE 3
J & E DEVELOPMENT, LLC
A-1144-1-12-2
#254596
1.434 ACRES
BK 926/787-9
J & E DEVELOPMENT, LLC
A-1144-1-12
#239860
2.768 ACRES
BK 926/207-9
TYLER LYNN
A-1144-1-11-2
#286952
BK 1461/1225
COPPER CHASE CONDOS PHASE 1
COPPER CHASE OWNERS ASSOC.
A-1144-11-1
#267804
.913 AC
BK 4581378.380
ELEVATE TOWN HOMES AMENDED P.U.D.
ELEVATE LANE
STORM DRAIN & SEWER EASEMENT BK 1085/672
10' POWER EASE. BK 1142/1864
W 1/4 Cor
S0°28'32"W 1472.18' Fr NW Cor Sec.2
1109.07' fr NW Cor Lot 12
S89°29'44"E
1324.01'
324.30'
287.00'
749.69'
N89°30'19"W 287.00'
S00°29'41"W 303.55'
N00°28'32"E 1322.54'
S00°28'32"W 1267.66'
N00°31'26"E 1321.76'
S03°31'26"W
N74°11'45"E 244.75'
S74°11'45"W 439.87'
S72°10'28"W 631.58'
S72°10'28"W 486.62'
S89°31'46"E 242.47'
S89°31'46"E 1322.90'
N82°54'27"E 183.00'
S82°54'27"W 392.86'
393.14'
N35°30'55"E 360.00'
N35°30'55"E 175.70'
S86°00'00"W 264.68'
N61°00'00"W 186.90'
S72°10'28"W 25.21'
S12°00'00"E 141.06'
S09°29'22"E 123.02'
S77°30'59"W 239.14'
N78°00'05"E 154.87'
S78°00'00"W 119.14'
119.25'
N28°26'39"W 83.79' To Hwy Mkr.
Δ = 19°24'58" R = 636.78' L = 215.79'
Δ = 36°08'24" R = 495.02' L = 312.24'
30' R/W

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT ("**Agreement**") is made and entered into on this _____ day of ________________, 2024, by and between Brian Head Town, a municipal corporation and subdivision of the State of Utah ("**Town**"), and Ammil Development LLC, a _________ limited liability company ("**Developer**"), for development of the land to be known as [Hidden Springs] ("**Development**").

A. Developer owns and controls approximately 11.72 acres of real property located in Iron County, Utah ("**Property**"), legally described in Exhibit A, which is depicted on the Hidden Springs Preliminary Plat attached hereto as Exhibit B ("**Plat**"). Developer desires to design and develop the Property as a residential community which will include open space and trails and may include a community swimming pool and clubhouse.

B. The Town, acting pursuant to its authority under Utah Code Section 10-9a 101, et seq. and its ordinances, resolutions, and regulations and in furtherance of its land use policies, has made certain determinations with respect to the Development, and, in the exercise of its legislative discretion, has elected to approve this Agreement, provided, however, that Town makes no representation that the above referenced statutes are satisfied in full by entering into this Agreement.

C. The parties acknowledge that this Agreement between Developer and Town will result in planning and economic benefits to the Town and its residents by increasing property tax and other revenues to the Town based on improvements to be constructed on the Property.

D. The parties acknowledge that this Agreement between Developer and Town will also result in planning and economic benefits to the Developer by providing assurances to Developer that it will have the ability to develop the Property in accordance with agreed terms and conditions within this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein,

Town and Developer mutually agree, covenant and promise, as follows:

A. DEFINITIONS.

1. Association. "**Association**" means and refers to the "**Owners Association**" organized pursuant to the Declaration (defined below). The Association which will have, after the period of Developer administrative control, certain responsibilities including but not limited to: preserving and maintaining common areas, facilities, and amenities which are retained and developed for the common use and benefit of all the owners, including commonly owned streetscapes; the development and enforcement of architectural and landscaping design guidelines; developing and enforcing rules and regulations for the continuing operation of the Property; and collecting regular and special assessments, transfer fees, fines, and penalties from the owners in the Property. The Association will be created by the Developer as a non-profit corporation organized under the laws of the State of Utah. The Association will (1) acquire, construct, operate, own, manage, and/or maintain

the common areas within the Property, perform and provide certain services and functions including, without limitation or obligation, contracting for maintaining certain public trails and throughways; (2) be responsible for maintenance and repair of common nonpublic improvements upon property in the Property owned or controlled by the Association in addition to annual, usual and special assessments for maintenance of common nonpublic improvements in the Property; (3) the Association will levy such assessments as may be necessary from time to time to repair, restore or replace landscaping, or other common nonpublic improvements, when necessitated by the installation, maintenance, repair, or replacement of public water, sewer, power, natural gas, and drainage infrastructure; (4) upon the transfer of any lot or homesite, levy, collect and disburse any transfer assessment imposed under the Declaration; and (5) as the agent or representative of the members of the Association, administer and enforce all provisions hereof and enforce use and other restrictions imposed on the Property.

2. Declaration. "**Declaration**" means and refers to the declaration of covenants, conditions and restrictions upon the Property which will be recorded in the Iron County Recorder's Office and will run with the land. The Declaration will set forth the rights and obligations of the Developer, the Association, and the individual owners with respect to one another, will establish a lien for the collection of assessments, and serve other purposes ordinary to Declaration in similar projects. The parties acknowledge and agree that under no circumstances will Town have any enforcement obligations under the Declaration.

3. Design and Development Guidelines. "**Design and Development Guidelines**" means the written review standards, if any, promulgated by the Architectural Review Committee ("**ARC**") created pursuant to the Declaration of the development criteria adopted and from time to time, amended by the Developer and implemented by ARC.

4. Developer. "**Developer**" is defined in the opening paragraph.

5. On-site Improvements. "**On-site Improvements**" means and refers to all public envisioned developer improvements including, sewer, storm drainage, rock lined drainage swales, culinary water, natural gas, lighting, underground utility systems, streets, streetscapes, common areas designated within or adjacent to the Property, snow storage areas, trails, ski trails, or other improvements within the boundaries of the Property.

6. Open Space. "**Open Space**" means land outside of designated improvement areas and outside of the On-Site Improvement areas in this Agreement, which meets the criteria set forth in the Brian Head Town Code "Recreation Open Space Zone" as set forth in §9-7-7 thereof.

7. Public Safety Department. "**Public Safety Department**" means and refers to the agencies acting within their official capacity to perform duties relating to community public safety, law enforcement, emergency response, search and rescue, community fire education and fire prevention services for Town.

8. Public Works Department. “**Public Works Department**” means and refers to the Town department which is responsible for the public works, and operation and maintenance of public infrastructure within the Town.

B. DEVELOPMENT; DENSITY.

1. Development of Infrastructure and Lot Releases. The Property will be developed in phases as shown on the Plat and will enjoy the rights conferred by and be subject to the terms of this Agreement. The Property will be developed in accordance with the Town’s ordinances, regulations, and process with respect to entitlements and construction, and Developer will have the sole discretion to decide how the development proceeds.

2. Residential Density of the Property. The parties agree that the Plat shows the intended residential uses and these anticipated land uses are in substantial conformance to the Town’s general plan, and that the proposed density will be considered an entitlement number and that number will not be altered by any zoning ordinances including, but not limited to, hillside development regulations, setback and open space requirements. The development of the Property to less than the full maximum allowed density will not release Developer from any obligations to the Town as set forth herein, unless as a result of a General Plan amendment which is not requested by Developer, or unless the reduction in total units results in a corresponding reduction in public facilities and/or improvements supported by the appropriate engineering/planning studies as approved by the Town and incorporated in an amendment to this agreement.

C. VESTED RIGHTS AND RESERVED LEGISLATIVE POWERS.

Subject to Utah Code Sections 10-9a-509, with the recording for public record of this Agreement, Developer’s right to develop the Property as described herein is hereby vested subject to the conditions precedent expressly set forth in this Agreement allowing for modification of specific requirements as development of the Property progress toward completion. Nothing in this Agreement will limit the current or future exercise of the police power by the Town in enacting zoning, subdivision, development, transportation, environmental, open space and related land use plans, policies, ordinances and regulations after the date of this Agreement provided that the adoption and exercise of such power is directed at a critical health, welfare and safety concern and will not restrict Developer’s vested rights to develop the Property as provided herein. Furthermore, the Property is still subject to the administrative procedures applicable to the development of the Property, including but not limited to all subdivisions and permit applications, approvals and inspections applicable to the Property. In order to preserve the rights vested to Developer herein, Developer must reasonably pursue the development of the Property. This Agreement is not intended to and does not bind the Town Council in the independent exercise of its legislative discretion with respect to such zoning regulations, except to the extent specifically covenanted as set forth herein, the provisions of this Agreement by recording intended to run with the land to the benefit and burden of Developer and its successors and assigns. Notwithstanding any of the foregoing, nothing herein will prohibit Developer from relying on the zoning in effect at the time any given subdivision application has been submitted, and pursuant to Utah Code Section 10-9a-509, Developer will be entitled to approval of all completed applications on the basis of the zoning laws and regulations in effect at the time such application was submitted without regard to any subsequent changes to such laws or regulations.

D. COMPLIANCE WITH TOWN DESIGN AND CONSTRUCTION STANDARDS.

Developer acknowledges and agrees that unless expressly stated otherwise, nothing in this Agreement will be deemed to relieve it from the obligation to comply with all applicable laws and requirements of the Town necessary for development of the Property, including the payment of fees, and compliance with the Town’s design and construction standards for public improvements which are approved at the time of construction, except as may be specifically set forth otherwise herein.

E. TIME FOR CONSTRUCTION AND COMPLETION OF THE PROPERTY.

Except as otherwise provided in this Agreement, Developer will have the discretion as to the time of commencement, construction, infrastructure phasing and completion of any and all development of the Property. Developer’s discretion will be confined within the time limitations set forth in Town code such as final plat expiration.

F. ROADS.

1. Road Dedication. Town and Developer will cooperate in the dedication of Pine Tree Way. In addition, Developer will dedicate any completed rights-of-way within the Property constructed to Town standards as plats are approved for that portion of the Property containing such rights-of-way.

2. Road Access Provided to Town. Pine Tree Way, as well as the private roads within the Property will be monitored and maintained to provide the Town’s Public Works and Public Safety Departments year-round normal maintenance and emergency 24/7 access for fire prevention, code enforcement, marshals monitoring, together with access for any other public purpose.

3. Road Standards. Developer will coordinate with Town through Developer’s engineer, to ensure all improvements meet or exceed Town’s standards and requirements for road design and construction. All proposed roads will be constructed per Town standards. Roads will be private with plowing service to meet or exceed the Town four-hour rule. All private roadways will also serve as water and sewer and utility easements.

4. Road Costs and Ongoing Maintenance. Developer will bear the initial costs of below and above surface construction of all interior roadways within the Property. Developer will construct and install all utilities within road rights of way whether public or private. Once completed, the Town will be responsible for the maintenance of all utilities within and along all finished roadways, and all other interior roadways, and ongoing maintenance of the above ground improvements on public roads such as Town road signage maintenance. Developer will be responsible for maintaining all above and below ground improvements on private roads. Except as requested by Developer, in the event Town removes asphalt pavement for normal or emergency access and/or underground

maintenance or repair of utilities, Town will be responsible to repair where the pavement was removed, Town will be responsible for all future replacement paving or repairs on all public designated roadway(s).

5. Road Snow Plowing. Developer, Developer's designee (including the Association), will be responsible for snow removal of all private interior roadways and private facilities. Developer will strive to meet or exceed the Town's 4-hour goal of snow plowing response times.

6. Roadside Snow Storage Area. Developer will construct roadside snow storage areas on the sides of the roadways and/or designated areas to serve the Property, meeting or exceeding Town's standards.

7. Street and Traffic Control Safety Signage. Developer will bear sole responsibility for costs to purchase, construct, and install all public street signage, including related or required permanent structures, mounts, or supports, and will include all permanent road signage and traffic control devices and signs, which will be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and Town standards.

8. Roadside Drainage System. Developer, at its sole cost and expense, will construct water drainage system along the roadsides, with culverts under the system as needed, and rock lined drainage swales to serve the Property. After installation, Town will be responsible for the maintenance, repair and replacement of the above drainage systems.

G. UTILITIES.

1. Responsible Parties. Developer will bear sole responsibility for costs to initially construct all underground utilities within the Property including water, sewer, power, natural gas, fiber, internet and/or telephone infrastructure together with those third-party providers. Town will bear sole responsibility for costs to maintain, and repair below surface utility improvements for water and sewer utilities Developer and/or individual purchasers and owners will be responsible for their own ongoing maintenance of lines and pump systems from their "lateral lines" into all structures. The parties anticipate that third-party providers such as Rocky Mountain Power, Dominion Gas, fiber, internet, and/or telephone providers, and other service providers will bear sole responsibility for costs to maintain, and repair below surface related utility improvements or repairs for their respective utilities.

2. Water; Vesting of Density Units. Developer will construct water source, storage and distribution improvements connecting to Town's water supply, adhering to Town's standards to serve the Property. Town will transfer water rights to Developer in accordance with the Brian Head Town Development Water Rights Purchase Agreement attached as Exhibit C to provide municipal service for the density/units contemplated in this Agreement. Developer will coordinate with Town through Developer's engineer, to ensure all water improvements meet or exceed Town's standards and requirements for design and construction. The transfer and use of such water rights will be governed by that

certain [Water Rights Transfer and Holding Agreement] between Town and Developer, such agreement to be negotiated and agreed to prior to finalization of this Agreement and included as part of the documents comprising Exhibit C.

3. Sewer.

(a) Sewer Collection and Conveyance. Developer will, at is sole cost and expense, construct improvements connecting the Town's sewer, using both a combination of the Town's traditional gravity system and a hybrid gravity / low pressure sewer system, adhering to Town's standards to serve the Property. In no event will Developer be entitled to consume collection or conveyance capacity needed for the buildout of the existing Town or increase the cost burden on the community.

(b) Sewer Treatment. Developer will have no obligation to meet any sewer treatment capacity demands in the future.

4. Utility Easements for Sewer and Water Extensions. If a sewer or water easement becomes necessary for any extension of sewer or water systems planned, into adjoining land owned and controlled by Developer, Town will agree to acquire such easements from Developer at no cost to the Town.

5. Gas and Power. Developer will, at its sole cost and expense, construct improvements connecting both, the gas-line supply and power-line supply provided by Dominion Gas Co. and Rocky Mountain Power to serve the Property. After installation, the applicable utility provider will be responsible for the maintenance, repair and replacement of the applicable improvements.

H. EASEMENTS.

1. Town Public Trail Easement, Operation and Maintenance. Developer agrees to provide land for non-exclusive easements supporting a connection and an expansion of the Town's public trail network through the Property, any new trails will plug into existing trails on Town and Forest Service Land to the extent possible. Developer will develop, construct and dedicate trails to the Town on such nonexclusive easements at Developer's sole cost and expense. Once dedicated to the Town, the Town will maintain dedicated trails. If Developer, at Developer's sole discretion, finds the Town's maintenance to be insufficient then Developer upon notice to the Town and in cooperation with the Town may upgrade and/or maintain public trails to the standards of the Town. Improvements donated to Town by the Developer will include a Trail Easement Agreement for the use of the land to the Town.

2. Easements and Right of Way Dedications. Any record of survey filed at the Iron County Recorder's office with respect to the entire Property will designate, both the streets and utility plan easements, in addition to all other easements including dedicated private trail easements, Town sewer easements, public trails, and throughways or rights of way as are reasonably necessary for servicing the Property and which will be configured to minimize the impact on the servient property. Easements and public rights of way will be granted or dedicated to the Town and/or other applicable third parties, as the case may be,

as a part of any record of survey to benefit the Property. Town and Developer will mutually cooperate to grant cross easements as may be shown on the applicable record of survey. Developer will reserve such easements as are reasonably necessary for all sewer, utilities, water storage, snow storage, or drainage of the Property's runoff water control. Such easements will be located so as to minimize impact on the servient property.

I. OPEN SPACE.

Developer has flexibility in adjusting Open Space boundaries and may designate Open Space for private use, for public access, or to preserve the unique and natural features of such areas. At the sole discretion and election of Developer, Open Space may be encumbered with an easement restricting its use accordingly. [Notwithstanding anything herein to the contrary, Developer will not have the right to alter any trails included in the Town Trails Master Plan included as Exhibit __ hereto without the consent of Town.]

J. LAND USES; RESTRICTIONS.

1. Land Uses. Residential spaces are intended and planned for the Property including but not limited to, residential single-family homes, townhomes, condominiums, and a-frame cabins.

2. Trails. Pedal bicycles or mountain bikes (including e-bikes, excepting on specified trails for such use), motorcycles, all-terrain vehicles (ATV's), other off-road vehicles, and all means of transport whatsoever, (excepting snowmobiles which are prohibited), will be allowed only on specified trails or easements designated for such use, and homesite driveway access. Subject to the foregoing, Developer and/or the Association will have the authority; (a) to prohibit entirety from Property certain motor vehicles that may be considered to emit noise or other pollution in excess of levels or standards promulgated by the Developer, or Association, and (b) to promulgate such other rules, regulations and restrictions as it deems appropriate with respect to the operation of motor vehicles, non-motorized vehicle, and all means of transport whatsoever nature on the Property.

K. INTENDED DEVELOPMENT AND DESIGN ENVELOPES.

All structures will only be permitted within the boundaries of the site development areas as referenced in the Plat. The Developer has flexibility and sole discretion to amend the envelopes, driveway corridors, and natural Open Space zone areas subject to the Declaration.

L. PROPERTY PERMANENT AND TEMPORARY SIGNAGE.

Developer may, at Developer's cost, elect to design, construct, install, maintain, and repair, both, temporary and permanent decorative Property-themed signage on private roads within the Development, including but not limited to community-naming and roadside numbering, custom monument, rock inspired style signage for fire prevention and home identification purposes. In addition, Developer is allowed signage related to Property and real estate sales activities, including open model home signage, flags and banners, for purposes related to real estate sales activities per Town sign code requirements.

M. REGULATORY MATTERS.

Town and Developer will cooperate in all regulatory matters, which affect both parties. Other requirements of law and processes typical to the development process are not waived by this Agreement, but all such processes will proceed consistent with the Town Code. Any items or developmental processes not addressed by this Agreement will be governed by the normal Town Code existing at the time of the submittal of any development application with respect thereto. To the extent the Property does not utilize current capacities included within the existing Town infrastructure, Developer will not incur any impact fees with respect thereto. Developer may be subject to other impact fees as the Town generally imposes as part of any development application.

N. STANDARD LOT SETBACK AND DESIGN REQUIREMENTS.

The standard minimum lot setbacks will be in accordance with Town's zoning ordinances for the intended respective use for each given site or parcel, as of the date the Parties entered this Agreement, and Developer reserves the right to define, publish, communicate, and enforce more stringent setbacks, height restrictions and overall design guidelines and requirements, at Developer's sole discretion, without obligation, within its own design and development guidelines which will be subject to Town's approval and may change and be amended time to time.

O. ALL ASSOCIATED LIGHTING.

Developer will bear sole responsibility for costs to construct, maintain, and repair mountain lighting standards in accordance with Town's code requirements with additional stringent standards which meet or exceed Town's current standards. Best practices to be taken from the International Dark Sky Association and its recommended Night Sky Standards, consistent of low to ground lighting systems and direct ground lighting systems.

P. ADDITIONAL DEVELOPER'S OBLIGATIONS.

In addition to the Developer obligations set forth elsewhere in this Agreement, the Developer will meet the following requirements in the times and manner set forth herein.

1. Commitment of Developer. The obligations of Developer described by this Agreement and the Town Code are intended by the parties to be comprehensive of all obligations required of Developer by the Town.

2. Trash. Developer will install trash receptacles, per Town standards, to serve the Property.

3. Fire Hydrants. Developer will, at its sole cost and expense, install fire hydrants, per Town standards, to serve the Property. After installation, Town will be responsible for the maintenance, repair and replacement of the fire hydrants.

4. Fiber. Developer will, at its sole cost and expense, install fiber for internet and telephone service with Town's preferred provider. After installation, the internet

provider in the Town will be responsible for the maintenance, repair and replacement of the internet fiber improvements.

5. Remedies. If Town determines, in its sole and exclusive discretion, that Developer or Association have failed to fully satisfy and comply with any obligation in this Section and all of its subsections, the Town will provide written notice to Developer of such failure and Developer will have a period of 30 days to cure such default, provided that if such cure requires more than 30 days and Developer is using commercially reasonable efforts to effectuate such cure, then Developer will have such additional time as necessary to cure the default. In the event Developer fails to remedy such default, the Town will have all remedies at law or equity.

Q. AGREEMENT TO RUN WITH THE LAND.

This Agreement will be recorded against the Property prior to commencement of any work related to development of the Property. This Agreement will be recorded in the Office of the Iron County Recorder, will be deemed to run with the Property, will encumber the same, and will be binding on and inure to the benefit of all successors and assigns of Developer in the ownership or development of any portion of the Property for a period of [__] years. This Agreement will not extend beyond [__] years in any respect, including vested rights, except as may be mutually agreed upon in writing between the Parties.

