

MINUTES of a joint meeting of the Leeds Domestic Waterusers Ass'n, and the Leeds Town Board of Trustees, held on the 13th Jan: 1966 at the Leeds Church House, at 5 o/c p.m. for the purpose of discussing the situation of the removal, or otherwise of the reservoir tank at Silver Reef.

There were present:- A.B. Weeks, Pres: Stan Sorenson, Ned Sullivan, Ross Savage, and the secretary, Reg: Boulton; and representing the Town Board were Glenn Beal, Pres: Mrs Evelyn McMullin, Ray Beal, Ned Sullivan; Carlyle Stirling was out of Town and was excused.

Stan Sorenson said that Mr J. Howell had said that the tank and the pipe line in question, all would have to be removed. Stan Sorenson also said that Mr P. Foremaster had told him that in his opinion, the Ass'n would be able to condemn the ground, whereon the tank and line rest, and he said also that his fee would be quite moderate for any professional advise or retainment for the Ass'n, and he would be willing to undertake the case for us, if we so desired. During the discussion the members were of the opinion that if we cannot condemn the site, we will move the tank to a place of our own choosing provided it is satisfactory to the B.L.M. who said that they would, or should be consulted before the operation was undertaken. The Meeting suggested the following procedure for the two delegates who were to meet with the two Attorneys on the 15th Jan: in St George:- First of all hear what their attorney has to offer, in the way of a solution, and if unacceptable to them, to state the resolution of this meeting, which was unanimously adopted, that we will move the tank down hill, and leave the pipe line in its present position, and the Western Equities give the Ass'n an easement for it, and provided the Western Equities build a 30,000 gallon tank for their water, and for them to put .5 s.f. of water into the system of the Ass'n, and deal the water, and their tank to the Ass'n, and the Ass'n will distribute this water on an equal basis, as is distributed to the residents of Leeds, after the Western Equities get their distribution system in, and constructed.

The secretary was instructed to get into communication with a Mr J. Harlan Bacon an attorney in Cedar City and try and arrange for him to meet with our Mr A. B. Weeks & Mr Ross Savage, and advise them if, in his opinion the Ass'n would be in a position to condemn the site of the tank and line in question. The question of what the

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charge for water would be, which a Mr Todd would require for the trailer park that he was intending to erect on the premises that he was leasing from Mr L. McMullin in Leeds, the Board instructed the secretary to inform him that the charge would be the same as for all water users in the Town, namely \$5.00 per month for the use of 40,000 gals of water per month for each trailer installed upon the property. The secretary said that he had informed Mr Todd that he could have water for the use of the one trailer at present installed or in the process of being installed, for \$2.50 per month subject to the approval of the Board, this was in accordance with the previous decision of the Board, privately consulted by the secretary, who had nominated the half charge following a precedent in the case of, the decision given for the Nelson's property in 1965.

The assembled members then talked of the proposition of the transfer of the control of the water distribution and all of the powers of the Ass'n to the Leeds Town Board of Trustees, and after considerable discussion it was decided to adjourn the matter to a later date so that all concerned could ponder the proposition.

The meeting adjourned on a unanimous vote at 7 o/c p.m.

R.A. Boulton Sec: and Clerk.

MINUTES of a special meeting of the Leeds Domestic Waterworks Ass'n Shareholders held on the 19th of Jan: 1966 for the purpose of considering the matter of the site of the reservoir tank at the Silver Reef in the light of the meeting of the delegates with the attorneys and the representatives of the Western Equities; there were present the following members:-

ABWeeks Pres: Ross Savage, Wm Lakner, Ray Armstrong, Vernon Joes, Chas: Allen, Henry Tegar, Merlin Sullivan, Ray Beal, Glenn Beal, Bill Stratton, Vere McMullin, Carlyle Stirling, Max McMullin, Stan Sorenson, Ned Sullivan, and R.A. Boulton, Sec:

