

Approved November 10, 2015

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The Regular Meeting of the  
Brian Head Town Council acting as the  
Governing Body of the Brian Head Redevelopment Agency  
Town Hall - 56 North Highway 143  
Brian Head, UT 84719  
**TUESDAY, OCTOBER 27, 2015 @ 1:00 PM**

12 **Roll Call.**

13 **Members Present:** Mayor/Chair H.C. Deutschlander, Council/Board Member Jim Ortler,  
14 Council/Board Member Larry Freeberg, Council/Board Member Clayton Calloway,  
15 Council/Board Member Reece Wilson.

16 **Staff Present:** Tom Stratton, Nancy Leigh, Cecilia Johnson, Wendy Dowland, Chief Dan Benson  
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19 **A. CALL TO ORDER**

20 Mayor/Chair Deutschlander called the regular/special meeting of the Brian Head Town Council acting as  
21 the governing body of the Brian Head Redevelopment Agency to order at 1:00 pm.  
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24 **B. PLEDGE OF ALLEGIANCE**

25 Mayor/Chair Deutschlander led the Council/Board and others in the Pledge of Allegiance.  
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28 **C. DISCLOSURES**

29 There were no conflicts of interest with today's agenda items. Mayor/Chair Deutschlander stated that the  
30 disclosure statements are on file at the Town Clerk's office and are available for public inspection during  
31 normal business hours.  
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34 **D. APPROVAL OF THE MINUTES:**

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36 **October 13, 2015 Town Council Meeting**  
37

38 **Motion:** Council Member Wilson moved to approve the October 13, 2015 Town Council minutes  
39 with one correction change. Council Member Ortler seconded the motion.

40 **Action:** **Motion carried 4-0-1 (summary: Yes = 4, No = 0, Abstain = 1 Vote: Yes:** Council  
41 Member Freeberg, Council Member Ortler, Council Member Wilson, Mayor  
42 Deutschlander. **Abstain:** Council Member Calloway).  
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45 **E. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items**  
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47 **Nancy Leigh, Town Clerk,**

- 48 1. The 2015 municipal election will take place next Tuesday, November 3, 2015. Nancy reported the  
49 canvassing will take place on November 10, 2015.



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2. The Business Technical Advisory Committee (BTAC) will hold a business luncheon on Monday, November 2, 2015 at noon at the Public Safety Building. All Brian Head businesses are been invited to attend.

#### **Mayor Deutschlander**

1. Attended a Five County Association of Government meeting last Thursday. One item of discussion was the impact of pending legislation on communications. The FCC is in the process of taking back several channels which will then be auctioned off to cell phone providers. Some channels that are used by the Public Safety personnel are affected.
2. The Community Development Block Grant (CDBG) board reviewed six applications for various projects. Some of the projects are; a) a road project in Santa Clara b) storm water project for Enoch, and c) community center along with a piece of equipment to maintain various facilities in Tropic.

**Council Member Freeberg** reported on an interesting documentary on El Nino in which the oceanographers explained the ocean is 2.5 degrees above normal which is higher than 1997 when the last El Nino hit Southern California. They are anticipating severe winter storms in which Southern and Central California will receive the brunt of the storms. There have been a variety of animals which are not typically in the area are now there and it has been reported it is the best tuna fishing ever. They anticipate twice the rainfall than normal.

#### **Tom Stratton, Public Works Director**

1. The crew is almost completed with the dedicated waterline. The waterline has been completed from the Mammoth tank to the booster station on Snowflake and soon will be tying in on Vasels Road. One delay is waiting for Rocky Mountain Power who has a policy of no work in Brian Head after August. They have agreed to come up and look at the project. Tom reported the crew has done an excellent job in installing the waterline.
2. Council Member Ortler inquired if the public works department is capable to extending waterlines in residential areas. Tom responded the crew has the knowledge and ability, but is lacking the equipment.

#### **Cecilia Johnson, Town Treasurer,**

1. Distributed a tree donation application (see attached). Cecilia explained the town is accepting tree donations for trees around Bristlecone Pond. She will be putting an article in the town's newsletter and will be sending the requests on Facebook. Cecilia explained that as part of a tree grant, there is a cash match for the project.
2. The town's holiday party is scheduled for Friday, November 20<sup>th</sup>. There will be an ugly sweater contest also. Please RSVP for dinner to Cecilia.

