APPLE VALLEY TOWN COUNCIL MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, September 20, 2023 at 6:00 PM

AGENDA

Notice is given that a meeting of the Town Council of the Town of Apple Valley will be held on **Wednesday, September 20, 2023**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Mayor| Frank Lindhardt |
Council Members | Barratt Nielson | Kevin Sair | Robin Whitmore | Jarry Zaharias |

Pursuant to the Executive Order issued by Governor Gary Herbert on March 18, 2020 regarding Electronic Public Meetings, please be advised that the meeting will be held electronically and broadcast via Zoom. Persons allowed to comment during the meeting may do so via Zoom. Login to the meeting by visiting:
https://us02web.zoom.us/j/87607542551
if the meeting requests a password use 1234
To call into meeting, dial (253) 215 8782 and use Meeting ID 876 0754 2551

CALL TO ORDER
PLEDGE OF ALLEGIANCE
PRAYER
ROLL CALL

DECLARATION OF CONFLICTS OF INTEREST

MAYOR'S TOWN UPDATE

PUBLIC COMMENTS

DISCUSSION AND POSSIBLE ACTION

1. Application To Appear Before Town Council: Dan Tygard/Knollwood RV Park/Range RV, Purpose of Request: Impact Fee Payoff Plan.
2. Consider Approval of Fire Truck Purchase.
3. Consider Approval of EMS MOU.
4. Consider Approval of Appointing an Events Committee Member, Resolution-R-2023-30.
5. Consider Approval of Appointing an Alternate Planning Commission Member, Resolution-R-2023-31.
6. Consider Approval to Amend Title 10.02.110 Enforcement, Ordinance-O-2023-33.

   *Planning Commission recommended approval on August 30, 2023.
7. Consider Approval to Amend Fee Schedule, Resolution-R-2023-29.

CONSENT AGENDA
The Consent Portion of the Agenda is approved by one (1) non-debatable motion. If any Council Member wishes to remove an item from the Consent Portion of the agenda, that item becomes the first order of business on the Regular Agenda.

8. Disbursement Listing for August 2023.
9. Budget Report for Fiscal Year 2023 through August 2023.
10. Minutes: July 19, 2023.
11. Minutes: August 16, 2023.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

REQUEST FOR A CLOSED SESSION

ADJOURNMENT

CERTIFICATE OF POSTING: I, Jenna Vizcardo, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this Agenda was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website http://pmn.utah.gov, and the Town Website www.applevalleyut.gov.

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS
In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the Town at 435-877-1190 at least three business days in advance.

Town of Apple Valley
1777 N. Meadowlark Dr., Apple Valley, Utah 84737
Phone: (435) 877-1190 Fax: (435) 877-1192
www.applevalleyut.gov

APPLICATION TO APPEAR BEFORE TOWN COUNCIL

Name: Dan Tygard Date: 7/12/23

Address: 1350 State St.
Apple Valley, UT 84737

Phone: (916) 240-1808

Date of Town Council meeting for this agenda item to appear: 7/19/23

Purpose of Request:

Impact Fee Payoff Plan

Note: Final approval of this application is subject to all necessary paperwork being submitted, as well as Town staff requirements being met. When other earlier deadlines are not specified, this application must be submitted no later than 4:00 p.m. the Wednesday, one week and one day prior to the regularly scheduled Council meeting.

Dan Tygard / 7/12/23
Applicant Signature Date

/
Town Administration Date

5

When Recorded Return To:
Town of Apple Valley
1777 N. Meadowlark Dr
Apple Valley, UT 84737

DOC # 20220053339
Agreement Page 1 of 5
Gary Christensen Washington County Recorder
12/16/2022 11:19:45 AM Fee $ 0.00
By APPLE VALLEY TOWN

Amendment to the Developer Agreement Dated October 26, 2021

PROJECT: RV Park
ADDRESS: 1350 N. State Street Apple Valley, UT 84737
PARCEL: AV-1334-W
LEGAL DESCRIPTION: Exhibit B

This agreement is between the Town of Apple Valley, 1777 North Meadowlark Drive Apple Valley, Utah 84737 AND Knollwood85, LLC, 1163 N. Main St. Hurricane, Utah 84737.

1. Knollwood85, LLC agrees to pay the remaining balance of impact fees of $161,583.00 which were reassessed by Nothern Engineering on August 10, 2022 and accepted by the Town of Apple Valley's town council at the Town of Apple Valley's town council meeting on August 24, 2022.
2. Knollwood85, LLC agrees to pay off the remaining balance of impact fees in 2.5 years from the date of receiving their certificate of occupancy for the RV Park. Knollwood85, LLC will make monthly payments of $6,000.00. Payments will be made to the Town of Apple Valley.
3. If Knollwood85, LLC defaults on their payments of the remaining balance of impact fees it shall bear interest at 8%, otherwise no interest shall be charged.
4. Late Payment/Prepayment. Any payment not made within 15 days after it is due is subject to a late charge of $100 or 5% of the installment due, whichever is greater. Amounts in default shall bear interest at a rate of 8% per annum. All or part of the principal balance on the note may be paid prior to maturity without penalty.
5. Attorney Fees and Costs/Govering Law. In the event of litigation or binding arbitration to enforce this contract, the prevailing party shall be entitled to costs and reasonable attorney fees incurred in the litigation and/or arbitration. However, attorney fees shall not be awarded for participation in mediation. The contract shall be governed by and construed in accordance with the laws of the State of Utah.
6. The Town of Apple Valley will allow Knollwood85, LLC to have 15 long term rental sites as part of their total 88 site campground as a means to help pay off the remaining balance of impact fees.
7. Knollwood85, LLC agrees to follow the Long-Term Rental Agreement, for the 15 long-term rental sites, that were reviewed by the Town of Apple Valley's town council on August 24, 2022 at the Town of Apple Valley's town council meeting. See attached exhibit A.
8. Knollwood85, LLC will be allowed to keep the 15 long-term rental sites on the condition that it's following the Long-Term Rental Agreement for up to 2.5 years from the date that Knollwood85, LLC receives its certificate of occupancy at which point Knollwood85, LLC can apply with the Town of Apple Valley to extend the allowance of the 15 long-term rental sites as part of the RV Park. Town reserves the right to withdraw this section based on calls related to disturbances of the peace from the neighborhood related to the long-term lots.
9. The Town of Apple Valley agrees to try and collect half of the cost of the $240,000 right-hand acceleration lane, at the intersection of Apple Valley Way and SR59 for

Knollwood85, LLC if the West Temple Subdivision moves forward with their plans for development.

We hereby agree to the following terms and conditions as set forth in this Amendment to the Developer Agreement.

Town of Apple Valley
Mayor: _____
Date: 12/01/22

Knollwood85, LLC
Representative: _____
Date: 11/30/2022

Attest:

_____
Jenna Vizcardo, Town Recorder

Approved as to Form:

_____
Shawn Guzman, Town Attorney

Acknowledgment

STATE OF UTAH)
)§
COUNTY OF WASHINGTON)

On this 30 day of November, in the year 2022, before me, Jenna Vizcardo a notary public, personally appeared Daniel Tygard, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal.

JW.
Notary Public

JENNA VIZCARDO
Notary Public, State of Utah
Commission # 723126
My Commission Expires
February 16, 2026

(SEAL)

Residing in: County of Washington
My Commission Expires: February 16, 2026.

Acknowledgment

STATE OF UTAH)
)§
COUNTY OF WASHINGTON)

On this 1 day of December, in the year 2022, before me, Jenna Vizcardo a notary public, personally appeared Frank G. Lindhardt, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal.

Notary Public

Residing in: County of Washington
My Commission Expires: February, 16, 2026

(SEAL)

JENNA VIZCARDO
Notary Public, State of Utah
Commission # 723126
My Commission Expires
February 16, 2026

Exhibit A

LONG-TERM RENTAL AGREEMENT

Number of Tenants: Each site is allowed to have up to 4 people.

Parking and Vehicles: Each site is allowed to have up to two vehicles. Vehicles must be able to fit inside the designated site. Vehicles must be in working and driving condition. Broken down vehicles are not allowed to be parked in site. Oil changes and changing of vehicle fluids is not permitted in site.

Pets: Each site is allowed to have up to two pets. All pets must remain on leash and must stay in the RV each night. Pets are not allowed to be chained up to any tree within the site or the campground. Pets must be well behaved and are the responsibility of the owners to keep them under control at all times. All guests are responsible for cleaning up immediately after their pets. Pets are not allowed in the pool area, bathrooms, and laundry facility.

Guests: All guests visiting a long-term rental site must be able to park in the tenant's site. If additional parking is needed there are 6 parking sites available in front of the office. Any long-term tenants who have more than 5 guests visiting must get approval from management.

Garbage: Three trash enclosures are available within the campground for tenant's use. Large items i.e. appliances, electronics, furniture, mattresses, automotive parts and the like are not allowed to be disposed of in the trash enclosures. Personal trash or garbage cans are not allowed in the site.

BBQ Grills: BBQ grills are allowed in the site, but must be properly stored near the RV when not in use.

Site Cleanliness: Site must remain clean and accessible for routine staff maintenance. Outdoor chairs are allowed. Furniture, i.e. couches, sofas, chairs, are not allowed to be stored in the site. Outdoor storage containers i.e. sheds, tool boxes, and the like are not allowed. Appliances, electronics, are not allowed to be stored in the site. Potted plants and personal landscaping are not allowed. Site must remain uniform and consistent with short-term rental sites.

RV Types: RVs older than 10 years of the current year must get management approval.

Quiet Hours: 10pm to 8am

EXHIBIT B

Legal Description

BEGINNING AT A POINT ON THE EAST LINE OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SLB&M, AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE NO. U-59 WHICH IS SITUATED N. 0°04'57" W. 143.51 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 30, THENCE N. 54°10'15" W. ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE 77.08 FEET TO A STATE ROAD RIGHT-OF-WAY MARKER, THENCE N. 54°09'33" W. ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE 896.61 FEET, THENCE DEPARTING SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND RUNNING N. 35°18'34" E. 330.83 FEET, THENCE N. 55°29'54" W. 219.98 FEET, THENCE N. 0°20'08" E. 208.70 FEET TO THE NORTH LINE OF THE SE1/4SE1/4 OF SAID SECTION 30, THENCE N. 89°52'30" E. ALONG THE 1/16 LINE 503.24 FEET, THENCE S. 30°31'36" E. ALONG THE SOUTHWESTERLY LINE OF LOT 78, APPLE VALLEY RANCH SUBDIVISION PHASE 2, 90.14 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 78, THENCE S. 33°08'02" E. 417.33 FEET TO THE EAST LINE OF SAID SECTION 30, THENCE S. 0°04'57" E. ALONG THE SECTION LINE 747.29 FEET TO THE POINT OF BEGINNING.

Access Easement #1 to State Route U-59

TOGETHER WITH A 30.00 FOOT WIDE EASEMENT FOR INGRESS/EGRESS AND UTILITIES DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SITUATED N. 0°04'57" W ALONG THE SECTION LINE 765.81 FEET AND N. 90°00'00" W. 751.48 FEET FROM THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SLB&M, THENCE N. 54°09'33" W. 120.31 FEET, THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 40.00 FEET A DISTANCE OF 62.83 FEET (THE CHORD OF SAID CURVE BEARS S. 80°50'27" W. 56.57 FEET), THENCE S. 35°50'27" W. 23.94 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE NO. U-59, THENCE N. 54°09'33" W. ALONG SAID RIGHT-OF-WAY LINE 30.00 FEET, THENCE N. 35°50'27" E. 23.94 FEET, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 70.00 FEET A DISTANCE OF 109.96 FEET (THE CHORD OF SAID CURVE BEARS N. 80°50'27" E. 98.99 FEET), THENCE S. 54°09'33" E. 120.03 FEET, THENCE S. 35°18'34" W. 30.00 FEET TO THE POINT OF BEGINNING.

Access Easement #2 to Apple Valley Way

TOGETHER WITH A 30.00 FOOT WIDE EASEMENT FOR INGRESS/EGRESS AND UTILITIES DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SITUATED N. 0°04'57" W ALONG THE SECTION LINE 1169.08 FEET AND N. 90°00'00" W. 777.60 FEET FROM THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SLB&M, THENCE N. 74°26'53" W. 250.16 FEET, THENCE N. 27°50'31" E. 30.70 FEET, THENCE S. 74°26'53" E. 235.46 FEET, THENCE S. 0°20'08" W. 31.09 FEET TO THE POINT OF BEGINNING.

Tax Parcel No.: AV-1334-J

1992 Engine with LDH, Ladders, Misc equipment. 1250gpm pump,1000 Gallon tank, testing records for pump tests and hose tests-$6000

800'-1 ¾ " hose with current hose test records-$500

12 kenwood handheld vhf radios with two 6 bay charging stations-$500

MEMORANDUM OF UNDERSTANDING

Between

Town of Apple Valley

And

Hildale City

Regarding

Response EMS in the Same Geographical Service Area

INTRODUCTION

The Hildale Fire Department ("HFD") as a department of Hildale City, has been the licensed Emergency Medical Services ("EMS") provider and ambulance transport agency for the geographical area of eastern Washington County, Utah since the early 1980's. This area includes the incorporated areas of Hildale City, the Town of Apple Valley ("Apple Valley"), and parts of unincorporated Washington County ("Geographic Area"). The Fire Department of the Town of Apple Valley is seeking a license to provide a quick response unit within Apple Valley. As Apple Valley has grown in area and population, there is a need to provide quick-response EMS service to stabilize patients until the transport ambulance arrives. This Memorandum of Understanding ("MOU") is intended to formalize the cooperative arrangement between the HFD and Apple Valley ("Parties") and acknowledge that the emergency response of both agencies is in the best interest of those served.

