TOWN COUNCIL MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, December 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, December 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 |

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

1. Public Notice of Vacancy - Big Plains Water Special Service District.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

PUBLIC COMMENTS

DISCUSSION AND ACTION

2. Consider Approval of Amending Title 10.10.070 Open Space Zone, Ordinance-O-2023-36.

   *Planning Commission recommended approval on 12/6/2023.

3. Consider Approval of Amending Title 10.10.080 Open Space Transition Zone, Ordinance-O-2023-37.

   *Planning Commission recommended approval on 12/6/2023.

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.

4. Disbursement Listing for November 2023.
5. Budget Report for Fiscal Year 2023 through November 2023.

APPROVAL OF MINUTES

6. Minutes: November 28, 2023.
7. Minutes: November 29, 2023.

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.

BIG PLAINS WATER SPECIAL SERVICE DISTRICT

PUBLIC NOTICE OF VACANCY – BIG PLAINS WATER SPECIAL SERVICE DISTRICT

Public Notice is hereby given that seats on the Board will be vacant beginning on January 1, 2024. The term of the appointment is 4 years.

Interested individuals may submit their resume, application, and letter of intent to the Town Office 1777 N. Meadowlark Dr. Apple Valley, Utah 84737 by mail; or to the Town Clerk by email at clerk@applevalleyut.gov. Applications are available on the website at applevalleyut.gov. The deadline for submission is the 4th day of January, 2024 by 3:00 p.m.

Interested individuals must be qualified and validated by the Town Recorder.

Qualifications are:
You must be a US citizen.
You must be a registered voter of the Town of Apple Valley.
You must be a resident of the Town of Apple Valley or a resident of a recently annexed area for a period of 365 consecutive days immediately preceding the date of the election.

CERTIFICATE OF POSTING I, Jenna Vizcardo, as duly appointed Clerk for the Town of Apple Valley, hereby certify that copies of the notice of vacancy were posted at the Apple Valley Town Office, the Utah Public Meeting Notice website, http://pmn.utah.gov, the Town website www.applevalleyut.gov, and the town mailboxes on the 11th day of December, 2023.

Dated this 11th day of December, 2023
Jenna Vizcardo, Clerk
Town of Apple Valley

APPLE VALLEY
ORDINANCE O-2023-36

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

SECTION 1: **AMENDMENT** "10.10.070 Open Space Zone" of the Apple Valley Land Use is hereby *amended* as follows:

AMENDMENT

10.10.070 Open Space Zone

A. Purpose: The purpose of this zone is to provide for protection of undeveloped private land.
B. Permitted Uses: Uses permitted in this zone are as follows:
    1. Raising of crops, horticulture and gardening
    2. Undeveloped private land
    3. Trails and trail rides, non-motorized
C. Conditional Uses: Uses requiring a conditional use permit in this zone are as follows:
    1. Bona fide farm buildings
    2. Public utilities and transmission lines
    3. Wireless communications facilities
    4. Farming operations
    5. Livestock grazing
    6. Trails and trail rides, motorized
D. Height Regulations: No building shall be erected to a height greater than twenty five (25') feet without a conditional use permit.
E. ~~Area, Width And Yard~~ Farm Building Regulations:

~~District~~	~~Area~~	~~Width in Feet~~	~~Yard~~ Farm Building Setbacks in Feet		
			Front	Side	Rear
~~OS~~	~~20 Acres~~	~~400~~	25	25	25

(25' setback on comer and street side lots)

F. Modifying Regulations: The following modifying regulations may be established by the land use authority relative to a specific use.
    1. Distance of Animal Housing: No corral, stable or kennel may be located within one hundred feet (100') of any adjacent dwelling or residential building lot.
    2.

Application of Minimum Acreage: ~~The t~~ Twenty (20) acre minimum lot size applies only to the construction of farm ~~nn~~ buildings.

3. Trails for motorized off-road vehicles (ORV) shall be no closer than 1000' from any residential dwelling.

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 December 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

APPLE VALLEY
ORDINANCE O-2023-37

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

SECTION 1: **AMENDMENT** "10.10.080 Open Space Transition Zone" of the Apple Valley Land Use is hereby *amended* as follows:

AMENDMENT

10.10.080 Open Space Transition Zone

A. Purpose: The purpose of this zone is to provide for protection of primarily undeveloped private land.
B. Permitted Uses: Uses permitted in this zone are as follows:
    1. Bona fide farm buildings
    2. Farming operations
    3. Livestock grazing
    4. Raising of crops, horticulture and gardening
    5. Undeveloped private land
    6. Trails and trail rides
C. Conditional Uses: SPACE LEFT BLANK INTENTIONALLY

