

# Town of Leeds

---

## Agenda Town of Leeds Town Council Wednesday, February 24, 2021

**PUBLIC NOTICE** is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, February 24, 2021 at 7:00pm. This will be an electronic meeting.

Topic: Leeds Town Council

Time: Feb 24, 2021 07:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/84869375930?pwd=WGRydUVKMGN4S3kwOU5zMUtzL25qUT09>

Meeting ID: 848 6937 5930

Passcode: 069442

One tap mobile

+13462487799,,84869375930#,,,,\*069442# US (Houston)

+16699009128,,84869375930#,,,,\*069442# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

Meeting ID: 848 6937 5930

Passcode: 069442

Find your local number: <https://us02web.zoom.us/j/84869375930>

### **Regular Meeting 7:00pm.**

1. Call to Order/Roll Call
2. Pledge of Allegiance
3. Declaration of Abstentions or Conflicts
4. Consent Agenda:
  - a. Tonight's Agenda
  - b. Meeting Minutes of February 10, 2021
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
  - a. Remaining Opted Out Blu Cans Being Picked Up Curbside on February 26, 2021
7. Public Hearing:
  - a. Mountain West Development Group LLC Silver Eagle Proposed Development on Parcel L-3283-B-1-LS

8. Action Items:
  - a. Appointment of Mary Giffard as Leeds Clerk/Recorder
  - b. Discussion and Possible Action Regarding Resolution 2021-01, Amendment to Resolution 2020-04, Municipal Billing and Collection Agreement with Washington County Special Service District No. 1
9. Discussion Items:
  - a. Mountain West Development Group LLC Silver Eagle Proposed Development on Parcel L-3283-B-1-LS
  - b. General Plan Update Request for Proposal
  - c. 2020-2021 Second Quarter Budget Report
10. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
11. Staff Reports
12. Closed Meeting: A Closed Meeting may be held for any item identified under Utah Code section 52-4-205.
13. Roll Call Vote to close electronic meeting

The Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 879-2447 at least 24 hours prior to the meeting.

The Town of Leeds is an equal opportunity provider and employer.

Certificate of Posting; The undersigned Clerk/Recorder does hereby certify that the above notice was posted February 19, 2021 at these public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town of Leeds website [www.leedstown.org](http://www.leedstown.org).

---

---

# Town of Leeds

---

## Electronic Town Council Meeting for Wednesday, February 24, 2021

### Regular Meeting 7 PM

1. Call to Order:

Mayor Peterson called to order the regular meeting of the Leeds Town Council at 7 PM on Wednesday February 24, 2021. This was an electronic meeting.

**ROLL CALL:**

	<b>Present</b>	<b>Absent</b>
MAYOR: WAYNE PETERSON	<u>  x  </u>	<u>      </u>
COUNCILMEMBER: ALAN ROBERTS	<u>  x  </u>	<u>      </u>
COUNCILMEMBER: DANIELLE STIRLING	<u>  x  </u>	<u>      </u>
COUNCILMEMBER: LORRIE HUNSAKER	<u>  x  </u>	<u>      </u>
COUNCILMEMBER: STEPHEN WILSON	<u>  x  </u>	<u>      </u>

2. Pledge of Allegiance: Mayor Peterson

3. Declaration of Abstentions or Conflicts: None

4. Approval of Consent Agenda

- a. Tonight's Agenda
- b. Meeting Minutes from February 10, 2021

Councilmember Roberts moved to approve tonight's agenda and the meeting minutes of February 10, 2021. 2<sup>nd</sup> by Councilmember Wilson. Motion passed in a Roll Call Vote.

**ROLL CALL VOTE:**

	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
MAYOR: WAYNE PETERSON	<u>  x  </u>	<u>   </u>	<u>   </u>	<u>   </u>
COUNCILMEMBER: ALAN ROBERTS	<u>  x  </u>	<u>   </u>	<u>   </u>	<u>   </u>
COUNCILMEMBER: DANIELLE STIRLING	<u>  x  </u>	<u>   </u>	<u>   </u>	<u>   </u>
COUNCILMEMBER: LORRIE HUNSAKER	<u>  x  </u>	<u>   </u>	<u>   </u>	<u>   </u>
COUNCILMEMBER: STEPHEN WILSON	<u>  x  </u>	<u>   </u>	<u>   </u>	<u>   </u>

5. Citizen Comments:

Kerry Bennion – I have a question regarding talk in the past about an updated Ordinance regarding bees, keeping of bees, is there a status update that you could share?

Mayor Peterson - we do have a couple of Ordinances that are in the works, there are limits to what we can do, we cannot totally limit them, but we can make sure they are properly cared for and that is the direction we are looking to head with that.

