

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, January 12, 2011, 7:00 p.m.
At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

Up to two Town Council Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

NOTE: IF YOU WISH TO SPEAK DURING CITIZEN COMMENT, PLEASE SIGN IN WITH THE CLERK/RECORDER BY 6:55 P.M.

BUSINESS SESSION:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Council Members, if any
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Minutes of Meetings from December 8, 2010 Town Council Meeting
6. Financial Reports discussion with Auditor Steve Palmer.
7. Announcements: Princess Pageant on February 5th at 7pm
8. Citizen Comment: (No action may be taken on a matter raised under this agenda item). *Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item. A spokesperson representing a group to summarize their concerns will be allowed 5 minutes to speak. Repetitious commentary will not be allowed. If you need additional time, please request agenda time with Fran Rex in writing before 1:00 p.m. on the Wednesday one week before the Council meeting.*
 - a. Presentation and comments by Leeds Citizen Ralph Rohr on possible economic forecast

WORK SESSION:

PUBLIC HEARING:

9. Presentation of the Proposed Grapevine Wash Local District - Drake Howell
10. Citizen Comment regarding the Proposed Grapevine Wash Local District

ACTION ITEMS:

11. Discussion of Proposed Grapevine Wash Local District
12. Discussion & Possible Approval of Procurement Ordinance 2011-01 adding State requirements of using a "Status Verification System" called "E-Verify" to verify the federal employment authorization status of a new employee.

DISCUSSION ITEMS:

13. Discussion of the Arroyo Regal Development Agreement revision for Silver Eagle Estates
14. Reviewing Preliminary Plat approval requirements for Silver Pointe Estates phase 1
15. Review of Silver Pointe Estates Construction Drawings
16. Discussion regarding Valley Road Intersection Curbs

UPDATES BY STAFF:

17. Report on Police Department Survey

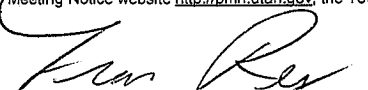
EXECUTIVE CLOSED SESSION – An Executive Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). OR An Executive Meeting may be held for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205)(1)(c).

18. Adjournment

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 the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted January 10, 2011. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper


Fran Rex, Clerk / Recorder

TOWN OF LEEDS TOWN COUNCIL MEETING

MINUTES

January 12, 2011

BUSINESS SESSION:

1. **Call to Order** – At 7:07 p.m. by Mayor Hyrum Lefler
2. **Pledge of Allegiance** – was led by Angela Rohr.
3. **Roll Call** – Present was Mayor Hyrum Lefler and Council Members Alan Roberts, Angela Rohr, Keith Sullivan with Frank Lojko arriving at 7:19 p.m. Also in attendance were Town Attorney Heath Snow, Clerk /Recorder Francene Rex, Treasurer Jean Beal and seven citizens
4. **Declaration of Abstentions and Conflicts by Council Members** – None
5. **A Motion** was made by Keith Sullivan with a **second** by Alan Roberts to **Approve Tonight's Agenda** including the **December 8, 2010 Regular Town Council Meeting Minutes**. There were **three Aye** Votes and **one Nay** vote. Angela Rohr stated she did see them in her e-mail and did not get the minutes in time to read through them. Clerk/Recorder Fran Rex stated they had been e-mailed to the Council, to which Keith Sullivan stated he had read them from his e-mail.
6. **Financial Reports discussion with Auditor Steve Palmer** – Mr. Palmer was present to answer questions from the Town Council regarding the financial reports. The Council wanted to know how best to read, understand, and relate the information provided in the reports in ascertaining where the budget stood at any particular time and pinpoint specific possible problems. Mr. Palmer stated the best thing to pinpoint problems was to watch trends going up or down. He stated if there was not a big project occurring, and the trends showed a decrease, then, there may be a problem. He noted a balance sheet showing several months on one sheet would help to note trends, however this type of sheet would only show totals of areas and could not show breakdowns of the areas. Attorney Heath Snow noted that none of the assets listed were "hard" assets such as buildings, and it was ascertained that looking at "for profit" assets was completely different than looking at government assets.
7. **Announcements:** Mayor Lefler announced that the 2011 Princess Pageant would be held on February 5th at 7:00 p.m. in the Cultural Hall of the LDS Church Building. Treasure Jean Beal informed that nine young women had signed up to run for Miss Leeds.
8. **Citizen Comment:**
 - a. Elliot Sheltman of Silver Reef noted that the past three years of wet weather has really deteriorated the Silver Reef Road. He asked that the Town Council to address its repairs before it got worse and required more costly repairs. Council Member Frank Lojko stated the issue had been addressed in prior Town Council meetings by giving the sequential course of action for repairing the roads. He said the Town planned to address several roads a year for the next five years, but the economic change has hindered the plan somewhat. He reiterated the roads in down town Leeds had not been dealt with for twenty (20) years, so they were first on the list and were done in conjunction with a Utah Department of Transportation (UDOT) project on Main Street in order to receive a greatly reduced price and higher quality of materials. He further stated the Town was waiting to repair other roads in down town Leeds as well as the Silver Reef Road until after the Leeds Domestic Waterusers Association (LDWA) completed their new water pipeline project throughout town. Lojko also noted the other issues regarding the Silver Reef Road were property owners owned property out to the middle of the Silver Reef Road, and the anticipation of some developments. He acknowledged the road was a problem, and stated it was next on the sequential list for repair.
 - b. **Presentation and comments by Leeds Citizen Ralph Rohr on possible economic forecast** – Mr. Ralph Rohr gave a power point presentation stating the economic forecast for the United States and the local area looked bad, possibly causing civil unrest. He stated the positives for Leeds was it had its own water supply, it had a rural location, and people can work together which makes rioting less likely. He suggested the Town Council should avoid all projects which would increase debt and taxes, and to promote community cooperation and sharing of resources. Mayor Lefler noted the Disaster Committee has also been discussing some of these issues.

WORK SESSION:

PUBLIC HEARING:

9. **Presentation of the Proposed Grapevine Wash Local District** – Mayor Lefler stated that tonight’s public hearing would initiate a sixty (60) day protest period where official and written protest could be received at the Town Hall by Town Clerk/Recorder Fran Rex. He said Mr. Howell would detail further how that is to be handled. He then invited Mr. Howell to present the Grapevine Wash proposal. Grapevine Wash Representative Drake Howell gave some background of the project. He recapped that when the Grapevine Wash area annexed into Leeds in 2009, they entered into a Development Agreement with the Town of Leeds which contemplated the creation of a Local District to help the development pay for itself. Howell gave the following power point presentation:
- The Annexation Agreement** stated that “Grapevine Wash desires to create a Local District...in order to facilitate the financing and installation of necessary infrastructure and improvements in cooperation with the Town...”, and that “The creation and operation of the Local District shall not impose any costs on the Town nor create any exposure or liability to the Town.”
 - The Purpose of Local District** was to create a financing Vehicle to “provide within its boundaries service,” and for “Development to pays for itself.” Mr. Howell said a Local District was a public entity which becomes the financing mechanism a developer could use to raise funds to improve or build roadways; waste systems for culinary water, storm water and wastewater; and for parks and etc. by assessing and taxing itself. It was stressed that a Local District does not (1) legislate land use (ie. subdividing, zone changes, or etc); (2) issue building permits; (3) issue business licenses; nor (4) assess property owners outside of its boundary. He noted all property owners still pay the typical property taxes to the Town and County.
 - Services Financed** - Mr. Howell said the State of Utah Code lists fourteen purposes for which Local Districts can be formed. He said the following four purposes are those for which Grapevine Wash was proposing the district be created: (1) Parks & Recreation Facilities; (2) Rights of Way; (3) Water Infrastructure including but not limited to storm drains and sewer; and (4) Health Care Facilities including health department or hospital service - such as a clinic or an assisted living facility.
 - Interlocal Agreement** - Mr. Howell stated the Town and Local District would be parties to an Interlocal Agreement, which would allow them to negotiate and coordinate the design, financing, construction, and control of the infrastructure and improvements such as roads, parks and etc. The agreement will detail who will own and take care of the roads, park facilities, water systems and etc.

