

Town of Leeds

Town Council Meeting for Wednesday, March 25, 2026

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

ROLL CALL:	<u>Present</u>	<u>Absent</u>
MAYOR: WAYNE D. PETERSON	X	_____
COUNCILMEMBER: JEFFREY ALLEN	X	_____
COUNCILMEMBER: CHRISTINE HARVEY	X	_____
COUNCILMEMBER: AARON PRICE	X	_____
COUNCILMEMBER: KOHL FURLEY	X	_____

Town Planner Scott Messel was also in attendance.

2. **Invocation:** Rochelle Gardner

3. **Pledge of Allegiance**

4. **Declaration of Abstentions or Conflicts:**

5. **Consent Agenda:**

- a. Tonight's Agenda of March 25, 2026
- b. Meeting Minutes from March 11, 2026

Motion to approve consent agenda made by Councilmember Price, 2nd by Councilmember Furley.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: WAYNE D. PETERSON	X	_____	_____	_____
COUNCILMEMBER: AARON PRICE	X	_____	_____	_____
COUNCILMEMBER: JEFFREY ALLEN	X	_____	_____	_____
COUNCILMEMBER: CHRISTINE HARVEY	X	_____	_____	_____
COUNCILMEMBER: KOHL FURLEY	X	_____	_____	_____

6. **Announcements:** Easter Egg Hunt Saturday, April 4, 2026, 8:30AM to 10AM

7. **Public Comments:** No action may be taken on a matter raised under this agenda item. (Three minutes per person) NONE

8. **Public Hearing: TOWN COUNCIL – PUBLIC HEARING NOTICE FOR MUNICIPAL DISCONNECTION REQUEST**

**SILVER POINTE ESTATES PETITION FOR DISCONNECTION
PURSUANT TO UTAH CODE ANN. §10- 2-501(2)(a)**

Motion to go into public hearing made by Councilmember Price, 2nd by Councilmember Furley.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: WAYNE D. PETERSON	X	_____	_____	_____
COUNCILMEMBER: AARON PRICE	X	_____	_____	_____
COUNCILMEMBER: JEFFREY ALLEN	X	_____	_____	_____
COUNCILMEMBER: CHRISTINE HARVEY	X	_____	_____	_____
COUNCILMEMBER: KOHL FURLEY	X	_____	_____	_____

Jared Westoff: Mayor, thank you, Council and the staff. We are here to talk about a disconnect from this property you see on the screen. I have been involved in three other disconnects and each one is a little bit of an awkward conversation because you are asking to be removed from the Town boundary. Each time we were able to figure out how to do the disconnect without having a judge make the decision, one time we just adjusted the municipal boundary because of the way the services worked out. The other two did a disconnect and then furthered the development process. Our goal is to really just set any personal biases aside and be able to talk about the law and whether or not we meet the qualifications for a disconnect.

Bruce Baird: This is a complicated process. It is a weird standard. It's an equity standard of justice and equity with a whole bunch of factors to sub-factors. We have addressed the factors, and we have addressed the factors. It would be an unfortunate expenditure for the Town's resources. All we are trying to do is protect our client's private property rights to get reasonable development of their property. A right that the Utah Supreme Court has called a sacred right, the right to develop private property. We consider that we have done everything we can do. We appreciate your efforts. We believe that we have met the standards. We trust that you have read them, we trust that you will have rational discussions with them in a public session. We know that you are going to get excellent advice from your counsel. You don't have to make a decision now and it's up to the council.

Town Legal Counsel Hyrum Bosserman: The deliberation will take place on a different date, and perhaps a couple dates depending on what the Council wants to do before a final decision is made on that. With respect to the letter, there are a lot of factual disputes in there where the Town disputes themselves and representations that were made. Just want everybody to keep in mind that Bruce didn't really go into the standard because there are a lot of nuances in the standard. Just so the council and the public are aware, as we are addressing comments tonight, Utah Code Section 10-2-502-7 speaks to disconnection specifically and has a standard listed there. They must be a viability for disconnection, justice and equity, and specific criteria that the proposed disconnection can't leave the municipality within its boundaries for which it's going to leave a detriment or make it economically and practically unfeasible for the municipality to continue or leave an island or Peninsula. You have to show that the County is capable of providing the services. Then there are factors the court will consider if the disconnection petition moves forward to the District Court.