Kerry Bennion – is there a time frame?

Mayor Peterson - we hope to have it before we have the real active season, which is only a couple of months away at this point.

Lynn Potter- you have all probably received copies of the emails from the Ombudsman regarding our disagreement about the Hillside Ordinance application. We also talked with the Ombudsman regarding the direction to go with this, and he basically said the Town has to decide what to do with the property, as in, finish off the subdivision that was started in 1997, or whatever you decide to do you're going to have to seek counsel from Craig on this and come up with a solution. If any of you have anything to say at this point, what you think you want to do... I'm open to suggestions.

Mayor Peterson - At this point we are expecting to hear back from our Town Attorney who is waiting to hear back from the Ombudsman after you had raised a question following the ruling, which did indicate that the Hillside Ordinance does apply to your property. Once we have heard from Town Counsel it will be shared with the Town Council in order to figure out what the next appropriate steps will be.

Lynn Potter - In regard to the next step, he did a verbal with us, but I don't know if he is going to get back to you, so, we'll just put it in for the next meeting?

Mayor Peterson – I will speak with our Town Counsel and let him know that he should be reaching out to the Ombudsman since you have had this additional conversation with him.

Angela Rohr - Silver Eagle sounds like a very nice development and it looks like we are having a hearing on it today. I have some questions about their water, have they made an agreement with LDWA, because that would be so beneficial to the town to have them included in our water supply.

Mayor Peterson - There are Will Serve letters and they will be shared in the background before we actually start the Public Hearing.

Devin Anderson – Our intent as the developers for Silver Eagle is to work with LDWA for our water.

6. Announcements:

- a. Remaining Opted Out Blu Cans being picked up curbside on February 26, 2021.

Mayor Peterson - For those who may not have had their Blu Cans picked up two weeks ago, they will be back and collecting the final ones on February 26<sup>th</sup>. This is not for somebody that did not fill out the paperwork back in the September through November time frame, but rather those who did and still need to have the can picked up. It is requested that the can be placed at the curb the evening before in case of early pick up.

7. Public Hearing:

- a. Mountain West Development Group, LLC Silver Eagle Proposed Development on Parcel L-3283-B-1-LS.

Mayor Peterson - Is there a motion to open the Public Hearing on this particular issue?

Motion to open Public Hearing was made by Councilmember Wilson. 2<sup>nd</sup> by Councilmember Hunsaker.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	<u>x</u>	___	___	___
COUNCILMEMBER: ALAN ROBERTS	<u>x</u>	___	___	___
COUNCILMEMBER: DANIELLE STIRLING	<u>x</u>	___	___	___
COUNCILMEMBER: LORRIE HUNSAKER	<u>x</u>	___	___	___
COUNCILMEMBER: STEPHEN WILSON	<u>x</u>	___	___	___

Mayor Peterson - Before any public comment he stated he would like to provide some background on this. He was expecting the Town Planner, Scott Messel, to be with us. After verifying that Scott Messel was not in attendance the Mayor said he will try to provide a bit of an overview so people will have an idea of what is being discussed. He highlighted that this is NOT an Action item this evening, stating that as has been my policy as Mayor, whenever possible I prefer when we have a Public Hearing, unless there are no comments or it's extremely time critical, we allow ourselves the opportunity to investigate things that might get raised. So just to make sure people are aware of this, there will not be any kind of vote this evening. This hearing is to obtain the input from the public with respect to this particular project.

The project is an area that, for those who have been in town for a long time was initially known as Arroyo Regal and it was also known as Millenia Partners and is currently known as Silver Eagle. Initially the Town had entered into a Development Agreement in which we were saying there could be a total of 72 homes that was modified from the original 78 homes. What we have proposed (by the developer) now is a development with fourteen (14) lots in the first phase, and there were some questions raised at the Planning Commission as to whether or not those final two (2) lots, which would make it a sixteen (16) lot subdivision, would actually be followed through on. That is still yet to be determined, so let me call up the map showing the fourteen (14) lots that are the subject of the current proposal. Okay, at this point we have opened the Public Hearing, are there any members of the public that wish to comment at this time?

Mayor Peterson - put the site map up on screen for all participants to see.

Jack Gunn - Where is this project located?

Mayor Peterson - If you orient yourself to the top left corner of the map that is on the screen here is the end of what is known as Majestic Mountain Road, also sometimes known as Silver Eagle Road depending on what records you are looking at with the County. That particular stub in the top left corner is the end of the paved surface, it then bends to the right and after going past four (4) lots it will turn back further to the North as it works its way to the final of the fourteen (14) lots. The area that is the large section at the bottom of the map is a section that leads down towards, but does not reach Silver Meadows. So that's where it is located. It's off a road that has been paved for many years here but does not have anything built on it. It is just to the north of Silver Reef Road.

