

The Regular Meeting of the
Brian Head Town Council Acting as the Governing Body for
Redevelopment Agency, Special Service District
& Municipal Building Authority
www.Zoom.us ([Click Here](#))
Via Zoom Meeting ID# 828 5835 9240
TUESDAY, JUNE 08, 2021 @ 1:00 PM

Roll Call.

Members Present: Mayor Calloway, Council Member Freeberg, Council Member Marshall, Council Member Mulder, Council Member Kelly.

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Shane Williamson, Town Treasurer; Aldo Biasi, Public Works Director; Chief Dan Benson, Public Safety Director.

A. CALL TO ORDER

Mayor Calloway called the regular meeting of the Brian Head Town Council acting as the governing body for the Brian Head Redevelopment Agency, Special Service District, and Municipal Building Authority to order at 1:00 pm for June 8, 2021.

B. PLEDGE ALLEGIANCE

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

DISCLOSURES

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

C. APPROVAL OF THE MINUTES:**1. May 11, 2021, Town Council Closed Session Meeting**

Motion: Council Member Mulder moved to approve May 11, 2021, Town Council closed session minutes. Council Member Marshall seconded the motion.

Action: **Motion carried 4-0-1 (summary: Yes = 4, No = 0, Abstained = 1, Vote: Yes:** Council Member Marshall, Council Member Mulder, Council Member Kelly, Mayor Calloway. **Abstained:** Council Member Freeberg).

2. May 11, 2021, Town Council Meeting

Motion: Council Member Mulder moved to approve the May 11, 2021, Town Council minutes. Council Member Marshall seconded the motion.

Action: **Motion carried 4-0-1 (summary: Yes = 4, No = 0, Abstained = 1, Vote: Yes:** Council Member Marshall, Council Member Mulder, Council Member Kelly, Mayor Calloway. **Abstained:** Council Member Freeberg).

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

Nancy Leigh, Town Clerk, updated the Council on the Declaration of Candidacy results: Mayor Clayton Calloway (incumbent) for the mayor's seat. Council Member Shaun Kelly (incumbent), Dennis VanNostran, and Marty Tidwell for the two Council seats.

Council Member Kelly updated the Council on the GNAR website. The NAR website has information on short-term rentals and hosts webinars on the subject.

Mayor Calloway reported on the OHV enforcement that occurred over the Memorial Day weekend. Public Safety officers were out and made close to 50 stops with several citations written for violations.

Council Member Marshall reported she attended the Town's Building Seminar that was presented last week. Council Member Marshall reported the seminar was informative and would encourage the public to review it. Iron County Building Inspectors also participated in the seminar.

Bret Howser, Town Manager

1. The Mammoth Creek Fire is at zero (0) percent containment. Chief Benson reported the fire is under control and the fire did not grow by much yesterday.
2. The annual Town Clean-up Day is scheduled for tomorrow, June 9, 2021. Lunch will be provided for participants at the Public Safety Building at noon. The event was held earlier than normal due to the Resort opening sooner this year. The Resort is scheduled to open on June 11, 2021.
3. Markie Adamson, Guest Service Representative, is now back at work and will be working on Tuesdays. Cecile Wallis will be taking over the front desk coverage as the primary.
4. The Code Enforcement Officer position closes today at 5:00 pm. and interviews will be scheduled for next week.
5. The Public Safety Officer position interviews are scheduled for next Wednesday.

Chief Dan Benson

1. Mammoth Creek Fire still has an evacuation in effect and there are two wind events expected today and tomorrow. A type 2 team is managing the fire and crews are keeping it contained and out of the subdivisions. The fire is moving towards Henry Hills and no homes have been lost, but there is still a threat to structures. The first signs show that it may be a naturally caused fire by lightning, but a full investigation will be completed. Brian Head has not been called out to this fire, due to the number of federal resources fighting the fire.
2. The department made a good effort on the OHV enforcement over the Memorial Day weekend and many residents appreciated the enforcement that took place. The enforcement was proactive, and no complaints were received to initiate stops.
3. The 2021 Fireworks Display has been canceled due to the dry conditions and the risk of fire. Chief Benson requested the support of the Council. Council supported Chief Benson's decision to cancel the 2021 Fireworks for Brian Head. Chief Benson reported he would anticipate the Town entering into stage 2 fire restrictions soon.