SCOPE

It is agreed that Apple Valley will:

1. Respond to EMS calls within the Geographic Area to provide initial patient care and stabilization as resources are available.
2. Provide emergency medical care with trained providers and appropriate equipment and supplies.
3. Respond in a coordinated and standard manner as per Hildale-Colorado City Communications Center protocols using common radio frequencies.
4. Train responders in response and scene safety procedures, including the national Traffic Incident Management System.
5. Maintain necessary Continuing Medical Education requirements and records to keep personnel certified and aware of best practices in current EMS standards.
6. Communicate issues and needs through channels of command so as to avoid tension or miscommunications on incident scenes.

It is agreed that HFD will:

1. Continue to provide Advanced Life Support care and transport within the area licensed to HFD by the Utah Office of EMS including the incorporated area of the Town of Apple Valley.
2. Work closely with Apple Valley responders to receive patient information obtained and care rendered prior to arrival.
3. Be respectful of Apple Valley responders as fellow professionals.
4. Provide feedback on patient outcomes as requested, while following HIPPA requirements.
5. Invite Apple Valley responders to attend and participate in Continuing Medical Education and EMS training opportunities sponsored by the HFD.
6. Immediately notify the Town of Apple Valley in writing if HFD is no longer licensed to provide Advanced Life Support care and transport services within the incorporated area of the Town of Apple Valley.

INDEMNIFICATION

The Parties agree to the following:

1. The Parties are governmental entities and subject to the Governmental Immunity Act of Utah, Utah Code Ann. § 63G-7-101, et seq. ("Immunity Act"). The Parties agree that they shall only be liable within the parameters of the Immunity Act. Nothing in this Agreement shall be deemed a waiver of any rights, statutory limitations on liability, or defenses applicable to the Parties under the Immunity Act.

2. Apple Valley shall hold harmless and indemnify HFD employees, officers, employees, and agents, against any and all loss, liability, damage, claim, cost, charge, demand, or expense (including reasonable attorney's fees and costs) arising out of or resulting from the services in, or performance of, this MOU if caused by any negligent act or omission, or any intentional misconduct, of Apple Valley or any of its officers, employees, or agents.

3. HFD shall hold harmless and indemnify Apple Valley, and it officers, employees, and agents against any and all loss, liability, damage, claim, cost, charge, demand, or expense (including reasonable attorney's fees and costs) arising out of or resulting from the services in, or performance of, this Agreement if caused by any negligent act or omission, or any intentional misconduct, of HFD or any of its officers, employees, or agents.

DURATION

This MOU may be modified by in writing by mutual consent of the Parties. This MOU shall become effective upon signature by the authorized officials and will remain in effect until terminated by any one of the Parties in writing.

By signing this MOU, each agency agrees to comply with the terms specified herein.

Dated this _____ day of _____, 2023:

TOWN OF APPLE VALLEY

_____
Frank Lindhardt, Mayor

_____
Michael Gross, Fire Chief

ATTEST:

HILDALE CITY

_____
Donia Jessop, Mayor

_____
Kevin J. Barlow, Fire Chief

ATTEST:

TOWN OF APPLE VALLEY

RESOLUTION NO. R-2023-30

A RESOLUTION APPOINTING AN EVENTS COMMITTEE MEMBER

WHEREAS, Linda Noyes has been nominated for appointment as a member of the Apple Valley Community Events Committee.

NOW, THEREFORE, at a meeting of the legislative body of the Township of Apple Valley, Utah, duly called, noticed and held on the 20th day of September, 2023, and upon motion duly made and seconded:

BE IT RESOLVED AS FOLLOWS:

Linda Noyes is appointed as a member of the Apple Valley Community Events Committee.

RESOLVED this 20th day of September, 2023.

TOWN OF APPLE VALLEY

_____
Frank G. Lindhardt, Mayor

ATTEST:

_____
Jenna Vizcardo, Town Recorder

Mayor Frank Lindhardt voted _____
Council Member Kevin Sair voted _____
Council Member Jarry Zaharias voted _____
Council Member Robin Whitmore voted _____
Council Member Barratt Nielson voted _____

TOWN OF APPLE VALLEY

RESOLUTION R-2023-31

A RESOLUTION APPOINTING AN ALTERNATE PLANNING COMMISSION MEMBER

WHEREAS, the Town of Apple Valley by ordinance (Ordinance No. 2004-2-0) established a Planning Commission, which requires the mayor, with the advice and consent of the town council, to appoint alternate members of the Planning Commission; and

WHEREAS, an alternate planning commission member vacancy exists; and

WHEREAS, Mayor Frank G. Lindhardt along with the Town Council has nominated Annie Spendlove for appointment to the Planning Commission as an alternate member.

NOW, THEREFORE, at a meeting of the legislative body of the Town of Apple Valley, Utah, duly called, noticed and held on the 20th day of September 2023, and upon motion duly made and seconded;

Annie Spendlove is appointed as alternate member of the Town of Apple Valley Planning Commission whose term will expire on January 6, 2025;

EFFECTIVE DATE This Resolution shall be in full force and effect from September 20, 2023.

PRESIDING OFFICER

_____

Frank G. Lindhardt, Mayor

ATTEST:

_____

Jenna Vizcardo, Town Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor | Frank Lindhardt	_____	_____	_____	_____
Council Member| Kevin Sair	_____	_____	_____	_____
Council Member | Robin Whitmore	_____	_____	_____	_____
Council Member | Jarry Zaharias	_____	_____	_____	_____
Council Member | Barratt Nielson	_____	_____	_____	_____

10-9a-303 Entrance upon land.

The municipality may enter upon any land at reasonable times to make examinations and surveys pertinent to the:

(1) preparation of its general plan; or

(2) preparation or enforcement of its land use ordinances.

Renumbered and Amended by Chapter 254, 2005 General Session

APPLE VALLEY
ORDINANCE O-2023-33

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** "10.02.110 Enforcement" of the Apple Valley Land Use is hereby *amended* as follows:

AMENDMENT

10.02.110 Enforcement

1. As per Utah code 10-9a-303 Entrance upon land. The municipality may enter upon any land at reasonable times to make examinations and surveys pertinent to the:
    A. preparation of its general plan; or
    B. preparation or enforcement of its land use ordinances.
2. The building inspector is hereby designated and authorized as the official charged with the enforcement of this title, but the town council may from time to time entrust such administration, in whole or in part, to any other employee of the Town without amendment to this title.

SECTION 2: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from September 20, 2023.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL _____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor | Frank Lindhardt	_____	_____	_____	_____
Council Member | Jarry Zaharias	_____	_____	_____	_____
Council Member | Barratt Nielson	_____	_____	_____	_____
Council Member | Kevin Sair	_____	_____	_____	_____
Council Member | Robin Whitmore	_____	_____	_____	_____

Attest

_____
Jenna Vizcardo, Town Clerk, Apple Valley

Presiding Officer

_____
Frank Lindhardt, Mayor, Apple Valley

SECTION 1: **AMENDMENT** "Fee Schedule" of the Apple Valley Fee Schedule is hereby *amended* as follows:

AMENDMENT

Fee Schedule

TOWN OF APPLE VALLEY **FEE SCHEDULE**

ADMINISTRATIVE FEES			
Government Records Access Management Act (GRAMA) Request		To be determined on an individual basis per UCA 63-2-203	
Photo Copies			
	8 1/2 x 11 single or double sided on town paper	$0.25	
	11 x 17 single or double sided on town paper	$0.50	
	Land Use (Zoning Ordinance)	$22	
	Subdivision Ordinance	$9	
	General Plan	$8	
	Standards and Specifications	$25	
	Maps 24" x 36"	$40	
	Maps 11" x 17"	$5	
	Copies on CDs	$5	
Check Fee (Utah Code Title 7 Section 15)		$25	
Smithsonian Fire Department Facility			
	Training Room	$50	
	One Bay (Fire Dept Approval)	$75	
&	Two Bay (Fire Dept Approval)	$150	
	Refundable Deposit	$100	
Park Reservation			
	Parks are a first come, first serve basis only		

	Pavilion Rental 1/2 Day	$25	
	Pavilion Rental Full Day	$50	
	Refundable Cleaning Deposit	$150	
Credit Card Processing Fees			
	Payments over $200.00 made with a credit card are subject to an additional 3% processing fee. This applies to transactions other than monthly utility charges. There is no fee for payments made with cash or check.		
Special Fees			
	Special fees or exceptions may be granted by the Town Council for local non-profit organizations or civic functions depending on scheduling conflicts, etc. Additional fees may be charged if there are special needs; i.e., A/V equipment, change in room setup or large groups.		
Professional Fees			
	Engineering/Legal/Administrative Fees	Actual Cost	
LICENSES		Initial	Renewal
Alcohol License			
	Class A Retail License (Off Premises)	$300	$300
	Class B Retail License (On Premises)	$1,000	$500
	Class C Retail License (Draft)	$1,250	$750
	Class D Special Events License	$200	N/A
	Class D Special Events Permit Application	$125	N/A
	D Special Events Permit Change Fee	$25	N/A
	E Arena/Facility License	$800	$400

	Class F Brewpub and Microbrewery License	$300	$150
	Temporary License	$200	N/A
	Government Owned Facility License	$400	$200
Business License			
	Commercial	$150	
	Commercial; Additional Use	$20	
	Home Based; Non-Impact	N/A	
	Home Based; Impact	$150	
	Local Licensed Non-Profit Organizations	N/A	
	Single Event License	$100	
	Dog Kennel License; non-commercial	$50	
	Fire Inspection Fee	$150	
	Code Inspection Fee	$150	
	Business License late Fee	$25 per month or portion of month	
CONTROL (1-year license Expires Dec 31)			
	Dog License : Spayed/Neutered	$10.00	
	Dog License : Functional	$20.00	
	Late fee	25% after February 15	
SOLID WASTE			
	Monthly Fee	$13.59	
STORM DRAINAGE			
	Residential	$10/Month	
	Commercial	$35/Month	
SIGNS			
	Free Standing Sign	$100	
	Monument	$100	
	Temporary Sign	N/A	

	Wall Sign	N/A	
	Sign Review Board	$100	
ZONING			
	Annexation	$2,200	
	Conditional Use Permit (CUP)	$800.00	
	Easement Abandonment	$800.00	
	Encroachment Permit	$700 + $10 per square foot, $500 non-compliance	
	General Plan Amendment	~~$1,050 + Acreage Fee~~ Less than 5 Acres: $3,000 5 - 9 Acres: $5,000 10 - 39 Acres: $7,000 40 - 99 Acres: $11,000 100 - 199 Acres: $16,500 200 - 499 Acres: $26,500 500 Acres and Over: $31,500	
	Zone Change	~~$1,100 + Acreage fee~~ Commercial & Industrial: $1,000 plus $50 per acre for the first 100 acres; $30 per acre for the second 100 acres; $20 per acre for each acre over 200 acres Agricultural & Residential: $1,000 plus $40 per acre for the first 100 acres; $20 per acre for the second 100 acres; $10 per acre for each acre over 200 acres All Other Zones: $1,000 plus $40 per acre or portion thereof over one acre	
-	~~Acreage Fee (This is a sliding fee schedule charged in the following incremental tier schedule)~~	-	-
-	~~First: 1-100 acres~~	~~$25/Acre~~	-
-	~~Then: 101-500 acres~~	~~$15/Acre~~	-
-	~~Then: 500+~~	~~$5/Acre~~	-
-	~~Note: Acreage to be zoned open space: no charge if over 10 acres~~		
-	~~Note: <1 Acre: No acreage charge~~	-	-
-	~~Note: Open space includes parks, golf courses, flood plains, hillsides and similar natural areas, but not required recreation areas and setback areas.~~		
	Development Review Fees (Planning/Zoning/Administrative)	$3,000 plus 3.17% of Bond Amount $500 Plat Amendment (Lot Line Adjustments)	

	Home Occupation Permit	$10 Reprint	
	Lot Split	$800 per new lot	
	Non-Compliant Lot Split	$900 per new lot	
	Lot Line Adjustments	$800 per application	
	Staff Review (PSR)	$75/Hr (1 Hr Min)	
	Site Plan Review (*SPR)	$750 + Actual Cost	
	*An SPR is used for commercial, industrial and institutional developments; exceptions are public schools and minor additions to an existing development		
	Engineering/Legal/Admin Fees	Actual Cost	
	Planned Developments and Development Agreement Fees		
	Initial Fee	~~$7,~~500 + Actual Legal & Engineering Cost of Services	
	Revisions/Amendments	~~$2,500 +~~ Actual Legal & Engineering Cost of Services	
	Road Dedications	$750	
SUBDIVISIONS AND OTHER PROJECTS			
	Construction Plan & Review Fee		
	Application Fee	$500	
	1-10 Lots	$1,000	
	11-20 Lots	$100/Lot	
	21+ Lots	$125/Lot	
	Preliminary Plat	$2,700	
	Final Plat (Subdivision, town homes, roads, etc.)	$1,200 + $160/Lot	
	Development Review Fees (Planning/Zoning/Administrative)	$3,000 plus 3.17% of Bond Amount $500 Plat Amendment (Lot Line Adjustments	
AMENDMENTS			
	Preliminary Plat	$2,700	
	Final Plat	$1,300 + $10/Lot	
	Public Improvement Inspection Fee	2% of Public Works Improvement Construction Costs	
BOARD OF APPEALS			

