

# Town of Leeds

## Town Council Meeting for Wednesday, December 10, 2025

### 1. Call To Order/Roll Call: 7:00 PM

ROLL CALL:	<u>Present</u>	<u>Absent</u>
MAYOR: BILL HOSTER	X	
COUNCILMEMBER: DANIELLE STIRLING	X	
COUNCILMEMBER: RON CUNDICK	X	
COUNCILMEMBER: MICHELLE PEOT	X	
COUNCILMEMBER: KOHL FURLEY	X	
TOWN PLANNER: SCOTT MESSEL	X	
LEGAL COUNSEL: HYRUM BOSSERMAN (ONLINE)	X	

### 2. Invocation: Councilmember Cundick

### 3. Pledge of Allegiance

### 4. Declaration of Abstentions or Conflicts: Michelle Peot LDWA water board.

### 5. Agenda:

#### a. Tonight's Agenda of December 10, 2025

Motion to approve made with changes, to strike a and add 2025-10 to d to agenda by Councilmember Stirling, 2<sup>nd</sup> by Councilmember Cundick.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT	X			
COUNCILMEMBER: KOHL FURLEY	X			

#### b. Meeting Minutes of November 22, 2025

Motion to approve made by Councilmember Cundick, 2<sup>nd</sup> by Councilmember Peot.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING			X	
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT	X			
COUNCILMEMBER: KOHL FURLEY	X			

#### c. Meeting Minutes of November 22, 2025, Work Session

Motion to approve made by Councilmember Cundick, 2<sup>nd</sup> by Councilmember Peot.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING			X	
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT	X			
COUNCILMEMBER: KOHL FURLEY	X			

6. Staff Report: None

7. Citizen Comments:

Martha Ham: Acknowledgements Danielle. You are a serial public servant. You have served on water boards, the planning and zoning Commission, Town Council, the Mosquito Board and more. You have a major characteristic which makes us trust you. You love us. All of us in your love Leeds. You have impeccable integrity. Ron, you have rescued two major entities in this town, LDWA and the museum, the Washington County Water Conservancy attempted to take over LDWA some years back, and your volunteer legal work revealed why the proposed takeover could not take place. The district backed down promptly. Thank you. You also rescued the museum when it was on the verge of closing, and I believe it would have gone down had it not been for your skillful negotiations with the County Commission. Thank you. Bill, you stepped up at the very last minute to run when there was only one candidate for mayor. It means a lot to a community. To have a choice. Thank you for stepping up four years ago. Michelle Peot, you are a remarkable researcher and have brought to light many previously unnoticed aspects of the challenges that Leeds is facing. You are a truth teller, and sometimes the truth is hard to hear. Sometimes that leads to disruption, but sometimes things need to be disrupted. You have individually raised the bar here in Leeds for reporting and disseminating accurate and dependable information. Thank you. Kohl, I have no idea how you manage the time and energy to not only serve the public as a firefighter, but also a town Councilman. Thank you for your steady hand with the many duties you have taken on to keep this town running safely and efficiently. I wanted to talk to you about tonight's lengthy and complex meeting agenda. There are many decisions, several potential decisions before you that need further study and collaboration before the Community before they are finalized. I think you've taken care of some of that. You have the power with the meeting motion to table an agenda item until 2026. I hope you consider continuing to exercise this power tonight. The other benefit to not rushing into these decisions is that you pave the way for a gracious transition to the three incoming councilmembers and mayor who will be taking the helm on January 5th.

Don Fawson: As president of the Leeds Domestic Water Users Association, I'm representing the LDWA shareholders, which is really almost everyone in the town. In regard to the Regional Water Agreement, you'll be considering. I've carefully read the agreement being proposed between the Washington County Water Conservancy District and the Town of Leeds, including the comments from your Attorney, Hyrum Bosserman. The Regional Water supply agreement that you consider as a long-term complicated contract that will have lasting impacts on the town of Leeds positively and or negatively for many years and decades to come, the careful consideration and crafting of the agreement will greatly increase the chance for a positive. Before voting, I would ask each member of the town council if they have read and understood the Regional Water Agreement, Ultra Water Efficiency Standards for new residential connections, district water efficiency standards for non-residential connections, and the districts water shortage contingency plan. The rules for top users are 5 million gallons and above the districts tiered water rate and surcharge requirements. The immediate need for an impact fee infrastructure study. The Ash Creek Special Service district requires the reuse authorization contract. The rules that could also apply to sewer in the Old Town of Leeds. I believe this is necessary to make an informed decision relative to this agreement, as confirmed by the town's attorney to do less as a disservice to the citizens of Leeds. In addition, I believe there needs to be clearer verbiage, in Article 9 to eliminate any confusion about the connections that quote connections. A franchise agreement needs to be created between LDWA and town of Leeds as Ron has encouraged us to do. Delineating areas within the town to be served strictly by LDWA strictly by the town and those areas to be negotiated. LDWA is ready and willing to move the franchise agreement forward and to work diligently to assure a clear and workable separation between Washington County Water Conservancy / Town and LDWA. As a town need to as we as a town need to maintain our amazing and independent water company and water sources while providing a secondary option for acquisition within the town. As you know, Hyrum Bosserman, your attorney, reviewed the agreement and in two places stated this is a short deadline indicating in my opinion that this is being rushed and would best be served by more careful preparation to really understand the implications for the town and clarify specifics to eliminate surprises. I certainly don't mean for this to take months. This can be accomplished with dedicated effort on everyone's part. A lot of reading, discussing it and decision making, and I personally support the town entering into the Regional Water supply agreement, but I feel the decision on this contract should be tabled, for more meaningful consideration and crafting, if the town is to enter into the water business, the town needs to immediately begin to create a water department or contract for those functions and services. I want to thank you all for your consideration and dedication. Is very important matter.

