NOTICE AND AGENDA
BRIGHAM CITY COUNCIL MEETING
Thursday, September 3, 2026 6:00 PM
City Council Chambers, 20 North Main
To View Live Meeting Visit:
https://www.bcutah.gov/mayor-and-city-council.htm **or**
www.youtube.com/brighamcitycorp

Thought, Reading, or Invocation: Bishop Bert Larsen, 12th Ward
Pledge of Allegiance

6:03 CONSENT
Approval of August 13, 2026 Truth in Taxation Meeting Minutes and August 20, 2026 City Council Meeting Minutes

6:05 SCHEDULED DELEGATION
Chamber Peach Days Update – Monica Holdaway

6:15 PUBLIC COMMENTS (*Per Utah Code, Council will receive input only, no decision can be made*)

6:20 COUNCILMEMBER COMMENTS

6:25 ACTION ITEMS
Consideration of Resolution Authorizing the Mayor to Execute a Memorandum of Understanding with Utah State University and Hi-Tech, for the Purpose of Collaborating on a Technical Training, Certification and Research and Development Campus – Derek Oyler

6:35 CLOSED SESSION
Consideration to enter a closed session to discuss: purchase/exchange/lease of real property; pending litigation; cyber security; or character/professional competence or physical/mental health of an individual.

Assigned times may vary depending on length of discussion or agenda alteration. In compliance with the Americans with Disabilities Act, individuals needing special accommodations should notify the City Recorder (435-734-6621) at least 48 hours in advance of the meeting. City Council members may participate in council meetings electronically. Public is welcome to join the meeting in person at City Hall or to view the meeting electronically at the link above.

CERTIFICATE OF POSTING
The undersigned duly appointed City Recorder does hereby certify that the above notice and agenda was posted in three public places within the Brigham City limits. A copy was also provided to the Box Elder News Journal and posted on the City website and the State Public Meeting Notice website on August 27, 2026.

Kristina Rasmussen, City Recorder

TRUTH IN TAXATION
PUBLIC HEARING
BRIGHAM CITY COUNCIL
August 13, 2026
6:00 p.m.

PRESENT:	D.J. Bott	Mayor
	Dave Hipp	Councilmember
	Matthew Jensen	Councilmember
	Ryan Smith	Councilmember
	Robin Troxell	Councilmember
ALSO PRESENT:	Nicole Cottle	City Attorney
	Chris Howard	Police Commander
	Tom Kotter	Community and Economic Development Director
	Derek Oyler	City Administrator
	Kristina Rasmussen	City Recorder
	Jeff Schmitt	Finance Director
	Mike Waite	Public Works Director
EXCUSED:	Dave Jeffries	Councilmember

At 6:00 PM Mayor Bott called the meeting to order and offered the opening prayer and the pledge of allegiance followed.

Mayor Bott explained that, pursuant to Utah Code, the required Property Tax Impact Schedule would be read into the record prior to the public hearing. He also clarified that, due to new State requirements, the Council would take action following the public hearing to acknowledge the additional ad valorem property tax revenue shown in the impact schedule. The action would not constitute adoption of the tax rate or final budget, which would be considered at the August 20, 2026, City Council meeting. He then read the Property Tax Impact Schedule into record:

Pursuant to 59-2-919(4)(a)(i) and 59-2-924(8)(b), the proposed tax rate increase is summarized as follows:

Revenue Impact

- Estimated additional property tax revenue: $184,843
- Percentage increase in total property tax revenue: 4.81%

Taxpayer Impact

- Average residential property ($400,000):
    - Prior year tax: $382.80
    - Proposed tax: $401.28
    - Annual Increase: $18.48
    - Percentage Increase: 4.81%

- Average commercial property ($1,200,000):
    - Prior year tax: $2,088.00
    - Proposed tax: $2,188.80
    - Annual Increase: $100.80

- Percentage Increase: 4.81%

Departmental Budget and Operational Impact
The proposed tax rate increase will impact the following departments:

<u>Mayor's Office</u>
Budget Impact ($129,843): This change is attributable to personnel costs associated with transitioning from a contracted attorney to a full-time City Attorney position, including wages and benefits that were not previously provided under the contract arrangement.

Operational Impact: Approval of the proposed tax rate increase will allow the City to maintain consistent legal services following the anticipated conclusion of the current contract. While the City has greatly benefited from a highly effective contracted attorney, the transition to a full-time City Attorney is intended to provide dedicated, on-site legal support and ensure continuity of services moving forward.

A full-time attorney will offer increased day-to-day availability, more direct integration with City staff and operations, and the ability to provide timely review of contracts, ordinances, and policies. This position will also support ongoing legal needs related to economic development, personnel matters, and regulatory compliance.

Without the proposed increase, the City would need to secure alternative contracted legal services, which may result in variability in availability, higher hourly costs over time, or reduced consistency depending on the provider.

<u>Parks Department</u>

Budget Impact ($55,000): This change is due to increased temporary wage costs to address seasonal staffing needs and rising service demands.

Operational Impact: Approval of the proposed tax rate increase will allow the department to enhance service levels by adding temporary staff to better maintain the City's parks system. This includes improved mowing schedules, landscaping, cleanliness, and overall park appearance. Additional staffing will help the department keep pace with increased usage and expectations as the City continues to grow.

Without the proposed increase, the department would likely continue to fall behind on routine maintenance and upkeep, resulting in declining park conditions, reduced aesthetic quality, and potential impacts to public use and community satisfaction.

The final budget, including the proposed tax increase, will be adopted at the August 20, 2026, City Council meeting.

Economic Development Director Tom Kotter provided an overview of the City's budget and Truth in Taxation process. He explained that the budget process began in December/January with department and administrative review of personnel, facilities, fleet, capital projects, and other needs. Mayor Bott's tentative budget presented in May contemplated a 12.93% property tax increase. Following Council work sessions and budget adjustments, the proposed increase had been reduced to 4.81%.

Mr. Kotter explained the certified property tax rate and noted that it is designed to provide a taxing entity approximately the same amount of property tax revenue from existing properties as the prior year, excluding new growth. As property values change, the certified rate adjusts accordingly. He emphasized that an increase or decrease in the certified rate itself does not constitute a tax increase or decrease; a

Truth in Taxation process is required when a taxing entity proposes collecting revenue above the amount generated by the certified rate.

Mr. Kotter reported that Brigham City's property valuation increased approximately $99.2 million, of which approximately $86 million was attributable to new growth. He reviewed the property tax notices distributed by the County and explained that multiple taxing entities levy property taxes, with approximately 17% of the property tax on the example presented being allocated to Brigham City.

The City proposes to budget $4,031,299 in property tax revenue for Fiscal Year 2026-27. Mr. Kotter reiterated that the proposed additional $184,843 represents a 4.81% increase in property tax revenue, excluding new growth.

Regarding the Parks Department, Mr. Kotter explained that the original request presented in May was approximately $110,000. Through the budget process, the Council identified other funding for approximately half of that amount, leaving $55,000 to be funded through the proposed property tax increase. The funding would provide approximately 2,900 additional seasonal staffing hours to address increased park acreage, irrigation needs, mowing, landscaping, cleanliness, and general maintenance.

Mr. Kotter also reviewed the proposed transition from contracted legal services to a full-time City Attorney. He expressed appreciation for the legal services provided by current contracted City Attorney Nicole Cottle and stated that the City's continued growth and increasing legal needs support establishing a long-term, in-house legal services model. He noted that municipal legal work encompasses a broad range of areas, including utilities, public safety, economic development, personnel, land use, contracts, ordinances, and regulatory compliance.