The President called the meeting to order at 7.45.p.m. and asked Ross Savage to address the meeting; after relating to the members briefly the facts leading to the meeting of the representatives of the interested parties, he told the members that we had had advice that we could exercise the right of Eminent Domain from one attorney and from another that we could not, but as the feeling of the majority of the Ass'n's members appeared to be, to endeavor to come to some amicable agreement in the dispute, the exercise of the power of Eminent Domain was unanimously ruled out. Ross then told the meeting that the Western Equities had offered to advance a sum of money towards the moving of the tank to a location that would suit both parties, and would put in their own distribution system, but did not want to build another tank for the subdivision they were developing; they were also willing to put .05c.f. of their water into our tank to serve an ultimate potential 80 taps, they would also give the Ass'n a perpetual easement for their pipeline and tank; there ensued considerable discussion wherein all the members were able to voice the particular opinions. Finally Ross asked the members to express their choice of one of two propositions viz: Nol:-

To accept the offer of the Western Equities with the offer to pay \$750.00 towards the cost of moving the tank as quoted above, or Proposition No 2 to uphold the joint resolution as passed by the previous meeting of the Ass'n and the Town Board.

Upon a show of hands the meeting unanimously adopted the second proposition.

After further discussion the question of the hook-up fee came up, and the majority of the members were of the opinion that the Ass'n should make this charge, and should retain control of the distribution of all the water services. All agreed that there

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were very many questions and many different angles to be considered, and that the Board should convene another meeting in the very near future to iron out as many of these as possible and then get a contract drawn up by an attorney.

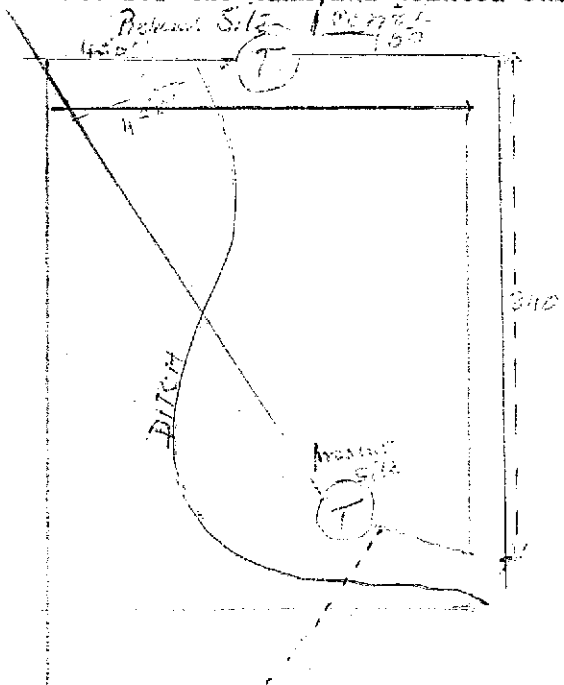
On the motion of Ross Savage seconded by Reg Boulton the meeting closed at 10.00 p.m.

Reg A. Boulton Sec:

MINUTES of a meeting of stockholders of the Leeds Domestic Waterusers Ass'n held in the Leeds Chapel at 7.30 p.m. on the 26th Jan: 1966, there being present

A.B.Weeks	Pres:	W.Lakner	Ned Sullivan,	Stan Sorenson	Ross Savage,	Jack Howell,
1		1		1		2
Vere McMullin,	A.V.Stratton,	Wayne Hafen,	J. Thurber,	Dave Stirling,	Norm Stauffer,	
1		1		1		1
Carlyle Stirling,	Merlin Sullivan,	Reg.A. Boulton,	Sec:	17 votes in all		
2		1		1		

The meeting was called to order at 8.0/c p.m. and Stan Sorenson explained to the members that he and some other members of the Ass'n had inspected the proposed new site for the tank, and pointed out to the assembly, on a sketch which is reproduced below,