    Any use not specifically allowed under permitted or conditional uses shall be prohibited.
D. Height Regulations: No building shall be erected to a height greater than thirty five (35') feet without a conditional use permit.
E. ~~Area Width And Yard~~ Farm Building Regulations:

~~District~~	~~Area~~	~~Width in Feet~~	~~Yard~~ Farm Building Setbacks in Feet		
			Front	Side	Rear
~~OST~~	~~3 Acres~~	~~400~~	25	25	25

(25' setback on comer and street side lots)

F. Modifying Regulations: As may be established by the land use authority relative to a specific use:
    1. Distance of Animal Housing: no corral, stable or kennel may be located within one hundred feet (100') of any dwelling or residential building lot.
    2. Application of Minimum Acreage: Twenty (20) acre minimum lot size applies

only to the construction of farm buildings.

3. Trails for motorized off-road vehicles (ORV) shall be no closer than 1000' from any residential dwelling.

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 December 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

Town of Apple Valley
Disbursement Listing
SBSU Operating - 11/01/2023 to 11/30/2023

Payee Name	Reference Number	Payment Date	Payment Amount	Void Date	Void Amount	Source
TXFR from Operating account to Fire acc		11/14/2023	$1,456.98			JE: 771
TXFR from Town Operating acct to PTIF		11/14/2023	$100,000.00			JE: 772
Payroll	1103231200	11/03/2023	$7,966.53			Paycheck
Payroll	1117231200	11/17/2023	$5,063.77			Paycheck
Fralish, Lee W	5588	11/03/2023	$46.17			Paycheck
Lindhardt, Frank G	5589	11/03/2023	$784.97			Paycheck
Amazon Capital Services	5590	11/01/2023	$244.85			Purchasing
Michael Farrar, CPA	5591	11/01/2023	$1,762.50			Purchasing
James R Weeks	5592	11/01/2023	$300.00			Purchasing
Revco Leasing	5593	11/01/2023	$302.51			Purchasing
Washington County Sheriff's Office	5594	11/01/2023	$3,750.00			Purchasing
Knudsen, Lucas	5595	11/01/2023	$64.40			Purchasing
EVS-Emergency Vehicle Systems	5597	11/02/2023	$249.00			Purchasing
Utah Barricade Company	5598	11/02/2023	$1,070.82			Purchasing
Rock-N-Roll Concrete	5599	11/07/2023	$2,200.00			Purchasing
Snow Christensen & Martineau	5600	11/07/2023	$540.44			Purchasing
Big Plains Water SSD	5601	11/09/2023	$38,940.03			Purchasing
Hurricane Ready Mix, Inc.	5602	11/09/2023	$1,487.50			Purchasing
South Central Communications	5603	11/09/2023	$446.90			Purchasing
Weidner Fire	5604	11/09/2023	$2,425.89			Purchasing
Big Plains Water SSD	5605	11/09/2023	$260.47			Purchasing
Knudsen, Lucas	5606	11/14/2023	$46.18			Purchasing
Hurricane Ready Mix, Inc.	5607	11/16/2023	$519.41			Purchasing
Jenkins Oil Company Inc.	5608	11/16/2023	$2,314.68			Purchasing
Blackburn Propane Inc.	5609	11/20/2023	$245.90			Purchasing
Hurricane Tire Pros	5610	11/20/2023	$645.60			Purchasing
Scholzen Products	5611	11/28/2023	$1,175.20			Purchasing
Washington County Solid Waste	5612	11/28/2023	$5,067.85			Purchasing
Hinton Burdick CPAs and Advisors	5613	11/28/2023	$1,000.00			Purchasing
Kinetic Enterprises LLC	5614	11/28/2023	$1,050.00			Purchasing
Road Groom Mfg.	5615	11/28/2023	$128.00			Purchasing
Sunrise Engineering Inc.	5616	11/28/2023	$3,132.50			Purchasing
Adobe	A11272023	11/27/2023	$255.35			Purchasing
Buck's Ace Hardware	ACE11022023	11/02/2023		11/02/2023	$16.99	Purchasing
Buck's Ace Hardware	ACE11172023	11/17/2023		11/17/2023	$81.46	Purchasing
Beehive Rentals	BRS110923	11/09/2023		11/09/2023	$110.91	Purchasing
Internal Revenue Service	EFTPS1103202	11/03/2023	$1,978.12			Payroll
Internal Revenue Service	EFTPS1117202	11/17/2023	$1,073.46			Payroll
Google LLC	G11012023	11/01/2023	$334.81			Purchasing
Chase Paymentech	JPM110323	11/03/2023	$275.54			Purchasing
Maverik	M11202023	11/20/2023		11/20/2023	$35.83	Purchasing
My Door Sign	MDS11242023	11/24/2023	$136.36			Purchasing
Rocky Mountain Power	RMP11152023	11/15/2023	$228.01			Purchasing
Streamline Sheet Metal	SSM11202023	11/20/2023		11/20/2023	$56.80	Purchasing
Superior Technical Solutions LLC	STS110123	11/02/2023	$937.27			Purchasing
Ticker Car Wash-Hildale	TCW11102023	11/10/2023		11/10/2023	$6.93	Purchasing
Utah Retirement Systems	URS11092023	11/09/2023	$743.44			Payroll
Utah Retirement Systems	URS11202023	11/20/2023	$557.09			Payroll
USA Traffic Signs	USATS1124202	11/24/2023	$79.71			Purchasing
USPS	USPS11102023	11/10/2023	$264.00			Purchasing
XPress Bill Pay	XBP110623	11/06/2023	$318.68			Purchasing
Zoom Video Communications Inc.	Z11202023	11/20/2023	$15.99			Purchasing
			$191,886.88		**$308.92**	

