



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# 830 2776 9222
TUESDAY, JULY 22, 2025 @ 1:00 PM

AGENDA

- A. **CALL TO ORDER**
- B. **PLEDGE ALLEGIANCE**
- C. **SERVICE AWARD FOR 25 YEARS OF SERVICE - Chief Dan Benson.
PROMOTION RECOGNITION FOR Sgt. Jon Bettridge.**
- D. **DISCLOSURES**
- E. **APPROVAL OF THE MINUTES:**
 - June 24, 2025, Town Council Closed Session Minutes
 - July 8, 2025 Town Council Meeting
- F. **REPORTS / PUBLIC INPUT ON NON-AGENDA ITEMS.** Public input is limited to three (3) minutes on non-agenda items.
- G. **AGENDA ITEMS**
 - 1. **HIDDEN SPRINGS DEVELOPMENT AGREEMENT.** Greg Sant, Planning & Building Administrator. The Council will consider a Development Agreement for the Hidden Springs Project.
 - 2. **FRAUD RISK ASSESSMENT.** Shane Williamson, Admin. Director. Shane will provide the FY2025 Fraud Risk Assessment to the Council for their review.
 - 3. **COMMUNITY DEVELOPMENT AGENCY (CDA/RDA) EXTENSION AGREEMENT DISCUSSION.** Bret Howser, Town Manager. The Council will discuss options regarding the RDA/CDA Interlocal Agreement with Iron County.
 - 4. **MID-TERM COUNCIL VACANCY APPOINTMENT.** Nancy Leigh, Town Clerk. The Council will hold interviews and make an appointment for the mid-term vacancy of Council Member Kelly Marshall.
 - 5. **FUTURE AGENDA ITEMS.** Discussion on potential items for future Council agendas.
- H. **ADJOURNMENT**

Date: July 18, 2025

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



ITEM: MID-TERM COUNCIL VACANCY APPOINTMENT

AUTHOR: Nancy Leigh, Town Clerk
DEPARTMENT: Administration
DATE: July 29, 2025
TYPE OF ITEM: Legislative Action

SUMMARY:

The Council will make their selection for the mid-term vacancy from the resignation of Council Member Kelly Marshall during this special meeting. The meeting is an open meeting, and the public is invited to attend.

BACKGROUND:

Council Member Marshall submitted her resignation and with that a mid-term vacancy was created. The successful candidate will fill Council Member Marshall's remaining term until December 31, 2027.

During the July 22nd council meeting, the three of the council members interviewed four candidates who submitted a letter of interest for the mid-term vacancy:

Steve Singer
Troy Benson
Logan Cruz
Duane Nyen

The council did not take a vote during the July 22nd meeting with only three council members present and called for a special meeting on July 29th to take a vote for the appointment.

One candidate who submitted a letter of interest for the mid-term vacancy is also on the 2025 ballot. He has the right to submit a letter of interest for the vacancy and if not appointed then would proceed with his name on the 2025 election ballot, and if appointed, would then withdraw from the 2025 election.

ANALYSIS:

The Council has thirty (30) calendar days to fill the appointment from when Council Member Marshall submitted her resignation which gives our deadline date of August 2nd.

Council will take a vote to fill the vacancy from among the names of candidates interviewed which must be done in an open meeting along with any deliberation for transparency purposes, which is the intent of the law.

If no candidate receives a majority vote in the initial vote, then the two (2) candidates that received the most votes in the initial vote shall be placed for a second vote by the council.

If the initial vote results in a tie for second place, the candidates that tied for second place shall be reduced to one by a coin toss conducted in an open meeting and the second vote shall be between the candidate that received the most votes in the initial vote and the candidate who won the coin toss. The coin toss shall be conducted by the Town Clerk in the presence of the council.

If in the second vote neither candidate receives a majority vote, the vacancy shall be determined by a coin toss between the two candidates.

If for any reason the Council does not fill the vacancy within the 30-day timeline, then the Town Clerk is required to notify the Lt. Governor's office who will within 45 days after they receive the notice will provide public notice to solicit candidates and appoint an individual to fill the vacancy.

Follow-up with successful candidate:

After the candidate has been selected, they are required to fill out a conflict-of-interest form unless that individual already has one completed with the Town. The conflict-of-interest form will be posted on the Town's website with a link to the Lt. Governor's office within two days of receiving the conflict-of-interest form. .

Quick Summary:

1. The appointment needs to be made within 30 calendar days of the submitted resignation (August 2, 2025).
2. Interviews are conducted in a public meeting.
3. The Council will take an initial vote following the interviews and depending on the vote, the following may apply:
 - a) Take an initial vote.
 - b) If a candidate does not receive the majority vote, then the Council will identify the candidate in 2nd place and then take a second vote.
 - c) If there is a tie for 2nd place, then the two candidates that are in second place will have a coin toss conducted by the Town Clerk in the presence of the Council.
 - d) The winner of the coin toss and the candidate who had the most votes in the initial vote will proceed to a second vote of the Council.
 - e) The council cannot enter into closed session to discuss the candidates.
 - f) Council Member Marhsall has the option to interview and vote on a candidate.
 - g) The successful candidate must complete a conflict-of-interest form and submit it to the Town Clerk who will post on the Town's website with a link to the Lt. Governor's office within two days of receiving the form.

FINANCIAL IMPLICATIONS:

N/A

BOARD/COMMISSION RECOMMENDATION:

NA

STAFF RECOMMENDATION:

Staff has no recommendations on this agenda item.

PROPOSED MOTION:

I move to appoint _____(name of candidate) to fulfill the mid-term vacancy from Council Member Marshall with a term ending December 31, 2027.