Total 4' pipe req 840'  
 + 150  
 = 990'  
 450' x 150' = 67500  
 + cost of existing tank, estimated 100000  
 + ... costs & labour?

if this plan were carried out we would be free of any obligation to anyone in the matter of encroaching upon other property, provided that the new line was granted an easement throughout its new location; Western Equities would deed the Ass'n .05 s.f. section and give the Ass'n an easement for the existing line, or it would be removed, this, latter left, to be adjusted, Carlyle Stirling pointed out to the meeting that there should be a limit placed upon the time that the water deeded to the Ass'n by the Western Equities, should be held for their use entirely, and at the end of the time so stated, the water would revert to the Ass'n for use, as they themselves decided to use it. It was suggested by Merlin Sullivan that the Ass'n's Articles should be amended if necessary to cope with situations such as is now before the meeting.

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As there was not sufficient votes present at the meeting, there being only 17, which was 5 short of a quorum the members were of the opinion that all we could do was to wait to see what the cost would be for moving the tank; this figure would be obtained on the 27th when some contractors would be submitting their bids. The Sec: suggested that he write to the Municipal League of Utah for an opinion from their attorney as to the question of whether the Ass'n had, as a non-profit Corporation, the power of "Eminent Domain".

On the motion of Ned Sullivan, seconded by Ross Savage the meeting was adjourned at 10 o/c p.m.

Reg: A. Boulton; Sec:

MINUTES of the annual stockholders meeting held in the Leeds Chapel at 7.30.p.m. on the 7th Feb: 1966:- Present were, A.B.Weeks, Pres: Reg: Boulton Vernon Joos, Vere McMullin, Wm Lakner, Chas, Allen, Henry Isgar, Bill Stratton, Dave Stirling, Wayne Hafen, Len Carter, Carlyle Stirling Glenn Beal, Jack Howell, Ross Savage, Leland Sullivan, Stan Sorenson, Ned Sullivan, representing F.H.A. was Mr Lee Chamberlain.

The President asked the Sec: to open the meeting; the Sec; then called the meeting to order and asked if all members had received notices of the meeting, which they indicated by a show of hands that they had; the minutes of the previous annual meeting were then read and on the motion of Stan Sorenson, seconded by Chas Allen were adopted unanimously. The Sec: then read the financial report and asked if there were any questions, and as there were none, asked for an adoption of these statements, on the motion of Wm Lakner seconded by Len Carter they were unanimously adopted. The Sec: then read the correspondence with the exception of letters that had been already discussed at some special meetings recently held in dealing with the negotiations being carried on with the Western Equities Inc: after having read the correspondence the Sec: asked if there were any questions, Chas Allen asked if the Sec: had been authorized to write the letter to ~~XX~~ Senator Frank E. Moss, to which the Sec: replied that he had not had definite authority from the Board to write it but that he had had the O.K. from Stan Sorenson who had been delegated by the Board to handle these negotiations with the Western Equities; as there were no further comments, on the motion of Stan Sorenson seconded by Bill Stratton, the correspondence as read was adopted.

Stan Sorenson asked the Sec: if he could have a few minutes to read a letter that had been drafted by himself and Ross Savage and Ellis Pickett (Attorney) and addressed to the Western Equities, a copy of which is on file with the Sec: having read the letter the meeting was asked if there were any comments thereon; Jack Howell ( proxy for Western Equities) asked if he could have a copy of the letter Stan Sorenson said that the Ass'n was sending the letter to the Western Equities, and opined that Mr Howell would get a copy from them; following some discussion

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The Sec: asked the assembled members to indicate by raising their right hands if they were in accord with the contents of the drafted letter, which resulted in a unanimous agreement with the letter.

The Sec: then called for nominations for the election of a Board of Directors for the next year, the following names were selected:- Stan Sorenson, Wm Lakner, Ned Sullivan, Ross Savage, Vere McMullin, Bill Stratton, Chas Allen, Len Carter, Henry Isgar, and Leland Sullivan.

