

APPENDIX E

Public Information & Correspondence

MISCELLANEOUS INFO

The Ash Creek connection or impact fee will be reduced by \$412 for each equivalent residential unit. This fee will be \$1,088 per equivalent residential unit for the first year.

After one year, the impact fee will return to \$1,500 per equivalent residential unit.

LEEDS TOWN WELCOMES ANY COMMENTS OR QUESTIONS YOU MAY HAVE.



Prepared by:
Leeds Town
Box 460879
Leeds, Utah 84746

INFORMATION ON SEWER SYSTEM

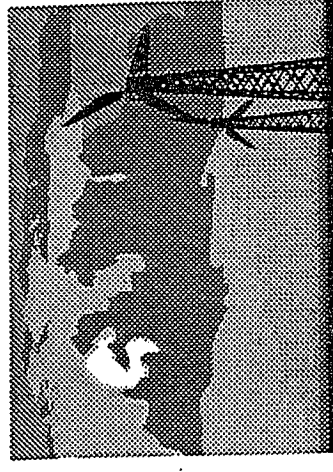
Will be presented at the Council Meeting on
March 11, 1998 @ 7:30 p.m. @ Town Hall.

PUBLIC HEARING

March 25, 1998 @ 7:00 p.m. @ Town Hall.

Wastewater System?

Give Leeds Town Your Input



[The future is now!]

ADVANTAGES & DISADVANTAGES

ADVANTAGES

- ◆ Provides the Town with a reliable system.
- ◆ Reduces potential pollution of groundwater.
- ◆ Provides the owner more options to develop property.
- ◆ Eliminates maintenance of individual disposal systems (septic systems).
- ◆ Allows room for growth.
- ◆ Adds value to your property.
- ◆ 70% Grant (It is unlikely this amount of grant would be available in the future).

DISADVANTAGES

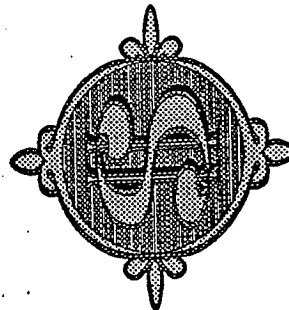
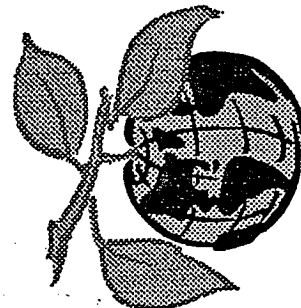
- ◆ Initial Fees.
- ◆ The inconvenience during construction.

PROJECT FUNDING

- ◆ The total project cost to install a wastewater collection system for the Town is approximately \$1,360,000.
- ◆ The Town has explored funding of a wastewater project and has secured the following:
 1. Two grants totaling \$945,000.
 2. Two loans totaling \$415,000.
 - A. Loan of \$160,000 @ 4.6% interest.
 - B. Loan of \$255,000 @ 0% interest.

Funding amounts to a 70% grant.

- ◆ Loan payback and reserve account amount required is estimated to cost a residential household \$15.50 per month.
- ◆ Ash Creeks user fee will be \$15.00 per month to operate and maintain the system.
- ◆ Total estimated user fee: \$30.50 per month.



The Town of Leeds has prepared this brochure to inform you about the proposal for a new wastewater system.

PROJECT: LEEDS WASTEWATER PRELIMINARY ENGINEERING
Project #: 9706-007

1. **HOW DOES A LAGOON SYSTEM WORK?**

- a. Raw wastewater enters the lagoons.
- b. The raw wastewater contains solids, pathogens, organic compounds, phosphorus and nitrogen.
- c. Figure 22-1 shows the metabolic cycle of oxidation lagoons. The following happens:
 1. The lagoons act as oxidation ponds where treatment depends on aerobic decomposition of organic matter.
 2. Bacterial decomposition of this matter releases carbon dioxide and organic nitrogen is converted into ammonia.
 3. Algae develop, consume carbon dioxide, ammonia, and other waste products and under proper climatic conditions release oxygen during daylight.
 4. Aerobic oxidation of ammonia nitrogen to nitrates (nitrification) takes place.
 5. Biological conversion of nitrates to gaseous nitrogen, which escapes to the atmosphere.
 6. Oxygen also is dissolved from the atmosphere at the lagoon surface. 51% of water is lost by evaporation. 49% is lost by seepage. Almost all water seepage is free from nitrates.

2. **HOW DOES A SEPTIC SYSTEM WORK?**

- a. Figure with a house shows a typical septic system. The following happens:
 1. A septic tank removes scum, grease and settleable solids from waste by gravity separation. Nitrogen entering the septic system is typically 70% organic nitrogen and 30% ammonia.
 2. Bacteria treat or reduce the organic portion of these materials (scum, grease and settleable solids) anaerobically (without oxygen). The anaerobic environment in the septic tank transforms most of the organic nitrogen to ammonia nitrogen.
 3. The partially treated wastewater is then evenly distributed by piping to the leach (absorption) field for aerobic treatment (with oxygen) of the remaining pollutants in the underlying soils. The nitrogen leaving the septic tank is typically 25% organic nitrogen and 75% ammonia.
 4. The unsaturated zone below the biomat of the absorption system is an aerobic environment in which ammonia is oxidized to nitrate (nitrification).
 5. The nitrates, being soluble, enter into the ground water.

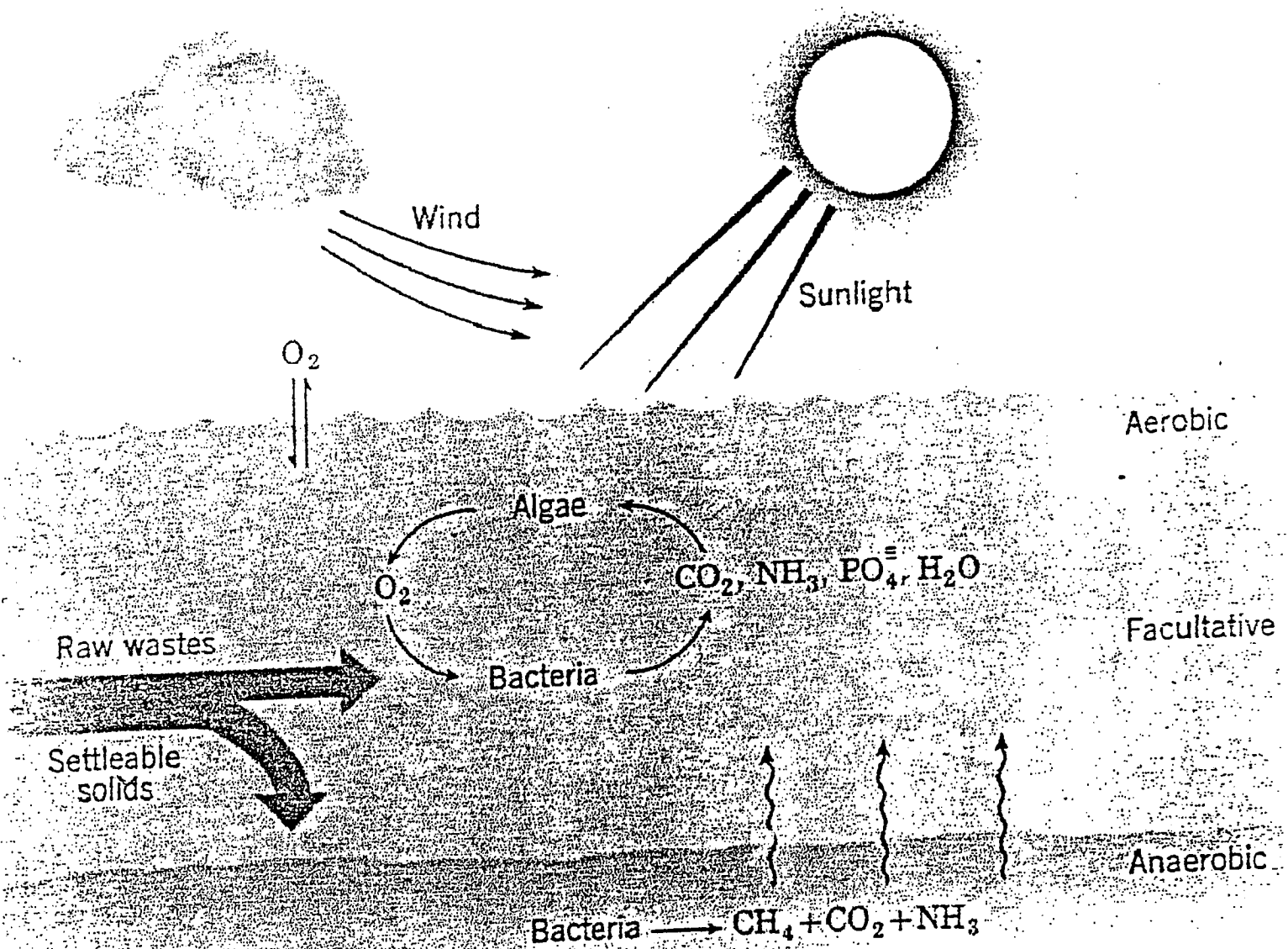
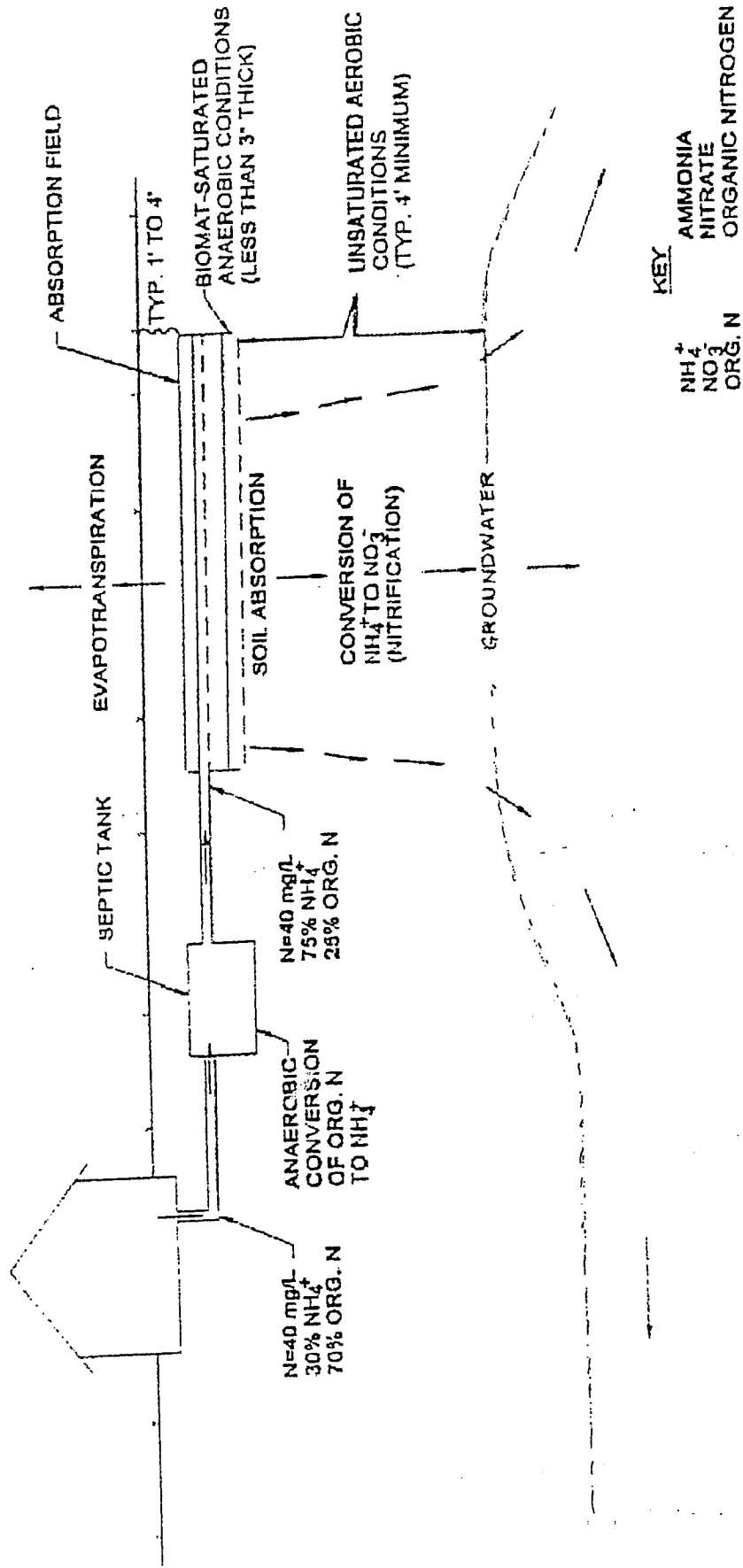


FIG. 22-1. Schematic diagram of oxidation pond operations.

