The Regular Meeting of the

Brian Head Town Council

Brian Head Town Hall – Council Chambers
56 North Highway 143 – Brian Head, UT 84719
www.Zoom.us [(Click Here)]
Via Zoom Meeting ID# 839 0083 8628

TUESDAY, JUNE 23, 2026 @ 1:00 PM

MINUTES OF THE TOWN COUNCIL

Roll Call:

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

Members Absent: Council Member Duane Nyen.

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Greg Sant, Planning & Building Administrator; Stg. Dan Guymon, Jared Tubbs, Public Works Director; Shane Williamson, Administration Service Director; Cier Claridge, Deputy Clerk.

A. CALL TO ORDER

The Regular Meeting of the Brian Head Town Council was called to order on Tuesday, June 23, 2026, at 1:00 PM at Brian Head Town Hall, Council Chambers, 56 North Highway 143, Brian Head, UT 84719.

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:

June 9, 2026, Town Council/SSD/RDA/MBA Meeting

Motion: Council Member Tidwell moved to approve the minutes of the June 9, 2026, Town Council, RDA, SSD, and MBA meeting as presented. Council Member Cruz seconded the motion.

Action: **Motion carried 3-0-1 (summary: Yes = 3, No – 0, Abstain – 1 Vote: Yes:** Council Member Freeberg, Council Member Tidwell, Council Member Cruz. **Abstain:** Mayor Calloway. **Absent:** Council Member Nyen).

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

Nancy Leigh, Town Clerk, reported that a new fuel dispenser was expected to be installed the following day, which would result in limited parking at Town Hall. She noted the new dispenser would include a chip reader compatible with the existing card-lock system, updated programming, and a new payment processing arrangement.

Mayor Calloway reported he attended the Timberbrook Homeowners Association meeting last week.

Bret Howser, Town Manager
presented an updated layout for the **Memorial Plaza** project and solicited Council feedback on several design questions. The discussion resulted in the following direction:

- **Flagpole height:** Three flagpoles to be used — one for the American flag at approximately 35 feet and two secondary poles at 30 feet, to fly the Utah state flag and a Brian Head flag. Council direction was to rotate the flagpole orientation approximately 90 degrees from the current plan so the flags would face down-valley and be visible from Highway 143.
- **Monument style:** The Council favored natural boulder-style monuments over constructed granite or rectangular monuments, citing lower maintenance requirements.
- **Steps:** Timber stairs with handrails were preferred, similar in style to those at the town park, rather than concrete.
- **Lighting:** Council directed that electrical power be run to the flagpoles for lighting. Solar bollard lighting along the pathway was identified as a possibility if it fit within the budget, though one member of the public later offered the opinion during public comment that trail lighting may not be necessary given long summer daylight hours and snow cover in winter.
- **Accessible pathway:** Council affirmed the intent to include a more accessible path from Steam Engine Drive through the plaza, with monuments placed both along this path and around the central circle.
- **Benches:** Staff were directed to price out a polished but not ornate bench style; bare wood was noted as requiring too much maintenance.

Bret also provided updates on ongoing projects:

- The **Ponderosa sewer project** has been pushed back; it will be put out to bid in the fall for construction next summer, as homes in the area are not expected to connect until then.
- The **project update subscription system** on the town website is active, allowing residents to sign up for weekly email updates by project. Elk Drive has approximately 20 subscribers and Brian Head Unit 3 has approximately 15.
- The **311 "yellow button" system** for reporting issues on the town website continues to be promoted. Staff described the workflow as functioning well, with automatic responses sent to residents and completed requests marked accordingly. Bret encouraged Council to continue directing residents to use the system so issues can be tracked and reported out on a quarterly or semi-annual basis.

Sgt. Dan Guymon, representing the Public Safety department in Chief Benson's absence, reported that Chief Benson had responded to the Beaver Fire east of Beaver, which had grown to over 11,000 acres in 24 hours and was reported to be moving toward Eagle Point. He confirmed that the Fourth of July fireworks were still planned to proceed, with extra staffing and ATV/e-bike patrol efforts in place. He noted particular concern about e-bike safety given recent regional tragedies and indicated that prevention messaging and extra patrols would be a priority that weekend.

