

The Regular Meeting of the  
 Brian Head Town Council  
 Brian Head Town Hall - 56 North Highway 143  
 Brian Head, UT 84719  
**MONDAY, MARCH 25, 2019 @ 1:00 PM**

**Roll Call.**

**Members Present:** Mayor Clayton Calloway, Council Member Larry Freeberg, Council Member Shad Hunter, Council Member Lynn Mulder, Council Member Kelly Marshall, Mayor Calloway.

**Staff Present:** Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Chief Dan Benson, Public Safety Director; Aldo Biasi, Public Works Director; Wendy Dowland, Public Works Assistant

**A. CALL TO ORDER**

Mayor Calloway called the regular meeting of the Brian Head Town Council to order at 1:00 pm for March 25, 2019.

**B. PLEDGE OF ALLEGIANCE**

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

**C. DISCLOSURES**

There were no conflicts of interest with today's agenda items. Mayor Calloway 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. REPORTS / PUBLIC INPUT (Limited to three (3) minutes) Non-Agenda Items**

Council Member Hunter reported Brian Head received 330+ inches of snow during the month of February which is 90% above average and highest amount of snow received since 2010.

**Bret Howser, Town Manager**

1. The annual budget workshop is scheduled for April 8, 2019. This will be a work session for the fiscal year 2020 budget.
2. There will be a joint meeting with the Planning Commission and Town Council on April 2, 2019 to review the General Plan. Bret reported a draft of the General Plan has been sent to Council for their review. The Planning Commission will make their formal recommendation to the Council during this joint meeting. The General Plan is tentatively scheduled for adoption during the April 22, 2019 Council meeting.
3. The public works crew met with the snow removal companies last week in an effort to coordinate efforts for next year's winter season. Some items of discussion were snow storage and the town's regulations. The meeting was intended to get the private snow removal companies working together with the town on some ground rules on how to deal with issues as they arise. The meeting was very productive.

Mayor Calloway thanked their public works crew for their efforts in widening the roads out with the number of winter storms that have hit during the past few weeks.

**E. APPROVAL OF THE MINUTES:**

1. **January 29, 2019 Strategic Planning Retreat Minutes.**



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- Motion:** Council Member Hunter moved to approve the January 29-30, 2019 Strategic Planning Retreat minutes. Council Member Freeberg seconded the motion.
- Action:** **Motion carried 4-0-1 (summary: Yes = 4, No = 0, Abstain = 1 Yes:** Council Member Hunter, Council Member Freeberg, Council Member Marshall, Mayor Calloway. **Abstain:** Council Member Mulder).

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## 2. March 11, 2019 Town Council Meeting

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- Motion:** Council Member Freeberg moved to approve the March 11, 2019 Town Council minutes. Council Member Hunter seconded the motion.
- Action:** **Motion carried 4-0-1 (summary: Yes = 4, No = 0, Abstain = 1 Yes:** Council Member Hunter, Council Member Freeberg, Council Member Marshall, Mayor Calloway. **Abstain:** Council Member Mulder).

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## F. AGENDA ITEMS:

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### 1. PATCHWORK PARKWAY ANNUAL REPORT. The 2019 annual Patchwork Parkway report.

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Nancy Dalton, Patchwork Parkway Committee Director, presented the 2019 Patchwork Parkway report (see attached). Ms. Dalton thanked Council Member Mulder on her participation with the committee and the valuable input she provided. Ms. Dalton explained that former Mayor Dutch Deutschlander is the town's official representative and appreciates the trust the town has with the committee.

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Ms. Dalton highlighted some of the projects the Patchwork Parkway has done in the past year along with upcoming projects:

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- a. House Bill 831 opened the national designation process for scenic byways.
  - b. Senate Bill 349 has earmarked funds for the scenic byway program.
  - c. Utah Department of Transportation (UDOT) has alternative program funds that are available to help finish the trails master plan.
  - d. A billboard on I-15 is installed and is the only scenic byway that has a billboard off site.
  - e. Completed the 4'x8' interpretative panels in June 2018 which is now a regional tourist attraction. This project was completed with grant funding.
  - f. The 2017 Brianhead Fire interpretive story will be a project for 2019. There will be a trailhead kiosk or a safe care pull-out area that will have the story of the 2017 Brianhead Fire. There will also be a digital download for phones.
  - g. The Brianhead Fire interpretive story is estimated to cost approximately \$5,000 and will be funded by grant money.
  - h. Nancy is working with Ryan Riddle, State Forestry and Fire, on locations for the panels.
  - i. The committee will be using the county's metal sign fabricator which will produce a better product for the interpretative project.