LoAnne Barnes: I want to add my thanks been heard before for all of you. The time you spent in terms of energy and time for the Town of Leeds, I don't think anyone who's not been in your shoes can really appreciate how much time and energy you have all spent on this and I especially want to thank the mayor for his recognition of the importance of the CCC camp.

I appreciate that a lot. I was also concerned about being rushed in this last meeting, so I'm glad to hear that there's options to table some of these issues and get more of us a chance to know more about what's going on.

Susan Savage: I wanted to add my thanks to all of you, you've been hit with a lot this year. The legislature is heading down a lot of things where town councils to handle, and so you've had a lot to do. As I looked at the agenda when it first came out, I kind of expected that it would maybe be the finisher or cleanup of things that that have been done before you go on to the next Council, but as it increased in length and complication, there are 28 documents and also exhibits attached to those. Then I guess I began feeling and thank you for your patience with me. I've been at this microphone a lot, so you've had to listen to me a lot. I appreciate it. I began to think, is it a deathbed repentance or is it an arranged marriage with the next council because we have a new Council coming in that has everyone here and who's voted and everyone on the Council has voted for at least part of the new Council that's coming in. I would like to feel like we trust them. We trust their intelligence and their concern for the town and their special talents. I look at Washington County and things that have happened, a lot of things have been complicated enough that I think needed a fresh look. Here are some examples of that. The Black Hill, people have tried to fix it, and now they're trying to fix it again because the developer came in that they were unprepared for and destroyed that area. The Saint George Airport was not tested. The soil was not tested well enough, and so they ended up closing airport. What couple of years and excavating 17 feet down along those runways and replacing the soil, and so the Lake Pal pipeline was going to furnish water for all of these developments and that didn't turn. The Toquerville Hill cut who knows how much money was spent on that. U-dot representative that at a meeting that Martha and I went to said, the engineers didn't do enough testing on the soil. They didn't do enough drilling to find out. So, it went on and on and on. A lot of expense. Sand Hollow Reservoir was planned as underground. Storage and so both Hurricane and Saint George have wells drilled around that and now it is not producing the amount of water that those wells have been drilled for and there have been committed, the Toquer reservoir keeps coming into problems all along. One of the big problems is that the streams that have seeped into the aquifer to replenish the aquifer are all being piped. So, all these things, if things have a timeline and some urgency, but to be able to take time and get input and plan ahead would save a lot of things we can learn from those mistakes. We don't have to do that, and I'll just finish by saying that people, I'm pretty outgoing, I think, wherever I go and people ask me where I live and I say Leeds, they're always envious of Leeds and New Harmony. They say, how have you kept it sane? And I say because we have people who do their homework.

Stephanie Martini: I want to thank all of you for serving too. I also want to thank Mr. Fawson for pointing out all the issues that he brought up concerning water and sewer. I'm particularly concerned about the expense that this could incur for everyone. I really think we need a lot more time to discuss all of these issues. There are a lot of people in this community that are on a fixed income. I don't know how all of this would pan out for them, so I think as well as looking at everything that Susan just said about learning from other mistakes, we should definitely consider the financial implications of all of this. I applaud you for making this into a discussion tonight, and I hope that no one will think that just discussing is a bad idea and not making a decision, particularly when we're about to turn over to new Council.

