

# BRIAN HEAD

## A Special Meeting of the **Brian Head Town Council**

Brian Head Town Hall – Council Chambers  
56 North Highway 143 – Brian Head, UT 84719  
[www.Zoom.us](http://www.Zoom.us) ([Click Here](#))

Via Zoom Meeting ID# 824 6471 6408

**TUESDAY, NOVEMBER 25, 2025 @ 1:00 PM**

## **TOWN COUNCIL MINUTES**

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

**Members Absent:** Council Member Martin Tidwell

**Staff Present:** Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Greg Sant, Planning & Building Administrator; Tom Gurr, Public Works.

### **A. CALL TO ORDER**

Mayor Calloway called the special 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. REPORTS / PUBLIC INPUT ON NON-AGENDA ITEMS.** Public input is limited to three (3) minutes on non-agenda items.

**Council Member Nyen** reminded the Council and others of the annual Volunteer Firefighters Thanksgiving dinner that will be taking place later this evening at the public safety building from 5:00 pm to 7:00 pm.

**Mayor Calloway** commented that he was excited to see the hardware for the banners that will be put up over the Highway.

#### **Bret Howser, Town Manager**

1. Updated the Council on the Snowshoe/Toboggan SAA project. The water line has passed the pressure test, and crews are chlorinating the system today. Once tested and passes, the waterline will connect the Snowshoe Drive to Steam Engine Drive waterline. Some challenges are if the waterline is opened, it would create a freeze in the waterline. The Town has given Perco Rock, contractors, permission to finish the project. A punch list will be addressed next year. The gas line will be installed next year. Council Member Freeberg inquired as to where the chlorinated water is dumped once it is tested. Tom Gurr, Public Works, responded that he believes it will run down the road into the drainage. Council Member Freeberg expressed his concern for the vegetation that could be damaged from the chlorine.

1           2. The Town's first annual Holiday Lighting ceremony is scheduled for November 26, 2025,  
2           beginning at 5:00 pm at the Town Pavilion. Santa Clause will make a visit at 5:30 pm. Bret  
3           thanked the Lighting Committee for their efforts. Some members of the Parowan/Brian  
4           Head Chamber of Commerce will bring some volunteers to assist with the Holiday  
5           Lighting ceremony and reported they will bring more volunteers to assist.

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8           **Tom Gurr, Public Works**

9           1. The Snowflake Booster station is currently down for repairs. Staff are waiting on parts for  
10           the booster panel. Mayor Calloway inquired if the booster station is a reoccurring problem.  
11           Tom explained that the last issue was a pump, this time it is the panel, two separate issues.  
12           2. New hire, Joe Marshall, begun as of yesterday, Monday, November 24, 2025. Joe has  
13           experience with heavy equipment.

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15           Cindy Vanalstraed, citizen, commented that she works with special disability people and  
16           inquired about the chairlift to the Mall building for disabled people. Cindy explained she has  
17           some people from the special Olympic ski team from Porta Rico who would need the chairlift to  
18           access the Mall businesses. Greg Sant, Planning & Building Administrator, explained that the fire  
19           inspection was recently completed and they are waiting on the lift chair that is currently  
20           backordered.

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22           **E. AGENDA ITEMS**

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24           **1. TOWN RIGHT-OF-WAY REQUEST FOR 180 GURR WELL ROAD.** A request for a  
25           portion of the Town's right-of-way for an expansion of a driveway located at 180 Gurr Well Road.

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27           Bret Howser, Town Manager, explained the Town received a request from Dax Tobin,  
28           owner of 180 Gurr Well Road who is requesting a portion of the Town's right-of-way so  
29           that he can expand the retaining wall out further for access to the cabin (see attached). Bret  
30           reported that previous Public Works Director, Jon Ficken, walked the site with him and it  
31           was Jon's opinion that it would take the town's snow storage area. Bret reported that it is  
32           staff's recommendation to not grant the right-of-way and it was relayed to the applicant  
33           who had the option to come to the Council with his request.

