

# Town of Leeds

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## Agenda Town of Leeds Town Council Wednesday, February 09, 2022

**PUBLIC NOTICE** is hereby given that the Town of Leeds Town Council will hold a **PUBLIC MEETING** on Wednesday, February 09, 2022, at 7:00 PM at Leeds Town Hall, 218 N. Main Street, Leeds, UT 84746. If you are interested in participating remotely via Zoom, please contact Town Hall at 879-2447 or email [Clerk@LeedsTown.org](mailto:Clerk@LeedsTown.org) for the Zoom details.

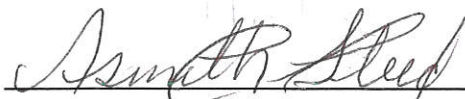
### **Regular Meeting 7:00pm.**

1. Call to Order/Roll Call
2. Pledge of Allegiance
3. Declaration of Abstentions or Conflicts
4. Consent Agenda:
  - a. Tonight's Agenda
  - b. Meeting Minutes of 1/26/2022
5. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
6. Announcements:
  - a. Survey Results are available on the website
  - b. Bookkeeper position is posted
7. Public Hearing:
  - a. Ordinance 2022-01, Residential Wastes and Recycling Collection and Administration Fees
8. Action Items:
  - a. Discussion and possible action regarding Ordinance 2022-01, Residential Waste and Recycling Collection and Administrative Fees
9. Discussion Items:
  - a. Discussion regarding Septic approval process to be confirmed by the Planning Commission
  - b. Discussion regarding Language for Amending Ordinance Chapter 9-Performance Standards for Hazardous and Other Uses
10. Citizen Comments: No action may be taken on a matter raised under this agenda item. (Three minutes per person).
11. Staff Reports
12. Closed Meeting: A Closed Meeting may be held for any item identified under Utah Code section 52-4-205.
13. Adjournment

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

The Town of Leeds is an equal opportunity provider and employer.

Certificate of Posting: The undersigned Clerk/Recorder does hereby certify that the above notice was posted February 7, 2022, at these public places: Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town of Leeds website [www.leadstown.org](http://www.leadstown.org).

  
Aseneth Steed, Town Clerk/Recorder

# Town of Leeds

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## Town Council Meeting for Wednesday, February 09, 2022

### Regular Meeting 7 PM

#### 1. Call to Order/Roll Call:

Mayor Hoster called to order the regular meeting of the Leeds Town Council at 7 PM on Wednesday, February 09, 2022. This was an in-person meeting with an electronic option.

#### ROLL CALL:

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

#### 2. Pledge of Allegiance:

3. Declaration of Abstentions or Conflicts: None

4. Approval of Consent Agenda

a. Tonight's Agenda

b. Meeting Minutes of 1/26/2022

Councilmember Cundick moved to approve tonight's agenda and meeting minutes of January 26, 2022. Second by Councilmember Hunsaker. Motion passed in a Roll Call Vote.

#### ROLL CALL VOTE:

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

#### 5. Citizen Comments:

6. Announcements: a

- a. Survey Results are available on the website

Mayor Hoster explained that a link on the main page of the Leedtown.org website contained the Leeds Survey results from Sunrise and PDS.

- b. Bookkeeper position is posted with Workforce Services Utah on the jobs.utah.gov site as well as at the Post Office and the Town Hall.

7. Public Hearing:

- a. Ordinance 2022-01, Residential Wates and Recycling Collection and Administration Fees

Mayor Hoster asked for a motion to open the Public Hearing  
Councilmember Cundick made a motion to open the Public Hearing for Ordinance 2022-01, Residential Wates and Recycling Collection and Administration Fees. Councilmember Hunsaker 2<sup>nd</sup>.  
Motion passed in a roll call vote.

Dear Mayor and staff,

As you may know, the Administrative Control Board of Washington County Special Service District No. 1 (the Solid Waste District) recently held a public hearing which resulted in approval of an increase in fees for services provided by the district. The purpose of this email is to explain and clarify the increase, and to make sure that each city and town within the district is billing residents for curbside collection services at the same rate.