R. ASSIGNMENT.

Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning also the responsibilities arising hereunder. This restriction on assignment is not intended to prohibit or impede the sale by Developer.

S. AUTHORITY.

The parties to this Development Agreement each warrant that they have all of the necessary authority to execute the terms of this Agreement. The Town agrees that is will be bound by this Agreement upon recording of this agreement.

T. APPOINTMENT OF REPRESENTATIVES.

To further the commitment of the parties to cooperate in the implementation of this Agreement, the Town, Developer each will designate and appoint a representative to act as a liaison between the Town and its various departments and the Developer. The initial representative for the Town will be the Town Manager, Bret Howser, and the initial representative for the Developer will be Chelsea Curcuru. The parties may change their designated representatives by Notice. The representatives will be available at all reasonable times to discuss and review the performance of the parties to this Agreement and the development of the Property.

U. NO JOINT VENTURE, PARTNERSHIP OR THIRD-PARTY RIGHTS.

This Agreement does not create any joint venture, partnership, undertaking or business arrangement between the parties hereto nor any rights or benefits to third parties; except as expressly provided herein.

V. INTEGRATION.

This Agreement contains the entire agreement between the parties with respect to the subject matter hereof and integrates all prior conversations, discussions or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed and approved by the parties hereto.

W. NOTICES.

Any notices, requests, or demands required or desired to be given hereunder will be in writing and should be delivered personally to the party for whom it is intended, or, if mailed by certified mail, return receipt requested, postage prepaid to the parties as communications under this Agreement will be deemed to have been given and received and will be effective three (3) days after deposit in the U.S. Mail to the recipient's address as set forth herein:

Town: ________________________________
____
____

Developer: ________________________________
____
____

Any party may change its address by giving written notice to the other party in accordance with the provision of this section.

X. SEVERABILITY.

If any provision of this Agreement is held by a court of competent jurisdiction to be invalid for any reason, the parties consider and intend that this Agreement will be deemed amended to the extent necessary to make it consistent with such decision and the balance of this Agreement will remain in full force and effect.

Y. TIME IS OF THE ESSENCE.

Time is of the essence to this Agreement and every right or responsibility will be performed within the times specified.

Z. LAW AND USAGE.

Any dispute regarding this agreement will be brought only in Iron County, State of Utah, and heard and settled under the laws of the State of Utah. Whenever the context requires, the singular will include the plural, the plural will include the singular, the whole will include any part thereof, any gender will include both genders, and the term "**person**" will include an individual, partnership (general or limited), corporation, trust, or other entity or association, or any combination thereof. This Agreement will bind and inure to the benefit of the parties hereto and their respective successors and assigns. The provisions of this Agreement will be constructed as both covenants and conditions in the same manner as though the words importing such covenants and conditions were used in each separate provision hereof.

AA. MUTUAL DRAFTING.

Each party has participated in negotiating and drafting this Agreement and therefore no provision of this Agreement will be construed for or against either party based on which party drafted any particular portion of this Agreement.

BB. FORCE MAJEURE.

Any prevention, delay or stoppage of the performance of any obligation under this Agreement which is due to strikes, labor disputes, inability to obtain labor, materials, equipment or reasonable substitutes therefor; acts of nature, environmental testing and remediation, governmental restrictions, regulations or controls, judicial orders, enemy or hostile government actions, wars, civil commotions, fires or other casualties or other causes beyond the reasonable control of the party obligated to perform hereunder will excuse performance of the obligation by that party for a period equal to the duration of that prevention, delay or stoppage, and the same duration of time will be added to extend the Term of Agreement.

CC. COURT COSTS.

In the event of any litigation between the parties arising out or related to this Agreement, the prevailing party will be entitled to an award of reasonable court costs, including reasonable attorney fees.

DD. EXPENSES, FEES.

Except as expressly provided otherwise in this Agreement, Developer agrees to pay all costs and expenses of the Town associated with all applications and approvals associated with Hidden Springs, including, but not limited to, professional fees (including attorney’s fees, engineering review fees, design review fees etc.) related to this Agreement and that the Town would not have occurred otherwise in its normal development planning and operations for the Town. Developer agrees to pay the Town’s legal costs and expenses incurred in preparation and execution of this Agreement.

EE. ENTIRE AGREEMENT.

This Agreement, and all Exhibits thereto, is the entire agreement between the Parties regarding the subject matter set forth herein and may not be amended or modified except either as provided herein or by a subsequent written amendment signed by all parties.

FF. WAIVER.

Acceptance by either party of any performance less than required hereby will not be deemed to be a waiver of the rights of such party to enforce all of the terms and conditions hereof. No waiver of any such right hereunder will be binding unless reduced to writing and signed by the party to be charged therewith.

GG. EFFECTIVE DATE.

This Agreement will be effective as of the date filed for public record in the office of the Recorder for Iron County, Utah.

[Signature Page to Follow]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly executed as of the date first above written.

BRIAN HEAD TOWN,
a municipal corporation and subdivision of the State of Utah

By: ____
Clayton Calloway, Mayor

By: ____
Bret Howser, Town Manager

Approved as to legal form:

By: ____________________________

AMMIL DEVELOPMENT LLC,
a _____ limited liability company

By: ____
Chelsea Curcuru

STATE OF UTAH)
): ss.
COUNTY OF ____________)

On the ____ day of _____________, 2024, personally appeared before me ____________________________, the ______________________ of BRIAN HEAD TOWN, a municipal corporation and subdivision of the State of Utah, and that the within and foregoing instrument was signed on behalf of said Town.

____
NOTARY PUBLIC
Residing at: ________________________________

My Commission Expires:

____

STATE OF UTAH)
): ss.
COUNTY OF ____________)

On the ____ day of _____________, 2024, personally appeared before me ____________________________, the _______________________ of BRIAN HEAD TOWN, a municipal corporation and subdivision of the State of Utah, and that the within and foregoing instrument was signed on behalf of said Town.

____
NOTARY PUBLIC
Residing at: __________________________________

My Commission Expires:

____

STATE OF UTAH)
): ss.
COUNTY OF ____________)

On the ____ day of _____________, 2024, personally appeared before me ____________________________, the _______________________ of AMMIL DEVELOPMENT LLC, a _____ limited liability company, and that the within and foregoing instrument was signed on behalf of said limited liability company.

____
NOTARY PUBLIC
Residing at: __________________________________

My Commission Expires:

____

BRIAN HEAD

May 3, 2024

Dear Property Owner:

An application has been received by Brian Head Town for a preliminary plat for a newly proposed subdivision on Pine Tree Way. Brian Head Town is sending out this notice as per Utah Code Title 10, Chapter 9a, Part 2 and Brian Head Land Management Code 9-1-8.

A. Anyone wishing to review the information on the proposed preliminary plat may do so at Brian Head Town Hall during normal business hours of 9:00 a.m. to 4:30 p.m. Monday through Friday.

B. Anyone wishing to make comments about the proposed preliminary plat may submit written comments to the Brian Head Town Clerk @ nleigh@bhtown.utah.gov no later than May 17, 2024, by 4:30 p.m.

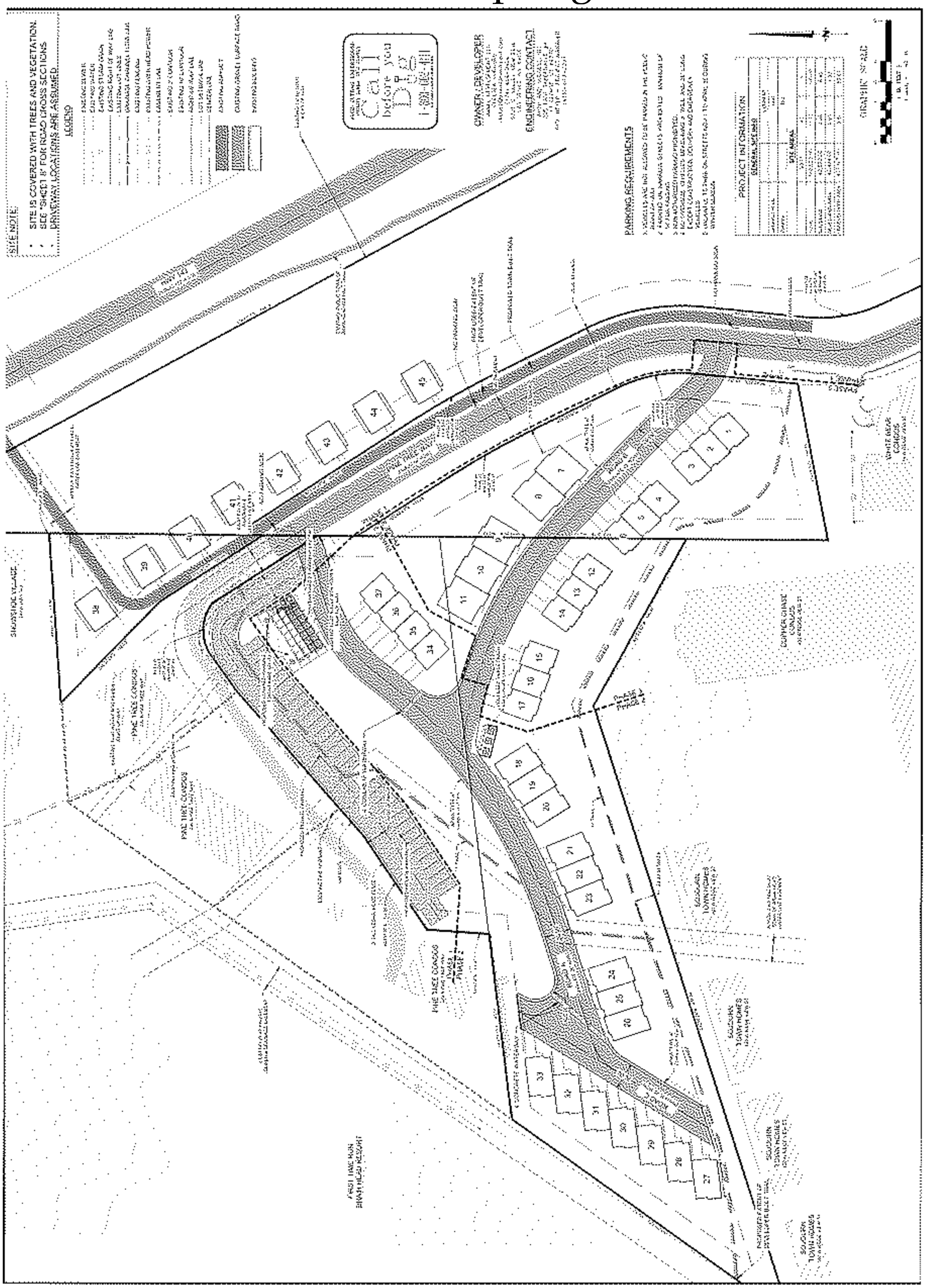
C. The Brian Head Planning Commission will hold a Public Hearing at the BRIAN HEAD TOWN HALL COUNCIL CHAMBERS, 56 North Hwy 143, Brian Head, UT on May 21, 2024, at 1:00 p.m.

If you have any questions or should need additional information, please do not hesitate to contact our offices during normal business hours.

Respectfully,
Brian Head Town

Lester Ross
Building and Planning Official
BRIAN HEAD
Enclosure

Hidden Springs



May 13, 2024

Hi Nancy,

This letter is taking you up on the offer for written response as stated in the town letter dated May 3rd 2024, option B. Thank you for this opportunity to respond to the proposed preliminary plat for Hidden Springs that is scheduled for a public hearing and comment on May 21st, 2024 at 1pm. I own a condominium Unit in the Pine Tree Condominiums Association ("Pine Tree Condo Association") and am currently the president of the Pine Tree Condo Association. I have owned Unit 1b since 2014 which my family has used and enjoyed for several years. There are 16 Units in the Pine Tree Condo Association, and in reviewing the proposed preliminary plat for the Hidden Springs development that is intended to be constructed on the property adjacent to the Pine Tree Condo Association, the various homeowners/condominium owners in the Pine Tree Condo Association have raised several concerns regarding how the current proposed plans will inhibit and negatively impact the use, safety and quiet enjoyment of the owners' property in the Pine Tree Condo Association.

I, along with the other owners in the Pine Tree Condo Association, appreciate the time and consideration of Brian Head (you, the Brian Head Planning Commission, as well as the other respective persons involved with the planning and building in Brian Head). We believe the Hidden Springs development, as proposed by the preliminary plat, fails to sufficiently address access, parking, snow storage, and tree removal, in addition to creating life safety issues related to emergency access. We ask that Brian Head consider each of the following issues/concerns as they relate to the proposed preliminary plat for Hidden Springs:

(a) The eight A-frame structures (38-45) that are being proposed without any vehicle/automobile parking adjacent to, or even within close proximity, to the structures. Allowing dwellings to be constructed so far away from the parking is not a realistic/pragmatic option. Additionally, roadway access to and from proposed units 38, 39, and 40, is not provided across Ammil's property. (The 24' roadway and utility easement is for Pine Tree Condos, Phases 1-3, and is not for property outside of these phases). Further, we are concerned that during the winter months the occupants of all these units (38-45) will park directly on Pine Tree Way. When this occurs during snowstorms it will block the only access to our units in Pine Tree. White Bear Condominiums have their own parking garages and private driveways and still their vehicles overflow onto Pine Tree Way creating a hazard accessing our property. This is a safety issue that will only be exacerbated by allowing additional structures to be constructed to the east of Pine Tree Way without adequate parking spaces. If this road is blocked it prevents owners, as well as emergency personnel, from accessing the Units in the Pine Tree Condo Association, which is very problematic. Please see attached photo **(Exhibit A).** This photo was taken during a non-holiday, low snow season day (2/24/24). Please take into consideration what this would look like during a storm and a town plow needing to create a path. At best, vehicles parked on the side of

Pine Tree Way would leave a single lane with no room to pass. This is a life safety issue and would likely result in emergency vehicles being unable to access Pine Tree Condo Association in the event of an emergency.

(b) These far-removed parking spaces from the units (38-45), will also be an ADA issue based on current codes which Ammil will be accountable for upholding with their current parking proposal.

(c) Ammil's plans do not provide adequate vehicular access across Ammil's property to the proposed parking stalls located south of Pine Tree phases 2 & 3. Ammil does not have a right to use the private road of Pine Tree Condo Association to access these parking stalls and this proposed development is not part of the Pine Tree Condo Association. The owners at Pine Tree pay for the maintenance, repair, etc., of this private road and are not willing to shoulder the burden and costs of numerous people using this private road to access the adjacent property. The parking and roadway area within the Pine Tree Condo Association is already limited and used to full capacity as it stands. In fact, the area with the proposed parking for Hidden Springs has been utilized/used for parking vehicles by the occupants of the Units in the Pine Tree Condo Association for the past 41 years.

(d) The construction of Hidden Springs, as proposed by the subject preliminary plat, seems to eliminate nearly all the established trees south of the Pine Tree Condo Association — which does not comport with the well-established policy of Brian Head to preserve the natural environment and rural mountain town atmosphere by preserving as many trees as is possible and reasonable.

(e) Current plans for structures and parking encourage trespassing onto the Pine Tree Condo Association property for mountain access. This affects our privacy and use of our property, and would also increase the financial burden for maintenance and repair of the private roads and property that is part of the Pine Tree Condo Association / development.

(f) Current storm water holding area (assumed on the map) on the hill in front of Pine Tree Condo Building A also creates a risk to the land stability of Brian Head within 100 yards from our structures which could effect the use and safety of the Pine Tree Condo Association Units and owners.

(g) Current building designs for structures 34, 35, 36, 37, 38, 39 & 40 along with the parking area (south of Phases 2 & 3 of Pine Tree) requires access through/across property that is Pine Tree Condo Association property, which is not owned by Ammil — and which Ammil has no legal right to use. Ammil Development does not have any right to access the Hidden Springs property through Pine Tree using the private road.

(h) The proposed plans do not appear to provide adequate turnaround areas for emergency vehicles. This is another life safety / emergency concern.

(i) Inadequate snow storage? The proposed development plans fail to clearly identify enough land where snow will be piled and stored. Given the number of units and additional roads proposed, adequate snow storage is a significant problem. The density of the proposed subdivision will require all of the parking areas to be used for parking vehicles, yet there are no areas identified where snow can be piled and stored throughout the winter months. The current plan, as proposed, appears to be less areas for parking per unit and snow storage for the development than the outdated grandfathered plans from Elevate/Sojourn.

(j) The Pine Tree homeowners are very concerned that all this development along Pine Tree Way will inhibit access and use of our property during construction. We understand this to be a multiple year project. See **Exhibit B**. This photo was taken in the summer of 2023 when Ammil Development was conducting a simple soil sample. This blocked the only access road for over an hour. There was no notification. This gives an early indication of the developer's empathy and understanding of how their actions affect the surrounding next door neighbors safety and use of their property. This is the only exit and entry to our Pine Tree Condos. The owners at Pine Tree are very concerned about this multi-year construction project and how it will drastically impair our access and use of our property based on the current design both in the short and long term.

(k) Current road planned with proposed grade (road A) exits onto our property in the current design. Concern with grade and angle, cars in winter will easily get stuck sliding down while blocking Pine Tree Way and our only access to our property and use during the winter months. This issue occurs with the Snow Shoe Development that has a lower climb angle. The difference is they only block their own use. As currently proposed in the preliminary plat for Hidden Springs, if a vehicle gets stuck going to a unit in the Hidden Springs development, it would block all access to and from the units in the Pine Tree Condo Association.

(l) The grade that will be required and the sharp narrow 90 degree turn from Ammils current parking area into Pine Tree Way will cause the same use issue for Pine Tree owners during the winter months. This will result in vehicles blocking our only access and entry to use our property.

(m) Road C and its placement as a turnaround and the retaining wall will lead to headlights through our windows at D building impairing our privacy and use.

(n) In the proposed parking (that requires access through a narrow 90 turn and is currently drawn on our property line) doesn't leave enough space and will require access through our property, which has not been approved by Pine Tree Condo Association. If it was to be approved in the current format, we will be forced to move our parking to the property line which will negate proposed parking in development plans for Ammil.

(o) Brian Head is known to have land stability issues. Just recently Elevate's retaining wall failed because of the hidden springs under their property. The Lofts longstanding structural issues and abandonment of final phase and most recently Crooked River land issues and retaining wall failures. The hillside construction surrounding Pine Tree Condos and the hidden springs under this land could cause land instability as referenced above which may negatively impact Pine Tree Way along with the structural integrity of our property which would result in the inability to use our property.

(p) Additionally, as proposed, the amount of trees that would need to be removed to allow for the roads and possible areas of snow storage would seem to eliminate the majority of the trees, which could further enhance the land stability issues in Brian Head and could negatively impact the structural integrity of Pine Tree Condos. As proposed, construction of

Hidden Springs does not further the policy of Brian Head to preserve the natural environment and rural mountain town atmosphere.

For the above reasons, and without limitation, I along with the owners in the Pine Tree Condo Association, believe the Ammil Developers preliminary plat for the proposed Hidden Springs development should not be approved as submitted. We appreciate Ammil developers working to build a community that fits into the Brian Head "look and feel". But we are strongly opposed to the current plans, not because of the aesthetics, but because we firmly believe the current plans, as proposed, will create life safety/emergency issues creating problems for Brian Head and the owners of property near the proposed Hidden Springs subdivision, in addition to the significant and negative impact on the use of our Pine Tree property in the short and long term.

Thank you for your careful and thoughtful consideration in the best interest of Brian Heads continued growth.

Sincerely,
Joseph Rudman
Pine Tree Condominium Association President

Exhibit A Photo Attached

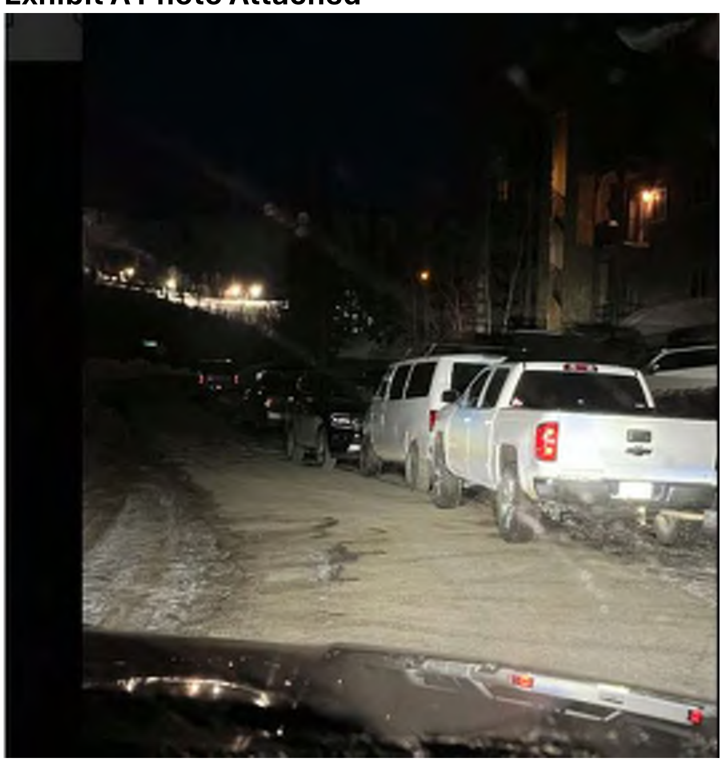


Exhibit B Photo Attached

Response to the Hidden Springs Preliminary plot plan ..