Loanne Barnes - Where are the round-a-bouts located North, South?

Mayor Peterson - The one that I mentioned with the initial road that comes in, it comes in at the end of the paved surface heads to the right immediately and then doubles back up on the ridge towards the north. So that's toward the north of where the current end of the pavement is. The current end of the pavement is right at the edge of the map and is going to be the first of the cul-de-sacs. The second one is being requested by our Town Planner if they are interested in developing the other parcel that is a remainder of this. That would be potentially two additional lots at the very bottom of this map. It would be four (4) lots into the new development then heading directly off from that, it would be heading north as well. Does that answer your question?

Loanne Barnes - Where is Silver Meadows Road on this map?

Mayor Peterson - It would be on the lower left corner of this map.

Loanne Barnes - So Jack Gunn's property is downhill from that first round-a-bout right?

Mayor Peterson – I apologize but I am not familiar exactly with the location so I'm afraid I can't answer that.

Susan Savage - I have a couple of things, at the Planning Commission meeting, there was discussion about the lack of a second access for fire/emergency services perhaps with fewer lots the access issue could be handled by widening the road that goes up the hill and I just wondered if that is possible. What is the discussion now for access issues regarding ingress and egress for things like fire?

Mayor Peterson - Following the Planning Commission meeting, I asked the Fire District to please review and they did do a preliminary review, which is by no means a final, but they indicated since it is a reduced number of lots, I believe the cut-off would have been forty (40) they are comfortable with a single access at this point. Provided that there is a maximum length to the cul-de-sac and provided there is a maximum slope on any of the roads that are involved. That is something that the applicant has indicated they will be working with the Fire District to go over all of the issues that were raised in that preliminary review. As I mentioned earlier on, this was originally proposed as a seventy-two (72) lot subdivision and at that point in time there was very much, as current code would also require that there would be, a second access.

Susan Savage - I was talking about when Danny was talking about the single access in the Planning Commission meeting and how when people were being evacuated and the Fire Trucks were trying to get in, while people were trying to get out, making it a challenge for access. This is such a steep hillside, and it seems as though the road that is there is destabilized and the rocks above are falling down on it. Are you saying that is being left to the Fire Department to make those determinizations?

Mayor Peterson – I have requested the Fire District to provide their input to what's proposed here and what ever might be modified as we go forward.

Susan Savage - My second question is about previous proposals for this hilltop, which is a challenging area, there were lots of mining claims up

there during the Silver Reef days. At the time, I have no idea what the situation is now but there was an issue about whether lots could be developed where there are still active mining claims. So I just thought that would be something for the developers to check into or the Town to see if there are any active mining claims.

Mayor Peterson – Okay, I see a hand raised and we are not looking to cut anyone off, but just trying to keep things moving here and we will circle back.

Kevin Lee - As you might be aware, my mother and I used to own all of this property, and still own all the property to the west and east of this. All of the mineral rights went with the property and there are no current active mines on this property whatsoever. There shouldn't be any issues with the mines, the government filled in the large vertical mine in the center of it and said it was all done to government code and regulation and gave an okay for safety. In respect to the second access, has been a mining ingress/egress through the Savage's property to the north. They aren't showing connecting to it and that road has been in use for one hundred (100) years. I don't know they would ever consider that since it's been an open road and we used to use it all the time to get up the mountain.

Mayor Peterson - asked if Kevin was suggesting that there is an existing other road that could be utilized if there was a need beyond the one that was proposed?

Kevin Lee - Well there is an existing road that has been used and was used for all of the mining claims for 100 years. It doesn't look like they are tying into it, it looks like they are ending with the circle at the north end and if you look at that circle you can see the existing road that goes out through the Savage's property I believe. Like I said that has been in use for 130 years.

Susan Savage – Mayor would you like me to comment on that?

Mayor Peterson - Let me ask if we have any other comments first Susan, but remind me and we will cycle back to it. Is there anybody else?

Angela Rohr - I see that there are two lots coming right off the beginning at Majestic Mountain and one of them has five (5) different levels of elevation and I was wondering if that was really a buildable lot? With the smaller number of lots, I do appreciate, years ago we were looking to exit off to the east and then south as a secondary. With this kind of a layout it seems so much more doable than what has been proposed in the past.



The water issue has already been addressed and I think I heard people say that they... I hope that they get everything settled with LDWA. I understand that they were going to get one (1) inch meters which would be much more helpful to getting the water pressure up to the top of there for the existing homes.