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Ms. Dalton submitted a request for annual membership dues of \$1,500 for Brian Head. The budget request is for marketing, social media campaign, and their website. They are applying for matching funds from both Iron and Garfield Counties for the billboard and websites.

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### 2. DISCUSSION ON VEHICLES NOT ADHERING TO STATE LAW REQUIRING 4X4 OR CHAINS DURING CERTAIN TIMES OF THE YEAR. A discussion on vehicles that are adhering to the state requirement of chains or 4x4 and whether State Troopers or the Utah Department of Transportation (UDOT) will enforce the requirements.



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2 Chief Benson explained during the last Council meeting; Council brought a question to staff's  
3 attention regarding the town's policy on the chain requirement in Parowan Canyon during  
4 winter storms. Chief Benson explained the town has a history of working with several  
5 agencies in the canyon due it being a state highway (Highway 143) and the need to keep the  
6 canyon road open and safe for travel.  
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8 The Council held discussion on the following:

- 9 a. UDOT's priority is Interstate 15 but has always done an excellent job in keeping Highway  
10 143 open. The public works department has assisted UDOT in snow removal operations  
11 when needed.  
12 b. Highway Patrol will come and assist in shutting down the canyon when needed.  
13 c. The chain-up sign located in the canyon has a manual switch to turn it off/on which takes  
14 time to access.  
15 d. Tire cables are considered chains but have caused some issues for some vehicles where  
16 they have been asked by an officer to remove them in order to get their vehicle moving  
17 quicker. Cables have spun off the vehicles or have wrapped up in the wheel well causing  
18 an issue with them.  
19 e. Council Member Hunter inquired if the chain-up light sign can be modified with a remote  
20 switch instead of having to manually switch it on. Chief Benson explained it would be up  
21 to UDOT to modify the sign for a remote access. Staff will continue to work with state on  
22 implementing a remote for operating the lights for the chain-up sign.  
23 f. UDOT has used their reader board located at the bottom of the canyon for driver alerts.  
24 The Salt Lake City office is in charge of changing the sign message.  
25 g. Council Member Freeberg suggested UDOT identify two signs, one at the bottom of the  
26 canyon that would have flashing yellow warning lights for chain-up and the second sign  
27 located mid-way through the canyon with flashing red lights for chain-up.  
28 h. Council Member Freeberg reported on his experience in Cottonwood Canyon in Northern  
29 Utah, in which there is an officer stationed at the bottom of the canyon stopping all  
30 vehicles to ensure they have either 4x4 or chains before they are allowed to proceed up  
31 the canyon.  
32 i. Council Member Hunter explained Highway 143 is unique compared to other resorts in  
33 which we have the steepest grade (13%). The main concern on other highways going to  
34 resort areas are avalanches.  
35 j. Council Member Freeberg inquired as to installing additional signage in town. Chief  
36 Benson explained if a vehicle can't get up the grade, they usually won't make it anywhere  
37 in town and he doesn't think additional signage in town would make much of a difference.  
38 k. Council Member Hunter inquired if UDOT would be willing to identify additional pull-out  
39 areas along the canyon to give the motorist more opportunities to put their chains on.  
40 Chief Benson explained the town has asked UDOT to plow some areas due to safety  
41 factors of pulling people over, but they are not designated as chain up areas and UDOT  
42 is not budgeted to plow additional pull-out areas in the canyon. Chief Benson reported  
43 he will talk to UDOT about it.  
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46 **3. CODE ENFORCEMENT POLICY UPDATE.** An amendment to the town's code enforcement  
47 policy.  
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49 Wendy Dowland, Public Works Assistant, presented a draft amendment to the Code  
50 Enforcement Policy (see attached). Wendy explained the amendment identifies some minor  
51 changes along with adding a flow chart.  
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53 The Council discussed the following:

- 54 a. Council Member Mulder suggested a change to include residents in the language on  
55 page 1, line 12. Staff will make this change.  
56 b. Page 1, line 37 to incorporate language to include everyone (residents and guests).



