

minutes Shareholders

**Leeds Domestic Waterusers Assn.
376 South Main Street
PO. Box 460627
Leeds, UT 84746-0627**

LDWA BOARD

BOARD OF DIRECTORS:

PRESIDENT: GENE HANSEN 879-2271
VICE PRESIDENT: DON GODDARD 879-2388
SEC. TREASURE: SANDRA BROWNING 879-2345

SUSAN SAVAGE 879-2207
RUSS PEINE 879-2358
BURT LEANY 879-2901

June 6, 1993

LDWA'S ANNUAL SHAREHOLDERS MEETING TUESDAY, MARCH 16, 1993

BOARD MEMBERS PRESENT: President Eugene T. Hansen, Don Goddard, Don Stephens, Russell Peine, and Susan Savage. Also Secretary Sandra Browning.

CONDUCTING: Eugene T. Hansen
PRAYER: Russell Peine

GREETING TO SHAREHOLDERS: Upon greeting the shareholders, President Eugene Hansen asked Sandra Browning, secretary of LDWA to read the minutes. The minutes were read and then President Hansen asked if there were any corrections or additions, and there were none. Russell Peine moved to approve the minutes and Don Stephens seconded the minutes and all present approved.

FINANCIAL STATEMENT AND BUDGET: Don Goddard told shareholders that as of 3/7/93 the organization had total current assets of \$54,737.74. This figure includes the accounts receivable, cash, and our two CD's. The total fixed assets, such as two storage tanks, furniture, & fixtures, irrigation shares, land, and water lines, etc. come to \$53,361.73. Our total long term liabilities are loans owed on two tanks. (Which comes to \$91,199.43.) Don told shareholders that the new budget was prepared and approved by the board members (the by-laws state that the budget must be approved by the board members before the first of the year.) and that it will be a balanced budget as was the 1992 budget.

THE 1992 ACCOMPLISHMENTS: Susan Savage was asked to give this part of the program. Susan told shareholders that the LDWA has hired a new attorney because John Palmer, our previous legal counsel, represented both sides of a legal issue that we are dealing with at the present time. He also suggested that we find another representative. We have hired Rick Hafen who has come to us highly recommended, he is a specialist in water law as well as having lots of practical experience. We can thank John Palmer for being responsible for working with the state to preserve the private status of the private water companies to hold water for the future growth. And through his efforts a policy was made by the State to take care of all private water companies within the state.

Our trailer has been moved behind the cement tank and boardmembers painted it.

We registered letters of protest and attended a hearing on a well to be drilled in our area. This protest is just a legal provision that is available for people whose wells are in the area that might be affected. If anything does happen to the water in our well we can go back and show the concern we had at the time this change was accepted. And the State has an obligation to us because we have a prior water right.

Because the owners of the new well are trying to change the use of the well from irrigation to culinary the LDWA feels the demand on the well will be very great.

We received assurance from the State Engineers in the Cedar City office that LDWA's water is secure under the agreement that was signed with the town (Leeds) that has been printed as such in the State books.

We accepted a new application for water tap purchases that contains addresses and vital information to help keep track of these new people.

We were approached by Silver Valley Estates to see if they could hook up with our water system and that will be discussed later on in the meeting.

Board members mapped the water lines in the town to be able to know where the lines go and where the valves and shutoffs are.

Seven taps were sold last year.

Back flow preventers have continued to be installed as new meters have been put in. However, the deadline on this has been lifted. But we will continue to put in the back flow preventers for our own safety.

We filed letters of protest against the cost and extensiveness of testing for radon gas. Many of these things we felt would not apply to our situation. You may have read in the paper about the issues of water primacy and the expense that can be accrued if some of these things are approved. Small communities will have to pay for this expensive testing. We received a response from Congressman Hansen and two others that we sent letters to.

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The finishing touches were done on the new tank and that account was closed. Josh and Don Fawson insulated meters last Fall and we appreciate their work. The books were audited by Lane Wilkens and all was found to be in order. Organic and inorganic testing on the well and the spring is current.

We adopted several resolutions during the year and those are available to you if you are interested.

Eugene Hansen thanked Susan for her update and asked if anyone had any remarks and Don Stephen's explained that there was never a requirement for a town the size of Leeds to have back flow preventers but the LDWA feel that it is a good precaution and will continue to put them in. President Eugene Hansen told the group that this would help us maintain our rating as a first class system. Don Goddard stated that he was told in a Rural Water meeting that this is a liability thing and if we allow something to contaminate our system such as fertilizer or spray or what ever, then that is a liability for us. So to protect our interest we are seeing that the back flow preventers are installed so we don't have that problem. We have tried to put in 20% each year and Don Stephen said that we are on schedule.