The current basic rate billed to all cities and towns, as specified in the Municipal Billing and Collection Agreement between each city/town and the district, is the amount of 11.45 per month. This amount includes \$6.90 paid to Republic and \$4.55 retained by the district for operation of the landfill and district administrative fees.

Beginning on January 1, 2022

As explained when the district entered into the current 10-year agreement with Republic in 2020, the basic curbside residential collection rate automatically increases by 2.5% on January 1 of each year. As a result of this automatic increase, and as approved by the district Administrative Control Board in December 2020, the basic rate will increase to \$11.74 on January 1, 2022. The same 2.5% increase also applies to curbside residential recycling, so the new curbside residential recycling rate will be \$5.80 on January 1, 2022,

Beginning on February 1, 2022

In addition to the foregoing, the basic curbside residential collection rate will increase by another \$.50, from \$11.74 to the amount of \$12.24. This additional \$.50 is to help defray the cost of long overdue improvements at the landfill which are necessary to improve safety and efficiency of operations. In addition, the district believes that this increase helps to more accurately reflect the actual cost of district services, which in past years has been partially absorbed by the district rather than having been passed along to the residents.

(There is one additional component of the total residential collection fee, i.e., the amount imposed by your city/town to offset the costs of billing and collection. Whether that component is increased will be independently decided by your city/town council.)

To summarize:

As of January 1, 2022, the rate for basic curbside residential collection service will be \$11.74 per month, and the rate for curbside residential recycling will be the amount of \$5.80.

As of February 1, 2022, the basic curbside residential collection rate of \$11.74 will then increase by an *additional* \$.50 to the amount of \$12.24.

We would ask, therefore, that you make sure that your city/town's monthly utility billing statements are updated to include these additional fees, and that you include on an upcoming city/town council meeting agenda any amendment to your city/town ordinance that might be required to ensure your ability to enforce payment.

Mayor Hoster explained that with the towns administrative costs the quarter billing would become:

Mark Rosenthal: Is the recycling going to cost 17 plus per quarter or per year?

Mayor Hoster: Recycling will cost \$17.40 Per quarter.

Councilmember Cundick moved to close the Public Hearing and Councilmember Hunsaker 2<sup>nd</sup>. Motion passed in a roll call vote.

ROLL CALL VOTE:	Yea	Nay	Abstain	Absent
MAYOR: Bill HOSTER	x	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	_____	_____	_____	x
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	x	_____	_____	_____
COUNCILMEMBER: LORRIE HUNSAKER	x	_____	_____	_____

8. Action Items:

a. Discussion and possible action regarding Ordinance 2022-01, Residential Waste and Recycling Collection and Administrative Fees.

Councilmember Cundick: I have two paragraphs here I would like to add in. Whereas all residences located within Leeds boundaries are required to pay for basic waste collection together with administrative fees and Whereas only those residents located within Leeds boundaries that have not opted out of recycling collection are required to pay for recycling and the cost of the recycling container. So that is the amendment it is very simple, but it distinguishes those who have opted out.

Councilmember Wilson: It is good to clarify that. It was not clarified in the original ordinance, even though that was discussed back when we first approved it.

Mayor Hoster moved to accept the Ordinance 2022-01 with added amendment. Councilmember Wilson 2<sup>nd</sup>. Ordinance 2022-01 passed in a Roll Call vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: Bill HOSTER	x	_____	_____	_____
COUNCILMEMBER: DANIELLE STIRLING	_____	_____	_____	x
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: STEPHEN WILSON	x	_____	_____	_____
COUNCILMEMBER: LORRIE HUNSAKER	x	_____	_____	_____

9. Discussion Items:

- a. Discussion regarding Septic approval process to be confirmed by the Planning Commission.

