



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](https://www.Zoom.us) [\(Click Here\)](#)

Via Zoom Meeting ID# 831 1257 3199

**TUESDAY, JANUARY 13, 2026 @ 1:00 PM**

## **AGENDA**

- A. CALL TO ORDER**
- B. PLEDGE ALLEGIANCE**
- C. DISCLOSURES**
- D. APPROVAL OF THE MINUTES:** December 09, 2025, Town Council Meeting
- E. REPORTS / PUBLIC INPUT ON NON-AGENDA ITEMS.** Public input is limited to three (3) minutes on non-agenda items.
- F. AGENDA ITEMS**
  - 1. MAYOR’S INTRODUCTION FOR NEWLY ELECTED COUNCIL MEMBERS.** Mayor Calloway will give an introduction and discussion for the newly elected council members on the role of the Council.
  - 2. ORDINANCE AMENDING THE GENERAL PLAN LAND MAP FOR AN AREA IN THE BROOK HILL PHASE 2 SUBDIVISION FROM LOW-DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL.** Greg Sant, Planning & Building Administrator. The Council will consider an ordinance amending the General Plan Land Use Map for a designation of Medium Density Residential for three lots located in the Brookhill Subdivision located on Ridge View Street.
  - 3. ORDINANCE AMENDING TITLE 9, LAND MANAGEMENT CODE, CHAPTER 6, ZONE DISTRICT MAP FOR A ZONE CHANGE OF LOTS 5, 6, & 7 IN THE BROOKHILL SUBDIVISION LOCATED ON RIDGE VIEW STREET.** Greg Sant, Planning & Building Administrator. The Council will consider an ordinance amending the Land Management Code, Chapter 6, Zone District Map, to change the zone designation from Single-Family Residential (R1) to Medium Density Residential (R2) for lots 5, 6, & 7 located in the Brook Hill Phase 2 Subdivision located on Ridge View Street.
  - 4. CITIZEN’S MISSING VOICE AD HOC COMMITTEE DISCUSSION.** Bret Howser, Town Manager. The staff will present comments and options to the Missing Voice Ad Hoc Committee’s report presented on December 12, 2025.
  - 5. CONSIDERATION FOR ADOPTION OF A RESOLUTION APPOINTING A BOARD OF EQUALIZATION FOR THE TOWN OF BRIAN HEAD, UTAH SPECIAL TAX ASSESSMENT AREA 2024-02 (ELK DRIVE); SETTING THE DATES FOR THE BOARD OF EQUALIZATION TO HEAR AND CONSIDER OBJECTIONS AND CORRECTIONS TO ANY PROPOSED ASSESSMENTS; AUTHORIZING THE TOWN CLERK TO PUBLIC AND MAIL A NOTICE OF ASSESSMENT AND BOARD OF EQUALIZATION HEARING; AND REALTED MATTERS.** Bret Howser, Town Manager. The Council will consider a resolution appointing a Board of Equalization and Notice of Assessment for the Elk Drive Special Assessment Area (SAA).

6. **CONSIDERATION FOR ADOPTION OF A RESOLUTION APPOINTING A BOARD OF EQUALIZATION FOR THE BRIAN HEAD UNIT 3 ASSESSMENT AREA; SETTING THE DATES FOR THE BOARD OF EQUALIZATION TO HEAR AND CONSIDER OBJECTIONS AND CORRECTIONS TO ANY PROPOSED ASSESSMENTS; AUTHORIZING THE TOWN CLERK TO PUBLIC AND MAIL A NOTICE OF ASSESSMENT AND BOARD OF EQUALIZATION HEARING; AND REALTED MATTERS.** Bret Howser, Town Manager. The Council will consider a resolution appointing a Board of Equalization and Notice of Assessment for the Brian Head Unit 3 Special Assessment Area (SAA).
7. **MAYOR PRO TEM RESOLUTION.** Mayor Calloway. The Council will consider a resolution approving the Mayor Pro Tem.
8. **FUTURE AGENDA ITEMS.** Discussion on potential items for future Council agendas.

## **G. ADJOURNMENT**

**Date: January 9, 2026**

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***



BRIAN HEAD

## STAFF REPORT TO THE TOWN COUNCIL

ITEM:

## PLANNING AND BUILDING DEPARTMENT REPORT

Author: Greg Sant

Date: January 13, 2025

Department: Planning and Building

Type of Item: Informational

**Building Report:**

<b>2025 Building Permits Summary:</b>	<b>December</b>	<b>2025</b>	<b>YTD 2024</b>
Issued Permits by Category -			
Single Family Dwellings	1	8	21
Townhomes (in Dwellings)		15	20
Additions/Remodels/Accessory Unit		16	11
Minor Alterations		20	20
Tree Removal	4	31	21
Commercial		3	1
Utilities (Electric and Gas)		12	6
<b>Total</b>	<b>5</b>	<b>105</b>	<b>100</b>
<b>2025 Land Use Permits Summary:</b>			
Issued Permits by Category –			
Winter R.O.W. Permit	0	3	0
Grading/Excavation Subdivision	0	2	6
Trenching/Encroachment	0	20	27
<b>Total</b>	<b>0</b>	<b>25</b>	<b>33</b>
<b>2025 Land Use Submitted Applications:</b>			
By Category –			
Conditional Use Permits	0	1	5
Lot Line Adjustment/Minor Plat Amendments	0	5	11
Preliminary Plat	1	3	1
Final/ Amended Plat	0	7	3
Vacating ROW/Easement	0	2	1
Zone Amendment	0	1	1
<b>Total</b>	<b>1</b>	<b>19</b>	<b>22</b>
<b>2025 Summary of Fees Collected:</b>	<b>December</b>	<b>2025</b>	
By Category -			
Building Permit Fees	\$4,163.11		48,269.83
Plan Check Fees	\$2,706.02		40,572.89
Encroachment Permits			10,550.00
Winter R.O.W. Permit			4,500.00
Tree and Grading Permit Fees			3,025.00
Land Use Permit Fees	\$500.00		32,350.00
<b>Sub-Total</b>	<b>\$7,369.13</b>		<b>139,267.72</b>

<b>2025 Summary of Impact Fees Collected:</b>	<b>December</b>	<b>2025</b>
<u>Impact Fees Collected</u>		
Water Connection and Impact Fees	\$7,080.49	95,257.63
Sewer Connection and Impact Fees	\$2,185.89	30,435.46
<b>Total Fees Collected</b>	<b>\$9,266.38</b>	<b>125,693.09</b>

<b>2025 Inspections Summary:</b>	<b>December</b>	<b>2025</b>	<b>YTD 2024</b>
Inspections by Permit Type –			
Single Family Homes and Cabins	15	265	
Multi-Family (Townhomes)	27	296	
Additions/Remodels/Minor Alterations	2	33	
Commercial	4	30	
Utilities	1	15	
Fire Mitigation	1	6	
Grading	0	0	
<b>Total</b>	<b>50</b>	<b>645</b>	<b>931</b>



## Brian Head Town Council Update

January 1, 2026

### Marshal's Office:

Happy New Year! It's been a minute since my last council update, and a lot has happened in that time. We were able to see Deputy Kaden Sorenson graduate from POST and received the Academic Award for his POST class. He graduated on December 18<sup>th</sup> and is currently working on his Field Training Course. Deputy Mathews is his FTO (Field Training Officer) and has done a great job writing an FTO manual. Deputy Sorenson is our first POST graduate since 1996 and we are very happy to have him. He will be in this training for about 3 months before he is turned loose and working solo.

Deputy Jared Burton retired in October, and we had a great farewell party for him. He is not an easy asset for the town to replace with his 25 years of experience. We ran a skeleton crew until we were able to sift through a great number of applicants (75) and through a testing process of Physical Fitness, Report Writing Exam, and an Interview Board, we were able to offer the position to Andrew Smartt. Deputy Smartt comes to us from the Iron County Sheriff's Office and has 8 years of experience in law enforcement. His first shift is January 5<sup>th</sup>, and we know that he is going to be a great fit for Brian Head Public Safety.

Deputies have been busy the past couple of months working on hiring and getting everything ready for our new deputies, while making sure calls are covered and their own training needs are met. Deputy Mathews and Deputy Abbott both attended a 3-day EMS conference where they learned some current medical skills that they are sharing with us during our monthly training sessions.

Call numbers seemed to have dropped off compared to other years. We believe that is partially due to the late opening of the resort and the lack of snow. But we welcomed the slight slowdown that helped us stay afloat on all our own training and hiring needs as well as helping us during a couple of months being short-staffed.

Deputy Dunlap had a busy Christmas holiday with a disorderly/intoxicated subject that he arrested and took to jail. He then spent the majority of Christmas Eve assisting people who found themselves stuck in the storm in Cedar Breaks National Monument. Deputy Dunlap has such a great attitude and worked on the problems, and we never hear a complaint about anything from him. I have attached a nice letter from the victims of the Christmas Eve Storm of 2025.

**Incidents for December= 118**

20- Citizen/Motorist Assists (This number is low compared to other years)

16- Medicals

35- Fire Inspections

5- 911/alarms

8- Traffic Control/Traffic Hazards

1- Animal Problems

7- Fires

5-Parking Problem

1-Disorderly

1-Vandalism

2-Domestic Disputes

2-Noise Disturbance

2-Thefts

3-Lost/Found Property

1-Property Damage Accident

2-Agency Assist

2-Trespass

2-Hit and Run

1-Fraud

## **Fire Department:**

The fire department hosted our Annual Thanksgiving Dinner. We had about 70 people in attendance and it was a great Thanksgiving meal. The target audience is for those employees who may be needing to be on the mountain for work and resort town operations during the Thanksgiving Holiday. We were able to see many of these important service-oriented employees from all over the mountain. We really appreciate our own Bob Goldhirsch who heads up this tradition every year and makes it happen. Thanks Bob!

The fire department also had their annual Christmas Dinner for the firefighters. We had a great turnout for that event, and the firefighters were happy to get to rub shoulders with one another and each of their spouses.

Some assistance with burning piles was provided to landowners who had slash piles left from their summer clean up. It's not always feasible for us to assist all homeowners, but when and where we can provide this service, we are happy to help those who are putting the work into their properties to keep us safe from wildfire.

Once again, we were able to shoot our New Years Eve Fireworks Show. This couldn't happen without a great group of volunteer firefighters who are willing to leave their family activities on New Years Eve and put on a show. We are so thankful to each of them and what they do to make Brian Head a great place to spend the holidays.

## **LETTER of Appreciation:**

*To Whom It May Concern,*

*I am writing to formally acknowledge and commend Officer Aaron for his extraordinary service during a severe blizzard incident in the Brian Head mountain area on Christmas Eve, 12/24/25.*

*During an unexpected and rapidly intensifying snow storm which took place within a matter of hours. I was traveling south from Park City with my daughter to visit family in Duck Creek for Christmas when my vehicle became stranded on the mountain just as we past Brian Head.*

*We're originally from out of state and didn't realize the dangers of not having snow tires in this climate. Without the right tires, my car lost traction, slid off the roadway, and came to rest at the edge of a cliff. The conditions were extremely dangerous, and I genuinely feared for our lives.*

*After eventually obtaining limited cell reception, I was able to contact 911. Officer Aaron responded despite the worsening weather conditions. The storm was so severe that his own vehicle became immobilized, leaving us stranded on the mountain. He told me he had never witnessed weather conditions this extreme to be stranded.*

Officer Aaron remained on site with us for approximately three hours, ensuring our safety and providing calm, steady reassurance while we waited for snowplows to reach the area. His presence, professionalism, and commitment under such hazardous and life-threatening circumstances were exceptional. Ultimately, snow removal crews were able to reach us, and my vehicle was towed to safety by officer Aaron. The plow trucks were able to get the roads cleared for us to finally get to safer areas. All that time for miles Officer Aaron stayed with us following my car to make sure we were safe.

Officer Aaron's actions went well beyond the basic duties of his role. His willingness to remain in dangerous conditions, prioritize civilian safety, and maintain composure throughout the ordeal made a profound impact on me. I firmly believe his conduct reflects the highest standards of public service and law enforcement.

This experience was deeply sobering, and I will never forget the level of care, responsibility, and humanity Officer Aaron demonstrated that night. Because of his actions, we were able to receive help and eventually reach Duck Creek to spend Christmas safely with our family. I felt it was important to formally acknowledge his heroic efforts and ensure his service did not go unnoticed.

Thank you for taking the time to receive this message and for supporting the officers who serve under such challenging and dangerous conditions.

Always grateful,

Respectfully,

Great Job Deputy Dunlap, Great Job Brian Head Public Safety! Let's make 2026 another amazing experience!!!





# STAFF REPORT TO THE TOWN COUNCIL

## ITEM: GENERAL PLAN AMENDMENT – R-1 TO R-2

**AUTHOR:** Greg Sant  
**DEPARTMENT:** Planning and Building  
**DATE:** January 13, 2026  
**TYPE OF ITEM:** Legislative Action

An application for a General Plan Amendment was received by Staff on October 21, 2025, for the subject property. The Applicant is asking to change the General Plan and Zoning from R-1 (Low Density Residential) to R-2 (Medium Density Residential) on 3 contiguous lots that have a total area of 2.05 acres. The subject property consists of lots 5, 6 and 7 of Brooke Hill Subdivision phase 2. The Planning Commission held a public hearing on November 4, 2025 and reviewed this issue and voted to forward a recommendation of denial to the Town Council for both. Town Council tabled it at there November 11, 2025 meeting.

### BACKGROUND:

The Brooke Hill Subdivision, Phase 2 was recorded in January 2006. There were originally 7 lots, 3 are owned by the Applicant and 4 are owned by others. At the time the plat was recorded the lots were Zoned R-3 (High Density Residential). The 2007 Zoning Map is attached. In 2010 the Town adopted its General Plan (see attachment) and the property was designated partially as Low Density Residential next to High Density Residential. On the 2015 Zoning Map the parcel was down zoned from R-3 to R-1. The 2019 General Plan and the current Zoning Map are also attached which show this property as Low Density Residential – R-1.

### ANALYSIS:

The Standards of Review for a General Plan Amendment are found in the Town Land Management Code (LMC) in 9-5-3:

AMENDMENTS: The General Plan may be amended. Amendments can be initiated by the Planning Commission, Town Council, or by any interested party by the following procedure:

#### A. Review Process:

1. Application And Fees: Amendments proposed by the interested party shall be submitted to the Planning Commission with appropriate fee as indicated on the Consolidated Fee Schedule.
2. Planning Commission Review: After appropriate public notice consistent with section 9-1-8 of this title, the Planning Commission shall hold a public hearing and shall make a recommendation on the proposed amendment to the Town Council.
3. Town Council Review: After public notice consistent with section 9-1-8.

B. Standards For Review: The Planning Commission and Town Council shall consider whether the proposed amendment meets the following standards and conditions (Staff comments follow each point in **Bold**):

1. Meets a recognized and demonstrated need in the community; - **There is a need for Affordable Housing in our community. It is hopeful that by allowing this property to develop with 8 Units per acre the product will be more affordable.**
2. Will be compatible with the character of the neighborhood and surrounding structures in use, scale, mass and circulation; - **This property is bordered on the north and the east by 2 high density housing projects; MLV and Chalet Village that are R-3 or High-Density Residential projects. On the other borders of the project are R-1, Low Density Residential lots. This small project could be seen as bridge zoning between these 2 Zones. However, it could be seen as spot zoning. If it included the 6 lots next to it, that might be better, but even that would be a small rezoning.**
3. Will not result in an over intensive use of the land or excessive depletion of natural resources; - **As an R-2 Zone this could be an over intensive use of the land. If approved the applicant would need to abide by all the standards set to preserve the natural resources.**
4. Will not have a material adverse effect on community capital improvement programs; - **The Applicants narrative talks about looping the water line with Chalet Village. However, after talking to Public Works that is not possible. There is a sewer manhole on the northeast corner of lot 7. That will allow the sewer to gravity feed for the 3 lots, with or without the Zone Change.**
5. Will not require a level of community facilities and services greater than that which is available or will become available; - **This request does not require a level of community services or facilities greater than that which is available presently.**
6. Will not result in undue traffic congestion and traffic hazards; - **Without a traffic study Staff is unable to answer this question. However, this was one of the reasons that Planning Commission gave for their denial.**
7. Will not cause significant air, odor, water, light or noise pollution; - **The Applicant would be required to follow all design standards as outlined in the LMC, therefore, Staff does not believe that it adds significant air, odor, water, light or noise pollution.**
8. Will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of the Town. - **Again, the Applicant would have to abide by all standards set forth in the LMC, therefore, it should not be detrimental to the health, safety or welfare to the inhabitants of the Town.**

Staff have received multiple notices voicing opposition to this General Plan Amendment and Zone Change. The notices that were received are attached.

During the discussion in Planning Commission, it was noted that if a development plan was attached, they might have been more open to the Amendments. It was brought up that they could change the General Plan for this area to R-2 and deny the Zone Change at this time. In the future the Zone Change could be reconsidered when a development plan was created for the property. It was also said that instead of just these 3 lots, it would be nice if the northern 6 lots were also included in the General Plan Amendment so that the change was bigger than 2 acres.

**STAFF RECOMMENDATION:**

As you can see from the Analysis above, there are both positive and negative points made by Staff and the Planning Commission. It is Staff's recommendation that the Town Council review all information available and decide what would serve the Town best.