Devin Anderson - Just to say exactly what you're saying, we do intend with LDWA to look at the one inch. We had great meetings with the LDWA and then there were a few Board changes and things like, so we have to rekindle those discussions. As far as a couple of the discussions you've mentioned, the intent is to end with that cul-de-sac there, we think it creates a nice kind of private community, but not disrupting our neighbor's land. As far as the question about the different levels of the lots, it's kind of hard to tell because of the topography here but we intend that almost all of these lots, the places that people would put homes, are back off and would be observing the Hillside Ordinances and would actually be on pretty flat land. The only one that has a little bit of slope to it is the one on the very top left, there's a little one that is closer to the freeway and kind of behind the fire station next to Susan Savage's land it appears. That has a little bit more of a slope but still it would be off the hillside and we do obey all of those things. I'd just like to say that Steve and I, we're going to be your neighbors, we are not developing the area because we're big developers, that's why we are doing three (3) acre lots. I'm kind of bummed that we are in these Covid times, because I would rather have met each of you face to face to meet our new neighbors. We look forward to being part of the community and for that reason have that focus.. I've got my wife and kids and Steve and his wife, we will be occupying two of the lots.

Mayor Peterson thanked the applicants and asked if there were any further people wishing to comment at this time or we will circle back.

Lynn Potter - I met with Devin and company regarding the road as it continues up after Majestic Mountain and that road cut across that ridge and how most of that slope falls down onto my wife and my property. We had a good talk and I think they are going to be able to address any problems that arise. I am for this development, that area with all the topographical lines that was mentioned earlier, next to the road is going to be open space because it's too steep to build on. I think that's what they were talking about.

Devin Anderson - There's a few spots, you'll notice a kind of flag type thing at the top, that is not a lot that is just us carving off a section from a lot and keeping it more in the common space. Then all along the road that

will all be common open space, no building there. One thing that is misleading on this is this is a big piece of land, so even though you may look at some of the lots and think it's narrow, those lots are two to three times the required width of road access, these are really big lots. Our intent is to have a nice wide road to handle traffic in both directions, a walking trail along the side of the road, it should turn out to be a really nice community. Maybe we're a little selfish because we're going to live there, but we look forward to it.

Loanne Barnes – Could you give some more detail on trails?

Devin Anderson - We haven't put a ton of thought into where exactly the trails might be, but what we're planning on doing is along the road we would like to do a fifteen-foot easement off the road into the lots to provide a kind of meandering trail. It would follow along more or less the same paths as the road. We want it to feel open, I know this is a great hillside, feel a little bit bad about taking it away from you guys and your walks.

Loanne Barnes - You have wonderful views from the top of this hill, and it seems to me that other people would want to take advantage of some of the views. If you had an open space someplace in these cul-de-sacs that could be opened up and would be toward the edge so someone could come and sit and look at these views.

Devin Anderson - I like that idea, what about like where that cul-de-sac stubs in, I don't know that we will ever develop the rest of that land. So maybe instead of doing that cul-de-sac what we could talk about is making that a trail and a place and a park where people could go and sit. We've got that spot and I think it would be a really neat place to do that. That's a beautiful spot.

Loanne Barnes - It is a beautiful spot and I think it would be a very nice addition to your development.

Natalie Mayer Law - That land backs up to Red Cliffs Reserve and stuff like that. What kind of zoning will be going on with it? Will it be zoned for large animals, horses or anything like that? A lot of the recreation behind that is horse land.

Mayor Peterson - The current zoning is Residential and not Rural Residential. The Planning Commission is looking at the Animal Ordinance

and looking to create a separate one, currently it's imbedded in the Land Use Ordinance. Under the current structure it would not be horse property or large animal property. That is subject to some review here, but right now that would not be part of it.

Natalie Mayer Law – I think that's something that should be looked into because these are all three (3) acre plus lots that backs up to some incredible preserves. It's something that would be beneficial for some of the landowners there.

Susan Savage – I wanted to respond to a couple of things that have been said. This is not my property that's next to it, it's family property and I'm just here to convey things from the family or report to them what's happening. It is a beautiful area for development for homes and it's lovely that it's being developed with the larger lots and people will really enjoy that. It's very encouraging that there are not any active mining claims up there. I just didn't want people to get to some point and find out they'd run into a problem they hadn't foreseen. The last thing was the little road that Kevin was talking about that goes through our property is not available. We have had that clarified through family meetings and with the County. That little road has been used for a motorcycle and isn't available for anything beyond that...It isn't available to be developed or enlarged.