Mr. Kotter presented examples illustrating how changes in assessed property values and the certified tax rate affect individual property owners. He also discussed the stability of property tax as an ongoing revenue source and stated that ongoing expenditures are best funded with stable, ongoing revenues. He compared Brigham City's proposed property tax rate with surrounding communities and discussed the importance of economic development in expanding the City's tax base.

Mr. Kotter noted that the certified tax rate does not include an inflationary adjustment. He stated that periodically making smaller adjustments can help avoid the need for larger property tax increases in future years. He concluded by noting that the proposed increase had been reduced from 12.93% in the tentative budget to 4.81%.

Councilmember Hipp moved to open the public hearing. Councilmember Jensen seconded the motion, which carried unanimously.

MOTION: Councilmember Hipp moved to open the public hearing. Councilmember Jensen seconded the motion, which carried unanimously.

Glenn Thurston - expressed concerns and asked for clarification regarding the amount proposed for the full-time City Attorney position. He questioned whether the $129,843 represented an amount in addition to previously budgeted legal expenses and asked whether a future in-house attorney would also handle prosecution services. He also asked whether Nicole Cottle was anticipated to serve as the full-time City Attorney and expressed concern regarding the overall compensation level for the position. Mr. Thurston stated that he appreciated the Council's work to reduce the proposed property tax increase from the amount originally contemplated.

Marcy Andrews - expressed similar concerns regarding the cost of a full-time City Attorney while also acknowledging the City's need for full-time legal services. She expressed concern regarding the effect property tax increases can have on renters when property owners pass increased costs through to tenants, as well as the effect on residents living on fixed incomes. Ms. Andrews asked whether Council salary increases were included in the proposed tax increase and was advised they were part of the regular budget rather than the property tax increase. She also expressed concern regarding utility fund transfers to the General Fund and asked for additional clarification regarding that practice. Ms. Andrews commended the City for increasing police salaries.

Scott Turner - owner of a medical building near the hospital at 990 South Medical Drive - expressed concern regarding a significant increase in his property's assessed valuation. He stated that the valuation had more than doubled from the prior year and asked that City officials be aware that other commercial property owners in the area may be experiencing similar increases. Mayor Bott noted that property valuations are established by the County and advised Mr. Turner of the County's property valuation appeal process.

There were no comments from online participants and no additional comments from those in attendance.

> **MOTION:** Councilmember Troxell moved to open the public hearing. Councilmember Jensen seconded the motion, which carried unanimously.

Following the close of the public hearing, City Administrator Derek Oyler addressed several questions raised during public comment. He clarified that the $129,843 included in the proposed tax increase represents the difference between the City's current contracted legal services and the proposed compensation for a new full-time City Attorney; it is not an additional amount on top of both costs.

Mr. Oyler explained that the City currently contracts separately for prosecution services and would fulfill the existing prosecution contract. Whether prosecution would eventually be handled in-house would depend upon the qualifications and experience of the individual hired as City Attorney, although he anticipated that the City may continue contracting for prosecution while utilizing the in-house attorney primarily for civil matters.

Mr. Oyler also addressed property valuation questions, explaining that property assessments are performed by the County and that valuation changes across different classes of property can shift the relative property tax burden. They further clarified the distinction between the City's tax rate and the 4.81% percentage increase in property tax revenue.

ACTION ITEM

Consideration of Approval of Additional Ad Valorem Property Tax Revenue Shown in the Property Tax Impact Schedule

Mayor Bott explained that this action was required under recently enacted State law. City Attorney Nicole Cottle clarified that the action was administrative in nature and acknowledged that the required Property Tax Impact Schedule had been prepared and presented. She emphasized that the action did not constitute approval of the final property tax rate, tax increase, or budget, which would be considered by the Council on August 20, 2026.

> **MOTION:** Councilmember Smith moved to approve the additional ad valorem property tax revenue shown in the Property Tax Impact Schedule. Councilmember Hipp seconded the motion, which carried unanimously.

Prior to adjournment, Councilmember Jensen addressed the question raised during public comment regarding utility fund transfers. He explained that utility transfers provide revenue to the General Fund to support services including police, fire, senior services, and parks, which helps reduce reliance on property taxes. It was also explained that because some entities benefiting from City services are exempt from property taxes, utility revenues provide another means of supporting those services. The City's municipal utility was compared to an investor-owned utility, with the distinction that revenues generated by the City's utility are returned to the community rather than distributed to private shareholders.

At 6:55 PM Councilmember Smith made a motion to adjourn. Councilmember Jensen seconded the motion. Motion carried unanimously.

The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing is a true, accurate and complete record of the August 13, 2026 Truth in Taxation Public Hearing.

Dated this 4th of September, 2026.

____
Kristina Rasmussen, City Recorder

** These meeting minutes were generated with the assistance of artificial intelligence and have been reviewed, edited and approved by Brigham City Staff.

BRIGHAM CITY

PROPERTY TAX IMPACT SCHEDULE

Pursuant to 59-2-919(4)(a)(i) and 59-2-924(8)(b), the proposed tax rate increase is summarized as follows:

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- Average commercial property ($1,200,000):
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  - Annual Increase: $100.80
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Departmental Budget and Operational Impact
The proposed tax rate increase will impact the following departments:

Mayor's Office
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Operational Impact: Approval of the proposed tax rate increase will allow the City to maintain consistent legal services following the anticipated conclusion of the current contract. While the City has greatly benefited from a highly effective contracted attorney, the transition to a full-time City Attorney is intended to provide dedicated, on-site legal support and ensure continuity of services moving forward.

A full-time attorney will offer increased day-to-day availability, more direct integration with City staff and operations, and the ability to provide timely review of contracts, ordinances, and policies. This position will also support ongoing legal needs related to economic development, personnel matters, and regulatory compliance.

Without the proposed increase, the City would need to secure alternative contracted legal services, which may result in variability in availability, higher hourly costs over time, or reduced consistency depending on the provider.

Parks Department
Budget Impact ($55,000): This change is due to increased temporary wage costs to address seasonal staffing needs and rising service demands.

Operational Impact: Approval of the proposed tax rate increase will allow the department to enhance service levels by adding temporary staff to better maintain the City's parks system. This includes improved mowing schedules, landscaping, cleanliness, and overall park appearance. Additional staffing will help the department keep pace with increased usage and expectations as the City continues to grow.

Without the proposed increase, the department would likely continue to fall behind on routine maintenance and upkeep, resulting in declining park conditions, reduced aesthetic quality, and potential impacts to public use and community satisfaction.

NOTICE OF PROPOSED TAX INCREASE
BRIGHAM CITY

The BRIGHAM CITY is proposing to increase its property tax revenue.

The BRIGHAM CITY tax on a $400,000 residence would increase from $382.80 to $401.28, which is $18.48 per year.

The BRIGHAM CITY tax on a $400,000 business would increase from $696.00 to $729.60, which is $33.60 per year.

If the proposed budget is approved, BRIGHAM CITY would receive an additional $184,843 in property tax revenue per year as a result of the tax increase. If the proposed budget is approved, BRIGHAM CITY would increase its property tax budgeted revenue by 4.81% above last year's property tax budgeted revenue excluding eligible new growth.

The BRIGHAM CITY invites all concerned citizens to a public hearing for the purpose of hearing comments regarding the proposed tax increase and to explain the reasons for the proposed tax increase. You have the option to attend or participate in the public hearing in person or virtually.

