

PUBLIC NOTICE
TOWN OF LEEDS
TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting and Public Hearing on, **Wednesday, April 9, 2003,**
at the Leeds Town Hall, 218 North Main Street at **7:00 p.m.**

Public welcome to attend.

AGENDA

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes of March 26, 2003.
5. Jared Westhoff
Request preliminary plat approval for a 10 lot subdivision at approximately 162 E. Vista.
6. Roseann Campbell
Discuss the Towns concerns about renting out her basement.
7. Public Hearing (Motion to open and close)
Brant Jones request approval of a zone change for property located at approximately 955 Wonder Lane. The property is currently zoned R-R-2 and the request is to change a portion of the property to General Commercial to allow for mini storage units.
8. Action on public hearing.
9. Public Hearing (Motion to open and close)
Approval of Ordinance #03-01 amending the Zoning/Subdivision Ordinance Chapter 2, Section Nos. 2-1, 2-4, 2-6, 2-8 and Chapter 3, Section Nos. 3-1 and 3-2, concerning the Planning Commission and Board of Adjustments.
10. Action on Public Hearing
11. Council Member Darrell Nelson
Planning Commission Items:
 - a) Alberta Lee Pace-Request a zone change for property located at approximately 700 N Main Street. The property is currently zoned General Commercial and the request is to change a portion of the property to R-1-20 Single Family Residential District.
 - b) Clint Peterson represented by Eric Early-Request a zone change for property located by the South bound on ramp on Cemetery Road. The property is currently zoned R-R-1 and the request is to change the zone to General Commercial to allow for mini storage units.
 - c) Tom Durrant-DeVon Howard -Request building permit for Quality Wholesale Homes storage facility at 600 N. Main Street.
12. Council Member Gloria Parnell
Jim Raines-Bush and Gudgell survey of Leeds Town roads.
13. Mayor Norma Gier
Public Hearing date has been set for Master Annexation Plan
Policy change on renting Town facilities.
14. Council Member Jan Madison
15. Adjournment

POSTED THIS 8TH DAY OF APRIL 2003


Joy Stevens, Clerk/Recorder

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Waltons Plaza

THIS NOTICE MUST BE POSTED UNTIL APRIL 10, 2003. IS AGAINST UTAH STATE LAW TO REMOVE BEFORE DATE INDICATED.

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Joy Stevens at 879-2447 at least 48 hours prior to the meeting.

TOWN OF LEEDS

Minutes of the Town Council Meeting and Public Hearing
April 9, 2003

1. CALL TO ORDER:

Mayor Norma Gier called the meeting to order at 7:05 p.m.

2. ROLL CALL:

Present was Mayor Norma Gier, Council Members Darrell Nelson Jan Madison and Gloria Parnell. Also present was Attorney Heath Snow. Council Member Alene Cuff ^{WPA} were excused.

3. PLEDGE:

Jan Madison

4. APPROVAL OF AGENDA AND MINUTES OF MARCH 26, 2003:

Motion by Jan Madison to approve the agenda striking items # 5 and # 7 and approve the minutes of March 12, 2003. Seconded by Gloria Parnell. Passed unanimously.

5. JARED WESTHOFF:

Westhoff requested this item be tabled.

6. ROSEANN CAMPBELL:

Discuss the Towns concerns about renting out her basement. Ms. Campbell said she received a letter from the Mayor concerning a zone violation. Campbell is in a single family residential zone and would like to rent her basement out. Ms. Campbell asked the Council for a variance to allow her to do so. Attorney Snow informed Campbell that the Council does not consider variances. The Board of Adjustments considers variances. Ms. Campbell said she has had disruptions because of the stock market and needs the income and when she is not at home she would like to have some one watching over the property. Jan Madison said it is a single family zone and the Campbell's knew that when they chose to build their home there. Mayor Gier said there are probably a lot of people who would like to rent out a room or basement for additional income. However, they are in a single family zone and everyone has to comply with the ordinances. Attorney Snow said the single family zone would not allow for the rental of the basement even by conditional use. Snow read the reasons for applying to the Board of Adjustments for a variance and stated that in order to get a variance Campbells would have to show a hardship that was not created by themselves on the property. The Campbells had no other questions or comments.

7. PUBLIC HEARING:

Zone change request by Brant Jones. Brant Jones was ill and asked for another public hearing date. The Council set May 14, 2003 for the public hearing.

8. ACTION ON PUBLIC HEARING:

N/A

9. PUBLIC HEARING:

Approval of Ordinance #03-01 amending the Zoning/Subdivision Ordinance Chapter 2, Section Nos. 2-1, 2-4, 2-6, 2-8 and Chapter 3, Section Nos. 3-1 and 3-2, concerning the Planning Commission and Board of Adjustments. Motion by Jan Madison to open the public hearing. Seconded by Gloria Parnell. Passed unanimously.

Mayor Gier opened the public hearing up for comments from the audience. Dave Harbour asked for clarification on the ordinance where it states that members serving on a town board cannot hold more than one town board position. Attorney Snow clarified that boards only pertained to town boards-not special service districts or water boards. Snow said it is very uncommon to have members on the Planning Commission and Board of Adjustments who are not residents of the Town. Mayor Gier said she surveyed 11 communities in Leeds area and their board members are all residents of their community. Eric Early said he doesn't like excluding people who live in areas outside of the town limits. There were no more comments from residents or the Town Council. Motion by Darrell Nelson to close the public hearing. Seconded by Gloria Parnell. Passed unanimously.

10. ACTION ON PUBLIC HEARING:

Mayor Gier said the Council has had time to read the ordinance and called for a motion. Motion by Jan Madison to approve Ordinance #03-01 and since Council Member Darrell Nelson would no longer be a voting member-effective immediately-the rest of the board members who do not live in Leeds should also be replaced immediately. Mayor Gier said it occurs to her that one of the requirements of the Town Council is that they be residents for 12 months and felt the same requirement should also apply to the Planning Commission and Board of Adjustments. Mayor said she would like to have that added to the motion. Jan Madison amended her motion. Motion by Jan Madison to approve Ordinance #03-01 with the changes that public office means "town government boards" and that board members be Leeds Town property owners and Leeds residents for at least 12 months. Members on the boards who are not Leeds Town property owners and who have not been Leeds residents for at least 12 months will be replaced immediately. Seconded by Gloria Parnell. Roll call vote. All aye votes. Motion passed unanimously.