Mr. Howell displayed a map of the intended 344 acre Local District area and noted it excluded a twenty-five (25) acre parcel of private property who did not want to be included in the district. Howell reiterated the Mayors statement regarding the opportunity for protest to be made within sixty (60) days of the conclusion of the hearing regarding the proposed district, and that written protests must be filed with the Town Clerk/Recorder. He also noted, as per the letter sent to the property owners in the proposed area, “protest signed on behalf of a corporation owning property in the District shall be...sufficient if signed by the president, vice president, or any duly authorized agent of the corporation. And where title to any property is held in the name of more than one person, all of the persons holding title to the property must join in the signing of the protest.” Mr. Howell also stated there were specific characteristics of the protest that would make them adequate protests. Mayor Lefler noted a copy would be available to anyone interested, and Clerk/Recorder Fran Rex stated it was currently available on the Town website at the top of the page under “Proposed Grapevine Wash Local District comment procedure.” Mr. Howell clarified the reason for the Local District was to have a financing mechanism. He said traditional financing was difficult to obtain in the current economic situation, but creating a local district would allow them to use their land as collateral (and not the Town’s assets) to go into the public bond market where people could invest via a municipal bond. This would help them finance their project. Mr. Howell concluded by stating the owners of Grapevine Wash went through an analysis in deciding between annexing to Leeds or Toquerville. He said the owners want to contribute to and become part of the Town of Leeds.

10. **Citizen Comment regarding the Proposed Grapevine Wash Local District - A Motion** was made by Angela Rohr with a **second** by Frank Lojko to **Open a Public Hearing regarding the Proposed Grapevine Wash Local District**. An **Aye Vote** was **Unanimous**. The following citizens made the following comments:

Don Wolfram - asked if there were other developments using this type of format to help ascertain how it works. Mayor Lefler said it was the first one in Washington County, but that there were others in the State of Utah. He said he could help him get in contact with someone to ask questions. Drake Howell also responded that among others, Eagle Mountain had formed a local district. He said he could get the other names to Mr. Wolfram

Nancy Harrison Williams – was concerned about the impact the development would have on the area for the wild life, archeology, hiking and etc. She asked if studies had been completed about the impact. Mr. Howell replied

that studies on wind, solar, and soil had been completed, but he was not aware of any studies to date on wild life. He said the Bureau of Land Management (BLM) is very sensitive regarding cultural artifacts on their property. And continued by stating he was not aware of any specific sites on their private property. He noted private property was governed differently than public lands, so to date he had no specific study on the any cultural resources possibly present. Attorney Heath Snow added that the discussion was on the formation of a local district which creates a vehicle to finance by which local infrastructure can be put in. He emphasized that the creation of a local district did not override or usurp any of the Towns powers to administrate or legislate land use. He added that any use of the land would have to go through the Towns' approval process. He noted the Town may require studies to be conducted during the development stage before building is approved. He added that the financing stage was different than the building stage. Mayor Lefler noted the creation of a local district does not approve roads, infrastructure or etc., and all of that would happen with the plat application. Ms. Williams asked the Town Council to look at the project as a whole, because it was easy for citizens to miss windows of opportunity to respond at the right time. Mayor Lefler acknowledged her fear of "one step leads to another", but said it needed to be balanced with property rights, and the right of a property owner to endeavor to make those steps. Council Member Angela Rohr ascertained from Mr. Howell that the Local District proposed map did not include BLM land. Mr. Howell noted there was a difference between the "Local District Financing Entity" and the "Grapevine Wash Development," and the maps of each were different. He noted the Grapevine Wash Development Plans showed the BLM lands because they are adjacent to their property, and because of the developers intention of approaching the BLM for the purpose of roadway rights-of-ways, trail rights-of-ways, and etc. Ms. Rohr asked if she was right to assume if BLM land or public lands were not included in the local district, things like the desert tortoise and other wild life would not be an issue. Mr. Howell said this was a "fair statement."

