

# Town of Leeds

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## Town Council Meeting for Wednesday, June 28, 2023

### Regular Meeting 7 PM

1.Call to Order/Roll Call: 7:00

**ROLL CALL:**

	<u>Present</u>	<u>Absent</u>
MAYOR: BILL HOSTER	<u>X</u>	<u>      </u>
COUNCILMEMBER: DANIELLE STIRLING	<u>X</u>	<u>      </u>
COUNCILMEMBER: RON CUNDICK	<u>X</u>	<u>      </u>
COUNCILMEMBER: STEPHEN WILSON	<u>      </u>	<u>X</u>
COUNCILMEMBER: KOHL FURLEY	<u>X</u>	<u>      </u>

Town Planner, Scott Messel present

Invocation: Chairperson Swenson

Pledge of Allegiance: Scott Messel

Declaration of Abstentions or Conflicts: None

Consent Agenda for June 28,2023

Councilmember Stirling motioned to approve the agenda for June 28, 2023.

Councilmember Cundick seconded. Motion passed in a Roll Call Vote:

**ROLL CALL VOTE:**

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
MAYOR: BILL HOSTER	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
COUNCILMEMBER: DANIELLE STIRLING	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
COUNCILMEMBER: RON CUNDICK	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
COUNCILMEMBER: STEPHEN WILSON	<u>      </u>	<u>      </u>	<u>      </u>	<u>X</u>
COUNCILMEMBER: KOHL FURLEY	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>

Town Council Meeting Minutes of June 14, 2023

Councilmember Furley moved to approve meeting minutes of June 14, 2023. Seconded by Councilmember Cundick. Motion passed in a Roll Call Vote.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
<b>MAYOR: BILL HOSTER</b>	X	_____	_____	_____
<b>COUNCILMEMBER: DANIELE STIRLING</b>	X	_____	_____	_____
<b>COUNCILMEMBER: RON CUNDICK</b>	X	_____	_____	_____
<b>COUNCILMEMBER: STEPHEN WILSON</b>	_____	_____	_____	X
<b>COUNCILMEMBER: KOHL FURLEY</b>	X	_____	_____	_____

**Citizen Comments:**

Lisa Hepworth announced that Sheryl Lee was retiring from their post office in Leeds. They placed notifications in everyone's boxes, and the bidding process would begin after all personal information was cleared and submitted. Lisa expressed her personal desire to take over the post office to prevent it from being sold to Love Birkin or any other potential harmful outcomes. After seeking assistance from various channels within the United States Postal Service, it was finally determined that the post office would be put up for bid. Lisa was determined to do everything possible to keep the post office in Leeds and ensure its continuity. The Council voiced that they were appreciative of Lisa's efforts and expressed gratitude for citizens willing to step up and support the community. They looked forward to assisting Lisa in any way they could.

Michelle Peot provided updates regarding the Silver Pointe development. She thanked the community members who used Geiger counters to collect data, which was shared with the DEQ (Department of Environmental Quality), resulting in a responsive approach from them. Michelle also received a letter from the EPA (Environmental Protection Agency) stating their intention to review the project documentation.

Furthermore, Michelle highlighted an important point related to the state statutes governing voluntary cleanups, including the hazards mitigation act. The voluntary

cleanups only addressed hazards caused by human activities, such as mining waste or disturbing uranium bedrock. However, the potential radiation levels in the uranium bedrock beyond the safe residential threshold were not within the scope of the cleanup efforts. Michelle urged the town to consider the public health implications of this situation while negotiating a new development agreement.

Overall, Michelle provided valuable information and updates concerning the Silver Pointe development and emphasized the need for thorough consideration of potential public health concerns.

Bob Varbic, a resident of Silver Reef Highlands, shared his opinions on the proposed development. He emphasized that his views might reflect those of others in the community. Bob wanted the developer and the town to understand that their concerns were not merely a "Not In My Backyard" (NIMBY) movement, where residents oppose any new development in their area.

He acknowledged the expectation of having homes and townhomes along Main Street, east of Silver Reef Road, but expressed that the primary concerns were related to health and environmental issues. Varbic questioned whether the town had all the necessary information regarding the proposed development and raised the point of whether other uranium sites in Utah had been approved for residential use through voluntary cleanups. He believed people would be interested in knowing the answer to that question and questioned why Leeds would consider being the first community to have such a distinction if that were the case.

To illustrate his point, Varbic used an analogy of hiring teenagers to cut the lawn versus hiring a professional landscaping company. He suggested that a government-sponsored cleanup might be more dependable and effective than a voluntary one.

Overall, Varbic expressed concerns about the health and environmental implications of the proposed development and urged the town to consider these factors carefully before proceeding.

Rochelle Gardner expressed her health concerns related to the proposed project. She mentioned having multiple comorbidities and was worried about the dust in the air,

which could potentially affect her health as the construction activities might take place near her house.

Rochelle stated that she had not heard any specific plans regarding how the developers would address the health hazard caused by the airborne dust. She requested detailed information on how they intended to prevent the dust from flowing into people's houses and yards during various digging activities for power lines, water, sewer, foundations, and even swimming pools.

Rochelle emphasized the need for specific details on which government agency would oversee the project and what standards they would require to ensure that the construction processes meet the necessary health and safety regulations.

Overall, Rochelle Gardner highlighted her health concerns and sought clear and detailed information on how the potential project would address and mitigate the health hazards posed by airborne dust and other construction-related activities.

Alan Cohn expressed understanding of the difficult situation faced by the board and council. He emphasized that the town had a crucial opportunity during the renegotiation of the development agreement to prioritize the best interests of the townspeople rather than solely focusing on the developer's interests. Alan urged the board to diligently protect the residents of Leeds, ensuring their well-being and health, and not compromise on these aspects during the negotiation process.

Danny Beasley provided additional information in response to Bob Varbic's question about whether other uranium sites in Utah had been approved for residential use through voluntary cleanups. She cited a report from the Salt Lake Tribune stating that this would be the first uranium site used for residential purposes in the entire United States. She also referred to the EPA's cleanup efforts in Eureka, Nevada, emphasizing that the process was not voluntary and that it resulted in a messy cleanup with ongoing problems. The value of homes in the area significantly decreased, leading to concerns that a similar scenario could unfold in Leeds if the proposed project faced issues or failed, leaving residents with devalued properties and potential hazards. Beasley urged the council to carefully consider these factors before proceeding with the project.

Both Cohn and Beasley voiced significant concerns about health standards, potential property devaluation, and hazardous waste issues that could arise from the proposed development.

Susan Savage highlighted the uniqueness of the Silver Pointe development area. She mentioned that it was a place where core testing by the Atomic Energy Commission took place, making it distinct from other locations that may have traces of mining activities. Having grown up in the area, Susan expressed her personal connection to the site and its historical significance.

She acknowledged the extensive work put in by the town council and the Water Board, which might not always be visible to the public. Susan appreciated the scientific research done by others, aimed at supporting the council's decision-making process. She emphasized that the issue at hand was a serious one and called for unity and cooperation among the town's elected officials and citizens. Savage believed that working together and openly discussing concerns and questions would lead to a more constructive and effective resolution.

Overall, Susan Savage stressed the importance of collaboration and mutual understanding while addressing the concerns and complexities of the Silver Pointe development project.

Darryl Lewis expressed his concerns about the recent LDWA board meeting. He stated that none of the city council members were present at the meeting, where discussions about providing water and the effects of radiation and uranium were held. During the meeting, Ralph Rohr presented information about radiation's impact, and a board member reportedly asked how long it would take for radiation to kill a person, which raised concerns among the town's citizens.

Lewis felt that the town's citizens might not be comfortable with the LDWA board's handling of safety concerns and ensuring that all questions are adequately addressed. He urged the city council to take certain actions:

1. Ensure that they are aware of every requirement set by the LDWA for the development project.

2. Seek written responses to those requirements from official sources to ensure clarity and reliability.

3. Recognize that the issue at hand is primarily a health concern and not merely an economic or neighbor-related matter. It involves potential life and death consequences. Publish all the requirements and their satisfaction status, making this information readily available to every citizen in the town.

By taking these steps, Lewis hoped the city council would address the health issues associated with the project thoroughly and transparently for the well-being and peace of mind of all the town's residents.

Mayor Hoster acknowledged Lewis' comments and emphasized that the Town Council of Leeds are not claiming to be experts in the field. Instead, they rely on legal counsels, state authorities, and federal authorities for guidance and direction on the matter.

After closing the citizen comments portion of the meeting, Mayor Hoster proceeded with other announcements. He discussed the election for congressional district two and urged everyone to stick together, follow the facts, and not be swayed by media reports. He expressed gratitude to J.W. and Gail Winegar for participating as delegates and representing the district.

7. Announcements:

- a. July 4<sup>th</sup> Activities: Pancake Breakfast, Spirit of Service & Bloom Awards, Parade

The meeting continued with other announcements and celebrations related to July 4 activities and concluded on a positive note, highlighting the love and pride people had for the town of Leeds.

Mayor Hoster mentioned Danny Swenson, the Planning Commission chair, and praised him for doing a fantastic job in organizing volunteers for the upcoming July 4 activities, particularly the pancake breakfast. He encouraged others to contact Danny if

they wanted to participate as volunteers. Breakfast was scheduled to begin at 8 o'clock, and volunteers were asked to be present before that time.

Following breakfast, a parade was planned to start around 10 o'clock, and all were invited to participate in the festivities. Chairperson Swenson informed the attendees about Kan Hadley's efforts in honoring military personnel on military holidays and at cemeteries.

The cost for the pancake breakfast was \$5 per individual or \$20 per family. Councilmember Cundick was collecting the fees, and the proceeds were intended to cover the expenses rather than making a profit.

Councilmember Cundick made an additional announcement about the museum offering free ice cream in partnership with a local ice cream shop in the afternoon.

Councilmember Furley, Chairperson of the events committee, mentioned that the Spirit of Service and BLOOM awards would be presented on July 4, between the breakfast and the parade. Everyone was encouraged to participate in the event as it was considered one of the most wonderful activities for the town of Leeds.

#### b. Firework activity update and location preparation

Mayor Hoster announced that the town would be having fireworks this year, despite challenges faced due to COVID and drought and location change. Councilmember Furley provided details about the change in the fireworks' location from previous properties to Philip Piene's property, which allowed for a safer and more spacious setup. The fireworks would be set off at the corner of Babylon Mills and Valley Road.

Councilmember Furley requested that everyone enjoy the fireworks from the park, as they were trying to keep the car parking away from the specific corner where the fireworks were being set off. The Town park would provide an excellent view of the show, and they aimed to ensure everyone's safety during the event. Approximately 180 mortars were planned for the fireworks display.

Mayor Hoster expressed excitement about the upcoming festivities and concluded the announcements. He is looking forward to a fun and enjoyable celebration for everyone in the town of Leeds.

8. Public Hearings: None

9. Action Items:

a. Appointment for Planning Commission alternate #1 term ending June 30, 2028

Mayor Hoster addressed the appointment of Abby Stuttered as an alternate for the Planning Commission during the meeting. He mentioned that he had only found one individual suitable for the position, which was Abby herself, who was present at the meeting. The mayor recommended her as an alternate for the Planning Commission and invited her to the podium for any questions the council might have.

After no questions were raised, the mayor requested a motion to approve Abby Stuttered as an alternate for the Planning Commission for a term ending on June 30, 2028.

Councilmember Cundick made a motion to approve Abby Studdert for the appointment as Planning Commission Alternate, term ending June 30, 2028.

Councilmember Stirling seconded.

The Motion passed in a Roll Call Vote.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
<b>MAYOR: BILL HOSTER</b>	<u>X</u>	_____	_____	_____
<b>COUNCILMEMBER: DANIELLE STIRLING</b>	<u>X</u>	_____	_____	_____
<b>COUNCILMEMBER: RON CUNDICK</b>	<u>X</u>	_____	_____	_____
<b>COUNCILMEMBER: STEPHEN WILSON</b>	_____	_____	_____	<u>X</u>
<b>COUNCILMEMBER: KOHL FURLEY</b>	<u>X</u>	_____	_____	_____

b. Appointment for Planning Commission alternate #3 term ending June 30, 2024

Mayor Hoster said there was no member to present to the Town council for the second alternate Planning Commission position. Mayor Hoster then emphasized the importance



of the Planning Commission's role and encouraged qualified individuals to step forward for the vacant position of alternate three, which had a term expiring in 2024.

10. Discussion Items:

a. Code Enforcement officer position

Mayor Hoster moved on to the discussion items, focusing on the need for a code enforcement officer for the town. He explained that this would be a paid position requiring a post one certification, although they could consider waiving that requirement under certain circumstances. The code enforcement officer's role would be to address complaints brought forth by the town's residents and ensure that all codes and laws were followed, particularly concerning safety and the prevention of hazards and nuisances.

The mayor encouraged anyone interested in the position or knowing someone who might be suitable to contact the town clerk. He emphasized that the role would involve approximately five hours of work per week and collaboration with the mayor, legal counsel, and the hearing officer to enforce the town's codes effectively.

After closing the discussion items, Mayor Hoster invited citizens to provide comments or ask questions during the second portion of the meeting's citizen comments section. He requested that speakers state their first and last name for the record and keep their comments within approximately two minutes.

11. Citizen Comments:

Lynn Potter expressed his concerns. He stated that relying solely on the state's word regarding the Silver Pointe development could be problematic, as the state might have a vested interest in getting the project approved and moving on. Additionally, he mentioned that the teachers' union might also have a financial stake in the matter. Lynn believed that a higher level of approval and scrutiny, such as federal oversight, might be necessary to ensure a more unbiased and thorough assessment of the project.

The mayor acknowledged his comments and assured him of the focus on legal guidance on the Town's part.

Patrick Collins, a resident of Leeds, expressed his concerns during the citizen comments section of the meeting. He mentioned that while the potential project of one hundred homes on one-acre lots did not necessarily bother him, he questioned how many people would be willing to purchase homes in an area with previous uranium mines.

Collins emphasized the importance of considering the potential health and safety risks associated with building homes near such sites, especially when children are involved. He suggested that potential homebuyers might not be willing to invest in a development with such historical concerns.

In conclusion, Collins expressed his belief that the project might not be in the best interest of the community and urged caution in proceeding with it.

Angela Rohr thanked the Mayor for putting his name forward as a candidate for the substitute position for Congressman Stewart. She expressed her gratitude that the Mayor would still be serving as Mayor.

Michelle Peot followed up on a previous comment from Mr. Potter, mentioning that in addition to the state's vested interest in the project, they also receive payment from the developer for administering the cleanup and would continue to be paid by the HOA for oversight. Peot also raised concerns about the lack of requirement for disclosures regarding residual contamination on the site, suggesting that this should be considered in the government agreement.

The clerk confirmed that there were no further comments on Zoom at that time.

Diana Powell expressed her concerns during the citizen comments section of the meeting about her 12-acre property, which is located downstream from the uranium mines. She shared her worry that any disturbance to the land could cause the flow of various materials, including dirt and water, onto her property. Powell stated that while it might not directly impact her personally, it is still disconcerting to have the uranium mines in the heart of the town and to consider disturbing the site.

Mayor Hoster assured Diana that her comments were noted and understood.

He mentioned that the town's legal counsel is actively working with the Silver Pointe legal counsel to review the current agreement between the town and the developer. The mayor emphasized that the town takes the matter very seriously and is cautious about what is said and how things are handled to avoid any mistakes.

He also acknowledged Michelle Peot for her invaluable contribution and emphasized that the town is committed to upholding property rights for both the developer and the residents, ensuring that all involved are safe and healthy. The mayor thanked everyone for their comments and involvement in the matter.

Alan Cohn expressed his concern about ensuring that all information related to the Silver Point development is made available to the town residents promptly. He emphasized the importance of avoiding misinformation and rumors.

In response, Mayor Hoster acknowledged Alan Cohn's comment and stated that they would disseminate the information they legally can. He reiterated that the town is not the experts on this matter and will rely on the counsel from legal, state, and federal government for guidance.

The meeting had no further citizen comments.

## 12. Staff Reports:

During the staff reports section of the meeting, Councilman Furley provided updates on the upcoming Fourth of July celebration, including details about the parade route and various awards to be presented.

Council member Cundick had nothing to report.

Council Member Stirling expressed her admiration for the town's professionalism and dedication in handling the Silver Pointe development issue.

Mayor Hoster reported on the recent public hearings held by the Hurricane Valley Fire Service District regarding impact fee increases. He also reminded residents to be

cautious during the approaching fire season and urged them to report any suspicious activities or potential fire hazards.

13. Closed Meeting-None

14. Adjournment: 7:46

Approved this Twenty-Sixth Day of July 2023.

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Bill Hoster, Mayor

ATTEST:

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Aseneth Steed, Clerk/Recorder