	Variance Application	$550	
	Appeal Hearing	$550	
BUILDING PERMITS			
	Pools/Solar/Other	$375	
	Building Permit	Based on Valuation See Table Below	
	State Building Permit Surcharge	1% of Building Permit Fee	
	Plan Review	~~15% of Permit Fee~~ Residential: 25% of Permit Fee Commercial: 65% of Permit Fee	
	Special Inspection	$125	
	Re-Inspection Fee	$125	
	Permit Issued After-The-Fact	Double Permit Fee	
	Grading & Grubbing Plan Review	See Table A-33-A of Currently Adopted Uniform Building Code(Title 12.02.040) of Appendix Chapter 33 EXCAVATION AND GRADING	
	Grading & Grubbing Permit	See Table A-33-B of Currently Adopted Uniform Building Code(Title 12.02.040) of Appendix Chapter 33 EXCAVATION AND GRADING	
	TOTAL VALUATION	**FEE**	
	Valuation = Square Fee x Current ICC Building Valuation		
	$1 to $500	$23.50	
	$501 to $2,000	$23.50 for the first $500 plus $3.05 for each additional $100 or fraction thereof, to and including $2,000	
	$2,001 to $25,000	$69.25 for the first $2,000 plus $14.00 for each additional $1,000 or fraction thereof, to and including $25,000	
	$25,001 to $50,000	$391.75 for the first $25,000 plus $10.10 for each additional $1,000 or fraction thereof, to and including $50,000	

	$50,001 to $100,000	$643.75 for the first $50,000 plus $7.00 for each additional $1,000 or fraction thereof, to and including $100,000	
	$100,001 to $500,000	$993.75 for the first $100,000 plus $5.60 for each additional $1,000 or fraction thereof, to and including $500,000	
	$500,001 to $1,000,000	$3,233.75 for the first $500,000 plus $4.75 for each additional $1,000 or fraction thereof, to and including $1,000,000	
	1,000,001 and up	$5,608.75 for the first $1,000,000 plus $3.65 for each additional $1,000 or fraction thereof	
REFUNDS			
	Where applicant voluntarily withdraws the application, the following refunds will apply:		
	Notification of Hearing	% of total filing fee	
	Planning Staff Review (PSR) meeting or written comments from department received	50% of total filing fee	
	Staff Report Completed	25% of total filing fee	
	Public Hearing Held	No Refund	
	Staff error resulting in mandatory withdrawal	100% Refund	
CEMETERY			
LOT FEES		RESIDENT	NON-RESIDENT
	Lot (Including Stacked)	*$600	*$1,500
	Lot (Including Stacked)	*$450	*$1,350
	Half Lot - Infant	$100	$500
BURIAL FEES			
	Weekday - Adult	$500	$700
	Weekday - Cremation	$300	$400
	Weekday - Infant	$0	$500
	Weekend - Adult	$750	$950
	Weekend - Cremation	$350	$450
	Weekend - Infant	$250	$350
	Holiday - Adult	$750	$950

	Holiday - Cremation	$350	$450
	Holiday - Infant	$350	$450
	Double Depth Burial - 1st Open	Double the Standard Fee	Double the Standard Fee
PERPETUAL CARE			
	Full Lot	$300	$300
	Full Lot - Upright	$450	$450
	Half Lot	$100	$100
	Half Lot - Upright	$250	$250
OTHER SERVICES			
	Disinterment - Adult	$1,200	$1,200
	Disinterment - Infant/Cremation	$600	$600
	Disinterment - Double Depth	Double the Standard Fee	Double the Standard Fee
	Late Notice/Late Arrival	$200	$200
	Funeral/Graveside Services Beginning after 3:00 pm	$600	$600
	Certificate Fee	$25	$25
	Transfer Fee	$40	$40
	Memorial Tree	$100 Min	$100 Min
	*50% Discount for Veterans and Individuals who have served on Town Council, Planning Commission, Big Plains Water District, and Fire Department (Volunteer)		

TOWN OF APPLE VALLEY

RESOLUTION R-2023-29

A RESOLUTION AMENDING THE TOWN FEE SCHEDULE

WHEREAS, the Town of Apple Valley ("Town") has adopted a fee schedule related to various fees imposed by the Town; and,

WHEREAS, the Town Council of the Town of Apple Valley deems it necessary and appropriate that the fee schedule be amended; and,

WHEREAS, at a meeting of the Town Council of the Town of Apple Valley, Utah, duly called, noticed, and held on the 20th day of September 2023, a motion to amend the fee schedule was proposed, seconded, and accepted by majority vote.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Apple Valley that the Town Fee Schedule is hereby amended to reflect the changes and additions contained in the fee schedule which is attached hereto.

PASSED this 20th day of September 2023. This resolution shall be in full force and effect from the date of passage and after the required publication.

TOWN OF APPLE VALLEY

PRESIDING OFFICER

_____

Frank G. Lindhardt, Mayor

ATTEST:

_____

Jenna Vizcardo, Town Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor | Frank Lindhardt	_____	_____	_____	_____
Council Member| Kevin Sair	_____	_____	_____	_____
Council Member | Robin Whitmore	_____	_____	_____	_____
Council Member | Jarry Zaharias	_____	_____	_____	_____
Council Member | Barratt Nielson	_____	_____	_____	_____

Town of Apple Valley
Disbursement Listing
SBSU Operating - 08/01/2023 to 08/31/2023

Payee Name	Reference Number	Payment Date	Payment Amount	Void Date	Void Amount	Source
Amazon Capital Services	5511	08/01/2023	$526.76			Purchasing
Google LLC	G08012023	08/01/2023	$204.00			Purchasing
Buck's Ace Hardware	5512	08/02/2023	$498.57			Purchasing
Superior Technical Solutions LLC	STS08022023	08/02/2023	$937.27			Purchasing
Tristate Metal Roofing Supply	TMR08022023	08/02/2023	$56.75			Purchasing
Chase Paymentech	C08032023	08/03/2023	$307.57			Purchasing
Lowe's	L08042023	08/04/2023	$92.83			Purchasing
Big Plains Water SSD	5513	08/07/2023	$48,779.21			Purchasing
USPS	USPS08072023	08/07/2023	$132.00			Purchasing
USPS	USPS08072023	08/07/2023	$198.00			Purchasing
Toolbarn	T08082023	08/08/2023		08/08/2023	$222.47	Purchasing
XPress Bill Pay	XBP08082023	08/08/2023	$330.88			Purchasing
Vaughn, Robin	5515	08/09/2023	$114.65			Purchasing
Turner Auto & Towning	5516	08/09/2023	$3,160.00			Purchasing
Revco Leasing	5517	08/09/2023	$302.51			Purchasing
South Central Communications	5518	08/09/2023	$441.93			Purchasing
LN Curtis and sons	5519	08/09/2023	$405.00			Purchasing
PCS Communications	5520	08/10/2023	$6,060.00			Purchasing
Live Action Safety	LAS08102023	08/10/2023		08/10/2023	$625.68	Purchasing
Payroll	0811231200	08/11/2023	$9,232.46			Paycheck
Lindhardt, Frank G	5514	08/11/2023	$784.97			Paycheck
Internal Revenue Service	EFTPS8112023	08/11/2023	$2,184.74			Payroll
TXFR from Operating to Fire account for		08/12/2023	$1,720.97			JE: 738
Basic American Supply	BAS08142023	08/14/2023		08/14/2023	$50.47	Purchasing
Rocky Mountain Power	RMP08162023	08/16/2023	$345.33			Purchasing
Utah Retirement Systems	URS08172023	08/17/2023	$539.94			Payroll
SDBX	SDBX08182023	08/18/2023	$15.00			Purchasing
Zoom Video Communications Inc.	Z08182023	08/18/2023	$15.99			Purchasing
Harbor Freight Tools	HF08212023	08/21/2023		08/21/2023	$74.71	Purchasing
Tractor Supply	TS08212023	08/21/2023		08/21/2023	$32.01	Purchasing
Sunrise Engineering Inc.	5527	08/22/2023	$1,069.25			Purchasing
Reidhead Forest Management	5528	08/22/2023	$1,080.00			Purchasing
Hurricane Ready Mix, Inc.	5529	08/22/2023	$2,023.40			Purchasing
H&E Equipment Services	H&E08162023	08/22/2023	$365.89			Purchasing
Lowe's	L08222022	08/22/2023	$92.83			Purchasing
Lowe's	L8222023	08/22/2023	$55.70			Purchasing
Durfey Excavation LLC	5521	08/23/2023	$1,400.00			Purchasing
Durfey Excavation LLC	5522	08/23/2023	$7,600.00			Purchasing
Fausett, Lyle	5523	08/23/2023	$98.25			Purchasing
Hurricane Ready Mix, Inc.	5524	08/23/2023	$1,193.04			Purchasing
Little Creek Station	5525	08/23/2023	$794.29			Purchasing
Washington County Solid Waste	5526	08/23/2023	$5,029.36			Purchasing
H&K Hoole & King L.C. Law Offices	5530	08/24/2023	$9,855.70			Purchasing
Basic American Supply	BAS08242023	08/24/2023	$8.11			Purchasing
Payroll	0825231200	08/25/2023	$7,709.13			Paycheck
Internal Revenue Service	EFTPS8252023	08/25/2023	$1,504.57			Payroll
Utah Retirement Systems	URS8252023	08/25/2023	$561.58			Payroll
Scholzen Products	5531	08/29/2023	$2,006.03			Purchasing
Hurricane Ready Mix, Inc.	5532	08/29/2023	$3,560.06			Purchasing
TXFR to PTIF 8635 Storm Drainage EO		08/30/2023	$866.79			JE: 745
Jenkins Oil Company Inc.	5533	08/31/2023	$9,032.78			Purchasing
Division of Motor Vehicles	DMV08312023	08/31/2023	$6.00			Purchasing
			$133,300.09		**$1,005.34**	

Town of Apple Valley
Disbursement Listing
SBSU Fire - 08/01/2023 to 08/31/2023

Payee Name	Reference Number	Payment Date	Payment Amount	Void Date	Void Amount	Source
Maverik	M07312023	08/02/2023		08/02/2023	$99.80	Purchasing
Home Depot	HD08032023	08/03/2023	$33.78			Purchasing
Home Depot	HD08032023	08/03/2023	$59.75			Purchasing
Home Depot	HD08032023	08/03/2023	$646.66			Purchasing
Home Depot	HD8032023	08/03/2023	$188.51			Purchasing
Utah Barricade Company	UB08032023	08/03/2023	$285.00			Purchasing
Toolbarn	T08082023	08/08/2023	$222.47			Purchasing
Maverik	M08092023	08/09/2023	$100.00			Purchasing
Walmart	W08092023	08/09/2023	$188.95			Purchasing
Live Action Safety	LAS08102023	08/10/2023	$625.68			Purchasing
Tristate Metal Roofing Supply	TS08102023	08/10/2023	$28.31			Purchasing
Basic American Supply	BAS08142023	08/14/2023	$50.47			Purchasing
Buck's Ace Hardware	BA08152023	08/15/2023	$62.52			Purchasing
Scholzen Products	SP08152023	08/15/2023	$48.99			Purchasing
Scholzen Products	SP8152023	08/15/2023	$109.94			Purchasing
Maverik	M08162023	08/16/2023	$100.00			Purchasing
DHS Equipment	DHS08212023	08/21/2023	$76.52			Purchasing
Harbor Freight Tools	HF08212023	08/21/2023	$74.71			Purchasing
Maverik	M08212023	08/21/2023	$100.00			Purchasing
Tractor Supply	TS08212023	08/21/2023	$32.01			Purchasing
SWHP, LLC dba Southwest Hazard Prot	SWHP0823202	08/23/2023	$764.00			Purchasing
Home Depot	HD08242023	08/24/2023	$141.47			Purchasing
Rock Island	RI08252023	08/25/2023	$91.00			Purchasing
Maverik	M08282023	08/28/2023	$82.08			Purchasing
			$4,112.82		**$99.80**	

Town of Apple Valley
Disbursement Listing
PTIF 4358 General - 08/01/2023 to 08/31/2023

Payee Name	Reference Number	Payment Date	Payment Amount	Void Date	Void Amount	Source
TXFR funds from Savings to Operating t		08/11/2023	$50,000.00			JE: 737
			$50,000.00		**$0.00**	

