

The Regular Meeting of the
 Brian Head Town Council
 Town Hall - 56 North Highway 143
 Brian Head, UT 84719
TUESDAY, JULY 12, 2016 @ 1:00 PM

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Roll Call.

Members Present: Mayor H.C. Deutschlander, Council Member Larry Freeberg, Council Member Clayton Calloway, Council Member Reece Wilson, Council Member David Bourne.

Staff Present: Bret Howser, Nancy Leigh, Cecilia Johnson, Wendy Dowland, Dan Benson

A. CALL TO ORDER

Mayor Deutschlaner called the regular meeting of the Brian Head Town Council to order at 1:00 pm for July 12, 2016.

B. PLEDGE OF ALLEGIANCE

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

C. DISCLOSURES

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

D. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items

Nancy Leigh, Town Clerk, reported the town's annual Open & Public Meeting training is scheduled for July 28, 2016 at the Town Hall. All public boards are invited to attend.

Mayor Deutschlander

1. The Utah League of Cities and Towns annual conference is scheduled for September 14 thru 16th. Mayor Deutschlander encouraged the Council to attend the conference and those attending please contact the town for reservations and registration to the event.
2. Congratulated staff on their safety efforts, the town is receiving a check in the amount of \$6,620.73 from the Utah Local Government Trust.

Council Member Freeberg congratulated staff on their efforts with the 4th of July weekend. The pancake breakfast and fireworks display were exceptional.

Bret Howser, Town Manager, thanked staff for their efforts during the 4th of July events. The town has received positive comments from the public and the town put additional efforts into ATV and illegal fireworks enforcement.



Cecilia Johnson, Town Treasurer,

1. Will be sending out the June's financials to the Council. Cecilia apologized for delay and reported staff is working to finish out the fiscal year.
2. Parowan City has requested Brian Head enter the annual Labor Day Parade coming up in September. Cecilia asked the Council and others to think about what the town can do to participate in the Iron County Fair.

Dan Benson, Public Safety Director

1. Thanked the volunteer firefighters who volunteered for the 4th of July pancake breakfast and fireworks display. They had about 700 people for the breakfast and asked the Council to thank the volunteer fireman for their contribution to the event.
2. Introduced Danny Abbott who is now a full-time officer for Brian Head. Chief Benson explained that Danny comes with a wealth of knowledge and currently hold his firefighting certification, EMS certification and is POST certified.

Tom Gurr, Public Works

1. Thanked the public works crew who worked on the 4th of July weekend.
2. Sod has been installed at the park. There was approximately 46,000 square feet of sod that was laid. The sprinkler system is also working at the park area.
3. Ridge View Street paving project. The crew is currently raising the sewer manhole lids in the road and the road is scheduled to be chip sealed on Monday, July 18th.
4. The town's engineer, Alpha Engineering, is finishing the bidding packet for the Vasels water/sewer line project. The bid opening is scheduled for July 28th at 2:00 pm.

Brian Head citizen (did not report their name) commented that she appreciated the fireworks and thanked the staff for their hard work along with a special thank you to law enforcement.

E. SWEARING IN OF OFFICER DANNY ABBOTT.

Nancy Leigh, Town Clerk, swore in Officer Danny Abbott. Officer Abbott is now the town's newest full-time officer. The Council congratulated Officer Abbott on his position.

F. AGENDA ITEMS:

- 1. ADVICE & CONSENT FOR PUBLIC WORKS DIRECTOR POSITION.** The Council will give their advice and consent to the Town Manager's recommendation for the Public Works Director position.

Bret Howser, Town Manager, explained that according to the Town Code, he is responsible to hire department heads with the advice and consent of the Town Council. Bret explained the town received approximately 40 applications for the Public Works Director position. Staff reviewed the applications and reduced it down to eleven applicants that were interviewed by telephone, that was then reduced to five applicants that were interviewed by a panel made up of Mayor Deutschlander, Chief Dan Benson, Mac Hatch from Brian Head Resort. Council Member Freeberg filled in on one interview for Chief Benson. Bret explained he then met with each candidate individually. After the process, the position was offered to Shane Williamson who was working for Utah Department of Transportation in an administrative function in the regional office.

Bret explained that Shane's experience is more towards streets and roadways, but believes that Shane will be able to get caught up on the water and sewer functions. Bret then introduced Shane to the Council.

Shane explained he is from Parowan and moved to Richfield and worked for UDOT in the administration office. He specialized in UDOT's grants programs and procurement programs and he is married with two children.