Greg Sant, Planning & Building Administrator, previewed items expected at the next Council meeting: a mixed-use overlay zone ordinance that the Planning Commission has been developing for several weeks, and a new sports courts ordinance addressing fencing, lighting, and related standards not currently covered in the Land Management Code. Greg also raised the question of whether Council wished to refer the topic of camping regulations to the Planning Commission for review, noting that camping is not currently a permitted use in any zone except Recreation Open Space, and is addressed only in the parking code as it applies to town-owned property and rights-of-way. Council discussion reflected a split view — some members were open to reviewing the matter with appropriate regulations, while others were more cautious, citing concerns about enforcement and the difficulty of reversing course once a use is permitted. Council directed the Planning Commission to proceed with a review, with the understanding that any allowance would include regulatory conditions rather than an open-ended permit.

Jared Tubbs, Public Works Director, reported that magnesium chloride dust suppression would begin approximately one week from the meeting, with pre-grading of applicable roads already underway. He noted that the crew had been actively clearing deadfall, particularly on the Manzanita Trail, and confirmed ongoing road maintenance and water and sewer operations. A demonstration of a smaller compaction machine on roadbase roads had been conducted that day with promising results.

Public Comment — Dave Mason thanked the Town Manager for resolving the access issue on Blue Jay Way in the Timbercrest subdivision, which had left property owners landlocked for approximately four years. Dave requested that Timbercrest be exempted from the $1,000 SAA application fee, given the extended delay they had experienced through no fault of their own. Dave also spoke in favor of a pre-development permit concept for property owners who need to camp on their undeveloped lots in order to clear and maintain them, framing it as a public safety and property rights issue, while stating he was not in favor of general camping in Brian Head. Dave noted that his own clearing work near Steam Engine had contributed to slowing the spread of a prior fire.

F. AGENDA ITEM:

1. **FISCAL YEAR 2026 AMENDED BUDGET ADOPTION.** An ordinance amending the FY2026 Town Budget.

Town Treasurer Shane Williamson presented the final amended budget for Fiscal Year 2026 (see attached). Shane noted that in addition to adjustments previously addressed at the public hearing — related to public safety grants — an oversight had been identified: approximately $339,000 in capital fund balances remaining from completed or expired projects had not been incorporated into the budget documents. The recommended adjustments directed those funds to one-time capital purchases, including public safety equipment and tools, the transportation utility fee study, the elected officials board, guardrail improvements, and drainage projects, with remaining funds held in a dedicated capital fund line item for future tracking.

Motion: Council Member Freeberg moved to adopt ordinance No. 26-010 amending the fiscal year 2026 Town budget as presented. Council Member Cruz seconded the motion.

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

2. **FRAUD RISK ASSESSMENT.** A review of the Town's Fraud Risk Assessment.

Administrative Services Director Shane Williamson reported that the Town maintained its score of 335 out of 395 on the State's Fraud Risk Assessment questionnaire, placing it in the "very low risk" category for the third consecutive year. Shane noted that the addition of a second administrative staff member (Ciera) had helped improve separation of duties, and that participation in the county's fraud hotline had also contributed to the score. Shane explained that mitigating controls — such as requiring two staff members to review and sign accounts payable rather than one — are employed where full separation of duties is not otherwise achievable.

3. 2026 BRIAN HEAD ARBOR DAY PROCLAMATION. A proclamation declaring July 24, 2026, as Brian Head Arbor Day.

Town Clerk Nancy Leigh presented a proclamation designating **Friday, July 24, 2026**, as Brian Head Arbor Day, to be observed during the Brian Head Days celebration. The event will involve planting 25 trees at Bristlecone Park and Pond to replace trees that have died. Activities will include a presentation by arborist Ryan Johnson, pre-dug holes for volunteers, and spades from the town's 50th anniversary event to be given to volunteers. The event is being promoted through social media and in coordination with the Tourism Bureau.

Motion: Council Member Tidwell moved to adopt the 2026 Brian Head Town Arbor Day Proclamation declaring July 24, 2026, as Brian Head Town Arbor Day as presented. Council Member Cruz seconded the motion.