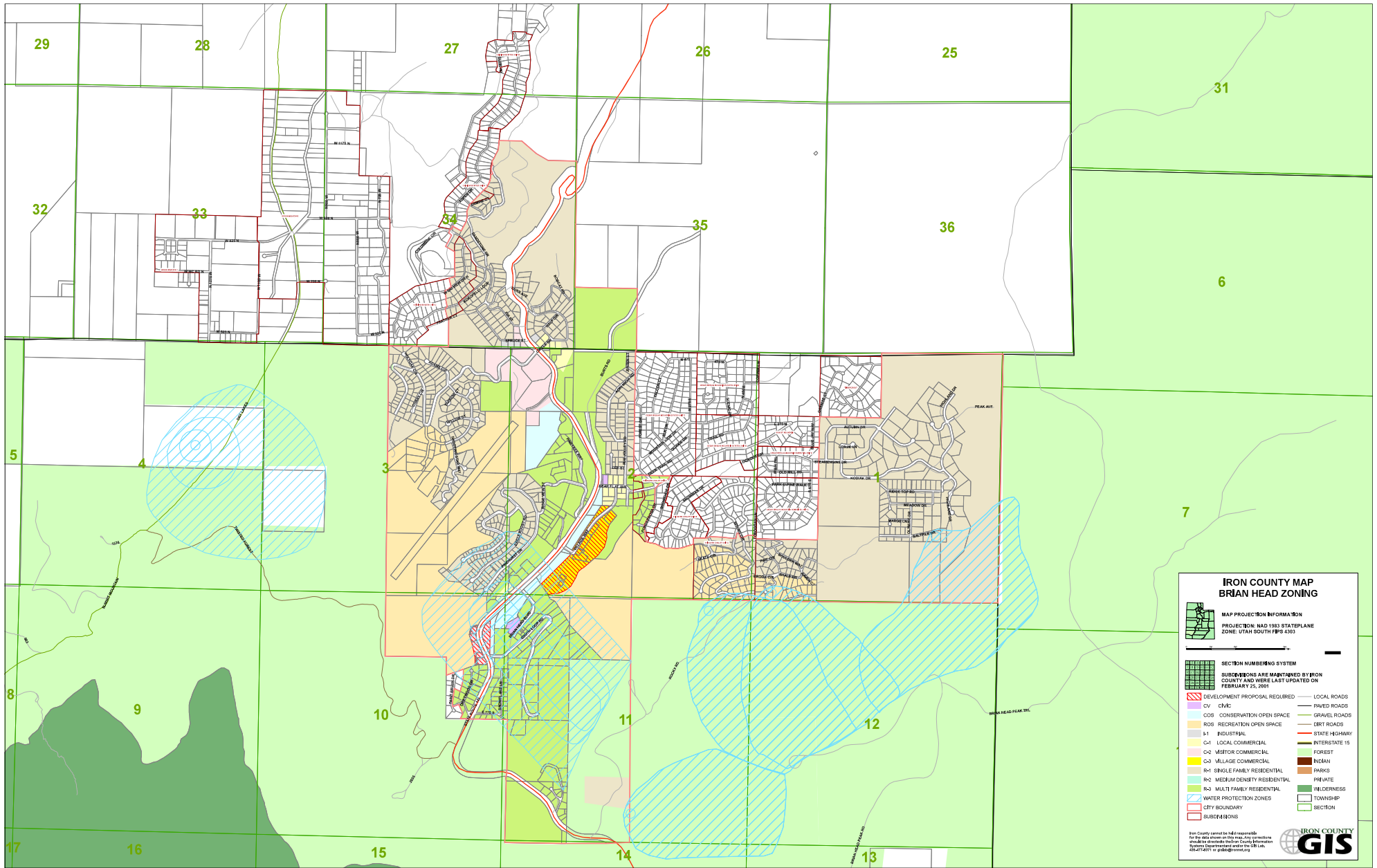
**PROPOSED MOTION:**

Motion Options: Approve as presented, Approve with modifications, Deny, Table for more information.

Proposed Motion: I move to adopt ordinance No. 26-001 amending the General Plan Map for three lots located in the Brook Hill Phase 2 Subdivision as presented.

**ATTACHMENTS:**

- A - 2007 Zoning Map
- B - 2010 General Plan
- C - 2015 Zoning Map
- D - 2019 General Plan
- E - Current Zoning Map
- F - Public Input Letters
- G - Ordinance Amending the General Plan Map.

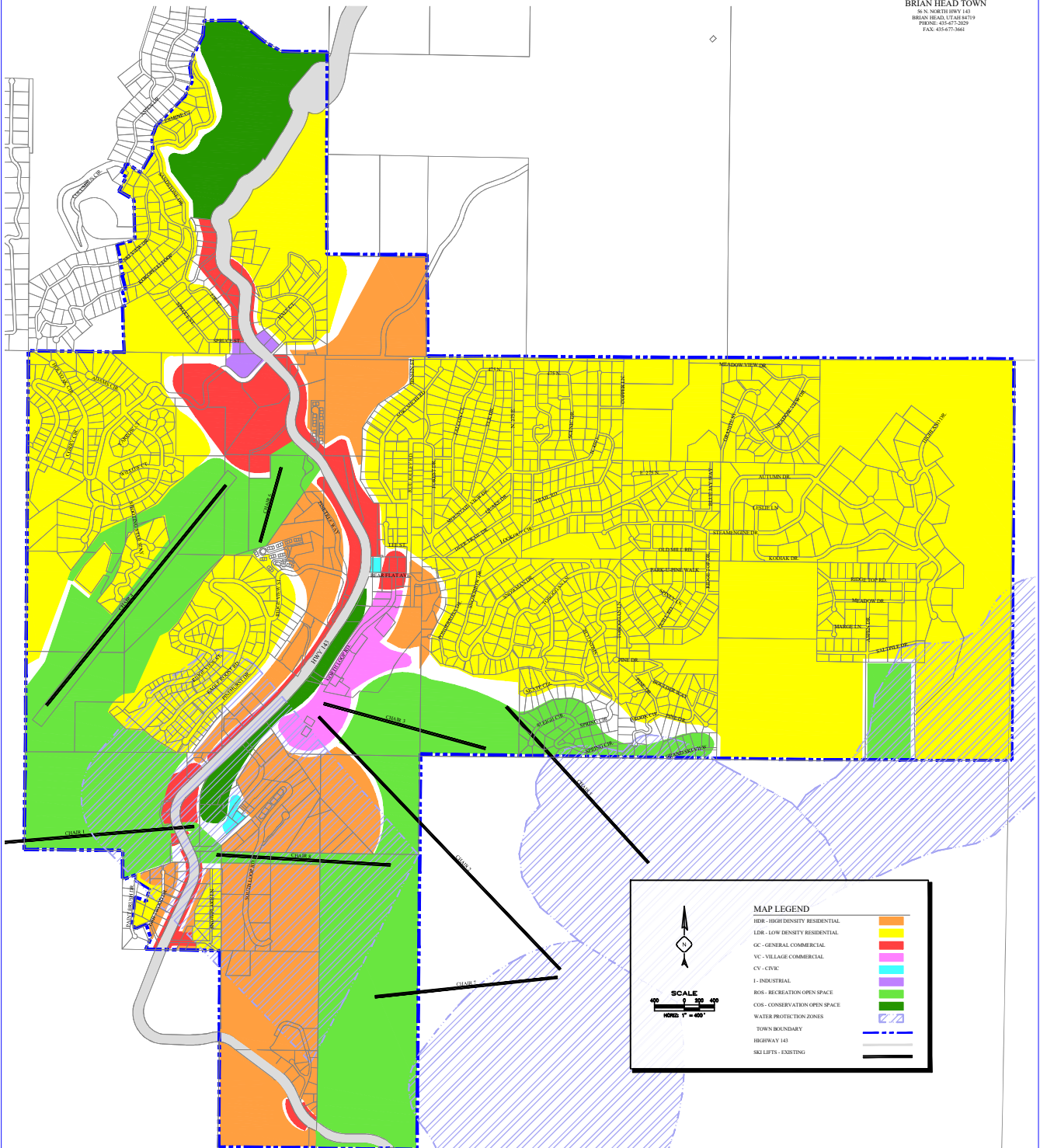


# GENERAL PLAN LAND USE MAP

ADOPTED JULY 27, 2010



BRIAN HEAD TOWN  
26 N. NORTH HWY 143  
BRIAN HEAD, UTAH 84519  
PHONE: 435-477-3029  
FAX: 435-477-3661

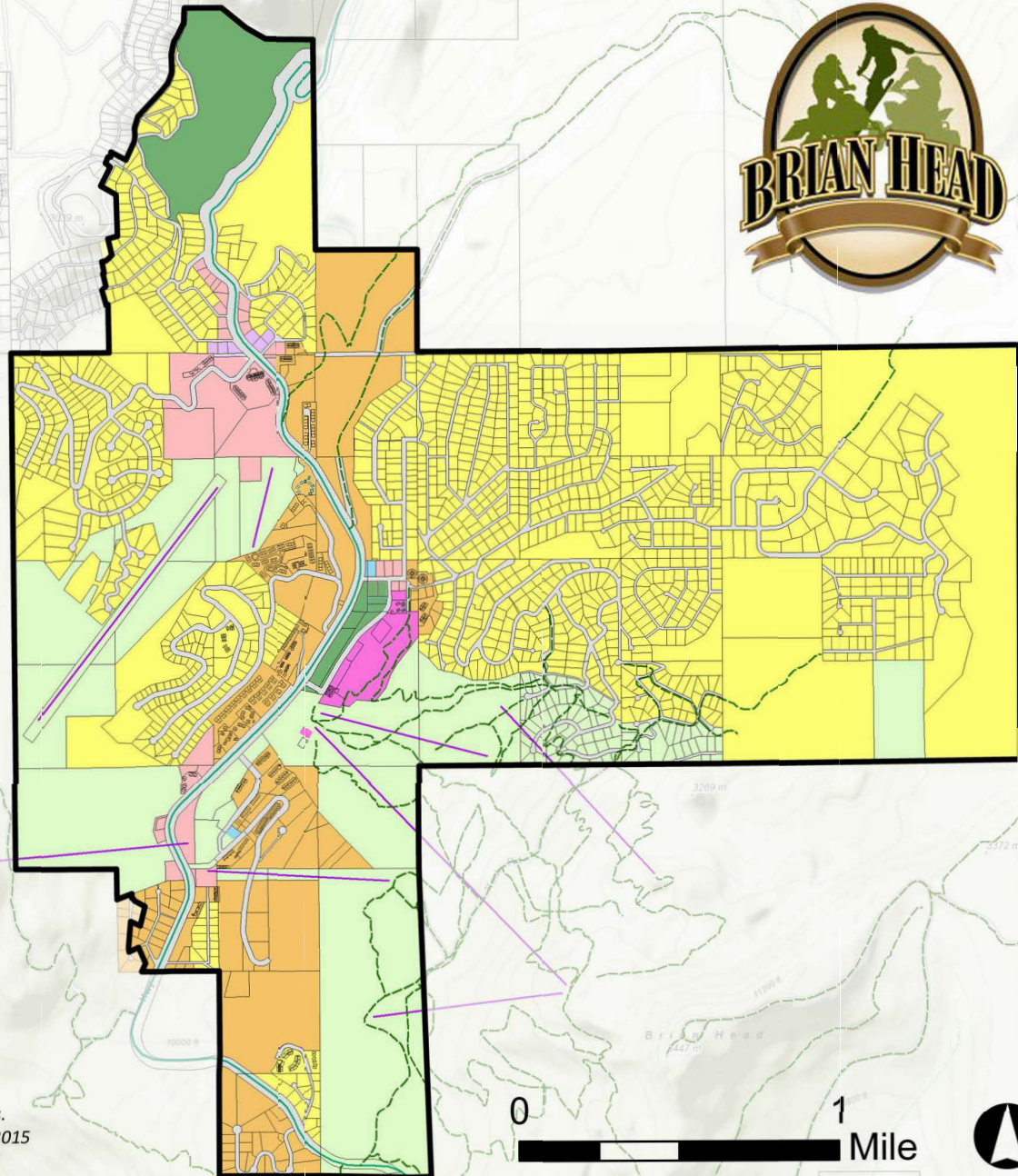




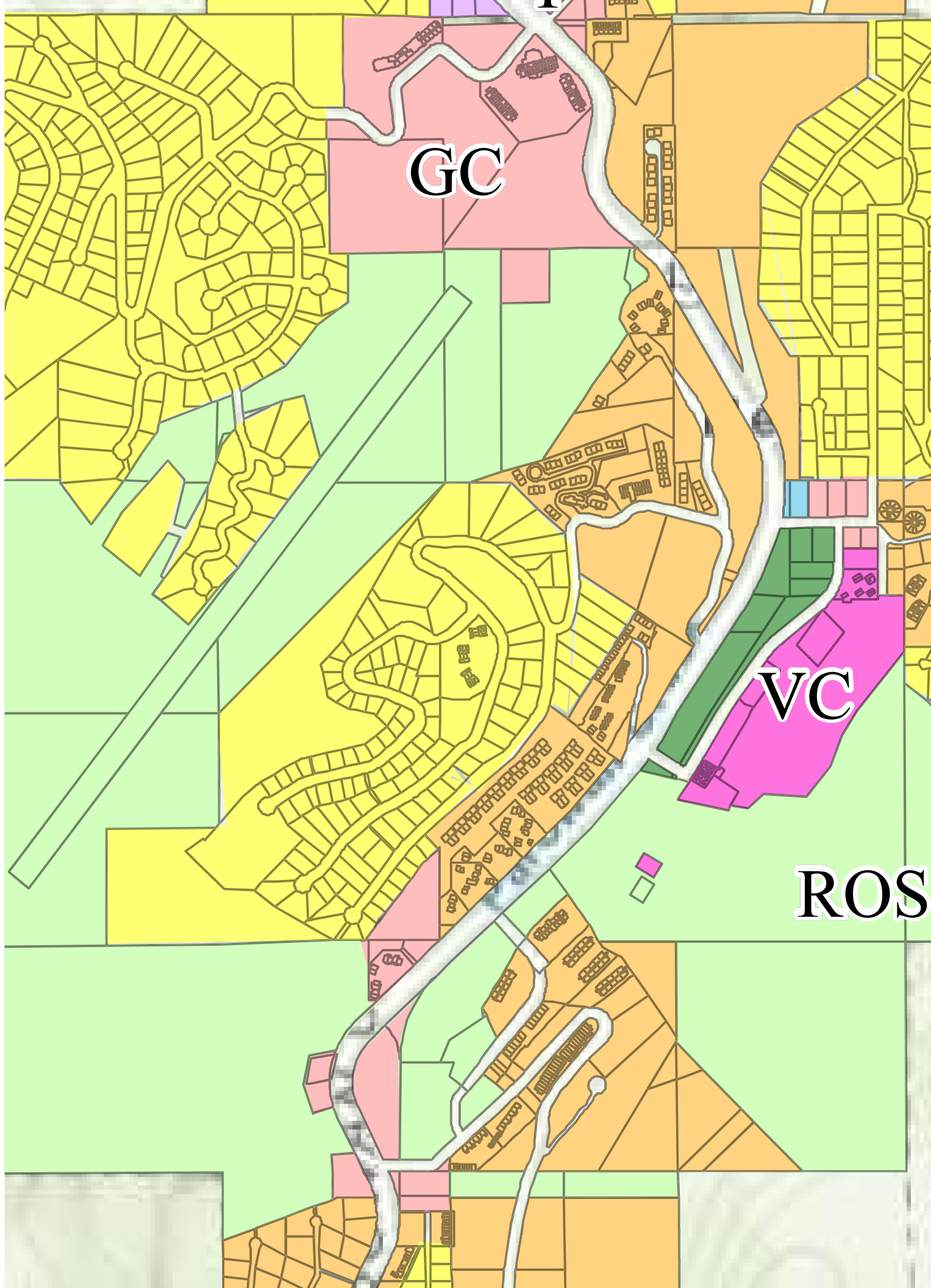
# Brian Head Zoning



- CV - Civic
- COS - Conservation Open Space
- GC - General Commercial
- HDR - High Density Residential
- I - Industrial
- LDR - Low Density Residential
- ROS - Recreation Open Space
- VC - Village Commercial
- Ski Lifts
- Iron Co. Trails
- State Route 143
- Local Roads



Base data provided by Iron County and the Utah State AGRC.  
 Mapping intended for city wide planning and not for site specific analysis.  
 Coordinate System: NAD\_1983\_UTM\_Zone\_12N. Last updated July 11, 2015

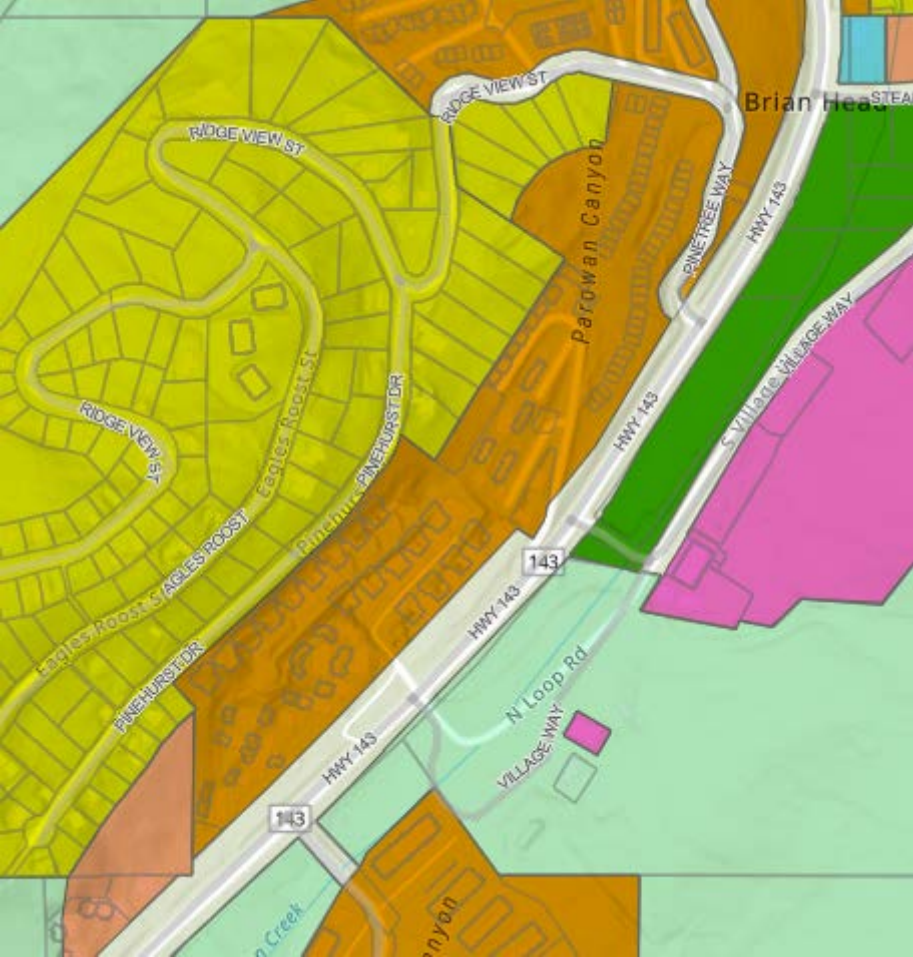


GC

VC

ROS







## Opposition to Proposed Zone Change to Lots 5–7, Brooke Hill Subdivision

Summarize this email

From: **Jason Spark**

Date: Wed, Dec 17, 2025 at 11:54 PM

Subject: Re: Opposition to Proposed Zone Change to Lots 5–7, Brooke Hill Subdivision

To: Greg Sant <[gsant@bhtown.utah.gov](mailto:gsant@bhtown.utah.gov)>

Hi Greg,

Thank you for the detailed response and for clarifying the procedural context.

I want to clarify one point regarding the applicant's track record. I was not referring to any prior land-use applications in Brian Head, and I apologize if it came across that way. I was referring to Mr. Gushgari's broader career and large development projects in Arizona and other regions. His professional background is impressive. My point was simply that he has been involved in large, higher-density multifamily projects, which reasonably informs expectations about the scope of development of lots 5-7 if they were to be re-zoned.

I appreciate the additional insight into the Town's workforce housing needs. The resort's purchase in Parowan is a smart solution. Mammoth Mountain's workforce housing has similarly been addressed by leveraging *existing* higher-density land (Sierra Lodge), adaptive reuse, or satellite communities (June Lake) rather than by introducing medium-density housing into R-1 neighborhoods.

