

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 \(Click Here\)](https://www.Zoom.us/Join/JoinMeeting?join_from=link)
Via Zoom Meeting ID# 865 4384 0583
TUESDAY, OCTOBER 14, 2025 @ 1:00 PM

MINUTES OF THE TOWN COUNCIL

Members Present: Mayor Calloway, Council Member Freeberg, Council Member Nyen, Council Member Ricks (arrived at 1:41pm)
Absent: Council Member Tidwell.
Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Jon Ficken, Public Works Director; Greg Sant, Building/Planning Administrator; Chief Dan Benson, Public Safety Director;

A. CALL TO ORDER

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

B. PLEDGE ALLEGIANCE

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

C. DISCLOSURES

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

D. APPROVAL OF THE MINUTES:

1) August 26, 2025, Town Council Meeting

Mayor Calloway entertained a motion to approve the minutes from the August 26, 2025, Town Council Meeting. No changes or corrections were noted.

Motion: Council Member Nyen moved to approve the August 26, 2025, Town Council minutes. Council Member Freeberg seconded the motion.

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

2) September 23, 2025, Town Council Meeting

Mayor Calloway then entertained a motion to approve the minutes from the September 23, 2025, Town Council Meeting. No changes or corrections were noted.

Motion: Council Member Nyen moved to approve the August 26, 2025, Town Council minutes. Council Member Freeberg seconded the motion.

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

1 Gina McClane, President of the Anderson Crooked River HOA, stated that the buildings in
2 question have been sitting dilapidated for 3-4 years at the end of their community. Gina
3 expressed frustration that despite multiple attempts to address the situation, they continue
4 to face roadblocks. Gina emphasized three main concerns:

- 5 • The buildings are a fire hazard, safety hazard, and eyesore.
- 6 • Property values in the community are plummeting, with homeowners having to
7 appeal to Iron County for tax reassessments.
- 8 • The development is visible when entering Brian Head, negatively impacting the
9 town's appearance.

10 McClane requested help, ideas, and collaboration to resolve the situation. She noted that
11 homeowners do not want construction to continue on the current structures as they appear
12 unsafe, particularly with landslide concerns on the backside of the property. Gina also
13 mentioned that the developer owns other lots in Brian Head and appears to be building on
14 those while leaving these unfinished.

15 Bret Howser, Town Manager, provided an update on the litigation, stating that the town is
16 being sued, but the case is in a holding pattern. The developer's insurance company and
17 subcontractor's insurance company have apparently resolved their issues and now plan to
18 proceed with suing other parties. The town's attorney is waiting for the case to proceed to a
19 point where he can file for dismissal. The lawsuit involves disagreement about what caused
20 a slope to fail near the property.

21 Mayor Calloway expressed sympathy for the HOA's situation but explained that the town's
22 options are limited while the litigation is ongoing. Council Member Freeberg suggested
23 ensuring that the orange safety fence is placed completely around the building and adding
24 warning signage as additional safety measures.

25 McClane also raised concerns about a plat map issue, explaining that the recorded plat map
26 shows only 4 units per building, but 6 units were built in each. This has created confusion
27 with legal descriptions and property ownership.

28 Bret Howser explained that several years ago, the developer received approval for a plat
29 amendment to increase from 4 to 6 units per building but never completed the process by
30 getting the necessary signatures from the HOA and/or property owners to record the
31 amended plat. Instead, they used a "record of survey" process that created overlapping
32 documentation - the old plat showing 4 units and the record of survey showing 6 units.
33 From the town's perspective, the developer needs to restart the plat amendment process and
34 properly record it.

35 Gina stated that she believed she could now get all homeowners to sign off on a corrected
36 plat map, but the developer would need to create it, which would be costly.

37 Mayor Calloway confirmed that when the building permit for the unfinished building
38 expired, the developer would need to obtain a new permit before continuing construction.

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40
41 **2. CITIZENS' VOICE AD HOC COMMITTEE UPDATE.** Skyler Bennett, Committee
42 Member. The Citizens' Voice Ad Hoc Committee will give an initial update on a survey study.

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44 Skyler Bennett, member of the Citizens' Voice Ad Hoc Committee, provided an update on
45 their progress. The committee consists of six residents: himself, Troy Benson, Steve Singer,
46 Logan Cruz, Wendy Weatherwax, and Don Evans. The committee's goal is to conduct three

growth potential. He noted that learnings from this initiative is being shared within their collective of resorts.

Council Member Nyen expressed support, noting he had observed more weekday visitors at Bristlecone Park than ever before. Council Member Freeberg also supported continuing the program, stating that word-of-mouth marketing takes time to develop, likely 2-3 years.

Bret Howser clarified that the town's contribution was \$60,000 last year, and they were proposing the same amount for the coming year, which could be funded from the operating surplus from fiscal year 2025. He also mentioned that approximately \$50,000-\$60,000 from the marketing co-op was dedicated to summer marketing efforts.

Council Member Ricks asked about visitor demographics and marketing effectiveness. Haderlie indicated that most summer visitors were from within Utah, with about 85% coming from outside Iron County. Council Member Ricks also expressed interest in seeing sales tax data to evaluate the economic impact of the extended operations.

Mayor Calloway and all council members expressed support for continuing the program for another year.

4. FUTURE AGENDA ITEMS. Discussion on potential items for future Council agendas.

Nancy Leigh, Town Clerk, noted there would be a budget adjustment for fiscal year 2026 on the next agenda, as well as a transportation utility fee study.

Bret Howser, Town Manager, mentioned that the trail committee appointments originally scheduled would be moved to December for January 1st appointments, to better align with the appointment cycle. He also noted that a planning commission appointment would be coming up, as Cecile had completed her term and was not seeking reappointment.

G. ADJOURNMENT

Motion: Council Member Ricks moved to adjourn the regular meeting of the Town Council. Council Member Freeberg seconded the motion.

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

The regular meeting of the Brian Head Town Council was adjourned 2:27 pm on October 14, 2025.

October 28, 2025

Date Approved


Nancy Leigh, Town Clerk