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

4. FISCAL YEAR 2027 CONSOLIDATED FEE SCHEDULE. A resolution adopting the Consolidated Fee Schedule for fiscal year 2027.

Nancy Leigh, Town Clerk, presented the Consolidated Fee Schedule for Fiscal Year 2027, noting that relatively few changes were made this year. Key changes included:

- **No utility fee increase** — rates remain unchanged from the prior year.
- **Nightly rental disproportionate fee** decreased from $539 to $515 for cabins and from $197 to $190 for condominiums.
- **Two new road bond fees** were added: one for gravel roads and one for paved roads.
- **Water meter fees** were adjusted, with residential costs decreasing and commercial costs increasing to reflect actual costs to the Town.

Town Treasurer Shane Williamson explained an additional charge related to switching merchant services providers. For general (non-utility) services, the Town will now be able to pass credit card processing fees through to the customer. For utility billing, a new **technology fee of $1.50 per bill** will be implemented to help offset processing costs, with the fee waived for customers who enroll in paperless billing or automatic payments. Shane noted that the Town is currently at 71% auto-payment enrollment for residential utility accounts.

A Council member raised the question of the $1,000 SAA application fee appearing in the schedule, which prompted a discussion from the Town Manager about the rationale for the fee. Bret noted that significant staff and attorney time — and sometimes engineering costs — are expended before an SAA petition can even be formally filed, and that those costs cannot be recouped from bond proceeds until after a Notice of Intent has been approved. Bret acknowledged that the fee may have deterred at least one or two potential petitioners, though he expressed some doubt about the viability of those efforts in any case. The fee remained in the schedule as presented.

Motion: Council Member Tidwell moved to adopt resolution No. 26-576 adopting the fiscal year 2027 Consolidated Fee Schedule with a minor correction of removing the decimals in dollar amounts. Council Member Cruz seconded the motion.
Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member Freeberg, Council Member Cruz, Council Member Tidwell, Mayor Calloway. **Absent:** Council Member Nyen).

5. LAND MANAGEMENT CODE, CH. 7 (ZONE DISTRICT REGULATIONS) AMENDMENT. An ordinance amending the Land Management Code, Chapter 7 for allowance of residential dwellings in conjunction with commercial space for owner/employee housing only.

Planning & Building Administrator Greg Sant presented a proposed amendment to the Land Management Code, Section 9-7-4 (General Commercial zone). Greg explained that the Planning Commission had been reviewing a mixed-use overlay zone and recognized a gap: the Light Industrial zone already permits a small residential unit for an owner or employee/caretaker on-site, but the General Commercial zone does not. Adding this allowance to General Commercial would limit the need for a full mixed-use overlay designation to larger or more substantially residential projects. The proposed amendment adds "residential dwelling within a commercial building envelope for owner/employee housing" as a permitted use in the General Commercial zone. This mirrors existing language in the Light Industrial zone and is not intended to permit standalone residential development or rental units.

Motion: Council Member Freeberg moved to adopt ordinance No. 26-011 amending the Land Management Code, Chapter 7.4 as presented. Council Member Cruz seconded the motion.
Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member Freeberg, Council Member Cruz, Council Member Tidwell, Mayor Calloway. **Absent:** Council Member Nyen).

6. EASEMENT REQUESTS. Two separate requests for easements; 1) Rocky Mountain Power; and 2) DTD Holdings.

Planning & Building Administrator Greg Sant presented two easement requests for Council consideration:

Request #1: Rocky Mountain Power: A power line easement across town-owned property (formerly old Vassals Road) to route electrical service from an existing transformer on Highway 143 up to the Hoops property on upper Vassals Road near the ski area. This was presented as the most direct route to serve that cabin.

Request #2: DTD Holdings: An access and waterline easement on a State Trust Land parcel on Highway 143, located between Fir and Aspen Drives. DTD Holdings holds a 99-year lease with State Trust Lands and has received Planning Commission approval for a site plan featuring two duplexes for vacation rental use. Utah Department of Transportation (UDOT) conditioned its approval of a new Highway 143 access point on the access being shared among four to five properties to the north, with no additional individual cuts from the highway. The easement is 24 feet wide — sufficient for fire apparatus — and is granted to the Town to ensure the public access nature of the corridor. A town waterline will run within the easement as well. The adjacent property owner has verbally agreed to extend the easement through their parcel, and the same developer has since purchased the two properties beyond that. Greg noted that the developer has a grading permit and may return with a construction permit before the end of summer.

