# TOWN COUNCIL MEETING AND HEARING

**1777 N Meadowlark Dr, Apple Valley**
**Wednesday, March 27, 2024 at 6:00 PM**

# MINUTES

**Mayor**| Michael Farrar |
**Council Members** | Kevin Sair | Robin Whitmore | Janet Prentice |

**CALL TO ORDER-** Mayor Farrar called the meeting to order at 6:00 p.m.
**PLEDGE OF ALLEGIANCE**
**PRAYER-** Prayer was offered by Council Member Whitmore.
**ROLL CALL**
**PRESENT**
Mayor Michael Farrar
Council Member Kevin Sair
Council Member Robin Whitmore
Council Member Janet Prentice

**DECLARATION OF CONFLICTS OF INTEREST**

None declared.

**MAYOR'S TOWN UPDATE**

Plans for an Easter egg hunt was mentioned, scheduled for this Saturday at 10 a.m., with various activities like crafts and a petting zoo. Cemetery maintenance was brought up, with Planning Commissioner Bradley Farrar assigned to work on the project. There was also mention of exploring options for a new town building, potentially funded by developers, with input sought from the public and various boards.

A maintenance position was opened, starting as part-time with potential for full-time and benefits in the future. Concerns about budget allocation arose, but assurances were made that it wouldn't directly affect existing budgets. Additionally, item number nine was pulled from the agenda regarding modifications to the delegation of authority for the Big Plains Water Special Service District, respecting the wishes of individuals involved.

**REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS**

1. Fire Department - Fire Truck Purchase.

   Council Member Sair discussed acquiring a new wildland unit for the fire department. The fire chief obtained the truck for $20,000, which was significantly cheaper than other quotes ranging from $65,000 to $110,000. The council praised the fire chief for his efforts in securing a good deal as well as his contributions to the community and acknowledged the ongoing support from Dammeron Valley.

**PUBLIC COMMENTS**

Peter Smith, resident of Apple Valley. expressed concerns about ongoing developments and water resources. He referred to research studies from Ensign Engineering and the 2022 census, indicating that wells may be producing more water than previously estimated. Smith questioned the council's stance on statements from Ensign Engineering regarding well production from nine years ago. He highlighted data showing that some wells' production has decreased over time due to aquifer stress. Smith urged the council to consider the impact of

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transient lodging on water resources and asked about their commitment to preserving this vital resource based on the town's research.

Mayor Farrar expressed their personal stance on growth and water conservation, stating that they are anti-growth and deeply concerned about water resources. He emphasized the need for thorough studies of aquifers before allowing large-scale development and mentioned discussions with environmental agencies about required water tests for accurate data. He expressed frustration over previous approvals for around 3,000 potential homes, limiting the town's power to control growth. He emphasized their commitment to legally prevent overuse of water resources.

**PUBLIC HEARING**

2. Amend Title 14.13.030 Sexton Powers And Duties and 14.13.160 Cemetery Board, Ordinance-O-2024-12.

   Mayor Farrar opened the public hearing.

   No public comments.

   Mayor Farrar closed the public hearing.

3. Amend Title 8.08.030 Fireworks Restrictions, Ordinance-O-2024-13.

   Mayor Farrar opened the public hearing.

   No public comments.

   Mayor Farrar closed the public hearing.

**DISCUSSION AND ACTION - NEW BUSINESS**

4. Amend Title 8.08.030 Fireworks Restrictions, Ordinance-O-2024-13.

   Changes were proposed and approved regarding fireworks usage, prohibiting their use throughout the year except for July 4 and July 24, between 1pm to 10pm, on the fire department grounds under fire chief supervision. Council Member Whitmore commented positively on the changes, mentioning experiences in Alaska where fireworks were used in extreme cold temperatures.

   Mayor Farrar discussed plans for a Fourth of July event, including hiring a caterer for a barbecue, with recommendations from St. George. They also mentioned fireworks and other activities planned for the event. The mayor noted that volunteers could contribute desserts, but they wanted to ensure everyone had a chance to relax and enjoy the day, so they opted to hire a caterer within the budget.

   **MOTION:** Council Member Whitmore motioned that we approve the amendment of Title 8.08.030 Fireworks Restrictions, Ordinance-O-2024-13.

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**SECOND:** The motion was seconded by Council Member Prentice.
**VOTE:** Mayor Farrar called for a roll call vote:

Council Member Sair - Aye
Mayor Farrar - Aye
Council Member Whitmore - Aye
Council Member Prentice - Aye

The vote was unanimous and the motion carried.

5. Amend Title 14.13.030 Sexton Powers And Duties and 14.13.160 Cemetery Board, Ordinance-O-2024-12.

**MOTION:** Council Member Whitmore motioned that we adopt the amended Title 14.13.030 Sexton Powers And Duties and 14.13.160 Cemetery Board, Ordinance-O-2024-12.
**SECOND:** The motion was seconded by Council Member Prentice.
**VOTE:** Mayor Farrar called for a roll call vote:

Council Member Sair - Aye
Mayor Farrar - Aye
Council Member Whitmore - Aye
Council Member Prentice - Aye

The vote was unanimous and the motion carried.

6. Resolution-R-2024-11, A Resolution Amending the Town Fee Schedule.

Mayor Farrar presented a resolution to amend the town fee schedule. The changes were explained as necessary to cover costs rather than raise prices for residents. Fees were increased for events, business licenses (including short-term rentals), zoning changes for developers, and application fees for larger projects. Council Member Prentice expressed concerns about the fees, suggesting further research and comparison with other cities' fees. Mayor Farrar clarified that the fee adjustments were targeted at developers and large projects, not residents. Council Member Prentice and Council Member Whitmore agreed that fees should be reasonable and cover services provided, indicating support for further assessment of fees beyond those discussed.