Town of Apple Valley
Disbursement Listing
SBSU Fire - 11/01/2023 to 11/30/2023

Payee Name	Reference Number	Payment Date	Payment Amount	Void Date	Void Amount	Source
Buck's Ace Hardware	ACE11022023	11/02/2023	$16.99			Purchasing
Buck's Ace Hardware	ACE11172023	11/17/2023	$81.46			Purchasing
Basic American Supply	BAS11202023	11/20/2023	$7.99			Purchasing
Basic American Supply	BAS11272023	11/27/2023	$38.18			Purchasing
Beehive Rentals	BRS11092023	11/09/2023	$110.91			Purchasing
Carquest of Hildale	CQ110823	11/08/2023	$246.18			Purchasing
Carquest of Hildale	CQ11092023	11/09/2023	$98.67			Purchasing
Carquest of Hildale	CQH11202023	11/20/2023	$67.77			Purchasing
Maverik	M11202023	11/20/2023	$35.83			Purchasing
PCS Communications	PCS11292023	11/29/2023	$710.00			Purchasing
The Safety Girl	SG11172023	11/17/2023	$273.44			Purchasing
Scholzen Products	SP11172023	11/17/2023	$14.55			Purchasing
Streamline Sheet Metal	SSM11202023	11/20/2023	$56.80			Purchasing
Ticker Car Wash-Hildale	TCW11102023	11/10/2023	$6.93			Purchasing
Walmart	W11032023	11/03/2023	$85.34			Purchasing
Washington County Solid Waste	WCSW1130202	11/30/2023	$9.00			Purchasing
			$1,860.04		**$0.00**	

