

The Regular Meeting of the
Brian Head Town Council

Brian Head Town Hall – Council Chambers
56 North Highway 143 – Brian Head, UT 84719

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Via Zoom Meeting ID# 820 2558 5351

TUESDAY, OCTOBER 28, 2025 @ 1:00 PM

MINUTES OF THE TOWN COUNCIL

Roll Call:

Members Present: Mayor Clayton Calloway, Council Member Mitch Ricks, Council Member Larry Freeberg, Council Member Duane Nyen

Members Absent: Council Member Martin Tidwell

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Amanda Hunter, Code Enforcement; Greg Sant, Building/Planning Administrator; Ciera Claridge, Deputy Clerk.

A. CALL TO ORDER

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

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. No conflicts of interest

D. APPROVAL OF THE MINUTES:

October 14, 2025, Town Council Meeting

Mayor Calloway asked if the Council had a chance to review the minutes from October 14 and if there were any changes or corrections. Hearing none, he entertained a motion to approve the minutes as presented.

Motion: Council Member Nyen moved to approve the minutes from October 14, 2025 as presented. Council Member Freeberg seconded the motion. The motion passed with Council Member Freeberg abstaining because he was not present for most of the meeting, and the remaining Council Members voting in favor.

Action: Motion carried 3-0-1 (Summary: Yes=3 No=0 Abstain=1 Vote: Yes: Council Member Freeberg, Council Member Nyen, Mayor Calloway. Abstained: Council Member Ricks because he was not present for most of the meeting. Absent: Council Member Tidwell).

E. REPORTS / PUBLIC INPUT ON NON-AGENDA ITEMS. Public input is limited to three (3) minutes on non-agenda items.

Nancy Leigh, Town Clerk, informed the Council that next Tuesday is election day. Nancy noted that a ballot box was available in front of Town Hall for those who wished to drop off their ballots up until election day. The ballots would be picked up and taken to the county to be counted, with results expected after 8:00 PM.

Council Member Nyen reported that he had spent the weekend in Park City, reading the Park Record newspaper, and noted that Brian Head's challenges were minimal compared to what Park City deals with.

Bret Howser, Town Manager,

1. Commented that from his experience, the Park Record tends to embellish the challenges.
2. Council Member Ricks acknowledged the town's lighting project Bret explained that the smaller light poles were directly connected to the system and currently operational. The larger poles were running on their own meter, and they were waiting on Rocky Mountain Power to finish their work. Bret noted that Cash Value Electric would return to complete the punch list items, which included caps on the top of the poles and vertical panel arms on the larger poles.
3. Reported that the new street signs, while attractive, were not reflective, and they would need to add reflective tape to the lettering.
4. The town staff had recently conducted an all-staff training on conflict resolution with one of the state's most popular trainers on the subject. Council Member Freeberg had attended, and they had learned good principles that would be better applied moving forward.

Council Member Freeberg encouraged everyone to prepare for snow.

Cynthia Vanolmstrom, Cedar City Realtor, approached the council to commend the town on the public facilities building, noting that ADA accommodations were being made, including a chair lift to ensure everyone could enjoy the amenities on the second floor. She also announced that the Cedar City Cyclones, a Special Olympics team adopted by SUU, would be attempting snowshoeing this year and working with the ski school for instruction. Cynthia thanked the town for accommodating everyone so they could enjoy the amenities.

F. AGENDA ITEMS

1. CODE ENFORCEMENT UPDATE REPORT. A Code Enforcement semi-annual report.

Amanda Hunter provided an update on code enforcement activities from May through September. She reported that it was busier than the previous year, with 79 warnings issued compared to 65 last year. Many of the warnings pertained to operating without a business license, which included businesses that had not renewed their licenses or contractors

1 working in town without a license. All came into compliance. She noted that flag permits
2 accounted for the majority of warnings. Camping violations decreased from 9 last year to 7
3 this year. No fines were levied.

4 When asked about the process for business license renewals, Amanda explained that
5 businesses receive renewal notices by September 1st and have 45 days to renew. After that
6 period, she sends a warning giving them another 15 days to come into compliance. Some
7 businesses have closed while others renewed after receiving the warning.

