



TOWN COUNCIL MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, May 22, 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, May 22, 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 | Scott Taylor |

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: 3 MINUTES EACH - DISCRETION OF MAYOR FARRAR

PUBLIC HEARING

1. Amend Title 5.04.200 Exceptions To The Business License Fee, Ordinance-O-2024-20.
2. Amend Title 5.09.060 Special Events Fees and 5.09.100 Violation Fees, Ordinance-O-2024-21.

DISCUSSION AND ACTION - NEW BUSINESS

3. Open bids and possibly award contract for Building Inspector Services.
- [4.](#) Resolution-R-2024-24, Appointing Events Committee Members.
- [5.](#) Amend Title 5.04.200 Exceptions To The Business License Fee, Ordinance-O-2024-20.
- [6.](#) Amend Title 5.09.060 Special Events Fees and 5.09.100 Violation Fees, Ordinance-O-2024-21.
- [7.](#) Resolution-R-2024-21, Amend Section II Procurement Processes of the Apple Valley Policies & Procedures.
- [8.](#) Resolution-R-2024-22, Amendment to Public Body Meeting Policy and Procedures.
- [9.](#) Resolution-R-2024-23, Adoption of the Tentative Fiscal Budget for the Fiscal Year 2025.
*Public Hearing will be set for June 26, 2024.
10. Approval for Michael L. Farrar to have a credit card and/or debit card with State Bank of Southern Utah.

DISCUSSION AND ACTION - PLANNING COMMISSION BUSINESS

- [11.](#) Recommendation of Approval to Amend Title 10.02.070 Site Plan Required, Ordinance-O-2024-18.
*Planning Commission recommended approval on May 1, 2024.
- [12.](#) Amend Title 10.14.020 Short Term Vacation Rental Rules and Regulations, Ordinance-O-2024-19.
*Planning Commission recommended approval on May 1, 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.

- [13.](#) Disbursement Listing for April 2024.
- [14.](#) Budget Report for Fiscal Year 2024 through May 13, 2024.
- [15.](#) Approval of Minutes: April 4, 2024.
- [16.](#) Approval of Minutes: April 9, 2024 (Work Session).
- [17.](#) Approval of Minutes: April 9, 2024.
- [18.](#) Approval of Minutes: April 24, 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.

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the Town at 435-877-1190 at least three business days in advance.

TOWN OF APPLE VALLEY

RESOLUTION NO. R-2024-24

A RESOLUTION APPOINTING EVENTS COMMITTEE MEMBERS

WHEREAS, Linda Noyes, Delila Russon, Shay Russon, Rae Robertson, Maree VanDerzee, Dianne Hope, and Lisa Farr have been nominated for appointment as a member of the Apple Valley Community Events Committee.

NOW, THEREFORE, at a meeting of the legislative body of the Township of Apple Valley, Utah, duly called, noticed and held on the 22nd day of May, 2024, and upon motion duly made and seconded:

BE IT RESOLVED AS FOLLOWS:

Linda Noyes, Delila Russon, Shay Russon, Rae Robertson, Maree VanDerzee, Dianne Hope, and Lisa Farr are appointed as members of the Apple Valley Community Events Committee.

RESOLVED this 22nd day of May, 2024.

TOWN OF APPLE VALLEY

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Recorder

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

**APPLE VALLEY
ORDINANCE O-2024-20**

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

SECTION 1: AMENDMENT “5.04.200 Exceptions To The Business License Fee” of the Apple Valley Municipal Code is hereby *amended* as follows:

A M E N D M E N T

5.04.200 Exceptions To The Business License Fee

No business license fee shall be imposed under this section upon the following persons or businesses:

- A. Any person engaged in business for solely religious, charitable, eleemosynary, or other types of strictly non-profit purposes who is tax exempt in such activities under the laws of the United States and the State of Utah, nor shall any business license fee be imposed on any person engaged in a business specifically exempted from municipal taxation and fees by the laws of the United States or the State of Utah; nor shall any business license fee be imposed on any non-profit corporation duly incorporated according to the provisions of the Utah Non-Profit Corporation and Cooperative Association Act;
- B. Any insurance company or agent, for so long as state law exempts them;
- C. Any contractor holding a valid license issued by the local jurisdiction in which the licensee has its principal place of business, and by the state under Utah Code 58-55 Part 3. Such contractor must be able to present his state contractor license and valid business license to any authority or client upon request. It shall be unlawful for any person to conduct business within the town as a contractor without holding a valid state contractor license qualifying the licensee for the type of work to be done or without holding a valid business license in the entity where the principal business office is located.
- D. Any alarm company holding a valid business license issued by the local jurisdiction in which the licensee has its principal place of business;
- E. ~~An owner of a building containing two or fewer rental dwellings;~~ Any tow truck motor carrier holding a valid business license to perform tow truck service issued by the local jurisdiction in which the licensee has its principal place of business unless the tow truck business is also physically located in the town.
- F. Any sales or merchandise damaged by smoke or fire or of bankrupt concerns, where such stocks have been acquired from merchants of the town theretofore, regularly licensed and engaged in business; provided, however, no such stocks or merchandise shall be augmented by other goods;

- G. Any person who sells his/her own property which was not acquired for resale, barter, or exchange and who does conduct such sales or act as a participant by furnishing goods in such a sale more than twice during any calendar year;
- H. Any person selling surplus household goods or furnishings at a private residence in the garage or yard, if such garage sale is held no more frequently than three (3) days in any one calendar quarter at the same residence.
- I. Any person engaged in agriculture.
- J. Any person engaged in a business in conjunction with an event sponsored by Apple Valley, where a booth or space is rented from the town. In such case, the business license fee shall be considered included in the booth or space rental fee.

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

_____.

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

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY
ORDINANCE O-2024-21**

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

SECTION 1: **AMENDMENT** “5.09.060 Fees” of the Apple Valley Municipal Code is hereby *amended* as follows:

A M E N D M E N T

5.09.060 Fees

A. Application and Cost Recovery Fees: Along with the application for a special event permit, the applicant shall pay any applicable special event application fees and Town cost recovery fees.

B. Town Cost Recovery Fees: Extra Town services will be provided for special events as determined by the Town to be needed to protect the health, safety and welfare of the public and shall be paid by the applicant.

1. Town costs may include, but are not limited to, violation fees, dust control, drone fees, police, fire, park maintenance, power, water, road closures, and cleanup of Town facilities before, during, or after the event, and other costs to Town directly attributable to the special event.

2. Before Town approval is granted to hold the event, the applicant shall pay the deposit and estimated Town fees as determined by the Town based on the application, the applicant's past event history with the Town, and experience with similar events.

3. Drone License Fee = \$250/day. Drone operators must abide by all state laws. Note - HB217//2017 and 76-6-2-206(2)(a). Drone violation fee = \$1,000 per violation. Event license holder is responsible for all drone violations from both staff and event attendees.

4. Non-Asphalt Road Access Fee = \$250/day. Event license applicant is responsible for keeping the road damp and dust free. Dust violation fee = \$1,000/day.

C. Invoice: The Town may mail or deliver to the permit holder an invoice for the cost of Town services provided and any costs incurred by the Town in restoring the site. If the amount exceeds the Town cost recovery fees paid in advance, the applicant shall pay the unpaid portion of the invoice within thirty (30) days of the date that the invoice was mailed or delivered. If the amount is less than the Town cost recovery fees paid prior to issuance of the permit, then the remaining amount shall be returned to the applicant.

SECTION 2: AMENDMENT “5.09.100 Violation” of the Apple Valley Municipal Code is hereby *amended* as follows:

AMENDMENT

5.09.100 Violation

A violation 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 a class B misdemeanor.

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.

EFFECTIVE DATE This Ordinance shall be in full force and effect immediately after the required approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

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

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY
RESOLUTION R-2024-21**

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

SECTION 1: **AMENDMENT** “SECTION II Procurement Processes” of the Apple Valley Policies & Procedures is hereby *amended* as follows:

A M E N D M E N T

SECTION II Procurement Processes

Except as otherwise required by state or federal law, the Town shall accept purchase prices and award contracts pursuant to one of the processes outlined in this section, provided an exception as outlined in section IV does not apply. Section III establishes when each of these processes may be used. The Town shall substantially comply with the guidelines for the specific process used but shall not incur any liability in choosing one alternative over another.

- A. Competitive Bids. The competitive bid process shall be used when the nature of the work to be performed or the product to be purchased is known and can be adequately and accurately described in the bid documents.
1. Required documentation. All competitive bids shall have the following minimum documentation:
 - a. A notice inviting bids;
 - b. Specifications; and
 - c. Instructions to bidders.
 2. At a minimum the notice inviting bids shall consist of the following:
 - a. A general description of the goods and/or services being solicited;
 - b. A physical and/or electronic location where interested parties may access a complete set of bid documents; and
 - c. The time and date when complete bids are due and the location where complete bids are to be submitted.
 3. The minimum specification requirements shall include a description of the goods and/or services being solicited in enough detail as to enable a reasonable bidder to formulate a bid.
 4. At a minimum the instructions to bidders shall include the following requirements, when reasonably necessary, considering the types of goods and/or services being solicited:
 - a. Bonding and insurance requirements;
 - b. The process bidders shall use to ask questions during the bid process;
 - c. Site visits;
 - d. Necessary licensure requirements;

- e. Due dates and location for submitting bids;
 - f. Page limits and format of the bid;
 - g. Delivery terms and/or completion deadlines;
 - h. The award of bid being contingent on successful negotiation of an agreement with the Town; and
 - i. The Town's right to waive certain matters and/or reject any and all informalities.
5. The notice inviting bids shall be published as per the requirements contained in II(C).
6. The following minimum standards shall apply to all bids:
- a. Only bids submitted in conformance with the bid documents shall be considered;
 - b. Bids shall be opened in public on the date and at the time and place stated in the public notice; and
 - c. A tabulation of all bids received shall be available for public inspection either electronically or at the Town offices during regular business hours for a period of not less than thirty days after the bid opening.
7. Bids shall be awarded or rejected pursuant to the provisions set forth in section V.
- B. Request for proposals (RFPs). The RFP process may be used when the nature of the work to be performed, or the product to be purchased, has the potential to be satisfied with various options which may be difficult to identify and accurately describe. This process shall only be used when the Mayor or designee determines that this process is more advantageous to the Town or the use of the competitive bid process is impractical. This method is more practical for professional service type contracts, i.e., legal services.
- 1. Required documentation. All RFPs shall have the following minimum documentation:
 - a. A notice inviting proposals;
 - b. A request for proposals; and
 - c. Instructions to responders.
 - 2. At a minimum the notice inviting proposals shall consist of the following:
 - a. A general description of the goods and/or services being solicited;
 - b. A physical and/or electronic location where interested parties may access a complete RFP; and
 - c. The time and date when complete proposals are due and the location where complete proposals are to be submitted.
 - 3. The minimum RFP requirements shall include a description of the goods and/or services being solicited in enough detail so that a reasonable responder can formulate a proposal.
 - 4. At a minimum the instructions to responders shall include the following requirements, when reasonably necessary, considering the types of goods and/or services being solicited:
 - a. Bonding and insurance requirements;

- b. The process responders shall use to ask questions during the proposal process;
 - c. Site visits;
 - d. Necessary licensure requirements;
 - e. Due dates and location for submitting proposals;
 - f. Page limits and format of the bid;
 - g. Delivery terms and/or completion deadlines;
 - h. The award of proposal being contingent on successful negotiation of an agreement with the Town; and
 - i. The Town's right to waive certain matters and/or reject any and all informalities.
5. The notice inviting proposals shall be published as per the requirements contained in II(C).
6. The following minimum standards shall apply to all proposal reviews:
- a. Only proposals submitted in conformance with the RFP documents shall be considered;
 - b. Proposals shall be evaluated on the basis of compliance with the notice requesting proposals; and
 - c. A tabulation of all proposals received shall be available for public inspection either electronically or at the Town offices during regular business hours for a period of not less than thirty days after acceptance of a proposal.
7. Revisions to submitted proposals
- a. Revisions of proposals may be permitted after submission, and prior to selection, for the purpose of obtaining the best and final offers.
 - b. Discussions may be conducted with responders who submit responsible proposals when the Town finds a reasonable likelihood that the proposal will be selected and identifies a need to further clarify its understanding of the elements of the proposal.
 - c. Responders who submit responsible proposals shall be accorded fair and equal treatment with respect to opportunities for discussion and revisions of proposals.
 - d. During discussions, information derived from submitted proposals shall not be disclosed to competing responders.
8. Proposals shall be awarded or rejected pursuant to the provisions set forth in section V.
- C. Notice publication requirements for competitive bidding and request for proposals. Except as otherwise required by state or federal law, the following shall be the publication requirements for competitive bidding and requests for proposals:
- 1. Notices for all public works and building improvement projects that have an estimated cost exceeding the State of Utah's statutory bid limit shall be published at least five days before the due date for the bids or proposals. Notices shall be published ~~in a newspaper of general circulation,~~ on the Utah Public Notice website, on a web page established by the Town, at Town Hall, and the Gateway bulletin board.