Fate of Nitrogen Compounds in a Typical Septic System



3. **COST ESTIMATES ON INSTALLING 4 INCH LATERALS IN:**
 (for a 5' deep x 2' wide trench)

- a. Solid Rock are \$20.00/linear foot
- b. 50% Rock / 50% Dirt are \$15.00/linear foot
- c. Potato Dirt are \$10.00/linear foot

Average length will be approximately 60 lineal feet.

4. **BASIC INFORMATION FROM USDA ON THEIR BUSINESS & INDUSTRY LOAN GUARANTEE PROGRAM:**

- a. SBA (Small Business Association): Guarantees loan requested from and given by Bank. USDA works with Bank to give a lower interest rate or longer term.
- b. Could also get a straight commercial loan. Not many strings attached.
- c. Business & Industry program works the same way.

5. **GRANTS OTHER COMMUNITIES HAVE RECEIVED TO DO A WASTEWATER SYSTEM:**

<u>CITY</u>	<u>USER RATE</u>	<u>YEAR</u>	<u>% GRANT</u>
Enoch	\$25.00	1993	70% Grant
Hanksville	\$12.00	1988	
Escalante	\$16.00	1988	
Panguitch		1996	38% Grant
Colorado City	\$33.90	1998	13.8% Grant

6. **INCOME LIMIT FOR A PERSON TO QUALIFY FOR THE CDBG BLOCK GRANTS:**

See attached Low/Moderate Income Data Sheets

7. **WHAT SHOULD LEADS MINIMUM USER FEE BE BASED ON THE STATES AFFORDABILITY GUIDELINES?**

$$1996 \text{ MAGI} = \$22,294 \times 0.014 = \$26.01$$

APPENDIX C

LOW/MODERATE INCOME DATA



INCOME LIMITS - STATE OF UTAH - PREPARED 1-24-97

PERSONS	1	2	3	4	5	6	7	8	9	10
COUNTY: BEAVER										
VERY LOW INCOME	13500	15400	17300	19250	20800	22350	23850	25400	26950	28500
LOW INCOME	21550	24650	27700	30800	33250	35750	38200	40650	43100	45550
BOX ELDER										
VERY LOW INCOME	14700	16800	18900	21000	22700	24350	26050	27700	29400	31080
LOW INCOME	23500	26900	30250	33600	36300	38950	41650	44350	47050	49750
CACHE										
VERY LOW INCOME	14700	16800	18900	21000	22700	24350	26050	27700	29400	31080
LOW INCOME	23500	26900	30250	33600	36300	38950	41650	44350	47050	49750
CARBON										
VERY LOW INCOME	13500	15400	17300	19250	20800	22350	23850	25400	26950	28500
LOW INCOME	21100	24150	27150	30150	32550	35000	37400	39800	42200	43500
DAGGETT										
VERY LOW INCOME	13500	15400	17300	19250	20800	22350	23850	25400	26950	28500
LOW INCOME	21550	24650	27700	30800	33250	35750	38200	40650	43100	45550
DAVIS										
VERY LOW INCOME	16700	19100	21450	23850	25750	276500	29550	31500	33400	35300
LOW INCOME	26700	30550	34350	38150	41200	44250	47300	50350	53402	56454

PERSONS	1	2	3	4	5	6	7	8	9	10
SUMMIT										
VERY LOW INCOME	20300	23200	26100	29000	31300	33650	35950	38300	40600	42950
LOW INCOME	30450	34800	39150	43500	47000	50450	53950	57400	60900	64400
TOOELE										
VERY LOW INCOME	14700	16800	18900	21000	22700	24350	26050	27700	29400	31080
LOW INCOME	22550	25800	29000	32250	34800	37400	40000	42550	45150	47700
UINTAH										
VERY LOW INCOME	13500	15400	17300	19250	20800	22350	23850	25400	26950	28500
LOW INCOME	21550	24650	27700	30800	33250	35750	38200	40650	43100	45550
UTAH COUNTY										
VERY LOW INCOME	14050	16050	18050	20050	21650	23250	24850	26450	28050	29650
LOW INCOME	22450	25650	26850	32100	34650	37200	39800	42350	44900	47500
WASATCH										
VERY LOW INCOME	13500	15400	17300	19250	20800	22350	23850	25400	26950	28500
LOW INCOME	21550	24650	27700	30800	33250	35750	38200	40650	43100	45550
WASHINGTON										
VERY LOW INCOME	13500	15400	17300	19250	20800	22350	23850	25400	26950	28500

PERSONS	1	2	3	4	5	6	7	8	9	10
LOW INCOME	21550	24650	27700	30800	33250	35750	38200	40650	43100	45550
WAYNE										
VERY LOW INCOME	13500	15400	17300	19250	20800	22350	23850	25400	26950	28500
LOW INCOME	21550	24650	27700	30800	33250	35750	38200	40650	43100	45550
WEBER										
VERY LOW INCOME	16700	19100	21450	23850	25750	276500	29550	31500	33400	35300
LOW INCOME	26700	30550	34350	38150	41200	44250	47300	50350	53402	56454

For families which exceed the ten member limit on the chart, you would calculate eight percent of the four person base. Then add to the ten person income limits. All income limits are rounded to the nearest \$50.00 to reduce administrative burden.

EXAMPLE

Using the **LOW INCOME** figures of Duchesne County:
 A family participating in the survey has eleven members. You must calculate eight percent of the base for each member above ten.
 The four member base for **LOW INCOME** is \$30,800.00
 Eight percent (**FOR ONE MEMBER**) of \$30,800.00 = \$ 2,464.00
 \$2,344.00(one member) + \$45,550(ten member base) = \$48,014.00
 Rounded to the nearest 50 = \$48,000.00
 The low income figure for an eleven member family in Duchesne County = \$48,000.00

8. **HOW CAN THE TOWN SET UP A PAYMENT PROGRAM FOR THE \$800.00 CONNECTION FEE?**

- a. Set up a payment program for all users to pay either lump sum payment, quarterly payments or monthly payments.

9. **FEASIBILITY OF AN ELEMENTARY SCHOOL & BUSINESS ON SEPTIC SYSTEM VERSUS SEWER SYSTEM:**

On a septic system, the amount of capacity built-in for future growth is very limited. As the school expands, new septic systems would need to be installed. Whereas, a sewer system would have the capacity built-in to accommodate future growth. Same principle applies for a business of motels, apartments, etc.

10. **PROVIDE CORRECT COSTS:**

See attached sheets

LEEDS WASTEWATER
 (Revised Budget w/ Lagoons)
 May 13, 1998

Cost Estimate	\$15,000.00
Administration & Legal	\$30,000.00
Planning - Advance	\$20,000.00
Environmental	\$100,000.00
Design Engineering	\$140,000.00
Construction Engineering	\$30,000.00
Archaeology	\$25,000.00
Easements & ROW's	\$1,112,000.00
Construction - Collection & Interceptor	<u>\$500,000.00</u>
Construction - Lagoons	\$1,972,000.00
TOTAL	

Cost Sharing
 Leeds Town has received preliminary authorization from the Rural Development Administration (RDA) (formerly Farmer's Home Administration) for a \$495,000 grant and a \$160,000, 4.6%, 40 year loan. Leeds Town has also received authorization from DEQ for a \$450,000 grant and \$255,000 loan at 0% interest for 20 years.

Proposed Financing	<u>Amount</u>
Leeds local contribution connection fees 140 @ \$800	\$112,000.00
Funds Offered	
Rural Development	
Loan 4.6% interest 40 years	\$160,000.00
Grant	\$495,000.00
Water Quality Board	
Loan 0% interest 20 years	\$255,000.00
Grant	<u>\$450,000.00</u>
Sub Total	\$1,472,000.00
Additional Funds Needed	
Water Quality Board	
Loan 0% interest 20 years	\$500,000.00
Grant	<u>\$0.00</u>
Sub Total	<u>\$500,000.00</u>
Total Proposed Financing	\$1,972,000.00

Estimated Annual Cost for Sewer Service	\$13,440.00
Operation & Maintenance Cost (140 @ \$8.00)	\$8,819.00
Rural Development Debt Service (\$160,000, 4.6%, 40 years)	\$882.00
Debt Service Reserve (1 annual payment funded over 10 years)	\$37,200.00
Water Quality Board Debt Service (\$744,000, 0%, 20 years)	<u>\$3,348.00</u>
Debt Service & Repair/Replacement Reserve (1 1/2 annual payment funded over 6 years)	\$63,689.00
Annual Cost	\$454.92
Annual Cost / Equivalent Residential Unit	\$37.91
Monthly Cost / Equivalent Residential Unit	

**COST ESTIMATE
SCENARIO I
LAGOON W/GRAVITY
LEEDS WASTEWATER IMPROVEMENTS
MAY 13, 1998**

Item #	Item	Quantity	Units	Unit Price	Cost
1	Mobilization	1	L.S.	\$80,000.00	\$80,000.00
2	8" Sewer Line	25000	L.F.	\$17.00	\$425,000.00
3	8" Pressure Line	5500	L.F.	\$9.00	\$49,500.00
4	6" Pressure Line	6500	L.F.	\$7.00	\$45,500.00
5	4' Dia. Manholes	80	Each	\$1,600.00	\$128,000.00
6	Lift Station	2	Each	\$20,000.00	\$40,000.00
7	Asphalt Street Repair including UBC	3350	S.Y.	\$30.00	\$100,500.00
8	Gravel Street Repair	3000	S.Y.	\$8.00	\$24,000.00
9	4" Cleanout	120	Each	\$200.00	\$24,000.00
10	4" Service Line	6000	L.F.	\$8.00	\$48,000.00
11	4" Sewer Connection	120	Each	\$200.00	\$24,000.00
12	Wastewater Lagoons	1	L.S.	\$500,000.00	\$500,000.00
	SUBTOTAL				\$1,488,500.00
13	Contingency				\$123,500.00
	TOTAL CONSTRUCTION				\$1,590,000.00
14	Rights-ofways, Easements, Etc.	1	L.S.	\$25,000.00	\$25,000.00
15	Design Engineering	1	L.S.	\$100,000.00	\$100,000.00
16	Construction Management	1	L.S.	\$140,000.00	\$140,000.00
17	Legal Fees & Bond Counsel	1	L.S.	\$15,000.00	\$15,000.00
18	Archaeology	1	L.S.	\$30,000.00	\$30,000.00
19	Environmental	1	L.S.	\$20,000.00	\$20,000.00
20	Study and Planning Advance	1	L.S.	\$30,000.00	\$30,000.00
	SUBTOTAL				\$360,000.00
	TOTAL PROJECT COST				\$1,972,000.00