11. COUNCIL MEMBER DARRELL NELSON:

Nelson informed the Council that the recommended changes have been made to the Annexation Policy Plan. Nelson handed out copies of the map for the Council to review before the public hearing on April 23, 2003.

Planning Commission Items:

1. **Alberta Lee Pace-Request a zone change for property located at approximately 700 N Main Street. The property is currently zoned General Commercial and the request is to change a portion of the property to R-1-20 Single Family Residential District.** Pace explained her request to the Council. She wants to split the 8 acres into 5 parcels. Lot 1 will remain General Commercial and lots 2,3,4, and 5 will change to R-1-20. Pace said she purchased the property for access to adjacent land she owns just north of Roundy Mountain Road. The 8 acres fronts on the east side of Old Hwy. 91. Frontage is approximately 90 feet. Pace proposed an improved road with 56' easement through the middle of the property. The Planning Commission recommended approval of the zone change. The Council set May 14, 2003, at 7:00 p.m. for the zone change public hearing.

2. Clint Peterson represented by Eric Early-Request a zone change for property located by the South bound on ramp on Cemetery Road. The property is currently zoned R-R-1 and the request is to change the zone to General Commercial to allow for mini storage units.

Nelson explained the location of the property. Nelson said part or all of the property is within the County Flood Plain. The Planning Commission recommended approval contingent upon a letter from an engineer and a letter from Housing and Urban Development for approval of the storage units being put in on the property since it is located in a flood zone, and conditioned upon a fire protection plan, hydrant and etc. Mr. Early said he also asked the Planning Commission for a conditional use permit for the mini storage units. Attorney Snow stated a conditional use permit should be applied for at a later date since that would hinge upon the zone change being approved first. The Council set May 14, 2003, at 7:00 p.m. for the zone change public hearing.

3. Tom Durant-Request a building permit for Quality Wholesale Homes storage facility at 600 N Main Street. Nelson informed the Council that the Planning Commission tabled this item since Quality Wholesale Homes has yet to comply with previous violations. (See attached)

12. COUNCIL MEMBER GLORIA PARNELL:

Jim Raines-Bush and Gudgell survey of Leeds Town roads. Parnell introduced Mr. Raines and turned the time over to him. Raines said the road survey is completed. He said the biggest problem they had with the survey was the difference between the 1877 and the 1983 recorded maps. He said in 1877 the original corners were put in and they are the best evidence of where the property lines are. Raines said the way surveying and the law works is that the original corners hold. Raines said Mt. View Road is 33' and there are encroachments as much as 7' on the roadway. Berry Lane goes through Sullivan's field and to the hill. West Center Street can be established and claimed for prescriptive right of way back 20 or 30 years and since the freeway went in there has been a 12' or 14' dirt lane that went down and under the freeway which he will show on the survey. Raines said the next step is to submit the survey to the Planning Commission and hold a public hearing so it can then be recorded. Parnell said she will meet with Raines and put together general information before the public hearing.

13. COUNCIL MEMBER JAN MADISON:

Madison said the restrooms at the park now have the partitions in and are completed. She would like to have a certificate of recognition given to George Fridell and Ed Madison for all of their hard work.

Madison said Ed will be resigning as a Town employee at the end of April.

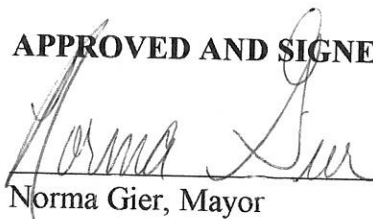
14. MAYOR NORMA GIER:

Policy change on renting Town facilities. Mayor said we are in need of a policy change concerning the rental of the Town Hall and Pavilion. The Council discussed concerns about renting out Town Hall. Town Hall now has chairs that are permanent and do not fold up. Also the fee for the Pavilion is not enough to even cover administrative costs. Motion by Mayor Gier to change the policy concerning the Town Hall. Town Hall will no longer be rented out for anything other than government, water boards, special service districts and other governing boards meetings. The Pavilion rental and reservation will require a \$100 cleaning deposit. Residents will be charged \$25 for the first 3 hours of use and \$10 for each hour thereafter. Non-residents will be charged \$50 for the first 3 hours and \$15 for each hour thereafter. The Pavilion will not be reserved for use after 10 p.m. Second by Gloria Parnell. Roll call vote. All aye votes. Motion passed unanimously.

15. ADJOURNMENT:

The meeting adjourned at 9:10 p.m.

APPROVED AND SIGNED THIS 23RD DAY OF APRIL 2003



Norma Gier, Mayor



attest: Joy Stevens, Clerk/Recorder

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL WORK SESSION

Leeds Town Council will hold a work session on **Tuesday, April 22, 2003**, at the Leeds Town Hall, 218 North Main Street at **6:00 p.m.** The work session is being held to work on updating Town ordinances and polices, updating the General Plan and surveying Town roads. Public is welcome to attend.

POSTED THIS 21ST DAY OF APRIL 2003


Joy Stevens, Clerk/Recorder

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Waltons Plaza

THIS NOTICE MUST BE POSTED UNTIL APRIL 23, 2003. IT IS AGAINST UTAH STATE LAW TO REMOVE BEFORE DATE INDICATED.

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Joy Stevens at 879-2447 at least 48 hours prior to the meeting.

TOWN OF LEEDS

Minutes for the Town Council Work Session on
April 23, 2003
2

1. CALL TO ORDER:

Mayor Norma Gier called the meeting to order at 6:00 p.m.

2. ROLL CALL:

Present was Mayor Norma Gier, Council Members Gloria Parnell, and Darrell Nelson.

3. WORK SESSION:

Items Discussed:

1. Ordinances and Polices. Council discussed various ordinances and policies that need to be reviewed and updated.

2. Road Survey. Council Member Parnell informed the Council that she has met with Jim Raines of Bush and Gudgell Engineering and the next step will be to set public hearing dates for the Planning Commission and the Town Council.

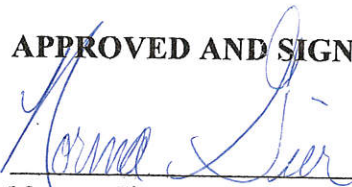
3. Updating the General Plan. Council discussed updating the General Plan. The General Plan was last updated in 1995.

The Council discussed the value of training. Mayor Gier stated she would like to have training made available for the new Planning Commission, Board of Adjustment and Town Council members when they take office tomorrow night. Clerk/Recorder Joy Stevens said Kurt Hutchings from Five County has offered to train on land use issues.

4. ADJOURNMENT:

The meeting adjourned at 8:05 p.m.

APPROVED AND SIGNED THIS 14TH DAY OF MAY 2003



Norma Gier, Mayor



attest Joy Stevens, Clerk/Recorder

**Town of Leeds
218 N. Main P.O. Box 879
Leeds, Utah 84746**

NOTICE OF PUBLIC HEARING

Town of Leeds Town Council will hold a public hearing on Wednesday April 23, 2003 at 7:00 p.m. at the Leeds Town Hall, 218 N Main Street. The public hearing will be held to accept comments on the proposed Town of Leeds Annexation Policy Plan. The public is encouraged to attend.

POSTED THIS 8TH DAY OF APRIL 2003


Joy Stevens, Clerk/Recorder

Posted in the following public places:

- 1. Leeds Town Hall**
- 2. Leeds Post Office**
- 3. Waltons Plaza**

THIS NOTICE MUST BE POSTED UNTIL APRIL 24, 2003. IT IS AGAINST UTAH STATE LAW TO REMOVE BEFORE DATE INDICATED.

In compliance with the Americans with Disabilities Act, 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 Town Hall at 879-2447 at least 48 hours prior to the meeting.

**TOWN OF LEEDS PUBLIC HEARING
ATTENDANCE SIGN-IN SHEET**

DATE: April 23, 2009

PLEASE PRINT NAME AND ADDRESS

1. Donna Nelson 95 E. Mulberry Lane
2. Alice Franks 40 E. Vista Ave Leeds, UT
3. Don Franks " " " " "
4. June Schuer
5. Bill Bryant 210 S. Valley Rd.
6. Nancy Bryant " "
7. Charles & Deborah
8. ROBERT K POWELL 604 MESA VIEW LN TOQUERUILLE
9. WAYNE M HEPWORTH 1455 N. MOUNTAIN VIEW
10. DAVE J. HARBOUR 1069 BONANZARA
11. Dean R Brown 2025 Well Fargo Drive
12. Greg Palmer 58 Berry Ln
13. BAILEY MUIR 201 N. Main Leeds-
14. MELVIN EVANS 221 N. SILVER MEADOWS RD., LEEDS
15. Mike Kelley 211 W main st Leeds
16. KAT BUNICK 788 E2 DORADO CRT, LEEDS
17. Patrice St. Germain The Spectrum -
18. Carolyn Sturtevant Leeds, Utah
19. Deborah Sturtevant " "
20. MERRY Worthen 1400 N. 75 East Leeds
LeGrand Forsyth 975 Valley Rd Leeds

TOWN OF LEEDS

CITIZEN/PUBLIC HEARING COMMENT FORM

One of the most important parts of Town Council meetings is the opportunity for citizens to speak to the Council either as part of a public hearing, where a specific issue is being considered or, during public comments/other business, where any issue may be presented. In an effort to have an orderly meeting and to ensure the rights of others please follow these rules governing public comments at Town Council meetings:

1. This public comment form must be completed and submitted to the Town Clerk/Recorder by anyone wishing to speak.
2. Clearly state your name and address for the record.
3. Observe the stated time limit (3 minutes) given for remarks.
4. Speak only to the Council.
5. Follow directives that may be given by the Mayor. In addition to these rules, speakers are encouraged to be specific in their remarks.

NAME: ROBERT K POWELL DATE: 4-23-03

ADDRESS: 604 MESA VIEW LN, TOQUERVILLE

I wish to address the Council during the public hearing regarding: ANNEXATION PLAN

I wish to address the Council during public comments/other business regarding: _____

Note: all citizens attending Council meetings will be expected to respect the rights of others by refraining from any open display of support or opposition to the remarks of any speaker, or open demonstration thereof. Anyone not complying with these rules of procedure may be asked to leave the meeting.

I have read and agree to abide by the rules listed above.

Signed by: _____

(This form is not complete unless signed)

Thank you for taking the time to complete this form. In accordance with Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation to participate in the meeting. Request for assistance can be made by calling 879-2447 at least 48 hours in advance of the meeting to be attended.

Date: April 17th 2003

To: Mayor Norma Geir
The Town Council
The Planning Commission

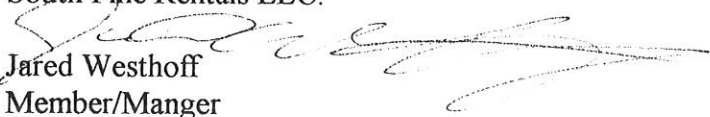
Dear Town of Leeds,

The purpose of this letter is to withdraw South Pine Rentals application for a Subdivision at approximately 162 E. Vista Avenue.

I wish to express our thanks to the Mayor, Council, and Commission for the time in which they volunteer to help make our town a better place.

It is our hope that in the future we can work together on other projects that will also protect and enhance the integrity of existing homes and rural neighborhoods so as to add value and consistency to our community.

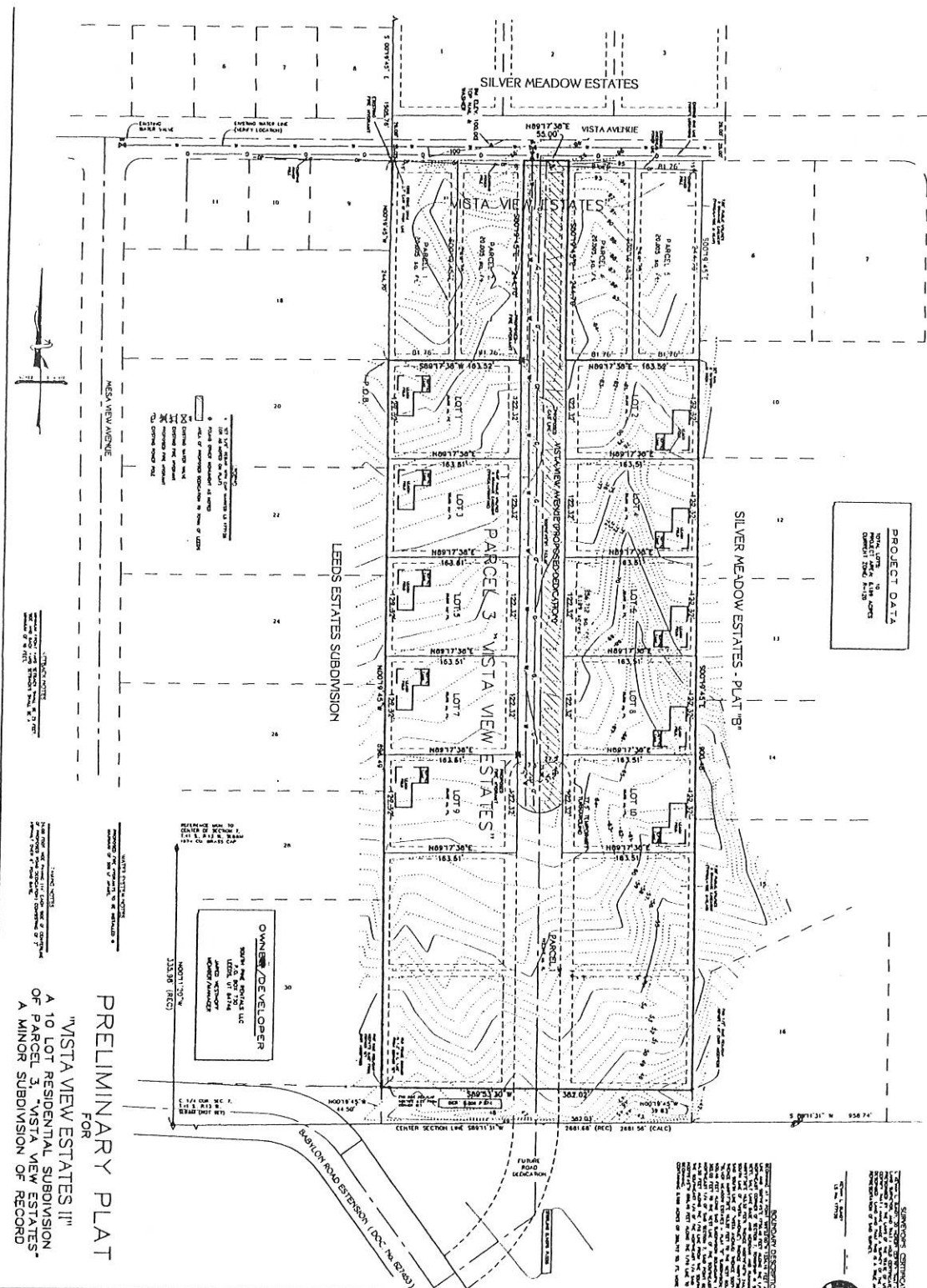
Sincerely,
South Pine Rentals LLC.


Jared Westhoff
Member/Manger



Vista View Subdivision

South Pine Rentals LLC is presenting a 10-lot subdivision that is in full compliance with the subdivision ordinance. South Pine Rentals LLC is asking that the Planning Commission look over the plan and recommend approval to the town council with a further recommendation to the council to consider waving the 800 foot cul-de-sac rule, as it has been the practice of the Leeds Town Council to do so for the past ten years, so the road can extend to the properties edge so as to be in full compliance with the general plan, making the subdivision a 14 lot development.



PROJECT DATA
 THIS PLAT IS FOR
 PARCEL 3, VISTA VIEW ESTATES
 LEEDS ESTATES II

PRELIMINARY PLAT
 FOR
VISTA VIEW ESTATES II'
 A 10 LOT RESIDENTIAL SUBDIVISION
 OF PARCEL 3, VISTA VIEW ESTATES -
 A MINOR SUBDIVISION OF RECORD

OWNER/DEVELOPER
 SUNNY MEADOWS LLC
 LEEDS ESTATES II
 11111 11111
 11111 11111

**MASTER POLICY DECLARATION
FOR THE TOWN OF LEEDS, UTAH
2003**

This policy declaration is to indicate the projected area of expansion that the Town of Leeds will follow in the ensuing years. The town will not include within the boundaries any other incorporated municipality. It will not create unincorporated islands or peninsulas where it can be avoided for the good of the town, within the boundary of Leeds.

A. MAP & LEGAL DESCRIPTION:

1. The legal description of the unincorporated areas proposed for eventual expansion are:
 - T. 40S., R.13W. Sec's 31, 32. South 1/2 Sec's 29, 33.
 - T. 41S., R.13W. Sec's 4 - 9, 16 - 19, and unincorporated portions of Sec's 20, 21, 22, 27 - 30, north of the Virgin River.
 - T. 41S., R.14W. Sec 1, excluding NW 1/4. Sec's 12 - 16, 21, 22, 24, 28, and unincorporated portions of 23, 25, 26, 27, 33, 34, North of I-15.
2. A map showing the proposed areas of expansion and the relationship of the area to the existing town is attached hereto as exhibit "A."

B. STATEMENTS:

1. This policy declaration conforms to 10-2-414, Utah Code annotated as follows:
 - a. The collective area of the various sections involved is contiguous to the incorporated Town of Leeds.
 - b. The territory shown in ITEM A (1) is the area projected for expansion. It will be the direction of projected residential and commercial growth as a result of Quail Creek and Ash Creek reservoirs along with controlled development of environmentally sensitive areas.
 - c. The territory is not included within the boundaries of another incorporated municipality.
 - d. The annexation potential will not create any islands or peninsulas, where practical, as the projected areas follow section lines.

- e. Any annexation to be consummated at a future date will not be for the sole purpose of acquiring revenue, but rather to protect the Town of Leeds from encroachment by other entities into its sphere of influence.
- f. The proposed area for the purpose of this declaration includes potential annexations of approximately 59,000 acres bordering around the Town of Leeds as indicated in item "A". Any annexations will, upon development, require a 8" water line with fire hydrants located at 500 foot inter-vals, after agreement with the Leeds Domestic Waterusers Association or other State approved water systems serving the development area. The developers of any of the territory will be liable for the expense of installation of said line. Upon completion the line will be turned over to the Public Water System free and clear of all encumbrances. All work to be done under supervision of the Public Water System and Utah State D.E.Q. while concurring with State specifications.
- g. Part of the projected area could possibly qualify for Urban development according to definition found in 10-1-104 (11) U.C.A.
- h. The boundaries of the projected areas may not always conform to natural topography such as rivers and highways but rather to full 1/4 sections.
- i. The social, economic, and land use character-istics will be projected in an updated Master Plan for the Town of Leeds. Any land use will depend on the circumstances surrounding any individual annexation of a given portion of the projected land mass.
- j. Said additions are unurbanized and unincorp-orated. In accordance with legislative policy, the occupants of any future annexed land will have a voice in the selection of their government and will be able to secure the needed utilities, upon confirmation and agreement with the individual companies.

2. THE CHARACTER OF THE COMMUNITY:

At the present time, Leeds maintains a rural atmosphere with 1/2 to 2 acre lots within the township. Continued growth will continue at low density. Growth in each direction, as noted, in the commercial industrial and residential or farming vanes is anticipated as a result of Quail Creek and Ash Creek reservoirs within the foreseeable future. It is also anticipated new residents will be moving to the area to be near the recreation to be offered at the reservoirs in a scenic natural setting.

3. THE INTEREST OF THE AFFECTED CITIZENS AND ENTITIES IN THE PROJECTED EXPANSION:

- a. Those citizens who live in Leeds could be impacted by future annexations. Utility Companies are expected to provide needed services as the land is developed at a developers expense. The Town will be obligated to main-tain any improved and dedicated streets created by developers upon acceptance by the Town Council.
- b. The area will, by virtue of criteria prev-iously set, receive the benefit of fire protection, Planning, Zoning and potential availability of irrigation water for future development as a result of the projected and bonded Ash Creek reservoir.
- c. To the extent that there are people in the area who have agricultural interests, there are at present adequate agricultural zones avail-able within the Town of Leeds boundary plus potential agricultural land within the scope of this policy declaration. However, much of the potential annexations will be used for other purposes such as commercial, industrial, residential, open space, recreational, and environmental protection as the area is annexed.
- d. If Leeds cannot have an area set aside for future potential expansion, it will as a town, stagnate and other entities and municipalities could close in on our present city limits, leaving Leeds nowhere in which to expand as the potential population growth in this area increases as a result of the recreational possibilities projected by the Quail Creek and Ash Creek reservoirs. Leeds will need to expand in all directions as illustrated, for purposes mentioned in 3c. above.
- e. The area concerned with in this Declaration could conceivably run into the millions of dollars, which eventually would substantially increase the tax base of the community.
- f. The area provides substantial possibilities for development which will benefit Leeds by generating tax revenue, sales tax potential and franchise tax from utilities.
- g. Any culinary water to be provided at developer's expense, either from a private source or agree-ment with the Leeds Domestic Waterusers Associa-tion or other approved Water System.
- h. The Township currently relies upon on-site waste water disposal systems, as a public sewer system has not been economically feasible up to this time. A public sewer system may be considered in the future with an expanded service base. Any such system would be engineered and constructed in accordance with all applicable codes and regulations and be administered by an appropriate body politic.
- I. Community services such as fire protection, law enforcement protection, solid waste collection, metered culinary water service, and public parks may be significantly impacted by future annexations. Even though these services are expected to be sustained by the increased tax and service fee base, initial impact fees may need to be considered.

A GENERAL DESCRIPTION OF THE LAND USE THROUGHOUT THE PROPOSED AREA FOR EXPANSION:

- a. The area proposed for future annexation has various uses:
 - (1) A substantial portion of the area is open space consisting of arid ground, rocks, and sage brush. There are various owners consisting of private land owners, BLM land, National Forest, and State lands.
 - (2) The density of the area in the foreseeable future would approach high density only in association with public sewer, otherwise, low density development would continue.

5. HOW THE PROPOSED EXPANSION FITS THE GENERAL PLAN OF THE DEVELOPMENT OF THE TOWN:

- a.. The town's ability to expand in a commercial or industrial mode and thereby giving employment to the local professional and the non-professional residents may be enhanced by outside influences such as Quail Creek and Ash Creek reservoirs. Leeds can accommodate medical offices, movie studios, office space for other entities such as a grocery store or restaurant. Manufacturing and warehousing could also be accommodated with sensible zoning and land use.

6. THE NEED OF MUNICIPAL SERVICES IN THE PROPOSED EXPANSION:

- a. Contact with the various utility companies would be required and agreements made before the developer could continue.
- b. There is no sanitary sewer within the area proposed for expansion. The commercial and residential would have to rely upon the Utah Health Dept. approved Septic tanks and installation. As the area develops the cost of any other services will have to be borne by the individual property owners.
- c. Pursuant to the present agreement between the Leeds Town and Utah Power and Light, any electrical power needs will be provided by the Utah Power and Light Co. In the event that Leeds should go municipal on the power, Leeds will then provide all power.
- d. Street construction will be according to Leeds specifications with all initial expense being paid by the developer. At the conclusion of any project, the street will be turned over to the Town of Leeds free and clear of all encumbrances. The Town of Leeds will be obligated henceforth to maintain said street.

- e. Present police protection is provided by the Leeds Police Department.
 - f. Fire protection is presently available through the Leeds Area Special Services District and is rated for insurance purposes as ISO 6. This protection would be afforded any area annexed as described under Section A, Item 1 of this declaration.
 - g. Telephone service will be the responsibility of Qwest Telephone Co. Sufficient lead time would be re-quired as there is no cabling supplied to the area and easements would need to be negotiated with land owners.
 - h. Should any future resident or occupants of the area described in Section A, Item 1 desire other municipal services or improvements, which have not been mentioned herein, such as street lights, curb and gutter, etc., the cost would be borne by the requesting individual or with the help of a special improvement district.
7. A PLAN AND TIME FOR EXPANSION OF MUNICIPAL SERVICES AND HOW THE EXTENSION OF SERVICE WILL BE FINANCED:
- a. In the area where municipal services are not presently extended, services will be extended and financed by the individual developer or property owner.
 - b. In the event the town is liable for any service it will be financed by Block Grants or by low interest loans when available.
8. AN ESTIMATE OF THE TAX CONSEQUENCES OF THE PROPOSED EXPANSION TO THE RESIDENTS IN THE AREA:
- a. The owners and residents within the area to be annexed:
 - (1) The present mill levy is .089 mills. It is hard to estimate the final money value because of the variables involved; but it could event-ually mean several thousand dollars of added tax revenue for the Town of Leeds.
 - b. Residents of the Town of Leeds:
 - (2) The Town does not anticipate at this time an increase in the mill levy as a result of any annexation, as any new capital assets will be paid for by the developer and the assets will all be new.
9. A PLAN FOR PROPOSED SOLUTIONS AND A FINANCIAL RESPONSIBILITY FOR ANY SPECIAL PROBLEMS WHICH MAY BECOME EVIDENT WITH CHANGE IN LAND USES THAT MAY RESULT FROM ANNEXATIONS, BUT NOT LIMITED TO:

a. IRRIGATION WATER:

- (1) Irrigation water is presently provided by the Leeds Water Co., however, supply is limited and the opportunity for buying shares is extremely marginal at this time. The best chance of irrigation water in the foreseeable future would be through the ASH CREEK project.

b. TOPOGRAPHY:

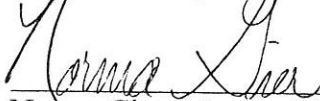
- (1) Any change in topography which is not prohibited by town protective ordinances, would be borne by the developer. The topography varies from flat or gradual inclines to hillsides and rocky cliffs, much of which is undeveloped and arid land.

c. GEOLOGY, SOIL CONDITIONS AND UNDERGROUND WATER TABLES:

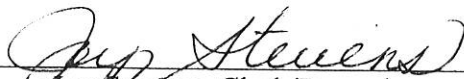
- (1) Great variation in geological and soil conditions have been demonstrated throughout this area: Granite boulders, sand, loamy soil, basalt lava flow, shallow alluvial sands over bedrock caliche carbonates and gypsum. Density of development will depend on these soil conditions and other factors.
- (2) A cooperative underground water protection study by Washington County Planning Dept. and Utah State Dept. of Environmental Quality (D.E.Q.) states that development within the Leeds Basin should be restricted to 8 to 10 acres per residence. Annexation would allow for protection of sensitive aquifer recharge areas.

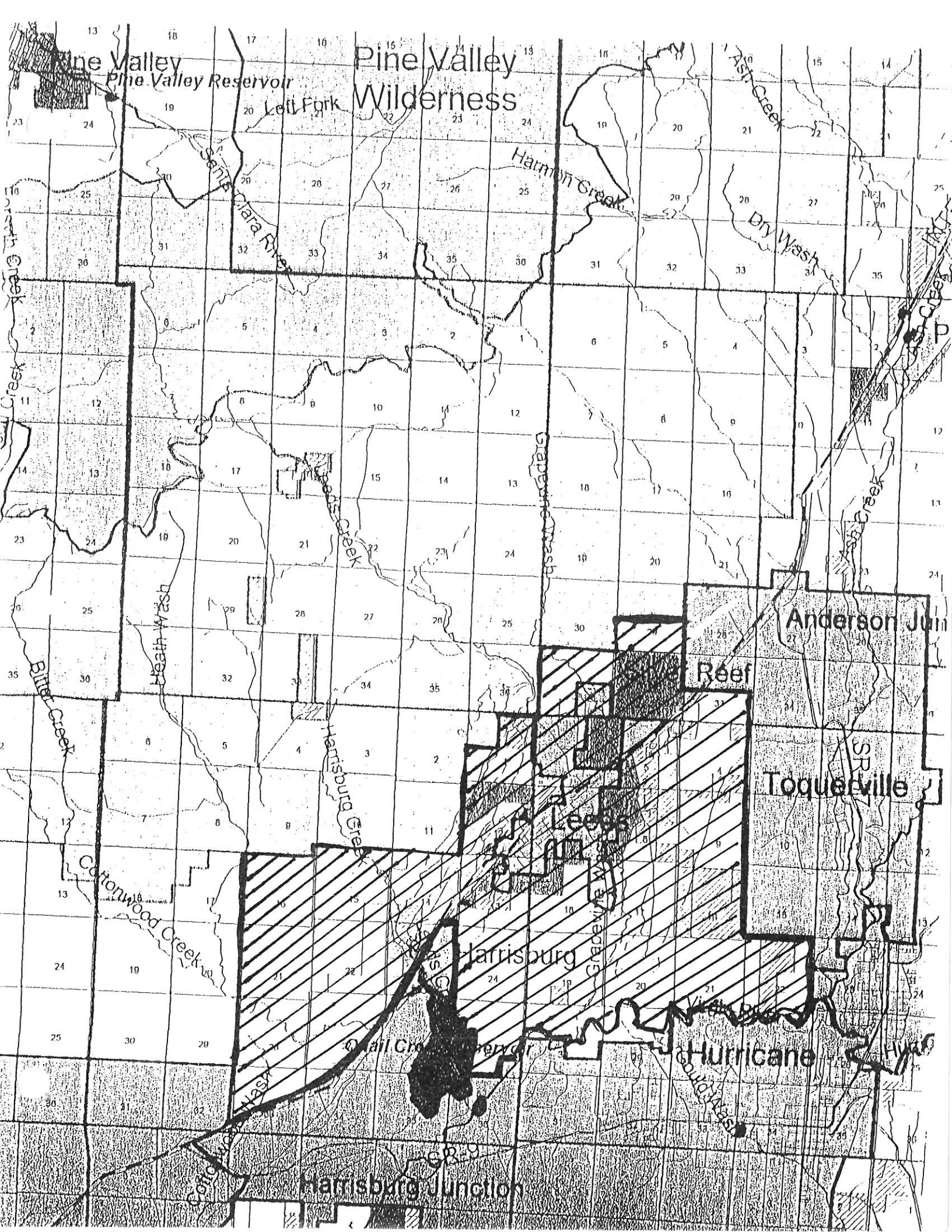
10. DISCLAIMER: The Town of Leeds cannot guarantee approval of every annexation applicant upon request, or guarantee desired use of property within a requested annexation, that may conflict with legal, environmental, socio-economic, or other community issues.

