

## TOWN OF LEEDS

Minutes for the Town Council Meeting on  
January 10, 2001

### 1. CALL TO ORDER:

The meeting was called to order at 7:04 p.m

### 2. ROLL CALL:

Present were Mayor Empey, Council Members Bob Coxey, Norma Gier and Bob Russ. Joe Mitchell was excused.

### 3. PLEDGE:

Bob Russ

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Rob Russ to approve the agenda and minutes of the Town Council meeting of December 12, 2000. Seconded by Norma Gier. Passed unanimously. The minutes for December 19, 2000 were not presented for approval.

### 5. HAROLD FURROW LOT SPLIT:

Mr. Furrows lot split has been discussed by the Planning Commission and the Town Council previously. The Planning Commission has recommended approval. Mr. Furrow has complied with the Planning Commissions request to widen the street to 55 ft., easements of 7 ft. and 10 ft. where applicable, dedicated the road to the Town of Leeds, and named the road Memory Lane. Motion by Bob Coxey to approve the lot split. Seconded by Bob Russ. Passed unanimously.

### 6. MAYOR MIKE EMPEY:

**Police Department Update.** Mayor Empey said Officer Zubal is working on ideas for the grant money. He was hoping to be here tonight to share his ideas with the Council. Since he hasn't arrived yet this item will be discussed at the next Council meeting.

Officer Zubal arrived after Council Member Bob Coxey had started his agenda items. Since Officer Zubal is on duty tonight for the Sherriffs Department and needs to get back right away Mayor Empey asked him to proceed at this time and we will go back to council Member Coxey. Officer Zubal stated he wuld like the Council to be thinking about these things for the use of the \$7500 grant moneys:

1. The grant money being used for a new printer that is compatible with the Spillman program the police department has on their computer. They would also need to get a new internet server. The internet would cost \$30 per month with unlimited time. Currently we are paying \$13 for limited time.

2. A new police vehicle. Cost unknown. Discussion went to the expense of a new vehicle, disposal of the police vehicles we now have, and possibly using Verns truck for animal control.

3. New uniforms for the police officers. Officer Zubal would like to see the design of the uniforms changed and updated. The officers will purchase their own uniforms if Leeds Town will pay for the screen set up fee which is approximately \$300. The Council approved of the direction the police department is taking and asked Officer Zubal to come to the next meeting with exact figures on all of these items.

**Center Street Information.** Mayor Empey updated the Council on the meeting when the Council voted to keep Center Street an open road and chose not to abandon it. Mr. Prisbrey has purchased the property from Joan Thornton and is presently putting up a fence and moving dirt around. The Council expressed concerns regarding the fence being erected too close to the road, the width of the road, Mr. Prisbrey moving the irrigation ditch, fire hydrant requirements, and whether to open the tunnel or leave it closed. Mayor Empey stated he has spoken with Mr. Prisbrey every night this past week. Mayor Empey suggested Pat Sheneman and one of the Council members meet with Mr. Prisbrey to see what his intentions are. Bob Russ said he will meet with Pat and Mr. Prisbrey on Friday to discuss these concerns.

**Mayors Meeting.** Mayor Empey said one item of interest at the meeting was a proposed science center in the Town of Virgin.

#### **7. COUNCIL MEMBER JOSEPH MITCHELL:**

Council Member Mitchell was absent.

#### **8. COUNCIL MEMBER BOB COXEY:**

**Discuss Hydro Electric Plant.** Bob stated LDWA has net with the irrigation company concerning a hydro electric plant. The irrigation company and LDWA do not want to file on the water concerning the hydro electric plant. They have requested the Town of Leeds go to the State Water Board and file on the water to be used for an electric plant. Since the irrigation company owns the water Leeds Town would file on the use of the water. The irrigation company and LDWA want Leeds Town to file so grant money can be applied for. Norma Gier stated there are no grants for power plants. Discussion went to who owns the water, who can build and have the right to sell the power, and who gets the proceeds from the power plant. The water owner would get the proceeds from the power plant. Bob Coxey said several communities have a hydro electric power plant. He will follow up on this and get back to the Council at a later date.

**Approval for Expenditures.** Bob informed the Council the Town needs a new trimmer for the park and a shut off valve for the cemetery. Since the expense is under \$100 he did not need approval for the expenditure. Bob will pick up a purchase order from the office for the items.

#### **9. COUNCIL MEMBER NORMA GIER:**

Norma stated she is concerned about the make up of the Planning Commission and would like to see the majority of the Commission made up of Leeds property owners. She said she would like to suggest changing the wording in our ordinance concerning the Planning Commission. She would like it to read out of the five members on the Planning Commission the Chairman and the majority of Planning Commission members be Leeds residents. Discussion focused on the most qualified representatives may not always be

Leeds residents. Residents in the surrounding area do have an interest in Leeds and those who are serving and have served in the past have done a good job on the Planning Commission. Norma said since the Planning Commission reviews items more thoroughly than the Council and recommends what direction the Council should go she feels they should be Leeds residents. Mayor Empey said the key word is recommends. The Town Council is the governing body and makes the final decision. Norma said the Planning Commission Chairman should be a Leeds resident for a good public image. Mayor Empey stated there are a couple of things to consider. Prepare a resolution to change the wording in the ordinance or to adopt a policy to appoint no more than 2 members outside the Town of Leeds. Discussion went to guidelines, a balanced board according to expertise, and issues associated with the make up of the Planning Commission. Mayor Empey asked Norma to look at the wording of the ordinance and get back to him.

#### **10. COUNCIL MEMBER BOB RUSS:**

Bob asked if we have had a response from the Bundys horses and a Conditional Use Permit. Since there hasn't been a reply from the Bundys the Council decided if they have not replied by January a second notice will be sent.

Bob informed the Council the fence Mr. Haslam put across Cherry Lane has been removed. There is however a concern about the trench Mr. Haslam dug up the middle of the road. Mayor Empey said Pat Sheneman has been in contact with Mr. Haslam. He will talk to Pat and find out what Mr. Haslam's intentions are concerning the trench.

#### **11. OTHER BUSINESS:**

Mayor Empey stated he would like the Planning Commission to recommend a fee for a Conditional Use Permit in a Commercial Zone. He stated we also need a resignation letter from Planning Commission Members George Fridell and Paul Manis so we can post and get these positions filled. Bob Russ said he will bring these items to the next Planning Commission meeting.

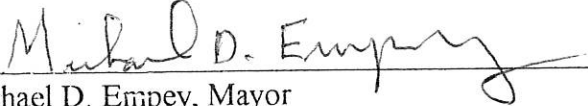
Bob Coxe said Vern cannot get the public works truck started in the mornings. It has approximately 219,000 miles on it. The Council discussed getting a newer truck or spend more money on the truck and get a tune up. Bob Russ said his brother has a truck he would be willing to donate to the Town of Leeds if he hasn't already donated to someone else. Bob will call his brother and see if the truck is still available.


The Council decided a letter needs to be sent to Bob Pease Auto asking for a record of parts and labor for the repair of the police vehicle which is still not running.

#### **12. ADJOURNMENT:**

The meeting adjourned at 9:15 p.m.

APPROVED AND SIGNED THIS 24TH DAY OF JANUARY 2001

  
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Michael D. Empey, Mayor

  
\_\_\_\_\_  
Joy Stevens, Clerk/Recorder



## TOWN OF LEEDS

Minutes for the Town Council Meeting on  
January 24, 2001

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Empey, Council Members Bob Coxey, Norma Gier and Bob Russ. Joe Mitchell was excused. Also present was Liz Grimshaw representing Leeds Town Attorney Steve Urquhart.

### 3. PLEDGE:

Bob Coxey

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Bob Russ to approve the agenda and minutes of the Town Council meeting of December 12, and 19, 2000. Seconded by Norma Gier. Passed unanimously. The minutes for December 19, 2000, corrections were made concerning quotation marks, wording and typos as instructed by the Council.

### 5. FRED FRIESE BUSINESS LICENSE FEE:

Mr. Friese stated that for 27 years he has operated a business. He felt the \$40 fee for a business license was unreasonable. Mr. Friese's property is zoned General Commercial and he and his spouse each operates a business. Mr. Friese has paid his fees under protest and asked the Council to review the business license fees.

### 6. MAYOR MIKE EMPEY:

**West Center Street Road.** Mayor Empey reviewed the issues associated with West Center Street. Discussion focused on Center Street being declared a road at the Town Council meeting on September 22, 1999 and the Public Hearing on August 11, 1999 concerning the rezone request of Joan Thornton and Terry Prisbrey. The rezone was granted contingent upon certain conditions.

Mayor Empey introduced Mr. Prisbrey and asked him to inform the Council and residents in the audience of his business plans for the property located at 98 W. Center Street. Mr. Prisbrey stated he has plans for an auto auction and used car sales. He has fenced a portion on his property. The fenced area will be the storage area. The auction will be once a month in the beginning and then twice a month eventually. He stated he will be putting up a temporary building for an office. He will comply with the fire department, put in a culvert and will put road base on the front half. He doesn't want the tunnel open since there would be liability concerns. He stated he doesn't have a septic approval and is working on water and power issues. Mayor Empey asked the Council if they have any questions.

Bob Russ questioned the 55 ft. road easement being adhered to. Bob said the fence as it is now erected is in the roadway. Mr. Prisbrey stated his attorney told him West Center Street is not a legal road. He would like the road to remain closed but work out something with the Town to open the road when there is an emergency.

Bob Coxey said he has concerns about the temporary building and sanitary conditions since Mr. Prisbrey doesn't have a septic system. He asked about restrooms and water for customers at the business. Mr. Prisbrey said he would bring in portable toilets.

Norma asked if he has checked on a septic system to see if there will be any problems obtaining a septic permit. He said he has not checked into it yet.

Mayor Empey asked if anyone in the audience had any questions or comments.

Fred Friese said he believes no one ever had the authority to close the road. It was a road for many years. He feels as an emergency access it should remain open.

Charlene Ford stated from the beginning a road is a road. Center Street is a public road and should be reopened. She said they did not receive prior notice the road was going to be closed and they need another way out of the valley. She stated Mr. Prisbrey has taken out the bad curve and alleviated some of the danger. She feels Mr. Prisbrey is showing a lot of concern and yet he keeps bringing up his attorney and threatening law suits.

Marilyn Taylor said if the road is opened she would like to see a traffic actuated light so it would control the vehicles going through the tunnel. She said you can't depend on Mr. Prisbrey to always be around to open the tunnel in case of an emergency.

Jim Parnell said he believes it is a road and has always been a road and should be opened.

Trudy Law said we need to consider the people in the community first and the business second. The road needs to be thought of as a road. The Town needs to address the safety concerns and open the road.

Gloria Parnell said she objects to the way the road was closed to benefit the seller of the property, who was on the Town Council at the time of the closure. She would like to see the Council make a decision before more problems are created.

Don Fielding stated Mr. Prisbrey shouldn't be progressing until he has answered all of the requirements and concerns. He said Mr. Prisbrey needs to be stopped now.

Richard Mullins stated the issue is safety and impact on the town. He said he can't understand why Mr. Prisbrey is continuing before the issues are addressed.

Attorney Urquhart's representative Liz Grimshaw said Utah has a user statute which means if the public travels a roadway for 10 years it is a dedicated road. It doesn't have to be on paper. From that perspective it is a legal road.

Mayor Empey said at a Town Council meeting in September 1999 the Council did take a formal vote concerning the road. The vote was that Center Street is a road and they would not be vacating it. However they would not take down the barricades until the safety issues have been addressed. Mayor Empey said if the present Council wants to vacate the road there is a procedure to follow. Otherwise it is part of the Town road system and there are safety issues to be resolved. He said he would like the Planning Commission to work on recommendations concerning the safety issues.

Bob Russ suggested Mr. Prisbrey, someone from the Town Council, and both attorney's meet to discuss this issue. Mayor Empey said he would like to see the

barricades come down in March or April. Mayor said he hopes the Commission can reach some recommendations at the February 7th meeting.

Motion by Bob Coxe to take down the barricades and open the road by the first of March. Seconded by Norma Gier. Discussion on the motion. Mayor Empey said the motion needs to understand there may be either legal reasons or engineering reasons that this may not happen. Bob Russ said he is confused because Mayor Empey has asked the Planning Commission to make recommendations and yet the Council is making a motion to open the road. Mayor Empey said we would like to open the road by this date however if the Planning Commission says we can't or legal issues say we can't then it will have to be postponed. We need to be working towards a date. Vote on the motion. 2 aye. 1 nay. Bob Russ opposed.

Mr. Prisbrey said he will come to the February 7th Planning Commission meeting to discuss the temporary building and business license.

Mayor Empey reminded Mr. Prisbrey if the Commission informs him of certain requirements that need to be met, to prepare for the opening of the road, and he hasn't complied by March 1st a cease and desist order will be issued to him.

**Discuss Youth Home/Residential Treatment Facilities Ordinance.** Mayor Empey informed the Council he has a copy of St. George's ordinance regarding treatment facilities. He would like to draft one for Leeds and have it ready for the Planning Commission to review. The Council agreed we need an ordinance in place. Bob Russ asked if an application for this type of business is submitted how would we handle it. Mayor Empey asked Joy not to accept an application before the Council and Commission can consider this ordinance.

Motion by Norma Gier to not approve an application for a youth home until this ordinance has been considered. Seconded by Bob Coxe. Passed unanimously.

**February 14th meeting.** Mayor Empey explained the next Council meeting is scheduled on Valentines Day. If no one objects the meeting will go on as scheduled. No one objected to the meeting being on Valentines Day.

#### **7. COUNCIL MEMBER JOSEPH MITCHELL:**

Council Member Mitchell was absent.

#### **8. COUNCIL MEMBER BOB COXEY:**

**Update on the Park.** Bob stated he has received 2 bids for the leveling and hydro seeding of the park. Both bids were for around \$5,000.00. He will keep the Council informed on this project.

**Discuss Public Works Truck.** Bob said he has no more information on the Public Works truck. Mayor Empey said Joy and Renae are looking into funds that can be spent for a newer truck.

#### **9. OTHER BUSINESS:**

1. Mayor Empey stated Jim Bray sent him a letter concerning Eldorado Hills. Mr. Bray presented to the Council a copy of the letter. (See attached.) Discussion was the possible annexation of El Dorado Hills. The subject of the letter concerned lowering Leeds Town Property Tax Rate as part of the proposed annexation of the El Dorado Hills

area. The benefit for El Dorado Hills would be the LDWA water company. They want to merge with LDWA. The Council said they would like more information on the pluses and minuses for the Town of Leeds. The Council all agreed this is appealing to them however they would like more information. Jim will come back at a future meeting after discussing this with the El Dorado Hills residents.

2. Norma Gier said she would like to see the Town decide whether to go for the hydro electric plant or not. She said if someone were to come in and decide they wanted do an electric plant they would have the right to the power. A decision needs to be made whether to pursue or not.

3. Norma asked for clarification on the recommendation by Leeds Building Inspector Dennis Mertlich concerning Bruce Jones step hall. She asked if it means if there are 50 people or less he does not need a second door. Mayor Empey stated he spoke with Dennis and the way he explained it was occupancy load calculated by square footage. Since it is a 1000 sq. ft. area a second door is required. Norma asked whose responsibility it is to put in the second door Mr. Jones or the property owner. Mayor Empey stated that is for them to work out. Norma said it would seem then Leeds Town Hall is not compliant since we do not have a second door. Mayor Empey said because the building is a historical building it does not have the same requirements. He said the Town would like to put in a second door at Town Hall as soon as the money is made available.

4. Bob Russ said he would like to make a comment since we are talking about Bruce Jones. Bob said he was appointed to be the liaison between the Town and Mr. Jones. He did meet with Mr. Jones to discuss the step hall program. Mr. Jones became very negative at their first meeting. Mr. Jones has been going to Norma since then. Bob told Norma he has a problem with her taking the lead as representative for the Town Council. Bob feels there is a conflict of interest on Norma's part. He asked the Council for clarification on whom they would like to pursue these issues with Mr. Jones. Norma said she would rather Mr. Jones call Bob. Bob said Mr. Jones seems to be going to who ever will tell him what he wants to hear. Mayor Empey said he went over to the step hall yesterday and the note on the door said he is moving his step hall elsewhere. If Mr. Jones is still in Town the Mayor said he would like Bob Russ to be the liaison between Mr. Jones and the Town.

5. Bob Russ asked about the letter that was sent to Marty and Danna Bundy concerning the large animals on their property and a Conditional Use Permit. And also the letter to Mr. Haslam concerning the lot split and trench in the road. The Council has not heard anything. Joy will send a second notice to the Bundy's. Bob Russ said he will talk to Pat Sheneman since he has been in contact with Mr. Haslam.

6. Trudy Law asked about the fee for the kennel license. She was surprised the fee had increased from \$15 to \$25. The fees are increased and approved at the time of the budget process. Trudy said she wants to protest the fee. She feels it is unfair since she has the only kennel in Town at the present time.

7. Gloria Parnell asked about overnight parking. She is concerned about trucks and RV's parking on the streets overnight. The Mayor said Joe Mitchell was looking into parking ordinances after Mr. Friese had complained about fumes from trucks parking too close to his home and leaving their engines running. Mayor Empey will look into this issue.

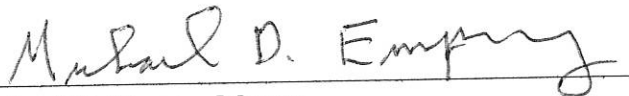
8. Jeffrey Johnson informed the Council that the Leeds Lion Club will be disbanding. Everyone will be sorry to see the Lions Club disband. The Club does a lot of volunteer work for the Town.

9. Mayor Empey asked Bob Russ to have the Planning Commission look into the Hillside Ordinance. Some issues with this have come up again concerning the 20% slope. He asked Bob to also follow up on the "Take Pride in Leeds Ordinance" and letters that were sent to several residents to clean up their property. Mayor Empey asked Norma to look at a grant application he put in her mail slot concerning the historical society.

**12. ADJOURNMENT:**

The meeting adjourned at 9:45 p.m.

**APPROVED AND SIGNED THIS 14TH DAY OF FEBRUARY 2001**



Michael D. Empey, Mayor



Joy Stevens, Clerk/Recorder



## TOWN OF LEEDS

Minutes for the Town Council Meeting on  
February 28, 2001

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Empey, Council Members Bob Coxey, Norma Gier. Bob Russ asked to be excused and Joe Mitchell will be arriving late.

### 3. PLEDGE:

Bob Coxey

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Bob Coxey to approve the agenda and minutes of the Town Council meeting of February 14, 2001. Seconded by Norma Gier. Passed unanimously.