Mayor Hoster: Discussion regarding septic approval process to be confirmed by the Planning Commission. This dynamic has surfaced as a result of some gaps in the current process. Wherein building permits are applied for and submitted to the County and where the plot does require identification of where a septic tank would be placed. However, their requirements are not the same as the Town's requirements. Especially in perspective of our Hillside Ordinance conflict and perhaps some other conflicts. As a result, we are considering modifying that component for approval of all future building permits. They must be reviewed somewhere somehow within the Town process to confirm that there is no violation of

our current ordinances as they exist. Are there any other comments or concerns related to this incident?

Councilmember Cundick: I have none.

Councilmember Wilson: What you are saying is for any permit anyone putting in a septic would have an additional step in proving where that septic tank is going and that it meets our Hillside Ordinance standards?

Mayor Hoster: We discovered that the Southwest health department does not have as stringent of code as we have and so they may approve it, but it could be in violation of current codes for the town, which may be like a Hillside Ordinance or a Setback standard.

Councilmember Wilson: This is regarding other codes not related to the septic tank specifically, correct?

Mayor Hoster: Yes, this has come up to us from Planning Commission. My understanding is that we are going to have additional procedures and processes put into place to make sure that there are not errors that occur in the future with this, any assistance from people who are extremely versed in our town code would be welcome to participate.

Councilmember Wilson: There must have been some issue with that in the past then?

Mayor Hoster: Further investigation revealed that County and other standards are different in some cases than ours.

b. Discussion regarding Language for Amending Ordinance Chapter 9- Performance Standards for Hazardous and Other Uses.

Mayor Hoster: Second, discussion item is regarding language for amending Ordinance Chapter 9- performance standards for hazardous and other uses. This relates to components of dust and noise. We have been presented with some really good paperwork here with regard to what some neighboring towns are also endorsing and enforcing for restricting dust and regulating air quality during construction, and other mining or similar activities that have been presented to us. I will open this up for discussion. Lorrie, do you want to get us started?

Councilmember Hunsaker: Yes. First of all, thank you, Mark, for all the work you put in on this and getting everything pulled together. Originally, it did not separate agriculture and horticulture. He has addressed concerns about that, and wording has been put in for that. An issue I still have is we are going to put in this requirement, but they honestly have no way to mitigate it. We do not have the water resources to waste for controlling dust. This is where I am still having a problem with this. We are going to be requiring this of people. I am sure a lot of contractors are trying to do their best and do what they can do to mitigate. We just do not have the water capacity. I'm looking at the checklist for St. George that you provided. It mentions water truck, water pole, Stan tank, fire hydrant, landline sprinkler, pre watering, post watering, water. We are having a hard time with water right now. I do not know how we are going to enforce this when that resource is not available. That is still my question.

Mayor Hoster: The question is in general but, Mark, if you have some insight. On Zoom is Mark Rosenthal, from the Planning Commission who is provided us some really in-depth information on this. We will revert to him on clarification as we proceed. Certainly, everyone else is welcome to participate. Mark, please, if you have some recommendation in response to Lorrie.

Mark Rosenthal: Thank you. The water suggested is just one of the mitigation tools available. It is the one folks focus on mostly in this area here because of the fact we live in desert. There are other methods available to people to mitigating fugitive dust, maybe not as effective in the immediate application, possibly more effective, more cost wise perspective over the duration of the construction. Given that we are in a housing boom and have been now for the last few years and likely to continue to be in that mode for the foreseeable future, we have to have a method by way of ensuring they are in compliance with State law. The aim is protecting the health and well-being of the people adjacent to the construction sites. This began with the situation up here in Boulder Ridge. Houses up here have been in the construction mode for over a year. Every time the wind blows, the dust goes. There was one wind event up here where my neighbor's house, which is about 150 feet from my place was completely obscured by the dust blowing. He had dust inside of his truck and his cars parked outside. I understand the windows were rolled up. To say that we do not have the water available at the town to provide to the contractor to mitigate using water does not preclude the contractor from procuring water somewhere else. Is it expensive? It can be very expensive, no question about

it. Would it cause the contractor to minimize the disturbance footprint of the area that they are building, the house, the commercial center, storage units, whatever? Very possibly. The point is that it is a state law. I would think that we need to ensure that we are complying when we issue a building permit. It does not necessarily mean water has to be the sole mitigating technique used.