Signed This 23 Day of April, 2003



Norma Gier, Mayor of the Town of Leeds, Utah


Joy Stevens, Clerk/Recorder



Pine Valley
Pine Valley Reservoir

Pine Valley
Wilderness

Left Fork

Santa Clara River

Harmon Creek

1st Creek

Dry Wash

2nd Creek

Blind Creek

Death Wash

Grappewash

3rd Creek

Anderson Junction

Reef

Toquerville

P. Lees

Harrisburg

Harrisburg Creek

Small Creek

Reservoir

Hurricane

Harrisburg Junction

GR-9

4th Creek

5th Wash

Cottonwood Creek

6th Wash

Grappewash

SR

7th Creek

TOWN OF LEEDS

ORDINANCE #03-02

TIME-OF-DAY-WATERING ORDINANCE

AN ORDINANCE TO PROMOTE WATER USE EFFICIENCY IN AMENITY LANDSCAPE IRRIGATION PERTAINING TO CULINARY WATER USE ONLY

WHEREAS, THE TOWN OF LEEDS DESIRES TO PROMOTE EFFICIENT CULINARY SPRINKLER IRRIGATION PRACTICES FOR ALL PUBLIC AND PRIVATE AMENITY LANDSCAPES; AND

WHEREAS, RESEARCH HAS SHOWN THAT IRRIGATING LANDSCAPES ONLY DURING THE HOURS OF 8:00 PM TO 8:00 AM SIGNIFICANTLY INCREASES IRRIGATION EFFICIENCY; AND

WHEREAS, CONSERVATION OF WATER THROUGH MORE EFFICIENT USE IS IN THE PUBLIC INTEREST AND ENHANCES THE COMMUNITY'S ECONOMIC, ENVIRONMENTAL, RECREATIONAL AND AESTHETIC RESOURCES; AND

WHEREAS, THE TOWN OF LEEDS HAS THE AUTHORITY TO ADOPT THIS ORDINANCE PURSUANT TO UTAH CODE ANNOTATED 10-3-702, AND HEREBY EXERCISES ITS LEGISLATIVE POWERS IN DOING SO; AND

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LEEDS, THAT THE FOLLOWING ORDINANCE BE ENACTED:

CULINARY SPRINKLER IRRIGATION OF PUBLIC AND PRIVATE AMENITY LANDSCAPES IS PROHIBITED BETWEEN THE HOURS OF 9:00 AM AND 8:00 PM.

DEFINITIONS:

CULINARY SPRINKLER IRRIGATION: THE APPLICATION OF WATER TO LAND AND PLANTS BY DISTRIBUTING WATER UNDER PRESSURE THROUGH SPRAY, ROTARY OR DRIP HEADS.

AMENITY LANDSCAPE: A PARCEL OF LAND UPON WHICH LANDSCAPING MATERIALS ARE PRESENT FOR PURPOSES OTHER THAN NECESSITY.

PUBLIC LANDSCAPE: A PARCEL OF LAND OWNED BY PUBLIC ENTITIES UPON WHICH GRASS AND PLANTS REQUIRE IRRIGATION.

PRIVATE LANDSCAPE: A PARCEL OF LAND OWNED BY A PRIVATE ENTITY UPON WHICH GRASS AND PLANTS REQUIRE IRRIGATION.

THE PROVISIONS OF THIS ORDINANCE SHALL APPLY TO ALL LANDSCAPES WITHIN THE TOWN. THIS ORDINANCE DOES NOT APPLY IN THE FOLLOWING SITUATIONS:

- a. NEW LAWNS THAT REQUIRE FREQUENT IRRIGATION FOR ESTABLISHMENT PURPOSES WITHIN 90 DAYS OF PLANTING.
- b. SHORT CYCLES REQUIRED FOR TESTING, INSPECTION AND MAINTAINING IRRIGATION SYSTEMS.
- c. OTHER SITUATIONS AS PERMITTED BY THE TOWN OF LEEDS

ANYONE IN VIOLATION OF THIS ORDINANCE WILL BE GIVEN A CITATION.

THIS ORDINANCE SHALL BE EFFECTIVE AS OF April 23,
20 03.

PASSED AND ORDERED POSTED THIS 23rd DAY OF
April, 2003.

Norma Gier
Norma Gier, Mayor Town of Leeds

attest: Joy Stevens
Joy Stevens, Clerk/Recorder

VOTE:

5 Aye votes

0 Nay votes

0 Abstentions

Ordinance #03-02 is passed rejected


Joy Stevens, Clerk/Recorder

CERTIFICATE OF PUBLICATION OR POSTING: The undersigned, clerk of the Town of Leeds, hereby certifies that in accordance with the Statutes of the State, due notice was given; and the Open and Public Meetings Act, (52-4-6 UCA) was complied with, the foregoing Ordinance was duly posted by me at the Town Offices not less than 24 hours before the meeting at which it was heard, notice was given to the media; and the members of the Council and Town Attorney were provided copies of the agenda 24 hours prior to the meeting.


Joy Stevens, Clerk/Recorder

PUBLIC NOTICE
TOWN OF LEEDS
TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting and Public Hearing on, **Wednesday, April 23 2003,**
at the Leeds Town Hall, 218 North Main Street at 7:00 p.m.

Public welcome to attend.

AGENDA

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes of April 9, 2003.
5. Oath of Office to New Town Council Members
6. Oath of Office to New Planning Commission and Board of Adjustment Members
7. Jared Westhoff
Request preliminary plat approval for a 10 lot subdivision at approximately 162 E. Vista.
8. Public Hearing (Motion to open and close)
Leeds Master Annexation Policy Plan
9. Action on public hearing.
10. Public Hearing (Motion to open and close)
Ordinance #03-02 Time of Day Watering Ordinance.
11. Action on Public Hearing
12. Set date for Constitutional Taking Ordinance #03-04
13. Mayor Norma Gier
Appoint an Athletics Director
14. Council Member Gloria Parnell
15. Council Member Darrell Nelson
16. Adjournment

POSTED THIS 22ND DAY OF APRIL 2003


Joy Stevens, Clerk/Recorder

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Waltons Plaza

**THIS NOTICE MUST BE POSTED UNTIL APRIL 24, 2003. IS AGAINST UTAH STATE
LAW TO REMOVE BEFORE DATE INDICATED.**

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Joy Stevens at 879-2447 at least 48 hours prior to the meeting.

TOWN OF LEEDS

Minutes of the Town Council Meeting and Public Hearing
April 23, 2003

1. CALL TO ORDER:

Mayor Norma Gier called the meeting to order at 7:05 p.m.

2. ROLL CALL:

Present was Mayor Norma Gier, Council Members Darrell Nelson and Gloria Parnell. *+ Dave Harbour*
+ Dale Barnes

3. PLEDGE:

Gloria Parnell

4. APPROVAL OF AGENDA AND MINUTES OF APRIL 9, 2003:

Mayor Norma Gier read a letter submitted by Jared Westhoff. (See attached) Mr. Westhoff has withdrawn his request for preliminary plat approval for a 10 lot subdivision at approximately 162 E. Vista.

Motion by Gloria Parnell to approve the agenda striking item #7 and to approve the minutes of April 9, 2003. Seconded by Darrell Nelson. Passed unanimously.