**COST ESTIMATE
SCENARIO II
LAGOON W/GRAVITY
LEEDS WASTEWATER IMPROVEMENTS
MAY 13, 1998**

Item #	Item	Quantity	Units	Unit Price	Cost
1	Mobilization	1	L.S.	\$80,000.00	\$80,000.00
2	8" Pressure Sewer	5500	L.F.	\$9.00	\$24,500.00
3	6" Pressure Line	11000	L.F.	\$7.00	\$77,000.00
4	4" Pressure Line	11300	L.F.	\$5.00	\$56,500.00
5	Air Release Valves	5	Each	\$2,000.00	\$10,000.00
6	Individual Grinders	140	Each	\$4,000.00	\$560,000.00
7	Asphalt Street Repair including UBC	3350	S.Y.	\$30.00	\$100,500.00
8	Gravel Street Repair	3000	S.Y.	\$8.00	\$24,000.00
9	2" Service Line	12000	L.F.	\$4.00	\$48,000.00
10	2" Service Connection	120	Each	\$200.00	\$24,000.00
11	Sewer Lagoons	1	L.S.	\$500,000.00	\$500,000.00
	SUBTOTAL				\$1,529,500.00
12	Contingency				\$90,500.00
	TOTAL CONSTRUCTION				\$1,620,000.00
13	Rights-of-ways. Easements. Etc.	1	L.S.	\$25,000.00	\$25,000.00
14	Design Engineering	1	L.S.	\$100,000.00	\$100,000.00
15	Construction Management	1	L.S.	\$140,000.00	\$140,000.00
16	Legal Fees & Bond Counsel	1	L.S.	\$15,000.00	\$15,000.00
17	Archaeology	1	L.S.	\$30,000.00	\$30,000.00
18	Environmental	1	L.S.	\$20,000.00	\$20,000.00
19	Study and Planning Advance	1	L.S.	\$30,000.00	\$30,000.00
	SUBTOTAL				\$360,000.00
	TOTAL PROJECT COST				\$1,980,000.00

LEEDS WASTEWATER LAGOONS

JONES & DEMILLE ENGINEERING ESTIMATE

May 6, 1998

ITEM #	ITEM	UNITS	QUANTITY	UNIT PRICE	COST
			1	\$5,000.00	\$5,000.00
1	Mobilization	L.S.			
2	Excavation	C.Y.	40000	\$2.00	\$80,000.00
3	Clay Liner	C.Y.	25000	\$9.00	\$225,000.00
4	Sand/Silt Liner	C.Y.	3000	\$4.00	\$12,000.00
5	Rip rap	C.Y.	3600	\$15.00	\$54,000.00
6	Fence	L.F.	5000	\$12.00	\$60,000.00
7	10" piping	L.F.	1500	\$12.00	\$18,000.00
8	Flow Control Structure	Each	1	\$15,000.00	\$15,000.00
9	Seeding	LB.	200	\$20.00	\$4,000.00
10	Transfer Structure	Each	3	\$4,000.00	\$12,000.00
11	Untreated Base Course	Ton	2500	\$6.00	\$15,000.00
SUBTOTAL CONSTRUCTION					\$500,000.00
Contingency					\$50,000.00
TOTAL CONSTRUCTION COST					\$550,000.00
	Environmental Review & Preliminary Engineering				\$20,000.00
	Right-of-Way				\$5,000.00
	Design Engineering				\$38,000.00
	Construction Engineering & Inspection				\$35,000.00
TOTAL PROJECT COST					\$648,000.00

Question 8: Is Washington County limiting the number of septic tanks permitted in the Leeds area?

Answer: A Washington County Water Conservancy District study has recommended a density of one septic system per 8 to 10 acres because of potential groundwater contamination concerns. At this time no action has been taken to make this a requirement. Obviously, if this happens, new building would be severely limited and those owning vacant property in Leeds would be severely restricted in development options.

Question 9: Is my property worth more with sewer rather than septic?

Answer: Houses may appraise significantly higher with a sewer system depending on the residence and the location. Septic systems do not last indefinitely and system replacement is expensive.

Other sewer system issues:

- * With a sewer system, businesses would be more likely to locate in Leeds commercial districts -- providing more local services and expanding the town tax base.
- * There is discussion of the school district locating an elementary school in Leeds. A sewer system would make this more feasible.

OUR DECISION ON WHETHER OR NOT TO INSTALL A SEWER SYSTEM WILL BE VERY IMPORTANT IN DETERMINING WHAT TYPE OF COMMUNITY LEEDS WILL BE IN THE FUTURE.

PLEASE READ THE ENTIRE PAMPHLET BEFORE CHECKING ONE OF THESE ITEMS.

_____ I favor Leeds Town developing a sewer system.

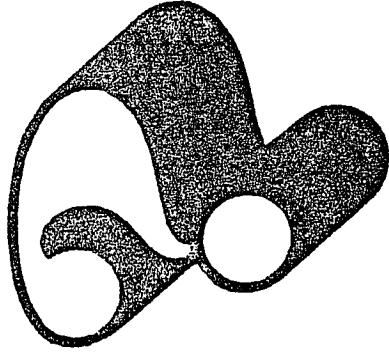
Comments: (please include if you have a preference for developing sewer lagoons or connecting to Ash Creek)

_____ I am opposed to a sewer system for Leeds.

Comments: _____

Signature _____
_____ / _____
Date

TO SEWER OR NOT TO SEWER THAT IS THE QUESTION



Prepared by:
Leeds Town
Box 460879
Leeds, Utah 84746
(435) 879-2447

Letters have been written, brochures distributed and petitions circulated regarding the sewer in Leeds. This pamphlet attempts to present advantages and disadvantages of the sewer proposal and answer some frequently asked questions.

Please take time to read the information and decide for yourself.

COMMONLY ASKED QUESTIONS

Question 1: How is a sewer system different than a septic system?

Answer: Septic systems collect sewage and waste water into a tank where organic waste is broken down by bacteria in an anaerobic (without oxygen) environment. Much of the waste is transformed into ammonia nitrogen. As the waste-water is distributed through the leach-field, the nitrogen is oxidized to nitrates which, being soluble, enter the ground water. Nitrates are a pollutant and may render groundwater unfit for drinking or other uses.

Sewer systems pipe sewage and waste-water into sewage lagoons where organic waste is broken down by bacteria and algae in a aerobic (with oxygen) environment. The nitrate pollutants are converted to gaseous nitrogen and released harmlessly into the atmosphere.

Question 2: What grants and loans has Leeds Town received to install a sewer system?

Answer: Two grants totaling \$945,000.

Two Loans totaling \$415,000.

- a. Loan of \$160,000 @ 4.6% interest
- b. Loan of \$255,000 @ 0% interest

Funding amounts to a 70% grant. The loans and the balance would be paid by charging sewer users monthly fees.

This presents Leeds with an opportunity to do a sewer system now rather than at some future time when it may be mandated by federal or state

Question 3: Must Leeds Town connect to Ash Creek Sewer District or can the town build and operate lagoons?

Answer: Option A - Ash Creek is an established sewer district. They propose charging each Leeds connection a one time \$1,088 hookup fee for those connecting in the first year (\$1,500 thereafter) and \$15. per month to each sewer connection. This money goes to operate the sewer district and would not help pay the town loans for sewer line installation, however, operation and maintenance of the the sewer system would be the sewer districts responsibility rather than Leeds Town. To pay the loans would require an additional \$15.50 monthly fee for each connection.

Option B - Sewer Lagoons The town could find a suitable site and build sewer lagoons. Engineering estimates calculate that this would reduce each initial connection fee to \$800. and total monthly fee of \$26, all of which would go toward paying the loan debt and operating the system. Possible disadvantages of this plan would be environmental issues associated with locating, building and operating sewer lagoons, an additional town employee and liability for proper and safe operation of the system.

Question 4: What would be the cost to individual homeowners?

Answer: Connection fees and monthly fees are explained in question 3. In addition, each residence connecting to the system will be responsible for a lateral line (house to main sewer line). Cost estimates for installing 4 inch lateral are:

- a. solid rock \$20. a linear foot

Question 5: Are grants or loans available to the individual home owner?

Answer: Grants will most likely be available for low income persons and families. Low income grants have been available in all Utah communities that have received sewer grants in the past. Low income is generally defined as a person who makes less than \$21,550 per year or a family of four making less than \$30,800 per year. These figures are available from town council members for other size families. In addition, time payments may also be possible for the initial hookup fee.

Question 6: What if my septic system is working fine and I don't want to hook up right away?

Answer: If the town chooses to install sewer, in very limited circumstances, a homeowner may be allowed to wait up to 3 years to hook up, however, they would still be required to pay the monthly service fee and hook up fees may be higher in 3 years.

Question 7: If a sewer is installed will smaller lot sizes be allowed in Leeds?

Answer: Any change in current zoning would require a change in the town General Plan and Zoning Ordinances. This would require public hearings and a majority vote of the town council.

June 1998

Sewer System vs. Septic System for the Town of Leeds

Each member of the Leeds Town Council has been studying the question of whether or not having an on-line sewer system would be in the best interest of the Town. Not one of us gets paid for this work, but every single one of us lives here and cares about the future of Leeds.

This question has rankled the backs of a few citizens who have been content with Leeds as it now stands, who don't want the change, or the expense, or the possible growth that such a change could make. However, most have expressed a desire to have a sewer system, provided it won't cost more than they can afford.

The research of the Town Council has encompassed so many points that have to be considered. This pamphlet lays them before you - to be read, discussed, and with consideration to the Town, to its future, and not just to you as an individual, we solicit your individual honest feedback, with the facts as we know them.

We five members of the Town Council have recently approved to keep the General Plan in tact. It states we will strive to keep the rural atmosphere of Leeds, the space between neighbors, the small businesses of our community. Not one of us wishes to jeopardize that. At the same time, there are inevitable changes happening in Washington County that are affecting us - like it or not. We must address these changes or risk losing our autonomy.

We ask you to consider the following:

1. At least ten residences in Leeds have had major septic and/or leach-field failures within the last 3-5 years. At least one of those was to a new septic system. This volume is substantial considering there are only about 140 homes in the community. A septic system's average life is 20 years. Some last twice as long. Others last half that long without major repairs or replacement costs.
2. Two individuals, in public hearings, have told us they dug into underground sewage-stinking running water at 6' and 32' levels. Every household in Leeds and around Leeds is seeping sewage into high and low water tables. We cannot say, "There's no proof I'm contaminating anyone." We all are, and there is no way of

A) Lagoons are especially placed and lined. The required lining provides and stable seepage rate (max. 1/8" per day). They are placed where they should do the least amount of damage to the environment.

B) Because the lagoons expose sewage to sunshine and air, decomposition of the organic matter is a much quicker process. Churning the 'waters' also speeds up the process. Algae develop, consume waste product, and release the resulting gases into the air. 51% of the waste is literally evaporated away. The remaining 49% is control-seeped into the earth with a 98% water to contaminates ratio. That is far and away superior to septic contamination.

c) Of course no one wants to be down-wind of the a sewer lagoon. The idea of having to smell such a lagoon has a big impact on its nearest neighbors. We intend to keep any such lagoon as far from town as is feasible. The newest methods of aerating the lagoons have also lessened considerably the amount of odor associated with them. So these concerns, while understandable, have been addressed and will not impact our homes, noses, or property values, except in a positive way.

d) Keep in mind household drains of all kinds contribute to the sewer system: tubs, showers, washing machines, sinks, dishwashers, commodes.

7. Cost estimates on installation of lines to your homes have escalated by way of gossip to sums twice actually anticipated. This is the actual cost table for calculating your own installation:

Lateral lines through solid rocks	\$20.00/linear foot
Lateral lines through half rock and soil	\$15.00/linear foot
Lateral lines through mainly soil	\$10.00/linear foot

Low income households have always, historically, had government assistance to pay for said hook-ups. We are not allowed to even request help until the project has been formally approved. To find out if your family would qualify for assistance, the forms to look at are available at Town Hall. Some people will be able to dig their own laterals at no cost. Neighbors can help neighbors.

