

TOWN OF BRIAN HEAD, UTAH
TOWN COUNCIL
August 10, 2021

ASSESSMENT ORDINANCE
ORDINANCE NO. 21-009

**AN ORDINANCE CONFIRMING THE ASSESSMENT LIST AND
LEVYING A SPECIAL TAX ASSESSMENT AGAINST CERTAIN
PROPERTIES IN THE TOWN OF BRIAN HEAD, UTAH SPECIAL
TAX ASSESSMENT AREA NO. 2021-1 (STEAM ENGINE
MEADOWS) FOR STREET AND ENVIRONMENTAL
REMEDIATION IMPROVEMENTS, AND RELATED MATTERS.**

WHEREAS, on July 13, 2021, the Town Council adopted a resolution designating the Town of Brian Head, Utah Special Tax Assessment Area No. 2021-1 (Steam Engine Meadows) (the “Special Tax Assessment Area”) consistent with the Notice of Intention in the total amount of \$398,000 for street and environmental remediation improvements in Steam Engine Meadows; and

WHEREAS, the Town has obtained an Acknowledgement, Waiver, and Consent from each property owner within the Special Tax Assessment Area; and

WHEREAS, the Town Council desires to adopt an Assessment ordinance consistent with the Notice of Intent in the reduced amount of \$350,000 and to assess all of the properties in the Special Tax Assessment Area hereby:

**THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF TOWN
OF BRIAN HEAD, UTAH:**

Section 1. Determination of Costs. All costs and expenses for the making of the Improvements (as defined in the Notice of Intention for \$398,000 and as further described below in the reduced assessed amount of \$350,000) within the Special Tax Assessment Area as herein described have been determined, the property price for all property to be acquired to make the Improvements has been finally determined and the reasonable cost of any work to be done has been determined.

Section 2. Approval of Assessment List; Findings. The Town Council (the “Council”) of the Town of Brian Head, Utah (the “Issuer”) hereby accepts the acknowledgements, waivers and consents from the property owners to be assessed, and further confirms the assessment list for the Town of Brian Head, Utah Special Tax Assessment Area No. 2021-1 (Steam Engine Meadows) (the “Special Tax Assessment Area”), a copy of which is attached hereto as Exhibit A and incorporated herein by reference (the “Assessment List”), and hereby confirms that the Assessment List is just and equitable; that each piece of property to be assessed within the Special Tax Assessment Area will be benefitted in an amount not less than the assessment to be levied

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against said property; and that no piece of property listed in the Assessment List will bear more than its proportionate share of the cost of such Improvements

Section 3. Levy of Assessments. The Council of the Issuer does hereby levy an assessment to be assessed upon the real property identified in the Assessment List. The assessments levied upon each parcel of property therein described shall be in the amount set forth in the Assessment List.

The assessments are for the purpose of paying the costs of the construction of street improvements and environmental remediation improvements, and related improvements within the Special Tax Assessment Area, and of completing any miscellaneous work necessary to complete the improvements in a proper and workmanlike manner (collectively, the "Improvements").

Section 4. Cost of Improvements; Amount of Total Assessments. The total cost of the Improvements in the Special Tax Assessment Area is estimated to be \$350,000.00, of which total cost the Issuer's portion is \$0. The Issuer's portion, if any, includes that part of the overhead costs for which an assessment cannot be levied, if any, and the cost of making improvements for the benefit of property against which an assessment may not be levied, if any. The amount to be assessed against property affected or benefitted by the Improvements in the Special Tax Assessment Area is \$350,000.00, which amount does not exceed in the aggregate the sum of: (a) the total contract price or prices for the improvements under contract duly let to the lowest and best responsible bidders therefor and a portion of the costs of engineering, designing, and inspection or estimate thereof; (b) the acquisition price of improvements or estimate thereof; (c) the reasonable cost of utility services, maintenance, labor, materials or equipment supplied by the Issuer, if any; (d) the estimated property price, if any; (e) connection fees, if any; (f) the estimated interest on any interim warrants issued against the Special Tax Assessment Area, if any; (g) overhead costs not to exceed fifteen percent (15%) of the sum of (a), (b), (c) and (e), if any; and (h) where the assessment is levied prior to the time all of the Improvements in the Special Tax Assessment Area are entirely completed and accepted, an amount for contingencies of not to exceed 10% of the sum of (a) and (c).