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2023 to 08/31/2023
16.67% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
Change In Net Position					
Revenue:					
Taxes					
3110 General Property Taxes-Current	965.47	(512.07)	979.98	136,661.00	0.72%
3120 Prior Year's Taxes-Delinquent	0.00	0.00	0.00	8,000.00	0.00%
3130 General Sales and Use Taxes	29,036.12	6,406.17	20,186.18	196,000.00	10.30%
3140 Energy and Communication Taxes	4,711.23	1,285.52	4,243.47	45,700.00	9.29%
3150 RAP Tax	1,305.80	(1,429.84)	0.00	18,500.00	0.00%
3160 Transient Taxes	2,286.42	1,226.63	2,573.17	18,000.00	14.30%
3170 Fee in Lieu of Personal Property Taxes	0.00	0.00	0.00	8,400.00	0.00%
3180 Fuel Tax Refund	0.00	50.08	3.08	1,000.00	0.31%
3190 Highway/Transit Tax	2,733.97	486.56	1,857.26	17,100.00	10.86%
Total Taxes	**41,039.01**	**7,513.05**	**29,843.14**	**449,361.00**	**6.64%**
Licenses and permits					
3210 Business Licenses	450.00	150.00	150.00	9,500.00	1.58%
3221 Building Permits-Fee	6,657.29	8,016.99	8,801.71	45,000.00	19.56%
3222 Building Permits-Non Surcharge	998.60	1,202.55	1,320.26	6,750.00	19.56%
3224 Building Permits Surcharge	9.42	10.34	10.95	450.00	2.43%
3225 Animal Licenses	0.00	0.00	40.00	800.00	5.00%
Total Licenses and permits	**8,115.31**	**9,379.88**	**10,322.92**	**62,500.00**	**16.52%**
Intergovernmental revenue					
3342 Fire Dept-State Wildland Grant	0.00	0.00	0.00	10,000.00	0.00%
3356 Class "C" Road Allotment	0.00	0.00	0.00	137,000.00	0.00%
3358 Liquor Control Profits	0.00	0.00	0.00	1,100.00	0.00%
3374 ARPA Revenue	99,888.00	0.00	0.00	0.00	0.00%
Total Intergovernmental revenue	**99,888.00**	**0.00**	**0.00**	**148,100.00**	**0.00%**
Charges for services					
3230 Special Event Permit	0.00	0.00	0.00	4,500.00	0.00%
3410 Clerical Services	15.69	52.54	66.48	400.00	16.62%
3416 Other Interdepartmental Charges	0.00	125.00	125.00	44,203.00	0.28%
3420 Fire Department Contracts	0.00	0.00	0.00	6,000.00	0.00%
3431 Zoning and Subdivision Fees	(1,577.50)	7,600.00	16,160.00	20,000.00	80.80%
3440 Solid Waste	8,913.00	5,055.02	10,110.50	61,000.00	16.57%
3441 Storm Drainage	7,274.97	4,155.62	8,294.50	49,000.00	16.93%
3461 GRAMA Requests	0.00	0.00	115.00	500.00	23.00%
3470 Park and Recreation Fees	0.00	225.00	225.00	100.00	225.00%
3481 Sale of Cemetery Lots	0.00	0.00	0.00	310,500.00	0.00%
3482 Cemetery Perpetual Care	0.00	0.00	0.00	129,300.00	0.00%
3615 Late Charges/Other Fees	972.43	89.35	481.39	2,500.00	19.26%
Total Charges for services	**15,598.59**	**17,302.53**	**35,577.87**	**628,003.00**	**5.67%**
Fines and forfeitures					
3510 Fines	780.23	0.00	0.00	5,000.00	0.00%
Total Fines and forfeitures	**780.23**	**0.00**	**0.00**	**5,000.00**	**0.00%**
Interest					
3610 Interest Earnings	2,561.94	3,924.01	7,796.34	42,200.00	18.47%
Total Interest	**2,561.94**	**3,924.01**	**7,796.34**	**42,200.00**	**18.47%**
Miscellaneous revenue					
3640 Sale of Capital Assets	0.00	7,500.00	7,500.00	0.00	0.00%
3690 Sundry Revenue	0.00	(6.00)	1,189.66	5,000.00	23.79%
3692 Fire Department Fundraisers/Donations	0.00	0.00	0.00	6,500.00	0.00%
3697 Park Department Fundraisers	0.00	0.00	0.00	800.00	0.00%
3801.1 Impact fees - Fire	844.00	844.00	844.00	6,800.00	12.41%
3801.3 Impact fees - Roadways	2,660.00	2,660.00	2,660.00	24,600.00	10.81%
3801.6 Impact fees - Storm Water	2,337.49	0.00	0.00	31,000.00	0.00%
3801.7 Impact fees - Parks, Trails, OS	725.00	725.00	725.00	6,600.00	10.98%
Total Miscellaneous revenue	**6,566.49**	**11,723.00**	**12,918.66**	**81,300.00**	**15.89%**
Total Revenue:	**174,549.57**	**49,842.47**	**96,458.93**	**1,416,464.00**	**6.81%**
Expenditures:					
General government					
Council					
4111.110 Council/PC Salaries and Wages	2,975.00	1,525.00	3,050.00	21,000.00	14.52%
4111.130 Council/PC Employee benefits	286.20	116.70	233.40	2,400.00	9.73%
4111.210 Council/PC Travel Reimbursement	0.00	0.00	0.00	1,500.00	0.00%

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2023 to 08/31/2023
16.67% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
4111.220 Council/PC Training	0.00	0.00	0.00	1,500.00	0.00%
4111.610 Council Donations and Discretionary Spending	0.00	0.00	0.00	500.00	0.00%
Total Council	**3,261.20**	**1,641.70**	**3,283.40**	**26,900.00**	**12.21%**
Administrative					
4141.110 Admin Salaries and Wages	16,198.41	7,420.89	16,315.38	99,000.00	16.48%
4141.130 Admin Employee Benefits	1,263.44	858.36	1,946.54	17,100.00	11.38%
4141.140 Admin Employee Retirement - GASB 68	2,159.74	179.93	986.36	7,000.00	14.09%
4141.210 Admin Dues, Subs & Memberships	0.00	0.00	192.02	5,500.00	3.49%
4141.220 Admin Public Notices	41.95	0.00	0.00	100.00	0.00%
4141.230 Admin Training	0.00	0.00	0.00	1,500.00	0.00%
4141.240 Admin Office/Administrative Expense	5,510.78	542.56	1,320.84	8,000.00	16.51%
4141.250 Admin Equipment Expenses	3,037.80	1,239.78	2,479.56	10,000.00	24.80%
4141.260 Admin Building & Ground Maintenance	1,500.42	634.72	4,094.88	4,500.00	91.00%
4141.270 Admin Utilities	595.77	345.33	595.50	7,600.00	7.84%
4141.280 Admin Telephone and Internet	1,546.91	441.93	883.86	8,100.00	10.91%
4141.290 Admin Postage	555.21	330.00	537.65	3,700.00	14.53%
4141.320 Admin Engineering Fees	5,654.98	1,069.25	1,069.25	3,500.00	30.55%
4141.330 Admin Legal Fees	7,405.24	2,691.25	5,382.50	50,000.00	10.77%
4141.340 Admin Accounting & Auditing	0.00	0.00	1,137.50	29,400.00	3.87%
4141.350 Admin Building/Zoning/Planning Fees	10,994.33	0.00	0.00	30,000.00	0.00%
4141.390 Admin Bank Service Charges	15.00	0.00	0.00	200.00	0.00%
4141.410 Admin Insurance	0.00	(201.98)	12,603.16	16,000.00	78.77%
4141.490 Admin Travel Reimbursements	230.63	10.09	68.64	1,500.00	4.58%
4141.500 Admin Weed Abatement	0.00	0.00	0.00	1,500.00	0.00%
4141.610 Bad Debt Expense	0.00	0.00	0.00	250.00	0.00%
4141.740 Admin Capital Outlay	0.00	1,860.19	1,860.19	0.00	0.00%
4170 Elections	0.00	0.00	0.00	1,500.00	0.00%
Total Administrative	**56,710.61**	**17,422.30**	**51,473.83**	**305,950.00**	**16.82%**
Total General government	**59,971.81**	**19,064.00**	**54,757.23**	**332,850.00**	**16.45%**
Public safety					
Police					
4210.110 Police Salaries & Wages/Contract	3,750.00	0.00	0.00	15,000.00	0.00%
4253.250 Animal Control Supplies	0.00	0.00	0.00	100.00	0.00%
Total Police	**3,750.00**	**0.00**	**0.00**	**15,100.00**	**0.00%**
Fire					
4220.110 Fire Salaries & Wages	3,461.56	3,784.70	7,569.40	67,200.00	11.26%
4220.130 Fire Employee Benefits	803.37	289.53	579.06	13,600.00	4.26%
4220.135 Fire Employee Retirement - GASB 68	0.00	630.92	1,261.84	8,100.00	15.58%
4220.140 Fire Contract Wages	0.00	0.00	0.00	4,500.00	0.00%
4220.145 Fire Contract Benefits	0.00	0.00	0.00	525.00	0.00%
4220.150 Fire Contract Expense	0.00	0.00	0.00	1,500.00	0.00%
4220.210 Fire Dues, Subscriptions & Memberships	0.00	0.00	0.00	600.00	0.00%
4220.230 Fire Travel, Mileage & Cell	0.00	50.00	100.00	600.00	16.67%
4220.240 Fire Office & Other Expenses	0.00	292.76	322.49	500.00	64.50%
4220.250 Fire Equipment Maintenance & Repairs	731.17	710.67	81.54	11,000.00	0.74%
4220.360 Fire Training	0.00	150.00	150.00	13,100.00	1.15%
4220.450 Fire Small Equip/Supplies	341.47	8,317.53	8,990.26	15,000.00	59.94%
4220.460 Fire Supplies-Fundraisers	0.00	0.00	0.00	500.00	0.00%
4220.465 Fire Gear	0.00	0.00	31.99	15,000.00	0.21%
4220.480 Fire Mitigation MOU Expenditures	0.00	0.00	0.00	15,000.00	0.00%
4220.560 Fire Equipment Fuel	35.98	1,050.09	1,324.57	4,000.00	33.11%
4220.610 Fire Principal	2,130.71	0.00	0.00	0.00	0.00%
4220.620 Fire Interest	113.59	0.00	0.00	0.00	0.00%
Total Fire	**7,617.85**	**15,276.20**	**20,411.15**	**170,725.00**	**11.96%**
Total Public safety	**11,367.85**	**15,276.20**	**20,411.15**	**185,825.00**	**10.98%**
Highways and public improvements					
Highways					
4410.110 Road Wages and Contract Labor	180.00	277.00	277.00	15,200.00	1.82%
4410.130 Road Employee Benefits	13.77	21.18	21.18	1,750.00	1.21%
4410.270 Road Flood Damage	0.00	0.00	0.00	2,000.00	0.00%
4410.380 Road Department Services	2,154.20	0.00	0.00	2,500.00	0.00%
4410.450 Road Department Supplies	5,452.88	5,156.51	5,156.51	45,000.00	11.46%
4410.550 Road Equipment Maintenance	1,117.60	0.00	0.00	2,500.00	0.00%
4410.560 Road Equipment Fuel	300.00	0.00	0.00	5,000.00	0.00%

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2023 to 08/31/2023
16.67% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
4410.810 Road Principal	1,649.10	0.00	0.00	35,000.00	0.00%
4410.820 Road Interest	111.66	0.00	0.00	28,150.00	0.00%
4415.110 Public Works Wages and Contract Labor	243.00	2,644.00	6,364.25	30,300.00	21.00%
4415.130 Public Works Employee Benefits	18.59	202.27	486.87	9,400.00	5.18%
4415.140 Public Works Employee Retirement - GASB 68	0.00	0.00	0.00	8,100.00	0.00%
4415.450 Public Works Supplies	1,938.37	6,437.17	6,525.72	6,000.00	108.76%
4415.550 Public Works Equipment Maintenance	1,177.61	3,160.00	3,208.98	3,000.00	106.97%
4415.560 Public Works Equipment Fuel	257.93	4,321.00	4,329.19	2,000.00	216.46%
4415.570 Public Works Travel, Mileage, Cell	26.25	50.00	100.00	500.00	20.00%
4415.610 Public Works Storm Drainage	0.00	0.00	0.00	5,000.00	0.00%
4415.710 Public Works Principal	15,479.43	0.00	0.00	0.00	0.00%
4415.720 Public Works Interest	580.57	0.00	0.00	0.00	0.00%
4415.740 Public Works Capital Outlay	0.00	0.00	0.00	9,000.00	0.00%
Total Highways	**30,700.96**	**22,269.13**	**26,469.70**	**210,400.00**	**12.58%**
Sanitation					
4420.460 Solid Waste Service	9,078.48	0.00	5,029.36	60,000.00	8.38%
Total Sanitation	**9,078.48**	**0.00**	**5,029.36**	**60,000.00**	**8.38%**
Total Highways and public improvements	**39,779.44**	**22,269.13**	**31,499.06**	**270,400.00**	**11.65%**
Parks, recreation, and public property					
Parks					
4540.110 Park/Rec Wages and Contract Labor	3,087.00	287.50	1,253.50	5,100.00	24.58%
4540.130 Park/Rec Employee Benefits	236.16	22.00	95.90	600.00	15.98%
4540.250 Park/Rec Department Expenses	289.63	115.83	115.83	1,000.00	11.58%
4540.460 Park/Rec Community Events Supplies	257.78	42.03	1,450.12	4,000.00	36.25%
Total Parks	**3,870.57**	**467.36**	**2,915.35**	**10,700.00**	**27.25%**
Cemetery					
4590.470 Cemetery Capital Outlay	0.00	148.55	148.55	0.00	0.00%
Total Cemetery	**0.00**	**148.55**	**148.55**	**0.00**	**0.00%**
Total Parks, recreation, and public property	**3,870.57**	**615.91**	**3,063.90**	**10,700.00**	**28.63%**
Transfers					
4804 Transfer to Fund Balance	0.00	0.00	0.00	92,889.00	0.00%
4805 Transfer to Capital Projects	0.00	0.00	0.00	265,000.00	0.00%
4807 Transfer to Assigned Balance - Fire Impact Fees	0.00	0.00	0.00	6,800.00	0.00%
4809 Transfer to Assigned Balance - Roadway Impact Fee	0.00	0.00	0.00	24,600.00	0.00%
4810 Transfer to Assigned Balance -Storm Water Imp Fee	0.00	0.00	0.00	31,000.00	0.00%
4811 Transfer to Assigned Balance - Parks & Rec Fees	0.00	0.00	0.00	6,600.00	0.00%
4812 Transfer to Assigned Balance - Perpetual Care	0.00	0.00	0.00	129,300.00	0.00%
4813 Transfer to Assigned Balance - Cemetery Funds	0.00	0.00	0.00	60,500.00	0.00%
Total Transfers	**0.00**	**0.00**	**0.00**	**616,689.00**	**0.00%**
Total Expenditures:	**114,989.67**	**57,225.24**	**109,731.34**	**1,416,464.00**	**7.75%**
Total Change In Net Position	**59,559.90**	**(7,382.77)**	**(13,272.41)**	**0.00**	**0.00%**