Bill Schweer stated that we also need to have a relief valve on each water heater. Don Stephen explained that we not only need a relief valve but a place for the water to go if the valve should happen to blow. The LDWA will install the backflow preventers, but the shareholder will be responsible to make sure they have a relief valve installed on their water tank and a place for the water to go if there is a pressure build up.

SILVER VALLEY: Don Stephen told shareholders that a meeting was held with Silver Valley. They are in need of good water for theirs is contaminated. Or so it seems. There are two things that we might be able to do. One is that if they are annexed with the city then we will be able to furnish water to them. In return, they are willing to turn over to us a substantial amount of water, which we definitely need. And there are many things that would have to be ironed out, such as, their water shares are only 20,000 gallons instead of 40,000 as the LDWA. The seconded thing that could happen is that we could use our water lines as a carrier for their water, much as we do with Silver Reef. Their water will be put into our well. The LDWA feel that this should be a timed agreement so that the LDWA can review the program. No decision has been made and the shareholders will be called to a special meeting when a proposal is made.

Don Goddard told the shareholders that there is a good chance for the LDWA to get needed water in this transaction and also as long as he has any thing to say about it, providing water for Silver Valley will not cost LDWA anything.

Don Fawson asked to express his feelings about annexing Silver Valley. He said that all the growth around Leeds has been good and he feels that we need to annex Silver Valley. Don stated that Leeds needs to live and expand or die. And by this he means that if we do not expand we will become part of another entity.

Alene Cuff expressed the feeling that if we do not annex other lands and expand, we are pushing ourselves into a corner. The people in Silver Valley have big problems and we need to help them if at all possible.

President Eugene Hansen talked to the shareholders about the expense all the testing the state and federal government is planning to require of all water companies. Nitrates pesticides, radon, organic and inorganic test samples we have to run.

We need to have our shareholders help to write letters of protest to our congressmen about this expensive testing. We must also protest the unreasonable enforcement the EPA has over small water systems.

ELECTION: Vice President Don Goddard took charge of the election with Susan Savage, Russell Peine, Cindy Schweer, and Mrs. Hatch helping. Four shareholders were nominated. Alene Cuff, Bert Leany, Howard Humphrey, and Eugene Hansen. After the votes were counted 25 people voted and Eugene Hansen and Bert Leany were elected.

The meeting was adjourned.

The board members went into closed executive meeting and at that time; Eugene Hansen was put in as president and Don Goddard was vice president. Then the executive meeting was adjourned.

NOTES ON DEC. 23, 1993 MEETING WITH

Gerald Stoker, State H₂O Engineer

Spence Reber, Geologist

(Notes by Bert Leany, Susan Savage - LDWA)

Stoker:

1) HVWA H₂O-right is NOT 3293,
but is 79.09 AF = 0.1093 cfs

2) Angel Springs H₂O-right is 20 AF;
Flow is greater. (J. Spencer says 70-75 ~~AF~~) gpm

3) HVWA can transfer point-of-div. to
Leeds well w/out LDWA approval, but
must receive right of trespass from LDWA

4) Asked whether he thought/preferred
HVWA should pursue well or springs,
said "either/or"

5) 1980 - modification was made regarding
availability of H₂O for municipal development
(which he specified includes LDWA because
we serve a municipality) Area: Anderson Jet.
to St. Geo. E. Black Ridge (Middleton)

(Stoker, cont'd.)

6) Recommend: LDWA should require that irrigation rights on each piece developed (one home as well as subdivisions - areas where irrig. H₂O is taken out of use, such as home site, driveways, out-buildings, garages, etc.) be deeded to LDWA. He said this procedure is followed everywhere, and is the method of obtaining needed H₂O, and preventing irrig. rights from being lost through non-use. As we do this, he said, we will eventually accumulate enough shares to be able to make transfers to culinary. (P.S. - Thought - Can Culinary Co. hold Irrig. Rights indefinitely?)

7) Supreme Court, in case he'd mentioned previously, affirmed Assoc. control over transfer of individual shares.

8) "Cloud" over water rights, he said, referred to the .50 cfs we thought we got from Silver Reef. But we felt the "cloud" might have referred to HUWA rights - those sold, resold, etc.

Reber:

- 1) STC advised St. George to file applications now for rights the hope to obtain. Also Wash. City. (anticipated needs)
- 2) He advised that we do this also - file applications on anticipated needs and aquifer capacity, not well capacity. Should do this ASAP! (# said maybe 2,000 AF? - [not enough])
- 3) Looking at the lay of the land and positions of current wells & springs, he says it does not appear that those on east side of Alligator Knoll (Homespun, Crystal Springs, etc.) would be affect in same aquifer as town well. Those on east appear to be in a sandier, alluvial deposit.
- 4) Proceed on aquifer analysis (recommendation)

Town of Leeds
Single Family or two family dwelling - Standards
Effective Date FEBRUARY 17, 1993
Chapter 4-22

Chapter 4-22 - Single family or two family dwelling - Standards.