Wendy Dowland, Town Planner, updated the Council on the two building permits for single-family residential homes on Shooting Star and Shady Dell.

Aldo Biasi, Public Works Director

1. Updated the Council on the 2021 Streets Project. Western Rock (contractor) should have completed the paved trail through Brian Head Village's parking area by the end of the week. Once completed, Western Rock will begin the 2021 Streets Project beginning on Zion View Drive.



2. Dust control application on the town roads on Thursday where mag chloride will be applied on Aspen, Falcon Drive, Fox Run, and parts of the ATV trail and possibly Rue Jolley.
3. Trees will be planted at the park/pond area on June 24th and 25th. Bristlecone pines have been ordered for this project.
4. Mayor Calloway inquired as to the status of the fence. Aldo responded they are waiting on the Brian Head Village portion, but the archway of the trail to the Chair 1 restroom lights will have lights installed on the fence before July 4th.

Andy, Zoom Meeting participant, requested clarification on Town Code 6.2A.5.1(A): Vehicles may be parked on private property for overnight camping with an active building permit. Andy asked the Council if a grandfather clause for those who owned the property before the ordinance being adopted would include them. Andy reported he purchased the property in 2018 and the CCR's for Cedar Breaks Mountain Estates stated they are allowed seven (7) months a year where they could use their properties for parking/camping. They have been doing so to clean up the lot from the dead trees. Bret responded it is his understanding that camping is not allowed in single-family residential zones according to the Land Management Code. The Parking Code previously identified a provision that allowed people to temporarily park but was repealed from the code this year. The only way to camp on a property is to have an active building permit. Bret explained the use of the zone is single-family residential and not camping and the Code does not specifically state a grandfather provision in the Code. If they were permitted to use the property in that fashion and the law changed, then they could continue that use unless it ceased for one year, then they would lose that use. There is one case currently in Town that is a non-conforming use for camping in which they were permitted to build an RV paid in an R-1 zone and when the law changed, the property owners presented the building permit, and they became a non-conforming use.

Bret explained the Appeal Authority would determine what constitutes non-conforming and the one case, staff presented the information to the Appeal Authority for his interpretation and agreed that it would be a non-conforming use. Bret explained the CC&R's do not supersede the Town's Code and whether there is a grandfathered use, but since the property was not expressly permitted for that use, there would not be a grandfather clause for this situation. Bret reported that staff has been educating the public during code enforcement instead of issuing citations to give them time to adjust to the Code. Bret explained this would be a policy decision of the Council to decide whether to amend the Town Code to allow for camping. Andy inquired as to the process for requesting an amendment to the Code. Bret explained the process.

Andy inquired if they were allowed to put a tent upon the property for the day and then remove it from the property. Bret explained that with a tree removal permit, that would be allowed. In previous meetings, the Council discussed specifically the idea of people wanting to do prep work on their property and the Council's response was there were other locations that people could camp at instead. Council Member Kelly stated the prior language allowed a trailer on a property for camping no more than 16 days a year that mimicked the Forest Service provision but was removed from the Code. The Forest Service allows camping 16 days a month before the RV has to be moved at least 25 miles. Council Member Kelly commented that the intent was the trailer was not to remain in one location.

E. AGENDA ITEMS

- 1. RESOLUTION ADOPTING A SMOKE/VAPE-FREE POLICY FOR THE PARK AND TRAILS.** A resolution adopting a policy for smoke/vape-free Park and Trails.



Sierra Winscentsen, Public Safety Administrative Assistant, introduced the Iron County Teens Against Drugs. Sierra reported the group is back to present a resolution for the smoke/vape-free policy (see attached) along with some options for signage around the park/pond and trails.