Elliot Sheltman – after ascertaining the Grapevine Wash Local District would be under the authority of the Leeds Town Council and Mayor, he asked what would happen to the local district if it did not get financing. Mr. Howell stated this type of financing was a safety for the town, because if the economy did not bring investors for financing, the district would go inactive or be dissolve. Sheltman asked if the Town would incur costs if the district were dissolved. Howell said the Utah Code stated that any costs associated with the dissolving of a local district would be paid for by the assets of the local district. Attorney Snow stated if the local district did not receive financing and thus nothing was developed, the property would just continue to sit idle, likewise, it would not assess anyone because it would not have a debt obligation. It would become a moot entity until/unless it re-entered the bond market to try and receive financing a few years later. He continued stating if there was a need, the Town could initiate a dissolution and front the cost to do such, and assess the property owners and place a lien on the local district's property owners land. Mayor Lefler asked Mr. Sheltman if something were developed, and then it sat there, if he was concerned about who would be obligated to maintain it if there were no homes. Mr. Sheltman concurred and added he was also concerned about possible costs of the process if the Town had to bring them "under its wings," Mayor Lefler stated in his research of the State Code and consultation with Attorney Snow, that the Local District route would bring less cost and responsibility to the Town than traditional financing would. Attorney Snow concurred that using traditional financing would be harder for the Town, and the costs would be higher.

Nancy Williams asked for the names of the developers. Mr. Howell stated this was public information and he would provide her with the names. **A Motion** was made by Frank Lojko with a **second** by Alan Roberts to **Close the Public Meeting regarding the Proposed Grapevine Wash Local District. An Aye Vote was Unanimous**

ACTION ITEMS:

- 11. Discussion of Proposed Grapevine Wash Local District** – Discussion was had by the Council Members: Council Member Alan Roberts reiterated the concern he voiced in the prior meetings of being careful not to create a division in Town due to another "entity." He said it was important to look at ways for the project to be a part of Leeds. He said he supported allowing the possibility of different types of financing which were more conducive to the current economic time. Addressing Ms. Williams's concerns, he said that much of the good area around the annexation would always be public lands, so he felt tortoise area and wild life area would be pretty safe.

Council Member Keith Sullivan asked Mr. Howell which of the four purposes would benefit the Town most, to which Mr. Howell responded the development of 344 acres of private property would enhance the value of the property and increase the Leeds tax base. He added the development would take place over the next two to four decades, but the Town would not be spending a dime for the increase. He thought that was a huge benefit. Sullivan also asked how they viewed the education and health care potential benefit for the Town, to which Mr. Howell responded that Grapevine Wash could help the Town approach BLM to obtain a Recreational and Public Purpose (RP&P) lease on a portion of the BLM land immediately adjacent to the Grapevine Wash property for public purposes such as a potential school and/or golf course. He noted the healthcare option could be a boon

for the society. Attorney Heath Snow added that if the Grapevine Wash is developed, the Town of Leeds will feel the burden (such as traffic), so they might as well get some economic revenue and benefit from it.

