



## TOWN COUNCIL MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley  
Wednesday, April 24, 2024 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, April 24, 2024**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

**Mayor** | Michael Farrar |

**Council Members** | Kevin Sair | Janet Prentice | Annie Spendlove

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/82661513795>

if the meeting requests a password use 1234

To call into meeting, dial (253) 215 8782 and use Meeting ID 826 6151 3795

#### CALL TO ORDER

#### PLEDGE OF ALLEGIANCE

#### PRAYER

#### ROLL CALL

#### DECLARATION OF CONFLICTS OF INTEREST

#### MAYOR'S TOWN UPDATE

#### REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

#### PUBLIC COMMENTS

#### DISCUSSION AND ACTION - VOTE TO FILL VACANCY

- [1.](#) Resolution-R-2024-19, Vote to fill vacancy per UCA 20A-1-510 Midterm vacancies in municipal offices.

#### PUBLIC HEARING

- [2.](#) Adopt Title 6.04.040 Nuisance Complaint Procedures and Amend Title 6.04.110 Penalty, Ordinance-O-2024-17.

#### DISCUSSION AND ACTION - NEW BUSINESS

- [3.](#) Adopt Title 6.04.040 Nuisance Complaint Procedures and Amend Title 6.04.110 Penalty, Ordinance-O-2024-17.
- [4.](#) Resolution-R-2024-17, Amend QSEHRA Health Plan.
- [5.](#) Remove Robin Whitmore and add online access for Michelle Kinney (Finance Director) to include transfers, with no signer access to State Bank of Southern Utah.
- [6.](#) Resolution-R-2024-20, (PTIF) Utah Public Treasurers' Investment Fund Certification Of Authorized Individuals.

#### DISCUSSION AND ACTION - OLD BUSINESS

- [7.](#) Resolution-R-2024-18, Amending the Town Fee Schedule.

\*Tabled on March 27, 2024.

## **DISCUSSION AND ACTION - PLANNING COMMISSION BUSINESS**

8. Adopt Title 10.10.05 Temporary Ordinance For Zone Change to A-X Agricultural Zone, Ordinance-O-2024-15.

\*Planning Commission recommended approval on April 10, 2024.

9. Amend Title 10.10.020 A Agricultural Zone, Ordinance-O-2024-14.

\*Planning Commission recommended approval on April 10, 2024.

10. Amend Title 10.10.121 Purpose and Objectives of the Planned Development Overlay Zone, Ordinance-O-2024-16.

\*Planning Commission recommended approval on April 10, 2024.

## **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.

11. Disbursement Listing for March 2024.

12. Budget Report for Fiscal Year 2024 through March 2024.

13. Approval of Minutes: March 27, 2024.

## **TRAINING**

14. Open and Public Meeting Training 2024.

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

## **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](http://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.

**Effective 5/3/2023****20A-1-510 Midterm vacancies in municipal offices.**

- (1)
- (a) As used in this section:
- (i) "Vacancy," subject to Subsection (1)(a)(ii), means the same as that term is defined in Section 20A-1-102.
- (ii) "Vacancy," if due to resignation, occurs on the effective date of the resignation.
- (b) Except as otherwise provided in this section, if any vacancy occurs in the office of municipal executive or member of a municipal legislative body, the municipal legislative body shall, within 30 calendar days after the day on which the vacancy occurs, appoint a registered voter in the municipality who meets the qualifications for office described in Section 10-3-301 to fill the unexpired term of the vacated office.
- (c) Before acting to fill the vacancy, the municipal legislative body shall:
- (i) give public notice of the vacancy at least 14 calendar days before the day on which the municipal legislative body meets to fill the vacancy;
- (ii) identify, in the notice:
- (A) the date, time, and place of the meeting where the vacancy will be filled;
- (B) the person to whom an individual interested in being appointed to fill the vacancy may submit the interested individual's name for consideration; and
- (C) the deadline for submitting an interested individual's name; and
- (iii) in an open meeting, interview each individual whose name is submitted for consideration, and who meets the qualifications for office, regarding the individual's qualifications.
- (d)
- (i) The municipal legislative body shall take an initial vote to fill the vacancy from among the names of the candidates interviewed under Subsection (1)(c)(iii).
- (ii)
- (A) If no candidate receives a majority vote of the municipal legislative body in the initial vote described in Subsection (1)(d)(i), the two candidates that received the most votes in the initial vote, as determined by the tie-breaking procedures described in Subsections (1)(d)(ii)(B) through (D) if necessary, shall be placed before the municipal legislative body for a second vote to fill the vacancy.
- (B) If the initial vote results in a tie for second place, the candidates tied for second place shall be reduced to one by a coin toss conducted in accordance with Subsection (1)(d)(ii)(D), and the second vote described in Subsection (1)(d)(ii)(A) shall be between the candidate that received the most votes in the initial vote and the candidate that wins the coin toss described in this Subsection (1)(d)(ii)(B).
- (C) If the initial vote results in a tie among three or more candidates for first place, the candidates tied for first place shall be reduced to two by a coin toss conducted in accordance with Subsection (1)(d)(ii)(D), and the second vote described in Subsection (1)(d)(ii)(A) shall be between the two candidates that remain after the coin toss described in this Subsection (1)(d)(ii)(C).
- (D) A coin toss required under this Subsection (1)(d) shall be conducted by the municipal clerk or recorder in the presence of the municipal legislative body.
- (iii) If, in the second vote described in Subsection (1)(d)(ii)(A), neither candidate receives a majority vote of the municipal legislative body, the vacancy shall be determined by a coin toss between the two candidates in accordance with Subsection (1)(d)(ii)(D).
- (e) If the municipal legislative body does not timely comply with Subsections (1)(b) through (d), the municipal clerk or recorder shall immediately notify the lieutenant governor.

- (f) After receiving notice that a municipal legislative body has failed to timely comply with Subsections (1)(b) through (d), the lieutenant governor shall:
- (i) notify the municipal legislative body of the violation; and
  - (ii) direct the municipal legislative body to, within 30 calendar days after the day on which the lieutenant governor provides the notice described in this Subsection (1)(f), appoint an eligible individual to fill the vacancy in accordance with Subsections (1)(c) and (d).
- (g) If the municipality fails to timely comply with a directive described in Subsection (1)(f):
- (i) the lieutenant governor shall notify the governor of the municipality's failure to fill the vacancy; and
  - (ii) the governor shall, within 45 days after the day on which the governor receives the notice described in Subsection (1)(g)(i), provide public notice soliciting candidates to fill the vacancy in accordance with Subsection (1)(c) and appoint an individual to fill the vacancy.
- (2)
- (a) A vacancy in the office of municipal executive or member of a municipal legislative body shall be filled by an interim appointment, followed by an election to fill a two-year term, if:
- (i) the vacancy occurs, or a letter of resignation is received, by the municipal executive at least 14 days before the deadline for filing for election in an odd-numbered year; and
  - (ii) two years of the vacated term will remain after the first Monday of January following the next municipal election.
- (b) In appointing an interim replacement, the municipal legislative body shall:
- (i) comply with the notice requirements of this section; and
  - (ii) in an open meeting, interview each individual whose name is submitted for consideration, and who meets the qualifications for office, regarding the individual's qualifications.
- (3)
- (a) In a municipality operating under the council-mayor form of government, as defined in Section 10-3b-102:
- (i) the council may appoint an individual to fill a vacancy in the office of mayor before the effective date of the mayor's resignation by making the effective date of the appointment the same as the effective date of the mayor's resignation; and
  - (ii) if a vacancy in the office of mayor occurs before the effective date of an appointment under Subsection (1) or (2) to fill the vacancy, the remaining council members, by majority vote, shall appoint a council member to serve as acting mayor during the time between the creation of the vacancy and the effective date of the appointment to fill the vacancy.
- (b) A council member serving as acting mayor under Subsection (3)(a)(ii) continues to:
- (i) act as a council member; and
  - (ii) vote at council meetings.
- (4)
- (a)
- (i) For a vacancy of a member of a municipal legislative body as described in this section, the municipal legislative body member whose resignation creates the vacancy on the municipal legislative body may:
    - (A) interview an individual whose name is submitted for consideration under Subsection (1)(c)(iii) or (2)(b)(ii); and
    - (B) vote on the appointment of an individual to fill the vacancy.
  - (ii) Notwithstanding Subsection (4)(a)(i), a member of a legislative body who is removed from office in accordance with state law may not cast a vote under Subsection (4)(a)(i).
- (b) A member of a municipal legislative body who submits his or her resignation to the municipal legislative body may not rescind the resignation.

- (c) A member of a municipal legislative body may not vote on an appointment under this section for himself or herself to fill a vacancy in the municipal legislative body.
- (5) In a municipality operating under the six-member council form of government or the council-manager form of government, defined in Subsection 10-3b-103(7), if the voting members of the city council reach a tie vote on a matter of filling a vacancy, the mayor may vote to break the tie.
- (6) In a municipality operating under the council-mayor form of government, the mayor may not:
  - (a) participate in the vote to fill a vacancy;
  - (b) veto a decision of the council to fill a vacancy; or
  - (c) vote in the case of a tie.
- (7) A mayor whose resignation from the municipal legislative body is due to election or appointment as mayor may, in the case of a tie, participate in the vote under this section.
- (8) A municipal legislative body may, consistent with the provisions of state law, adopt procedures governing the appointment, interview, and voting process for filling vacancies in municipal offices.

Amended by Chapter 46, 2023 General Session



**Application for Vacant Town Council Seat**

**Term will expire January 5, 2026**

Application Deadline: 3:00 p.m. Monday, April 15, 2024

**APPLICANT INFORMATION:**

Name: Scott Taylor

Address: [Redacted]  
*Street City State Zip Code*

Telephone Number: [Redacted]

Email Address: [Redacted]

**QUALIFICATIONS:**

I certify that I meet the following Qualifications:

I am a citizen of the United States.  Yes  No

I am a registered voter in the Town of Apple Valley.  Yes  No

I have been a resident of the Town of Apple Valley or a resident of a recently annexed area of the Town of Apple Valley for the previous twelve (12) months.  Yes  No

I have not been convicted of a felony.  Yes  No

**CERTIFICATION OF APPLICANT:**

PLEASE READ THE FOLLOWING PARAGRAPH CAREFULLY BEFORE SIGNING.

I certify that all statements made in this application are true and complete and understand that any misrepresentation of material fact in this document or during an interview may subject me to disqualification.

I understand that information provided on this application is a public record and authorize the Town of Apple Valley to release the information contained herein.

[Handwritten Signature]  
Applicant's Signature

4/9/2024  
Date

All applicants are requested to submit, with the application, a resume and a brief one (1) page written statement explaining why you are interested in serving on the council and any prior involvement in Town or community organizations or activities.

Scott Taylor



Scott Taylor

Dear whom it may concern,

I would like to express my interest in the vacant seat on the Town Council. I truly feel my training and experience makes me a valued candidate for this position.

Please review my application as well as my resume to better understand my qualifications for the vacant Town Council seat. In my various administrative positions with the Police Department I have gained vast experience and knowledge working hand in hand with local City Council members and also with State Legislators.