8 Council Member Riks inquired as to the total number of business operators in town, and
9 Nancy Leigh mentioned there were a little over 700 businesses including short-term rentals
10 and general commercial businesses.

11 Council Member Ricks inquired about the definition of "camping," and Amanda clarified it
12 included tents, RVs, and even people sleeping under the stars.

13
14 **2. 2025-26 WINTER SHUTTLE CONTRACT AWARD.** Town shuttle contract for the 2025-26
15 winter season.

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17 Nancy Leigh reported that the town had received three bids for the upcoming winter shuttle
18 contract: St. George Shuttle, Red Rock Shuttle, and Brian Head Drivers. A committee of
19 three evaluated the bids based on five criteria: operations plan, staffing plan, prior
20 experience, and cost. The committee ranked the bids, with St. George Shuttle receiving the
21 highest score.

22 Bret Howser explained that while there was a price difference between the bids, they didn't
23 base their decision solely on cost. He noted that the town had worked with St. George
24 Shuttle in the past, as well as other providers including Arrow Stage Lines, Mesquite Bus
25 Service, and Salt Lake Express. He mentioned that they had experienced some rough
26 periods with shuttle service over the years, but they had gained clarity on what matters to
27 the public and had improved their contracts accordingly.

28 Council Member Ricks asked if there had been any concerns with St. George Shuttle in the
29 past. Bret Howser acknowledged that they had experienced difficulties with St. George
30 Shuttle during one year of service, then switched to Salt Lake Express and also had a rough
31 experience. When St. George Shuttle came back, they sought to understand how to improve
32 the experience, including relying on someone with local experience to manage the program.
33 Since then, complaints have been at a normal level and are handled promptly. Most issues
34 related to driver quality and their ability to interact appropriately with the public.

35 Council discussed various aspects of the shuttle service, including on-call stops, route
36 adjustments, and service to various parts of town. They also discussed contract provisions
37 for service termination if the resort closes early due to lack of snow, with Bret noting that
38 past providers had been flexible with adjustments based on demand.

39 Council Member Ricks noticed that the Cedar Breaks Estate stop was no longer included on
40 the map and asked if it had been removed. Bret explained that there had been issues getting

the shuttle in and out of that area, causing delays to other stops, which led to the recommendation to cut that stop.

Motion: Council Member Riks moved to award the 2025-26 winter shuttle service contract to St. George Shuttle in the amount of \$163,000. Council Member Nyen seconded the motion.

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

3. HEARING FOR FISCAL YEAR 2026 BUDGET AMENDMENT. A public hearing to receive comments on a proposed amendments to the FY2026 Town Budget.

Shane Williamson, Town Treasurer, gave a brief introduction to the public hearing for the FY2026 Budget Amendment. Shane reported that the budget adjustment is related to the carrying forward of the Town's surplus in the amount of \$370,000, revenue/expenditures from the Town's 50th Anniversary events that were held in July in which the 50th Anniversary events were held over two budget years (2025 & 2026). Shane reported that it will also carry over the projects in the Capital Project Fund.

Mayor Calloway opened the public hearing at 1:36 PM to receive comments on the proposed amendments to the FY2026 Town Budget.

No comments were received from the public.

Mayor Calloway closed the public hearing at 1:37 PM.

4. FISCAL YEAR 2026 TOWN BUDGET AMENDMENT. An ordinance amending the FY2026 Town budget.

Shane Williamson explained that this was the first budget adjustment for fiscal year 2026. The adjustment was directly related to carrying forward the budget from fiscal year 2025 for the fiftieth anniversary events, which spanned two fiscal years. Additionally, the adjustment accounted for the surplus from fiscal year 2025 of approximately \$370,000, which resulted from revenues exceeding expectations (particularly in interest earnings, grants, and property tax new growth) and having a milder winter that reduced public works operations costs. This surplus triggered the surplus bonus policy.

In the capital fund, the adjustments related to carrying forward budgets for projects, including beautification projects and different capital earmarked funds from the previous year to continue those projects.

Council Member Freeberg asked about the \$900,000 being moved forward for streets, noting the apparent contradiction with claims that more money was needed for street maintenance. Shane explained that part of the larger amount was due to allocating fiscal year 2025 surplus to build up funds for future projects. While it seems like a lot of money currently, it would be

necessary for upcoming road projects, as one overlay project alone could cost a million dollars. Bret Howser clarified that this was for the pavement management plan, which focuses on maintaining existing pavement.

Shane also addressed questions about the status of various capital projects, explaining that many were either completed with some remaining funds or were earmarked funds for future projects. Some funds, like those for streets, would fluctuate as they saved up for larger projects like overlays.

Motion: Council Member Ricks moved to adopt ordinance number 25-F009, amending the fiscal year 2026 Brian Head Town budgets as presented. Council Member Nyen seconded the motion.

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

5. TRANSPORTATION UTILITY FEE STUDY DISCUSSION. A discussion on a proposed Transportation Utility Fee Study. .

Shane Williamson introduced the Transportation Utility Fee (TUF) study, which was initiated following discussions in the January 2024 strategic retreat regarding the pavement management plan funding gap. He explained that the TUF is a newer concept in Utah, with a draft law currently under consideration by the legislature. The fee would be added to utility bills to fund transportation needs.

Shane presented three options to address the \$160,000 annual funding gap for road maintenance: implementing a transportation utility fee, increasing property taxes, or a hybrid approach combining both methods.

Marcus Cruze from Cruze and Associates presented their findings from the TUF study. He explained that their goal was to prepare a report and model to help achieve approximately \$160,000-\$163,000 in annual funding. Their analysis showed that the town would have legal authority to collect up to approximately \$499,000, but they recommended a much lower amount.

Marcus explained that the TUF would be calculated based on Equivalent Residential Units (ERUs), with one ERU equal to 9.43 average daily trips, according to the Institute of Transportation Engineers standards. Their recommendation was to set the residential fee at \$11 per month per household and give businesses a 40% discount on their ERU calculation. This would mean the Brian Head Town Lodge, for example, would pay \$826 per month, which was much lower than what some businesses in other Utah cities were paying (sometimes several thousand dollars monthly).

The Council engaged in a lengthy discussion about the proposed fee structure, raising concerns about:

1. How the fee would affect residents on dirt roads who don't benefit directly from paved road maintenance
2. How to fairly assess STRs (short-term rentals) that operate as businesses but are categorized as residential properties
3. Whether businesses located directly on state highways (SR 143) should pay the same rate as those on town-maintained roads
4. Whether raw landowners, who benefit from roads but don't currently have utility accounts, should contribute
5. How to balance the cost between permanent residents, visitors, and businesses

Council Member Freeberg noted that Brian Head is a resort town with unique characteristics that make it difficult to apply standard fee models, and suggested finding ways to shift more of the burden to visitors who primarily use the roads. Council Member Nyen expressed support for the TUF concept but acknowledged it would be a challenge to explain to residents on dirt roads.

Mayor Calloway suggested that the town's pavement management plan, which is approximately 10 years old, might not accurately reflect current needs, and questioned whether the fee should be based on a more realistic assessment of the actual funding gap.

After extensive discussion, the Council directed staff to:

1. Conduct an internal review of the pavement management plan to reassess current road conditions
2. Expand the scope to include non-paved roads in the overall transportation funding plan
3. Explore creating additional tiers or discounts in the fee structure to account for different property types and locations
4. Return with updated information in January, when the gravel road plan would also be discussed

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

Nancy Leigh, Town Clerk, reported on upcoming meetings:

1. Planning Commission would meet the following week for a short training and a public hearing for the general plan amendment and zone change.
2. The next Council meeting would be on Wednesday, November 12 (instead of Tuesday due to Veterans Day) and would include the canvas selection and public hearings for the general plan amendment and zone change.

- 1 3. The second meeting in November (Tuesday prior to Thanksgiving) would
2 normally be canceled, but they would need to hold a special meeting to canvass
3 the protest for the Brian Head 3 SAA.

4 Bret Howser, Town Manager, mentioned that the Chamber of Commerce would meet in
5 Parowan the following Wednesday (November 6).

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7 **G. ADJOURNMENT**

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

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

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15 The regular meeting of the Brain Head Town Council was adjourned at 3:13 pm on October 28, 2025.
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19 November 12, 2025

20 Date Approved

21 
22
23 Nancy Leigh, Town Clerk