Mayor Lefler noted the traffic impact that the possible 2,500 homes would place on the community and said traffic routes needed to be included in the discussion. Attorney Snow recommended amending the Capital Facilities Plan so the Town would be charging the proper impact fees to the homes/rooftops of the development to incorporate the cost for widening major thoroughfares and a building a new interchange. He added it would be smart to plan and identify all the "burdens" a development like this would place on the Town, so as to know the proper amount of impact fees to charge them. Lefler stated his understanding of the water infrastructure was that Grapevine Wash would be purchasing their own water. He also noted that that the Interlocal Agreement would be more important to scrutinize than the formation of a Local District, since the agreement would direct the operation of how the development impacts the Town, and deciding how to cohesively manage all the different infrastructure in such a way as to feel like the same town. Attorney Snow voiced his concern regarding creating a new entity and who would ultimate control land use and development. He said he had asked if it was the districts intent to ultimately turn over the water system to the Town. He noted his concerns were alleviated in knowing the Interlocal Agreement would spell out the time frame of if/when which systems would be turned over to the Town, and that this could take place in phases. He continued stating the district would need to borrow money for building as well as several years of operational costs. He concurred with the Mayor stating the agreement is most important, since it will set up the structure of when and who would conduct the ongoing operation. He reiterated the Development Agreement states Grapevine Wash would enter an Interlocal Agreement with the Town of Leeds once a local district was formed. Mayor Lefler reiterated he would like to mitigate any potential separation of the Town.

Council Member Angela Rohr stated just as this would bring in added revenue; it would also bring in added responsibility. To which Mayor Lefler said this was why the Interlocal Agreement was so important. It would spell out the impact costs and responsibility. Lefler reiterated there was a sixty (60) day comment period.

Council Member Frank Lojko stated the best thing the Town did was to annex the property which provided the Town control over the project. He said the annexation also gave Leeds a buffer for the Town boundary. He noted if Leeds had done nothing, someone else would have, but Leeds would still have experienced some the "burden" of the development.

Mr. Drake Howell addressed a potential division as a valid concern. He reiterated his positive experience with Coral Canyon being a part of Washington City, and acknowledged Washington was a bigger city to begin with. "However", he stated, the Grapevine Wash Local District would be coming out of the gate on a positive foot.... By having an Interlocal Agreement." He noted no other entity in Leeds (such as LDWA or LASSD) had an Interlocal Agreement. He said the agreement would act as a referee, set forth interaction rules, and force the development to "do good housekeeping." He also noted there was a difference between a "financial impact" and a "traffic impact." He said the local district deals with the "financial impact," and that he would bring studies regarding the "traffic impact" "further down the road." He stated Grapevine Wash had already completed a preliminary traffic study and he was currently meeting with engineers to increase it to a full traffic impact study (TIS), which would be required when they come back to the Town for final development plan approval. He said it would deal with traffic specifics. Addressing the water question, Mr. Howell said the development had a few options for water, such as LDWA for the culinary water, and he referenced the agreement Leeds entered into with the Washington County Water Conservancy District (WCWCD) which allows the Town of Leeds to wholesale district water. He also noted they were currently negotiating an easement with WCWCD for a WCWCD water line going through the Grapevine Wash property. He said this would bring "water to their front door." He noted the added responsibility regarding Grapevine Wash was already added upon their annexation, and financing through a local district or the traditional route would not change that responsibility. Mr. Howell encouraged anyone to contact him with any additional questions or concerns.

Discussion & Possible Approval of Procurement Ordinance 2011-01 adding State requirements of using a "Status Verification System" called "E-Verify" to verify the federal employment authorization status of new employees – Mayor Lefler stated the Senate Bill (U.C.A. 63G-11-103) now codified as Section 63G-11-103 of the Utah Code Annotated, has added a few state requirement to municipal procurement of goods and services. One requirement was to use a "Status Verification System" ("E-Verify") to verify the federal employment authorization status Contractors as well as employees. He noted a memo received from Bingham & Snow August 5, 2010 from S. Eric Wilbanks. Attorney Heath Snow said the need to amend the ordinance to incorporate the new senate bill gave the Town the opportunity to review and address the prior 1975 Procurement Ordinance. He stated a few revisions were made by his office which were discussed during the November 10, 2010 Town Council regular meeting. He noted the Town Council's suggestions had been incorporated into the new draft