2. All other notices shall be published once at least five days before the due date for the bids or proposals. The notices shall be published ~~in a newspaper of general circulation and~~ on the Utah Public Notice website. In addition, notices may be published at least five days before the due date on the Town web page.
3. Notices published ~~in the newspaper and~~ on the internet may also be delivered to known prospective bidders or responders. If notices are delivered to one known prospective bidder or responder, they shall be delivered to all known prospective bidders or responders.
4. Price Quotes:
 - a. Price quotes may be sought when the time and cost of using the competitive bid or request for proposals process is prohibitive.
 - b. Whenever possible, three price quotes shall be received.
 - c. To promote consistency, price quotes shall be solicited by written request that provides a general description of the work to be performed or the product to be purchased. Price quotes may also be solicited from published prices from various vendors, such as through internet advertisements.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

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

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY
RESOLUTION R-2024-22**

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

SECTION 1: **AMENDMENT** “R-2011-23 Establishing The Rules Of Behavior Applicable To All Public Meetings” of the Apple Valley Municipal Resolutions is hereby *amended* as follows:

AMENDMENT

R-2011-23 Establishing The Rules Of Behavior Applicable To All Public Meetings

TOWN OF APPLE VALLEY PUBLIC BODY MEETINGS POLICY & PROCEDURES

PURPOSE In order to conduct the public’s business in an open and efficient manner, the Town Council of the Town of Apple Valley, Utah hereby establishes rules of order and procedures for public meetings of the Town, including, but not limited to, the Planning Commission and the Town Council. These procedures and policies are to ensure (a) order and procedure, (b) ethical behavior, and (c) civil discourse. **ESTABLISHMENT OF AGENDAS** All proposed agenda items from the public must be submitted to the Town Clerk/Recorder on an agenda application. In order for the information to be included in the meeting packet, the application must be submitted to the Town Clerk/Recorder by 4:30 p.m. six days prior to the scheduled meeting at which the topic is to be addressed. Upon receiving the agenda application, the Town Clerk/Recorder will forward the request to the Mayor or the Chairperson of the committee. If the Mayor or the chair feels that more research is needed, they will state the reason in writing to the applicant, and item may not be identified on the agenda as requested. Four days prior to the public meeting, the Town Clerk/Recorder, along with the Mayor or Chairperson of the committee, will review all agenda applications to determine the final agenda for the next meeting. If the Mayor or Chairperson deems necessary, he/she will request further input from the department heads. If a particular agenda application is not ready for the public meeting as requested, it may be removed and the applicant will be notified. The Mayor or Chairperson will be expected to work with agenda applicants to ensure that the proper information is included in the packet, and that they understand the meeting procedure, proposed action, and other information, in order to make the agenda item flow smoothly. All open meetings will adhere to State Law. The public has the right to request to be on the agenda no later than 48 hours prior to the start of the meeting if they wish to be addressed during an agenda topic, otherwise, the public has the option to address the public body during the public comment portion of the agenda for non-agenda items, but no action will be taken by the public body. All agendas will comply with Utah State Open Meeting Act UCA 52-4 for posting requirements. **COUNCIL OR COMMITTEE PACKETS** The Town Clerk/Recorder will coordinate with the Mayor/ Chairperson, department heads and public to compile all documents necessary for the public meetings packets. Each agenda item will identify a

memorandum as to the subject and any recommendations staff has made to the public body. Meeting packets will be made available 24 hours before the meeting at the Town office for council and committee members to pick up. If a public body member will not be present for the meeting, a packet will be placed in their designated box located at the Town Hall at 1777 N. Meadowlark Dr., Apple Valley, Utah.

OPEN AND CLOSED MEETINGS The regular meetings of the public bodies of the Town of Apple Valley are hereby established by ordinance or order of the public body and may be amended with a majority vote of the public body establishing the regular meeting schedule. The establishing public body will approve its annual meeting schedule at least once each year, specifying the date, time, and place of such meetings by motion. All meetings of the public bodies of the Town of Apple Valley shall be held in compliance with state laws relating to open and public meetings. A closed meeting may be held upon the affirmative vote of two-thirds of the public body members present at an open meeting for which the required notice has been given. No closed meeting is allowed except as to matters exempted by State Law from open meetings requirements.

ELECTRONIC TELECOMMUNICATIONS As required by Utah State Law, the Council hereby adopts an ordinance authorizing the public body to conduct open meetings by electronic telecommunications. The purpose of electronic telecommunications is to ensure a quorum be present for all public meetings. Members are discouraged from using electronic telecommunications procedures during their absence due to cost, logistic issues, and importance of seeing body language and facial expressions of participants in the meeting. In special circumstances, a public body member may request the ability to attend a meeting via electronic means at the proceeding meeting via the approval of the Mayor and/or Chairperson of the public body. The Town Hall Council Chambers where the public body would normally meet if it was not holding an electronic meeting, currently located at 1777 N. Meadowlark Dr., Apple Valley, Utah, shall be the anchor location for all electronic meetings, unless otherwise publicly noticed and the Council finds that such chambers provide space and facilities so that interested persons and public may attend and monitor the open portions of the meeting, whether such meeting is a public hearing or otherwise. To call an electronic meeting, public notice of such meeting must be given at least 24 hours before the meeting by (a) posting written notice at the anchor location, (b) providing written or electronic notice to ~~(i) at least one newspaper of general circulation within the State and Town;~~ (ii) providing notice to the public body at least 24 hours before the meeting so that they participate in and be counted as present for all purposes, including the determination that a quorum is present; (iii) providing a description to the members of the public body of how the members will be connected to the electronic meeting; ~~(iii)~~ providing notice on the Utah State Public Meetings notice website at least 24 hours in advance of the meeting.

MINUTES OF THE TOWN COUNCIL MEETINGS The public bodies of the Town shall keep minutes of their proceedings as provided by State law. The books, records, accounts and documents of each municipality shall be kept at the office to the Town Clerk/Recorder and draft and approved copies shall be open and available to the public during regular business hours for examination and copying. (Utah Code Section 10-3-603) Minutes are history of the community and should contain as much information necessary for clarity. Minutes should be circulated to members of the public body and made available to the public within “a reasonable time after the meeting” and must be marked as “DRAFT” before approval by the public body. Approval of the Written Minutes: The minutes of a meeting at which draft minutes of past meetings are approved should reflect

that those minutes were “approved as presented” or if draft minutes have corrections, the minutes of the current meeting should reflect that those draft minutes were “approved as corrected or amended.” If there are grammatical or spelling errors, which do not change the substance of the text, which are not identified as corrected in the minutes then the Town Clerk/Recorder will make such minor corrections to the minutes.

MEETING PROCEDURES AND DECORUM – GENERAL RULES The purpose is to ensure fairness and common courtesy to all members of the public at the meeting. These procedures and policies are to ensure (a) order and procedure, (b) ethical behavior, and (c) civil discourse. The public body, staff and public will turn off or turn their cell phones to silent during an open meeting. The exception to this rule will be the public safety officers. Any member of the public body or staff member that is expected to attend the meeting, and will be absent or tardy, shall inform the Mayor/ Chairperson, or Clerk/Recorder prior to the meeting so as not to delay the start of the meeting. The Town encourages citizen input during public meetings. The Mayor or chair of the public body will invite the public to share their comments at the appropriate time during public hearings, public input, or public comments for a period of three (3) minutes. The Mayor or chair of the public body may also permit citizens to speak during individual agenda items at his/her discretion when they feel the comments will be pertinent to the topic. The Mayor or chair shall have the discretion to limit the time available for such comments. Members of the public body shall not talk over one another, interrupt, or speak in a condescending or demeaning manner to one another. Individuals shall take turns speaking, defer to someone who intends to speak, and in general, maintain civil rules of conduct toward one another. The staff and public are expected to do the same. Members of the public body and staff members are expected to dress appropriately for the meeting and office which they hold. When person(s) are addressing the public body, the person(s) should only speak on the merits of the topic immediately at hand. Printed materials should be distributed to the public body prior to the meeting. If the public wishes to distribute printed materials to the public body during a meeting, they may do so, but must have additional copies for the Town Clerk/Recorder for the official record. No public body of the Town will tolerate disorderly conduct which includes insulting language or behavior by any person, including members of the audience, the public body itself, or administration. No name calling, shouting, or booing is allowed during a meeting. The Mayor or Chair of the public body may call the person to order or excuse them from the meeting. The Town reserves the right to have a public safety officer in attendance at a meeting to maintain public order.

ATTENDANCE The public body may require the attendance of any person to give testimony or produce records, documents or things for inspection, copying or examination necessary or useful for the governance of the Town. The Town Council may issue subpoenas in its own name in the same manner as provided in the Utah Rules of Civil Procedure.

MAYOR OR CHAIR RESPONSIBILITIES The Mayor shall preside at all regular and special meetings of the Town Council. In the absence of the Mayor, or in the event of the Mayor’s inability or refusal to act, the Mayor Pro-Tem shall preside over the meeting or meetings and shall have the powers and duties of the Mayor during the Mayor’s absence or disability. A chair shall be designated for all other public bodies. The chair will lead the meeting attending to the process, rules of conduct and facilitate closure, summarization of main discussion points and request motions be formulated. The Mayor or chair, as applicable, at his/her discretion, will recognize person(s) wishing to make comment or address the public body and request them to address the public body at the podium, stating their name and

address for the official record. All comments should be directed to the public body and not the others in attendance. Person(s) wishing to speak should not request recognition while someone else is speaking.

MAYOR OR CHAIR PRO-TEM RESPONSABILITIES The Mayor or chair pro-tem will be established by Ordinance or motion by a majority vote of the Town council or public body. The chair Pro-tem will chair the meetings in the absence of the chair and will conduct in accordance with meeting procedures.

MEMBER RESPONSIBILITIES It is the duty of the voting members of a public body: To consider the interests of the municipality in its entirety. To prepare for the meetings by reviewing the agenda, supporting materials and asking questions in advance. To communicate needs to staff and other members about personal learning style, physical or mental limitations, and other accommodations required as permitted under the Americans with Disabilities Act and respect the accommodations needs of other Members. To respect the public process and decisions. The members of the public body may expel any public body members for disorderly conduct on a two-thirds vote of the members. To maintain confidential information and discussions that are shared in closed sessions per the Open Public Meetings laws.

QUORUM The majority of the public body constitutes a quorum for the public body and all motions of a public body shall be approved by a majority of the public body (not just a majority of the quorum in attendance). If a position is vacant, a quorum is the majority of the remaining members of the public body. Abstention does not impact a quorum. There must be a minimum of a majority of the entire public body of affirmative votes for adoption of a motion.

RECORDED VOTE Each member of the public body has one vote each time a vote is held. The requirement for a recorded vote must include the vote and each member's reason for abstention.

ABSTENTION FROM VOTING A member may decide not to vote either in favor or against a motion. Abstention may occur if a member has been absent and /or feels insufficient information has been received on an issue. Abstention is not to be confused with voting against a matter. Members not abstaining carry the vote, as long as the motion receives the minimum required affirmative votes.

RECUSING If a public body member should choose to recuse themselves from an agenda item. They will need to remove themselves from their seat.

CONFLICTS OF INTEREST / DISCLOSURE STATEMENTS All public body Members will complete a written statement and disclosure regarding conflicts of interest and of financial interests and affiliations annually, or when there is change in the nature of the conflict, interest or affiliation, and file it with the Town Clerk/Recorder. All disclosure statements will adhere to the Utah Municipal Officers and Employees Ethics Act (UCA 10-3-1301) All disclosure statements are public information and may be inspected by the public during normal business hours. A conflict of interest must be made orally in an open meeting to the members of the body of which they are a member immediately before the discussion about the topic involved in the conflict of interest as per the Municipal Officers and Employees Ethics Act (UCA 10-3-1301).

MOTIONS The Mayor or chair may recommend language to the Council for a motion. Motions should begin with "I move to ". Before a motion can be discussed it must be seconded. Agenda Items identified as discussion items only may not require a motion. Amending a motion requires recognition by the Mayor or chair. The Member must state the change clearly and specifically and requires a second. It is debatable at this point before a majority vote to pass. The motion must be made at the appropriate time in the order of business. Agenda items needing more attention, investigation and/or discussion may be referred to a committee or staff for further review. A motion should be made which identifies

specifics of the committee or staff on when and how they are to report on the matter. A motion to recess the meeting for a break must be made and should state for how long or a time to reconvene the meeting. This motion requires a second and is not debatable. If a public body Member requests to withdraw a motion, the Mayor or chair will ask for any objections to the motion being withdrawn, if no objection, the motion is immediately withdrawn. If there is an objection, the request to withdraw becomes a motion, which must be seconded and is not debatable and requires a simple majority to pass.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

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

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

TOWN OF APPLE VALLEY

PUBLIC BODY MEETINGS POLICY & PROCEDURES

PURPOSE

In order to conduct the public's business in an open and efficient manner, the Town Council of the Town of Apple Valley, Utah hereby establishes rules of order and procedures for public meetings of the Town, including, but not limited to, the Planning Commission and the Town Council. These procedures and policies are to ensure (a) order and procedure, (b) ethical behavior, and (c) civil discourse.

ESTABLISHMENT OF AGENDAS

All proposed agenda items from the public must be submitted to the Town Clerk/Recorder on an agenda application.

In order for the information to be included in the meeting packet, the application must be submitted to the Town Clerk/Recorder by 4:30 p.m. six days prior to the scheduled meeting at which the topic is to be addressed.

Upon receiving the agenda application, the Town Clerk/Recorder will forward the request to the Mayor or the Chairperson of the committee. If the Mayor or the chair feels that more research is needed, they will state the reason in writing to the applicant, and item may not be identified on the agenda as requested.

Four days prior to the public meeting, the Town Clerk/Recorder, along with the Mayor or Chairperson of the committee, will review all agenda applications to determine the final agenda for the next meeting. If the Mayor or Chairperson deems necessary, he/she will request further input from the department heads. If a particular agenda application is not ready for the public meeting as requested, it may be removed and the applicant will be notified.

The Mayor or Chairperson will be expected to work with agenda applicants to ensure that the proper information is included in the packet, and that they understand the meeting procedure, proposed action, and other information, in order to make the agenda item flow smoothly.

All open meetings will adhere to State Law. The public has the right to request to be on the agenda no later than 48 hours prior to the start of the meeting if they wish to be addressed during an agenda topic, otherwise, the public has the option to address the public body during the public comment portion of the agenda for non-agenda items, but no action will be taken by the public body.

All agendas will comply with Utah State Open Meeting Act UCA 52-4 for posting requirements.

COUNCIL OR COMMITTEE PACKETS

The Town Clerk/Recorder will coordinate with the Mayor/ Chairperson, department heads and public to compile all documents necessary for the public meetings packets.

Each agenda item will identify a memorandum as to the subject and any recommendations staff has made to the public body.

Meeting packets will be made available 24 hours before the meeting at the Town office for council and committee members to pick up.

If a public body member will not be present for the meeting, a packet will be placed in their designated box located at the Town Hall at 1777 N. Meadowlark Dr., Apple Valley, Utah.

OPEN AND CLOSED MEETINGS

The regular meetings of the public bodies of the Town of Apple Valley are hereby established by ordinance or order of the public body and may be amended with a majority vote of the public body establishing the regular meeting schedule. The establishing public body will approve its annual meeting schedule at least once each year, specifying the date, time, and place of such meetings by motion.

All meetings of the public bodies of the Town of Apple Valley shall be held in compliance with state laws relating to open and public meetings.

A closed meeting may be held upon the affirmative vote of two-thirds of the public body members present at an open meeting for which the required notice has been given.

No closed meeting is allowed except as to matters exempted by State Law from open meetings requirements.

ELECTRONIC TELECOMMUNICATIONS

As required by Utah State Law, the Council hereby adopts an ordinance authorizing the public body to conduct open meetings by electronic telecommunications.

The purpose of electronic telecommunications is to ensure a quorum be present for all public meetings. Members are discouraged from using electronic telecommunications procedures during their absence due to cost, logistic issues, and importance of seeing body language and facial expressions of participants in the meeting. In special circumstances, a public body member may request the ability to attend a meeting via electronic means at the proceeding meeting via the approval of the Mayor and/or Chairperson of the public body.