Town of Apple Valley
Operational Budget Report
41 Capital Projects Fund - 07/01/2023 to 08/31/2023
16.67% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
Change In Net Position					
Revenue:					
Intergovernmental revenue					
3340 Grant Revenues	0.00	0.00	0.00	3,320,000.00	0.00%
3341 Grant Revenues-Fire	0.00	0.00	0.00	410,000.00	0.00%
Total Intergovernmental revenue	**0.00**	**0.00**	**0.00**	**3,730,000.00**	**0.00%**
Contributions and transfers					
3810 Transfer from General fund	0.00	0.00	0.00	540,000.00	0.00%
Total Contributions and transfers	**0.00**	**0.00**	**0.00**	**540,000.00**	**0.00%**
Total Revenue:	**0.00**	**0.00**	**0.00**	**4,270,000.00**	**0.00%**
Expenditures:					
General government					
Administrative					
4141.740 Capital Outlay Expenses	19,160.14	11,799.89	11,799.89	0.00	0.00%
Total Administrative	**19,160.14**	**11,799.89**	**11,799.89**	**0.00**	**0.00%**
Total General government	**19,160.14**	**11,799.89**	**11,799.89**	**0.00**	**0.00%**
Public safety					
Fire					
4220.740 Fire Capital Outlay	0.00	0.00	0.00	450,000.00	0.00%
Total Fire	**0.00**	**0.00**	**0.00**	**450,000.00**	**0.00%**
Total Public safety	**0.00**	**0.00**	**0.00**	**450,000.00**	**0.00%**
Highways and public improvements					
Highways					
4410.740 Road Capital Outlay	0.00	0.00	0.00	1,050,000.00	0.00%
4415.740 Public Works Capital Outlay	0.00	0.00	0.00	2,520,000.00	0.00%
Total Highways	**0.00**	**0.00**	**0.00**	**3,570,000.00**	**0.00%**
Total Highways and public improvements	**0.00**	**0.00**	**0.00**	**3,570,000.00**	**0.00%**
Parks, recreation, and public property					
Cemetery					
4590.470 Cemetery Capital Outlay	0.00	0.00	0.00	250,000.00	0.00%
Total Cemetery	**0.00**	**0.00**	**0.00**	**250,000.00**	**0.00%**
Total Parks, recreation, and public property	**0.00**	**0.00**	**0.00**	**250,000.00**	**0.00%**
Total Expenditures:	**19,160.14**	**11,799.89**	**11,799.89**	**4,270,000.00**	**0.28%**
Total Change In Net Position	**(19,160.14)**	**(11,799.89)**	**(11,799.89)**	**0.00**	**0.00%**

APPLE VALLEY TOWN COUNCIL MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 19, 2023 at 7:00 PM

MINUTES

Mayor| Frank Lindhardt |
Council Members | Barratt Nielson | Kevin Sair | Robin Whitmore | Jarry Zaharias |

CALL TO ORDER- Mayor Lindhardt called the meeting to order at 7:02 p.m.
PLEDGE OF ALLEGIANCE- Council Member Sair led pledge of allegiance.
PRAYER- Prayer was offered by Fire Department Chaplain Jim Kinser.
ROLL CALL
PRESENT
Mayor Frank Lindhardt
Council Member Kevin Sair
Council Member Robin Whitmore
Council Member Barratt Nielson
Council Member Jarry Zaharias

DECLARATION OF CONFLICTS OF INTEREST

None declared.

CONSENT AGENDA | APPROVAL OF MINUTES

2. Disbursement Listing for June 2023.
3. Budget Report for Fiscal Year 2023 through June 2023.
4. Minutes: July 12, 2023.

MOTION: Council Member Whitmore motioned to approve the Disbursement Listing for June 2023 Town of Apple Valley, the Budget Report for Fiscal Year 2023 through June 2023, and the minutes from July 12, 2023.
SECOND: The motion was seconded by Council Member Nielson.
VOTE: Mayor Lindhardt called for a vote:

Council Member Sair - Abstain
Council Member Whitmore - Aye
Council Member Zaharias - Aye
Council Member Nielson - Aye
Mayor Lindhardt - Aye

The vote was unanimous and the motion carried.

MAYOR'S TOWN UPDATE

APPLE VALLEY TOWN COUNCIL MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 19, 2023 at 7:00 PM

MINUTES

Mayor Lindhardt gave a presentation to the Town regarding updates on Water District history and status, planning and zoning developments, updates on potential trouble and issues, and updates on pending notices of claim and lawsuits. (see attached – Attachment A).

Council Member and Chairman of the Big Plains Water Special Service District Barratt Nielson updated the Town on Water District status and issues. Google maps of Apple Valley boundary was pulled up on the screen for the public to view. (see attached- Attachment B). He continued, there has been social media chatter about issues with the water systems and in five and a half years it doesn't seem like a whole lot has changed. He re-assured that things have been happening from behind the scenes. Across the highway there are two well houses, AV 1, and AV 2. AV 1 is certified for 380 gpm (gallons per minute) and AV 2 is certified for 185 gpm. We have been alternating back and forth between the two. This system functions very well. He discussed a recent communication issue with the pump that has been restored. Radio towers are too short and the Board is looking into upgrading the system. The water quality is good on this system. The Canaan Springs system is out of Canaan Ranch with a 100,000-gallon and 50,000-gallon storage tank. The Canaan Springs collection fields have been rehabbed recently. One of the springs failed a test and the State made them take it offline. The 58-gpm spring was taken offline. He just got word tonight that they passed the test and Southwest Health has authorized to get us back online. The refurbishment project included replacing lines coming down from the springs. The pressure from the springs is great due to the elevation of the springs. The Cedar Point system needs to be able to provide source of 148 gpm to supply for houses, fire flow, etc. per State requirements. Well 59 was the well being used the most. Well 59 got shut down due to radium and is still shut down. A 1-million-gallon storage tank is in the Cedar Point System. The problem is not storage but the source in the Cedar Point system. The Cooke well had issues with the State being the State had another well called the Canyon well. The State had Canyon well named as the Cooke well. The Canyon well only produces 7 gallons per minute and it was opted to be de-commissioned a while back. The issue with the State on the name issue caused the Rock well to have to have a new source protection zone. All the protection zones for Cooke well were over at Canyon well in the State system. This is currently being fixed at the State level. The Jessop well, at one point was shut down a year ago producing only 17 gpm. Board Member Ross Gregerson started flushing the system out and now it is currently producing 31 gpm. The Cooke well is tapped out at its abilities. The Rock well was never put online and currently is being put online with the State testing at 80 gpm. The testing came back a tad high on radium. The State will only give 80% credit of what it is producing and hoping they will recognize at 100 gpm. Another project just approved by the State is the source line for the Cedar Point System. Blending those two sources would put us well within State parameters to use that water. The blending was discussed and the valves that they are planning to use. Board Member Ross Gregerson has been working feverishly to get that project done. The Well 59 source and blending system will increase gallons per minute (gpm) to be well within State parameters. On the Canaan Springs the project in the works is getting the collection fields fenced to keep the animals off. He educated on water rights and how agricultural water is since it is on the ground and it is used to recharge aquifers and is less in water rights than culinary for that reason. He discussed the Culinary Water Master Plan that is coming up for a public hearing regarding the impact study for future projects for growth. The project is to tie all the systems together and in that get a line from the million-gallon tank in Cedar Point system to the other system so we get redundancy and the ability to take wells online and offline. The springs will always be feeding into that system. Volunteers were discussed and if anyone from the community is willing to help then please reach out. Security cameras were discussed and putting a camera on tanks and in pump houses. Council

DRAFT

MINUTES

Member and Chairman of the Big Plains Water Special Service District Barratt Nielson let the community know he is available and if you have questions, please call, and ask but don't speculate. His phone number is available and you can call him.

PUBLIC COMMENTS/QUESTIONS (TIME PERMITTING)

1. You will be required to sign up if you wish to ask a question. A sign-up sheet will be available between 5:30 - 6:45 p.m.

   Rich Ososki, 1024 W Little Pinion Way. Would like to have everything emailed to him. Saturday party was great and Fire Chief flunked him on his blood pressure. Next time for blood pressure we should have signs. Honestly this meeting should've started at 6pm, it wore people down. This question here number one, you can email or answer it now. I wrote it all down, in each one of the Town Council Members explain the definition of freedom pertaining to the AV code since we are a Town. Of the 166 residents that signed that referendum 147 were registered voters that live on one acre and half acre, as I went around to everybody, they want to discuss water, which was their discussion door to door. Also, on your testing kit one of the doors I went to be the water master, and there was a testing kit on his door and it's been there a while. That you can email me your personal feelings on freedom. Questions on WCWD, I have a problem with that a big problem. First, the question is two members here were elected to the negotiations, on those negotiations on the WCWCD, I want transparency. What is the urgency of the WCWCD being involved with Apple Valley's water. We got some good points and some good wells. We got some good wells producing, what is the reason we want to push that through quickly. Why can't we let the next administration take care of some of these problems. One more question, when you go to negotiate with the WCWCD, can anyone else attend those meetings and is there a transcript of that meeting.

   Libby Wells, 1363 N Rome Way. How are the impacts fees being used and where can we find that information. Where to find a breakdown on that. Next question, I see there is someone from the Water Conservancy District on here, I will ask you guys but maybe he might want to answer. Apple Valley supposedly does not have water. We have a huge debt. Our ordinances have been changed to one to seven acre lots. How would this affect the Conservancy for management and maintenance to maintain it. Why would the Conservancy want to take Apple Valley if we don't have water as we have been told for the last two years.

   Mayor Lindhardt answered that a large portion of the impact fees are used to pay our debt. All our expenditures in the Water District as well as in the Town are in those budget reports that we just approved as well as the disbursement listing of all the checks written. Impact fee money can only be used for debt or new things like we talked about earlier. It cannot be used for wages, or used to repair a well, or for anything else. Town Administrator Jauna McGinnis has a report. Every impact fee collected must be used within six years and there is a record that shows when we receive funds and where they got expended. That could be a grama request if you would like records on that. Mayor Lindhardt commented that the Council Member Nielson went through all the numbers the water is producing and

DRAFT

MINUTES

how many acre feet we have. He continued, that the Council approved by motion to talk to the Conservancy District.

Melanie Zitting, 1810 E 2000 S. What happened to the grant for the water connection to the Canaan Springs. With the Washington County Water Conservancy well you be able to go back, and basically segregate them for the money taken, and then give use a credit.

Mayor Lindhardt answered the grant was supposedly applied for in the past by the previous engineer. We heard one thing after the other, and when we really started pushing there was no grant due to expired environmental study. He explained this was an emergency grant and if we get those wells up and running, we cannot apply for this emergency grant because there is no emergency. Mayor answered regarding the credit these are all questions they will have with the Washington County Water Conservancy District.

Maragert Ososki, 1024 W Little Pinion Way. In the last Town meeting, Frank, you said you made a comment that people are trying to take over our water company and they went and talked to the WCWCD and wanted to take over our system, so who were those. The next question is could you guys please explain to me or everybody, why should we conserve water when the county continues to build homes, including here. According to the WCWCD, the average resident uses 285 gallons plus or minus of water per day depending on which article you reach. That would equal 4025 gallons per year. If you're allotted an acre foot of 325,851 gallons then you are only using about one third of the water, so where is the other 22,186 that is left over. Where's it going and is that going to developers.

Mayor Lindhardt answered, the water we have in Apple Valley can only be used in Apple Valley.

Mayor Lindhardt thanked everyone for coming and participating in this Town meeting.

ADJOURNMENT

MOTION: Council Member Nielson motioned to adjourn the meeting.
SECOND: The motion was seconded by Council Member Whitmore.
VOTE: Mayor Lindhardt called for a vote:

Council Member Sair - Aye
Council Member Whitmore - Aye
Council Member Zaharias - Aye
Council Member Nielson - Aye
Mayor Lindhardt - Aye

The vote was unanimous and the motion carried.

APPLE VALLEY TOWN COUNCIL MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 19, 2023 at 7:00 PM

MINUTES

The meeting was adjourned at 9:26 p.m.

Date Approved: _____

Approved BY: _____
Mayor | Frank G. Lindhardt

Attest BY: _____
Town Clerk-Recorder | Jenna Vizcardo

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Attachment A - 27 Pages

Town of Apple Valley

WELCOME TO OUR TOWN HALL QUESTION AND ANSWER MEETING

July 19th,2023

Tonight's Agenda

- Pledge of Allegiance
- Opening Prayer by Jim Kinser our fire department Chaplain
- **Mayor Frank Lindhardt**
  Updates on Water District History and Status
  Planning and Zoning and developments
  Updates on potential trouble and issues
  Update on pending notices of claim and lawsuits.
- **Water District Chairman Barratt Nielsen**
  Update on Water District Status and issues
- **Council Member Robin Whitmore**
  Updates
- QUESTIONS AND ANSWER SESSION.

Apple Valley Town 747 Ride ☺







How do we get this plane going? Aka Town or Water District?