I have served on two committees for the State of Nevada. Both were appointments by the Governor. I was co-chairman of the Public Safety Communications Committee and chairman of the Public Safety Communications Grants Subcommittee.

I truly appreciated the opportunity I have had meeting many of the residents of Apple Valley during the time my wife served on the Apple Valley Events Committee.

I feel that I can bring to the Town Council a sense of professionalism and experience. I have the time, motivation, and strong desire to serve the residents of Apple Valley. My hope would be that if I am afforded the opportunity to fill the vacant Town Council seat, we as a Town Council can work together, supporting each other, to find ways to benefit the hard working residents of Apple Valley.

Sincerely,

A handwritten signature in blue ink, appearing to read 'S + T', with a long horizontal line extending to the right.

Scott Taylor

Scott Taylor	
<p>PROFESSIONAL EXPERIENCE</p>	<p>Mesquite Police Department (1996 – 2020)</p> <ul style="list-style-type: none"> <li>• Positions           <ul style="list-style-type: none"> <li>○ Corrections Officer, Patrol Officer, Officer-In-Charge (OIC), Patrol Corporal, Patrol Sergeant, Patrol Lieutenant, Captain, Deputy Police Chief.</li> </ul> </li> <li>• Supervised           <ul style="list-style-type: none"> <li>○ Emergency Communications/Dispatch Division, Records Division, Patrol Division, Investigative Services Division, Evidence Division, Public Information Office, Range Master, Animal Control Services, Volunteer Patrol Division, Field Training Officers, Training Division, Administrative Services Division, Protective Services, Crossing Guards, Community Action Team, School Resource Officers.</li> </ul> </li> <li>• Special Teams and Assignments           <ul style="list-style-type: none"> <li>○ EMT, Internal Affairs, Grants, Background Investigations, SWAT Team member, SWAT Team Leader, SWAT Team Commander, Crisis Negotiator Team Commander, Field Training Officer, Recruiting Officer, Department Policy and Procedure Manual Records Management, Computer Aided Dispatch Systems, Drug Interdiction Operations, Prisoner Transports, Public Information's Officer, Mountain Bike Patrol, Physical Fitness Test Administrator, Accreditation Manager, Neighborhood Watch Coordinator, Business Alert Coordinator, Special Events Coordinator, Fleet Management Coordinator, Training Coordinator, National Night Out Coordinator, Shop with a Cop Coordinator, Emergency Vehicle Operations Instructor, Stinger Spike Instructor, Radar/Lidar Instructor, Officers Flying Armed Instructor, Single Point of Contact with the Nevada Peace Officers Standards and Training.</li> </ul> </li> </ul>
<p>EDUCATION</p>	<ul style="list-style-type: none"> <li>• Specialized Training           <ul style="list-style-type: none"> <li>○ FBI National Academy Session 255</li> <li>○ Northwestern School of Police and Command Executive Management Program</li> <li>○ Department of Homeland Security Leadership Academy Session 09-15</li> <li>○ University of Virginia Criminal Justice Education Program</li> <li>○ Weber State University Associate of Science Degree</li> <li>○ State of Nevada Peace Officers Standards and Training Certificates               <ul style="list-style-type: none"> <li>▪ Basic</li> <li>▪ Intermediate</li> <li>▪ Advanced</li> <li>▪ Supervisor</li> <li>▪ Management</li> <li>▪ Executive</li> </ul> </li> </ul> </li> </ul>



Scott Taylor

PROFESSIONAL  
EXPERIENCE

- Professional Affiliations
  - Nevada Sheriff's and Chiefs Association
  - International Association of Chiefs of Police
  - National FBI Academy
  
- Governor Appointed Positions
  - Co-Chair of the Public Safety Communications Committee for the State of Nevada
  - Chair of the Public Safety Communications Grants Subcommittee for the State of Nevada
  
- Honors and Awards
  - Police Officer of the Year
  - Life Saving Award
  - Highest Overall Achiever – Police Academy
  - Most Physically Fit – Police Academy

Additional work experience available upon request.

RECEIVED APR 11 2024



**Application for Vacant Town Council Seat**

**Term will expire January 5, 2026**

Application Deadline: 3:00 p.m. Monday, April 15, 2024

**APPLICANT INFORMATION:**

Name: Richard Nootenboom

Address: [Redacted]  
Street City State Zip Code

Telephone Number: [Redacted]

Email Address: [Redacted]

**QUALIFICATIONS:**

I certify that I meet the following Qualifications:

I am a citizen of the United States.  Yes  No

I am a registered voter in the Town of Apple Valley.  Yes  No

I have been a resident of the Town of Apple Valley or a resident of a recently annexed area of the Town of Apple Valley for the previous twelve (12) months.  Yes  No

I have not been convicted of a felony.  Yes  No

**CERTIFICATION OF APPLICANT:**

PLEASE READ THE FOLLOWING PARAGRAPH CAREFULLY BEFORE SIGNING.

I certify that all statements made in this application are true and complete and understand that any misrepresentation of material fact in this document or during an interview may subject me to disqualification.

I understand that information provided on this application is a public record and authorize the Town of Apple Valley to release the information contained herein.

[Signature]  
Applicant's Signature

4-9-24  
Date

All applicants are requested to submit, with the application, a resume and a brief one (1) page written statement explaining why you are interested in serving on the council and any prior involvement in Town or community organizations or activities.

Richard Nootenboom

Item 1.

I am 60 years old and have been married to my wife for 25 years. I was a long time resident in Big Bear City, CA 92314.

My wife and I fell in love with the town of apple valley and are happy to live here.

I graduated from Bear valley unified school district. I did not attend college.

I got my contractors license in 1998 and dissolved my license in 2020 as I was frustrated with the state of California.

I have 4 daughters and 2 son-in-laws and 9 grandkids.

I believe I can add to to city of apple valley and would like to be considered.

Thanks Richard Nootenboom 4/11/2024

RECEIVED APR 15 2024



Application for Vacant Town Council Seat

Term will expire January 5, 2026

Application Deadline: 3:00 p.m. Monday, April 15, 2024

APPLICANT INFORMATION:

Name: Richard Jay Palmer

Address: [Redacted] Street City State Zip Code

Telephone Number: [Redacted]

Email Address: \_\_\_\_\_

QUALIFICATIONS:

I certify that I meet the following Qualifications:

I am a citizen of the United States. [X] Yes [ ] No

I am a registered voter in the Town of Apple Valley. [X] Yes [ ] No

I have been a resident of the Town of Apple Valley or a resident of a recently annexed area of the Town of Apple Valley for the previous twelve (12) months. [X] Yes [ ] No

I have not been convicted of a felony. [X] Yes [ ] No

CERTIFICATION OF APPLICANT:

PLEASE READ THE FOLLOWING PARAGRAPH CAREFULLY BEFORE SIGNING.

I certify that all statements made in this application are true and complete and understand that any misrepresentation of material fact in this document or during an interview may subject me to disqualification.

I understand that information provided on this application is a public record and authorize the Town of Apple Valley to release the information contained herein.

Richard Jay Palmer Applicant's Signature

4-15-2024 Date

All applicants are requested to submit, with the application, a resume and a brief one (1) page written statement explaining why you are interested in serving on the council and any prior involvement in Town or community organizations or activities.

RECEIVED APR 15 2024



**Application for Vacant Town Council Seat**

**Term will expire January 5, 2026**

Application Deadline: 3:00 p.m. Monday, April 15, 2024

**APPLICANT INFORMATION:**

Name: WALTER E JOSEY

Address: [REDACTED]  
Street City State Zip Code

Telephone Number: [REDACTED]

Email Address: [REDACTED]

**QUALIFICATIONS:**

I certify that I meet the following Qualifications:

I am a citizen of the United States.  Yes  No

I am a registered voter in the Town of Apple Valley.  Yes  No

I have been a resident of the Town of Apple Valley or a resident of a recently annexed area of the Town of Apple Valley for the previous twelve (12) months.  Yes  No

I have not been convicted of a felony.  Yes  No

**CERTIFICATION OF APPLICANT:**

PLEASE READ THE FOLLOWING PARAGRAPH CAREFULLY BEFORE SIGNING.

I certify that all statements made in this application are true and complete and understand that any misrepresentation of material fact in this document or during an interview may subject me to disqualification.

I understand that information provided on this application is a public record and authorize the Town of Apple Valley to release the information contained herein.

Walter E Josey  
Applicant's Signature

4/15/2024  
Date

All applicants are requested to submit, with the application, a resume and a brief one (1) page written statement explaining why you are interested in serving on the council and any prior involvement in Town or community organizations or activities.

Brief Resume for Walter Earl Josey TC Vacancy Applicant.

30+ year resident of Apple Valley

Ran for Mayor in previous election

Running for Mayor in 2023 election

45+ year Career as a consultant in Satellite  
Communications, Radio Astronomy, SETI (Search for Extra  
Terrestrial Intelligence), Military Defense Projects

Having me on the TC will bring balance.

**Town of Apple Valley**

**RESOLUTION R-2024-19  
APPOINTMENT OF TOWN COUNCIL MEMBER**

**WHEREAS**, the Town of Apple Valley is a Utah municipal corporation; and

**WHEREAS**, a vacancy has occurred in the office of Town Council Member; and

**WHEREAS**, after compliance with the requirements of UCA §§ 10-3-302 and 20A-1-510, the Town Council has determined that \_\_\_\_\_ is a qualified person to be appointed as a member of the Town Council.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Town Council of the Town of Apple Valley that \_\_\_\_\_ is hereby appointed as a member of the Town Council for a 21-month term ending January 5, 2026.

**PASSED** this 24<sup>th</sup> day of April, 2024.

TOWN OF APPLE VALLEY

ATTEST:

\_\_\_\_\_  
Mayor, Michael L. Farar

ATTEST:

\_\_\_\_\_  
Town Clerk, Jenna Vizcardo

Mayor Michael Farrar	voted	_____
Council Member Kevin Sair	voted	_____
Council Member Janet Prentice	voted	_____
Council Member Annie Spendlove	voted	_____

**APPLE VALLEY  
ORDINANCE O-2024-17**

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

**SECTION 1:**        **ADOPTION** “6.04.040 Nuisance Complaint Procedures” of the Apple Valley Municipal Code is hereby *added* as follows:

**ADOPTION**

6.04.040 Nuisance Complaint Procedures(*Added*)

1. Location of alleged violation, nuisance or complaint must be located within 300 feet of complainants’ property line.
2. Alleged violation/nuisance must directly affect complainants’ daily life and their pursuit of happiness.
3. Anonymous complaints will not be accepted.
4. Verbal complaints will not be accepted.
5. All complaints must be presented via a nuisance complaint form.
6. Nuisance complaint forms can be filled out online at the town’s website or in person at the town office.
7. Once the nuisance complaint form is completed, the mayor, enforcement official or any person designated by the mayor, will review the complaint. During this process it will be determined if there is a violation of a town ordinance and does it meet all the above criteria.
8. If it is found to be a valid complaint and violation of town ordinances, a violation notice will be sent out to the property owner where said violation is located.
9. The property owner will have 30 days to correct the violation.
10. If after 30 days the violation has not been corrected, then civil enforcement may be applied as detailed in Apple Valley Municipal Code 16.01.10 through 16.01.80.



