

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

TOWN COUNCIL MINUTES

Roll Call:

Members Present: Mayor Clayton Calloway, Council Member Martin Tidwell, Council Member Mitch Ricks (arrived at 1:42pm).

Members Absent: Council Member Kelly Marshall, Council Member Larry Freeberg

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Chief Dan Benson, Public Safety Director; Jon Ficken, Public Works Director; Greg Sant, Building/Planning Administrator; Shane Williamson, Administration Department Head.

A. CALL TO ORDER

Mayor Calloway called the Brian Head Town Council Meeting to order at 1:14PM.

B. PLEDGE ALLEGIANCE

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

C. SERVICE AWARD FOR 25 YEARS OF SERVICE – Chief Dan Benson. PROMOTION RECOGNITION FOR Sgt. Jon Bettridge.

Mayor Calloway presented a service award to Chief Dan Benson for 25 years of service to the community. Chief Benson then announced the promotion of Jon Bettridge to the position of Patrol/Operations Sergeant. Chief Benson explained that Sergeant Bettridge would oversee various community initiatives and would work to help department members achieve both professional and personal goals. Chief Benson noted that the term "sergeant" means "servant," which reflects Bettridge's commitment to service to the town, community, and the officers who work under him. Sergeant Bettridge's spouse, Tiffany Bettridge (spouse), pinned the new sergeant stripes on him during the ceremony.

D. DISCLOSURES

Mayor Calloway announced that disclosures are on file and can be viewed during regular business hours with the Town Clerk. Council members were asked if anyone had a potential conflict of interest with the day's agenda, and none were indicated.

E. APPROVAL OF THE MINUTES:

June 24, 2025, Town Council Closed Session Minutes

Motion: Council Member Tidwell moved to approve the June 24, 2025, Town Council closed session minutes. Council Member Mitch Ricks seconded the motion.

- Addressing fire concerns on private lots behind Georgia's ski shop, pending coordination with individual property owners

Chief Benson noted that these projects would help reduce fire risks while improving the health of the forest.

G. AGENDA ITEMS

1. HIDDEN SPRINGS DEVELOPMENT AGREEMENT. A Development Agreement for the Hidden Springs Project.

Greg Sant, Planning & Building Administrator, presented the Hidden Springs development agreement (see attached), noting that Chelsea, the Hidden Springs representative, was available on Zoom. He explained that they had been working for several months to finalize the plat, with the development agreement being one of the last items requiring approval.

Greg detailed that when the development was approved nearly a year ago, two primary conditions were set by the Town Council:

- Parking units on the east side of Pine Tree Way needed to meet town standards in size and depth, which required an exchange of right-of-way property (approximately 16 feet)
- Water rights needed to be addressed, which included providing two affordable units with deed restrictions

Greg noted that while they had not yet seen the deed restrictions, the town attorney would review them before the plat is recorded. The development agreement included two attachments: the legal description for the property to be exchanged and details about an easement for the town trail on the developer's property.

Mayor Calloway raised several questions about the plat itself, including updating Dominion Energy to Everbridge, clarifying an unrecorded 24-foot waterline easement, and addressing inconsistencies in building numbers. He also questioned the language about water rights, noting they weren't actually exchanging water rights.

Bret Howser, Town Manager, clarified that the agreement was drafted by the town attorney and reviewed by both the Town and the developer's attorney. He explained that the agreement allows the developer to use water rights from the Town's pool in exchange for providing affordable housing units. He noted this would serve as a template for future developments that don't bring their own water rights.

Council Member Tidwell asked for clarification about the affordable units and deed restrictions. Greg explained that the deed restrictions would limit how much equity owners could accumulate and establish a first right of refusal to keep the units affordable. The town attorney would ensure the restrictions comply with code before the plat is recorded.

Bret Howser also clarified that the development agreement did not require a public hearing because it was implementing existing Land Management Code requirements rather than changing them.

Motion: Council Member Tidwell moved to approve the Development Agreement with Emerald Development, LLC for the Hidden Springs Subdivision pending all Exhibits are included in the final agreement. Council Member Ricks seconded the motion.

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2 **4. MID-TERM COUNCIL VACANCY APPOINTMENT.** The Council will hold interviews
3 and make an appointment for the mid-term vacancy of Council Member Kelly Marshall.

4
5 Mayor Calloway explained that with the resignation of Council Member Kelly Marshall, a
6 mid-term vacancy needed to be filled. Nancy Leigh, Town Clerk, confirmed that four
7 candidates had submitted applications and been verified as qualified by the county.

8 The Mayor proposed interviewing each candidate individually, asking the remaining
9 candidates to wait in the conference room to ensure fairness. The order of interviews was
10 determined by having each candidate select a number, with the candidate closest to the
11 Mayor's selected number going first.

12 The four candidates were interviewed in the following order:

- 13 ● Logan Cruz
- 14 ● Duane Nyen
- 15 ● Stephen Singer
- 16 ● Troy Benson

17 Each candidate was asked the same set of questions covering their experience with local
18 government, reasons for interest in serving, educational and professional background,
19 communication abilities, understanding of the council's role, views on town direction,
20 understanding of the Brian Head experience, challenges of resort community governance,
21 economic development, familiarity with the general plan, views on property rights versus
22 regulation, availability for meetings, opinions on town spending, and goals for their
23 potential service.

24 After the interviews, Mayor Calloway stated that he had spoken with absent council
25 members about their preferences. Council Member Freeberg (who was recovering from
26 blood clots) leaned toward Troy Benson, while Council Member Marshall indicated she
27 thought Duane Nyen might be a better fit.

28 The Mayor noted that this was not an easy decision and suggested taking a few days to
29 consider all candidates. The position must be filled by August 1st, so the Council agreed to
30 hold a special meeting on Tuesday, July 29th at 1:00 PM to make their selection.

31 Mayor Calloway and Council Member Tidwell both thanked all candidates for their
32 willingness to serve the community.

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35 **5. FUTURE AGENDA ITEMS.** Discussion on potential items for future Council agendas.

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37 The Council reviewed upcoming agenda items for the Planning Commission and Town
38 Council:

- 39 ● August 5th Planning Commission: Plat amendment for a lot in Cedar Breaks
40 Mountain States
- 41 ● August 12th Council Meeting: Commercial inspection agreement and a road
42 vacation ordinance
- 43 ● Special Meeting on July 29th to select a council member

44 Before the meeting concluded, Chief Dan Benson provided a brief update regarding speed
45 monitoring on Steam Engine road. He reported that after monitoring for nearly two hours,

1 the fastest speed recorded was 29 miles per hour, with an average speed of 20 miles per
2 hour, contradicting concerns about it being a "speedway."

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4 **H. ADJOURNMENT**

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6 **Motion:** Council Member Tidwell moved to adjourn the regular meeting of the Town Council
7 for July 22, 2025. Council Member Ricks seconded the motion.

8 **Action:** **Motion carried 3-0-0 (summary: Yes = 3 Vote: Yes:** Council Member Tidwell,
9 Council Member Ricks, Mayor Calloway. **Absent:** Council Member Marshall,
10 Council Member Freeberg).

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12 The regular meeting of the Brian Head Town Council was adjourned at 3:24 pm for July 22, 2025.

13
14 August 12, 2025

15 Date Approved

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19 Nancy Leigh, Town Clerk