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35           Dax Tobin explained that the driveway is currently too narrow for a vehicle to drive to the  
36           front of the cabin and is requesting a portion of the Town's right-of-way to move the  
37           retaining wall. Mr. Tobin presented pictures of his narrow driveway, a survey of the  
38           property (see attached). Mr. Tobin explained that there is sufficient snow storage on the  
39           north side of Gurr Well Road where a meadow lies and believes the road is 40' wide when  
40           the standard is 30' wide.

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42           The Council discussed the following:

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44           • A sewer manhole is located within the driveway (see picture).

45           • The survey map shows the driveway is already located in the Town's right-of-  
46           way.

47           • The north side of Gurr Well Road is private property and not available for the  
48           Town to use as snow storage.

49           • Mayor Calloway commented that the approval would set a precedence that could  
50           be carried throughout the town but empathizes with Mr. Tobin.

51           • Mr. Tobin reported that he would like to pave his driveway and is requesting only  
52           1" to 2" of right-of-way and that the manhole would not be covered.

1                   • Mayor Calloway suggested Mr. Tobin contact his neighbors for a plat  
2                   amendment.  
3                   • Council Member Nyen reported he takes the fire engines for test runs, but not on  
4                   dirt roads, and he would have concerns on Gurr Well Road during the winter, the  
5                   snow storage on both sides of the road would be questionable.  
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7                   **Motion:** Council Member Nyen moved to deny the request for a portion of the  
8                   town's right-of-way for 180 Gurr Well Road. Council Member Freeberg  
9                   seconded the motion.

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

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15                  **2. BRIAN HEAD UNIT 3 SPECIAL ASSESSMENT AREA PROTEST TALLY**  
16                  **NOTIFICATION TOTAL.** A review all written protests to the Brian Head Unit 3 Special  
17                  Assessment Area.

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19                  Nancy Leigh, Town Clerk, explained that as part of the Special Assessment Area  
20                  requirements, the Council will review the protest tally for the SAA after the 60-day protest  
21                  period which has officially ended. The 60-day protest period began after the public  
22                  hearing was held on September 23, 2025.

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24                  Nancy then presented the protest tally as follows:

25                   • Rote22 lots located in the Brian Head Unit 3 SAA  
26                   • One (1) written protest was received.  
27                   • Protest tally: 4.5% of the area.

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29                  Nancy explained the next step for Council is to consider a Notice of Designation  
30                  resolution for the Brian Head Unit 3 SAA.

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33                  **3. CONSIDERATION OF A RESOLUTION DESIGNATING THE BRIAN HEAD UNIT 3**  
34                  **ASSESSMENT AREA (THE "ASSESSMENT AREA") FOR THE PURPOSE OF (i)**  
35                  **LEVYING ASSESSMENTS AGAINST PROPERTIES WITHIN THE ASSESSMENT**  
36                  **AREA TO FINANCE THE COSTS OF CERTAIN WATER SYSTEM IMPROVEMENTS,**  
37                  **ROAD IMPROVEMENTS, AND RELATED IMPROVEMENTS IN THE ASSESSMENT**  
38                  **AREA, (ii) ESTIMATING THE AMOUNT OF THE ASSESSMENTS TO BE LEVIED**  
39                  **AND THE METHOD OF ASSESSMENT, AND (iii) GENERALLY DESCRIBING THE**  
40                  **PERIOD OVER WHICH THE ASSESSMENTS ARE TO BE PAID AND THE MANNER**  
41                  **IN WHICH THE TOWN INTENDS TO FINANCE SAID IMPROVEMENTS; AND**  
42                  **RELATED MATTERS.** A resolution adopting the Notice of Creation for the Brian Head Unit 3 Special  
43                  Assessment Area

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45                  Bret Howser, Town Manager, presented a draft resolution for the Notice of Designation  
46                  for the Brian Head Unit 3 Special Assessment Area (see attached). Bret reported he visited  
47                  the site with the Town's engineer to review a portion of Driftwood Drive which has a  
48                  narrow area and if the section could be widened to meet the Town's standards for roads.  
49                  A portion of Driftwood Drive has a 30' right-of-way instead of the 50' right-of-way due to  
50                  the cuts on the road. The SAA petitioned for a waterline and the Town could bond for  
51                  some of the project, but that portion of the road would be a challenge, since it is too  
52                  narrow for a snowplow.

1 The Council expressed their concerns with the following items:  
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- 3 1. Staff will verify with the town engineer on the centerline of the road to ensure that
- 4 it is surveyed and if it is included in the construction costs.
- 5 2. The map shows the waterline as a looped system and if the Town has an easement
- 6 in order to loop the waterline. Staff will verify.
- 7 3. Ensure the owner is transparent with the challenges of the project and the
- 8 expectations that they may have.
- 9 4. An updated map of the SAA area will be included since several lots have already
- 10 been combined.
- 11 5. Verify that the properties will be able to install a pressurized sewer system.

12 Council directed staff on the following items:  
13

- 14 1. Contact the property owners to have the conversation on the challenges of this
- 15 project and what the expectations are regarding the road and sewer.
- 16 2. Verify with the Town engineer on the survey of the centerline and if a
- 17 pressurized sewer system could be installed.
- 18 3. Update the SAA Map.
- 19 4. Verify the easement for the loop water line.

20 **Motion:** Council Member Nyen moved to table the Brian Head Unit 3 Special  
21 Assessment Area Notice of Designation resolution for further  
22 information. Council Member Ricks seconded the motion.

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

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29 **4. LIGHTNING POINT TRAIL PLANNING SERVICE CONTRACT AWARD.**

30 Contract award for the Lightning Point Trail Planning Services.

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32 Bret Howser, Town Manager, presented a draft contract for the Lightning Point Trail  
33 Planning services (see attached). Bret explained that this item was an action step to get a  
34 NEPA completed with a categorical exclusion in order to allow the town to build the  
35 trail. Bret explained that the Lightning Point Trail is proposed to be located on the south  
36 side of Brian Head and running to Cedar Breaks National Monument. A planning grant  
37 was awarded to the Town from Utah Outdoor Recreation.

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39 There were three respondents to the request for proposals for this project and a  
40 committee reviewed the proposals. It is staff's recommendation to award the contract to  
41 Jones & DeMille. Bret explained that staff are currently waiting for their attorney to  
42 review the contract but explained that the contract will not grant anything of substance  
43 and is being presented as a recommendation to award the contract in a form approved by  
44 the Town Manager.

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46 Council Member Freeberg expressed some of his concerns regarding the details of the  
47 proposal; 1) the documents that provide that the project is successful, 2) a survey of the  
48 grouse hawk species which are an endangered species which have certain requirements  
49 from the federal government, 3) the document does not identify if there are plans to do a  
50 consultation with the Wildlife CFR part 1-46 for specific species, 4) consultation with the  
51 Native Americans since there is an area that has artifacts. Council Member Freeberg  
52 commented that he would like to have the contract reviewed for these types of items.  
53 Mayor Calloway inquired whether the committee took into considerations any

1 discrepancies or the scope of work. Bret reported that the engineer has experience with  
2 these types of environmental assessments recently in this area and suggested that  
3 Council Member Freeberg review the scope of work along with a conversation with Jones  
4 & DeMille to determine if it is built into the contract.  
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6 **Motion:** Council Member Freeberg moved to table the contract award for the  
7 Lightning Point Trail planning contract for further information. Council  
8 Member Nyen seconded the motion.

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

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## 13 F. ADJOURNMENT

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15 **Motion:** Council Member Freeberg moved to adjourn the special meeting of the Town  
16 Council. Council Member Nyen seconded the motion.

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

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21 The special meeting of the Brian Head Town Council was adjourned at 2:44 pm.  
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26 Date Approved  
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Nancy Leigh, Town Clerk