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2023 to 11/30/2023
41.67% 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	12,892.17	0.00	4,007.56	136,661.00	2.93%
3120 Prior Year's Taxes-Delinquent	0.00	0.00	0.00	8,000.00	0.00%
3130 General Sales and Use Taxes	77,233.59	0.00	34,364.80	196,000.00	17.53%
3140 Energy and Communication Taxes	15,393.82	2,181.12	13,329.34	45,700.00	29.17%
3150 RAP Tax	6,097.01	1,478.57	4,629.18	18,500.00	25.02%
3160 Transient Taxes	6,541.14	0.00	3,567.74	18,000.00	19.82%
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	0.00	3.08	1,000.00	0.31%
3190 Highway/Transit Tax	7,168.55	0.00	3,863.86	17,100.00	22.60%
Total Taxes	**125,326.28**	**3,659.69**	**63,765.56**	**449,361.00**	**14.19%**
Licenses and permits					
3210 Business Licenses	3,313.50	1,513.50	2,713.50	9,500.00	28.56%
3221 Building Permits-Fee	22,432.65	4,278.00	21,169.63	45,000.00	47.04%
3222 Building Permits-Non Surcharge	3,243.96	1,069.50	3,640.74	6,750.00	53.94%
3224 Building Permits Surcharge	51.93	6.42	28.94	450.00	6.43%
3225 Animal Licenses	60.00	150.00	260.00	800.00	32.50%
Total Licenses and permits	**29,102.04**	**7,017.42**	**27,812.81**	**62,500.00**	**44.50%**
Intergovernmental revenue					
3342 Fire Dept-State Wildland Grant	0.00	0.00	0.00	10,000.00	0.00%
3356 Class "C" Road Allotment	54,252.65	0.00	42,791.27	137,000.00	31.23%
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	**154,140.65**	**0.00**	**42,791.27**	**148,100.00**	**28.89%**
Charges for services					
3230 Special Event Permit	2,030.00	0.00	150.00	4,500.00	3.33%
3410 Clerical Services	179.20	0.00	80.54	400.00	20.14%
3416 Other Interdepartmental Charges	2,167.07	0.00	5,622.16	44,203.00	12.72%
3420 Fire Department Contracts	0.00	0.00	0.00	6,000.00	0.00%
3431 Zoning and Subdivision Fees	8,139.00	0.00	10,660.00	20,000.00	53.30%
3440 Solid Waste	22,431.82	5,028.30	25,195.99	61,000.00	41.30%
3441 Storm Drainage	18,255.85	4,177.99	20,783.92	49,000.00	42.42%
3461 GRAMA Requests	285.52	0.00	115.00	500.00	23.00%
3470 Park and Recreation Fees	0.00	0.00	0.00	100.00	0.00%
3481 Sale of Cemetery Lots	0.00	0.00	300.00	310,500.00	0.10%
3482 Cemetery Perpetual Care	0.00	0.00	300.00	129,300.00	0.23%
3615 Late Charges/Other Fees	273.64	(238.14)	389.10	2,500.00	15.56%
Total Charges for services	**53,762.10**	**8,968.15**	**63,596.71**	**628,003.00**	**10.13%**
Fines and forfeitures					
3510 Fines	1,757.17	0.00	1,185.15	5,000.00	23.70%
Total Fines and forfeitures	**1,757.17**	**0.00**	**1,185.15**	**5,000.00**	**23.70%**
Interest					
3610 Interest Earnings	7,960.61	3,854.95	18,778.46	42,200.00	44.50%
Total Interest	**7,960.61**	**3,854.95**	**18,778.46**	**42,200.00**	**44.50%**
Miscellaneous revenue					
3640 Sale of Capital Assets	0.00	0.00	7,500.00	0.00	0.00%
3690 Sundry Revenue	13,722.78	(220.92)	2,451.71	5,000.00	49.03%
3692 Fire Department Fundraisers/Donations	1,500.00	0.00	90.00	6,500.00	1.38%
3697 Park Department Fundraisers	0.00	0.00	0.00	800.00	0.00%
3801.1 Impact fees - Fire	4,220.00	844.00	22,372.00	6,800.00	329.00%
3801.3 Impact fees - Roadways	13,300.00	2,660.00	76,180.00	24,600.00	309.67%
3801.6 Impact fees - Storm Water	7,878.20	57,715.80	80,441.59	31,000.00	259.49%
3801.7 Impact fees - Parks, Trails, OS	3,625.00	725.00	18,295.00	6,600.00	277.20%
Total Miscellaneous revenue	**44,245.98**	**61,723.88**	**207,330.30**	**81,300.00**	**255.02%**
Total Revenue:	**416,294.83**	**85,224.09**	**425,260.26**	**1,416,464.00**	**30.02%**
Expenditures:					
General government					
Council					
4111.110 Council/PC Salaries and Wages	6,725.00	850.00	8,025.00	21,000.00	38.21%
4111.130 Council/PC Employee benefits	662.47	65.03	658.30	2,400.00	27.43%
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 11/30/2023
41.67% 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	**7,387.47**	**915.03**	**8,683.30**	**26,900.00**	**32.28%**
Administrative					
4141.110 Admin Salaries and Wages	44,486.20	6,187.19	40,457.38	99,000.00	40.87%
4141.130 Admin Employee Benefits	3,751.50	781.31	5,194.89	17,100.00	30.38%
4141.140 Admin Employee Retirement - GASB 68	5,896.21	190.66	1,660.65	7,000.00	23.72%
4141.210 Admin Dues, Subs & Memberships	2,039.12	255.35	2,867.25	5,500.00	52.13%
4141.220 Admin Public Notices	41.95	0.00	0.00	100.00	0.00%
4141.230 Admin Training	696.00	0.00	0.00	1,500.00	0.00%
4141.240 Admin Office/Administrative Expense	8,464.10	1,280.10	5,178.65	8,000.00	64.73%
4141.250 Admin Equipment Expenses	6,072.14	1,239.78	6,898.90	10,000.00	68.99%
4141.260 Admin Building & Ground Maintenance	2,704.60	917.92	5,607.62	4,500.00	124.61%
4141.270 Admin Utilities	1,948.97	473.91	1,715.06	7,600.00	22.57%
4141.280 Admin Telephone and Internet	4,140.90	446.90	2,216.79	8,100.00	27.37%
4141.290 Admin Postage	1,584.61	264.00	1,329.65	3,700.00	35.94%
4141.320 Admin Engineering Fees	6,123.48	1,292.25	3,859.75	3,500.00	110.28%
4141.330 Admin Legal Fees	23,806.64	3,980.22	18,148.97	50,000.00	36.30%
4141.340 Admin Accounting & Auditing	0.00	4,300.00	9,793.75	29,400.00	33.31%
4141.350 Admin Building/Zoning/Planning Fees	17,353.77	3,045.00	13,566.25	30,000.00	45.22%
4141.390 Admin Bank Service Charges	15.00	0.00	0.00	200.00	0.00%
4141.410 Admin Insurance	11,895.25	0.00	12,703.16	16,000.00	79.39%
4141.490 Admin Travel Reimbursements	902.71	161.58	407.86	1,500.00	27.19%
4141.500 Admin Weed Abatement	0.00	0.00	508.00	1,500.00	33.87%
4141.610 Bad Debt Expense	268.84	15.98	15.98	250.00	6.39%
4141.740 Admin Capital Outlay	0.00	0.00	1,860.19	0.00	0.00%
4170 Elections	0.00	0.00	1,296.00	1,500.00	86.40%
Total Administrative	**142,191.99**	**24,832.15**	**135,286.75**	**305,950.00**	**44.22%**
Total General government	**149,579.46**	**25,747.18**	**143,970.05**	**332,850.00**	**43.25%**
Public safety					
Police					
4210.110 Police Salaries & Wages/Contract	7,500.00	0.00	3,750.00	15,000.00	25.00%
4253.250 Animal Control Supplies	0.00	0.00	0.00	100.00	0.00%
Total Police	**7,500.00**	**0.00**	**3,750.00**	**15,100.00**	**24.83%**
Fire					
4220.110 Fire Salaries & Wages	14,230.86	3,784.70	21,259.66	67,200.00	31.64%
4220.130 Fire Employee Benefits	3,463.95	289.53	1,740.06	13,600.00	12.79%
4220.135 Fire Employee Retirement - GASB 68	0.00	630.92	3,480.14	8,100.00	42.96%
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	119.00	0.00	0.00	600.00	0.00%
4220.230 Fire Travel, Mileage & Cell	0.00	50.00	250.00	600.00	41.67%
4220.240 Fire Office & Other Expenses	29.99	0.00	447.78	500.00	89.56%
4220.250 Fire Equipment Maintenance & Repairs	854.08	188.64	1,705.99	11,000.00	15.51%
4220.360 Fire Training	0.00	0.00	150.00	13,100.00	1.15%
4220.450 Fire Small Equip/Supplies	1,725.65	1,684.95	13,711.78	15,000.00	91.41%
4220.460 Fire Supplies-Fundraisers	0.00	0.00	130.59	500.00	26.12%
4220.465 Fire Gear	0.00	2,425.89	2,457.88	15,000.00	16.39%
4220.480 Fire Mitigation MOU Expenditures	0.00	0.00	0.00	15,000.00	0.00%
4220.560 Fire Equipment Fuel	375.94	749.75	4,649.96	4,000.00	116.25%
4220.610 Fire Principal	5,366.57	0.00	0.00	0.00	0.00%
4220.620 Fire Interest	244.18	0.00	0.00	0.00	0.00%
Total Fire	**26,410.22**	**9,804.38**	**49,983.84**	**170,725.00**	**29.28%**
Total Public safety	**33,910.22**	**9,804.38**	**53,733.84**	**185,825.00**	**28.92%**
Highways and public improvements					
Highways					
4410.110 Road Wages and Contract Labor	270.00	480.80	1,244.00	15,200.00	8.18%
4410.130 Road Employee Benefits	20.66	36.78	95.88	1,750.00	5.48%
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	9,236.27	0.00	6,104.65	45,000.00	13.57%
4410.550 Road Equipment Maintenance	1,117.60	0.00	0.00	2,500.00	0.00%
4410.560 Road Equipment Fuel	496.00	0.00	1,421.61	5,000.00	28.43%