## **F. AGENDA ITEMS:**

### **BRIAN HEAD REDEVELOPMENT AGENCY**

- 1. PUBLIC HEARING FOR PROPOSED AMENDMENTS TO THE CURRENT PROJECT AREA PLAN FOR THE BRIAN HEAD INTERCONNECT COMMUNITY DEVELOPMENT PROJECT AREA.**

Chairperson Deutschlander opened to the public hearing to receive public comment on a proposed amendment to the Brian Head Interconnect Community Development Project Area Plan. The public hearing was opened at 1:10 pm.



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1 Nancy Leigh, Town Clerk, explained the amendment to the CDA plan has some changes in which the  
2 name of the plan has changed from Brian Head Interconnection community Development Plan to Brian  
3 Head Village Core Community Development Plan along with renegotiating with the County on an interlocal  
4 agreement for a period of ten years and updating the projects for the plan area.  
5

6 Board Member Ortler explained he has a couple of material changes to the working in the plans and  
7 reported he will meet with the Town Clerk on the changes which are minor. Board Member Ortler reported  
8 he is glad to see this item moving forward.  
9

10 Board Member Ortler commented he does not know the County Commissioners that well, but believes the  
11 interlocal agreement will pass on November 9, 2015. The County Commission was very encouraging  
12 when they last discussed the agreement.  
13

14 There were no other comments and no written comments were submitted.  
15

16 **Motion:** Board Member Calloway moved to close the public hearing for the plan amendment for  
17 the Redevelopment Agency. Board Member Ortler seconded the motion.

18 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Board Member Calloway, Board  
19 Member Freeberg, Board Member Ortler, Board Member Wilson, Chairperson  
20 Deutschlander).  
21

22 The public hearing for the RDA plan amendment was closed at 1:20 pm  
23  
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## 25 BRIAN HEAD TOWN COUNCIL

### 27 2. BRISTLECONE POND LANDSCAPING PLAN PROPOSAL.

28 Tom Stratton, Public Works Director, distributed a spreadsheet along with a map of Bristlecone Pond area  
29 (see attached). Tom explained the spreadsheet identifies projected costs for individual projects for the  
30 pond area.  
31  
32

33 The Council then discussed the following:  
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#### 35 a) Restrooms located near the chair #1 parking area:

- 36 I. The cost for the restrooms were taken from Parowan City's newly installed restrooms at a  
37 cost of \$100,000.
- 38 II. The majority of the Council determined this project would be a priority in the future.
- 39 III. Staff will need to research some type of cost sharing with the resort on the daily  
40 maintenance of the restrooms if they were to keep the restrooms open year round.
- 41 IV. Council Member Calloway stated this should be a priority in two to three years.
- 42 V. Council will discuss the cost of the restrooms during the annual strategic retreat and staff  
43 will research cost sharing options.  
44

#### 45 b) Picnic area with retaining walls:

- 46 i. A proposed location is suspended in the south end hillside.
- 47 ii. The approximate cost is \$8,000
- 48 iii. Staff could create some wooden steps from railroad ties which would help break up the  
49 hillside visually.
- 50 iv. This project would be a higher priority than the restroom due to the disturbance in the  
51 area.
- 52 v. A grouping of picnic tables, such as three or more, in the area.
- 53 vi. Consensus of the Council: This project would be a higher priority than the restrooms.  
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**c) Additional trees on the south end of the pond:**

- i. Council Member Calloway commented the town should avoid putting trees across the south end and should have the trees in a cluster type fashion.
- ii. The estimated cost is \$10,000
- iii. Concerns of planting aspen trees and their ability to spread quickly. .
- iv. Arizona willows could be planted in the spring outlet area on the south side.
- v. Council Member Freeberg commented the state currently has a program for purchasing trees at a lower cost than what is now being proposed for the town's tree donation program.
- vi. The town could transplant trees to the pond area.
- vii. Trees will be an on-going project and will need to be spread out over several years as the trees slowly take to ensure survival.