The Result of the secret ballot was:-	Stan Sorenson	22	votes	} <i>elected</i>
	Ned Sullivan,	21	"	
	Ross Savage,	21	"	
	Bill Stratton,	13	"	
	Wm Lakner,	10	"	
	Len Carter,	9	"	
	Chas Allen,	8	"	
	Vere McMullin,	7	"	
	Henry Isgar,	7	"	
	Leland Sullivan,	1	"	

one Ballot paper had voted for a name that was not nominated 119 "

There were a total of 24 votes at the meeting, therefore  $5 \times 24$  equals 120 votes.

The Sec: then announced the result, and asked the elected members to remain behind at the close of the meeting to elect among themselves a President and Vice President; the meeting closed at 9.30 p.m. on the motion of Chas Allen seconded by Reg Boulton.

At the subsequent gathering of the elected Board the following were voted as President Stan Sorenson, as Vice President Ross Savage, and Wm Lakner was appointed as Manager supervisor of works etc; and Reg Boulton was appointed to carry on as Secretary-Treasurer.

The members then discussed the proposition to be submitted to Western Equities; then this meeting finally closed at 10.o/c p.m.

*R. A. Boulton*  
Sec



MINUTES of a meeting of the Leeds Domestic Waterusers Ass'n held on the 6/2/66 at 8 o/c p.m. in the Ass'n's office being a regular Board meeting; present were Stan Sorenson, Pres: Ross Savage, V.P. Wm Lakner, A.V. Stratton; Ned Sullivan was absent. The Sec: R.A. Boulton took the minutes of the meeting.

The meeting was called to order at 8.30 p.m. and the Sec was asked to read the minutes of the previous board meeting, which had been held on Jan: 13 th 1966, Ross Savage questioned the amount of water mentioned in the minutes namely .5 s f and thr Sec: explained that this figure was corrected in the minutes of the subsequent general meeting held on the 19th of Jan: 1966, where the figure used was .05 s.f. the minutes were then adopted as read on the unanimous approval of the members.

The Sec: asked for instructions as to what answer to give to Mrs Player who had applied for a hook-up out of Town limits, he was instructed to tell her that, at the present time there was no culinary water available. In connection with this business the Sec: reported that the line to the Cemetery from the Dairy Barn had cost \$ 532.00 to install, for material alone.

A letter dated 6/1/66 was presented to the board by the Pres: Stan Sorenson from the Washington C ounty Clerk, and read by all the members; it requested a culinary water connection at Silver Reef; Wm Lakner said that a representative from the County Commission had been to see him and that he had referred him to the Sec: the Sec: said that nobody had been to see him from the County Commission, as far as he could recollect. After some discussion it was unanimously decided to wait until the Western Equities situation was settled.

The Sec: said that a representative of the F.H.A. had been to see him, and had requested a report on the present situation with the Western Equities. The unanimous opinion of the meeting was that no report could be given at this time.

The Sec: was asked if any report had been received by him from the engineers H. Sandberg, as the attorney was expecting one, but the Sec: assured the meeting that he had not received any word from them.

Stan Sorenson moved that the hook-up fee be raised from \$126.00. to \$200.00 for any future installments, and that the minimum charge for water be raised to

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\$5.00. per month whether the service was being used or not; also if the user requested that the water service be discontinued the fee for turning off the water and for turning it on again would be \$7.50. for each operation of off & on. the reason was that the present fees were not commensurate with the cost and time involved. The motion was seconded by Ross Savage and was carried unanimously. See P.S.

For all future hook-ups the board decided that all applications should be referred to Wm Lakner, and if he considered that the case warranted it he would call a meeting of the board.

The Sec: was to be responsible for the turning on and off of the water meters and also for the inspection and repairs of the meters, and new installations; any labor that had to be engaged for the heavy work would be undertaken by Wm Lakner who would submit the time sheets for wages to the Sec: who in turn would submit same to the President for his approval before paying the employee, or giving credit for service, as the case may be.