All mobile or manufactured homes located outside mobile home parks or mobile home subdivisions are defined as single family or two family dwellings and must be installed on an approved permanent foundation system. Any detached single family or two family dwelling located on an individual lot outside of a mobile home park or mobile home subdivision must meet the off-street parking requirements in Chapter 6 of the Town of Leeds Zoning Ordinance and the following standards in addition to any others required by law.

A. The dwelling must meet the Uniform Building Code or, if it is a manufactured home, it must be certified under the National Manufactured Housing Construction and Safety Standards Act established by the U.S. Congress and must have been issued an insignia and approved by the U.S. Department of Housing and Urban Development and must not have been altered in violation of such codes. A used manufactured home must be inspected by a Leeds building official prior to placement on a lot to insure it has not been altered in violation of such codes.

B. The building inspector shall determine that the subject lot together with the used or new proposed mobile or manufactured home meet all zoning regulations and shall be architecturally and aesthetically compatible and harmonious with surrounding development in the vicinity. Each manufactured or mobile home shall be placed on only one parcel.

C. Mobile or manufactured homes as defined herein as single family or two family dwellings which are located outside of a mobile home park or mobile home subdivision are permitted as of FEBRUARY 17, 1993 in the following Town of Leeds Zoning Districts: Rural Residential (R-R-1); Rural Residential (R-R-2); Residential (R-1-20); Residential (R-1-9); and Multiple Residential (R-M-7).

D. The dwelling must be taxed as real property. If the dwelling is a manufactured home, an affidavit must be filed with the State Tax Commission pursuant to Utah Code Annotated 59-2-602.

E. The dwelling must be permanently connected to and approved for all required utilities.

F. The dwelling must provide a minimum of seventy-two square feet (per dwelling unit) of enclosed storage with a minimum height of six feet located in the basement or

garage area or in an accessory storage structure. Said structure shall conform to all applicable building codes.

G. The dwelling must be attached to a site built permanent foundation which meets the Uniform Building Code or if the dwelling is a manufactured home, the installation must meet the ICBO Guidelines for Manufactured Housing Installations including any successors to these standards and the space beneath the structure must be enclosed at the perimeter of the dwelling in accordance with said ICBO guidelines and constructed of materials that are weather resistant and aesthetically consistent with concrete or masonry type foundation materials. At each exit door there must be a landing that is a minimum of thirty-six inches by thirty-six inches and is constructed to meet the requirements of the Uniform Building Code. All manufactured home running gear, tongues, axles, and wheels must be removed at the time of installation.

H. At least sixty percent of the roof of the dwelling must be pitched at a minimum of 1:4 (or must be compatible with other structures adjacent to the site in regards to window and door detailing, decoration, materials, roof style and pitch, finished floor height, porches, bay windows, and the like), and shall have a roof surface of wood shakes, asphalt, composition, wood shingles, concrete, fiberglass or metal tiles or slate or built up gravel materials.

I. The dwelling shall have exterior siding material consisting of wood, masonry, concrete, stucco, maisonette, non-reflective aluminum, or metal or vinyl lap or any material meeting the Uniform Building Code or materials of like appearance approved by the building inspector. All siding shall be non-reflective and shall be installed from the ground up to the roof. The roof overhang must not be less than one foot, including rain gutters which may account for up to four inches of overhang, measured from the vertical side of the dwelling. The roof overhang requirement shall not apply to areas above porches, alcoves and other appendages which together do not exceed twenty-five percent of the length of the dwelling.

J. The width of the dwelling shall be at least twenty feet at the narrowest point for any story at a length of at least twenty feet exclusive of any garage area. The width shall be considered the lesser of the two primary dimensions. Factory built or manufactured homes shall be multiple transportable sections at least ten feet wide unless transportable in three or more sections in which case only one section need be ten feet wide.

K. The applicant must meet the above conditions to erect a single family dwelling or two family dwellings defined as a mobile home or manufactured home located outside a mobile home park or mobile home subdivision. The determination of the building inspector may be appealed to the board of adjustment pursuant to the provisions of Chapter 3 of the Town of Leeds Zoning Ordinance.

L. The use of one manufactured home as a dwelling on a parcel of land located

outside of a mobile home park or mobile home subdivision prior to the initiation by Town of Leeds of the enactment of this ordinance, which use does not meet the requirements set forth in subsections A. through K. herein shall be considered as a nonconforming dwelling if such manufactured home and the parcel on which it is located comes into compliance by (allow one year from adoption), 1994, with all development standards within this zoning ordinance which would have been applicable to a single family dwelling located on such parcel at the time the manufactured home was first used on the parcel as a dwelling.

M. Replacement of an existing nonconforming manufactured home on a lot outside a mobile home park or mobile home subdivision shall comply with all requirements herein.