Angela Rohr - I was happy to hear that the two lots with the many elevation lines are what you're considering open space. One of the concerns I've had over the years, in the thirteen plus years I've lived here, none of the boulders alongside that road have fallen. But during that time, Rockville did have some come smashing down, so I'm glad to hear nobody will be under it. Also, the landowners should be aware of the possible instability of those that are on that cliff edge. Down at the bottom edge there is a big "B-4" is that a lot or not?

Devin Anderson - We would love to work with whatever the city would allow us to do to handle any of those rocks that look precarious. We will be obeying your Hillside Ordinance so we'll work with you on that. I believe what you're talking about is that larger section of land, that is called out as phase two at this time. If we were to do that at the most... because of the topography and everything else, it would be two lots. It is very cost prohibitive to develop it and both Steve and I are, our homes are the two southern lots, so I'm not personally super excited about putting the homes down there anyway. I don't know that we will ever develop that land.

Mayor Peterson - I believe that the "B-4" is actually identifying where core samples were drilled, is that right?

Councilmember Hunsaker – Correct.

Kevin Lee – There was a comment earlier, saying this property is next to reserves and things, and just for the record this doesn't touch any reserves or government property. My property and my mother's property is the entire east side and most of the west side. The views on the east side are of my property, the view is of Pine Valley and looking north, so just so that is clear it doesn't go up against any reserve.

Natalie Mayer Law – Good to know, I didn't know it had private property in between, so thank you for clarifying.

Kevin Lee – At the lower roundabout there, if there was a little spot or a way to have a little ingress/egress that would be nice. I have no plans for up there, but I've always been able to go across there over the years, so just a thought.

Mayor Peterson – At this point hearing no further comments I would entertain a motion from Council to close the Public Hearing on the Silver Eagle Proposed Development.

Councilmember Roberts made a motion to close the Public Hearing for the Silver Eagle Proposed Development. 2<sup>nd</sup> by Councilmember Wilson.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	<u>x</u>	—	—	—
COUNCILMEMBER: ALAN ROBERTS	<u>x</u>	—	—	—
COUNCILMEMBER: DANIELLE STIRLING	<u>x</u>	—	—	—
COUNCILMEMBER: LORRIE HUNSAKER	<u>x</u>	—	—	—
COUNCILMEMBER: STEPHEN WILSON	<u>x</u>	—	—	—

8. Action Items:
  - a. Appointment of Leeds Clerk/Recorder.

Mayor Peterson – I have an update on the candidate for Clerk/Recorder, who contacted me very late on Monday and indicated that they had been offered a full-time position with benefits elsewhere and they would be accepting that position. I do have a couple of other potential situations that I am following up with right now, and I hope to have a new name to bring forward at our meeting on March the 10<sup>th</sup>. This brings us to the only action item for tonight.

- b. Discussion and possible action regarding Resolution 2021-01, Amendment to Resolution 2020-04, Municipal Billing and Collection Agreement with Washington County Special Service District No. 1.

Mayor Peterson – You may recall we had to wait in order to know the exact counts on the recycling to be able to pass the Ordinance that we did with respect to our billing for trash pickup and Blu Can recycling. In the preparation of our proposal it was noted that there was an inconsistency between an example and the language in the Washington County Special Service District No. 1 Proposal. On further review of that, they realized that the example was correct, and the language was incorrect. We’ve already approved the fees as ours for the correct numbers, but what Washington County Special Service District No. 1, which is solid waste, would like us to do is just amend that agreement with them to reflect that the example is the correct thing. It was with regard to whether there would be an increase in the first year of the agreement, and the answer was yes on that. Again, we reflected that, that’s what we billed people for February and March of this first quarter. So with that explanation, is there a motion from Council to approve Resolution 2021-01, amendment to Resolution 2020-04, Municipal Billing and Collection Agreement with Washington County Special Service District No. 1?

Councilmember Hunsaker – So moved. 2<sup>nd</sup> by Councilmember Roberts.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	<u>  x  </u>	___	___	___
COUNCILMEMBER: ALAN ROBERTS	<u>  x  </u>	___	___	___
COUNCILMEMBER: DANIELLE STIRLING	<u>  x  </u>	___	___	___
COUNCILMEMBER: LORRIE HUNSAKER	<u>  x  </u>	___	___	___
COUNCILMEMBER: STEPHEN WILSON	<u>  x  </u>	___	___	___

Motion Passed

9. Discussion Items:

- a. Mountain West Development Group, LLC Silver Eagle Proposed Development on Parcel L-3283-B-1-LS.