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2023 to 11/30/2023
41.67% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
4410.810 Road Principal	38,140.07	0.00	35,000.00	35,000.00	100.00%
4410.820 Road Interest	29,252.68	0.00	28,121.65	28,150.00	99.90%
4415.110 Public Works Wages and Contract Labor	2,817.00	1,988.82	18,945.75	30,300.00	62.53%
4415.130 Public Works Employee Benefits	264.58	50.40	1,516.20	9,400.00	16.13%
4415.140 Public Works Employee Retirement - GASB 68	0.00	0.00	1,545.53	8,100.00	19.08%
4415.320 Public Works Engineering/Professional Fees	107.25	0.00	0.00	0.00	0.00%
4415.450 Public Works Supplies	2,433.21	2,682.61	11,913.01	6,000.00	198.55%
4415.550 Public Works Equipment Maintenance	1,338.08	1,917.14	9,540.45	3,000.00	318.02%
4415.560 Public Works Equipment Fuel	1,039.57	1,501.77	3,204.01	2,000.00	160.20%
4415.570 Public Works Travel, Mileage, Cell	77.51	0.00	673.17	500.00	134.63%
4415.610 Public Works Storm Drainage	3,000.81	0.00	666.55	5,000.00	13.33%
4415.615 Storm Drainage Improvements	0.00	0.00	1,147.14	0.00	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	11,000.00	0.00	17.37	9,000.00	0.19%
Total Highways	**118,825.49**	**8,658.32**	**121,156.97**	**210,400.00**	**57.58%**
Sanitation					
4420.460 Solid Waste Service	19,340.84	5,076.85	20,277.06	60,000.00	33.80%
Total Sanitation	**19,340.84**	**5,076.85**	**20,277.06**	**60,000.00**	**33.80%**
Total Highways and public improvements	**138,166.33**	**13,735.17**	**141,434.03**	**270,400.00**	**52.31%**
Parks, recreation, and public property					
Parks					
4540.110 Park/Rec Wages and Contract Labor	4,563.00	0.00	1,698.82	5,100.00	33.31%
4540.130 Park/Rec Employee Benefits	349.07	0.00	130.77	600.00	21.80%
4540.250 Park/Rec Department Expenses	272.62	0.00	187.78	1,000.00	18.78%
4540.460 Park/Rec Community Events Supplies	1,162.70	0.00	1,450.12	4,000.00	36.25%
Total Parks	**6,347.39**	**0.00**	**3,467.49**	**10,700.00**	**32.41%**
Cemetery					
4590.470 Cemetery Capital Outlay	0.00	77.64	226.49	0.00	0.00%
Total Cemetery	**0.00**	**77.64**	**226.49**	**0.00**	**0.00%**
Total Parks, recreation, and public property	**6,347.39**	**77.64**	**3,693.98**	**10,700.00**	**34.52%**
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:	**328,003.40**	**49,364.37**	**342,831.90**	**1,416,464.00**	**24.20%**
Total Change In Net Position	**88,291.43**	**35,859.72**	**82,428.36**	**0.00**	**0.00%**