Motion: Council Member Tidwell moved to approve the easement request for Rocky Mountain Power and DTD Holdings as presented. Council Member Cruz seconded the motion.

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

7. TOWN HALL EXTERIOR PROJECT, CHANGE ORDER REQUEST. A change order request for the Town Hall Exterior Project.

Town Manager Bret Howser presented two change orders related to the Town Hall Exterior Project with contractor Larry A. Pendleton Building LLC:

Change Order — Reduction: The decision not to install heated walkways results in a deduction of $208,367, bringing the contract down to approximately $220,000.

Change Order — Addition: Concrete sidewalk work on the south side of the building, ADA ramp replacement, and the parking island total an addition of $59,946. Howser noted that an incidental CenturyLink utility line strike occurred during excavation; the line — a large legacy copper bundle — was struck during digging after the existing concrete had been removed. CenturyLink's response timeline was described as uncertain, though staff indicated the cable is reportedly straightforward to splice once technicians arrive. The question of responsibility among the blue-staking company (USIC) and the contractors remained unresolved.

In response to a Council question about the overall financial picture, Howser indicated that approximately $589,000 in issued bond funds remain available for the beautification bond program, serving as both contingency and capacity for additional projects. Town Treasurer Shane Williamson noted that arbitrage reporting requirements apply to unspent bond proceeds, and that spending within three to five years is generally expected, with ten years available to issue the remaining approved-but-unissued bond authorization.

Motion: Council Member Tidwell moved to authorize Change Order #1 authorizing the Mayor to decrease the existing contract with Larry Pendleton Building LLC for the Town Hall Exterior Remodel by $208,367 in a form approved by the Town Attorney. Council Member Cruz seconded the motion.

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

Motion: Council Member Tidwell moved to approve Change Order #2 and authorize the Town Manager to increase the existing contract with Larry Pendleton Building LLC for the Town Hall Exterior Remodel by $59,946 in a form approved by the Town Attorney. Council Member Cruz seconded the motion.

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

8. BRIAN HEAD UNIT 3 SPECIAL ASSESSMENT AREA CHANGE ORDER REQUST. A change order for the Brian Head Unit 3 SAA.

Bret Howser, Town Manager, gave a brief explanation of the proposed change order for the Brian Head Unit 3 Special Assessment Area road work project. Council Member Freeberg inquired if drainage was built into the roadwork due to the steepness of the road and the risk to the property owners that are downhill adjacent to the road. Mayor Calloway responded that historically there is not enough water to require drainage on the road.

Motion: Council Member Tidwell moved to approve the Change Order for the Brian Head Unit 3 SSA road project increasing the existing contract with Interstate Rock for improvements in the amount of $61,533.44 in a form approved by the Town Engineer and Attorney. Council Member Cruz seconded the motion.

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

9. RURAL WATER ASSOCIATION APPOINTMENT, COUNCIL SUPPORT. An appointment of Bret Howser to the Rural Water Association Board.

Bret Howser, Town Manager, requested a letter of support from the Council for his appointment to the Board of the Rural Water Association of Utah, to fill an expiring term of approximately one year, with re-evaluation thereafter.

Motion: Mayor Calloway moved to authorize the Mayor to sign a letter on behalf of the Town Council supporting the appointment of Bret Howser to the Board of the Rural Water Association of Utah. Council Member Tidwell seconded the motion.

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

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

Town Manager Bret Howser noted that the July 14th agenda is currently light, with change orders related to the shuttle stops anticipated as construction details are finalized.

Planning & Building Administrator Greg Sant confirmed that the mixed-use overlay zone ordinance and the sports courts ordinance developed by the Planning Commission would be coming forward to Council through the standard process. No additional future agenda items were identified by Council members.

G. ADJOURNMENT

Motion: Council Member Tidwell moved to adjourn the regular meeting of the Town Council. Council Member Cruz seconded the motion.

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

The regular meeting of the Town Council was adjourned at 2:25 pm for June 23, 2026.

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Date Approved

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Nancy Leigh, Town Clerk