Public Hearing Comments

Rodney Hill: I hear everybody talk as if land means anything, it doesn't. I have been here; my family has been here since the 80's. When Rick Sant proposed to do this subdivision, we were happy because we would have a road. I would have propane; I would have internet. Everybody was happy. From that point on every single Mayor I went to I said people won't even drive up my road because it's so bad. We are going to develop in two years, it washes out in the rainstorms, the dust. Bonanza Flats is a freeway, side-by-side, motorbikes, every single day and the dust fills my house. I breathe it. The city will not do anything to maintain any of those roads. I don't think it even matters to them, I call it the land that Leeds forgot. I want this disconnect; I want to be able to live in a place like everybody else. Every developer has been promised but there have been roadblocks. They have met almost every hurdle. They are not going down Main Street with the sewer; everybody has no density on the west side of the freeway. I have been here for 20 years, no one has cancer, no one has respiratory illness, I don't see the health risk everyone is talking about.

Ray Crosby: I have been a property owner in the Leeds Silver Reef area since 1992, 34 years. I bought the first piece which is 22 acres, five years later I bought another 30 acres, and in 2003 a six-acre piece and 2010 a 10-acre piece. It now totals 102 acres. I am not a developer; I am a novice at this development game. Of the 102 acres, 52 acres is in Washington County, and 50 acres is in Leeds. The reason that I am joining the disconnect is because I feel I have been forced into it. I had a meeting with LDWA Board of Directors and I presented a proposal; I have 50 acres in Washington County I would like to annex it to Leeds if you can provide me with 50-acre feet of water. The verdict was, sorry we don't have the water resource to offer that to you. I am joining this disconnect because I do not want the nightmare of trying to deal with two municipalities. I am pulling out 22 acres of Leeds that adjoins the 52-acre Washington County piece. I just want the public and the Council and the Mayor to know the reason I am supporting this disconnect. I don't know how much time I've got left, my family history goes back to 1878. My great, great grandfather, George Henry Crosby, was the bishop here in Leeds, he was also the sheriff at Silver Reef. In 1884, he locked up a bad guy, the bad guy was vindictive and in the middle of the night, he burned my great, great grandfather's house down. My great, great grandmother, Sarah Hannah Brown, badly burned her feet trying to exit the burning house. So, he said, that's enough. He packed up and moved to Arizona. I don't want to move to Arizona. I'd like to do something here. I'm sorry it comes down to feeling I'm forced to be part of this disconnect.

Colton from Bloomington Hills St. George: I would like to start off by recognizing the Council and all the time and effort that it takes to help make decisions on behalf of a Town or City. I'm here today to voice my opinion on what I have seen in previous meetings and my perception. Recently, I've started my own family, and I'm interested in pursuing a career in building, developing, and beautifying this wonderful part of Southern Utah. I have been able to see multiple developments, help my community grow, and succeed in this area. Housing availability is very important for a young family like mine and in a career that I am interested in pursuing. I have attended these meetings, I have felt that the Council or the previous Council has not done due diligence in striving to work with the representatives of this disconnect, but rather try to stonewall, delay, or focus on topics during meetings that do not move both parties forward and have a common goal. It seems as though the team at Silver Point Estates has gone above and beyond by all legal means to get this development approved and move forward. It seems like they have already done so much to help improve the area, including a lot of money and time. I ask as a viewer that you

allow this group to move forward with the disconnect, as they have done all in their power to be fair and transparent. I know that it is a hard thing to be a member of this Council, and so I applaud all of you, each individually, and the decision that you make to represent this wonderful community. Please work with this group as a team to help this community and put it first.

Michelle Peot: The State commissioned a study of the area where Silver Point is, and a PhD-Level scientist concluded that the area should be designated by the County as having elevated radioactivity and thus be exclusive of residential development. This report was varied by the County Commissioners, and Silver Reef residents were notified that a report existed, but not the alarming findings in there. There have been repeated failures by the State and Town and developers to protect future residents from harm on this site. In speaking with the Utah DEQ, it is unprecedented to allow a voluntary cleanup for a new residential on a former uranium site. They could not name a single other site that had done this. Their initial cleanup was not done to spec; hence they had to do a follow-up remediation when it was escalated to the EPA and State. We attempted to work with them on their cleanup docs after noting that it was full of loopholes that would undermine future remediation efforts, and they refused to do so. Leeds is not equipped to adequately regulate this property, and should the HOA be dissolved, the Town would be left to pick up the pieces. To build residential buildings here is immoral, and the Town should not have this legacy and liability. I support their disconnect.