Section 5. Method and Rate. The total assessment for the Special Tax Assessment Area is levied in accordance with the following method and at the following rate(s):

<u>Assessment Rate</u>	<u>Method of Assessment</u>
\$17,500.00	Per Lot

Section 6. Payment of Assessments. The property owner(s) have each waived the pre-payment period. But for the waiver, each property owner would have had 25 days from the date of publication of this Assessment Ordinance to prepay the above levied assessment. Any part of the assessment not paid within such 25-day period shall be payable over a period of time in ten

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(10) substantially equal annual installments, including interest (which interest may include ongoing local entity costs incurred for administration of the assessment area) on the unpaid balance of the assessment at the same rate as the net effective interest rate of the special assessment bonds (the "Assessment Bonds") as herein described anticipated to be issued by the Issuer. The assessment payment dates shall be due with the annual property tax assessment on December 1st of each year. Interest shall accrue from the effective date of this Ordinance until paid.

(i) After the above referenced 25-day prepayment period, all unpaid installments of an assessment levied against any piece of property may be paid prior to the dates on which they become due, but any such prepayment must include an additional amount equal to the interest which would accrue on the assessment to the next succeeding date on which interest is payable on the Assessment Bonds issued in anticipation of the collection of the assessments plus such additional amount as, in the opinion of the Town Manager, is necessary to assure the availability of money to pay interest on Assessment Bonds as interest becomes due and payable plus any premiums which may be charged and become payable on redeemable bonds which may be called in order to utilize the assessments paid in advance.

(ii) If prepayment of an assessment, or any part thereof, arises out of a need of the property owner to clear the assessment lien from a portion (the "Release Parcel") of the parcel now being assessed (the "Assessed Parcel"), the assessment lien upon the Release Parcel may be released by the Issuer, but only if all of the following conditions are met:

A. The property owner prepays the assessment of the Release Parcel which is calculated as follows: (1) multiply the total assessment, including all accrued and unpaid interest, then outstanding on the Assessed Parcel by a fraction, the numerator of which is the total area of the Release Parcel, including a pro rata portion of the undevelopable area of the Assessed Parcel, if any, and the denominator of which is the total area of the Assessed Parcel including the Release Parcel; and then (2) multiplying such amount by 1.25.

For purposes of determining prepayment amounts provided in (A) above, regularly scheduled payments shall not be taken into account. For example, should a property owner desire to clear the assessment lien from a portion of a parcel now being assessed after the lien has been reduced through regularly scheduled payments, he/she would need to prepay a portion of the then outstanding assessment as determined under (A) above. The regularly scheduled assessment payments previously made would not entitle the property owner to a release of a portion of the Assessed Parcel without such prepayment.

B. The Town Manager must determine that the partial release of lien upon payment of the prepayment amount determined under (A) above does not diminish the security of the bondholders based upon the amount of the remaining assessment compared with the amount and value of land remaining to secure such debt. For pur
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be considered diminished if the fair market value of the remaining property subject to the assessment equals or exceeds three times the remaining unpaid assessment on such property. The Town Manager shall have the right to obtain the opinion of an independent appraiser as to the value of the remaining property, and the cost of obtaining such opinion or appraisal shall be paid by the property owner requesting the release.

C. The additional payment for premiums and interest is paid as required above for any prepayment.

For purposes of determining prepayment amounts as provided in (A) above, regularly scheduled payments shall not be taken into account. For example, should a property owner desire to clear the assessment lien from a portion of a parcel now being assessed after the lien has been reduced through regularly scheduled payments, he/she would need to prepay a portion of the then outstanding assessment as determined under (A) above. The regularly scheduled assessment payments previously made would not entitle the property owner to a release of a portion of the Assessed Parcel without such prepayment. Following a prepayment made pursuant to this subsection, the Town Manager shall recalculate the amount of all subsequent assessment installments to be paid on the remaining portion of the Assessed Parcel, after taking into account the reduction in the outstanding principal balance of the assessment resulting from such prepayment.