The Board resolved that in all future installations a gate valve must be installed ahead of the meter ~~and~~ in the meter box, and that all meter boxes in future will be of 20" diameter to allow for this valve and also for ease in repair work.

The meeting closed by unanimous agreement at 10.30 p.m.

R.A. Boulton, Sec:

P.S. The Sec: was instructed that when the meter was shut off, a reading was to be taken, and if, when the meter was turned on again the reading was not the same, water having been used through the meter, the owner would be charged a fee for this breach of the Ass'n's regulations, the sum of such fee to be decided at a later date.

R.A.B.

MINUTES of a special Board meeting of the **D**irectors of the Leeds Domestic Waterusers Ass'n held in the Ass'n's office at 8 o/c p.m. on the 7/27/66, present were S. Sorenson, Ross Savage, Wm Lakner, and R.A. Boulton Sec: A.V. Stratton, and Ned Sullivan were absent. The meeting was called to order by the President at 9 o/c/ p.m. and he told the members that the Ass'n had had an inquiry as to whether they would be prepared to sell the parcel of land situated at the old headhouse, the inquirer was a Mr Shirtliff, after some discussion it was unanimously agreed to ask for \$1000.00 per acre.

The President said that he would look into the matter of a title for the land.

Wm Lakner moved that all correspondence sent out to the public should be checked by the President and Wm Lakner before it was despatched, the motion was seconded by Ross Savage, and carried.

The Sec was asked if he knew what the Ass'n's inventory was, and he replied that he had not checked it since the last balance sheet, but at that time the value of the inventory was estimated by him to be \$300.00, or thereabouts, the President asked the secretary to have an inventory made up for the next meeting.

The Sec: was asked if he had had any news from the attorney in connection with the Westec Corp: business, he said that he had had none; the President said that he would contact the attorney to-morrow.

On the motion of Wm Lakner seconded by S. Sorenson, the meeting closed at 10.00 p.m.

R.A. Boulton, Sec:

MINUTES of a special Board Meeting of the Directors of the Leeds Domestic Waterusers Ass'n held in the Ass'n's office at 6 o/c p.m. on the 21st Sept: 1966 for the purpose of considering the authorization of their attorney, Mr E.J. Pickett to take the necessary action to commence proceedings in the condemnation of the site of the Ass'n's reservoir tank. All members were present, and the following resolution was unanimously passed. Moved by S. Sorenson, & seconded by N. Sullivan & carried.

Be it hereby resolved to give our attorney, Mr Ellis J. Pickett, the authority to go ahead with the proceedings for the condemnation of the present site of the Association's reservoir tank, and pipe line.

SIGNED R. A. Boulton  
R.A. Boulton, Secretary

Attested X Stan Sorenson  
Stan Sorenson, President

Attached is a copy of the resolution drawn up by Mr E.J. Pickett

Agreed A.D. Stratton  
William Lakner  
Med Sullivan  
Fred C. Savage

## RESOLUTION

WHEREAS, at a special meeting of the Board of Directors of the Leeds Domestic Water Users Association, a corporation, held on the 21st day of September, 1966, a motion was duly passed authorizing the Town Attorney to bring a condemnation proceedings to condemn a perpetual right-of-way and easement for pipe line and water storage tank, for unnecessary right-of-way, for maintenance of same, for culinary water line serving the citizens of Leeds, Washington County Utah, and

WHEREAS, the Board of Directors have been unable to negotiate a settlement with Defendants for said right-of-way, and

WHEREAS, there is an emergency and necessary of being able to immediately enter upon said property to maintain and prepare culinary water lines, water means and tank facilities conveying water to the citizens and residents of Leeds, Washington County Utah;

NOW THEREFORE, be it resolved that the Attorney for the said Leeds Domestic Water Users Association instructed to initiate condemnation proceedings against Defendants for an easement for said right of way for the purposes set forth above, over the following described property:

SEE EXHIBIT 1 attached hereto and made a part of.