- 1 **Motion:** Council Member Calloway moved to give the Council's advice and consent to the appointment of
 2 Shane Williamson as the town's Public Works Director. Council Member Bourne seconded the
 3 motion.
 4 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Council Member Bourne, Council Member
 5 Calloway, Council Member Freeberg, Council Member Wilson, Mayor Deutschlander).

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 7 Bret reported that Shane will be here for the entire meeting and the Council can visit with him after the meeting.
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10 **2. CONDOMINIUM OFFICE RATE DISCUSSION.** A discussion on the utility rates for condominium offices.
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12 Bret Howser, explained this item is before the Council at the request of Jim Ortler, Timberbrook Condominiums.
 13 Bret explained gave a brief history of the implementation of the condo office rate since in the past, it was more of
 14 a common practice that the condominiums had an office that was operating their business out of the
 15 condominium. The practice has moved towards online bookings for nightly rentals.
 16

17 Timberbrook HOA is requesting the fee to be eliminated since they are no longer operating an office anymore.
 18 (see attached letter). Bret explained that if the town eliminated the office space from the condominiums, then it
 19 would impact the water fund by approximately \$12,000 annually. The town recently increased the utility fees by
 20 two percent (2%) which was effective July 1, 2016 and could cover the \$12,000 if the Council decides to eliminate
 21 the condo office space fees.
 22

23 Bret recommended the Council consider eliminating the condo office fee for a period of one year to see if
 24 eliminating the condo office fee works out and then come back and review the utility fund model for next year to
 25 determine if there needs to be a change to the long term plan.
 26

27 **Consensus of the Council:** Direction to staff: Remove the condo office utility fees according to business
 28 licensing and then review the model at the end of fiscal year 2017.
 29

30 Council Member Freeberg commented the two percent increase in the water fund is in anticipation of the growth
 31 requirement in the water system and to identify these funds to cover the elimination of the condo office fee is in
 32 his opinion "kicking the can down the road". Council Member Freeberg stated his concern is trying to ensure the
 33 water fund is balanced.
 34
 35

36 **3. MEADOW MASTER PLAN RESOLUTION.** A resolution adopting Bearflat Meadow Master Plan.
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38 Bret Howser, Town Manager, presented a draft of the Bearflat Meadow Master Plan (see attached). Bret reported the plan
 39 has been updated with Council's recommendations and is ready for adoption. Bret explained that the Meadow Committee met
 40 to discuss the permanence of preservation for the meadow, but the majority of the committee was not in favor of a third party
 41 conservation easement and looked at it as a meadow preserve which would make any development in the meadow politically
 42 unfavorable.
 43

44 Nancy Leigh, Town Clerk, reported the town has received some public comment regarding the meadow. Nancy then read an
 45 email from the Daws (see attached email). Council Member Freeberg inquired if the proposed master plan is a plan that
 46 would preserve the meadow and not a third party conservation easement. Bret explained there are some improvements in the
 47 master plan such as a boardwalk through the meadow, but the project would be anticipated through grant funding. By
 48 adopting the master plan, the Council is not making a financial commitment, but is a starting place for possible projects since
 49 the town has not identified funding for the meadow and the staff would pursue grant funding for the projects.
 50

51 The Council held discussion on the following:

- 52 1. Council Member Calloway stated he has a difficult time in supporting the idea of the boardwalk and restrooms and
 53 think that some financial costs could be offset with volunteers instead.
- 54 2. John Grissinger, Brian Head Resort, commented he believes the meadow should be developed and in order for Brian
 55 Head to be sustainable, a village core development needs to be developed along Village Way which leaves the
 56 meadow as a prime piece of real estate. Mr. Grissinger went on to explain he believes it is critical to keep the door



Approved August 9, 2016

1 open to all options and he feels that the boardwalk project with interpretative signage is not viable at this time and the
2 best course of action is to wait and do nothing at this time.

3 Linda Ames, Meadow Committee Member, thanked Mr. Grissinger for everything he has done for the resort. Ms. Ames
4 commented she believes that there shouldn't be anything done at this time to the meadow. Ms. Ames explained that on page
5 14, last sentence of the plan that the boardwalk, signage and fence should not occur unless coordinated with the village core
6 development. Ms. Ames explained that other than cleaning up the picnic area that already exists at the Bearflat pump house,
7 the parking spaces that are already established and some type of identification signage that gives the history of the meadow.
8 Ms. Ames commented that there is nothing in the master plan that can be implemented without the approval of the Council
9 either through each project or through the budgeting process. Ms. Ames commented that the moving of the power poles to
10 the west side of highway 143 should be the only project the town should be considering. The boardwalk is a summer time
11 activity and the town already has the pond for the public to use during the summer.
12

13 Burke Wilkerson, Brian Head Resort, stated he agrees with John Grissinger regarding the meadow. Burke explained he has
14 had some conversation with Council Members and he remembers back when the town purchased the water rights and the
15 purpose of the water rights were for future growth. The town then decided to build the pond which consumed a great deal of
16 the meadow and now the town is looking to limit the future growth by not allowing any development in the meadow which goes
17 against the original theory of the town purchasing the water rights.