Town of Apple Valley
Operational Budget Report
41 Capital Projects Fund - 07/01/2023 to 11/30/2023
41.67% 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	6,778.26	20,504.63	0.00	0.00%
Total Administrative	**19,160.14**	**6,778.26**	**20,504.63**	**0.00**	**0.00%**
Total General government	**19,160.14**	**6,778.26**	**20,504.63**	**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	1,490.25	1,866.66	250,000.00	0.75%
Total Cemetery	**0.00**	**1,490.25**	**1,866.66**	**250,000.00**	**0.75%**
Total Parks, recreation, and public property	**0.00**	**1,490.25**	**1,866.66**	**250,000.00**	**0.75%**
Total Expenditures:	**19,160.14**	**8,268.51**	**22,371.29**	**4,270,000.00**	**0.52%**
Total Change In Net Position	**(19,160.14)**	**(8,268.51)**	**(22,371.29)**	**0.00**	**0.00%**

APPOINTMENT FOR THE APPLE VALLEY BOARD OF CANVASSERS

111 E Tabernacle St, UT 84770
Tuesday, November 28, 2023 at 3:30 PM

MINUTES

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

APPOINTMENT FOR THE APPLE VALLEY BOARD OF CANVASSERS

111 E Tabernacle St, UT 84770

Tuesday, November 28, 2023 at 3:30 PM

PRESENT (NO QUORUM PRESENT)
Council Member Robin Whitmore

Town Clerk/Recorder Jenna Vizcardo

Date Approved: _____

Approved BY: _____

Mayor | Frank G. Lindhardt

Attest BY: _____

Town Clerk/Recorder | Jenna Vizcardo

DRAFT

SPECIAL APPLE VALLEY TOWN COUNCIL MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, November 29, 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- Resident and Planning Commission Member Bradley Farrar led pledge of allegiance.
PRAYER- Prayer offered by Council Member Whitmore.
ROLL CALL
PRESENT
Mayor Frank Lindhardt
Council Member Kevin Sair
Council Member Robin Whitmore
Council Member Barratt Nielson
ABSENT
Council Member Jarry Zaharias

DECLARATION OF CONFLICTS OF INTEREST

None declared.

MAYOR'S TOWN UPDATE

Mayor Lindhardt congratulated the newly elected officials and thanked them for serving. Michael Farrar for Mayor, Janet Prentice and Barratt Nielson for Town Council.

PUBLIC COMMENTS

Mayor Lindhardt opened the public comments.

Mike Farrar, resident of AV. Just wanted to comment on a couple things on tonight's agenda the approval of the Hidden Rock Development Group. I'm a little confused on page 6 of 16 or 7.3 where it says preparation and adoption of impact fees facility, the town hereby agrees to promptly initiate and schedule amendments to the town's current impact fees facilities plan. I have no idea what any of this means, can you explain.