before them. It was noted that State requires the use of "E-Verify with municipality employees as well as contractors' employees when a municipality goes through the public bidding process on large purchases over \$50,000. Mayor Lefler stated his concerns were resolved during the November meeting and was "comfortable with the revision." Council Member Angela Rohr stated the ordinance "covered things pretty well," and asked if there was a cost to using "e-verify." Attorney Snow said there was a very small cost (approximately \$50.00 per year to check all employees). **A Motion** was made by Alan Roberts with a **second** by Frank Lojko to **Approve the Procurement Ordinance 2011-01**. The following Roll Call vote was taken:

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR HYRUM LEFLER	x	_____	_____	_____
COUNCIL MEMBER ALAN ROBERTS	x	_____	_____	_____
COUNCIL MEMBER ANGELA ROHR	x	_____	_____	_____
COUNCIL MEMBER KEITH SULLIVAN	x	_____	_____	_____
COUNCIL MEMBER FRANK LOJKO	x	_____	_____	_____

Procurement Ordinance 2011-01 was Passed x Rejected _____ TABLED _____

DISCUSSION ITEMS:

12. Discussion of the Arroyo Regal Development Agreement revision for Silver Eagle Estates – Mayor Hyrum Lefler explained that the Planning Commission was concerned that the Development Agreement Silver Eagle was using still had the Arroyo Regal name on it, and other issues, therefore, it was ascertained that revisions needed to be made and approved by the Town Council. Council Member Frank Lojko was concerned about the "rough draft" form of the agreement. Lefler said the Town Council's packet contained a revised agreement from Silver Eagle for the Council to review, but noted it did not yet have the attorney's suggestions since it was recently brought to the Mayor's attention that there was an outstanding balance on the Arroyo Regal account, and he did not want to incur more costs until the balance was resolved. Council Member Frank Lojko asked how a development agreement could continue when the property went into default and was repossessed. Town Attorney, Heath Snow stated, and Mayor Lefler agreed, that a development agreement goes with the land. **A Motion** was made by Frank Lojko with a **second** by Alan Roberts to **Table the discussion item**. Further discussion was had. Angela Rohr asked who "Millennium" was, to which Attorney Snow stated Millennium was the lender to whom the property reverted back to. He added that the lender just wanted to get the entitlements restored in order to sell the property. An **Aye** Vote to table it was **Unanimous**. Council Member Alan Roberts asked Attorney Snow what happens with a development agreement if nothing moved forward with the development, since the agreement "runs with the land." Attorney Snow stated it could go through a process of termination, but the Town would have to "drive that bus."

13. Reviewing Preliminary Plat approval requirements for Silver Pointe Estates phase 1 – Mayor Lefler stated staff had pulled together all the information regarding the preliminary plat status, and this had been sent to each Town Council Member via e-mail. He said Rick Sant desired to tie up any loose ends. Lefler said the preliminary plat had been accepted in January of 2008, and it was awarded a year extension on January 28, 2010. Therefore, January 28, 2011 is the deadline to ensure that all conditions on the preliminary plat had been met, and to submit final plat application to prevent the entitlements from expiring. He said this was the time for the Town Council to bring up any concerns of unmet preliminary plat conditions. Lefler noted that the preliminary plat status was the "meat" of everything and lays most of the groundwork for a development, and the final plat was the finalizing period to tie up loose ends and make it a final, formal plat. He noted there had been several conditions placed on the preliminary plat approval before final plat could be accepted, and Mr. Sant wanted to make sure all conditions had been met. Mayor Lefler stated he had consulted with Attorney Snow on the matter. He then gave time to Mr. Rick Sant for comment. Mr. Sant recapped that he had presented a remediation clean-up plan during the December 8, 2010 Town Council Regular Meeting; he had noticed the 30 day comment period, and he had provided a full plan for public view to the Town Hall during that period. Town Clerk/Recorder Fran Rex stated she had also posted notices around town and on the Town website. Mr. Sant said that the Utah State Department of Environmental Quality (DEQ) had accepted the remedial plan on condition that no objections were received. Mr. Sant reported no objections were received by the January 3, 2011 deadline, therefore DEQ confirmed they would be sending a letter confirming their acceptance. He noted the recording plat would include the remediation plan.