**SECTION 2:** AMENDMENT “6.04.110 Penalty” of the Apple Valley Municipal Code is hereby *amended* as follows:

AMENDMENT

6.04.~~110~~050 Penalty

Whoever violates any provision of this chapter shall be subject to civil penalties as described in Apple Valley Municipal Code section 16.02.010 through 16.02.080 and/or shall be guilty of a class B misdemeanor and, upon conviction, subject to penalty as provided in Apple Valley Municipal Code section 1.08.010 ~~of this code~~. Any violation shall constitute a separate offense on each successive day continued.

**SECTION 3:** REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

**SECTION 4:** 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 5:** EFFECTIVE DATE This Ordinance shall be in full force and effect immediately after the required approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Mayor   Michael Farrar	_____	_____	_____	_____
Council Member   Kevin Sair	_____	_____	_____	_____
Council Member   Robin Whitmore	_____	_____	_____	_____
Council Member   Janet Prentice	_____	_____	_____	_____
Council Member   _____	_____	_____	_____	_____

Attest

Presiding Officer

\_\_\_\_\_  
Jenna Vizcardo, Town Clerk, Apple Valley

\_\_\_\_\_  
Michael Farrar, Mayor, Apple Valley

TOWN OF APPLE VALLEY

RESOLUTION R-2024-17

A RESOLUTION AMENDING THE QUALIFIED SMALL EMPLOYER HEALTH REIMBURSEMENT ARRANGEMENT (QSEHRA) PLAN

WHEREAS, the Town of Apple Valley has an adopted Personnel Policy and Procedures manual; and,

WHEREAS, the Town Council of the Town of Apple Valley has previously adopted and deemed it necessary and appropriate to add health benefits administered by a QSEHRA plan; and,

WHEREAS, the Town Council of Apple Valley held a public meeting duly called, noticed and held on the 24th day of April 2024; and,

WHEREAS, a motion duly made, seconded, and accepted by majority vote in regard to the amendment of the QSEHRA plan; and,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apple Valley, Utah, to amend the QSEHRA plan, the associated documents, and set the reimbursable amount as attached hereto.

PASSED THIS 24TH DAY OF April 2024. This resolution shall be in full force and effect from the date of passage.

TOWN OF APPLE VALLEY

PRESIDING OFFICER

ATTEST:

Michael L. Farrar, Mayor

Jenna Vizcardo, Town Clerk/Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor   Michael Farrar	_____	_____	_____	_____
Council Member   Kevin Sair	_____	_____	_____	_____
Council Member   Janet Prentice	_____	_____	_____	_____
Council Member   Annie Spendlove	_____	_____	_____	_____
Council Member   _____	_____	_____	_____	_____

**Town of Apple Valley Qualified Small Employer HRA (QSEHRA)  
Summary Plan Description**

**Plan Number:** The Plan Number, if not stated elsewhere, is 501.

**Adopting Employer/Plan Administrator:**

Name: Town of Apple Valley  
Address: 1777 N. Meadowlark Dr, Apple Valley, UT 84737  
Phone Number: 435-877-1190  
EIN Tax Number: 30-0294253

The Employer will accept service of process for this Plan as Plan Administrator. The Plan Administrator has the discretionary authority to:

- Interpret the Plan in order to make eligibility and benefit determinations,
- Make factual determinations as to whether any individual is eligible and entitled to receive any benefits under the Plan, and
- Terminate or amend this Plan.

**Plan Year:** January 1st through December 31st

**Waiting Period:** 90 days, (not to exceed 90 days)

**Maximum Benefit:**

This is the maximum amount of benefits that will be paid out during the course of the Plan Year. Employees enrolled in this QSEHRA will be eligible to receive reimbursements from the general assets of the Employer for services incurred in a Plan Year or the remaining portion of a Plan Year in which they are enrolled.

Employee Only: Seventy-Five percent (75%) of the statutory maximum

Family: Seventy-Five percent (75%) of the statutory maximum.

**Carry Over:**

This is the amount of unused benefits that can be carried over from one Plan Year to the next Plan Year. The maximum amount allowed for any Plan Year, including any amount carried over from the prior Plan Year, cannot exceed the QSEHRA Annual Maximum Benefit as defined by The Cures Act. The Maximum Benefit noted above may not be the same as the QSEHRA Annual Maximum Benefit defined by The Cures Act.

## TOWN OF APPLE VALLEY

### QUALIFIED SMALL EMPLOYER HEALTH REIMBURSEMENT ARRANGEMENT (QSEHRA) PLAN

This Qualified Small Employer Health Reimbursement Arrangement (QSEHRA) Plan (the “Plan”) is made and effective July 1, 2023,

#### RECITALS

WHEREAS, Town of Apple Valley (the “Company”), a municipal corporation organized and existing under the laws of the State of Utah, with its head office located at:

1777 N. Meadowlark Dr  
Apple Valley, UT 84737

desires to establish a plan to reimburse eligible medical expenses in lieu of a cost-prohibitive group health insurance plan.

WHEREAS, the Company passed and began offering the Plan in July of 2023 and now desires to make adjustments to the Plan.

RESOLVED, The Company shall fully fund this arrangement for each eligible employee from which covered expenses (as defined in Section 213 of the Internal Revenue Code) for the employee, their spouse, and ~~or~~ their dependents shall be reimbursed. Reimbursements shall not exceed seventy-five percent (75%) of the maximum statutory limits established for the year.

RESOLVED, the Company will offer a single or family plan based on family size as allowed by law.

RESOLVED, the submission of medical expenses must be in a form and in sufficient detail to meet the requirements of the Company. Expenses may be submitted until March 31 for the previous calendar year.

RESOLVED, the Plan shall be administered in a nondiscriminatory manner (as defined in Section 150(h) of the Internal Revenue Code) and shall remain in effect until modified or terminated by a later resolution.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the Company adopts this Plan as follows:

#### ARTICLE I. PURPOSE AND ESTABLISHMENT

### **1.1 Purpose**

Effective as a July 1, 2023, Company establishes a QSEHRA Plan under the Cures Act of 2016 effective July 1, 2023 for the benefit of all eligible employees under Section 105(b), (e) of the internal Revenue Code as from time to time amended.

### **1.2 Name**

The name of the Plan is Town of Apple Valley Qualified Small Employer Health Reimbursement Arrangement (QSEHRSA).

### **1.3 Plan Not Subject To a Cafeteria Plan**

This Plan may only be fully funded by the Company. No salary reduction contributions may be made under this arrangement.

### **1.4 Effective Date**

The provisions of the Plan, as set forth herein, shall only apply to an eligible employee who is in the active employ of the Company on or after July 1, 2023.

### **1.5 Termination**

This plan shall continue on a year-to-year basis until terminated by the Employer.

## **ARTICLE II. DEFINITIONS AND CONSTRUCTION**

### **2.1 Definitions**

Where the following words and phrases appear in this Plan, they shall have the respective meanings set forth in this Article, unless the context clearly indicates to the contrary.

- a) Plan: The HRA Plan for Employees working for the Company, the Plan set forth herein, as amended from time to time.
- b) Employer: Town of Apple Valley, a municipal corporation organized and existing under the laws of the State of Utah, or its successor.
- c) Committee: The person or persons appointed pursuant to Section 6 to assist the Employer with the Plan Administration in accordance with said Section.

- d) Employee: Any person who, on or after the Effective Date, is receiving remuneration for personal services rendered to the Employer.
- e) Dependents: An individual who is a dependent of a Participant within the meaning of Section 152(a) of the Code, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof, and includes any child (as defined in Code Section 152(f)(1) of the Participant, including a child under a Qualified Medical Child Support Order, who as of the end of the taxable year has not attained age 27. A Spouse is an individual who is legally married to a Participant.
- f) Participant: An Employee participating in the Plan in accordance with the provisions of Section 3.1.
- g) Fiduciaries: The Employer and the Committee, but only with respect to the specific responsibilities of each for Plan administration, all as described in Section 6.1.
- h) Participation: The period or periods during which an Employee participates in this Plan as determined in accordance with Section 3.1.
- i) Compensation: The total of all amounts paid to a Participant for a given Year by the Employer for personal services and reported as wages for purposes of income tax.
- j) Effective Date: July 1, 2023~~5~~, the date on which the provisions of this updated Plan became effective.
- k) Year: The 12-month period commencing on January 1 and ending on December 31.
- l) Code: The Internal Revenue Code and any other Codes relating to issues contained in this Plan, as amended from time to time.
- m) Qualifying Medical and Health Care Expenses: Expenses as defined in Section 213(d) of the Internal Revenue Code.

## 2.2 Construction

The masculine gender, where appearing in the Plan, shall be deemed to include the feminine gender, unless the context clearly indicates to the contrary. All references to the plural herein shall also mean the singular and to the singular shall also mean the plural unless the context otherwise indicates. The words “hereof”, “herein”, “hereunder” and other similar compounds of the word “here” shall mean and refer to the entire Plan and not to any particular provision, Section or Article. Article and Section headings are for convenience of reference and not intended to add to or subtract from the terms of this Plan.

## **ARTICLE III. PARTICIPATION, ENROLLMENT, NOTIFICATIONS, AND TERMINATION**

### **3.1 Participation**

An eligible Employee shall participate in the Plan for any Year in which he meets the following requirements:

- a) He/she has performed services for the Employer at some time during the Year for at least 90 days
- b) He/she is a Full-Time Employee, working 30 hours or more per week
- c) He/she is not subject to collective bargaining
- d) He/she is not a non-resident alien
- e) Individuals who are self-employed as described in section 401(c) of the Internal Revenue Code, including sole proprietors, or partners in a partnership

### **3.2 Enrollment**

The Employee shall enroll in the Plan on an approved form approved by the Committee after being notified of eligibility.

### **3.3 Notifications**

The Company shall notify an Employee in writing when he first becomes a Participant. Subsequent notices shall be given at least 90 days before the beginning of each Year. Such notification shall include information required to be furnished by IRS.

### **3.4 Termination**

An Employee is automatically terminated as a Participant from the Plan on the earliest of the following dates:

- a) The date on which this Plan is terminated by the Employer;
- b) The date on which the Participant's employment is terminated, whether termination is initiated by the Participant or the Employer.