### 5. KIRK SMITH WASHINGTON COUNTY SHERIFF:

Sheriff Smith introduced himself to the Council and the citizens in the audience. He said he was here to answer any questions or concerns the community may have. The Sheriff and Council discussed the operations at the jail. Mayor Empey stated he is grateful to Sheriff Smith for allowing 3 of his deputies to be Leeds part time officers.

### 6. EVELYN HARDY:

Ms. Hardy stated she is zone chairman over the Leeds area Lions Club. They don't want to see the club abandon. Ms. Hardy had several gentlemen with her who were also very concerned about the Leeds Lions Club. They said they are here to encourage the Council to help them keep the Club going. She asked the Council if they felt because the community is predominantly LDS the reason for poor attendance is because the meetings are held on Monday night. If the meeting place is the problem she asked if they could have the meetings at the Town Hall.

The Council expressed their concern over the Lions Club closing and they will discuss the use of the Town Hall for the meeting place. Bob Coxey asked about the funds the Lions Club has earned for the construction of the restrooms at the park. Ms. Hardy did not know about the funds. She said Charlie Scott, Lions Club President, would know about the funds. Bob Coxey said he will get with Charlie concerning the funds, changing the meeting night, and using Town Hall for a meeting place. Mayor Empey said the Lions Club has done a lot of good things for the Town and it would be a great loss to not have them anymore. He expressed his appreciation for Ms. Hardy and group for coming in and informing the Council of their concerns. Ms. Hardy asked Bob Coxey to call her after he has talked with Charlie Scott.

## 7. MAYOR MIKE EMPEY:

**Discuss Budget-Treasurer Renae Thompson.** Mayor Empey thanked Renae for being here and preparing the report for the Council to review. The Council then reviewed and discussed several different accounts. Mayor Empey stated Renae suggested moving some of the money sitting in the accounts into higher interest accounts. Impact Fees were discussed. Renae stated the Impact Fees are in a restricted account. Currently there is \$28,000.00 in the account. Public Safety has \$15,000.00 and Town Parks has \$13,000.00. If the Council wants to change what the Impact Fees are to be used for the Town would need to pay a consultant to do another Methodology Study. Mayor Empey instructed Renae to go ahead and move the appropriate funds into higher interest accounts.

**Annexation Petition by Merrill and Katherine Stirling.** The Council previously approved the petition for the annexation. Since the Stirlings did not have an annexation plat prepared we could not proceed with the process. They are here tonight to present the plat so the process can now proceed. The annexation plat was presented by the Stirlings. Motion by Bob Coxe to accept the plat and petition for annexation. Seconded by Norma Gier. Passed unanimously.

**Animal Control Enforcement.** Since Officer Zubal is not here tonight this item will put on the agenda for the next meeting.

**Historical Society Driving Tour.** Mayor Empey said the County Historical Society has developed a driving tour. Mayor Empey explained the driving tour is for anyone who wants to learn more about the history of the area. He then played the driving tour CD concerning the Leeds area. The driving tour CD presents the history of a site and then directs you to the next location. A cassette tape or CD can be purchased and will be available through the Historical Society.

## 8. COUNCIL MEMBER JOE MITCHELL:

Council Member Mitchell had arrived however he had nothing to report at this time.

## 9. COUNCIL MEMBER BOB COXEY:

**Update on the Power Plant.** Bob stated the concept of the power plant is undergoing a feasibility study right now. He will keep the Council informed on future development.

**Update on the Restroom Project at the Park.** Bob said George Fridell and Michael McNight are working hard on the project. They are asking for volunteers to help lay the block.

**Cherry Lane Trench Issue.** Bob expressed his concerns about the open trench on Cherry Lane. It was noted at the last meeting Mr. Nate Blake indicated Mr. Haslam would take care of the issue and fill in the trench. Joy will call Mr. Blake with this concern.

## 10. COUNCIL MEMBER NORMA GIER:

Norma stated she has spoken with Carol Gunn and Kathi Gunn concerning the Leeds Princess Pageant. They have expressed an interest in being the Pageant Directors. Norma will talk to them again and hopefully get a firm commitment.



## 11. COUNCIL MEMBER BOB RUSS:

**Planning Commission Items.** Since Bob was absent Planning Commission Chairman Pat Sheneman reported on the items:

**1. Nate Blake Building Plans.** Mr. Blake was at the Planning Commission meeting and presented his plot plan. The Commission reviewed the plan and expressed their concerns about Mr. Haslam never legally splitting the property before the lots being sold. The Commission informed Mr. Blake he will need to go through the minor subdivision process before building permits will be approved. The Commission recommended approval of Nate Blake's lot with the condition a new plot plan be revised to show only Mr. Blake's lot being created. And to meet all plot plan requirements. Mr. Blake stated he will be at the next Town Council meeting with the plat and will meet all requirements. Since Mr. Blake is not here with his plans the Council will wait to here from him.

**2. Russ Peine Request Minor Subdivision for Jared Westhoff.** The Planning Commission discussed the requirements of a minor subdivision. Connie Peine stated she had letters of compliance from LDWA, Pacific Corp., and the Fire District. The Planning Commission recommended approval with the conditions the plot plan be prepared to meet all requirements, and a letter of feasibility from the Health Department concerning septic systems. The Town Council discussed the flag lot concept. The road to the homes on a flag lot require a 25 ft right of way. The Council reviewed the letters and an objective statement from the Westhoff's Connie presented. They stated they need a proper plat map to be presented and the conditions recommended by the Planning Commission be met. Motion by Bob Coxe to approve the concept of the Minor Subdivision with the stipulations as stated on the objective outline presented by Connie Peine. And the conditions recommended by the Planning Commission. Mayor Empey stated the motion should also reflect they be in compliance with the Minor Subdivision Ordinance #22. Seconded by Joe Mitchell. Passed unanimously.

**3. Janet Ludlow Request Road Abandonment.** Chairman Sheneman stated the Planning Commission has discussed this request at several meetings. Janet is wanting to sell her property and needs to get the issue of the road cleared up first. There are two property owners besides Janet who will be effected by the abandonment. Janet presented to the Commission her plot plan and suggested abandoning Mountain View at the end of Babylon road and extending Babylon through Mr. Victor Angel's property so BC&P can have access to their property. The Commission discussed the process of road abandonment. The Commission recommended approval condition upon Janet preparing a plat and submitting it to the Town Council for consideration. Also before Mr. View would be abandoned and Babylon extended through Mr. Angel's property negotiations would have to take place with Mr. Angel. Negotiations would concern Mr. Angel giving up a portion of his property in order to extend Babylon. Chairman Sheneman presented the plat and explained the concept of the abandonment to the Council. Mayor Empey stated he will talk to Attorney Urquhart about the legal process of road abandonment.

**12. OTHER BUSINESS:**

Mayor Empey informed the Council Mr. Prisbrey will be on the next Planning Commission agenda. He will be applying for a business license. If he isn't consistent with the zoning ordinance he cannot be given a business license.

Jim Bray updated the Council on the Eldorado Hill annexation possibility. The Council discussed the tax rate, impact fees, and sales tax. The Eldorado Hills property owners who are planning on building this year do not want to pay Leeds impact fees. The Council expressed concerns over waiving impact fees. After meeting with the Eldorado Hills property owners Jim will come back to the next Council meeting.

Mayor Empey reminded everyone of the Executive Session scheduled for March 14th at 6:30 with Attorney Urquhart to make a decision on opening West Center Street.

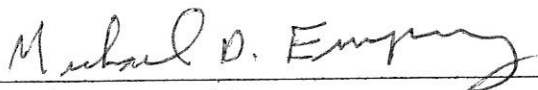
Mayor Empey stated he has written a letter to the St. George Police Chief. He is asking for a re-count concerning the fee they want to charge the Town of Leeds for dispatch service. The count they are basing the fee on is for the 98-99 year and not the year 2000 which would be more accurate.

Bob Coxe informed the Council a letter has been received from Brent DeMille concerning cemetery plots and a roto tiller he has which belongs to the Town. (Letter is attached). Bob said he is still checking into this and will report at a later date.

**13. ADJOURNMENT:**

The meeting adjourned at 9:10 p.m.

**APPROVED AND SIGNED THIS 14TH DAY OF MARCH 2001**



Michael D. Empey, Mayor



Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting on  
February 14, 2001

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Empey, Council Members Bob Coxey, Norma Gier and Bob Russ. Joe Mitchell was excused.

### 3. PLEDGE:

Bob Russ

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Bob Coxey to approve the agenda and minutes of the Town Council meeting of January 24, 2001. Seconded by Norma Gier. Passed unanimously.

### 5. CHIEF ROBERT ZUBAL:

Chief Zubal had not arrived yet.

### 6. MAYOR MIKE EMPEY:

**West Center Street Update.** Mayor Empey updated everyone on the meeting which was held on Saturday February 10, 2001, in Attorney Urquhart's office. Those attending the meeting were Attorney Urquhart, Mayor Empey, Terry Prisbrey, and Mr. Prisbrey's attorney. Attorney Urquhart has recommended not opening West Center Street on March 1 since there are negotiations in progress at this time. He feels the issue will be resolved when a compromise is reached.

Mayor Empey suggested an Executive Session on March 14, 2001 at 6:30 with Attorney Urquhart. The Attorney will brief the Council on the negotiations and recommendations at that time. The Council agreed to the Executive Session.

**Draft Residential Treatment Facilities Ordinance.** Mayor Empey presented the draft ordinance to the Council for their review. He asked the Council to do a comparison with the St. George ordinance. Mayor Empey asked the Council for any suggestions after they have had time to review the ordinance. Mayor Empey stated Joy has made a suggestion that we consider adding a requirement of a minimum of 600 ft. from any residential property. Bob will take any suggestions to the Planning Commission for their review and recommendations.

**Deadline for Inspections-Conditional Use Permit for Bruce Jones.** Mayor Empey stated this is the date Mr. Jones was given to come into compliance with the inspections that were required of him. Mayor Empey said because Mr. Jones apparently did not want to comply with the recommendations of the inspections he has moved his program elsewhere. The Mayor stated the Town has bent over backwards to try to make this work for Mr. Jones. Motion by Bob Russ to revoke Mr. Jones Conditional Use

Permit application because of non compliance with the conditions by February 14, 2001. Seconded by Bob Coxey. Passed unanimously.

**Mayors Meeting.** Mayor Empey informed the Council at the mayors meeting he learned several communities are re-evaluating their formula for road miles. Since there have been two annexations since Council Member Scott evaluated the road miles it should be done again. This would be for Council Member Mitchell to look into.

**Utah Heritage Society Award.** Mayor Empey attended an awards ceremony where the Utah Heritage Society presented him with an award for the Town of Leeds. The award is for recognition of the CCC Camp restoration project.

#### **7. COUNCIL MEMBER JOSEPH MITCHELL:**

Council Member Mitchell was absent.

#### **8. COUNCIL MEMBER BOB COXEY:**

**Update on the Power Plant.** Bob stated there are 8 shareholders in the Leeds Creek. The Town of Leeds isn't one of them. The shareholders are the Leeds Irrigation Co., LDWA, and the rest are private individuals. If the Town goes with the project it would have to be a cooperative. The Town would have to join the co-op and as electricity is sold the funds would go into a co-op. Bob said he has a meeting tomorrow with Ron Thompson concerning filing for the use of the water. He will have more information at the next meeting. Bob Russ said in order to do a cooperative the shareholders would have to be willing to let the Town be a part of it. Bob Coxey said he will get their response tomorrow at the meeting.

**LDWA Report.** Bob informed the Council the meeting was held to elect new officers however the present LDWA board will stay and they will not make any changes at this time. The Town was notified of the water test report last year that showed chloroform in the water. Since then the water tests have all been satisfactory. At the meeting they discussed the new pressure valves, 2 new hydrants, a future 8 inch line from the pink water tank to the tank by the cemetery, and a chlorinator to be used when it becomes required.

**Update on the Park.** Bob presented to the Council 2 bids on re-seeding the park. He said he was going to ask for approval however in talking to Officer Zubal about one of the companies he has changed his mind on going with them. Bob said he would like to table this until he has more information.

#### **9. COUNCIL MEMBER NORMA GIER:**

**Discuss Makeup of Planning Commission and Board of Adjustments.** Norma said she has been working on the wording and changes for Planning Commission Members and Board of Adjustment Members in the Zoning/Subdivision Ordinances as requested at the last Council meeting. She then presented to the Council her recommendations. (See attached.) Norma stated in her opinion the Planning Commission and Board of Adjustments should consist of a majority of Leeds residents. After reviewing the recommended changes Bob Russ stated he has an issue with the changes. Bob said he does agree with the majority being Leeds residents. What he doesn't agree with is putting it in an ordinance and taking the authority from the Council to appoint the most qualified

people. He said since the Town Council makes the final decision on the appointments to these boards anyway why make any changes to the ordinance. Discussion focused on qualifications rather than residency, rules and procedures, an image issue, and majority being residents. Bob Russ said he doesn't agree with these changes and will abstain if a vote is called for. Bob stated he feels the most qualified person for the position should be appointed even if they live outside Leeds. Mayor reminded the Council the Planning Commission chooses their own Chairman. Mayor asked if the Council would like to table this and ask the Planning Commission for recommendations. Motion by Norma Gier to present this to the Planning Commission let them review it, not use it as any guideline, but keep it in mind when they are choosing new members. Seconded by Bob Coxe. Vote on the Motion. Bob Coxe aye. Norma Gier aye. Bob Russ abstained. Motion passed.

#### **10. COUNCIL MEMBER BOB RUSS:**

Planning Commission Items:

**1. Terry Prisbrey Business License and Building Permit.** Mr. Prisbrey did not come to the meeting.

**2. Merrill and Katherine Stirling Building Plans and Annexation Proposal.** Bob said the Planning Commission recommended to approve the building permit for the Stirlings on the 40 acres where their son David already has a home. The ownership is under one name and our ordinance allows 2 residents on the 40 acre parcel. David has one acre he has already built a home on. The Planning Commission recommended approval of the building permit and a lot split was not needed. The Stirlings presented a plat map showing their property including the property they would like to annex into the Town of Leeds. Since they are now showing David's 1 acre parcel as a separate lot the Council discussed easements and they will need to do a lot split. The Council tabled the building permit and sent it back to the Planning Commission to review at the March 7, 2001 meeting. Discussion then went to the process for petition for annexation. The Stirlings presented a petition for annexation. Motion to accept the Stirlings petition for annexation by Norma Gier. Seconded by Bob Russ. Passed unanimously.

**3. Brian Hansen Conditional Use Permit and Lot Split Plans.** Bob reminded the Council of Brian Hansens lot split plans that have been in the planning stages for quite some time. The Planning Commission reviewed and had concerns about the width of the road being 20 ft. instead of the required 25 ft. The Planning Commission had recommended approval of the lot split based on a 25 ft easement. The Council discussed what had been previously decided concerning the lot split. Mayor Empey explained in 1999 we approved the lot split with the 20 ft. easement because it was a pre existing condition and also we are not setting a precedent with the 20 ft. easement instead of the 25 ft. Motion by Bob Russ to approve the lot split with the 20 ft. easement based upon the usage of the land is for 2 residences only. Seconded by Norma Gier. Mayor Empey said he would like to add to the motion because this is a pre existing condition we are not setting a precedence concerning the 20 ft easement. Passed unanimously. Bob Russ reminded Brian to talk with the fire chief before applying for a building permit.

**4. Russ Peine Minor Subdivision.** Bob Russ asked for clarification the minor subdivision request is for Jared Westhoff. Russ Peine is his representative at this time. They are still working on several issues and will come back at another meeting.



5. **Nate Blake Building Plans.** Bob Russ explained the biggest problem with the request is Mr. Haslam has not done the lot split correctly. The Council asked Mr. Blake to present this to the Planning Commission first and then to the Council. Mr. Blake has requested a "special" Planning Commission meeting for next week.

**11. CHIEF ROBERT ZUBAL:**

Mayor Empey recognized that Chief Zubal has arrived and we went back to him at this time. Chief Zubal said he has been checking into a new printer, static free internet, new police officer shirts, and a new vehicle. The Council discussed animal control issues concerning a vehicle and perhaps using the Hurricane Shelter. Chief Zubal said he is still checking into this and will report back to the Council when he has more information.

**12. OTHER BUSINESS:**

1. Mayor Empey stated Marty Bundy has started to comply with the letter sent to him concerning a Conditional Use Permit.

2. The Budget Report was presented to the Council by Mayor Empey. He asked Joy to get in touch with Renae and have her come to the next meeting to explain the budget report.

3. Mayor Empey reminded the Council we still do not have a volunteer for the Princess Pageant Director. If we don't have one by February 28th there will be no pageant.

4. Bob Coxe said George Fridell has taken on the restroom project. The Lions Club has money set aside for this project. He will be submitting building permit plans shortly. The Council will waive the building permit fee at the next Council meeting.

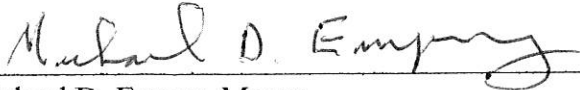
5. Norma Gier stated she has been researching historical grants. Most of the grants are matching grants. She said we need to prioritize grants.

6. Bob Russ informed the Council he will be submitting his resignation the end of March since he will begin a night shift at his place of employment.

**12. ADJOURNMENT:**

The meeting adjourned at 9:30 p.m.

**APPROVED AND SIGNED THIS 28TH DAY OF FEBRUARY 2001**

  
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Michael D. Empey, Mayor

  
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Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting on  
March 14, 2001

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Empey, Council Members Bob Coxey, Norma Gier, Bob Russ and Joe Mitchell.

### 3. PLEDGE:

Joe Mitchell

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Bob Russ to approve the agenda and minutes of the Town Council meeting of February 28, 2001. Seconded by Norma Gier. Passed unanimously.