Alan Roberts: My first approach to any disconnects is to be non-supportive. From the viewpoint of when you start disconnecting municipalities it has a tendency to become a snowball effect. I will use Ray Crosbys property as an example. When I look at the history of this particular property, starting out early with Rick Sant as the individual in charge of the property by the landowner. There have been times when I would say that the Town has been onerous in requirements in many ways. It could be argued that the applicant had some vested rights at one time, and they come in with a change. The Town accepted that application and went through that process. The result is THE landowner requests a disconnect. The municipality of Leeds is not just to exist as a body of politic and municipality. There are responsibilities that come when you incorporate as a Town of City. Leeds has been apprehensive, and difficult, on stepping up to meet what I would say are basic needs. With the application, do they meet the criteria that qualifies them for a disconnect? Whether people vote for you or not you represent us.

Susan Savage: I read the entire document including the footnotes. The reason I read the whole thing, I also read the disconnect petition for Silver Cliffs, is to scrutinize all the wording because of experiences of the past. Jared and I walked out of a funeral of a man we both knew. Jared and I have had our differences over the years. I wanted to say something positive; I told him that this man had said to me that he appreciated Jared's work with him as realtor, Jared said, it is nice to work with someone who trusts you. I would say now it's nice to work with people who can be trusted. My trust has been challenged over the years in this relationship. I have lived through the years of Mr. Sant. At the time I saw frustration. I was surprised that the Town wasn't challenged at that time. With new administration and with the passing of Mr. Sant and new representatives and the expiration of the development agreement. To me that was a perfect time to start again. This is why development agreements have expiration dates, so you can start again with new people and ask questions and review what is happening. I am thankful that the development group has pulled their water out of LDWA. That's a gift to all of us. It's puzzling to me that instead of going ahead with something that was working out, Mr. Westoff came to LDWA and said, "We want more houses now. The." had not reserved enough water, according to LDWAs bylaws, to serve those homes. When he came to the Planning Commission they gave him a grilling, they said do you have enough water for these homes. He said yes, we are filing an application I'm working through the process, LDWA needs to change their bylaws.

Martha Ham: The Town of Leeds is a community of 600 voters and under 400 water taps. Our tax base is modest, and we can afford a full-time clerk and maintenance person. In addition, the Town contracts for various services like a Town Planner, Attorney, Engineer, Law enforcement and so on. The remaining roles and tasks involved in managing the Town are filled by elected and appointed volunteers. Our management infrastructure is very limited. The truth is that our small town does not have the staff to support taking on a development like the Cove, which is complex. The developers have wanted the Town to take on a role in annually monitoring the presence of radioactive contamination that could become a threat to public safety. There is no amount of compensation that the Town could be paid to take on this responsibility that could risk our small community becoming liable for decisions made around the overall safety of this development. It is highly unusual for a development to need this kind of monitoring. It is not the Towns responsibility to be involved in this case. It was determined decades ago that this area should not be developed for residential use. I believe Michelle Peot talked about the 1995 report. We have historical documentation to this point. If a problem arose, imagine how that report, a solid warning, would play out in a courtroom. I do not believe it would go well for the Town. I do not know if they should disconnect or not. I think it's a very complex situation. I do not know if we should support disconnect or not, I have big questions about how we could manage this and maybe this is something the County is more equipped to look at.

Ron Cundick: We are a very small town; we now have an opportunity to become smaller. If we become smaller this time, we will probably have many more opportunities to get smaller still. I am quite unhappy we were not able to work something out. I thought the original dream we had was pretty good. I thought we were moving in the right direction, but there were ups and downs. I think too much emphasis has been placed on potential litigation. You cannot make decisions based on potential litigation. I thought that the amount of money, for example, on the bond, I thought was perfectly adequate to handle the normal things that would come up with repairs. If the \$100,000 couldn't cover that then it would probably have been a major expense, we would have had. Who would you sue? Would you get your two cents out of the Town? Or would you go after the State? We didn't go after this thing lightly in the initial approval we did on the plat. We said we would approve it conditionally; the condition

was that the State has to approve the cleanup first. If the State approves the cleanup, then okay. That happened for the portion that they are planning to build on. Being sued is not on the plate as far as I am concerned, if we get into that kind of situation, it will be big dollars, and the big pocket is the State. The State is holding the package on it. There have been a lot of things happening on both sides. Some commitments were made and not fulfilled. I think that the lawyer needs time to sit down with the Town and look over these things and just see to what extent we need to dig in or surrender on this. Money is a tough thing for this Town; we don't have any. I was very unhappy when we went from the promised 102 units per acre to 144 with no willingness to come down to something we could have lived with. The developer knew we could improve 144, because it all figured we would improve it. To say that we weren't cooperating because we didn't approve of it.

Paul Taylor: I support the disconnect. My family moved here 30 years ago. By some miracle I was able to move back. I am renting here in the area. 30 years ago, I pulled Susan Savages' weeds and it's likely my kids will pull her weeds here in the near future. We would love to be able to build or have something here in the area. This was my playground. Before the mines were closed off, there was a time you could explore them and that was 30-40 years ago. I support this.

Kayla Koeber: I knew Rick Sant by acquaintance, I am acquainted with Gary Crocker himself, in fact myself and a few others assisted Mr. Crocker in getting the gate put across the road, where his compound now sits. Unfortunately, the agreement was that Mr. Crocker would allow horse and pedestrian and bicycle access, hiking access if we assisted with the gate. The gate has gotten littler and littler. I have qualms with Mr. Crocker's good faith. Is he a man that keeps his word? As you look at this disconnect petition, I have great faith in our current Council making the right decision. I would just ask that you do it based on facts. Looking at this 36-page document, I found it long on accusation, short on substantiation, long on histrionics, short on facts. The statements in this disconnect petition can be easily refuted by a simple glance at the public record, by a close look at the public record. I found this offensive; I found the way it characterized some of our hardworking town members slanderous. I found it borders on defamation. This is not a document upon which to base a very complex issue with a lot of history. I can absolutely, in good faith, state it is not an accurate record of exactly what happened. I also found it blunt, and very unprofessional. I have not seen a document like this that is such a terrible misstatement. I hope that you will use good, solid facts and history with which to make your decision.

Dale Woodbury: I found the tone of this disconnect petition to be offensive. I would just ask that the Council respond in the defense of our citizens who stood up and put themselves out there. They did what was within their rights to do, and they provided a service to the Town in doing that. I would ask that you defend them, that you set the record straight in terms of their participation, and that you put that up in front of the document that you use rather than burying it in the text and set the record straight on behalf of these individuals.

Susan Savage: I want to talk about science. Irma Thomas was my friend in St. George who headed up the Downwinders Project. She spent her entire life working through science and government to get justice for the people who died from cancer. Those funds were to cover the people who were directly exposed, and there was a sunset on the funds as soon as those people were gone. Science keeps progressing, I regret the **purjority??** statements that were made in the document about people's scientific research and presentation. What happened with the science with the Downwinders was that they found that people in my generation, cancer, skipped our generation for some of us but affected our children and grandchildren. Those people are losing their children and grandchildren now. The Downwinders Project has gone back to ask for an extension of funding for cancer treatment after that. I am surprised that Mr. Crocker who has worked hard on his legacy of cancer research, Crocker Science Center at U of U, houses the Center for Cell and Genome Science and research how we decode DNA to understand, prevent, and treat cancer. With all his legacy he would dabble in something which would be so insignificant to him financially and that is directly posed to leave a blanché on his legacy. He could commission this group of talented representatives to provide him with some creative use for his property that doesn't include residential that would make him a true hero.

Ron Cundick: I would remind the Town Council that the criteria for being eligible to disconnect is a criterion that's conjunctive, it isn't just meeting one of those criteria. It's a list of things they have to meet. Let's talk about equity and justice. We have a developer who came in, annexed with certain promises. We helped him out by agreeing with the plat. They ran the problem with cleaning up. They agreed to 102 houses, units spread out over the entire area. Then when that evaporated, that agreement, because of the timeline, we were suddenly presented with a very small half acreage. Instead of 102, 144 now. When we annexed them in, we tried our best, admitted we have some problems, we tried our best to work with them. If you get a chance by voting no tonight. You can always change your mind later. The developer suggested that it's going to cost you an arm and a leg, so that criteria will have to be reviewed carefully by the attorney. Don't be intimidated, I am disappointed that the developer couldn't figure out some way to come closer to meeting these original promises so we could work together. Mr. Crosby needs the water; he needs the sewer. We recognize that LDWA doesn't have the water for the development so that means water must come in from the conservancy. That means sewer must come with it. There needs to be a way to work it out, so the Town is not managing that. I ask you tonight to think about these things. When it comes time to vote on it, vote not to allow this disconnection and give your attorney time to look over this and perhaps get some more input on some of these issues.

Bruce Baird: One point that's been raised is the standards; they are only applicable to the court. That's where those standards apply. Those standards are only applicable to a court forcing a disconnection. It will be up to your lawyer; you don't have to go through the disjunctive or the conjunctive. You don't have to find any of those things.

Motion to go out of public hearing made by Councilmember Price, 2nd by Councilmember Allen.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: WAYNE D. PETERSON	X			
COUNCILMEMBER: AARON PRICE	X			
COUNCILMEMBER: JEFFREY ALLEN	X			
COUNCILMEMBER: CHRISTINE HARVEY	X			
COUNCILMEMBER: KOHL FURLEY	X			

Mayor Peterson: It was mentioned at the onset that it would be subject to my discretion as the chair of the meeting. I believe it will be a lot more productive if everybody takes a bit of time. We will put this on the agenda for our first meeting in the month of April. The Town Council can have an open public discussion of what we have heard tonight, what we have seen in the petition, and similarly the petitioner organized thoughts and presented what they feel is appropriate at that time. I think it will be a much more thorough, accurate, and fact-based discussion if we do postpone any further discussion until that point.

9. Discussion and Possible Action Items:
 a. 1st Qtr. Budget vs. Actual Report

The mayor went over the first quarter of the budget vs actual report.

- Sanitation: Revenue is close to projections, but expenses are understated due to a budgeting error that needs correction.
- Impact fees & building permits: These are uneven throughout the year. Higher than budgeted amounts in early quarters are not unusual and correspond with increased construction activity.
- Class B & C road funds: Revenues are higher than expected, but expenses are underbudgeted. Because these funds must be spent only on road work, the Town must amend the budget before June 30th to ensure a balanced and compliant budget.
- Interest income: Two road fund interest figures appear to be swapped, correcting them would bring results close to budget.
- Property taxes: Most revenue is received in the second quarter, which explains large spikes and apparent overages.
- Municipal energy tax: Seasonal usage causes overages in summer this is expected.
- On-time expenses: July 4th fireworks occur entirely in the first quarter. Liability insurance is paid early in the fiscal year. Payroll tax reflects the Town's share of Social Security, not employee withholdings.
- Community celebrations: show a negative number because pancake breakfast proceeds were miscategorized and should be recorded as revenue.
- Engineering: (Grapevine Wash Silver Cliffs costs are reimbursed explaining large negative offsets.
- Legal expenses are running high and will require another budget increase, though spending has slowed.

Overall, the Council acknowledges several budget structure and timing issues. They have plans to correct them during the upcoming budget amendment and annual budget process.

b. 2nd Qtr. Budget vs. Actual Report

Moving onto the second quarter budget review report.

- Technology expenses and subscriptions were significantly cut in a prior amendment but must be restored since costs were already incurred.
- Audits and financial review costs appear higher than budgeted and require follow-up to determine whether charges span fiscal period.
- Subscriptions and Dues are running above what the budget states this is because of technology driven subscriptions which needs to be separated out in order to track accurately.

Several revenues and expenses appear out of balance due to timing issues, misclassification, or underbudgeted line items. Some large expenses are reimbursed and do not represent overspending. The Council states that the budget must be amended before June 30 to remain balanced and compliant, these issues will be addressed during the upcoming budget amendment and annual budget process.

c. Town Volunteer Work Sessions

The Town Council discussed volunteer work planning and community engagement.

- Organizing cleanup leftover stone piles at CCC Camp and Majestic Mountain area.
- Addressing weed overgrowth, especially in cemeteries.
- Replacing or removing deteriorating sandbags along streets.

There is interest in encouraging public participation, emphasizing both the benefits of improving the Town and fostering community connections, while acknowledging the work can be physically demanding.

10. Discussion:

a. Washington County I-15 Corridor Zoning (Title 10, Chapter 9)

The discussion focused on updates to Washington County I-15 Corridor Zoning proposal and community feedback.

- Zoning changes: After public input the county made several adjustments.
 - Removed the proposed multifamily zoning from the west/north side of I-15, limiting it to the east side.
 - Reduced density from 18 to 15 units per acre.
 - Lowered maximum building height from 40 to 35 feet.
 - Strengthened spacing rules so no similar developments can be within half a mile of each other. Removing the previous 100-unit threshold.
- Map Concerns: Council members noted the official map is misleading because it appears to include areas where the county has no authority. Emphasis was made for the need for a cleaner, more accurate map showing only applicable areas.
- Jurisdiction Clarification: The zoning changes only apply to unincorporated county land and do not affect the Town of Leeds directly.
- Community Impact: Members felt public involvement helped influence meaningful changes and that future development would still require a rigorous approval process.
- Regional Coordination: There is ongoing communication with neighboring communities, especially regarding future use or annexation of BLM land.

11. Staff Reports

Councilmember Furley: Discussed a planned cleanup project near the Leeds freeway exit where a past fire burned trees on both sides of the road. The plan is for a wildland crew to remove and chip dead trees to improve the areas' appearance. Work was delayed initially to confirm which trees were truly dead. Timing is uncertain because the wildland crew may be deployed elsewhere due to an already busy fire season. Discussed bids that were received for crack sealing and resurfacing. As well as parts for the crack sealing machine are in for repairs to move forward.

Councilmember Harvey: Discussed going to land use training, attended a full day Land Use Institute training focused on housing development laws. Key takeaways were that developers and realtors have strong influence, affordability requirements are a major topic, and some rules may feel more like box checking than fully effective solutions. There is significant effort at the State level to address these issues. The Easter Egg Hunt is discussed planned for April 4 at 8:30am with separate groups for younger children. Volunteers are needed to help prepare.

Mayor Peterson: Discussed efforts to catch up on overdue reporting and improve compliance. A fraud risk assessment revealed the Town lost a large number of points because bank accounts were not properly reviewed by an independent person. Steps are being taken to fix this issue moving forward. Some criteria won't be met such as hiring a CPA or having staff with advanced accounting degrees. The Town can regain points through required training, specifically a municipal board training that must be completed within four years.

Plans will be in place to have Councilmembers complete this training to improve the overall compliance score.

12. Public Comment: No action may be taken on a matter raised under this agenda item. (Three minutes per person)

Doris McNally: I just wanted to acknowledge and thank the Council for resurrecting the review of the budgets. It's really good to see we haven't seen them for a while. Quarterly budgets keep everybody's eye on the ball. Thank you.

Michelle Peot: I really appreciated at the last Town Council meeting the opportunity to give public input on the zoning ordinance changes. It was great to get to have time for us to have an open session on that and then take that feedback back to the County Commissioners Thank you.

Martha Ham: I was really proud of Leeds at the hearing with the County Commission regarding I-15, the planned development multifamily rezoning issue. I want to also acknowledge the letter writers. There were people there who made beautiful comments, and it went in the ears of the Commissioners. I also think the letter writers had an impact and they mentioned that. I think our citizenry is really doing well with responding to public issues and our process is really healthy and interactive here in town. I feel like we left the county commissioners with a good taste in their mouth about who Leeds is and how we address issues.

13. Closed Session: A Closed Session may be held pursuant to Utah Code Section 52-4-204 & 205

14. Adjournment: 8.32PM

Approved this 8th Day of April 2026.

Wayne D. Peterson, Mayor

ATTEST:

Cari Bishop, Clerk/Recorder

DRAFT