The Town Hall Council Chambers where the public body would normally meet if it was not holding an electronic meeting, currently located at 1777 N. Meadowlark Dr., Apple Valley, Utah, shall be

the anchor location for all electronic meetings, unless otherwise publicly noticed and the Council finds that such chambers provide space and facilities so that interested persons and public may attend and monitor the open portions of the meeting, whether such meeting is a public hearing or otherwise.

To call an electronic meeting, public notice of such meeting must be given at least 24 hours before the meeting by (a) posting written notice at the anchor location, (b) providing written or electronic notice to ~~(i) at least one newspaper of general circulation within the State and Town;~~ (ii) providing notice to the public body at least 24 hours before the meeting so that they participate in and be counted as present for all purposes, including the determination that a quorum is present; ~~(iii)~~ providing a description to the members of the public body of how the members will be connected to the electronic meeting; ~~(iii)~~ providing notice on the Utah State Public Meetings notice website at least 24 hours in advance of the meeting.

MINUTES OF THE TOWN COUNCIL MEETINGS

The public bodies of the Town shall keep minutes of their proceedings as provided by State law. The books, records, accounts and documents of each municipality shall be kept at the office to the Town Clerk/Recorder and draft and approved copies shall be open and available to the public during regular business hours for examination and copying. (Utah Code Section 10-3-603)

Minutes are history of the community and should contain as much information necessary for clarity. Minutes should be circulated to members of the public body and made available to the public within “a reasonable time after the meeting” and must be marked as “DRAFT” before approval by the public body.

Approval of the Written Minutes: The minutes of a meeting at which draft minutes of past meetings are approved should reflect that those minutes were “approved as presented” or if draft minutes have corrections, the minutes of the current meeting should reflect that those draft minutes were “approved as corrected or amended.” If there are grammatical or spelling errors, which do not change the substance of the text, which are not identified as corrected in the minutes then the Town Clerk/Recorder will make such minor corrections to the minutes.

MEETING PROCEDURES AND DECORUM – GENERAL RULES

The purpose is to ensure fairness and common courtesy to all members of the public at the meeting. These procedures and policies are to ensure (a) order and procedure, (b) ethical behavior, and (c) civil discourse.

The public body, staff and public will turn off or turn their cell phones to silent during an open meeting. The exception to this rule will be the public safety officers.

Any member of the public body or staff member that is expected to attend the meeting, and will be absent or tardy, shall inform the Mayor/ Chairperson, or Clerk/Recorder prior to the meeting so as not to delay the start of the meeting.

The Town encourages citizen input during public meetings. The Mayor or chair of the public body will invite the public to share their comments at the appropriate time during public hearings, public input, or public comments for a period of three (3) minutes. The Mayor or chair of the public body may also permit citizens to speak during individual agenda items at his/her discretion when they feel the comments will be pertinent to the topic. The Mayor or chair shall have the discretion to limit the time available for such comments.

Members of the public body shall not talk over one another, interrupt, or speak in a condescending or demeaning manner to one another. Individuals shall take turns speaking, defer to someone who intends to speak, and in general, maintain civil rules of conduct toward one another. The staff and public are expected to do the same. Members of the public body and staff members are expected to dress appropriately for the meeting and office which they hold.

When person(s) are addressing the public body, the person(s) should only speak on the merits of the topic immediately at hand.

Printed materials should be distributed to the public body prior to the meeting. If the public wishes to distribute printed materials to the public body during a meeting, they may do so, but must have additional copies for the Town Clerk/Recorder for the official record.

No public body of the Town will tolerate disorderly conduct which includes insulting language or behavior by any person, including members of the audience, the public body itself, or administration. No name calling, shouting, or booing is allowed during a meeting. The Mayor or Chair of the public body may call the person to order or excuse them from the meeting. The Town reserves the right to have a public safety officer in attendance at a meeting to maintain public order.

ATTENDANCE

The public body may require the attendance of any person to give testimony or produce records, documents or things for inspection, copying or examination necessary or useful for the governance of the Town.

The Town Council may issue subpoenas in its own name in the same manner as provided in the Utah Rules of Civil Procedure.

MAYOR OR CHAIR RESPONSIBILITIES

The Mayor shall preside at all regular and special meetings of the Town Council. In the absence of the Mayor, or in the event of the Mayor's inability or refusal to act, the Mayor Pro-Tem shall preside

over the meeting or meetings and shall have the powers and duties of the Mayor during the Mayor's absence or disability. A chair shall be designated for all other public bodies. The chair will lead the meeting attending to the process, rules of conduct and facilitate closure, summarization of main discussion points and request motions be formulated.

The Mayor or chair, as applicable, at his/her discretion, will recognize person(s) wishing to make comment or address the public body and request them to address the public body at the podium, stating their name and address for the official record. All comments should be directed to the public body and not the others in attendance. Person(s) wishing to speak should not request recognition while someone else is speaking.

MAYOR OR CHAIR PRO-TEM RESPONSABILITIES

The Mayor or chair pro-tem will be established by Ordinance or motion by a majority vote of the Town council or public body.

The chair Pro-tem will chair the meetings in the absence of the chair and will conduct in accordance with meeting procedures.

MEMBER RESPONSIBILITIES

It is the duty of the voting members of a public body:

To consider the interests of the municipality in its entirety.

To prepare for the meetings by reviewing the agenda, supporting materials and asking questions in advance.

To communicate needs to staff and other members about personal learning style, physical or mental limitations, and other accommodations required as permitted under the Americans with Disabilities Act and respect the accommodations needs of other Members.

To respect the public process and decisions.

The members of the public body may expel any public body members for disorderly conduct on a two-thirds vote of the members.

To maintain confidential information and discussions that are shared in closed sessions per the Open Public Meetings laws.

QUORUM

The majority of the public body constitutes a quorum for the public body and all motions of a public body shall be approved by a majority of the public body (not just a majority of the quorum in attendance).

If a position is vacant, a quorum is the majority of the remaining members of the public body.

Abstention does not impact a quorum.

There must be a minimum of a majority of the entire public body of affirmative votes for adoption of a motion.

RECORDED VOTE

Each member of the public body has one vote each time a vote is held.

The requirement for a recorded vote must include the vote and each member's reason for abstention.

ABSTENTION FROM VOTING

A member may decide not to vote either in favor or against a motion.

Abstention may occur if a member has been absent and /or feels insufficient information has been received on an issue.

Abstention is not to be confused with voting against a matter.

Members not abstaining carry the vote, as long as the motion receives the minimum required affirmative votes.

RECUSING

If a public body member should choose to recuse themselves from an agenda item. They will need to remove themselves from their seat.

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All public body Members will complete a written statement and disclosure regarding conflicts of interest and of financial interests and affiliations annually, or when there is change in the nature of the conflict, interest or affiliation, and file it with the Town Clerk/Recorder. All disclosure statements will adhere to the Utah Municipal Officers and Employees Ethics Act (UCA 10-3-1301)

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MOTIONS

The Mayor or chair may recommend language to the Council for a motion.

Motions should begin with "I move to".

Before a motion can be discussed it must be seconded.

Agenda Items identified as discussion items only may not require a motion.

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A motion to recess the meeting for a break must be made and should state for how long or a time to reconvene the meeting. This motion requires a second and is not debatable.

If a public body Member requests to withdraw a motion, the Mayor or chair will ask for any objections to the motion being withdrawn, if no objection, the motion is immediately withdrawn. If there is an objection, the request to withdraw becomes a motion, which must be seconded and is not debatable and requires a simple majority to pass.

TOWN OF APPLE VALLEY

RESOLUTION NO. R-2024-23

ADOPTION OF THE TENTATIVE FISCAL BUDGET FOR THE FISCAL YEAR 2025

WHEREAS, the Town of Apple Valley is required to adopt an annual budget for the expenditure of certain of the Town’s funds pursuant to the Uniform Fiscal Procedures Act for Utah Towns (the “Act”); and

WHEREAS, the Town of Apple Valley is required to adopt a tentative budget to be in compliance with the Act’s provisions and by setting and conducting a public hearing on the Fiscal Year End 2025 Annual Budget; and

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 22nd day of May 2024, and upon motion duly made and seconded:

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Town Council of the Town of Apple Valley to adopt a tentative Fiscal Year End 2025 Annual Budget as provided by the Act, attached hereto as Exhibit A, including all schedules thereto and set a hearing date of June 26, 2024.

PASSED this 22nd day of May 2024.

TOWN OF APPLE VALLEY

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

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

Town of Apple Valley

FY2025 Tentative Budget - May 22, 2024

10 GENERAL FUND	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget	Worksheet Notes
REVENUE							
Taxes							
3110 General Property Taxes-Current	105,007	136,103	140,189	145,000	136,661	160,000	
3120 Prior Year's Taxes-Delinquent	12,804	5,139	0	0	8,000	0	
3130 General Sales and Use Taxes	105,307	179,393	173,713	196,000	196,000	175,000	
3140 Energy and Communication Taxes	15,889	25,250	42,108	45,700	45,700	40,000	
3150 RAP Tax	10,459	18,739	17,593	18,500	18,500	18,000	
3160 Transient Taxes	1,979	11,598	14,756	18,000	18,000	18,000	
3170 Fee in Lieu of Personal Property Taxes	8,634	456	0	8,400	8,400	0	
3180 Fuel Tax Refund	119	0	938	1,000	1,000	0	
3190 Highway/Transit Tax	0	16831	16,237	17,100	17,100	17,100	
Total Taxes	260,197	393,508	405,534	449,700	449,361	428,100	
Licenses and Permits							
3210 Business Licenses	2,775	7,350	9,191	9,500	9,500	10,500	
3221 Building Permits-Fee	34,309	69,238	46,124	55,000	45,000	45,000	
3222 Building Permits-Non Surcharge	4,295	9,816	6,644	11,000	6,750	7,750	
3223 Building Permit - HCP Valuation	1,732	0	0	-----	-----	0	Removed from ordinance
3224 Building Permits Surcharge	1,178	339	(110.00)	450	450	450	
3225 Animal Licenses	970	420	800	800	800	800	
3430 Assessment Fee Income	0	0	0	0	0	0	
Total Licenses and Permits	45,258	87,163	62,649	76,750	62,500	64,500	
Intergovernmental Revenue							
3342 Fire Dept-State Wildland Grant	0	0	0	0	10,000	0	
3356 Class C" Road Allotment	80,259	94,066	107,947	137,000	137,000	112,000	
3358 Liquor control profits	697	756	1,037	1100	1100	1100	
3370 State Grants	0	13237	0	0	0	0	
3371 State Highway Grants	0	0	0	0	0	0	
3373 CARES Revenue	0	0	0	0	0	0	
Total Intergovernmental Revenue	80,956	108,058	108,984	138,100	148,100	113,100	

Town of Apple Valley

FY2025 Tentative Budget - May 22, 2024

10 GENERAL FUND	2021	2022	2023	FY 2024	FY 2024	FY 2025	
	Actual	Actual	Actual	Original	Budget	Tentative	Worksheet Notes
				BUDGET	Amendment	Budget	
Charges for Services							
3230 Special Event Permit	0	3500	2,480	600	4500	1000	
3410 Clerical Services	21	225	334	400	400	400	
3415 SSD Payroll Services	0	0	0	0	0	0	
3416 Other Interdepartmental Charges	4,903	2,010	9039	44,203	44,203	44,350	From BPW
3420 Fire Department Contracts	300	0	0	0	6000	0	
3431 Zoning and Subdivision Fees	33,854	37,218	24,734	20,000	20,000	20,000	
3440 Solid Waste	42,442	50,917	52,113	61,000	61,000	61,000	
3441 Storm Drainage	37,778	42,921	42,274	49,000	49,000	49,000	
3461 GRAMA Requests	0	0	352	500	500	100	
3470 Park and Recreation Fees	55	0	175	100	100	100	
3481 Sale of Cemetery Lots				310,500	310,500	0	
3482 Perpetual Care				129,300	129,300	0	
3615 Late Charges/Other Fees	-2,307	1,740	(1,766)	2,500	2,500	1,000	
Total Charges for Services	117,045	138,531	129,735	618,103	628,003	176,950	
Fines and Forfeitures							
3510 Fines	5,360	10,845	5,168	5,000	5,000	5,000	
Total Fines and Forfeitures	5,360	10,845	5,168	5,000	5,000	5,000	
Interest							
3610 Interest Earnings	5,493	3,308	25,895	42,200	42,200	42,200	
Total Interest	5,493	3,308	25,895	42,200	42,200	42,200	
Miscellaneous Revenue							
3640 Sale of Capital Assets	650	0	0	7500	0	0	
3670 Debt Proceeds	48,074	0	0	0	0	0	
3690 Sundry Revenue	420	1734	20,089	5,000	5,000	5,000	
3692 Fire Department Fundraisers	947	1166	1,500	300	6,500	0	
3697 Park Department Fundraisers	884	0	0	0	800	0	
3801.1 Impact Fees - Fire	767	19471	5,908	6,800	6,800	6,800	
3801.2 Impact Fees - Police	0	0	0	-----	-----		Removed from ordinance

Town of Apple Valley

FY2025 Tentative Budget - May 22, 2024

	2021	2022	2023	FY 2024	FY 2024	FY 2025	Worksheet Notes
10 GENERAL FUND	Actual	Actual	Actual	Original BUDGET	Budget Amendment	Tentative Budget	
3801.3 Impact Fees - Roadways	6,682	59,034	18,620	24,600	24,600	24,600	
3801.6 Impact Fees - Storm water	2,728	32,945	25,280	31,000	31,000	31,000	
3801.7 Impact Fees - Parks, Trails, OS	1,833	16,816	5,075	6,600	6,600	6,600	
Total Miscellaneous Revenue	62,984	131,165	76,472	81,800	81,300	74,000	
Contributions and Transfers							
3802.2 Contributions - Public Safety	0	0	0	0	0	0	
3802.7 Contributions - Parks and Recreation	100	0	0	0	0	0	
3802.8 Contributions - Contingency	0	0	0	0	0	0	
3890 Fund Balance Appropriation	0	0	0	0	0	0	
Total Contributions and Transfers	100	0	0	0	0	0	
Total Revenue:	577,394	872,578	814,437	1,411,653	1,416,464	903,850	
EXPENDITURES							
General Government							
Council							
4111.110 Council/PC Salaries and Wages	8,311	16,875	15,050	15,000	21,000	13,000	
4111.130 Council/PC Employee Benefits	2,610	1,580	1,419	1,000	2,400	1,000	
4111.210 Council/PC Travel Reimbursement	453	0	0	0	1,500	1,000	
4111.220 Council/PC Training	1,630	60	0	0	1,500	1,000	
4111.610 Council Donations and Discretionary							
Spending	0	0	0	0	500	0	
Total Council	13,004	18,515	16,469	16,000	26,900	16,000	
Administrative							
4141.110 Admin Salaries and Wages	91,128	91,048	103,186	99,000	99,000	99,000	
4141.130 Admin Employee Benefits	7,444	8,191	14,563	17,100	17,100	17,100	Includes non-taxable Health Stipends for FT Employees.
4141.140 Admin Employee Retirement-GASB 68	4,272	3,214	13,273	7,000	7,000	7,000	