PUBLIC HEARING

Date/Time:	8/13/2026 6:00 PM
Location:	City Hall Council Chambers 20 N Main Street Brigham City

To obtain more information regarding the tax increase, citizens may contact the BRIGHAM CITY at 435-734-6620 or visit www.bcutah.gov Instructions for virtual participation in the public hearing will be available at www.bcutah.gov no later than 24 hours before the public hearing is scheduled to begin.

BOX ELDER COUNTY NOTICE OF PROPOSED TAX INCREASE

The following taxing entities are proposing to increase property tax revenue within BOX ELDER COUNTY. Data is based on the taxing entity's average value shown below. The same value is used for both residential and commercial property. Concerned citizens are invited to attend the public hearings listed.

FOR FURTHER INFORMATION CONTACT THE INDIVIDUAL ENTITIES AT THE NUMBERS SHOWN BELOW.

Entities Proposing a Tax Increase	Average Market Value	If approved, tax will increase	From:	To:	Additional Ad Valorum Tax Revenue	% Increase if Proposed Tax Increase is Approved	Public hearing information Date/Time	Location	Phone:
BRIGHAM CITY	$400,000	**Residential:**	**$382.80**	**$401.28**	$184,843	4.81%	Aug 13,2026	20 N Main Street	435-734-6600
		Commercial:	**$696.00**	**$729.60**			6:00 PM	Brigham City	
DEWEYVILLE TOWN	$485,000	**Residential:**	**$188.06**	**$337.44**	$32,000	79.44%	Aug 22,2026	10870 N Hwy 38	435-239-7312
		Commercial:	**$341.93**	**$613.53**			7:00pm	Deweyville	
FIELDING TOWN	$450,000	**Residential:**	**$82.67**	**$153.70**	$13,868	86.19%	Aug 12,2026	150 S 100 W	435-458-3682
		Commercial:	**$150.30**	**$279.45**			6:30 PM	Fielding	
WEBER BASIN WATER CONSERVANCY	$570,000	**Residential:**	**$58.62**	**$62.70**	$545	9.13%	Aug 24,2026	2837 E Hwy 193	801-771-1677
		Commercial:	**$106.59**	**$114.00**			6:30 PM	Layton	

***Additional Ad Valorum Tax Revenue does not include amount from Judgment Levies.**

****This list is for informational purposes only and should not be relied on to determine a taxpayer's property tax liability. For specific property tax liability information the taxpayer should review their "Notice of Valuation and Tax Change".**

REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
August 20, 2026
6:00 p.m.

PRESENT:	D.J. Bott	Mayor
	Dave Hipp	Councilmember
	Matthew Jensen	Councilmember
	Ryan Smith	Councilmember
	Robin Troxell	Councilmember
ALSO PRESENT:	Mark Bradley	City Planner
	Chris Howard	Police Commander
	Tom Kotter	Community and Economic Development Director
	Derek Oyler	City Administrator
	Jeremy Poppleton	Assistant Fire Chief
	Kristina Rasmussen	City Recorder
	Jeff Schmitt	Finance Director
EXCUSED:	Dave Jeffries	Councilmember

At 6:00 PM Mayor Bott called the meeting to order. The prayer was given by Bishop Mike Arrington, 20th Ward and the pledge of allegiance followed.

CONSENT ITEMS

Mayor Bott presented the Consent Agenda, consisting of two items:

1. Approval of the August 6, 2026 City Council Meeting
2. Request to write-off utility accounts totaling $3,497.65 due to being sent to collections

MOTION: Councilmember Hipp made a motion to approve the consent item. Councilmember Jensen seconded the motion. Motion passed unanimously.

EMPLOYEE RECOGNITION

Mayor Bott recognized one new employee who has recently joined the Brigham City team and welcomed him to the organization. The following employee was recognized:

- Jeffery Davis – Tree Trimmer

PUBLIC HEARING

<u>Consideration of Resolution Adopting 2026-27 Final Budget</u>

Finance Director Jeff Schmitt provided a brief overview of the proposed 2026–27 Final Budget. He explained that the budget process had been ongoing for several months and included multiple budget work sessions and the Truth in Taxation public hearing held the previous week. He stated that no changes had been made since the interim budget was approved on June 18, 2026, and that the final budget was ready for Council consideration.

Motion to Open Public Hearing: Councilmember Hipp moved to open the public hearing regarding the 2026–27 Final Budget. Councilmember Jensen seconded the motion. The motion passed unanimously.

No public comment was given

Motion to Close Public Hearing: Councilmember Smith moved to close the public hearing regarding the 2026-27 Final Budget. Councilmember Troxell seconded the motion. The motion passed unanimously.

Following the public hearing, Mayor Bott noted that the Property Tax Impact Schedule attached to the agenda was provided to demonstrate compliance with applicable State requirements. The Council then discussed the proposed final budget and property tax increase.

Councilmember Smith suggested maintaining the Parks Department's additional temporary staffing funding at the $55,000 already included in the interim budget and using General Fund balance for one year to cover the additional City Attorney costs. He believed this would allow the City to recruit an attorney, determine the actual ongoing cost of the position, and provide residents a one-year reprieve from a property tax increase.

The Council discussed whether contracted legal services could continue instead. City Administrator Derek Oyler explained that replacing the level of service provided by the current contracted attorney would likely require multiple outside attorneys and additional funding. He noted that the current attorney had substantially reduced the City's need for outside counsel and provided expertise in employment, liability, contracts, ordinances, policies, economic development, and other legal matters. He clarified that a full-time City Attorney was not a new position; the City had attempted to recruit for the position approximately two years earlier before ultimately contracting for legal services.

Mr. Oyler reported that preliminary recruitment efforts had been unsuccessful at the $200,000 salary currently budgeted and estimated that approximately $240,000 to $250,000 annually, before benefits, could be necessary to recruit an attorney with the qualifications needed by the City. The current attorney's contract had expired August 1 and was continuing month-to-month only while the City sought a full-time replacement, making the arrangement unsuitable as a long-term solution.

Mayor Bott cautioned against using one-time funds for ongoing expenses, referencing the City's previous experience of using one-time funds to offset utility costs and the significant rate increases that eventually became necessary. Mr. Oyler agreed, emphasizing that adequate legal counsel was essential for a City with an approximately $90 million budget and substantial assets. He advised that using fund balance for the $129,843 ongoing attorney expense would leave the following year's budget approximately $130,000 behind and likely result in the issue returning as a property tax increase during the next budget cycle.

Councilmember Smith acknowledged those concerns but emphasized that he was proposing a one-year approach rather than an ongoing funding strategy. He noted that residents had also experienced increases in water and power rates and believed the City had an opportunity to provide some temporary relief while determining the actual cost of the attorney position.

Councilmember Smith proposed the following changes to the final budget:

- Maintain the Parks Department's additional temporary wage funding at $55,000, rather than adding the remaining $55,000 proposed in the final budget;
- Fund the $129,843 associated with the City Attorney from General Fund balance rather than additional property tax revenue; and
- Adopt the certified property tax rate without the proposed increase.

The Council clarified that the Parks Department had originally requested an additional $110,000 for temporary staffing, which had previously been reduced to $55,000 and included in the June 18 interim budget. Councilmember Smith's proposal would retain that $55,000 but not add the remaining $55,000. Finance staff also reported that unrestricted General Fund cash was approximately $8.3 million as of June 30, 2025, while cautioning that the figure did not reflect the recently completed fiscal year or previously budgeted expenditures.