Mayor Lindhardt explained the impact fees that we just adopted in the water district and two years ago we adopted the town's impact fee and that's done with a study. The applicant is asking us to allow us to agree to amend our impact fee study and they're asking us to pay for it. He continued, I objected to it and said if you want to do that then you must pay for it.

Mike Farrar, resident of AV. Also under 9.2, I have a little concern where they note the non-curb and gutter road. I don't know why that would be a non-curb and gutter road. Then, we go on further to say the road crossing at Gould Wash Road shall be built to requirements as dictated by Town Design Standards approved by Town Engineer. Does that mean they'll need to build a bridge to standards.

Mayor Lindhardt explained that in the first versions of the development agreement their engineer got to pick but this was objected to as our Engineer's design and approve the bridges.

MINUTES

Mike Farrar, resident of AV. Another thing, I had 26ft of road base and then the non-curb and gutter. Down below 9.5 the water, they haven't got approval yet to say that there is enough water for their project.

Mayor Lindhardt closed the public comments.

DISCUSSION AND POSSIBLE ACTION

1. November 21, 2023 General Election Canvass.

   Mayor Lindhardt reviewed the official results provided by Washington County. (Attachment A – 2 pages)

   Council Member Whitmore discussed the positive experience at the appointment for the Apple Valley Board of Canvassers for the 2023 Municipal Election with the Town Clerk/Recorder Jenna Vizcardo. She continued, pleased to have them allow us to inspect all the envelopes, we saw all the signatures and everyone's name was recognized. We were also shown the adjudication process. She will always stand firm on paper ballots, in person voting and hand counting will always be the best way.

   MOTION: Council Member Whitmore motioned that we certify the Municipal General Election from November 21, 2023 with Mike Lee Farrar as Mayor, and Janet Prentice and Barratt Eric Nielson as Town Council.
   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 Nielson - Aye
   Mayor Lindhardt - Aye

   The vote was unanimous and the motion carried.

2. Consider Approval of the Development Agreement for Oculta Roca (Hidden Rock Development Group, LLC).

   The Council discussed amongst regarding the roads in the development agreement. The pavement was originally there as the motion stated at the Town Council meeting. It was taken out of the development agreement.

   Dallin Jolley with Hidden Rock Development Group admitted to removing it due to cost. He continued, the road base would look more natural and paved road is a huge expense. Ultimately with the Development Agreement the Town has the final say.

   Council Member Nielson discussed dedicated roads as paved roads because we don't want to pay taxes on road base roads.

DRAFT

MINUTES

Mayor Lindhardt discussed it was recommended that it was paved in our minutes from our council meeting and the motion itself read that the road is supposed to be paved with the secondary access not paved.

Town Design Standards discussed and why asphalt is required. A pioneering agreement, whenever people come on the road in the future, they must pay their share with a reimbursement to the developer was discussed. Dallin Joley discussed how they have been in contact with the landowners personally and prefer to work out individually. Mayor discussed in a JUC meeting from the beginning with the developer and asphalt roads were discussed. It was a known requirement from the beginning of their project.

Mayor Lindhardt discussed that a Development Agreement is needed with Big Plains Water Special Service District.

Mayor Lindhardt discussed the services, wells, and loop system requirement. He continued, an item that was never discussed in the first version of this agreement was the single family lots for vacation rentals. The Town's short-term rental ordinance allows 10% in any subdivision rental. That allows 2 homes in this subdivision, incorporating what our ordinance has into this development. Also, he would feel more comfortable on 6.2, add "upon attaining a liquor license."

Planning Commissioner Bradley Farrar raised concerns about approval tonight with so many changes needed to the Development Agreement.

The Council raised concerns about the amendments that were made previously changing the original motion and an in-depth review must be done of this development agreement in the future.

MOTION: Council Member Nielson motioned that we table this Development Agreement until the corrections have been made, (added/amended by Mayor Lindhardt with Council Member Nielson's consent) the corrections we except to see in the development agreement is 6.2 after "and bars" add in "upon obtaining a liquor license/permit from the Town." 9.5 is that they need to get a Development Agreement worked out and approved with the District before this agreement will be brought before the Council for approval again. And, 9.2 1, 2, 3, 4, 5, 6 on the line that starts with shoulders four feet on either side, we're striking out "capable of supporting an imposed load of 75,000 pounds" to the curb and gutter road shall be paved and built as per Town Design Standards.