8. Power outages trip breakers to backup generators to create back-up power so pumps will still work.

9. There are usually a few families on the sewage network who will be required to have back-flow prevention pumps at their homes depending on where their particular hookup is at basement levels. But there is no requirement to dig out or seal up septic tanks. They are simply disconnected.

THE RESULTS OF THE WASTE WATER SURVEY FOR THE TOWN OF LEEDS

September 9, 1998

Total responses - 107

In favor of Leeds Town developing a sewer system - 56

Opposed to a sewer system for Leeds Town - 47

Undecided - 2

Split Households - 2

Of the 52 "In favor" responses 8 desire to be part of Ash Creek and 2 desire to build our own Lagoons.

Typical Responses "In favor" About time - Do it now or later- Do it for the environment.

Typical Responses "Opposed" Too costly!! - New home/New system/ No need- Don't need it now or ever! - Will bring uncontrolled growth - Living on a fixed income.

Leeds gives green light to sewer system; poll says residents are divided

By KAREN VAN SPLAWN

The Spectrum

With a slim majority backing them up, the Leeds town council Wednesday voted to go ahead with a sewer system.

Now, the trick is staying within a budget. The vote was 3-2, council members Mike Empey and Josie Von

Cannon opposed.

According to 107 survey respondents, 56 favored a system, while 47 didn't; two were undecided. Town council members wanted to know exactly how residents felt before voting on a system.

Leeds homeowners use septic tanks. Numerous residents, many of them

opposed, showed up to the meeting.

"They didn't know if there was an actual need for it, and not convinced it was the proper thing to do at this time," said Mayor Ron Mosher, who voted in favor of a system.

"To me, the decision is based on projected growth and time," said Councilman Charlie Scott. "If we wait

10 years, it's going to cost twice as much."

Mosher said he feels the right decision was made. Empey said costs and lack of options made him vote no.

"I believe strongly we have to treat our wastewater responsibly," Empey said. "But I don't think we have all the information we need or have explored

all of the alternatives available to deal with our wastewater."

Every homeowner would have to pay for a pipe that goes from the home to the street. If Leeds joined Ash Creek Special Service District, residents would also have to pay a one-time impact fee. That's too much to ask of residents, Empey said.

"It could easily cost a homeowner in Leeds \$3,000 to pay the hook-up fees and for running a line from their house," he explained. "I'm hoping we can do a better job of addressing homeowner costs."

Leeds' council must decide if it wants to join the Ash Creek Special Service District, which also provides sewer service to the Harrisburg subdivision, or build sewer lagoons. Leeds has \$945,000 in grant money and \$415,000 in loans for the system. Leeds sits on the Navajo Aquifer, and there are concerns about septic waste leaking.



Leavitt
Governor
Dianne R. Nielson, Ph.D.
Executive Director
Don A. Ostler, P.E.
Director

State of Utah

DEPARTMENT OF ENVIRONMENTAL QUALITY DIVISION OF WATER QUALITY

288 North 1460 West
P.O. Box 144870
Salt Lake City, Utah 84114-4870
(801) 538-6146
(801) 538-6016 Fax
(801) 536-4414 T.D.D.
www.deq.state.ut.us Web

January 27, 1999

Mayor Ron Mosher
Town of Leeds
218 N. Main St.
Leeds, UT 84746-0879

Dear Mayor Mosher:

Subject: Leeds Town Wastewater Project

On January 22, a meeting was held in the home of Mike Empey to discuss the status of the wastewater project for which Leeds Town has received funding authorizations from the Utah Water Quality Board (WQB) and Rural Development. Those attending the meeting included Wayne Thomas and I from the Department of Environmental Quality, Hal Nielsen and John Morgan of Rural Development, and Mike Empey and Charlie Scott of the Leeds Town Council.

On April 30, 1997 Leeds was authorized funding of a \$255,000, 0%, 20-year loan and a \$450,000 grant from the WQB. At approximately the same time a \$160,000, 4.6%, 40-year loan and \$495,000 grant was secured from Rural Development. The remaining \$212,000 to complete the estimated \$1,572,000 project was to come from a local contribution from Leeds.

Additionally, on May 26, 1998, the WQB authorized a Hardship Grant of \$18,000 to Leeds to cover additional planning costs associated with the project. Mostly this additional work pertained to environmental reviews and public participation. The total Hardship Grant thus far made totals \$28,000.

As stated in our loan authorization letter to the Town, dated June 3, 1997, the requirements of closing the loans and executing the grant agreements in order to proceed with the project were to have been completed by December 31, 1998. After this date the WQB reserves the right to withdraw its funding if the approved project is not progressing satisfactorily. However, when justified, requests for an extension to the project schedule may be granted by the WQB.

It is evident that the schedule for implementing the project has slipped considerably. The reasons for this are numerous. However, it appears to us that one of the major reasons has been the desire on the

January 27, 1999

Page 2

part of the Town to investigate collection and treatment options beyond those considered in the original engineering reports and beyond that for which the WQB has already authorized funding.

The purpose of this letter is to clarify the position of the Division of Water Quality relative to these continued engineering investigations; to identify which wastewater alternatives we are prepared to support; to provide information on the Ash Creek SSD which is relevant to this discussion; and to suggest a course of action which hopefully can draw this project towards its conclusion. For the purpose of better referencing my points, I have numbered them.

1. The initial work performed by the Town's engineering consultant, Jones and DeMille Engineering, was limited in scope. We did not ask nor did we expect the engineer to evaluate all possible alternatives for the collection and treatment of Leeds' wastewater. It seemed clear to us that from both an operational and financial perspective there was much to recommend the "Ash Creek" alternative.
2. The WQB has a long-held policy to encourage the regionalization of wastewater services, as proposed in the "Ash Creek" alternative.
3. We do not feel a mechanical wastewater treatment plant is an appropriate treatment option for Leeds Town. We question the ability of the Town to effectively operate and maintain such a system. Further, we do not feel it is the least-costly alternative, which is one of the constraints for funding which the WQB imposes.
4. The WQB's funding authorization for this project has expired. Leeds must make a request of the WQB to extend the time period for closing or executing the loans and grants for this project or face the prospect of the funding authorization being rescinded. An extension request may simply be made by a written request to our office if the "Ash Creek" alternative is still preferred. If a different alternative is selected, Leeds must return to the WQB to request a new authorization for funding a different alternative. Staff will not provide a positive recommendation to the WQB for a mechanical treatment plant alternative. In spite of this, the Town is welcome to make its best pitch to the WQB for this or any other option.
5. Since the April 30, 1997 WQB funding authorization, more recent income data is now available. The 1997 median adjusted gross income (MAGI) of Leeds Town was \$27,645. This is the figure which would be used to determine the financing terms of any newly-authorized project. The MAGI figure used in April 1997 was \$24,467, which resulted in a targeted monthly user fee of \$31.27 which equates to 1.53% of the MAGI. If the same user cost as a percent of MAGI were targeted today, the proposed monthly user rate would be \$35.33, a 13% increase.
6. While grants totaling \$945,000 (69.5% of the funding from the public agencies) have been authorized this project, there is also a grant aspect to the low interest loans also authorized the project. When this is considered, the effective grant component to the project equates to

January 27, 1999

Page 3

79.5% of the project financing from the two public agencies. When the Hardship Grant from the WQB is also included, in excess of 80% of the funding from Rural Development and the WQB will have been made in the form of grants.

7. Ash Creek SSD (District) is offering Leeds Town the same wastewater service at the same price it offers members of its own district. It has also agreed to reduce the impact fee to be assessed Leeds to \$1,080 from the \$1,500 it assesses others who connect to its system. The average impact fee in the state is \$1,248. Further, the District offers Leeds the ability to elect its own representative to the District board. This offer is unprecedented in my experience with similar arrangements for sewer service in other areas of the state.
8. In connecting to the District's wastewater facility, Leeds Town would be absolved of the cost and responsibility to operate and maintain its own wastewater system. Pumping costs and higher O&M costs which otherwise would be borne solely by Leeds Town would now be shared by other members of the District.
9. In connecting to the District, the Town gains the advantage of the \$2,000,000 of reserves which the District presently has accrued. This equates to approximately \$500 per connection for Leeds based on the number of equivalent residential connections in the District and Leeds' 140 connections. Thus it can be argued that Leeds' "buy-in" cost of \$1,080 can be reduced by the proportional "cash equity" which it will acquire by coming into the District. The actual buy-in cost would then be \$580. The actual equity which the District has tied up in land, equipment, offices and pipe is certainly in excess of the buy-in cost being requested of Leeds.
10. There was some concern registered by Charlie Scott on the amount of the \$15 per month sewer charge levied by the District which actually goes to O&M. Based on the 1997 audited financial statements, user fees totaling \$738,000 were received by the District in 1997. O&M expenses totaled \$609,000 which included a \$30,000 debt service payment to the Water Quality Board on a 1988 sewer bond. Thus, approximately \$129,000 went into the District's capital improvement fund in 1997. This equated to approximately \$2.62 per month per equivalent residential connection (ERU). Due to construction of additional sewer lines in 1998, the District's revenues effectively equaled expenses with no carry-over into the capital improvement fund.
11. The Division of Water Quality is not opposed to Leeds Town investigating more fully the viability of small diameter pressure or vacuum sewers in lieu of a gravity system.

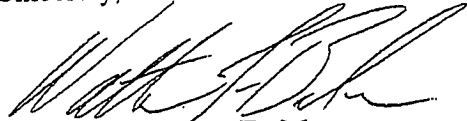
To summarize, we feel the best option for Leeds Town is to join the Ash Creek SSD and receive service at the existing District lagoons. The Division of Water Quality will be unresponsive of any effort for Leeds to construct a mechanical wastewater treatment facility. We are more supportive of Leeds regionalizing with Ash Creek SSD than for Leeds to construct its own lagoon treatment facility, either total containment or discharging. However, if it can be demonstrated that the "Ash Creek" alternative is more costly, considering life-cycle costs, or that it negatively and unacceptably affects

January 27, 1999
Page 4

the water rights associated with the existing culinary water system, we may be willing to support Leeds Town pursuing its own lagoon facility. Otherwise we will be unsupportive of this alternative as well.

I hope this serves to clarify our position on this matter. We will await the Town's decision on how it wishes to proceed. If you have any questions on the issues I have addressed, please call me at 538-6088 or Wayne Thomas at 673-3528.

Sincerely,



Walter L. Baker, P.E., Manager
Construction Assistance Section

WLB:wlb

- cc: John Morgan, Rural Development
- Hal Nielsen, Rural Development
- Wayne Thomas, SW Utah District Engineer
- William Dawson, SW Utah Public Health Dept.
- Tristan DeMille, Jones & DeMille Engineering

Town of Leeds

Incorporated 1952

"Leeds—The Portal to Historic Southern Utah"

January 28, 1999

*Mr. Walt Baker, Manager
Division of Water Quality
288 North 1460 West
P.O. Box 144870
Salt Lake City, Ut 84114-4870*

Dear Mr. Baker:

Last night, Leeds Town Council met to discuss the treatment alternatives that we have been investigating for the past few months. A presentation was given by Jones & DeMille Engineering. Wayne Thomas was given time during the presentation to read your letter from Water Quality. The letter was re-summarized and additional figures were presented by the Engineers that recommended the connection to Ash Creek Special Service District as the most economical and preferred alternative.

After further discussion and questions, we chose to have Ash Creek Special Service District as the entity that will treat our wastewater. There are many details we know that need to be worked out with Ash Creek and we have made this a current priority to begin our project.

We are requesting an extension to the project schedule so we may retain the current funding we have. We anticipate completion of the project by January 30, 2000, see attached schedule.