**d) Pond area Issues:**

- i. If the area should be excavated out before it is landscaped was discussed.
- ii. The pond will need to be dredged eventually since the west side of the pond continues to sluff off into the pond with every rain storm.
- iii. The town's water capacity is down due to the area on the west side on the pond.
- iv. A floating dredge was discussed. Staff has not researched this item for a cost.
- v. The town will continue to have maintenance costs as it related to the dredging of the pond area.
- vi. A dredge and other options will be discussed at the strategic retreat.

**e) Grass – Natural/turf:**

- i. Some of the areas in the pond area need to be leveled and reseeded. This area would need to be chained off and equipment purchased to mow the lawns.
- ii. Council Member Freeberg suggested the picnic areas use pea gravel instead of grass which would reduce the maintenance cost. Council Member Ortler suggested the town identify one picnic area for grass to determine whether grass or pea gravel would be a better choice.
- iii. Grass around the pavilion area would be approximately 7,500 square feet of sod and may have a higher cost along with maintenance cost.
- iv. Tom suggested the town green up the south side of the pavilion along with the playground area and allow limited vehicle access on the north side, such as to stock the fish.
- v. This project should be a high priority.
- vi. Council Member Freeberg suggested the town seed the dam area with natural gasses instead of sod.

**f) Parking:**

- i. Tom explained the dirt parking along Vasels Road could be improved with rotomill, but would need to be surveyed first since it could be possible to extend the parking out towards Brianwood Condominiums.
- ii. The Land Management Code (LMC) would need to be amended for parking since it is currently illegal to back out onto a main road.
- iii. Tom reported he has spoken with Utah Department of Transportation (UDOT) regarding a bladed area adjacent to highway 143 which would allow for snow removal.

**g) Irrigation:**

- i. Council Member Calloway reported he would like to see a frost free hydrant at the corner of the pond area and have a line running to a sprinkler for the grass areas.

- h) Council Member Calloway inquired if staff has researched costs to re-install the zig-zag wooden fence that was once along the east side of the highway in the meadow area. Tom responded the



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1 town has some of the old zig-zag fence stored and it could be used to install the fence along the  
2 west side of the pond.  
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### 4 3. UTILITY RATE DISCUSSION.

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6 **Motion:** Council Member Wilson moved to revert back to the ½ eru charge for the hotels instead of  
7 the full eru charge. Council Member Calloway seconded the motion.  
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9 The Council discussed the following:

- 10 a) Council Member Ortler commented staff has completed an analysis on the ½ eru methodology and  
11 he believes it was an unfair advantage to the hotel. The disparity is too significant in which  
12 condominiums are competing with the hotel for the same service of nightly rentals.  
13 b) Mayor Deutschlander inquired if staff has the ability to determine how many gallons a project uses  
14 as compared to the hotel. Tom responded staff can get the data quickly if Council desires.  
15 c) Council Member Calloway commented the Council has discussed this item several times and as of  
16 the latest information that was received, the biggest substantiate was to the commercial  
17 businesses in town and in looking at a hotel along with a cabin there are many thing to factor in  
18 and he is not aware of a fair answer.  
19 d) Council Member Ortler commented the town can do a better job of balancing and believes the  
20 hotels and condominiums are the same since there are so many condominiums renting to the  
21 public.  
22 e) Tom inquired if Council would be interested to have an outside source such as the Rural Water  
23 Association to come in and present some information on rate setting as a different point of view.  
24 The Council directed staff to contact Rural Water Association for a presentation on rate setting at a  
25 later date.  
26 f) Council Member Freeberg inquired what is the impact on the budget for the ½ eru vs a full eru.  
27 Wendy Dowland, Public Works Assistant, responded it is approximately \$4,000 per month or  
28 \$50,000 per year impact on the budget.  
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### 30 G. ADJOURNMENT

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33 **Motion:** Council Member Calloway moved to adjourn the regular/special meeting of the Brian Head  
34 Town Council acting as the governing body of the Redevelopment Agency for October 27,  
35 2015. Council Member Freeberg seconded the motion.

36 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Council Member Calloway, Council  
37 Member Freeberg, Council Member Ortler, Council Member Wilson, Mayor  
38 Deutschlander).  
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40  
41 The regular/special meeting of the Brian Head Town Council/Redevelopment Agency was adjourned at  
42 2:25 for October 27, 2015.  
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46 November 10, 2015

47 Date Approved  
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Nancy Leigh, Town Clerk