External

Inbox

Ed Kittrell < >

May 16, 2024, 5:10 PM (4 days ago)

to me

From.. Ed Kittrell Unit A4 Pine Tree condominiums..

Nancy ..
In accordance with the Town boards request I am submitting my comments and concerns about the proposed preliminary site design for referenced project..
I am the owner of Condo A4 located in Building A of Pine Tree Condominiums...I have been the owner of the condo since 1999 about 24 to 25 years.. I have raised my kids there.. they all learned to ski on the slopes of Brian Head.. now my grandkids are following in their footsteps.. Myself and my families have many fond memories of our times over the many years at the condo .. skiing.. snowboarding.. ATV riding..

Now. it is really so disappointing that this new proposed development is putting our functional use of our Condo and our only access road in real jeopardy. ..
I am in total agreement with the response letter and comments from Joe Rudman .. the President of the Pine Tree HOA ..
Also... as an Architect for almost 50 years with my own company.. where I did 100's of projects all around America including many heavy snow areas ..
I am now a simi retired Architect.. was registered in about 15 states over the years .. now still registered in Utah.. NM and Nevada .. Over the years I was registered in Alaska.. where I did major projects in Anchorage and Barrows.. to obtain a license in Alaska I was required to take a college class on Permafrost design which also included design for adequate snow removable and storage areas consideration in design ..

So.. in reviewing this preliminary plot plan... it was obvious that the designer did not take into account any normal snow removal design needs... such as laying out the parking areas with space to allow for the moving and removal of snow... nor allow for any areas for snow storage.. which would include the drainage needs as the stored snow melts.
This snow removal and storage issue could have a big negative impact on Pine Tree condominiums... due to the location of their major parking area is directly adjacent to Pine Tree site and private drive.

It also appears that the design did not take into consideration the slope of the land and allow for some of the major grade differences near the Pine tree condos development..

In summary.. if the project is built per this design.. it will totally destroy the parking areas of the Pine Tree condominiums .. which has been in place and used for over 25 years... I never thought that we would ever be put in this situation when I bought the unit.. nor believe someone would or could be allowed to do this to our homes away from home..

Thanks for the opportunity to respond..
Ed Kittrell..

May 17, 2024

Good Morning, Nancy,

Please accept my comments and concerns regarding land/usage development of property which involves Pine Tree Condominium Association.

First, my family and I have been coming to Brian Head since February 1981. For many years we rented cabins or condos and eventually purchased three timeshare weeks. During those many years we have looked at real estate to purchase but never found just the right property for us. In July 2015 our realtor took us to the Pine Tree Condos to see unit A-1 which was for sale. We looked at it and within five minutes we knew this was the place for us. We had finally found our piece of paradise. The location, serenity, and our ability to get closer to nature were the big selling factors. The property is used exclusively for our family pleasure and enjoyment.

Since purchasing our unit I have developed health issues which makes safety and accessibility for entrance and exit to/from the property of major importance. This concern is not only for myself but for others who might have need to Emergency Medical Services. I am disabled. I have to use a cane due to back injuries and also am on oxygen full time (due to pulmonary embolisms in December 2015) because of the attitude. In case of a power outage it would be urgent that I receive oxygen from EMS. This is definitely a life safety issue. Any obstruction for access via the one road into our property is non-negotiable.

I have additional concerns. Without going into lengthy detail I will list them below:

- The area plans appear to be too densely developed.
- Inadequate parking plans.
- Inadequate snow storage. Snow needs to be piled and stored, even now it is an issue during the snow season and cuts into parking areas.
- Rapid response for EMS unavailability due to road inaccessibility. Definitely a safety issue.
- Development/construction for multi-years will inhibit homeowners accessibility of property.
- Natural landscape with trees will be destroyed and replaced by a densely developed business venture. Elimination of the majority of the trees would enhance land stability issues in Brian Head.
- Land stability risk for Building A due to current plans for storm water holding areas.

As a homeowner and member of the Pine Tree Condominiums HOA I strongly oppose the Ammil Developers Hidden Springs plans and those plans should not be approved as submitted. As proposed the current plans will create life safety/emergency issues as well as impact the personal enjoyment for use of the homeowners of Pine Tree Condominiums.

Barbara J. Merkel

Unit A-1

Lynn Unger < >

Thu, May 16, 4:18 PM
(4 days ago)

Good afternoon Nancy,

Thank you and Brian Head Town for the opportunity to offer written responses and appear for public comment on the Hidden Springs Preliminary Plat plan being reviewed by Brian Head Town. As a homeowner of a Pine Tree Condominium, part of the Pine Tree Condominium community, and plans to be full-time Brian Head residents, we have several concerns about how the proposed plan from Ammil for the Hidden Springs development will negatively affect the use, safety, accessibility and enjoyment of our property.

- **The proposed eight A-frame structures (38-45) with parking far removed from the units is not a realistic option.**
  - **Access:** Access to and from proposed units 38, 39, and 40, is not provided across Ammil's property. The 24' roadway and utility easement is for Pine Tree Condos, Phases 1-3, not for property outside of these Phases. Further, we are concerned that during the winter months the occupants of all these units (38-45) will park directly on Pine Tree Way. When this occurs during snowstorms it will block the only access to our units in Pine Tree. White Bear Condominiums have their own parking garages and private driveways and still their vehicles overflow onto Pine Tree Way creating a hazard accessing our property. We experienced vehicles parked on Pine Tree Way this winter, even when there was not recent snow.
  - **Safety:** Consideration should be given to what this would look like during a storm and a town plow needing to create a path. At best, this would leave a single lane with no room to pass. This is a life safety issue and would likely result in emergency vehicles being unable to access Pine Tree in the event of an emergency.
- **Limiting accessibility for individuals with disabilities, the far-removed parking spaces from units (38-45), will be an ADA issue** based on current codes which Ammil will be accountable for upholding with their current parking proposal.
- **Ammil does not have a right to use the private road of Pine Tree to access the proposed structures and parking stalls.**
  - **Access:** Ammil's plans do not provide enough proper access across Ammil's property to the proposed parking stalls located south of Pine Tree Phases 2 & 3. This proposed development is not part of the Pine Tree Condominiums. The owners at Pine Tree pay for the maintenance, repair, etc., of this private road.
  - **Access:** Current building designs for structures 34, 35, 36, 37, 38, 39 & 40 along with the parking area (south of Phases 2 & 3 of Pine Tree) requires access through Pine Tree owned property. Ammil Development does not have access through Pine Tree to use the private road.

    - **Access:** The proposed parking (that requires access through a narrow, 90 degree turn and is currently drawn on our property line) doesn't leave enough space and will require access through our property, which has not been approved by Pine Tree HOA. If it were to be approved in the current format, we will be forced to move our parking to the property line which will negate the proposed parking in development plans for Ammil.
- **Emergency vehicle access.**
    - **Safety and access:** The proposed plans do not appear to provide adequate turnaround areas for emergency vehicles. This is another life safety / emergency concern.
- **Current plans for structures and parking encourage trespassing onto our property for mountain access.**
    - **Safety and access:** This affects our privacy and use of our property, and would increase the financial burden for maintenance and repair of the private roads and property that is part of the Pine Tree Condominium development.
- **Storm water holding.**
    - **Safety and Access:** Current storm water holding area (assumed on the map) on the hill in front of Pine Tree Building A is a risk to the land stability of Brian Head within 100 yards from our structures which could affect the use and safety of our Pine Tree Condo owners.
- **Snow storage.**
    - **Access:** We question if there is adequate snow storage for this development. The proposed development plans do not clearly identify enough land where snow will be piled and stored. Given the number of units and additional roads proposed, adequate snow storage is a significant problem. The density of the proposed subdivision will require all of the parking areas to be used for parking vehicles, yet there are no areas identified where snow can be piled and stored throughout the winter months. The current plan as proposed appears to be less areas for parking per unit and snow storage for the development than the outdated grandfathered plans from Elevate/Sojourn.
- **Construction impact.**
    - **Access and safety:** We are concerned this development along Pine Tree Way will inhibit access and use of our property during construction. We understand this to be a multiple year project. While we were not present for the soil sampling conducted by Ammil last summer, we understand there was no notification that the road would be blocked and it was blocked for over an hour, making our unit inaccessible. This concerns us regarding the developer's empathy and understanding of how their actions affect the surrounding neighbors safety and use of their property. Pine Tree Way is the only exit and entry to our Pine Tree Condos. As an owner, we are very concerned about this multi-year construction project and how it will drastically impair our access and use of our property based on the current design both in the short and long term.
    -

- **Road grades, exits, and placement.**
  - **Access:** The current road planned with proposed grade (road A) exits onto our property in the current design. We have concerns that given the grade and angle, cars will easily get stuck sliding down and blocking Pine Tree Way and preventing us from accessing our property. We have seen this issue with our neighbors in the Snow Shoe Development; however, they only block their own use, not another neighbors. Ammil's plan would block our, the owners at Pine Tree, use of our property.

    The grade required and the sharp, narrow, 90 degree turn from Ammil's current parking area onto Pine Tree Way will cause the same use issue for Pine Tree owners during the winter months. This will result in vehicles blocking our only access and entry to use our property.
  - **Access and safety:** Road C and its placement as a turnaround and the retaining wall will lead to headlights through windows at Building D, impairing privacy and use.
- **Land Stability.**
  - **Safety and access:** Brian Head is known to have land stability issues. Recently Elevate's retaining wall failed because of the hidden springs under the property. The Lofts have had long standing structural issues and abandoned the final phase. The hillside construction surrounding Pine Tree Condos and the hidden springs under this land could cause land instability as referenced above which may affect Pine Tree Way along with the structural integrity of our property which would result in the inability to use our property. In addition, the amount of trees that would need to be removed to allow for the roads and possible areas of snow storage would seem to eliminate the majority of the trees, which could further enhance the land stability issues in Brian Head and could negatively impact the structural integrity of Pine Tree Condos.

For the above reasons we believe the Ammil Developers Hidden Springs plans should not be approved as submitted. We appreciate Ammil working to build a community that fits into the Brian Head "look and feel". We are opposed to the current plans, not because of the aesthetics, but because we firmly believe the current plans, as proposed, will create life safety/emergency issues and also have a significant negative impact on the use of our Pine Tree property in the short and long term.

Thank you for your careful and thoughtful consideration in the best interest of Brian Head's continued growth.

Kind regards,

Lynn Unger and Pete Carmody
PLUC LLC
226 N. Pine Tree Way, A3
Brian Head, UT 84719

Hidden Springs

External

Inbox

Scott H < >

Fri, May 17, 4:31 PM
(3 days ago)

to me

Good Afternoon,

I wanted to add my concern regarding the proposed plans for Hidden Springs. The plans will inhibit the use, safety and enjoyment of my property located in the Pine Tree Condo Complex.

Our HOA president, Joe Rudman, has provided more than adequate detail about the impact of the unrealistic plans.

One of my biggest concerns is access both short term and long term. The plans appear to rely on using our property to access parking stalls. This is the area where my kids currently play. So also, a safety concern. This plan will not work in the best of conditions. It will be a disaster with the big snow storms. I don't see where they will plow the piles of snow. Another concern is that the plans encourage trespassing through our property for mountain access. This affects our privacy and the land that we pay to maintain.

These are just a couple of the big issues that I wanted to address.

Thank you,

Scott Hill
226 Pine Tree Way

Strong opposition to newly proposed subdivision on Pine Tree Way from property owner and tax payer.

External

Teitell, Michael A. < >

Sun, May 12, 6:49 PM
(8 days ago)

May 12, 2024

Lester Ross and others in Brian Head Township Office
Building and Planning Official

Hello:

I am emailing in strongest possible opposition to the proposed new subdivision on Pine Tree Way, I believe called “Hidden Springs” from the letter I received, as a Brian Head property owner, Utah Iron County property taxpayer, and potential whistleblower to protect my right to speak my conscience. I know I am just one person fighting “progress”, but I what I am saying makes sense and prevents the continued degradation of a wonderful township.

I hope you will consider what I have to say below and also perform an environment impact assessment if one has not already been done before proceeding with any more planning and any work at all on this proposed new subdivision.

I have been a Copper Chase Condominium owner since 2013. The recently built Elevate subdivision complex has degraded the environment surrounding our complex. The builders of Elevate underbuilt parking structures and expanded the number of units they built beyond their original plans, which will negatively impact Copper Chase owners and vacationers. They built no covered parking and no amenities, so Elevate owners and vacationers will likely try to use Copper Chase protected parking and amenities, which is illegal and trespassing. To enforce Copper Chase rights, like having Elevate owner vehicles towed and trespassers prosecuted will become an expensive headache, but will have to be done to sustain our complex and our rights.

Now this new proposal further degrades the environment around Copper Chase and nearby White Bear complexes. The beautiful scenery that exists now will be ruined forever, parking will become a bigger headache than even with Elevate issues, and there will likely be more trespassers to deal with.

The charm that is Brian Head is rapidly coming to an end. The infrastructure to support a town with more and more units is not there- Apple Annies, Pizzano's Pizza, Georg's Ski Shop, and the ski resort are not sufficient to support an influx of new owners and guests. The slopes will become overcrowded and Brian Head will go the way that Mammoth Lakes California went and become just another overcrowded ski destination with one big caveat. Mammoth has a world class ski mountain, enormous capacity, amazing terrain, and endless summer hiking and biking activities that Brian Head will not have for the foreseeable future.

What is being proposed is not sustainable in the current landscape of Brian Head and it is predictable that overbuilding will lead to township financial ruin. In the short run there may be some advantages to consider for sure, like an elevated property tax base, but what you are selling out is the heart and soul of the community for minimal, transient gain. Unlike Mammoth, Brian Head will not flourish with a sub-capacity ski mountain with modest terrain and very sparse infrastructure. My complaint is also trying to help you see this and help you from making this tragic and avoidable mistake.

We bought in Brian Head in 2013 because that Brian Head reminded us of what Mammoth was in the 1970s-80s, pre-crowds and pre-sell out commercialization.

I implore you to resist the urge to sell out Brian Head for commercial interests that are nowhere near equal to what Mammoth had to offer in a similar circumstance. As a property owner and taxpayer who will be most closely and adversely impacted by what is being proposed, I hope you will reconsider and stop building an unsustainable environment at Brian Head for the sake of all who love this precious community, yourselves included I am sure.

Thank you, and please reply by return email so that I know you have received my request to stop this planned subdivision from happening.

Mike Teitell
Director, UCLA Jonsson Comprehensive Cancer Center
Property owner and tax payer, Copper Chase Condos

ITEM: RANGER COURT SPECIAL ASSESSMENT AREA NOTICE OF INTENT

AUTHOR: Shane Williamson
DEPARTMENT: Administration
DATE: July 11, 2024
TYPE OF ITEM: Legislative Action

SUMMARY:

The Council will consider a resolution to begin the process for the Ranger Court Special Assessment Area (SAA) by adopting a Notice of Intent (NOI).

BACKGROUND:

During the May 14, 2024, Town Council Meeting, the Town Council accepted the petition for the Ranger SAA. At that time, the SAA had 56% support for the petition. Town policy requires that more than 50% of the lot owners sign the petition for approval to be considered.

ANALYSIS:

Location:
The SAA Map presented shows the proposed SAA boundary. The proposed waterline would begin where the existing waterline ends on Ridge Top Dr and extend through Ranger Ct to connect in on Meadow Dr, creating a loop. The map was provided by the SAA Sponsor and approved by Aldo Biasi, the Town's Public Works Director.

Estimated Costs:
The current cost estimate is based on recent bids, our engineer will have a better estimate after the Notice of Intent. The current estimate is $506,000, which will result in an assessment per lot around $28,000.

SAA Process:
Once the NOI is adopted, the Town can then begin accruing reimbursable costs, and, therefore, can begin project planning and engineering. In addition, the Town will send letters to all property owners discussing the 60-day protest period. If 40% of lot owners protest the SAA, the project area must be abandoned by state statute. At the 60-day mark, the Council will hold a public hearing to hear any verbal protests that were not sent in writing, and subsequently can adopt the Notice of Creation if there were not 40% protests. The Town will engineer and bid the project over the winter, and then offer Board of Equalization hearings, and a subsequent Assessment Ordinance.

FINANCIAL IMPLICATIONS:

The Town does assume financial risk with any SAA, with this one being no different. Specifically, the Town assumes the debt liability and is potentially on the hook for the bond payments should a property owner default or fail to pay the assessment. However, though a lengthy process, the Town will be a lean holder on each proper with the ability to foreclose should this happen.

Board/Commission Recommendation:
N/A

Staff Recommendation:
Staff recommends that Council move forward with adopting the Notice of Intent.

Proposed Motion:
I move to adopt Resolution number 24-547 adopting the Ranger Court (Cedar Breaks Mountain Homesites Unit B) Special Assessment Area Notice of Intent as presented.

Attachments:
A – Notice of Intent
B – Map

TOWN OF BRIAN HEAD, UTAH
NOTICE OF INTENTION TO DESIGNATE TOWN OF BRIAN HEAD, UTAH
SPECIAL TAX ASSESSMENT AREA 2024-01(Ranger Court)
July 11, 2024

RESOLUTION NO. _____

A RESOLUTION DECLARING THE INTENTION OF THE TOWN COUNCIL OF THE TOWN OF BRIAN HEAD, UTAH, FOR WATER SYSTEM IMPROVEMENTS AND RELATED IMPROVEMENTS FOR THE RANGER COURT AREA OF THE CEDAR BREAKS MOUNTAIN HOMESITES, UNIT B, BLOCKS A, B & C SUBDIVISON; TO DESIGNATE OR CREATE THE TOWN OF BRIAN HEAD, UTAH SPECIAL TAX ASSESSMENT AREA NO. 2024-01 (RANGER COURT); TO FUND THE COST AND EXPENSES OF SAID ASSESSMENT AREA BY SPECIAL TAX ASSESSMENTS TO BE LEVIED AGAINST THE PROPERTY BENEFITTED BY SUCH IMPROVEMENTS; TO PROVIDE NOTICE OF INTENTION TO AUTHORIZE SUCH IMPROVEMENTS AND TO FIX A TIME AND PLACE FOR PROTESTS AGAINST SUCH IMPROVEMENTS OR THE CREATION OF SAID ASSESSMENT AREA; TO DECLARE ITS INTENTION OF FUNDING A RESERVE FUND IN LIEU OF A GUARANTY FUND; AND RELATED MATTERS.

WHEREAS, pursuant to the Utah Assessment Area Act, Title 11, Chapter 42, of the Utah Code, the Town Council of the Town of Brian Head, Iron County, Utah (the Town) has the power to make or cause to be made all of the following improvements, water system improvements that will benefit certain properties in and around the Ranger Court area of the Cedar Breaks Mountain Homesite subdivision (the Improvements); and

WHEREAS, the Town has received petitions from property owners desiring the water system improvements described herein; and

WHEREAS, the Town desires to designate or create a Special Tax Assessment Area and impose a special tax assessment against the portion of the properties in the Town that will be directly or indirectly benefitted by the Improvements:

BE IT RESOLVED by the Town Council of the Town of Brian Head, Utah:

<u>Section 1.</u> The Town Council of the Town hereby determines that it will be in the best interest of the Town to finance and install or have installed the Improvements in specified locations of the Town, and to complete the whole in a proper and workmanlike manner according to plans, profiles and specifications that have been presented to the Town and are on file in the Office of the Town Clerk. In order to finance the costs of the Improvements, the Town proposes to create, establish, and designate a Special Tax Assessment Area. A description of the proposed Special Tax Assessment Area is more particularly described in the Notice of Intention to construct the proposed Improvements hereinafter set forth.

<u>Section 2.</u> The proposed Assessment Area shall be known as the Town of Brian Head, Utah Special Tax Assessment Area No. 2024-01 (Ranger Court) (the "Special Tax Assessment Area).

<u>Section 3.</u> The cost and expenses of the proposed Improvements shall be paid by a special tax assessment to be levied against the properties on a per lot basis for lots that will be benefited directly or indirectly from the Improvements, or which may be affected or specially benefitted, directly or indirectly, by any of such Improvements, such assessment to be paid in not more than ten (10) annual installments with interest on the unpaid balance until due and paid. An allowance shall be made for corner lots, if applicable, so that such lots are not assessed at the full rate on both streets.

<u>Section 4.</u> The Town Council hereby finds that the water system improvements, including any modifications to streets, that is proposed for Special Tax Assessment Area No. 2024-01 (Ranger Court) are necessary or convenient to enable the Town to provide the water service that the Town proposes and is authorized to provide in Special Tax Assessment Area No. 2024-01 (Ranger Court).