Doris McNally: I respectfully request that you consider table and limiting some of the agenda items just discussion points. My request is really based on several important considerations, and I believe it deserves thorough attention before any decisions are made. Since the first communication about this meeting, there have been updates to the Community modifying details that ranged from the logistics all the way to a revision of major part of the documents. As was mentioned earlier, there were over 28 documents with a number of pages. I urge each one of the Council members to really consider where they've had the opportunity to thoroughly review all the material and for the scheduled discussions tonight, adequate turnout time to do their own evaluations and research and reflection is critical to fully understand and especially the long-term ramifications and impact some of these possible action items will. As mentioned, it also appears that the town's attorney holds concerns and is making strong recommendations for further investigations, negotiations and clarifications on some of the documents in there in his notes and comments. Therefore, I respectfully ask the Council to table and limit many of the agenda items, just to discussions. The majority of the items tonight, this approach would then uphold the principle, the good governance and ensure that decisions reflect the perspectives our newly elected officials. Specifically, just for specifics, the areas I'm looking at is the hiring of treasure which it seems like you've taken off the agenda, the ordinance 2025 O 9202510, although not documented in the documents, and then all the additional documents that were added, the Master Development Agreement and Cove Environmental Escrow agreement. The Washington County Leeds reuse authorization contract. The amended revised Regional Water supply which has long term impact. Thank you for your attention and ideally ask you to consider have you really have the time to evaluate this information because it will impact this town for generations to come.

Wayne Peterson: I too would like to thank the four Members who are finishing their terms for the time they dedicated to the town of Leeds and to Kohl, who is going to be continuing on. I do look forward to working with you in the years ahead to the extent you are still with us, and I hope that will be the case. I wanted to comment on two things, one is resolution



2025-11 for the meeting calendar in the resolution. It states that the town council next year will be slated to meet twice a month for eight months and once a month for four months. With those four months being July, August, November and December, the calendar does show 10 months with two meetings where it adds back that second meeting in July and August. I would encourage the Council to approve the resolution and update the visual calendar so that we do have it set up for eight months with two meetings and four months with one meeting. I think it's important the town council can always have an additional meeting scheduled with at least 24 hours' notice, but I think it's very important that we don't have a series of meetings that might need to be cancelled due to a lack of quorum and I think in the summer months my history of dealing with councils in the past is sometimes it's hard to get people to not be on vacation. Then the other thing I wanted to comment on is that there has been discussion about a clause in the water supply agreement amendment with me today. I was told by an attorney many years ago and haven't had anybody contradict it, that an agreement to agree is not an agreement and that as a result I am concerned there was an agreement to agree on very short notice by December 31st. The short notice makes it only worse. But in my view, you don't want to have an agreement to agree, you need to work through that agreement as well before you decide to accept the actual thing that refers to it. So again, thank you for your service and thank you for listening to my comments.

Lynn Potter: Tonight's agenda is really complex and long, and it has really too much on it that should be voted on tonight. I think the town has spoken, the town is asking you not to do this tonight. You have to live with these people. I mean, there are a few things. Maybe you want to go ahead and vote on the Cove because Wayne's not going to probably want to deal with that when he gets in. It's a rabbit hole that someone's going to have to deal with, but the budget is a travesty. You know all those legal expenses are Bills's fault, he's racked up more problems with this town legally than anybody else. That's the truth. I hate to see the money for that come out of other things that are so much needed. I think the town has spoken. Please consider what they've had to say about tonight's agenda and put most of these things off for another day.

Troi Hoster: I too want to add my thanks to the town council members who have given four years of service to this town and even more, thank you. I just want to mention a few of my favorites in the last four years. This has been an interesting adventure for Bill and I to be on and some of my favorite things that have happened in the town in the last four years have been. A. I wanted a pickleball court in the park really bad, and that happened. Thank you for that. So many roads were redone. I really appreciate that. Thank you so much. Our museum was protected. Thank you for that. One thing that was really helpful too that I loved was the website being redone and updated and the records being codified so we can go on there and see what they are. So many things I really one of my favorite things is that you brought. Prayer back into our meetings. I really appreciate that. I hope the Council coming in will continue that. I think it's important to our community. It's important to me. So many things and thank you for doing the entrepreneurial class for the kids in our town. That was awesome. Just so many things but those are a few of my favorites and I just want to thank you all for your help this past four years.

Nathan Shakespear: Commented about the mayor leaving and a former employee.

Rochelle Gardner: I would like to also thank you all for your years of service. I appreciate it. I know that it takes a lot of time and energy and research to fulfill your callings. I would also like to say that I do not feel that the last comment was an appropriate place to be voiced. This is not an appropriate place to voice that type of thing. Especially about one person in particular. I would like the Council to specifically consider not approving at this point in time the Cove MDA, the revised water contract agreement and the reuse authorization agreement. The key issue involving all three of these agreements is the Cove development. The Cove project cannot achieve its density without the town signing the RWSA and the water reuse agreement at this time. Those two agreements haven't been thoroughly explained to the town. In a manner that everybody understands what's involved in it and what all the expenses and costs and implications are as a matter of fact, there have been no impact study fees, no cost analysis, nothing and to progress with that and sign those contracts at this time would be irresponsible. We haven't even decided or it hasn't even been decided how many units are going to go in for the Cove. If you examine the Cove MDA carefully, you'll find that there are other problems with that contract. They refer to the Baker Carlson lawsuit multiple times in order to hopefully sway it so that legislative actions will be turned into administrative actions. Which no longer can be changed, discussed or referendum? There are also other problems with that contract which involve finishing phases. What if they decide in the middle not to do, not to finish a phase. Those are just a few of the problems with the contract that need to be really reviewed and looked over before that is signed. I think that maybe it would be a responsible action to hold public workshops explaining reuse water, sewer implications and the district's 20-year plan that we would be assigned to. Then after that explain also the affordability studies and things that have been done and then get public feedback and then vote, thank you very much for your thoughts.