Mayor Hoster: that is a good summation. Just for record, in Utah State Code, about fugitive dust it requires that anyone engaging and clearing or leveling of land greater than one acre. This proposal calls for less than that in size, earthmoving excavation, or moving of trucks or construction equipment over cleared land greater than the one acre of which has been proposed to make it a quarter of an acre, I believe, or access haul roads, which would include not just the driveway but any road gaining access to that construction point requires steps to minimize fugitive dust from such activities. Such control may include watering, and chemical stabilization of potential fugitive dust sources, or other equivalent methods or techniques. Additionally, the owner or operator of any land area greater than the one acre, again down to a quarter, that has been cleared or excavated, shall take measures to prevent particulate matter from becoming airborne. All persons undertaking construction activities that meet the threshold identified in the above paragraph shall be required to submit an air quality permit application as a condition for receiving a building permit. Additionally, any demolished homes, buildings or other structures shall be required to minimize fugitive dust. This shall also apply to the removal of paving material and roads or parking and air quality permit application including a blasting addendum shall be included in the building permit application packet available from the town office or town website.

There are several gaps that I am identifying in this code, which could be intentional. The first is, there is no way to identify what parts per million as referenced earlier in what fugitive dust, the particulate matter. There is just no way for us to measure that which would instigate a violation. They could be just watering a very minimal part of this and still be in compliance and yet not meet the desire that might be sought. The second is that I also see there's not only possibly great expense that could be associated with additional construction, but how do we know that other Mother Nature factors are not causing the dust. How are you to distinguish between the two? Those were the two things that I saw, and they maybe have been intentionally vague and trying to write this to just simply say a building permit must include an effort for dust mitigation. On the other hand, my concern is how do we enforce this, if



we were to implement such a code for the Town of Leeds. Who is going to say Hey, that is not enough water, or that is not enough chemical preparation that you have done to mitigate the dust to satisfaction.

Mark Rosenthal: In answer to that Mayor. The State does have standards for that. Their Air Quality Division, trains local municipality, on what those standards are, and how to measure them, and they do that free of charge. With respect to dust coming from other areas, as anybody who looks south when you are in a high pressure weather condition, will see high levels of dust over Washington and St. George. That is a cumulative impact from various construction, the amount of traffic that is occurring down there and just day to day people doing business. That is not what this is addressing. This is an effort to address the lot next door to your place that is sold now has a construction project began on it. It may take a year to build a house or the plaza or the storage units. During that time, the native vegetation that was there keeping the dust down, which it does very effectively even in these sparse desert environments, is now gone. That dust is free to blow around every time the wind blows. Now, I am not saying when the wind blows at 10 miles an hour, everybody gets dusted out. But that is really not what this is about. An example would be when I drove into town the other day in Hurricane, the new development that is occurring by exit sixteen, there were water trucks wandering around out there. I am sure that the city of Hurricane places that into the building permit process of the development to minimize dust being spread from that location. There are a few residents over there. It is next to the interstate, you have some commercial enterprises there, the gas station and the fire department there, and you have Coral Canyon and residential structures. There is a commercial operation there also. If the contractors can find a water source to water the ground there, if their decision is to use water, then I would submit that they can find water somewhere. If that is the decision, the best mitigating tool to water down the site. There are other techniques.

Mayor Hoster: Good point, Mark. My question is then, how does a contractor defend themselves against an accusation? I am not familiar with the equipment required to measure this. I am hoping to get some clarification on that. How can there be clarification between complaint and developer when they say, we are watering, but there is still dust. It is perhaps caused by Mother Nature. How is that distinction established? How do you enforce this kind of a scenario?