## **ARTICLE IV. BENEFITS**

### **4.1 Generally**



This Plan provides for the payment of, or the reimbursement of, medical expenses (as defined in the IRS Code Section 213(d)) of an eligible Employee and Dependents as follows:

- a) Employee must provide proof of Minimum Essential Coverage (MEC) at the beginning of the Plan Year or when Employee becomes eligible to participate in the Plan. This proof must consist of either (a) a document from a third party (for example, the insurer) showing that the Employee and dependents have coverage (for example, an insurance card or an explanation of benefits) and an attestation by the Employee that the coverage is MEC; or (b) an attestation by the Employee stating that the Employee and Dependents have MEC, the date coverage began, and the name of the provider of the coverage. If employee is not covered under MEC for any month, the Employee may be subject to tax under the individual mandate requirement of the Affordable Care Act and reimbursements may then be includable in gross income.
- b) Payments and reimbursements for any year shall be no more than ~~the~~ 75% of the statutory limit of that Year. In the case of an Employee who is not covered for the entire year, the limitations are prorated.
- c) Reimbursements shall be included as a line item in the Employee's payroll checks as a non-taxable addition. Non-taxed premiums are taxable under certain circumstances such as in an employer sponsored health plan. Other taxable reimbursements include over the counter drugs purchased without a prescription.

## 4.2 Qualifying Health and Medical Care Expenses

For this purpose, "medical expenses" means expenses for medical care, as defined in section 213(d) (which includes premiums for other health coverage, such as individual health insurance policies).

## 4.3 Carry-Forward/Run-Out Period

Benefits not used in a prior year may be carried forward subject to ~~the~~ 75% of the maximum statutory limit. If an Employee's participation in the Plan ends, the period of coverage ends on the day of the terminating event. Any expenses incurred after that date are ineligible for reimbursement. If the Employee has not incurred Qualified Expenses equal to the amounts allocated on their behalf under this Plan before that date, the unused amount is forfeited to the Employer. All forfeited amounts become the property of the Employer.

## 4.4 Refund of Duplicate or Non-Qualifying Reimbursement

A reimbursement made to an Employee that is not a qualifying expense (i.e., duplicate reimbursement, or reimbursement for an expense not covered by an MEC, or non-medical

expenses) shall be deemed taxable or may be repaid with after-tax funds. The repayment must be paid by March 15 of the year following the year in which the error was identified.

#### **4.5 Reporting Requirement**

Reimbursed medical expenses are excludable from gross wages. However, the Employee's permitted (maximum benefit allowed by Employer) benefit shall be reported on the W-2 in Box 12 with a code of FF. Any non-qualifying reimbursements not repaid shall be included in the Employee's gross wages as taxable.

### **ARTICLE V. ADMINISTRATION**

#### **5.1 Fiduciary Responsibility**

The Fiduciaries shall have only those specific powers, duties, responsibilities and obligations as are specifically given them under this Plan. The Employer shall have the sole responsibility for funding the Plan and shall have the sole authority to appoint and remove members of the Committee, and to amend or terminate this Plan. The Committee shall have the sole responsibility for the administration of this Plan, which responsibility is specifically described in this Plan.

#### **5.2 Funding**

There are no segregated funds or Plan assets required or established to maintain this Plan. Reimbursements shall be made from the Company's general assets. Annual allocations designated by the Employer shall be monitored for each enrolled Participant in a manner deemed appropriate by the Employer.

#### **5.3 Committee**

The Plan shall be administered by a Committee consisting of at least two people who shall be the Mayor or Designee, Finance Director or Town Administrator and Payroll Processor of the Employer Company.

#### **5.4 Claims Procedure**

The Committee shall make all determinations as to the eligibility of any Employee for Plan Participation or an Employer contribution. Any denial by the Committee of the claim for benefits under the Plan by an Employee shall be stated in writing by the Committee and delivered or mailed to the Employee; and such notice shall set forth the specific reasons for the denial, written to the best of the Committee's ability in a manner that may be understood without legal or actuarial counsel. In addition, the Committee shall afford a reasonable

opportunity to any Employee whose claim for benefits has been denied for a review of the decision denying the claim.

### **5.5 Records and Reports**

The Committee shall exercise such authority and responsibility as it deems appropriate to comply with governmental regulations relating to records of the Employer contributions made hereunder, notifications to Participants, and reports, if any.

### **5.6 Other Committee Powers and Duties**

The Committee shall have such duties and powers as may be necessary to discharge its duties hereunder, including, but not by way of limitation, the following:

- a) To construe and interpret the Plan and decide all questions of eligibility;
- b) To prepare and distribute, in such manner as the Committee determines to be appropriate, information explaining the Plan;
- c) To receive from the Employer and from Participants such information as shall be necessary for the proper administration of the Plan;
- d) To furnish the Employer, upon request, such annual reports with respect to the administration of the Plan as are reasonable and appropriate;

The Committee shall have no power to add to, subtract from or modify any of the terms of the Plan, or to change or add to any benefits provided by the Plan, or to waive or fail to apply any requirements of eligibility under the Plan

### **5.7 Decisions**

All decisions of the Committee shall be uniformly and consistently applied to all Participants in similar circumstances. When making a determination or calculation, the Committee shall be entitled to rely upon information furnished by a Participant, the Employer or the legal counsel of the Employer.

### **5.8 Notifications and Forms**

The Committee may require a Participant to complete and file with the Committee any and all forms approved by the Committee, and to furnish all pertinent information requested by the

Committee. The Committee may rely upon all such information so furnished it, including the Participant’s current mailing address.

**ARTICLE VI. EMPLOYER RIGHTS**

**6.1 Non-Guarantee of Employment**

Nothing contained in this Plan shall be construed as a contract of employment between the Employer and any Employee, or as a right of any Employee to be continued in the employment of the Employer, or as a limitation of the right of the Employer to discharge any of its Employees, with or without cause.

**6.2 Action by Employer**

Any action by the Employer under this Plan may be by any person or persons duly authorized to take such action.

**6.3 Amendments**

The Employer reserves the right to make from time to time any amendment or amendments to this Plan which do not cause any part of Employer contributions hereunder to be used for, or diverted to, any purpose other than the exclusive benefit of Participants, provided however, that the Employer may make any amendment it determines necessary or desirable, with or without retroactive effect, to comply with the Code or any other federal law and regulations issued pursuant thereto.

**6.4 Right to Terminate**

The Plan is intended to be permanent, but the Employer reserves the right to terminate the Plan at any time.

IN WITNESS WHEREOF, the Employer has executed this Agreement with full knowledge of its content and significance and intending to be legally bound by the terms hereof the day and year first above written.

TOWN OF APPLE VALLEY

\_\_\_\_\_  
~~Frank Lindhardt~~ Michael Farrar, Mayor Jenna Vizcardo,  
Clerk/Recorder

Authorized Signature

Attest Signature



TOWN OF APPLE VALLEY

RESOLUTION R-2024-20

UTAH PUBLIC TREASURERS' INVESTMENT FUND CERTIFICATION OF AUTHORIZED INDIVIDUALS

WHEREAS, the Town of Apple Valley invests funds in the Utah Public Treasurers' Investment Fund (PTIF) as authorized by the Utah Money Management Act; and

WHEREAS, the Town Council has the authority to designate individuals to make changes to PTIF accounts, such as adding or deleting users to access and/or transact with PTIF accounts, add, delete, or make changes to bank accounts tied to PTIF accounts, open or close PTIF accounts, and complete any necessary forms in connection with such changes; and

WHEREAS, The Utah State Treasurer requires that the Town Council designate the individuals authorized to make changes to PTIF accounts by adopting the Public Entity Resolution attached hereto; and

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 24th day of April, 2024, and upon motion duly made and seconded:

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Town Council of the Town of Apple Valley that Michael Lee Farrar, Apple Valley Town Mayor, and Kevin Sair, Apple Valley Town Treasurer, are designated as authorized individuals for PTIF transactions outlined above.

Michelle Kinney is designated as an authorized user for online management. Apple Valley Town Mayor, Michael Lee Farrar, is hereby authorized to execute the Public Entity Resolution attached hereto. This resolution is effective immediately.

EFFECTIVE DATE This Resolution shall be in full force and effect from April 24, 2024.

PASSED this 24th day of April 2024.

TOWN OF APPLE VALLEY

PRESIDING OFFICER

\_\_\_\_\_

Michael L. Farrar, Mayor

ATTEST:

\_\_\_\_\_

Jenna Vizcardo, Town Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor   Michael Farrar	_____	_____	_____	_____
Council Member   Kevin Sair	_____	_____	_____	_____
Council Member   Janet Prentice	_____	_____	_____	_____
Council Member   Annie Spendlove	_____	_____	_____	_____
Council Member   _____	_____	_____	_____	_____

TOWN OF APPLE VALLEY

RESOLUTION R-2024-18

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 24th day of April 2024, 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 24th day of April 2024. This resolution shall be in full force and effect from the date of passage.

TOWN OF APPLE VALLEY

PRESIDING OFFICER

\_\_\_\_\_  
Micheal L. Farrar, Mayor

ATTEST:

\_\_\_\_\_  
Jenna Vizcardo, Town Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor   Michael Farrar	_____	_____	_____	_____
Council Member   Kevin Sair	_____	_____	_____	_____
Council Member   Janet Prentice	_____	_____	_____	_____
Council Member   Annie Spendlove	_____	_____	_____	_____
Council Member   _____	_____	_____	_____	_____





## FEE SCHEDULE

(Adopted on April 4, 2024 Proposal April 24, 2024)

### Administrative Fees

Government Records Access Management Act (GRAMA) Request: To be determined on an individual basis per UCA 63-2-203

Photocopies:	8 1/2 x 11 single or double sided on town paper	<b>\$0.25</b>
	11 x 17 single or double sided on town paper	<b>\$0.50</b>
	Land Use (Zoning Ordinance)	<b>\$22.00</b>
	Subdivision Ordinance	<b>\$9.00</b>
	General Plan	<b>\$8.00</b>
	Standards and Specifications	<b>\$25.00</b>
	Maps 24" x 36"	<b>\$40.00</b>
	Maps 11" x 17"	<b>\$5.00</b>
	Copies on CDs	<b>\$5.00</b>
Returned check fee: (Utah Code Title 7 Section 15)		<b>\$25.00</b>
<span style="color: green;">Apple Valley</span> <span style="color: red;">Smithsonian</span> Fire Department Facility:		
	Training Room	<b>\$50.00</b>
	One Bay (Fire Dept Approval)	<b>\$75.00</b>
	Two Bays (Fire Dept Approval)	<b>\$150.00</b>
	Refundable Deposit.	<b>\$100.00</b>

### **Park Reservation**

Parks are a first come, first serve basis only

Pavilion Rental	1/2 Day	<b>\$25</b>
	Full Day	<b>\$50</b>
	Refundable Cleaning Deposit	<b>\$150</b>

### **Credit Card Processing Fees**

Payments over \$200.00 made with a credit or debit 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 or exceptions to payment may be granted by the Town Council for local non-profit organizations or civic functions specific to Apple Valley depending on scheduling conflicts, etc. Additional fees may be charged if there are special needs; i.e. AV equipment, change in room setup or large groups, function is after hours requiring staff to be available, etc.