### 5. JIM BRAY :

**Discuss Eldorado Hills Annexation.** Mr. Bray had not arrived. This item will be revisited upon his arrival.

### 6. WESLEY BLAKE:

**Discuss Lions Club.** Mr. Blake was doing a follow up from the last meeting where concerns about the abandonment of the Leeds Lions Club was discussed. Mr. Blake asked the Council if they have had time to discuss their request at the last meeting to hold their meetings at the Town Hall. He also asked if the Town approves this request if they would also consider waiving the fee. Mr. Blake stated they would like to use the building twice a month for approximately 1 to 2 hours. Since they are a charitable organization and provide a lot of service to the Town they hope to get the fee for the use of the building waived. Mayor Empey said he has thought about this request quite a bit since the last meeting. The Lions ~~does~~ provide service to the community. They helped with the fencing of the Pioneer Cemeteries, the restrooms at the park, and etc. The Mayor said he does not want to set a precedence for other charitable organizations who want to use the building and waive fees. He stated he feels the Lions Club is different because of the service they provide to the town. The Council discussed possible days the building would be available, trial period, and who will be responsible for opening and closing the building after use. Motion by Bob Coxey to allow the Lions Club to meet at the Town Hall, waive the fee, and have a trial period of 90 days. Seconded by Joe Mitchell. Discussion on the motion. Bob Russ stated the Council should add to the motion that relative to the type and amount of service the Lions Club provides to the Town of Leeds is the reason for allowing the use of the building and waiving the fees, so as not to set a precedence. Norma Gier asked to also attach to the motion who will be responsible for letting them in the building. Mayor Empey would like to have a member of the Club take



the responsibility of opening and closing the building, make sure the lights are turned off, and it is left as clean and orderly as they found it. The Leeds Lions Club President will be given the responsibility. Vote on the Motion. All aye. Passed unanimously.

#### 7. NATE BLAKE:

**Submit Lot Split Plat.** Mr. Blake presented his plot plat to the Council for review. The Planning Commission recommended approval subject to the plat and easements being indicated. Bob Russ explained the property and access to the property is to be off Valley Road and not Cherry Lane. Mr. Blake said he noticed the trench in the road has been filled in. Joy stated she had spoken with someone in Mr. Blake's office concerning the trench and was told it would be taken care of. Since it had not been taken care of right away. Because of a liability issue Bob Coxey hired Russ Peine to fill in the trench. Mr. Blake was told he will be receiving a bill for the expense. Mr. Blake said he will pass this on to Mr. Haslam since he dug the trench in the first place. Motion by Norma Gier to approve the plat indicating Mr. Blake's property, easements, and entrance off from Valley Road. Seconded by Bob Coxey. Passed unanimously.

#### 8. MAYOR EMPEY:

**Review of the Impact Fees.** In order to use impact fees for the purposes and projects we now are faced with there are changes that need to be made to the Impact Fee Ordinances. Mayor Empey stated the Impact Fee Methodology and Study is complicated and he doesn't feel he can take on the responsibility of doing it. Since Mel Evans son-in-law prepared the last study and ordinances Norma Gier said she will talk to Mel and see if his son-in-law will consider it again. Joy will contact other communities to see how they handle this same situation when Impact Fee Ordinances become dated.

**REVISIT NUMBER 5.** Mayor Empey said since Mr. Bray is now present we will revisit agenda item number 5. Mayor Empey reviewed the information that has already been presented in other meetings concerning the possibility of Eldorado Hills Annexation. He said it has ~~existing~~ potential and we need to work through the details. Mr. Bray presented a model resolution for the Council to review. (See attached.) After the model resolution was read the Council discussed their concerns regarding property taxes, impact fees, and the extra load on the administrative end. Mr. Bray then read the intent to annex with certain terms. (See attached.) Several Council members expressed concerns over number 6 which states: Town improvements such as street lights, sidewalks, sewers, etc., will be based upon the desires of the residents, unless required by law, or in accord with the CC&R'S. Bob Russ said it sounds like to him they want to be residents of Leeds but subject to a different set of rules than Leeds residents. Mr. Bray said that is not the intent of the paragraph. Discussion then went to Special Improvement Districts and what needs to be done to help move this annexation forward. Mr. Bray will be rewording number six so it can be better understood what the intent is. Motion by Bob Russ to accept the proposal, with the exception of number six which needs to be revised, and the intent to proceed if we receive a petition. Seconded by Joe Mitchell. Passed unanimously.

**9. COUNCIL MEMBER JOE MITCHELL:**

Council Member Mitchell had nothing to report at this time.

**10. COUNCIL MEMBER BOB COXEY:**

**Playground Equipment for the Park.** Bob stated he would like the Councils approval to purchase some playground equipment for the park. The equipment would be suitable for small children and cost approximately \$700.00. Motion by Bob Coxey to spend up to \$700.00 for the equipment. Seconded by Norma Gier. Passed unanimously.

**11. COUNCIL MEMBER NORMA GIER:**

Norma stated she is still waiting on a reply concerning the hydro electric plant.

**12. COUNCIL MEMBER BOB RUSS:**

**Planning Commission Items.**

**1. Marty Bundy Conditional Use Permit.** Mrs Bundy was present at the Planning Commission meeting. Mrs. Bundy was granted a Conditional Use Permit for one large animal. The Commission could not grant her any more than one horse because of the zone and the size of the property. Mr. Bundy was present at the Council meeting. He expressed his concerns regarding the permit and only one horse. Mr. Bundy stated when he purchased his property he was told it was horse property. He said his neighbor Mr. Woody Fillmore was approved for two horses in 1995. Mr. Bundy would like to have at least two horses if not more. He feels since the new ordinance became effective in 1998 he should have already been grandfathered in. Bob Russ will research the ordinances prior to 1998 and report his findings at the next meeting.

**2. Terry Prisbrey Business License Request.** When the Planning Commission discussed the license request they came to the conclusion that West Center Street road issues needed to be addressed first. The Commission reviewed the conditions that were placed on Mr. Prisbrey at the Public Hearing for the zone change request. Mr. Prisbrey was present at the Council meeting. He presented a plat for the Council's review. Mr. Prisbrey stated Pope Engineering is working on the road issue. What he would like to do is take care of some of the other requirements while this is being done. He stated he has a letter from the Health District allowing him to put porta potties on the property, a letter from the fire district, and has made a deposit for his water. The Council discussed the 55 ft. requirement for the road not being consistent with what is already there. The Council determined Mr. Prisbrey is okay except the engineering of the road and the meeting between the attorneys for the safety issues concerning the opening of the road.

**3. Recommendation of New Planning Commission Members.** The Planning Commission recommended Mr. Jim Parnell and Dave Clemments as the two new Planning Commission Members. Motion by Bob Russ to approve Jim Parnell and Dave Clemments as Planning Commission Members contingent upon their acceptance. Seconded by Bob Coxey. Passed unanimously.

**4. Brett Comas Lot Split Plat.** Mr. Comas was not at the meeting. The Planning Commission has asked Mr. Comas to submit a plat showing only his lot. And also to show access to his property off Valley Road.

**13. OTHER BUSINESS:**

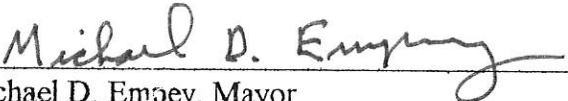
Mayor Empey informed the Council he has heard from the St. George Police Department concerning our assessments for dispatch. They are going to refigure our assessment. Joe Mitchell stated since he now has taken a part time job he will no longer be able to fulfill the Mayor Pro Tem position. Mayor Empey said since Bob Russ will be resigning shortly Bob Coxe and Norma Gier need to be considering this position.

Bob Coxe said he had Russ Peine fill in the trench and remove the rocks from the middle of Cherry Lane. The cost for the work is \$50.00. He also informed the Council that Russ Peine has donated a slide for the playground which he will also deliver and help set up.

**14. ADJOURNMENT:**

The meeting adjourned at 9:47 p.m.

**APPROVED AND SIGNED THIS 28TH DAY OF MARCH 2001**

  
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Michael D. Empey, Mayor

  
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Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting on  
March 28, 2001

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Empey, Council Members Bob Coxey, Norma Gier, and Joe Mitchell. Bob Russ was absent.

### 3. PLEDGE:

Norma Gier

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Bob Coxey to approve the agenda and minutes of the Town Council meeting of March 14, 2001. Seconded by Norma Gier. Passed unanimously.

The two new Planning Commission Members were present, and since they were approved at the last meeting, Joy administered the Oath of Office to Jim Parnell and Dave Clements.

### 5. REEVE KNIGHTON:

**CCC Camp Proposal.** Mr. Knighton presented a plan to the Council on behalf of his Scout troop. They are willing to do service projects for the Town and would like to turn one of the buildings at the CCC Camp into their meeting place. After much discussion concerning historical sites the Mayor said he would like to meet with the Scout troop and set up some guidelines before approving the request.. Mayor Empey will be meeting with the Scouts on Tuesday.

### 6. PRESENTATION TO LESLIE AND BARBARA TOWNSEND:

Mr. and Mrs. Townsend were presented with a certificate of appreciation for the service they have rendered at the Leeds Cemetery. They were also given a deed for 2 cemetery plots for the many hours of hard work they have put in at the cemetery.

### 7. TERRY PRISBREY:

**Discuss West Center Street Road.** Mr. Prisbrey called and is running late. This item will be revisited upon his arrival.

### 8. MAYOR MIKE EMPEY:

**2001-2002 Budget Discussion** Mayor Empey said the deadline is soon approaching for the proposed budget. He informed the Council if they have any ideas or specific items for consideration they need to let him know right away. He will be meeting with Joy and Renae sometime next week.

**Police Department Update.** Mayor Empey stated he has met with Officer Zubal and discussed several issues. Since no vehicles can be purchased with Impact Fee moneys,

they are looking into re-modeling the Public Safety building. Officer Zubal is checking into trading in the 2 vehicles we have and applying \$6,000.00 of grant money into a new vehicle. The officers have new uniforms. The Mayor had the shirts and anyone interested could view them after the meeting..

**Census Count.** Mayor Empey stated Leeds has increased considerably. In the Census 1990 Leeds population was 254. And in Census 2000 Leeds population is 547. A correct census count is important to the Town for several reasons. One of the critical reasons is an increase in certain funds allotted to the Town based on population.

**9. COUNCIL MEMBER JOE MITCHELL:**

Council Member Mitchell had nothing to report at this time.

**10. COUNCIL MEMBER BOB COXEY:**

**Update on the Park.** Bob stated the restroom project is coming along fine. The cinder block is going up however they need help and are asking for volunteers. Bob said they need fill dirt around the restrooms and are hoping local contractors can help out with that part of the project. There was some vandalism at the park today. Several children destroyed bags of cement and lime. A police report was made and damages assessed at \$100.00. The parents have agreed to make restitution.

**Cemetery Update.** Bob said a new shut off valve has been installed. Hopefully this will help alleviate the overages we had on the water last year.

**11. COUNCIL MEMBER NORMA GIER:**

Council Member Gier had nothing to report at this time.

**12. COUNCIL MEMBER BOB RUSS:**

Council Member Russ was absent. Bob was going to do some research on the Animal Control Ordinance pertaining to large animals. Mr. Bundy was in the audience tonight hoping the research had been done so he could have an answer on his Conditional Use Permit request for horses. Mayor Empey stated he and Joy have done some research and will continue to research this request. Bob Coxey said he couldn't find anything on it either and felt the only thing we have to go on is the current ordinance which would limit Mr. Bundy to 1 large animal. Mayor Empey said he will check with Bob Russ and see where he is at on this. Mayor apologized to Mr. Bundy for not having an answer for him tonight.

**REVISIT NUMBER 7. TERRY PRISBREY:**

Mr. Prisbrey was also recording the meeting. Mr. Prisbrey stated he couldn't find anywhere in our ordinances pertaining to the width requirement of the streets. Joy told Mr. Prisbrey she would find it for him since it has been amended within the last few years from 66 ft. to 55 ft. Mr. Prisbrey stated his engineer cannot design anything unless he knows what the Town of Leeds wants relative to the width of the road. Mr. Prisbrey referred to the Public Hearing and Minutes where certain conditions were placed on him.. He read the conditions concerning him being required to improve the roadway to the standards of an engineer. And in so doing consider possible development out to the road.

Mr. Prisbrey said he has been in-contact with State Ombudsman Craig M. Call and has been advised the Town cannot make him improve a Town road. He said the Town has to improve their own roads. Mr. Prisbrey stated a 55 ft. right of way is way to much for that road. He said it ruins a large majority of the property and renders it useless. Mayor Empey said the Town is waiting to hear from an engineer what is a reasonable road width since the road does go into a 10 ft. tunnel. Hence an engineer's report was required. Mr. Prisbrey said he was told a standard 2 lane road is 24 feet. However, considering where this road is at he doesn't feel the Town needs a 24 foot road. Mr. Prisbrey proposed leaving the road the way it is. He said as far as widening and paving it he doesn't want to. He said the town doesn't even know how wide they want it at this point and if the town decides they want it to be 30 feet then he is required also a 25 foot setback. He said right now this road has to be on a professional map and recorded in order for him to have to stay back 25 feet from the road. Mr. Prisbrey said he would like to have Mr. Call and the Town arbitrate and come up with something that is beneficial to everyone. The Mayor suggested at this point Mr. Prisbrey needs to get the information from Mr. Call to Joy and she will get it to our attorney along with tonight's minutes. Mayor Empey said rather than revisit the whole issue over again and since the Council has taken the position to follow our attorney's advise we will leave this in his hands.

### **13. OTHER BUSINESS:**

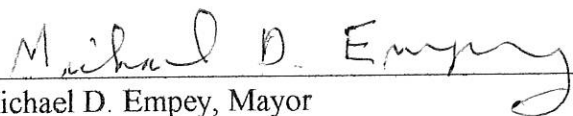
Joe Mitchell stated he has been in contact with a gentleman by the name of Jason Pierce concerning chemicals on the road to hold down the dust problem on Valley Road. Since the chemicals are only a temporary fix the Council decided to get more information on something more permanent..

Norma Gier suggested with more development always coming in to Town the time is right for the water companies, fire department and the Town to go get together and have a meeting. Mayor Empey suggested a Work Session with the various groups to discuss several issues that do arise. Norma said she will follow through on this and get a meeting set up.

### **14. ADJOURNMENT:**

The meeting adjourned at 8:35 p.m.

**APPROVED AND SIGNED THIS 11TH DAY OF APRIL 2001**

  
Michael D. Empey, Mayor

  
Joy Stevens, Clerk/Recorder



## TOWN OF LEEDS

Minutes for the Town Council Meeting on  
April 11, 2001

### 1. CALL TO ORDER:

The meeting was called to order at 8:10 p.m.

### 2. ROLL CALL:

Present were Mayor Empey, Council Members Bob Coxey and Norma Gier. Joe Mitchell and Bob Russ were excused.

### 3. PLEDGE:

Bob Coxey

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Bob Coxey to approve the agenda and minutes of the Town Council meeting of March 28, 2001. Seconded by Norma Gier. Passed unanimously.

### 5. BRETT COMAS:

**Review Lot Split Plat.** Mayor Empey reviewed the Planning Commission's recommendation concerning the lot split. The Council discussed the circumstances relating to the previous landowner Mr. Haslam not going through the proper procedure to do a lot split and thus placing the burden on the new owners. The Council also stated Mr. Comas may be required to help with the road improvements concerning Cherry Lane and Valley Road. Mr. Comas presented his plat to the Council. The plat now shows only Mr. Comas's property, easements, and signature spaces for the Planning commission and the Town Council.

Motion by Bob Coxey to approve Brett Comas lot split plat. Seconded by Norma Gier. Passed unanimously.

### 6. MAYOR MIKE EMPEY:

**Select Mayor Pro Tem.** Due to a conflict with his work schedule Joe Mitchell can no longer fill the position of Mayor Pro Tem. Mayor Empey said he would like to recommend Bob Coxey to fill this position. Also Bob Russ has indicated that due to his work schedule he will need to resign his position on the Council. Mayor Empey indicated he would like Norma Gier, upon the resignation of Bob Russ, to fill his position as Town Council representative on the Planning Commission. Motion by Norma Gier to nominate Bob Coxey as Mayor Pro Tem. Seconded by Mayor Empey. Passed unanimously. Norma indicated she will, upon Bob Russ's resignation, be Town Council representative on the Planning Commission.

**Follow up on CCC Camp.** Mayor Empey said he met with Scout Troop 408 to review their request to use one of the buildings at the CCC Camp. The Scouts will sweep out the building and hang a banner. Mayor Empey felt this gives a small group of people in Town a feeling of ownership. He said it doesn't destroy the Historical aspect by letting them use the building. Mayor Empey will draw up a set of guidelines and an agreement with the Scouts. He said he will also monitor the use of the building to ensure compliance.



**7. COUNCIL MEMBER JOE MITCHELL:**

Council Member Mitchell was absent.

**8. COUNCIL MEMBER BOB COXEY:**

**Update on the Park.** Bob stated the restroom project is coming along fine. However they need help and are asking once again for volunteers.

**Water Board Meeting.** At the water board meeting they discussed the water test that came back unfavorable last fall. It took the state 3 months to notify the water company of the those test results. In the meantime all the other tests that have been taken came back good.

**9. COUNCIL MEMBER NORMA GIER:**

Council Member Gier thanked the Council for the work session that took place prior to this meeting. She felt it was a success and would like to see these meetings held on a regular basis. Mayor Empey asked Norma to keep the meetings going and schedule as needed.

**10. COUNCIL MEMBER BOB RUSS:**

Council Member Russ was absent. Mayor Empey reviewed the Planning Commission items. Which were:

1. Lot Split for Brett Comas. Since this item was previously addressed in this meeting the Council did not discuss it further.

2. Review the draft Group Home Ordinance. The Planning Commission reviewed the draft Group Home Ordinance and decided to table the issue to allow for more time to do research.

**11. OTHER BUSINESS:**

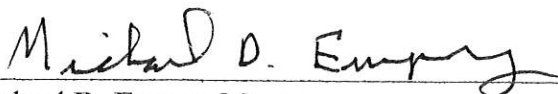
Bob Coxey asked what was happening with Marty Bundy's Conditional Use Permit application concerning the horses on his property. Since an Animal Control Ordinance prior to the current one cannot be found this issue has not been resolved yet.

Mayor Empey informed the Council the budget is being worked on. Mayor, Joy, and Renae are working on the proposed budget and hope to have one for the Council's review within the next few weeks.

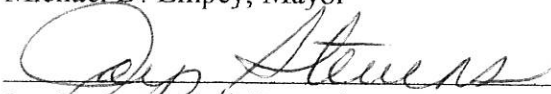
**12. ADJOURNMENT:**

The meeting adjourned 9:00 p.m.

**APPROVED AND SIGNED THIS 25TH DAY OF APRIL 2001**



Michael D. Empey, Mayor



Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting on  
April 25, 2001

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Empey, Council Members Bob Coxey, Norma Gier, and Joe Mitchell. Bob Russ was absent.

### 3. PLEDGE:

Joe Mitchell

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Joe Mitchell to approve the agenda and minutes of the Town Council meeting of April 11, 2001. Seconded by Norma Gier. Passed unanimously.