My fundamental question is not whether affordable housing is needed. Rather it is whether this particular site on Ridge View is appropriate for that use. It's hard to believe affordable housing would exist on prime real estate like this -- across the street from ski access (Elevate) to one side and Giant Steps resort views to the other side and surrounded by large single-family cabins. The General Plan exists to provide predictability and to protect established residential areas from incompatible encroachment, and the Plan has already identified areas suitable for higher density development. I spoke with a real estate agent in BH of over 20 years who also expressed concern with the density increase on lower Ridgeview and the impact on neighboring R1 properties. I have now connected with 11 property owners in this neighborhood, several who weren't aware of the proposal, who made significant long-term investment decisions based on the R-1 designation and the expectations set by the adopted General Plan. These aren't developers. They are the homeowners that contribute to the culture of Brian Head, and they are concerned as well.

Do you know if the Town has evaluated less disruptive solutions for the workforce housing?

- The availability of currently zoned R-2 and R-3 parcels in Brian Head that remain undeveloped or underutilized.
- Opportunities for redevelopment or renovation of existing higher-density housing.
- Data on projected availability of smaller units, including the number of STR-oriented cabins, returning to the long-term market following the post-COVID correction.

I appreciate the Town's careful approach in tabling the issue to ensure full Council participation, and I value the opportunity to continue this dialogue as the process moves forward.

Kind regards,

Jason Spark

On Thu, Dec 11, 2025 at 9:28 AM Greg Sant <[gsant@bhtown.utah.gov](mailto:gsant@bhtown.utah.gov)> wrote:

In response to the applicant's track record, I am not sure what you are referring to. This applicant has never applied for a zone change, preliminary plat, or any other type of Land Use application. I think you have him confused with the landowner either to the north of him that has 6 lots or the landowner to the east that was approved a year ago for a 45 unit townhome project. This applicant has owned the property since 2007 and since then he has not tried to develop it.

In response to your questions;

1. Spot Zoning is not prohibited in our Land Management Code, but it is not a good planning practice. The Town Council has the authority to change the General Plan to whatever they feel is appropriate, after having a public hearing regarding the change. The subject property of this proposed General Plan/Zone Change was R-3 property until 2015 when it was changed by the Town.

2. There is currently a shortage of workforce housing in Brian Head. Of the 30+ employees of the Town only 4 live in Brian Head due to the high cost of housing. Furthermore, the resort had to buy a motel in Parowan in order to house their employees and had to hire a shuttle to drive them back and forth to work each day. The Town needs attainable/workforce housing desperately.

3. In the General Plan that was adopted in 2018/2019 it addresses the need for workforce/attainable housing. Furthermore, we are required by the State of Utah to create an Affordable Housing plan that is addressed in our Land Management Code.

Please be aware that any owner of real property has the right to apply for a General Plan/Zone Change on their property. The Town is required by State Statute that we consider it and follow the laws that are in place for this process. That is all that is happening at this point. The issue was tabled at the Town Council meeting in November because the Town Council only had 3 of its 5 members there and there will be a new member joining them in January 2026. They felt that the issue was important enough for there to be a full quorum and to include the newly elected member be present. I hope I answered your questions, if you have any other concerns please feel free to contact me.

Thank you for reaching out,

Greg Sant

On Wed, Dec 10, 2025 at 11:08 PM Jason Spark wrote:

Hi Greg,

I recently read through the minutes from the Town Council meeting, and I wanted to reach out because a few points raised there left me concerned. As the property owner directly adjacent to the parcels in question, this proposed rezone would have a significant and immediate impact on my lot, especially with no buffer between my property and any future development.

The applicant's name and track record in multi-family developments is well documented in the public domain. Based on the applicant's past projects, it seems reasonable to assume that an R-2 designation would allow for a much denser buildout in the range of 24 units over the 3 lots placed directly between existing R-1 properties and large single-family cabins. That kind of jump in density feels out of step with the surrounding neighborhood character.

I've spoken with several land developers and brokers at Colliers, as well as counsel they recommended, just to better understand the implications. The concern around spot zoning is real. The requested change appears inconsistent with the Town's plan, and it would primarily benefit a single property owner while creating significant impact for the immediate neighbors. In the public hearing comments, I also saw the suggestion that the rezone could support workforce or affordable housing. While I fully support the idea of employee housing where appropriate, my understanding is that the Town has already planned for where low-, medium- and high-density units should go, and that this particular area was not intended for that purpose.

I had a few questions I was hoping you could help clarify:

1. Does the Town Council have the authority to approve a rezoning even if it constitutes

spot zoning?

2. Is there currently a shortage of multifamily or workforce units in Brian Head?

3. Has the Town conducted or published any analysis indicating a need to rezone existing R-1 neighborhoods to meet workforce housing demand?

I truly appreciate your communication, the professionalism of your reports, and your independent and balanced approach to these issues. Thank you for taking the time to consider these questions and for the work you do to help guide responsible growth in the town.

Best,  
Jason

On Fri, Nov 14, 2025 at 10:29 AM Greg Sant <[gsant@bhtown.utah.gov](mailto:gsant@bhtown.utah.gov)> wrote:

The owner owns the 3 lots to the north of yours. For privacy reasons we are not allowed to give you his name. The public hearing has already happened so there will not be any more public hearing notices. However, you can go onto the Town website and sign up to receive all notices of Town Council and planning Commission meetings as they come up. That would be the best way to get notified the next time this is on the agenda.

Greg

On Thu, Nov 13, 2025 at 11:43 PM Jason Spark wrote:

Greg,

Thank you for sharing the results. I'd think this would be a quick 'no' but at least I have more time to rally the neighborhood.

Is it public "who" submitted the proposal and what they plan to do with the property?

Thank you,  
Jason

On Wed, Nov 12, 2025 at 9:23 AM Jason Spark wrote:

Dear Mayor and Members of the Brian Head Town Council,

I'm writing as a property owner of lots 3 and 4 of the Brooke Hill subdivision on Pinehurst and Ridge View Drive, and the immediate neighbor to the three lots proposed for rezoning from R-1 (Low Density Residential) to R-2 (Medium Density Residential). I truly appreciate the work you all do to balance growth with the small-town charm that makes Brian Head so special.

That's why I'm reaching out to state my opposition to this proposal. In my view, this change doesn't fit the character or infrastructure of our street, and I urge the Council to keep these lots R-1 for the following reasons:

### 1. Spot Zoning

Brooke Hill has been sold as a low-density, single-family area. All seven lots are R-1 and the homes directly across Ridge View Drive are also R-1 single-family properties. There are R-2 and R-3 developments farther down the hill, but our stretch of Ridge View has always been the quieter section that transitions toward single family homes and open space. Changing just these three lots to R-2 would single them out from the rest, creating what feels like **spot zoning**, breaking up a neighborhood and encroaching on large single-family homes in multiple directions.

### 2. Strain on Ridge View Drive

We've all seen how tough the Elevate Villas construction has been on the street. Heavy trucks, torn-up pavement, debris, and noise for nearly two years. It's made access difficult and taken a toll on the road surface and the general look of the area. Ridge View Drive wasn't built for that level of activity. Adding more medium-density units here would mean more vehicles, more snow-plowing pressure, and less safe access for emergency crews in winter. Before approving any up-zoning, it would make sense to step back and evaluate whether the road, drainage, and public works systems can realistically handle additional load.

### 3. Need for Basic Impact Reviews

I believe there is enough already provided here, by other neighbors and by the planning commission, to support a denial of the proposal. However, if the Council needs more, I respectfully suggest that, at minimum, the Town request a few studies before considering a vote in favor of the proposal:

- A traffic review to understand how many more vehicles would use the road and where they'd park
- A brief environmental and visual review to look at noise, runoff, and how construction would affect nearby homes
- A public-works capacity check to make sure snow removal, drainage, and maintenance can keep up

#### 4. Neighbor Notification

After I received notice of the hearing, I reached out to several nearby owners, and a few told me they were not aware of the proposal. I'm sure this wasn't intentional, but it may mean the mailing list wasn't complete. It would be great if the Town could double-check who was notified so that every affected neighbor has a fair chance to weigh in.

For all these reasons, I respectfully ask the Council to deny this zoning change and keep these parcels consistent with the surrounding R-1 neighborhood.

If the Council feels more information is needed before making that decision, I would simply ask that you pause or continue the item until the proper notices are confirmed and the basic studies are completed. That way, both the Town and the neighbors can be confident the decision was made with all the facts on the table.

Thank you for taking the time to listen to a concerned neighbor and for all you do to guide responsible growth in our community. The town is changing, and while growth is inevitable it can be positive if done well. We hope the pace of Brian Head's future growth remains thoughtful, balanced, and consistent with its established character and plan.

Respectfully,

Jason and Kerry Spark

Owner, Brooke Hill Subdivision Lots 3 & 4

237 Pinehurst, Brian Head UT 84719



## ORDINANCE NO. 26 - \_\_\_\_

**AN ORDINANCE AMENDING THE BRIAN HEAD GENERAL PLAN LAND USE MAP FOR LOTS LOCATED IN THE BROOK HILL PHASE 2 SUBDIVISION LOCATED ON RIDGE VIEW STREET FROM LOW-DENSITY RESIDENTIAL TO MEDIUM-DENSITY RESIDENTIAL AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Brian Head Town has identified a need to amend the Brian Head General Plan Land Use Map to incorporate Medium-Density Residential in the Brook Hill, Phase 2 Subdivision located on Ridge View Street; and,

**WHEREAS**, the Brian Head Planning Commission held a public hearing on November 4, 2025, giving at least ten (10) days' notice prior to the public hearing to receive public comment. The Planning Commission forwarded their recommendation of denial to the Brian Head Town Council for their consideration; and

**WHEREAS**, the Brian Head Town Council held a public hearing on November 12, 2025, giving at least ten (10) day notice to receive public comment on the proposed amendments Brian Head General Plan Land Use Map; and

**WHEREAS**, it is in the best interests of Brian Head Town and the health, safety, and general welfare of its citizens to adopt this Ordinance:

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF BRIAN HEAD, UTAH, COUNTY OF IRON, STATE OF UTAH, AS FOLLOWS:**

**Section 1.** The Brian Head General Plan is hereby amended and incorporated in the Brian Head Town Code regulating land use within the Town of Brian Head, Utah as attachment "A".

**Section 2. Effective Date.** This Ordinance shall take effect upon its passage by a majority vote of the Brian Head Town Council. Upon this Ordinance being adopted by the Brian Head Town Council of Iron County, Utah, all provisions of this Ordinance shall be incorporated into the Brian Head Town Code.

**Section 3. Conflict.** To the extent of any conflict between other Town, County, State, or Federal laws, ordinances or regulations and this Ordinance, the more restrictive is deemed to be controlling.

**Section 4. Severability Clause.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and

independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**Section 5. Repealer.** All provisions of the Brian Head Town Code that are inconsistent with the expressed terms of this Ordinance shall be repealed.

**PASSED AND ADOPTED BY THE BRIAN HEAD TOWN COUNCIL OF IRON COUNTY, UTAH** this \_\_\_\_ day of January 2026 with the following vote.

**TOWN COUNCIL VOTE:**

Mayor Clayton Calloway	Yes____	No____
Council Member Mitch Ricks	Yes____	No____
Council Member Larry Freeberg	Yes____	No____
Council Member Duane Nyen	Yes____	No____
Council Member Logan Cruz	Yes____	No____

**BRIAN HEAD TOWN COUNCIL**  
BRIAN HEAD, UTAH

\_\_\_\_\_  
Clayton Calloway, Mayor

**ATTEST:**

\_\_\_\_\_  
Nancy Leigh, Town Clerk

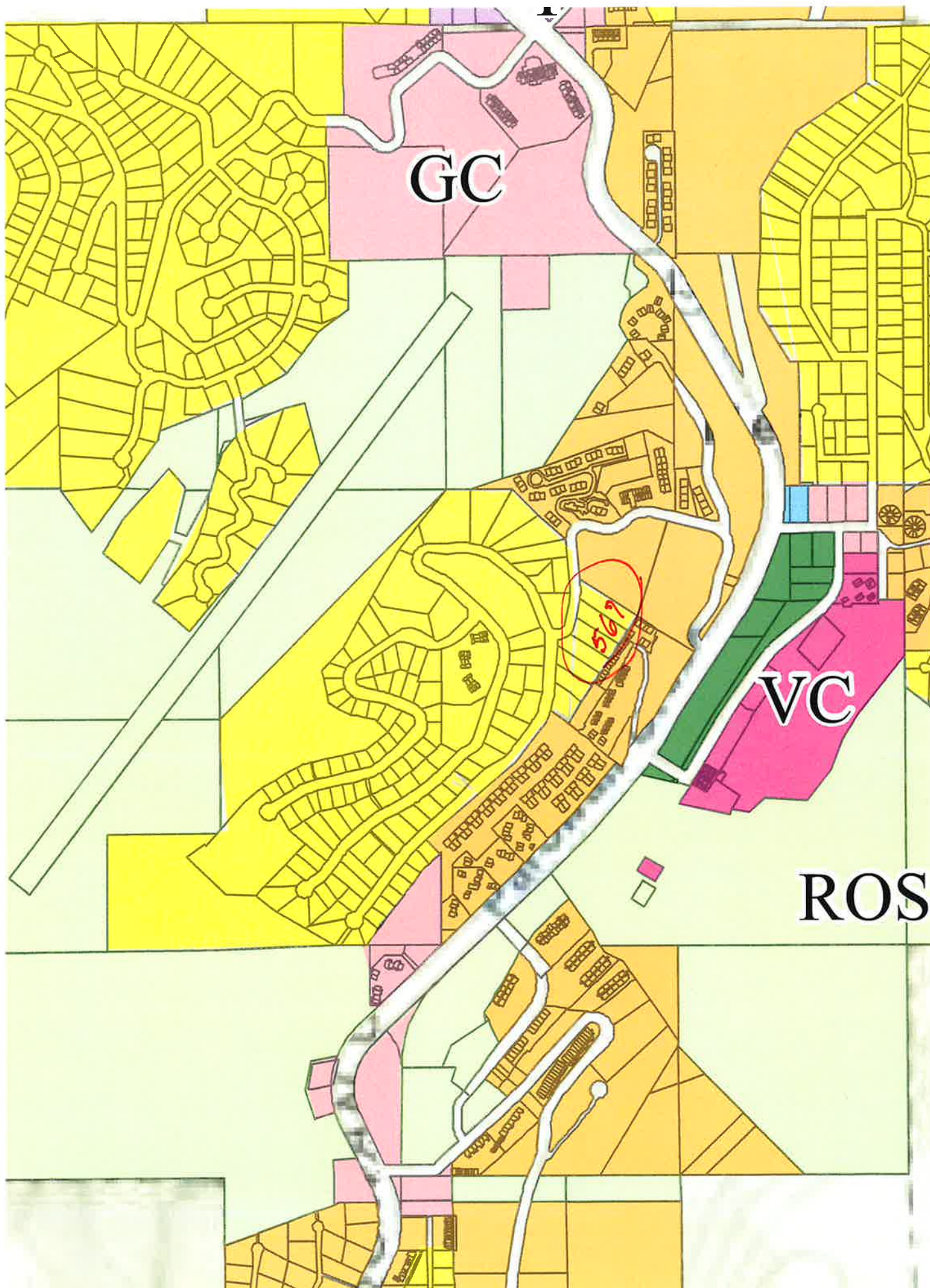
(SEAL)

**CERTIFICATE OF PASSAGE AND POSTING**

I hereby certify that the above Ordinance is a true and accurate copy, including all attachments, of the Ordinance passed by the Town Council on the \_\_\_\_ day of January 2026, and have posted a complete copy of the ordinance in three conspicuous places within the Town of Brian Head, to-wit: Town Hall, Post Office, and the Mall.

\_\_\_\_\_  
Nancy Leigh, Town Clerk







# STAFF REPORT TO THE TOWN COUNCIL

## **ITEM:** Zone Amendment for Lots 5, 6, 7 Brookhill Phase 2 Subdivision FROM - R-1 TO R-2

**AUTHOR:** Greg Sant  
**DEPARTMENT:** Planning and Building  
**DATE:** November 12, 2025  
**TYPE OF ITEM:** Legislative Action

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The Council will consider an ordinance amending the Land Management Code, Chapter 6, Zone District Map for three lots; 5, 6, & 7 in the Brook Hill Phase 2 Subdivision from Single-Family Residential (R1) to Medium Density Residential (R2).

An application for a General Plan Amendment was received by Staff on October 21, 2025, for the subject property. The Applicant is asking to change the General Plan and Zoning from R-1 (Low Density Residential) to R-2 (Medium Density Residential) on 3 contiguous lots that have a total area of 2.05 acres. The subject property consists of lots 5, 6 and 7 of Brooke Hill Subdivision phase 2. The Planning Commission held a public hearing on November 4, 2025 and reviewed this issue and voted to forward a recommendation of denial to the Town Council for both. The Council tabled this item until the first meeting of 2026 when the newly elected Council Members could give their input.

### **BACKGROUND:**

The Brooke Hill Subdivision, Phase 2 was recorded in January 2006. There were originally 7 lots, 3 are owned by the Applicant and 4 are owned by others. At the time the plat was recorded the lots were Zoned R-3 (High Density Residential). The 2007 Zoning Map is attached. In 2010 the Town adopted its General Plan (see attachment) and the property was designated partially as Low Density Residential next to High Density Residential. On the 2015 Zoning Map the parcel was down zoned from R-3 to R-1. The 2019 General Plan and the current Zoning Map are also attached which show this property as Low Density Residential - R-1.

### **ANALYSIS:**

The process to amend the Zoning District Map is identified in the LMC 9-6-3:

**AMENDMENTS TO ZONE DISTRICT MAP:** The Zone District Map may be amended as provided in this section. The required fee for zone change applications to cover the cost of processing and review is indicated in the Consolidated Fee Schedule that is available by request at Town hall or on the Town website.

#### **A. Review Process:**

1. Planning Commission: The proposed amendment shall be submitted to the Planning Commission with documentation as prescribed in chapter 4 of this title, "Submittal Requirements". Within a reasonable time after receiving the proposed amendment, the Planning Commission shall hold a public hearing on the proposed amendment and shall forward a recommendation to the Town Council for approval, modification and approval, or denial of the proposed zone amendment by following the procedures described by Utah Code Annotated § 10-9a-502 and §10-9a-503.

2. Town Council: Following the Planning Commission public hearing, the Town Council shall also convene a public hearing to receive public comment regarding the proposed amendment. Once a recommendation is forwarded from the Planning Commission to the Town Council, the Council shall reject or adopt the proposed amendment either as proposed by the Planning Commission or after making any revision that the Town Council considers appropriate.