(iii) In the event all or any portion of the property assess hereunder is subdivided into smaller parcels as evidenced by a subdivision plat approved by the Issuer and recorded at the Iron County Recorder's office then the Issuer may elect, at its discretion, to allocate the assessment balance on the previously undivided property on a proportionate basis to the extent possible based on the method of assessment for the applicable project. The required annual assessment installment payments for each subdivided parcel shall be allocated proportionately to the extent possible based on the method of assessment for the applicable project so that the aggregate total of all of the annual assessment installments for each of the subdivided parcels will equal the total annual assessment installment for the previously undivided property. When an assessment lien is perfected for each of the subdivided parcels, the total assessment levied against the previously undivided property will be released having been replaced by the aggregate of the assessments allocated to each of the subdivided parcels. A release of the new assessment lien for a given subdivided parcel will be delivered by the Issuer at the time the assessment balance for that subdivided parcel is paid in full.

All prepayments paid pursuant to subsection (ii) above must include (1) an additional amount equal to the interest which would accrue on the assessment to the next succeeding date on which interest is payable on the Assessment Bonds to be issued pursuant to a bond resolution to be adopted by the Issuer (the "Bond Resolution"); (2) such additional amount as, in the opinion of the Town Manager, is necessary to assure the availability of money to pay interest on the Assessment Bonds as interest becomes due and payable; and (3) any premiums which may be charged and become payable on the

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Assessment Bonds which may be called on a redemption date in order to utilize the assessments paid in advance..

Section 7. Default in Payment. If a default occurs in the payment of any installment of principal or interest, when due, the Town Manager, on behalf of the Council, may declare the unpaid amount to be immediately due and payable and subject to collection as provided herein. In addition, the Town Manager, on behalf of the Council, may accelerate payment of the total unpaid balance of the assessment and declare the whole of the unpaid principal and interest then due to be immediately due and payable. Interest shall accrue and be paid on all amounts declared to be delinquent or accelerated and immediately due and payable at the same rate or rates of interest as are applied to delinquent real property taxes for the year in which the assessment installment becomes delinquent or at the default interest rate on the Assessment Bonds to be issued under the anticipated Bond Resolution, whichever is more (the "Delinquent Rate"). In addition to interest charges at the Delinquent Rate, costs of collection, as approved by the Town Manager, on behalf of the Council, including, without limitation, attorneys' fees, trustee's fees, and court costs, incurred by the Issuer or required by law shall be charged and paid on all amounts declared to be delinquent or accelerated and immediately due and payable.

Upon any default, the Town Manager shall give notice in writing of the default to the owner of the property in default, as shown by the last available assessment rolls of Town of Brian Head. Notice shall be effective upon deposit of the notice in the U.S. Mail, postage prepaid, and addressed to the owner as shown on the last assessment rolls of Town of Brian Head. The notice shall provide for a period of thirty (30) days in which the owner shall pay the installments then due and owing, after which the Town Manager, on behalf of the Issuer, may place in operation the procedure necessary to provide for a tax sale of all delinquent property in the manner provided by Title 59, Chapter 2, Part 13, Utah Code Annotated 1953, as amended, for the sale of property for delinquent general property taxes, or by judicial foreclosure or as otherwise provided by Title 11, Chapter 42, Section 502.1 of the Utah Code. If an assessed property is foreclosed the Issuer shall be permitted to bid at the sale.

The remedies provided herein for the collection of assessments and the enforcement of liens shall be deemed and construed to be cumulative and the use of any one method or means of collection or enforcement shall not deprive the Issuer of the use of any other method or means. The amounts of accrued interest and all costs of collection, including trustee's fees, attorneys' fees, and costs, shall be added to the amount of the assessment up to, and including, the date of foreclosure sale.

Section 8. Remedy of Default. If prior to the final date payment may be legally made under a final sale or foreclosure of property to collect delinquent assessment installments, the property owner pays the full amount of all unpaid installments of principal and interest which are past due and delinquent with interest on such installments at the rate or rates set forth in Section 5 hereof to the payment date, plus all trustee's fees, attorneys' fees and other costs of collection, the assessment of said owner shall be restored and the default removed, and thereafter the owner shall have the right to make the payments in ins'

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cure a default shall be applied, first, to the payment of attorneys' fees and other costs incurred as a result of such default; second, to interest charged on past due installments, as set forth above; third, to the interest portion of all past due assessments; and last, to the payment of outstanding principal.