### 5. MAYOR MIKE EMPEY:

**Impact Fee Discussion.** Mayor Empey stated he has asked Joy to contact some of the surrounding communities and see how they work their Impact Fee Ordinance. Ours does need some work. We will continue to work on this since she hasn't heard back from these communities. We do have some money in Impact Fees. The money has to be used for specific needs. The Police Department would like to use their Impact Fee money to remodel the old Fire Station into workable office space. They have quite a few issues to work out on the remodel. Park Impact Fees are being looked at for prioritizing. The Council discussed the septic system costs for the restroom project at the park and finishing the project before the building material is vandalized. Police Officer Robert Zubal presented plans for the remodel of old fire station. The Council reviewed the plans. Bob Coxey asked about phone lines for the computer and etc. Robert said the lines would need to be run and other concerns are the heating and cooling, and replacing the roof. Robert said he will continue to work on this project.

### 6. COUNCIL MEMBER JOE MITCHELL:

Council Member Mitchell had nothing at this time.

### 7. COUNCIL MEMBER BOB COXEY:

**Update on the Park Project.** Bob Coxey said he is still checking into purchasing playground equipment and also some new flags for Town Hall and Leeds Cemetery for Memorial Day. Robert Zubal stated some of the older youth have asked him about a basketball court at the park. The restroom project is progressing and the walls are going up. Bob said he would also like to purchase a leaf blower for Vern. The Council discussed getting a newer truck for Vern. Resident Brett Comas who works for Questar stated they

occasionally have used trucks that come up for sale and he will watch for a good truck for the Town.

**8. COUNCIL MEMBER NORMA GIER:**

**Report on Princess Pageant.** Norma said she checked into where the picture is of the royalty for last year. Apparently there wasn't a picture taken. Norma said she went to the Princess Pageant meeting last week at Kathi Gunn's home. Carol Gunn and Kathi Gunn are putting in a lot of work to make this a nice pageant. There will be 5 contestants this year. Council discussed the Princess Pageant funds, the trailer that is used for the float, and the functions the royalty participate in. The contestants are seeking donations and sponsorships this year.'

**9. OTHER BUSINESS:**

Mayor Empey informed the Council their was nothing new on the Bundy Conditional Use Permit request or the Terry Prisbrey issue. Mayor Empey asked Norma to review a letter he received concerning a grant. Mayor asked Bob Coxe to review a letter and do follow up concerning a class action settlement concerning the fuel tank on GM trucks and in particular our Public Works truck. Mayor informed everyone the no trespassing signs have been taken down on the 5 M road going to the cemetery. Mayor talked to the County Sheriff and they did not put up the signs. The Town did not put up the signs. The signs are down and no one knows who put them up.

Norma wanted to remind everyone the Princess Pageant is on May 12th at 7:00 pm at the LDS Church

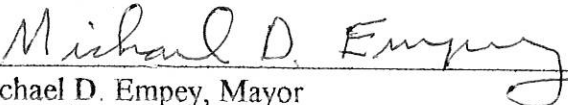
Bob Coxe contacted a family that owns property adjacent to the park to see if they would be interested in donating some of the property to the Town so we can extend the park. He has not heard back from them as of yet.


Robert Zubal said he has found a police vehicle with 74,000 miles on. He said it is very clean. They want \$7,000 for it. He has been checking into the value of the 2 Police cars we now have. Robert suggested selling the police cars on our own rather than their trade in value, which is not very much. There is \$6,000 in grant money for the vehicle and the Town would need to come up with the remaining \$1,000. The Council discussed the grant money and what it can be used for. Officer Zubal said Hurricane Animal Shelter has turned us down for our animal control. He is trying to get in touch with the Washington Animal Shelter and see if we can use their shelter. He will get back to the Council with his findings.

**10. ADJOURNMENT:**

The meeting adjourned at 8:300 p.m.

**APPROVED AND SIGNED THIS 9TH DAY OF MAY 2001**

  
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Michael D. Empey, Mayor

  
\_\_\_\_\_  
Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting on  
May 9, 2001

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Empey, Council Members Bob Coxey and Norma Gier. Joe Mitchell was excused. Bob Russ was absent.

### 3. PLEDGE:

Bob Coxey

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Bob Coxey to approve the agenda and minutes of the Town Council meeting of April 25, 2001. Seconded by Norma Gier. Passed unanimously.

### 5. MAYOR MIKE EMPEY:

**Report on Mayors Meeting.** Mayor Empey stated at the mayors meeting they discussed the need for coordination between various agencies. The District Ranger for the Forest Service and the District Manager for Bureau of Land Management were at the meeting. The mayors have set up quarterly meetings with these agencies and also have included Zion National Park and Snow's Canyon representatives. Together they can discuss issues, projects and concerns for our area.

**Report on the Solid Waste Meeting.** Mayor Empey said at the meeting they discussed the office building being built at the landfill and also a night drop off for garbage to accommodate those who can't go to the landfill during the day. Mayor said the solid waste board is a special service district and financially they are in good shape.

**Follow up with Town Attorney.** Mayor Empey stated the follow up with the attorney is concerning Mr. Prisbrey's property on West Center Street. Mayor said the issue he has been working on is the right of way issue with the road way through Mr. Prisbrey's property. Mayor reminded the Council of the meeting when Mr. Prisbrey came with the information from the State Ombudsman concerning the taking of private property. He said he has not seen or talked to Mr. Prisbrey since then, but he has talked to our attorney regularly about it. Joy delivered the information to Attorney Urquhart that Mr. Prisbrey presented at the meeting. Attorney Urquhart, after reviewing the information, drafted a letter to Mr. Prisbrey. Mayor Empey read the letter. (See attached letter.) Mayor said we will wait for Mr. Prisbrey's response. He feels we have bent over backward to be patient with Mr. Prisbrey. If we don't hear from him within the next 2 week he will do a follow up letter. Norma asked what impact does this have on opening the road. Mayor said the short answer would be to go over and take the barricades down. However the issue of safety concerns are still there. Mayor informed the Council Mr. Prisbrey asked the building inspector for a letter stating he doesn't need a building permit for his building since it is under 120 sq. feet.

Building Inspector Mertlich wrote Mr. Prisbrey a letter concerning Utah Code and auxiliary buildings. (See attached letter.) Mayor Empey said the Town will not issue a building permit or business license until all issues and conditions have been met by Mr. Prisbrey. Mayor said he is aware Mr. Prisbrey has been working on his property this past week doing trenching and other improvements. Mayor then turned the time over to Planning Commission Member Jim Parnell. Jim stated he has been given the assignment from the Commission to report to the Council any violations of our Town ordinances. Jim said he has read the Hillside Ordinance several times and he feels Mr. Prisbrey has clearly violated the ordinance. Jim stated Mr. Prisbrey has cut a road into the hillside by the spring and he is sure it is more than 30%. Jim said Mr. Prisbrey's fence on both sides of West Center Street is encroaching on the Town's property. Jim said there are safety concerns since you can't see the tunnel if anyone should be coming towards you. Jim stated the Planning Commission is recommending to the Council to write a letter and/or a citation to Mr. Prisbrey concerning the ordinance violations. The Commission wants Mr. Prisbrey to comply within 120 days or the zoning of his property will revert back to the previous zone of Open Space, and he will be ordered to cease and desist. Norma agreed something needs to be done. She agreed with the Planning Commission's recommendation. She said we need to enforce our position with these violations of our ordinances. Bob Coxe said he agrees something needs to be done soon. He said we need to do it legally and seek the advice of our attorney. Mayor Empey said the Planning Commission has been asked in the past and he is now asking again for them to review the Hillside Ordinance and make it more clear and more enforceable. Mayor said he will draft a letter to Mr. Prisbrey for the attorney's approval concerning the violations.

**May 23rd Council Meeting.** Mayor Empey said neither he, Norma nor Bob Russ will be able to attend the May 23rd meeting. They will all be out of town that week. **Motion** by Bob Coxe to cancel the May 23rd meeting since there will not be a quorum. **Seconded** by Norma Gier. Passed unanimously.

The Council then discussed the proposed budget. They will hold a special meeting on June 6th to approve the proposed budget and set the Public Hearing for the adoption of the 2001-2002 Budget.

#### **6. COUNCIL MEMBER JOE MITCHELL:**

Council Member Mitchell was not present.

#### **7. COUNCIL MEMBER BOB COXEY:**

**Discuss Park Restroom and Cemetery Fund.** Bob Coxe asked if anyone had any knowledge about the donations for the restrooms at the park and the cemetery. Apparently there were some donations given for these projects several years ago. Bob said the problem is how much and what fund were they placed in. He will research this further.

#### **8. COUNCIL MEMBER NORMA GIER:**

##### **Planning Commission Items.**

**Jared Westhoff - Minor Subdivision Plat.** Russ Piene represented Jared Westhoff at the Planning Commission meeting and is here tonight in the same capacity. Mr. Piene presented a plat map to the Council indicating the easements and description as the Planning Commission had recommended. The Council reviewed the plat. **Motion** by Norma



Gier to approve the Wethoff's Minor Subdivision. **Seconded** by Bob Coxey. Passed unanimously.

**Charles and Carol Russell - Conditional Use Permit.** Mr. and Mrs. Russell explained the Conditional Use Permit request to have 1 horse on property they are possibly going to lease from Mr. Craig Mills at 75 E. Cherry Lane. They explained the lease is contingent upon the horse being allowed on the property. Bob Coxey asked if the property belongs to Mr. Mills shouldn't he be the one asking for the permit. This concern was also brought up at the Planning Commission meeting. Norma informed the Council the Planning Commission recommended approval contingent upon Mr. Mills name also being on the permit and the animal not becoming a nuisance to the neighbors. Mr. and Mrs. Russell presented to the Council a petition 2 neighbors had signed stating they did not oppose the horse. The <sup>closest</sup> neighbor Mr. Fridell was on vacation and therefore had not signed the petition. Mr. and Mrs. Russell said they had spoken with Mr. Fridell and he had told them he had no objection to the horse. **Motion** by Bob Coxey to approve the Conditional Use Permit contingent upon the horse being 50 ft. from the neighbors homes, the horse not causing a nuisance, permit is for this particular horse only, and subject to review upon complaint from neighbors. **Seconded** by Norma Gier. Passed unanimously.

**Review Draft Group Home Ordinance.** Norma informed the Council that Planning Commission Member Dave Clements volunteered to take on the assignment of reviewing the Draft Group Home Ordinance. The Planning Commission will be reviewing various ordinances and making recommendations to the Council.

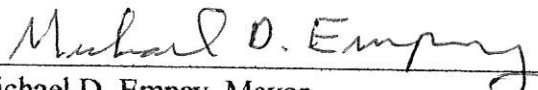
**9. OTHER BUSINESS:**

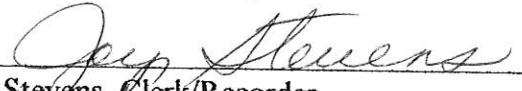
Mayor Empey reminded everyone the Princess Pageant will be this Saturday at 7:00 p.m. at the LDS Church.

**10. ADJOURNMENT:**

The meeting adjourned at 8:05 p.m.

**APPROVED AND SIGNED THIS 13TH DAY OF MAY 2001**

  
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Michael D. Empey, Mayor

  
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Joy Stevens, Clerk/Recorder

**TOWN OF LEEDS**

Minutes for the Town Council Meeting on  
June 6, 2001

**1. CALL TO ORDER:**

The meeting was called to order at 6:00 p.m.

**2. ROLL CALL:**

Present were Mayor Empey, Council Members Bob Coxey and Joe Mitchell.

**3. PLEDGE:**

Mike Empey

**4. MAYOR MIKE EMPEY:**

**Submit for Review the proposed 2001-2002 Budget**

The Council reviewed and discussed the proposed budget. Line items that were discussed were: Usage of Impact fees, a new Public Works truck, trading or selling the old truck, and the Capital Projects.

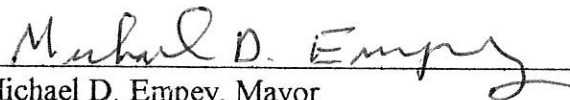
Motion by Bob Coxey to set a Public Hearing for June 13, 2001, at 7:00 P.M., to consider approval of the 2001-2002 Budget. Seconded by Joe Mitchell. Roll Call Vote. All aye. Motion passed.


The Council also discussed opening and amending the 2000-2001 Budget because of the LLEBG Grant money the Police Department received this year which will be expended during the 2001-2002 Budget. Motion by Joe Mitchell to set a Public Hearing for June 13, 2001, at 7:00 P.M., to open and amend the 2000-2001 Budget in order to show the LLEBG Grant money. Seconded by Bob Coxey. Roll Call Vote. All aye. Motion passed.

**10. ADJOURNMENT:**

The meeting adjourned at 6:30 p.m.

**APPROVED AND SIGNED THIS 13TH DAY OF JUNE 2001**

  
\_\_\_\_\_  
Michael D. Empey, Mayor

  
\_\_\_\_\_  
Joy Stevens, Clerk/Recorder



## TOWN OF LEEDS

Minutes for the Town Council Meeting on  
June 13, 2001

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Empey, Council Members Bob Coxey and Joe Mitchell. Council Member Norma Gier and Clerk/Recorder Joy Stevens were excused.

### 3. PLEDGE:

Joe Mitchell

### 4. PUBLIC HEARING:

**Resolution #01-01 to approve the 2001-2002 Budget.** Mayor Empey stated the public hearing is being held to approve the 2001-2002 budget. He then read Resolution #01-01. Mayor asked if there were any comments. There were no comments from the Council or the public.

**Resolution #01-02 to open and amend the 2000-2001 Budget** Mayor Empey explained that we needed to open and amend the budget in order to transfer funds for the police department. He then read Resolution #01-02. Mayor asked if there were any comments from the Council or the public. There were no comments. **Motion** by Bob Coxey to adopt Resolution #01-02 and to open and amend the 2000-2001 Budget to show the \$7500.00 LLEBG grant money. **Seconded** by Joe Mitchell. **Roll call vote. All Aye. Motion passed.**

Mayor Empey asked for a motion on Resolution #01-01. **Motion** by Joe Mitchell to adopt Resolution #01-01 and to approve the 2001-2002 Budget.

**Seconded** by Bob Coxey. **Roll Call vote. All Aye. Motion passed.**

PUBLIC HEARING CLOSED.

**5. APPROVAL OF AGENDA AND MINUTES:** **Motion** by Bob Coxey to approve the minutes of May 9, 2001, and June 6, 2001. **Seconded** by Joe Mitchell. Passed unanimously.

### 6. MAYOR MIKE EMPEY:

**Present the Leeds Town Princess Royalty.** Mayor Empey presented the Leeds Town Royalty. They are Jessica DeMille, Kristen Lewis, and Tessa Lee. They introduced themselves to the Council and each were presented a \$50.00 check.

**The Alabaster Mine.** Mayor Empey updated the Council on the Alabaster Mine project previously discussed in another meeting. They will be doing some exploration West of Danish Ranch. There will be one dump truck a week coming through Leeds to haul the mined item. Mayor said he will keep the Council updated on this issue.

**EPA Action on Bonanza Flat.** Mayor informed the Council that on Bonanza Flats just out of the Leeds Town limits is the old Christie Mill tailings from the Silver Reef mining

days. As the mining took place in the 1880's they used Mercury and other chemicals to get the silver out of the sandstone. Then in the 1950's some of the tailings were worked again with the use of chemicals. The property now belongs to Mr. Crosby who has contemplated developing the area. Judy Wilkinson, who is an adjoining property owner in the Leeds Town limits, is concerned about contamination from the mining. Last year the EPA hired a contractor to come and do some of the testing in that area. This past week Mayor Empey received a letter from them with the results of the testing. On Mr. Crosby's property there are a few areas that exceed EPA recommended limits of Mercury. Some time in the past wind has pushed some of that contamination onto Wilkinson's property. It isn't bad enough for the EPA to expend money to do a clean up. The EPA has suggested Mr. Crosby and potential developers work together to clean it up. Mayor stated we need to be aware of the low levels of contamination as far as approval of future development within Leeds Town limits. We could be in violation of the law and liable if we approve development in that area. Mayor said he has the letter if anyone is interested in reading it.

**West Center Street Issues.** It was noted there were no residents from Hidden Valley present. Mayor stated there is a lot of frustration in Town right now concerning Mr. Prisbrey's development on West Center Street. Mr. Prisbrey has installed gates and no trespassing signs across the road. Mayor has drafted a letter to our attorney. We have had contact with Mr. Prisbrey's attorney. Since Mr. Prisbrey will not work with us we are working on a cease and desist order until some of these issues are resolved. Mr. Prisbrey knows West Center Street is a road. He has been to the meetings where this issue has been discussed and the Town declared West Center Street a road. Mayor Empey and Council Member Mitchell have both spoken with Mr. Prisbrey this past week. Mayor Empey said Mr. Prisbrey indicated to him he will have an engineer survey and make a recommendation concerning the road and safety issues. Mr. Prisbrey told Mayor the fences are temporary because he has had vandalism of his construction and tools. Mr. Prisbrey said he will follow the engineers recommendation in terms of a secondary access for Hidden Valley residents. Mayor had Joy send Mr. Prisbrey a certified letter that confirms the conversation he had with him. (See attached letter.) Mayor said at this point all we have is a verbal commitment with him. Council Member Mitchell said his conversation with Mr. Prisbrey was quite different. Joe said Mr. Prisbrey told him that Leeds Town is illegal and has no right to make that a road. He said the state confiscated the road when the freeway went through. Mr. Prisbrey claims the road is not on any map of the state so Leeds Town's action is illegal. Mayor Empey said our attorney will work with Mr. Prisbrey's attorney. We need to do this in a legal manor so we won't regret it later. If Mr. Prisbrey takes responsibility and gets an engineer as stated it will be a major step. Mayor reiterated the Council declared West Center Street a road and we want to be able to use it as an emergency exit road for people west of here.

## **7. COUNCIL MEMBER BOB COXEY:**

**Information on Questar Meeting.** Bob said he met with representatives from Questar. Questar wanted to notify citizens that there is plenty of natural gas. They said there are no shortages or concerns for this area.

**Update on Park/Vandalism.** There has been no response to the \$50.00 reward the Town offered concerning the vandalism of the drinking fountain at the park. Vern stated the fountain has now been repaired.

**Update on CCC Camp/Vandalism.** Bob stated the buildings at the CCC Camp are being destroyed. He said all the windows are broken out and it looks like a playground for kids. The Council discussed the meeting when the Scouts wanted to use one of the buildings for a meeting place and would help to keep it clean. It would be helpful to have someone going up there to show a presence. Officer Zubal said the police department has been showing as much presence as they can during their shifts. He stressed the importance of getting the vandalism repaired. Mayor Empey asked Bob Coxey to check into what the cost would be to do the repairs.

