



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](#))
Via Zoom Meeting ID# 856 9221 5236
TUESDAY, MAY 13, 2025 @ 1:00 PM

MINUTES OF THE TOWN COUNCIL

Roll Call:

Members Present: Mayor Clayton Calloway, Council Member Martin Tidwell, Council Member Kelly Marshall, Council Member Mitch Ricks (arrived at 1:05pm)

Members Absent: Council Member Larry Freeberg

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Shane Williamson, Town Treasurer; Chief Dan Benson, Public Safety Director; Jon Ficken, Public Works Director; Amanda Hunter, Code Enforcement; Greg Sant, Planning & Building Administrator; Ciera Claridge, Deputy Clerk.

A. Call To Order

Mayor Calloway called the regular meeting of the Brian Head Town Council to order on Tuesday, May 13, 2025, at 1:00 PM.

B. Pledge Allegiance

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

C. Disclosures

Mayor Calloway stated that disclosures were on file and could be viewed during regular business hours with the town clerk. He asked if anyone had a potential conflict of interest with today's agenda. No conflicts were disclosed.

D. Approval Of The Minutes: April 22, 2025, Town Council Meeting Minutes

Council Member Marshall noted a correction needed on page 4, line 11 regarding his vote on the construction mitigation item. Council Member Tidwell mentioned the same correction was needed on page 11, line 26.

Mayor Calloway called for a motion to approve the minutes with the changes to page 4, line 11, and page 11, line 26.

Action: Council Member Tidwell moved to approve the April 22, 2025, Town Council minutes with the noted changes. Council Member Marshall seconded the motion.

Action: **Motion carried 3-0-0 (summary: Yes = 3 Vote: Yes:** Council Member Tidwell, Council Member Marshall, Mayor Calloway. **Absent:** Council Member Ricks (arrived at 1:05pm), Council Member Freeberg).

E. Reports / Public Input On Non-Agenda Items

Mayor Calloway reported that the ice had gone off the pond and the quaky leaves were starting to emerge in the canyon.

Council Member Ricks confirmed the annual Town Cleanup was still scheduled for May 21st.

Mayor Calloway suggested creating an electronic poster to disseminate information about the Town Cleanup event.

Bret Howser, Town Manager, reported on the upcoming first annual town trail volunteer maintenance day scheduled for June 7th. He explained they were planning to build bridges on the Aspen Meadows loop and had hired a SUU crew to assist with maintenance work. The event would start at 8:30 AM in the town hall with an introduction to the trail system vision before splitting into work groups.

Dan Benson, Public Safety Director, reported on a recent chimney fire in the Steam Engine subdivision. He explained it was contained within the chimney and did not spread to the wood chase. He also mentioned some new skid marks observed in the canyon but noted no accidents had been reported.

No public comments were received on non-agenda items.

F. Agenda Items

1. Brian Head Unit III Special Assessment Area Petition

Shane Williamson, Town Treasurer, presented the petition for a special assessment area in Brian Head Unit III (see attached), which was recently annexed into the town. Shane explained:

- The proposed area includes 24 lots
- They received 63% of signatures, meeting the 60% requirement
- The cost estimate is \$968,000
- There may be additional costs if boring under the highway is required instead of trenching
- Based on previous appraisals, it would meet the 3-to-1 ratio requirement
- The next steps would be a notice of intent, creation resolution, engineering, and bids

Council members discussed the potential increased costs for boring under the highway versus trenching. Bret Howser suggested they may need to engage state legislators about making exceptions to the boring requirement due to the significant cost increase.

Council members sought clarification on the number of lots included and how certain parcels were being combined. Shane Williamson explained that some lots owned by the

Hartlmaiers were being combined, which is why the total remained at 24 lots despite the map showing additional parcels.

Motion: Council Member Tidwell moved to accept the Brian Head Unit III SAA petition. Council Member Tidwell seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member Tidwell, Council Member Marshall, Council Member Ricks, Mayor Calloway. **Absent:** Council Member Freeberg).

2. A RESOLUTION DESIGNATING THE TOWN OF BRIAN HEAD, UTAH SPECIAL TAX ASSESSMENT AREA NO. 2024-02 (ELK DRIVE) (THE “ASSESSMENT AREA”) FOR THE PURPOSE OF (i) LEVYING ASSESSMENTS AGAINST PROPERTIES WITHIN THE ASSESSMENT AREA TO FINANCE THE COSTS OF CERTAIN WATER SYSTEM IMPROVEMENTS AND RELATED IMPROVEMENTS IN THE ASSESSMENT AREA, (ii) ESTIMATING THE AMOUNT OF THE ASSESSMENTS TO BE LEVIED AND THE METHOD OF ASSESSMENT, AND (iii) GENERALLY DESCRIBING THE PERIOD OVER WHICH THE ASSESSMENTS ARE TO BE PAID AND THE MANNER IN WHICH THE TOWN INTENDS TO FINANCE SAID IMPROVEMENTS; AND RELATED MATTERS.