Mark Rosenthal: Appreciate the question. In the information that I provided is an example that the city of St. George uses. There is actually a mitigation plan. Now, like all plans, in this case, the applicant or the builder, will write in what they feel is their best effort to mitigate and it would be up to the Town, or the city of St George departments to say if it will work. If the builder is following the plan, and there is still fugitive dust, the individual, I would suggest by agreement is not responsible, because they developed a plan, the legal authority has approved the plans. And if the individuals following the plan, and something happens, then from a liability standpoint, one would think they would not be liable. I would suggest it goes back to the mitigation plan. Compare this: Situation A: You have a contractor who has Pioneered a rough road into the construction site. It is not finished. Their plans are at some point to have either concrete blacktop or gravel. But in the interim, it is native soil. In around here, native soils dry out rather quickly. They have a high percentage of clay component to them and are driven over repeatedly. They turn them what we used to call in my business poof dust. Where there is a layer of dust anywhere from three to twelve inches deep and when you drive through it scatters everywhere. You compare that situation to the sand gravel pit for a mining operation, that we have very near to the town where no mitigation plan is been put in place. And all kinds of heavy equipment. As well as personally owned vehicles are driving on those roads for years. They are creating dust. Their site maybe four acres, five acres. In this event, a fugitive dust component it is not being mitigated. Those are the two contrasts. As a paid for house site, you get a building permit a plan has been submitted to mitigate fugitive dust. I would suggest Sunrock. They water there on a regular basis. And that's part of their requirements in order to have their business there. It is worth doing it and is the cost of doing business. I am sure we all pay for that when we buy gravel from them or other products. With the increased amount of construction that is occurring and In Washington County, the level of the construction that will occur over the next few years, we need to have something in place. We can chase the horses after they get out of the barn. I personally and physically done that. horses and cows, I have actually led horses out of burning barns before. That is not being reactive. It is not a great approach to management. We can be proactive, we can be considerate, we can be thoughtful with how we approach this. Not having anything in place is just inviting issues down the road. This discussion began a year and a half ago. It is now just coming back to the Town Council. This is the second time, possibly the third time. There has been a lot of what about agriculture. Well, State Law says it excludes agricultural horticulture. That language was put into the recommended amendment to Chapter 9 to make it very clear, this is not what we're talking about.

Mayor Hoster: That is some great insight. More specific though, I noticed that on the fugitive dust control equipment and methods, they do not necessarily address gravel on a road. If we have an existing road in the town, that is a public road. The road is graveled but it kicks up dust. Have you any insight about that? That is the point with which I am concerned. Does a contractor say that's the city's problem? Or is that the contractor's problem?

Mark Rosenthal: Does the town issue itself a building permit?

Mayor Hoster: No, if that road is going to be used as an access way for construction within the town, that is my concern.

Mark Rosenthal: In a situation like that, the Town could readily incorporate the need to mitigate dust into any permit that is given to a contractor to develop a subdivision if you will, or a Graveling operation. To allow something like that to not be addressed and issuing a permit to a contractor has the potential to impact everybody that lives around that area. It is one thing if you are off in the back forty somewhere, and there is nobody to be impacted by it. It is still not necessarily complying with State law and the Town can choose not to do that, but we are in an existing subdivision where there's residents, to say that you are not going to address something like this. I do not know if that is the best. You do not want the town to be caught in a legal bind if you are not doing this or that right. We have the means necessary to address that in a permitting process. Okay, it definitely could be considered that and if the road is in a location of a subdivision that existing subdivision R-R-1 or R-R-2, why would we not want to make sure that the people that live next to the construction are not impacted unduly.

Councilmember Hunsaker: Hi Mark. We keep talking that it is the State requirement. That it is State law. Why not let it be enforced from the State level?