Motion: Councilmember Smith moved to adopt the 2026–27 Final Budget with modifications from the budget and property tax increase as originally presented, specifically:

- Remove the additional $55,000 proposed for Parks Department temporary wages, leaving the $55,000 previously included in the interim budget for additional temporary staffing;
- Fund the $129,843 associated with the City Attorney from General Fund balance rather than through additional property tax revenue; and
- Adopt a property tax rate of .001740, generating approximately $3,846,456 in property tax revenue, thereby maintaining Brigham City's portion at the certified tax rate rather than adopting the proposed property tax increase.

Councilmember Hipp seconded the motion.

Roll Call:
Councilmember Troxell– Aye: Councilmember Smith – Aye; Councilmember Hipp – Aye; Councilmember Jensen – Aye

<u>Consideration of Ordinance approving the annexation of 87.74 +/- Acres located at approximately 1000 West between Hwy 13 and 1500 North into Brigham City Corporate Limits</u>

City Planner Mark Bradley presented the proposed annexation of approximately 87.74 acres located between Highway 13 and 1500 North. He explained that the petition was filed in June and had proceeded through the required noticing and review process. Stewart Land was the applicant, and Brad Brown was present representing the company. Mr. Bradley noted that the property had previously gone through a General Plan amendment process related to its future land use designation.

Mr. Bradley explained that the proposed annexation also included property owned by Taylor Roberts located between the railroad and the existing City limits. Staff had requested that this property be included to avoid creating a gap in the City's boundary along 1500 North and to provide continuity for future roadway and infrastructure improvements. Mr. Roberts had previously expressed interest in annexation but currently preferred not to be annexed. Staff believed inclusion of the property was important for orderly growth and future City responsibility for the roadway.

Councilmember Troxell expressed concern about including property when the owner did not wish to be annexed, stating that she had generally understood annexation to be initiated by willing property owners rather than imposed by the City. Mr. Bradley confirmed that annexation petitions must be submitted by property owners but explained that there had historically been circumstances where additional properties were included to meet annexation and boundary requirements.

The Council discussed Mr. Roberts' property and the anticipated improvements to 1500 North. It was noted that the property currently receives City services despite being outside the City limits and that Union Pacific requirements for the railroad crossing and roadway grade would affect properties on both sides of the tracks, including access to existing properties.

> **Motion to Open Public Hearing:** Councilmember Smith moved to open the public hearing regarding the proposed annexation. Councilmember Jensen seconded the motion. The motion passed unanimously.

Brad Brown - representing the applicant, stated that he had been communicating with Mr. Roberts regarding the annexation. He explained that Mr. Roberts' primary concern was whether annexation would require him to immediately pay for roadway improvements. Based on discussions with staff, Mr. Brown understood that no immediate roadway costs would be imposed, although future development could require reconciliation of services and development standards. Mr. Brown stated that he wanted Mr. Roberts' concerns represented since he was unable to attend the meeting.

> **Motion to Close Public Hearing:** Councilmember Smith moved to open the public hearing. Councilmember Jensen seconded the motion. The motion passed unanimously.

Following the public hearing, Mr. Bradley clarified a discrepancy in the agenda regarding the location of the annexation. The public hearing item referenced approximately 1200 West, while the related zoning item referenced 1000 West. He stated that the notices had been published using 1000 West and requested that the motion correctly identify the location as approximately 1000 West between Highway 13 and 1500 North.

Councilmember Troxell requested additional clarification regarding responsibility for future roadway improvements near Mr. Roberts' property and the railroad crossing. Staff explained that Union Pacific's requirements were still being engineered and that developers historically are responsible for roadway improvements along the frontage of their development. If Union Pacific required improvements beyond a developer's frontage, the City could initially fund those improvements and potentially establish a pioneering agreement to recover appropriate costs as surrounding properties develop.

City Administrator Derek Oyler acknowledged the Council's concern regarding annexing property without the owner's request and stated that staff generally agreed that annexations should be initiated by property owners. However, he explained that circumstances may arise in which the Council must determine whether inclusion of additional property is appropriate based on broader considerations. He referenced previous litigation involving this area and emphasized the importance of the City maintaining appropriate control of the roadway and coordinating improvements to mitigate the potential for future disputes or litigation. Staff believed the circumstances surrounding this particular area warranted inclusion of the property.

> **Motion:** Councilmember Hipp made a motion was made to approve the ordinance annexing 87.74 ± acres located at approximately 1000 West between Highway 13 and 1500 North into the Brigham City corporate limits. Councilmember Smith seconded the motion.

Roll Call:
Councilmember Troxell– Aye: Councilmember Smith – Aye; Councilmember Hipp – Aye; Councilmember Jensen – Aye

PUBLIC COMMENT

Jack Levitt - spoke about the volunteer-developed trail system on City property near Mantua Reservoir and its use by the Utah High School Cycling League. He provided background on his longtime involvement with the trails and emphasized that volunteers perform most of the construction, maintenance, and race preparation with minimal expense to the City.

Mr. Levitt opposed a proposed $5-per-participant fee for Cycling League events, which he estimated would total approximately $5,600 per race. He noted that the races provide recreational opportunities for youth, attract spectators to the area, and do not prevent the general public from accessing the surrounding property. He questioned the need for the fee given the amount of volunteer labor and equipment contributed to maintain the course and prepare for events.

Mr. Levitt requested that the Council consider exempting the Cycling League from the proposed fee. He also cautioned that additional fees or restrictions on public access could discourage volunteers and participants, potentially affecting the long-term viability of the trail system.

Phil Dunson - commented on the recently completed bridge near Pioneer Park. He expressed appreciation for the bridge and the travel-time savings it provides but said the construction appeared to take a long time from the public's perspective. He questioned the apparent disconnect between that perception and reports that the project was completed approximately six months ahead of schedule and suggested the City consider whether future project schedules and estimates could better reflect public expectations. He also commented on the timing of the ribbon-cutting ceremony occurring before the bridge was fully open. Mr. Dunson reiterated his appreciation for the project and the work involved in completing it.

Doug Christensen, a Bear River City resident, approached the Council and identified himself as a candidate for County office. Mayor Bott expressed concern regarding a candidate discussing his candidacy in a City facility would be in violation of the Hatch Act. Mr. Oyler clarified that it was not the Hatch Act but the City's own written policy regarding the public comment period that limits non-resident participation. Mr. Christensen thanked the Council and did not provide further comment.

COUNCILMEMBER AND CITY ADMINISTRATOR COMMENTS

Councilmember Troxell – Reported on the recent Library Board meeting, where two new board members were seated following the retirement of longtime members. She recognized Barbara Pullman for approximately 32 years of service on various City boards and expressed appreciation for the many residents who volunteer on boards, commissions, and community organizations throughout Brigham City. She also noted that City Attorney Nicole Cottle provided Public Meetings Act training to the Library Board, which was well received.

Councilmember Smith – Noted that Peach Days was three weeks away.

City Administrator Derek Oyler – Provided an update regarding downtown parking and the City's efforts to support businesses and maintain a vibrant historic Main Street. He announced that the City purchased a residential property at 69 South 100 West and planned to demolish the dwelling in mid-to-late September to expand public parking in the downtown area.

ACTION ITEMS

Consideration of Ordinance amending the Brigham City Zoning Map to assign zoning districts to land associated with an annexation petition located at 100 West between 1500 North and Highway 13

City Planner Mark Bradley presented the proposed zoning for the recently annexed_property at approximately 1000 West between 1500 North and Highway 13. He reported that the Planning Commission recommended approval by a 3-2 vote of:

- RM-7 on the southern portion;
- R-1-8 through the primary portion;
- R-1-10 on the northern portion; and
- R-1-8 on the Roberts property east of the railroad tracks.

The two dissenting votes related to the Roberts property—one Commissioner opposed including property whose owner did not wish to annex, while another preferred R-R-1 zoning to provide greater flexibility for existing animal rights.

The Council discussed the proposed R-M-7 zoning, including density and whether R-1-6 would be more appropriate. Mr. Bradley explained that townhomes under either zone would require a Planned Unit Development (PUD) and additional City review. Actual density would also be limited by streets, setbacks, topography, Highway 13 access restrictions, and other site constraints. Staff felt R-M-7 could provide an appropriate transition between the residential development and existing MD industrial zoning across 1000 West.

Regarding the Roberts property, Mr. Bradley explained that documented existing animal rights could continue under R-1-8 as long as the property remained in its current configuration. Subdivision or redevelopment would require compliance with R-1-8 standards. R-R-1 could provide greater ability to retain animal rights if the property were subdivided but could require a future rezone for more intensive residential development.

The Council also discussed increased traffic from future development. Mr. Bradley stated that traffic impacts had been considered during the General Plan amendment and could eventually require coordination with UDOT and improvements at 1000 West. Future development of 1500 North was expected to provide an additional route toward Highway 13.

> **Motion:** Councilmember Troxell moved to approve the ordinance amending the Brigham City Zoning Map to assign zoning districts to land associated with the annexation petition located at 1000 West between 1500 North and Highway 13, as presented. Councilmember Hipp seconded the motion.
>
> **Roll Call:**
> Councilmember Troxell– Aye: Councilmember Smith – Aye; Councilmember Hipp – Aye; Councilmember Jensen – Aye

Consideration of approval of Appointment of Interim Public Power Director

Mayor Bott presented the proposed appointment of Kevin Garlick as Interim Public Power Director. He explained that Mr. Garlick had been consulting with Brigham City for more than a year on its power portfolio and had recently served as the City's UAMPS representative.

Mayor Bott reviewed Mr. Garlick's extensive public power experience, including serving as Public Power Director for Logan City, Bountiful City, and Provo City, as well as a leadership position with the Utah Municipal Power Agency (UMPA) involving power generation. He stated that Mr. Garlick's experience in generation, power acquisition, technology, and municipal utilities would be particularly valuable as the City addresses future generation needs and works to provide adequate power for continued growth and economic development.

Mr. Garlick thanked the Mayor and Council for the opportunity and stated that he looked forward to building upon the work of the City's Power Department. He identified addressing current and future power generation challenges as a primary focus and offered to meet with Councilmembers regarding any questions or concerns related to the department.

Mayor Bott added that the City is exploring generation options, including potential behind-the-meter generation, and said Mr. Garlick's expertise would help the City evaluate and navigate those opportunities.

> **Motion:** Councilmember Hipp moved to approve the appointment of Kevin Garlick as Interim Public Power Director. Councilmember Jensen seconded the motion. The motion passed unanimously.

Following the appointment, City Recorder Kristina Rasmussen administered the oath of office to Mr. Garlick.

Consideration of Resolution approving the amending and restated waste services agreement between Brigham City Corporation and Econowaste, LLC and authorizing the Mayor to execute the agreement on behalf of Brigham City

Community Development Director Tom Kotter presented the proposed one-year agreement with Econowaste, LLC for the City's blue-can recycling program. He explained that the existing one-year agreement was expiring and that Econowaste had since been acquired by Republic Services. Although multi-year options were available, staff recommended another one-year agreement to allow the City to continue evaluating the program. Approximately 2,300 customers currently participate, a decrease of about 500 customers from the previous year.

The Council clarified that although the agreement is titled a "waste services agreement," it applies specifically to recycling services. Staff noted that the terminology had been reviewed and approved by the City Attorney and that the agreement defines the recycling services being provided.

A Republic Services representative explained that recyclable material is now taken to a transfer station owned by Republic and then handled through a contracted recycling provider. She addressed previous concerns about recyclable material being landfilled and stated that, aside from contamination that cannot be recycled, collected recyclable material is required to be processed for recycling. She also explained that the previous $100 tipping fee had been eliminated and replaced with a standard $65-per-ton transfer station charge.

The Council discussed declining participation and opportunities to increase public awareness and education, including reducing contamination in recycling containers. The Republic representative stated that the per-can rate would remain the same even if participation declines and expressed willingness to work with the City on future outreach efforts. City staff noted that information about the recycling program is currently distributed through annual utility bill inserts and to new utility customers.

> **Motion**: Councilmember Smith moved to approve the resolution approving the amended and reinstated waste services agreement between Brigham City Corporation and Econowaste, LLC and authorizing the Mayor to execute the agreement on behalf of Brigham City. Councilmember Jensen seconded the motion. The motion passed unanimously.

<u>Consideration of Ordinance amending Title 5 – Consolidated Fee Schedule related to fees for recycling service</u>

Community Development Director Tom Kotter presented the proposed amendment to Title 5, Consolidated Fee Schedule, related to recycling services. He explained that, as part of the City's recent ordinance recodification, fees have been consolidated into Title 5 and the recycling fee needed to be updated to reflect the new agreement with Econowaste.

Staff recommended increasing the blue-can recycling fee from $10 to $11 per can to help cover increased service and fuel-related costs included in the new contract.

> **Motion:** Council Member Hipp moved to approve the ordinance amending Title 5, Consolidated Fee Schedule, related to fees for recycling services. Council Member Jensen seconded the motion.

> **Roll Call:**
> Councilmember Troxell– Aye: Councilmember Smith – Aye; Councilmember Hipp – Aye;;
> Councilmember Jensen - Aye

At 7:37 PM Councilmember Hipp made a motion to enter a closed session to discuss the purchase, exchange, or lease of real property. Councilmember Troxell seconded the motion.

> **Roll Call:**
> Councilmember Troxell– Aye: Councilmember Smith – Aye; Councilmember Hipp – Aye;;
> Councilmember Jensen - Aye

At 7:45 PM Council came back into regular session. Councilmember Smith made a motion to adjourn. Councilmember Jensen seconded the motion. Motion passed unanimously.

The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing is a true, accurate and complete record of the August 20, 2026 City Council Meeting.

Dated this 4th of September, 2026.

____
Kristina Rasmussen, City Recorder

** These meeting minutes were generated with the assistance of artificial intelligence and have been reviewed, edited and approved by Brigham City Staff.

PROPERTY TAX IMPACT SCHEDULE

Pursuant to 59-2-919(4)(a)(i) and 59-2-924(8)(b), the proposed tax rate increase is summarized as follows:

Revenue Impact

- Estimated additional property tax revenue: $184,843
- Percentage increase in total property tax revenue: 4.81%

Taxpayer Impact

- Average residential property ($400,000):
  - Prior year tax: $382.80
  - Proposed tax: $401.28
  - Annual Increase: $18.48
  - Percentage Increase: 4.81%

- Average commercial property ($1,200,000):
  - Prior year tax: $2,088.00
  - Proposed tax: $2,188.80
  - Annual Increase: $100.80
  - Percentage Increase: 4.81%

Departmental Budget and Operational Impact
The proposed tax rate increase will impact the following departments:

Mayor's Office
Budget Impact ($129,843): This change is attributable to personnel costs associated with transitioning from a contracted attorney to a full-time City Attorney position, including wages and benefits that were not previously provided under the contract arrangement.