Section 9. Lien of Assessment. An assessment or any part or installment of it, any interest accruing, and the penalties, trustee's fees, attorneys' fees and other costs of collection shall constitute a lien against the property upon which the assessment is levied on the effective date of this Ordinance. Said lien shall be superior to the lien of any trust deed, mortgage, mechanic's or materialman's lien or other encumbrance and shall be equal to and on a parity with the lien for general property taxes. The lien shall continue until the assessment and any interest, penalties and costs on it are paid, notwithstanding any sale of the property for or on account of a delinquent general property tax, special tax or other assessment or the issuance of a tax deed, an assignment of interest by the governing entity or a sheriff's certificate of sale or deed.

Section 10. Assessment Fund. There is hereby created by the Issuer an Assessment Fund (the "Assessment Fund"). The Issuer shall deposit into the Assessment Fund all money paid to the Issuer from assessments and interest on assessments within the Special Tax Assessment Area. There is established an Improvement Revenues sub-account (the "Improvement Revenues Account") into which the Issuer shall deposit all money paid to the Issuer from improvement revenues within the Special Tax Assessment Area. Money in the Assessment Fund shall be expended and managed under the provisions contained in Section 11-42-412 of the Utah Code Annotated, 1953, as amended.

Section 11. Special Reserve Fund. The lender has not required a reserve fund. There is no reserve fund created with respect to the Special Tax Assessment Area.

Section 12. Maintenance of Funds. All investment earnings on the Assessment Fund and Reserve Fund shall be maintained in said Funds respectively and applied in the same manner as the other moneys on deposit therein as provided in the Bond Resolution authorizing the issuance of the Assessment Bonds.

Section 13. Contestability. No assessment shall be declared void or set aside in whole or in part in consequence of any error or irregularity which does not go to the equity or justice of the assessment or proceeding. Any party who has not waived his objections to same as provided by statute may commence a civil action against the Issuer to enjoin the levy or collection of the assessment or to set aside and declare unlawful this Ordinance.

Such action must be commenced, and summons must be served on the Issuer not later than 30 days after the effective date of this Ordinance. This action shall be the exclusive remedy of any aggrieved party. No court shall entertain any complaint which the party was authorized to make by statute but did not timely make or any complaint that does not go to the equity or justice of the assessment or proceeding.

After the expiration of the 30 day period provided in this section:

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The Assessment Bonds issued or to be issued against the Special Tax Assessment Area and the assessments levied in the Special Tax Assessment Area shall become incontestable as to all persons who have not commenced the action provided for in this section; and

Section 14. Notice to Property Owners. The Town Manager is hereby authorized and directed to give notice of assessment by mail to the property owners in the Special Tax Assessment Area. Said notice shall, among other things, state the amount of the assessment and the terms of payment. A copy of the form of notice of assessment is available for examination upon request at the office of the Town Manager.

Section 15. All Necessary Action Approved. The officials of the Issuer are hereby authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance.

Section 16. Repeal of Conflicting Provisions. All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of that conflict.

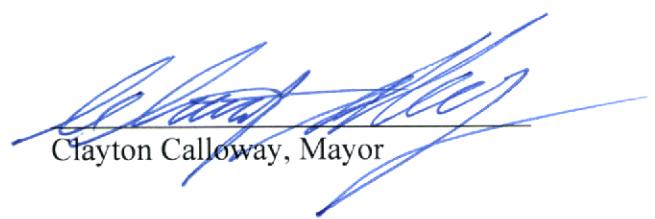
Section 17. Publication of Ordinances. Immediately after its adoption, this Ordinance shall be signed by the Mayor of the Town Council and attested by the Town Clerk and shall be recorded in the ordinance book kept for that purpose. This Ordinance shall be published once in the Spectrum, a newspaper published and having general circulation in the Issuer and shall take effect immediately upon its publication. The Town Clerk shall also post this Assessment Ordinance on the Utah Public Notice Website.