Liz Bates, the representative for the Iron County Teens Against Drugs, inquired if the Council reviewed the proposed resolution and if there were any questions or concerns on the policy.

The Council discussed the following:

1. Council Member Kelly inquired as to why there were five signs recommended. Sierra responded the number was identified by Chief Benson during the last Council meeting. (One sign at the pond, two signs on the walking trail, and 2 signs for the Manzanita Trail).
2. The size of the signs can be 12"x18" or larger if the Council chooses. Council Member Freeberg suggested the Town consider the larger font on the 12"x18" sign.
3. Sierra explained there are different types of signs that are specific to the trails or the park, but there can be a combination of both types if needed.
4. Council Member Kelly suggested the signs meet the colors, so they blend in more with the trail system branding. Bret suggested a tan background with a green border.
5. The Council agreed to more than five signs and directed staff to identify as many signs as needed.
6. Council Member Mulder commented she prefers the smaller signs.

Motion: Council Member Kelly moved to adopt resolution No. 500, a resolution establishing a Smoke-Free / Vape-Free Parks and Trails Policy as presented. Council Member Freeberg seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5, Vote: Yes:** Council Member Freeberg, Council Member Kelly, Council Member Marshall, Council Member Mulder, Mayor Calloway).

2. **A RESOLUTION DECLARING THE INTENTION OF THE TOWN COUNCIL OF THE TOWN OF BRIAN HEAD, IRON COUNTY, UTAH, FOR STREET AND ENVIRONMENTAL REMEDIATION ACTIVITY IMPROVEMENTS AND RELATED IMPROVEMENTS WITHIN THE STEAM ENGINE MEADOWS SUBDIVISION; TO DESIGNATE OR CREATE THE TOWN OF BRIAN HEAD, UTAH SPECIAL TAX ASSESSMENT AREA NO. 2021-01 (STEAM ENGINE MEADOWS); TO FUND THE COST AND EXPENSES OF SAID ASSESSMENT AREA BY SPECIAL TAX ASSESSMENTS TO BE LEVIED AGAINST THE PROPERTY BENEFITTED BY SUCH IMPROVEMENTS; TO PROVIDE NOTICE OF INTENTION TO AUTHORIZE SUCH IMPROVEMENTS AND TO FIX A TIME AND PLACE FOR PROTESTS AGAINST SUCH IMPROVEMENTS OR THE CREATION OF SAID ASSESSMENT AREA; TO DECLARE ITS INTENTION OF FUNDING A RESERVE FUND IN LIEU OF A GUARANTY FUND; AND RELATED MATTERS.** Bret Howser, Town Manager. A resolution for a Notice of intent for the Steam Engine Meadows Phase 1C Special Assessment Area.

Bret Howser, Town Manager, presented a draft resolution for the Steam Engine Meadows Phase 1C Special Assessment Area (SAA) Notice of Intent to Create a Special Assessment Area (see attached). Bret gave a brief background of the SAA and now the Town has the opportunity to participate with the neighborhood for improvements to the road. During the initial stages of the SAA in 2016, the costs were too high for the Town to consider an SAA since the area did not meet a state requirement of improvements that must be three times the assessed value of the properties. The project at that time was 1.4 million dollars and the assessed value was 2.4 million dollars. This time the in-kind contribution cost is \$30,000 to \$50,000 for the road improvements. Bret explained the Town owns the equipment and would provide the labor.

The Council discussed the following:

1. Bret reported the Council previously inquired as to what public works projects could be delayed with this project. Some possible projects could be the GIS data collection, inventory, along with other non-public items in nature. Bret reported he does not anticipate any serious



- 1 projects that would be noticed by the public that would be delayed with this project unless
2 something goes wrong.
- 3 2. The risk is the in-kind contribution, and the Town would be issuing \$80,000 or less and the
4 Town would be the first lien holder on the properties.
- 5 3. Bret explained he is an advocate for moving forward because he does not see another way to
6 get this neighborhood built out.
- 7 4. Bret reported property owners have reported they would be willing to sign a waiver of consent
8 that would bypass the public hearing requirements and moving the timelines ahead. Bret
9 explained he would recommend the Council not move forward with creating the SAA until all
10 of the waiver and consent forms are signed and returned to the Town.
- 11 5. Bret explained this project is similar to the Toboggan / Snowshoe Road Improvement Project
12 where the property owners paid the Town to improve their road.
- 13 6. The property owners are willing to pay the cost for the infrastructure but cannot afford the
14 road and are requesting assistance from the Town.
- 15 7. Mayor Calloway stated the Town is looking to provide only the labor and equipment that is
16 owned by the Town. Any equipment rental costs would go directly to the assessment.
- 17 8. Martin Tidwell reported the area has been a scar since 2008 and there has been some
18 negotiation with property owners in which certain individual property owners have agreed
19 they would be responsible for their laterals and retaining walls which would not be part of the
20 assessment.
- 21 9. Martin commented the majority of the property owners would like to have a paved road but
22 are willing to have a dirt road for town. This would be beneficial at this time since water
23 laterals need to be installed and would disrupt the pavement.
- 24 10. Martin explained their best estimate for the Town's in-kind contribution is closer to \$37,000
25 but would not exceed \$50,000. The estimated values of homes that are planned to be built
26 are approximately 1.5-million-dollar homes in which the Town would receive property taxes
27 and utility connections on those homes once they are built.
- 28 11. Currently, there is a verbal agreement for \$20,000 from 16 property owners who are willing to
29 pay the assessment in advance.
- 30 12. The Steam Engine Meadows CC&R's require a minimum of a 3,000 square foot home and a
31 minimum of 1,000 square feet per floor. Council Member Marshall reported the vacant lots
32 are selling for \$125,000 and higher.
- 33 13. Aldo reported the sewer line was videoed and there were no concerns with the sewer lines
34 that are in the area.
- 35 14. Martin explained he sold several lots in the SAA area and no longer has a vested interest in
36 the SAA other than to see the area developed. Currently, there are OHV's riding all over this
37 area, and would like to see more homes built.
- 38 15. John Reedy, a property owner, commented that he would like to see this project move
39 forward as soon as possible.
- 40 16. Council Member Marshall inquired if the road has been dedicated to the Town yet. Bret
41 explained the plat was complete and turned over to the Town when the right-of-way was
42 approved and recorded, but the Town required certain improvements that were never
43 completed and accepted. Currently, the Town does not plow the roads in this area, and
44 nothing has been done for improvements.
- 45 17. There are three roads: a portion of Autumn Drive, Highland Drive north of Kodiak, and
46 Paddington Circle.
- 47 18. Council Member Freeberg commented the Council is considering using public money to
48 develop private property and if is an appropriate use of the money for real estate
49 development. Mayor Calloway responded the Town participated in a similar project with the
50 Toboggan / Snowshoe Road Improvements and the only difference is the owners are
51 installing the utilities. Bret explained the state provided an instrument for this situation
52 through an SAA and it is often used strategy to attract economic development.
- 53 19. Rocky Mountain Power will be installing their section and the Town will wait until they are
54 finished to complete the rest of the project. The project is scheduled for late August or early
55 September. Martin reported that Rocky Mountain Power and Dominion Energy require 50%
56 of the payment upfront to begin the process, but that the SAA needs to begin so they can
57 start collecting from the owners.



20. Council Member Marshall stated she is in favor of the project and the Town should realize it is not a developer, but individuals who are trying to get the Town's buy-in. The match is minimal, and the value of the properties is high. Council Member Marshall stated she does not see a risk to the Town and that it should be another Town project.