Mayor Peterson - This is the development that we just had the Public Hearing on and this is the opportunity for Town Council to raise any questions that they would like to make sure get investigated between now and when it would be put forth as an action item. As I mentioned there was a preliminary review and the applicant is working with the Fire District to address what their concerns might be. We also received Will Serve letters from natural gas and electricity and we also received a ruling from the Washington County Water Conservancy District with regard to the number of septic’s that would be permissible on this property, enhanced

septic's as well, that reduces the amount of Nitrogen in particular that goes into the ground. They did approve sixteen (16) of those enhanced systems, which we would need to ensure were part of the development. If it was traditional septic it would have only been for eight (8) lots. Council, are there other questions, concerns or comments that you would like to raise at this time?

Councilmember Stirling – I just wanted to introduce Mr. Zach Renstrom, who is the General Manager of the Washington County Water Conservancy District, who's going to be over the authority of the septic. If it would be okay with the Mayor if we could turn some time over to him just to explain to the citizens what exactly that means, what repercussions if any the town individuals will have or will not have. I'd like for him to explain that to those who have questions.

Mayor Peterson – If I could just mention one thing to make sure we are on the same page, those sixteen (16) that I mentioned are stand alone units that are not a community system. A community system would require a body politic, these will be sixteen (16) systems that are each operated by the up to sixteen (16) lot owners, fourteen (14) in this phase one.

Zach Renstrom – That was a great clarification. The Water District in addition to providing culinary water to citizens of Washington County, we have also been tasked with making sure that the septic systems and waste systems that have been installed through the County are done properly and that we are also protecting our drinking water. Whenever a subdivision goes in and if they don't have stand alone systems, they have multiple units going to one entity, the governmental body politic will take and run that. The Water District has done that in other locations in the County, we're willing to do that. With that said though we really always go to the City and get direction from what the City wants to do. If the city chooses something we always work directly with the City and would never do anything the City didn't want us to do. So on this one when different options have been looked at, we will look at that and talk to the City about what would be allowed. There was a study that was done in 1998 that talks about how we can allow systems to go in and still protect our groundwater and that's pretty much our governing document. If anybody has any questions I would be happy to answer them. As the Mayor spoke, since these would be stand alone units the Water District would not be running these particular systems. That being said, these stand alone systems will still need to go through us and the Health Department to make sure they meet all of the requirements.

Mayor Peterson – I will open it up with Council's approval, if you have no objections, about what Zach has just shared with us. Not hearing any, thank you very much for taking time out of your evening Zach. Is there

anyone on the Council that would like to make a comment regarding the development?

Councilmember Stirling – I just want to make sure I understand what you said, so in their letter a total of eight (8) lots with traditional septic systems on each lot, or sixteen (16) lots with the advanced septic systems on each lot that will reduce the effluent total nitrogen concentration. So either way Washington County Conservancy at this point has agreed to do the advanced septic system. Is that correct?

Mayor Peterson – That is correct because there are more than the eight lots here, so the traditional septic would not be acceptable, the enhanced septic is what would be required.

Councilmember Stirling – On the map it doesn't necessarily show any position for that, is that included from what I understand on the water service agreements that there are supposed to be water tanks. Is that included on any of the maps or any of the areas of plots? When does that need to be taken into consideration?

Mayor Peterson – It is when we get to the final plat and construction drawings that we ask that all utilities be specific as to where they would be located. I presume the applicant would look to work with the LDWA to satisfy the requirements. I believe that their Will Serve letter did contain several statements as to what would be required, it wasn't just a blanket approval, but subject to them satisfying the items there.

I may have missed, I noticed in the Chat there was a question about how high residential lots permit building? A two- and one-half story structure up to a maximum of thirty-five (35) feet in height from natural ground level. That was something that was just asked. Are there any other comments from members of Council about this development?

Mayor Peterson - I thank the applicants for their willingness to join us this evening and for sharing their thoughts and responses to some of the issues that were raised here. We will look forward to hearing some of the other details that have been raised in regard to things like the fire department review and all so that we can move this forward at a meeting sometime in the month of March.

Councilmember Stirling – Alan were you done talking?

Councilmember Roberts – No I was not, you go idle there for a minute Wayne. It has happened a couple of times, but doesn't last very long. So that everyone has a clear understanding, there is a lot of engineering still yet to come in on some preliminary and final plats. Applicants do need to have this conversation with the Body Politic and especially the input they hear from the Public Hearings, to bring about a successful project for them

and something that is beneficial to the Town. I would safely say that most people in the Town are supportive of the smaller density that is approached on this particular property. The challenge is going to be cleaning up the entrance to the property and getting that to the best condition that will be best for the access to that property. I know there has been a lot of conversation from other developers and stuff, but we need to look at what these particular developers who are presenting at this time. I've been locked in on that second egress, I know the Fire District is somewhat supportive of the smaller density with a single egress coming to that property. What you have to look at from the Town's perspective is smaller developments like this that could be adjacent to each other could bring about what we see over at Silver Reef Highlands, where we have limited access for the number of potential dwellings in that spot over there. I think it's important that we have some very good roadways, that encroaches on more of the property and is more costly to put that in but, we're talking about a single access that comes into a nice property on top, the access itself becomes the challenge. I want to make it very clear to the public that Susan Savage and her family have made it very clear with the two previous developers that have been on this project that that access that goes through their property is not an option.