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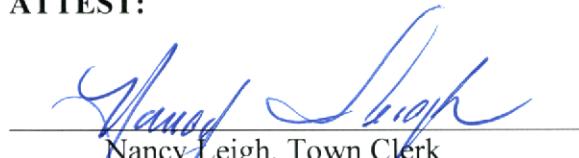


PASSED AND APPROVED by the Town Council of the Issuer, this
August 10, 2021.



Clayton Calloway, Mayor

ATTEST:



Nancy Leigh, Town Clerk



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RECORD OF PROCEEDINGS

A regular meeting of the Town Council of Town of Brian Head, Iron County, Utah was held on August 10, 2021, at 4:00 p.m., or as soon thereafter as feasible, at the regular meeting place of said Town council at 56 N. Highway 143, Brian Head, Utah 84719 at which meeting there were present and answering roll call the following members who constituted a quorum:

Clayton Calloway	Mayor
Larry Freeberg	Council Member
Lynn Mulder	Council Member
Shaun Kelly	Council Member
Kelly Marshall	Council Member

Also present:

Absent: None

After the meeting had been duly called to order and other matters not pertinent to this resolution had been discussed, the Town Clerk presented to the Town Council a Certificate of Compliance with Open Meeting Law with respect to this August 10, 2021, meeting, a copy of which is attached hereto.

Council Member Marshall introduced the foregoing ordinance in writing and moved its adoption. Council Member Kelly seconded the motion to adopt the foregoing ordinance. The motion and ordinance were adopted on the following recorded vote:

Those voting AYE: Mayor Calloway
Council Member Shaun Kelly
Council Member Kelly Marshall
Council Member Lynn Mulder
Council Member Larry Freeberg

Those voting NAY: None

After the conduct of other business not pertinent to the above, the meeting was adjourned.

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CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Nancy Leigh, the undersigned Town Clerk of Town of Brian Head, Iron County, Utah (the Town), do hereby certify, according to the records of the Town in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the August 10, 2021 public meeting held by the Town as follows:

(a) By causing a Notice, in the form attached hereto (the "Meeting Notice"), to be posted at the principal office of the Issuer at least twenty-four (24) hours prior the convening of the meeting, the Meeting Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of the Meeting Notice to be delivered to a newspaper of general circulation in the geographic jurisdiction of the Issuer at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of the Meeting Notice to be published on the Utah Public Notice Website at least twenty-four (24) hours prior to the convening of the meeting; and

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this August 10, 2021.



Nancy Leigh
Nancy Leigh, Town Clerk

ATTACH NOTICE OF MEETING AND PROOF OF POSTING ON
PUBLIC NOTICE WEBSITE

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The Regular Meeting of the
Brian Head Town Council
www.Zoom.us ([Click Here](#))
Via Zoom Meeting ID#

TUESDAY, AUGUST 10, 2021 @ 4:00 PM

AGENDA

- A. CALL TO ORDER
- B. PLEDGE ALLEGIANCE
- C. DISCLOSURES
- D. APPROVAL OF THE MINUTES

- 1) July 13, 2021, Town Council Meeting Minutes
- 2) July 27, 2021, Town Council Meeting Minutes
- 3) July 29, 2021, Town Council Special Meeting Minutes

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

F. AGENDA ITEMS:

1. PUBLIC ART PIECE DISCUSSION / DIRECTION. Bret Howser Town Manager. The Council will
2. AN ORDINANCE CONFIRMING THE ASSESSMENT LIST AND LEVYING A SPECIAL TAX ASSESSMENT AGAINST CERTAIN PROPERTIES IN THE TOWN OF BRIAN HEAD, UTAH SPECIAL TAX ASSESSMENT AREA NO. 2021-1 (STEAM ENGINE MEADOWS) FOR STREET AND ENVIRONMENTAL REMEDIATION IMPROVEMENTS, AND RELATED MATTERS. Bret Howser, Town Manager. The Council will consider an assessment ordinance for the Steam Engine Meadows Phase 1-C SAA.
3. 2021-2022 WINTER SHUTTLE CONTRACT AWARD. Bret Howser, Town Manager. The Council will award the 2021-222 Winter Shuttle Contract.
4. LIMITING NIGHTLY RENTALS IN SINGLE-FAMILY RESIDENTIAL ZONES DISCUSSION/DIRECTION. Bret Howser, Town Manager. The Council will discuss whether to limit the maximum number of nightly rentals in single-family residential (R-1) zones.
5. NIGHTLY RENTAL DISPROPORTIONATE FEE ORDINANCE. Bret Howser, Town Manager. The Council will consider an ordinance enacting a disproportionate fee on nightly rentals.
6. FY2022 CONSOLIDATED FEE SCHEDULE AMENDMENT. Nancy Leigh, Town Clerk. The Council will consider a resolution amending the FY2022 Consolidated Fee Schedule.
7. FUTURE AGENDA ITEMS. The Council will discuss potential items for future agendas.