- Who is going to be the Pilot? (Mayor or Water District Chairman)
- Who is going to be the Co-Pilot? (Town Council or District Board)
- Who is going to be the Navigator? (Manager or Administrator)
- Who is going to be the Flight Engineer? (Public Works or Water Master)
- Hecklers in the back of the plane, spreading fear, hate, misinformation & Lies.
- Rah-Rah passengers that believe, amplify and spread what hecklers say.
- The more the hecklers and Rah-Rah passengers harass the volunteers the less passengers want to volunteer, except the passengers that have ulterior motives, like flying in a direction that benefits them, **LETS CALL THEM A WOLF.**
- **The Town and the Water District is primarily run be kind volunteer that's doing the best that they can to the best of their abilities. We all know that, so be kind to them.**
- **Instead of heckle them, tell yourself "I choose to believe they are doing the best that they can".**

Water District History & Debt

- July 2012 Bought Apple Valley water Company's assets $1,500,000
- April 2013 Bought Cedar Point Water Company's assets $2,823,070
- May 2018 Canaan Mountain Water Company assets $349,000
- Current Debt $4,371,000 (including debt
- Current annual payments $148,952
- Annual Water sales income $353,000
- Current Impact fee is $12,000
- First 13 impact fees a year goes 100% to debt.
- Only after that, do we have money left over for new tanks or pipe etc

Water District Impact Fees Explained



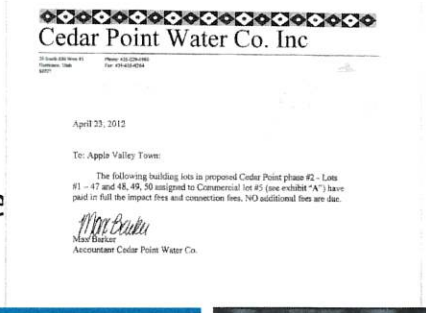
- What is an impact fee?
- A new home owner is buying in to the existing infrastructure, like water tanks
- Wells, New water lines connecting tanks or to tanks etc etc.
- A new home owners impact fee can only be spent on paying debt for new infrastructures, adding new water tanks, water lines, etc etc. It can't be spent on maintaining anything or for wages.





Impact Fee waived for Cedar Point & Apple Valley Town

- Cedar Point Seller Jerry Eves got the district to waive all impact fees for all the lots in Cedar Point, in addition to the $2,823,000 payment he received. Well over 135 Lots waived.
- The Apple Valley water company also had 25 lots where the impact fees were waived.
- Approximately $1,980,000 waived in impact fee
- How do we pay our debts when we don't get these Impact Fees?
- **WHY WOULD THE TOWN APPROVE THIS?**



Cedar Point Water Co. Inc

April 23, 2012

To: Apple Valley Town:

The following building lots in proposed Cedar Point phase #2 - Lots #1 – 47 and 48, 49, 50 assigned to Commercial lot #5 (see exhibit "A") have paid in full the impact fees and connection fees. NO additional fees are due.

Max Barker
Accountant Cedar Point Water Co.





History of Building Permits in Apple Valley

YEAR	# OF BUILDING PERMITS	# THAT PAID IMPACT FEES	IMPACT FEE WAIVED
2012	2	0	$24,000
2013	0	0	$0
2014	0	0	$0
2015	4	1	$36,000
2016	10	2	$96,000
2017	22	1	$252,000
2018	15	3	$144,000
2019	13	7	$72,000
2020	20	7	$156,000
2021	32	7	$300,000
2022	24	8	$192,000
TOTALS	**142**	**36**	**$1,272,000**

Summary of Water Rights (Paper Water)

- The date of the water right is of utmost importance, because if the State ever recalls the amount of water rights in a water shed area, the youngest get recalled first (Happening in Enterprise now).
- If a water right has been "Proofed up" is also of utmost importance, or the State can just take it back.
- An irrigation water right is not the same as a culinary water right. To convert an irrigation water right to a culinary water right the State usually cuts it by 25-35%.

Summary: Getting the right kind of Water Rights in of Utmost importance.

Status of Water Bank (Paper Water)

- We currently have an excess of 336 AF off water in our water bank.
- Enough through 2038.

Figure III.C-1: Apple Valley Culinary Water Right Resources vs. Projected Demand

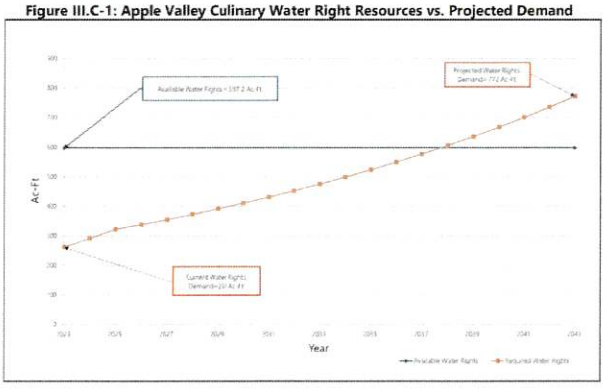


Table III.B-1: BPWSSD Current Required Water Right

Apple Valley								
345	ERUs X	339 gpd / ERU	X 1 day / 24 hr	X 1 hr / 60 min.	=	81	gpm	
345	ERUs X	339 gpd / ERU	X 365 day / 1 yr	X 1 Acft. / 325,829 gal	=	131	Ac-Ft	
Cannan Springs								
13	ERUs X	771 gpd / ERU	X 1 day / 24 hr	X 1 hr / 60 min.	=	7	gpm	
13	ERUs X	771 gpd / ERU	X 365 day / 1 yr	X 1 Acft. / 325,829 gal	=	11	Ac-Ft	
Cedar Point								
157	ERUs X	677 gpd / ERU	X 1 day / 24 hr	X 1 hr / 60 min.	=	74	gpm	
157	ERUs X	677 gpd / ERU	X 365 day / 1 yr	X 1 Acft. / 325,829 gal	=	119	Ac-Ft	
				Existing Water Right		**597**	**Ac-Ft**	**627 gpm**
				Total Required Water Right		**261**	**Ac-Ft**	**162 gpm**
				Existing Culinary System Water Right Surplus		**336**	**Ac-Ft**	**465 gpm**

SUMMARY; WE NEED THE WATER BANK CASH NOT ANY MORE WATER SHARES.

When are Impact fees and Water bank fees paid?

- In the past the impact and water bank fees are paid when a building permit is issued, since that is when the impact is created.
- They pay the Water District for two things:
    - 1. The impact fee for infrastructures like water tanks, wells, water lines.
    - 2. They buy into our existing water bank (The water rights we own) by paying us $4,000 or bring us a 1 AF of culinary water right **(this option to possibly be eliminated).**

This gives the Water district the needed cash to pay their debts for existing infrastructure, or for new infrastructure (like new wells or tanks) and for us to be able to buy additional water rights when needed in the future (The right kind).

Jepson Canyon Subdivision

- June 1019 Water District under Mayor Lisonbee signed an agreement to guarantee Jepson Canyon water for their project.
  Why would we guarantee them water, when we don't have any guaranteed way of being able to provide that water??



- They also guaranteed them the $4,000 water bank fee for the entire duration of their project. Why would we do that?





Jepson Canyon Subdivision cont.

- October 2021 under Mayor Beddo they revised the previous agreement, but introduced another troublesome concept.
- They a waiving the $4,000 water bank fee but instead require them but provide 100 AF of Water Rights. **With no provisions for the quality of the water right**.
- Why in the world would we agree to this, when what we need is more cash to pay for out debt, and not more water rights at this time???
- Not only do we now also not get impact fees from the Cedar Point and Apple Valley lots, but now we also don't get the Water Bank Fees for all of Jepson Canyon???
- This concept was also approved for the Gooseberry Mesa Lodges Subdivision for 120 Cabins.





Unintended ?? Consequences for requiring Developers to bring water shares.

- 1. We are not getting any money into the District Water Bank.
- 2. The cost of water shares have sky rocket from $2,500 per 1 AF, to $12,-$15,000 or higher per AF, putting a huge burden on home builders and developers, since they have to pay this in addition to our impact fee.
- **The winners of this is the water share speculators, such as Jerry Eves and Mike Barratt just to mention a few.**
- The Loser is our Water District and individual citizens that already owns a lot, but needs to build.
- **WHY WOULD WE DO THIS???**



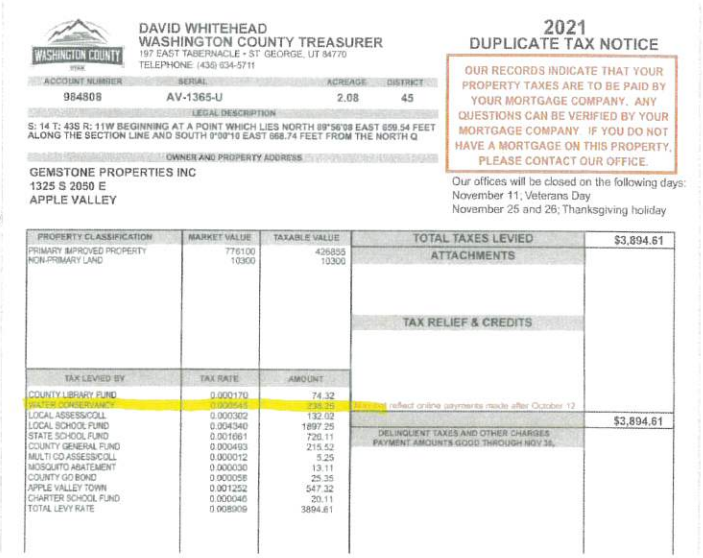


Washington County Water Conservancy District.

- The WCWCD has been taxing our properties in Apple Valley?
- In 2022 we paid $65,925 to them?
- We estimate we have paid $500,000-$700,000 to them?
- WHY WAS THIS NOT STOPPED?
- Why did we not tax what they did?



- We would have had the money to repair and fix may of our problems.



DAVID WHITEHEAD
WASHINGTON COUNTY TREASURER
197 EAST TABERNACLE • ST. GEORGE, UT 84770
TELEPHONE: (435) 634-5711

2021
DUPLICATE TAX NOTICE

OUR RECORDS INDICATE THAT YOUR PROPERTY TAXES ARE TO BE PAID BY YOUR MORTGAGE COMPANY. ANY QUESTIONS CAN BE VERIFIED BY YOUR MORTGAGE COMPANY. IF YOU DO NOT HAVE A MORTGAGE ON THIS PROPERTY, PLEASE CONTACT OUR OFFICE.

Our offices will be closed on the following days:
November 11, Veterans Day
November 25 and 26, Thanksgiving holiday

ACCOUNT NUMBER	SERIAL	ACREAGE	DISTRICT
984808	AV-1365-U	2.08	45

LEGAL DESCRIPTION
S: 14 T: 43S R: 11W BEGINNING AT A POINT WHICH LIES NORTH 89°56'08 EAST 659.54 FEET ALONG THE SECTION LINE AND SOUTH 0°00'10 EAST 868.74 FEET FROM THE NORTH Q

OWNER AND PROPERTY ADDRESS
GEMSTONE PROPERTIES INC
1325 S 2050 E
APPLE VALLEY

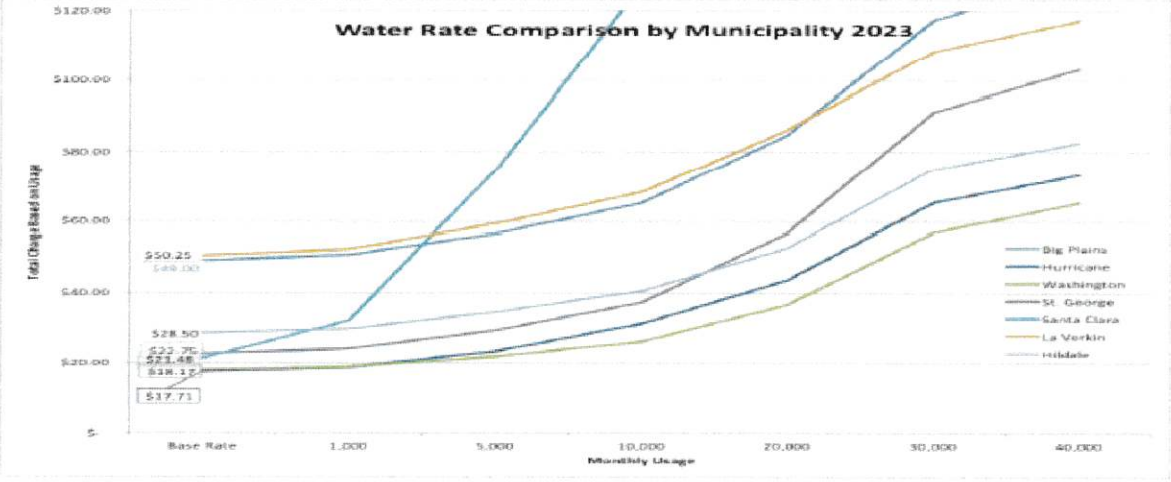
PROPERTY CLASSIFICATION	MARKET VALUE	TAXABLE VALUE
PRIMARY IMPROVED PROPERTY	776100	426855
NON-PRIMARY LAND	10300	10300

TAX LEVIED BY	TAX RATE	AMOUNT
COUNTY LIBRARY FUND	0.000170	74.32
WATER CONSERVANCY	0.000545	238.29
LOCAL ASSESS/COLL	0.000302	132.02
LOCAL SCHOOL FUND	0.004340	1897.25
STATE SCHOOL FUND	0.001661	726.11
COUNTY GENERAL FUND	0.000493	215.52
MULTI CO ASSESS/COLL	0.000012	5.25
MOSQUITO ABATEMENT	0.000030	13.11
COUNTY GO BOND	0.000058	25.35
APPLE VALLEY TOWN	0.001252	547.32
CHARTER SCHOOL FUND	0.000046	20.11
TOTAL LEVY RATE	0.008909	3894.61

TOTAL TAXES LEVIED	$3,894.61
ATTACHMENTS	
TAX RELIEF & CREDITS	
reflect online payments made after October 12	
	$3,894.61
DELINQUENT TAXES AND OTHER CHARGES PAYMENT AMOUNTS GOOD THROUGH NOV 30,	

Water Rates in Washington County

- All these cities are served water from the Conservancy District



Conclusion on the Water District

- WE CANNOT AFFORD TO CONTINUE TO ALLOW OUR POLITICIANS (MAYORS) TO MAKE DECISIONS LIKE THEY HAVE THE LAST 11 YEARS, WHERE THEY HAVE:
- WAIVED MILLIONS IN IMPACT FEES.
- TRADED MILLIONS IN WATER BANK CASH FEES FOR PAPER WATER THAT WE DON'T NEED.
- TURNED WATER SHARES INTO A THRIVING BUSINESS FOR WATER SHARE SPECULATORS AT THE EXPENSE OF OUR WATER COMPANY.
- WE HAVE ALLOWED DEVELOPERS TO GIVE US WATER SHARES THAT ARE NOT OF THE QUALITY THAT THEY SHOULD BE AND MAY BE WORTHLESS.
- WE NEED OUR POLITICIANS OR SHOULD I CLARIFY, OUR MAYORS, OUT OF RUNNING OUR WATER.