Operational Impact: Approval of the proposed tax rate increase will allow the City to maintain consistent legal services following the anticipated conclusion of the current contract. While the City has greatly benefited from a highly effective contracted attorney, the transition to a full-time City Attorney is intended to provide dedicated, on-site legal support and ensure continuity of services moving forward.

A full-time attorney will offer increased day-to-day availability, more direct integration with City staff and operations, and the ability to provide timely review of contracts, ordinances, and policies. This position will also support ongoing legal needs related to economic development, personnel matters, and regulatory compliance.

Without the proposed increase, the City would need to secure alternative contracted legal services, which may result in variability in availability, higher hourly costs over time, or reduced consistency depending on the provider.

Parks Department
Budget Impact ($55,000): This change is due to increased temporary wage costs to address seasonal staffing needs and rising service demands.

Operational Impact: Approval of the proposed tax rate increase will allow the department to enhance service levels by adding temporary staff to better maintain the City's parks system. This includes improved mowing schedules, landscaping, cleanliness, and overall park appearance. Additional staffing will help the department keep pace with increased usage and expectations as the City continues to grow.

Without the proposed increase, the department would likely continue to fall behind on routine maintenance and upkeep, resulting in declining park conditions, reduced aesthetic quality, and potential impacts to public use and community satisfaction.

REQUEST TO APPEAR
BEFORE THE BRIGHAM CITY COUNCIL

MEETINGS ARE HELD THE 1ST AND 3RD THURSDAY OF EACH MONTH AT 6PM. What is your preferred date to appear before the council? September 3, 2026

NAME: Monica Holdaway, Box Elder Chamber of Commerce

FULL ADDRESS: 75 South Main Street Brigham City

PHONE NUMBER: 4352253931

EMAIL: monica@boxelderchamber.com

PLEASE GIVE A DETAILED DESCRIPTION OF YOUR REQUEST.
Thanking the council for their support of Peach Days

WILL YOU BE ASKING THE COUNCIL FOR ANY ASSISTANCE, FINANCIAL OR OTHERWISE?
No

IF YOU ARE REPRESENTING AN ORGANIZATION OR BUSINESS PLEASE ENTER THE NAME: Box Elder Chamber of Commerce

Requester Signature Monica Holdaway

For City Use Only:
Approvals:
City Administrator:
Mayor:

BRIGHAM CITY
AGENDA ITEM FOR CITY COUNCIL MEETING

1. INITIATED BY: Derek Oyler

2. DEPARTMENT OR DIVISION: Administration

3. DATE INITIATED: 8/20/26

4. BRIEF EXPLANATION OF PROPOSED ACTION (ATTACH OTHER DOCUMENTATION AS NECESSARY):

   A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING FOR THE PURPOSE OF COLLABORATING ON A TECHNICAL TRAINING, CERTIFICATION, AND RESEARCH AND DEVELOPMENT CAMPUS

5. ESTIMATED TIME NEEDED: 10 Minutes

6. PROPOSED DATE FOR COUNCIL ACTION: September 3, 2026

7. EXPLANATION OF DEADLINE, IF APPLICABLE:

8. REVIEW

Date	Name	Signature	Attachment
8/25/26	Nicole Cottle		YES

9. MAYOR'S SIGNATURE:

BRIGHAM
CITY

CITY ATTORNEY
LEGAL DOCUMENT REVIEW

Document Name: **A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING FOR THE PURPOSE OF COLLABORATING ON A TECHNICAL TRAINING, CERTIFICATION, AND RESEARCH AND DEVELOPMENT CAMPUS**

Name of Person Requesting Legal Review: Derek Oyler

Date Sent: 8/25/2026 Review Date Deadline: 8/25/26

Reviewed by Attorney: Nicole Cottle Date: 8/25/2026

x Reviewed and acceptable as submitted

☐ See suggested changes:

Returned to: Derek Oyler Date: 8/25/2026

☐ Accepted as Received

Submitted to Mayor's Office By:____________________ Date:____________________

Reviewed by Mayor's Office: ____
Derek Oyler, City Administrator

BRIGHAM CITY CORPORATION

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING FOR THE PURPOSE OF COLLABORATING ON A TECHNICAL TRAINING, CERTIFICATION, AND RESEARCH AND DEVELOPMENT CAMPUS

WHEREAS the Parties share a mutual interest in establishing a collaborative Technical Training, Certification, and Research & Development Campus ("Campus") dedicated to advancing world-class education, workforce training, and innovation in the nuclear energy and nuclear technology sectors; and

WHEREAS the Parties recognize the strategic importance of developing a highly skilled workforce capable of supporting current and emerging nuclear industries, including advanced nuclear energy systems, defense-related technologies, and associated supply chains; and

WHEREAS the proposed campus will serve as a regional hub for technical training, professional certification, and applied research, creating high-quality employment opportunities, strengthening the local and state economy, and expanding educational pathways for students, skilled trades, and transitioning workers; and

WHEREAS the Parties intend that the campus will provide dedicated workforce pathways for military veterans and service members, leveraging their technical experience to prepare them for careers in nuclear operations, engineering support, safety, maintenance, and other specialized nuclear trades critical to national security and energy resilience; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BRIGHAM CITY, UTAH, as follows:

The City Council hereby authorizes and directs the Mayor to execute the Memorandum of Understanding attached as Exhibit A.

This Resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED by the Brigham City Council this _____ day of __________, 2026.

BRIGHAM CITY CORPORATION

By: ____________________________________

Dennis J. Bott, Mayor

ATTEST:

____

Kristina Rasmussen, City Recorder

MEMORANDUM OF UNDERSTANDING
between
BRIGHAM CITY CORPORATION
UTAH STATE UNIVERSITY
and
HI TECH SOLUTIONS, LLC

This Memorandum of Understanding ("**MOU**") is made and entered into this ___ day of July 2026 ("**Effective Date**"), between Brigham City Corporation, a Utah municipal corporation ("**City**"), Utah State University ("USU"), and Hi Tech Solutions, LLC ("HTS"). The above listed may be referred to individually as a "Party" and collectively as the "Parties."

RECITALS

WHEREAS the Parties share a mutual interest in establishing a collaborative Technical Training, Certification, and Research & Development Campus ("Campus") dedicated to advancing world-class education, workforce training, and innovation in the nuclear energy and nuclear technology sectors; and

WHEREAS the Parties recognize the strategic importance of developing a highly skilled workforce capable of supporting current and emerging nuclear industries, including advanced nuclear energy systems, defense-related technologies, and associated supply chains; and

WHEREAS the proposed campus will serve as a regional hub for technical training, professional certification, and applied research, creating high-quality employment opportunities, strengthening the local and state economy, and expanding educational pathways for students, skilled trades, and transitioning workers; and

WHEREAS the Parties intend that the campus will provide dedicated workforce pathways for military veterans and service members, leveraging their technical experience to prepare them for careers in nuclear operations, engineering support, safety, maintenance, and other specialized nuclear trades critical to national security and energy resilience; and

WHEREAS the Parties desire to work together to accomplish these goals on the property ("Property") described in the attached Exhibit A which is incorporated into the MOU; and

NOW THEREFORE, the Parties set forth their shared understanding as follows:

Memorandum of Understanding

1. Purpose. The purpose of this MOU is to formalize the Parties' shared intent to collaborate in evaluating, planning, and advancing the development of a Campus that will provide specialized training, research and validation opportunities for industry, professional certifications, academic programs, and applied research opportunities in nuclear-related fields ("Purpose"). The Campus is envisioned to support workforce development, technological innovation, and industry partnerships while strengthening regional and national capabilities in nuclear energy, defense, and advanced technology sectors.