**Update on Cemetery/Outstanding amounts due on Cemetery Plots.** Bob said Joy has been working to process all cemetery information and get it updated. It is a time consuming job and she can only work on it when she has extra time. He expects it to be completed in a month or so.

**Approve a Window Air Conditioner for the Town Hall Office.** The Council agreed the air conditioner has been needed for a long time. Bob asked for a motion to approve \$250.00 for the air conditioner. Motion by Joe Mitchell to approve the \$250.00 expenditure for the air conditioner. Seconded by Bob Coxey. Roll call vote. All aye. Motion passed.

#### **8. JIM BRAY:**

**Petition for annexation of El Dorado Hills.** Mr. Kent Sundberg introduced Michael Katz and Scott Ricci. Mr. Jim Bray had not yet arrived. Since Mr. Bray had the petitions, maps, and etc. this item would be revisited after other business.

#### **9. OTHER BUSINESS:**

Vern Watkins stated the ditch on Valley Road in front of his place is becoming hazardous. Due to irrigation water runoff the road is being washed out. When Stan Roberts was Mayor it was approved to repair the ditch however it was never followed through with. The repairs will require a culvert to be installed. Vern said he will donate the labor if the Town will supply the material. Mayor Empey asked Joe Mitchell to look into this and report back at the next meeting.

Officer Robert Zubal stated the plans are done for the public safety building remodel. He would like to get the Council's approval and advertise for bid. He also stated he has been checking with the state to see if the grant money we recently received can be used to purchase a new police vehicle. They informed him the grant money can be used to purchase a vehicle. These requests will be put on the agenda for the next meeting.

#### **8. ITEM 8 REVISITED:**

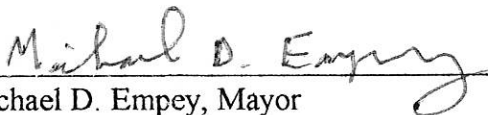
Mr. Jim Bray was now present and item 8 concerning the annexation was revisited. Mr. Bray reviewed the letter of intent to annex which was presented to the Council on March 14, 2001. The conditions to annex at that time were reviewed including an agreement with LDWA. (See attached.) He then presented the individual signed petitions, a recap of the petitions, maps of the area to be annexed, and the letter of intent. Mr. Bray noted one thing not on the letter of intent is Special Improvement Districts. He said to his knowledge SIDS cannot be imposed without approval of the subdivision owners. The Council discussed the items on the letter of intent concerning the legality of the impact fees being waived for 180


days, building permit fees being assessed at the county rate for the 180 day time period, and lowering Leeds residents taxes by 40% and not loose revenue in so doing. Discussion then focused on this annexation and the "Gunter Addition Annexation", which occurred in 1999, creating a 1/4 to 1/2 mile strip of land which is in the county. This strip of land belongs to Don Goddard and Susan Savage. Mr. Bray said whether to include that strip of land in the annexation may be an issue. Mr. Bray said for now the county says not to worry about it. Mr. Bray then went over the recap of petitions. Petitions to annex, 40 out of 48 voted yes, \$11,262,545.00 in market value voted yes, and 176 acres voted yes. The yes votes were over 80%, which is far above the requirement for annexation. Mayor Empey stated he would be very excited having the people in that area providing input and sitting on the Town Council. He feels it would be a good benefit for all of us and a secondary benefit to the water issue. Mayor Empey said he would like to talk to Attorney Dave Church since he is an expert on annexations and also the Town Attorney Steve Urquhart to make sure everything is legal. Mayor Empey then asked for a motion to accept the annexation petitions. He reminded Council if the annexation is accepted tonight it starts the clock running on time limits. **Motion** by Joe Mitchell to accept the petitions for annexation of El Dorado Hills and Bonanza Estates. **Seconded** by Bob Coxey. **Roll call vote. All aye. Motion passed.**

**10. ADJOURNMENT:**

The meeting adjourned at 8:45

**APPROVED AND SIGNED THIS 27TH DAY OF JUNE 2001**

  
\_\_\_\_\_  
Michael D. Empey, Mayor

  
\_\_\_\_\_  
Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting on  
June 27, 2001

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Pro Tem Bob Coxey and Council Member Joe Mitchell arrived late. Mayor Mike Empey and Council Member Norma Gier were excused.

### 3. PLEDGE:

Bob Coxey

### 4. APPROVAL OF AGENDA AND MINUTES:

Since a quorum was not present the minutes were not read.

### 5. COUNCIL MEMBER JOE MITCHELL:

Council Member Joe Mitchell had not yet arrived.

### 6. COUNCIL MEMBER BOB COXEY:

**Update on the restroom project at the park.** Bob informed everyone the project is still proceeding. It is a slow process due to the lack of volunteers.

**Update on the purchase of the public works truck.** Bob said we will be purchasing the truck through the State Purchasing Agency. Once the new truck is purchased Verns old truck will be sold.

### 7. CHARLENE FORD:

**Request update on West Center Street issues.** Charlene Ford stated she would like Leeds Town to take down the barriers at the West Center Street tunnel and show Mr. Prisbrey they are serious. She said the barriers were put up illegally in the first place and at one of the meetings when the Town Attorney was present he told them they could take them down. She then asked the Council for their opinion. Bob Coxey said it sounds like a good idea to him since it is a dedicated road. Charlene said Mr. Prisbrey has planted trees in front of the barriers blocking the road. Bob asked if the barriers on the other side of the tunnel belong to the county. Charlene said no. When she spoke with Commissioner Allred he said Leeds put up those barriers and they belong to Leeds. She said the barriers were left up until the road was made safer. Since then Mr. Prisbrey has made the turn in the road much wider thus making it safer. Bob Coxey said we are still waiting on Mr. Prisbrey's engineers report which was supposed to have been turned in to the Town by last Friday. Items discussed were the procedure for a cease and desist order, taking down the fence, and the encroachment taking place by Mr. Prisbrey on Alene Cuff's property. Bob said he will talk with the Mayor when he gets back in town tomorrow.

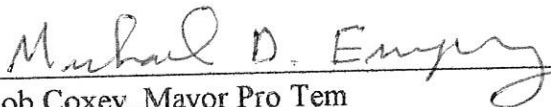
**8. OTHER BUSINESS:**

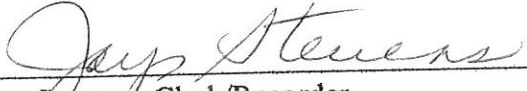
No other business at this time.

**9. ADJOURNMENT:**

The meeting adjourned at 7:25

**APPROVED AND SIGNED THIS 11TH DAY OF JULY 2001**

  
\_\_\_\_\_  
Bob Coxey, Mayor Pro Tem

  
\_\_\_\_\_  
Joy Stevens, Clerk/Recorder



## TOWN OF LEEDS

Minutes for the Town Council Meeting on  
July 11, 2001

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Mike Empey, Council Members Joe Mitchell and Norma Gier. Bob Coxey was excused.

### 3. PLEDGE:

Norma Gier

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Joe Mitchell to approve the agenda and minutes of June 13, and June 27, 2001. Seconded by Norma Gier. **Passed unanimously.**

### 5. POLICE OFFICER ROBERT ZUBAL

**Bid approval of the Leeds Public Safety Building remodel. And request approval for the purchase of a new police vehicle.**

Officer Zubal was not present at this time.

### 6. MAYOR MIKE EMPEY:

**Annexation petition follow up.** Annexation petition of Eldorado Hills and Bonanza Estates. Mayor Empey informed the Council Attorney Dave Church and Steve Urquhart have reviewed the letter of conditions presented by Eldorado Hills Annexation. Both attorneys stated there is nothing illegal about the conditions. This type of negotiations do go on for annexations. Mayor will be talking with the county tax assessor about the tax issue.

**Re-introduce the Stirling annexation.** Mayor Empey reminded the Council of the Stirling annexation which was presented to the Council several months ago. The Stirlings asked the Town to hold off on the annexation until they resolved some other issues they were having with the BLM. They have asked to re-introduce the petition. Since Joy is in the hospital and the documents are not readily available the Mayor was not comfortable proceeding with the annexation without the documents. This item will be revisited at the next meeting.

**Cease and desist order follow up.** Mayor Empey informed the Council the Police Department tried to serve the cease and desist order to Mr. Prisbrey on West Center Street. He was not at the site so the cease and desist order was sent to him by certified mail. Mr. Prisbrey called the Mayor on Tuesday concerning the roadway to Alene Cuffs property. Alene Cuff and her attorney have issued a cease and desist order to Mr. Prisbrey concerning the fence. At this point we are waiting for a response from Mr. Prisbrey or his attorney. If there is no response we will consult our attorney on what our

next move will be. Charlene Ford asked if the Town issued Mr. Prisbrey a time limit. Mayor Empey stated we are waiting for a response first. Mayor reviewed the issues associated with Mr. Prisbrey and West Center Street for the citizens in the audience and the Council. Several citizens voiced their concerns about Mr. Prisbrey putting up the fence, his water source, and the road issues.

**Town Council vacancy discussion.** Mayor Empey informed the Council that as of today no one has submitted a letter of interest for the vacancy on the Council after the resignation of Bob Russ. Also the deadline for filing for this years election is running out. Mayor Empey said he will not be running for re-election.

**Police vehicle fund appropriation.** This item wasn't discussed since Officer Zubal was not present.

**Discussion of "Political Statement Ordinances"** This item has caught quite a bit of attention lately. The first one was from the Town of Virgin. Their ordinance was that everyone should own and carry a gun. With the provision if you couldn't afford one or didn't want to you didn't have to. It was more or less a political statement about the right to bear arms. The next one was from LaVerkin City. It was the U.N. Free Zone Ordinance. There is another one circulating to try to repeal the 17th amendment. Mayor said he put this on the agenda so he could state his position. He doesn't feel it is our business to be making or passing laws to make a political statement.

## 7. COUNCIL MEMBER NORMA GIER:

### Planning Commission Items:

**1. Brian Hansen request a Conditional Use Permit for a travel trailer.** Brian Hansen was present and explained his request to put a travel trailer on his property to live in while building his home. The Planning Commission's concerns were Brian's request to hook into the water, electricity, and septic system of the existing rental home on the property which at this time is unoccupied. Several issues were discussed concerning the possibility of two families sharing these utilities. The Planning Commissions recommendation was they will go along with the request until the rental house is occupied. At that time Brian would need to make other arrangements. Brian stated the health department had no problem with the septic issue. He would however need to reach an agreement with LDWA concerning their bylaws. **Motion** by Joe Mitchell to approve the Conditional Use Permit contingent upon Brian submitting letters from the health department and LDWA before someone takes occupancy of the rental unit. **Seconded** by Norma Gier. Passed unanimously. Mayor Empey asked if the Planning Commission recommended a time limit on the permit. Commission Member Roger New stated the recommendation was 6 months. **Motion** by Joe Mitchell to attach to the previous motion that effective upon issuance of the Conditional Use Permit it will be reviewed 6 months from the date of issue. **Seconded** by Norma Gier. Passed unanimously.

**2. Mike Kelly concerns about property located at 231 N. Main and request abandonment of West Babylon.** Mike Kelley and another citizen came to the Planning Commission meeting and voiced their concerns about the poor condition of the trailer house at 231 North Main. The porch on the trailer house fell in and was banging in the wind. That has since been secured. They were worried about health issues and wanted to know if the Town could go in and clean it up or tear it down to prevent renting

it to unsavory individuals. The Planning Commission said it would be very difficult to monitor who the renters are. They discussed visible health issues.

The Planning Commission discussed the abandonment request of West Babylon. Discussion concerned the back property owners having no access to their property if abandonment was to take place.

**3. Other discussion items:** Norma said another property of concern is on Mesa View. The home is an eye sore. It was suggested the Police Department go behind the home and see if the old pop cooler is still there. Something needs to be done with it for safety reasons. This is of great concern with children in the neighborhood. Several other concerns were discussed. Norma will notify the Police Department with these concerns.

The Planning Commission discussed the power and water issues concerning Mr. Prisbrey's property. The water company did return Mr. Prisbrey's water deposit. Mr. Prisbrey has been served with a cease and desist order. Dave Clements is still working on the Group Home Ordinance and will be submitting a draft shortly.

#### **8. OTHER BUSINESS:**

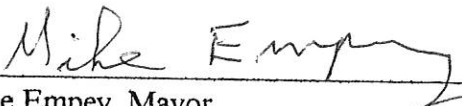
Joe Mitchell reported on his finding concerning the ditch on Valley Road. He stated if the Town fills in the ditch in front of Vern's property we would also need to fill it on down the rest of the road. Joe said in his opinion he doesn't feel it a Town issue as much as the irrigation company's responsibility. The Town will not be doing anything about the ditch at this time. Norma said it will be good to get the different entities of the Town and water companies together again and have another work session to discuss concerns such as this.

Pat Sheneman asked about the bid procedure for the remodel of the public safety building. Mayor said Officer Zubal did submit some drawings but not submit a bid procedure.

#### **9. ADJOURNMENT:**

The meeting adjourned at 8:45

**APPROVED AND SIGNED THIS 8TH DAY OF AUGUST 2001**

  
\_\_\_\_\_  
Mike Empey, Mayor

\_\_\_\_\_  
Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes for the Town Council Meeting on  
July 25, 2001

### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Present were Mayor Mike Empey, Council Members Joe Mitchell and Norma Gier. Bob Coxe was excused.

### 3. PLEDGE:

Joe Mitchell

### 4. APPROVAL OF AGENDA AND MINUTES:

Since Clerk/Recorder Joy Stevens is still recovering from surgery we do not have the July 11, 2001 minutes ready to be approved at this meeting

### 5. POLICE OFFICER ROBERT ZUBAL

**Bid approval of the Leeds Public Safety Building remodel. And request approval for the purchase of a new police vehicle.**  
Officer Zubal had not yet arrived.

### 6. MAYOR MIKE EMPEY:

**"Stirling Addition" annexation petition.** Mayor Empey presented to the Council the Stirlings plat and petition for review. William and Katherine Stirling are the only land owners in this petition. He also reminded the Council that this annexation petition was previously approved. However the Stirlings requested we hold off on proceeding because of some issues they had to work out with the BLM. The Council reviewed the plat and petition. **Motion** by Norma Gier to accept the annexation petition and plat. **Seconded** by Joe Mitchell. Passed unanimously.

### 7. COUNCIL MEMBER JOE MITCHELL:

Joe said he has nothing at this time except he would like to ask some questions about the "Neighborhood Watch" program when Officer Zubal arrives.

### 8. COUNCIL MEMBER NORMA GIER:

Norma stated she read through the information that was in her mail box. She reviewed the information on "Tree City U.S.A." and watched the video. She felt this isn't something Leeds is ready for. There are money and water issues with this type of project. She said maybe this is something to be discussed at the work session next week when all Town entities are together.

Norma said she also reviewed the grant information from Utah League of Cities and Towns. Some of the grants were for community development projects. The Mayor said he or Norma should try to go to some of the workshops scheduled in September.

Norma informed the Council about a collection agency that does represent Towns. She asked if the Town ever uses a collection agency. Mayor Empey said in the past the Town has sent out letters to those in arrears and the response was pretty good. He will check with Joy and Renae and see where we stand at this time.

Norma said Officer Zubal did check into the problem with the home on Mesa View. Officer Zubal was now present and he stated there is an old chest freezer in the back of the property and it is a safety concern. He will try to get a hold of the property owner and see if they can't take care of the freezer.

Norma asked about a phone directory for Leeds and the surrounding area. She will check with Joy and see if there is one.

Norma said she is organizing a work session for all entities in the Town. They will be meeting next Tuesday night.

Since Officer Zubal is now present the Council went back to item #5.

#### **REVISIT ITEM #5. POLICE OFFICER ROBERT ZUBAL:**

**Request a new police vehicle.** Officer Zubal said since the amount of grant money available for a new police vehicle is \$8,000.00 he would like to ask the Council to approve the expenditure. **Motion** by Joe Mitchell to approve the expenditure of up to \$8,000.00 for a new police vehicle. **Seconded** by Norma Gier. Roll call vote. Joe aye. Norma aye. Mayor Empey aye. **Motion passed.**

Joe Mitchell asked Officer Zubal about the "Neighborhood Watch" program. Officer Zubal said St. George and Hurricane have been actively involved in the program. He doesn't know of any other communities involved in it. Joe said he would be willing to go to a meeting and learn more about what is involved in the program. Officer Zubal will check into this further and get back to Councilman Mitchell.

Officer Zubal said there is a problem with the radar gun. It will need to be fixed at a cost of approximately \$100.00 to \$200.00. The radar gun has been certified however it needs some repair work. Officer Zubal will check into the actual cost of the repair and present his findings to the Council.

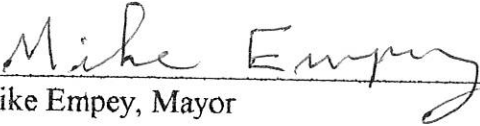
#### **9. OTHER BUSINESS:**

Jan Madison has submitted a letter of interest for the vacancy on the Town Council. Mayor Empey asked Norma to extend an invitation to Jan to come to the next meeting for Council approval and swearing in.

#### **10. ADJOURNMENT:**

The meeting adjourned at 8:00 p.m.

APPROVED AND SIGNED THIS 8TH DAY OF AUGUST 2001

  
\_\_\_\_\_  
Mike Empey, Mayor

\_\_\_\_\_  
Joy Stevens, Clerk/Recorder



## TOWN OF LEEDS

Minutes of the Town Council Meeting on  
August 22, 2001

### 1. CALL TO ORDER:

Mayor Empey called the meeting to order at 7:00 p.m.

### 2. ROLL CALL:

Present was Mayor Mike Empey, Council Members Joe Mitchell and Norma Gier. Bob Coxe was excused.

### 3. PLEDGE:

Joe Mitchell

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Norma Gier to approve the agenda and minutes of the July 11, 25, 2001 meetings. Seconded by Joe Mitchell. Passed unanimously.

### 5. APPROVAL AND OATH ADMINISTERED TO NEW TOWN COUNCIL MEMBER:

Motion by Norma Gier to appoint and approve Jan Madison as the new Town Council Member. Seconded by Joe Mitchell. Passed unanimously. Clerk/Recorder Joy Stevens administered the Oath of Office to Jan.