Mark Rosenthal: You know, It could. It would be like our nuisance ordinance. Now if you call into the sheriff's department three times, then the Town can take action. I think back 20 years, 30 years ago, that was a viable approach. With increasing populations, and the sheriff's department continuing to struggle to hire enough deputies to do the job as they do, it would seem to me that I would suggest a more informed way of enforcing the rules. So, when I call the sheriff's Department before on things like parking, for example which came with the Planning Commission, they really did not have anything on the

books that they could enforce. That is my point. So, if you or your neighbors call the sheriff's department concerning an issue. They are going to ask what does the Town have that we can hang our hat on?

You would have to find out if the Sheriff's Department can enforce State Air Quality regulations. I do not know they can. When it comes to traffic, public safety, assistance in vehicles, operation traffic and so forth. Certainly, that would seem to be well within their valley way with respect to their ability to enforce State law. It would be applied to Main Street which is a State Highway. It did not go to our side streets. The Planning Commission felt that for the specific incident that cited as the causative agent, if you will. Getting a town to agree to more stringent parking requirements was not something that was doable.

Councilmember Cundick: Mark has made a good case that we need to do something about the dust and the problems we have with construction when it impacts neighbors and so forth. I think the way I would approach it right now is suggest it to the Planning Commission, then knowing that we want to do something about this, they come up with an approach they think is satisfactory, perhaps looking more closely at the permit process, deciding how that can be used in a way to not only get the contractor on board before he starts, but also conditions under which there might be revoked if there is abuse of the permit and so forth. That is where it needs to go right now. We can see a number of issues that need to be discussed. The Planning Commission needs to work and come up with some kind of a draft permit or process that they are comfortable with for us to review.

Mayor Hoster: Mark, I think you have provided ample information. We can use this information to draft an ordinance modification that synchronizes with our prior topic with regard to building authorizations that are not consistent with our ordinances. We are going to have to include that in the language. The timing is good for us to have something that can be brought before the Town Council. Having the Planning Commission submit a draft is what Councilman Cundick is suggesting. Do you see that? I was not privy to the previous discussions. I have seen in the minutes that there has been some discussion about this over several years. Would it be prudent to request it drafted in the Planning Commission and submitted to the Town Council to move on it as vote?

Councilmember Wilson: As I was reviewing this reference ordinance shows one acre, we are showing a quarter acre. We do not even have quarter acre lots in Leeds. Why are we going less than the St. George ordinances? It

seems to me, we ought to stay the full acre instead of cutting down to the quarter acre.

Mark Rosenthal: Okay, I am familiar with it. I have lived with it every day for the last year to two years. Up here around Shinarump Circle, Bull Dog Ridge, construction that is occurred on West Schinley, which is county, and I have not even addressed the road coming up here, which is a town responsibility that gets beat to death by the amount of construction equipment that comes up through here. The County and the Town say well, we cannot do anything about it. County says well write it into your building permit so I'm not going to go there. When you look at the impact, on the footprint impact the development site has, I would have to look up what the dimensions of an acre are, I'm used to dealing on multiple 1,000-acre basis when I've made decisions in the past; but when you are rock hammering, bull dozing, and leveling a piece of ground in this environment, right next to somebody's house, there is an impact to the individual that already lives there. It seems reasonable, in my opinion, that the Town would choose to protect the property rights of the individual that is already living there by placing a requirement in the building permit process, that fugitive dust has to be mitigated. It does not say eliminated; it says mitigated.

Councilmember Cundick: I think, Mark. You could handle that in your permit process, depending on what kind of building and work is being done. You can lay that all out, you cannot second guess it in a catch-all permit, but I think if you want to say an acre or a quarter acre under certain circumstances, the Planning Commission could figure it out. They have the flexibility for that.

Councilmember Wilson: It just seems like putting in a quarter acre is trying to catch every little spot that we do not need to. I am not saying it should not be addressed at all. But I do not know, if we need to narrow it down to a quarter acre.

Councilmember Cundick: We can deal with those things once we get the broad coverage for the permit system and structure in place. We can look at those details and decide if there is a waiver insert under certain conditions, but we need the layout to cover the broad picture first and then we can discuss the details.