Councilmember Stirling – Wayne, if you could bring up page number nine (9) in the Silver Eagle App PDF No. 1. I think that would help Loanne Barnes get a better bird's eye view of where this actually is, and I think it would help a lot of others to see the actual parcel that they're talking about. Loanne, I found a map of exactly where this parcel is, it gives Silver Meadows Road, it gives Vista and Babylon Mill Road. You can see where Silver Meadows Road goes right into it, does that make more sense?

Loanne Barnes – Yes it does, the access road to the property goes through Kevin and Alberta's land right? The big roundabout is actually going up their road is that right? Or does it belong to the Developers?

Councilmember Stirling – I believe that road was deeded to the Town on the original agreement, but Alan can probably give us a little more information.

Councilmember Roberts – That road is a Town Right of Way.

Loanne Barnes – Does that Right of Way go to the Top of the Hill?

Councilmember Roberts – No, it goes to the end of the pavement. The developers will be putting that road in, the road becomes Town... All of the roadways up there will be deeded over to the Municipality. That means we have to take care of it, but they're put in according to the Town standards.



Loanne Barnes – Okay, we have walked up that road a lot and ridden an ATV up that road and it is washing out and lots of boulders are coming off the top of the hill. That road is going to become a real problem for the Town unless that hill is stabilized.

Councilmember Roberts – The road will be put in proper before the Town takes ownership of it to mitigate problems or potential problems in the future.

Mayor Peterson – Anything further from Council? As I said this is something that will be moving forward over time here with additional information being submitted and gathered as well here.

b. General Plan Update Request for Proposal.

Mayor Peterson – I mentioned at our previous meeting on the 10<sup>th</sup> of February that we had gotten an extension until May of 2022. I have gotten from Scott Messel a format for the type of RFP that could be sent out and just wanted to share it with Council. I have requested a list of providers that the Five-County Association of Government think would be qualified providers for this. As well as the Dixie Metropolitan Planning Organization, which is part of our actual sponsorship with regard to grants, in order to make sure that we have someone that is well qualified for both the traffic study as well as the General Plan portion of it. Does Council have any comments on the general format that was shared via email in advance of the meeting?

Councilmember Roberts – I'm supportive of what you've sent.

Councilmember Hunsaker – I am too.

Mayor Peterson – If there are no concerns then I will look to get that formalized and have it at our first meeting in March, so we can officially designate how we are going to launch that and get the process going.

c. 2020-2021 Second Quarter Budget Report

Mayor Peterson – Thanks to Aseneth for pulling this together. The actual numbers are coming in quite favorable at this point. The time that we were preparing the budget was in the early portion of the second quarter of last year. There was a lot of concern about what might be happening to sales tax revenue in particular as a result of the economic activity being impacted by Covid-19. Things have actually recovered across the State of Utah. I've heard it's been the best recovery of any state or the second best. As a result of that, our revenues from sales tax are now, only half way through the year, exceeding what we budgeted for the full year. We

were conservative on that. We should expect to see additional revenues coming in on sales tax that should give us a bit of a surplus there which would be a nice cushion to have. Our interest income is coming in a bit low, but the shortfall in interest income that we might be looking at, at this point, would be about \$4,000, whereas sales tax, if it continues at the current pace, could be a positive of \$60,000 to \$70,000. I'm not overly concerned about the lower interest, and I think that's helpful to the overall economic activity. Unemployment was announced at a meeting I was at this week at 5% here in Washington County, and they are hoping to get things to better levels still. The National Parks, Zion National Park, in January reported the best January attendance they have ever had. That makes it five (5) consecutive months that they have set a record for that particular month. Our expenditures have been down as some of our normal activities that we hold, we haven't been able to, such as the Fourth of July which we kept in the Budget so it wouldn't be a challenge in future years to adjust for that. Right now we do have some Grant money that comes into play, but if you were to look at our total revenues at this point we've taken in about 34% of what we budgeted, but a lot of that is driven by grants that we will be getting later in the year. So that's in very good shape, especially when you compare it to our total expenses that we've incurred at this point. Relative to our budgeted expenses, which include those kind of grant expenditures that haven't been made; we've only spent a little over 12% of the expense budget. We are in very good financial shape at this point and we will continue to monitor this. We will be getting a third quarter report and at that time we will be looking to budget for the 2021 - 2022 fiscal year. Our fiscal year begins July 1<sup>st</sup> and ends June 30<sup>th</sup>. Are there any questions this evening from Council regarding the Budget report? I would also welcome you to contact me individually if there is a particular item you don't feel should be raised right now for whatever reason, but you would like more information on. Hearing none on that we will move on with the agenda.