Section 5. A public hearing is called for the Town Council meeting on August 27, 2024, at 1:00 p.m., at the Town offices located at 56 N. Highway 143, Brian Head, Utah 84719 to hear from any person desiring to be heard and objections to a) the designation of the proposed Town of Brian Head, Utah Special Tax Assessment Areas No. 2024-01 (Ranger Court) or the improvements proposed to be provided in said assessment area; b) the amount that a property reasonably and equitably benefits from the improvements; and c) the inclusion of unassessed benefitted government property.

Section 6. Any owner of property that is proposed to be assess and who does not want its property to be included in the proposed Special Tax Assessment Area No. 2024-01 (Ranger Court) may file a written protest against:

a) The designation of the Special Tax Assessment Area No. 2024-01 (Ranger Court);
b) The inclusion of the owner's property in the proposed Special Tax Assessment Area No. 2024-01 (Ranger Court):
c) The proposed improvements to be acquired or constructed; or
d) If applicable, the inclusion of an unassessed benefitted government property, the benefit for which the other assessed properties will collectively pay (of which there are none)

Each written protest shall:

a) Describe or otherwise identify the property owned by the person filing the protest; and
b) Include the signature of the owner of the property.

The failure of a property owner within the proposed Special Tax Assessment Area No. 2024-01 (Ranger Court) to file a timely written protest constitutes a waiver of any objection to:

a) The designation of the Special Tax Assessment Area No. 2024-01 (Ranger Court);
b) Any improvement to be provided to property within the Special Tax Assessment Area No. 2024-01 (Ranger Court);
c) The inclusion of the owner's property within the Special Tax Assessment Area No. 2024-01 (Ranger Court);
d) The fact, but not amount, of benefit to the to the owner's property; and
e) The inclusion of an unassessed benefitted government property in the assessment areas (of which there are none).

The Town Council hereby directs the Town Clerk to post the total and percentage of the written protests that the Town receives on the Town's website, and at the Town office at least five days before the August 27, 2024 meeting against the proposed Improvements or against the creation of the Special Tax Assessment Area must be presented and filed in the Office of the Town Clerk on or before August 22, 2024, at the hour of 4:00 p.m. Any person desiring to be heard may file a written protest or objection to a) the designation of the proposed Town of Brian Head, Utah Special Tax Assessment Areas No. 2024-01 (Ranger Court) or the improvements proposed to be provided in said assessment area; b) the amount that a property reasonably and equitably benefits from the improvements; and c) the inclusion of unassessed benefitted government property (of which there is none). Thereafter at 1:00 p.m. on August 27, 2024, at 56 N. Highway 143, Brian Head, Utah, 84719, any such written protests shall be heard and considered by the Town Council.

Section 7. The Town Clerk is hereby directed to give notice of intention to make the proposed improvements and of the public hearing and of the time within which protests against the proposed improvements or the designation of the proposed Special Tax Assessment Area may be filed and the date when such protests will be heard and considered by publishing a notice of intention to create the Assessment Area as a class B notice under Section 63G-30-102 of the Utah Code, no fewer than 20 day and no more than 35 days before the public hearing, which includes (a) posting on the Utah Public Notice Website, (b) posting on the Town website, (c) posting at the Town office, (d) posting on the affected streets, and (e) mailing to each residence and to each property owner within the proposed special assessment area. Said Notice shall be in substantially the following form:

NOTICE OF INTENTION

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council (the "Town Council") of the Town of Brian Head, Utah (the "Town"), intends to create or designate a Special Tax Assessment Area to be known as the Town of Brian Head, Utah Special Tax Assessment Area No. 2024-01 (Ranger Court) (the "Special Tax Assessment Area"). Accordingly, the Town Council called a public hearing regarding the creation or designation of the Special Tax Assessment Area to be held on August 27, 2024, at 1:00 p.m. at the Town Office at 56 N. Highway 143, Brian Head, Utah 84719, to hear from any person desiring to be heard and objections to a) the designation of the proposed Town of Brian Head, Utah Special Tax Assessment Areas No. 2024-01 (Ranger Court) or the improvements proposed to be provided in said assessment area; b) the amount that a property reasonably and equitably benefits from the improvements; and c) the inclusion of unassessed benefitted government property (of which there is none). It is the intention of the Town Council to make water system improvements within the Special Tax Assessment Area and to levy special assessments as provided in Title 11, Chapter 42, Utah Code Annotated 1953, as amended, on the real estate lying within the Special Tax Assessment Area as described herein for the benefit of which such assessments are to be assessed in the making of such improvements.

DESCRIPTION OF SPECIAL TAX ASSESSMENT AREA

The proposed Special Tax Assessment Area shall include the following real property in the Town of Brian Head, Iron County, UT and is described as:

The properties in the Ranger Court area of the Cedar Breaks Mountain Homesite subdivision and some adjoining properties in the Town of Brian Head, Utah. More specifically the following parcel numbers in respective subdivisions as described below. Properties other than the identified parcel numbers will not be included in the proposed Special Tax Assessment Area.

Lot	Parcel #	Physical Address of lot	Subdivision	Unit	Block
1	A-1143-0001-0016	913 E. Ridge Top Dr.	Cedar Breaks Mtn. Homesites	B	A
2	A-1143-0001-0011	933 E. Ridge Top Dr.	Cedar Breaks Mtn. Homesites	B	A
3	A-1143-0001-0010	949 E. Ridge Top Dr.	Cedar Breaks Mtn. Homesites	B	A
4	A-1143-0001-0014	965 E. Ridge Top Dr.	Cedar Breaks Mtn. Homesites	B	A
5	A-1143-0001-0013	977 E. Ridge Top Dr.	Cedar Breaks Mtn. Homesites	B	A

6	A-1143-0001-0010-01	995 E. Ridge Top Dr.	Cedar Breaks Mtn. Homesites	B	A
7	A-1143-0001-0015	1011 E. Ridge Top Dr.	Cedar Breaks Mtn. Homesites	B	A
1	A-1143-0001-0021-01	942 E. Ridge Top Dr.	Cedar Breaks Mtn. Homesites	B	B
2	A-1143-0001-0007	972 E. Ridge Top Dr.	Cedar Breaks Mtn. Homesites	B	B
3	A-1143-0001-0026	1002 E. Ridge Top Dr.	Cedar Breaks Mtn. Homesites	B	B
8	A-1143-0001-0001	1001 E. Meadow Dr.	Cedar Breaks Mtn. Homesites	B	B
9	A-1143-0001-0031	971 E. Meadow Dr.	Cedar Breaks Mtn. Homesites	B	B
10	A-1143-0001-0017-01	945 E. Meadow Dr.	Cedar Breaks Mtn. Homesites	B	B
1	A-1143-0001-0020-05	912 E. Ridge Top Dr.	Cedar Breaks Mtn. Homesites	B	C
2	A-1143-0001-0008	6 S. Ranger Court	Cedar Breaks Mtn. Homesites	B	C
3	A-1143-0001-0027	36 S. Ranger Court	Cedar Breaks Mtn. Homesites	B	C
10	A-1143-0001-0020-01	946 E. Meadow Dr.	Cedar Breaks Mtn. Homesites	B	C
11	A-1143-0001-0004	978 E. Meadow Dr.	Cedar Breaks Mtn. Homesites	B	C

INTENDED IMPROVEMENTS

The improvements to be constructed within the Special Tax Assessment Area are as follows:

Water System Improvement: Water System Improvements to extend water lines on Ridge Top Drive, E. Meadow Drive, and Ranger Court, and related improvements, and complete the whole in a proper and workman like manner with all drainage and other improvement appurtenant and useful to a water system, including street improvements, and associated municipal improvements.

ESTIMATED COST AND METHOD OF ASSESSMENT

Estimated Cost and Method of Assessment: The total cost of Improvements in the Special Tax Assessment Area is currently estimated to be $480,000.00, of which the Town will pay $0 leaving a remainder of $480,000.00 which shall be paid by special tax assessment on the private property within the Special Tax Assessment Area.

This includes engineering costs, overhead costs and funding of a reserve fund described herein, all of which shall be paid by special tax assessment to be levied against the properties which may be directly or indirectly benefited by the Improvements which benefits need not actually increase the fair market value of the property to be assessed. The property owners' portion of the total estimated cost of the Improvements may be financed during the construction period by the use of interim warrants, in which case the interest on said warrants will be assessed to the property owners.

In lieu of utilizing a guaranty fund, the Town Council intends to create a special reserve fund, if desired by lenders, to secure payment of the special assessment bonds (the "Bonds") anticipated to be issued by the Town to finance the proposed Improvements. The reserve fund will be either initially funded with proceeds of the Bonds in an amount equal to approximately ten percent (10%) of the total principal amount of Bonds to be issued, or by building up a reserve fund over a period of six years until an amount equal to approximately ten percent (10%) of the total principal amount of Bonds to be issued is placed in the reserve fund. The Town Council anticipates applying any moneys remaining in the reserve fund to the final payment on the Bonds which, in turn, would offset the final assessment payments to be made by the owners of property benefited by such Improvements, all of which will be further described in the assessment ordinance to be adopted by the Town. Any money in the reserve fund upon full payment of the Bonds is to be disbursed ratably to each assessed lot owner as of the date of disbursement. In addition, estimated costs of assessment include estimated overhead costs which the Town projects to incur in the creation and administration of the Special Tax Assessment Area. If

Bonds are issued, the current estimated interest rate is 8.25% per annum and the estimated discount is no more than 2.00%, subject to market rates at the time of issuance and the current estimated term of financing is ten (10) years.

The estimated cost and method of assessment against the properties for the Improvements are as follows:

Improvement	Estimated Assessment	Method of Assessment
Water System Improvement	$480,000 total cost or $26,667 per lot.	Per lot.
Total of All Improvements	**$480,000 total cost or $26,667 per lot**	**Per lot.**

For assessment purposes, if applicable, an owner of a lot is defined herein to be the owner of a platted lot within the Town of Brian Head, Iron County, Utah according to the official records of the Town of Brian Head, upon which a residential, commercial, or other structure to be used for human occupancy is now or may be located consistent with the "lot size" requirements of the applicable Town of Brian Head Land Management ordinances in place as of the date this is adopted.

LEVY OF ASSESSMENTS

It is the intention of the Town Council to levy assessments as provided by the laws of Utah on all property, parcels, and lots of real property to be benefited by the proposed improvements within the Special Tax Assessment Area. The purpose of the assessment and levy is to pay those costs of the improvements which the Town will not assume and pay. The method of assessment shall be per lot, as set forth herein.

The assessments may be paid by property owners in not more than ten (10) annual installments with interest on the unpaid balance at a rate or rates fixed by the Town, or the whole or any part of the assessment may be paid without interest within twenty-five (25) days after the ordinance levying the assessment becomes effective. The assessments shall be levied according to the benefits to be derived by each property within the Special Tax Assessment Area. Other payment provisions and enforcement remedies shall be in accordance with Title 11, Chapter 42, Utah Code Annotated 1953, as amended. The assessment method will be by inclusion on a property tax notice issued in accordance with Section 59-2-1317 and in compliance with Section 11-42-401 of the Utah Code.

A map of the proposed Special Tax Assessment Area is on file in the Town offices which will make such information available to all interested persons. Copies of plans, profiles and specifications of the proposed improvements shall be made available by the Town as soon as thy have been prepared.

TIME FOR FILING PROTESTS

Any person who is the owner of record of property to be assessed in the Special Tax Assessment Area described in this Notice of Intention shall have the right to file in writing a protest against the creation of the Special Tax Assessment Area or to make any other objections relating thereto. Protests shall describe or otherwise identify the property owner of record by the person or persons making the protest and shall indicate the total number of lots represented by said protest. Protests shall be filed with the Town Clerk of the Town of Brian Head, Utah, on or before sixty (60) days after the public hearing to be held August 27, 2024, at 1:00 p.m. at the Town Office. The Town Council will meet on November 12, 2024, at 1:00 p.m. in public meeting at the regular meeting place of the Town Council at the Town Office at 56 N. Highway 143, Brian Head, Utah 84719 to consider all protests so filed and hear all objections relating to the proposed improvements. Each protest must be filed in writing and describe or otherwise identify the property owned by the person filing the protest and include the signature of the property owner.

A PROPERTY OWNER MUST PROTEST THE DESIGNATION OF THE SPECIAL TAX ASSESSMENT AREA IN WRITING IF THE OWNER OBJECTS TO (1) THE DESIGNATION OF THE SPECIAL TAX ASSESSMENT AREA, (2) ANY PROPOSED IMPROVEMENT, (3) THE INCLUSION OF THE OWNER'S PROPERTY, OR (4) THE FACT, BUT NOT AMOUNT, OF BENEFIT TO THE OWNER'S PROPERTY. **Failure of an owner of property to file a timely written protest can constitute a waiver.**

After such consideration and determination, the Town Council shall adopt a resolution either abandoning the Special Tax Assessment Area or creating and designating the Special Tax Assessment Area either as described in this Notice of Intention or with deletions and changes made as authorized by law; but the Town Council shall abandon the Special Tax Assessment Area and not create the same if the necessary number of protests as provided herein have been filed on or before the time specified in this Notice of Intention for the filing of protests after eliminating from such filed protests: (i) protests relating to property or relating to a type of improvement which has been deleted from the Special Tax Assessment Area, and (ii) protests which have been withdrawn in writing prior to sixty (60) days after the public hearing. The necessary number of protests shall mean the aggregate of the protests representing forty percent (40%) of the owners proposed to be assessed, according to the same assessment method by which the assessment is proposed to be levied.

BY ORDER OF THE TOWN COUNCIL OF TOWN OF BRIAN HEAD, IRON COUNTY, UTAH

/s/ Nancy Leigh
Town Clerk

Posted as a Class B notice as provided in Section 63G-30-102 of the Utah Code at least 20 days and not more than 35 days before August 27, 2024.

Section 8. The Town Council reasonably expects, to reimburse the Town from proceeds of the Bonds for capital expenditures paid by the Town (whether or not such expenditures are paid from proceeds of interim warrants) with respect to the Improvements.

Section 9. This declaration is intended to be a declaration of official intent under Treasury Regulation 1.103-18(1).

Section 10. The maximum principal amount of debt expected to be issued for reimbursement purposes is $480,000.00. This amount will be reduced by cash payments received by the Town from property owners who elect to pay their assessment in full during the cash payment period immediately following the effective date of the assessment ordinance.

Section 11. This declaration of official intent is consistent with the Town's budgetary and financial circumstances. No funds from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Town or by any member of the same controlled group pursuant to their budget or financial policies with respect to the expenditures to be reimbursed.

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF BRIAN HEAD, IRON COUNTY, UTAH THIS July 11, 2024.

____

Clayton Calloway, Mayor

ATTEST:

____

Nancy Leigh, Town Clerk

(S E A L)

RECORD OF PROCEEDINGS

A regular meeting of the Town Council of the Town of Brian Head, Iron County, Utah was held on July 11, 2024, at 1:00 p.m., or as soon thereafter as feasible, at the regular meeting place of said Town Council at 56 N. Highway 143, Brian Head, Utah 84719 at which meeting there were present and answering roll call the following members who constituted a quorum:

Clayton Calloway	Mayor
Martin Tidwell	Council Member
Mitch Ricks	Council Member
Kelly Marshall	Council Member
Larry Freeberg	Council Member

Also present:

Nancy Leigh	Town Clerk
Bret Howser	Town Manager

Absent:

After the meeting had been duly called to order and other matters not pertinent to this resolution had been discussed, the Town Clerk presented to the Town Council a Certificate of Compliance with Open Meeting Law with respect to this July 11, 2024 meeting, a copy of which is attached hereto.

Council Member _________________ introduced the foregoing resolution in writing and moved its adoption. Council Member _________________ seconded the motion to adopt the foregoing resolution. The motion and resolution were adopted on the following recorded vote:

Those voting AYE:

Those voting NAY:

Those ABSTAINING:

After the conduct of other business not pertinent to the above, the meeting was adjourned.

STATE OF UTAH)

: ss.

COUNTY OF IRON)

I, Nancy Leigh, the duly chosen, qualified and acting Town Clerk of the Town of Brian Head, Iron County, Utah, do hereby certify as follows:

That the foregoing typewritten pages constitute a full, true and correct copy of the record of proceedings of the Town Council taken at a regular meeting thereof held in said Town on July 11, 2024, at the hour of 1:00 p.m., insofar as said proceedings relate to the consideration and adoption of a resolution declaring the intention of the Town Council to create the Town of Brian Head, Utah Assessment Area No. 2024-01 (Ranger Court) and make certain improvements therein described as the same appears of record in my office; that I personally attended said meeting, and that the proceedings were in fact held as in said minutes specified.

That due, legal, and timely notice of said meeting was served upon all members as required by law and the rules and ordinances of said Town.

That the above resolution was deposited in my office on July 11, 2024, has been recorded by me, and is a part of the permanent records of the Town of Brian Head, Iron County, Utah.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of said Town this July 11, 2024.

Nancy Leigh, Town Clerk

(S E A L)

(ATTACH POSTING OF CLASS B NOTICE PURSUANT TO SECTION 63G-30-102)

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Nancy Leigh, the undersigned Town Clerk of the Town of Brian Head, Iron County, Utah (the Town), do hereby certify, according to the records of the Town in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the July 11, 2024 public meeting held by the Town as follows:

(a) By causing a Notice, in the form attached hereto (the "Meeting Notice"), to be posted at the principal office of the Issuer at least twenty-four (24) hours prior the convening of the meeting, the Meeting Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of the Meeting Notice to be posted on the Town website at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of the Meeting Notice to be published on the Utah Public Notice Website at least twenty-four (24) hours prior to the convening of the meeting; and

In addition, the Notice of 2024 Annual Meeting Schedule for the Issuer, attached hereto, specifying the date, time and place of the regular meetings of the governing body of the Issuer to be held during the calendar year 2024 was (1) posted on December 12, 2023, at the principal offices of the Issuer; (2) provided for posting on the town website on _______________; and (3) published on the Utah Public Notice Website on March 21, 2024.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this July 11, 2024.

____

Nancy Leigh, Town Clerk

(S E A L)

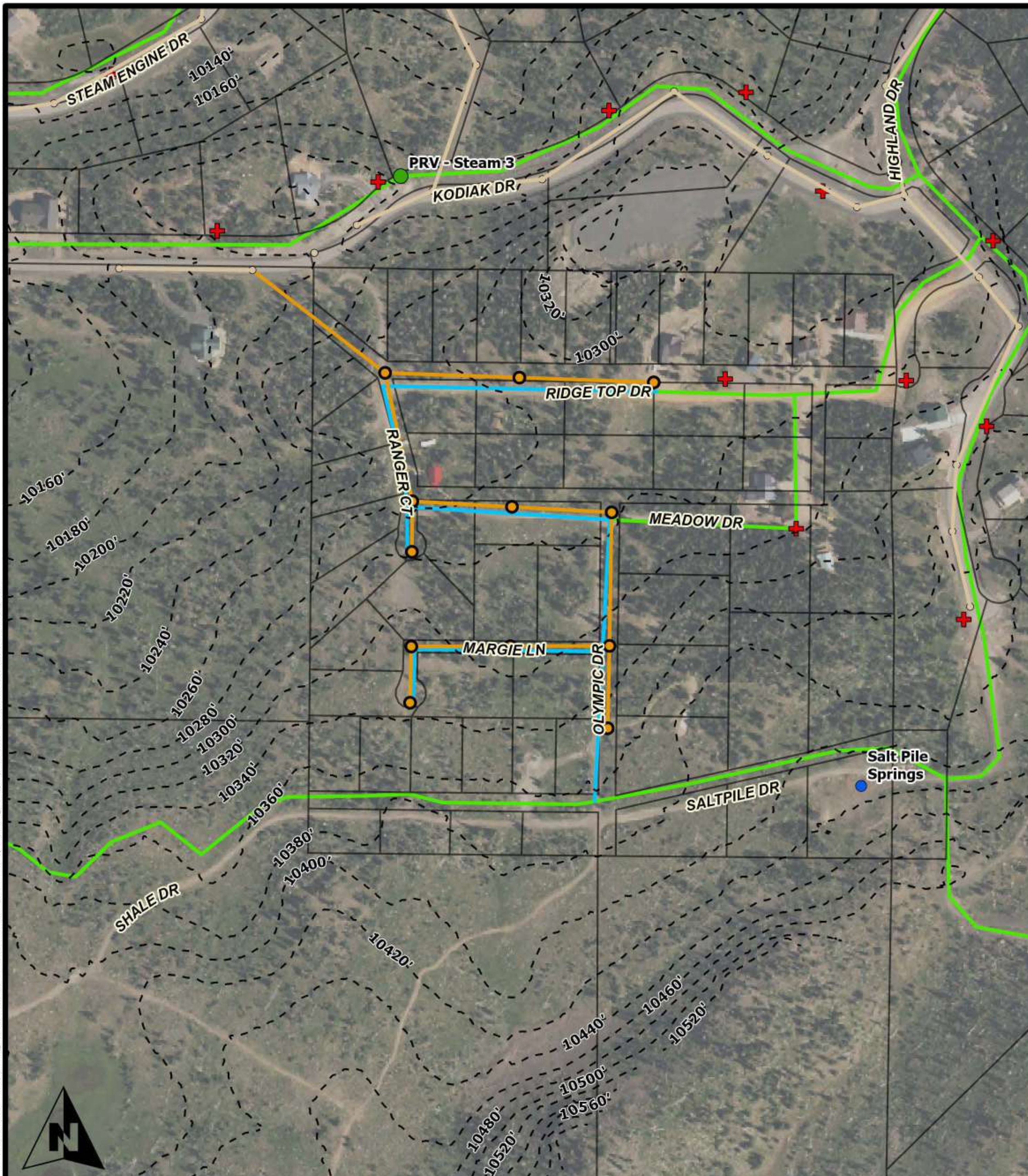
SCHEDULE "1"

NOTICE OF MEETING and EVIDENCE OF POSTING MEETING NOTICE ON PUBLIC NOTICE WEBSITE AND TOWN WEBSITE AND AT TOWN OFFICE

SCHEDULE "2"

NOTICE OF ANNUAL MEETING SCHEDULE

EVIDENCE OF POSTING ANNUAL NOTICE ON PUBLIC NOTICE WEBSITE AND TOWN WEBSITE AND AT TOWN OFFICE



P:\501-44 Toboggan Lane & Snowman Drive Waterline\Drawings\GIS\ArcGIS Pro\501-44 ArcGIS Pro.aprx, Ridge Top & Meadow, 7/21/2022 8:36 AM rbeazer

Legend

- Existing 8" Line
- Proposed 8" Waterline
- Proposed Sewer Line
- Proposed Sewer Manhole
- Existing Sewer Manholes
- Existing Sewer Lines

ALPHA ENGINEERING

43 South 100 East, Suite 100 • St George, Utah 84770
T: 435.628.6500 • F: 435.628.6553 • alphaengineering.com

Ridge Top & Meadow Drive

Brian Head, UT

Spatial Reference:	UT83-SF
Drawn By:	RKB
Scale:	1" = 300 feet
Date:	July 2022

ITEM: ELK DRIVE SPECIAL ASSESSMENT AREA NOTICE OF INTENT

AUTHOR: Shane Williamson
DEPARTMENT: Administration
DATE: July 11, 2024
TYPE OF ITEM: Legislative Action

SUMMARY:

The Council will consider a resolution to begin the process for the Elk Drive Special Assessment Area (SAA) by adopting a Notice of Intent (NOI).