Linda Horsley: I just wanted to make a comment on behalf of the citizens. I worked in government for 36 years and I've never seen an agenda that was this vague. The agenda should be sufficient, specific as to what is going to be transpired at the meetings and this is so vague, I had trouble following it. Now I understand why the Ordinance 2025 is missing, but it

should have agreement approval to agree to the Regional Water supply and the Leeds reuse authorization contract should specifically be listed on the agenda. Those are big agreements that the town should approve and the citizens aren't even aware of it unless they went through every single document that was there. I got 10 times in my e-mail. This is not right. This is not how Leeds should run its operation. It's very sloppy, disorganized, and chaotic, and I think the citizens of Leeds deserve a more transparent agenda a more transparent document that have a background, a recommendation from the Council and the budget impact and fiscal analysis. Those two water agreements have a fiscal impact on this town. What is it? We don't know and thank you to all you hard working members.

Danelle Stirling: I just want, on the record. All charges were dropped for Michelle Rutherford Johnson and all dedication and love for this town by anyone that wants to show what she has done will always be appreciated.

## 8. Staff Reports:

HVFD: BC Matt Butterfield: We had 16 calls for service. Most of those are medical, 8 of them and some of them are other various calls fire related. To date, we're just shy of about 6000 calls as a department. The entire area that we serviced last month was busier than normal for Leeds, so we're seeing trend upwards. We've been quite busy as it apartment. We've had Shakespeare development; Bucks Ace donate their building for us. We've been able to get a lot of training done in that building. We've had UFRA down doing roof OPS and ventilation training for us on commercial buildings, which is something that we don't do a lot of, having their expertise has been a very big asset for us. We had Grass Creek Construction donate a house that they're tearing down over in La Verkin where we were able to get inside light some fires and take some of our new members in, teach them some fire behavior, something that they ordinarily wouldn't get the opportunity to do otherwise. We currently don't have a training facility. That type of training is just irreplaceable. You know, it's priceless for us to put them in kind of controlled environment and teach them what they're going to encounter in real-life situations. Those companies have been great to us. Burn season is officially closed now and won't commence again till March. Anybody have any questions for me about Fire District?

Councilmember Stirling: Is there any availability of fireworks on New Years Eve?

BC Matt Butterfield: I believe that is in the code that you can, we will be sending out an email or something on our website, but yeah, and I want to take a minute and thank Mayor Hoster for all the work that he's done in the time and effort he's put in to help secure funding so we can actually serve the citizens the way they expect us to and it's greatly appreciated.

9. Announcements: Pet clinic that will be January 24th. They'll be here at town hall from 1:00 to 2:00 PM. Doctor Bice will be doing vaccines.

## 10. Discussions and Possible Action Items:

### a. ~~Hiring of Town Treasurer~~—Regina Stoll

Discussion and possible action items of the of the agenda item A was struck for reasons of which Councilwoman Stirling noted posting of that position was not made on every site appropriately. We do have a candidate that I will speak of. That we had a couple of candidates apply. It's tough to get good people to apply to these. Positions that are part-time and not paid very well, and so we were hoping that that this was all done properly and that we'd be able to move with this with this candidate because she really was an amazing find for the next administration. I'm hopeful that maybe they'll have the ability to talk with her and see if she'll hold off and maybe be an option later, but we're going to move

### b. A RESOLUTION 2025-09 OF THE TOWN COUNCIL OF LEEDS, UTAH, APPOINTING A CHIEF ADMINISTRATIVE OFFICER AND RECORDS OFFICER

Next is a resolution of the town council appointing a chief administration officer and records officer. This is procedural. This was set up by the State that we must do this every year typically and mayor council situation. It is the mayor that is the CAO records officer who would be the clerk, noting that in the resolution we have the clerk and the mayor as the CAO.

Councilmember Stirling: The only change at the very back is that says the 3rd and the 12th are crossed out, so it needs to say the 10th.

Motion to approve with change made by Councilmember Cundick, 2<sup>nd</sup> by Councilmember Furley.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT	X			
COUNCILMEMBER: KOHL FURLEY	X			

c. Public Hearing for the amending the fiscal year 2025-2026 budget – Public Comment  
Motion to go into public hearing made by Councilmember Furley, 2<sup>nd</sup> by Councilmember Cundick.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT	X			
COUNCILMEMBER: KOHL FURLEY	X			

No public comments.