2. Areas of Cooperation. The Parties intend to work cooperatively in good faith to support the planning and potential development of the Campus. Areas of collaboration may include, but are not limited to:

- Coordinating strategic planning activities necessary to assess the feasibility and scope of the Campus.
- Identifying potential locations, facilities, and infrastructure required to support training, certification, and research activities.
- Developing educational and technical training programs aligned with industry workforce needs, including certifications and applied learning opportunities.
- Establishing partnerships with nuclear industry employers, national laboratories, defense-related institutions, and private sector participants.
- Exploring opportunities to integrate academic degree programs, technical trade certifications, and applied research initiatives.
- Identifying pathways for military veterans and transitioning service members to enter nuclear-related careers through credentialing, apprenticeship, and workforce transition programs.
- Coordinating with state, local, and federal stakeholders to identify regulatory considerations, funding opportunities that support workforce development and education, and economic development resources.
- Exploring public-private partnership structures, potential financing mechanisms, and investment opportunities that may support the development and long-term sustainability of the Campus.
- Developing internship, apprenticeship, experiential learning, and employment pathways for students, graduates, military veterans, and incumbent workers seeking careers in advanced energy, manufacturing, quality assurance, and nuclear-related industries.
- Exploring opportunities for industry-sponsored training facilities, simulation laboratories, equipment donations, shared-use learning environments, and workforce development infrastructure that support education, training, certification, and applied research activities.
- Supporting the development of a regional workforce ecosystem that connects K-12 education, technical colleges, higher education institutions, industry partners, workforce agencies, national laboratories, and defense-related organizations.
- Evaluating opportunities for development of underutilized university-owned property through public-private partnership structures that support workforce development, education, research, training, and economic development objectives.
- Establishing the framework under which USU will provide a long-term ground lease of the Property and HTS will serve as master developer with the right to sub-develop and sublease portions of the Property to other participating entities.
- Developing facilities that meet industry needs and funded research and testing opportunities while providing applied, hands-on training for students, with operating responsibilities and revenue-sharing arrangements to be defined in subsequent agreements.

3. Planning and Governance Coordination. To facilitate effective collaboration, the Parties intend to coordinate through a planning and advisory structure that may include representatives from USU, the City, and HTS. This collaborative structure may assist in:

- Conducting feasibility and workforce demand analyses.
- Evaluating and developing conceptual master planning alternatives for the Campus.
- Identifying capital development needs and potential funding sources.
- Coordinating workforce development strategies with regional employers and industry partners.
- Advising on curriculum development, certification programs, and research initiatives aligned with industry standards.
- Identifying opportunities for student internships, apprenticeships, workforce placements, and employer engagement.
- Evaluating opportunities for public-private partnerships involving workforce training facilities, research infrastructure, industry collaboration, and related campus or property development.

The Parties may establish working groups, advisory committees, or task forces as necessary to support the planning and development process. The Parties intend that any project-approval or consent process established in subsequent written agreements will be structured to support timely development, including the use of a pre-approved master development plan and reasonable response timelines, so that routine sub-development consistent with the approved plan can proceed without undue delay.

4. Roles of the Parties. Each Party anticipates contributing its respective expertise and resources to support the planning and development of the Campus, which may include:

- **USU:** Providing academic leadership, curriculum development, faculty expertise, research capabilities, student engagement, workforce development programming, and administration of training, certification, continuing education, and credentialing opportunities.
- **The City:** Supporting site planning, infrastructure coordination, local permitting processes, and regional economic development initiatives.
- **HTS:** Providing industry expertise, workforce demand insight, equipment and technology resources, internship and employment opportunities, potential research collaboration, administration of industry specific research, training, and certification, potential investment or partnerships, and serving as master developer of the Property, responsible for financing, developing, and coordinating sub-development of the Campus

5. Funding and Resource Development. The Parties acknowledge that implementation of any future campus development, facility construction, public-private partnership, ground lease, facility use arrangement, development agreement, research facility, workforce training center, or other real property transaction would be subject to separate negotiation and documentation. Nothing in this MOU shall be construed as granting any ownership interest, leasehold interest, development right, other interest in real property, or intellectual property of a Party.

The Parties may explore opportunities involving university-owned property that support the educational, workforce development, research, and economic development objectives contemplated by this MOU. Any such opportunity shall be subject to all required institutional, governmental, and governing board approvals.

The Parties acknowledge that development of the Campus will require substantial planning, investment, and coordination. The Parties intend to collaboratively explore potential funding opportunities, which may include state and federal grants, private investment, industry partnerships, philanthropic contributions, public-private financing structures, and other financing mechanisms that support workforce development, research, and infrastructure development.

Nothing in this MOU obligates any Party to commit financial resources unless and until such commitments are approved through appropriate governing processes and documented in subsequent written agreements.

6. Publicity. The Parties agree to coordinate in good faith on the timing and content of any press release, public announcement, or promotional activity relating to the Campus. Any such proposed publicity will be submitted to the other Parties and approved in writing prior to its publication or release.

7. Non-Binding Intent. This MOU reflects the Parties shared commitment to collaborate and coordinate planning efforts. Except for Section 11, Governing Law, and Section 12, Confidentiality, which form binding obligations on the Parties, this MOU does not create legally binding obligations and does not obligate any Party to fund, construct, or operate the Campus. Any potential future commitments related to land acquisition, capital investment, construction, program development, or operational responsibilities will be addressed through separate written agreements as appropriate.

8. Term and Termination. This MOU shall become effective upon the date of the last signature below ("Effective Date") and shall remain in effect for a period of three (3) years, unless extended by mutual written agreement ("Term"). Any Party may withdraw from this MOU without penalty upon providing written notice to the other Parties. During the Term, and as an expression of intent rather than a binding obligation, the Parties intend to work exclusively with one another toward the planning and development of the Campus on the Property.

9. Future Agreements. The Parties acknowledge that future written agreements will be necessary to advance the development, construction, governance, and operation of the Campus. Such agreements may include development agreements, partnership agreements, lease arrangements, funding agreements, or other instruments necessary to implement the goals outlined in this MOU. Nothing in this MOU obligates any Party to enter into a future agreement.

10. Collaboration and Workforce Advancement. The Parties acknowledge the strategic importance of developing a highly trained workforce capable of supporting the growing nuclear energy, national defense, and advanced technology sectors. Through this MOU, the Parties affirm their shared intent to work collaboratively to advance the planning and development of the Campus, which will serve as a premier destination for education, workforce development, and innovation.

The Parties further recognize that the success of this initiative will depend on strong coordination among academic institutions, local and state governments, industry partners, and workforce organizations. By combining their respective expertise, resources, and leadership, the Parties intend to create a collaborative ecosystem that supports cutting-edge technical training, applied research, and workforce readiness while strengthening economic development opportunities within the region and the State.

The Parties also share a commitment to ensuring that the Campus creates meaningful pathways for students, skilled trades, and military veterans to pursue rewarding careers in nuclear-related industries. By aligning education, certification, and industry needs, the Campus is intended to serve as a model for workforce preparation and technological advancement in support of national energy security and economic resilience.

11. Governing Law. This MOU shall be governed by and construed in accordance with the laws of the State of Utah without regard to any conflict of law principles.