### Professional Fees

Engineering/Legal/Administrative Fees: **\$Actual Cost**



**Business Licenses**

	<u>Initial</u>	<u>Renewal</u>
<b>Alcohol License</b>		
Class A Retail License (Off Premises)	<b>\$300.00</b>	<b>\$300.00</b>
Class B Retail License (On Premises)	<b>\$1000.00</b>	<b>\$500.00</b>
Class C Retail License (Draft)	<b>\$1250.00</b>	<b>\$750.00</b>
Class D Special Events License	<b>\$200.00</b>	<b>N/A</b>
Class D Special Events Permit Application	<b>\$125.00</b>	<b>N/A</b>
Class D Special Events Permit Change Fee	<b>\$25.00</b>	<b>N/A</b>
Class E Arena/Facility License	<b>\$800.00</b>	<b>\$400.00</b>
Class F Brewpub and Microbrewery License	<b>\$300.00</b>	<b>\$150.00</b>
Temporary License	<b>\$200.00</b>	<b>N/A</b>
Government Owned Facility License	<b>\$400.00</b>	<b>\$200.00</b>

**Business License**

Short Term Rental License:	<b>\$300.00</b>
Fire Inspection Fee:	<b>\$150.00</b>
Code Inspection Fee:	<b>\$150.00</b>
<b>Total:</b>	<b>\$600.00</b>

Commercial:	<b>\$250.00 <del>150.00</del></b>
Cabins, Tiny Homes, RV Park, Lodges, Etc.:	
1 unit	<b>\$300.00</b>
2-5 units	<b>\$500.00</b>
6-10 units	<b>\$800.00</b>
11-20 units	<b>\$1,200.00</b>
21-50 units	<b>\$1,500.00</b>
<b>50+ units</b>	<b>\$2,000.00</b>
Additional Use, Commercial:	<b>\$50.00 <del>20.00</del> each use</b>
Home-Based:	
Non-Impact	<b>\$0.00</b>
Impact	<b>\$150.00</b>
Local Licensed Non-Profit Organizations:	<b>\$0.00</b>
Single Event License:	<b>\$200.00 <del>100.00</del></b>
Dog Kennel License: Non-Commercial:	<b>\$50.00</b>
Fire Inspection Fee	<b>\$150.00</b>
Code Inspection Fee	<b>\$150.00</b>
Business License Late fee:	<b>\$25.00 per month or portion of month</b>



**Special Events Permit**

Application Fee (attendance under 100)	\$200 <del>75</del> /day
<del>Application Fee (attendance over 100)</del>	<del>\$150/day</del>
Application Fee (attendance 101 - 400)	\$500/day
Application Fee (attendance 401 - 999)	\$800/day
Application Fee (attendance over 999)	\$1,200/day
Drone License Fee:	\$250/day
Drone Violation Fee:	\$1,000 per violation
Non-Asphalt Road Access Fee:	\$250/day
Dust Violation Fee:	\$1,000/day
Sub-License Fee (vendors)	\$525
Fire Personnel/Fire Equipment	\$750/day
Encroachment Permit	\$200

**Animal Control**

**Dog License:** (1-year license Expires Dec 31)

Spayed/Neutered:	\$10.00
Functional:	\$20.00

**Late fee of 25% after February 15.**

**Solid Waste**

Monthly Fee	\$13.95 (As of January 1, 2024)
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**Storm Drainage**

Residential	\$10/month
Commercial	\$35/month

**Signs**

Free Standing Sign	\$100.00
Monument	\$100.00
Temporary Sign	N/A
Wall Sign	N/A
Sign Review Board	\$100.00

**Zoning**

Annexation	\$2,200
Conditional Use Permit (CUP)	\$800
Easement Abandonment	\$800
Encroachment Permit	\$700+ \$10.00 per square foot, \$500.00 non-compliance
General Plan Amendment	\$Acreage fee

Less than 5 Acres:	\$3,000
5 - 9 Acres:	\$5,000
10 - 39 Acres:	\$7,000
40 - 99 Acres:	\$15,000 <del>11,000</del>
100 - 199 Acres:	\$25,000 <del>16,500</del>
200 - 499 Acres:	\$35,000 <del>26,500</del>
500 Acres and Over:	\$40,000 <del>31,500</del>



**Zone Change    \$Application Fee ~~1,000~~ + Acreage fee (Per Lot Being Changed)**

Commercial & Industrial: \$~~4,000~~ ~~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

Residential: \$~~2000~~ ~~1,000~~ plus \$~~200~~ ~~40~~ per acre for the first 100 acres; \$~~150~~ ~~20~~ per acre for the second 100 acres; \$~~100~~ ~~10~~ per acre for each acre over 200 acres

All Other Zones: \$1,000 plus \$40 per acre or portion thereof over one acre

**Development Review Fees  
(Planning/Zoning/Administrative)                    \$3,000 plus 3.17% of Bond Amount \$500 Plat Amendment  
(Lot Line Adjustments)**

Home Occupation Permit	<b>\$10 Reprint</b>
Lot Split	<b>\$800 per new lot</b>
Non-Compliant Lot Split	<b>\$900 per new lot</b>
Lot Line Adjustments	<b>\$800 per application</b>
Planning Staff Review (PSR)	<b>\$75/Hr (1 Hour Minimum)</b>
Site Plan Review (*SPR)	<b>\$750 + Actual Cost</b>

(\* 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	<b>\$500 + Actual Legal &amp; Engineering Cost of Services</b>
Revisions/Amendments	<b>\$Actual Legal &amp; Engineering Cost of Services</b>
Road Dedications	<b>\$750</b>

**Subdivisions and Other Projects**

**Construction Plan and Review Fee**

<b>Application Fee</b>	<b>\$1,500 <del>500</del></b>
<b>2 &amp; 3 <del>1-10</del> Lots</b>	<b>\$1,000.00</b>
<b>4-9 <del>11-20</del> Lots</b>	<b>\$300 <del>100</del>/lot</b>
<b>10 <del>21</del>+ Lots</b>	<b>\$500 <del>125</del>/lot</b>
Preliminary Plat	<b>\$5,000 + 100/per lot <del>2,700</del></b>
Final Plat (subdivision, town homes, roads, etc.)	<b>\$3,000 <del>1,200</del> + \$300 <del>160</del>/per lot</b>

**Development Review Fees  
(Planning/Zoning/Administrative)                    \$3,000 plus 3.17% of Bond Amount \$500 Plat Amendment  
(Lot Line Adjustments)**

**Amendments**

Preliminary Plat	<b>\$2,700</b>
Final Plat	<b>\$1,200 + \$10.00 per lot</b>
Public Improvement Inspection Fee	<b>2% of Public Works Improvement</b>



**Board of Appeals**

Variance Application  
Appeal Hearing

**Construction Costs**

\$550.00  
\$550.00

**Building Permits**

Pools/Solar/Other  
Building Permit  
State Building Permit Surcharge  
Plan Review  
Plan Review  
Special Inspection  
Re-Inspection Fee  
Building Permit Issued After-The-Fact

\$375.00  
Based on Valuation (see table below)  
1% of Building Permit Fee  
Residential: 25% of Permit Fee  
Commercial: 65% of Permit Fee  
\$125  
\$125  
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 Feet x  
Current ICC Building Valuation*

	\$23.50
\$1 to \$500	\$23.50 for the first \$500 plus \$3.05 for each additional \$100 or fraction thereof, to and including \$2,000
\$501 to \$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 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
\$500,000 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:

Application accepted; no further work done	<b>75% <del>90%</del> of total filing fee</b>
Notification of hearing	<b>50% <del>75%</del> of total filing fee</b>
Planning Staff Review (PSR) meeting or written comments from department received.	<b>25% <del>50%</del> of total filing fee</b>
Staff Report completed	<b>No Refund <del>25%</del> of total filing fee</b>
Public hearing held	<b>No Refund</b>
Staff error resulting in mandatory withdrawal	<b>100% refund</b>

**Cemetery**

	RESIDENT	NON RESIDENT
<i>LOT FEES</i>		
Full Lot	600	1,500
Half Lot	450	1,350
Half Lot - Infant	100	500
<i>BURIAL FEES</i>		
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-1 <sup>st</sup> Open	Double the Standard Fee	Double the Standard Fee
<i>PERPETUAL CARE (non-refundable)</i>		
Full Lot	300	300
Full Lot – Upright	450	450
Half Lot	100	100
Half Lot - Upright	250	250
<i>OTHER SERVICES</i>		
Disinterment-Adult	1200	1200
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)		

**APPLE VALLEY  
ORDINANCE O-2024-15**

**WHEREAS,**

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

**SECTION 1:           ADOPTION** “10.10.05 Temporary Ordinance For Zone Change to A-X Agricultural Zone” of the Apple Valley Land Use is hereby *added* as follows:

**ADOPTION**

10.10.05 Temporary Ordinance For Zone Change to A-X Agricultural Zone(*Added*)

The Town Council of Apple Valley has adopted a temporary fee schedule change for land owners desiring to change their current zone to an agricultural zone designation.

This section of code contains the procedural rules and regulations related to this zone change.

- This ordinance is in effect for four months from the date of passage and posting.
- Parcels containing a minimum of five acres may apply for a zone change under this ordinance.
- This code does not guarantee approval of the zone change to Agricultural land.
- Applicants shall fill out a Zone Change Application as found on the town website and submit to the town clerk within the four month period. This application must include all application requirements except requirements E and H.

This zone change will follow all applicable law including, but not limited to, application, and appearance before the Planning Commission with a recommendation to the Town Council, Town Council approval, and public hearing.

There is no limit to the number of parcels an applicant/owner may bring to the planning commission for recommendation to the town council.

Agricultural land will be designated within Agricultural zone lot standards by the A-X zone and will not be based on acreage.

When a change does not follow the current General Plan, a General Plan amendment is not required at the time of the zone change. At the end of the four month period a general plan review, public hearing, and amendment will be adopted after review of all zone changes pertaining to this ordinance in accordance with state law.



This temporary ordinance does not guarantee approval of water service or supply, nor does it signify any building-approvals. Any application for zone change related to this ordinance are at the discretion of the landowner. The Town of Apple Valley does not assume any liability in relation to this zone change.