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 Nielson - Aye
Mayor Lindhardt - Aye

MINUTES

The vote was unanimous and the motion carried.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Fire Chief Michael Gross discussed a recent site visit with UDOT after the recent flooding and it would greatly improve the safety of the Cedar Points access if the trees within the UDOT Right Of Way were removed. This would allow for better visibility. Also, the large landscaping rocks need to be removed; they are within the roadway clear zone, and are a hazard to the traveling public.

3. Consider Approval of the Personnel Policy and Procedures Manual Update, Resolution-R-2023-36.

   Town Administrator Jauna McGinnis discussed this amendment is a benefit that has been in place for years and this is to make it official. This is a nominal fee for their services provided.

MOTION: Council Member Nielson motioned that we approve Resolution-R-2023-36, resolution amending the Town of Apple Valley Personnel Policy and Procedures.
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 Nielson - Aye
Mayor Lindhardt - Aye

The vote was unanimous and the motion carried.

CONSENT AGENDA

4. Disbursement Listing for October 2023.
5. Budget Report for Fiscal Year 2023 through October 2023.

   It was discussed that impact, cemetery, and storm drainage fees collected are transferred quarterly over to PTIF accounts.

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

MINUTES

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

The vote was unanimous and the motion carried.

APPROVAL OF MINUTES

6. Minutes: September 19, 2023 (Board of Canvassers Appointment).

MOTION: Council Member Whitmore motioned that we approve the minutes from September 19, 2023.
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 Nielson - Aye
Mayor Lindhardt - Aye

The vote was unanimous and the motion carried.

7. Minutes: September 20, 2023.

Council Member Sair commented kudos to the Fire Chief as he got that fire truck donated from Dammeron Valley.

MOTION: Council Member Whitmore motioned that we approve the minutes from September 20, 2023 for the Town Council.
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 Nielson - Abstain
Mayor Lindhardt - Aye

MINUTES

The vote was three aye and one abstain and the motion carried.

8. Minutes: October 18, 2023.

MOTION: Council Member Nielson motioned that we approve the minutes from October 18, 2023.
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 Nielson - Aye
Mayor Lindhardt - Aye

The vote was unanimous and the motion carried.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Council Member Nielson and Chairman of Big Plains Water SSD reported we have water flowing and tank staying full at 80%.

Council member Sair reported on the road maintenance and showed pictures to the council and public. They have been busy working on the storm drainage issues.

Mayor Lindhardt reported that he has had a few meetings with developers regarding planning and zoning.

Council Member and Treasurer Whitmore reported on the election results and usual treasurer financial duties.

REQUEST FOR A CLOSED SESSION

No request.

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:

SPECIAL APPLE VALLEY TOWN COUNCIL MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, November 29, 2023 at 6:00 PM

MINUTES

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

The vote was unanimous and the motion carried.

The meeting was adjourned at 7:56 p.m.

Date Approved: _____

Approved BY: _____
Mayor | Frank G. Lindhardt

Attest BY: _____
Town Clerk/Recorder | Jenna Vizcardo

DRAFT

Statistics

	TOTAL
Registered Voters - Total	583
Ballots Cast - Total	339
Ballots Cast - Blank	0
Voter Turnout - Total	58.15%

Apple Valley Town Mayor Special 2 Year Seat

Vote For 1

	TOTAL
MICHAEL LEE FARRAR	231
WALTER EARL JOSEY	102
Total Votes Cast	333
Overvotes	0
Undervotes	6
Contest Totals	339

Apple Valley Town Council

Vote For 2

	TOTAL
JANET PRENTICE	230
BARRATT ERIC NIELSON	208
MARGARET OSOSKI	96
RAYMOND LESTER JESSOP	79
Total Votes Cast	613
Overvotes	0
Undervotes	65
Contest Totals	678

(Attachment A – 2 pages)

Apple Valley, Utah
Municipal General Election
November 21, 2023

Summary Ballots Cast – 583 Active Registered Voters

	Votes	Turnout
Official Election Results	**339**	**58.15%**

By Mail Ballot Summary

Ballots Returned and Counted	339
Ballots not Counted (see below)	12
Provisionals not Counted (see below)	0
TOTAL Ballots	351

Reasons for not counting	**Qty**
Returned Past Deadline	0
Undeliverable	5
Returned unsigned	3
Signatures did not match voter record	4
Needs ID	0
Provisional Ballots not counted	0
Spoiled Ballots	0
Totals	**12**

Each voter whose ballot was not counted was notified of the reason their ballot was not counted and given instructions on how to correct the deficiency.

Provisional Ballot Summary	**Qty**
Provisional Ballots Cast	**0**
Provisional Ballots Counted	**0**
Ballots Not Counted	**0**
Invalid	0
Incomplete Application	0
Already Voted	0
No Proof of Residency	0
No ID	0

In-Person Voting: 2

(Attachment A – 2 pages)