Town of Apple Valley

FY2025 Tentative Budget - May 22, 2024

10 GENERAL FUND	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget	Worksheet Notes
4141.210 Admin Dues, Subs & Memberships	1,257	4,846	6,826	5,500	5,500	8,000	
4141.220 Admin Public Notices	1,290	1,017	42	100	100	100	
4141.230 Admin Training	1,299	420	743	1,500	1,500	1,000	Combined w/4141.360 Redundant
4141.240 Admin Office/Administrative Expense	4,688	17,802	16,773	8,000	8,000	8,000	
4141.250 Admin Equipment Expenses	5,924	6,108	17,941	10,000	10,000	10,000	
4141.260 Admin Building & Ground Maintenance	1,027	1,999	5,903	4,500	4,500	4,500	
4141.270 Admin Utilities	5,987	5,730	7,238	7,600	7,600	7,600	
4141.280 Admin Telephone and Internet	16,834	7,601	7,711	8,100	8,100	8,100	
4141.290 Admin Postage	1,899	2,976	2,762	3,700	3,700	3,700	
4141.320 Admin Engineering/Professional Fees	7,975	29,586	8,133	3,500	3,500	3,500	
4141.330 Admin Legal	5,644	58,165	48,307	50,000	50,000	50,000	
4141.331 Admin Assessment Legal Fees	0	0	0	0	0	0	
4141.340 Admin Accounting & Auditing	12,868	16,824	4,400	29,400	29,400	20,000	\$5k AUP, \$15k CPA
4141.350 Building Fees-Inspector/85% Surcharge	20,656	64,548	37,617	30,000	30,000	30,000	
4141.360 Admin Education-General	0	248	0	0	0	0	Combined w/4141.230
4141.390 Admin Bank Service Charges	2,902	3,462	140	200	200	200	
4141.410 Admin Insurance	10,129	6,089	15,526	16,000	16,000	16,000	
4141.490 Admin Travel Reimbursements	760	438	1402	1,500	1,500	1,500	
4141.500 Admin Weed Abatement	387	0	0	1,500	1,500	1,500	
4141.550 Admin Cares Act	0	0	0	0	0	0	
4141.610 Bad Debt Expense	0	0	2026	250	250	250	
4141.740 Admin Capital Outlay	1,060	0	-	0	0	0	
4170 Elections	0	2288	0	1,500	1,500	1,500	
Total Administrative	205,429	332,602	314,512	305,950	305,950	298,550	
Total General Government	218,433	351,117	330,981	321,950	332,850	314,550	
Public Safety							
Police							
4210.110 Police Salaries & Wages/Contract	1,080	13,200	15,000	15,000	15,000	15,000	\$3,750/QTR

Town of Apple Valley

FY2025 Tentative Budget - May 22, 2024

	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget	Worksheet Notes
10 GENERAL FUND							
4210.130 Police Employee Benefits	83	0	0	0	0	0	
4210.230 Police Travel & Mileage	0	0	0	0	0	0	
4210.250 Police Expenditures	0	4763	0	0	0	0	
4210.470 Police Building Permits	0	0	0	0	0	0	
4253.250 Animal Control Supplies	63	63	0	100	100	100	
Total Police	1,225	18,026	15,000	15,100	15,100	15,100	
Fire							
4220.110 Fire Salaries & Wages	20,400	28,181	35,904	67,200	67,200	67,200	\$55k Chief, \$12.2K Volunteers
4220.130 Fire Employee Benefits	1,976	4,808	2,965	13,600	13,600	5,600	
4220.135 Fire Employee Retirement - GASB 68	0	0	5,920	8,100	8,100	8,100	
4220.140 Fire Contract Wages	0	0	684	4,500	4,500	-	
4220.145 Fire Contract Benefits	0	0	100	525	525	-	
4220.150 Fire Contract Expense	0	0	0	1,500	1,500	-	
4220.210 Fire Dues, Subscriptions & Memberships	109	355	569	600	600	1,200	
4220.230 Fire Travel, Mileage & Cell	28	57	300	600	600	600	
4220.240 Fire Office Expenses	329	765	495	500	500	500	
4220.250 Fire Equipment Maintenance & Repairs	705	2514	9,476	11,000	11,000	11,000	
4220.260 Fire Rent Expense	0	0	0	-	-	6,000	
4220.360 Fire Training	1,248	389	3844	13,100	13,100	2,100	
4220.450 Fire Small Equip/Supplies	458	2026	6,159	15,000	15,000	15,000	Radios/Hoses
4220.460 Fire Supplies-Fundraisers	544	514	38	500	500	500	
4220.465 Fire Gear	9,383	1,518	4,275	15,000	15,000	15,000	Bunker Gear
4220.475 Fire Other Grant Expenditures	0	0	0	0	0	0	
4220.480 Fire Mitigation MOU Expenditures	0	0	0	15000	15000	15000	50% Required Supplies/Equipment for MOU Agreement
4220.550 Fire Cares Act	0	0	0	0	0	0	
4220.560 Fire Equipment Fuel	2,047	1,251	1,826	4,000	4,000	4,000	

Town of Apple Valley

FY2025 Tentative Budget - May 22, 2024

<u>10 GENERAL FUND</u>	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget	Worksheet Notes
4220.610 Fire Principal	0	12351	11,986	0	0	0	
4220.620 Fire Interest	0	1115	(779)	0	0	0	
4220.740 Fire Capital outlay	305	27500	17,960	0	0	0	
Total Fire	37,532	83,344	101,722	170,725	170,725	151,800	
Total Public Safety	38,758	101,370	116,722	185,825	185,825	166,900	
Highways and Public Improvements							
Highways							
4410.110 Road Wages and Contract Labor	879	0	1,225	15,200	15,200	15,200	
4410.130 Road Employee Benefits	67	0	94	1750	1750	200	
4410.270 Road Flood Damage	9,008	0	0	2000	2000	0	
4410.380 Road Department Services	0	720	12,570	2500	2500	0	
4410.450 Road Department Supplies	10,873	2,181	10,287	45,000	45,000	30,000	Asphalt/Road Repairs/Signs/Barricade Equip
4410.550 Road Equipment Maintenance	19,999	3,029	1,990	2,500	2,500	0	
4410.560 Road Equipment Fuel	2,674	1,590	1,613	5,000	5,000	2,000	
4410.740 Road Capital Outlay	48,076	0	0	0	0	0	
4410.810 Road Principal	31,000	42,668	54,409	35,000	35,000	36,000	Gateway (final pmt 10/2046)
4410.820 Road Interest	32,200	30,686	29,433	28,150	28,150	27,275	
4415.110 Public Works Wages and Contract Labor	10,965	0	8,654	30,300	30,300	30,300	
4415.130 Public Works Employee Benefits	702	0	731	9400	9400	0	
4415.140 Public Works Employee Retirement - GASB							
68	0	0	0	8100	8100	0	
4415.320 Public Works Engineering/Professional Fees	0	0	107	0	0	0	
4415.450 Public Works Supplies	207	3825	3,524	6,000	6,000	6,000	
4415.550 Public Works Equipment Maintenance	3,753	1,806	2,376	3,000	3,000	3,000	

Town of Apple Valley

FY2025 Tentative Budget - May 22, 2024

	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget	Worksheet Notes
10 GENERAL FUND							
4415.560 Public Works Equipment fuel	742	-25	711	2,000	2,000	2,000	
4415.570 Public Works Travel Reimbursement	202	0	562	500	500	500	
4415.610 Public Works Storm Drainage	0	0	3,301	5,000	5,000	2,000	
4415.710 Public Works Principal	24585	14920	15,479	0	0	0	
4415.720 Public Works Interest	6063	1140	581	0	0	0	
4415.740 Public Works Capital Outlay	3,700	0	11000	9,000	9,000	0	Fuel Tank-\$4,000, Bldg-\$5,000
Total Highways	205,696	102,540	158,647	210,400	210,400	154,475	
Sanitation							
4420.220 Solid Waste Postage	0	0	0	0	0	0	
4420.460 Solid Waste Service	37,475	54,200	48,954	60,000	60,000	60,000	
Total Sanitation	37,475	54,200	48,954	60,000	60,000	60,000	
Total Highways and Public Improvements	243,171	156,741	207,601	270,400	270,400	214,475	
Parks, Recreation, and Public Property							
Parks							
4540.110 Park/Rec Wages and Contract Labor	0	2785	5,845	5,100	5,100	2,000	
4540.130 Park/Rec Employee Benefits	0	3	447	600	600	0	
4540.250 Park/Rec Department Expenses	243	128	927	1000	1000	1000	
4540.460 Park/Rec Community Events Supplies	760	297	2561	4000	4000	4000	
4540.740 Parks Capital Outlay	0	4586	0	0	0	0	
4590.250 Cemetery Maintenance				0	0	0	
4590.460 Cemetery Supplies and Equipment				0	0	0	
4590.470 Cemetery Capital Outlay				0	0	0	
Total Parks	1,003	7,799	9,780	10,700	10,700	7,000	
Total Parks, Recreation, and Public Property	1,003	7,799	9,780	10,700	10,700	7,000	

Town of Apple Valley

FY2025 Tentative Budget - May 22, 2024

<u>10 GENERAL FUND</u>	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget	Worksheet Notes
Transfers							
4804 Transfer to Fund Balance	0	0	0	98,978	92,889	131,925	Savings
4805 Transfer to Capital Projects	0	0	0	265,000	265,000	0	Cemetery-\$250k, Fire Bldg-\$15K
4807 Transfer to Assigned Balance - Fire Impact Fees	0	0	0	6,800	6,800	6,800	
4808 Transfer to Assigned Balance - Police Impact Fees	0	0	0				
4809 Transfer to Assigned Balance - Roadway Impact Fees	0	0	0	24,600	24,600	24,600	
4810 Transfer to Assigned Balance -Storm Water Imp Fees	0	0	0	31,000	31,000	31,000	
4811 Transfer to Assigned Balance - Parks & Rec Fees	0	0	0	6,600	6,600	6,600	
4812 Transfer to Assigned Balance - Perpetual Care	0	0	0	129,300	129,300	0	
4813 Transfer to Assigned Balance - Cemetery Funds	0	0	0	60,500	60,500	0	
Total Transfers	0	0	0	622,778	616,689	200,925	
Total Expenditures:	501,364	617,026	665,084	1,411,653	1,416,464	903,850	
Total Change In Net Position	76,030	255,552	149,353	0	0	0	
<u>41 CAPITAL PROJECTS FUND</u>	2021 Actual	2022 Actual	2023 Actual	2024 Proposed	2024 Proposed		

Town of Apple Valley

FY2025 Tentative Budget - May 22, 2024

10 GENERAL FUND	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget	Worksheet Notes
Revenue:							
Intergovernmental Revenue							
3340 Grant Revenues-General	0	0	0	3,320,000	3,320,000		CIB for Storm Drainage/Road Upgrades
3341 Grant Revenues-Fire	0	0	0	410,000	410,000		Water Tender Truck
Total Intergovernmental Revenue	0	0	0	3,730,000	3,730,000		
Interest							
3610 Interest earnings	0	0	0	-	-		
Total Interest	0	0	0	-	-		
Miscellaneous Revenue							
3675 Fire Capital Proceeds	0	0	0	-	-		
Total Miscellaneous Revenue	0	0	0	-	-		
Transfers & Contributions							
3810 General Fund Transfer	0	0	0	540,000	540,000		CIB Matches (restricted funds) \$260k, Cemetery proceeds - \$250k, Tender-\$10k, Fire IF-\$15K, Budget-\$15K (FY23-\$15k/Fire Impact Fees - Bal is from budget)
Total Txfrs & Contributions	0	0	0	540,000	540,000		
Total Revenue:	0	0	0	4,270,000	4,270,000		
Expenditures:							
Miscellaneous							
4141.740 Capital Outlay expenses	210	0	27,160	-	-		Gen Plan, Fence
4220.740 Fire Capital Outlay	0	0	8,277	450,000	450,000		Total Project Costs-\$420k Tender, \$30k Bldg (FY23-\$15K Office
4410.740 Road Capital outlay	0	0	0	1,050,000	1,050,000		Total Project Costs-Coyote Rd/Bubbling Wells

Town of Apple Valley

FY2025 Tentative Budget - May 22, 2024

<u>10 GENERAL FUND</u>	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget	Worksheet Notes
4415.740 Public Works Capital Outlay			990	2,520,000	2,520,000		Total Project Cost-Storm Drain
4590.470 Cemetery Capital Outlay			741	250,000	250,000		Total Project Costs
Total Miscellaneous	210	0	37,168	4,270,000	4,270,000		
Total Expenditures:	210	0	37,168	4,270,000	4,270,000		
Total Change In Net Position	-210	0	(37,168)	-	-		

**APPLE VALLEY
ORDINANCE O-2024-18**

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

SECTION 1: **AMENDMENT** “10.02.070 Site Plan Required” of the Apple Valley Land Use is hereby *amended* as follows:

A M E N D M E N T

10.02.070 Site Plan Required

A detailed site plan, drawn to scale, shall be filed as a part of any application prior to consideration for any building permit. The site plan shall show, where pertinent:

1. Scale used.
2. Direction of north point.
3. Lot lines, adjacent streets or rights of way, easements, etc.
4. Location of all existing structures on the property, including driveway entrances, utility poles, etc.
5. Location of the proposed construction and improvements, including setbacks, location and dimensions of signs, location of garbage receptacles, fences, retaining walls, all easements, on-site detention and retention storage facilities, etc.
6. Motor vehicle access, including individual parking stalls, circulation patterns, curb and gutter and sidewalk locations.
7. Any necessary explanatory notes.
8. The distance to the nearest fire hydrant. It should be measured to the farthest point of the structure following the typical line of travel- down the driveway, along exterior of house following sidewalk, etc.
9. Name, address and telephone number of building contractor and owner.
10. If applicable: the location of all wells.
11. All other information that may be required as may be determined by the building inspector.
12. Directions, notes, and abbreviations, as well as project data and a vicinity map.
13. Property lines: Property lines are called out around the exterior of the lot.
14. Setbacks: These are the spaces between a building and its property line.
15. Existing and proposed conditions: Fence lines, utility and power lines need to be shown on your site map. These will also illustrate whether inspectors need to be called in during the construction process.
16. Construction limits: This will show the parts of the property where the construction is happening and show the areas near the site where you'll be taking up space for equipment parking and storage.