**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 immediately after the required approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Mayor   Michael Farrar	_____	_____	_____	_____
Council Member   Kevin Sair	_____	_____	_____	_____
Council Member   Robin Whitmore	_____	_____	_____	_____
Council Member   Janet Prentice	_____	_____	_____	_____
Council Member   _____	_____	_____	_____	_____

Attest

Presiding Officer

\_\_\_\_\_  
Jenna Vizcardo, Town Clerk, Apple Valley

\_\_\_\_\_  
Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY  
ORDINANCE O-2024-14**

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

**SECTION 1:** AMENDMENT “10.10.020 A Agricultural Zone” of the Apple Valley Land Use is hereby *amended* as follows:

**AMENDMENT**

**10.10.020 A Agricultural Zone**

- A. Purpose: The purpose of this zone is to preserve appropriate areas for permanent agricultural use, actively devoted to agricultural use. Uses normally and necessarily related to agriculture are permitted and uses inimical to the continuance of agricultural activity are not allowed.
- B. Permitted Uses: Uses permitted in this zone are as follows:
  - 1. Crop production, horticulture and gardening
  - 2. Farm buildings and uses
  - 3. Household pets
  - 4. Farming livestock
  - 5. Stands for sale of produce grown and sold on premises
  - 6. Veterinarian
  - 7. Weaner Pigs
  - 8. Residential Dwelling
- C. Conditional Uses: Uses requiring a conditional use permit in this zone are as follows:
  - 1. Agritourism
  - 2. Agricultural Industry
  - 3. Animal Specialties
  - 4. Kennel, Commercial
  - 5. Metal Building
  - 6. Recreation and Entertainment, Outdoor (A-10, A20, A-40 only)
  - 7. Stable, Public
- D. Any use not specifically allowed under permitted or conditional uses shall be prohibited unless the planning commission determines the use is substantially the same as a permitted or conditional use as provided in 10-7-180-E4.
- E. Development Standards in Agricultural Zones:

	<u>Zones</u>				
	<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> </tr> </table>				

Development Standard	<u>A-X</u>	A-40	A-20	A-10	A-5
Lot standards					
Minimum lot area	<u>Any Size above 5 acres*</u>	40 acres*	20 acres*	10 acres*	5 acres*
Minimum lot width	<u>400 feet</u>	400 feet	400 feet	300 feet	300 feet
Building standards					
Maximum height, main building <sup>1</sup>	<u>35 feet</u>	35 feet	35 feet	35 feet	35 feet
Maximum height, accessory building	<u>35 feet</u>	35 feet	35 feet	35 feet	35 feet
Setback standards - front yard					
Any building <sup>2</sup>	<u>30 feet</u>	30 feet	30 feet	30 feet	30 feet
Setback standards - rear yard					
Main building	<u>30 feet</u>	30 feet	30 feet	30 feet	30 feet
Accessory building	<u>No requirement</u>	No requirement	No requirement	No requirement	No requirement
Setback standards - interior side yard					
Main building	<u>15 feet</u>	15 feet	15 feet	15 feet	15 feet
Accessory building of 100 square feet or less	<u>No requirement</u>	No requirement	No requirement	No requirement	No requirement
Accessory building greater than 100 square feet	<u>20 feet</u>	20 feet	20 feet	20 feet	20 feet
Setback standards - street side yard					
Main building	<u>20 feet</u>	20 feet	20 feet	20 feet	20 feet
Main building on corner lot with yard that abuts the side yard of another lot	<u>20 feet</u>	20 feet	20 feet	20 feet	20 feet
Accessory building	<u>Not permitted</u>	Not permitted	Not permitted	Not permitted	Not permitted
ADD Animals permitted	<u>-</u>				
*Required minimum size may be calculated prior to a required road dedication.					

\*\*No more than one (1) primary home on a property.

Notes:

F. Modifying Regulations:

1. Fur farms, silos, fish farms or the keeping of exotic animals may not be approved in the A-5 district.
2. Location of Corral or Stable: No corral or stable shall be located closer than one hundred feet (100') from any dwelling unit in an adjacent zone.
3. The housing of weaner pigs is subject to the following requirements:
  - a. "Weaner pigs" shall be defined as pigs that will be one year of age or less and do not weigh more than three hundred fifty (350) pounds at the end of the five (5) month period in which the weaner pig is kept.
  - b. Agricultural parcels adjacent to residential zoned parcels are not eligible for the raising of weaner pigs.
  - c. All weaner pigs shall be kept only during the months of December through April.
  - d. Setbacks for pens for weaner pigs shall be the same as required for other animals.
  - e. No weaner pig shall be allowed to run loose (not in a restricted environment, such as a pen) unless attended by the owner or keeper of the pig.
  - f. All pens shall be cleaned regularly, a minimum of three (3) times weekly.
  - g. No mud bogs shall be allowed in the pens. All pens shall have drainage to keep water from pooling within the pen.
4. Permitted and conditional uses set forth in this section shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.
  - a. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this title.
  - b. No accessory use, building, or structure shall be allowed on a lot unless a permitted or conditional use has been established.
5. Greater size and height: Notwithstanding the height and size limitations shown in this section, a greater building and accessory height and size may be allowed pursuant to a conditional use permit.
6. For additional restrictions and clarifications in this zone, see AVLU 10.28 Supplementary and Qualifying Regulations for Land Use and Building.
7. On large lots 5 Acre and larger the minimum lot size may be smaller than required, by the amount needed for road dedications.

**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 immediately after the required approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Mayor   Michael Farrar	_____	_____	_____	_____
Council Member   Kevin Sair	_____	_____	_____	_____
Council Member   Robin Whitmore	_____	_____	_____	_____
Council Member   Janet Prentice	_____	_____	_____	_____
Council Member   _____	_____	_____	_____	_____

Attest

Presiding Officer

\_\_\_\_\_  
Jenna Vizcardo, Town Clerk, Apple Valley

\_\_\_\_\_  
Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY  
ORDINANCE O-2024-16**

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

**SECTION 1:**        **AMENDMENT** “10.10.121 Purpose And Objectives” of the Apple Valley Land Use is hereby *amended* as follows:

AMENDMENT

10.10.121 Purpose And Objectives

- A. Purpose. The planned development overlay zone is a floating zone that is unmapped until applied to specific property in accordance with the provisions of this chapter. It is intended to allow development design flexibility, integration of mutually compatible uses, consolidation of open spaces, clustering of dwelling units, and optimum land planning with greater efficiency, convenience and amenity than is possible under conventional zone regulations. To achieve these purposes, a planned development should be planned as one complex land use with a common architectural design theme that provides variety with architectural compatibility, rather than as an aggregation of individual, unrelated buildings located on separate, unrelated lots. A Planned Development Overlay Zone change once approved by Town Council is not complete or final until a Development Agreement has been signed and executed.
- B. Objectives. Objectives to be accomplished under the provisions of this chapter include:
1. Create more attractive and desirable environments within the Town.
  2. Allow a variety of housing types in one development project.
  3. Encourage variety in physical development patterns, including flexibility in building location.
  4. Preserve open space for visual enjoyment and recreational use.
  5. Encourage development on a large scale, since the purposes of a planned development can be best realized in large scale developments.

**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 immediately after the required approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Mayor   Michael Farrar	_____	_____	_____	_____
Council Member   Kevin Sair	_____	_____	_____	_____
Council Member   Robin Whitmore	_____	_____	_____	_____
Council Member   Janet Prentice	_____	_____	_____	_____
Council Member   _____	_____	_____	_____	_____

Attest

Presiding Officer

\_\_\_\_\_  
Jenna Vizcardo, Town Clerk, Apple Valley

\_\_\_\_\_  
Michael Farrar, Mayor, Apple Valley

**Town of Apple Valley  
Disbursement Listing  
SBSU Operating - 03/01/2024 to 03/31/2024**

<u>Payee Name</u>	<u>Reference Number</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Void Date</u>	<u>Void Amount</u>	<u>Source</u>
Returned/NSF Payment		03/13/2024	\$0.00			Returned/NSF Pay
Returned/NSF Payment		03/13/2024	\$6,800.00			Returned/NSF Pay
Txfr from Operating to Fire acct for gener		03/15/2024	\$2,254.80			JE: 786
Payroll	0308241200	03/08/2024	\$5,000.94			Paycheck
Payroll	0322241200	03/22/2024	\$5,512.91			Paycheck
Returned/NSF Payment	1896	03/13/2024	\$10,400.00			Returned/NSF Pay
James R Weeks	5712	03/01/2024	\$600.00			Purchasing
Revco Leasing	5713	03/01/2024	\$302.51			Purchasing
Shums Coda	5714	03/01/2024	\$3,990.00			Purchasing
Holland, JulieAnn	5715	03/05/2024	\$141.00			Purchasing
Amazon Capital Services	5716	03/06/2024	\$2,099.10			Purchasing
Apparatus Equipment & Service Inc.	5717	03/06/2024	\$7,429.10			Purchasing
LN Curtis and sons	5718	03/06/2024	\$221.61			Purchasing
SCBA Sales & Rentals	5719	03/06/2024	\$10,260.00			Purchasing
Tomky, Russell	5720	03/09/2024	\$108.05			Purchasing
Van De Hey, Robert and Jamell	5721	03/07/2024	\$105.93			Purchasing
South Central Communications	5722	03/07/2024	\$455.66			Purchasing
Utah Local Governments Trust	5723	03/07/2024	\$93.13			Purchasing
Big Plains Water SSD	5725	03/08/2024	\$31,762.31			Purchasing
Uribe, Brenda A	5726	03/22/2024	\$110.82			Paycheck
Fralish, Lee W	5727	03/22/2024	\$46.17			Paycheck
DVFSSD	5728	03/20/2024	\$20,000.00			Purchasing
Chamberlain, Todd	5729	03/21/2024	\$80.00			Purchasing
Steve Regan Co	5730	03/25/2024	\$723.38			Purchasing
Tractor Supply	5731	03/25/2024		03/25/2024	\$334.97	Purchasing
CivicPlus LLC	5732	03/25/2024	\$1,277.40			Purchasing
Snow Christensen & Martineau	5733	03/25/2024	\$375.00			Purchasing
State of Utah	5734	03/25/2024	\$25.00			Purchasing
Utah Barricade Company	5735	03/25/2024	\$195.56			Purchasing
Utah League of Cities & Towns	5736	03/25/2024	\$715.57			Purchasing
Washington County Solid Waste	5737	03/25/2024	\$5,233.70			Purchasing
Poppa Naps BBQ	5738	03/26/2024	\$500.00			Purchasing
Scholzen Products	5739	03/26/2024	\$121.71			Purchasing
Birch Systems	5740	03/26/2024	\$315.00			Purchasing
Englehart, Michael	5741	03/26/2024	\$173.79			Purchasing
Jennifer Gross	5742	03/28/2024	\$100.00			Purchasing
Internal Revenue Service	EFTPS0308202	03/08/2024	\$1,113.86			Payroll
Internal Revenue Service	EFTPS0322202	03/22/2024	\$1,229.26			Payroll
Google LLC	G03042024	03/04/2024	\$309.09			Purchasing
Harbor Freight Tools	HF03112024	03/11/2024	\$80.95			Purchasing
International Code Council	ICC3292024	03/29/2024	\$843.08			Purchasing
Chase Paymentech	JPMC03052024	03/05/2024	\$218.56			Purchasing
Rocky Mountain Power	RMP3192024	03/19/2024	\$340.44			Purchasing
Superior Technical Solutions LLC	STS03042024	03/04/2024	\$697.08			Purchasing
Utah Local Governments Trust	ULCT03072024	03/07/2024	(\$101.98)			Purchasing
Utah Retirement Systems	URS03082024	03/08/2024	\$950.00			Payroll
Utah Retirement Systems	URS03222024	03/22/2024	\$1,015.90			Payroll
USPS	USPS3222024	03/22/2024	\$272.00			Purchasing
XPress Bill Pay	XBPO3052024	03/05/2024	\$327.27			Purchasing
Zoom Video Communications Inc.	Z3192024	03/19/2024	\$15.99			Purchasing
			<b>\$124,841.65</b>		<b>\$334.97</b>	