Motion to go out of public hearing made by Councilmember Furley, 2<sup>nd</sup> by Councilmember Cundick.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT	X			
COUNCILMEMBER: KOHL FURLEY	X			

Mayor Hoster: Considering the amendment for the fiscal year budget adjustments, yes, we have recently acquired some legal expenses that instead of running shy, we are mending. Budget for the next year and it's in the budget that's proposed.

d. A RESOLUTION AMENDING THE FISCAL YEAR 2025-2026 BUDGET

Councilmember Peot: I vote no because I'm not seeing financial transparency into how our legal expenses are being allocated.

Councilmember Stirling: I'll abstain because I wasn't able to review it.

Motion made by Councilmember Furley, 2<sup>nd</sup> by Councilmember Cundick.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING			X	
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT		X		
COUNCILMEMBER: KOHL FURLEY	X			



e. The Cove at Silver Reef Ordinance 2025-09

Jared Westoff: We have 22 lots that are recorded plat. Those have been recorded for quite some time before I even got involved. They just need a notice to proceed to be billed and became evident to us that some obstacles that we were facing with the Council since I got involved, that maybe that plan wasn't liked, and so we thought, we don't want to just keep fighting headwinds and let's reimagine the plan and we had some meetings with the town council doing what we could to stay away from getting in a lawsuit, we had some executive session meetings. Then we came out of those, we did a year's worth of planning again and we came up with a whole new plan that protected the hillside. So excited that we came up with a plan that roughly half the property would be maintained as open space and we would protect the view sheds from the top of Big Hill. We would have walking trails, pedestrian trails, E bike trails on those old historic mining roads, we looked at the zoning, it has three different zones, residential zones, 2-acre, one acre, half acre of random lines across the property. We are thrilled to be able to work through standards, propose some standards and then refine those standards with the Council and the Planning Commission before the Council. To note in our updated packet, all of those standards are found in one or more of the residential zones, except for our front yard setback. We are amenable if that should become an alignment with your other standards. It's 20 feet now. Your current zoning has 25, and so if we need to make that as another adjustment, we would. We've been able to work through the environmental. We're proud of that work to make that property and the whole Silver Reef area better. Grateful to Gary to enter a voluntary cleanup and to make our community safer. We appreciate the standards; the new design of the project is great. We have provided the ordinance; we went over that ordinance at the last meeting. The only changes that were made to the ordinance and the ordinance were updated where we had averages instead of minimums on lot with standards. The ordinance has been here for over a month. We provided the ordinance and we expected your staff to put the ordinance number on it and that's probably where the confusion is. I have written the ordinance number on it and pin thinking that's where the confusion lies. It's in the drop box folder we share with the sound as well. There's been a number of refinements from our last town council meeting based off of the discussion and dialogue and requests. To everything from the escrow agreement to the MCA to this ordinance to the community plan, there's been an additional map provided for Mr. Cundick, your concern with the hillside to show where the isolated slopes were versus the typical slopes that are just naturally occurring where we want to protect, which is the basis for hillside ordinance, which we are in full agreement with. Last thing that we did is we went and did a financial analysis of the project from a land planning perspective, 145 lots at a density of 1 unit to the acre we feel it is better we did do the analysis on the zone. The underlying zoning would allow for 161 lots, and so at 145 lots, it's less than that. In any way, not that you guys care much about us or how we're able to afford to do all this. When we run the analysis on this, the project stands to make .7%. Not only does the 145 lots a reasonable request, but it fits within the standards that we've come up with that are with the town standards, and we're excited for the project. We've got comments back from your legal and we've agreed to all those. We look forward to a vote, and we hope to, we hope it's positive, but we know that's your decision to make. Where this project has been going on for 20 years and we don't want to see any other delayed tactics. We'd like to see a vote and know where we're at. We put a lot of work into it and up or down we want to know where we stand.

Councilmember Peot: I'm a little confused on here because you've got two different color legends. You've got a legend for man-made non continued isolated watches versus then non usable over 30% and those are colored red and blue. But then there's also a slopes table based on slope angle range and those also used similar colors. I'm not clear. What is the difference between that upper legend and the and the lower legend? Then based on this, those plots that are that are on the shoulder of the hill. I'm not seeing where you could put an access road, in there because of my understanding of the fire department rules, you can't exceed 15% slope, let alone the hillside. I don't see how that can be accessed.

Jared Westoff: In isolated slope is, let's say for instance, when we did the cleanup, we piled a bunch of boulders in the middle of that, would be under the blue or where the miners historically piled up a bunch of rocks on the hillside there's a naturally occurring rock that has a 5-foot drop. That's not what we're trying to protect or we're in the cemetery along the edge of the cemetery, where there's a little blue speck showing where there is a ditch. That ditch dug is now at more than 40%. That's a man-made slope.