Conclusion on the Water District Continued

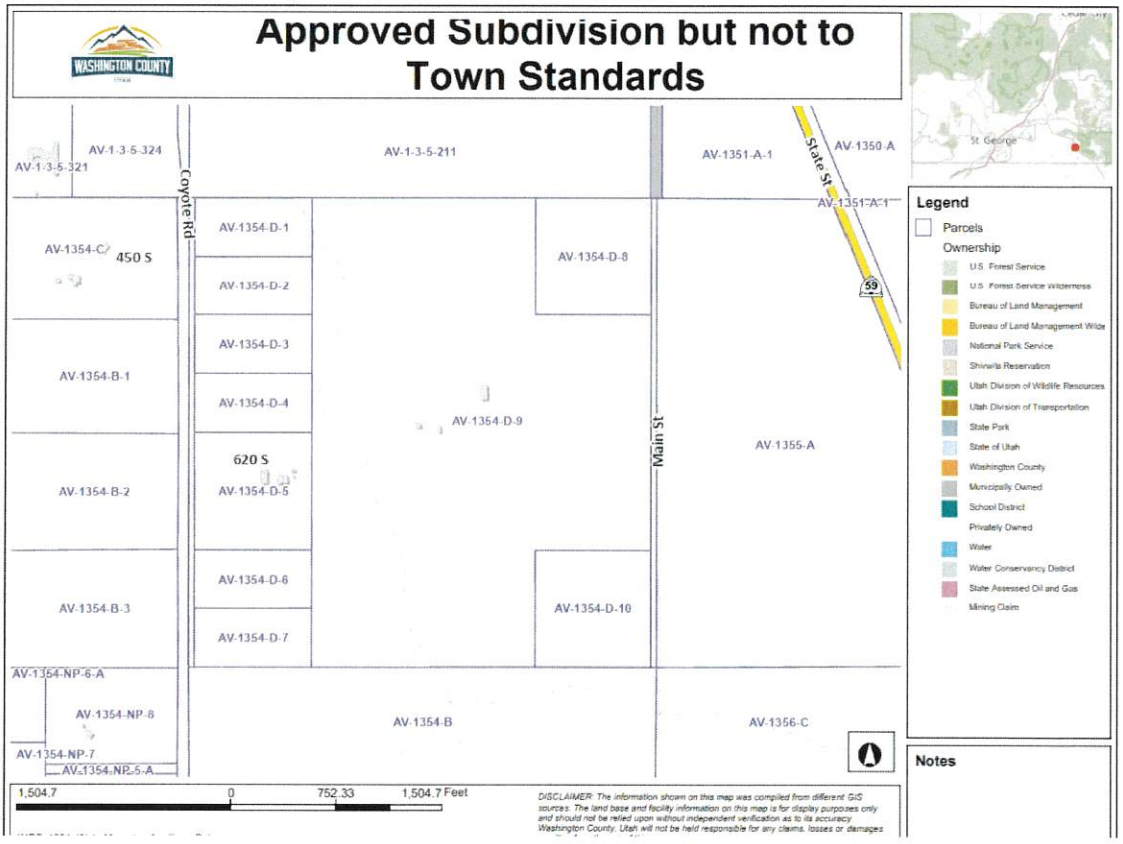
- WE NEED PROFESSIONALS TO RUN IT AND HELP SOLVE OUR PROBLEMS.
- WE CAN MOST CERTAINLY RUN OUR DISTRICT AND SOLVE ALL OUR WATER PROBLEMS AND GET GOOD PEOPLE TO RUN IT FOR US, IF WE HAD THE MONEY THAT WAS AND IS BEING GIVEN AWAY BY OUR MAYORS.
- WE NEED THE MONEY THE WCWCD TOOK FROM US, TO HELP FIX OUR PROBLEMS.
- IF WE CAN'T GET THE POLITICIANS AND MAYORS 100 % OUT OF RUNNING OUR WATER, WE NEED TO TURN IT OVER TO BE RUN BY WASHINGTON COUNTY WATER CONSERVANCY DISTRICT, THAT IS 100% RUN BY PROFESSIONALS, THAT WOULD NEVER IN A MILLION YEARS HAVE MADE ANY OF THE ABOVE MISTAKES.
- WE NEED IT TO BE A PERMANENT SOLUTION, NOT ONE WHERE IT CAN ALL BE TURNED BACK TO WHAT WE HAVE NOW, AT THE NEXT ELECTION OR NEXT APPOINTMENT.
- HOW WE DO THIS IS WHAT WE NEED TO FIND OUT.

Already Approved or Built Growth

New, Under Construction or subdivisions Created without some or all of the required improvements Subdivisions:

Project	Location	Approved Under	# of lots/Units
• Wells Estates	Off Rome Ave	Lisonbee	25 Lots
• Farrar	by Cedar Point	Lisonbee	9 Lots
• Hutchings Subdivision	Coyotee Rd	Lisonbee	10 Lots *
• Allred Subdivision	Coyotee/Little Creek	Lisonbee	5 Lots *
• Holm Subdivision	2000 South	Lisonbee	5 Lots *
• Mountain View Estates	Bubbling Wells	Lisonbee	6 Lots *
• **TOTAL**			**60 Lots**

*** Lot splits approved without any or most of the required subdivision improvements being installed.**


Approved Subdivision but not to Town Standards
WASHINGTON COUNTY
AV-1-3-5-324
AV-1-3-5-321
Coyote Rd
AV-1-3-5-211
AV-1351-A-1
AV-1350-A
State St
AV-1351-A-1
AV-1354-C
450 S
AV-1354-D-1
AV-1354-D-2
AV-1354-D-3
AV-1354-D-4
AV-1354-D-8
AV-1354-B-1
AV-1354-D-9
620 S
AV-1354-D-5
AV-1354-B-2
Main St
AV-1355-A
AV-1354-B-3
AV-1354-D-6
AV-1354-D-7
AV-1354-D-10
AV-1354-NP-6-A
AV-1354-NP-8
AV-1354-NP-7
AV-1354-NP-5-A
AV-1354-B
AV-1356-C
59
St. George
Legend
Parcels
Ownership
U.S. Forest Service
U.S. Forest Service Wilderness
Bureau of Land Management
Bureau of Land Management Wilde
National Park Service
Shiwits Reservation
Utah Division of Wildlife Resources
Utah Division of Transportation
State Park
State of Utah
Washington County
Municipally Owned
School District
Privately Owned
Water
Water Conservancy District
State Assessed Oil and Gas
Mining Claim
Notes
1,504.7
0
752.33
1,504.7 Feet
DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages

Why is an Unimproved Subdivision a Problem

- 1. Some of these lots have no water, power, phone, storm water detention or have cinders for road improvements (not approved).
- 2. Most of the lots have no road improvements in front of the lots or to the lots, as is required by fire code and Town Ordinances.
- 3. The Buyer of the lots will not be able to obtain a building permit.
- 4. Who will pay for improving the roads in front of these lots?
- 5. One of the developers attorney told me that they expect the Town to pay for the road improvements.
- Why should we the citizens of the town pay the $110,880 to improve just those sections of road to make them safe and to meet fire code.
- WHY DID WE ALLOW THEM TO SUBDIVIDE WITHOUT INSTALLING ANY IMPROVEMENTS?





Already Approved Growth

- **Subdivisions with Preliminary Plat approvals approved or pending:**

• Crimson Peaks (Desert Rose)	Off Rome Ave	268 Lots
• Mountain Valley Estates	By Canaan Mountain Estates	36 Lots
• West Temple	West of Bus Stop	167 Lots
• **TOTAL**		**471 Lots/Units**

We cannot deny any of these approvals because they already have their zoning changes that was approved mostly by the Lisonbee and Beddo administrations.

We expect all these subdivisions to be approved and under construction within the next 6 months.

Already Approved Growth

- **Properties with approved Zoning Changes**

Project	Location	Approved Under	# of lots/Units
• Jepson Canyon Commercial, Lodge, Cabins and Tents.		Mayor Lisonbee	100 Units+
• Jepson Canyon Homesites Across from Chevron		Mayor Lisonbee	352 Lots
• Redstone	Off East Main Street	Mayor Lisonbee	1,520 Lots
• Redstone Cabins	Off East Main Street	Mayor Lisonbee	400 Cabins
• Miles Mark	By water Tanks	Mayor Lisonbee	27 Lots
• Gateway North	On Main Street	Mayor Lisonbee	1 57 Lots
• Gooseberry Preserve	Gooseberry Mesa	Mayor Lisonbee	120 Units
• Gateway Commercial Cabins, Motel, Grocery Store	Main Street	Mayor Lisonbee	200 Units
• **TOTAL**			**2,876 Lots/Units**

- **TOTAL APPROVED LOTS/Units** (Complete, Under Construction, Preliminary Plat & Zoning Change) **3,407 LOTS/ Units**

- **WHY APPROVE ALL THESE ZONING CHANGES WHEN WE KNOW WE DON'T HAVE THE RESOURCES TO SUPPORT IT?**





TO HELP PREVENT MORE TOWN MISTAKES.

- **SHUMS CODA** as our Planning and Zoning Director to helps ensure developers follow our ordinances in getting all their approvals.
- **SHUMS CODA** as our Public Works Director, to ensures developers follows our ordinances with their constructions plans and ensure the construction of the subdivision gets inspected and built as per our Town Codes.
- **SHUMS CODA** as our Building Department manager/Inspector to ensures all the homes being built are safe and built to building code.
- How do we pay for these professionals?
- We are making the developers & builders pay all the cost, by paying this contracted professionals per lot or per home, not as employees of the Town. They only get paid when there is work for them to do.
- **THIS WILL ENSURE THE WHOLE DEVELOPMENT AND BUILDING PROCESS IS RUN BY PROFESSIONALS, NOT MAYORS, AND THAT WE DO NOT GET FURTHER IN DEBT** because developers will not be able to build incomplete subdivisions, that we the citizens of Apple Valley later end up paying to get finished or pay for unnecessary repairs.
- **Of course subject to the Mayor and Council will follow their advice.**

Pending Lawsuits

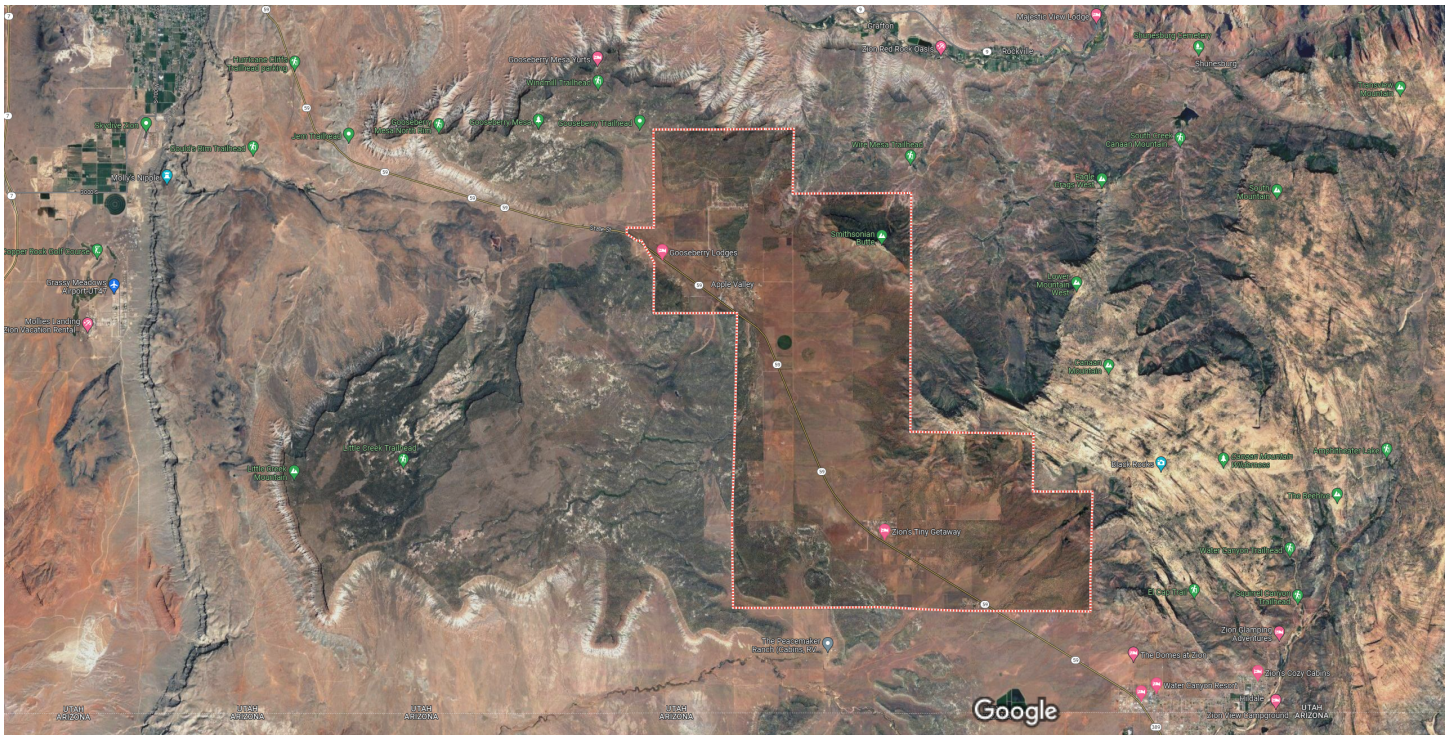
- **Notice of Claims**
  - ~~Knollwood RV Park — Lawyer Justin Heideman~~
  - Paul Cleverly — Lawyer Nathan Fisher
  - Gateway on Main St. Richard Wry — Lawyer Justin Heideman
  - Ladd McDonald — Lawyer Richard Allen
- **Lawsuits**
  - ~~David Zolg, Jr Old Fire chief — Eric Strindberg~~
  - Daniel Musser — Lawyer Justin Heideman
  - Bitter Bean Richard Fischer — Lawyer Justin Heideman
  - Canaan Mountain Estates Phase 2 Pat Melfi — Lawyer Justin Heideman
  - Desert Rose Richard Wry — Lawyer Justin Heideman

Who pays for lawsuits?