Shane Williamson, Town Treasurer, presented the Elk Drive Special Assessment Area (see attached resolution), explaining:

- They had previously accepted the petition and adopted a notice of intent
- Appraisals had been completed
- No protests were received during the protest period
- The SAA would run a waterline from Mountain View up Elk Drive to connect at 475 North
- It is in Zone B and requires a 4-to-1 ratio
- The current ratio is 3.98 to 1, which could be rounded to meet the requirement
- Staff recommended moving forward

Council members reviewed previous documents and discussed the exclusion of Ranger Court from this SAA due to updated cost estimates resulting in an unfavorable ratio.

Motion: Council Member Marshall moved to adopt Resolution Number 25-555, adopting the Elk Drive, Cedar Breaks Mountain Estates Unit C, Special Assessment Area Notice of Creation as presented. Council Member Tidwell seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member Tidwell, Council Member Marshall, Council Member Ricks, Mayor Calloway. **Absent:** Council Member Freeberg).

3. Special Assessment Area Policy Revision

Bret Howser Town Manager, presented a draft Special Assessment Area Policy (see attached), Bret explained that the policy revision aimed to clarify how the ratio for special

assessment areas is calculated. He noted it also provides flexibility for the council to make exceptions if there are compelling reasons.

Motion: Council Member Marshall moved to adopt Resolution Number 25-556, amending Brian Head Town's Special Assessment Area Policy. Council Member Tidwell seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member Tidwell, Council Member Marshall, Council Member Ricks, Mayor Calloway. **Absent:** Council Member Freeberg).

4. Fiscal Year 2026 Tentative Budget Approval

Shane Williamson, Town Treasurer, presented the FY2026 Tentative Town Budget (see attached) Shane noted the following:

- No material changes were requested or made since the April 8th budget workshop
- The next step would be public hearings at the May 27th meeting
- Final adoption is planned for June

Council Member Tidwell asked for clarification on the total revenue and spending figures. Shane Williamson provided the correct total revenue figure of \$5,154,076.

Motion: Council Member Tidwell moved to approve the tentative budget for FY2026 as presented. Council Member Marshall seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member Tidwell, Council Member Marshall, Council Member Ricks, Mayor Calloway. **Absent:** Council Member Freeberg).

5. Land Management Code Amendment, Chapter 7, Accessory Dwelling Units

Greg Sant, Planning and Building Administrator, presented the proposed ordinance amendment (see attached) to allow accessory dwelling units (ADUs) in R1 zones, explaining:

- The main purpose is to create more affordable housing
- ADUs will not be permitted as short-term rentals
- The primary owner must live on-site
- Only one ADU is allowed per property
- ADUs must meet all building codes and design standards
- Utilities must branch off the main connections

Council members discussed clarifying the language regarding short-term rentals and the primary purpose of creating workforce housing. They agreed to revise the purpose statement to focus on affordable housing for the workforce rather than family members or guests.

Motion: Council Member Ricks moved to adopt Ordinance Number 25-003, amending the Land Management Code Chapter 7 for accessory dwelling units as proposed. Council Member Tidwell seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member Tidwell, Council Member Marshall, Council Member Ricks, Mayor Calloway. **Absent:** Council Member Freeberg).

6. Public Utility Easement Approval

Bret Howser, Town Manager, presented a request for a public utility easement for Rocky Mountain Power along the frontage of the town-owned archery range property (see attached). Bret explained:

- The easement is part of a power line extension project
- The town agreed to participate in the project
- Rocky Mountain Power is requesting a 10-foot PUE along the entire frontage
- The easement will not impact potential future projects like parking for the dog park
- It will bring power closer to future development in the area

John Ficken, Public Works Director, provided additional details on the location and minimal impact to existing trees.

Motion: Council Member Tidwell moved to authorize the Town Manager to sign and record a dedication of 10-foot public utility easement along the southern frontage of parcel number A-1210-0HRA-0000, otherwise known as the archery range, in a form approved by the Town Attorney. Council Member Marshall seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member Tidwell, Council Member Marshall, Council Member Ricks, Mayor Calloway. **Absent:** Council Member Freeberg).

7. Fiscal Year 2026 Strategic Plan Adoption

Council members reviewed the FY2026 Strategic Plan (see attached) and expressed their approval of the document.

Motion: Council Member Marshall moved to adopt Resolution Number 25-558, adopting the Fiscal Year 2026 Strategic Plan for Brian Head Town. Council Member Tidwell seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member Tidwell, Council Member Marshall, Council Member Ricks, Mayor Calloway. **Absent:** Council Member Freeberg).

8. Future Agenda Items

1. Council Member Ricks requested a future agenda item for staff recommendations on options for resolving the open space issue and communicating with landowners.
2. Bret Howser, Town Manager, noted that employee recognition would be handled differently, as there was not much enthusiasm from employees for formal recognition during council meetings. Council members suggested alternative methods such as signed letters or newsletter mentions.
3. Nancy Leigh, Town Clerk, provided an overview of upcoming agenda items for the next meetings, including budget hearings, nightly rental amendments, and a code enforcement update.

G. Adjournment

Action: Council Member Tidwell moved to adjourn the meeting. Council Member Ricks seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member Tidwell, Council Member Marshall, Council Member Ricks, Mayor Calloway. **Absent:** Council Member Freeberg).

The regular meeting of the Brian Head Town Council was adjourned at 2:15 pm on May 13, 2025.

June 10, 2025

Date Approved

Nancy Leigh, Town Clerk