We have passed a motion to execute the grant and loan agreements with the Department of Environmental Quality, Division of Water Quality and USDA-Rural Development. Please send me a new copy of the grant and loan agreement for processing.

Another motion was passed to request from the Department of Environmental Quality an advance of grant funds to complete the design engineering.

We are grateful for your patience during the process of looking at all the alternatives.

Sincerely,

Leeds Town

Ron Mosher

Ron Mosher, Mayor

*cc: Ash Creek Special Service District, 111 S. Main LaVerkin, Ut 84745
Jones & DeMille Engineering, 225 N. Bluff, Suite 12, St. George, Ut 84770
Wayne Thomas, Southwest Utah Public Health Dept., 285 W. Tabernacle,
St. George, Ut 84770
John Morgan, Rural Development, USDA, Richfield Ut 84701*

TASK LIST	DATES	NOTES
Decide Treatment Process	1/27/1999	
Accept funding and execute agreements	1/27/1999	
Execute Engineering agreements	2/24/1999	
Preliminary Engineering	5/12/1999	
Easements and Rights of Way	8/15/1999	
Environmental Assessments	7/14/1999	
Special Use Permits	6/1/1999	
Legal and Surveys on Ash Creek Boundary	6/24/1999	
Review of Preliminary Design	6/16/1999	
Negotiate Service and User Fees With Ash Creek	6/24/1999	
Complete Negotiations with Ash Creek	6/24/1999	
Final Design	7/14/1999	
Complete Easements and Rights of Way	8/15/1999	
Environmental Clearance	7/14/1999	
Final Bid Documents	7/30/1999	
Town Approval of Plans and Specifications	8/11/1999	
Agency Review	8/27/1999	
Advertise for bids	9/21/1999	
Bid Opening	9/21/1999	
Award Contract	9/22/1999	
Begin Construction	10/19/1999	
Complete Construction	12/15/1999	
Individual Connections	12/30/1999	



State of Utah
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOUTHWEST DISTRICT OFFICE

RECEIVED

MAR 01 1999

JONES & DEMILLE
ENGINEERING

Michael O. Leavitt
Governor
Dianne R. Nielson, Ph.D.
Executive Director
Wayne Thomas, P.E.
District Engineer

285 West Tabernacle Street, #208
St. George, Utah 84770
(435) 673-3528 ext. 51
(435) 628-6713 Fax

February 25, 1999

Mayor Ron Mosher
Town of Leeds
218 North Main St.
Lees, Utah 84746-0879

Dear Mayor Mosher:

Subject: Leeds Town Wastewater Project

The purpose of this letter is to summarize the status of the Leeds Town wastewater project and to identify the steps which will lead to the completion of the planning phase of this project and into the design and construction phases.

The wastewater facilities plan must be approved by our office before any monies for the design of the project can be released. In reviewing the grant agreement between the Water Quality Board and the agreements between the Town and its engineer, Jones & DeMille Engineering, the following items of work remain to be performed before the facilities plan can be approved.

1. Agreements must be developed between Leeds Town and the Ash Creek Special Service District (Ash Creek SSD) for the conveyance and treatment of Leeds' wastewater, and if applicable, for the operation and maintenance of Leeds' collection system. These agreements need not be fully executed at present, but a draft version of the agreement must be provided in the facilities plan as well as a letter from the Ash Creek SSD which demonstrates the District's willingness to provide wastewater service.
2. The minutes and/or responsiveness summary of all public meetings associated with this project must be included in the appendix of the facilities plan.
3. The design grant of \$90,000 which has already been authorized by the Water Quality Board cannot be awarded until design services are procured and a design engineering agreement has been approved by our office.

Mayor Ron Mosher

Page 2

February 25, 1999

It will be the responsibility of Leeds Town to retain an engineering firm of its choosing for the design and construction of its wastewater facilities. As a public entity, Leeds Town must meet State procurement requirements for certain purchases/contracts, including those for professional services. We suggest the Town discuss this matter with its attorney. We will, however, rely on the Town's decision in this regard..

4. We have received three documents regarding the planning effort for this project. The first, entitled, "Leeds Town Wastewater Study," is dated October 1996; the second, entitled Leeds Town Preliminary Engineering, Technical Summary and Recommendations," is dated October 1998; the third, entitled "Addendum No. 1, is dated November 24, 1998.

The first document contains the backbone of information for a wastewater facilities plan. The second document provides additional information on alternative collection systems, updated cost information on the "Ash Creek Alternative" and identifies public participation activities. The third document provides information on alternative treatment alternatives. Besides these three documents, other correspondence and information has been received over the intervening two years since the planning grant for this project was awarded.

Upon completion of the items enumerated in this letter, we will formally approve the facilities plan. To do so, we request that the information pertinent to this project be compiled into a singular document which may be submitted and approved by our office. A chapter of the facilities plan should clearly identify the selected alternative which will be designed and constructed. Chapter XIII of the October 1998 report inadequately presents the final recommendations. If the Town prefers, we can remit to Jones & DeMille our copies of the three reports thus far provided so that unnecessary information may be removed, appropriate information included and so the documents can be rebound into a singular, stand-alone facilities plan which defines and supports the selected wastewater collection and treatment alternatives and which can be approved by our office.

5. The engineering agreement for facilities planning indicated that the need for the wastewater project and the future environment without the project would be evaluated and discussed. I cannot find evidence of the discussion of these items in the reports provided us.
6. An implementation plan must be provided in the facilities plan which identifies the schedule for constructing the project, connecting users to the system, collecting impact fees, and the timetable for servicing the debt to the lending agencies.
7. Rural Development will be performing the environmental assessment for this project. They have indicated they have sufficient information to complete this assessment.

Mayor Ron Mosher
Page 3
February 25, 1999

8. Our records indicate that \$6,000 remains in the project escrow account to be paid Jones & DeMille for the facilities planning work. We will release \$3,000 of that amount at this time. The remaining \$3,000 will be released when the items identified above are completed and the final facilities plan is submitted to our office and approved.

I hope this clarifies the issues which remain to be accomplished before the planning effort on this project can be considered to be completed. If you have questions regarding any of these matters, please contact me or call Walt Baker at 538-6146.

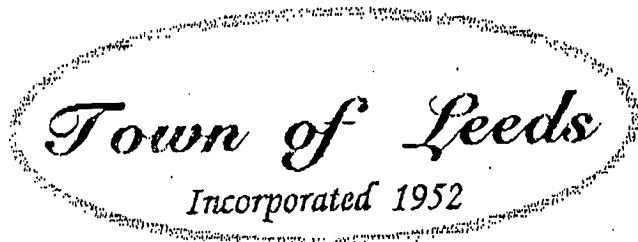
Sincerely,



Wayne Thomas, P.E.
Southwest Utah District Engineer

cc: Jones & DeMille, St. George office
Rural Development, Richfield
Walt Baker, DWQ

file: Leeds Town Planning, Sec. 3
c:\Leeds Planning.ltr



"Leeds—The Portal to Historic Southern Utah"

June 3, 1999

Dear Mr. Thomas,

The Town of Leeds Town Council believes the financial package of loans and grants totaling \$1,360,000.00 for the infrastructure for the Leeds wastewater project is a tremendously good package and may never be offered again. The Town Council desires to take advantage of this financial package but the process to treat the wastewater after collection has been limited to one option and the impact fee and user fee structure presented by Ash Creek Special Service District, (see attached), is not acceptable to the Leeds Town Council.

The financial burden placed upon low to moderate income families, RV Parks, and current commercial users threatens their economic viability and ability to remain a part of the Town of Leeds. The Town's budget relies directly on property tax and sales and use taxes to maintain a balanced budget. The loss of one or more businesses is felt immediately in revenue collection affecting the Town's operating budget. The decisions by the Town council affect not only the viability of Town government but also personal and business decisions. The separate entities are indeed interdependent and the associated impacts are important considerations during Town Council deliberations. There is a serious question of whether 140 residences, 8 commercial businesses, and 2 RV Parks can financially support the treatment of the wastewater by Ash Creek Service District.

Sincerely,

Leeds Town Council:



Mayor, Ron Mosher

Joan Thornton
Councilmember, Joan Thornton

Mike Empey
Councilmember, Mike Empey

Joseph E. Mitchell
Councilmember, Joseph Mitchell

Charles G. Scott
Councilmember, Charlie Scott

Joy Stevens
attest, Joy Stevens, Clerk/Recorder

Enclosures

- cc: Nancy Hess, Division of Water Quality, 288 N 1460 W, PO Box 144870, Salt Lake City, UT. 84114-4870
- Walt Baker, Division of Water Quality, 288 N 1460 W, PO Box 144870, Salt Lake City, Ut. 84114-4870
- Hel Nielson, Rural Development, 340 N 600 E, PO Box 369, Richfield, UT. 84701
- Ken Shamo, Ash Creek Special Service District, 111 S Main Street, LaVerkin, UT. 84745

Ash Creek SSD
 March 23, 1999
 Page 2

ATTACHMENT A

<u>RV Parks</u>		<u>Impact Fee</u>
Leeds RV	47 Units @ 0.25 ERU 6 Homes @ 1.0 ERU 3 Motel Rooms @ .375 ERU	\$20,536.00
Zion West RV	30 Spaces @ \$272 per space 5 Washers @ 1.45 ERU	\$16,048.00

Walton Plaza

Charlies	45 Seats @ 0.0875 ERU	\$ 4,284.00
Launderette	5 Washers @ 1.45 ERU	\$ 7,888.00
Hairdresser	2 Chairs @ .125 ERU 2 Operators @ .0875 ERU	\$ 462.40
Store & Grill	32 Seats @ 0.0875 ERU 3 Employees @ 0.0275 ERU	\$3,136.16
Doctor's Office	3 Employees @ 0.0875 ERU 30 Patients @ 0.025 ERU	\$ 1,101.60
Realtor Office	3 Employees @ 0.0375	\$ 122.40
Post Office	3 Employees @ 0.0375	\$ 122.40
CHURCH	30 people @ 0.0125	\$ 4,080.00

\$17,116.96

If the board elected to finance the business owners whose impact fees exceeded one residential equivalent fee of \$1,088.00 the following would be the cost per \$1,000 annualized over the period of time shown at an interest rate of 6% (1% over the Public Treasurers Investment Fund (PTIF), currently at 5%). The interest rate would vary from year to year depending on the interest rate of the PTIF

<u>Financing Term</u>	<u>Annual Cost per \$1,000</u>
5 years	\$237.40
10 years	\$135.89
15 years	\$102.96

Leeds RV, who has the largest impact fee; would range from an annual payment of \$4,875 (5 year), \$2,790 (10 year), to \$2,114 (15 year).

I hope this information will aid you in your decision pertaining to this issue. Please let me know if I can be of further assistance or provide additional information.

Sincerely,

Brent E. Gardner

Brent E. Gardner, P.E.
 Alpha Engineering

15. It is anticipated that each existing commercial user will have to pay the following user fees to Ash Creek once the wastewater system is operational:

1. Walton Plaza Ash Creek User Fees

Charlies =	\$19.06 per month
Launderette =	\$19.06 per month
Hairdresser =	\$19.06 per month
Store & Grill =	\$19.06 per month
Doctor's Office =	\$19.06 per month
Realtor Office =	\$19.06 per month
Post Office =	\$19.06 per month

* A charge of \$1.77 per 1,000 gallons will be assessed for gallons beyond 84,000 per month.

2. *Leeds RV Park = \$15.00 * 6 residents + \$7.50 * 47 RV sites =*
\$442.50 per month.
3. *Zion West RV Park = \$7.50 * 30 RV sites =* \$225.00 per month.
4. *Church = \$19.06 per month plus \$1.77 per 1,000 gallons for usage*
exceeding 12,000 gallons per month

TOWN OF LEEDS

Minutes for the Town Council Meeting of November 10, 1999.