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Additionally, there was discussion about scheduling a work meeting, but it was noted that there was a planning commission meeting already scheduled for the proposed date. There was a suggestion to move the work meeting to the next town council meeting, but no final decision was made on the scheduling.

**MOTION:** Council Member Whitmore motioned we table item six, Resolution-R-2024-11, a resolution amending the town fee schedule.
**SECOND:** The motion was seconded by Council Member Sair.
**VOTE:** Mayor Farrar called for a vote:

Council Member Sair - Aye
Mayor Farrar - Aye
Council Member Whitmore - Aye
Council Member Prentice - Aye

The vote was unanimous and the motion carried.

7. Resolution-R-2024-13, Repeal Resolution-R-2022-05.

Mayor Farrar introduced a resolution to rebuild the town's planning and zoning team, which was described as a housekeeping measure. Frank Lindhardt, the former mayor, explained that the position of manager of planning and zoning was created to provide legal protection in case of lawsuits related to development negotiations, even though he received no payment for the role. The mayor and council members discussed the resolution, with some expressing confusion and concern over the process and decision-making.

Mayor Farrar expressed frustration with perceived game-playing and lack of support from the council, particularly regarding decisions made since becoming mayor. Council Members Whitmore and Prentice expressed differing opinions on the matter, with Prentice suggesting further discussion and Whitmore questioning the need to repeal the position. Mayor Farrar emphasized the need to move forward and expressed a desire to focus on town matters without obstruction.

There were unresolved tensions and differing opinions among council members regarding the planning and zoning team's restructuring.

**MOTION:** Council Member Sair motioned we able this.
**SECOND:** The motion was seconded by Council Member Prentice.
**VOTE:** Mayor Farrar called for a vote:

Council Member Sair - Aye

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Mayor Farrar - Aye
Council Member Whitmore - Aye
Council Member Prentice - Aye

The vote was unanimous and the motion carried.

8. Resolution-R-2024-12, Appointment of board member from the elected officials for the Big Plains Water Special Service District.

   Council Member Whitmore suggested that this decision should involve the full council, indicating a need for further discussion.

**MOTION:** Council Member Sair motioned we table that one also.
**SECOND:** The motion was seconded by Council Member Whitmore.
**VOTE:** Mayor Farrar called for a vote:

Council Member Sair - Aye
Mayor Farrar - Aye
Council Member Whitmore - Aye
Council Member Prentice - Aye

The vote was unanimous and the motion carried.

9. Resolution-R-2024-11, Modifying, Limiting, And Revoking The Delegation Of Authority To The Big Plains Water Special Services District.

   Removed from the agenda.

**DISCUSSION AND ACTION - PLANNING COMMISSION BUSINESS**

10. Amend Title 10.14 Short Term Vacation Rental, Ordinance-O-2024-11.

    *Planning Commission recommended approval on March 6, 2024.

**MOTION:** Council Member Prentice motioned that we accept the Planning Commission recommendation from March.
**SECOND:** The motion was seconded by Council Member Whitmore.

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**VOTE:** Mayor Farrar called for a roll call vote:

Council Member Sair - Aye
Mayor Farrar - Aye
Council Member Whitmore - Aye
Council Member Prentice - Aye

The vote was unanimous and the motion carried.

**CONSENT AGENDA**

11. Disbursement Listing for January 2024 and February 2024.
12. Budget Report for Fiscal Year 2024 through January 2024 and February 2024.
13. Approval of Minutes: February 20, 2024.

**MOTION:** Council Member Whitmore motioned that we approve the Consent Agenda.
**SECOND:** The motion was seconded by Council Member Sair.
**VOTE:** Mayor Farrar called for a roll call vote:

Council Member Sair - Aye
Mayor Farrar - Aye
Council Member Whitmore - Aye
Council Member Prentice - Aye

The vote was unanimous and the motion carried.

**TRAINING**

14. Open and Public Meeting Training 2024.

**MOTION:** Council Member Whitmore motioned we table the training.
**SECOND:** The motion was seconded by Council Member Sair.
**VOTE:** Mayor Farrar called for a vote:

Council Member Sair - Aye
Mayor Farrar - Aye
Council Member Whitmore - Aye

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Council Member Prentice - Aye

The vote was unanimous and the motion carried.

**REQUEST FOR A CLOSED SESSION: IF NECESSARY**

**MOTION:** Council Member Prentice motioned to adjourn.
**SECOND:** No second.

**MOTION:** Mayor Farrar motioned for a closed session, its legal matters and personnel issues that all fall under our closed meeting agenda. We need to state the reason which will be for to update you guys on a legal matter and the second reason is a personnel issue and the location will be in the back office. And then we just have to vote on it.
**SECOND:** The motion was seconded by Council Member Whitmore.
**VOTE:** Mayor Farrar called for a roll call vote:

Council Member Sair - Nay
Mayor Farrar - Aye
Council Member Whitmore - Aye
Council Member Prentice - Aye

The vote was three aye and one nay and the motion carried 3-1.

**ADJOURNMENT**

Mayor Farrar brought the meeting back to order at 7:34 pm. No action was taken.

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

Council Member Sair - Aye
Mayor Farrar - Aye
Council Member Whitmore - Aye
Council Member Prentice - Aye

The vote was unanimous and the motion carried.

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The meeting was adjourned at 7:34pm

Date Approved: _____

Approved BY: _____
Mayor | Michael L. Farrar

Attest BY: _____
Town Clerk/Recorder | Jenna Vizcardo

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