**Town of Apple Valley  
Disbursement Listing  
SBSU Fire - 03/01/2024 to 03/31/2024**

<u>Payee Name</u>	<u>Reference Number</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Void Date</u>	<u>Void Amount</u>	<u>Source</u>
Buck's Ace Hardware	BAH03252024	03/26/2024	\$58.67			Purchasing
Carquest of Hildale	CQ03062024	03/06/2024	\$192.73			Purchasing
Home Depot	HD03062024	03/06/2024	\$302.38			Purchasing
Home Depot	HD03082024	03/08/2024	\$59.36			Purchasing
Tink's Superior Auto Parts	T03132024	03/13/2024	\$62.27			Purchasing
Ticker Car Wash-Hildale	TCW03072024	03/07/2024	\$4.41			Purchasing
Walmart	W03252024	03/18/2024	\$105.68			Purchasing
			<b>\$785.50</b>		<b>\$0.00</b>	

**Town of Apple Valley**  
**Operational Budget Report**  
**10 General Fund - 07/01/2023 to 03/31/2024**  
**75.00% of the fiscal year has expired**

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
<b>Change In Net Position</b>					
<b>Revenue:</b>					
<b>Taxes</b>					
3110 General Property Taxes-Current	131,292.24	2,490.62	155,654.69	136,661.00	113.90%
3120 Prior Year's Taxes-Delinquent	0.00	0.00	0.00	8,000.00	0.00%
3130 General Sales and Use Taxes	139,897.38	15,868.44	137,169.41	196,000.00	69.98%
3140 Energy and Communication Taxes	34,274.74	4,599.03	32,356.07	45,700.00	70.80%
3150 RAP Tax	12,456.60	1,597.45	11,183.18	18,500.00	60.45%
3160 Transient Taxes	10,935.67	1,156.41	12,846.56	18,000.00	71.37%
3170 Fee in Lieu of Personal Property Taxes	0.00	0.00	0.00	8,400.00	0.00%
3180 Fuel Tax Refund	826.53	0.00	3.08	1,000.00	0.31%
3190 Highway/Transit Tax	13,053.61	1,502.87	13,516.35	17,100.00	79.04%
<b>Total Taxes</b>	<b>342,736.77</b>	<b>27,214.82</b>	<b>362,729.34</b>	<b>449,361.00</b>	<b>80.72%</b>
<b>Licenses and permits</b>					
3210 Business Licenses	8,740.50	1,050.00	7,513.50	9,500.00	79.09%
3221 Building Permits-Fee	39,883.09	6,634.17	43,662.49	45,000.00	97.03%
3222 Building Permits-Non Surcharge	5,786.52	1,658.54	8,542.86	6,750.00	126.56%
3224 Building Permits Surcharge	(121.06)	9.95	122.23	450.00	27.16%
3225 Animal Licenses	800.00	20.00	750.00	800.00	93.75%
<b>Total Licenses and permits</b>	<b>55,089.05</b>	<b>9,372.66</b>	<b>60,591.08</b>	<b>62,500.00</b>	<b>96.95%</b>
<b>Intergovernmental revenue</b>					
3342 Fire Dept-State Wildland Grant	0.00	0.00	0.00	10,000.00	0.00%
3356 Class "C" Road Allotment	87,796.00	0.00	80,588.98	137,000.00	58.82%
3358 Liquor Control Profits	1,037.25	0.00	843.40	1,100.00	76.67%
<b>Total Intergovernmental revenue</b>	<b>88,833.25</b>	<b>0.00</b>	<b>81,432.38</b>	<b>148,100.00</b>	<b>54.98%</b>
<b>Charges for services</b>					
3230 Special Event Permit	2,480.00	0.00	600.00	4,500.00	13.33%
3410 Clerical Services	259.90	0.00	80.54	400.00	20.14%
3416 Other Interdepartmental Charges	5,400.80	250.00	9,888.10	44,203.00	22.37%
3420 Fire Department Contracts	0.00	0.00	0.00	6,000.00	0.00%
3431 Zoning and Subdivision Fees	10,222.25	17,400.00	53,955.00	20,000.00	269.78%
3440 Solid Waste	42,083.30	5,245.20	45,944.86	61,000.00	75.32%
3441 Storm Drainage	34,121.66	4,196.63	37,572.14	49,000.00	76.68%
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	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	(858.27)	130.25	975.94	2,500.00	39.04%
<b>Total Charges for services</b>	<b>93,995.16</b>	<b>27,222.08</b>	<b>149,131.58</b>	<b>628,003.00</b>	<b>23.75%</b>
<b>Fines and forfeitures</b>					
3510 Fines	3,991.85	531.99	3,003.76	5,000.00	60.08%
<b>Total Fines and forfeitures</b>	<b>3,991.85</b>	<b>531.99</b>	<b>3,003.76</b>	<b>5,000.00</b>	<b>60.08%</b>
<b>Interest</b>					
3610 Interest Earnings	19,174.31	5,115.49	37,970.92	42,200.00	89.98%
<b>Total Interest</b>	<b>19,174.31</b>	<b>5,115.49</b>	<b>37,970.92</b>	<b>42,200.00</b>	<b>89.98%</b>
<b>Miscellaneous revenue</b>					
3640 Sale of Capital Assets	0.00	0.00	7,500.00	0.00	0.00%
3690 Sundry Revenue	18,547.82	50.00	3,514.46	5,000.00	70.29%
3692 Fire Department Fundraisers/Donations	1,500.00	200.00	290.00	6,500.00	4.46%
3697 Park Department Fundraisers	0.00	0.00	0.00	800.00	0.00%
3801.1 Impact fees - Fire	5,064.00	844.00	25,748.00	6,800.00	378.65%
3801.3 Impact fees - Roadways	15,960.00	2,660.00	86,820.00	24,600.00	352.93%
3801.6 Impact fees - Storm Water	22,307.15	2,885.79	93,802.80	31,000.00	302.59%
3801.7 Impact fees - Parks, Trails, OS	4,350.00	725.00	21,195.00	6,600.00	321.14%
<b>Total Miscellaneous revenue</b>	<b>67,728.97</b>	<b>7,364.79</b>	<b>238,870.26</b>	<b>81,300.00</b>	<b>293.81%</b>
<b>Total Revenue:</b>	<b>671,549.36</b>	<b>76,821.83</b>	<b>933,729.32</b>	<b>1,416,464.00</b>	<b>65.92%</b>
<b>Expenditures:</b>					
<b>General government</b>					
<b>Council</b>					
4111.110 Council/PC Salaries and Wages	11,700.00	450.00	11,526.47	21,000.00	54.89%
4111.130 Council/PC Employee benefits	1,162.84	34.46	928.93	2,400.00	38.71%
4111.210 Council/PC Travel Reimbursement	0.00	0.00	0.00	1,500.00	0.00%
4111.220 Council/PC Training	0.00	0.00	45.00	1,500.00	3.00%

**Town of Apple Valley**  
**Operational Budget Report**  
**10 General Fund - 07/01/2023 to 03/31/2024**  
**75.00% of the fiscal year has expired**

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
4111.610 Council Donations and Discretionary Spending	0.00	0.00	0.00	500.00	0.00%
<b>Total Council</b>	<b>12,862.84</b>	<b>484.46</b>	<b>12,500.40</b>	<b>26,900.00</b>	<b>46.47%</b>
<b>Administrative</b>					
4141.110 Admin Salaries and Wages	76,480.85	11,603.20	72,578.02	99,000.00	73.31%
4141.130 Admin Employee Benefits	6,883.68	1,699.52	9,795.78	17,100.00	57.29%
4141.140 Admin Employee Retirement - GASB 68	10,158.58	1,400.79	4,801.49	7,000.00	68.59%
4141.210 Admin Dues, Subs & Memberships	4,792.76	1,992.97	7,937.86	5,500.00	144.32%
4141.220 Admin Public Notices	41.95	0.00	0.00	100.00	0.00%
4141.230 Admin Training	743.17	0.00	395.00	1,500.00	26.33%
4141.240 Admin Office/Administrative Expense	12,796.16	1,680.89	12,629.03	8,000.00	157.86%
4141.250 Admin Equipment Expenses	13,123.27	1,308.68	13,304.46	10,000.00	133.04%
4141.260 Admin Building & Ground Maintenance	5,018.71	537.33	8,696.98	4,500.00	193.27%
4141.270 Admin Utilities	5,970.42	340.44	4,849.35	7,600.00	63.81%
4141.280 Admin Telephone and Internet	5,938.13	455.66	4,035.21	8,100.00	49.82%
4141.290 Admin Postage	2,194.51	272.00	2,409.65	3,700.00	65.13%
4141.320 Admin Engineering Fees	6,337.98	0.00	4,465.25	3,500.00	127.58%
4141.330 Admin Legal Fees	38,932.82	1,825.00	32,328.15	50,000.00	64.66%
4141.340 Admin Accounting & Auditing	4,400.00	0.00	17,418.75	29,400.00	59.25%
4141.350 Admin Building/Zoning/Planning Fees	24,667.08	3,990.00	20,116.25	30,000.00	67.05%
4141.390 Admin Bank Service Charges	115.00	0.00	0.00	200.00	0.00%
4141.410 Admin Insurance	13,275.25	0.00	12,694.31	16,000.00	79.34%
4141.490 Admin Travel Reimbursements	1,079.81	93.40	700.21	1,500.00	46.68%
4141.500 Admin Weed Abatement	0.00	0.00	508.00	1,500.00	33.87%
4141.610 Bad Debt Expense	2,015.13	0.00	15.98	250.00	6.39%
4141.740 Admin Capital Outlay	0.00	0.00	2,657.57	0.00	0.00%
4170 Elections	0.00	0.00	2,607.75	1,500.00	173.85%
<b>Total Administrative</b>	<b>234,965.26</b>	<b>27,199.88</b>	<b>234,945.05</b>	<b>305,950.00</b>	<b>76.79%</b>
<b>Total General government</b>	<b>247,828.10</b>	<b>27,684.34</b>	<b>247,445.45</b>	<b>332,850.00</b>	<b>74.34%</b>
<b>Public safety</b>					
<b>Police</b>					
4210.110 Police Salaries & Wages/Contract	11,250.00	0.00	7,500.00	15,000.00	50.00%
4253.250 Animal Control Supplies	0.00	0.00	0.00	100.00	0.00%
<b>Total Police</b>	<b>11,250.00</b>	<b>0.00</b>	<b>7,500.00</b>	<b>15,100.00</b>	<b>49.67%</b>
<b>Fire</b>					
4220.110 Fire Salaries & Wages	26,673.55	5,676.53	39,704.32	67,200.00	59.08%
4220.130 Fire Employee Benefits	6,640.18	434.25	3,270.17	13,600.00	24.05%
4220.135 Fire Employee Retirement - GASB 68	0.00	946.29	6,419.03	8,100.00	79.25%
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	1,591.11	843.08	1,148.08	600.00	191.35%
4220.230 Fire Travel, Mileage & Cell	0.00	50.00	450.00	600.00	75.00%
4220.240 Fire Office & Other Expenses	85.44	152.09	994.65	500.00	198.93%
4220.250 Fire Equipment Maintenance & Repairs	4,731.55	8,772.39	11,289.69	11,000.00	102.63%
4220.260 Fire Rent Expense	0.00	0.00	3,000.00	0.00	0.00%
4220.360 Fire Training	330.00	100.00	734.83	13,100.00	5.61%
4220.450 Fire Small Equip/Supplies	4,581.05	432.67	17,714.03	15,000.00	118.09%
4220.460 Fire Supplies-Fundraisers	0.00	0.00	130.59	500.00	26.12%
4220.465 Fire Gear	0.00	10,260.00	15,521.47	15,000.00	103.48%
4220.480 Fire Mitigation MOU Expenditures	0.00	20,000.00	20,000.00	15,000.00	133.33%
4220.560 Fire Equipment Fuel	530.95	0.00	5,924.95	4,000.00	148.12%
4220.610 Fire Principal	11,985.58	0.00	0.00	0.00	0.00%
4220.620 Fire Interest	(778.76)	0.00	0.00	0.00	0.00%
<b>Total Fire</b>	<b>56,370.65</b>	<b>47,667.30</b>	<b>126,301.81</b>	<b>170,725.00</b>	<b>73.98%</b>
<b>Total Public safety</b>	<b>67,620.65</b>	<b>47,667.30</b>	<b>133,801.81</b>	<b>185,825.00</b>	<b>72.00%</b>
<b>Highways and public improvements</b>					
<b>Highways</b>					
4410.110 Road Wages and Contract Labor	450.00	330.00	2,204.00	15,200.00	14.50%
4410.130 Road Employee Benefits	34.44	25.25	169.32	1,750.00	9.68%
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	9,700.41	149.52	7,376.65	45,000.00	16.39%
4410.550 Road Equipment Maintenance	1,127.60	0.00	0.00	2,500.00	0.00%
4410.560 Road Equipment Fuel	1,613.01	0.00	1,421.61	5,000.00	28.43%