### 6. REPRESENTATIVES FROM UTAH POWER COMPANY:

**Discuss Issues Concerning the Recent Power Outages.** Two representatives from Utah Power & Light attended the meeting. Regional Community Manager Mark B. Cox and Operations Manager David M. Araas agreed to come to the meeting to discuss issues concerning the recent power outages. There were approximately 70 residents from Leeds and the surrounding area in attendance. Mr. Cox said obviously we have had power outages that have been caused by winds and lightning. He said they are working to improve communications and get better information out during the power outages. Mr. Araas said Utah Power is not picking on Leeds. There are other communities with the same problems. Mr. Araas said the initial problem stemmed from a microburst on July 14. They have replaced lightning arresters and hope that will help. Eventually they hope to replace all the lines that have been damaged. The new substation installed in Toquerville serves the Leeds area as well as Toquerville, LaVerkin, Apple Valley, Virgin, Rockville Springdale and Zion National Park. Mr. Araas explained the way circuit lines run some communities have experienced few outages while other communities served by the substation have had long and frequent outages. He said lightning arresters designed to protect the transformers in the substation worked as designed, but blew fuses, requiring fuses and arresters to be replaced.

At this point in the meeting time was turned over to the audience for questions. Carl Sierup said the power outage or brown outs caused him to loose his satellite dish.

Jean Beal owner of the Cosmopolitan restaurant said she lost over \$2500.00 in food and freezers. She said she spoke with Jeneal Wingelaar, a Utah Power representative, and was told the power outages were caused by bad fuses blowing. Jean Beal said Ms. Wingelaar told her that Utah Power would handle her claim for lost items. Jean also said Utah Power customer service representatives treated customers indifferently. Blain Bowden said we have had storms and problems like this before. Why aren't these problems taken care of before another storm hits. Mr. Araas said they have been working on the lines going to Springdale for 4 years. Dusty Melville complained that when she called in a power outage she would be put on hold for 25 minutes or more and then be told she was the first one to call in the power outage. Don Goddard said he was told he was the first one to call in an outage. He said he has been lied to. It appears no matter how many phone calls Utah Power received reporting the power outages each individual was told they were the first one to call it in. Mr. Goddard said he has lived here for 36 years and the power goes out all the time. He said he feels Utah Power hasn't upgraded the equipment in the Leeds area. Mrs. Brewer said she has lived her for 16 years and power outages and brown outs have been tremendous in Leeds. Glade Dalton said he has spent his lifetime in electricity. He said the truth should come out. This is a weak system and Utah Power doesn't want to spend the money to fix it. Mr. Dalton said he has tracked outages along with voltage during brownouts. He said in 10 days, we lost 23 hours and 52 minutes, Utah Power should send us a little money for the power and a lot of money for the appliances. Mr. Dalton said there was a 60 volt brownout for 45 minutes and when it came back on it surged to 140 volts. Mr. Araas said residents should look on the bright side. Utah Power did not bill you for any power used in those 23 hours. But low voltage is a serious problem. Jennifer Vigil asked why the power was out on Monday, August 13, for 8 hours. She said there were no storms in the area to blame the outage on. Mr. Araas said the system was out of its normal element because of microbursts in Minersville and Cedar City. Brant Jones stated he is concerned about the cost of replacing lost appliances. He said the claims require him to fix the equipment first but he wants some idea of the percentage that will be paid. Mr. Araas said the repair bills or replacement bills are pro-rated out like an insurance company does. Mr. Jones stated that didn't provide any kind of comfort level for him. Mr. Araas said Utah Power tries to be as fair as possible. Spectrum reporter Patrice St. Germain asked Mr. Araas if he would say the recent power outages were caused by weather and if so did he then consider these problems to be "an act of God". Mr. Araas replied yes the power outages were weather related. She then stated Utah Power spokeswoman Margaret Kesler said last week customers could file claims for damaged appliances but said Wednesday power outages caused by weather were beyond the company's control and considered "acts of God" and therefore do not qualify for payment. Mr. Araas said all claims will be considered carefully. Mayor Empey thanked Mr. Araas and Mr. Cox for coming to the meeting. Mr. Cox stated they will take the concerns they have heard here this evening and will be issuing a report. All of the citizens present at the meeting were seeking an answer to the low voltage problem that caused them the loss of appliances, satellite dishes, perishable food, and etc. Mr. Cox told residents that if they experience problems or keep logs on power outages, with the date, time, and the length of the outage along with the weather conditions, he would be interested in receiving the information. Mr. Dalton said he keeps

a log of the voltage. He then gave Mr. Cox a copy of his data concerning voltage readings, date, time and length of the brownouts and outages.

#### **7. ALENE CUFF:**

**Concerns about West Center Street.** Alene stated the garbage truck can no longer get up to her home and pickup up the garbage. They are requesting she bring her can down to the road. She stated the problem has arisen due to the fence Mr. Prisbrey put up across the road. She also wanted the Council to be aware the fire department can no longer get a fire truck up to her home in case of a fire. She stated she has owned her property and used that road since 1954. Since then she has had 3 fires and is very scared about all the lightning we have had recently. She said this is a big problem and she wants the road open. Mayor Empey informed Alene the Town attorney and Mr. Prisbrey's attorney are meeting on Monday. Hopefully this issue can be resolved. Mayor Empey said he will let the attorney know about the issue with the fire department and garbage truck before Monday.

#### **8. MAYOR MIKE EMPEY:**

**Set Public Hearing for Opening and Amending the Budget Concerning Property Tax Revenues.** Mayor Empey explained that property tax revenues will be higher than projected in the budget. Treasurer Renae Thompson said we are not in compliance until the budget is opened and amended to reflect the increase. Motion by Norma Gier to set a public hearing for September 12, 2001, at 7:00 pm to open and amend the budget concerning property tax revenues. Seconded by Jan Madison. Passed unanimously.

**Solid Waste Meeting.** Mayor Empey said Washington County Solid Waste is in sound financial position. At the meeting they discussed lowering fees. This has not been decided yet but would be welcomed by all residents.

**Group Home Ordinance.** Mayor Empey updated new Council Member Jan Madison on the Draft Group Home Ordinance. Planning Commission Member Dave Clements is currently working on the ordinance. The Council expressed their concerns about not having an ordinance already in place before the need arises.

#### **9. COUNCIL MEMBER JOE MITCHELL:**

Council Member Mitchell was excused earlier in the meeting to take care of family business.

#### **10. COUNCIL MEMBER NORMA GIER:**

**Discuss Benefits for the Clerk/Recorder.** Norma asked the Council to consider full time and benefits for Clerk/Recorder Joy Stevens. Joy has recently taken on extra duties and more will be added with the annexation of El Dorado Hills. Norma stated she has discussed where the money can come from with Treasurer Renae Thompson. She asked Renae to explain. Renae said the money could possibly come from property tax revenue and the police department budget. Renae said she and Joy had previously discussed that possibility. But until we know how much money we are talking about that cannot be decided. Next year the Council should discuss where the funds will come from

prior to passing the budget. Renae also cautioned that we may have another employee eligible for benefits with the annexation of El Dorado Hills. The annexation will cause Vern more work. Norma stated she doesn't want to lose Joy and would like to resolve this right away.

**Review Eldorado Hills Annexation Conditions.** Norma asked if the Mayor or Renae had spoken with the County Tax Assessor concerning the tax cut El Dorado Hills proposed as one of the annexation conditions. Mayor and Renae said they had spoken with the assessor. The Council discussed taxable income, truth and taxation, and the 40% decrease requested by El Dorado Hills. Mayor Empey said he will check into this further and report his findings at the next meeting.

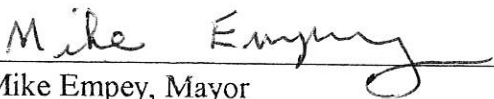
**11. OTHER BUSINESS:**

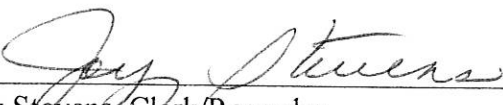
Mayor Empey cautioned the Council about legal problems that could arise from discussing issues under other business. He reminded Council Members to call Joy on Monday with their agenda items. Council Member Joe Mitchell has accepted a position in New York and this was his last Council meeting.

**12. ADJOURNMENT:**

The meeting adjourned at 9:05 p.m.

**APPROVED AND SIGNED THIS 12H DAY OF SEPTEMBER 2001**

  
\_\_\_\_\_  
Mike Empey, Mayor

  
\_\_\_\_\_  
Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes of the Public Hearing and Town Council Meeting on  
September 12, 2001

### 1. CALL TO ORDER:

Mayor Empey called the meeting to order at 7:00 p.m.

### 2. ROLL CALL:

Present was Mayor Mike Empey, Council Members Bob Coxey, Norma Gier and Jan Madison.

### 3. PLEDGE:

Jan Madison

### 4. MOTION TO OPEN PUBLIC HEARING:

Motion by Bob Coxey to open the public hearing. Seconded by Norma Gier. Motion passed unanimously.

### 5. PUBLIC HEARING:

Mayor Empey directed the Council to review Resolution 01-03 to open and amend the budget concerning property tax revenue. He stated this is good news because the actual is greater than the anticipated revenue. Anticipated revenue was \$18,500.00. Actual revenue will be \$22,550.00. Mayor then read Resolution 01-03. (See attached resolution). Mayor asked if there were any comments or questions from the audience. There were none. He then asked if the Council had any comments or questions. There were none.

### 6. MOTION TO CLOSE PUBLIC HEARING:

Motion by Norma Gier to close the public hearing. Seconded by Bob Coxey. Motion passed unanimously. Motion by Norma Gier to adopt Resolution 01-03 as read. Seconded by Jan Madison. Roll call vote. All members voting aye. Motion passed unanimously.

### 7. APPROVAL OF AGENDA AND MINUTES:

Motion by Bob Coxey to approve the agenda and minutes of the August 22, 2001 meeting. Seconded by Norma Gier. Passed unanimously.

### 8. RESOLUTION 01-04:

Mayor Empey informed the Council this resolution is for the appointing of the election judges for the general election to be held this November. The Mayor then read the resolution. (See attached resolution). Motion by Norma Gier to adopt Resolution 01-04 for the appointment of the election judges and alternate judge. Seconded by Jan Madison. Passed unanimously.



#### **9. PRESENTATION BY JESSICA DEMILLE:**

Leeds Town Princess Jessica DeMille presented to the Council the Heritage Award trophy for the most beautiful float at the County Fair. Mayor Empey stated he is very proud of the work the girls put into the float this year. It is a beautiful float and he is honored to accept the trophy.

#### **10. THE INSIGHTER REPORT BY JEFFREY JOHNSON:**

Jeffrey asked the Council for permission to obtain advertising for the Insider. He would like to solicit ads from community businesses to be placed in the Insider. The fee will need to be determined by the Council. The Council felt this would be a good thing for the community. Norma Gier offered her assistance to help Jeffrey with the project. Discussion was focused on how the money would be spent, what account it would be kept in, a resolution and fee schedule change.

#### **11. MAYOR MIKE EMPEY:**

**CDBG workshop.** Mayor stated the workshop with Five County is coming up shortly. He informed the Council if we do not go to the workshops and submit grant requests we will not even be considered for a grant. Mayor asked Norma if she will attend since he will be out of town. Norma said she will try to attend.

**Town Council Vacancy.** Since Joe Mitchell has moved to New York we have a vacancy on the Council. The vacancy has been posted and hopefully by the next meeting the position will be filled.

**Annexation Tax Information.** Mayor stated he has been trying to speak with County Clerk Cal Robison concerning our lowering property tax by 35 to 40 percent. Mayor feels this would be a reasonable amount. With the annexation we would hope to be able to lower property tax without reducing revenue. Mayor said he will continue to try to speak with Mr. Robison concerning the request to lower property taxes in Leeds. Lowering property taxes was a request made by the petitioners of the El Dorado Hills annexation.

**Update on Town Attorney Information.** Mayor Empey stated this is an on going process concerning Mr. Prisbrey and his attorney. Town Attorney Steve Urquhart has met with Mr. Prisbrey's attorney. They have reached a tentative agreement and it will be presented to Mr. Prisbrey. Mayor said we hope to hear from Mr. Prisbrey real soon. Hopefully Attorney Urquhart will be at the next Council meeting to bring us up to date. If Mr. Prisbrey does not accept the proposal we will go to court to resolve the issue.

**Review plans to remodel the public safety building.** The Council reviewed the plans and spec sheet for the remodel of the old fire station into the public safety building. The Council voiced their concerns about having such a nice police department building and yet not seeing a police department. They would like to see Leeds Police Officers have a better accounting of their time spent here. The Council would like to emphasize the department work a certain number of hours. Mayor said he will talk to Officer Zubal about the Council's concerns. He said if these officers don't want the hours there are other officers in the area who do.



## **12. COUNCIL MEMBER BOB COXEY:**

**Update on Park Project.** Council Member Coxey stated the park project is coming along good. The process of killing the grass so it can be reseeded is underway. The restrooms are still under construction. They are asking for volunteers knowledgeable in plumbing, electrical, and concrete work.

**Update on Purchase of Public Works Truck.** Bob said the truck has been ordered from Young Chevrolet in Layton, Utah. It will be here in 60 to 90 days and will cost \$14,621.18. It is a 2002 3/4 ton Chevy truck and will be an excellent truck for the public works department.

**Report on the Monthly Water Meeting.** Bob said at the meeting they discussed the water tests and they were all satisfactory.

**Request a New Cooler for the Town Hall.** Bob said he would like to request the Town purchase a new cooler for the Town Hall. The cooler is always breaking down and needing repairs. The Council agreed the cooler needs to be replaced and hopefully with one that has a quieter motor. Bob said he and Vern will continue to look for the best price and get the cooler replaced.

## **13. OTHER BUSINESS:**

Norma Gier reported on the Planning Commission items of the September 5th meeting.

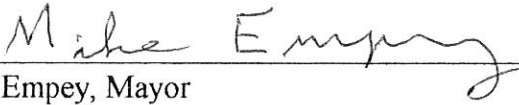
1. Craig Sullivan asked the Commission for direction on a proposed 1/2 acre lot located on Ned Sullivans property. Craig said he is representing his sister and her husband who want to build a home on the property. Craig presented a map to the Commission to review the location. The Commission could not determine if the zoning is R-R-1 or Open Space. They advised Craig to have the property surveyed in order to determine the zone. They also informed Mr. Sullivan a 1/2 acre lot is not consistent with the zoning already in place for that area. It would need to be at least 1 acre to be consistent with current zoning. If it is determined to be in an Open Space zone Craig would need to request a zone change. They also informed him the road leading to the property would need to be dedicated to the Town of Leeds and be 55 ft. wide. Craig said he will check into this further and return to another meeting.

2. Chairman Sheneman voiced his concerns about the zoning in Alberta's subdivision. He stated to his knowledge lot 1 is Commercial. The other lots are in 2 other zones. He would like to see the subdivision consistent with only one zone. The minutes will be researched to determine if in fact there are several zones in the subdivision.

## **14. ADJOURNMENT:**

The meeting adjourned at 8:25 p.m.

APPROVED AND SIGNED THIS 26H DAY OF SEPTEMBER 2001

  
\_\_\_\_\_  
Mike Empey, Mayor

  
\_\_\_\_\_  
Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes of the Town Council Meeting on  
September 26, 2001

### 1. CALL TO ORDER:

Mayor Empey called the meeting to order at 7:00 p.m.

### 2. ROLL CALL:

Present was Mayor Mike Empey, Council Members Norma Gier and Jan Madison. Bob Coxey was excused.

### 3. PLEDGE:

Mike Empey

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Norma Gier approve the agenda and minutes of the September 12, 2001 meeting. Seconded by Jan Madison. Passed unanimously.

### 5. OFFICER ROBERT ZUBAL:

**Neighborhood Watch Program.** Officer Zubal canceled for tonight since the Neighborhood Watch representative couldn't be here.

### 6. MAYOR MIKE EMPEY:

**Update on Annexation.** Mayor Empey said he was able to finally talk to someone at the County Assessor's office concerning the annexation and reducing our tax rate. They concur with what we have thought. You can't make a profit on annexations but you don't want to lose either. Using the formula for taxes we can reduce taxes by 35% and not lose any revenue with the annexation request. The formula for computing our sales tax is immediate and they will increase our appropriation as soon as the annexation is completed. Mayor said 50% of sales tax revenue is based on population.

**Town Council Vacancy.** The Council received one letter of interest for the vacant Town Council seat. Alene Cuff submitted the letter and will be sworn in at the next meeting.

### 7. COUNCIL MEMBER NORMA GIER

**Report on the CDBG workshop.** Norma said she and Jan attended the CDBG grant workshop. She said there is no way Leeds can qualify. We are not prepared this year to submit for a grant. The other surrounding communities had their projects ready to turn in. Norma said when you submit an application for grant money it needs to have exact wording, a survey of low income families, pre application and then the application, and 2 public hearings. There is too much red tape to submit this year.

## **8. COUNCIL MEMBER JAN MADISON**

**Discuss Use of Town Property.** Jan asked what the policy is concerning the use of Town property. Mayor said he would be surprised if anything is in writing. Jan stated she is concerned about the request from Charlie Scott concerning the use of the picnic tables. Charlie wants to take the tables from the pavilion up to his restaurant for "Outlaw Days". Apparently he has done this for several years. Mayor said Charlie asked him if he could use the tables. He told Charlie there has been quite a bit of concern about the issue. Mayor said he feels the Town is helping a business function to increase sales tax revenue. Jan asked if anyone can use the tables. If we allow Charlie to use the tables aren't we setting a precedence for anyone in town to come and borrow the tables. Joy said Charlie reserved the pavilion and then stated he will be taking the tables from the pavilion to his place of business and he had already discussed this with the Mayor. Gloria Parnell said last year Charlie roped off the area and you had to buy food before you could sit down at the tables. She feels the tables should not be removed from the pavilion. Norma asked what if she wants to use the tables for a reunion. What happens if the tables come back damaged. There should be a very large deposit required if the tables are going to be removed from the pavilion. Mayor felt we need to develop a procedure for using town property. However, for this year we will go ahead and let Charlie use the tables. Jan said she will write a policy concerning the use of town property.

## **9. CLERK/RECORDER JOY STEVENS:**

**Report on Building Permits, Business Licenses, and Dog Licenses.** Joy informed the Council of the new business licenses and building permits that have been issued this quarter. There were 2 new business licenses and 11 building permits. There are 24 dog owners, we are aware of, who are in violation of licensing their dogs. The Council would like to see something done about dog owners who do not license and vaccinate their dogs. Mayor Empey said we do have an animal control ordinance that needs to be enforced. He stated he has spoken with Officer Zubal concerning animal control. Mayor hopes the officers will put in some time in the next few months to address this issue.