17. Parking: A site plan will always show parking dimensions, including parking spaces, areas for turning around, and especially in urban and high-traffic areas, the flow of traffic.
18. Surrounding streets and street signs: Along with the flow of traffic, a site plan will show you how your property functions within the streets and avenues that surround it, or if it is at the end of a quiet cul-de-sac. You'll also be able to see these features in a separate "vicinity map."
19. Driveways: A good site plan usually shows the exact dimensions of driveways and curbs.
20. Fire Hydrants: Town codes govern the distance your property must be from fire hydrants, and a new construction site plan will also include these when they are submitted for approval to the town.
21. Easements: Site plans will always include easements, which is a feature of your property that is shared by someone else for a specific purpose. Examples include a pathway through your property to utility lines.
22. Landscaped areas: A good site plan will include not only the measurement, but also the type of landscape feature (such as a deciduous tree, or a desert landscape) and retaining walls.

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

_____.

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

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY
ORDINANCE O-2024-19**

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

SECTION 1: **AMENDMENT** “10.14.020 Rules And Regulations” of the Apple Valley Land Use is hereby *amended* as follows:

AMENDMENT

10.14.020 Rules And Regulations

- A. Short Term Vacation Rental Business License Required: No dwelling in a residential zone shall be occupied or used as a short term vacation rental, until such time that the owner has obtained a short term vacation rental business license issued in accordance with the provisions of this Section.
- B. Conditions for Issuance of a Short Term Vacation Vacation Rental Business License : In addition to any other requirement of this Section, a short term vacation rental business license shall be approved by the Town Clerk if:
 - 1. The dwelling unit is located in a single family dwelling that has been issued a certificate of occupancy, or a building permit has been issued for the construction of a single family dwelling unit. If a certificate of occupancy has not yet been issued, the business must be operational within six (6) months of the issuance of the business license. If the business is not operating within this time period, the short term vacation rental business license may be revoked to enable another business to license a Short Term Vacation Rental in the area. For purposes of this section, “operational” is defined as accepting reservations and being available at least two weeks per month, including the next full month. Portions of a single family dwelling may not be used as a short term vacation rental unless licensed as a bed and breakfast or residential hosting facility in accordance with the regulations for that use. A short term vacation rental and a bed and breakfast or residential hosting facility may not be located in the same single family dwelling.
 - 2. The owner of a single family dwelling for which a short term vacation business license is sought does not hold a business license to operate another short term vacation rental within the Town of Apple Valley limits. For purposes of this paragraph, “owner” means any individual, corporation, partnership, limited liability company, trust or other entity which has a legal or equitable ownership interest in the single family dwelling, or any individual who has an ownership interest in any corporation, partnership, limited liability company, trust or other entity which has a legal or equitable ownership interest in the single family dwelling,

3. The property line of another dwelling licensed as a short term vacation rental is not located within 300' (three hundred feet), as measured along the same street or around the corner, of the front property line corners of the property where the proposed short term vacation rental license is being sought. No more than 10% of the homes in any subdivision phase or designated area to be defined by the Town, may be licensed as a short term vacation rental.
 4. The application lists the name, address and phone number of the owner or other person designated by the owner as the property manager who shall be responsible for ensuring compliance with the rules and regulations specified in this section. This person shall be a permanent resident of the Town and be ready and willing to receive phone calls at any hour to promptly deal with complaints, violations, or any other safety or nuisance issues.
 5. The contact information of the responsible individual will be given to all property owners/residents within a 300 ft. radius of the short term vacation rental property in question, so they will be able to make direct contact with the responsible individual in the case of a complaint, violation, or any other safety or nuisance issue.
 6. The application includes a valid sales and use tax license from the Utah State Tax Commission ~~number~~ for remittance of transient lodging taxes.
- C. Parking Regulations: The owner of any property licensed as a short term vacation rental shall provide off street parking for guests in accordance with the following:
1. Off street parking shall be provided on the same lot as the dwelling which is licensed as a short term vacation rental.
 2. Parking shall be provided at one vehicle per bedroom. Tandem spaces on a driveway may be used.
 3. All guest parking shall be contained on the site.
 4. No off street parking space may be located in front of the living area of the dwelling unless there is a circular driveway.
 5. The number of vehicles allowed by the occupants of a vacation rental home shall be restricted to the number of off street parking spaces provided by the owner.
- D. Maintenance Standards: Any property that contains a dwelling which is licensed as a short term vacation rental shall conform to the following standards:
1. Structures shall be properly maintained, painted and kept in good repair, and grounds and landscaped areas shall be properly maintained and watered in order that the use in no way detracts from the general appearance of the neighborhood;
 2. The use of a dwelling as a short term rental shall not in any way change the appearance of the dwelling or property for residential purposes; and
 3. Each sleeping room must meet current International Residential Code for egress and be equipped with smoke and CO2 detectors. A fire exiting route plan and maximum occupancy number must be posted in each sleeping room.
- E. Prevention of Noise, Nuisance or Trespass: The owner of any dwelling licensed as a short term vacation rental shall be responsible to ensure that guests or occupants of the short term rental do not:

1. Create noises that by reason of time, nature, intensity or duration are out of character with noises customarily heard in the surrounding residential neighborhood.
 2. Disturb the peace of surrounding residential property residents by engaging in shouting, fighting, playing of loud music, racing of cars or recreational vehicles on streets, engaging in outside recreational activities after 10 p.m., or other similar activities.
 3. Interfere with the privacy of surrounding residents or trespass onto surrounding residential properties.
 4. Allow pets or animals to create noise, roam the streets, trespass on neighboring properties, or create a mess that is not cleaned up by the owner or custodian of the pet or animal.
 5. Engage in any disorderly or illegal conduct, including illegal consumption of drugs and alcohol.
- F. Required Posting: The following information must be posted in a clear, concise, and unambiguous manner and in a conspicuous location inside any dwelling licensed as a short term vacation rental:
1. a copy of the short term vacation rental business license
 2. the name, address, and phone number of the owner or property manager
 3. the location of all fire extinguishers
 4. a list of all rules applicable for vacation rentals
 5. the maximum occupancy of the vacation rental and the maximum number of vehicles allowed.
- G. Miscellaneous Rules and Regulations: The following rules and regulations shall apply to any dwelling for which a short term vacation rental business license has been issued:
1. Prohibits the operation of a short-term rental unless the municipality issues a permit to operate the short-term rental and the State Tax Commission issues a sales and use tax license.
 2. Outdoor pools, hot tubs or spas shall not be used between the hours of eleven o'clock (11:00) p.m. and six o'clock (6:00) a.m.
 3. Maximum occupancy in any dwelling licensed as a short term vacation rental shall be 4 people per rental for one bedroom, 2 additional people allowed per bedroom not to exceed ten (10) persons at any one time total in the home. If, however, the property has a fire sprinkler system or other fire suppression system acceptable to the Apple Valley Fire Department, a greater occupancy may be approved. Maximum occupancy of the dwelling must be included in the regulations sign.
 4. The owner of any property containing a dwelling licensed as a short term vacation rental shall cause to be displayed in a town approved location on the exterior of the property an approved sign containing the name and 24 hour-per-day, 365 day-per-year telephone number of the owner or other party designated by the owner as property manager who will be responsible for receiving and resolving complaints regarding activities on the property and the conduct of its occupants and guests. The sign shall not exceed 12" X 18" and

shall be the only sign other than an address permitted on a short term vacation rental property. All neighbors surrounding the property in question shall be furnished the same contact information.

5. The owner or property manager shall provide information on current occupants to police, emergency, or town personnel as requested. The owner or other person designated as the property manager shall respond to complaints and concerns within one (1) hour of any phone call or other notification. Failure of the owner or property manager to respond in a timely manner may result in a violation and possible fines to the business license holder and property owner.
6. The requirements of this section shall be in effect throughout the time a short term vacation rental license is in effect on the property, regardless of whether the property is occupied by the owner, non-paying guests of the owner, or paying guests of the owner. The Town of Apple Valley finds that, given the practical difficulty of determining whether or not the occupants are paying guests, enforcement of the requirements contained in this section shall be based on whether the property is licensed as a short term vacation rental.
7. An inspection of a vacation rental property for compliance with these regulations will be performed at the time of business license issuance and renewal each year. There shall be a fee charged for such inspection, to be set by the Town Council. Additional inspections may be performed with 24 hour notice to the license holder/property manager if deemed necessary by the Town.
8. The owner of any dwelling licensed as a short term vacation rental shall be required to collect and remit on a timely basis transient lodging taxes and all other applicable sales and use taxes to the Utah State Tax Commission.

H. Enforcement Provisions:

1. Any owner of any dwelling in a residential zone within the Town of Apple Valley who allows or permits occupation of said dwelling as a short term vacation rental, as defined herein, without having first obtained a business license in accordance with the provisions of this section shall be guilty of a Class B misdemeanor, which shall be punishable by a fine of up to \$1,000, imprisonment for up to 6 months, or any combination thereof for each such violation.
2. Any owner of any dwelling in a residential zone within the Town of Apple Valley, who, having first obtained a business license for use or occupation of said dwelling as a short term vacation rental, thereafter operates or permits operation of said short term vacation rental in violation of the terms and provisions of this section shall be guilty of an Infraction, and shall be punished by a fine of not less than ~~\$1000~~ ~~750~~ for each such violation.
3. Any person who occupies a short term rental as a guest and who violates any local ordinance or state law shall be subject to arrest, issuance of a citation, or other criminal process in accordance with all state, federal or local statutes, rules or ordinances.
4. Violation of any provision of this section regulating short term vacation rentals

shall constitute a separate offense for each day said violation occurs or continues.

- 5. In the event of three (3) or more violations of this ordinance committed by an owner or guest, or any combination of the two, within any 12 month period, the town council may proceed with revocation of the business license for any short term vacation rental property in accordance with the provisions of the general business license ordinance.

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

_____.

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

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**Town of Apple Valley
Disbursement Listing
SBSU Operating - 04/01/2024 to 04/30/2024**

<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>
Google LLC	G04022024	04/02/2024	\$336.14			Purchasing
International Code Council	ICC04022024	04/02/2024	\$160.00			Purchasing
Superior Technical Solutions LLC	STS04022024	04/02/2024	\$697.08			Purchasing
Walmart	W04012024	04/02/2024	\$36.46			Purchasing
Fralish, Lee W	5743	04/03/2024	\$46.17			Paycheck
Uribe, Brenda A	5744	04/03/2024	\$83.11			Paycheck
Chase Paymentech	JPMC04032024	04/03/2024	\$278.19			Purchasing
Arreola, Anthony	5745	04/04/2024	\$68.77			Purchasing
Buck's Ace Hardware	5746	04/04/2024	\$209.21			Purchasing
CMC Tire	5747	04/04/2024	\$1,810.12			Purchasing
James R Weeks	5748	04/04/2024	\$175.00			Purchasing
Kinetic Enterprises LLC	5749	04/04/2024	\$1,740.00			Purchasing
Michael Farrar, CPA	5750	04/04/2024	\$937.50			Purchasing
Pelorus Methods, Inc.	5751	04/04/2024	\$700.00			Purchasing
Revco Leasing	5752	04/04/2024	\$302.51			Purchasing
South Central Communications	5753	04/04/2024	\$447.05			Purchasing
Washington County Sheriff's Office	5754	04/04/2024	\$3,750.00			Purchasing
Payroll	0405241200	04/05/2024	\$6,271.90			Paycheck
Utah Retirement Systems	URS04052024	04/05/2024	\$971.86			Payroll
XPress Bill Pay	XBP04052024	04/05/2024	\$345.22			Purchasing
State of Utah-Dept of Commerce	5755	04/08/2024	\$191.18			Purchasing
Internal Revenue Service	EFTPS0405202	04/08/2024	\$1,283.37			Payroll
Amazon Capital Services	5756	04/09/2024	\$257.92			Purchasing
Otter AI Inc.	OAI04092024	04/09/2024	\$240.00			Purchasing
Century Equipment Company	5757	04/10/2024	\$143.98			Purchasing
H&K Hoole & King L.C. Law Offices	5758	04/10/2024	\$850.00			Purchasing
Hurricane Ready Mix, Inc.	5759	04/10/2024	\$2,328.43			Purchasing
Spencer Fane LLP	5760	04/10/2024	\$910.00			Purchasing
Sunrise Engineering Inc.	5761	04/10/2024	\$1,452.00			Purchasing
Washington County Solid Waste	5762	04/10/2024	\$5,246.85			Purchasing
LN Curtis and sons	5763	04/15/2024	\$92.29			Purchasing
Red Desert Detail	5764	04/15/2024	\$300.00			Purchasing
W.S. Darley & Co	5765	04/15/2024	\$2,018.46			Purchasing
Town of Colorado City	5785	04/15/2024	\$1,164.00			Purchasing
Big Plains Water SSD	5769	04/16/2024	\$30,751.23			Purchasing
Kinetic Enterprises LLC	5770	04/16/2024	\$4,115.00			Purchasing
Timeless Awards Company	5771	04/16/2024	\$9.99			Purchasing
Amazon Capital Services	5772	04/16/2024	\$12.49			Purchasing
Blackburn Propane Inc.	BP04162024	04/16/2024	\$79.84			Purchasing
Costco	C04162024	04/16/2024	\$234.18			Purchasing
Department of Workforce Services	EFT	04/16/2024	\$734.05			Purchasing
Rocky Mountain Power	RMP04162024	04/16/2024	\$320.94			Purchasing
State Bank of Southern Utah	SBSU04162024	04/16/2024	\$25.00			Purchasing
Tractor Supply	TS3192024	04/16/2024		04/16/2024	\$334.97	Purchasing
Utah State Tax Commission	USTC04162024	04/16/2024	\$1,585.02			Payroll
Tax1099.com	TAX04172024	04/17/2024	\$4.99			Purchasing
Tax1099.com	TAX4172024	04/17/2024	\$4.99			Purchasing
Zoom Video Communications Inc.	Z04182024	04/18/2024	\$15.99			Purchasing
Payroll	0419241200	04/19/2024	\$7,982.69			Paycheck
Blake, Danny	5773	04/19/2024	\$73.88			Paycheck
Fralish, Lee W	5774	04/19/2024	\$46.17			Paycheck
Hovenden, Simon	5775	04/19/2024	\$41.56			Paycheck
Robertson, Robert Allen	5776	04/19/2024	\$60.03			Paycheck
Uribe, Brenda A	5777	04/19/2024	\$60.03			Paycheck
Internal Revenue Service	EFTPS0419202	04/19/2024	\$1,647.33			Payroll
Lonny Boys Barbecue	LB04192024	04/19/2024	\$100.00			Purchasing
USPS	USPS04192024	04/19/2024	\$204.00			Purchasing
NFPA	NFPA04222024	04/22/2024	\$175.00			Purchasing
NFPA	NFPA4222024	04/22/2024	\$103.49			Purchasing
Utah Retirement Systems	URS4232024	04/23/2024	\$1,062.68			Payroll
USPS	USPS04232024	04/23/2024	\$204.00			Purchasing
Jenco Generators	5778	04/25/2024	\$370.00			Purchasing
Kinetic Enterprises LLC	5779	04/25/2024	\$3,485.00			Purchasing
Shums Coda	5780	04/25/2024	\$2,142.50			Purchasing
Utah Local Governments Trust	5781	04/25/2024	\$2,143.05			Purchasing
Bitter Bean Coffee Co LLC	5782	04/29/2024	\$4,215.61			Purchasing
Walmart	W04292024	04/29/2024	\$2.24			Purchasing
Walmart	W4292024	04/29/2024	\$16.23			Purchasing
			\$97,873.97		\$334.97	