BACKGROUND:

During the May 14, 2024, Town Council Meeting, the Town Council accepted the petition for the Elk Drive SAA. At that time, the SAA had 58% support on the petition. Town policy requires that more than 50% of the lot owners sign the petition for approval to be considered.

ANALYSIS:

Location:
The SAA Map presented shows the proposed SAA boundary of the twenty-six (26) lots. A waterline would begin at Mountain View Drive and extend to 475 North. The map was provided by the SAA Sponsor and approved by Aldo Biasi, the Town's Public Works Director.

Estimated Costs:
A cost estimate is provided as an attachment. However, the current cost estimate is bases on recent bids, our engineer will have a better estimate after the Notice of Intent. The current estimate is $687,740, which will result in an assessment per lot around $26,452.

SAA Process:
Once the NOI is adopted, the Town can then begin accruing reimbursable costs, and, therefore, can begin project planning and engineering. In addition, the Town will send letters to all property owners discussing the 60-day protest period. If 40% of lot owners protest the SAA, the project area must be abandoned by state statute. At the 60-day mark, the Council will hold a public hearing to hear any verbal protests that were not sent in writing, and subsequently can adopt the Notice of Creation if there were not 40% protests. The Town will engineer and bid the project over the winter, and then offer Board of Equalization hearings, and a subsequent Assessment Ordinance.

FINANCIAL IMPLICATIONS:

The Town does assume financial risk with any SAA, with this one being no different. Specifically, the Town assumes the debt liability and is potentially on the hook for the bond payments should a property owner default or fail to pay the assessment. However, though a lengthy process, the Town will be a lean holder on each proper with the ability to foreclose should this happen.

Board/Commission Recommendation:
N/A

Staff Recommendation:
Staff recommends that Council move forward with adopting the Notice of Intent.

Proposed Motion:
I move to adopt Resolution number 24-548 adopting the Elk Drive (Cedar Breaks Mountain Estates Unit C) Special Assessment Area Notice of Intent as presented.

Attachments:
A – Notice of Intent
B – Map

TOWN OF BRIAN HEAD, UTAH
NOTICE OF INTENTION TO DESIGNATE TOWN OF BRIAN HEAD, UTAH SPECIAL TAX ASSESSMENT AREA 2024-02(Elk Drive)
July 11, 2024

RESOLUTION NO. _____

A RESOLUTION DECLARING THE INTENTION OF THE TOWN COUNCIL OF THE TOWN OF BRIAN HEAD, UTAH, FOR WATER SYSTEM IMPROVEMENTS AND RELATED IMPROVEMENTS FOR THE ELK DRIVE AREA OF THE CEDAR BREAKS MOUNTAIN ESTATES, UNIT C SUBDIVISON; TO DESIGNATE OR CREATE THE TOWN OF BRIAN HEAD, UTAH SPECIAL TAX ASSESSMENT AREA NO. 2024-02 (ELK DRIVE); TO FUND THE COST AND EXPENSES OF SAID ASSESSMENT AREA BY SPECIAL TAX ASSESSMENTS TO BE LEVIED AGAINST THE PROPERTY BENEFITTED BY SUCH IMPROVEMENTS; TO PROVIDE NOTICE OF INTENTION TO AUTHORIZE SUCH IMPROVEMENTS AND TO FIX A TIME AND PLACE FOR PROTESTS AGAINST SUCH IMPROVEMENTS OR THE CREATION OF SAID ASSESSMENT AREA; TO DECLARE ITS INTENTION OF FUNDING A RESERVE FUND IN LIEU OF A GUARANTY FUND; AND RELATED MATTERS.

WHEREAS, pursuant to the Utah Assessment Area Act, Title 11, Chapter 42, of the Utah Code, the Town Council of the Town of Brian Head, Iron County, Utah (the Town) has the power to make or cause to be made all of the following improvements, water system improvements that will benefit certain properties in and around the Elk Drive area of the Cedar Breaks Mountain Estates Unit C subdivision (the Improvements); and

WHEREAS, the Town has received petitions from property owners desiring the water system improvements described herein; and

WHEREAS, the Town desires to designate or create a Special Tax Assessment Area and impose a special tax assessment against the portion of the properties in the Town that will be directly or indirectly benefitted by the Improvements:

BE IT RESOLVED by the Town Council of the Town of Brian Head, Utah:

Section 1. The Town Council of the Town hereby determines that it will be in the best interest of the Town to finance and install or have installed the Improvements in specified locations of the Town, and to complete the whole in a proper and workmanlike manner according to plans, profiles and specifications that have been presented to the Town and are on file in the Office of the Town Clerk. In order to finance the costs of the Improvements, the Town proposes to create, establish, and designate a Special Tax Assessment Area. A description of the proposed Special Tax Assessment Area is more particularly described in the Notice of Intention to construct the proposed Improvements hereinafter set forth.

Section 2. The proposed Assessment Area shall be known as the Town of Brian Head, Utah Special Tax Assessment Area No. 2024-02 (Elk Drive) (the "Special Tax Assessment Area).

Section 3. The cost and expenses of the proposed Improvements shall be paid by a special tax assessment to be levied against the properties on a per lot basis for lots that will be benefited directly or indirectly from the Improvements, or which may be affected or specially benefitted, directly or indirectly, by any of such Improvements, such assessment to be paid in not more than ten (10) annual installments with interest on the unpaid balance until due and paid. An allowance shall be made for corner lots, if applicable, so that such lots are not assessed at the full rate on both streets.

Section 4. The Town Council hereby finds that the water system improvements, including any modifications to streets, that is proposed for Special Tax Assessment Area No. 2024-02 (Elk Drive) are necessary or convenient to enable the Town to provide the water service that the Town proposes and is authorized to provide in Special Tax Assessment Area No. 2024-02 (Elk Drive).

Section 5. A public hearing is called for the Town Council meeting on August 27, 2024, at 1:00 p.m., at the Town offices located at 56 N. Highway 143, Brian Head, Utah 84719 to hear from any person desiring to be heard and objections to a) the designation of the proposed Town of Brian Head, Utah Special Tax Assessment Areas No. 2024-02 (Elk Drive) or the improvements proposed to be provided in said assessment area; b) the amount that a property reasonably and equitably benefits from the improvements; and c) the inclusion of unassessed benefitted government property.

Section 6. Any owner of property that is proposed to be assess and who does not want its property to be included in the proposed Special Tax Assessment Area No. 2024-02 (Elk Drive) may file a written protest against:

a) The designation of the Special Tax Assessment Area No. 2024-02 (Elk Drive);
b) The inclusion of the owner's property in the proposed Special Tax Assessment Area No. 2024-02 (Elk Drive):
c) The proposed improvements to be acquired or constructed; or
d) If applicable, the inclusion of an unassessed benefitted government property, the benefit for which the other assessed properties will collectively pay (of which there are none)

Each written protest shall:

a) Describe or otherwise identify the property owned by the person filing the protest; and
b) Include the signature of the owner of the property.

The failure of a property owner within the proposed Special Tax Assessment Area No. 2024-02 (Elk Drive) to file a timely written protest constitutes a waiver of any objection to:

a) The designation of the Special Tax Assessment Area No. 2024-02 (Elk Drive);
b) Any improvement to be provided to property within the Special Tax Assessment Area No. 2024-02 (Elk Drive);
c) The inclusion of the owner's property within the Special Tax Assessment Area No. 2024-02 (Elk Drive);
d) The fact, but not amount, of benefit to the to the owner's property; and
e) The inclusion of an unassessed benefitted government property in the assessment areas (of which there are none).

The Town Council hereby directs the Town Clerk to post the total and percentage of the written protests that the Town receives on the Town's website, and at the Town office at least five days before the August 27, 2024 meeting against the proposed Improvements or against the creation of the Special Tax Assessment Area must be presented and filed in the Office of the Town Clerk on or before August 22, 2024, at the hour of 4:00 p.m. Any person desiring to be heard may file a written protest or objection to a) the designation of the proposed Town of Brian Head, Utah Special Tax Assessment Areas No. 2024-02 (Elk Drive) or the improvements proposed to be provided in said assessment area; b) the amount that a property reasonably and equitably benefits from the improvements; and c) the inclusion of unassessed benefitted government property (of which there is none). Thereafter at 1:00 p.m. on August 27, 2024, at 56 N. Highway 143, Brian Head, Utah, 84719, any such written protests shall be heard and considered by the Town Council.

Section 7. The Town Clerk is hereby directed to give notice of intention to make the proposed improvements and of the public hearing and of the time within which protests against the proposed improvements or the designation of the proposed Special Tax Assessment Area may be filed and the date when such protests will be heard and considered by publishing a notice of intention to create the Assessment Area as a class B notice under Section 63G-30-102 of the Utah Code, no fewer than 20 day and no more than 35 days before the public hearing, which includes (a) posting on the Utah Public Notice Website, (b) posting on the Town website, (c) posting at the Town office, (d) posting on the affected streets, and (e) mailing to each residence and to each property owner within the proposed special assessment area. Said Notice shall be in substantially the following form:

NOTICE OF INTENTION

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council (the "Town Council") of the Town of Brian Head, Utah (the "Town"), intends to create or designate a Special Tax Assessment Area to be known as the Town of Brian Head, Utah Special Tax Assessment Area No. 2024-02 (Elk Drive) (the "Special Tax Assessment Area"). Accordingly, the Town Council called a public hearing regarding the creation or designation of the Special Tax Assessment Area to be held on August 27, 2024, at 1:00 p.m. at the Town Office at 56 N. Highway 143, Brian Head, Utah 84719, to hear from any person desiring to be heard and objections to a) the designation of the proposed Town of Brian Head, Utah Special Tax Assessment Areas No. 2024-02 (Elk Drive) or the improvements proposed to be provided in said assessment area; b) the amount that a property reasonably and equitably benefits from the improvements; and c) the inclusion of unassessed benefitted government property (of which there is none). It is the intention of the Town Council to make water system improvements within the Special Tax Assessment Area and to levy special assessments as provided in Title 11, Chapter 42, Utah Code Annotated 1953, as amended, on the real estate lying within the Special Tax Assessment Area as described herein for the benefit of which such assessments are to be assessed in the making of such improvements.

DESCRIPTION OF SPECIAL TAX ASSESSMENT AREA

The proposed Special Tax Assessment Area shall include the following real property in the Town of Brian Head, Iron County, UT and is described as:

The properties in the Elk Drive area of the Cedar Breaks Mountain Homesite subdivision and some adjoining properties in the Town of Brian Head, Utah. More specifically the following parcel numbers in respective subdivisions as described below. Properties other than the identified parcel numbers will not be included in the proposed Special Tax Assessment Area.

Lot #	Parcel #	Physical Address of lot	Subdivision	Unit
79	A-1211-0079-0000	245 N ELK DR	Cedar Breaks Mountain Estates	C
80	A-1211-0080-0000	267 N ELK DR	Cedar Breaks Mountain Estates	C
81	A-1211-0081-0000	289 N ELK DR	Cedar Breaks Mountain Estates	C
82	A-1211-0082-0000	299 N ELK DR	Cedar Breaks Mountain Estates	C
83	A-1211-0083-0000	315 N ELK DR	Cedar Breaks Mountain Estates	C

84	A-1211-0084-0000	329 N ELK DR	Cedar Breaks Mountain Estates	C
85	A-1211-0085-0000	345 N ELK DR	Cedar Breaks Mountain Estates	C
86	A-1211-0086-0000	361 N ELK DR	Cedar Breaks Mountain Estates	C
87	A-1211-0087-0000	377 N ELK DR	Cedar Breaks Mountain Estates	C
88	A-1211-0088-0000	391 N ELK	Cedar Breaks Mountain Estates	C
89/90	A-1211-089A-0000	405 N ELK DR	Cedar Breaks Mountain Estates	C
91	A-1211-0091-0000	419 N ELK DR	Cedar Breaks Mountain Estates	C
92	A-1211-0091-0000	433 N ELK DR	Cedar Breaks Mountain Estates	C
93	A-1211-0093-0000	466 N ELK DR	Cedar Breaks Mountain Estates	C
94	A-1211-0094-0000	448 N ELK DR	Cedar Breaks Mountain Estates	C
95	A-1211-0095-0000	430 N ELK DR	Cedar Breaks Mountain Estates	C
96	A-1211-0096-0000	414 N ELK DR	Cedar Breaks Mountain Estates	C
97	A-1211-0097-0000	404 N ELK	Cedar Breaks Mountain Estates	C
98	A-1211-0098-0000	386 N ELK DR	Cedar Breaks Mountain Estates	C
99	A-1211-0099-0000	364 N ELK DR	Cedar Breaks Mountain Estates	C
100	A-1211-0100-0000	348 N ELK DR	Cedar Breaks Mountain Estates	C
101	A-1211-0101-0000	330 N ELK DR	Cedar Breaks Mountain Estates	C
102	A-1211-0102-0000	312 N ELK DR	Cedar Breaks Mountain Estates	C
103	A-1211-0103-0000	302 N ELK DR	Cedar Breaks Mountain Estates	C
104	A-1211-0104-0000	280 N ELK DR	Cedar Breaks Mountain Estates	C
105	A-1211-0105-0000	262 N ELK DR	Cedar Breaks Mountain Estates	C

INTENDED IMPROVEMENTS

The improvements to be constructed within the Special Tax Assessment Area are as follows:

Water System Improvement: Water System Improvements to extend water lines on Elk Drive, and related improvements, and complete the whole in a proper and workman like manner with all drainage and other improvement appurtenant and useful to a water system, including street improvements, and associated municipal improvements.

ESTIMATED COST AND METHOD OF ASSESSMENT

Estimated Cost and Method of Assessment: The total cost of Improvements in the Special Tax Assessment Area is currently estimated to be $710,000.00, of which the Town will pay $0 leaving a remainder of $710,000.00 which shall be paid by special tax assessment on the private property within the Special Tax Assessment Area.

This includes engineering costs, overhead costs and funding of a reserve fund described herein, all of which shall be paid by special tax assessment to be levied against the properties which may be directly or indirectly benefited by the Improvements which benefits need not actually increase the fair market value of the property to be assessed. The property owners' portion of the total estimated cost of the Improvements may be financed during the construction period by the use of interim warrants, in which case the interest on said warrants will be assessed to the property owners.

In lieu of utilizing a guaranty fund, the Town Council intends to create a special reserve fund, if desired by lenders, to secure payment of the special assessment bonds (the "Bonds") anticipated to be issued by the Town to finance the proposed Improvements. The reserve fund will be either initially funded with proceeds of the Bonds in an amount equal to approximately ten percent (10%) of the total principal amount of Bonds to be issued, or by building up a reserve fund over a period of six years until an amount equal to approximately ten percent (10%) of the total principal amount of Bonds to be issued is placed in the reserve fund. The Town Council anticipates applying any moneys remaining in the reserve fund to the final payment on the Bonds which, in turn, would offset the final assessment payments to be made by the owners of property benefited by such Improvements, all of which will be further described in the assessment ordinance to be adopted by the Town. Any money in the reserve fund upon full payment of the Bonds is to be disbursed ratably to each assessed lot owner as of the date of disbursement. In addition, estimated costs of assessment include estimated overhead costs which the Town projects to incur in the creation and administration of the Special Tax Assessment Area. If Bonds are issued, the current estimated interest rate is 8.25% per annum and the estimated discount is no more than 2.00%, subject to market rates at the time of issuance and the current estimated term of financing is ten (10) years.

The estimated cost and method of assessment against the properties for the Improvements are as follows:

Improvement	Estimated Assessment	Method of Assessment
Water System Improvement	$710,000 total cost or $27,308 per lot.	Per lot.
Total of All Improvements	**$710,000 total cost or $27,308 per lot**	**Per lot.**

For assessment purposes, if applicable, an owner of a lot is defined herein to be the owner of a platted lot within the Town of Brian Head, Iron County, Utah according to the official records of the Town of Brian Head, upon which a residential, commercial, or other structure to be used for human occupancy is now or may be located consistent with the “lot size” requirements of the applicable Town of Brian Head Land Management ordinances in place as of the date this is adopted.

LEVY OF ASSESSMENTS

It is the intention of the Town Council to levy assessments as provided by the laws of Utah on all property, parcels, and lots of real property to be benefited by the proposed improvements within the Special Tax Assessment Area. The purpose of the assessment and levy is to pay those costs of the improvements which the Town will not assume and pay. The method of assessment shall be per lot, as set forth herein.

The assessments may be paid by property owners in not more than ten (10) annual installments with interest on the unpaid balance at a rate or rates fixed by the Town, or the whole or any part of the assessment may be paid without interest within twenty-five (25) days after the ordinance levying the assessment becomes effective. The assessments shall be levied according to the benefits to be derived by each property within the Special Tax Assessment Area. Other payment provisions and enforcement remedies shall be in accordance with Title 11, Chapter 42, Utah Code Annotated 1953, as amended. The assessment method will be by inclusion on a property tax notice issued in accordance with Section 59-2-1317 and in compliance with Section 11-42-401 of the Utah Code.

A map of the proposed Special Tax Assessment Area is on file in the Town offices which will make such information available to all interested persons. Copies of plans, profiles and specifications of the proposed improvements shall be made available by the Town as soon as thy have been prepared.

TIME FOR FILING PROTESTS

Any person who is the owner of record of property to be assessed in the Special Tax Assessment Area described in this Notice of Intention shall have the right to file in writing a protest against the creation of the Special Tax Assessment Area or to make any other objections relating thereto. Protests shall describe or otherwise identify the property owner of record by the person or persons making the protest and shall indicate the total number of lots represented by said protest. Protests shall be filed with the Town Clerk of the Town of Brian Head, Utah, on or before sixty (60) days after the public hearing to be held August 27, 2024, at 1:00 p.m. at the Town Office. The Town Council will meet on November 12, 2024, at 1:00 p.m. in public meeting at the regular meeting place of the Town Council at the Town Office at 56 N. Highway 143, Brian Head, Utah 84719 to consider all protests so filed and hear all objections relating to the proposed improvements. Each protest must be filed in writing and describe or otherwise identify the property owned by the person filing the protest and include the signature of the property owner.

A PROPERTY OWNER MUST PROTEST THE DESIGNATION OF THE SPECIAL TAX ASSESSMENT AREA IN WRITING IF THE OWNER OBJECTS TO (1) THE DESIGNATION OF THE SPECIAL TAX ASSESSMENT AREA, (2) ANY PROPOSED IMPROVEMENT, (3) THE INCLUSION OF THE OWNER'S PROPERTY, OR (4) THE FACT, BUT NOT AMOUNT, OF BENEFIT TO THE OWNER'S PROPERTY. Failure of an owner of property to file a timely written protest can constitute a waiver.

After such consideration and determination, the Town Council shall adopt a resolution either abandoning the Special Tax Assessment Area or creating and designating the Special Tax Assessment Area either as described in this Notice of Intention or with deletions and changes made as authorized by law; but the Town Council shall abandon the Special Tax Assessment Area and not create the same if the necessary number of protests as provided herein have been filed on or before the time specified in this Notice of Intention for the filing of protests after eliminating from such filed protests: (i) protests relating to property or relating to a type of improvement which has been deleted from the Special Tax Assessment Area, and (ii) protests which have been withdrawn in writing prior to sixty (60) days after the public hearing. The necessary number of protests shall mean the aggregate of the protests representing forty percent (40%) of the owners proposed to be assessed, according to the same assessment method by which the assessment is proposed to be levied.

BY ORDER OF THE TOWN COUNCIL OF TOWN OF BRIAN HEAD, IRON COUNTY, UTAH

/s/ Nancy Leigh
Town Clerk

Posted as a Class B notice as provided in Section 63G-30-102 of the Utah Code at least 20 days and not more than 35 days before August 27, 2024.

Section 8. The Town Council reasonably expects, to reimburse the Town from proceeds of the Bonds for capital expenditures paid by the Town (whether or not such expenditures are paid from proceeds of interim warrants) with respect to the Improvements.

Section 9. This declaration is intended to be a declaration of official intent under Treasury Regulation 1.103-18(1).

Section 10. The maximum principal amount of debt expected to be issued for reimbursement purposes is $710,000.00. This amount will be reduced by cash payments received by the Town from property owners who elect to pay their assessment in full during the cash payment period immediately following the effective date of the assessment ordinance.

Section 11. This declaration of official intent is consistent with the Town's budgetary and financial circumstances. No funds from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Town or by any member of the same controlled group pursuant to their budget or financial policies with respect to the expenditures to be reimbursed.

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF BRIAN HEAD, IRON COUNTY, UTAH THIS July 11, 2024.

____

Clayton Calloway, Mayor

ATTEST:

____

Nancy Leigh, Town Clerk

(S E A L)

RECORD OF PROCEEDINGS

A regular meeting of the Town Council of the Town of Brian Head, Iron County, Utah was held on July 9, 2024, at 1:00 p.m., or as soon thereafter as feasible, at the regular meeting place of said Town Council at 56 N. Highway 143, Brian Head, Utah 84719 at which meeting there were present and answering roll call the following members who constituted a quorum:

Clayton Calloway	Mayor
Martin Tidwell	Council Member
Mitch Ricks	Council Member
Kelly Marshall	Council Member
Larry Freeberg	Council Member

Also present:

Nancy Leigh	Town Clerk
Bret Howser	Town Manager

Absent:

After the meeting had been duly called to order and other matters not pertinent to this resolution had been discussed, the Town Clerk presented to the Town Council a Certificate of Compliance with Open Meeting Law with respect to this July 11, 2024 meeting, a copy of which is attached hereto.

Council Member _________________ introduced the foregoing resolution in writing and moved its adoption. Council Member _________________ seconded the motion to adopt the foregoing resolution. The motion and resolution were adopted on the following recorded vote:

Those voting AYE:

Those voting NAY:

Those ABSTAINING:

After the conduct of other business not pertinent to the above, the meeting was adjourned.

STATE OF UTAH)

: ss.

COUNTY OF IRON)

I, Nancy Leigh, the duly chosen, qualified and acting Town Clerk of the Town of Brian Head, Iron County, Utah, do hereby certify as follows:

That the foregoing typewritten pages constitute a full, true and correct copy of the record of proceedings of the Town Council taken at a regular meeting thereof held in said Town on July 11, 2024, at the hour of 1:00 p.m., insofar as said proceedings relate to the consideration and adoption of a resolution declaring the intention of the Town Council to create the Town of Brian Head, Utah Assessment Area No. 2024-02 (Elk Drive) and make certain improvements therein described as the same appears of record in my office; that I personally attended said meeting, and that the proceedings were in fact held as in said minutes specified.

That due, legal, and timely notice of said meeting was served upon all members as required by law and the rules and ordinances of said Town.

That the above resolution was deposited in my office on July 11, 2024, has been recorded by me, and is a part of the permanent records of the Town of Brian Head, Iron County, Utah.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of said Town this July 11, 2024.

____

Nancy Leigh, Town Clerk

(S E A L)

(ATTACH POSTING OF CLASS B NOTICE PURSUANT TO SECTION 63G-30-102)

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Nancy Leigh, the undersigned Town Clerk of the Town of Brian Head, Iron County, Utah (the Town), do hereby certify, according to the records of the Town in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the July 11, 2024 public meeting held by the Town as follows:

(a) By causing a Notice, in the form attached hereto (the "Meeting Notice"), to be posted at the principal office of the Issuer at least twenty-four (24) hours prior the convening of the meeting, the Meeting Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of the Meeting Notice to be posted on the Town website at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of the Meeting Notice to be published on the Utah Public Notice Website at least twenty-four (24) hours prior to the convening of the meeting; and

In addition, the Notice of 2024 Annual Meeting Schedule for the Issuer, attached hereto, specifying the date, time and place of the regular meetings of the governing body of the Issuer to be held during the calendar year 2024 was (1) posted on December 12, 2023 at the principal offices of the Issuer; (2) provided for posting on the town website on ________________; and (3) published on the Utah Public Notice Website on March 12, 2024.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this July 11, 2024.

____

Nancy Leigh, Town Clerk

(S E A L)

SCHEDULE "1"

NOTICE OF MEETING and EVIDENCE OF POSTING MEETING NOTICE ON PUBLIC NOTICE WEBSITE AND TOWN WEBSITE AND AT TOWN OFFICE

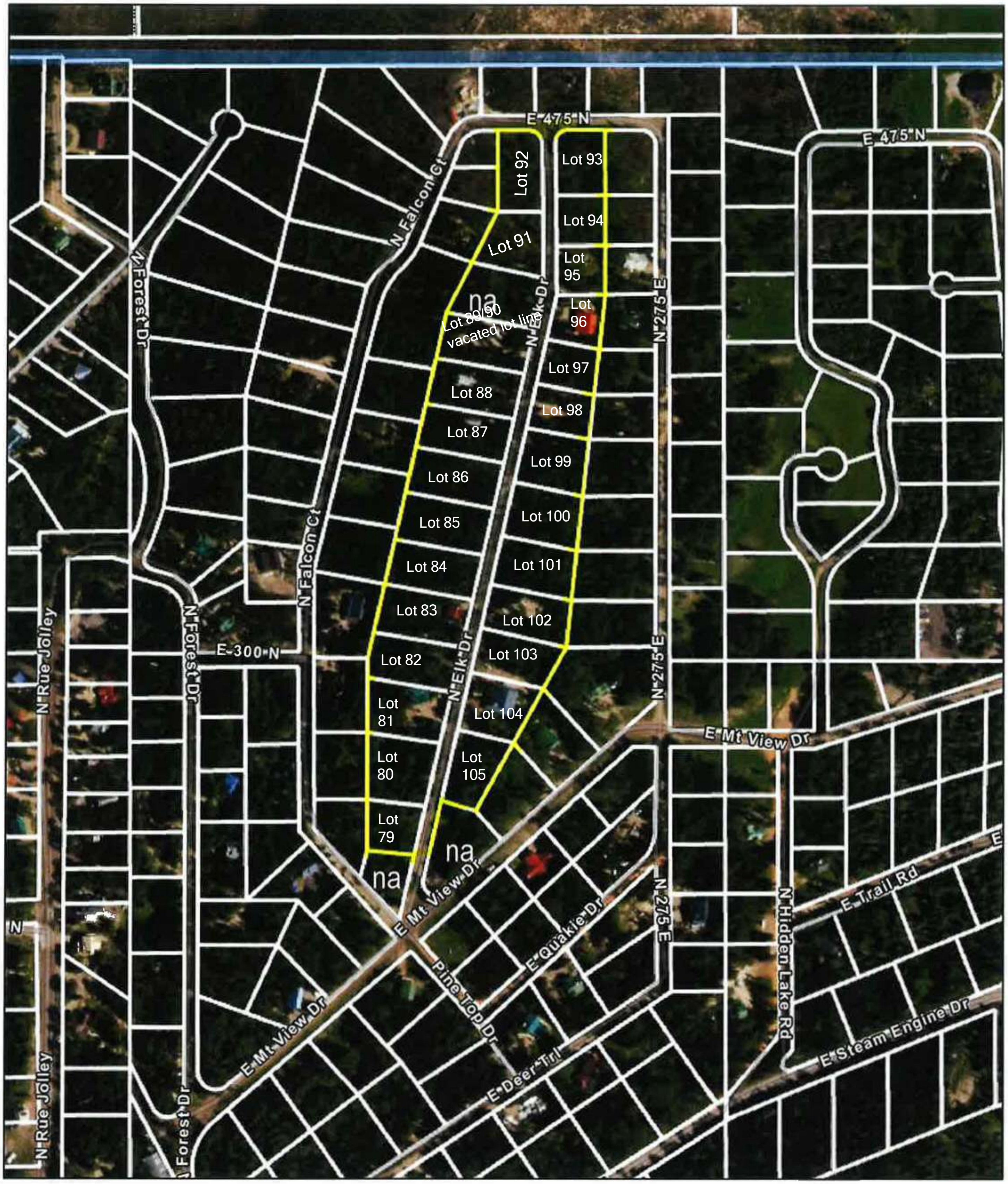
SCHEDULE "2"

NOTICE OF ANNUAL MEETING SCHEDULE

EVIDENCE OF POSTING ANNUAL NOTICE ON PUBLIC NOTICE WEBSITE AND TOWN WEBSITE AND AT TOWN OFFICE

ArcGIS Web Map

ELK DRIVE SAA BOUNDARY MAP 10-2022



9/29/2022, 8:48:21 AM

1:4,514

0	0.03	0.06	0.12 mi
0	0.05	0.1	0.19 km

Municipalities

UT_SITLA_Ownership_LandOwnership - Surface Ownership and Administration

Private

State Trust Lands

Source: Esri, USDA FSA, Esri Community Maps Contributors, Utah

STAFF REPORT TO THE TOWN COUNCIL

BRIAN HEAD

ITEM: SPRING CIRCLE SPECIAL ASSESSMENT AREA PETITION

AUTHOR:	Shane Williamson
DEPARTMENT:	Administration
DATE:	July 11, 2024
TYPE OF ITEM:	Legislative Action

SUMMARY:

The Council will consider a petition to begin the process for the Spring Circle Special Assessment Area (SAA).

BACKGROUND:

In June 2021, staff reported on a new Southwest Health Department regulation regarding water hauling and septic tank permits. This regulation became effective in 2019 but staff were unaware of this regulation until 2021. The Health Department requirement stated that water hauling is not a preferred method for culinary water supply for full-time residential use and unless prohibited by a local municipality, water hauling may be approved for usage for recreational property that does not have year-round access and is prohibited for commercial use which short-term rentals would be considered commercial.

With the Health Department's requirement in place, the Town has seen a dramatic increase in the number of SAA's being presented. In 2021, the Town received a total of four (4) SAA petitions: Steam Engine Meadows Phase 1C, Falcon Court, Scenic Drive and Trail Road all which were constructed during the 2022-2023 summer seasons.
During the last round of SAA's, staff learned there are a few items that should be considered before proceeding with a SAA:

1. Financing for smaller SAA projects and whether it is viable for the Town.
2. New laws on the foreclosure process for SAA's.
3. Septic densities

With the completion of the septic density study, Council opened the opportunity for new SAA petitions and applications.

ANALYSIS:

Petition:
The Spring Circle (Ski Haven Chalet Unit C) SAA petition consists of thirty-three (33) lots. Chris Call, who is the sponsor of the project, has submitted a petition which includes fifty-five (55) percent of lot owner's signatures who are in favor of a water system and road improvements. The signatures have been verified with the County records and the petition is being presented to the Council for consideration. Town policy requires that more than 50% of the lot owners sign the petition for approval to be considered.

Location:
The SAA Map presented shows the proposed SAA boundary of the thirty-three (33) lots. A waterline would connect the Snow Shoe & Toboggan SAA line and extend in the Spring circle

area. The map was provided by the SAA Sponsor and reviewed by Aldo Biasi, the Town's Public Works Director at the time of submittal.

SAA Bonding Threshold:
The Council set a tentative policy to not exceed $5,000,000 in SAA debt. The table below shows where were currently, and shows we have in room for additional SAA debt. It is not anticipated that this project will exceed this amount, however, a formal estimate will be completed by the Town Engineer if we get to the Notice of Inten portion of the SAA process, that way the Town can legally recover the costs of the engineering work on the estimate and preliminary design.

Council Threshold	**$5,000,000**
CBME	$1,132,000
Snow Shoe & Tobaggon	$632,000
Elk Dr	$690,000
Rnager Ct	$506,000
Balance	**$2,546,000**

FINANCIAL IMPLICATIONS:
The Town does assume financial risk with any SAA. Specifically, the Town assumes the debt liability and is potentially on the hook for the bond payments should a property owner default or fail to pay the assessment. However, though a lengthy process, the Town will be a lean holder on each proper with the ability to foreclose should this happen.

BOARD/COMMISSION RECOMMENDATION:
N/A

STAFF RECOMMENDATION:
Staff recommends that the Council move forward with this SAA by accepting the petition.

PROPOSED MOTION:
The Council can choose to accept the petition, request additional information, or deny the petition for the Spring Circle SAA.

I move to accept the Spring Circle, Ski Haven Chalet Unit C SAA petition.

ATTACHMENTS:
A – Petition
B – Map

Special Assessment Area Petition

Public Way Improvements

PETITIONERS' SPOKESPERSON:
CHRISTOPHER WESLEY CALL **PHONE:** ____________

MAILING ADDRESS: ____________

PHYSICAL ADDRESS OF PROPERTY: SUBDIVISION: 289 SNOWMOBILE RD: SKI HAVEN

UNIT: C **BLOCK:** E **LOT#** 17

LOCATION OF PROPOSED DISTRICT:

A special assessment area (SAA) is requested to interconnect with the new Toboggan SAA. The requested SAA would add a new loop by interconnecting the existing 8" transfer line from 1MG Tank to Toboggan - Snowmobile Road North Intersection. The new line would run up Spring Circle. The second new loop would run up Snowmobile from existing 8" transfer line from 1MG Tank to the new Spring Circle loop with a minor dead-end lateral up Snowmobile Rd to Lot H-12. Please see attached Proposed Spring Circle SSA 2025 Maps.

SPECIFIC IMPROVEMENTS REQUESTED:

- ☐ **Sidewalk**
- ☐ **Curb and Gutter**
- ☐ **Drive Approaches**
- ☐ **Total Street Reconstruction**
- ☒ **Water System**
- ☐ **Sewer System**
- ☒ **Gravel Road Construction**
- ☐ **Paved Road Construction**
- ☐ **Other:** ____________

ADDITIONAL COMMENTS OR REQUESTS:

This proposed SAA is critical to improve overall town water infrastructure, allow land development, and protect property and lives. Specifically, it would improve crucial fire suppression infrastructure systems and allow development in a safe and responsible way.

Special Assessment Area Petitioners

Signature: ______________ Date: 5/6/24

(Print Name: CHRISTOPHER CALL) Phone:

Mailing Address:

Subdivision: SKI HAVEN CHALETS Unit C Block E Lot 77

See attached Proposed Spring Circle SSA 2025 Maps

Special Assessment Area Petitioners

Signature: _[signature]_ **Date:** 05/02/2024

(Print Name: Leah Creighton **) Phone:** ______

Mailing Address: _ ______

Subdivision: Ski Haven Chalets **Unit** C **Block** I **Lot** Four (4)

See attached Proposed Spring Circle SSA 2025 Maps

____
____
____
____

Special Assessment Area Petitioners

Signature: Vincent DeFrank **Date:** 04/28/2024

(Print Name: Vincent DeFrank **) Phone:** ____________

Mailing Address: ____

Subdivision: Ski Haven Chalets **Unit** C **Block** H **Lot** 12 and 13

See attached Proposed Spring Circle SSA 2025 Maps

Special Assessment Area Petitioners

Robert M. Gregory

Signature: Date: 4/28/24

(Print Name:) Phone: (310) 7

Mailing Address: 913 Madrid Ave., Torrance

Subdivision: Unit C Block H Lot 11

522 Tdagan Ln, Ski Haven Chalets

See attached Proposed Spring Circle SSA 2025 Maps

Special Assessment Area Petitioners

Signature: Brad Gunderson **Date:** 4-30-24

(Print Name: Brad Gunderson **) Phone:** 801-448-4109

Mailing Address 7816 Cooper St. Midvale, Ut 84047

Subdivision: SHC **Unit** C **Block** F **Lot** 18

See Attached Proposed Spring Circle SSA 2025 Maps

Special Assessment Area Petitioners

Signature: ________ Date: 4/30/24

(Print Name: Chelsey Mullin) Phone:

Mailing Address:

Subdivision: SKI HAVEN Block E Lot 18

See attached Proposed Spring Circle SSA 2025 Maps

Special Assessment Area Petitioners

Signature: Edward F. Myers III **Date:** 5/9/2024

(Print Name: Edward F. Myers III **Phone:**

Mailing Address:

Subdivision: Ski Haven Chalets **Unit** C **Block** F **Lot** 15

See attached Proposed Spring Circle SSA 2025 Maps

Special Assessment Area Petitioners

Signature: ____________________ **Date:** 4-30-2024
(Print Name: Jason Pearson **) Phone:**
Mailing Address
Subdivision: Ski Haven chalet **Unit** C **Block** E **Lot** 16

See attached Proposed Spring Circle SSA 2025 Maps

SKI HAVEN CHALET UNIT 'C'
BLOCK H LOT 4
BLOCK F LOT 13
BLOCK F LOT 14

Special Assessment Area Petitioners

Signature: John Sweetland III **Date:** May 7, 2024 *

(Print Name: E. JOHN SWEETLAND III**) Phone:**

Mailing Address:

Subdivision: (SEE ABOVE) **Unit**____ **Block**____ **Lot**____

See attached Proposed Spring Circle SSA 2025 Maps

* PLEASE NOTE OWNER HAS NOT RECIEVED ANY COST ESTIMATES.