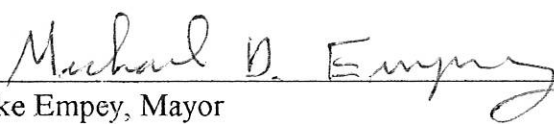
## **10. OTHER BUSINESS:**

Mayor informed the Council Attorney Urquhart is still waiting to hear from Mr. Prisbrey and his attorney concerning the proposal. Perhaps by the next meeting we will know more about the issue.

## **11. ADJOURNMENT:**

The meeting adjourned at 7:55 p.m.

APPROVED AND SIGNED THIS <sup>24<sup>th</sup></sup> ~~10<sup>H</sup>~~ DAY OF OCTOBER 2001

  
Mike Empey, Mayor

  
Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes of the Town Council Meeting on  
October 24, 2001

### 1. CALL TO ORDER:

Mayor Pro Tem Bob Coxe called the meeting to order at 7:00 p.m.

### 2. ROLL CALL:

Present was Mayor Pro Tem Bob Coxe, Council Members Norma Gier and Jan Madison. Mayor Mike Empey will be arriving shortly.

### 3. PLEDGE:

Norma Gier

### 4. APPROVAL OF AGENDA AND MINUTES:

Motion by Jan Madison to approve the agenda and minutes of the September 26, 2001 meeting. Seconded by Norma Gier. Passed unanimously.

### 5. OATH OF OFFICE TO NEW TOWN COUNCIL MEMBER:

Alene Cuff was welcomed as the new Town Council Member. She will be filling the vacated seat of Joe Mitchell. Clerk/Recorder Joy Stevens administered the Oath of Office to Alene.

### 6. MAYOR MIKE EMPEY:

Mayor Empey had not yet arrived. Mayor Pro Tem Bob Coxe asked if anyone in the audience or on the Council had any other items they wished to discuss at this time. Council Member Norma Gier reported the "Take Pride in Leeds" fall clean up day will be on November 10th. She also reminded everyone the Town and the water boards will be meeting on October 30th to discuss long term plans. Jan Madison and Alene Cuff had nothing at this time.

#### **Set Public Hearing dates for potential projects for CDBG funding, Annexation of Eldorado Hills, and Annexation of Stirling Addition.**

Motion by Norma Gier to set the Public Hearing for the El Dorado Hills and Stirling annexation's for November 14, 2001, at 7:00 pm. Seconded by Jan Madison. Passed unanimously. Motion by Norma Gier to set the Public Hearing for the CDBG funding for potential projects for November 14, 2001, at 7:00 pm. Seconded by Alene Cuff. Passed unanimously. Several residents in the audience were concerned about the project of pressurizing the irrigation system. They questioned where the idea originated, the impact it will have on Angell Springs residents, and why is this project necessary. Mayor Pro Tem Bob Coxe and LDWA President Scott Hayes stated all of these things will and should be discussed at the Public Hearing. Mayor Empey informed everyone this is just the first step in discussing the possibility of the project. This is why we have public hearings. He explained the grant would be used for engineering and study of the project. Mayor introduced Elaine Murphy who is helping the Town with the grant paperwork. She



stated this is only the first public hearing and it is held to discuss the potential projects. If approved and secured then we will have a second public hearing which is when the Council will hear the pro's and con's of the project.

**Discuss pending legal action.** Mayor Empey stated we thought we had a reasonable settlement with Mr. Prisbrey and the West Center Street issue. However, Mr. Prisbrey has fired his attorney. Our attorney is now preparing documents for a court order to take the fence down and open the road. The cost of this suit is unknown until we see what Mr. Prisbrey's response to the court order is. Mayor Empey said if the Council is committed to go ahead with the court action then we will proceed. **Motion** by Bob Coxe to proceed with the court order and notify Mr. Prisbrey to take the fence down. If he doesn't take the fence down the Town will take it down and bill him for the cost. The Town will recommend there be a 10 day time limit for compliance. **Seconded** by Jan Madison. Passed unanimously.

**Discuss fees for cemetery plots that are in arrears.** Mayor Empey informed everyone there are several people in Town who have paid deposits on cemetery plots and then haven't made an attempt to make any payments for years. The Council discussed setting up a policy concerning cemetery plots. A resolution needs to be drafted stating what the Town policy is. It was suggested 90 days to pay the balance or to set up a payment plan. If neither happens the plots will revert back to the Town.

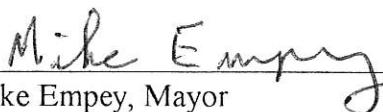
**7. OTHER BUSINESS:**


No other business at this time.

**8. ADJOURNMENT:**

The meeting adjourned at 8:00 p.m.

**APPROVED AND SIGNED THIS 14TH DAY OF NOVEMBER 2001**

  
\_\_\_\_\_  
Mike Empey, Mayor

  
\_\_\_\_\_  
Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes of the Town Council Meeting on  
November 13, 2001

### 1. CALL TO ORDER:

Mayor Mike Empey called the meeting to order at 12:00 p.m.

### 2. ROLL CALL:

Present was Mayor Mike Empey, Council Members Bob Coxey and Alene Cuff. Also present was Clerk/Recorder Joy Stevens, and Officer Robert Zubal.

### 3. CANVASS OF THE ELECTION RETURNS:

Mayor Empey opened the sealed envelope No. 1. It contained:

1. The Official Poll Book
2. The Tally List
3. The Statement of Disposition of Ballots.
4. All unprocessed Absent-Voter ballots-regular and military (if any)
5. All affidavits on Absent-Voter envelopes that were processed- regular and military (if any)
6. Envelope No. 6 containing Electors Oaths (if any)

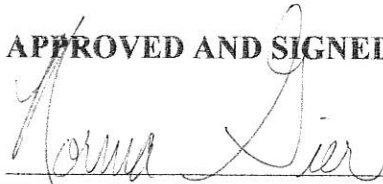
The Council canvassed the returns and reviewed the Statement of Disposition of Ballots form to see that all the ballots were accounted for. **Motion** by Alene Cuff to approve the canvass and election returns for the Town of Leeds. **Seconded** by Bob Coxey. Passed unanimously. The Clerk/Recorder Joy Stevens will send a copy of the results and certification to the Lieutenant Governor's office.

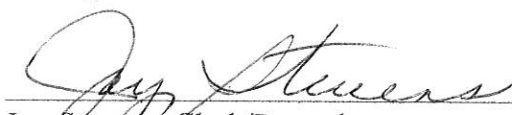
The Council canvassed the returns and reviewed the Statement of Disposition of Ballots form for the Leeds Area Special Service District. **Motion** by Bob Coxey to approve the canvass and election returns for Leeds Area Special Service District. **Seconded** by Alene Cuff. Passed unanimously.

### 4. ADJOURNMENT:

The meeting adjourned at 12:10 p.m

APPROVED AND SIGNED THIS 9TH DAY OF JANUARY 2002

  
\_\_\_\_\_  
Norma Gier, Mayor

  
\_\_\_\_\_  
Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes of the Public Hearings and Town Council Meeting on  
November 14, 2001

### 1. CALL TO ORDER:

Mayor Mike Empey called the meeting to order at 7:00 p.m.

### 2. ROLL CALL:

Present was Mayor Mike Empey, Council Members Bob Coxey, Norma Gier and Jan Madison. Alene Cuff was absent. (See attached list of citizens in the area that attended.)

### 3. PLEDGE:

Mayor Mike Empey

### 4. APPROVAL OF AGENDA AND MINUTES OF OCTOBER 24, 2001:

Motion by Bob Coxey to approve the agenda and minutes of October 24, 2001. Seconded by Jan Madison. Passed unanimously.

### 5. MOTION TO OPEN PUBLIC HEARING:

Motion by Norma Gier to open the public hearing regarding the annexation of El Dorado Hills Subdivision, El Dorado Hills Subdivision Phase II, El Dorado Hills Subdivision Phase III, and Bonanza Estates Subdivision. Seconded by Jan Madison. Passed unanimously.

### 6. PUBLIC HEARING:

**Annexation of El Dorado Hills Subdivision, El Dorado Hills Subdivision Phase II, El Dorado Hills Subdivision Phase III, and Bonanza Estates Subdivision.**

Mayor Empey stated the annexation would bring with it the expertise of good people in that area. He stated we are all one community regardless of boundary. Mayor Empey stated the Council reviewed the petition and conditions in March of this year. The Town Attorney, Steve Urquhart, and Dave Church, attorney for the Utah Local Governments and Trust. The Council accepted the petition and conditions in June of this year. Mayor Empey read and reviewed the petition and the conditions. (See attached). He then asked the Council and the citizens in the audience if they had any comments. Jim Bray, sponsor of the petition, said he has only one thing he would like to add to what the Mayor has already said. Jim said the tax reduction referred to in the conditions would apply to all existing Leeds residents and proposed new residents. Jim stated they had a large majority of people who signed the petition in favor of annexation. The Council had no comments. Mayor Empey said if we proceed with this he would like to issue a challenge to the residents of the annexed area and Town Council to monitor the taxing process. That would not be the taxes due this year but 1 year from now. He said sales tax revenue is based partly on population. Those numbers would increase immediately. Mayor Empey stated it isn't often a government entity gets an opportunity to increase income without increasing taxes.

**7. MOTION TO CLOSE PUBLIC HEARING:**

Motion by Bob Coxey to close the public hearing. Seconded by Norma Gier. Passed unanimously.

**8. ORDINANCE #01-01:**

**Council may adopt Ordinance #01-01, an ordinance approving the acceptance of the petition for annexation of El Dorado Hills Subdivisions and Bonanza Estates Subdivision.**

Mayor Empey reviewed and read the ordinance. Motion by Mayor Empey to accept Ordinance #01-01 to annex El Dorado Hills Subdivision, El Dorado Hills Subdivision Phase II, El Dorado Hills Subdivision Phase III, Bonanza Estates Subdivision. Seconded by Norma Gier. Roll call vote. Aye votes 4. Nay votes 0. Abstentions 0. Motion passed unanimously.

**9. MOTION TO OPEN PUBLIC HEARING:**

Motion by Norma Gier to open the public hearing regarding the annexation of Stirling Addition. Seconded by Jan Madison. Passed unanimously.

**10. PUBLIC HEARING:**

**Annexation of "Stirling Addition".** Mayor Empey reviewed the petition and description of the property to be annexed. Mayor Empey stated the entire parcel of property proposed to be annexed belongs to the Stirlings. Mayor then asked if there were any comments from the citizens or the Council. There were no comments.

**11. MOTION TO CLOSE PUBLIC HEARING:**

Motion by Jan Madison to close the public hearing. Seconded by Norma Gier. Passed unanimously.

**12. ORDINANCE #01-02:**

Mayor Empey reviewed and read the ordinance. Motion by Norma Gier to accept Ordinance #01-02 to annex "Stirling Addition". Seconded by Bob Coxey. Roll call vote. Aye votes 4. Nay votes 0. Abstentions 0. Motion passed unanimously.

**13. MOTION TO OPEN PUBLIC HEARING:**

Motion by Norma Gier to open the public hearing regarding funding from CDBG for potential projects. Seconded by Jan Madison. Passed unanimously.

**14. PUBLIC HEARING:**

**To consider potential projects for which funding may be applied under the CDBG Small Cities Program for FY 2002-2003.** Mayor Empey stated there are 3 potential projects that have been selected by the Council. They are: 1. An engineering study for a pressurized irrigation water system. 2. Town Hall-ADA compliance and renovations. 3. Elementary school- property acquisition. Mayor Empey asked if there were comments from the citizens in the audience.

Several citizens from Silver Reef voiced their concerns about the project to pressurize the irrigation water. They were concerned about the stream of water running through their property. If the irrigation water is pressurized they lose the stream and that decreases their property value. They were also concerned about plant growth adjacent to the stream. Several of the property owners said

if the Town pressurizes the water they will initiate a law suit and would also request an environmental study to be done.

Reed Scow stated he is a representative from Angell Springs and requested they not be left out of this decision since it would directly affect them.

Dara Armstrong voiced concerns about the mature trees along the stream. She said after 3 years the trees would die from lack of the water.

David Stirling said he would like to see a feasibility study done. He stated the stream everyone is enjoying was not made by God. It was made by his grandfather to water their farm. He said he is concerned about water evaporation and seepage into the ground.

Mayor Empey stated he appreciates everyone's comments. He is aware there is quite a bit of public concern about this. He also is concerned about the trees along the stream dying from lack of water. He reminded everyone we are only looking at this as a feasibility study. Mayor then asked Council if they had any comments.

Council Member Bob Coxe said he has attended all of the water meeting with the irrigation company and Leeds Domestic Water Association. He stated we are losing approximately 50% of the water due to evaporation. He feels we can conserve water by pressurizing it. Bob said he feels we need to apply for the grant and do the feasibility study. If it is not feasible and if it will not fit in to our Master Plan then it won't be approved.

Gordon Beckstrand, a Silver Reef resident, said he thinks this is premature to even consider doing anything here tonight. He stated we do not have any figures on what this study would even cost.

Clerk/Recorder Joy Stevens said she does not believe that whatever the Council decides tonight is premature. She reminded everyone that all the Council is trying to do tonight is to approve a list of potential projects. Whether it be to make Town Hall ADA compliant or pressurize the irrigation system. Tonight is just to make a list and approve potential projects. This is only the first step. This list needs to be turned in to Five Co. by the 1st of December.

Council Member Norma Gier said she has to go along with what Joy said. Tonight we are only looking at possible projects. Apparently no one else suggested any other possible projects other than the three on the list. Norma said she doesn't feel the Council would plan to go forth with any of these projects until they have more information.

Mayor Empey said this hearing has brought up issues that have not been thought of before. He stated if we even put the pressurized water system on the list its more complex than how much and where to run the pipe. The environmental issues are very important. The water distribution issues so that crops are not dying off is very important. The needs of Angell Springs who are hooked to the same water would be critical. If we include all of these things and the engineer says that is going to cost more than the money that is available then that answers our question. We are all one community whether we live in Silver Reef or in Leeds. Mayor said all we are doing is asking if we even want to set priorities and seek funding. He said he wished we had more representation from the irrigation company here tonight since we have been working with them. Otherwise this would not be on the Town agenda at all. Mayor said we need to look at the feasibility and what is the cost of looking at all of these factors and address that at the future public hearing. He would like to make sure there is ample notice given to all of those who have voiced their concerns here tonight when the next public hearing will be.

**15. MOTION TO CLOSE PUBLIC HEARING:**

Motion by Bob Coxey to close the public hearing. Seconded by Jan Madison.  
Passed unanimously.

**16. COUNCIL MAY APPROVE AND SECURE POTENTIAL PROJECTS:**

Discussion focused on the priority of the projects. Motion by Bob Coxey to list as our number one priority the Town Hall project to make it ADA compliant. Seconded by Jan Madison.  
Passed unanimously.

Motion by Norma Gier to list as our second priority an engineers feasibility study for a pressurized irrigation water system with the condition that it be a complete approach before there are any applications for any funds. So everyone on both sides of the issue would be fully aware of the cost, pluses and minus, and be as specific as possible. Seconded by Jan Madison. Mayor Empey stated his only comment would be that as we proceed the minutes be available for any consultants and potential engineers so they are aware of the issues that are brought up. Passed unanimously.

**17. COUNCIL MEMBER BOB COXEY:**

**Approval of expenditures associated with the park project and a new spreader.** Bob asked the Council for approval to finish paying Allied Pacific for the seeding of the grass at the park. The amount of \$587.00 is above the \$6,000.00 previously approved. The extra money was to upgrade the timer and replace some of the sprinkler heads. He also asked the Council for approval to purchase a spreader and 10 bags of fertilizer. The spreader will cost \$199.00. The fertilizer will cost \$110.00. The total amount for approval is \$897.00. Motion by Norma Gier to approve the expenditure of the \$897.00. Seconded by Jan Madison. Roll call vote. All aye. Motion passed unanimously.

**18. OTHER BUSINESS:**

December 1st is the Rotary Bowl Parade. Mayor Empey asked Norma to represent the Town in the parade.

Norma reported the "Leeds Clean-up Day" turned out to be a success. She said there were volunteers cleaning up the streets and a lot of the residents had cleaned their own property previous to the clean up day.

Mayor Empey stated the new public works truck is here. Vern will be so thankful to have a vehicle he can depend on.

The Christmas dinner party is in the planning stages and everyone will be notified as soon as Joy has more information.

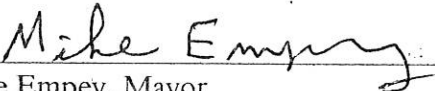
Gloria Parnell asked for permission to place a box on the porch of the Town Hall for donations of warm coats, hats, and gloves which will be sent to Afghanistan. Mayor Empey gave her permission to do so.

**19. ADJOURNMENT:**

The meeting adjourned at 8:30 p.m.



APPROVED AND SIGNED THIS 28TH DAY OF NOVEMBER 2001

  
\_\_\_\_\_  
Mike Empey, Mayor

  
\_\_\_\_\_  
Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes of the Town Council Meeting on  
November 28, 2001

### 1. CALL TO ORDER:

Mayor Mike Empey called the meeting to order at 7:00 p.m.

### 2. ROLL CALL:

Present was Mayor Mike Empey, Council Members Bob Coxey, Norma Gier, Jan Madison and Alene Cuff.

### 3. PLEDGE:

Alene Cuff

### 4. APPROVAL OF AGENDA AND MINUTES OF NOVEMBER 14, 2001:

Motion by Bob Coxey to approve the agenda and minutes of the November 14, 2001, Public Hearings and Town Council meeting. Seconded by Norma Gier. Passed unanimously.

### 5. TERRY PRISBREY:

**West Center Street Issues.** Mr. Prisbrey was not present. Mayor Empey informed the Council he had received several messages, on his answering machine, from Mr. Prisbrey. Mr. Prisbrey indicated he wanted to get the issues resolved. The last time this was on the agenda Mr. Prisbrey had fired his attorney again which led to the Council being somewhat frustrated. Mr. Prisbrey has now hired his cousin as his attorney. Mayor said Leeds Town Attorney, Steve Urquhart, Mr. Prisbrey, and his attorney met today to work on an agreement. Mr. Prisbrey indicated he will have Pope Engineering prepare a map. Council Member Alene Cuff said she hopes the map is better than the first one he had done which showed only the perimeter description. Mayor said once the agreement and map are completed he and Alene will go to the attorneys office to review it. Leeds attorney will then make a recommendation during a closed session at the next meeting. Mayor said the court order was not issued because discussions were still going on. He said all of the discussions surround legal documents being signed. Council Member Alene Cuff said Mr. Prisbrey thinks he has a water tap. A gentleman by the name of Evan called her to say he knows when the old sorghum mill was in operation the mill used Bishop Allens water. Bishop Allen is Alene Cuffs father. Eldon Stirling was in the audience and he also stated the water that was used belonged to Bishop Allen. Charlene Ford said the barriers at the tunnel should have come down the night the Town declared the road a road. Gloria Parnell asked about the zoning of Mr. Prisbrey's property. She said she understands the property isn't zoned commercial until Mr. Prisbrey complies with the conditions placed upon him. Mayor Empey said that is right. Mr. Prisbrey needs to comply with the conditions before the zone will change from Open Space to Commercial.