Motion: Council Member Kelly moved to adopt resolution No. 501, a resolution declaring the intention of the Town Council of the Town of Brian Head, Iron County, Utah, for street and environmental remediation activity improvements and related improvements within the Steam Engine Meadows Subdivision; to designate or create the Town of Brian Head Utah Special Tax Assessment Area No. 2021-01 (Steam Engine Meadows); to fund the cost and expenses of said assessment area by special tax assessments to be levied against the property benefitted by such improvements; to provide notice of intention to authorize such improvements and to fix a time and place for protests against such improvement or the creation of said assessment area; to declare its intention of funding a reserve fund in lieu of a guaranty fund; and related matters. Council Member Marshall seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5, Vote: Yes:** Council Member Freeberg, Council Member Kelly, Council Member Marshall, Council Member Mulder, Mayor Calloway).

2. PUBLIC HEARING FOR FY 2021 AMENDED BUDGET(S). A public hearing to receive comment on the FY2021 Amended Budgets ending June 30, 2021, for the Town, RDA, MBA, and SSD.

Shane Williamson, Town Treasurer, gave a brief update to the Council and the public on the amended budget. Shane reported this annual process is to close out the budgets ending June 30, 2021, and a public hearing is required. Shane reported he will bring the budgets back to the next Council meeting for adoption.

Shane reported on the proposed changes in the budget(s):

1. Retail Fuel Expense: amended for the fuel purchases and bank charges due to the increase in sales.
2. Transit Expense: the expense was covered in revenue from the Enhance Service Fee that is collected.
3. Expenses in the shop heavy equipment due to major repairs on the grader and skid loader.
4. Transfer to the Capital Fund for \$240,000. Shane reported the state requires municipalities to maintain a fund balance. Shane reported he anticipates \$800,000 to \$900,000 in surplus this year and the Town's policy is not to carry it over for more than three to six months. This transfer will cover the Town's projects.
5. Water Fund Expenses: Due to the springs being low this year, the increased cost is for pumping and repairs to the springs.
6. Solid waste Expense: The white garbage truck has had significant repairs and the vehicle has been depreciated out. The truck will be replaced in the next fiscal year's budget.

Mayor Calloway recessed the regular meeting and opened the public hearing to receive comments on the FY2021 amended budgets at 2:30 pm. Mayor Calloway stated the Council will not engage the public during the public hearing portion but will address any questions or concerns after the hearing is closed.

There were no comments received. Mayor Calloway closed the public hearing at 2:31 pm and reconvened the regular meeting of the Town Council.



3. FY 2022 BUDGET ADOPTION. An ordinance/resolution adopting the FY 2022 Budgets ending June 30, 2022, for the Town, RDA, SSD, MBA.

Shane Williamson, Town Treasurer presented the Fiscal Year 2022 Budgets for the Town, Redevelopment Agency (RDA), Special Service District (SSD), and the Municipal Building Authority (MBA) (see attached). Shane reported on the proposed changes from the last Council meeting held on May 25, 2021.

- a. Capital Fund revenue: funds were added for the trail grant that was received from Utah Outdoor Recreation for the Manzanita Trail.
- b. Increased the fund balance to show the transfer to the Capital Projects Fund. Funds are remaining from the 2020 Streets Project that will roll over into the new fiscal year budget.
- c. Outlay Expenses: Public Art Piece Project, police vehicles, Manzanita Trail phase 2 project, and the 2021 Street Projects.
- d. Staff will be creating a new fund for the Steam Engine Meadow Phase 1C Special Assessment Area.
- e. Mayor Calloway commented initially funds were allocated for an access road to the Town's property on the northwest side of town and since the project has been canceled, Mayor Calloway inquired if those allocated funds can be transferred to another fund/project or if they should remain as identified. Bret responded the funds were cut in the FY2022 budget once the project was canceled. They were initially identified in the RDA budget.

Town Budget:

Motion: Mayor Calloway moved to adopt ordinance No. 21-007 adopting the fiscal year 2022 budget for the Town. Council Member Marshall seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5, Vote: Yes:** Council Member Freeberg, Council Member Kelly, Council Member Marshall, Council Member Mulder, Mayor Calloway).