**Town of Apple Valley**  
**Operational Budget Report**  
**10 General Fund - 07/01/2023 to 03/31/2024**  
**75.00% of the fiscal year has expired**

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
4410.810 Road Principal	41,493.92	0.00	35,000.00	35,000.00	100.00%
4410.820 Road Interest	29,420.35	0.00	28,121.65	28,150.00	99.90%
4415.110 Public Works Wages and Contract Labor	3,417.00	1,010.00	27,464.63	30,300.00	90.64%
4415.130 Public Works Employee Benefits	330.23	77.26	2,006.96	9,400.00	21.35%
4415.140 Public Works Employee Retirement - GASB 68	0.00	0.00	1,676.51	8,100.00	20.70%
4415.320 Public Works Engineering/Professional Fees	107.25	0.00	0.00	0.00	0.00%
4415.450 Public Works Supplies	2,535.07	1,442.07	16,189.30	6,000.00	269.82%
4415.550 Public Works Equipment Maintenance	1,377.26	1,810.12	11,831.33	3,000.00	394.38%
4415.560 Public Works Equipment Fuel	243.19	31.92	5,347.23	2,000.00	267.36%
4415.570 Public Works Travel, Mileage, Cell	77.51	0.00	673.17	500.00	134.63%
4415.610 Public Works Storm Drainage	3,300.81	0.00	1,314.55	5,000.00	26.29%
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	3,044.50	9,000.00	33.83%
<b>Total Highways</b>	<b>124,442.25</b>	<b>4,876.14</b>	<b>144,988.55</b>	<b>210,400.00</b>	<b>68.91%</b>
<b>Sanitation</b>					
4420.460 Solid Waste Service	33,956.00	5,246.85	46,165.50	60,000.00	76.94%
<b>Total Sanitation</b>	<b>33,956.00</b>	<b>5,246.85</b>	<b>46,165.50</b>	<b>60,000.00</b>	<b>76.94%</b>
<b>Total Highways and public improvements</b>	<b>158,398.25</b>	<b>10,122.99</b>	<b>191,154.05</b>	<b>270,400.00</b>	<b>70.69%</b>
<b>Parks, recreation, and public property</b>					
<b>Parks</b>					
4540.110 Park/Rec Wages and Contract Labor	4,583.00	380.00	2,368.82	5,100.00	46.45%
4540.130 Park/Rec Employee Benefits	350.60	29.07	182.02	600.00	30.34%
4540.250 Park/Rec Department Expenses	272.62	89.79	277.57	1,000.00	27.76%
4540.460 Park/Rec Community Events Supplies	1,289.44	541.36	1,991.48	4,000.00	49.79%
<b>Total Parks</b>	<b>6,495.66</b>	<b>1,040.22</b>	<b>4,819.89</b>	<b>10,700.00</b>	<b>45.05%</b>
<b>Total Parks, recreation, and public property</b>	<b>6,495.66</b>	<b>1,040.22</b>	<b>4,819.89</b>	<b>10,700.00</b>	<b>45.05%</b>
<b>Transfers</b>					
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%
<b>Total Transfers</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>616,689.00</b>	<b>0.00%</b>
<b>Total Expenditures:</b>	<b>480,342.66</b>	<b>86,514.85</b>	<b>577,221.20</b>	<b>1,416,464.00</b>	<b>40.75%</b>
<b>Total Change In Net Position</b>	<b>191,206.70</b>	<b>(9,693.02)</b>	<b>356,508.12</b>	<b>0.00</b>	<b>0.00%</b>

**Town of Apple Valley**  
**Operational Budget Report**  
**41 Capital Projects Fund - 07/01/2023 to 03/31/2024**  
**75.00% of the fiscal year has expired**

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
<b>Change In Net Position</b>					
<b>Revenue:</b>					
<b>Intergovernmental revenue</b>					
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%
<b>Total Intergovernmental revenue</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>3,730,000.00</b>	<b>0.00%</b>
<b>Contributions and transfers</b>					
3810 Transfer from General fund	0.00	0.00	0.00	540,000.00	0.00%
<b>Total Contributions and transfers</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>540,000.00</b>	<b>0.00%</b>
<b>Total Revenue:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,270,000.00</b>	<b>0.00%</b>
<b>Expenditures:</b>					
<b>General government</b>					
<b>Administrative</b>					
4141.740 Capital Outlay Expenses	27,160.14	0.00	32,832.03	0.00	0.00%
<b>Total Administrative</b>	<b>27,160.14</b>	<b>0.00</b>	<b>32,832.03</b>	<b>0.00</b>	<b>0.00%</b>
<b>Total General government</b>	<b>27,160.14</b>	<b>0.00</b>	<b>32,832.03</b>	<b>0.00</b>	<b>0.00%</b>
<b>Public safety</b>					
<b>Fire</b>					
4220.740 Fire Capital Outlay	6,672.15	0.00	0.00	450,000.00	0.00%
<b>Total Fire</b>	<b>6,672.15</b>	<b>0.00</b>	<b>0.00</b>	<b>450,000.00</b>	<b>0.00%</b>
<b>Total Public safety</b>	<b>6,672.15</b>	<b>0.00</b>	<b>0.00</b>	<b>450,000.00</b>	<b>0.00%</b>
<b>Highways and public improvements</b>					
<b>Highways</b>					
4410.740 Road Capital Outlay	0.00	0.00	0.00	1,050,000.00	0.00%
4415.740 Public Works Capital Outlay	990.00	0.00	560.00	2,520,000.00	0.02%
<b>Total Highways</b>	<b>990.00</b>	<b>0.00</b>	<b>560.00</b>	<b>3,570,000.00</b>	<b>0.02%</b>
<b>Total Highways and public improvements</b>	<b>990.00</b>	<b>0.00</b>	<b>560.00</b>	<b>3,570,000.00</b>	<b>0.02%</b>
<b>Parks, recreation, and public property</b>					
<b>Cemetery</b>					
4590.470 Cemetery Capital Outlay	597.78	0.00	2,448.40	250,000.00	0.98%
<b>Total Cemetery</b>	<b>597.78</b>	<b>0.00</b>	<b>2,448.40</b>	<b>250,000.00</b>	<b>0.98%</b>
<b>Total Parks, recreation, and public property</b>	<b>597.78</b>	<b>0.00</b>	<b>2,448.40</b>	<b>250,000.00</b>	<b>0.98%</b>
<b>Total Expenditures:</b>	<b>35,420.07</b>	<b>0.00</b>	<b>35,840.43</b>	<b>4,270,000.00</b>	<b>0.84%</b>
<b>Total Change In Net Position</b>	<b>(35,420.07)</b>	<b>0.00</b>	<b>(35,840.43)</b>	<b>0.00</b>	<b>0.00%</b>



## 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



## TOWN COUNCIL MEETING AND HEARING

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

### MINUTES

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.



## TOWN COUNCIL MEETING AND HEARING

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

### MINUTES

**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.





## TOWN COUNCIL MEETING AND HEARING

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

### MINUTES

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  
Mayor Farrar - Aye



# TOWN COUNCIL MEETING AND HEARING

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

## MINUTES

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.

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



# TOWN COUNCIL MEETING AND HEARING

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

## MINUTES

- 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
- Council Member Prentice - Aye



# TOWN COUNCIL MEETING AND HEARING

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

## MINUTES

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.



# TOWN COUNCIL MEETING AND HEARING

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

## MINUTES

The meeting was adjourned at 7:34pm

Date Approved: \_\_\_\_\_

Approved BY: \_\_\_\_\_

Mayor | Michael L. Farrar

Attest BY: \_\_\_\_\_

Town Clerk/Recorder | Jenna Vizcardo

DRAFT

APPLE VALLEY  
ORDINANCE O-2024-15

WHEREAS,

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

SECTION 1: ADOPTION "10.10.05 Temporary Ordinance For Zone Change to A-X Agricultural Zone" of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.10.05 Temporary Ordinance For Zone Change to A-X Agricultural Zone(Added)

The Town Council of Apple Valley has adopted a temporary fee schedule change for land owners desiring to change their current zone to an agricultural zone designation.

This section of code contains the procedural rules and regulations related to this zone change.

- This ordinance is in effect for four months from the date of passage and posting.
- Parcels containing a minimum of five acres may apply for a zone change under this ordinance.
- This code does not guarantee approval of the zone change to Agricultural land.
- Applicants shall fill out a Zone Change Application as found on the town website and submit to the town clerk within the four month period. This application must include all application requirements except requirements E and H.

This zone change will follow all applicable law including, but not limited to, application, and appearance before the Planning Commission with a recommendation to the Town Council, Town Council approval, and public hearing.

There is no limit to the number of parcels an applicant/owner may bring to the planning commission for recommendation to the town council.

Agricultural land will be designated within Agricultural zone lot standards by the A-X zone and will not be based on acreage.

When a change does not follow the current General Plan, a General Plan amendment is not required at the time of the zone change. At the end of the four month period a general plan review, public hearing, and amendment will be adopted after review of all zone changes pertaining to this ordinance in accordance with state law.

✓ • FOR REQUIREMENT F=WE WILL GO BY STATE CODE, STAMPED ENVELOPES WILL ONLY BE REQUIRED FOR PROPERTY OWNERS THAT SHARE PROPERTY LINES WITH PROPERTY APPLYING FOR ZONE CHANGE.