- The Town has a liability insurance policy through the League of Cities and Towns.
- On lawsuits pertaining to land use issues, we have no liability coverage.
- But they will cover legal costs up to $25,000 per lawsuit, with a maximum of $50,000 per year.
- So far the Town has not had to pay anything pertaining to lawsuits as none of the legal fees have not exceeded those amounts.

TIME TO HEAR FROM BARRATT NELSON

Google Maps Apple Valley



Imagery ©2023 Airbus, CNES / Airbus, Landsat / Copernicus, Maxar Technologies, State of Utah, USDA/FPAC/GEO, Map data ©2023 1 mi



Apple Valley

Utah 84737

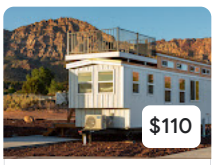
Sunny · 92°F
12:22 PM

Directions | Save | Nearby | Send to phone | Share

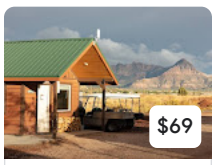
Quick facts

Apple Valley is a town in Washington County, Utah, United States, located 12 miles east of Hurricane along SR-59. The population was 701 at the 2010 c... More

Hotels



Zion's Tiny Getaway
4.7



Gooseberry Lodges
4.9



Desert
4.9

APPLE VALLEY TOWN COUNCIL PUBLIC HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 16, 2023 at 6:00 PM

MINUTES

Mayor| Frank Lindhardt |
Council Members | Barratt Nielson | Kevin Sair | Robin Whitmore | Jarry Zaharias |

CALL TO ORDER- Mayor Lindhardt called the meeting to order at 6:00 p.m.
PLEDGE OF ALLEGIANCE- Council Member Whitmore led pledge of allegiance.
PRAYER- Prayer offered by Council Member Sair.
ROLL CALL
PRESENT
Mayor Frank Lindhardt
Council Member Kevin Sair
Council Member Robin Whitmore
Council Member Barratt Nielson
Council Member Jarry Zaharias

DECLARATION OF CONFLICTS OF INTEREST

None declared.

MAYOR'S TOWN UPDATE

1. Update on Crimson Peaks and West Temple subdivisions.

   Mayor Lindhardt commented that Highway 59 was not on the most dangerous list of Utah roads. Mayor Lindhardt gave an update on Crimson Peaks subdivision. He continued, there were 12.5 acres that was zoned half acre in 1996 and mistakenly never got put on the new zoning map but their zone did not change from the original 1996 zone change due to Apple Valley zoning a stoppable in 2006. A zoning stoppable is when you accept or adopt the zone change. On that one we are going to accept what they did in 2006 as zoned as half-acre. The West Temple subdivision illegal lot split was discussed and our ordinances state we don't recognize until it has been fixed. Per our Town attorney Shawn Guzman, the fix is to record a new description on top of and we can't require them to do that because their preliminary plat that they apply for will be corrected. The two preliminary plat applications will be coming to the Planning Commission.

PUBLIC HEARING

2. Update Title 14.13.090 Restrictions On Burial, Ordinance-O-2023-29.

   Mayor Lindhardt opened the public hearing.

   No public comments.

   Mayor Lindhardt closed the public hearing.

DRAFT

APPLE VALLEY TOWN COUNCIL PUBLIC HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 16, 2023 at 6:00 PM

MINUTES

PUBLIC COMMENTS

No public comments.

DISCUSSION AND ACTION

3. Consider Approval of Zone Change Application for AV-1365-D from Planned Development to RE Rural Estates Zone (RE-5.0), Reason for Request: Ament the current PUD to obtain rural estate large lot zoning. Applicant: Jerry Eves. Ordinance-O-2023-30.

   Mayor Lindhardt commented, the planning commission recommended approval on August 2, 2023. He continued; this was on planning commission agenda for a preliminary plat application but the property zoned PD (Planned Development) years ago for a RV park. The Planning Commission recommended a zone change first and it was recommended approval. The general plan is met as it shows low density and this 5-acre zone qualifies.

   MOTION: Council Member Nielson motioned we approve Ordinance-O-2023-30, Zone Change of parcel AV-1365-D from Planned Development to RE Rural Estates Zone (RE-5.0).
   SECOND: The motion was seconded by Council Member Whitmore.
   VOTE: Mayor Lindhardt called for a Roll Call vote:

   Council Member Sair - Aye
   Council Member Whitmore - Aye
   Council Member Zaharias - Aye
   Council Member Nielson - Aye
   Mayor Lindhardt - Aye

   The vote was unanimous and the motion carried.

4. Consider Approval of Preliminary Plat Application for AV-1365-D. Proposed Use: 2 Single Family Lots. Owner: Dean Monson. Agent: Jerry Eves.

   Zach Isaac from Civil Science is here representing the applicant tonight. Mayor Lindhardt commented, the planning commission recommended approval on August 2, 2023. The Town Council discussed the flooding issues. The road improvements were discussed and on master plan they are designated as collector roads. The road needs to be improved to deal with the wash and design standards followed. and issue has not put in storm drainage facilities. Our ordinance does require anyone who subdivides to provide detention basin. The perfect answer is a curb and gutter that leads into a detention basin

MINUTES

because you can't send water out into the street. You as engineers need to find out where the water needs to go. A drainage study is needed. A detention basin should be down on the south parcel. It was discussed to include in the motion to follow design standard and improvements pertaining to subdivisions and improve both north and south roads.

MOTION: Council Member Nielson motioned that we approve the preliminary plat application for AV-1365-D, two 10-acre parcels on this preliminary plat and we want road improvements on the east side of the two lots, 1800 and 2000. And they follow the Design Standards for subdivisions and the subdivision ordinances.
SECOND: The motion was seconded by Council Member Whitmore.
VOTE: Mayor Lindhardt called for a vote:

Council Member Sair - Aye
Council Member Whitmore - Aye
Council Member Zaharias - Aye
Council Member Nielson - Aye
Mayor Lindhardt - Aye

The vote was unanimous and the motion carried.

5. Consider Approval of Adopting Title 10.40 Private Cemeteries For Human Interment, Ordinance-O-2023-26.

Mayor Lindhardt commented, the planning commission recommended approval on August 2, 2023.

MOTION: Council Member Whitmore motioned that we adopt Ordinance-O-2023-26 10.40 Private Cemeteries For Human Interment.
SECOND: The motion was seconded by Council Member Sair.
VOTE: Mayor Lindhardt called for a Roll Call vote:

Council Member Sair - Aye
Council Member Whitmore - Aye
Council Member Zaharias - Aye
Council Member Nielson - Aye
Mayor Lindhardt - Aye

The vote was unanimous and the motion carried.

APPLE VALLEY TOWN COUNCIL PUBLIC HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 16, 2023 at 6:00 PM

MINUTES

6. Consider Approval of Updating Title 14.13.090 Restrictions On Burial, Ordinance-O-2023-29.

MOTION: Council Member Nielson motioned we adopt Ordinance-O-2023-29 updating 14.13.090 Restrictions On Burial.
SECOND: The motion was seconded by Council Member Sair.
VOTE: Mayor Lindhardt called for a Roll Call vote:

Council Member Sair - Aye
Council Member Whitmore - Aye
Council Member Zaharias - Aye
Council Member Nielson - Aye
Mayor Lindhardt - Aye

The vote was unanimous and the motion carried.

7. Consider Approval of Additional PTIF Accounts for Cemetery Funds, Resolution-R-2023-28.

MOTION: Council Member Whitmore motioned we approve Resolution-R-2023-28, addition of PTIF accounts for cemetery.
SECOND: The motion was seconded by Council Member Sair.
VOTE: Mayor Lindhardt called for a Roll Call vote:

Council Member Sair - Aye
Council Member Whitmore - Aye
Council Member Zaharias - Aye
Council Member Nielson - Aye
Mayor Lindhardt - Aye

The vote was unanimous and the motion carried.

8. Consider Approval of Fee Schedule Amendment, Resolution-R-2023-27.

DRAFT

APPLE VALLEY TOWN COUNCIL PUBLIC HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 16, 2023 at 6:00 PM

MINUTES

MOTION: Council Member Nielson motioned that we approve Resolution-R-2023-27, amending the Town Fee Schedule.
SECOND: The motion was seconded by Council Member Whitmore.
VOTE: Mayor Lindhardt called for a Roll Call vote:

Council Member Sair - Aye
Council Member Whitmore - Aye
Council Member Zaharias - Aye
Council Member Nielson - Aye
Mayor Lindhardt - Aye

The vote was unanimous and the motion carried.

9. Consider Approval of AUP Engagement Letter.

MOTION: Council Member Nielson motioned that we approve the AUP Engagement Letter with Hinton Burdick, CPA.
SECOND: The motion was seconded by Council Member Sair.
VOTE: Mayor Lindhardt called for a vote:

Council Member Sair - Aye
Council Member Whitmore - Aye
Council Member Zaharias - Aye
Council Member Nielson - Aye
Mayor Lindhardt - Aye

The vote was unanimous and the motion carried.

10. Consider Approval of Fraud Risk Assessment for FY2023.

Town Administrator Jauna McGinnis explained every year we are required to look at our fraud risk and look at how we can make things better in the Town. This is for FY 2023 which ended on June 30, 2023. She continued, we are at the moderate assessment level and that's where we have been for quite a few years. However now that we have a CPA on board, we will become at a low risk level next fiscal year.

MOTION: Council Member Whitmore motioned that we approve the Fraud Risk Assessment for FY2023.

MINUTES

SECOND: The motion was seconded by Council Member Zaharias.
VOTE: Mayor Lindhardt called for a vote:

Council Member Sair - Aye
Council Member Whitmore - Aye
Council Member Zaharias - Aye
Council Member Nielson - Aye
Mayor Lindhardt - Aye

The vote was unanimous and the motion carried.

11. Regarding Quarterly Dumpsters.

Town Administrator Jauna McGinnis explained the Town has had several complaints from the public works department on quarterly dumpsters being abused. One of the suggestions was to have a fenced area and have personnel there during certain hours. This will eliminate the mess. The suggestion for monitoring and issues as they present themselves. Discussion only.

CONSENT AGENDA

12. Disbursement Listing for July 2023.
13. Budget Report for Fiscal Year 2023 through July 2023.

MOTION: Council Member Whitmore motioned that we approve the Consent Agenda, the Disbursement Listing for July 2023, and the Budget Report for Fiscal Year 2023 through July 2023.
SECOND: The motion was seconded by Council Member Zaharias.
VOTE: Mayor Lindhardt called for a vote:

Council Member Sair - Aye
Council Member Whitmore - Aye
Council Member Zaharias - Aye
Council Member Nielson - Aye
Mayor Lindhardt - Aye

The vote was unanimous and the motion carried.

APPLE VALLEY TOWN COUNCIL PUBLIC HEARING AND MEETING

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MINUTES

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Council Member Sair commented that the valve cans are being repaired.

REQUEST FOR A CLOSED SESSION: IF NECESSARY

MOTION: Council Member Nielson motioned that we go into closed session for pending or imminent litigation.
SECOND: The motion was seconded by Council Member Whitmore.
VOTE: Mayor Lindhardt called for a vote:

Council Member Sair - Aye
Council Member Whitmore - Aye
Council Member Zaharias - Aye
Council Member Nielson - Aye
Mayor Lindhardt - Aye

The vote was unanimous and the motion carried.

ADJOURNMENT

MOTION: Council Member Whitmore motioned to adjourn the meeting.
SECOND: The motion was seconded by Council Member Sair.
VOTE: Mayor Lindhardt called for a vote:

Council Member Sair - Aye
Council Member Whitmore - Aye
Council Member Zaharias - Aye
Council Member Nielson - Aye
Mayor Lindhardt - Aye

The vote was unanimous and the motion carried.

The meeting was adjourned at 7:12 p.m.

DRAFT

APPLE VALLEY TOWN COUNCIL PUBLIC HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 16, 2023 at 6:00 PM

MINUTES

Date Approved: _____

Approved BY: _____
Mayor | Frank G. Lindhardt

Attest BY: _____
Town Clerk/Recorder | Jenna Vizcardo

DRAFT