

**The Regular Meeting of the**  
**Brian Head Town Council**  
**Town Hall Council Chambers**  
**56 N. Hwy 143, Brian Head, UT 84719**  
**TUESDAY, APRIL 08, 2014 @ 1:00 PM**

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**Roll Call.**

**Members Present:** Mayor H. C. Deutschlander, Council Member Jim Ortler, Council Member Clayton Calloway, Council Member Reece Wilson, Council Member Larry Freeberg

**Staff Present:** Nancy Leigh, Dan Benson, Wendy Dowland, Tom Stratton, Cecilia Johnson

**A. CALL TO ORDER**

Mayor Deutschlander called the regular meeting of the Brian Head Town Council to order at 1:00 pm.

**B. PLEDGE OF ALLEGIANCE**

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

**C. DISCLOSURES**

There were no conflicts of interest with today’s agenda items. Mayor Deutschlander stated that the disclosure statements are on file at the Clerk’s office and are available for public inspection during normal business hours.

**D. APPROVAL OF THE MINUTES:**

**1. March 25, 2014 Town Council Meeting**

**Motion:** Council Member Ortler moved to approve the March 25, 2014 Town Council minutes. Council Member Calloway seconded the motion.

**Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Council Member Calloway, Council Member Freeberg, Council Member Ortler, Council Member Wilson, Mayor Deutschlander).

**2. April 1, 2014 Town Council Work Session**

**Motion:** Council Member Ortler moved to approve the April 1, 2014 Town Council work session minutes. Council Member Wilson seconded the motion.

Council Member Calloway requested a change in the minutes as it pertains to the public and private utilities in which the consensus of the Council was to consolidate the utilities.

**Motion:** Council Member Ortler amended his motion to approve the minutes with the noted change. Council Member Wilson seconded the motion.

**Action:** **Motion carried 4-0-1 (summary: Yes = 4 Vote: Yes:** Council Member Calloway, Council Member Ortler, Council Member Wilson, Mayor Deutschlander. **Abstained:** Council Member Freeberg).

**E. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items**

**Nancy Leigh, Town Clerk,** invited the Council to a elected officials webinar on land use. The webinar is scheduled for April 15, 2014 at 10:00 am at the Town Hall. The Planning Commission will be attending the webinar.

**Dan Benson, Public Safety Director,**

1. Updated the Council on the department’s report in which the majority of the public safety calls are medical related. Chief Benson explained the department’s role in a medical call as a liaison between the ambulance and ski patrol.
2. Council Member Freeberg inquired to the electrical problem in the new wildland fire truck. Chief Benson explained the electrical problem was being resolved and was not part of the engine repair.

1 3. Council Member Calloway expressed his appreciation for the time and effort the volunteer fire fighters gave working on  
2 the fire engines.  
3

4 **Tom Stratton, Public Works Director**

- 5 1. Council Member Freeberg inquired about the slurry project and micro surfacing. Tom responded the Trails @ Navajo
- 6 Homeowners Association (HOA) will be participating in the cost for the micro surfacing and staff will present this as an
- 7 agenda topic today.
- 8 2. Council Member Calloway inquired on the status of the Bearflat well. Tom responded the camera went down 540' and
- 9 then identified dirt and debris within the well. The contractor did not want to run the camera through the debris. Staff
- 10 has a video of the well and is available for Council to review. Council has the option to remove the dirt and then swedge
- 11 the rest of the way down the well.
- 12
- 13

14 **F. AGENDA ITEMS:**

- 15
- 16 1. **APPOINTMENT OF PLANNING COMMISSION MEMBER(S).** The Council will appoint a Planning
- 17 Commission Member and Alternate Member upon the recommendation of the Town Manager.
- 18

19 Nancy Leigh, Town Clerk, explained that Bret Howser, Town Manager, has submitted his recommendation to the Council for  
20 their advice and consent to appoint Georg Hartlmaier as the Planning Commission Alternate Member and appoint Shaun Kelly  
21 from Alternate member to a Planning Commission Member.  
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23 **Motion:** Council Member Calloway moved to accept the Town Manager’s recommendation to appoint Georg Hartlmaier  
24 as the alternate Planning Commission Member and appoint Shaun Kelly as a Planning Commission Member.  
25 Council Member Freeberg seconded the motion.

26 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Calloway, Council Member Freeberg,**  
27 **Council Member Ortler, Council Member Wilson, Mayor Deutschlander).**  
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- 30 2. **BID AWARD FOR THE 2014 SLURRY SEAL PROJECT.** Contract award for the 2014 Slurry Seal Project.
- 31

32 Tom Stratton, Public Works Director, presented the bids for the 2014 slurry seal project for the Trails @ Navajo subdivision (see  
33 attached). Tom reported there are two options available to the Council: 1) Slurry sealing the project or 2) micro surfacing which  
34 is a higher cost but has a longer life expectancy. Tom explained that micro surfacing is more durable and is a rubber based. The  
35 Trails @ Navajo Homeowners Association (HOA) has agreed to pay \$15,800 towards the micro surfacing with the condition that  
36 the project be completed by the end of summer 2014.  
37

38 Council Member Freeberg inquired if the town has worked with Morgan Pavement before. Tom reported he has worked with  
39 Morgan Pavement and has also requested a list of projects from them.  
40

41 **Motion:** Council Member Calloway moved to approve option B, Morgan Pavement for the micro surfacing in an amount  
42 not to exceed \$55,025.00 Council Member Freeberg seconded the motion.

43 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Calloway, Council Member Freeberg,**  
44 **Council Member Ortler, Council Member Wilson, Mayor Deutschlander).**  
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- 46 3. **HIGHWAY 143 UPDATE.**
- 47

48 Tom Stratton, Public Works Director, gave the Council an update on the status of highway 143. Tom reported the town has  
49 hauled 630 yards of rotomilled asphalt to the site and over 1,000 yards of fill material and the crew will move the fire hydrants  
50 towards the highway along with installing a new water main once the repairs are completed.  
51

52 Tom explained he has invited Joel Meyers, GEM Engineering, to update the Council on the status of the highway and the  
53 reservoir project. The Council held discussion on the following:

- 54 1. Mr. Meyers distributed a spreadsheet on the boring holes (see attached). Mr. Meyers reported his written report was
- 55 completed in December 2013 and submitted to the town.
- 56 2. There is sand approximately ten feet (10’) down and is a beach type of sand. Mr. Meyers explained Brian Head was
- 57 once a glacier valley and when the glacier melted, it left beach sand approximately 10’ to 15’ deep and full of water.
- 58 When the meadow was dewatered it consolidated the sand.

- 3. The town has installed an inclinometer and has a base line reading from March 20, 2014 (see attached spreadsheet). So far only one reading has taken place. The town will be reading the inclinometer every two weeks and then reduce the reading to once a month.
- 4. The highway is settling and dragging back towards the west side of the highway. The rate of movement to increase/decrease is based on the water level.
- 5. One option would be to install the geo-foam blocks laid in the road to “bridge it” to lessen the weight. Tom reported he has spoken to Utah Department of Transportation (UDOT) and they are an advocate of building highways on geo-foam blocks.
- 6. UDOT wants the highway back to an even grade. The town would re-contour the road which will lessen the slope of the road going into Brian Head Village.
- 7. Council Member Ortler inquired as to why the town wouldn’t go down to bedrock. Mr. Meyers explained that bedrock is at 38’ and has some concerns regarding the amount of soil that would be dug by adjacent properties (Brian Head Village).
- 8. Mr. Meyers recommended the town reduce the weight of the road by installing the geo-foam.
- 9. One consideration could be the town drill down to bedrock, install a bridge deck and would have to be a 100’ span bridge and the costs could be over a million dollars.
- 10. Another proposal is to set a drainage path in which a french drain type of system would be installed to maintain the ground water elevation, but this would depend on what happens once they excavate that area.
- 11. The town will need to submit a plan to UDOT for their approval before any construction can begin.
- 12. Council Member Wilson commented he would like to see UDOT’s recommendation on what the town presents to UDOT on the repair of the highway.
- 13. There have been two landslides on the side of the reservoir; the slide on the west side has been fixed, but the town will need to address the one on the east side by flattening the slope, but the town could lose some water capacity.
- 14. Council Member Wilson explained he would like to see more options presented to the Council.
- 15. Tom reported the public works crew will be opening up the Vasels road area by the skier bridge onto the highway once the resort is closed for the season in order to work on the highway.

**Consensus of the Council:** Staff will work with GEM Engineering and will drill a total of three more bore holes with one of the bore holes identified from the Brian Head Village parking area. The bore holes locations will be confirmed with UDOT. Staff will report back to Council before a report is presented to UDOT.

**4. RECYCLING DISCUSSION AND ACTION.** Town recycling service options.

Tom Stratton, Public Works Director, explained the town is no longer picking up recycling due to the fact that Stone Castle Recycling in Cedar City does not have a business license and the town has been asked to cease business with Stone Castle.

Tom explained the town could haul the recycling to Rocky Mountain Recycling located in St. George. They will take the cardboard only and would require three trips per month at a cost of \$1,050 per month.

The Council held discussion on the following:

- 1. The average truck load going to Iron County Landfill is approximately \$150.00 per load.
- 2. The town receives \$1,500 a month for recycling from the residents and commercial businesses.
- 3. Council Member Ortler requested information from staff regarding the incremental cost of taking the weight of recycling to the landfill. Tom responded it would be approximately \$600 more to go to St. George.
- 4. The Council will consider the purchase of a new garbage truck which could assist in the recycling being held for longer periods of time before a trip is required to St. George.
- 5. The town will haul the metal recycling to Robinson Recycling in Cedar City.
- 6. Staff dropped the recycling fee from the utility billing during this time. Mayor Deutschlander and Council Member Ortler stated that the Council is responsible for amending the Consolidated Fee Schedule and suspending the recycling fee and staff was not directed to drop the fee.
- 7. Council Member Freeberg commented that the town is sensitive to recycling and if the residents are being charged for recycling and no recycling is happening there could be repercussions.
- 8. Council Member Ortler stated that communications are essential in this issue. The costs for hauling the recycling off the mountain are expensive and it could have a negative impact on the solid waste fund if fees are dropped.
- 9. Staff will monitor the frequency of the dumpsters as they fill up, which include the dumpsters in Parowan.
- 10. Another option for dumpsters would be a 450 gallon garbage can. Council expressed their concerns with this type of trash can as it relates to potential snow removal issues and a different type of garbage truck to pick up the trash can.

1 **Consensus of the Council:** Stay with the dumpsters for the town and place the recycling dumpsters back out to their locations  
2 and identify the recycling dumpsters for cardboard only. Council will discuss the purchase of a new garbage truck and recycling  
3 during the upcoming budget retreat.  
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6 **5. PROPOSED ORDINANCE ADOPTING A FINANCE POLICY FOR BRIAN HEAD TOWN.** An  
7 ordinance adopting a finance policy for the town.  
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9 Cecilia Johnson, Town Treasure, presented a draft ordinance adopting a finance policy for the town (see attached). Cecilia  
10 explained that during her money management training, it was recommended that all cities and towns adopt a finance policy  
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12 **Motion:** Council Member Ortler moved to adopt Ordinance 14-002, an Ordinance adopting a finance policy for the town  
13 with an effective date. Council Member Calloway seconded the motion.

14 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Calloway, Council Member Freeberg,**  
15 **Council Member Ortler, Council Member Wilson, Mayor Deutschlander).**

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17 Council Member Freeberg inquired if staff has presented the draft ordinance to legal for their review and approval. Cecilia  
18 explained legal has not reviewed the ordinance, but can do so if Council requests.  
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21 **G. WORK SESSION OF THE TOWN COUNCIL**

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23 **LAND MANAGEMENT CODE REVIEW.**

24 **Motion:** Council Member Calloway moved to table the Land Management Code work session until Town Manager, Bret  
25 Howser, is available. Council Member Wilson seconded the motion.  
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27 Council Member Ortler commented he would like to discuss some policy issues pertaining to the Land Management Code.  
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29 **Action:** **Motion carried (summary: Yes = 4, No = 1, Abstain = 0 Yes: Council Member Calloway, Council Member**  
30 **Freeberg, Council Member Wilson, Mayor Deutschlander. No: Council Member Ortler) .**  
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33 **H. ADJOURNMENT**

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35 **Motion:** Council Member Ortler moved to adjourn the regular meeting of the Brian Head Town Council for April 8,  
36 2014. Council Member Calloway seconded the motion.

37 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Calloway, Council Member Freeberg,**  
38 **Council Member Ortler, Council Member Wilson, Mayor Deutschlander).**  
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40 The regular meeting of the Brian Head Town Council was adjourned at 2:55 pm for April 8, 2014.  
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43 April 22, 2014  
44 Date Approved  
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Nancy Leigh, Town Clerk  
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