- 1 c. The Code Enforcement Policy covers all town code violations such as building and  
2 licensing.
- 3 d. The town has a Code Enforcement Officer who would issue the citation. Wendy  
4 explained the violator would be given a notification warning and they would have the  
5 chance to mitigate the issue, but failure to mitigate the issue could result in a citation  
6 which could be either an administrative fine, or ~~if it were more severe of a violation, or~~  
7 ~~cited for a misdemeanor.~~
- 8 e. Council Member Freeberg inquired as to how the town will determine if there is a code  
9 violation. Wendy explained staff typically hears from the public on code violations along  
10 with staff checking in on things and the officers who patrol the town would report  
11 violations.
- 12 f. Bret reported staff is working with the officers on a list of common code violations to  
13 recognize when the officers are patrolling the town. Officer Morgan is the Code  
14 Enforcement Officer and meets with staff on a regular basis.
- 15 g. The flow chart has been added to the Enforcement Policy which identifies the flow of how  
16 a code violation proceeds.
- 17 h. Mayor Calloway suggested staff remove the second heading "Judicial Review for  
18 Decision" from the document since it seems to be two headings and a formatting issue.  
19 Staff will update the formatting for the document.
- 20 i. The administrative fines will be identified in the Consolidated Fee Schedule.

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22 **Motion:** Council Member Freeberg moved to approve the Code Enforcement Policy with  
23 the minor changes identified:

- 24 1) Page 1, line 12: add the word "residents" to the sentence.  
25 2) Page 1, line 37: incorporate language to include "residents and guests".  
26 3) The second heading "Judicial Review for Decision" will be removed and the  
27 document reformatted.

28 Council Member Hunter seconded the motion.

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

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34 **4. FY2020 STRATEGIC PLAN RESOLUTION.** A resolution adopting the fiscal year 2020  
35 Strategic Plan.

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37 Bret Howser, Town Manager, explained the Council began their review of the fiscal year 2020  
38 Strategic Plan during their last meeting but did not complete the review of the plan. Bret  
39 explained there are two versions of the strategic plan in the Council's packet; the first is a  
40 red-lined version showing all of the changes and the second version is what the Council has  
41 already reviewed and identified any new action steps. The following action steps have been  
42 added to the strategic plan for the public works department:

- 43  
44 a) **ST01 – Streets: Double chip seal on Trails Phase 2B on Hunter Ridge Road.** The  
45 town will not be able to fund this project for the FY2020 budget year. Bret explained the  
46 project was to lay down two layers of chip seal and then will wait a year to lay down  
47 another layer of chip seal. Bret explained the town had to carry over funding from  
48 previous streets projects which has given the town a total of \$280,000 for the street  
49 projects. The bids have come in around \$260,000 which would leave approximately  
50 \$20,000 for project management and engineering for the next year's street projects and  
51 staff had to remove this street project. The town will try and save up enough to try and  
52 chip seal the dirt road on upper Hunter Ridge Road in the summer of 2021. Bret inquired  
53 if the Council is satisfied with holding off on this project until 2021.

54 **Consensus of the Council:** remove this action step from the strategic plan for 2020.

- 55 b) Watering the OHV trail has been changed to using mag chloride instead.



- 1 c) Bret explained he changed the title of the strategy: PK01 to "Maintain recreation  
2 infrastructure at high quality" and the enhancements have been moved to a different  
3 strategy since one strategy will address maintenance and the other for phased  
4 improvements of the park/pond.
- 5 d) The zig-zag fence for the pond area has been removed from the action steps. Mayor  
6 Calloway commented this project could be a Scout project and recommended this project  
7 remain in the action steps. Mayor Calloway commented the zig-zag fence would be more  
8 an enhancement to the area than widening the dock which is identified as an action step.  
9 Bret explained if this were an in-house project, it would require a lot of manhours to  
10 complete and would suggest the project be contracted out instead if the Council decides to  
11 complete this project this year's plan. Mayor Calloway commented the zig-zag fence  
12 would define a boundary for parking on the west side of the pond. Council Member  
13 Hunter commented he thinks that making the zig-zag fence project as a community project  
14 in which it could bring the community together to install the fence. Discussion was held  
15 regarding the amount of manhours it would take if staff were to collect and prep the trees  
16 for a community project.