RDA Budget:

Motion: Mayor Calloway moved to adopt Resolution No. RDA-037 adopting the FY2022 budget for the Redevelopment Agency as presented. Council Member Marshall seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5, Vote: Yes:** Council Member Freeberg, Council Member Kelly, Council Member Marshall, Council Member Mulder, Mayor Calloway).

Special Service District Budget

Motion: Mayor Calloway moved to adopt Resolution No. SSD-031 adopting the FY2022 Budget for the Special Service District. Council Member Marshall seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5, Vote: Yes:** Council Member Freeberg, Council Member Kelly, Council Member Marshall, Council Member Mulder, Mayor Calloway).

Municipal Building Authority

Motion: Mayor Calloway moved to adopt Resolution No. MBA-011 adopting the FY2022 Municipal Building Authority budget as presented. Council Member Marshall seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5, Vote: Yes:** Council Member Freeberg, Council Member Kelly, Council Member Marshall, Council Member Mulder, Mayor Calloway).

Shane reported the next step will be the property tax increase in which the County Auditor will complete the certified tax rate which will begin the truth and taxation process.



A public hearing will be scheduled to be held in August and during the second public hearing, the Council will have the opportunity to adopt the new tax rate increase.

4. ENGINEER REPORT FOR THE BRISTLECONE POND SLIDE AREA. A presentation on the slide area at Bristlecone Pond/Park.

Aldo Biasi, Public Works Director, presented a report from Landmark Engineering on the Bristlecone slide area (see attached). Aldo reported the engineers identified options for the Council's consideration: two options on repairing the slide area and an option to fill the pond back in. Aldo reported his biggest concern is the buttress field vs. sheep piling in that there may not be enough suitable materials in the pit for hauling and the excavation of the pond area would destroy the improvements on approximately 400 feet of the paved trail.

The Council discussed the following:

- a. Bret reported the pond would need to be emptied slowly so that the water dries out and does not take the sand with it.
- b. Mayor Calloway reported that there was a safety factor of 1.5 and with a full pond it would be a safety factor of 1.3. He would like to find a way to keep the pond full if possible.
- c. Mayor Calloway commented he has questions for the engineers on what options there are to keep the pond full and satisfy the Town's obligation to Parowan Irrigation.
- d. Aldo explained the Town can match the rate of water going out of the pond by filling the Town Hall well or use the Bearflat Well water to go to waste for 30 days, but he is unsure what it would do for the transfer of water rights. He is currently working with the water attorney to see if it would cut into the Town's culinary water rights.
- e. If the Council chooses to send the Bearflat water to waste down Parowan Creek, the Town will need to install riprap from the pumphouse to the creek area to slow it down.
- f. Mayor Calloway inquired if the Town could pump water into the snowmaking pond and then to Bristlecone Pond to be sent down. Aldo responded that it can be done, but it is a long way around it.
- g. Mayor Calloway inquired if the pond can be filled to capacity and bled at a slower rate and discharge the water at a lower rate as opposed to 500 gpm. Aldo reported it could work.
- h. Mayor Calloway stated more information is needed on what the Town can do and if the pond is stable. Then we could consider transferring the water in our resource and consider an estimate for drilling a well in the canyon to satisfy the Town's obligation to Parowan Reservoir.
- i. Bret reported the estimated costs for a well could be one million dollars.
- j. Council Member Freeberg inquired as to the life span of sheep piles. Aldo responded he is unsure of the lifespan.
- k. Council Member Mulder inquired if there is a way to reconfigure the pond.
- l. Staff will need to determine the depth of the pond.
- m. Council Member Kelly inquired if the Gurr Well was an option. Aldo responded the Gurr Well was stripped of power and taken offline years ago when it silted in.
- n. Bret expressed his concern about sending the culinary water down to Parowan Irrigation and the Council should reconsider sending culinary water down for a length of time since it would go against the Town on culinary usage.
- o. Council discussed the sewer treatment facility and the water rights that would come with it. Council Member Freeberg commented if the large development that is being proposed north of Town happens it would have a major impact and the sewer treatment plant would make more sense at that time. Bret reported they are proposing bringing water rights with the development and the issue is the water source, not the water rights.
- p. Bret recommended the Council consider a different agreement with Parowan Irrigation in which the Town sends them water from the Town Hall Well for a temporary period but start conversations with Parowan Irrigation on possible options.
- q. Council Member Marshall inquired as to funding if the Town decides to shore up the pond or build a well for Parowan Irrigation. Bret responded the Town could consider a CIB