BE IT FURTHER RESOLVED, that the action of the Attorney for the said WATERS USERS ASSOCIATION in instituting said condemnation proceedings is hereby authorized, ratified and confirmed.

UPON MOTION of Director Stanley H. Stremmer, seconded BY Director Fred Sullivan, the resolution was passed.

The VOTE was as follows:

<u>A. V. Stratton</u>	<u>Aye</u>
<u>Wm. Lohmer</u>	<u>Aye</u>
<u>Neil Sullivan</u>	<u>Aye</u>
<u>Ross B. Savage</u>	<u>Aye</u>
_____	_____
_____	_____
_____	_____

President Stanley H. Sorenson declared the resolution passed.  
 DATED this 21st day of September, 1966.

Stanley H. Sorenson  
 President of Leeds Domestic  
 Water Users Association

ATTEST:

SECRETARY  
 I, Reg. A. Boulton SECRETARY of the Leeds DOMESTIC  
 Water Users Association, a Utah corporation, do hereby certify  
 that the above and foregoing is a correct copy of a RESOLUTION  
 passed by the Board of Directors of said Corporation in a special  
 meeting held on the 21st day of September, 1966.

Reg. A. Boulton  
 SECRETARY

MINUTES of a special meeting of the Board of Directors of the Leeds Domestic Waterusers Ass'n and the representatives of the Leeds Water Company, held in the office of the Ass'n at 3.30.p.m. on the 18th Dec: 1966.

PRESENT were:- S.Sorenson, Pres: Ross Savage, A.V.Stratton, and R.A.Boulton, Sec: and Carlyle Stirling, and Merlin Sullivan, of the Leeds Water Co:

Absent were W.Lakner, and Ned Sullivan.

Carlyle Stirling asked the Ass'n if they would accept a cut in the .llc.f.s. of culinary water granted to them by decree, if the stream-flow of the springs fed by Quail Creek became dangerously low, necessitating a cut by the Leeds Water Co:, and the Western Equities; after considerable discussion of the different angles of the question, the secretary of the Leeds Domestic Waterusers Ass'n was instructed to write to the State Engineer for a legal opinion as to whether the .llc.f.s. decreed had to fluctuate with the stream-flow, and to let the Leeds Water Co: know the reply; the Sec: was also requested to request information as to whether culinary water possessed a priority to water used for any other purpose at any time. The members of the Leeds Water Co: then left the meeting. The sec: drew the board's attention to the fact that someone had recently installed a tap at the "Sugar House" and had apparently hooked on to the line that runs to the cemetery, ahead of the meter at the Corral, and that there was no evidence of any valve on this connection for controlling the supply. The meeting instructed him to arrange to have the valve, if any, located, and if none were found to have one installed, and to shut off the supply. The Pres: reported that he had seen Mr Truman Bowler, the County Chairman, in connection with the service to the Silver Reef property recently purchased by the Washington County, and had told him that the fee for installing the service would be \$200.00, and suggested that the County obtain a right-of-way for a pipe line from the tank to their property line. Pending this action by the County the sec: was instructed to send them a bill for the minimum charge each month viz: \$5.00. The sec: asked permission to transfer the 4" meter on the line supplying the mill at Silver Reef, to the outlet of the tank, as requested by the State Engineer's Dept at different times, the meeting was of the opinion that this transfer be not made at this time. As the first Monday in Feb: would clash with other meetings of importance, for shareholders, it was agreed to hold the annual shareholder's meeting on the Thursday, the 9th of Feb: 1967 at 8 o/c p.m.

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Ross savage suggested that the Ass'n should, either ascertain from Mr E.J.Pickett, or send him an amount of money on account of the work he had already done for the Ass'n, it was unanimously agreed to instruct the Pres: to see Mr Pickett and find out what he would like the Ass'n to do. By unanimous consent the meeting then adjourned at 4.15 p.m.

R.A.Boulton, Sec: