

Town of Leeds

Agenda

Town of Leeds Town Council and Planning Commission Joint Work Meeting Tuesday, August 30, 2022

PUBLIC NOTICE is hereby given that the Town of Leeds Town Council and Planning Commission will hold a **PUBLIC MEETING** on Tuesday, August 30, 2022, at 7:00 pm. The Town Council and Planning Commission will meet in the Leeds Town Hall located at 218 N Main, Leeds, Utah.

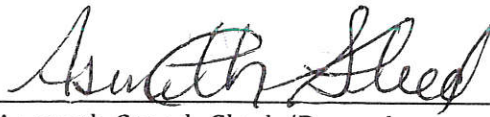
Work Meeting 6:00pm

1. Call to Order/Roll Call
2. Consent Agenda:
 - a. Tonight's Agenda
 - b. Meeting Minutes of July 13, 2022
3. Discussion Items:
 - a. Discussion Regarding Voluntary Annexation Request for Parcel 3151-A-1-HV, Zions Landing Development Group LLC
5. Adjournment

Interested persons may attend the public work meeting to be held in the Leeds Town Hall at 218 North Main Street Public comments will not be received or discussed during this session.

The Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 879-2447 at least 24 hours prior to the meeting. The Town of Leeds is an equal opportunity provider and employer.

Certificate of Posting; The undersigned Clerk/Recorder does hereby certify that the above notice was posted August 29, 2022 at these public places being at **Leeds Town Hall, Leeds Post Office**, the **Utah Public Meeting Notice website** <http://pmn.utah.gov>, and the **Town of Leeds website** www.leedstown.org.


Aseneth Steed, Clerk/Recorder

Town of Leeds

Town Council and Planning Commission Work Session for Tuesday, August 30, 2022

Town Planner, Scott Messel in attendance

Work Session 7:00 PM

ROLL CALL: TOWN COUNCIL

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

ROLL CALL: PLANNING COMMISSION

	<u>Present</u>	<u>Absent</u>
CHAIRMAN: DANNY SWENSON	<u>X</u>	<u> </u>
COMMISSIONER: ALAN ROBERTS	<u>X</u>	<u> </u>
COMMISSIONER: TOM DARTON	<u>X</u>	<u> </u>
COMMISSIONER: KEN HADLEY	<u> </u>	<u>X</u>
COMMISSIONER:	<u> </u>	<u> </u>

Councilmember Wilson made a motion to approve the Agenda of August 30, 2022, with modification of inclusion of the Wright Property LLC annexation request added to the discussion. Seconded by Commissioner Roberts.

ROLL CALL VOTE:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
MAYOR: Bill HOSTER	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: DANIELLE STIRLING	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: RON CUNDICK	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: STEPHEN WILSON	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMEMBER: LORRIE HUNSAKER	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

ROLL CALL VOTE:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
CHAIRMAN: DANNY SWENSON	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: ALAN ROBERTS	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: TOM DARTON	<u> </u>	<u> </u>	<u> </u>	<u>X</u>
COMMISSIONER: KEN HADLEY	<u> </u>	<u> </u>	<u> </u>	<u>X</u>
COMMISSIONER:	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Commissioner Roberts moved to approve the Work Meeting Minutes of July 13, 2022.
Seconded by Councilmember Hunsaker.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: BILL HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING	X			
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: STEPHEN WILSON	X			
COUNCILMEMBER: LORRIE HUNSAKER	X			

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON			X	
COMMISSIONER: ALAN ROBERTS	X			
COMMISSIONER: TOM DARTON				X
COMMISSIONER: KEN HADLEY				X
COMMISSIONER: UNASSIGNED				

Discussion Items:

- a. Discussion regarding voluntary annexation request for Parcel 3151-A-1-HV, Zions Landing Development Group, LLC and voluntary annexation request for parcel 3151-A-HV, Korey R. Wright, The Wright Direction, LLC

Mayor Hoster: The first discussion item will be regarding the voluntary annexation requests for parcel 3151-A-HV which is the Zion's Landing Development Group. We have in attendance tonight, Matt Loo, and his associates who might be affiliated with this organization. I propose that we have Matt join us at the table and allow us to have dialogue with him with regard to the plans that he is presented and the timeline of which we would like to work and also our consultant Scott Messel with regard to our ability to fit some of these in. Does the committee approve? Okay, Matt, do you mind joining us?

Matt Loo: Thank you, Mayor, Council Members and Commissioners. Appreciate your time. It is kind of tough bringing anyone out of their homes for another meeting. We will try and make this as productive and as meaningful as possible, not only on behalf of the potential project that is before you. But obviously for the residents and the future residents here in this great town of Leeds. When dealing with a potentially large project like this, it is important not only for the decision makers, that is around the table and those who may be joining us via zoom, but also for the community and the members that have been taking the time to be here this evening. If I could I really do not like to do these types of things. But if I could, and if you could just humor me for just about two or three minutes. A lot of times when you look at developments, it is always a fear of the unknown is like

what is this development? Who are we dealing with? What is their capacity? What is their history? What are their abilities? What are their desires? At the end of the day? If I could just kind of say a little bit about myself if that is okay. Just my background. Commissioner Robert knows a little bit about my background. He and I once upon a time work together in St. George city. I had the opportunity to work in St. George city for 15 years, during my time there I was an assistant City Manager, I was involved in mostly all the development in St. George city from 2003 to about 2017. Some of the projects I personally worked on was the Tech Ridge Concept. We had to repurpose the airport. The other project was City View, downtown. In fact, my first job was babysitting a gas station there on Main Street and St. George's Boulevard. After we did the demolition, we had to babysit the gas, and make sure it did not leak more than it should. So that was one of my first jobs in St. George City. I have had a chance to visit and work with projects from Entrata, to The Ledges to Desert Color. Also have had the opportunity to work with a project I am not sure if anyone is familiar with this. This project is called Switch Point and Family Resource Center. It was a project to address homelessness, and individuals dealing with poverty. I would consider myself a part of my DNA is to solve problems. I negotiated several property exchanges with the city. One is the extension on Riverside Drive, basically right through the middle of Ralph MacArthur's farm. If you are familiar with that little road there, that was kind of an interesting but a fun assignment.

Besides my time in St. George city, I did about three years in Washington City. In there, I was involved in economic development. Basically, as exit thirteen. Some of the property there at the airport, that borders St. George city, and working on some concepts and ideas to expand Washington city's economic base. The reason why I try to how to say introduce myself that way is we feel there is a few owners in the room and some consultants as well. We feel that the goal of any project, whether it is this proposed project, or any other project is assembling a good team, a team that has some good experience and they are experts in their respective fields and are allowed to perform in there. How do I say lanes? My expertise is entitlements and understanding cities, and some of the challenges that cities face with budgets and where we can get budget money from, opportunities that way. I did branch over to the private sector a little over a year ago. The most recent project that I have worked on prior to coming on board here was the project across the street. 17,149 acres, known as Firelight, down in Toquerville. Part of that project is trying to figure out how to fund this bypass road. Because the challenge there was to keep Toquerville, Tocqueville. Keep downtown Toquerville untouched as quiet as we can. Obviously with SR17 go going in the middle of Toquerville makes it pretty busy and pretty loud. We propose and work with UDOT, the Toquerville, the state elected officials, the local elected officials, the county commissioners, to figure out a way to fund that bypass road. Part of the responsibility of Firelight as a development was to bring \$7 million to the table to help offset the cost of that road, which we were happy to do, and we are proud to do it. We were a middle property owner, and there was another property owner to the north of us, and another smaller property wanted to the south of us. Right now, because they were not ready to develop, they just gave the right of way to allow the bypass road to go through their property. So, there was no money coming out of their pockets to build this bypass road that will benefit the area in the community. But we felt comfortable about moving forward and making that commitment. Why do I say that? I think a lot of it is just being sensitive to the community. A lot of times people come in and

says, Okay, I have this great idea. You know, maybe in my own mind is a great idea. But maybe everybody else's mind is going okay, that is a little different. Our hope is as we go through this process, if we are successful, that our year will be very close to the community of Leeds, and it's 250 to 350 residents, obviously taking direction from the legal counsel that is here, whether it's a Town Council members or Planning Commissioners, as well as working with consultants and working with staff. We want to come in and be a team player and collaborate and figure out what's the best way to handle or to address any situation that comes our way. So, saying that I have recognized that both of these properties and kind of let you know that we are also involved in the Wrights property. So, the 470 acres that the Wrights own and the proposed two hundred acres that Zions Landing Resort owns, together as a 670-acre potential project. Wrights, if you know them, they are very sensitive and so are we, to our neighbors of Silver Reef. Their proposal as a concept again, this is just concept as we go through the process, hopefully I do not overstep and Scott, you can kind of pull me back if I am. But just conceptually, we just want to talk conceptually, so that you know, what might be proposed here; they love the five-acre concept. A good portion of their 470 acres, especially the portion that is near the three homes is on top of the hill is being how do I say design as five-acre ranchettes. They kind of will scale down to like a three-acre ranchette. Their hopes as they get closer to I-15 especially what borders that frontage road is that can be converted to some type of a commercial use. In between the commercial, and possibly the three-acre ranchettes, the concept right now that they are playing with is an equestrian type of a park, maybe an arena, maybe a place you can gather maybe can hold facilities functions, rodeos, cutting, and horses, different things like that, because they are definitely horse and cattle people. So, in their plan, that is what they are thinking.

Now moving over to the two hundred acres that we are talking about with designs landing. And if I could, I have got a few, just very, very rough concepts. This is the Wrights property that you can take a look at. Again, very, very rough, that was just a quick, put together on what they would like to present. This is the Zions Landing's concept. It also includes the concept that we are working with Paiute Tribe, but more specifically, the Shivwits band of the Paiute Tribe. This is where it gets really creative and really interesting. We will save that Paiute conversation if we could to the end because I think that will bring in some, some synergy here with you and some questions that you might have. So, what you have here in the colored portion is just again, the very beginning initial concepts of what we would like to present down the road. I may be overstepping my boundaries. And I apologize. This might be more information that we want to talk about tonight, which I believe on the agenda. We just talked about the annexation, and trying to get that, you know, get that on a course if that is something that you decide that you are comfortable with moving forward.

Mayor Hoster: That's probably the best pathway.

Matt Loo: Okay, so let us do that. Let us talk about the annexation. We recognize there is a process there. We recognize it could be anywhere between 120 to 130 days, what the client or what the property owners are proposing, is to be considered into the Town of Leeds. In a nutshell on the annexation. We recognize with annexation laws, you cannot leapfrog. So, the Wrights as well as Zions Landing's 200 acres must come in together as

a package. If I can put that simply that way, the connection between current Town of Leeds specifically in that location Silver Reef and the Wright's property and the Zions Landing property will flow into as one piece. So, this evening, which is basically what the agenda is. And that is basically what we would like to discuss. If you have any questions in regard to the annexation. I would be more than happy to address as much as I can. And then as we kind of filter through some of the questions you might have, we may produce some other questions that we could probably address.

Scott Messel: Okay, so the application right now is for both pieces.

Matt Loo: Correct. That is why I kind of overstepped to just kind of said that this is kind of function as one total piece just Well, I apologize.

Scott Messel: If the Wrights piece is not involved it does not work. It does not meet annexation code.

Commissioner Roberts: That's an understanding that both property owners have to have been Zion's Landing cannot happen without bringing in the Wrights or pulling in some other properties that prevents creating that Peninsula.

Matt Loo: Correct. You could not go across I-15 and make this connection. Correct. I Understand.

Commissioner Roberts: The next question that comes in, do the property owners want to petition for annexation under existing zones that the property exists in the unincorporated area now? That is the next caveat that you have got to look at. What type of zoning are we coming in with? If you are wanting to do this, within a timeframe of a normal annexation, that means there will not be a development agreement attached to this before annexation? Otherwise, I am not telling you anything you do not know, Matt.

Matt Loo: No, That's clarity. I appreciate clearing that up for me and the rest.

Mayor Hoster: That's why I spoke up with regard to the development plan, I do not think that is going to be a feasible process within the timeframe that you are looking for.

Matt Loo: We understand that, okay.

Mayor Hoster: And probably the same with the Wrights. Now in the Wrights application, everyone should have a copy of that in the packet. You can see, in the packet that they provided there is no development plan. It is just communication, of which Matt has just shared with what they would eventually like to do. Right now, it is zoned five-acre Open Space. Given that consideration, when we did the general plan was with the intent of trying to allow for something that was going to be feasible for maintaining the rural feel of the town. In dialogue with the with the Wrights. I know they have expressed the thoughts that you have shared with us, Matt, and those are things that they realized would have to go before the Town Council and the Planning Commission. We have brought in extra

people to expedite some of these things and make sure that no one gets taken by surprise, but I think it has been pretty well shared that the Town of Leeds is amenable to working with our annexation partners but with the understanding this is not something that would be settled on the process of an annexation. With all of this, it is probably prudent to have some dialogue with Matt at this work session, with regard to what they are seeing as a process. In our last work meeting, it was concluded that we do want to move forward with this as well as with the Wright property. That was conditional if we could get a voluntary letter of annexation from them which we have received. So that enables us to go ahead and proceed forward working with your development. In this, Scott has a checklist that our attorneys put together to facilitate making this process go through. We need to rely on Scott. And also, our Planning Commission. We have got the chairperson of Planning Commission here, Danny Swenson to start the dialogue with regard to how we can facilitate with the resources the bandwidth of which we have available and meeting your timelines, because I know time is money.

Matt Loo: We appreciate that so much and we respect that. Scott, chime in anytime you want. The state has pretty much lined out the process. Basically, what we were hoping for is just kind of the nod saying, Okay, let us go to the next step. You know, the letter that was submitted is very, very, very first step of the entire process. And we recognize that it is a process. But the state is outlined pretty nicely what is the information that is needed to be provided on the next step.

Scott Messel: The next step would be county sends out a letter to all the affected entities. That gives a period of time it is 30 days for people write protests, they could also write a letter of support. It would go to the county or to the town. Then at the end of the protest period, the county would say, to the town, we have received two hundred, or they have not received any protests. At that point, it is done at the county level. It all comes back to the town. I think one thing that would be helpful is if the applicants could put together just the address labels of the property owners within all the affected entities, and the property owners within three hundred feet of any point that touches. If we could get that within the next couple of days, we could get the letter out this week.

Matt Loo: Awesome. Very good. Appreciate the guidance. And that is our first step? I might add to that if that is okay. I do not think we will do it the next couple of days. But I think we also on our end, we would like to supply some information in regard to utilities. And what that looks like, as far as where we at what we do. So we probably will have to do some dealing with your consultant, whoever you have on your engineering site that handles public works, or what have you, and see what they have, you know, on their data, and then allow us and our company to research that, verify that, and make that as part of that package, if that's okay. We will give you the addresses of all the affected entities, but what we would like to do, if we do move forward, is to provide where we going to get our utilities. At least have that discussion see what our options are, as far as how this project will be supplied with utilities moving forward.

Councilmember Cundick: I am not clear on that. Do you want that information before we send the letters out?

Matt Loo: I think as part of, we just want to provide that so that everyone knows, you know, this does go through, where are the utilities coming from to serve this area? And how does that work? And, you know, how does that going to be?

Councilmember Cundick: So how long does it take you put that together?

Matt Loo: We could probably put some together in regard to utilities probably in about a week or two.

Commissioner Roberts: This put this back on to the property owner. They want to move it along, they need to get that information, because what Matt's suggesting is not required through the annexation, but they want that information out there.

Councilmember Cundick: I can appreciate that. So, it pushes it back?

Mayor Hoster: We have some open dialogue and thoughts about what we are looking at, you're looking at Washington Water Conservancy District for water or LDWA for water. Those are your options. You can work with Ash Creek on sewer, or you can work with Ash Creek on Sewer

Matt Loo: Exactly. I can work with Rocky Mountain for Power, or I can work with Rocky Mountain for power.

Mayor Hoster: it is pretty narrowed down. Have you had dialogues with both of the water companies?

Matt Loo: I have.

Mayor Hoster: Okay. Where are those stand? I have had dialogues with them as well. I want to make it an open dialogue with the group here of what your intentions are with the utilities.

Matt Loo: Okay, if I could I am going to speak conceptually, and share some of the things that are going on with formulating our team. This is information that does not necessarily cross Leeds border, it is right next to you, which is that BLM property that currently is in the Toquerville Master Annexation Plan. We have been working with Toquerville a little bit but we've kind of pivoted from that relationship. For the time being, we think we have identified a more appropriate partner with the Shivwits tribe. With that comes some resources. They do have 28,000 acres of property, they do have 4,000 acres of water, and that is where I want to go with my conversation. Shivwits have done many contracts and agreements with municipalities and towns down south. But they also have a great relationship with the Water Conservancy District. So what could lend again, I might be speaking out of line, but what could lend to help not only this potential development, but maybe the entire community is if we can leverage their water rights with the water district

to create some type of co-op some type of a pool some of the to enhance and support your current water needs without this project being in play, or compound in this project and play with what can happen and what we could bring to the table as far as other resources that might be available because of relationships. And because of partnerships, in what we are presenting.

Mayor Hoster: What kind of water rights do you have right now?

Mayor Hoster: What kind of water rights do you have right now?

Matt Loo: The 200 acres, we have I think about twenty? Is that right, Joe? Twenty-one-acre feet of water currently, on that 200-acre piece of property. The Wrights have Twenty-one.

Councilmember Cundick: Where is the Shivwits?

Councilmember Hunsaker: Where is there?

Matt Loo: It is in the Ivan's area is not as pretty much on tribal land right now that they have water right and then they also have water rights with springs that St. George kind of helps and works with. They also have some water rights that has been involved with sun River, the community there.

Councilmember Cundick: How does the water get up here? Yeah, yeah, pump it. No, just kidding. It does not physically. What I am proposing is not a physical transfer, it is more of an agreement transfer, because there is water needs down south. And if we can use that water to address those needs, maybe the water that we have up north can be given at a discounted price or the capacity can be expanded because of the water rights that might be used from the Shivwits water rights.

Councilmember Cundick: I guess, just to be upfront. One of our concerns, is we have seen developers asking to bring water rights from the other side of the Virgin, and then bring them up here and then drill here to get the water. And, of course, that is something that we cannot sustain that.

Matt Loo: We've talked to Zach, just about the project. We have not talked about the water. Because, again, I may speak out of turn, but we are open, and we are candidate. The Shivwits tribe is signing off on an MOU Thursday night. We have had communications. They have committed. We have seen the documents. It is done. They just got to sign off on it Thursday night is the plan.

Mayor Hoster: I share Councilman's concerns. The other projects that were smaller, we are dealing with, but the protests that have been involved with any kind of transfer of water rights from one geography to another, that does not physically move the water and so we share that concern with your ability to facilitate. I would also encourage further dialogue with LDWA. They have had pitted themselves with regard to infrastructure

reimbursement or not reimbursement funding. My conversations with Zach Renstrom are that they are really against any kind of transfer geographically of water rights. So anyway, what that is worth, hopefully it is a positive outcome for you, but we do not have anything to do with it.

Matt Loo: Yeah, again, we do have a really good relationship with Zach, and pretty open dialogue, and he understands the game. We are all involved. We are all in it together. So, if there is something that one party could bring to the table to help the overall, I think that's worth that discussion. And I think they would be open to that conversation.

Mayor Hoster: Other questions Councilmembers?

Councilmember Wilson: So in regards to your water rights, just not to beat a dead horse here, but some of the concerns that come up as if you end up having to drill a well there's quite a few people who have water rights and may cause there's to not be as much and how do you fore see something like that? It is all connected underneath.

Matt Loo: So again, I guess someone may know this a lot more than I do. I do understand a little bit, that in the event that there is something like that there is a bunch of checklists, that you have got to clear to get the approvals to actually drill water for water. The state is involved. Obviously, water districts involve. Local municipalities are involved. Local water share owners are involved. It is a massive list to even just roll in and say I am going to drill a well. Because of how it affects the whole aquifer. The water as a whole. So yeah, I do not see that being something that we would undertake. And we will give you more of some more existing somewhere that you are pulling in exactly. And then try to trade that. That sounds like the well up north that the Conservancy has the tank that they are doing up Toka reservoir somehow, someway ash Creek, and the end the reuse water that they are going to do at the Confluence and their new plant, and when they are going to pipe that back up to Topher Lake. There is a lot of moving parts when it comes to water. A very, I got to say it, fluid. The water challenge is all of our challenges. So, again, we are here to bring whatever we can to the table.

Mayor Hoster: Do you have any active wells on the property that you acquired from the Wrights?

Matt Loo: I am not sure if you have active wells, I know the Wrights have at least one or two wells up there. So, I am not sure it was just because of the property purchase that came with that property from the, Wrights But we can investigate that more and gives you specific answers there.

Councilmember Cundick: You may have answered this, and I missed it. But how many acre feet envisioned for this whole project?

Mayor Hoster: You are .42 per house. That does not equate into what their concept is with regard to the hotels and the commercial zone

Matt Loo: that is a fair question. When we get down the road, we will definitely have that answers very specifically. Just because where we are today, it takes us a while to figure out what we are going to end up with at the end of the day, because we are not sure. You know, we are not sure how many units are used.

Councilmember Cundick: You must have some idea. you do not start a project like this without some idea where you are headed.

Matt Loo: I will say pretty close to 47-to-55-acre feet of water. Again, a lot of this stuff is individual units, a lot of stuff is you know, small things. But half, depending again, depending on what we do at the end of the day, and what is available.

Councilmember Cundick: You're not going to get anywhere at 47-acre feet of water. I can tell you that right now.

Matt Loo: Well, one of the projects that I am working on across the street is about for 309 acres. It is about 157. Yeah, exactly. But there's a couple of different things there. That is a little different than what we are proposing here.

Councilmember Cundick: Well, we are very interested in the water sector.

Mayor Hoster: Well, and it is going to be relevant to what the county receives back from the citizens and the messaging. So, I am grateful you are addressing these candid conversations. That I think is very helpful, that there has been concern.

Commissioner Roberts: I am going to be the devil's advocate here. Ron how can that be this municipalities biggest concern when its water is provided in Washington County, specifically in the Leeds area, not talking about just municipality of Leeds, in the Leeds area is provided by LDWA. It is provided by Angels Springs, as provided by the Conservancy. So, you have two private water companies, you have one that is a district, the Town of Leeds is not directly involved in water. And so, I thought I would throw this out, how can this be our biggest concern? I am not talking about it not being a concern. From the municipality standpoint, it says, look, you have got to have the utilities, whether it is water, whether it is power, whether it is wastewater, you have got to have the utilities to pull this off. The responsibility lies on the developers slash property owners to make sure that that comes through the process. I know that Leeds has concerns about water because we have dealt with these many times. It has to do with, well, we do not want to connect to this water entity or that water and we do not want this that. Okay, if you want LDWA to serve then how do you bring wet water into their aquifer, this type of stuff? So, I asked that question, again, is, how could that be our top priority as a municipality when this municipality does not have a water department.

Councilmember Cundick: That's our top priority because we do not have our arms around it. And if we are going to help manage development out there, we need to find some way. And I am not sure what their way is, but we have to be involved as a town. If example, for example, before The Conservancy water would have to come through the town. So, in

my opinion, that is an area that we have not dug into yet. We have not had the power curve. But it is our biggest long-term problem. That is my personal opinion.

Commissioner Roberts: I would agree that it, it will be something that the town has to address.

Matt Loo: Both of your comments are dead on, both of you. But I think, you know, being how should I say?

Councilmember Cundick: Eternally optimistic?

Matt Loo: That is me, for sure. But because of relationships and because of experience, it is better that we take on this together with resources and be more involved have a seat at that table. And I think we can help facilitate that. Because of our relationships with Zach, the board, the water district board, our relationship with Kurt Allen and his team, with LDWA. There are lots of players. But we all have the same goal at the end of the day is provide water to everybody.

Mayor Hoster: Let's shift to another stakeholder. You are going to have to deal with Department of Transportation in the MPO. Have you had dialogues with them with regard to access, egress, and ingress of that property? Especially considering the amount of development you are looking at doing. Right now? We will only have one entrance and exit. And so how about some of those concerns?

Matt Loo: We have been asked to do a traffic impact study. We have also had conversations with UDOT, the chairman of the UDOT board, who's a local guy just lives down the road. Very good man. He is a Saint George. It is relationships. It is a relationship thing. We have known each other for decades. So, it helps with those conversations, I guess, at the end what we would propose to bring to the table is not only a potential project, but answers to the questions, not only for this project, but for the community of Leeds. Because of relationships because of interaction because of reputations because of who we are fortunate to know, we do have ears to some very influential people that can help solve whatever questions that might arise. We feel pretty comfortable with that statement, that we can make some things happen, and have some resources. And in fact, it is kind of interesting, if you think about it, the gentleman that is out of the governor's office, that is a senior adviser to the governor. That is overall rural development in the state of Utah, lives in La Verkin. He is a La Verkin boy, born and bred, Steven Lisonbee. So, I am saying we have had great resources here. And we also have a good representation with whether it is our local congressmen, or senators, or whether it is our friend from Iron County, I think we do have a good presence with people that can help. Given the challenges and the questions or the situations that we participate in, we feel pretty fortunate about those type of relationships.

Mayor Hoster: I think I would be getting back into the mud if I got into any further stuff. Does anybody else have any questions? I think, you know, we want to, perhaps also explore resources, and making sure that we have the resources available to help Mr. Lu and the Zion's Landing project meet the deadlines that they are striking for, with interest

rates, where they are at time is definitely money. And it can be a lot of money. So, you know, we want to maybe go open kimono about our resources, what your bandwidth is going to be requirements wise, and you want to make sure that the council and commissioners are available to address those concerns that you might have.

Matt Loo: Again, we appreciate the support, we appreciate the commitment, we are excited. Again, I do not know how many times I have said that tonight, we are excited for the opportunity. We are excited to do something that still protects the culture, and the tradition of Leeds historically, by doing something as far north as we can, but with the opportunity of generating some additional potential revenue, with economic development, with property taxes, with different amenities as far as a resort, which is all down the line. These are just things that we are that we are contemplating and thinking. But I think as we evolve, and as we build out these projects, we need to do it right. Obviously, we need to control access and flow. We need to protect traditional Leads, historical Leads, and whatever we need to do to do that we are in.

Scott Messel: It's down the road if the annexation moves forward and it's annexed into the town would be the pace at which you want to develop each of the phases, or the overall project and whether or not the town has the manpower to be able to review and approve and go through the process as fast as at the pace that you may want to.

Scott Messel: If we ended up needing to contract additional employees or a firm to help.

Matt Loo: Exactly, then that will be our concern. Yeah, I get I totally understand that.

Commissioner Roberts: That is a reality.

Councilmember Cundick: The BLM land. How critical is that to what you are doing?

Matt Loo: it probably has, it mirrors both uses, because of the destination aspect, potentially, of that property. And for what that property is conceptually geared. The property in the Leeds side, is what will serve those that will come to participate in the athletic events and tournaments.

Councilmember Cundick: So, let us get bogged down for whatever reasons, it took a lot longer than the other annexation and so forth. What kind of impact could that have on your development?

Matt Loo: We still got to move forward and develop these two hundred acres

Councilmember Cundick: You are not dependent on that?

Matt Loo: No, no, it works together.

Commissioner Roberts: Is that BLM land still being petitioned for an RP&P by Toquerville?

Matt Loo: No. We changed.

Scott Messel: It is with the tribe.

Matt Loo: That is the plan.

Commissioner Roberts: Are you trying to bring that BLM land in on this annexation?

Matt Loo: No. No, what the proposal is, it will be transferred to the Shivwits tribe, and it will be native land. It will be totally separate. Because of that boundary line, because that master annexation line is totally separate properties and totally separate entities currently what we are proposing is going down the Shivwits tribe and have that be native lands. Then as part of the concept there is the charter school, which is going to be called Jim Thorpe Academy and there is going to be a culture center that is planned. So, for them, it is an economic vehicle. Yeah. Because some of the we know, there is some of the restrictions with the BLM property and RPP you can only do certain things. You can only have it do public purpose things. A lot of volleyball. But yeah, so that's kind of the pivot that we went. It was kind of how things kind of evolved that way. You think about it, and you look across the country, you have a lot of Native American tribes with lands that will either do oil or minerals, or gaming. Utah does not allow gaming. So, what does that do with the tribes here in Utah? They are where they are. That is, it. So, for them for decades, it has been a wall. We hope that this could be an example of doing something good for the people by giving them a vehicle for economic development, we will involve them in everything that they currently have over Shivwits. They have a credit card reading business, they have a software business. So that will be implemented in the overall program when we program the project, when we if we get that far. So, there is a great collaboration between our team and the Shivwits and the Paiute band, because that's kind of oversees the five bands or the five tribes. I mean, the Piute tribe oversees the five bands.

Mayor Hoster: So, as we as we proceed forward on our list, we are going to do both, I believe the Wright property and Zions Landing at the same time, so the letters will go out.

Scott Messel: It will be one letter describing both. It would have the legal description for both parcels called out and the map will be attached, showing both parcels.

Chairman Swenson: question, since he is talking about the annexation. Let us just say that in the next month or two, for whatever reason, you are off the table, okay. Would we still go with the annexation because something will come in sooner or later, right. If the project derails for whatever the reason may be utilities, maybe the water problem, would we still go through with an annexation of the property?

Commissioner Roberts: that burdens upon the property owners petitioning for annexation. The only that it would not go through as if they withdrew their application, because it makes sense. But I will tag on to this before you go to your second question. The property owners realize that what we are discussing right now, is the annexation only, and the zone that it comes in. No guarantees of anything beyond that.

Chairman Swenson: Water comes up all the time. Do we have any idea how much water we actually have? Has there ever been a study that tells us? Because it is always a water issue? Well, we do not have enough water for those fourteen homes. We do not have enough water for that other guy's spot. Well, how do you know?

Commissioner Roberts: LDWA knows how much water they have. They know what they have the potential to serve with the acre feet that they have. LDWA has that. I do not know what that number is.

Chairman Swenson: I am asking that question because we are guessing, to say, hey, if you are just bringing that paper, water, we do not have enough. You are saying we know.

Commissioner Roberts: Yes, the water company knows how many acer feet. I am not speaking for the water company. Because I have no affiliation with the water company other than a shareholder. They can change the quantity of water that they allocate for each individual. That gives them the ability to serve more properties with less. But that is a private water company that those shareholders would have to make that determination yet, through their bylaws. What the water company wants is larger developments to bring what water with them. And that as the town we look at it, this is who is going to serve your development. we have listed three specific water entities in this area that depending on where the property is located, could potentially serve areas in unincorporated areas around.

Matt Loo: your questions and your concern is obviously valid. The trick is, how do we pay for things we might need? Infrastructure, water.

Commissioner Roberts: I have got your answer, Matt. Call up Joe Biden.

Matt Loo: It is too late, I am 58 years old, I paid off my college tuition. So, I got nothing.

Mayor Hoster: Oh boy, I am already getting the emails.

Commissioner Roberts: I really am sorry mayor.

Matt Loo: I think one of the one of the ideas, concepts that we will talk about probably in the future, again, because of backgrounds and experiences, you know, with Scott, you know, myself, you know, again, Commissioner Roberts is there are tools that if you're a big city, a little city, there's tools out there that cities look at or towns look at to help offset the initial lift of these major expenditures as far as infrastructure. There are certain tools that are available, special assessment, district bonds, grants, there is a lot of different opportunities out there that we can look at moving forward. And I can guarantee that we will look at it all. Every single one of them. I will give you an example of a product or a tool. In the development I worked on across the road there. Toquerville city created six, what they call public infrastructure districts. It is, it is a pretty interesting tool to tell the truth, the tool only involves per legal description, a specific parcel of property. If there is

a public infrastructure district, it is very finite and detailed, only that property is dealt with an increase per se, and property taxes. And none of the other areas or the other residences in the community is dealt the same way. So it is that property. Now why would a property do something like that? The reason why I probably would do something like that is to not only pay for infrastructure to increase the time or building a project, but it also gives you additional amenities. That is the trick. If you are not giving me something better, for the use of this tool, then the tool is not used properly. So, you will have developments, us included, that will present a different concept different tools for commissioners and city council and staff to consider. The public infrastructure district is definitely one of the tools. And it works well is in the inland port, which is probably one of the bigger public infrastructure districts created in Utah. There is another major project in Park City that also has a bid created and they are doing well. In essence, what the PID is it pays for specific and approved public infrastructure costs.

Councilmember Cundick: Can it bond?

Matt Loo: That is what it is. Correct.

Councilmember Hunsaker: So, landowners or the taxpayers are the ones paying for it not the developer?

Matt Loo: Yes, it goes with the property. So, here is a lot where development does not pay for itself. Folks that move in, you know, there is a move and enjoy our community. And that is why they are here. This is one idea that allows that to happen, where the development does pay for itself. And again, because of that, the development needs to provide additional amenities, unlike any other amenity in the community. It is kind of like an HOA that you have your own clubhouse, you have your own pool, you have your own, you know, amenities, it is almost the same concept pay to play, kind of, but then it does bring you infrastructure.

Mayor Hoster: To understand if we try to move forward with an annexation of a development like this, we realize it is not trying to pull the resources from the existing town, its citizens.

Matt Loo: when you go out and do a PID, like anything else you do with bonds, but it goes with the property, it goes with the land, those that can invest in this PID, are your minimum investment is half a million dollars. So, they are very sophisticated. They are basic bond houses. They are not mom and pops; I can probably invest fifty bucks and see if I get it back. It is not that it is a higher level of investment that can participate in these tools. So, they know going in what is expected and what the what the return is.

Mayor Hoster: Once the letters are done and received, was let us tee up what the next step is,.

Scott Messel: If there are no objections to the annexation, or maybe you have one or two objections, it can be up to the town then to decide whether or not to move forward. And then that just kicks it into the next step, which is holding a public hearing.

Mayor Hoster: Great. I think we have got a pretty good perspective of how all of this is going to process for the next 45 days.

Matt Loo: Should I work directly with Scott with providing information or provide information to Aseneth?

Scott Messel: Because it is the county that sends it out at this part of the annexation process, the county has the bandwidth to get the mailer out and received any comments for against the annexation?

Matt Loo: Perfect. I will work directly with you. Let me ask the next question. How comfortable, how comfortable is the leadership with us starting the entitlement process before the annexation is completed, pending completion of Annexation?

Councilmen Cundick: That translates to cart before the horse.

Mayor Hoster: What does that mean?

Matt Loo: We would like in design the master plan. I would get direction on how to pursue the master plan. Is it a plan development document? Is it a plan unit development document? I know, the Development Agreement is a good way down the line. Once we get everything figured out as far as I's dotted the T's crossed.

Commissioner Roberts: I do not see a problem with that. It is not an official approval. If the applicant wants to start down that road and, and engage in dialogue with the potential municipality, because that is what it is. Once the annexation request is actually filed. You are still just a potential. I do not see a problem to have that dialogue at all.

Commissioner Roberts: The only thing that is hard, and I am going to remind you about this, the annexation is this is what the zone is. And whatever conditions exist on that property. That is the condition that the municipality accepts through the annexation project process. I mean, that needs to be clear to people in town to property owners coming in. Because there have been annexations, where people say, well, you need to change that after the annexation happens. No, when you annex it in you annex the conditions that exist at the time of annexation. I am saying If the municipality do not like something about that property, they had better make that clear through the annexation process, to say, look, here is something that you got to change, or we are not going to we cannot accept that. I throw that as an example. I am not saying there is anything on his property that way and saying that that is a reality of an annexation process. You accept it the way the property is unless there is some condition that you put on.

Matt Loo: So, our proposal is basically taking the 670 acres and making it incorporated. That is, it. Just from unincorporated to Incorporated. That is what we are shooting for.

Councilmember Hunsaker: Can I ask a hypothetical? I know, we are not the water company. And in what Ron was saying about the water, however, if one of our residents has a well. And they go through the process and their checklists to get their own wells. And our residents well start to drop drastically, coinciding with them getting theirs. Would we not have a responsibility to our resident? In some way, I have absolutely no clue. I just would like to try and wrap my head around that that.

Councilmember Stirling: The resident can go to the state water engineer and there's certain steps were legally.

Matt Loo: Great comment. We do not envision ourselves drilling wells. We envision ourselves working with the three entities that you mentioned and making sure that what we can bring to the table to help is what we do.

Mayor Hoster: If it is okay with you, I would like to ask if there are any further questions from the leadership at the board. And then if it is if it is okay with you, if we open it up to the gallery for just a few minutes, absolutely. There are any further questions. Are there any other questions for Mr. Loo? Okay, I will open it up to the gallery if anybody has any questions or comments that they would like to make for the leadership work. Okay, we will go ahead and conclude this, this work meeting. There are no other further comments or concerns and thank you everyone for your time.

Meeting adjourned: 7:04

Approved this Twenty-Sixth Day of October 2022.



Bill Hoster, Mayor



Danny Swenson, Chairman

ATTEST:



Aseneth Steed, Town Clerk/Recorder