**Town of Apple Valley
Disbursement Listing
SBSU Fire - 04/01/2024 to 04/30/2024**

<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>
Walmart	W04012024	04/01/2024	\$279.69			Purchasing
Siddons Martin Emergency Group	SM04092024	04/09/2024	\$195.89			Purchasing
Scholzen Products	S0412024	04/12/2024	\$191.15			Purchasing
Home Depot	HD04142024	04/14/2024	\$28.41			Purchasing
Google Pay	G04152024	04/15/2024	\$21.60			Purchasing
Rapco Industries	R04182024	04/18/2024	\$556.67			Purchasing
Seatbelt Plus	SBP4242024	04/24/2024	\$99.90			Purchasing
O'Reilly Auto Parts	OAP04292024	04/29/2024	\$223.46			Purchasing
Rainbow Sign & Banner	RSB04292024	04/29/2024	\$756.90			Purchasing
			\$2,353.67		\$0.00	

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2023 to 05/13/2024
91.67% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
Change In Net Position					
Revenue:					
Taxes					
3110 General Property Taxes-Current	138,457.19	0.00	159,105.38	145,000.00	109.73%
3130 General Sales and Use Taxes	173,712.71	0.00	153,591.56	196,000.00	78.36%
3140 Energy and Communication Taxes	42,108.14	0.00	36,212.97	45,700.00	79.24%
3150 RAP Tax	15,719.39	0.00	12,673.69	18,500.00	68.51%
3160 Transient Taxes	14,756.44	0.00	14,294.43	18,000.00	79.41%
3170 Fee in Lieu of Personal Property Taxes	0.00	0.00	0.00	8,400.00	0.00%
3180 Fuel Tax Refund	937.68	0.00	3.08	1,000.00	0.31%
3190 Highway/Transit Tax	16,237.33	0.00	15,065.84	17,100.00	88.10%
Total Taxes	401,928.88	0.00	390,946.95	449,700.00	86.94%
Licenses and permits					
3210 Business Licenses	9,190.50	750.00	9,313.50	9,500.00	98.04%
3221 Building Permits-Fee	43,660.52	5,898.56	56,762.27	55,000.00	103.20%
3222 Building Permits-Non Surcharge	6,274.23	1,474.64	11,817.81	11,000.00	107.43%
3224 Building Permits Surcharge	(112.73)	8.85	140.76	450.00	31.28%
3225 Animal Licenses	800.00	0.00	765.00	800.00	95.63%
Total Licenses and permits	59,812.52	8,132.05	78,799.34	76,750.00	102.67%
Intergovernmental revenue					
3356 Class "C" Road Allotment	107,946.67	0.00	101,291.79	137,000.00	73.94%
3358 Liquor Control Profits	1,037.25	0.00	843.40	1,100.00	76.67%
Total Intergovernmental revenue	108,983.92	0.00	102,135.19	138,100.00	73.96%
Charges for services					
3230 Special Event Permit	2,480.00	0.00	600.00	600.00	100.00%
3410 Clerical Services	319.86	11.78	92.32	400.00	23.08%
3416 Other Interdepartmental Charges	9,038.93	0.00	18,770.87	44,203.00	42.47%
3431 Zoning and Subdivision Fees	24,734.00	0.00	53,955.00	20,000.00	269.78%
3440 Solid Waste	52,113.31	0.00	51,204.01	61,000.00	83.94%
3441 Storm Drainage	42,292.30	5.16	41,793.28	49,000.00	85.29%
3461 GRAMA Requests	352.15	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	(595.62)	0.00	1,073.18	2,500.00	42.93%
Total Charges for services	130,734.93	16.94	167,603.66	618,103.00	27.12%
Fines and forfeitures					
3510 Fines	4,624.65	0.00	3,160.83	5,000.00	63.22%
Total Fines and forfeitures	4,624.65	0.00	3,160.83	5,000.00	63.22%
Interest					
3610 Interest Earnings	25,895.44	0.00	42,978.05	42,200.00	101.84%
Total Interest	25,895.44	0.00	42,978.05	42,200.00	101.84%
Miscellaneous revenue					
3640 Sale of Capital Assets	0.00	0.00	7,500.00	7,500.00	100.00%
3690 Sundry Revenue	20,088.61	0.00	4,903.26	5,000.00	98.07%
3692 Fire Department Fundraisers/Donations	1,500.00	0.00	290.00	300.00	96.67%
3801.1 Impact fees - Fire	5,064.00	1,688.00	28,280.00	6,800.00	415.88%
3801.3 Impact fees - Roadways	15,960.00	5,320.00	94,800.00	24,600.00	385.37%
3801.6 Impact fees - Storm Water	22,307.15	5,050.13	98,852.93	31,000.00	318.88%
3801.7 Impact fees - Parks, Trails, OS	4,350.00	1,450.00	23,370.00	6,600.00	354.09%
Total Miscellaneous revenue	69,269.76	13,508.13	257,996.19	81,800.00	315.40%
Total Revenue:	801,250.10	21,657.12	1,043,620.21	1,411,653.00	73.93%
Expenditures:					
General government					
Council					
4111.110 Council/PC Salaries and Wages	15,050.00	0.00	12,326.47	15,000.00	82.18%
4111.130 Council/PC Employee benefits	1,419.19	0.00	1,009.93	1,000.00	100.99%
4111.220 Council/PC Training	0.00	0.00	45.00	0.00	0.00%
4111.610 Council Donations and Discretionary Spending	0.00	0.00	100.00	0.00	0.00%
Total Council	16,469.19	0.00	13,481.40	16,000.00	84.26%
Administrative					
4141.110 Admin Salaries and Wages	98,862.87	0.00	80,031.37	99,000.00	80.84%

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2023 to 05/13/2024
91.67% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
4141.130 Admin Employee Benefits	14,085.48	0.00	11,943.80	17,100.00	69.85%
4141.140 Admin Employee Retirement - GASB 68	12,869.49	0.00	5,689.92	7,000.00	81.28%
4141.210 Admin Dues, Subs & Memberships	6,742.24	800.00	9,137.86	5,500.00	166.14%
4141.220 Admin Public Notices	41.95	0.00	33.80	100.00	33.80%
4141.230 Admin Training	743.17	0.00	468.10	1,500.00	31.21%
4141.240 Admin Office/Administrative Expense	15,659.49	300.56	14,637.32	8,000.00	182.97%
4141.250 Admin Equipment Expenses	16,054.07	1,391.27	16,731.46	10,000.00	167.31%
4141.260 Admin Building & Ground Maintenance	5,860.67	935.50	10,333.83	4,500.00	229.64%
4141.270 Admin Utilities	6,960.36	448.20	5,698.33	7,600.00	74.98%
4141.280 Admin Telephone and Internet	6,821.67	449.88	4,932.14	8,100.00	60.89%
4141.290 Admin Postage	2,761.51	0.00	2,817.65	3,700.00	76.15%
4141.320 Admin Engineering Fees	7,274.73	0.00	4,465.25	3,500.00	127.58%
4141.330 Admin Legal Fees	45,552.82	0.00	33,900.65	50,000.00	67.80%
4141.340 Admin Accounting & Auditing	4,400.00	0.00	20,268.75	29,400.00	68.94%
4141.350 Admin Building/Zoning/Planning Fees	37,617.06	0.00	23,791.75	30,000.00	79.31%
4141.390 Admin Bank Service Charges	140.00	0.00	25.00	200.00	12.50%
4141.410 Admin Insurance	15,525.60	0.00	14,837.36	16,000.00	92.73%
4141.490 Admin Travel Reimbursements	1,385.31	0.00	820.21	1,500.00	54.68%
4141.500 Admin Weed Abatement	0.00	0.00	508.00	1,500.00	33.87%
4141.610 Bad Debt Expense	2,026.05	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%
Total Administrative	301,384.54	4,325.41	266,353.85	305,950.00	87.06%
Total General government	317,853.73	4,325.41	279,835.25	321,950.00	86.92%
Public safety					
Police					
4210.110 Police Salaries & Wages/Contract	15,000.00	0.00	11,250.00	15,000.00	75.00%
4253.250 Animal Control Supplies	0.00	0.00	0.00	100.00	0.00%
Total Police	15,000.00	0.00	11,250.00	15,100.00	74.50%
Fire					
4220.110 Fire Salaries & Wages	35,049.90	0.00	44,629.69	67,200.00	66.41%
4220.130 Fire Employee Benefits	2,947.48	0.00	3,825.97	13,600.00	28.13%
4220.135 Fire Employee Retirement - GASB 68	5,663.91	0.00	7,057.56	8,100.00	87.13%
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	569.00	0.00	1,426.57	600.00	237.76%
4220.230 Fire Travel, Mileage & Cell	300.00	0.00	500.00	600.00	83.33%
4220.240 Fire Office & Other Expenses	495.13	0.00	2,585.61	500.00	517.12%
4220.250 Fire Equipment Maintenance & Repairs	9,406.25	366.16	14,428.52	11,000.00	131.17%
4220.260 Fire Rent Expense	0.00	0.00	3,000.00	0.00	0.00%
4220.360 Fire Training	2,469.43	0.00	734.83	13,100.00	5.61%
4220.450 Fire Small Equip/Supplies	5,456.19	0.00	17,655.36	15,000.00	117.70%
4220.460 Fire Supplies-Fundraisers	0.00	0.00	130.59	500.00	26.12%
4220.465 Fire Gear	4,274.64	0.00	17,632.22	15,000.00	117.55%
4220.480 Fire Mitigation MOU Expenditures	0.00	0.00	20,000.00	15,000.00	133.33%
4220.560 Fire Equipment Fuel	1,726.02	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%
4220.740 Fire Capital Outlay	17,959.61	0.00	0.00	0.00	0.00%
Total Fire	97,524.38	366.16	139,531.87	170,725.00	81.73%
Total Public safety	112,524.38	366.16	150,781.87	185,825.00	81.14%
Highways and public improvements					
Highways					
4410.110 Road Wages and Contract Labor	1,072.50	0.00	2,534.00	15,200.00	16.67%
4410.130 Road Employee Benefits	82.06	0.00	194.57	1,750.00	11.12%
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	10,286.53	0.00	8,275.87	45,000.00	18.39%
4410.550 Road Equipment Maintenance	1,990.37	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%
4410.810 Road Principal	54,409.26	0.00	35,000.00	35,000.00	100.00%
4410.820 Road Interest	29,432.66	0.00	28,121.65	28,150.00	99.90%
4415.110 Public Works Wages and Contract Labor	6,930.13	0.00	30,998.63	30,300.00	102.31%

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2023 to 05/13/2024
91.67% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
4415.130 Public Works Employee Benefits	599.01	0.00	2,394.37	9,400.00	25.47%
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	3,049.05	0.00	17,164.44	6,000.00	286.07%
4415.550 Public Works Equipment Maintenance	2,343.81	0.00	11,989.67	3,000.00	399.66%
4415.560 Public Works Equipment Fuel	711.35	0.00	5,347.23	2,000.00	267.36%
4415.570 Public Works Travel, Mileage, Cell	480.14	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	20,428.51	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%
Total Highways	145,622.14	0.00	170,579.28	210,400.00	81.07%
Sanitation					
4420.460 Solid Waste Service	43,937.74	0.00	46,165.50	60,000.00	76.94%
Total Sanitation	43,937.74	0.00	46,165.50	60,000.00	76.94%
Total Highways and public improvements	189,559.88	0.00	216,744.78	270,400.00	80.16%
Parks, recreation, and public property					
Parks					
4540.110 Park/Rec Wages and Contract Labor	5,373.00	0.00	2,599.82	5,100.00	50.98%
4540.130 Park/Rec Employee Benefits	411.04	0.00	199.69	600.00	33.28%
4540.250 Park/Rec Department Expenses	393.62	0.00	277.57	1,000.00	27.76%
4540.460 Park/Rec Community Events Supplies	1,449.75	0.00	1,991.48	4,000.00	49.79%
Total Parks	7,627.41	0.00	5,068.56	10,700.00	47.37%
Total Parks, recreation, and public property	7,627.41	0.00	5,068.56	10,700.00	47.37%
Transfers					
4804 Transfer to Fund Balance	0.00	0.00	0.00	98,978.00	0.00%
4805 Transfer to Capital Projects	0.00	0.00	0.00	265,000.00	0.00%
4807 Transfer to Assigned Balance - Fire Impact Fees	0.00	0.00	0.00	6,800.00	0.00%
4809 Transfer to Assigned Balance - Roadway Impact Fee	0.00	0.00	0.00	24,600.00	0.00%
4810 Transfer to Assigned Balance -Storm Water Imp Fee	0.00	0.00	0.00	31,000.00	0.00%
4811 Transfer to Assigned Balance - Parks & Rec Fees	0.00	0.00	0.00	6,600.00	0.00%
4812 Transfer to Assigned Balance - Perpetual Care	0.00	0.00	0.00	129,300.00	0.00%
4813 Transfer to Assigned Balance - Cemetery Funds	0.00	0.00	0.00	60,500.00	0.00%
Total Transfers	0.00	0.00	0.00	622,778.00	0.00%
Total Expenditures:	627,565.40	4,691.57	652,430.46	1,411,653.00	46.22%
Total Change In Net Position	173,684.70	16,965.55	391,189.75	0.00	0.00%

Town of Apple Valley
Operational Budget Report
41 Capital Projects Fund - 07/01/2023 to 05/13/2024
91.67% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
Change In Net Position					
Revenue:					
Intergovernmental revenue					
3340 Grant Revenues	0.00	0.00	0.00	3,320,000.00	0.00%
3341 Grant Revenues-Fire	0.00	0.00	0.00	410,000.00	0.00%
Total Intergovernmental revenue	0.00	0.00	0.00	3,730,000.00	0.00%
Contributions and transfers					
3810 Transfer from General fund	0.00	0.00	0.00	540,000.00	0.00%
Total Contributions and transfers	0.00	0.00	0.00	540,000.00	0.00%
Total Revenue:	0.00	0.00	0.00	4,270,000.00	0.00%
Expenditures:					
General government					
Administrative					
4141.740 Capital Outlay Expenses	27,160.14	0.00	32,832.03	0.00	0.00%
Total Administrative	27,160.14	0.00	32,832.03	0.00	0.00%
Total General government	27,160.14	0.00	32,832.03	0.00	0.00%
Public safety					
Fire					
4220.740 Fire Capital Outlay	8,277.03	0.00	0.00	450,000.00	0.00%
Total Fire	8,277.03	0.00	0.00	450,000.00	0.00%
Total Public safety	8,277.03	0.00	0.00	450,000.00	0.00%
Highways and public improvements					
Highways					
4410.740 Road Capital Outlay	0.00	0.00	0.00	1,050,000.00	0.00%
4415.740 Public Works Capital Outlay	990.00	0.00	560.00	2,520,000.00	0.02%
Total Highways	990.00	0.00	560.00	3,570,000.00	0.02%
Total Highways and public improvements	990.00	0.00	560.00	3,570,000.00	0.02%
Parks, recreation, and public property					
Cemetery					
4590.470 Cemetery Capital Outlay	740.78	0.00	2,448.40	250,000.00	0.98%
Total Cemetery	740.78	0.00	2,448.40	250,000.00	0.98%
Total Parks, recreation, and public property	740.78	0.00	2,448.40	250,000.00	0.98%
Total Expenditures:	37,167.95	0.00	35,840.43	4,270,000.00	0.84%
Total Change In Net Position	(37,167.95)	0.00	(35,840.43)	0.00	0.00%



SPECIAL TOWN COUNCIL MEETING

1777 N Meadowlark Dr, Apple Valley
Thursday, April 04, 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 offered by Council Member Prentice.