Councilmember Hunsaker: We should include the work hours in with that format. I have looked what you have down here, Mark and I agree. When they are starting work that early, and on Saturdays like they were by your house

not too long ago. That is just, that should be in there. I mean, to me, it is just common sense but apparently it needs to be spelled out. We have also had some issues in the last few weeks with construction trash needing to have a dumpster on location of a new building site and restroom facilities. These should be included as part of the permit process.

Mayor Hoster: The time recommendation that Mark has proposed from the boiler plate here is from 7am to 5:30pm. I have heard some comments about the heated part of the day issues and cooler evening hours being a consideration. I mention it because I want to avoid it going back and forth unnecessarily.

Councilmember Cundick: I want to thank Mark for the work he has done on this.

Mayor Hoster: Thank you, Mark, for the careful attention you have given and the information you provided. It is very much appreciated and helpful.

#### 10. Citizen Comments:

Angela Rohr: It does seem that a quarter acre is very small, and we're talking about 2,200. square feet. One of the big things in my mind is we have a huge area that may still be radioactive. It is something to be aware of for the future.

Daniel Brown: On the part nine, does a level three septic system surpass the current code right now?

Mayor Hoster: I do not know what a level three septic system is? The code right now is dictated by the Southwest Public Health department which says if a property has not been grandfathered into the layout that it has been zoned in, there has to be nine acres from the next septic tank. If it is a standard system. The high efficiency ones, which I do not know their particular designation, do allow four acres in between the septic tanks. As far as the multi-unit. I am not familiar with the exact specifications of that I have had discussions with our Town Planner, and those are options that can be used within the town. But that is a conversation we would want to have with Mr. Scott Messel who does know what those particulars are that would qualify with the Southwest Health Department.

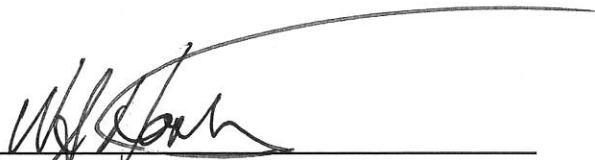
#### 11. Staff Reports:

Councilmember Hunsaker: I am still working on all of the cemeteries. On the LDS cemetery, we are getting close to having that figured out. First, I want to really thank Larry and Julie Bruley. At the last meeting, it was brought up that there were a couple of crosses that were broken. Larry and I met out there. It was two hours later the problem was solved. He got them back in where they need to be an even turned one that was facing down to St. George. Thank you for that. That is a great help. Larry is looking into helping us repair at the Protestant cemetery as well. The one wooden monument has been eaten through. Since it is a pioneer cemetery it has to be done in kind. I have tried to research and find any family that we could consult and see if they wanted the same thing, or they wanted something else. Ray Beal said it has been there since he was a baby. I am thinking that we are not going to find the family member. With Larry's help, we are going to get that rebuilt the way it was with the plaque back on it. That is moving along nicely. It is really appreciated when somebody volunteers.

Mayor Hoster: I will take a moment and publicly thank Councilmember Lorrie Hunsaker for all of the efforts. She has extended many hours in trying to organize and set up the plot maps and identification for each of these cemeteries and she has gone through records some almost indistinguishable. She has exerted an effort and even gone as far as talking with families. This is an example of people who will step up and volunteer their time to make this a really great place. I appreciate your efforts and I am sure the Town does too. Thank you very much. With that, we will adjourn at this time. Thank you very much.

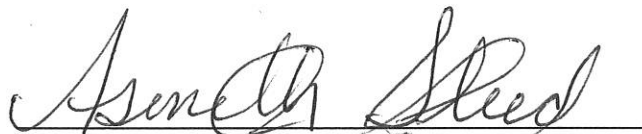
12. Adjournment: 8:07pm

Approved this 23 Day of February 2022.

A handwritten signature in black ink, appearing to read "Bill Hoster", written over a horizontal line.

Bill Hoster, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Aseneth Steed", written over a horizontal line.

Aseneth Steed, Clerk/Recorder