B. Standards For Review: The Planning Commission and Town Council shall consider whether the proposed amendment meets the following standards and conditions (Staff comments follow each point in **Bold**):

1. Meets a recognized and demonstrated need in the community; - **There is a need for Affordable Housing in our community. It is hopeful that by allowing this property to develop with 8 Units per acre the product will be more affordable.**
2. Will be compatible with the character of the neighborhood and surrounding structures in use, scale, mass and circulation; - **This property is bordered on the north and the east by 2 high density housing projects; MLV and Chalet Village that are R-3 or High-Density Residential projects. On the other borders of the project are R-1, Low Density Residential lots. This small project could be seen as bridge zoning between these 2 Zones. However, it could be seen as spot zoning. If it included the 6 lots next to it, that might be better, but even that would be a small rezoning.**
3. Will not result in an over intensive use of the land or excessive depletion of natural resources; - **As an R-2 Zone this could be an over intensive use of the land. If approved the applicant would need to abide by all the standards set to preserve the natural resources.**
4. Will not have a material adverse effect on community capital improvement programs; - **The Applicants narrative talks about looping the water line with Chalet Village. However, after talking to Public Works that is not possible. There is a sewer manhole on the northeast corner of lot 7. That will allow the sewer to gravity feed for the 3 lots, with or without the Zone Change.**
5. Will not require a level of community facilities and services greater than that which is available or will become available; - **This request does not require a level of community services or facilities greater than that which is available presently.**
6. Will not result in undue traffic congestion and traffic hazards; - **Without a traffic study Staff is unable to answer this question. However, this was one of the reasons that Planning Commission gave for their denial.**
7. Will not cause significant air, odor, water, light or noise pollution; - **The Applicant would be required to follow all design standards as outlined in the LMC, therefore, Staff does not believe that it adds significant air, odor, water, light or noise pollution.**
8. Will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of the Town. - **Again, the Applicant would have to abide by all standards set forth in the LMC, therefore, it should not be detrimental to the health, safety or welfare to the inhabitants of the Town.**

During the discussion in Planning Commission, it was noted that if a development plan was attached, they might have been more open to the Amendments. It was brought up that they could change the General Plan for this area to R-2 and deny the Zone Change at this time. In the future the Zone Change could be reconsidered when a development plan was created for the property.



It was also said that instead of just these 3 lots, it would be nice if the northern 6 lots were also included in the General Plan Amendment so that the change was bigger than 2 acres.

Staff have received multiple notices voicing opposition to this General Plan Amendment and Zone Change. The notices that were received are attached.

### **NEW DEVELOPMENTS SINCE LAST MEETING:**

Staff have found that the R-2 Zoning Designation, when revised a few years ago, changed the Density from 8 units per acre to 4 units per acre. In the Purpose Statement of that zone, it states 8 units per acre which is incorrect. Planning Commission is reviewing this issue at the Planning Commission meetings on the 6<sup>th</sup> and the 20<sup>th</sup> of January. There is still an exception that will allow the Density to go to 10 units per acre if it meets certain criteria stated in the LMC.

### **STAFF RECOMMENDATION:**

As you can see from the Analysis above, there are both positive and negative points made by Staff and the Planning Commission. One option would be to table this item until the R-2 designation is corrected. It is Staff's recommendation that the Town Council review all information available and decide what would best serve the Town.

### **PROPOSED MOTION:**

*Options: Adopt as presented, Adopt with modifications, deny, table for further information.*

I move to adopt ordinance No. 26-002, amending the Land Management Code, Chapter 6, Zone District Map for lots 5, 6, 7 located in the Brookhill Phase 2 Subdivision from Single-Family Residential to Medium Density Residential as proposed.

### **ATTACHMENTS:**

A – Ordinance Amending Zone District Map



## ORDINANCE NO. 26-\_\_\_\_

**AN ORDINANCE AMENDING THE BRIAN HEAD LAND MANAGEMENT CODE, CHAPTER 6, ZONE DISTRICT MAP, REGULATING LAND USE WITHIN THE TOWN OF BRIAN HEAD, UTAH CHANGING LOTS 5, 6, & 7 OF THE BROOK HILL PHASE 2 SUBDIVISION FROM SINGLE-FAMILY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL ZONE AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Brian Head Town reviews the Land Management Code to ensure smart and attractive growth in Brian Head Town and the Town Council identified a need to revise the Brian Head Land Management Code in order to regulate land use within the Town limits of Brian Head, Utah; and,

**WHEREAS**, it has been determined that medium density residential zones should be established on the Zone District Map in order to transition areas from single-family residential to med-density residential areas while protecting the single-family neighborhood character; and,

**WHEREAS**, the Brian Head Planning Commission held a public hearing on November 4, 2025, giving at least ten (10) days' notice prior to the public hearing to receive public comment. The Planning Commission hereby forward their recommendation of denial for lots 5, 6, & 7 of the Brookhill Subdivision from low-density residential to medium density residential zone onto the Brian Head Town Council for their consideration and;

**WHEREAS**, the Brian Head Town Council held a public hearing on November 12, 2025, and giving at least ten (10) days' notice; and

**WHEREAS**, Brian Head Town has incorporated the Zone District Map regulating land use within the town boundaries; and

**WHEREAS**, it is in the best interests of Brian Head Town and the health, safety, and general welfare of its citizens to adopt this Ordinance.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF BRIAN HEAD, UTAH, COUNTY OF IRON, STATE OF UTAH, AS FOLLOWS:**

**Section 1.** The Brian Head Land Management Code, Chapter 6, Zoning, Zone District Map is hereby amended as Attachment "A".

**Section 2. Effective Date.** This Ordinance shall take effect upon its passage by a majority vote of the Brian Head Town. Upon this Ordinance being adopted by the Brian Head Town Council of Iron County, Utah, all provisions of this Ordinance shall be incorporated into Title 9 of the Brian Head Town Code.

# BRIAN HEAD

**Section 3. Conflict.** To the extent of any conflict between other Town, County, State, or Federal laws, ordinances or regulations and this ordinance, the more restrictive is deemed to be controlling.

**Section 4. Severability Clause.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**Section 5. Repealer.** All provisions of the Brian Head Town Code that are inconsistent with the expressed terms of this ordinance shall be repealed.

**PASSED AND ADOPTED BY THE BRIAN HEAD TOWN COUNCIL OF IRON COUNTY, UTAH this \_\_\_\_\_ day of January 2026, with the following vote.**

Mayor Clayton Calloway	Yes_____	No_____
Council Member Larry Freeberg	Yes_____	No_____
Council Member Duane Nyen	Yes_____	No_____
Council Member Mitch Ricks	Yes_____	No_____
Council Member Logan Cruz	Yes_____	No_____

***BRIAN HEAD TOWN COUNCIL***  
BRIAN HEAD, UTAH

By: \_\_\_\_\_  
Clayton Calloway, Mayor

**ATTEST:**

\_\_\_\_\_  
Nancy Leigh, Town Clerk

(SEAL)

## **CERTIFICATE OF PASSAGE AND POSTING**

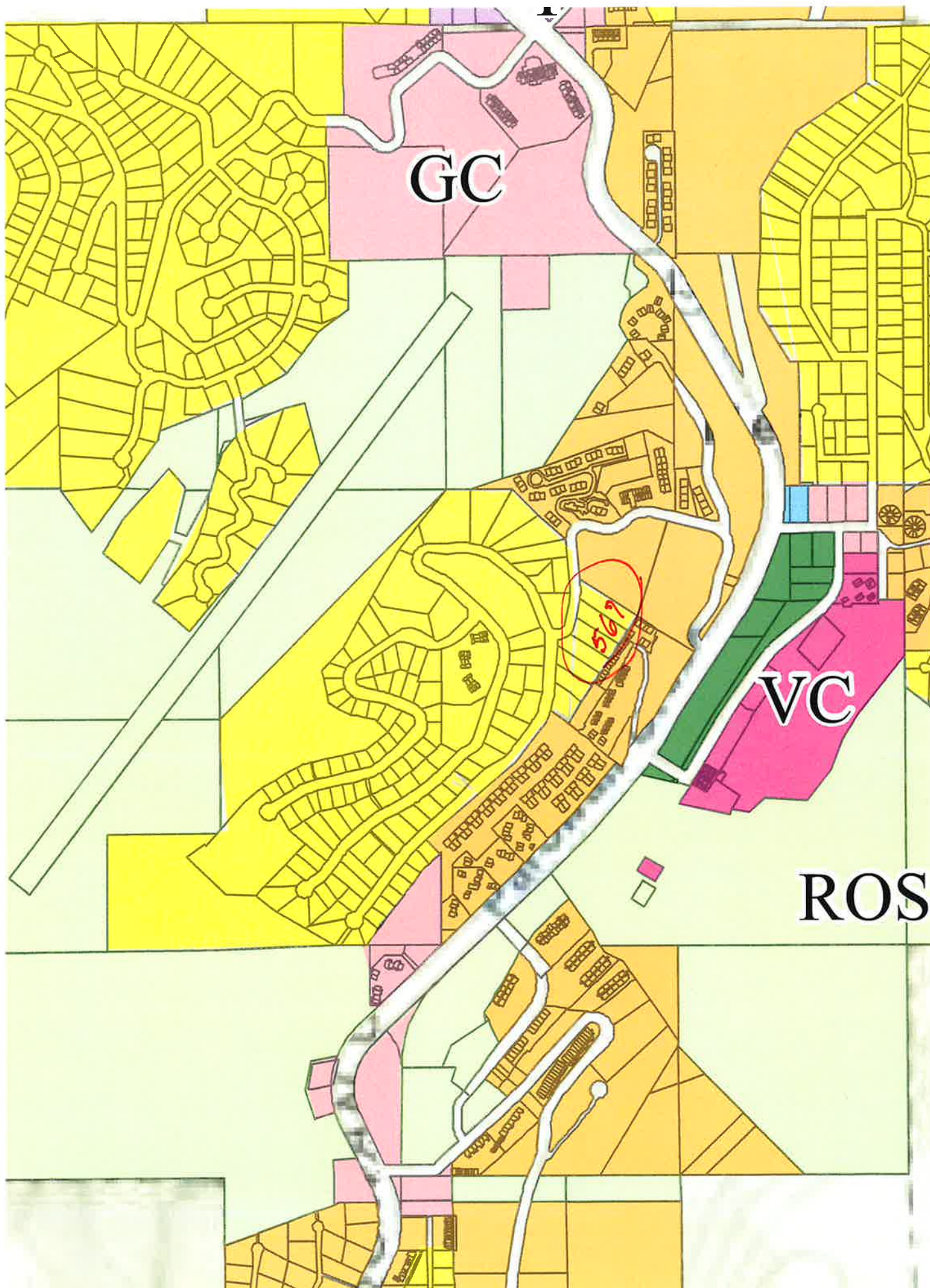
I hereby certify that the above Ordinance is a true and accurate copy, including all attachments, of the Ordinance passed by the Town Council on the \_\_\_\_ day of January 2026, and have posted a summary of this ordinance in three conspicuous places within the Town of Brian Head, to-wit: Town Hall, Post Office, and the Mall.

***Nancy Leigh, Town Clerk***

**ATTACHMENT "A"**  
**BRIAN HEAD LAND MANAGEMENT CODE**  
**ZONE DISTRICT MAP**

DRAFT









# STAFF REPORT TO THE TOWN COUNCIL

## ITEM: MISSING VOICE COMMITTEE REPORT REVIEW

**AUTHOR:** Bret Howser, Town Mgr  
**DEPARTMENT:** Administration  
**DATE:** January 13, 2026  
**TYPE OF ITEM:** Discussion

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### SUMMARY:

The Council will hold a discussion regarding recommendations made by the Missing Voice Ad Hoc Committee.

### BACKGROUND:

On July 29, 2025, the Town Council, after having interviewed several candidates for appointment to an open position on the Council, appointed Duane Nyen to the Council. Due to consistent comments from the candidates for Council, Mayor Calloway suggested appointing the remaining candidates (Logan Cruz, Steve Singer, and Troy Benson) to an ad-hoc committee to study and make recommendations related to the Town's construction and building processes. Troy Benson suggested including in the scope of the committee to review staff interactions with the public as well. The meeting was closed without further direction.

On August 12, 2025, Troy Benson gave comment during the Council meeting regarding this makeup of this committee and its objectives. Council took no action as the item was not agendized.

On September 9, 2025, Council officially created the "Missing Voice" Ad Hoc Committee. The scope of the Committee's work is attached to this report. The Committee had a deadline of 90 days to present a report to the Council.

On December 9, 2025, the Missing Voice Committee presented their Final Report (attached) to the Council. The report was hand-delivered during the meeting and Council had not had a chance to review. Discussion was tabled until the Council had time to review. The Committee required the Council to follow-up in January with details of what the Council intended to implement from the report and when. January 13 was designated as the date for that follow-up. The Committee also required a 6-month follow up.

### ANALYSIS/STAFF RECOMMENDATION:

Staff has thoroughly reviewed the Missing Voice Committee Final Report. The full text of staff's analysis on a point-by-point basis is attached. Staff makes the following recommendations for implementation:

- Council should hold a policy discussion on proactive v. reactive code enforcement during the annual Strategic Planning Retreat. Staff has taken the liberty of putting this on the agenda for the retreat and is already preparing a report.
- Council should hold a policy discussion (probably at the same time as the above policy discussion) regarding enforcement on "safety hazard" issues only. If the Council chooses to enforce safety hazards only, then staff recommends repeal of all local ordinances that the Town Council wishes to not have enforced.
- Send the Code Enforcement Officer to a de-escalation training

- Publish semi-annual code enforcement report online (same one that is delivered to Council)
- Revise code enforcement warning notices to have less punitive tone
- Update Code Enforcement Policy appeals process to include a deadline/timeline
- Do a marketing campaign for the “Yellow Button” (311 “Report an Issue” feature on the Town website) to try to push formal “complaints/issues” through a process that can be tracked and reported semi-annually to Council, redacting any names, addresses or personal information
  - Staff recommends including in the marketing campaign that people can use 311 to report things that they think are going well too
- On the website under Projects and in social media posts where projects are discussed, create a link for people interested in project updates to submit their email address. Use that email list to send important updates as necessary with information like road closures, delays, etc
- Investigate cost to implement online GPS reporting system for snow plowing
- Council should review existing snow removal policy before next winter
- Staff is currently in the process of implementing a new business licensing software. We had intended to have it implemented prior to the 2026 license renewals, but the City Inspector software we already have and use for several facets of our operation proved insufficient for our business licensing needs. So we are now aiming for implementation of another software in 2026 for 2027 renewals. The hope is that this will eliminate many of the inefficiencies in the business licensing process as well as improve communication with licensees.

### **FINANCIAL IMPLICATIONS:**

Financial implications of implementing the above recommendations has yet to be determined, but will be fleshed out in upcoming months as the strategic planning and budget processes proceed. Staff does note, though, that full implementation of the Committee’s recommendations would require either significant cuts elsewhere in the General Fund budget or a property tax increase – largely due to the recommendation of hiring a full-time public information officer which would likely cost over \$100,000 annually.

### **PROPOSED MOTION:**

Item is discussion only. No motion is necessary.

### **ATTACHMENTS:**

- A – Missing Voice Committee Scope
- B – Missing Voice Committee Citizen Survey
- C – Missing Voice Committee Final Report
- D – Detailed Staff Analysis of Missing Voice Committee Final Report

# **Brian Head Missing Voice Committee**

## **Ad Hoc Agenda and 90-Day Execution Plan**

### **Introduction**

The Ad Hoc Committee was formed in response to community concerns regarding interactions between citizens, Town Board Members, and Town Hall. Residents have expressed a desire for improved communication, consistency, and responsiveness across departments.

It is important to note that all facets of town government should not view this committee as an aggressive or adversarial body. In good governance, committees are formed to provide fresh light and constructive pathways to express the need for change within the government. As with all government, the ultimate responsibility is to serve the people.

Citizens believe government must continue to evolve in order to better meet community needs, with a focus on:

- Department policies
- Public interaction
- Consistency
- Willingness to change and self-evaluate

### **Purpose**

To deliver clear and actionable recommendations to the Town Board that identify the top three issues per department and provide solutions to improve communication, efficiency, and professional standards.

### **Scope**

- Departments to be interviewed: Building, Public Works, Code Enforcement, Public Safety, Business Licensing, Human Resources.
- Leadership interviews: Department heads, staff as needed, Town Board Members, the Mayor, and Town Manager.
- Citizen input: Collected through surveys and possibly at least one public forum.
- Complaint data: Reviewed for recurring issues.
- Final report: Includes the top three issues per department and recommended actions.

## **Committee Members**

- Troy Benson — Chair
- Wendy Weatherwax
- Logan Cruz
- Steve Singer
- Don Evans
- Skylar Bennett

## **Timeline & Milestones**

### **Month 1 (Days 1–30): Kickoff & Data Collection**

- Launch citizen survey
- Begin compiling 12-month complaint data
- Schedule interviews with department heads, staff as needed, Town Board members, the Mayor, and Town Manager

Committee Actions by End of Month 1:

- Citizen survey launched and open for responses
- Complaint data collection underway

### **Month 2 (Days 31–60): Engagement & Information Gathering**

- Conduct interviews with department heads, staff as needed, Town Board members, the Mayor, and the Town Manager
- Continue collecting survey responses
- Hold public forum for feedback (if needed)
- Analyze complaint data

Committee Actions by End of Month 2:

- Interview summaries documented
- Public forum notes recorded (if held)
- Preliminary recurring issues identified

## **Month 3 (Days 61–90): Analysis & Recommendations**

- Finalize top three issues per department
- Draft and finalize recommendations report
- Day 80–85: Present report to Town Board
- Day 90: Public closeout and release of final report

Committee Actions by End of Month 3:

- Final recommendations report completed
- Presentation delivered to Town Board
- Findings released publicly

## **Expected Outcomes**


- Clear, prioritized list of issues across all departments
- Leadership input integrated through interviews
- Actionable recommendations for the Town Board
- Improved citizen engagement and communication
- Empower the Town Board, through citizen input, to provide clear and consistent direction for how the town's operations and interactions are conducted
- Establish a six-month review process to ensure accountability and integrity across all levels of government

## Brian Head Property Owner/Homeowner Survey

Confidential and Anonymous - approximately 15 minutes to complete

bret.howser@gmail.com [Switch account](#)



 Not shared

### About You and Your Connection to Brian Head

1. Are you a full-time or part-time resident of Brian Head?

☐ Full-time

☐ Part-time

2. How much time do you spend in Brian Head each year?

☐ 0-3 months

☐ 3-6 months

☐ 6+ months

3. Do you own a short-term rental in Brian Head?

☐ Yes

☐ No



4. Do you own undeveloped land in Brian Head?

☐ Yes

☐ No

5. If you own land, do you plan to build within the next 3 years?

☐ Yes

☐ No

☐ Unsure

6. What originally drew you to Brian Head, or what do you value most about Brian Head?

Your answer

### **Brian Head Community Survey Questions**

7. How do you currently feel about the direction and growth of Brian Head Town?

☐ Highly satisfied

☐ Above average

☐ Average

☐ Below average

☐ Dissatisfied

8. What is the Town doing well? You may select more than one.

- ☐ Enforcement of Town Code
- ☐ Keeping Community Safe
- ☐ Regulating for Smart Attractive Growth
- ☐ Public Communications
- ☐ Parks and Trails
- ☐ OHV Enforcement/Regulations
- ☐ Road Repaving/Maintenance
- ☐ Snow Removal
- ☐ Water and Sewer Service
- ☐ Trail Maintenance
- ☐ Garbage Services
- ☐ Other:



9. What does the Town need to improve on? You may select more than one.

- ☐ Enforcement of Town Code
- ☐ Keeping Community Safe
- ☐ Regulating for Smart Attractive Growth
- ☐ Public Communications
- ☐ Parks and Trails
- ☐ OHV Enforcement/Regulations
- ☐ Road Repaving/Maintenance
- ☐ Snow Removal
- ☐ Water and Sewer Service
- ☐ Trail Maintenance
- ☐ Garbage Services
- ☐ Other:

### **Building & Permitting**

10. Have you applied for permits or worked with the Building Department?

- ☐ Yes
- ☐ No

How would you rate the clarity and consistency of communication you received during the permitting process?

- ☐ Excellent
- ☐ Good
- ☐ Fair
- ☐ Poor

12. The online permitting process is clear and effective.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly Agree

13. Guidance on what requires a permit is clear.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly Agree

14. Owner-builders and contractors are treated equally.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly Agree

15. There is favoritism toward certain builders/contractors.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly Agree

16. Please share positive/negative experiences with the Building Department.

Your answer

**Code Enforcement**

17. Code enforcement is applied fairly and consistently.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree

18. I have been asked to meet requirements that were not documented in official Town codes or regulations.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly Agree

19. Code enforcement treats citizens professionally.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly Agree

20. I prefer a reactive approach (complaint-based) vs proactive patrols relating to code enforcement.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly Agree

21. Based on your observations or experiences, Code Enforcement staff are adequately trained and supported.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree

22. Please share positive/negative experiences with Code Enforcement.

Your answer

**Public Works & Infrastructure**

23. How would you rate the quality of Snow Removal services for Town maintained roads?

- ☐ Exceeds expectations
- ☐ Meets expectations
- ☐ Needs improvement

24. During snow removal operations have you experienced snow being deposited in your driveway or on your property in a way that created access issues?

- ☐ Yes
- ☐ No

25. How would you rate the condition and maintenance of public town roads?

- ☐ Exceeds expectations
- ☐ Meets expectations
- ☐ Needs improvement

26. When the Town completes a project, it restores affected property to the same standard expected of private property owners.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly Agree

27. Public Works completes projects thoroughly and on time.

- ☐ Always
- ☐ Usually
- ☐ Rarely

28. Utility extensions are handled fairly pertaining to the town code.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly Agree

29. Share positive/negative experiences with Public Works.

Your answer

### **Town Council & Communication**

30. I know who my Town Council members are.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly Agree

31. Council members should be more visible and approachable.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree

32. The Town Council listens to citizen concerns.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly Agree

33. The Town communicates updates effectively.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree

34. I have experienced runaround when contacting the Town.

- ☐ Yes
- ☐ No



35. The Town's website/calendar/Facebook provides me the information I need.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly Agree

### **Staff & Professionalism**

36. Overall, my interactions with Town staff have been professional.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly Agree

37. Please share positive/negative experiences with Town Staff.

Your answer

### **Town Amenities**

38. Overall satisfaction with town amenities (Bristlecone Park/Pond, Town Trail)

- ☐ Exceed expectations
- ☐ Meets expectations
- ☐ Needs improvement

39. What additional amenities would you like to see and/or how can existing ones be improved?

Your answer

40. What do you love most about Brian Head?

Your answer

41. One improvement you would like to see in 5 years?

Your answer

42. Any additional positive/negative experiences or suggestions:

Your answer

Submit

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# **BRIAN HEAD TOWN MISSING VOICE COMMITTEE FINAL REPORT**

**Executive Summary**

**Report 1 - Service Area Recommendations**

**Report 2 - Strategic Organizational Recommendations**

**Presented to the Town Council – December 9, 2025**

**Prepared By**

**Missing Voice Committee**

**Troy Benson, Don Evans, Wendy Weatherwax,**

**Logan Cruz, Steve Singer, Skylar Bennett**

**Purpose**

**A concise, data-driven review of community sentiment, with recommendations to improve communication, transparency, and operational effectiveness.**

# EXECUTIVE SUMMARY

The Missing Voice Committee was formed to gather meaningful feedback from residents, property owners, and businesses. A total of 456 citizen surveys and 58 business surveys participated, providing one of the most comprehensive insights into community sentiment Brian Head has ever collected. This Executive Summary highlights what the community appreciates, where gaps exist, and how Reports 1 and 2 work together to support both immediate improvements and long-term structural success.

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## What Residents Appreciate

Despite concerns that surface throughout the surveys, residents consistently expressed deep appreciation for:

- **Public Safety:** friendly, professional, and dependable
- **Winter Operations:** hardworking crews navigating extreme conditions
- **Amenities & Quality of Life:** the natural beauty, recreation, and peacefulness of Brian Head

Even in areas that received constructive criticism, residents emphasized that they want fairness, transparency, and consistency—not relaxed standards.

Among all areas, Code Enforcement generated the highest volume of negative feedback—not because residents oppose standards, but because they want clearer communication, more consistent processes, and enforcement that feels supportive rather than punitive. This signals genuine opportunities to refine education, process transparency, and fairness.

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## Where the Surveys Show Gaps

Several themes emerged across all respondent groups:

- **Strong perception of over-policing:** Many full-time residents feel Code Enforcement relies too heavily on proactive patrols instead of a complaint-driven model, creating tension

and reducing trust.

- Communication gaps: Residents often feel uninformed about upcoming projects, timelines, or impacts.
- Lack of follow-up: Complaints and inquiries frequently receive delayed or no acknowledgment.
- Unclear processes: Ordinances and procedures often feel confusing, inconsistent, or difficult to navigate.
- Lack of an appeals process: Residents expressed frustration that Code Enforcement decisions offer no clear, fair, accessible mechanism for appeal.
- Transparency gaps: Residents want more visibility into decisions, updates, and expectations.

These concerns are not random or department-specific. They reveal structural underlying issues—systems, communication pipelines, and accountability frameworks that need strengthening.

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## **Report 1: Immediate Operational Fixes**

These are the concrete, resident-facing improvements that directly address the issues people experience in their daily interactions with the Town.

Residents and businesses highlighted:

- frustrating enforcement interactions
- unclear or missing follow-up on complaints
- lack of notice before Town projects and disruptions
- inconsistent winter communication
- unpredictable business licensing processes

Implementing Report 1 will produce visible, near-term improvements that residents can immediately appreciate. These fixes improve service quality and reduce friction.

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## Report 2: Long-Term Structural Improvements

Beyond day-to-day challenges, survey results indicate deeper issues that stem from organizational structure, communication systems, leadership alignment, and accountability frameworks.

These include:

- no unified communication system connecting all departments
- inconsistent internal expectations
- variable follow-through on resident issues
- absence of standardized leadership practices
- gaps in Council-to-Manager direction
- unclear chain-of-accountability within Town processes

Several of these issues are amplified by an underdefined chain of accountability, which contributes to inconsistent communication, unclear roles, and uneven follow-through.

Report 2 focuses on two strategic, long-term solutions that strengthen the Town's internal systems. These improvements empower the Town Manager and staff, clarify governance roles, and create consistency across all departments.

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## How They Work Together

- Report 1 improves what residents experience
- Report 2 improves the systems that produce those experiences

Together, they offer the strongest and most sustainable path forward—one that addresses immediate needs while building a foundation for long-term organizational excellence.

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## The Role of the Town Council

Brian Head operates under a clear chain of command:

Residents → Town Council → Town Manager → Staff

This structure ensures:

- Residents bring concerns to their elected representatives
- The Council sets expectations, policy direction, and oversight
- The Town Manager executes those expectations through staff

Most survey issues stem from structural, not personal gaps—unclear expectations, inconsistent processes, and missing communication frameworks. These are governance-level responsibilities that the Council is uniquely positioned to strengthen.

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## Next Steps & Accountability Timeline

To ensure measurable progress:

1. Each council member spends adequate time reviewing both reports by 12/31
2. Council identifies which recommendations to implement over the next six months
3. Council presents an implementation plan the first week of January, including timelines, responsible parties, and communication expectations
4. A six-month follow-up review is scheduled with the Committee to assess progress and reinforce accountability

As a potential long-term enhancement, the Town may consider district-based Council representation. While not a formal recommendation of this report, such a model could strengthen resident representation and distribute oversight more evenly across the community.

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## Closing

Brian Head is filled with residents, businesses, staff, and leaders who care deeply. These recommendations are not about blame—they are about alignment. With clear Council direction, structural support for the Town Manager, and consistent communication systems, the Town can move from reactive problem-solving to a proactive, unified approach that strengthens trust and long-term community satisfaction.

# REPORT 1 — Scope Required Report

## INTRODUCTION

A total of 456 citizen surveys and 58 business surveys were submitted. The data makes one truth unmistakably clear:

Brian Head is serving visitors well — but full-time residents do not feel heard or supported.

This report reflects the voice of the people who live in Brian Head — the people the Town Council was elected to represent.

This report provides the specific improvements residents and businesses have asked for, structured into four major service areas. Each section contains:

1. Three core recommendations (as required by the committee's scope)
2. Tactical supporting actions
3. "Importance Tier" scores based on survey frequencies
4. Benchmarks for accountability

A final section addresses non-core but commonly requested improvements.

These recommendations are the highest-impact improvements residents and businesses want most. They represent visible, public-facing frustrations residents experience day-to-day.

All recommendations are:

- Survey-driven
- Non-political
- Rooted in fairness, clarity, and communication
- Aligned with the Council's governing role

A short statement in the closing connects these operational improvements to the structural solutions outlined in Report 2.

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# 1. CODE ENFORCEMENT

Overall sentiment: Mixed; major issues are tone, clarity, and consistency.

Code Enforcement received the highest negative sentiment of any community service area, especially among full-time residents. Respondents repeatedly cited confusion about ordinances, inconsistent enforcement, unclear expectations, and a feeling of being “over-policed” at times.

Residents also emphasized that the effectiveness of Code Enforcement depends heavily on interpersonal fit and communication style, underscoring the importance of staffing this position with someone who can balance firmness with respect, clarity, and professionalism.

These recommendations focus on establishing fairness, clarity, and consistency — not weakening standards.

Residents and businesses were clear: They want fair, consistent, understandable enforcement.

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## CE-1: Adopt Reactive Enforcement

### Description:

Residents overwhelmingly expressed that Code Enforcement should be triggered by clear complaints or safety concerns rather than routine patrols, making a reactive model the most aligned with community expectations.

### Tactical Actions:

- Prioritize enforcement only when:
  - a complaint is filed
  - a safety hazard exists
  - a clear, objective violation is visible
- Publish enforcement triggers online
- Train CE staff in a “support-first” communication tone

- Review enforcement logs publicly with the Council quarterly

Metrics / KPIs:

- Reduction in proactive patrol citations
  - Complaints acknowledged within 72 hours
  - Resident satisfaction ratings regarding CE interactions
  - Six-month trend of reduced CE-related negative sentiment
- 

## **CE-2: Adopt “Educate Before Enforce” Policy**

Description:

Residents want clear expectations, warnings, and time to correct issues before fines or citations.

Tactical Actions:

- Issue “notice of concern” with timelines before escalating to citations
- Provide 7–30 day correction windows
- Provide photo examples and short guides
- Send follow-up reminders before escalation

Metrics / KPIs:

- 70% of violations resolved at education stage
  - Reduction in “punitive tone” complaints
-

## **CE-3: Publish a Plain-Language Enforcement Guide and Establish an Appeals Process**

### **Description:**

Residents want consistent, transparent enforcement and a fair way to contest decisions.

### **Tactical Actions:**

- Create a simple, visual enforcement guide outlining:
  - timelines
  - processes
  - ordinance summaries
  - examples
- Establish a formal appeals process overseen by the Council
- Simplify tree-removal guidance (especially dead trees)

### **Metrics / KPIs:**

- Enforcement Guide distributed annually to residents
- Number of appeals and resolution time
- Complaints related to unclear processes
- Year-over-year reduction in CE misunderstandings

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## **2. TOWN ADMIN / COMMUNICATION**

Overall sentiment: Very low among full-time residents

Primary complaint: "Town never responds."

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## **TA-1: Centralized Complaint Submission and Tracking System**

### **Description:**

Residents reported that complaints often “disappear.” A single standardized system increases transparency and accountability.

### **Tactical Actions:**

- All complaints routed to a centralized email (managed by Logan Cruz)
- Logged in a central tracking tool
- Reported to the Council bi-weekly or monthly
- Council discusses and assigns immediate action plans
- Complaint email is published on the Town website
- All staff redirect complaints to this central address

### **Metrics / KPIs:**

- 100% of complaints logged
- Council review at every meeting
- Public visible follow-up

### **Optional Future Enhancement:**

Brian Head may consider dividing into geographic districts and assigning each Council member responsibility for district communication and complaint oversight. This enhances representation and ensures shared accountability.

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## **TA-2: Standardize Response Times for All Resident Inquiries**

### **Description:**

Lack of follow-up is one of the most consistent frustrations across surveys.

### **Tactical Actions:**

- 48–72 hour acknowledgment standard
- 7–10 day status update expectation
- Identify a responsible individual for each inquiry
- Publish these standards publicly

### **Metrics / KPIs:**

- 90% acknowledgment rate
  - Response time averages by department
  - Number of overdue responses
  - Resident satisfaction with communication
- 

## **TA-3: Town-Wide Project Notification and Transparency System**

### **Description:**

Residents expressed frustration about not knowing when planned Town projects would affect roads, properties, or utilities.

### **Tactical Actions:**

- Post all planned Town projects — including road work, dust mitigation, utility work, construction, and seasonal maintenance — on:

- the Town website
  - social media
  - newsletters
- Provide direct notifications to residents affected by scheduled work
- Include:
  - project timeline
  - impact area map
  - expected delays
  - responsible staff contact information
- Update weekly during construction season

Metrics / KPIs:

- Number of projects posted on time
  - Resident awareness levels
  - Reduction in "I didn't know this was happening" complaints
- 

## 3. PUBLIC WORKS

### PW-1: Real-Time Winter Communication

Description:

Residents value Public Works but struggle to know when roads will be plowed, which areas are prioritized, and how storms are progressing.

Tactical Actions:

- Live updates during storms
- Publish plow progress maps
- Provide priority route explanations
- Use consistent communication channels in severe weather

Metrics / KPIs:

- Reduction in winter communication complaints
  - Engagement rate with communication channels
  - Average response time to winter inquiries
- 

## **PW-2: Reduce Excessive Berm Build-Up**

Description:

Berms are a major source of frustration.

Tactical Actions:

- Train operators on berm-reduction best practices
- Require secondary passes on steep berm areas
- Track severe berm events for follow-up within 12 hours

Metrics / KPIs:

- Number of berm-related complaints
  - 100% operator training completion
  - Seasonal trend of complaints
-

## **PW-3: Publish Annual Winter Operations Guide**

Description:

This guide prepares residents before the season begins and clarifies expectations.

Tactical Actions:

- Publish the guide every fall
- Include maps, policies, FAQs, berm explanations
- Distribute through website, utility emails, and newsletters

Metrics / KPIs:

- Guide views/downloads
  - Reduction in storm misunderstandings
  - Increased resident preparedness
- 

## **4. BUSINESS LICENSING & STR**

### **BL-1: Clear Licensing Instructions and Timelines**

Description:

Businesses want predictable processes.

Tactical Actions:

- Online licensing guide
- Processing timelines
- Direct contact for questions

- Annual renewal reminders

Metrics / KPIs:

- Licensing cycle time
  - Number of incomplete applications
  - Business satisfaction ratings
- 

## **BL-2: Improve Communication Standards**

(Covered under TA-2)

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## **BL-3: Biannual Business Meeting Led by the Mayor**

Description:

Creates engagement and restores trust.

Tactical Actions:

- Hold two meetings per year
- Include Q&A and Town updates
- Invite all businesses operating locally

Metrics / KPIs:

- Meeting participation
  - Post-meeting satisfaction
-

## OTHER COMMON REQUESTS (Non-Core)

Although outside committee scope, residents and businesses commonly requested:

- A snowmobile trail left open along key roadways
  - Additional dust mitigation in summer
  - Simplified routine dead-tree removal policy
  - Recreational winter and summer trail improvements
  - More entertainment and activities
  - Resident-focused planning principles
  - Support for additional restaurants and amenities
  - Review of Council compensation
- 

## CLOSING

Report 1 addresses public-facing improvements.

Report 2 addresses structural causes.

Together they provide meaningful progress, whether adopted individually or in combination.

# REPORT 2 — Strategic Organizational Recommendations

A supplemental advisory report prepared by the Missing Voice Committee

(Not part of the official service-area recommendations in Report 1)

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## I. Introduction

The citizen and business surveys revealed a clear and consistent pattern:

Most frustrations between residents and the Town stem from gaps in communication, follow-through, and internal alignment — not from the underlying services themselves.

- Public Works performs well.
- Code Enforcement standards are not the problem; clarity and consistency are.
- Business Licensing is workable, but unpredictable and unclear.

Across nearly every service area, the root of frustration was the same:

Residents don't know what's happening, why it's happening, when it's happening, or whom to ask.

This is not a failure of individual employees.

Nor is it a failure of effort.

The deeper issue is structural:

Survey results suggest that the Town does not currently operate under a unified leadership framework, consistent communication standards, or a clear accountability structure.

These conditions lead to:

- Inconsistent public messaging



- Slow or missing follow-up
- Uneven enforcement
- Unpredictable service experiences
- Resident confusion
- Staff frustration
- Turnover
- Erosion of trust

Report 1 addresses the symptoms residents experience.

Report 2 addresses the likely root causes behind those symptoms.

This report presents two strategic, long-term solutions that would materially strengthen Town operations, internal alignment, public communication, and resident trust:

1. Adoption of a High-Performance Public Organization Leadership Framework (ICMA or similar)
2. Hiring a PR / Communications Coordinator

These are not “nice-to-haves.”

They directly address the structural problems revealed by the survey data and create the foundation for long-term success.

The responsibility for implementing these structural solutions lies with the Town Council, through its oversight role — not with staff individually.

This is not about assigning blame, but about establishing the systems the Town needs to succeed.

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## **II. Evidence From the Surveys: Communication Is the #1 Root Cause**

Across 456 homeowner responses and 58 business responses, the same patterns appeared in every service area.

## **1. Public Works**

Residents praised staff, effort, and plowing quality.

Frustrations were entirely communication-related:

- No notice of plow timing
- No communication during storms
- Unpredictable berm cleanup
- No place to check updates

→ These are communication issues, not operational failures.

---

## **2. Code Enforcement**

Residents did not say:

- "I disagree with the rules."

They said:

- Notices are unclear
- Tone is inconsistent
- Timelines are confusing
- No guide or flowchart
- Different staff interpret differently

→ These are clarity and communication issues — not enforcement standards.

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### **3. Business Licensing / STR**

Business owners consistently reported:

- Confusing applications
- No explanations for fees
- Rules changing without notice
- No predictable communication pipeline

→ Again, communication and expectation-setting failures.

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### **4. Town Administration**

This area showed the strongest negative feedback:

- Emails not returned
- Calls unanswered
- Residents unsure who to contact
- Lack of transparency
- Outdated or inconsistent information
- Very little proactive communication

Residents did not say:

- "Town staff are incompetent."

They said:

- "I never hear back."
- "I didn't know that was happening."

- “I don’t know who to talk to.”

→ These are organizational communication failures, not personnel issues.

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### **III. Root Cause: Lack of Leadership Alignment, Structure, and Communication Frameworks**

Survey data — combined with observable patterns — strongly suggest:

The Town does not have consistent internal leadership practices, communication structures, or cross-department alignment.

This is visible in three major ways:

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#### **1. Inconsistent Service Delivery Across Departments**

Residents experience different standards depending on who they talk to.

This inconsistency occurs when leadership does not provide:

- Standardized expectations
  - Unified communication
  - Internal alignment
  - Clear escalation pathways
  - Consistent follow-up standards
- 

#### **2. Avoidance of Conflict → Avoidance of Leadership Accountability**

Multiple current and former employees have reported:

- Difficult conversations are avoided

- Staff are not guided or corrected
- Issues linger instead of being addressed
- Morale problems accumulate

This is not about personality or intent.

It is about missing systems that support leaders in managing conflict and guiding staff effectively.

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### **3. Lack of Internal Communication Structure**

Evidence suggests:

- No weekly alignment meetings
- No formal departmental reporting
- No cross-department accountability
- No consistent follow-up standards
- No internal communication protocol

Every high-functioning organization — public or private — has these systems.

Evidence suggests that Brian Head currently does not.

This is not a Town Manager failing.

This reflects the absence of a leadership framework the Town Manager can operate within.

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## **IV. Chain of Command: The Council's Foundational Role**

Brian Head's government structure is clear:

Residents → Town Council → Town Manager → Staff

The survey results show frequent confusion about accountability:

- Residents send complaints to staff
- Staff respond inconsistently
- Leadership issues remain unaddressed
- Council is unaware of patterns

A clarified, reinforced chain of command ensures:

- The Council sets expectations and direction
- The Town Manager leads and implements
- Staff follow aligned processes
- Residents know exactly where to bring concerns

This is the Council's role.

Creating alignment and accountability cannot fall on staff.

It must be established at the governing level.

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## **V. Two Strategic Solutions With Town-Wide Impact**

(options for Council consideration)

Both solutions directly address the root causes of nearly every issue identified in the surveys.

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### **STRATEGIC SOLUTION 1: Adopt the ICMA High-Performance Public Organization Framework (or similar)**

Why ICMA?

ICMA is the national standard for public-sector leadership and organizational alignment.

It provides:

- Clear leadership expectations
- Consistent internal communication practices
- Departmental alignment
- Conflict management structure
- Cross-department coordination
- Performance benchmarks
- Accountability systems
- Professional development

What ICMA would solve in Brian Head:

- Inconsistent interpretation of policies
- Unclear communication standards
- Unpredictable enforcement experiences
- Slow or missing follow-up
- Lack of internal coordination
- Staff uncertainty about expectations
- Inconsistent resident interactions
- Limited leadership tools for the Town Manager

What this means practically:

ICMA gives the Town Manager:

- The tools
- The frameworks



- The alignment systems

needed to lead the organization — not just administrate it.

Council's Role:

ICMA must be adopted, directed, and supported by the Council.

The Town Manager cannot implement a full leadership framework alone.

This is a governance decision, not an operational one.

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## **STRATEGIC SOLUTION 2: Hire a PR / Communications Coordinator**

Why this matters:

Survey data shows 70–80% of resident frustration is communication-based.

One position would immediately:

- Run monthly bulletins
- Manage plow alerts and storm updates
- Maintain the website accurately and timely
- Publish project calendars and timelines
- Write clear notices and resident guides
- Coordinate business and STR communication
- Create consistent messaging across departments
- Centralize public inquiries and ensure follow-up
- Reduce the Town Manager's administrative overload
- Dramatically improve resident trust and satisfaction

This is the single most impactful operational hire the Town could make.

Council's Role:

Only the Council can authorize and prioritize this position.

This is a strategic decision requiring governing action.

---

## **VI. Conclusion**

Report 1 gives the Council targeted solutions for immediate operational improvements.

Report 2 gives the Council the strategic tools to fix the underlying causes of those issues.

Together, they offer:

- A clear path for short-term wins
- A structural foundation for long-term stability
- A leadership roadmap that aligns staff, improves communication, and restores public trust

The Town needs two things to break recurring patterns:

1. A leadership framework (ICMA or similar) to guide internal alignment
2. A communications engine (PR Coordinator) to serve residents reliably

Neither solution critiques individuals.

Both address the systems that enable employees and leaders to succeed.

Implementing these solutions is the responsibility — and the opportunity — of the Town Council.

With these two strategic steps, Brian Head can move from reactive problem-solving to long-term organizational excellence.

## **Recommendations Summary**

### **Report 1**

CE-1: Adopt Reactive Enforcement

CE-2: Adopt "Educate Before Enforce" Policy

CE-3: Publish a Plain-Language Enforcement Guide & Create an Appeals Process

TA-1: Centralized Complaint Submission & Tracking System

TA-2: Standardize Response Times for ALL Resident Inquiries

TA-3: Town-Wide Project Notification & Transparency System

PW-1: Real-Time Winter Communication

PW-2: Reduce Excessive Berm Build-Up

PW-3: Publish an Annual Winter Operations Guide

BL-1: Clear Licensing Instructions & Timelines

BL-2: Improve Communication Standards (Covered in TA-2)

BL-3: Biannual Business Meeting Led by the Mayor

### **Report 2**

STRATEGIC SOLUTION 1: Adopt the ICMA High-Performance Public Organization Framework (or something similar)

STRATEGIC SOLUTION 2: Hire a PR / Communications Coordinator

## **OTHER COMMON REQUESTS (Non-Core)**

These do NOT fall into the committee's formal scope but are worth noting:\

- A snowmobile trail left open along key roadways
- Additional dust mitigation in summer
- Simplify routine dead-tree removal; enforce large violations.
- Recreation-oriented winter/summer trail improvements
- Expanded entertainment and activities for families
- A resident-focused approach to town planning
- Support for more restaurants/amenities
- Council compensation review

## Staff Analysis of Ad Hoc Committee Recommendations:

- **Code Enforcement Policies**

- Reactive only (complaint based) enforcement policy
  - Background: Staff spent many years approaching code enforcement from a reactive standpoint (complaint based). Following the 2020 pandemic and the resultant influx of visitors to the area and building activity, the Council (and the Planning Commission and staff) felt public pressure to be more on top of code enforcement. A common refrain heard from vocal residents/business owners at the time was, “Why do we have these laws if we’re not going to enforce them?” For some issues (such as illegal tree removal [clear cutting lots with no plans to build]), responding to complaints was considered insufficient and just too late. Code enforcement was placed upon the Public Works Admin Assistant as an official duty, with the Town Manager filling in. Staff received feedback that one of the major issues was “weekend warriors” coming up and doing work without a permit on the weekends when staff wasn’t looking. So we started running occasional Saturday shifts. In 2021-22, the Council engaged in a very public process around upgrades to public safety service. The public made little distinction between traditional public safety roles and more administrative code enforcement issues. In the end, a property tax increase was approved (along with a new nightly rental tax) which funded new public safety officers (sufficient to provide overnight service and double coverage during the days) as well as a new code enforcement officer position. The Town subsequently hired a code enforcement officer, which allowed staff to be more proactive with code enforcement. Since that time, staff has routinely performed proactive code enforcement patrols, including on weekends. We also do “sweeps” of common issues – things like illegal camping in single-family residential zones, not having portable restroom/dumpster on job sites, etc. We have an enforcement policy that requires us to give a warning prior to actual fines. The vast majority of issues are resolved at the warning stage, with relatively few fines having been issued over the past few years.
  - Analysis: This is purely a policy decision for the Council. Staff is fine approaching Code Enforcement from either way. We do, however, anticipate that if we revert to a purely “reactive” approach, we will

likely begin again receiving the public comments we used to receive that we are not enforcing local ordinances sufficiently.

- Enforcement only when “Safety Hazard” exists
  - Background: Traditionally Public Safety Dept deals with issues that rise to a safety issue, and Code Enforcement tends to deal with things that are more nuisance related issues or land management related.
  - Analysis: Municipalities are tasked with creating/enforcing ordinances that are for the “Health, Safety, and Welfare” of our residents, property owners, business owners and guests. Many of our local ordinances, particularly those that are land management related, are not strictly related to immediate safety concerns. Some are for the “welfare”, which can include concerns such as visual aesthetics, audio irritants, protecting the experience that people (residents and guests alike) expect from a ski town, and safe-guarding the interests of local businesses. These are all policies squarely within the purview of the Town Council. They are also traditionally among the most hotly contested policies in municipalities. Staff generally weighs in on the practical implications of such policies, rather than the political advisability of the policy per se. In this case, where the recommendation appears to be to only enforce ordinances that have strictly health and safety ramifications – staff would only suggest that an abundance of clarity would be needed from the Council on which of those ordinances qualify as health and safety, and which ones are welfare only. The latter should be repealed -- which by staff’s estimate would result in the repeal of the majority of our land management code depending on where one draws the line on what is considered “safety.”
- Enforce only when a “Clear, objective violation is visible”
  - Analysis: Staff interprets this as meaning “do not perform investigation”. The vast majority of code enforcement issues are not clear and objective at first glance and require investigation. Staff strongly opposes a policy from the Council that simultaneously requires staff to perform any kind of enforcement (proactive or reactive) but then removes the most basic of tools (investigation) to carry out that responsibility.
- **Code Enforcement Practices**
  - Publish “enforcement triggers” online

- The Committee didn't make it particularly clear what "triggers" they are referencing, but staff is happy to publish any clear policies and standards online. As the Town Manager, I caution that anticipating all possible permutations of code violation, and what may trigger enforcement, and having all of it posted online in language that anybody can understand, is probably an impossible standard.
- Train CE Officer in "support-first" communication tone
  - I'm not aware of a pre-existing training that fits this description, but we'll keep searching for one. We have recently completed a conflict resolution training with all staff (including the CE Officer) which helped us learn about how we naturally react in situations of high stress and conflict and approaches we can take in those situations. We are also setting up our CE Officer with a de-escalation training that our Public Safety Dept attends. We also have had two supervisors personally instruct the CE Officer on proper tone and approach to potentially tense enforcement situations – this will be an ongoing effort, although it's not a formal training.
  - While training and personnel management are unambiguously the province of the Town Manager and administration rather than the Town Council or a committee, staff is happy to entertain any proposed specific trainings if the Council or community is aware of one.
- Quarterly "enforcement logs" report to Council
  - This already happens semi-annually in a summarized report, verbally delivered by the Code Enforcement Officer to both the Council and the Planning Commission. It is an action step in our strategic plan and the Council can direct staff if they wish to alter the frequency during our strategic planning process.
  - Staff suggests that a semi-annual summary report could also easily be made available to the public on our website.
- Acknowledge complaints within 72 hours
  - Assuming that this means to return an email to the complainant within 72 hours stating that we've received their complaint and will investigate, this is already standard practice, even if there is not a policy on the matter.
  - The Committee is asking that we track this data as a metric. This seems like unnecessary micro-management to me (the Town Manager) unless and until it is demonstrated that there is a significant issue with the Code Enforcement Officer being non-responsive. The

Committee's assertion that it's an issue doesn't constitute such a demonstration in my view unless they produce actual data to flesh out this claim.

- Collect resident satisfaction ratings regarding CE interactions
  - We can add this to our annual survey if the Council wishes, although I would be suspicious of the resultant data as the vast majority of respondents will not have had an interaction with Code Enforcement.
- "Educate Before Enforce"
  - This is already our standard practice. This is what the sweeps and warnings are intended to accomplish. We carefully followed this process with the camping issue, spending a summer handing out fliers rather than warnings, then doing warnings the following summer, followed by citations for those who ignored the warnings (although I'm not sure we ever actually cited anybody, if we did it was very few).
- Issue "Notice of Concern" first with correction window with photos and "short guides"
  - This is exactly what the warnings are. If the Council suggests that we take measures to alter the "tone" of the warning letter/form, we can easily do that.
- Send follow up reminders during correction window
  - In many cases, the correction window is short and reminders are not useful. In cases of longer correction windows, we can (and often do) send follow-ups. We can make it a standard courtesy practice, but I do not recommend making it an official (required) part of the due process. I think officially, once somebody receives a warning they are responsible for coming into compliance.
- Publish a "Plain Language Enforcement Guide" and "distribute annually to residents"
  - Similar to the committee recommendation to publish "enforcement triggers" online, it is unclear to me what exactly would be entailed in a "Plain Language Enforcement Guide." My concern is that hitting a target of "plain language" while having it be thorough enough to cover a breadth of topics and potential situations would be impossible. If the Council believes something like this would be helpful and can give a clear vision of what the document would be, please include it as an action step in the strategic plan and we will take our best shot at it.
  - Distributing to residents is also vague. We could use what emails people have voluntarily provided to us to distribute electronically, but



that will miss many “residents”. Or we could get physical mailing addresses from the County, but Council would have to decide that the staff time and money to do a physical mailer would be most effectively spent on this rather than other initiatives.

- Establish an appeals process “overseen” by Council
  - The Town already has an appeals process built into our Code Enforcement Policy. While staff does recommend an update to our Code Enforcement Policy in general, and specifically to the appeals process to provide more clarity and a timeline, we adamantly oppose the notion of that process being conducted by the Council. It is strictly an administrative function and in Brian Head Town’s form of government, the legislative body does not conduct administrative functions. We would consider including a member of the Council on the appeals board, though.
- Simplify tree-removal guidance (especially dead trees)
  - Here is a link to our tree removal guidance online:  
<https://brianheadtown.utah.gov/tree-removal/>  
Staff feels this is simple and easy to follow. If the committee or the Council has specific suggestions on how to make it simpler (while retaining accuracy of information), we will immediately implement those.
- Track Code Enforcement “misunderstandings”
  - I’m using this recommendation as a stand-in for several similar recommendations for staff to track code enforcement interactions, such as complaints about unclear processes and punitive tone.
  - This is vague. What constitutes a misunderstanding? If we were aware of a misunderstanding to the point where we could track it, we would also have done our best to resolve the misunderstanding rendering it a non-issue that we don’t need to track.
  - The recommendations from the committee contemplate a series of vague and difficult-to-assess metrics. Given that the committee failed to present any hard data suggesting there are broad and systemic issues with code enforcement beyond the occasional anecdotes of hurt feelings due to poor tone, I see no cause to implement such a tracking system that would chew up more staff hours than its worth and detract us from the other initiatives we have been tasked with, which already outpace our available man-hours. We can work on tone, absolutely. I am unconvinced that all of this tracking will further

the goals of improved tone that the committee is asking for, and that staff agrees is a worthy objective. If the Council is more convinced of the necessity of tracking than I am, I will consider their input.

- **Town Administration Policies**

- Council members assigned to districts
  - Staff is not aware of a formal designation of Council members to districts afforded under our statutory form of government. However if Council wishes to have an informal assignment to districts, staff would be happy to investigate that. We have no policy input on the matter.

- **Town Administration Practices**

- All complaints routed to a centralized Council email and logged in a tracking tool
  - Staff sees multiple issues with this request:
    - 1) There is some lack of clarity – what is a “complaint?” When somebody walks up to our seasonal summer helper in the park and says something out loud about how the resort should be open on Tuesdays – is that a complaint that should be logged? When somebody emails the Town Clerk saying that the process for business licensing should be on the website, and we send them a link to the business licensing process on the website – is that a complaint that needs to be sent to the Council?
    - 2) It puts Council in an administrative role (responding to complaints), which is inconsistent with our statutory form of government. What exactly does it mean that Council would “manage” the account?
    - 3) Depending on what the committee or Council considers a “complaint” requiring logging, and how the division of Council managing this account vs staff time involved, it could cost an indeterminate amount of staff time.
    - 4) There is already a yellow “Report a Town Issue” button on the Town website. No matter what page you click on the website, the button is there. If people avail themselves of this button, their issue goes to a centralized email (not Council) and is logged.
  - Staff suggests an alternative to the committee recommendation. We could produce a report to the Council of the issues submitted through the “submit an issue” feature on the website semi-annually. We could

also couple this with an advertising campaign (social media, newsletter and posters around town) encouraging use of the “report an issue” website feature.

- Council reviews complaint log at every Council meeting
  - The Council’s role is to set broad policy and see that it is administered, not to directly administer it. Reviewing logs every two weeks is too frequent to be useful in identifying trends for policy setting – this suggests that Council will be making administrative decisions for individual complaints and directing staff (micromanaging rather) on each complaint. Staff suggests a much less frequent review that is more concerned with trends that would inform policy-making.
- Complaint emails published on the website
  - Many complaint emails are pretty wild and unsubstantiated. Some contain accusations against neighbors, staff or others that – if amplified by the Town – could be considered libel. Staff strongly recommends avoiding a policy requiring all complaint emails to be posted on the website. If it is important for an individual to have their complaint publicly posted, they currently have the option of submitting a written complaint to the Council for public input at the Council meeting, and that written document must, by law, be posted along with the rest of the meeting material.
- Assign a responsible individual for each “Resident Inquiry”
  - There is an issue of lack of clarity for the handful of committee recommendations related to “resident inquiries”.
    - First, what do you mean by resident? In the strictest sense of resident (full-time resident) we receive very few inquiries or communications from permanent residents. So tracking them for response times wouldn’t take too much time, but differentiating between who is a full-time resident and who isn’t may be more difficult. Some of our staff know who many of them are, but there is a segment of our full-time population that we don’t know, and may be somewhat transient. I personally have asked multiple people if they are full-time residents and they responded to me “I don’t know.” If it’s broader than full-time resident – who is that? How do we know? When we respond to inquiries re: a nightly rental license, for example, do we need to stop and ask the applicant

whether they're a resident of some kind, and if they are we run them through a different process than all the other nightly rentals?

- And second, what do you mean by inquiry? We're no longer just talking about complaints. Every time I stop and have a chat with a resident in the community, I might receive several inquiries in that conversation. Do I need to log them?
- If the answers to these questions is: Resident means everybody and inquiry means every question asked, then this is an unadministerable standard. We get hundreds of emails a week that could be considered inquiries, and none of the people sending these emails believes they are any less important than any of the others. It is staff's job to send them to the proper staff member to respond, to prioritize them and to respond appropriately. If we are demonstrably failing to do so, please provide actual evidence, and we will adjust our practices. But we do not support creating arbitrary timelines for vaguely defined groups and triggers.
  - These proposed practices seem to be predicated upon a previously unarticulated policy – namely classifications of stakeholders, with “residents” at the top, and varying service expectations for the different classes. To date, staff endeavors to provide a consistent high level of service without respect to residential status. If it is indeed the policy of the Council, as it appears to be the policy of the committee, to afford special administrative treatment to residents, then such a policy should be made explicit and clear, and staff will suggest strategies and action steps to carry out such a policy.
- 48-72 hour acknowledgment of “resident inquiries” and 7-10 day status updates
  - Same as above
- Publish the above response standards
  - Same as above
- Post all town projects on website, social media, newsletters
  - This is already a current practice with the newsletter. We can do better on social media and the website, and we should create explicit action steps in the strategic plan to do so.
- Provide weekly direct notifications to residents affected by scheduled work including timeline, map, expected delays, and contact info

- Again, who is a resident? In this context, staff is assuming that resident includes anybody materially impacted by an construction project. In most cases, we don't have direct contact information.
- Staff suggests the following: On the website where we list the projects, and in social media posts where projects are discussed, we could create a link for people interested in project updates to submit their email address. We would then use that email list to send important updates (probably not weekly, but as necessary) with information like road closures, delays, etc.
- Measure "resident awareness levels" and "I didn't know this was happening" complaints
  - These suggested metrics are too vaguely defined to measure effectively

- **Public Works Policies**

- The recommendations from the committee indicate an expectation that the Town take responsibility for berms in driveways to a larger degree than we currently do. Here is the Town's current policy (posted on the website):

**DRIVEWAYS, RIGHT-OF-WAYS & SNOW STORAGE**

Brian Head Town Public Works makes every effort to minimize the amount of snow that gets plowed into driveways; however, it is almost inevitable that this will occur. Clearing driveway openings is the responsibility of the property owner.

Plow operators cannot lift plow blades as they pass a driveway. Snow will be plowed into driveways as snowplows perform curb to curb plowing. You may wish to clear your driveway several times during a storm or wait until the storm and plowing activities have ended. Please keep in mind that one of the last steps in any snowplowing operation is to push the edges back to widen the road and allow for future snow storage. This standard operation may result in the placement of snow at the end of your driveway, which is an unfortunate and unavoidable consequence of snow plowing.

Shoveling, plowing or blowing snow back into the street when clearing a driveway is prohibited by the Town Ordinance and could be enforced with a fine. To minimize the amount of snow left in front of your driveway, clear an area to the left of the driveway entrance. When your street is plowed, snow from the plow can be unloaded in this area instead of your driveway.

If Council wishes to change the policy, we should make it an action step on the strategic plan or Council should agendaized the topic on an upcoming meeting. Staff would need time to research common practices in other ski towns, estimate the impact on workload and budget as well as the impact to overall snow removal by spending additional time on people's driveways.

- **Public Works Practices**

- Provide live updates on plowing and progress maps
  - The most effective way to accomplish this would be to purchase GPS equipment and software that tracks Town plows. Staff is aware of

places where this is done. If Council is interested, we could explore costs for the upcoming budget.

- Publish priority route explanations
  - The Town's snow plow policy is posted online, quite conspicuously (I found it in about 12 seconds). It details our current route priorities:

**SNOW REMOVAL PRIORITIES:**

From November 1 to April 30, snow removal crews are prepared to work 24 hours a day. Streets with the most traffic receive top plowing priority. These include bus routes, and Town streets, core business areas. Once these streets are safe and passable, crews proceed with second and third priority streets and cul-de-sacs in residential areas. As long as the snow keeps falling, the Town's first priority is to keep the main roads open and passable. In such instances, it is unlikely that residential roads will be reached immediately because main roads must be repeatedly plowed and kept open. As soon as all priority streets are clear, plows will move into residential areas. Cul-de-sacs and dead-end streets are plowed last as they carry the lowest volume of traffic.

- Use “consistent communication channels” in severe weather
  - I have no idea what they mean by this, but I suppose if the Town were to purchase and use GPS trackers with an online reporting function, that would constitute the communication in severe weather the committee contemplates.
- Train on berm-reduction best practice
  - I visited with the PW crew on this topic, and we could not ascertain what training to administer beyond a reminder that – when conditions allow – we can articulate the plow at driveways to try to reduce the berm created.
- Do 2<sup>nd</sup> passes on steep berm areas
  - This would be contingent on a policy change by the Council
- Track severe berm events for follow-up within 12 hours
  - This would be contingent on a policy change by the Council
- Create and distribute (website, emails, newsletter) a “winter operations guide” with maps, policies, FAQs, berm explanations
  - We could turn our snow removal policy into a more user friendly guide. We have one available in paper form in Town Hall, but we could also distribute via website, social media, and newsletter.
- **Business Licensing Practices**
  - Provide online licensing guide
    - We have one, it is located here:  
<https://brianheadtown.utah.gov/business-licenses/>
  - Set processing timelines
    - The timelines are clearly stated on the website.
  - Provide direct contact for questions
    - Also clearly stated on the website.

- Send annual renewal reminders
  - This is already our practice. The reminders
- Hold biannual business meetings (led by Mayor) with Q&A and Town updates
  - Such meetings were included in several iterations of the Town’s strategic plan, up until just a year or two ago. Many of these semi-annual meetings were held, some with a decent turnout. Invariably, though, at these meetings the businesses expressed desire to have a Chamber of Commerce. So the Town implement strategies and action steps to merge with the Parowan Chamber of Commerce and become the Parowan & Brian Head Chamber of Commerce to provide a platform for businesses to meet together, learn together, and lobby their local governments (among other benefits). The Town Manager attends these meetings regularly to give updates to local businesses and afford them another opportunity to give input to the Town. Town staff has many times sent emails to all business owners encouraging their participation in the Chamber. It is currently the Town’s strategy to leverage the Chamber of Commerce to accomplish the purposes that the semi-annual Mayor’s lunches used to serve. Additionally, the Mayor is in the habit of personally visiting with the brick and mortar businesses throughout Town to individually solicit their ideas and input. Staff believes this is going well and does not intend to propose a shift in strategy in the upcoming plan. Council should do so if they see a need.
- **Strategic Organizational Recommendations**
  - Hire a PR/Communications Coordinator
    - Much of Report 2 seems to rehearse communication issues brought up in Report 1. These have been sufficiently addressed already. If Council wishes to hire a Public Information Officer, staff could always use the help, but cuts elsewhere in the budget would be necessary or a property tax increase would be on the table.
  - Adopt ICMA’s “High-Performance Public Organization Leadership Framework”
    - The portion of Report 2 that deals with leadership alignment and internal communication is speculative and inaccurate. The Committee apparently relied on input from disaffected former employees to generate this analysis (if they used information from current employees, then they ignored the directive from the Council to work with the Town Manager on interviewing staff). None of this

analysis was created with input from the Town Manager or Town Dept Heads. Making such definitive (and erroneous) statements in this report as: “Staff are not guided or corrected” or “No weekly alignment meetings” without consulting me on the veracity of these statements is as irresponsible as it is useless. As this section pertains purely to matters of administration, I do not believe that a legislative meeting is the proper venue to discuss it further. My door is open, any member of the Council or the Committee is welcome to come discuss my management style and practices and with me at their leisure.





# STAFF REPORT TO THE TOWN COUNCIL

## ITEM: BOARD OF EQUALIZATION – ELK DR AND BH UNIT 3 SAAs

**AUTHOR:** Bret Howser  
**DEPARTMENT:** Administration  
**DATE:** January 13, 2026  
**TYPE OF ITEM:** Legislative Action

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### SUMMARY:

Town Council will consider 2 separate resolutions creating a Board of Equalization (BOE), setting dates for BOE hearings, and providing for noticing for those hearings for each of the Elk Dr and Brian Head Unit 3 Special Assessment Areas (SAA).

### BACKGROUND/ANALYSIS:

The Elk Drive SAA was created by resolution in May 2025 and BH Unit 3 SAA created in December 2025 following a petition and requisite public noticing, hearings, and protest periods. The respective projects have been bid and we are ready to proceed with setting the assessment amount for each SAA.

The next step in that process is to create a Board of Equalization to hear appeals from individual property owners regarding their specific proposed assessments. The attached resolutions create the BOE and set dates for the BOE hearings. They also provide the noticing for the hearings which will be carried out by the Town Clerk following adoption. The hearings are proposed to be held at Town Hall on:

- Feb 11 at 1pm-2pm
- Feb 12 at 2pm-3pm
- Feb 13 at 3pm-4pm

The anticipated assessments for the SAAs would be as follows:

- Elk Dr SAA - \$537,000 total or \$22,375 per lot (9.18 value to debt ratio)
- BH Unit 3 SAA - \$876,000 or \$39,818 per lot (4.26 value to debt ratio)

The Council should direct staff regarding any changes to the dates/times they wish to hold the hearings as well as who will be on these boards. In the past, the BOE has consisted of two Council members and the Town Manager.

### FINANCIAL IMPLICATIONS:

The Town assumes some financial risk with any SAA. The Town will issue bonds (debt) for the improvements which will be retired by special assessments paid by individual property owners. If, however, individual property owners don't make their assessment payments, the Town must make those payments in order to avoid default on the bonds. The Town may begin a legal process to take the property as collateral for non-payment, but that process could take up to three years. To mitigate this risk, a debt service reserve is included as part of the bond issuance which affords a pool of cash that the Town can use to float non-payment for a period of time.

**BOARD/COMMISSION RECOMMENDATION:**

N/A

**STAFF RECOMMENDATION:**

Staff recommends approving the attached resolutions.

**PROPOSED MOTION:**

I move to adopt resolution number \_\_\_\_\_ appointing a Board of Equalization for the Elk Drive SAA with hearings to be held on [date/time], [date/time] and [date/time].

I move to adopt resolution number \_\_\_\_\_ appointing a Board of Equalization for the Brian Head Unit 3 with hearings to be held on [date/time], [date/time] and [date/time].

**ATTACHMENTS:**

A – Elk Drive BOE Resolution

B – BH Unit 3 BOE Resolution

C – Financial model for Elk Dr and BH Unit 3 SAAs

Brian Head, Utah

January 13, 2026

The Town Council (the “Council”) of the Town of Brian Head, Utah (the “Town”) met in regular session on January 13, 2026 at 1:00 p.m. at the regular meeting place of said Council at 56 North Highway 143 in Brian Head, Utah, with the following members of the Council present:

Clayton Calloway  
Logan Cruz  
Mitch Ricks  
Larry Freeberg  
Duane Nyen

Mayor  
Council Member  
Council Member  
Council Member  
Council Member

Also present:

Nancy Leigh  
Bret Howser

Town Clerk  
Town Manager

Absent:

After the conduct of other business not pertinent to the following, the Mayor stated that the Town had prepared the assessment list for the Town of Brian Head, Utah Special Tax Assessment Area No. 2024-02 (Elk Drive) for action and consideration by the Board of Equalization and by the Town Council, which assessment list is on file in the office of the Town Clerk and available for inspection by any interested property owner.

Thereupon, the following resolution was considered and fully discussed and after due consideration of said resolution by the Town Council, Council Member \_\_\_\_\_ moved and Council Member \_\_\_\_\_ seconded its adoption and the same was adopted by the following vote:

AYE:

NAY:

The resolution is as follows:

RESOLUTION NO. 26-\_\_\_\_\_

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BRIAN HEAD, UTAH, APPOINTING A BOARD OF EQUALIZATION FOR THE TOWN OF BRIAN HEAD, UTAH SPECIAL TAX ASSESSMENT AREA NO. 2024-02 (ELK DRIVE); SETTING THE DATES FOR THE BOARD OF EQUALIZATION TO HEAR AND CONSIDER OBJECTIONS AND CORRECTIONS TO ANY PROPOSED ASSESSMENTS; AUTHORIZING THE TOWN CLERK TO PUBLISH AND MAIL A NOTICE OF ASSESSMENT AND BOARD OF EQUALIZATION HEARINGS; AND RELATED MATTERS.

WHEREAS, the Town Council (the “Council”) of the Town of Brian Head, Utah (the “Town”) has previously published notice of its intention to designate the Town of Brian Head, Utah Special Tax Assessment Area No. 2024-02 (Elk Drive) (the “Assessment Area”) and held a hearing before the Council on August 27, 2024, all as required by the Assessment Area Act, Title 11, Chapter 42, Utah Code Annotated 1953, as amended (the “Act”); and

WHEREAS, up until 5:00 p.m. on October 26, 2024, persons having an interest in the Assessment Area were allowed to protest the designation of the Assessment Area, the proposed improvements within the Assessment Area, the inclusion of a property owner’s property in the Assessment Area, whether the assessment meets the requirements of Section 11-42-409 of the Utah Code Annotated 1953, as amended, or any other aspect of the proposed designation of the Assessment Area; and

WHEREAS, after protests against the designation of the Assessment Area were counted and considered, the Council designated the Assessment Area by resolution adopted on May 13, 2025; and

WHEREAS, the Town has prepared the proposed assessment list that pertains to all of the properties within the Assessment Area; and

WHEREAS, the Council desires to establish a Board of Equalization for the purpose of considering any objections and corrections to the proposed assessment list:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BRIAN HEAD, UTAH AS FOLLOWS:

Section 1. As required by law, a Board of Equalization for the Assessment Area is hereby appointed, consisting of three members of the Town Council (the “BOE”) as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Section 2. The BOE shall sit as the Board of Equalization on the special assessments proposed to be levied and assessed on the property within the Assessment Area and will meet in the Town Offices, located at 56 North Highway 143 in Brian Head, Utah on February 11, 2026, between the hours of 1:00 p.m. and 2:00 p.m.; on February 12, 2026 between the hours of 2:00 p.m. and 3:00 p.m.; and on February 13, 2026, between the hours of 3:00 p.m. and 4:00 p.m. to hear and consider any arguments from persons who claim to be aggrieved and, following the hearings, to consider all facts and arguments presented at the hearings and to and make corrections to the proposed assessments that the BOE may deem necessary to meet the requirements of the Act.

Section 3. The Town Clerk is hereby authorized and directed to post and mail, as provided by law and the ordinances of the Town, a notice of meetings of the BOE, said notice to be in substantially the following form:

## NOTICE OF ASSESSMENT AND BOARD OF EQUALIZATION HEARINGS

NOTICE IS HEREBY GIVEN that the assessment list for the Town of Brian Head, Utah Special Tax Assessment Area No. 2024-02 (Elk Drive) (the “Assessment Area”) has now been completed and is available for examination in the offices of the Town of Brian Head located at 56 North Highway 143, Brian Head, Utah. The Town Council has appointed a Board of Equalization to hear and consider arguments from any person who claims to be aggrieved by the proposed assessments to be levied within the Assessment Area, including arguments relating to (a) the amount of benefits accruing to the property proposed to be assessed or (b) the amount of the proposed assessment.

The assessments levied are for the purpose of financing the costs certain water system improvements and other necessary miscellaneous improvements in and around the Elk Drive area of the Cedar Breaks Mountain Estates Unit C subdivision, Iron County, Utah (the “Improvements”) (for the benefit of the properties within the Assessment Area). The estimated acquisition, construction and installation costs of the Improvements within the Assessment Area, including estimated overhead costs, administrative costs, costs of funding reserves, and debt issuance costs, is estimated at \$537,000, the entire amount of which is expected to be levied against benefitted property within the Assessment Area on a per lot basis (the “Assessment”). The unit cost is each property’s equal share of the Improvements applicable to each property/lot as described in this notice. The Town of Brian Head, Utah (the “Town”) will not contribute any of its own funds for the Improvements.

As required by law, three persons have been duly appointed to act as the Board of Equalization on the assessments proposed to be levied on the property benefitted within the Assessment Area. The Board of Equalization for assessments proposed to be levied on the affected property within the Assessment Area will meet in the Brian Head Offices, located at 56 North Highway 143 in Brian Head, Utah on February 11, 2026, between the hours of 1:00 p.m. and 2:00 p.m.; on February 12, 2026 between the hours of 2:00 p.m. and 3:00 p.m.; and on February 13, 2026, between the hours of 3:00 p.m. and 4:00 p.m. to hear and consider any objections to and make any corrections of any proposed assessments that the Board of Equalization may deem necessary to meet the requirements of the Assessment Area Act, Title 11, Chapter 42, Utah Code Annotated 1953, as amended.

The assessment list and amounts of the proposed assessment against each parcel of property have been completed and are available for public examination in the offices of the Town of Brian Head, 56 North Highway 143, Brian Head, Utah for public examination from 9:00 a.m. to 5:00 p.m. Monday through Friday.

After the Board of Equalization has held all hearings and has made all corrections the Board of Equalization considers necessary to comply with the law, the Board of Equalization will report its findings to the Town Council.

By resolution of the Town Council of the Town of Brian Head, Utah, this January 13, 2026.

(SEAL)

/s/ Nancy Leigh

Town Clerk

Section 4. The Town Clerk is hereby directed to enter the foregoing proceedings upon the records of the Town, and to cause the notice set forth in Section 3 to be published as a Class B Notice under Section 63G-30-102, Utah Code Annotated 1953, as amended, for at least 20 days but not more than 35 days before the date on which the first hearing of the Board of Equalization is held. As a Class B Notice, the Town Clerk shall cause a copy of the notice set forth in Section 3 above to be mailed, postage prepaid, to each owner of property to be assessed within the Assessment Area at the last known address of such owner using for such purpose the names and addresses appearing on the last completed real property assessment rolls of Iron County. In addition, a copy of such notice shall be addressed to "Owner" and shall be so mailed, addressed to the street number (or post office box, rural route number, or other mailing address of the property, if a street number has not been assigned) of each of the improved properties to be affected by the assessment.



ADOPTED AND APPROVED this January 13, 2026.

(SEAL)

By: \_\_\_\_\_  
Clayton Calloway, Mayor

ATTEST:

By: \_\_\_\_\_  
Nancy Leigh, Town Clerk

STATE OF UTAH                    )  
  : ss.  
COUNTY OF IRON                )

I, Nancy Leigh, the duly appointed, qualified, and acting Town Clerk of the Town of Brian Head, Utah (the “Town”), do hereby certify that the foregoing is a full, true, and correct copy of the minutes of a regular meeting of the Town Council of the Town held in Brian Head, Utah on January 13, 2026 at 1:00 p.m., as recorded in the regular official book of minutes as kept in my official office, that said proceedings were duly had and taken as therein shown, and that all the members of the Town Council were given due, legal, and timely notice of said meeting as therein shown.