ROLL CALL

PRESENT

Mayor Michael Farrar

Council Member Kevin Sair

Council Member Janet Prentice

Council Member Whitmore

DECLARATION OF CONFLICTS OF INTEREST

None declared.

PUBLIC COMMENTS

No public comments.

Council Member Sair mentioned to residents to help out and pick up tumbleweeds if possible.

DISCUSSION AND ACTION

1. Vote to fill vacancy per UCA 20A-1-510 Midterm vacancies in municipal offices.

*Note as of April 3, 2024 at 4:57 PM Barratt Eric Nielson has removed his application.

The town council discussed filling a vacancy in a local municipality office with three candidates. Each candidate was called up one at a time to introduce themselves and speak if they wished.

The candidate, Walter E. Josey a long-term resident of Apple Valley, mentioned that they had run for mayor in the previous two elections, highlighting their qualifications and experience. He expressed readiness to serve on the council and thanked the council members. No questions were asked by the council members, and they thanked the candidate for their input.

Margaret "Margie" Ososki, one of the candidates, thanked the other two candidates for running, acknowledging the difficulty of getting involved in such endeavors. She praised Annie Spendlove's agricultural background and Walter Josey's engineering expertise, stating that both candidates had good ideas. Margie expressed her own commitment to thorough research, highlighting her experience working in various fields, including a police department, a doctor's office, and a financial institute, where she learned high-quality standards. She emphasized her dedication to giving 100% to the council if appointed, but also acknowledged that not everyone may appreciate her approach. Margie concluded by thanking the council for the opportunity to apply.



SPECIAL TOWN COUNCIL MEETING

1777 N Meadowlark Dr, Apple Valley
Thursday, April 04, 2024 at 6:00 PM

MINUTES

Susanne “Annie” Spendlove, a recent resident who moved to Apple Valley in 2020, expressed her desire to maintain the town's small and rural character, with agriculture at its core. She highlighted her experience running multiple businesses, including the Hurricane Farmers Market, which involves working closely with government agencies. Annie mentioned that the market would start accepting food stamps in May, showcasing her familiarity with government processes. She emphasized her strong relationships with many residents whom she now considers friends. During the Q&A session, Annie shared that her older children are on Facebook but not her younger ones, and she expressed confidence in their ability to handle any negative attention. The council thanked Annie for her application.

The council proceeded with a ballot vote to fill the vacancy, with each member writing down their choice. It was clarified that a second vote would only be necessary in the event of a tie. After the votes were cast and counted, it was announced by Town Clerk/Recorder Jenna Vizcardo that Susanne “Annie” Spendlove had won the vote. She was then given the oath of office.

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

*Tabled from March 27, 2024.

Mayor Farrar discussed the proposal to raise the short-term rental application permit fee to \$1,000 was mentioned. The reasoning behind the proposed increase was the additional work and cost involved in enforcing short-term rental regulations, as well as the strain on neighborhoods from rental activities. Mayor Farrar mentioned receiving complaints about short-term rentals exceeding the allowed limit and causing disturbances. The fee increase was also intended to cover the cost of fire inspections included in the permit. Concerns were raised by resident Walter Josey, who argued that the fee increase would harm local businesses and cited personal experiences with cancellations due to price competitiveness. The council also discussed comparing the fee with those of neighboring towns and clarified that the fee increase was driven by the additional enforcement work required. The council agreed to table further discussion on the fee increase to gather more information and consider the implications. They then moved on to address a housekeeping matter regarding the special events permit fee, which was being added back to the fee schedule after being inadvertently omitted.

MOTION: Council Member Whitmore motioned that we approve adding the special event prices on our fee schedule with tabling the short term rental license.

SECOND: The motion was seconded by Council Member Prentice.

VOTE: Mayor Farrar called for a roll call vote:

Council Member Spendlove - Aye

Council Member Sair - Aye

Mayor Farrar - Aye

Council Member Prentice - Aye



SPECIAL TOWN COUNCIL MEETING

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Thursday, April 04, 2024 at 6:00 PM

MINUTES

The vote was unanimous and the motion carried.

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

*Tabled on March 27, 2024.

Mayor Farrar explained that Frank Lindhardt has submitted his resignation from his position, citing a desire to focus on his family. The mayor expressed gratitude for Frank's service, acknowledging the challenges he faced and the foundation he laid for the town's progress. He praised his willingness to serve despite criticism.

MOTION: Council Member Whitmore motioned that we repeal Resolution-R-2022-05.

SECOND: The motion was seconded by Council Member Sair.

VOTE: Mayor Farrar called for a roll call vote:

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

The vote was unanimous and the motion carried.

MAYOR'S TOWN UPDATE

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

The mayor provided an update on town matters, focusing mainly on the progress of the water pipeline project. He mentioned encountering challenges related to Buy America requirements but assured that they were being addressed. The town is seeking a waiver from Buy America to expedite the process.

Next on the agenda was the appointment of a board member from elected officials for the Big Plains Water Special Service District. It was clarified that the mayor is responsible for choosing this position, and Council Member Sair was appointed to the role.

There was no discussion or interest from other council members regarding the board appointment, and Council Member Sair was appointed without the need for a vote.

REQUEST FOR A CLOSED SESSION: IF NECESSARY

No request.



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ADJOURNMENT

MOTION: Council Member Prentice motioned to adjourn the meeting.

Council Member Whitmore announced her resignation effective immediately, citing personal reasons. She mentioned bringing in a resignation letter the following day.

The mayor noted that the resigned member also held the treasurer position, which would need to be filled immediately. The council discussed holding a special session, possibly before an upcoming work session, to address the vacancy.

SECOND: The motion was seconded by Council Member Whitmore.

VOTE: Mayor Farrar called for a vote:

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

The vote was unanimous and the motion carried.

The meeting was adjourned at 6:32 p.m.

Date Approved: _____

Approved BY: _____
Mayor | Michael L. Farrar

Attest BY: _____
Town Clerk/Recorder | Jenna Vizcardo



WORK SESSION - TOWN COUNCIL AND PLANNING COMMISSION

1777 N Meadowlark Dr, Apple Valley
Tuesday, April 09, 2024 at 4:00 PM

MINUTES

Mayor | Michael Farrar |

Council Members | Kevin Sair | Robin Whitmore | Barratt Nielson | Janet Prentice |

Chairman | Bradley Farrar

Commissioners | Lee Fralish | Richard Palmer | Garth Hood | Annie Spendlove

CALL TO ORDER- Mayor Farrar called the meeting to order at 4:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Mayor Michael Farrar

Council Member Janet Prentice

Council Member Annie Spendlove

Chairman Bradley Farrar

Commissioner Lee Fralish

Commissioner Richard Palmer

DECLARATION OF CONFLICTS OF INTEREST

None declared.

DISCUSSION

1. Town Fee Schedule

Mayor Farrar initiated discussions on the fee schedule, citing feedback from a poll. There was a split opinion on increasing fees, with concerns raised about fairness and the impact on residents versus businesses. Council Member Prentice suggested differentiating fees based on whether properties are primary residences or strictly rental units. Mayor Farrar acknowledged the need for further consideration, particularly regarding enforcement and the differentiation between resident and non-resident-owned properties.

Commissioner Fralish and Council Member Prentice highlighted concerns about the impact of fee increases on small rental businesses and emphasized the need to balance revenue generation with fairness to residents. They discussed raising commercial business license fees but opted to keep home-based businesses unaffected. They also considered increasing single-event license fees to account for attendance size, with a consensus that these fees were justified given the profit-making nature of events held in the town.

Overall, the council aimed to strike a balance between revenue generation and fairness to residents and small businesses, with a willingness to reconsider fee structures in the future. Mayor Farrar agreed to explore differentiated fees for properties based on residency status but suggested leaving fees



WORK SESSION - TOWN COUNCIL AND PLANNING COMMISSION

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MINUTES

unchanged for the time being. The discussion also addressed zoning-related matters, including general plan amendments and zone change fees, emphasizing that fees should reflect the costs of processing requests. Refund policies were reviewed, with adjustments considered to cover administrative costs. Council Member Prentice raised concerns about standing sign fees and suggested revisiting the sign ordinance.

2. Oculita Roca DA

Mayor Farrar discussed a proposed development agreement (DA) regarding egress concerns at a town council meeting. There was a discussion about adjusting the emergency exit to address safety issues, with developers agreeing to relocate it to meet town standards. The district is also working on a water agreement for a feasibility study, considering storage capacity and potential well drilling.

Mayor Farrar mentioned a change in the number of units in a project from 44 to 84, with a plan to charge a resort fee once a certain number of units were reached. The discussion highlighted the benefits of the project, including revenue potential and the preservation of open space. Commissioner Fralish expressed support for the project's growth, emphasizing its positive impact.

Questions were raised about the water system's connection to Apple Valley's system, with Mayor Farrar explaining the plan for a connection and the need for additional storage capacity. The discussion emphasized the importance of ensuring water sustainability and avoiding past mistakes.

Mayor Farrar also discussed the PDO (Planned Development Overlay) zoning, noting its benefits in regulating land use. The PDO was seen as a positive tool for controlling future development and maintaining community standards.

3. Nuisance Complaint Process

Mayor Farrar discussed a proposed nuisance complaint procedure at a town council meeting. The procedure required complaints to be within 300 feet of the complainant's property and directly affecting their daily life or pursuit of happiness. Anonymous and verbal complaints were not accepted; complaints had to be submitted via a form available online, at the town's website, or in person at the town office.

Upon receiving a complaint, the mayor or designated official would review it to determine if it violated town ordinances. If valid, the property owner would be notified and given 30 days to correct the violation. Extensions were possible with valid reasons. A fee schedule was also discussed for non-compliance, with the intention not to generate revenue but to enforce compliance.



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Council Member Prentice raised a concern about a neighbor's activities impacting their daily life, such as creating a fire hazard. Mayor Farrar clarified that safety issues, like fire hazards, would be addressed, and non-compliance could lead to fees. Discussion also touched on the challenge of addressing harassment, with the council and commissioners acknowledging the difficulty in creating an ordinance against it. Mayor Farrar expressed a desire to address harassment but noted the legal complexities involved.

Commissioner Palmer expressed support for the proposed procedure. Mayor Farrar reiterated the importance of having rules and laws within reason. Overall, the meeting highlighted the town's efforts to address nuisance complaints while balancing the rights and privacy of its residents.

4. Shums Coda - Planning Review

Mayor Farrar discussed the planning review process. It was explained that when planning submissions were sent to the town for review, there were often issues because the officials were not familiar with the town's ordinances. As a result, two members, including Mayor Michael Farrar and Chairman Bradley Farrar, took on the responsibility of reviewing these submissions themselves. They had become familiar with the town's ordinances and had developed a checklist to ensure thorough reviews. They emphasized that even though they were overseeing the initial review, all plans still went to the town engineer for final approval.

The reason for this change was to address cost concerns. Previously, the town paid the officials for their review services, but it was found to be expensive and sometimes resulted in oversights. Overall, they believed this change was beneficial for the town, despite the increased workload for themselves.

5. AG-X and Temporary Fee Waiver

Mayor Farrar addressed the issue of the Ag X and temporary waiver fee, aiming to clarify any confusion. The town planned to allow residents a one-time opportunity to switch their zoning to agricultural (AG) for free, aiming to maintain the rural and farmland character of Apple Valley. This change would prevent developments that were not in line with the town's general plan and surrounding zoning. The waiver would not cost the town anything but would require residents to cover any recording fees.

6. Council Mayor Flow Chart



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Mayor Farrar also discussed a flowchart outlining the roles of the mayor and council members. The mayor is also considered the executive officer. The council's role is to ensure that the mayor adheres to state guidelines and does not act outside of his authority. The council serves as a check on the mayor's power, ensuring that decisions are made in the best interest of the town's residents. The council's primary function is to protect the people and prevent the mayor from making unilateral decisions. Overall, the flowchart was intended to provide clarity on the roles within the town government and to ensure that decisions are made in accordance with state laws and regulations.

The flowchart aimed to clarify the roles and responsibilities of each party, highlighting the checks and balances within the town's governance structure.

7. Roundtable

Council Member Prentice and Mayor Farrar discussed the retention of records, especially on social media. They highlighted the challenges of maintaining records on pages set up by residents and emphasized the importance of following rules for record retention, including federal government rules.

The discussion also touched on promoting town matters on social media and the town's official Facebook page managed by the town clerk. Mayor Farrar mentioned the need to avoid violating rules on social media and the importance of promoting transparency and engagement with residents.

There was a discussion about a temporary ordinance related to rezone changes. Commissioner Fralish suggested promoting the ordinance to increase awareness and compliance among residents.