18 Mr. Wilkerson inquired as to the original intent of the town that purchased the property in the meadow. Mr. Wilkerson
19 explained there is very little commercial real estate in town and most is owned by the resort and if a village core development
20 happens it would do very little to mitigate parking issues. Mr. Wilkerson commented that he believes the town is handcuffing
21 future growth of the town and the town is also in a unique position in which there is a lot of open space identified as ski runs
22 which will never be developed, but there aren't many towns that have a nature preserve in the middle of town.
23

24 **Motion:** Council Member Freeberg moved to adopt resolution No. 456, a resolution adopting the Bearflat Meadow
25 Preserve Master Plan identified that it does not commit any spending of funds nor is a third party
26 conservation easement and is a management plan should it be chosen to be implemented.

27 **Action:** **Motion died due to lack of a second.**
28

29 Council Member Wilson commented that if the Council were to vote on the master plan, then the action could be reversed in
30 two weeks with three votes of the Council. Council Member Wilson explained the town took the time to send out mailers to
31 gather the public's input. A meadow committee was established to come up with a middle ground to do what is best and the
32 plan is a layer that makes it harder to develop the meadow. Council Member Wilson stated he believes development is
33 important in Brian Head and the town doesn't have a lot of commercial properties. Council Member Wilson stated he does not
34 believe he can approve the plan even though he was the chair of the meadow committee.
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36 Council Member Wilson thanked the meadow committee for their efforts and participation in assisting with the meadow
37 preservation.
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40 **4. SNOWFLAKE DRIVE PAVING DISCUSSION.** A discussion on paving a portion of Snowflake Drive for the
41 purpose of a transit stop/turnaround.
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43 Bret Howser, Town Manager, explained staff was approached by the Kristi Condo Homeowners Association inquiring if the
44 town was interested in participating in paving Snowflake Drive. Bret explained the HOA will be paving their parking lot and the
45 town could get a reduced cost from Ashdown Brothers Construction if the Council decides to pave a turnaround section for the
46 winter transit buses.
47

48 Bret reported he has research an option for a stop and turnaround for the shuttles coming from highway 143 into the Kristi
49 parking lot and UDOT denied that option. In working with UDOT on other options for a turnaround area, staff developed the
50 concept of a turnaround bowl area (see attached drawings). This has been tested with the 16 passenger bus from Salt Lake
51 Express.
52

53 The Council held discussion on the following:

- 54 1. Ashdown Brothers Construction will be paving the Kristi parking lot next week.
- 55 2. The estimate for the cost is approximately \$6,000 and the town would pay approximately \$2,500 and the public works
56 crew would do the prep for the turnaround.
- 57 3. Discussion on the waterline that runs through the middle of the road and is an old wrapped steel pipe and has a
58 history of leaks, which could be an issue if the town decides to pave before the waterline is replaced.
- 59 4. The waterline is approximately five feet (5') underground. The standards for waterlines are seven feet (7').
- 60 5. Whether the town could re-route the waterline with a new waterline. Tom Gurr, Public Works, reported he was not
61 sure since there are other utilities in the location.



- 6. If the town delays the projects, the town would have to pay more for paving in the future, but the town will be doing some paving along Vasels Road this year.
- 7. Council Member Calloway stated there are more pressing issues to deal with than this particular waterline.
- 8. Council Member Freeberg requested as part of the deal with the Kristi HOA, they keep the turnaround clear during snow removal services.

Consensus of the Council: Directed staff to pave the road and not repair the waterline at this time.

G. ADJOURNMENT

Motion: Council Member Wilson moved to adjourn the regular meeting of the Brian Head Town Council for July 12, 2016. Council Member Calloway seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Council Member Bourne, Council Member Calloway, Council Member Freeberg, Council Member Wilson, Mayor Deutschlander).

The regular meeting of the Brian Head Town Council was adjourned at 2:15 pm for July 12, 2016.

August 9, 2016

Date Approved

Nancy Leigh, Town Clerk