Special Assessment Area Petitioners

Signature: ____________ **Date:** 5/9/24

(Print Name: Nate Touboul ____ **) Phone:**

Mailing Address: 363 Toboggan Lane + 165 and 120 S. Snow Mobile Road

Subdivision: ____________ **Unit** ____ **Block** ____ **Lot** ____

See attached Proposed Spring Circle SSA 2025 Maps

Special Assessment Area Petitioners

Signature: ______________________ Date: 5-1-24

(Print Name: Sean Williams) Phone

Mailing Address:

Subdivision: Ski Haven Chalets Unit C Block H Lot 6

See attached Proposed Spring Circle SSA 2025 Maps

Special Assessment Area Petitioners

Signature: Matthew Woolley **Date:** 5/1/2024

(Print Name: Matthew Woolley **) Phone:** ______________

Mailing Address: ______________________________

Subdivision: Spring Circle **Unit** ________ **Block** H **Lot** 5

See attached Proposed Spring Circle SSA 2025 Maps

Special Assessment Area Petitioners

Signature: ______________ Date: 5/1/24

(Print Name: Steven L Yell

Mailing Address: ______________

Subdivision: Ski Haven Chalets Unit C Block E Lot 15

See attached Proposed Spring Circle SSA 2025 Maps

Special Assessment Area Petitioners

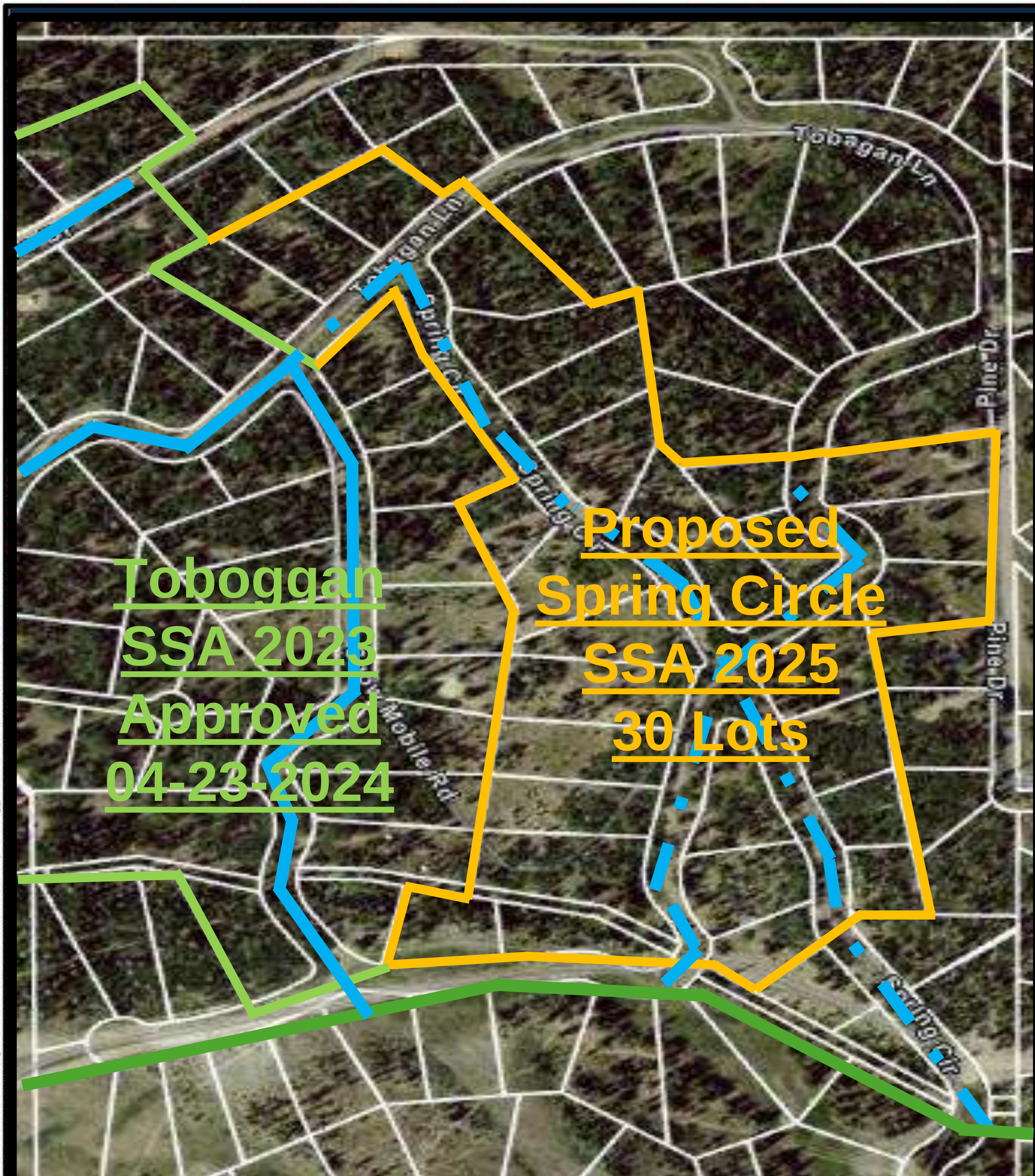
Signature: ______ **Date:** 6/25/2024

(Print Name: Jo u St ______

Mailing Address: ______

Subdivision: Ski Haven Chalet **Unit** 6 **Block** A **Lot** 8

See Attached Proposed Spring Circle SSA 2025 Maps



Spring Circle Owners

Legend

Proposed 8" Waterline

Water Tanks

Toboggan SAA Boundary

Existing 8" Line

New Spring Circle 8" Waterline Loop

Proposed Spring Circle SSA

Proposed Spring Circle SSA

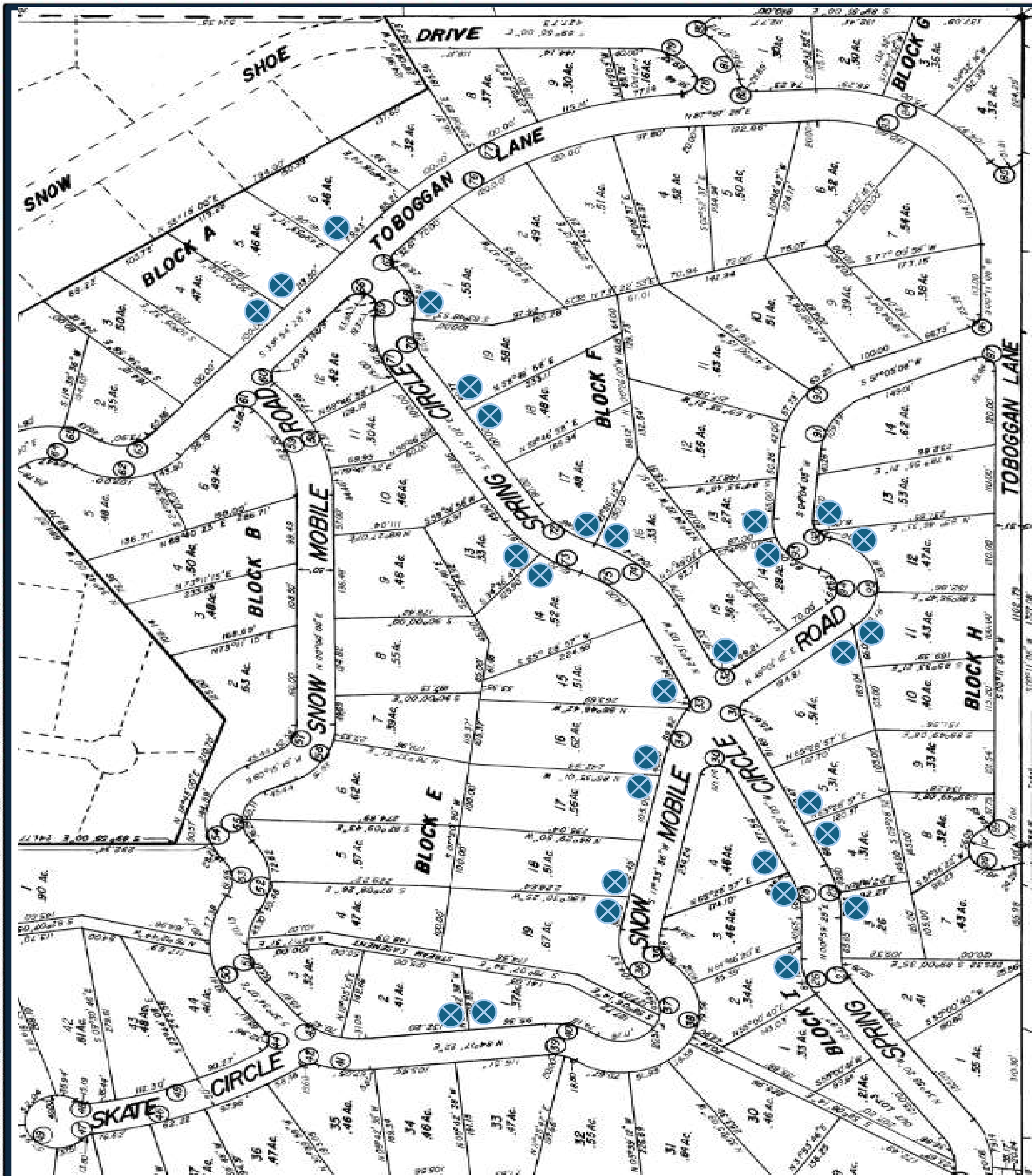
Spatial Reference: UT83-SF

Drawn By:

Scale:

Date:

P:\501-44 Toboggan Lane & Snowman Drive Waterline\Drawings\GIS\ArcGIS Pro\501-44 ArcGIS Pro.aprx, Toboggan SAA Exhibit, 5/19/2023 11:49 AM rbeazer



Spring Circle Owners

Legend

Proposed 8" Waterline

Water Tanks

Toboggan SAA Boundary

Existing 8" Line

New Spring Circle 8" Waterline Loop

Proposed Spring Circle SSA

Proposed Spring Circle SSA

Spatial Reference: UT83-SF

Drawn By:

Scale:

Date:

P:\501-44 Toboggan Lane & Snowman Drive Waterline\Drawings\GIS\ArcGIS Pro\501-44 ArcGIS Pro.aprx, Toboggan SAA Exhibit, 5/19/2023 11:49 AM rbeazer

STAFF REPORT TO THE TOWN COUNCIL

BRIAN HEAD

ITEM: GENERAL FINANCE MANAGEMENT RESOLUTION

AUTHOR: Nancy Leigh, Town Clerk
DEPARTMENT: Administration
DATE: July 11, 2024
TYPE OF ITEM: Legislative Action

SUMMARY:

The Council will consider adopting a resolution establishing the Brian Head Policy & Procedures for General Management of Finances.

BACKGROUND:

Over the years, the Town has adopted several financial policies. Many have been administrative policies, while others were adopted by resolution. Staff noticed that some of the policies were short policies but were necessary for the fiscal operations of the Town.

ANALYSIS:

In an effort to be more efficient in reviewing all of the Town's policy, we decided that it would be beneficial to have the financial policies along with some other policies under one document. Allowing for quick reference and for new staff to have a reference during the learning process. This document can also be beneficial in reviewing policies that may need updating since individual policies are filed/archived either electronically or physically and usually in different locations.

This is a living document and has the potential to assist the staff and Council in making policy decisions during the budget process and/or the Strategic Planning process.

This document includes policies from the Town's existing Administrative Policies, Policies that were adopted by Resolutions, State Code, Budget Process, etc. There could be other policies the Council may want to add or remove. This will be a discussion for the Council.

One section that was intentionally left out was Purchase Orders. Staff is in the process of revising the purchase order process for the Town and was waiting for new staff to begin and become familiar before the section was completed so they could give their input.

FINANCIAL IMPLICATIONS: N/A

STAFF RECOMMENDATION:

Staff recommends the Council adopt resolution No. 24-549 adopting the Policies and Procedures for General Finance Management as presented.

PROPOSED MOTION:

Options: Adopt – Adopt with Changes - Table – Deny

I move to adopt resolution No. 24-549, a resolution adopting the Policy & Procedures for General Finance Management. If any changes, please specifically identify the changes.

ATTACHMENTS:

A – Policies and Procedures for General Finance Management Resolution.

BRIAN HEAD

RESOLUTION NO. 24-___

A RESOLUTION ESTABLISHING THE BRIAN HEAD POLICIES AND PROCEDURES FOR GENERAL MANAGEMENT FINANCE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Brian Head Town is a body politic that protects the health, safety and welfare of its citizens; and

WHEREAS, Brian Head Town reviews and amends its policies and procedures from time to time as needed; and

WHEREAS, the Town has multiple finance policies regulating the fiscal operation of the Town in which staff adheres to; and

WHEREAS, it was determined that one document identifying the Town's fiscal procedures would be more efficient and productive for staff.

THEREFORE, IT IS HEREBY RESOLVED by the Brian Head Town Council that the attached document "Brian Head Town Policies and Procedures for General Finance Management" (Attachment A) be adopted by the Town Council of Brian Head Town, County of Iron, State of Utah.

EFFECTIVE DATE: This resolution is to take effect immediately upon its passage by a majority vote of the Brian Head Town Council.

SEVERABILITY CLAUSE: If any section, subsection, sentence, clause, phrase, or portion of this resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this resolution.

REPEALER, that any previous resolution that identifies the Brian Head Personnel Policy and Procedure Manual is hereby repealed.

PASSED and **ADOPTED** by the Brian Head Town Council of Iron County, Utah this _____day of July, 2024.

Town Council Vote:

Mayor Clayton Calloway	Aye____	Nay____
Council Member Larry Freeberg	Aye____	Nay____
Council Member Mitch Ricks	Aye____	Nay____
Council Member Kelly Marshall	Aye____	Nay____
Council Member Martin Tidwell	Aye____	Nay____

BRIAN HEAD TOWN

By: ________________________________
Clayton Calloway, Mayor

ATTEST:

____
Nancy Leigh, Town Clerk

(SEAL)

Brian Head Town

Policies & Procedures for General Finance Management

July 2024

BRIAN HEAD

-

The Town Council is responsible for ensuring that entity resources are used in an efficient, effective, and lawful manner. As such, Council Members should take a proactive role in monitoring and evaluating the entity's financial and compliance processes.

BRIAN HEAD

TABLE OF CONTENTS

STAFF ORGANIZATIONAL STRUCTURE
For Financial Management

SEGREGATION OF DUTIES

The Treasurer's financial duties include:

- Custodian of all money, bonds, and securities belonging to the Town
- Receive all money payable to the city including all taxes, licenses, and fines, keeping accurate and detailed account thereof.
- Budget officer: prepares the tentative budget for final approval by the Council.
- Determine the cash requirements of the town
- Receipts all money
- Signs checks
- Deposits money
- Monthly and quarterly financial statements
- Monthly fuel pump statements
- Accounts receivable
- Requires a bond paid for by the Town
- Approve and disperse payroll
- Monthly credit card payments for all departments

The Clerk's financial duties include:

- Accounts payable/receivable
- Pre-audit of invoices
- Prepares checks
- Maintain and oversee purchase orders
- Process all reoccurring invoices
- Reconcile bank statements
- Record keeping
- Attend meetings and keep records of proceedings
- Complete deposits during the Treasurer's absence when needed
- Maintain town fuel pump fuel prices and submit required documentation to state agencies.
- Maintains contract database for RFP for departments.
- Identifies contract amounts and dates into payables, if applicable.
- Maintains Enhanced Service Fee quarterly reports for businesses and notifies businesses when delinquent.

The Town Manager's financial duties include:

- Sign checks
- Approve payroll
- The Town Manager is the chief executive officer of the Town

The Town Council's financial duties include:

- Approval of budget
- Approval of major purchases over $25,000

The overall fiscal affairs of the town are controlled by the governing body, the Town Council

BUDGET PROCESS POLICY

Policy Statement: It is the policy of Brian Head Town to prepare and maintain an annual budget in accordance with Utah State law. The Treasurer shall be responsible for preparing the budget and submitting it to the council for approval.

Background: Municipalities are required to prepare and maintain a budget that will provide sufficient income to meet its estimated expenses for each year. Municipalities operate on a fiscal year basis (July 1 – June 30).

Strategic Planning Retreat: The Strategic Planning Retreat is the first step in the budget process. The Town Council will collaborate with staff on strategies, goals, and action steps, to create a complete document that begins with a Vision. From this vision, goals are identified; Brian Head has three main goal topics: Economy, Culture, and Environment, and under each of these goals, several goals are identified. Strategies are identified from the goals and from there Action Steps are created. Each action step and/or strategy is connected to the budget.

The Strategic Planning Retreat is held the last week of January each year. Information is obtained from the community Input Forum held in December each year and is presented to the Council for consideration to implement into the Strategic Plan.

Budget Guidelines: During the first meeting in April, the council will hold a Budget work session to begin the budgeting worksheet. Items from the Strategic Retreat are identified in the Budget and a tentative budget is drafted.

On the first scheduled meeting of the Town Council in May of each year, the tentative budget is presented to the Town Council. The tentative budget must contain some required elements and must be submitted on the forms approved by the office of the state auditor. The budget should be prepared by fund, function, and department.

When the tentative budget is approved by the Town Council, the tentative budget begins the initial process for modifications and then begins to make it its own by modifying and amending it. This process can take place at one or more meetings including special meetings called for that purpose. The tentative budget is a public document as soon as it is presented to the council.

At the meeting, when the tentative budget is approved, the council must set a time and place for a public hearing on the budget. Notice of the public hearing must be: 1) posted on the Utah Meeting Notice Website at least seven (7) days before the hearing. 2) Posted at the location of the public hearing at least 48 hours prior to the hearing; and 3) On the homepage of the Town's website, either in full or as a link and must be made available to the public for inspection during this time period. The budget must be adopted by June 30 by ordinance. After a budget is adopted, it must be sent to the office of the state auditor within thirty (30) days of adoption.

Not later than June 30 of each year, or September 1 in the case of a property tax increase, the Town Council must adopt the real and personal property tax levy for town purposes, but the levy may be set at an appropriate later date with the approval of the State Tax Commission.

After final adoption, the budget is in effect for the fiscal year but is subject to later amendment. A copy of each adopted budget must be available to the public during all regular business hours. The law understands that expenditures are just estimates of the coming year and anticipates this by allowing mayors and councils to, within the procedural limits of the law, adjust their budgets accordingly. A council may reduce or transfer any encumbered or unexpended balance from one department in a fund to another in the same fund as long as there is no reduction in the requirement of debt retirement or other appropriation required by law. This can be done without amending the adopted budget or holding the public hearings. It is just a transfer from one department in a fund to another department in the same fund. It is not a change in the total fund.

The state auditor is authorized to withhold state money allocated to a town if that town fails to file a copy of a formally adopted budget or fails to comply with the annual financial reporting and independent auditing requirements of this chapter. Such money may not be withheld if the town substantially complies with the requirements of UCA 10-5-102.

BUDGET AMENDMENTS

If it is necessary to increase the budget total of a fund, with the exception of the enterprise fund, a public hearing is required, and the budget must be amended. The process for amending a budget is the same as the initial procedure required for adopting a budget. The Council will hold a public hearing to receive public comments. The notice of the place, purpose, and town of the public hearing must be posted on the Utah Public Meeting Notice Website at least seven days before the public hearing. The notice can also be given by posting it in three public places at least seven (7) days before the hearing.

The only exception to the amendment requirement is if the Council determines that an emergency exists such as damage from fire, flood, or earthquake that necessitates the expenditure of money in excess of the budget of the general fund. The expenditures are authorized to be taken without the necessary public hearing.

If the Town has a particularly good year and receives money in excess of necessary expenditures, it may accumulate a fund balance in the general fund for future years. The accumulation of the fund balance in the general fund may not exceed 100% of the total estimated revenue of the general fund for the current fiscal year.

MONTHLY BUDGET REVIEW

Policy Statement: A monthly budget report shall be prepared and presented to the Council for review. Actual results shall be compared to budgeted amounts and all variances shall be explained in detail.

Background: The budget process is designed to provide a means for comparison of actual financial results to budgeted amounts and analysis of differences from those budgeted amounts. A monthly review of actual results to budgeted amounts is necessary to help the Council ensure the set spending limits are being adhered to, as well as to identify circumstances that indicate changes that require a budget amendment.

Guidelines: Monthly financial statements shall be prepared. These statements shall include a comparison of actual monthly results of operations to budget figures. All significant budget variances shall include detailed explanations. "Significant" variances are considered to be +/- 10% of the budget. These monthly financial reports shall be presented to the Town Council for review and will be part of the minutes. Large budget variances should be investigated promptly

FINANCIAL PROCESSES INVOLVING ASSETS

CASH RECEIPTS

Policy Statement: It is the policy of Brian Head Town to correctly and in a timely manner receipt and deposit all money that is collected from all funds.

Background: Accurate recording of all cash receipts will help the organization function properly and is necessary to be in compliance with state laws.

Guidelines: A receipt is generated for each payment received. No checks are allowed to be post-dated. All monies collected during the workweek will be deposited within three business days of receipt. Since the last workday of the week is Friday, all checks are deposited electronically on that day However, when monthly utility bills or other revenue sources are generated, the checks and cash can be deposited on any workday of the week.

BANK RECONCILIATION

Policy Statement: The bank reconciliation process is an important element in the internal control over cash. The Town Clerk, or designee, shall reconcile each account monthly, and all outstanding items shall be tracked. All discrepancies shall be resolved in a timely manner.

Background: All bank accounts shall be reconciled within ten (10) days of receipt of the bank statement; once the Town Clerk has reconciled the bank statements, all reconciliations shall be reviewed by the Treasurer.

Guidelines: Bank balances, as shown by the bank statement shall be reconciled with the general ledger as follows:

a. Establish the accuracy of the bank statement by ensuring that the beginning balance on the bank statement agrees with the ending balance on the prior month's bank statement.
b. Determine the reconciling items between book and bank balances by:
    1. Agree each paid check on the bank statement to the accounts payable check register and the prior month's bank reconciliation.

2. Check off each entry to indicate the check has been cashed by the proper payee for the correct amount and cleared by the bank.
3. Prepare a list of outstanding checks.
4. Agree each deposit on the bank statement to those recorded in the cash receipts journal and check off the deposits per the cash receipts journal and those recorded as deposits by the bank. Any unchecked items in the cash receipts journal represent deposits in transit.
5. Agree any miscellaneous debit or credit memos per the bank statement to those in the general ledger.

3. Prepare the bank reconciliation incorporating the reconciling items determined above.

The Town Clerk, or designee, who is preparing the bank reconciliation is responsible for identifying all discrepancies. The bank reconciliation shall be provided to the Treasure together with recommended adjustments, if any. The resolution of discrepancies shall be investigated, resolved, and adjusted in a timely manner.

DEBT COLLECTION

Policy Statement: To ensure that all revenue due to Brian Head Town is collected timeously and in a humane and cost-efficient manner.

Background: Brian Head Town has financial responsibilities to pay for services on a monthly basis. Because of this Brian Head Town will strictly adhere to billing practices to avoid accumulation of bad debt.

Guidelines: Statements are mailed at the first of each month. This statement is for the prior month's usage. The current billing is listed on the statement as well as any past-due balance. All charges are due by the 20th of each month. A past-due bill will be sent after the last day of the month. If after 60 days of past due status, a water shut-off notice will be sent through the mail and/or email. Each shut-off notice will give ten (10) days for payment to be received before services are disconnected. No further notice will be sent. It is not required to turn the water on again until all arrears for water furnished shall be paid in full along with a $100 reconnection fee. Since town water systems are not regulated by the Utah Public Service Commission, rules regarding winter shutoff or hardships do not apply, but the customer may request a payment plan with the Town.

Brian Head Town has contracted with a debt collection service that will charge a percentage of the total bill due. This amount is charged to the property owner and not the Town. Public Works is responsible to contact and submit all valid information for any utility account(s) that have been deemed a "bad debt" for collections and/or legal remedies.

Other debts that are owed to the Town that are not utilities, may also be submitted to the debt collection services to be collected upon. The Town may determine that some debts could be written off and those that are determined to be written off will be presented to the Town Council for approval during the amended budget process in June.