1. CALL TO ORDER:

Mayor Ron Mosher called the meeting to order at 7:30 P.M.

2. ROLL CALL:

Present were Mayor Ron Mosher, Councilmembers Mike Empey, Joseph Mitchell, Steve Lewis, and Charlie Scott.

3. PLEDGE:

Councilman Empey

4. APPROVAL OF AGENDA AND MINUTES:

Motion by Charlie Scott to approve the minutes for the Town Council Meeting of October 27, 1999. Seconded by Mike Empey. Passed unanimously.

5. NORMA GIER REPORT ON CLEAN UP DAY:

Norma stated the Leeds clean up day was a success and she wanted to thank everyone for all of their support.

6. COY WILEY TO AMEND THE MINUTES OF SEPTEMBER 22, 1999:

Coy requested to amend the minutes of September 22, 1999 where he had stated the Leeds Domestic Water Association will give 40,000 gallons of water for use at Town Hall and the cemetery. Also the historical cemeteries to have 40,000 gallons of water. Since these are considered to be commercial he should have said 20,000 gallons for Town Hall and 20,000 gallons for the cemeteries. Anything over that the Town will pay for. The Council accepted this amendment.

7. MAYOR RON MOSHER:

Cancel Town Council Meetings. Mayor Mosher recommended cancellation of the November 23rd, and December 22nd meetings, since they fall on the week of Thanksgiving and Christmas. Motion by Mike Empey to follow the Mayors recommendation and cancel those two meetings with the provision that if something comes up we can set up a special meeting. Seconded by Charlie Scott. Passed unanimously.

Update Ash Creek Sewer Meeting results. Mayor Mosher informed everyone that Ash Creek had accepted the proposal that was made to them last week by Councilman Scott and Karl Rasmussen for annexation into the Ash Creek Special Service District. Mayor Mosher asked for clarification in the official minutes for Ash Creek it stated items 1 through 5 were accepted. No where do they list what items 1 through 5 are. Mayor stated Karl Rasmussen is no longer with Jones & DeMille Engineering, he then introduced

John Spendlove as the new representative of the engineering firm. Mayor Mosher asked Councilman Scott to clarify what items 1 through 5 are. Items 1 through 5 were read. (See attached). Copies were passed out to the citizens in attendance. Mayor Mosher went over the chart and asked Mr. Spendlove to please explain the fees. Mr. Spendlove explained the proposal and read what the fees, loans and grants are. Mayor Mosher explained the difference between the general fund, and an enterprise fund. Where we are at tonight is Ash Creek Special Service District is prepared to annex us in if we execute a document with them, which their attorney is preparing. He stated a letter was written to the State Department Water Quality asking for an extension on our funding, and they have extended that. He said the next step will be to request authority to write to DWQ for the go ahead for the release of funds. Wayne Thomas from the DWQ stated Walt Baker hasn't "formally" accepted the 30 day extension. Mr. Thomas called the Town Clerk, Joy Stevens, and said it has been accepted. However we have not received anything in writing. Discussion then went to cost for property owners to run their lines, the vacuum system, and the least expensive way to go. Councilman Empey stated he has received several phone calls concerning the \$100,000 donation, Councilman Scott brought up at the last meeting. He said when he looks at the numbers presented at the last meeting and the numbers tonight he doesn't see that as part of the numbers we are looking at. Since he has been contacted by a lot of people in the community who are concerned about that issue related to whether or not that is why the Town is doing the sewer. He said other than to bring that issue up he wasn't sure where to proceed from there. Councilman Empey stated going through the numbers he doesn't see a \$100,000 missing. Councilman Scott said it is not reflected in anything in these numbers presented tonight. Mayor Mosher asked if these costs are based upon good solid numbers. Councilman Scott said yes they are based strictly on what you see on the page in front of you. Councilman Empey stated the reason he brings this up is because of the calls he has received with an implication of something not being on the table regarding the sewer. Mayor Mosher stated everything is before you on the table on this sheet of paper and there is nothing else. Councilman Mitchell asked what the projected cost of \$1,360,000 is based on. Mayor Mosher stated that was based on a preliminary engineers study. A citizen asked if we accept this tonight and it comes in at a higher cost can we turn back or does it just mean more increases. Mayor explained appropriations. Wayne Thomas said if you go to bid and it comes in higher you can ask for additional funds or not move forth at all. Ash Creeks attorney is drawing up the annexation agreement. Time was then turned over for public comments.

Brent Hatch felt the surveys were inappropriately done. Van Leavitt can't understand the Council going against the will of the Town. Coy Wiley said he feels it has been shoved on us and the majority of the Town is not in favor. Delores Dicks asked about where the connections will be for her property. Scott Hayes asked if there will be another Public Hearing. Mayor said no. Paul Densley stated over 51% of the citizens are against the wastewater project and the Town Council is not paying any attention to what they want. He is very concerned about the cost to get to the street for the property owners. He feels the residents do not understand what the impact really will be. He said there is a hidden agenda. It is for commercial gain. The only reason for the sewer is to get commercial businesses. He would like a real indication of what the cost would be. Seth Cook asked

what the time frame would be for the residents to switch from septic to sewer. Also does everyone have to use the system. Mayor Mosher said everyone within 300 feet has to hook on. Cost depends on the system we go to. The old septic are abandoned when they hook to the sewer. Howard Humphries stated he thinks it ridiculous to consider this system. The \$32,00 monthly fee he cannot afford. If the sewer goes in he won't be here. Don Stephens said the Council went to the people with a survey and then went against them. He feels the monthly cost will continue to go up and force businesses to close and residents to move. Roxanne Lewis said she is in favor of the wastewater project. She said her septic is collapsing, and was not designed to last forever. Jan Madison asked how the Town is going to get the deadbeats to pay their assessments. Don Goddard said he doesn't buy it that septic won't work. He spoke about a study saying Leeds is an ideal place for septic. He asked if there is backup of sewer into the residents homes does the Town have insurance to cover it. Alberta Lee said the only people she has ever seen having problems with their septic are those with large families. Dale Barnes said the Town needs to grow before we entertain a sewer system. Mayor Mosher then went back to Council and asked for authority for him to write a letter requesting the release of funds. Councilman Scott said he thought we have to wait for the letter requesting to be annexed first. After receipt of the annexation letter we will need to call a special meeting. Councilman Mitchell said after listening to the citizens here tonight and being made aware of new information he does not support the system. Mayor reminded Council he needs direction on where to go. Motion by Charlie Scott to wait until we get the annexation document from Ash Creek so we can see what it says before we make the decision. Seconded by Mike Empey. Discussion on the motion. Councilman Empey said the discussion tonight has brought up a lot of concerns. The issue has never been that this is not good deal for the Town of Leeds, but the issue has been is this a good deal for the people who live here. He said he is not comfortable with these numbers because we do not have the figures of what it is going to cost each individual homeowner. Not only impact fees and monthly fees but also what it will cost them to get to the street. We have an obligation to let the Town know when we deal with this. Mayor Mosher stated he is anticipating we will have to have a special meeting within the next two weeks. Vote on the motion. Mayor Mosher, Mike Empey, and Charlie Scott aye. Joseph Mitchell nay. Motion passed.

8. TOWN COUNCIL MEMBER MICHAEL D. EMPEY:

Planning Commission Items:

1. Alberta Lee and Seth Cook Conditional Use Permit for 4 four plex's.

Councilman Empey explained the property is zoned for duplex's but a four plex requires a Conditional Use Permit. The Planning Commission reviewed this and voted to recommend approval of the 4 four plex's. LDWA President Coy Wiley said they were not aware of the 4 four plex's when Alberta asked for water on the 14 lots in the sub division. He said when she came to the water board the 4 four plex's never came up. He said Alberta has to come back before the water board and work out this issue. Alberta put a map on the board and explained the location, size of the lots, and type of home. Coy Wiley reiterated the fact the 4 four plex's were never brought up to the water board and he wanted to know why. She will need to come back to the water board and it will be 4

taps per lot and he doesn't know if their bylaws will accept that. He said they were led to believe there were homes on the lots. Mayor Mosher said these are two separate issues. One is a water issue and they cannot get a building permit until the water issue is straightened out. We can still proceed with the Conditional Use Permit. CC&R's were discussed. Motion by Charlie Scott to approve the 4 four plex's. Seconded by Mike Empey. Passed unanimously.

2. Roger and Rose Waters Conditional Use Permit for a proposed plastics business. Councilman Empey said at the Planning Commission meeting Chairman Pat Sheneman declared conflict of interest and turned the chair over to him. Councilman Empey briefly explained the business and its location. Pat Sheneman stated he is here as an individual and not PC Chairman. Mr. and Mrs. Waters will be purchasing property from him for the business. He put a plat map on the board and explained the location of the property. The property is currently zoned General Commercial and it would require a conditional use permit since the business is industrial. The Planning Commission put provisions on the conditional use permit and recommended approval. Mr. Waters was introduced to the Council. He then explained the business and how they process plastic pellets into ski bindings and etc.. Discussion went to traffic in the area, odors, water cooling system, hours of operation, and number of employees. Councilman Empey read the provisions of their conditional use permit. Provisions: 1. More detailed plans. 2. Review landscaping. A citizen asked if this location will impact the hillside. Pat Sheneman said no he doesn't think so. He then explained the possibility of a retaining wall. This will be addressed when more detailed plans are submitted. Motion by Charlie Scott to approve the Conditional Use Permit for the plastics business with the provisions more detailed plans and landscaping concerns are met. Seconded by Joseph Mitchell. Passed unanimously.

3. Councilman Empey informed the Council the LDS Church has submitted plans for an addition and remodel of the Leeds Chapel. They have not received a building permit as of yet.

9. COUNCIL MEMBER CHARLIE SCOTT:

Update on roads. Councilman Scott stated the project on Valley Road should be finished up this week. Center Street update. He met with County Commissioner Allred and Ken Canfield the County road foreman. They looked at the County side of the tunnel and would like to widen the road if possible. They will not be making a decision on this since they will be going back to the drawing board. Commissioner Allred will be sending the Town of Leeds a letter with what their decision will be. Mayor Mosher stated the positive side of all this is that we are working with the County on this and hope to come to a resolution.

10. OTHER BUSINESS:

The annual Town Christmas dinner will be on December 13th at 7:00 p.m. at the Cosmopolitan Steak House.

11. ADJOURNMENT:

The meeting adjourned at 9:23 p.m.

APPROVED AND SIGNED THIS 8TH DAY OF DECEMBER, 1999

Ron Mosher
Ron Mosher, Mayor

Joy Stevens
Joy Stevens, Clerk/Recorder

FAY E. REBER & ASSOCIATES

LAW OFFICE
136 NORTH 100 EAST, SUITE 2
ST. GEORGE, UTAH 84770

(801) 628-7600
FAX # (801) 628-7680

November 15, 1999

Mayor Ron Mosher
Town of Leeds
216 N. Main, Box 460879
Leeds, Utah

Re: Annexation of Leeds into Ash Creek Special Service
District

Dear Mayor Mosher:

As per our telephone conversation, enclosed please find a Resolution for consideration by the Leeds Town Council in connection with the proposed annexation of Leeds into Ash Creek Special Service District.

As you may know, Leeds approved a similar resolution in 1995, but I believe that the Washington County Commission will likely require a Resolution reflecting the desires of the current Leeds Town Council. Assuming that the Resolution is approved, please send an executed copy to me so that we can present it, along with a copy of a similar Resolution from the District, to the Washington County Commission for commencement of the annexation process.

For your information, the annexation process includes the following steps:

1. Approval by Washington County Commission of a resolution declaring that the health, convenience and necessity require the annexation of Leeds into the District. The resolution must include a legal description of the property to be annexed and provide for publication of Notice of Intention to Annex, establishing a date, time and place for public hearing.

