

Town of Leeds

Town Council Meeting for Wednesday, April 8, 2026

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

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 in attendance.

- 2. **Invocation:** Susan Savage
- 3. **Pledge of Allegiance**
- 4. **Declaration of Abstentions or Conflicts:** NONE
- 5. **Consent Agenda:**

- a. Tonight's Agenda of April 8, 2026
- b. Minutes of March 25, 2026

Motion to approve consent agenda made by Councilmember Harvey, 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:** Cookout Dinner Friday April 17 @ 6:30PM at the Peach Pit Pavilion.
Our second of the year cookout dinner in the park at 6:30 PM on Friday, April 17th. There will be a hot charcoal fire ready to cook. We ask residents and friends to bring what they would like to eat as an entree to cook, plates and utensils they might need, and a dessert or a side dish to share with their neighbors at the event.
- 7. **Public Hearing:** NONE
- 8. **Public Comments:** No action may be taken on a matter raised under this agenda item. **(Three minutes per person.)**

Susan Savage: You mentioned that you don't want weeds here. After considering and talking with people, after the hearing on the Silver Pointe development, the code disconnect petition, I just want to come down on my side for whatever it's worth for opposing the disconnect. I think we can take better care of our future neighbors than the County will, and because I would like to see us not be enablers. I feel like by the team's own declaration, they're in the business of dismantling communities. They talked about doing it with several communities and several efforts. Whether or not their stories are true, and many times this type of boasting is not, but supposing that it is, we would be enablers. It's the story of a little rabbit who learned from his race with the tortoise and was wiser after that. He comes along and he gets into a sticky situation. It's a setup, and for the people who've set it up, there's somebody who feels clever and somebody who feels very big and intimidating. They've set him up and once he's there, they pile on the insults like the ones we read in the petition. Those kinds of insults, we've all read legal and scholarly works, and we can recognize that those kinds of insults are what authors turn to when they run out of substance. We're a rabbit, we're going to skin you and roast you and

hang up your hide on the door. We're going to bankrupt your community. In his book on the famous Oleg Gordievsky, Ben MacIntyre quotes a judge's statement following the conviction of a man whose dismantling activities had ended up dismantling himself. He said, the man harbored unrealistic and exaggerated opinions about his own importance. That's what I think has happened here. One of the fun things about living in a small community is watching those who move in and out. Some bring their talents and become important contributors, and some come to puff and blow up the latter, people used to sing songs. This team would be fortunate indeed to collect autographs from many of you, from those of you who are sitting here, and from many in the larger community. Thank you for your service, and I certainly support whatever you decide.

9. Discussion and Possible Action Item:
 a. Amendments to Chapter 21-SUBDIVISIONS

Mayor Peterson states the Town needs to update its subdivision ordinance to match the checklist, so that the requirements can be enforced. The Planning Commission reviewed the changes over two meetings, held a public hearing, and recommended the revisions shown in the redline version sent to Town Council. The checklist links each requirement to specific sections of Chapter 21, with some items covered elsewhere in the Land Use Code. The ordinance and checklist align, and the Planning Commission intends to use the checklist to determine when subdivision applications are complete and ready for review.

Motion to approve made by Councilmember Prices, 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			

Amended Motion to approve with changes as follows, changing conformance to alignment made by Councilmember Price, 2nd by Councilmember Harvey.

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			

Councilmember Price raises concern about a section requiring an archaeological survey, questioning whether it means that anyone wanting to subdivide private property would be required to conduct an archaeological survey on their own land, and expressing uncertainty about whether that requirement is being correctly understood.

Mayor Peterson states that the Planning Commission has the ability to waive the requirements on this if they feel that it is not necessary.

Councilmember Price suggests that requiring archaeological studies on private property is unreasonable and costly, especially for small, personal subdivisions. He questions why private landowners should bear the expense when there is no clear evidence of archaeological significance on most land within Leeds.

Councilmember Allen states that the archaeological survey requirement is a gray area. While destroying significant archaeological finds would be unfortunate, it also doesn't make sense to require expensive, full studies at the start. He suggests a reasonable middle ground conducting an initial, low-cost preliminary review to identify any major concerns, and only pursuing more extensive investigation if warranted later.

Councilmember Prices states concern with language in paragraph C11 that asks developers to show how a project is in "conformance" with the Towns General Plan. Noting that the general plan is typically not legally binding under Utah law,

and that using legal terms like conformance could unintentionally make it enforceable. Suggesting changes to the wording to something like “alignment” to reflect the intent.

Mayor Peterson suggests that the proposed changes are not significant enough to warrant delaying adoption, noting that requiring archaeological review upfront can actually prevent costly delays later if discoveries are made during construction. He also emphasized that the ordinance allows the Town to waive such requirements when appropriate, and that modern methods can quickly and inexpensively identify disturbed land. He also stated the importance of clearly defining what constitutes a complete application given the States 21-day review deadline and supports changing the wording from “in conformance” to “in alignment” with the general plan.

b. Homelessness Funding in Washington County and Switchpoint Provider.

The discussion is on a county-level about funding homelessness services through Switchpoint. County Commissioners proposed annual municipal contributions based on usage levels, but no mayors agreed to the plan, emphasizing that mayors cannot commit funds without council approval. Bringing the issue to local councils for discussion would be better, discussion on financial impact and annual fees can be heard from Council. The contribution would be \$5,000 annually and for the Town of Leeds that is about 7% of the Towns property tax revenue. Majority state that helping personally is how donations should happen to Switchpoint not an annual fee from the government.

c. Zoning of Parcel L-92-A

Parcel L-92-A became unintentionally un-zoned at some point between about 2010 and the present, with no clear record of a Town Council or Planning Commission action causing the change. Historically, the parcel was consistently zoned commercial and land use maps from 2005, 2008, and the 2010 map referenced in the 2011 general plan. After that, the commercial zoning designation appears to have disappeared from the official zoning map. This is not a rezoning action but a correction to reestablish the parcels zoning, and to make the Council aware.

10. Discussion Items:

a. Silver Pointe Estates Petition for Disconnection

Legal Counsel for Silver Pointe addresses the Town Council about the statutory standards related to the proposed disconnection. Legal Counsel explains that the statutory criteria only become relevant if the Town denies the disconnection and the matter goes to court but reviews them to show how a court would likely evaluate the case. Legal Counsel for Silver Pointe states the land qualifies for disconnection because it is currently vacant, contributes less than 0.2% of the town’s budget, receives no municipal services, and would not increase service costs or impair the Towns viability. Counsel further contends that the county can readily provide any necessary services without material cost increases. Counsel emphasizes that the lands long history of controversy has caused division within the community and asserts that disconnection would reduce conflict, risk, and administrative burden for the Town. Counsel concludes that denying the disconnection would likely result in difficult and costly litigation.

Legal Counsel for the Town of Leeds states that the Town has unmet needs and that adding a reasonably sized neighboring development would strain limited resources in a small town, both in terms of revenue and expenses. While revenue impacts matter, they are also reviewing liability concerns and are not convinced the Town faces major liability either way, this suggests more clarity needed. Concerning the community, dividing into smaller parcels harms community cohesion. The emphasis is on collaborating better with developers to achieve well planned development efficiently. Counsel strongly prefers avoiding a legal disconnect process, viewing litigation as costly and unproductive and believes a negotiated cooperative solution would benefit everyone.

Concerns about what plan the development has if they move to the County. Legal Counsel for the development states they do not have a plan because they do not have any zoning if they move to the County. Water is another concern, some properties proposed for disconnection currently receive water from LDWA. LDWA rules require properties to be within Leeds Town boundaries to receive service.

The Council raised concerns about a previously identified secondary access road near the Catholic cemetery, stating its importance for safety, especially given population growth west of I-15 and wildfire evacuation risks. The developer responded that plans for the road would remain in place even if disconnection occurred and that they are working to formalize an existing easement into a dedicated county road. While the Town originally viewed the road as emergency-only access due to steep slopes, the developer stated they intended it to function as a full, open roadway. The road was designed as a collector with no homes fronting it to better serve regional traffic. Council members confirmed that the secondary egress was a condition tied to increased project density, and the developer reaffirmed their commitment to building it in accordance with fire code requirements, coordinating with neighboring landowners as development progresses.

b. InfoWest Fiber Franchise Agreement

Randon Anderson from InfoWest explains that a franchise agreement would allow the company to coordinate fiber installation with the Town. Ensuring compliance with local right-of-way and permitting rules rather than working independently. InfoWest has secured federal and State funding to expand fiber service in underserved parts of Leeds, which is why regulatory requirements like archaeological surveys are becoming more common. The franchise would not cost the Town or residents anything; all construction and compliance costs are paid by InfoWest, including any required State fees. The agreement mainly ensures transparency, cooperation with the Town ordinances, and structured oversight as InfoWest brings fiber internet to the community.

Franchise fees were discussed and that Towns used to get funding from State and Federal for franchise fees but with fiber there is no government funding in that sense.

Concerns of road damage were raised, Randon Anderson explains that InfoWest carries a bond to ensure any damage caused during construction -such as to roads, sidewalks, or other infrastructure- is repaired or replaced at InfoWest's expense. The company commits to following the Towns permitting and ordinance requirements, using the bond as a guarantee that any impacts from drilling or installation work will be properly fixed and not left unresolved.

11. Staff Reports

Councilmember Furley: The Fire District reports that wildfire season is already underway, highlighting its early start by noting crews have returned from an out-of-state deployment. Despite burn season ending on March 31, illegal burning is still occurring, and residents are warned that reckless burning can result in fines up to \$1,500 and potential misdemeanor charges if property is damaged. Residents are urged to avoid burning and instead dispose of debris properly. On infrastructure updates, road crack sealing has been delayed due to warm weather and will likely occur in the fall. Crews are addressing potholes and assessing damage to the road shoulder between Homespun Village and Sapp Brothers Truck Stop, with plans to seek contractor bids to repair it within available budget constraints.

Councilmember Harvey: Thankful to the community and volunteers for a successful Easter Egg Hunt and notes that more events and volunteer opportunities are planned to help neighbors connect. Donation-based programs at the Silver Reef Museum, there is an event on April 25. Reminder about possible unauthorized use of fire hydrants, encouraging residents to report suspicious activity. Stressing that water trucks should only connect to hydrants with proper authorization and visible equipment. Encourages the community to stay observant and speak up if something appears unusual.

Mayor Peterson states that Councilmembers will receive actual and historical budget information ahead of the next meeting, real spending matters more than projections. The preliminary budget is scheduled for the first meeting in May, with work continuing through May and June to finalize it.

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

Doris McNally: Regarding the fiber optics recommendation. I recently heard on a radio show, I believe it's the new mayor of Santa Clara, Jarrett Waite. He went through this process pretty extensively with his organization. He has a technological background, and they actually established a comprehensive agreement with a firm. And it might be good to talk to them, because I actually wrote this down, it was close to \$6.7 million, the project. I don't know how that impacted the town, but here's a situation where another town recently went through this and completed the project in 2023. It was a

radio station; you probably can connect with him. I do understand he has a technology background, so it might be good to just ask him questions.

Question on the color of the hydrant and its meaning.

Doris McNally: They're standard Badger meters, so they're bronze. They're not marked in any way, shape, or form, but I appreciate Christine making a statement. What happened was it did appear that somebody must have connected to one of the hydrants and then just drove off and actually totaled the hydrant. Then we've also had situations where people have hit them. As construction is happening in the neighborhood and you're watching the people working on the properties, if you see something happening like that, please let us know. We've had a number of what we call theft of service that we've had to actually go after. I appreciate the extra word on it.

Alan Cohn: Just a quick comment on Silver Point and whether they stay connected or disconnected, however that goes. It's going to affect us. All the construction vehicles that are going to destroy the roads. All the traffic. Our only egress coming down from Silver Reef is Silver Reef Road. If we have all these construction vehicles coming in and out on the road causing traffic jams, doing damage to the road and all, whether they're staying or they leave, that the town has some kind of protection from the County that the town's not going to have to pay the cost of repairing destroyed roads, and two, that there is some kind of other egress that these construction vehicles can use rather than the only road in and out of this area.

Jared Westoff: I just have a comment on 9C, the zoning of parcel L-92-A. Really appreciate seeing that clarified. That's been ambiguous for almost 2 decades. When that was dropped off the map, also the stuff on Leeds Estate Subdivision, the RM7. Then I don't think you're aware, but that also dropped off the zoning for when we updated the plat for Leeds Estate Subdivision. There were several lots that had been split with permission from the Town to half acres. At that time, we updated the plat, and then to make the lots conform instead of non-conforming, we actually did a zone change there. For whatever reason, that's just never been shown on the maps. But it is clear in the minutes.

