



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# 838 5486 4256
TUESDAY, AUGUST 25, 2026 @ 1:00 PM

MINUTES OF THE TOWN COUNCIL

Roll Call:

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

Members Absent: Council Member Martin Tidwell

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Amanda Hunter, Code Compliance; Shane Williamson, Town Treasurer, Chief Dan Benson, Public Works Director; Ciera Claridge, Deputy Clerk; Jared Tubbs, Public Works Director; Greg Sant, Planning & Building Administrator; New public works employees: Morgan Weedin, Kaden Sorenson.

A. CALL TO ORDER

Mayor Calloway called the regular meeting of the Town Council to order at 1:00 pm

B. PLEDGE ALLEGIANCE

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

C. DISCLOSURES

Mayor Calloway stated that he may have a potential conflict of interest with Agenda Item F.1, Construction Mitigation Policy in which he is a contractor/owner of Bristlecone Building Company.

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. EMPLOYEE RECOGNITION: Amanda Hunter, Code Compliance Certifications

Shane Williamson, Admin. Dept. Head, presented a recognition to Code Compliance Officer Amanda Hunter for recently completing several professional certifications, including a Code Enforcement Officer Safety Foundation course, a Code Official Specialist certification, and a Certificate of Completion through the Land Use Academy of Utah (LUAU). The Council expressed appreciation for Amanda's dedication in a challenging role.

**E. APPROVAL OF THE MINUTES:
August 11, 2026, Town Council Meeting**

No changes or corrections were submitted for the minutes of August 11, 2026, Town Council Meeting.



Motion: Council Member Nyen moved to approve the August 11, 2026, Town Council minutes. Council Member Cruz seconded the motion.

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

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

Council Member Nyen reflected on having recently been in Salt Lake City and expressed appreciation for returning to Brian Head, noting the ongoing construction-related traffic challenges.

Town Manager Bret Howser

1. provided several updates. He reported that flagpole installation near the Town Hall was anticipated for the following day, and that shuttle stop construction was nearing completion. Bret raised the question of roofing color for the shuttle stops, noting that the original design called for green roofing to match the Town Hall building. Given that the Town Hall roof may be replaced within the next year or two—potentially in a different color—Council Members informally indicated a preference for a different, lighter color for the shuttle stop roofs to improve visibility. Bret indicated he would follow up individually with Council Members after the meeting.
2. Reported on a recent appeal authority hearing regarding a grading permit application that has been outstanding for approximately two years. The dispute involves a claimed easement by property owner Nick Vasels across a corridor owned by the ski resort, relating to the paving and plowing of a road from Black Diamond Condominiums at the top of Vasels Drive through the Chair 8 corridor. The Town denied the permit application, citing a written objection from the resort as the underlying landowner. The appeal was heard by Paul Bittman, Cedar City Manager, who is expected to render a decision within the coming weeks. Bret noted that regardless of the outcome, litigation between one or more of the parties—potentially including the Town—appears likely. He expressed hope that the parties would ultimately negotiate directly, particularly regarding the broader question of a potential skier bridge connecting the two properties.
3. Noted upcoming travel commitments, including attendance at the Rural Water Association of Utah conference and the Outdoor Recreation Summit in Cedar City.

Public Works Director Jared Tubbs

1. Introduced four new public works employees: Wayne DeMille (incoming garbage truck driver), Jake Lister (grading operations), Kayden Sorenson (formerly of Interstate Rock, the waterline project contractor), and Morgan Weedon (equipment operations).
2. Highlighted recent rip-rap ditch work performed by a private property owner on Steam Engine Drive near Aspen Meadows as a promising model for mitigating erosion in steep sections, which the department intends to replicate in similar locations.

Public Safety Director, Chief Dan Benson expressed appreciation to Council Member Nyen for his work on the Community Wildland Preparedness Plan update, which has been submitted to the state for review. Chief Benson noted that acceptance would advance the Town's standing as a Fire Wise community and encouraged continued recruitment of committee members.

1 Code Compliance Officer Amanda Hunter reported that construction compliance has improved,
2 with contractors showing greater awareness of Town requirements. Amanda noted a quieter
3 season compared to prior years.

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5 No public comments on non-agenda items were received. A Zoom audio check was conducted
6 and confirmed clear.

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9 **G. AGENDA ITEM:**

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11 **1. CONSTRUCTION MITIGATION POLICY AMENDMENT FOR WINTER**
12 **RIGHT-OF-WAY** An amendment to the Construction Mitigation Policy for the winter right-of-
13 way.