12. Confidentiality and Public Records. "Confidential Information" means any nonpublic technical, commercial, financial, business, research, operational, security, or other information disclosed by or on behalf of one Party (the "Disclosing Party") to the other Party (the "Receiving Party") in connection with evaluation, planning, development, or discussion of the Campus or Property that: (i) is marked or otherwise identified in writing as confidential or with similar language at the time of disclosure; or (ii) if disclosed orally, visually, or by demonstration, is identified as confidential at the time of disclosure and summarized in a writing delivered to the Receiving Party within 15 days after disclosure.

(a) Use and Protection. The Receiving Party shall:

1. use Confidential Information solely for purposes of evaluating, planning, developing, or discussing the Purpose as defined in Section 1 above related to the Campus;
2. protect Confidential Information using at least reasonable care and no less than the degree of care the Receiving Party uses to protect its own confidential information of a similar nature;
3. disclose Confidential Information only to its officers, employees, professional advisors, consultants, and other representatives (all of the foregoing are referred to as "Representatives") who have a need to know the information for purposes of the Project and who are subject to confidentiality obligations or professional duties no less protective than those contained in this Section; and,
4. be responsible for any use or disclosure of Confidential Information by its Representatives that would constitute a breach of this Section if committed by the Receiving Party.

(b) Exclusions. Confidential Information does not include information that the Receiving Party can demonstrate: (i) is or becomes publicly available through no breach of this MOU; (ii) was lawfully known to the Receiving Party without restriction before its disclosure by the Disclosing Party; (iii) is lawfully obtained from a third party that is not under an obligation of confidentiality to the Disclosing Party; or (iv) is independently developed by the Receiving Party without use of or reference to the Disclosing Party's Confidential Information.

(c) Utah Public-Records Laws. The Parties acknowledge that governmental entities are subject to the Utah Government Records Access and Management Act, Utah Code § 63G-2-101 et seq., as amended ("GRAMA"), and that records in a government entity's control may be subject to public disclosure. Nothing in this MOU requires the University or the City to withhold a record when disclosure is required by GRAMA, court order, subpoena, or other applicable law.

When providing information a Disclosing Party believes qualifies for protection from disclosure, the Disclosing Party shall:

1. clearly identify and mark the information as confidential or proprietary;
2. provide any written claim of business confidentiality and concise statement of supporting reasons required by Utah Code § 63G-2-309; and
3. when applicable to sponsored research or technology transfer, provide the claim required by Utah Code § 53H-14-204.

To the extent permitted by applicable law and reasonably practicable, a Party shall notify the Disclosing Party before disclosing Confidential Information in response to a public-records request, subpoena, court order, or other compulsory process so that the Disclosing Party may seek a protective order or other appropriate remedy. The University shall not be required to initiate litigation, incur material expense, or refuse to comply with applicable law. If a Receiving Party becomes legally compelled to disclose Confidential Information, it shall, to the extent legally permitted, promptly notify the Disclosing Party, reasonably cooperate with the Disclosing Party at the Disclosing Party's expense in seeking confidential treatment, and disclose only the portion of Confidential Information legally required to be disclosed.

(d) Return or Destruction. Upon the Disclosing Party's written request or termination of this MOU, the Receiving Party shall return or destroy the Disclosing Party's Confidential Information and all copies thereof, except that the Receiving Party may retain: (i) one archival copy for legal and compliance purposes; and (ii) copies maintained through routine electronic backup systems that are not readily accessible in the ordinary course. Any retained information remains subject to this Section.

(e) Duration. The obligations in this Section apply during the term of this MOU and for 3 years after MOU termination.

13. Execution. This MOU may be executed in counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. Signatures transmitted electronically shall be deemed valid for purposes of executing this MOU.

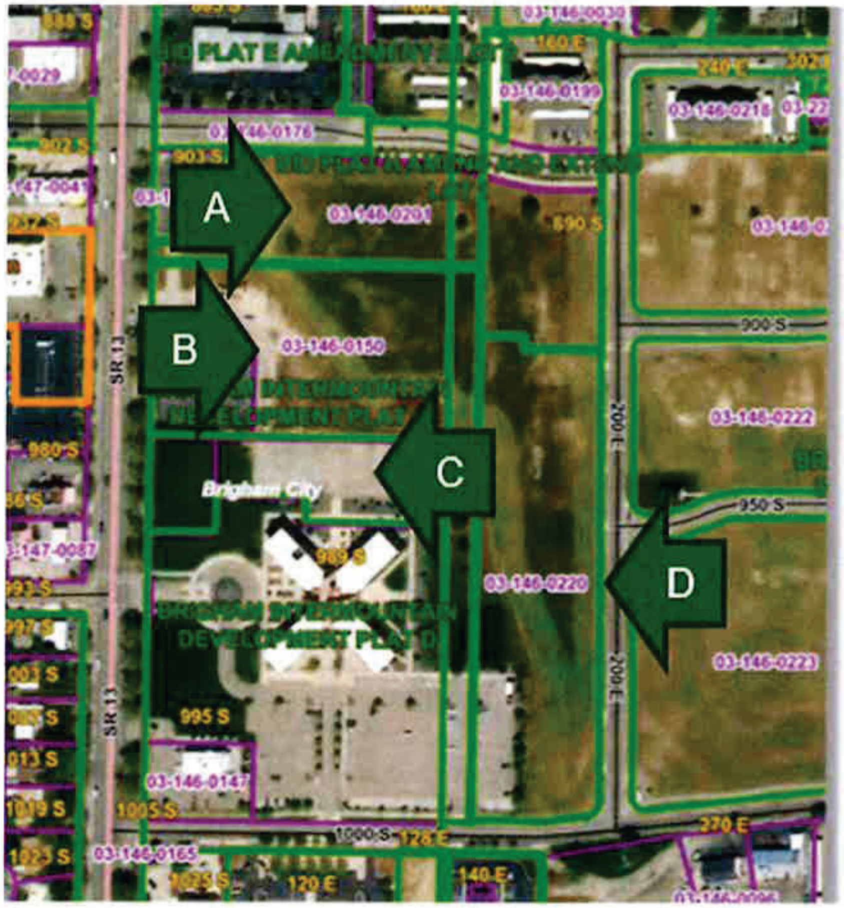
The undersigned representatives affirm that they are duly authorized to execute this MOU on behalf of their respective organizations.

UTAH STATE UNIVERSITY	**HI TECH SOLUTIONS, LLC**
By: ______________________	By: ______________________
Name: ______________________	Name: ______________________
Title: ______________________	Title: ______________________
Date: ______________________	Date: ______________________

BRIGHAM CITY CORPORATION

By: ______________________________
Name: ____________________________
Title: _____________________________
Date: _____________________________

Exhibit A: Property Description



General Site Data:

- *Land Area*
    - *03-146-0201 ("A")* ±178,160 square feet, or ±4.09 acres
    - *03-146-0150 ("B") ±206,039 square feet, or ±4.73 acres*
    - *03-146-0149 ("C") ±58,806 square feet, or ±1.35 acres*
    - *03-146-0220 ("D") ±217,800 square feet, or ±5.00 acres*
    - *03-146-221 ("E") ±202,554 square feet, or ±4.65 acres*
    - *03-146-0222 ("F") ±151,589 square feet, or ±3.48 acres*
    - *03-146-0223 ("G") ±265,716 square feet, or ±6.10 acres*
    - *03-146-0224 ("H") ±287,496 square feet, or ±6.60 acres*

    - *Gross Land Size ±1,568,160 square feet, or 36.00 acres – Combined*