Attorney Heath Snow read from the subdivision ordinance section 21.6.5.1. which states the action required to ensure entitlements were retained, was to "submit" all confirmations of preliminary plat conditions, and "submit" a final plat application. It was ascertained that the "submittal" would be given to the town clerk, then the item would be placed on the Planning Commission agenda to begin the process. There was also a brief discussion regarding the need for a bond, to which it was ascertained that the Land Use Ordinance, Chapter 21 for Subdivisions lists several types of acceptable bonds. Citizen Nancy Williams asked how much of study was done to determine possible contaminated soil, to which Mr. Sant said he had spent approximately \$200,000 dollars and four years working with an environmental engineer, the State of Utah, and the Department of Environmental Quality (DEQ) to determine soil contaminants. He noted the State of Utah and the DEQ were very strict in their guidelines. Sant said that of the 350 acres available in the area, he only kept 150 acres for development because 200 acres were contaminated. He further stated that of the 150 acres he kept, only 6 acres required remedial clean-up. He reiterated that once they comply with the remedial plan, there will no longer be contaminants in the building area. Fire Chief Steve Lewis stated he was concerned with the road gradients of the planned second ingress/egress road. He said he would "stay in the loop" in order to give comment on this during the final plat process. Mr. Sant said he would have his engineer talk with Chief Lewis.

14. Review of Silver Pointe Estates Construction Drawings – Mayor Lefler stated Mr. Rick Sant had submitted his construction drawings, and they had gone to the Town Engineer for review. He said the Town would forward the review letter from Sunrise Engineering to Mr. Sant. The drawings were also currently under review with Leeds Area Special Service District (LASSD) and Leeds Domestic Waterusers Association (LDWA), and would be sent to all other necessary entities.

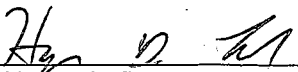
15. Discussion regarding Valley Road Intersection Curbs – Council Member Frank Lojko presented drawings from Sunrise Engineering for the road corners proposed to receive corner curbs. He stated corrections needed to be made to the drawings. He reminded the reason for the corner curbs was to protect private property and prevent corner road damage by preventing vehicles from cutting corners. The corners listed for curbs were the following: Mulberry Lane/Valley Road, Center Street/Valley Road, Cherry Lane/Valley Road, Babylon Road/Valley Road, Main Street/Vista, Vista/Mesa View, Main Street/Roundy Mountain Road. Lojko reiterated that the road projects were being completed in phases. First was to seal the roads; then most of the roads were chip and sealed in the down town area of Leeds (those not done yet were due to waiting for the completion of the LDWA water pipeline project); currently the cul-de-sacs were being completed, next would be the corner curbs, and then repairing roads going to Silver Reef and Eldorado (after the hurdle of getting permission with property owners owner property to the middle of the road). Lojko said this has been the plan all along. He asked citizen and Silver Reef property owner Ralph Rohr his opinion of the plan. Mr. Rohr suggested a yellow line be placed on the "s" curve going to Silver Reef for immediate safety in the meantime. He said the current one was practically non-existent. Lojko and Mayor Lefler both responded this would be a good and easy interim solution.

UPDATES BY STAFF:

16. Report on Police Department Survey It was reported that some surveys had been received, and that a full report would be made when a greater total had been received.

17. Adjournment by Frank Lojko at **10:10 p.m.**

APPROVED ON THIS 26th DAY OF January, 2011


Mayor Hyfum Lefler

Attest:


Clerk/Recorder Francene Rex