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15 Planning & Building Administrator Greg Sant presented proposed amendments to the
16 Construction Mitigation Policy, with a particular focus on enforcement improvements for
17 the winter right-of-way program. Greg noted that a prior inclination to discontinue the
18 program was reconsidered at Council direction, and that upon review, the program was
19 functioning better than initially perceived. The primary issue identified was that
20 enforcement had been tracking violations by individual subcontractors rather than by the
21 general contractor holding the permit, which diluted accountability.

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23 Under the revised approach, all violations—regardless of which subcontractor is
24 responsible—will be attributed to the general contractor. The proposed escalating violation
25 structure is a first violation with no fine and a five-day cure period; a second violation
26 resulting in a \$500 fine with a five-day cure period; and a third violation resulting in a
27 \$1,000 fine. Subsequent violations would escalate to a Class A misdemeanor citation and
28 potential court proceedings.

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30 Additional amendments include a mandatory preconstruction meeting before any site work
31 begins, at which the contractor must demonstrate that property corners are staked, a
32 compliant construction sign is posted, toilet facilities are on-site, and erosion/boundary
33 fencing or caution tape is in place. A washout basin and dumpster must be present before
34 any concrete inspection is approved. The policy was also clarified to remove trash
35 dumpsters from the list of items automatically allowed in the right-of-way, making their
36 placement subject to staff approval on a case-by-case basis for lots where on-site placement
37 is genuinely infeasible.

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39 Council Member Cruz raised a question about whether the policy would apply to interior
40 remodels. Greg acknowledged the policy should be clarified to apply only to construction
41 affecting the exterior or requiring a site plan and committed to adding appropriate
42 language.

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44 Discussion also arose regarding whether material storage on a neighboring property could
45 be permitted with written consent from that neighbor. Greg outlined concerns, including the
46 risk of clearing undisturbed land on adjacent lots and the hazards of machinery crossing
47 public roads. Mayor Calloway suggested the policy could include a staff-approval exception
48 for genuinely difficult lots where on-site storage is not feasible. Greg agreed to incorporate
49 this language.
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Bret Howser, Town Manager, noted that the policy had previously been adopted as an administrative policy rather than by resolution, and proposed that the revised policy return as a resolution for formal Council adoption.

Motion: Council Member Cruz moved to table Agenda Item F.1, Construction Mitigation Policy Amendment for Winter Right-of-Way for further information and staff will bring the policy back to be adopted as a resolution. Council Member Nyen seconded the motion.

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

2. SPECIAL ASSESSMENT POLICY AMENDMENT. A resolution amending the Special Assessment Policy.

Town Manager Bret Howser presented proposed amendments to the Brian Head Town Special Assessment Area and Public Improvement District Policy, stemming from direction given at the Council's prior strategic planning retreat.

The first change adjusts the participation ratio thresholds: Fire Protection Zone B areas would move to a 3-to-1 ratio, and Zone C areas to a 4-to-1 ratio, making it modestly easier for property owners to qualify for a Special Assessment Area (SAA). Bret noted that all Fire Protection Zone "A" areas within Town limits have now been addressed through SAAs with water service, with Aspen Drive remaining the only Zone "A" area not yet within Town boundaries.

The second change addresses how assessments are calculated when a SAA encompasses properties with varying zoning designations. Historically, assessments have been divided equally among all properties regardless of lot size, zoning, or valuation. The Brian Head Unit 3 SAA surfaced the question of whether properties zoned R-2—which could support additional hookups—should bear a proportionally greater share of the assessment cost. The Town did not apply a weighted assessment in that instance, but the policy amendment adds explicit language allowing the Council to weight assessments by the number of units allowed per lot and/or connection size in cases where multiple zones are present within a single SAA. Council Member Cruz and Council Member Logan both expressed support for the added flexibility this language provides.

Motion: Council Member Nyen moved to adopt Resolution Number 26-577, amending the Brian Head Town Special Assessment Area and Public Improvement District Policy as proposed. Council Member Cruz seconded the motion.

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

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

No future agenda items were identified for discussion.

1 H. ADJOURNMENT

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3 **Motion:** Council Member Nyen moved to adjourn the regular meeting of the Town
4 Council. Council Member Cruz seconded the motion.

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

7 **Absent:** Council Member Tidwell).
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9 The regular meeting of the Town Council was adjourned at 1:42 pm on August 25, 2026.
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13 September 22, 2026

14 Date Approved
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18 Nancy Leigh, Town Clerk
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