FINANCIAL PROCESSES INVOLVING LIABILITIES

PURCHASING

Policy: To ensure fair and equitable treatment of all persons who wish to or do conduct business with Brian Head Town and to provide for the greatest possible economy in Brian Head Town procurement activities. To foster effective broad-based competition within the free enterprise system to ensure that Brian Head Town will receive the best possible service or product at the lowest possible price.

Background: This policy shall not prevent Brian Head Town from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with Utah law. When the procurement involves the expenditure of federal and state assistance funds, Brian Head Town shall comply with applicable federal and state laws and regulations.

Guidelines: The Town Manager and Department Heads shall have the responsibility for the purchasing activities of the Town and its various departments. The Town Code outlines the purchasing requirements as it pertains to bidding procedures and emergency purchases. The Utah Procurement Code is also another resource that can be found at purchasing.utah.gov and outlines rules and procedures.

ACCOUNTS PAYABLE

Policy Statement: All disbursement of funds should be done in accordance with generally accepted accounting principles. This means providing the most efficient, precise, and prompt service to all vendors and customers. Checks will be prepared every two weeks with the exception of payroll, deposit refunds, and certain invoices that are due because of delinquent status and/or deposits for approved purchases.

Background: The responsibility of accounts payable is to assess and prepare reimbursements, and travel expenses, and make payments on goods and services rendered by individuals and vendors. These are paid from the respective fund for which the goods or services were rendered.

Guidelines: An invoice or receipt is required for each purchase. A designated person(s) from each department: Administration, Public Safety and Public Works will gather, review, and reconcile each invoice/receipt accordingly. Each invoice/receipt must identify the following information with a premade stamp issued to each department:

1. Fund from which the expense is to be identified from.
2. Signatures of the individual who ordered and/or picked up items identified in the invoice.
3. A signature from the department head acknowledging the expense is valid and the fund from which it will be identified. Department heads who ordered/picked up the items identified on an invoice will sign as the receiver and the Town Manager will sign as the department head; If the Town Manager is the receiver of the invoice items, the Town Clerk will sign as the department head for the Town Manager who will sign as the receiver.
4. Purchase order number, if applicable.
5. Project Name, if applicable.
6. Detailed description of the item purchased.

Checks are prepared by the Town Clerk, or designee, and are submitted to the Treasurer and Town Manager for signatures. Once completed, all accounts payable will be copied/scanned and filed accordingly and kept in the Town Clerk's, or designee's, office and available for review.

CREDIT CARDS

Policy Statement: The credit card policy shall govern the use of the Town's credit cards to transact official Town business that is otherwise budgeted or regulated by state law or the Brian Head Town Code.

Background: Brian Head Town policy has been established to provide a convenient, efficient means to purchase commodities from vendors and reduce costs associated with the purchasing process. The program is designed to allow employees to purchase items needed for town business and is considered an enhancement to the purchasing process. The use of a town credit card is a privilege that has been granted to the employees. Certain responsibilities are associated with this privilege. The Town Manager or their designee is responsible for the management of the program and to ensure that employees follow all state and town laws, rules, and policies relating to the credit card function.

Guidelines: Employees shall sign a town credit card user agreement before the issuance or use of any town credit card.

a. Each employee's card will have a maximum that can be spent each month. This is determined by the department head. No single purchase may be made over $500.00 without the department head's pre-approval and signed purchase order. Any purchase over $1,000 must have the signature of the Town Manager on the purchase order before the purchase is made.

b. Employees are prohibited from using the credit card for the following purposes:
    1. Personal purchases.
    2. Cash advances
    3. May not be used by anyone other than the designated cardholder.

c. Employees are required to complete the following when a credit card purchase is made:
    1. Credit card receipts no later than five (5) business days after the purchase date, or within five (5) business days of return from travel status.
    2. Delivery receipts no later than five (5) business days after the received date.
    3. Proof of internet purchases with a copy of the purchase confirmation page from the vendor's website.

d. Participants and Responsibilities:
    1. Cardholders are responsible for their town-issued credit cards.
    2. Cardholders must maintain their cards in a secure location. Each employee must know where their card is at all times to prevent misuse.
    3. Cardholders are responsible for reporting immediately any fraudulent use or misapplication of the card to the cardholder institution so that appropriate steps can be taken when necessary. Cardholder will also notify the Town Clerk that fraudulent use has been made on the card and the cardholder institution notified.
    4. Cardholders are responsible for the delivery arrangements and receipt of the merchandise they have ordered and working with the vendor to correct any problems, exchanges, or credits. Cash credits are not allowed; the employee must keep the credit receipt and original receipt for documentation.
    5. In the case of returns, cardholders are responsible for coordinating returns to the supplier.
    6. Cardholders are responsible for immediately reporting a lost or stolen credit card.
    7. Cardholders are responsible for ensuring that merchant documentation is complete for every transaction and for submitting to the supervisor for approval including a detailed description of the purchase.
    8. The department's designee will match merchant documentation to the cardholder's monthly statement and submit all documentation to the Town Clerk for processing.
    9. The cardholder's supervisor is responsible for reviewing, approving, and signing off on cardholder receipts, assuring that all purchases are made per department and Town policies.

e. Reconciliation Process**:**
    1. Employees authorized to use town credit cards are responsible for providing all necessary documentation, required by the Town Clerk to process payment, on a timely basis.
    2. Employees will submit town credit card receipts no later than five business days after the purchase date to the department's designee who will reconcile that

department's purchases to the credit card statement that will be provided to the designee.

3. Employees will submit delivery receipts no later than five (5) business days after the date the merchandise is received.
4. Employees will document internet purchases by printing out the purchase confirmation page from the vendor's website along with a detailed description of purchase.
5. If interest or late fees are incurred as a result of an employee's failure to submit necessary documentation in a timely manner, the employee could be responsible for payment of those card penalty fees, and payment shall be withheld from the employee's pay.
6. The Town Clerk will reconcile the credit card statements to ensure all transactions balance and match within ten (10) business days of the statement ending date. The Town Clerk will submit balanced statements and receipts to the Town Treasurer for credit card payment.
7. The Town Treasurer will pay the credit card statement balance by the due date. Subsequently, the Town Treasurer will return the statement and receipt documentation, along with payment confirmation to the Town Clerk for document filing.

f. Consequences: Violation or misuse of the town credit card in accordance with this policy shall result in revocation of the card and/or other disciplinary action, including termination. Cardholders shall be personally responsible for any unauthorized expenditures and will be required to repay expenditures that are considered in violation of these policies.

CHECK SIGNING

Policy Statement: The Mayor, Town Manager, and Treasurer are authorized to sign checks. The Town Clerk, or designee, who prepares checks and reconciles bank statements shall not be a check signer. Individuals who approve invoices for payment and sign the checks for payment of invoices they approve shall have another appropriate individual, other than a check signer, sign the invoice to ensure the invoice is correct and coded to the respective fund and will enter the invoice into the accounting system for payment. A check signer shall not approve an invoice, enter the invoice into the accounting system, or create and sign the check, unless there is an emergency need for the check and they must have other appropriate signatures at that time.

Background: All authorized check signers will make disbursements only upon review and approval of the transaction. This will include a review for the existence of proper supporting documentation, such as an approved invoice, evidence of the receipt of goods and services, and proper coding to the general ledger account, funding source and program. All disbursements must be entered into the accounting system and coded appropriately.

Guidelines: The Mayor, Town Manager, and Treasurer are authorized to sign checks. All checks require two signatures.

A voided check is a check spoiled in the process of preparation before it is recorded. Any check that is voided should be thoroughly defaced by marking "VOID" on the check and retained in a file by fiscal year for review by the auditor. All voided checks should be clearly noted in the accounting system.

Signed checks awaiting distribution or pick-up must be kept in a locked storage place accessible only to the check custodian, which is the Town Clerk, or designee.

INFORMATION TECHNOLOGY

USE OF THE INTERNET AND EMAIL

Policy Statement: Employees are expected to use the internet responsibly and productively. Internet access is limited to job-related activities only and personal use is not permitted.

Background: Use of the Internet by employees of Brian Head Town is permitted and encouraged where such use supports the goals and objectives of the Town. However, access to the internet is a privilege and all employees must adhere to the policies set forth.

Guidelines: All internet data that is composed, transmitted and/or received by Brian Head Town's computer system is considered to belong to Brian Head Town and is recognized as part of its official data. It is therefore subject to disclosure for legal reasons or to other appropriate third parties. An internet user does not have a right to privacy when using the internet via Brian Head Town resources and employees should not expect or assume any privacy regarding the content of email communications. Brian Head Town reserves the express right to monitor and inspect the activities of the employee while accessing the internet at any time, and to read, use and disclose email messages. Personal use of email via Brian Head Town resources is restricted.

Emails sent via Brian Head Town's email system should not contain content that is deemed to be offensive. This includes, though is not restricted to, the use of vulgar or harassing language/images.

No foreign devices are allowed on Brian Head Town's network to ensure the security of the network.

BACKUP, RECOVERY, AND SECURITY PROCEDURES

Policy Statement: Online backup, recovery, and security are a high priority. Brian Head Town uses Mountain West Computers and Mountain West Cloud Services for these services.

Background: Due to Utah State law, certain information held by Brian Head Town is required to be kept for different lengths of time. It is vital that information be kept secure and readily available under any and all circumstances.

Guidelines: These are subscription-based services and fees are required. The Town Council, through the budget process, will approve the budget for the renewal of such subscriptions when the expiration period comes.

OTHER POLICIES AND PROCEDURES

ANNUAL FINANCIAL AUDIT

Policy: An independent audit firm will review Brian Head Town's financials at the conclusion of each fiscal year (June 30 of each year).

Background: Independent auditors have various responsibilities in ensuring that local governments are in compliance with Utah mandates and requirements.

Guidelines: The Office of the State Auditor has prepared a Compliance Audit Guide which lists the various audit procedures to be performed and the corresponding legal requirements that local governments must adhere to. This Compliance Audit Guide can be found at: Auditor.utah.gov/complianceguide.

Annual Town Audit: Within 180 days of the close of each fiscal year, the Town should have an audit report or annual financial report by an independent auditor. Within ten days following the receipt of the audit report, the Clerk must prepare a notice to the public that the audit of the Town has been completed and must 1) post the notice at the principal place (Town Hall); and 2) post the notice on the Utah Public Notice Website; and 3) make the notice and have a copy of the audit available for inspection at the office of the Town Clerk.

CONFLICTS OF INTEREST / CODE OF ETHICS

Policy Statement: It is the intent of Brian Head Town to meet and exceed those protections against conflicts of interest contained in State law. Under this policy, a conflict of interest arises when a Council Member, a Public Board Member, or employee has a personal interest in a matter that is or may be in conflict with or contrary to Brian Head Town's interest and objectives to such an extent that the Council Member, Board Member, or employee may not be able to exercise independent and objective judgment within the context of the best interest of Brian Head Town. For the purposes of this policy, a Council Member, Board Member, or employee's "personal interest" includes those of his or her relatives, business associates, or other persons or organizations with whom he or she is closely associated.

Background: Brian Head Town Council Members, Board Members, and employees individually commit themselves in their official capacity to ethical, businesslike, and lawful conduct, including appropriate use of their authority and decorum at all times. Council Members, Board Members, and employees must avoid even the appearance of impropriety to ensure and maintain public confidence in Brian Head Town. Council Members, Board Members, and employees owe a fiduciary duty to Brian Head Town and must not act in a manner that is contrary to that duty or to the interests of Brian Head Town. Council Members, Board Members, and employees must place the interests of Brian Head Town over their own personal interests with respect to the governance, policy, strategic direction, and operations of Brian Head Town.

Guidelines: The Town shall adhere to Utah State Code §67-16-5 Utah Public Officers and Employees Ethics Act, Accepting Gifts, Compensation, or Loans. Brian Head Town has also adopted a Code of Ethics and Personal Conduct Policy that each employee is given upon employment with the Town.

a. Receiving gratuities over $50.00 in value is a violation of the Utah Municipal Officers' and Employees' Ethics Act. No employee shall directly or indirectly solicit any gift or receive any gift whether in the form of money, services, loan, travel, entertainment, hospitality, promise, or any other form except as specifically provided herein. Employees may be permitted to accept food and items of nominal value. Employees are responsible for complying with the disclosure requirements for personal interest and restrictions governing the acceptance of gifts. Any employee who is uncertain whether an offered gratuity may be accepted may request a ruling from the Town Attorney as to the propriety of the offered gift.

b. The complete confidentiality of proprietary business information must be respected at all times. Council Members, Board Members, and employees are prohibited from knowingly disclosing such information, or in any way using such information for personal gain or advancement, or to the detriment of Brian Head Town, or to individually conduct negotiations or make contacts or inquiries on behalf of Brian Head Town unless officially designated by Brian Head Town.

c. Council Members, Board Members, and employees are prohibited from acquiring or having a financial interest in any property that Brian Head Town acquires, or a direct or indirect financial interest in a supplier, contractor, consultant, or other entity with which Brian Head Town does business. This does not prohibit the ownership of securities in any publicly owned company except where such ownership places the Council Member, Board Member, or employee in a position to materially influence or affect the business relationship between Brian Head Town and such publicly owned company.

d. If members of the immediate family of a council member or employee have a financial interest as specified above, such interest shall be fully disclosed to Brian Head Town which shall decide if such interest should prevent Brian Head Town from entering into a particular transaction, purchase, or engagement of services. The term "immediate family" means a spouse, parent, dependent children, and other dependent relatives.

e. When a conflict of interest exists, the Council Member, Board Member, or employee shall publicly declare the nature of the conflict and may recuse themselves from any official action involving the conflict.

f. Council Members, Board Members, or employees may not realize, seek, or acquire a personal interest in a business that does business with Brian Head Town.

g. Council Members, Board Members, and employees shall complete a Conflict-of-Interest Disclosure Form upon first becoming appointed, elected, or employed by Brian Head Town, and again annually or any time if the Council Member, Board Member, or employee's position in the business entity has changed significantly or if the value of his interest in the entity has increased significantly since the last disclosure.

h. The Town Clerk shall keep all disclosure statements in the office of the Town Clerk and such disclosure statements are public records and shall provide copies of all completed forms to the public if a records request is submitted requesting such information.

RECORDS MANAGEMENT AND GRAMA

Policy Statement: An appointed records officer will work with State Archives in the care, maintenance, retention, designation, classification, disposal, and preservation of records.

Background: The records officer is the individual appointed by the chief administrative officer of each governmental entity. A records officer is someone in the office who is knowledgeable about the office's records and who has been authorized to make decisions concerning them. The records officer for Brian Head Town is the Town Clerk.

Guidelines: The responsibilities of a records officer include developing and providing oversight of record management programs, serving as the contact person with Archives, inventorying agency records, developing agency retention schedules, implementing approved records retention schedules and documenting authorized destructions of obsolete records, maintaining information on what records series have been scheduled and conducting periodic reviews to update information as changes occur, reporting agency's classifications designations on record series that it maintains, maintaining information on record series that have been transferred to the State Records Center to allow for their efficient retrieval, receive annual training on GRAMA. Additionally, the record officer is in charge of ensuring compliance with the Governmental Records Access Management Act (GRAMA).

NEPOTISM

Policy: To prevent bias in hiring, performance evaluation, and consideration of salary increases due to familial relationships.

Background: Utah State Code 52-3 outlines the state nepotism statute found at le.utah.gov.

Guidelines: A public officer may not employ, appoint, or vote for or recommend the appointment of an appointee when the appointee will be directly supervised by a relative or household member, with exceptions. See Utah State Code 52-3 for exceptions.

A public officer may not directly supervise an appointee who is a relative or household member of the public officer, with exceptions. See Utah State Code 52-3 for exceptions. There are rules in place for disclosure of relationships when direct supervision occurs by exception. See Utah State Code 52-3.

TRAVEL POLICY

Policy: All travel expenses incurred while conducting Brian Head Town business outside of the town shall be paid for by the Town.

Background: Council Members and employees are expected to attend training, meetings, and other types of business that may require them to travel outside the town. When doing so, the priority should be to use a town vehicle to travel to the designation. When a town vehicle is not available and a personal vehicle is required to travel, the Town will reimburse the Council Member or employee the mileage to and from the destination as per the IRS mileage. It is also the policy of the Town for employees to use their town-issued credit cards for meals and accommodations when staying longer.

Guidelines: Vehicles / Meals / Incidentals / Lodging:

a. Vehicles:

1. Brian Head Town Vehicles: Town vehicles may be used for travel associated with official business.
2. Personal Vehicle Use: An employee or Council Member who uses their personal vehicle for town business will be reimbursed for mileage in accordance with the rate currently authorized by the IRS.
3. Alternative Travel Arrangements: Employees may structure alternative travel and lodging to reduce costs or to accommodate personal preferences if the alternatives provide a documented cost savings to the Town or the employee pays the increased costs. If an employee chooses to drive rather than fly for out-of-state travel, the town will reimburse the employee based on the least expensive method of travel, rather than actual mileage.
4. Rental Cars: Employees may obtain a rental car with prior approval or in cases of documented need. Groups of employees at the same location shall share rental vehicles where practical. When a rental car is used, rental agency liability and collision/loss damage coverage is required at the Town's expense.

b. Travel Related Meals:
   1. Direct charge on employee personal credit card: Employees may use personal credit cards to pay for approved travel-related meals. Employees must retain all receipts related to such purchases and submit them with the Travel Reimbursement Form. In the event that the daily total expense for meals is greater than the allowable per diem amount, the employee will only be reimbursed up to the allowable per diem amount.
   2. Direct charge on employee personal credit card: Employees may use personal credit cards to pay for approved travel-related meals. Employees must retain all receipts related to such purchases and submit them with the Travel Reimbursement Form. In the event that the daily total expense for meals is greater than the allowable per diem amount, the employee will only be reimbursed up to the allowable per diem amount.

c. Incidental Expenses*:* Incidental expenses are not considered part of a meal per diem reimbursement. Incidental expenses include ground transportation, parking, and related tips; fax, telephone, internet, or copy charges; and other business-related expenses. Other tips are not reimbursable.

d. Lodging: Travel that requires an overnight stay must be pre-approved by the Department Head and/or Town Manager. The Town will pay for lodging with applicable taxes. Detailed receipts are required to be submitted to the Town Treasurer to claim refunds for taxes paid.

e. Personal Expenses*:* Personal expenses, including entertainment or alcohol, are the responsibility of the employee and will not be reimbursed by the town.

f. Employee expenses paid by other entities: Town employees that provide services to other entities either formally or informally may represent the interest of those entities as well as Brian Head Town while traveling on official Town business. Where possible, the shared benefit of the employee activities while traveling should be determined, and the costs of that travel proportionally split between the benefiting entities.

If any employee travel-related expenses are paid directly by another entity, those payments must be documented and disclosed to Brian Head Town. Any travel-related expenses that are paid by another entity must not be submitted to the town for reimbursement to the employee. In such circumstances the Town will reimburse the employees for travel-related costs and then bill the other entity the proportional share of those travel-related costs, or the other entity will bill the Town for its proportional share of the travel-related costs paid by the other entity.

VEHICLE TAKE HOME

Policy: Vehicles and fuel are paid for with taxpayer funds and may only be used for the direct benefit of taxpayers. Town vehicles are not for employees' private use and are not an employee benefit.

Background: Employees are generally expected to get to and from work independently. Town vehicles are not for the private use of employees and are not an employee benefit.

Guidelines: Town vehicles may go home with employees for emergency response purposes, which include:

a. All public safety personnel are expected to have a public safety vehicle for emergency response and will have a vehicle available to take home.
b. On-call Public Works staff are expected to have a Town vehicle for emergency response.

Changes from prior practice

a. No administration personnel may take home vehicles. Arrangements for a carpool can be made or used their private vehicle.
b. No more than two (2) Public Works vehicles, in total, leaving Brian Head Town each day, unless for Town business.
c. No changing shifts in Parowan
d. The Town Manager must be notified of any exceptions
e. Any abuse of this will result in immediate removal of take-home vehicles

EMPLOYEE REIMBURSEMENTS - COUNCIL AND BOARD MISCELLANEOUS REMIBURSEMENTS

Policy: It is the intent of the Town to reimburse Council Members, Board Members, and employees for any town-approved expenditures that were paid out-of-pocket by the individual.

Background: When Council Members, Board Members, and Employees pay for an approved town expenditure with a personal payment method, the town will reimburse the Council Member, Board Member, and employee for that expense after the approval of the Department Head and/or Town Manager.

Guidelines: Receipt for the expense must be submitted to the appropriate department. For Council Members and Board Members, receipts shall be submitted to the Town Clerk, or designee, for processing. A signature from the Council/Board Member must be present on the receipt along with a detailed description. The Town Manager will countersign the receipt as the department head and will review and approve all reimbursements prior to issuance of a check.

If the Town has a vendor account established where the employee, Council Member, and Board Member choose to purchase, then the purchase shall be made on the Town's account to save on sales taxes to the Town. The Council Member, Board Member, or employee will sign their name on the receipt given and a detailed description and submit it to the appropriate department for review, approval, and reimbursement.

Council Members, Board Members, and employees will not use the Town's account for personal purchases at any time.