2. Publication of the Notice of Intention to Annex, along with legal description of property to be annexed, once a week for three consecutive weeks in the Spectrum. The Notice of Intention to Annex must specify the date, time and place of a public hearing to consider protests.

3. Hold public hearing to consider protests. (May be continued from time to time by the County Commission).

Mayor Ron Mosher
November 15, 1999
Page 2

4. After expiration of an additional 15 day period for filing of protests, the County Commission must adopt a final resolution declaring the annexation to be completed.

As we go through the annexation process, there are two other matters or areas of concern that we will need to deal with.

First, the District and Leeds should finalize and reduce to writing the understanding of the parties regarding such matters as billing and collection of monthly fees, impact fees, representation on the Administrative Control Board, adoption by Leeds of the District's rules of operation, etc. This should then be incorporated into an interlocal agreement and executed by both parties before final approval of the annexation. To save on legal fees, I suggest that the Ash Creek staff work together with Leeds' engineer to come up with an initial draft, which can then be reviewed, revised and put into the proper legal format by legal counsel.

Second, though not directly related to the Leeds annexation, the District will need to address concerns recently raised by several property owners who are opposed to operation and expansion of the sewer lagoon system.

In any event, in order to commence the annexation process, please (1) send me a signed copy of the Leeds' resolution requesting annexation, and (2) have your engineer prepare and send me a legal description of the territory to be annexed for inclusion in the Notice of Intention to Annex. I'll then prepare the necessary documents to present to the County Commission.

We look forward to working with the Leeds Town Council and having Leeds become a part of the District. We hope that inclusion of Leeds within the District will be beneficial for everyone concerned.

Very truly yours,



Fay E. Reber
Attorney for ACSSD

FER/te
enclosure
cc: Darwin Hall

Resolution No. _____

A RESOLUTION OF THE TOWN COUNCIL OF LEEDS, UTAH,
REQUESTING ANNEXATION INTO THE ASH CREEK SPECIAL SERVICE DISTRICT.

WHEREAS the Ash Creek Special Service District was duly created by the Board of Washington County Commissioners for the purpose of providing sewage collection and disposal service for the municipalities of Hurricane, LaVerkin and Toquerville, Utah, respectively; and

WHEREAS the proximity of the Town of Leeds to the boundaries of the District and the Quail Creek Reservoir make it necessary and desirable for the Town of Leeds to be included within the boundaries of the Ash Creek Special Service District; and

WHEREAS the Town Council of Leeds, Utah, deems it necessary and desirable for the preservation and protection of the general health, safety and welfare of the residents of the Town of Leeds,

BE IT HEREBY RESOLVED by the Town Council of Leeds, that request should be, and is hereby, made to the Administrative Control Board of Ash Creek Special Service District and to the Board of County Commissioners of Washington County, Utah, that such proceedings be initiated by said District and said County for the annexation of the Town of Leeds into the Ash Creek Special Service District.

DATED this _____ day of _____, 1999.

TOWN OF LEEDS

RON MOSHER, MAYOR

ATTEST:

CLERK

The foregoing Resolution was presented at a regular meeting of the Town Council of Leeds, Utah, on _____, 1999. Whereupon, a motion to pass and adopt said Resolution was made by _____ and seconded by _____. A roll call vote was taken with the following results:

<u>NAME</u>	<u>VOTE</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

CLERK

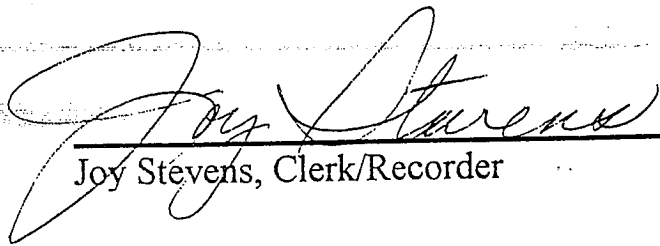
PUBLIC NOTICE

TOWN OF LEEDS

SPECIAL TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Town Council Meeting on Thursday, November 18, 1999 at 7:00 p.m. at the Leeds Town Hall, 218 North Main Street; to review and take action on the proposed resolution for the ANNEXATION OF LEEDS INTO ASHCREEK SPECIAL SERVICE DISTRICT. The public is welcome to attend.

POSTED THIS 16TH DAY OF NOVEMBER 1999



Joy Stevens, Clerk/Recorder

Posted in the following places:

1. Leeds Town Hall
2. Leeds Post Office
3. Outside Board at Waltons Plaza

THIS NOTICE MUST BE POSTED UNTIL NOVEMBER 19, 1999. IT IS AGAINST THE LAW TO REMOVE IT BEFORE THE DATE INDICATED.

TOWN OF LEEDS

Minutes for the Special Town Council Meeting
of November 18, 1999

1. CALL TO ORDER:

Mayor Ron Mosher called the meeting to order at 7:00 P.M.

2. ROLL CALL:

Present were Mayor Ron Mosher, Councilmembers Joseph Mitchell, Steve Lewis, and Charlie Scott. Mike Empey was excused. Eleven members of the community were also present.

3. REVIEW AND TAKE ACTION ON THE PROPOSED RESOLUTION FOR THE ANNEXATION OF LEEDS INTO ASHCREEK SPECIAL SERVICE DISTRICT:

1. Councilman Scott asked if we could limit \$15 a month to Ash Creek for a period of time. Maybe (5 years). Councilman Lewis indicated it was probably unrealistic to expect them to be different for one city out of four.

2. Flow Chart. Resolution to Ash Creek to Washington County Commission for Public Hearing and decision. Time frame of approximately 60 days.

3. Audience discussed philosophy of system, cost to individuals, and they did not want it.

4. Steve Lewis made the motion to accept Resolution 99-9 for annexation into Ash Creek Special Service District. Seconded by Charlie Scott. Roll call vote. Ron Mosher aye. Steve Lewis aye. Joe Mitchell nay. Charlie Scott aye. Motion passed.

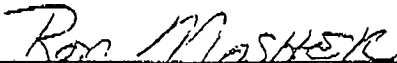
4. OTHER BUSINESS:

Planning Commission meeting agenda item. Steve Lewis is concerned when Pat Sheneman has an item before Council, another member needs to be present at Council to represent the Planning Commission.

5. ADJOURNMENT:

The meeting adjourned at 7:45 p.m.

APPROVED AND SIGNED THIS 8TH DAY OF DECEMBER, 1999



Ron Mosher, Mayor



Joy Stevens, Clerk/Recorder

RECEIVED

NOV 24 1999

JONES & DEMILLE
ENGINEERING

Town of Leeds

Incorporated 1952

"Leeds—The Portal to Historic Southern Utah"

November 22, 1999

Mr. Walt Baker, Manager
Division of Water Quality
288 North 1460 West
P.O. Box 144870
Salt Lake City, UT 84114-4870

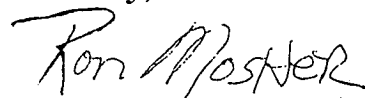
RE: Leeds Town Wastewater Project

Dear Mr. Baker:

At the Leeds Town Special Council Meeting, held November 18, 1999, a resolution was passed to annex into the Ash Creek Special Service District. We will be working with Ash Creek SSD and Washington County to complete the annexation process. We will have our Engineer, Jones & DeMille Engineering, work with Wayne Thomas to complete the planning phase and then proceed with the design phase of our wastewater project.

The Town of Leeds intends to proceed with the project and is currently pursuing it. A copy of the posting of the Public Notice to hold the Special Town Council Meeting and a copy of the signed resolution are enclosed.

Sincerely,


Ron Mosher, Mayor

enclosures: Public Notice
Resolution

cc: Ash Creek Special Service District, 111 S. Main, LaVerkin, UT. 84745
Jones & DeMille Engineering, 225 N. Bluff, Suite 12, St. George, UT 84770
Wayne Thomas, Southwest Utah Public Health Dept., 285 W. Tabernacle, St. George, UT 84770
John Morgan, Rural Development, USDA, Richfield, Ut 84701

RESOLUTION 99-9

A RESOLUTION OF THE TOWN COUNCIL OF LEEDS, UTAH REQUESTING ANNEXATION INTO THE ASH CREEK SPECIAL SERVICE DISTRICT.

WHEREAS, the Ash Creek Special Service District was duly created by the Board of Washington County Commissioners for the purpose of providing sewage collection and disposal service for the municipalities of Hurricane, LaVerkin and Toquerville, Utah, respectively; and

WHEREAS, the proximity of the Town of Leeds to the boundaries of the District and the Quail Creek Reservoir make it necessary and desirable for the Town of Leeds to be included within the boundaries of the Ash Creek Special Service District; and

WHEREAS, the Town Council of Leeds, Utah, deems it necessary, after careful consideration of the most current information, and desirable for the future preservation and protection of the general health, safety and welfare of the residents of the Town of Leeds,

THEREFORE, BE IT HEREBY RESOLVED BY THE TOWN COUNCIL OF LEEDS, UTAH, that request should be and is hereby made to the Administrative Control Board of Ash Creek Special Service District and to the Board of County Commissioners of Washington County, Utah, that such proceedings be initiated by said District and said County for the annexation of the Town of Leeds into the Ash Creek Special Service District.

DATED this 18 day of NOVEMBER, 1999.

TOWN OF LEEDS

Ron Mosher
RON MOSHER, MAYOR

ATTEST:

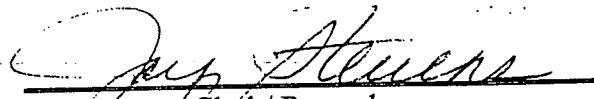
Joy Stevens
Joy Stevens, Clerk/Recorder

The foregoing Resolution was presented at a meeting of the Town Council of Leeds, Utah, on NOV. 18th, 1999. Whereupon, a motion to pass and adopt said

Resolution was made by STEVE LEWIS, and seconded by

CHARLE SCOTT. A roll call vote was taken with the following results:

<u>NAME:</u>	<u>VOTE</u>
<u>RON MOSNER</u>	<u>YES</u>
<u>STEVE LEWIS</u>	<u>YES</u>
<u>JOE MITCHELL</u>	<u>NO</u>
<u>CHARLE SCOTT</u>	<u>YES</u>


Joy Stevens, Clerk/Recorder

FAY E. REBER & ASSOCIATES

LAW OFFICE
136 NORTH 100 EAST, SUITE 2
ST. GEORGE, UTAH 84770

(435)628-7600
FAX (435)628-7680

file

December 22, 1999

Mayor Ron Mosher
Town of Leeds
218 N. Main, Box 460879
Leeds, Utah

Re: Annexation of Leeds into Ash Creek Special Service
District

Dear Mayor Mosher:

In my letter of November 15, 1999, I suggested that in order to begin the annexation process, a new resolution supporting the annexation should be approved by the Leeds Town Council for submission to the Washington County Commission. It is my understanding that the matter was then placed on the agenda for a subsequent town council meeting, and that the resolution was, in fact, approved.

In discussing the annexation process with District personnel and the Washington County Commission, however, it was reported that the resolution was approved by a 3-2 vote, and that 2 of the 3 council members who voted in favor of the annexation will be replaced on the council by new members who have voiced opposition to the annexation. If that is true, the District and County Commission are concerned that mid-way through the annexation process there could arise a groundswell of opposition to the annexation, led by the town council itself.

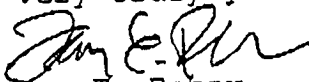
Since the District is already facing growing opposition to operation and expansion of the lagoon system, the District and County Commission feel that it is important to have a show of support for the annexation from members of the town council who will be in office during the annexation process and thereafter.

For that reason, we'd like to recommend once again placing the matter on the agenda for a meeting after the first of the year for approval of the resolution by the new Leeds Town Council.

Mayor Mosher
December 22, 1999
Page 2

As always, if you have any questions or concerns, please feel free to call me or Darwin Hall, District Superintendent, at any time.