The current 22 lot plat in order for it to be recorded, my assumption is, that it went to the fire department otherwise why is it recorded?

Councilmember Peot: One of the things we spoke about in the work group meeting is there were a number of loopholes in the site management plan, the environmental covenants and even in the new latest version of the CC & R's that allow the environmental procedures that you're following supposedly to protect your residents, to be amended without the knowledge of the town. We talked about removing those loopholes and I'm not seeing those new docs. In fact, the latest CC&R's still says that you can amend the site maintenance plan without just having the DEQ approved that.

Janel Bauer: Yes, the town in CC&R's is required to approve any changes to the environmental portions of the CC&R's. The SMP is a document that was entered into between SRIH and UDAQ. The town has no privity of contract. That is not a document that the town has any authority to approve or amend.

Councilmember Peot: From experience Ray Crosby, who came all the way down from Provo, can attest to this is. We don't have confidence that DEQ will monitor the fact that you're executing your site maintenance plan because it happened on a SITLA parcel with the Christy Mill site. There was not a single annual inspection that occurred here and in your memo for the environmental escrow, it states, don't worry DEQ will take care of this. They didn't do it a single time.

Janel Bauer: Actually, UDAQ has been out every single year and done an annual review of the property according to the SMP, Rich is sitting right here, he's been out there with Dave Bird or the representative from UDAQ every single year. You can also get on the UDAQ's Website look up the voluntary cleanup program. Number and look at every single year's annual inspection report menu UDAQ.

Councilmember Peot: I understand that that you have been great about that, Richard, and I appreciate that. What I'm saying is down the line, it's going to be turned over to an HOA, and I don't have confidence that they will follow through on this plan, and nor do I have confidence that DEQ will maintain that and I do appreciate, Richard, that you've been very rigorous about those inspections, but I don't have that oversight confidence. Then when you're saying, we can just amend that site maintenance plan, maybe you can change it and say, we're only going to do it every six years or we're going to now not do testing, those things concern me.

Janel Bauer: You're making things up that aren't happening and putting conjecture out there. That's something that's a hypothetical situation that has not happened on this property at all. Second. If that process were to happen and say we did go through and amend the site management plan to only have a review every six years, the UDAQ would have to approve that you would be provided notice of that through the public notice program that UDAQ has to abide by under the voluntary cleanup program you can file comments on that. So, you're making problems where they don't exist.

Councilmember Peot: I'm not because it is documented with the EQ that even after the no further action letter had been signed, excessively high levels of radiation were found on your property. The only reason that nobody came in to do that last remediation was because Leeds citizens escalated that to the EPA and DEQ.

Jared Westhoff: On the site management plan that's governed by the state, and that's where the governance is going to stay. Leeds doesn't have the expertise to deal with that.

Mayor Hoster: I think it's the number of units. It's the ordinances and it's secondary access. Those are the components. I think those are the core elements that we said that's the point that we have got to determine whether this moves forward, or it doesn't. I don't think it's a table issue. It's a yes or a no out of respect for the time that this application has been sitting in front of us, many of these issues have gone back and forth many times, a lot of great research has been done, a lot of questions have gone back and forth legal minds have looked at all of the nuances associated, but it comes down to those three things. Council, I think many dialogues have occurred with regard to the number of units that are going to be available, as Mr. Westhoff has pointed out to the Council, their gross profit margin on this resides at .7% with what they're proposing. With regard to the number of homes that you have proposed to the Council and now, prior to that, there was an MDA that the Planning Commission reviewed, and the Planning Commission has recommended to the Council, 115 units. That is the number of units that have been presented, again from the Planning Commission to the Council. I personally concur with it. Council, I think your option at this point is to discuss the number of units and then we'll move on to the ordinances. If the packet as a whole does not meet the number of units, does not meet the current ordinances, does not meet the standards for secondary access, then it's got to be a no.

Councilmember Cundick: I think the developer has made a huge effort to try and deal with the environmental things. There are questions that we can never answer on that, and I think there's been a good faith attempt to deal with those. You can only do so much. I'm not interested in spending more time trying to dig into the environmental aspects. Just a little background to make sure we're on the same. I know some of you have been with this here and you know the background and some of you are new don't I would like to get a summary of some things that I think are germane and so we understand kind of where we are and we understand this. Where that was a voluntary cleanup. The cleanup was supposed to be for the entire subdivision, and it didn't happen. The developer asked the DEQ that they could narrow that down to about half that and get a certificate of completion for half that. Which they obtained. Then that became the area they wanted to develop. They couldn't develop before. That's where that stands right now. It ended up with about half the land being put into open space about 73 acres and 72 for development. On this the density calculated by the developer was using all the open space, so they used 145 acres and not just the 72 every development. It is a very different density



if you look at it that way. I don't agree with that. I just want to state what they used. The initial development agreement called for 144 lots. Water for those was conveyed to LDWA, and 22 of those spots, as we said, were approved for development. Many of us were expecting that to be the basis that once they got the approval from the DEQ that would go forward and then it turned out that we got an entirely new plan on it. And so that plan cut developed in half and added homes from the lots from 105 to 145 five.

