

The Regular Meeting of the
**Brian Head Town Council Acting as the Governing
Board for the Brian Head Redevelopment Agency
Special Service District & Municipal Building Authority**

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

www.Zoom.us ([Click Here](#))

Via Zoom Meeting ID# 864 7202 0388

TUESDAY, MAY 26, 2026 @ 1:00 PM

TOWN COUNCIL MEETING MINUTES

Roll Call.

Members Present: Mayor Clayton Calloway, Council Member Larry Freeberg, Council Member Duane Nyen, Council Member Martin Tidwell, Council Member Logan Cruz.

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Chief Dan Benson, Public Safety Director; Greg Sant, Planning & Building Administrator;

A. CALL TO ORDER

Mayor Calloway called the regular meeting of the Brian Head Town Council to order, also acting as the governing board for the Brian Head Redevelopment Agency, Special Service District, and Municipal Building Authority. The meeting was called to order at 1:00 PM

B. PLEDGE ALLEGIANCE

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

C. DISCLOSURES

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

D. APPROVAL OF THE MINUTES:

May 12, 2026, Town Council/SSD Meeting

Mayor Calloway called for review of the May 12, 2026, minutes. No changes or corrections were offered.

Motion: Council Member Tidwell moved to approve the May 12, 2026, Town Council / SSD minutes. Council Member Nyen seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Mayor Calloway, Council Member Freeberg, Council Member Nyen, Council Member Tidwell, Council Member Cruz).

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

Council Member Tidwell recognized the dark sky mailer that had recently been distributed, commending it as well done.

1 **Council Member Nyen**

- 2 1. complimented Interstate Rock for their work and cleanup efforts in the Cedar Breaks
3 Mountain States area.
4 2. He is working with Chief Benson to resurrect the Community Wildfire Protection Plan
5 (CWPP). He invited community volunteers to participate in the effort, which will focus
6 on thinning projects, community education, the annual chip fest, and web-based public
7 information. Council Member Nyen noted that free property assessments for wildfire
8 mitigation are available through the public safety department and expressed his intent to
9 pursue designation as a Firewise community, which could open additional funding
10 opportunities for wildfire mitigation.

11 **Mayor Calloway**

- 12 1. Echoed the importance of taking wildfire risk seriously.
13 2. The construction of the walls at the Rocky Mountain substation is progressing and
14 the project is nearing completion.
15

16
17 **Council Member Cruz** thanked everyone who participated in the town cleanup, noting the
18 results looked very good.
19

20 **Council Member Freeberg** commented favorably on the performance of the "iron wolf" road
21 grinder, which he observed operating near his home that morning, noting that it effectively
22 breaks up rocks in dirt roads.
23

24 **Bret Howser, Town Manager**, reported that the County Commission had approved their
25 end of the interlocal agreement with the RDA earlier that morning.
26

27 **Chief Dan Benson, Public Safety Director**, updated the Council on the following:

- 28 1. Five volunteer firefighters will be attending fire school in Bryce Canyon this year.
29 2. There was a fire in the Parowan/Summit hillside that Brian Head responded to
30 earlier this week. Chief Benson reported that all of Brian Head's officer responded
31 to the fire call.
32 3. Thanked Council Member Nyen for sitting on the Wildfire Preparedness Committee.
33
34

35 **F. AGENDA ITEMS**

- 36
37 1. **PUBLIC HEARING FOR THE FISCAL YEAR 2027 TENTATIVE BUDGETS.** A
38 public hearing to receive comment on the FY2027 Tentative Budget ending June 30, 2027, for the Town,
39 Redevelopment Agency, Special Service District, and Municipal Building Authority.
40

41 Town Treasurer Shane Williamson introduced the item, explaining that this public hearing
42 is the next required step in the budget process. The tentative budget had been approved by
43 the Council at the May 12 meeting. The only changes since that approval were an increase to
44 the Brian Head Days budget of approximately \$10,000 for a drone show, as discussed at the
45 prior meeting. Williamson noted that, per state requirement, the tentative budget includes a
46 proposed property tax increase of \$150,000, representing an estimated 12.85 percent increase
47 to the proposed tax rate.
48

49 The public hearing was opened at 1:09 PM.
50

51 A member of the public, Thom Thompson, stated that he owns a cabin in Rainbow
52 Meadows and receives no town services, relying on the county for trash collection. He

1 questioned the rationale for a tax increase, noting his property was purchased for \$90,000
2 ten years ago and is currently taxed on an assessed value of \$275,000.
3

4 The public hearing was closed at 1:10 PM.
5

6 Following the hearing, Mayor Calloway and Bret Howser, Town Manager, clarified for Mr.
7 Thompson that the proposed increase affects only the Brian Head Town portion of the
8 property tax bill. Properties located outside of Brian Head Town boundaries—such as
9 Rainbow Meadows—are not subject to the town's levy. Mr. Howser advised that any
10 concerns about the overall tax bill should be directed to the school district and Iron County.
11

12
13 **2. PRESENTATION OF THE PROPERTY TAX IMPACT SCHEDULE.** To present and
14 make available the Property Tax Impact Schedule related to the proposed property increase included
15 in the Fiscal Year 2027 Tentative Budget.
16

17 Shane Williamson, Town Treasurer, presented the Property Tax Impact Schedule as
18 required by state law whenever a property tax increase has been proposed in an adopted
19 tentative budget. The schedule confirmed that the FY2027 tentative budget includes a
20 proposed property tax increase of \$150,000, estimated at 12.85 percent, designated to fund
21 an annual transfer from the general fund to the capital fund to support both the pavement
22 management plan and the gravel road maintenance plan.
23

24 Following the presentation, Mayor Calloway stated his intent to direct staff not to proceed
25 with the proposed property tax increase. He cited two consecutive difficult snow seasons
26 impacting local businesses and broader economic pressures on residents, including rising
27 fuel and food costs—as reasons the timing was inappropriate. Each Council member
28 weighed in:
29

30 **Council Member Freeberg** concurred but stressed the importance of simultaneously
31 identifying alternative funding options to avoid arriving at the same funding gap the
32 following year.
33

34 **Council Member Tidwell** acknowledged the extensive prior work on the issue and
35 expressed sympathy for the financial pressures facing the town but noted that feedback
36 from both businesses and homeowners had not been supportive. He recognized the real risk
37 of deferred road maintenance leading to greater costs down the road but concluded that
38 community support for the increase was lacking at this time.
39

40 **Council Member Cruz** agreed, emphasizing that the process had moved too quickly and
41 advocating for a year or two to explore other options before revisiting a tax increase.
42

43 **Council Member Nyen** expressed continued reluctance toward a property tax increase and
44 supported giving the public works director latitude to identify less expensive approaches.
45 He also acknowledged the need to vet other funding options more thoroughly before
46 committing to any particular path.
47

48 Bret Howser, Town Manager, provided context on the road funding situation, noting that
49 planned paving work on Ridgeview, Steam Engine, and other streets this summer and next
50 would likely exhaust the town's accumulated capital road funds. On the gravel roadside,
51 Council Member Nyen acknowledged there was no dedicated funding stream and that he
52 had committed \$40,000 from contingency to purchase road processing equipment, noting
53 the machine would produce the equivalent of 2.5 miles of subgrade material at a fraction of

1 what it would cost to haul it in. He underscored that the town's road funding deficit is
2 compounded by the significant cost of snow removal, which consumes resources intended
3 for road maintenance, including expenditures of approximately \$100,000 annually on plow
4 blades and salt alone.

5
6 **Consensus of the Council:** The consensus of the Council was to direct staff to remove the
7 proposed property tax increase from the FY2027 budget.
8
9

10 **3. PUBLIC HEARING FOR THE FISCAL YEAR 2027 PROPOSED PUBLIC**
11 **OFFICIAL COMPENSATION INCREASES.** A public hearing to receive comments on the
12 proposed FY2027 Public Official compensation increases.
13

14 Shane Williamson, Town Treasurer, explained that, effective May 2024, state law requires a
15 separate public hearing specifically addressing proposed public official compensation
16 increases included in the tentative budget. Per state code, public officials include executive
17 municipal officers, both elective and statutory—in Brian Head, this encompasses
18 department heads and the Town Manager. The FY2027 budget proposes a seven percent
19 (7%) salary increase across the board for all employees, including these public officials.
20

21 The public hearing was opened at 1:24 PM. No public comments were received. The public
22 hearing was closed at 1:25 PM.
23
24

25 **4. PUBLIC HEARING FOR THE TRANSPORTATION UTILITY FEE (TUF).** A public
26 hearing for the proposed TUF Fee.
27

28 Bret Howser, Town Manager, introduced the item and noted that Marcus Keller and Chris
29 Burton of Cruze and Associates, who conducted the Transportation Utility Fee (TUF) study,
30 were attending via Zoom and would walk through the final report.
31

32 Marcus Keller of Cruze and Associates presented an overview of the TUF study. Marcus
33 explained that a Transportation Utility Fee is a monthly fee charged to users of town roads,
34 similar in structure to a water or sewer utility fee, designed to offset a municipality's road
35 funding deficit. The fee is calculated using the ITE Trip Generation Manual, which
36 determines the average daily trips generated by each land use type, converting those figures
37 into Equivalent Residential Units (ERUs). The fee is then distributed across all property
38 types based on their relative impact on town roads.
39

40 The study identified a legal maximum fee of approximately \$684,000 annually, which would
41 equate to roughly \$30 per month per ERU. However, working with town staff, the
42 recommended fee was set at \$12 per month per ERU, generating approximately \$270,553 in
43 additional annual revenue. For most single-family residences, condominiums, and
44 townhomes, the fee would be \$12 per month. Commercial properties would be assessed
45 differently based on square footage and trip generation rates; the ski resort's ERU
46 calculation was based on the number of lifts.
47

48 Bret Howser, Town Manager, expanded on the background, noting that the \$250,000
49 funding target (subsequently adjusted to \$270,000) was comprised of a \$160,000 gap in the
50 pavement management plan and an \$86,000 gap identified for gravel road maintenance.
51 Bret further noted that, based on Council direction received at the May 12th meeting, the
52 version of the budget under consideration included a 75% discount on commercial tiers and
53 targeted only \$100,000 from TUF revenue, with the remaining \$150,000 previously expected

1 to come from the property tax increase. Under the 100,000-dollar TUF scenario with the 75
2 percent commercial discount, the per-ERU fee would be approximately \$6.50 per month.
3

4 Bret also addressed requests from the public – raised at community forums held in March –
5 to explore a fee on ski lift tickets or on construction activity. He reported that, while a
6 construction-related tier could potentially be incorporated into the TUF framework, no such
7 analysis was currently prepared. Regarding a lift ticket fee, he found that the most
8 analogous legal mechanism would be the disproportionate cost of service business license
9 fee, which the town has previously used for nightly rentals and transit-related services.
10 However, he advised against applying such a fee to a single business, citing the absence of
11 legal precedent and significant legal risk. He noted that Utah is a "Hutchinson rule" state,
12 meaning municipalities may only levy taxes expressly authorized by the state, and that any
13 transportation-related fee would likely need to conform with the TUF framework now
14 codified in state law.
15

16 The public hearing was opened at 1:59 PM.
17

18 **Jim Vincent**, a Brian Head cabin owner, spoke in full support of the TUF program.
19

20 **Tom Pettigrew**, General Manager of Brian Head Resort, addressed the Council. Tom
21 acknowledged the long collaborative history between the resort and the town, citing the
22 enhanced service business license fee structure created in 1996 as an example, which now
23 generates nearly \$700,000 annually for the town to fund shuttle service and commercial
24 snow removal. Mr. Pettigrew stated that the resort is not opposed to the TUF but raised
25 three points for consideration before the June 9 meeting: (1) that the resort is already the
26 town's largest contributor to transportation-related services through the enhanced service
27 fee, and the Council should consider whether the ERU methodology adequately accounts
28 for that existing contribution; (2) that the resort's primary guest and operational access is via
29 State Road 143, a UDOT highway, and that the lift-based ERU calculation does not
30 adequately distinguish between state highway traffic and town road traffic, which could
31 expose the ordinance to legal challenge; and (3) that the resort is not seeking to oppose the
32 TUF but would like a brief meeting with staff before June 9 to ensure the final fee structure
33 accurately reflects actual town road impact, accounts for existing contributions, and
34 produces a legally durable ordinance.
35

36 Troy Benson, resident, expressed support for investigating a fee on lift tickets, framing it as
37 a charge passed on to visiting customers – rather than the resort itself – who use town roads
38 and amenities.
39

40 The public hearing was closed at 2:06 PM.
41

42 Following the hearing, the Council discussed whether to proceed with the TUF for the
43 current budget cycle. Mayor Calloway expressed the view that while the TUF is a sound tool
44 in general, Brian Head's unique circumstances, including the fact that most visitors and
45 many businesses access town primarily via SR-143 rather than town-maintained roads –
46 make the standard model a difficult fit. Council Member Tidwell indicated he was still
47 weighing the decision but believed community support existed for a fair and well-
48 structured fee. Council Member Freeberg agreed it was a difficult question, cautioning
49 against over-burdening businesses while acknowledging the need for road funding. He
50 floated the possibility of a voluntary arrangement with the resort around a minor per-ticket
51 fee. Council Member Nyen acknowledged broad public support for the concept of a TUF
52 but cited the SR-143 access dynamic as a persistent challenge and noted business owners'
53 concerns prior to the 75% commercial discount being introduced. Council Member Cruz

1 agreed that new ideas continue to emerge at each meeting and suggested direct
2 collaboration with the resort on fee structure before moving forward.
3

4 **Consensus of the Council:** The Council reached a consensus to remove the TUF from the
5 FY2027 budget as adopted and to continue working on a revised structure –potentially
6 including a small working group with resort participation, with the possibility of
7 implementing a TUF via a mid-year budget amendment if an acceptable framework can be
8 developed. Bret Howser confirmed that, unlike a property tax increase, a TUF can be
9 adopted at any point during the fiscal year and is not time-limited to the annual budget
10 cycle. Bret noted that the direction he received was to bring a budget forward on June 9th
11 with both the property tax increase and the TUF removed.
12
13

14 **5. RESOLUTION APPROVING THE INTERLOCAL AGREEMENT BETWEEN**
15 **BRIAN HEAD TOWN AND THE BRIAN HEAD REDEVELOPMENT AGENCY.**

16 A resolution extending the interlocal agreement between Briam Head Town and the Brian Head
17 Redevelopment Agency.
18

19 Bret Howser, Town Manager, provided background on the Brian Head Redevelopment
20 Agency (RDA), which recently reached the end of its prior term. Following direction from
21 the Council last summer, Bret engaged with Iron County and the Iron County School
22 District regarding an extension. The school district indicated a willingness to discuss
23 participation, but its finance committee will not convene until August, placing any school
24 district involvement outside the current property tax cycle. Iron County agreed to extend
25 their participation in the RDA for ten more years but requested that their contribution level
26 be reduced from 60 percent of their tax increment to 30%, a change with an approximate
27 annual financial impact of \$67,500 to the RDA. The County Commission approved its end of
28 the interlocal agreement earlier that morning.

29 Bret noted that should the School District ultimately agree to participate at 30%of their tax
30 increment, with a base year set at the current year, the resulting new increment revenue
31 would likely more than offset the reduction from the county. He described the RDA as a
32 strategic tool for attracting and supporting future commercial development, particularly a
33 potential skier base village, and noted the town has already accumulated land that could be
34 used in conjunction with a parking or infrastructure project tied to such development.
35

36 **Motion:** Council Member Freeberg moved to adopt Resolution No. 26-574 approving the
37 Interlocal Agreement between Brian Head Town Redevelopment Agency and
38 Brian Head Town regarding the Community Development Project Area in Brian
39 Head. Council Member Cruz seconded the motion.

40 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Mayor Calloway, Council
41 Member Freeberg, Council Member Nyen, Council Member Tidwell, Council
42 Member Cruz).
43
44

45 **6. RDA: RESOLUTION APPROVING THE INTERLOCAL AGREEMENT WITH**
46 **BRIAN HAD TOWN.** A resolution extending the interlocal agreement between Brian Head
47 Town and the Brian Head RDA.
48

49 The Council recessed and convened as the Brian Head Redevelopment Agency Board to
50 consider the companion resolution. No additional discussion was required beyond that
51 provided under Item 5.
52

1 **Motion:** Board Member Tidwell moved to adopt Resolution No. 26-574 approving the
2 Interlocal Agreement between Brian Head Town Redevelopment Agency and
3 Brian Head Town regarding the Community Development Project Area in Brian
4 Head. Board Member Nyen seconded the motion.

5 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Chair Calloway, Board
6 Member Freeberg, Board Member Nyen, Board Member Tidwell, Board Member
7 Cruz).

8
9 **7. FUTURE AGENDA ITEMS.** Discussion on potential items for future Council agendas.

10
11 Nancy Leigh, Town Clerk, noted that the next meeting on June 9, 2026, would include
12 adoption of the FY2027 budget and consideration of a petition regarding the Salt Pile Drive
13 Special Assessment Area (SAA).

14
15
16 **G. ADJOURNMENT**

17
18 **Motion:** Council Member Nyen moved to adjourn the regular meeting of the Town Council
19 acting as the governing board for the Brian Head Redevelopment Agency, Special
20 Service District and Municipal Building Authority. Council Member Tidwell
21 seconded the motion.

22 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Mayor Calloway, Council Member
23 Freeberg, Council Member Nyen, Council Member Tidwell, Council Member Cruz).

24
25 The regular meeting of the Town Council was adjourned at 2:29 pm on May 12, 2026.

26
27
28 _____
29 Date Approved

30
31
32 _____
33 Nancy Leigh, Town Clerk
34