Very truly yours,



Fay E. Reber
Attorney for Ash Creek SSD

FER/te
cc: Darwin Hall

TOWN OF LEEDS

Minutes for the Town Council Meeting
January 11, 2000

1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

2. ROLL CALL:

Present were Mayor Ron Mosher, Councilmembers Mike Empey, Josie VonCannon, Joseph Mitchell and Robert Russ.

3. PLEDGE:

Joseph Mitchell

4. APPROVAL OF AGENDA AND MINUTES:

Motion by Josie VonCannon to approve the minutes and agenda for the Town Council meeting of December 8, 1999. Seconded by Mike Empey. Passed unanimously.

5. WELCOME NEW TOWN COUNCIL MEMBERS:

Mayor Mosher welcomed our new Town Council Members Josie VonCannon and Robert Russ. He presented to them a Certificate of Election and expressed his appreciation to them for their willingness to serve on the Council.

6. JOHN SPENDLOVE:

Mr. John Spendlove with Jones & DeMille Engineering addressed the Council to bring them up to speed on the wastewater project. Mr. Spendlove went over several concerns. Cost and the ACSSD increasing the rates were the big issues. Ash Creek Special Service District will be having a Public Hearing on January 27th to increase the monthly user rates from \$15.00 to \$18.00.

Attorney for Ash Creek, Mr. Faye Reber, was present and passed out to the Council a draft agreement for Leeds Town annexing into Ash Creek. He explained the agreement and stated it is contingent upon the Town passing a resolution to annex. Discussion focused on costs, connections and procedures to collect past due accounts. Mr. Reber proposed the Council approve the resolution and vote on annexation at the January 25th Council meeting. Mayor Mosher stated the Town has two new Council Members and would like time to bring the new members up to speed on the issues. He said they will vote at the Council meeting on February 8th. A work session will be scheduled for January 25, 2000, at 6:00 pm.

Mr. Spendlove gave the Mayor a copy of a plat map of the Leeds Town boundaries and legal description.

7. MAYOR RON MOSHER:


Presentation to Norma Gier. Mayor Mosher presented Norma with a Certificate of Appreciation for the work she did in spearheading the "Leeds Clean-up Day".

656.3289

PUBLIC NOTICE
TOWN OF LEEDS
TOWN COUNCIL WORK SESSION

The Town Council of Leeds will hold a Work Session on January 25, 2000 at 6:00 p.m.
at Town Hall, 218 N Main Street, Leeds, Utah. The Work Session will be held to work
on the Wastewater Project. Public welcome to attend.

POSTED THIS 12TH DAY OF JANUARY 2000



Joy Stevens, Clerk/Recorder

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Walton Plaza

**THIS NOTICE MUST BE POSTED UNTIL JANUARY 26, 2000. IT IS AGAINST
UTAH STATE LAW TO REMOVE IT BEFORE THE DATE INDICATED.**



In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Joy Stevens at 879-2447 at least 24 hours prior to the meeting.

TOWN OF LEEDS**Minutes for the Town Council Meeting
February 8, 2000****1. CALL TO ORDER:**

The meeting was called to order at 7:00 p.m.

2. ROLL CALL:

Present were Mayor Ron Mosher Council Members Mike Empey, Josie VonCannon, Joseph Mitchell and Robert Russ.

3. PLEDGE:

Joseph Mitchell

4. APPROVAL OF AGENDA AND MINUTES:

Motion by Mike Empey to approve the minutes and agenda for the Town Council meeting of January 25, 2000. Seconded by Bob Russ. Passed unanimously.

5. AFFIRM THE APPOINTMENT OF ROGER NEW AS PLANNING COMMISSION MEMBER:

Motion by Mike Empey to appoint Roger New as a Planning Commission Member. Seconded by Joseph Mitchell. Passed unanimously.

6. APPOINT BOARD OF ADJUSTMENT MEMBERS:

Mayor Mosher stated four citizens have submitted letters of interest for these positions. They are Ken Stevens, Norma Gier, Jim Parnell, and Ned Sullivan. He introduced Ken Stevens and Norma Gier who were present. He asked the Council for their support and approval for the nomination of Ken, Norma, Jim and Ned. Motion by Josie VonCannon to accept Ken, Norma, Jim, and Ned as our Board of Adjustments. Seconded by Bob Russ. Passed unanimously. Ken and Norma were given the Oath of Office by Clerk/Recorder Joy Stevens.

7. MAYOR RON MOSHER:

1. Report on Ash Creek Special Service District. The Mayor asked Mike Empey to report on the meeting. Mike went over several of the issues concerning the ERU's, cost for the RV Park per space. Ash Creeks position was they needed to remain consistent with their costs with other communities. They made it clear Leeds connection fee is \$1088.00 and not \$800.00. Bob Russ wanted clarifcattion of the rule if you are within 300 ft you must hook on. He asked if that means 300 ft from the property line or 300 ft from the residence. He was told it is 300 ft from the property line and not from where your home sits. Ash Creek did raise the rates by \$3.00 a month.

2. Approval of Resolution 2000-01 for annexation into Ash Creek Special Service District. The resolution was read and Motion by Mayor Mosher to approve. No second. Motion died with lack of a second. We will not request annexation into Ash Creek.

Jim Parnell and Ned Sullivan were now present and received the Oath of Office.

3. Council Approval of disposition of the third police vehicle. The Council

discussed alternatives for the disposal of the vehicle. It can go to an auction or trade for mechanic work on the other vehicles. Mayor Mosher declared the vehicle surplus property. Bob Pease will take the vehicle and trade out work for it. Mike Empey said we can establish work in kind. A price for the vehicle will be established for being turned over to Bob Pease. Motion by Josie VonCannon to trade the vehicle for work in kind to Bob Pease. Seconded by Joseph Mitchell. Passed unanimously.

Mayor Mosher then brought up the condition of the other Ford police vehicle. It needs repair work on the rear main seal, at a cost of approximately \$500 to \$600. He asked the Council if they want to spend the money or dispose of the vehicle. Discussion went to having a reserve vehicle if the Chevy needs repair. Council decided to keep the vehicle and get it repaired. Motion by Mike Empey to keep the vehicle and approve the repairs. Seconded by Bob russ. Roll call vote. All aye. Passed unanimously.

4. Discussion of irrigation ditches on Main Street. Mayor Mosher stated the Irrigation Co. is considering enclosing the irrigation water in pipe and do away with the open ditch. Coy Willey, President of LDWA, said he would like to see it pressurized. Discussion went to safety issues, storm runoff, costs, and perhaps rather than pipe put a heavy mesh across the ditch. Coy Wiley said he would like to see it pressurized. Josie VonCannon, Bob Russ, and Ned Sullivan will meet with UDOT to discuss the issue.

8. COUNCIL MEMBER MIKE EMPEY:

Planning Commission Items:

1. Discussion on the Hillside Ordinance. Mike informed the Council about the situation with Mr. and Mrs. Gunn excavating into the hill. They hired an engineer to stake the slope. They were not in compliance with the Hillside Ordinance. The Gunn's were not aware of a Hillside Ordinance. They said they will move their homesite to comply with the ordinance and they will stabilize the hill.

The council expressed their concerns about Alberta Lee and Pat Sheneman cutting into the hillside. Alberta had an engineer stake around the hill where her sub division is going in. It was determined she is not in compliance with the Hillside Ordinance. Bob Russ stated his concerns about the Hillside Ordinance not being complied with and what alternatives the Town has to not only remedy this for future builders but what should be done with those that have already violated it. He suggested a Work Session and have the Council and the Town attorney actually walk the area where the Hillside Ordinance has not been complied with. Josie VonCannon said the rules need to be followed and if not we need a recourse. The Council scheduled a Work Session for Monday, February 14th at 5:00 pm. Dale Barnes suggested the Council also look at the inadequate size of the culverts by Alberta's subdivision.

Discussion on Mountain View Road. Mike explained to the Council that there are potential buyers for Joan Thorntons property and the buyers would like to build a home on this side of the hill. The problem is they would need Mountain View Road in order to have enough room for a homesite. There Realtor Pat Early asked what the procedure would be to have the Town abandon Mountain View Road North of Center Street. Discussion went to the road being a road, and if abandoned it would be given back to the landowners.

Discussion on Conditional Use Permits. The Council discussed Alberta Lee's Conditional Use Permit for four 4 plex's. Mike said the Panning Commission discussed whether her Conditional Use Permit is transferable before she builds a 4 plex or would she

need to build it first. The Commission recommended she have her plans approved first and certain conditions attached to it. If approved the permit would then be transferable if the new owner of the property followed her approved plans and conditions. Josie VonCannon stated she is concerned about the 4 plex's going in. If the sewer would have gone in there wouldn't be a problem, but that many units on septic is a concern. Mayor Mosher said if the Health Department says its okay we have no choice. Mike said as the Planning Commission has worked through this request they reviewed her projected plans and they did look like nice units. They are one level and look like a large house. Josie and Bob said they are still concerned about that many families in one unit on a septic.

2. Historical Society Update. Mike said the CCC Camp has plans for restrooms pending a grant for the project. They will also be looking into landscaping the camp.

9. OTHER BUSINESS:

Mayor Mosher said the Council needs to have an Executive Session to discuss legal issues. The session will be scheduled for March 14th at 8:00 pm. The Mayor informed the Council we will be working on the 2000-2001 Budget and he would appreciate any input from the Council.

10. ADJOURNMENT:

The meeting adjourned at 8:17 p.m.

APPROVED AND SIGNED THIS 22ND DAY OF FEBRUARY, 2000

Ron Mosher
Ron Mosher, Mayor

Joy Stevens
Joy Stevens, Clerk/Recorder

RECEIVED

FEB 17 2000

JONES & DEMILLE
ENGINEERING

TOWN OF LEEDS

P.O. Box 460879

Leeds, UT. 84746

435-879-2447

Fax 435-879-6905

February 9, 2000

*Walter L. Baker, P.E., Manager
State of Utah Division of Water Quality
288 North 1460 West
P.O. Box 144870
Salt Lake City, UT. 84114-4870*

RE: Leeds Town Wastewater Project

Dear Mr. Baker:

The Town of Leeds regretfully releases the moneys held in trust for the Town of Leeds wastewater project. At the Town Council meeting on February 8, 2000, a motion was made to approve the resolution to annex into the Ash Creek Special Service District. The motion failed because of a lack of a second.

The many hours of volunteer work by the previous Mayors Brent DeMille and Mel Evans, Council Members Joan Thornton, Jeffrey Krueger, Kay Fairbanks, Steve Westhoff, Charlie Scott, Steve Lewis, and the current Council Members Mike Empey, Joseph Mitchell, Josie VonCannon, and Bob Russ do demonstrate the commitment the Town of Leeds has made in an attempt to implement a wastewater treatment system.

The engineering firm of Jones and DeMille has proceeded with due diligence in exploring and reporting on alternatives for wastewater collection, treatment, and cost effectiveness to the Town of Leeds.

The Town of Leeds would like to see the cost of a wastewater system distributed across a larger area of the County surrounding the Town of Leeds. We are a very small entity and in the future our demographics, tax base and the fiscal health of our businesses may improve to reflect at least the average of Washington County and the State of Utah. Perhaps then a wastewater system will be more affordable for everyone.

The Town of Leeds appreciates the hardship grant of \$28,000.00 that was awarded to the Town and we look forward to working with you in the future as circumstances change.

Respectfully,

Ron Mosher

Ron Mosher Mayor

Town of Leeds

cc: Faye E. Reber, Attorney

Wayne Thomas, SW Utah District Engineer

Hal Nielson, Rural Development

Nancy Hess, Department of Water Quality

John Spendlove, Jones & DeMille Engineering

Kelly Wilson, Ash Creek Special Service District Chairman

Steve Urquhart, Town Attorney