- G. CLOSED SESSION OF THE TOWN COUNCIL. to discuss the character, professional competence, or physical or mental health of an individual.

- H. PUBLIC HEARING: TRUTH IN TAXATION TO BEGIN AT 6:00 PM. The Council will take public comment on a proposed property tax increase. Comments are limited to three (3) minutes and written comments may be submitted to the Town Clerk no later than 5:00 pm on August 9, 2021.

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I. ADJOURNMENT

Date: August 6, 2021

Available to Board Members as per Ordinance No. 11-003 authorizes public bodies, including the Town, to establish written procedures governing the calling and holding of electronic meetings at which one or more members of the public board may participate by means of electronic communications. In compliance with the Americans with Disabilities Act, persons needing auxiliary communications aids and services for this meeting should call Brian Head Town Hall @ (435) 677-2029 at least three days in advance of the meeting.

CERTIFICATE OF POSTING

I hereby certify that I have posted copies of this agenda in three conspicuous locations: The Mall, Post Office, and the Brian Head Town Hall and have posted copies on the Utah Meeting Notice Website and the Brian Head Town website and have caused a copy of this notice to be delivered to the Daily Spectrum, a newspaper of general circulation.

Nancy Leigh, Town Clerk

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Entity: Brian Head

Body: Brian Head Town Council

Subject:	Public Meetings
Notice Title:	Regular Meeting of the Town Council
Meeting Location:	Town Hall Council Chambers 56 North SR 143 Brian Head UT 84719
Event Date & Time:	August 10, 2021 August 10, 2021 04:00 PM - August 10, 2021 07:00 PM
Description/Agenda:	<p>A. CALL TO ORDER</p> <p>B. PLEDGE ALLEGIANCE</p> <p>C. DISCLOSURES</p> <p>D. APPROVAL OF THE MINUTES</p> <p>1) June 22, 2021, Town Council Meeting Minutes</p> <p>2) July 27, 2021, Town Council Meeting Minutes</p> <p>3) July 29, 2021, Town Council Special Meeting Minutes</p> <p>E. REPORTS / PUBLIC INPUT ON NON-AGENDA ITEMS. Public input is limited to three (3) minutes on non-agenda items.</p> <p>F. AGENDA ITEMS:</p> <p>1. PUBLIC ART PIECE DISCUSSION / DIRECTION. Bret Howser Town Manager. The Council will give direction on a public art piece proposal that has been submitted.</p> <p>2. AN ORDINANCE CONFIRMING THE ASSESSMENT LIST AND LEVYING A SPECIAL TAX ASSESSMENT AGAINST CERTAIN PROPERTIES IN THE TOWN OF BRIAN HEAD, UTAH SPECIAL TAX ASSESSMENT AREA NO. 2021-1 (STEAM ENGINE MEADOWS) FOR STREET AND ENVIRONMENTAL REMEDIATION IMPROVEMENTS, AND RELATED MATTERS. Bret Howser, Town Manager. The Council will consider an assessment ordinance for the Steam Engine Meadows Phase 1-C SAA.</p> <p>3. 2021-2022 WINTER SHUTTLE CONTRACT AWARD. Bret Howser, Town Manager. The Council will award the 2021-222 Winter Shuttle Contract.</p> <p>4. NIGHTLY RENTAL ZONING & PERMITTING DISCUSSION/DIRECTION. Bret Howser, Town Manager. The Council will discuss whether to limit the maximum number of nightly rentals in single-family residential (R-1) zones.</p> <p>5. NIGHTLY RENTAL DISPROPORTIONATE FEE ORDINANCE. Bret Howser, Town Manager. The Council will consider an ordinance enacting a disproportionate fee on nightly rentals.</p>

6. FY2022 CONSOLIDATED FEE SCHEDULE AMENDMENT. Nancy Leigh, Town Clerk. The Council will consider a resolution amending the FY2022 Consolidated Fee Schedule.