5. OATH OF OFFICE TO NEW TOWN COUNCIL MEMBERS:

Mayor Gier informed the audience that Jan Madison and Alene Cuff have resigned from the Town Council. Jan Madison has moved to California and Alene Cuff has resigned due to health problems. Mayor expressed her appreciation for everything these two members have done for the Town of Leeds. Mayor Gier introduced Dale Barnes and Dave Harbour as the new Town Council members. Clerk/Recorder Joy Stevens then administered the Oath of Office to Barnes and Harbour who then filled the vacant seats on the Council.

Clerk/Recorder Joy Stevens then administered the Oath of Office to Council Member Darrell Nelson for the position of Mayor Pro Tem. A position previously held by Alene Cuff.

6. OATH OF OFFICE TO NEW PLANNING COMMISSION AND BOARD OF ADJUSTMENT MEMBERS:

Mayor Gier explained since the adoption of Ordinance #03-01, requiring Planning Commission and Board of Adjustment Members be residents and property owners of the Town of Leeds, many changes have been necessary. Mayor expressed her appreciation to the members who will now be replaced simply because they live outside of Leeds Town limits. Mayor reiterated her appreciation for everything Pat Sheneman, Dave Clements and Roger New have done for the Town of Leeds. Mayor Gier then introduced the replacements Mike Kelley, Alice Franks, Wayne Hepworth, Mel Evans and Alternate Member Bailey Muir. Clerk/Recorder Joy Stevens then administered the Oath of Office to the new Planning Commission Members.

Since Dale Barnes and Roger New were Board of Adjustment members those vacancies needed to be filled. Mayor Gier then introduced the new Board of Adjustment replacements Donna Nelson and Nancy Bryant. Clerk/Recorder Joy Stevens then administered the Oath of Office to the new Board

of Adjustment members. Mayor Gier expressed her appreciation to all of these volunteers for their willingness to accept these positions and serve the community.

7. THIS ITEM WAS STRICKEN FROM THE AGENDA.

8. PUBLIC HEARING:

Leeds Master Annexation Policy Plan . Motion by Darrell Nelson to open the public hearing. Seconded by Gloria Parnell. Passed unanimously.

Mayor Gier explained the annexation plan is a plan for potential growth. Mayor then thanked Roger New and Darrell Nelson for all of their hard work on this plan. Mayor asked if the Council had any comments or corrections to the plan.

Council Member Dave Harbour indicated several changes that needed to be addressed. Harbour stated Section 23 needs to be included in the plan since it is included on the map. The Council agreed to the change indicating it might have been an oversight or typing error. Harbour also asked for clarification on page 2 paragraph 2 where it is indicated Leeds maintains 1/2 to 1 acre lots and should state 1/2 to 2 acre lots. The Council agreed to the change since Leeds does have a zone for 2 acre lots.

Robert Powell , Mayor of Toquerville, requested the Council change the boundary on the North East side of the freeway which abuts Toquerville Town limits. Mayor Powell indicated Toquerville is also interested in annexation of that area. Powell stated they have been trying to annex this particular area for quite some time. Clerk/Recorder Joy Stevens said the County anticipates overlapping in certain areas of interest. Stevens said it then will depend on which municipality is petitioned for annexation. At that time the other municipality could protest the petition. After much discussion it was determined both entities can indicate the same area as potential future annexation. The Council did not make the change requested by Powell.

Mayor Gier asked if there were any other comments. There were none. Motion by Dale Barnes to close the public hearing. Seconded by Dave Harbour. Passed unanimously.

9. ACTION ON PUBLIC HEARING:

Motion by Darrell Nelson to approve Leeds 2003 Annexation Policy Plan and to be submitted to the County with the following changes:

1) Section 23 will be included in the legal description of the unincorporated areas proposed for eventual expansion since it is a proposed area of expansion on the map.

2) B. STATEMENTS on page 2 paragraph 2 will be changed to indicate Leeds maintains 1/2 to 2 acre lots.

Seconded by Dave Harbour. Roll call vote. All aye votes. Motion passed unanimously.

10. PUBLIC HEARING:

Time of Day Watering Ordinance #03-02. Motion by Gloria Parnell to open the public hearing. Seconded by Dave Harbour. Passed unanimously.

Mayor Gier explained and read the ordinance. (See attached) The Council agreed to change the prohibitive culinary sprinkler watering time from 8:00 am to 8:00 pm to 9:00 am to 8:00 pm. and also clarify that the ordinance is for culinary sprinkler watering and not irrigation watering. Motion by Norma Gier to close the public hearing. Seconded by Gloria Parnell. Passed unanimously.

11. ACTION ON PUBLIC HEARING:

Motion by Darrell Nelson to adopt Time of Day Watering Ordinance #03-02 with the following changes:

- 1) 8:00 a.m. will be changed to 9:00 a.m.
- 2) Clarify that the ordinance pertains to culinary and not irrigation watering.

Seconded by Gloria Parnell. Roll call vote. All aye votes. Motion passed unanimously.

12. SET PUBLIC HEARING DATE FOR CONSTITUTIONAL TAKING ORDINANCE #03-04:

The Town Council set the tentative public hearing date for the Constitutional Taking Ordinance for May 28, 2003, at 7:00 p.m. The Planning Commission will be reviewing ordinance May 6, 2003.

13. MAYOR NORMA GIER:

Appoint an Athletics Director. Mayor Gier stated Kerry Worthen approached her about having sports activities for Leeds children. Mayor then turned the time over to Worthen to explain what he has in mind. Worthen said the children in Leeds need to have sports programs available for them here in our town. Worthen said they now have to transport children either to Hurricane or St. George in order to participate in these programs. The Council felt this could be a good program and appreciated Worthen volunteering to be the director. Motion by Darrell Nelson to appoint Kerry Worthen as Leeds Athletic Director. Seconded by Dale Barnes. Passed unanimously.

14. COUNCIL MEMBER GLORIA PARNELL:

Parnell stated she is waiting to hear back from UDOT concerning the School Bus Ahead and Jake Brake Ordinance signs.


15. COUNCIL MEMBER DARRELL NELSON:

Nelson said he had nothing at this time.

16. ADJOURNMENT:

The meeting adjourned at 8:00 p.m.

APPROVED AND SIGNED THIS 14TH DAY OF MAY 2003



Norma Gier, Mayor



attest: Joy Stevens, Clerk/Recorder