17 **Consensus of the Council:** Add the zig-zag fence back into the action steps and  
18 remove the widening of the dock project. The project will be contracted out with costs  
19 identified and depending on the cost staff will determine whether it would be a volunteer  
20 project or will be contracted out. Staff will update the Council with the cost at the budget  
21 work session.

- 22 e) **Consensus of the Council:** The dock widening will be identified for the FY2021  
23 Strategic Plan.
- 24 f) Irrigation and sod are identified for some picnic areas located throughout the pond area.
- 25 g) Mayor Calloway reported he challenged the businesses to plant a tree at the pond/park  
26 area and maintain it for a period of two years. Mayor Calloway reported no businesses  
27 have taken him up on this challenge. Council Member Hunter inquired if someone were to  
28 plant a tree at the pond/park area, is there a map or something to give some direction of  
29 where to plant the tree since the town has a master plan for the area and the Tree  
30 Commission has been tasked with identifying the locations for planting trees.
- 31 h) Council Member Hunter inquired if the town could transplant a Bristlecone Pine at the pond  
32 area and make it an icon for the town. Bret explained staff would need to research to  
33 determine whether the Bristlecone Pine tree is a protected tree and whether the town  
34 would have the right to transplant these trees. Tom Gurr, Public Works, suggested the  
35 Council consider transplanting a dead Bristlecone pine tree and plant it in concrete  
36 instead. Bret explained he won't put it as an action step at this time.

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38 Council held discussion on the following:

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40 **Asset Management Strategies**

- 41 a) Change the vehicle replacement schedule to include a heavy-duty truck that would be kept  
42 for ten years. Bret reported plans to purchase a used vehicle which would remain on the  
43 mountain.

44 **Consensus of the Council;** Approve the purchase of a heavy-duty vehicle that would  
45 have a crane on it for heavy lifting jobs.

- 46 b) Replace an existing utility public works truck with a runner vehicle which would be a  
47 smaller pick-up vehicle. Council Member Hunter suggested the town use the 2008  
48 Durango vehicle as the runner vehicle. Bret explained the Durango is currently being  
49 used by the Public Works Director to get to the job sites and is also a second  
50 administration vehicle which is used for traveling to trainings.

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52 **Sewer:** Inspect sewer manholes annually. Bret explained this was a requirement from Utah  
53 Local Governments Trust, town's insurance company, and they have reported this is no longer  
54 a requirement. Staff has updated the plan to identify inspecting 20% of the sewer system  
55 annually.  
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1       **Solid Waste:** ED10: An additional dumpster site identified on Forest Drive. Mayor Calloway  
 2       inquired if dumpster enclosures are identified. Bret explained the dumpster enclosures are  
 3       identified under the Beautify Brian Head Strategy.  
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#### 5       **Administration Department**

6       a) **ED01: Public Services for special events.** Bret explained the resort is continually  
 7       asking for additional services such as porta potties, shuttle services and additional law  
 8       enforcement for all of their special events. Bret explained these services have not been  
 9       budgeted for and the Council will need to give a policy decision for additional services for  
 10      special events.

11      **Consensus of the Council:** The Event Coordinator will be responsible for paying for  
 12      any additional law enforcement; the town will provide porta potties for the events as a  
 13      health issue; the town will provide shuttle services for a total of \$2,000 a month and the  
 14      resort can determine on which events they would like to have shuttle service and  
 15      coordinate with the town.

16      b) **The Fourth of July band** has been removed from the action steps due to the resort and  
 17      the Arts & Craft Festival having bands during the weekend.

18      c) The Arts & Crafts Festival has requested the town provide trash barrels during their event  
 19      and this item was not budgeted for.

20      **Consensus of the Council:** The town will provide the barrels, but not the manpower to  
 21      pick up the trash during the event. The Event Coordinator will be responsible for taking  
 22      out the garbage.

23      d) There will be one firework display show for the Fourth of July on Thursday, July 4, 2019.  
 24      The show will be contracted out so the fire department and law enforcement officers can  
 25      focus their attention on the town. The town will donate to the Volunteer Fire Fighters for  
 26      their annual Christmas dinner.

27      e) **ED06: Shuttle Stops.** Bret explained staff has removed the three on-call stops for Steam  
 28      Engine Drive and Forest Drive. These stops were newly identified in the town's on-call  
 29      shuttle system and in speaking to the shuttle manager, it was his recommendation to  
 30      remove these stops due to no riders using these stops. Mayor Calloway recommended  
 31      staff leave the on-call stops.

32      **Consensus of the Council:** The three on-call stops in Steam Engine area will remain  
 33      on the shuttle system route.

34      f) **ED08:** Bret explained he will identify an action step to include a master plan for the town  
 35      with GTS Development for economic strategic plan. The staff will work with Steve from  
 36      GTS on a master plan. Staff will also work with Cedar Breaks Lodge on improving the first  
 37      impression of Brian Head with their maintenance shop area.

38      g) **Paved walking trail:** Bret explained the walking trail should be open later today. Due to  
 39      the challenges the crew has experienced in keeping the trail open during the heavy snow  
 40      year, the trail may not always be accessible to the public during certain times of the year.  
 41      Council Member Freeberg suggested the town install a bench along the walking trail.  
 42

#### 43      **Public Safety Department**

44      a) Bret explained staff is trying to consolidate some of the action steps into three types: 1)  
 45      General Public 2) Marshal 3) Fire. Fire has been paired down and public safety has cut  
 46      three strategies from the Strategic Plan and those identified in green font on the plan have  
 47      been moved to a different strategy.

48      b) Mayor Calloway commented the Council Members need to be more active in identifying  
 49      strategies and to be more forward thinking for next year's Strategic Planning Retreat.

50      c) **PS07:** Mayor Calloway commented he would like to see an action step on improving the  
 51      storage for the public safety building. Mayor Calloway explained the current situation for  
 52      storage at the public safety building is limited and he would like to see the area cleaned up  
 53      with the installation of cabinets, additional electrical outlets throughout the conference  
 54      room area and the parking area cleared of the trailers that are taking up parking spaces.  
 55      The building received a new audio/video system but lacks the electrical outlets to make it  
 56      more efficient for conferences. Mayor Calloway encouraged the staff to declutter the



1 building of unused items and organize their meeting spaces. Chief Benson explained they  
 2 are in need of a second refrigerator in the kitchen area due to the amount of building  
 3 rentals that are using the refrigerator along with installing additional shelves in the kitchen  
 4 area.

5 **New Action Step:** Investigate ways to get more of the building to run off the generator  
 6 during power outages.

7 **New Action Step:** Work with volunteer fire department personnel on improvements for  
 8 the kitchen at the public safety building.

- 9 d) PS02, Emotional Well Being: Chief Benson explained the staff has participated in some  
 10 training this last year on emotional well being and will continue to attend these trainings  
 11 when they are available.
- 12 e) **MA04:** Mayor Calloway commented he would like the department to find a way to count  
 13 cars in the winter season. Currently the town has a speed limit radar board that also  
 14 counts vehicles in the summer season but is unable to operate during the winter season.  
 15 **New Action Step:** Explore ways to count cars in the winter season.
- 16 f) **FD01:** Bret explained there is an error on the fire engine type, in which it is identified as a  
 17 type 3 and should be a type 4 fire engine. Staff will update the final document.
- 18 g) Council Member Freeberg suggested there be a future step to identify a different location  
 19 for a power sub-station. Council Member Freeberg suggested the lot owned by the State  
 20 of Utah adjacent to Thunder Mountain Motorsports on Spruce Street, which is a small  
 21 triangle shaped lot.

22  
 23 Council will finish their review of the Fiscal Year 2020 Strategic Plan during their next  
 24 regular meeting scheduled for April 22, 2019. Bret explained the April 8, 2019 meeting is  
 25 scheduled as a budget work session.  
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## 28 **5. COUNCIL CORE VALUES DISCUSSION.** A discussion on core values.

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 30 Bret Howser. Town Manager explained the Council discussed core values during the  
 31 strategic planning retreat and directed staff to present some general information on core  
 32 values to the Council for consideration. Bret explained there is a difference between core  
 33 values and code of ethics.  
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35 Bret presented some of the following examples:

- 36 a) Provide excellent quality of life for our residents (both primary and secondary  
 37 homeowners).
- 38 b) Promote a family-friendly and memorable resort mountain town visitor experience.
- 39 c) Collaborate with local businesses to provide resort appropriate amenities.
- 40 d) Do these things as efficiently as possible to avoid undue financial burden on taxpayers.  
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42 The Council discussed the following:

- 43 a) Council Member Freeberg inquired if quality of life includes all of the basic services  
 44 such as water, sewer, garbage.
- 45 b) Mayor Calloway commented he would like to identify a pie chart with the visitor  
 46 experience at the top of the chart since without the visitor experience and return, the  
 47 town wouldn't exist. 2<sup>nd</sup> would be collaboration in working with the businesses,  
 48 residents and visitors to improve the visitor experience, 3<sup>rd</sup> would be fiscal  
 49 responsibility and provide what the visitors/residents/businesses want at a reasonable  
 50 cost. 4<sup>th</sup> would be quality of life since with the visitor and collaboration, it would give  
 51 the residents a higher quality of life than without them. Mayor Calloway presented a  
 52 pie chart of what he is proposing (see attached).
- 53 c) Mayor Calloway suggested using excellence in public services be included in the pie  
 54 chart.
- 55 d) Bret explained the core values will be part of the town's General Plan.
- 56 e) Council Member Hunter suggested using a five-point star instead of a pie chart to  
 57 identify the five core values. **Consensus of the Council:** Use a five-point star.



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 2 Bret reported he will work on a five-point star identifying the following core values:  
 3 1). Visitor Experience to promote the family-friendly mountain town experience. 2).  
 4 Collaboration in working with businesses, residents and visitors to promote the appropriate  
 5 resort amenities. 3). Fiscal responsibility by providing services at a reasonable cost. 4).  
 6 Quality of life for residents, visitors and businesses. 5). Excellence in public services.  
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8 This would be adopted as part of the General Plan.  
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 11 **6. POTENTIAL FUTURE AGENDA ITEMS.** The Council will discuss potential future agenda items  
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13 Council did not address this agenda item.  
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15 **G. CLOSED SESSION OF THE TOWN COUNCIL** A strategy session to discuss the sale of  
 16 real property, including any form of water right or water shares  
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18 **Motion:** Council Member Mulder moved to recess the regular meeting of the Brian Head  
 19 Town Council and enter into closed session to discuss the sale of real property  
 20 including any form of water rights or water shares. Council Member Hunter  
 21 seconded the motion.

22 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Mulder,**  
 23 **Council Member Hunter, Council Member Freeberg, Council Member Marshall,**  
 24 **Mayor Calloway).**  
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26 The regular meeting of the Town Council was recessed at 4:30 pm. The Council meeting was  
 27 reconvened at 5:04 pm.  
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29 **Motion:** Council Member Freeberg moved to adjourn the closed session of the Town  
 30 Council and reconvene the regular Town Council meeting. Council Member  
 31 Marshall seconded the motion.

32 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Mulder,**  
 33 **Council Member Hunter, Council Member Freeberg, Council Member Marshall,**  
 34 **Mayor Calloway).**  
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36 The regular meeting of the Town Council was reconvened at 5:04 pm.  
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38 **H. ADJOURNMENT**  
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40 **Motion:** Council Member Hunter moved to adjourn the regular meeting of the Brian Head  
 41 Town Council for March 25, 2019. Council Member Mulder seconded the  
 42 motion.

43 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Mulder,**  
 44 **Council Member Hunter, Council Member Freeberg, Council Member Marshall,**  
 45 **Mayor Calloway).**  
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47  
 48 The regular meeting of the Brian Head Town Council was adjourned at 5:05 pm for March 25, 2019.  
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 51 April 22, 2019  
 52 Date Approved  
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 56 Nancy Leigh, Town Clerk