Ray Crosby: Well, I've been a little disappointed with the DEQ. There's over \$3,000,000 spent on the Christy Mill cleanup. Back in 2004 through 2006. We cleaned it up right and properly. Well, SITLA decided not to clean up the Christy Mill site. They said it was all good. They put two or three feet of dirt over it and then two years ago SITLA contacted me and said we have a little problem there. It's eroded to the cap, and all that contamination is now flowing back on your property. They recapped it at the end of last year. Second problem. I thought it was perfectly good ground. When a repository was put on that extends 500 feet of contact, Rick Sant told me that he would move it back away from the border. That didn't get done. It's within inches of the border. I don't understand why you DEQ would allow that to put a repository take all this radioactive stuff and dump it on the edge of my property. I have another building back in, I know it's not in Utah, but there's a story here. Raised in Missouri, I bought a building in 2016 on an acre and a 1/2. Four years later, I got a call from the federal government saying, would you allow some kind of a sampling well to be put on the property and said why they said, well 1/4 mile upstream during World War 2. 1944 that was a repository for some of the uranium development that one and two of the two nuclear bombs that went over to Japan. There is now some groundwater leakage, and so I said, well, come and put a hole down. They come out and sample that every month. 81 years later, so you know, I I've had my issues with the government. In fact, I'm a little negative. I don't mean to insult anybody. I know there's a lot of effort put in but show me one thing the government does well.

Mayor Hoster: The Parkway has to be built and maintained; I guess my curiosity is who's doing that?

Jared Westoff: If our neighbor doesn't do it before we need it, it would be on us to do it because the fire department would require us to do it.

Bruce Baird: The secondary access is self-enforcing because your fire marshal simply wouldn't sign off on any plat that didn't comply with appendix D106 to the International Fire Code.

Motion to deny the MDA made by Councilmember Furley, 2<sup>nd</sup> by Councilmember Peot.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT	X			
COUNCILMEMBER: KOHL FURLEY	X			

f. Ordinance 2025-10 Water Supply Agreement

Mayor Hoster: Upon reviewing all of this and talking with many people about it including our attorney, Zach at the 11th hour, on a lot of these things, we did receive a document that we didn't approve of. Our attorney did have a medical issue, wasn't able to write back to redline and so we had a sequential conversation with Zach again yesterday from the Conservancy. As the board has demanded that we have sewer. If we're going to have water. If we could service all of the properties and Leeds with the LDWA, we wouldn't have this conversation, but the fact of the matter is that we have been told no and that is something that would also be in this franchise agreement that we've been trying to get in place for well over a year as well. Now if that be the case, we're denying. Property rights to those properties that are within Leeds they'll absolutely be able to disconnect if we can't provide them with water and should we try to provide them with water so that they can exercise their property rights. That becomes a question that sits before this council. Now there's a component of this that's the sewer and a lot of fear mongering that was published recently I want to put some answers and facts to that fear mongering so when we have control of the sewer, we have the ability to adjust the zoning where it goes in and who's pays for it. Now, according to Utah law, if anyone is within 300 feet of a sewer line you have to connect to it under the condition that state money has been used for that sewer line. If it's under the development of a private entity that does not apply. If developers put in those sewers and you're within