7. FUTURE AGENDA ITEMS. The Council will discuss potential items for future agendas.

G. CLOSED SESSION OF THE TOWN COUNCIL. to discuss the character, professional competence, or physical or mental health of an individual.

H. PUBLIC HEARING: TRUTH IN TAXATION TO BEGIN AT 6:00 PM. The Council will take public comment on a proposed property tax increase. Comments are limited to three (3) minutes and written comments may be submitted to the Town Clerk no later than 5:00 pm on August 9, 2021.

I. ADJOURNMENT

Notice of Special Accommodations:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Nancy Leigh (435) 677-2029 at least three days prior to the meeting.

Notice of Electronic or telephone participation:

Available to Board Members as per Ordinance No. 11-003 authorizes public bodies to establish written procedures governing the calling and holding of electronic meetings at which one or more members of the Council may participate by means of electronic communications.

Other information:

Contact Information:

Nancy Leigh
(435)677-2029
nleigh@bhtown.utah.gov

Posted on:

August 06, 2021 02:37 PM

Last edited on:

August 06, 2021 02:37 PM

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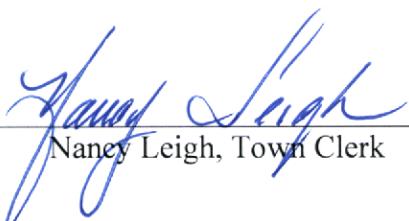
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CERTIFICATION OF TOWN CLERK

I, Nancy Leigh, the duly appointed, qualified and acting Town Clerk of the Issuer do hereby certify that the attached Ordinance is a true, accurate and complete copy thereof as adopted by the Governing Body of the Issuer at a public meeting duly held on August 10, 2021 (the "Meeting"). The persons present and the result of the vote taken at the meeting are all as shown above. The Ordinance, with all exhibits attached, was deposited in my office on August 10, 2021, and is officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town this August 10, 2021.



Nancy Leigh, Town Clerk



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PROOF OF NOTIFICATION

Notification was given or waived by all affected property owners that the Assessment Ordinance levying the special assessments which was contained in the Ordinance adopted by the Governing Body on August 10, 2021.

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EXHIBIT A

ASSESSMENT LIST AND NOTICE

The properties in Steam Engine Meadows in Brian Head, Utah. More specifically the following parcel numbers in said Steam Engine Meadows. Properties other than the identified parcel numbers will not be included in the proposed Special Tax Assessment Area.

<u>Parcel #</u>	<u>Steam Engine Meadows Phase 1-C</u>	<u>Amount</u>
A-1189-000A-0022	Lot #22	\$17,500.00
A-1189-000A-0023	Lot #23	\$17,500.00
A-1189-000A-0025	Lot #25	\$17,500.00
A-1189-000A-0026	Lot #26	\$17,500.00
A-1189-000A-0027	Lot #27	\$17,500.00
A-1189-000A-0029	Lot #29	\$17,500.00
A-1189-000A-0052	Lot #52	\$17,500.00
A-1189-000A-0053	Lot #53	\$17,500.00
A-1189-000A-0054	Lot #54	\$17,500.00
A-1189-000A-0055	Lot #55	\$17,500.00
A-1189-000A-0056	Lot #56	\$17,500.00
A-1189-000A-0057	Lot #57	\$17,500.00
A-1189-000A-0058	Lot #58	\$17,500.00
A-1189-000A-0059	Lot #59	\$17,500.00
A-1189-000A-0060	Lot #60	\$17,500.00
A-1189-000A-0061	Lot #61	\$17,500.00
A-1189-000A-0062	Lot #62	\$17,500.00
A-1189-000A-0063	Lot #63	\$17,500.00
A-1189-000A-0064	Lot #64	\$17,500.00
A-1189-000A-0065	Lot #65	\$17,500.00

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B: 1568 P: 52 Fee \$0.00
Carri R. Jeffries, Iron County Recorder Page 17 of 17
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