#### 10. Citizen Comments:

Kerry Bennion – Relative to the comment made earlier about the Blu Can pick up which is occurring later this week, you mentioned paperwork was completed late last year. Is there a process for those that did not fill out paperwork late last year but now have need to return a can?

Mayor Peterson – If you did not submit, it was a one-time Opt Out period so if you did not submit the paperwork between September 1<sup>st</sup> and November 30<sup>th</sup> it is not available for the length of the contract, which is a ten-year contract.

Kerry Bennion – I ask the question because of an acquisition of a property that currently has the Blu Can but it's not needed.

Mayor Peterson – With any acquisition of a new property, unless someone is moving from one property in the Town of Leeds to another and they had previously Opted Out on the property they were living on that they've now moved from; that's the only circumstance where a new purchase of a property, either new construction or an existing home bought by a new purchaser, allows for opting out of Blu Can, as this was part of the contract that was agreed to with Washington County Solid Waste.

Kevin Lee – I haven't seen a lot of the preliminaries of the Subdivision, but I'll tell you that the more I look at it, the more I think about it, as I say I'm involved with the properties on the west and the east side and I'm actually very thrilled with what I see. I really like the fact that they are doing everything they can to not encroach on other people's rights or properties, the low densities, and I just wanted to put in my comment that I'm pretty thrilled at how it is looking right now.

Mayor Peterson – I have a question in the Chat, and yes audio recordings are kept from meetings and once the minutes have been prepared we can make it available. You can bring in a thumb drive to Town Hall and we are able to make a copy for you. Unfortunately, it's so large our email does not work for that.

Angela Rohr – Just a comment to Steve and Devin, in their process of getting everything set up with three acre lots I would recommend that you push for Rural Residential instead of Residential. With three acres a person could have one large animal or four small ones like chickens. At some point in your lifestyle you may need a goat to feed a child that is lactose intolerant. Or you might like to have some eggs and if you set yourself up with Residential you will be shut out from that on our current animal policies. I'm hoping that Lorrie will finally get together with me and maybe Sharon to work out some of these animal problems.

Councilmember Hunsaker – Ange I did meet with you and I'm looking forward to the group meeting with Sharon. It is in the Planning Commission's hands and they are the ones that have to call a meeting. So, if you could put a bug in their ear, I think we could move right along.

## 11. Staff Reports:

Mayor Peterson – With the approval of the J & J vaccine, which they were anticipating, the hope in the State of Utah is that the allocation of doses will be growing to the State to 250,000 doses by the end of March on a weekly basis. Currently we are getting about 3,000 doses a week to distribute here in Southwest Utah. That will be a many fold increase, between 8 and 10 times the amount, so don't give up for those that have been going through the frustrating process of trying to sign up for a vaccine. Over the next few weeks here, things should be improving and it is hoped that we will be able to provide an awful lot more of that vaccine into those that are interested in it in the near term. That

doesn't mean we will be done, but we will be making much better progress if things hold according to that plan.

12. Closed Meeting: None

13. Roll Call Vote to Close Electronic Meeting.

ROLL CALL to END ELECTRONIC MEETING:

	Present	Absent
MAYOR: WAYNE PETERSON	<u>  x  </u>	<u>      </u>
COUNCILMEMBER: ALAN ROBERTS	<u>  x  </u>	<u>      </u>
COUNCILMEMBER: DANIELLE STIRLING	<u>  x  </u>	<u>      </u>
COUNCILMEMBER: LORRIE HUNSAKER	<u>  x  </u>	<u>      </u>
COUNCILMEMBER: STEPHEN WILSON	<u>  x  </u>	<u>      </u>

Mayor Peterson – I understand that we did have some audio cutting out, I've received some messages about that. We may be back to people that made comments if we need to fill in some blanks here if the recording didn't pick up the essence of what you were saying.

Meeting adjourned at 8:15 PM

Approved this 10<sup>th</sup> day of March, 2021



Wayne Peterson, Mayor

ATTEST:



Aseneth Steed, Clerk/Recorder