Chris Bevan: I'm just a little confused because when the lawyer for Silver Pointe was talking, he kept bringing up vacant land and that all these things, because it was vacant, there was no effect, essentially. If they're planning on building the development, why are we talking about a vacant property when what we really have is a development? Then they're going to need police services, sewer services, water services, and everything else. I'm kind of wondering who's providing for that, and isn't it may be better that Leeds got revenue to help pay for Main Street and other things?

Mayor Peterson: My understanding is he was saying it currently is vacant land and would still be vacant when it went into the County. The point that I was asking about was we do have some existing homes there as well. Certainly, the points that you raised that years down the road will be developed, whether it's in Leeds or in the County, but we're still going to be located to the property in the same proximity as we are right now. It is important what's going to happen and what the impact will be.

Ron Cundick: To answer Jared's question on the water, it's court decree that says it has to be for Leeds residents. not only in the bylaws. Can I ask a question to Jared about the development that he permitted? What did he take on? I would like to know if the developer would answer whether he would submit the same plan for development in the event he disconnects that he's that we have disapproved. Anything could happen. I fail to believe that the developer doesn't have some plan in mind or they might not be disconnecting. There's another reason that you need to decline the disconnect. It doesn't cost any money to disconnect. You need to send a signal to the rest of the communities around you that you're not going to put up with this. Now, you may decide you can't afford or don't want to go to court on it later. It can be pretty hard to ask the County for support if they said you've already said you'd read the disconnection. Why are you asking us for support or for other help? You need to send a strong signal that these small communities shouldn't be folding in and let them just cut and run if they want to. This is a bad trend, and we've already seen that three cities have had their desires overridden. The reason that they want to get out is because they don't agree with what the local ordinances are. And that's our last stand, is our ordinances. If they can bypass the ordinances by coming in and agreeing to something and not doing it, then that's a bad situation. The final thing I'd like to say is that I again read through the petition. The developer knows the difference between LDWA and the Town. The way that is written up, about 3/4 of it is complaining about the relationship with LDWA. and it implies that's what the Town was doing. All these missed things that they didn't like about those issues, they're dragging it in and saying the Town did these things. That's not proper and I'm surprised. The other thing is I was on the Town Council for eight years, four during this period. There was no conspiracy to accuse the Town Council or the planning commission. I just want to say the Town Council focused primarily on one or two key things. One was that we wanted to have property to develop that was safe and approved by the State. The agreement was originally

they would clean the whole property. They only cleaned half. They didn't do what they promised. The second was they agreed in the initial development agreement that they would only put in a certain number of units and that they came back and they wanted to do that by half again. Increase it. That's what the real issue is here, is keeping your word in your development. The addition alleges that the originally approved plat was vacated. It wasn't. It was never vacated. We discussed that, but it wasn't vacated. So, there are several things right there that are key that to me, really go to the good faith and whether equity and justice require by preponderance of the evidence that you separate it. I urge you not to separate it.

Susan Savage: I wanted to clarify what I said in my initial statement about feeling like this is a setup. The developers back in those previous years had recorded a plat for 105 or something like that lots. That was approved. They brought water rights to LDWA, and that was approved for the number of homes they said. The setup was that when they had all those things worked out, then they jumped the Town with wanting more homes. They came to the town wanting, what, 145, and then it was reduced. That was beyond what they had worked out with the Town. Then they came to LDWA and said, "We want more homes". Both the LDWA and the Planning Commission in those meetings were saying, you don't have the water for that, under LDWA bylaws, you don't have the water for that many homes. It went back and forth, and the ultimate response was, LDWA needs to change the way they do things. When they talk about reducing conflict and difficulty, that's pretty hard to see, because what that looks like with LDWA is like they're saying, you just have a difficult LDWA board, and if they're nice, they should do this for us. LDWA is saying that's why we're a private company. We make our own decisions, and it's not the board who makes that kind of decision. That would have to go to the complete group of shareholders, all the shareholders of LDWA, to make that kind of change. So, the developers are bringing things that they know will create difficulty for the Town and the LDWA or be impossible.

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

- a. Motion to go into a closed session to discuss potential litigation issues made by Councilmember Furley, 2nd by Councilmember Price at 8:55pm

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			

14. Adjournment: 10:32PM

Approved this 22nd Day of April 2026.



 Wayne D. Peterson, Mayor

ATTEST:



 Cari Bishop, Clerk/Recorder