- 1 loan or a USDA loan, but there is some water debt that may be coming off the books in a
2 couple of years.
- 3 r. Council Member Freeberg suggested the Town start saving for this in the general fund
4 surplus.
- 5 s. Aldo reported the springs and wells have dropped in level somewhat.
- 6 t. The Council would like to know the following from the Engineer:
- 7 i. Assurance from the engineer that it will hold if it is kept full.
- 8 ii. What options does the Town have with Parowan Irrigation Company?
- 9 iii. Have the engineer attend the next Council meeting where the Council/staff can
10 lay out a plan to keep the pond full and use the Town Hall well to work with
11 Parowan Irrigation and possibly meter it out to them by starting earlier and for a
12 longer-term and consider amending the agreement.
- 13 iv. To find an option that would satisfy Parowan Irrigation. Consider both wells and
14 if the Town Hall well is used, then the paved trail would need to be modified.
- 15 v. If Bearflat Well can go straight to the million-gallon tank to the overflow which
16 would go directly into the stream.

17
18 Direction to Staff: Landmark Engineers will attend the next Council meeting to answer questions
19 from the Council.
20
21

22 **5. FUTURE AGENDA ITEMS.** The Council will discuss potential items for future agendas.
23

24 **Affordable Housing**

25 Council Member Kelly commented he learned the Town may have missed out on the American
26 Rescue Plan funding for affordable housing. This plan could also assist the Town with the water
27 issues. Council Member Kelly commented he would like to see this item as a future agenda item
28 on how to make use of the American Rescue Plan which is part of the Covid Stimulus Plan. Bret
29 responded he is not sure what the Town is estimated to receive from the stimulus funding.
30 During the last trench of stimulus funding, the State took the initiative and resort communities
31 received more money than population-based requirement due to the tourism industry. Bret
32 reported the Council will have the conversation on what it would be spent on. Council Member
33 Kelly commented that the Town could use those funds to purchase properties that came up for
34 tax sales for future affordable housing properties.
35

36 Mayor Calloway commented the Council held several discussions on affordable housing and
37 came to the same conclusion that there was not a lot the Town can do. The initial property was
38 identified at the Town pit area, but due to the population, there was not a lot of funding
39 assistance. Bret reported the affordable housing plan is being drafted by the Five County
40 Association of Government which will identify a plan that would give a set of strategies. Bret
41 reported he will have Shane review the stimulus requirements and what can be considered for
42 funding.
43

44 Council Member Kelly commented that accessory dwelling units should be allowed on a deed-
45 restricted basis to help cover affordable housing. He would like to see some sort of effort to
46 assist those who are needing affordable housing in Brian Head.
47

48 **Short-Term Rentals**

49 Bret reported the enhanced service fee for nightly rentals will be presented at the next Council
50 meeting along with a discussion on R-1 zones and capping the maximum number of nightly
51 rentals.
52

53 Bret reported the administrative fee for business licensing will be discussed at the next Council
54 meeting.
55
56
57



G. ADJOURNMENT

Motion: Council Member Freeberg moved to adjourn the regular meeting of the Town Council for June 8, 2021. Council Member Kelly seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5, Vote: Yes:** Council Member Freeberg, Council Member Kelly, Council Member Marshall, Council Member Mulder, Mayor Calloway).

The regular meeting of the Brian Head Town Council was adjourned at 3:30 pm on June 8, 2021.

June 8, 2021

Date Approved


Nancy Leigh, Town Clerk