300 feet, you don't have to. If they disconnect and they do a PID or they do some other state funding that goes by your property now you do. These are circumstances I want to make sure you understand that we have looked at. We're not just trying to throw this stuff up here and see if it sticks to the wall. We've asked all of these critical questions and many more. I want to make sure that people understand that we're trying to make the best answer for the town as a whole for the future. We're dealing with the annexation issue with the sewer coming by your town and being funded by PID and doubling the density if they do disconnect. Those are the circumstances that we have got to deal with. The Conservancy has mandated that if we get water, you have to have sewer. Does it affect LADWA specifically, this agreement that we initially received was from the town of Virgin. It was a boilerplate from them. They had to relinquish all of their equity and the existing water company to the Washington Water Conservancy; we don't have that. We don't have a water company at all. This would be something that if in the future we had a water company, that language stays saying that we would have to relinquish that. There's no intent to ever build a new water company. Outside of what exists, that is just kind of fluff language. The way I'm understanding all of the factors that are moving here, I want to make sure that I'm dispelling any of the myths that have come out trying to say that we got an 8 million- or 5-million-dollar expense is going to come to the town, no. We're not bonding for a single dime of this. If we want to let them disconnect and we want to see effects come to the town then we may see some problems associated with that. The density going into the county, yes, the density into the county is significantly better for the developer than it is in the town of Leeds. We have a master plan that they have to comply with and in the in the county it is different. We are still a working Council because of new Council is coming in. We don't just throw up our hands and say, well, we're just not going to do anything until the new Council gets here. I would be really disappointed if any Council ever did things like that. Yes, we did see a lot of different documents come in. They were related to the issue that we just discussed as you heard from our Council and the other Council modifications were being put in to try and get this across the line for them so that our Council could have the answers to the questions that we had posed to them over the period of time, this isn't just for the Cove, this is for multiple properties that are in the town of Leeds that can disconnect. This, as you saw, has very little, if anything, to do with the Cove because they already have water rights, they don't need anything with the Conservancy. This wasn't just for the Cove, as you know, it has been another myth out there, so I hope I've answered many of your questions. I tried to write them down as they were as they were surfaced. I do think that the Boogeyman kind of thing is, it's tough. I mean, there's a lot of questions that come up and there's certainly this isn't the first time this has been going on for two decades and I'm familiar with reading all of the Tribune articles, the Deseret news articles in Saint George articles that is always been a very tumultuous circumstance in dealing with again, we're just trying to add teeth to the town on services and trying to stop from a disconnect that gives us that extra growth that we are trying to fight against. It is important that we now turn some time over to our town councilor, Hyrum Bosserman, who's been in dialogue with Zach to try and set forth what we would be deciding on tonight.

Councilmember Cundick: I think the sewer is probably the most difficult issue we've dealt with or will deal with in the last decade or two or three or 4. 1. If we want water, we have to go to the Conservancy and we can't go to LDWA for that. If we go with the Conservancy for the water, we go on the same terms as every other town in the in the county. We're not going to be able to sit down with the Conservancy and negotiate the special carve out. They have their standards; we meet those standards. where we need to put our emphasis and our energies is into looking at that sewer agreement, can we have a sewer agreement that will meet our needs? We recognize that the one is going to take extreme amount of effort and probably going to get an education to figure out the right combination for this.

Councilmember Furlley: We signed the resolution but get down the road and we realized that maybe the verbiage in that resolution is not what we want or it could be redone. You withdraw from that resolution, and it was explained to me that it would be considered pretty unprofessional once you say we're going to move forward with this resolution, then you're starting the wheels in motion to head down that track. It's not necessarily difficult to pull back from the resolution, but it's considered unprofessional. If I'm hearing you correctly which I respect everything. If we're having a hard time because of some of the things that the sewer either has clearly defined or not so clearly defined, and we want to take more time to get those answers then I'm going to have a hard time going forward with the resolution for the water supply agreement if we are not quite sure that the sewer is going to meet knowing full well that the water supply agreement in the sewer agreement are hand in hand. That's where I'm struggling. I don't think it's a bad thing to look at that agreement, but if we know that the sewers come with it, then I think we need to look at it as a package deal, make sure our homework is done, and then decide.

Hyrum Bosserman: Obviously, the Council has the discretion to postpone. I think the Council saw my comments in the packet detailing kind of short timelines, echoing what Councilmember Cundick has mentioned here tonight, you know, with this agreement with the sewer district, I do want to represent to the Council that in an effort to try to understand this and I apologize if any of my comments seem tardy or seeing redlines tonight. Those were just my attempts to put in place what happened since I had sent my bubble comments over to the Council on Friday in the packet. What happened on Tuesday I, to try to better understand what the district was proposing and because I had a number of comments and concerns with how this amendment was being written, at least what it was obligating us to do on a very short timeline. I reached out to council for the district, Zach, we had a lengthy conversation in that he indicated that, the district would not hold us to any firm deadlines that they would be open if we wanted to amend with amendments pushing out any deadlines that we need pushed out, for example, membership in the town of Leeds before you and I. I believe there's some redlines that I put on the discussion available at the meeting as well and I also sent over a summary of those changes, just so it would be easier for the Council to review quickly in the bullet point sheet.

Motion to table item made by Councilmember Stirling, 2<sup>nd</sup> by Councilmember Peot.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER		X		
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT	X			
COUNCILMEMBER: KOHL FURLEY	X			


- g. A RESOLUTION 2025-11 OF THE LEEDS TOWN COUNCIL ESTABLISHING A TIME FOR REGULAR TOWN COUNCIL MEETINGS AND PLANNING COMMISSION MEETINGS

Motion to approve with removal of July 22<sup>nd</sup> and August 26<sup>th</sup> to the calendar made by Councilmember Furley, 2<sup>nd</sup> by Councilmember Cundick.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: Bill HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT	X			
COUNCILMEMBER: KOHL FURLEY	X			

11. Adjournment: Motion to adjourn was made by Councilmember Furley at 9:47 pm

Approved this 14th Day of January 2026.

  
Wayne D. Peterson, Mayor

ATTEST:

  
Cari Bishop, Clerk/Recorder