### 6. OFFICER ROBERT ZUBAL:

**Approval for Decals on New Police Vehicle & Public Works Truck.** Officer Zubal presented a drawing of the decals to the Council for their approval. Motion by Bob Coxey to approve the Town logo and the expenditure of \$125.00 for the public works truck decals. Seconded

by Alene Cuff. Roll call vote. **All Aye. Motion passed.** **Motion** by Bob Coxey to approve the expenditure of \$325.00 for the police vehicle decals. **Seconded** by Jan Madison. Roll call vote. **All Aye. Motion passed.**

**Discuss Bids on Remodel of Public Safety Building.** Officer Zubal stated he received 2 bids for the remodel. One was for \$20,000.00 and the other for \$17,000.00. He has been working with the contractor on the second bid to bring it down even more. The bid is now down to \$14,000.00. He is still working with him to bring it down even further. Council Member Norma Gier asked Officer Zubal if he got an itemized bid. Officer Zubal stated he had. Council Member Jan Madison asked if there is a reason why we are remodeling the public safety building opposed to remodeling the town hall. Mayor Empey stated it depends on where the funds come from. Since these funds will be coming from public safety impact fees they must be used for that purpose. He said first we need to identify how much money is in the account since all we budgeted for the remodel was \$7,000.00. The Council then discussed the remodel of the town hall for security and fire hazard purposes.

#### **7. MAYOR MIKE EMPEY:**

**Follow-up meeting with UP&L.** Mayor Empey stated he and Attorney Urquhart attended a meeting 3 weeks ago with representatives from UP&L. UP&L said they have replaced a couple of transformers since all of the outages during the summer. Mayor Empey stated that Mr. Cox from UP&L said they will be happy to donate hookups when they are needed at the CCC Camp.

**Leeds Babylon Trail.** Mayor Empey said even after he is no longer Leeds Mayor he would like to continue working on the Babylon Trail project. He reviewed for the new Council Members what the project is.

**Residential Treatment Facilities Ordinance Review.** Mayor Empey presented to the Council a draft of the ordinance for their review.

#### **8. COUNCIL MEMBER BOB COXEY:**

Bob had nothing more at this time.

#### **9. COUNCIL MEMBER NORMA GIER:**

Norma stated she would like to have a benefit package for Joy by the next meeting for the Council to review.

#### **10. COUNCIL MEMBER JAN MADISON:**

Jan stated she and Council Member Coxey observed at the CCC Camp one of the buildings looks like someone is living there. Officer Zubal said they do patrol up there on occasion. He said security lights would help to keep transients and vandalism to a minimum. Mayor Empey said we need someone to spear head a project to clean up the camp.

#### **11. COUNCIL MEMBER ALENE CUFF:**

Alene apologized to the Council for her absence at the last meeting.

#### **12. OTHER BUSINESS:**

Mayor Empey reminded everyone about the Christmas party.

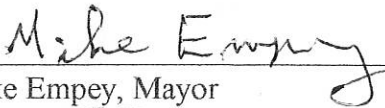
Bob Coxey said he would like to continue with volunteer work at the cemetery even after he is no longer on the Council. Vern said he will also volunteer his help at the cemetery.

The Council discussed putting in a sliding window in the office so Joy can keep the door locked. Bob suggested remodeling the town hall instead of the remodel of the public safety building.

**13. ADJOURNMENT:**

The meeting adjourned at 8:45 p.m.

**APPROVED AND SIGNED THIS 12TH DAY OF DECEMBER 2001**



Mike Empey, Mayor



Joy Stevens, Clerk/Recorder

## TOWN OF LEEDS

Minutes of the Town Council Meeting on  
December 12, 2001

### 1. CALL TO ORDER:

Mayor Mike Empey called the meeting to order at 7:00 p.m.

### 2. ROLL CALL:

Present was Mayor Mike Empey, Council Members Bob Coxey, Norma Gier, Jan Madison and Alene Cuff.

### 3. PLEDGE:

Mike Empey

### 4. APPROVAL OF AGENDA AND MINUTES OF NOVEMBER 28, 2001:

Motion by Norma Gier to approve the agenda and minutes of the November 28, 2001, Town Council meeting. Seconded by Jan Madison. Passed unanimously.

### 5. JERRY BUCKNER:

**2000-2001 Audit Report.** Mr. Buckner presented to the Council the General Purpose Financial Statements for the year ended June 30, 2001. Mr. Buckner then proceeded to explain the financial statement. He said he will go over with Renae the year end close outs. He stated there were no disagreements with management. They did not have to consult any other accountants. Mr. Buckner stated state law requires that all public moneys be deposited within 3 business days of being received. Council Member Bob Coxey asked if the deposit can be mailed in to the bank since we don't have a local bank it is difficult to make the deposit every 3 days. Mr. Buckner said since the town did not in all cases comply with this requirement he would recommend that Joy prepare a detailed deposit and take it to the bank on her way home at night. So the Town can comply with the State requirements. He did not recommend Joy entering the deposit into the general ledger. He said we still need to keep the duties separate. Have Joy make the deposit and Renae enter it into the general ledger. Mayor Empey asked about the pass through of the bond with Rural Development for the Fire District. This increases the Town budget by \$6,100.00. Mr. Buckner said it would not have affected us this year because we were already over the \$150,000.00 requirement to be audited. He also suggested the impact fees be kept in a separate account. Treasurer Renae Thompson stated she wished she would have been able to talk with Mr. Buckner a little bit more before he presented the financial statement and recommendations. She corrected Mr. Buckner in the fact the Town does keep impact fee moneys in a separate account in our general ledger and they are recorded separately. She said as far as the B&C Road Funds they have been deposited each time since she has been here. Renae stated since she has been here she has gone back to before she came on to find out if some of the B&C Road Funds were deposited into the general ledger rather than into the separate account. This goes back into 1996 and 1997 before she came on. Mr. Buckner said it appears there is

plenty of money in an interest bearing account. Renae said when she gets it researched back and finds where those funds were deposited she can transfer them into the correct account. She said another comment she wants to make is concerning the tax rate being incorrect. We use an estimate on what we think the property taxes will be because we do not receive the correct rate from the state until after we get through with the budget and it is submitted. Mr. Buckner said you just have to amend the budget to show the corrected rate once it is received. Renae said they may be right but the state needs to be the ones to correct the problem in the first place. Mr. Buckner said Renae is right and he will change that comment and make the necessary corrections to the financial statement before sending 2 copies to the State Auditor. **Motion** by Alene Cuff to accept the audit report. **Seconded** by Bob Coxey. **Passed unanimously.**

6. Mayor Empey requested the Council go into the Closed Session since Attorney Steve Urquhart had now arrived. Item number 6 will be revisited.

**7. MOTION TO CLOSE THE TOWN COUNCIL MEETINGS:**

**Motion** by Bob Coxey to close the Town Council Meeting and go into closed session. **Seconded** by Norma Gier. **Passed unanimously.** The time was 7:35 p.m.

**8. CLOSED SESSION:**

**Closed session with Attorney Urquhart concerning legal issues with Mr. Prisbrey and West Center Street.**

**9. MOTION TO OPEN TOWN COUNCIL MEETING:**

**Motion** by Norma Gier to open the Town Council meeting. **Seconded** by Jan Madison. **Passed unanimously.** The time was 8:45 p.m.

**10. ACTION ON ATTORNEY URQUHARTS RECOMMENDATION:**

Mayor Empey said the closed session took quite a while and they had some interesting discussion on the subject. He stated the Councils concern at this point is they just saw the document and plat in the closed session. They need more time to visit the property. He then asked Attorney Urquhart to discuss some of the things they talked about. Attorney Urquhart said going off from a map like the one presented is very difficult to see exactly whose property it affects and exactly where. He said the Council is interested in negotiating a resolution to this matter. However the Council would like Mr. Prisbrey to stake the road where he is proposing the change to the existing road. After the road is staked to show the middle of the road the Council will look at it and see who it does affect. At that point they will negotiate width, surfacing, and who takes care of that. Attorney Urquhart a condition that was discussed by the Council was that the road take care of Alene Cuff's property and the tower. Council Member Coxey stated the road width should be either 55ft. or 30 ft. Attorney Urquhart said they need to look at the center of the proposed road with a tape measure in hand and see what the proper width might be. Attorney Urquhart said he received the proposal and map rather late today for this meeting. He asked if anyone had any questions or comments. Mr. Prisbrey asked if the Council wanted him to put a line where the center of the road is or the edge where it



is closer to Alene's property. Attorney Urquhart said no staking the middle of the road will give them a general idea. He stressed the need to figure out an acceptable route for all concerned. The Town feels Alene does have a public access to get to her land. Attorney Urquhart suggested doing a center line and then talking to an engineer and see what is acceptable. Mr. Prisbrey stated he has spoken with an engineer and they told him it doesn't make sense to have a 55ft road going into a 10ft tunnel. He said the engineers told him they won't design a road until the town decides on the width. Attorney Urquhart suggested staking the road for a 50ft easement and a 30ft easement. Mr. Prisbrey said okay. Mr. Prisbrey's attorney said as far as the tower people are concerned they don't have a right of way. Alene Cuff stated yes they do. Their right of way is on her property. Attorney Urquhart said looking on the map you can't even see where the property boundaries set. Alene Cuff said she can't understand the map at all. Mr. Prisbrey indicated he has a better map in his truck. The proposed map before the Council was reviewed again and Mr. Prisbrey pointed out where the tower people would be able to go across. Attorney Urquhart said part of this discussion is step one to agree on an alignment and step two is what quality of road and who is going to pay for it. Mr. Prisbrey said at one point the tower people indicated to him they would build the road but now they are holding back. Attorney Urquhart said the issue is we can't tell from the map if Alene can give high fives as people drive by. Alene asked if the road they are proposing goes on the other side of her house. Mr. Prisbrey said no and explained the road goes right along the fence line he put in. He said the road will go along the fence and then cut back over to the tunnel. Planning Commission Chairman Pat Sheneman said if he understands this part of the newly proposed road is on Alene's property. Attorney Urquhart said that is part of the issue here. The other road is partly away from Alene's property and this proposed road is clearly on her property. He said she will be burdened with more of a road. Alene stated she has had a prescriptive easement for 45 years. Chairman Sheneman said he feels Joan Thornton should be actively involved in this road issue since it does affect her. He then explained Joan's situation with her parcel of land that needs access. Pat said Joan needs to participate in this road issue since it does affect her. Pat asked Mr. Prisbrey why he put the proposed road on Alene's side of the fence. Mr. Prisbrey stated it would benefit Alene because she gave the tower people the right to go on to her property. He said just because she has a prescriptive easement she cannot expand that use to anyone else. So she has to provide the tower people with a right of way. He said if he has to take care of her problem then it's only fair she does a little bit on her part. Mr. Prisbrey said Alene won't have to take all the burden of the road. He said he will move it onto his property another 9 or 10 feet. Mr. Prisbrey then indicated on the map what he was talking about is on the turn. He said the road will come within 25 feet of her home. He will try not to damage any of her trees if it can be helped. Mayor Empey said they would like more time to review this. He asked Mr. Prisbrey to stake a 30 ft. center line with yellow flags on them, for those on the Council who have trouble, so it will be very clear what stakes are going where. Mr. Prisbrey said he will stake it close to where it should be. But he is not going to have it surveyed just to have it put in there. Attorney Urquhart agreed. He said when the Council looks at it then you can adjust the stakes. But make sure it gives access to the tower and Alene. Mr. Prisbrey asked about the quality of the road for the tower access. Attorney Urquhart said obviously we still have a lot to negotiate when you start

talking about the quality of the road up to the tower. Mayor Empey said the same standard would apply all the way through on the road. Chairman Sheneman asked if they were talking about the existing road to the tunnel. Attorney Urquhart said no. What he thinks the Council might be interested in is that there is a road on the ground to the tower. Beyond the tower to the underpass there would not be a road at this time. There would be a road on paper. Then when it becomes in the best interest of the Town of Leeds to have that road they could then put it in. Chairman Sheneman asked for clarification and direction of the road on the map. Attorney Urquhart said at this point you would not necessarily need one type of road surface from Main Street up to the tower. Mayor Empey said once again they really need to visualize this on the ground. Mr. Prsbrey said he will get the road staked within the next couple of days. Chairman Sheneman asked for clarification of what he understands. He asked if what they are saying is we would abandon the existing road and not open the underpass at this time. Attorney Urquhart said this is all perhaps. No one is committing to anything at this time. Mayor Empey said he appreciated everyone's patience as we work through this issue.

No action will be taken at this time.

#### **6. ITEM 6 REVISITED:**

**Report on mayors meeting.** Representatives from the State Legislative were in attendance. Mayor Empey said at the meeting they discussed the state budget shortfall of 2 to 3 million dollars this year. They are looking at where to make cuts. It will be a tight year for them.

**Impact Fee Funds.** Mayor said at the last meeting we discussed impact fee funds. After the current expenditure for the park re-seeding the current balance in the Park Impact Fee fund is \$8713.07. The current balance in the Public Safety Impact Fee fund is \$18,000.00. The purpose of the impact fee was explained by the Mayor. Mayor said we need to be looking into what we can spend these funds on. There are requirements the funds can be spent on or after so many years they are returned to the residents who paid them.

**Bid for Public Safety Building.** Mayor reminded the Council they had considerable discussion about this at the last meeting. Officer Zubal and the lowest bid contractor reworked the bid. They trimmed the numbers down considerably. The bid is now around \$12,000.00. The budgeted amount was \$7,000.00. The Council would need to open and amend the budget to bring in more money for the project. Mayor said he knows the Council is concerned about not seeing any officers working. He said he has spoken to Officer Zubal about the hours the officers have not been working. Officer Zubal said they are working on the issue. He has spoken with the other two officers and they are working on a new schedule that will increase their hours. Mayor said he feels this is a good expenditure of the money and we definitely need the room. He said if the police department is abandoned the building can be used for administration offices. Mayor Empey stated he is in favor of accepting the \$12,000.00 bid. The Council stated their concerns about the police department and the hours they are working. They are not noticed around Town. The Council questioned whether the building should be remodeled for a police department who are very seldom here. They felt if the police department business is mostly conducted in Town Hall why remodel the other building. Mayor Empey

said we need to remember the officers are full time at the Sheriffs department and part time here. Our budget will not permit any more than part time. It was noted Robert and Gary have been putting in more time lately. Bob Coxe suggested tabling this and see what kind of hours they are going to start putting in. Mayor Empey called for a motion. **Motion** by Alene Cuff to table this item. **Seconded** by Jan Madison. **Discussion** The Council discussed the motion and agreed to leave it tabled. **Council 4 aye votes and 1 nay vote by Mayor Empey. Motion Passed.**

#### **11. COUNCIL MEMBER BOB COXEY:**

**Report on Water Meeting.** Bob said at the water meeting it was reported the results of the water test came back satisfactorily. Water bills will be going up to \$20.00 in February. New water lines will be installed on Babylon along Valley to Cherry. They have also purchased the pipe to hook up to El Dorado Hills.

**Vehicles Up For Bid.** Bob said since the vehicles have gone up for bid we have had only 1 bid come in. He hopes more will come in before the deadline.

#### **12. COUNCIL MEMBER NORMA GIER:**

**Discuss Employee Benefits.** Norma said the Council had previously discussed medical benefits for Clerk/ Recorder Joy Stevens. Norma asked the Council to consider some kind of a health program for Joy. She said Joy's workload has increased significantly and will continue to increase with the recent annexation of El Dorado Hills. Joy has done quite a bit of research with surrounding communities and what health benefits their employees receive. She has also contacted several health providers as to what the cost would be. Norma said Renae has indicated the money is there to pay for this. Council discussed what the impact would be on the Town if other employees were to become eligible for the same benefits. Since Vern is the only other employee who might become eligible, the Town would need to consider hiring another part time employee to help Vern keep his hours under the 80 hours per month limit. Norma said she would like Joy to have medical benefits starting the first of the year. The Council all agreed Joy does need the health benefits and starting in January 2002. Joy read the information she had gathered from surrounding communities and health providers. Utah Local Governments and Trust cover government employees and most of the others do not. Mayor Empey suggested, with the experience he has, of going with ULG&T for the benefits. **Motion** by Norma Gier to approve Utah Local Governments & Trust as the insurance provider for Joy's benefits. **Seconded** by Alene Cuff. **Roll Call Vote. 5 Aye Votes. 0 Nay Votes. Motion passed unanimously.** Norma said she would like to hear from the rest of the Council regarding a dental plan. Cost for the dental plan was discussed. The Preferred Dental Plan would be approximately \$50.00. Alene Cuff asked if this will include Joy and her husband. Mayor Empey said that is one thing that should have been part of the motion for the health benefits. Alene stated she feels it should include Joy's husband. **Motion** by Bob Coxe to include Joy's husband in the health benefits plan and also to include the dental plan for both of them. **Seconded** by Norma Gier. **Roll Call Vote. 5 Aye Votes. 0 Nay Votes. Motion passed unanimously.**

**13. COUNCIL MEMBER JAN MADISON:**

Jan indicated she had nothing more at this time.

**14. COUNCIL MEMBER ALENE CUFF:**

Alene indicated she would like to discuss the property owned by Mr. Prsbrey. Since this was not on the agenda it could not be discussed. She had nothing else at this time.

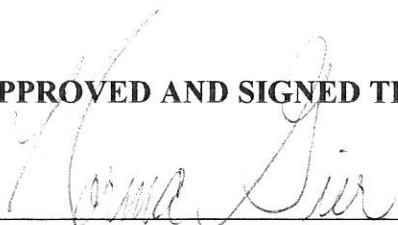
**15. OTHER BUSINESS:**


Mayor Empey reminded everyone of the Christmas Dinner on the 23rd. He also said he would like to see the 2 cellular phones put back into operation right away.

**16. ADJOURNMENT:**

The meeting adjourned at 9:55 p.m.

**APPROVED AND SIGNED THIS 23RD DAY OF JANUARY 2002**

  
\_\_\_\_\_  
Norma Gier, Mayor

  
\_\_\_\_\_  
Joy Stevens, Clerk/Recorder