I further certify that I published or caused to be published a Notice of Assessment and Board of Equalization Hearings (the “Notice”) for the Town of Brian Head, Utah Special Tax Assessment Area No. 2024-02 (Elk Drive), as a Class B Notice under Section 63G-30-102, Utah Code Annotated 1953, as amended, for at least 20 days but not more than 35 days before the day on which the first hearing of the Board of Equalization is held.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Brian Head, Utah, this January 13, 2026.

(SEAL)

By: \_\_\_\_\_  
Nancy Leigh, Town Clerk

STATE OF UTAH                    )  
  : ss.  
COUNTY OF IRON                )

MAILING CERTIFICATE

I, Nancy Leigh, the duly appointed, qualified, and acting Town Clerk of the Town of Brian Head, Utah, do hereby certify that I mailed a copy of the Notice of Assessment and Board of Equalization Hearings (the “Notice”) of the Board of Equalization, postage prepaid, to each owner of property to be assessed within the Town of Brian Head, Utah Special Tax Assessment Area No. 2024-02 (Elk Drive), at the last known address of such owner, using for such purpose the names and addresses appearing on the last completed real property assessment rolls of Iron County and, in addition, I mailed, postage prepaid, a copy of such Notice addressed to “Owner” at the street number (or post office box, rural route number, or other mailing address of the property, if a street number has not been assigned) of each piece of improved property to be assessed. Said Notices were mailed by me on January \_\_\_, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Brian Head, Utah, this January 13, 2026.

(SEAL)

By: \_\_\_\_\_  
Nancy Leigh, Town Clerk

## CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Nancy Leigh, the undersigned Town Clerk of the Town of Brian Head, Utah (the "Town"), do hereby certify, according to the records of the Town in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the January 13, 2026 public meeting held by the Town Council of the Town as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the Town's principal offices on January 9, 2026, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the Town's official website at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2026 Annual Meeting Schedule for the Town Council (attached hereto as Schedule 2) was given specifying the date, time, and place of the regular meetings of the Town Council to be held during the year, by causing said Notice to be (a) posted on January 9, 2026 at the principal office of the Town, (b) provided to at least one newspaper of general circulation within the Town on January 9, 2026, and (c) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this January 13, 2026.

(SEAL)

By: \_\_\_\_\_  
Nancy Leigh, Town Clerk

SCHEDULE 1

NOTICE OF MEETING

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

Brian Head, Utah

January 13, 2026

The Town Council (the “Council”) of the Town of Brian Head, Utah (the “Town”) met in regular session on January 13, 2026 at 1:00 p.m. at the regular meeting place of said Council at 56 North Highway 143 in Brian Head, Utah, with the following members of the Council present:

Clayton Calloway  
Logan Cruz  
Mitch Ricks  
Larry Freeberg  
Duane Nyen

Mayor  
Council Member  
Council Member  
Council Member  
Council Member

Also present:

Nancy Leigh  
Bret Howser

Town Clerk  
Town Manager

Absent:

After the conduct of other business not pertinent to the following, the Mayor stated that the Town had prepared the assessment list for the Brian Head Unit 3 Assessment Area for action and consideration by the Board of Equalization and by the Town Council, which assessment list is on file in the office of the Town Clerk and available for inspection by any interested property owner.

Thereupon, the following resolution was considered and fully discussed and after due consideration of said resolution by the Town Council, Council Member \_\_\_\_\_ moved and Council Member \_\_\_\_\_ seconded its adoption and the same was adopted by the following vote:

AYE:

NAY:

The resolution is as follows:

RESOLUTION NO. 26-\_\_\_\_\_

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BRIAN HEAD, UTAH APPOINTING A BOARD OF EQUALIZATION FOR THE BRIAN HEAD UNIT 3 ASSESSMENT AREA; SETTING THE DATES FOR THE BOARD OF EQUALIZATION TO HEAR AND CONSIDER OBJECTIONS AND CORRECTIONS TO ANY PROPOSED ASSESSMENTS; AUTHORIZING THE TOWN CLERK TO PUBLISH AND MAIL A NOTICE OF ASSESSMENT AND BOARD OF EQUALIZATION HEARINGS; AND RELATED MATTERS.

WHEREAS, the Town Council (the “Council”) of the Town of Brian Head, Utah (the “Town”) has previously published notice of its intention to designate the Brian Head Unit 3 Assessment Area (the “Assessment Area”) and held a hearing before the Council on September 23, 2025, all as required by the Assessment Area Act, Title 11, Chapter 42, Utah Code Annotated 1953, as amended (the “Act”); and

WHEREAS, up until 5:00 p.m. on November 24, 2025, persons having an interest in the Assessment Area were allowed to protest the designation of the Assessment Area, the proposed improvements within the Assessment Area, the inclusion of a property owner’s property in the Assessment Area, whether the assessment meets the requirements of Section 11-42-409 of the Utah Code Annotated 1953, as amended, or any other aspect of the proposed designation of the Assessment Area; and

WHEREAS, after protests against the designation of the Assessment Area were counted and considered, the Council designated the Assessment Area by resolution adopted on December 9, 2025; and

WHEREAS, the Town has prepared the proposed assessment list that pertains to all of the properties within the Assessment Area; and

WHEREAS, the Council desires to establish a Board of Equalization for the purpose of considering any objections and corrections to the proposed assessment list:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BRIAN HEAD, UTAH AS FOLLOWS:

Section 1. As required by law, a Board of Equalization for the Assessment Area is hereby appointed, consisting of three members of the Town Council (the “BOE”) as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Section 2. The BOE shall sit as the Board of Equalization on the special assessments proposed to be levied and assessed on the property within the Assessment Area and will meet in



the Town Offices, located at 56 North Highway 143 in Brian Head, Utah on February 11, 2026, between the hours of 1:00 p.m. and 2:00 p.m.; on February 12, 2026 between the hours of 2:00 p.m. and 3:00 p.m.; and on February 13, 2026, between the hours of 3:00 p.m. and 4:00 p.m. to hear and consider any arguments from persons who claim to be aggrieved and, following the hearings, to consider all facts and arguments presented at the hearings and to and make corrections to the proposed assessments that the BOE may deem necessary to meet the requirements of the Act.

Section 3. The Town Clerk is hereby authorized and directed to post and mail, as provided by law and the ordinances of the Town, a notice of meetings of the BOE, said notice to be in substantially the following form:

## NOTICE OF ASSESSMENT AND BOARD OF EQUALIZATION HEARINGS

NOTICE IS HEREBY GIVEN that the assessment list for the Brian Head Unit 3 Assessment Area (the "Assessment Area") has now been completed and is available for examination in the offices of the Town of Brian Head located at 56 North Highway 143, Brian Head, Utah. The Town Council has appointed a Board of Equalization to hear and consider arguments from any person who claims to be aggrieved by the proposed assessments to be levied within the Assessment Area, including arguments relating to (a) the amount of benefits accruing to the property proposed to be assessed or (b) the amount of the proposed assessment.

The assessments levied are for the purpose of financing the costs certain water system improvements, road improvements, and other necessary miscellaneous improvements in the Brian Head Unit 3, Blk A Subdivision, Iron County, Utah (the "Improvements") (for the benefit of the properties within the Assessment Area). The estimated acquisition, construction and installation costs of the Improvements within the Assessment Area, including estimated overhead costs, administrative costs, costs of funding reserves, and debt issuance costs, is estimated at \$876,000, the entire amount of which is expected to be levied against benefitted property within the Assessment Area on a per lot basis (the "Assessment"). The unit cost is each property's equal share of the Improvements applicable to each property/lot as described in this notice. The Town of Brian Head, Utah (the "Town") will not contribute any of its own funds for the Improvements.

As required by law, three persons have been duly appointed to act as the Board of Equalization on the assessments proposed to be levied on the property benefitted within the Assessment Area. The Board of Equalization for assessments proposed to be levied on the affected property within the Assessment Area will meet in the Brian Head Offices, located at 56 North Highway 143 in Brian Head, Utah on February 11, 2026, between the hours of 1:00 p.m. and 2:00 p.m.; on February 12, 2026 between the hours of 2:00 p.m. and 3:00 p.m.; and on February 13, 2026, between the hours of 3:00 p.m. and 4:00 p.m. to hear and consider any objections to and make any corrections of any proposed assessments that the Board of Equalization may deem necessary to meet the requirements of the Assessment Area Act, Title 11, Chapter 42, Utah Code Annotated 1953, as amended.

The assessment list and amounts of the proposed assessment against each parcel of property have been completed and are available for public examination in the offices of the Town of Brian Head, 56 North Highway 143, Brian Head, Utah for public examination from 9:00 a.m. to 5:00 p.m. Monday through Friday.

After the Board of Equalization has held all hearings and has made all corrections the Board of Equalization considers necessary to comply with the law, the Board of Equalization will report its findings to the Town Council.

By resolution of the Town Council of the Town of Brian Head, Utah, this January 13, 2026.

(SEAL)

\_\_\_\_\_  
/s/ Nancy Leigh  
Town Clerk

Section 4. The Town Clerk is hereby directed to enter the foregoing proceedings upon the records of the Town, and to cause the notice set forth in Section 3 to be published as a Class B Notice under Section 63G-30-102, Utah Code Annotated 1953, as amended, for at least 20 days but not more than 35 days before the date on which the first hearing of the Board of Equalization is held. As a Class B Notice, the Town Clerk shall cause a copy of the notice set forth in Section 3 above to be mailed, postage prepaid, to each owner of property to be assessed within the Assessment Area at the last known address of such owner using for such purpose the names and addresses appearing on the last completed real property assessment rolls of Iron County. In addition, a copy of such notice shall be addressed to "Owner" and shall be so mailed, addressed to the street number (or post office box, rural route number, or other mailing address of the property, if a street number has not been assigned) of each of the improved properties to be affected by the assessment.

ADOPTED AND APPROVED this January 13, 2026.

(SEAL)

By: \_\_\_\_\_  
Clayton Calloway, Mayor

ATTEST:

By: \_\_\_\_\_  
Nancy Leigh, Town Clerk

STATE OF UTAH                    )  
  : ss.  
COUNTY OF IRON                )

I, Nancy Leigh, the duly appointed, qualified, and acting Town Clerk of the Town of Brian Head, Utah (the “Town”), do hereby certify that the foregoing is a full, true, and correct copy of the minutes of a regular meeting of the Town Council of the Town held in Brian Head, Utah on January 13, 2026 at 1:00 p.m., as recorded in the regular official book of minutes as kept in my official office, that said proceedings were duly had and taken as therein shown, and that all the members of the Town Council were given due, legal, and timely notice of said meeting as therein shown.

I further certify that I published or caused to be published a Notice of Assessment and Board of Equalization Hearings (the “Notice”) for the Brian Head Unit 3 Assessment Area as a Class B Notice under Section 63G-30-102, Utah Code Annotated 1953, as amended, for at least 20 days but not more than 35 days before the day on which the first hearing of the Board of Equalization is held.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Brian Head, Utah, this January 13, 2026.

(SEAL)

By: \_\_\_\_\_  
Nancy Leigh, Town Clerk

STATE OF UTAH                    )  
  : ss.  
COUNTY OF IRON                )

MAILING CERTIFICATE

I, Nancy Leigh, the duly appointed, qualified, and acting Town Clerk of the Town of Brian Head, Utah, do hereby certify that I mailed a copy of the Notice of Assessment and Board of Equalization Hearings (the “Notice”) of the Board of Equalization, postage prepaid, to each owner of property to be assessed within the Brian Head Unit 3 Assessment Area, at the last known address of such owner, using for such purpose the names and addresses appearing on the last completed real property assessment rolls of Iron County and, in addition, I mailed, postage prepaid, a copy of such Notice addressed to “Owner” at the street number (or post office box, rural route number, or other mailing address of the property, if a street number has not been assigned) of each piece of improved property to be assessed. Said Notices were mailed by me on January \_\_\_, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Brian Head, Utah, this January 13, 2026.

(SEAL)

By: \_\_\_\_\_  
Nancy Leigh, Town Clerk

## CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Nancy Leigh, the undersigned Town Clerk of the Town of Brian Head, Utah (the “Town”), do hereby certify, according to the records of the Town in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the January 13, 2026 public meeting held by the Town Council of the Town as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the Town’s principal offices on January \_\_\_, 2026, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the Town’s official website at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2026 Annual Meeting Schedule for the Town Council (attached hereto as Schedule 2) was given specifying the date, time, and place of the regular meetings of the Town Council to be held during the year, by causing said Notice to be (a) posted on January 9, 2026 at the principal office of the Town, (b) provided to at least one newspaper of general circulation within the Town on January 9, 2026, and (c) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this January 13, 2026.

(SEAL)

By: \_\_\_\_\_  
Nancy Leigh, Town Clerk

SCHEDULE 1

NOTICE OF MEETING



SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

Project Expense Summary

	BH UNIT 3	Elk Drive	Total
Materials	\$ 187,551.00	\$ 140,763.00	\$ 328,314.00
Project Costs	325,504.75	221,856.00	547,360.75
Contingency	65,100.95	22,185.60	87,286.55
<b>Project Costs</b>	<b>578,156.70</b>	<b>384,804.60</b>	<b>962,961.30</b>
Drift Wood Rd.	100,000.00	-	100,000.00
Engineering and Mngt.	59,743.00	47,629.00	107,372.00
<b>Other Costs</b>	<b>159,743.00</b>	<b>47,629.00</b>	<b>207,372.00</b>
<b>Total Project Costs</b>	<b>737,899.70</b>	<b>432,433.60</b>	<b>1,170,333.30</b>
Bond Counsel Fee	35,000.00	35,000.00	70,000.00
MA Fee	8,000.00	8,000.00	16,000.00
Purchaser Fee	7,000.00	7,000.00	14,000.00
DSRF	87,600.00	53,700.00	141,300.00
Misc.	500.30	866.40	1,366.70
<b>Bonding Costs (COI)*</b>	<b>138,100.30</b>	<b>104,566.40</b>	<b>242,666.70</b>
<b>TOTAL COST</b>	<b>876,000.00</b>	<b>537,000.00</b>	<b>1,413,000.00</b>
Lot Value (Appraisal)	3,731,000	-	
Taxable Value	-	4,929,961	
<b>Assessment Ratio</b>	<b>4.26</b>	<b>9.18</b>	

Int. Rock

	Project Costs BID	Contingency
BH UNIT 3	\$ 325,504.75	20% \$ 65,100.95
Elk Drive	\$ 221,856.00	10% \$ 22,185.60
<b>TOTAL</b>	<b>\$ 547,360.75</b>	<b>\$ 87,286.55</b>



# STAFF REPORT TO THE TOWN COUNCIL

## ITEM: MAYOR PRO TEM RESOLUTION

**AUTHOR:** Nancy Leigh, Town Clerk  
**DEPARTMENT:** Administration  
**DATE:** January 13, 2026  
**TYPE OF ITEM:** Legislative Action

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### SUMMARY:

The Council will consider a resolution electing a mayor pro tempore and a backup council member if the mayor and mayor pro tem are unavailable.

### BACKGROUND:

Brian Head has elected to have a mayor pro tem to run meetings or make decisions in the absence of the mayor. In 2024, the Council adopted a resolution naming a mayor pro tem and a council member who would be the back up to the mayor pro tem in case of both the mayor and mayor pro tem absences.

In the past ten years, we have had two mayor pro tems; Council Member Larry Freeberg who was mayor pro tem from 2016 through 2024. In 2024 Council Member Tidwell became mayor pro tem and Brian Head tried something new by having a council member elected as a backup to the mayor pro tem. They would act on behalf of the mayor if the mayor and mayor pro tem were absent. Council Member Kelly Marshall was elected as the alternate mayor pro tem alongside Council Member Tidwell in 2024.

Council Member Tidwell's term ended December 31, 2025, and Council Member Marshall resigned from the Council in July 2025 leaving a vacancy in both the mayor pro tem and backup pro tem.

### ANALYSIS:

Utah State Code allows a five-member council to elect a mayor pro tem in the absence of the mayor to perform the duties of the mayor. According to UCA 10-3b-402(2)(a), if the mayor is absent or unable or refuses to act, the council may elect a member of the council as mayor pro tempore, to:

1. Preside at a council meeting; and
2. Perform, during the mayor's absence, disability, or refusal to act, the duties and functions of the mayor.

There are several cities that have a backup council member in case the mayor pro tem is unavailable. The resolution that is presented includes a backup council member who will act as mayor pro tem in case the mayor and mayor pro tem are unavailable.

### FINANCIAL IMPLICATIONS:

N/A

**BOARD/COMMISSION RECOMMENDATION:**

NA

**STAFF RECOMMENDATION:**

Staff has no recommendations on this item, it will be up to the Council to decide.

**PROPOSED MOTION:**

I move to adopt resolution No. 26-565 electing Council Member \_\_\_\_\_ as mayor pro tem and Council Member \_\_\_\_\_ as the backup for the same position.

**ATTACHMENTS:**

A – Resolution for mayor pro tem & backup.



## RESOLUTION NO. 26-

**A RESOLUTION AUTHORIZING COUNCIL MEMBER \_\_\_\_\_ TO AUTOMATICALLY SUCCEED TO THE POSITION OF MAYOR PRO TEMPORE AND COUNCIL MEMBER \_\_\_\_\_ AS BACK UP FOR THE SAME POSTION FOR THE GOVERNING BODY OF BRIAN HEAD TOWN.**

**WHEREAS**, Utah State Code 10-3b-402(2)(a) provides that a five-member council may elect a mayor pro tempore to act as the mayor during the mayor's absence; and,

**WHEREAS**, the Brian Head Town Council desires to appoint one member of the governing body to automatically success to the position of mayor pro tempore whenever the mayor is absent and allow for another council member as a backup; and

**WHEREAS**, it has determined it to be in the best interests of the Town to appoint Mayor pro tempore to serve during the Mayor's absence, disability, or refusal to act and appoint an alternate council member to serve in the absence of both the Mayor and Mayor Pro Tem; and

**WHEREAS**, the Town Council has met in regular session to consider this selection.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of Brian Head Town, Iron County, State of Utah, that Council Member \_\_\_\_\_ shall automatically succeed to the position of mayor pro tempore in the absence of the mayor, and Council Member \_\_\_\_\_ shall succeed to the same position in the absence of both the mayor and the designed mayor pro tem until successors are appointed.

This resolution shall be effective upon adoption.

**ADOPTED AND PASSED** by Brian Head Town Council this \_\_\_\_ day of January 2026 by the following vote of its members:

***Town Council Vote:***

Mayor Clayton Calloway	Yes____	No____
Council Member Duane Nyen	Yes____	No____
Council Member Larry Freeberg	Yes____	No____
Council Member Mitch Ricks	Yes____	No____
Council Member Logan Cruz	Yes____	No____

ATTEST:

**BRIAN HEAD TOWN**  
***Brian Head, UT***

\_\_\_\_\_  
Nancy Leigh, Town Clerk

(seal)

\_\_\_\_\_  
Clayton Calloway, Mayor