The roundtable also included conversations about community engagement, including involving elderly residents in town activities and organizing town events to unite the community. Mayor Farrar expressed his support for town events and emphasized the importance of community involvement.

Towards the end of the roundtable, Mayor Farrar announced changes to the planning review process, stating that the Planning Commission would be in charge of approving all preliminary plats and construction drawings by the end of the year. He emphasized the Planning Commission's important role.

ADJOURNMENT

MOTION: Commissioner Fralish motioned to adjourn the meeting.

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Mayor Farrar called for a vote:



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- Mayor Michael Farrar - Aye
- Council Member Janet Prentice - Aye
- Council Member Annie Spendlove - Aye
- Chairman Bradley Farrar - Aye
- Commissioner Lee Fralish - Aye
- Commissioner Richard Palmer - Aye

The vote was unanimous and the motion carried.

The meeting was adjourned at 4:55 p.m.

Date Approved: _____

Approved BY: _____
Mayor | Michael L. Farrar

Attest BY: _____
Town Clerk/Recorder | Jenna Vizcardo

DRAFT



SPECIAL TOWN COUNCIL MEETING
1777 N Meadowlark Dr, Apple Valley
Tuesday, April 09, 2024 at 5:00 PM

MINUTES

Mayor | Michael Farrar |

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

CALL TO ORDER- Mayor Farrar called the meeting to order 5:03 p.m.

PLEDGE OF ALLEGIANCE

PRAYER- Prayer was offered by Council Member Prentice.

ROLL CALL

PRESENT

Mayor Michael Farrar

Council Member Janet Prentice

Council Member Annie Spendlove

ABSENT

Council Member Kevin Sair

DECLARATION OF CONFLICTS OF INTEREST

None declared.

PUBLIC COMMENTS

Mayor Farrar opened the public comments.

No public comments.

Mayor Farrar closed the public comments.

DISCUSSION AND ACTION

1. Resolution-R-2024-15, Appointment of Town Treasurer.

MOTION: Mayor Farrar motioned that we appoint Kevin Sair as the Town Treasurer.

SECOND: The motion was seconded by Council Member Prentice.

VOTE: Mayor Farrar called for a roll call vote:

Mayor Farrar - Aye

Council Member Prentice - Aye

Council Member Spendlove - Aye

The vote was unanimous and the motion carried.



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2. Resolution-R-2024-16, Appointment of Planning Commission Member.

MOTION: Mayor Farrar motioned that we approve Becky Wood as the Planning Commission member.

SECOND: The motion was seconded by Council Member Prentice.

VOTE: Mayor Farrar called for a roll call vote:

- Mayor Farrar - Aye
- Council Member Prentice - Aye
- Council Member Spendlove - Aye

The vote was unanimous and the motion carried.

REQUEST FOR A CLOSED SESSION: IF NECESSARY

No request.

ADJOURNMENT

MOTION: Council Member Prentice motioned to adjourn.

SECOND: The motion was seconded by Mayor Farrar.

VOTE: Mayor Farrar called for a vote:

- Mayor Farrar - Aye
- Council Member Prentice - Aye
- Council Member Spendlove - Aye

The vote was unanimous and the motion carried.

The meeting was adjourned at 5:06 p.m.

Date Approved: _____

Approved BY: _____

Mayor | Michael L. Farrar

Attest BY: _____

Town Clerk/Recorder | Jenna Vizcardo



TOWN COUNCIL MEETING AND HEARING

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MINUTES

Mayor | Michael Farrar |

Council Members | Kevin Sair | Janet Prentice | Annie Spendlove | Scott Taylor |

CALL TO ORDER- Mayor Farrar called the meeting to order at 5:58 p.m.

PLEDGE OF ALLEGIANCE

PRAYER

ROLL CALL

PRESENT

Mayor Michael Farrar

Council Member Kevin Sair

Council Member Annie Spendlove present on zoom until agenda item six, then present in person.

Council Member Scott Taylor

ABSENT

Council Member Janet Prentice

DECLARATION OF CONFLICTS OF INTEREST

None Declared.

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.

During the town council meeting, the mayor noted the presence of a quorum and proceeded to address the first agenda item Resolution-R-2024-19, which involved filling a vacancy in accordance with Utah Code Annotated Section 20A-1-510. The mayor identified three applicants: Walter Josey, Richard Nootenboom, and Scott Taylor, mentioning that Richard Palmer had withdrawn from consideration.

Applicant Walter Josey addressed the council, expressing a desire to serve on the town council, citing his qualifications and long-standing presence in the community. He voiced disappointment in elected officials who resign before completing their terms, emphasizing the importance of commitment to the role once elected. Walter highlighted his reluctance to apply for previous mayoral and town council positions due to a lack of community consensus, emphasizing the significance of being elected by the people. He concluded by inviting questions from the council.

Applicant Richard Nootenboom, a resident of Apple Valley for a couple of years, expressed a desire to be involved in the town's affairs and contribute to the community. Richard highlighted his commitment and work ethic, citing his tenure at Home Depot as evidence. He emphasized his availability and determination, noting his 25-year marriage as a testament to his persistence. Richard stated his intention to be a valuable asset to the city and expressed readiness to work diligently.

Applicant Scott Taylor, a resident of Apple Valley for over three years, expressed a deep affection for the area and its community. Scott's wife had previously served on the Apple Valley events committee, allowing them to connect with many residents. Scott, retired along with his wife, emphasized his



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willingness to dedicate his time, skills, and energy to serve the town and its council. He highlighted his experience serving on governor-appointed committees in Nevada, which taught him the value of unity, communication, and community collaboration. Scott expressed gratitude for the opportunity to be considered for a position and expressed a desire to work together with the council to serve the residents of Apple Valley.

Council Member Sair directed a question to applicant Scott Taylor, asking for their outlook on the community.

Applicant Scott Taylor expressed a desire for Apple Valley to experience controlled, well-managed growth that benefits all residents, not just a specific group. They emphasized a sense of unity among residents, regardless of their location within Apple Valley, and stressed the importance of collective success and productivity for the community.

Applicant Richard Nootenboom shared their experience of moving from a small town, Big Bear, California, which experienced rapid growth followed by challenges. They emphasized the importance of controlled growth for Apple Valley to avoid negative consequences. Richard expressed support for growth that is mindful of water availability, timing, and other factors, suggesting that managed growth could benefit the community financially while maintaining its small-town feel.

Applicant Walter Josey reflected on their 30 years in Apple Valley, recounted their initial attraction to the area for its affordability and rural lifestyle opportunities. They highlighted the importance of affordable land and water rates, which allowed them to engage in rural activities like farming and gardening. However, they expressed concern that as Apple Valley became incorporated and water rates increased, the affordability of rural living has diminished. They emphasized the value of rural life and the need to promote and preserve it in Apple Valley to maintain its character and appeal. The speaker suggested that promoting affordable rural living could attract more residents who desire a more rural lifestyle.

Mayor Farrar thanked all three applicants for their willingness to serve and volunteer their time for the community. The mayor acknowledged that maintaining the rural character of Apple Valley is challenging and requires ongoing effort.

The council proceeded with a ballot vote to fill the vacancy. After the votes were cast and counted, it was announced by Town Clerk/Recorder Jenna Vizcardo that Scott Taylor had won the vote. He was then given the oath of office.

MAYOR'S TOWN UPDATE

The mayor provided updates during the meeting, including a request for proposals for a new building inspector to address cost issues, a job opening for an assistant maintenance water operator, and implementation of civil violations for short-term rental operators without licenses. The mayor also mentioned an upcoming coffee with the mayor on May 1st at 9:30a.m., progress on the budgets, and a funded aquifer study by the Conservancy to assess water resources and growth sustainability. Legal progress was noted, with one lawsuit likely to be



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dismissed, reducing the total from 11 to two. A special town council meeting was scheduled with the Water Conservancy to clarify their role and intentions on April 30th. Additionally, a State of the Town Address was planned for May 8th at 6:00 p.m., providing updates on town developments and goals.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Council Member Sair reported on progress regarding major projects, including mitigation work on roadsides and addressing drainage issues in various locations. The mayor also discussed the need to gather residents' input on paving roads in Gooseberry before making decisions on grants and budgets.

PUBLIC COMMENTS

Mayor Farrar clarified the procedure for public comments, allowing individuals to speak either immediately or when the relevant agenda item is discussed. Mayor Farrar acknowledged this difficulty but affirmed the current approach.

Public comments were then opened.

Walter Josey, resident of Apple Valley, sought clarification on the procedure for commenting on agenda items, confirming that they could either comment immediately or wait until the specific agenda item was discussed.

Tish Lisonbee, resident of Apple Valley, addressing health insurance benefits for spouses and dependents, sought clarification on the proposed changes.

Mayor Farrar explained that the current policy covers employees and dependents, and the proposed change would add coverage for spouses to align with standard practice. Mayor Farrar indicated willingness to discuss the topic further when it comes up on the agenda.

Linda Noyes, resident of Apple Valley, proposed adding a summer event for children to play in the water at the park, suggesting a monthly event to give kids a fun activity and give parents a break. She expressed a desire to work on the event committee, acknowledging that other priorities had taken precedence.

Mayor Farrar agreed that it was a priority and mentioned having more serious volunteers willing to help. He noted the success of past ice cream socials and agreed that a summer event was needed. Mayor Farrar confirmed that the event committee would be restructured, thanked Linda for her suggestion, and said he would contact her and other volunteers to start planning.

Public comments were closed.

PUBLIC HEARING

2. Adopt Title 6.04.040 Nuisance Complaint Procedures and Amend Title 6.04.110 Penalty, Ordinance-O-2024-17.

Mayor Farrar discussed the adoption of nuisance complaint procedures and amendments on Ordinance-O-2024-17. The proposed nuisance complaint procedure aimed to formalize existing practices and



TOWN COUNCIL MEETING AND HEARING

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address resident complaints more effectively. The procedure required complaints to be within 300 feet of the alleged violation and directly affect the complainant's pursuit of happiness. The amendment also included provisions for civil penalties.

Mayor Farrar opened the public hearing.

Richard Ososki, resident of Apple Valley expressed concerns about the proposed nuisance complaint procedures, suggesting that they could restrict residents from reporting violations if they are not within 300 feet of the violation. He argued that this could lead to fewer code violations being reported and suggested changing the term "nuisance complaint" to "harassment complaint." Richard emphasized the importance of having clear codes and enforcement without subjective interpretations.

Mayor Farrar responded, stating that the town needs codes and enforcement but also expressed the desire to change and adapt. Richard continued to express skepticism about the town's willingness to change and criticized the attitude towards citizens, raising concerns. Despite the three-minute time limit for public comments, Richard continued to voice his concerns about the potential impact of the proposed changes.

Mayor Farrar closed the public hearing.

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.

Mayor Farrar addressed Richard Ososki's concerns, stating that while he hears and values input from residents, the town needs rules and enforcement. He emphasized the need to balance property rights with the greater good of the community and acknowledged that ordinances are not perfect. Council Member Sair shared similar sentiments, noting the challenges of code enforcement and the need for rules despite disagreements.

MOTION: Council Member Sair motioned I will honestly say that we just table this to the next meeting when we have a full council and take a second look at it before we go forward.

SECOND: No second, motion died.

MOTION: Mayor Farrar motioned that we adopt Title 6.04.040 Nuisance Complaint Procedures and Amend Title 6.04.110 Penalty, Ordinance-O-2024-17.

SECOND: The motion was seconded by Council Member Taylor.

VOTE: Mayor Farrar called for a roll call vote:

Council Member Taylor - Aye

Mayor Farrar - Aye



TOWN COUNCIL MEETING AND HEARING

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Council Member Sair - Aye
Council Member Spendlove - Aye

The vote was unanimous and the motion carried.

4. Resolution-R-2024-17, Amend QSEHRA Health Plan.

Mayor Farrar introduced agenda item three regarding the renewal of the QSEHRA Health Plan. The plan allows the town to keep any unused funds, which is seen as a beneficial feature. The proposed change involves increasing the town's contribution from a fixed amount to 75% of the federal government's allowed maximum for both single and family plans. This change aims to prevent employees from bearing the burden of increasing health insurance costs. The plan also includes adding spouses to the coverage, eliminating the need for employees to engage in tax-related complications. It was clarified that this plan is a reimbursement plan, allowing employees to use it to pay premiums and receive reimbursements for medical costs. The benefits of this plan were highlighted, such as any unused funds remaining with the town instead of going to an insurance company. The discussion emphasized that these changes are part of a renewal and are already in place, aiming to improve employee benefits and streamline the process.

MOTION: Council Member Taylor motioned we amend QSEHRA Health Plan through Resolution-R-2024-17.

SECOND: The motion was seconded by Council Member Sair.

VOTE: Mayor Farrar called for a roll call vote:

Council Member Taylor - Aye
Mayor Farrar - Aye
Council Member Sair - Aye
Council Member Spendlove - Aye

The vote was unanimous and the motion carried.

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.

The council discussed item number five, which involved removing Robin Whitmore and adding online access for Michelle Kinney, the finance director, to handle transfers without being a signer for the State Bank of Southern Utah. This change was necessary since Robin Whitmore is no longer the treasurer. Michelle Kinney's access will allow her to transfer funds between accounts, but she will not have signing authority for checks or other financial documents. The ultimate responsibility for signing remains with



TOWN COUNCIL MEETING AND HEARING

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Treasurer Kevin Sair and Mayor Farrar. This change is a procedural adjustment to ensure smooth financial operations following Robin Whitmore's departure.

MOTION: Council Member Sair motioned that we remove Robin Whitmore and add online access for Michelle Kinney as the Finance Director to handle the transfers, with no signer access to State Bank of Utah.

SECOND: The motion was seconded by Council Member Taylor.

VOTE: Mayor Farrar called for a vote:

Council Member Taylor - Aye
Council Member Spendlove - Aye
Mayor Farrar - Aye
Council Member Sair - Aye

The vote was unanimous and the motion carried.

6. Resolution-R-2024-20, (PTIF) Utah Public Treasurers' Investment Fund Certification Of Authorized Individuals.

The council discussed Resolution R-2024-20. Due to changes in personnel, Robin Whitmore, who previously had access, needed to be replaced. Michelle Kinney, Finance Director and Kevin Sair, Treasurer were added to have access to transfer funds between accounts.

MOTION: Council Member Sair motioned we accept Resolution-R-2024-20, to the PTIF account, Utah Public Treasurers' Investment Fund Certification Of Authorized Individuals and the names were previously stated.

SECOND: The motion was seconded by Council Member Taylor.

VOTE: Mayor Farrar called for a roll call vote:

Council Member Taylor - Aye
Council Member Spendlove - Aye
Mayor Farrar - Aye
Council Member Sair - Aye

The vote was unanimous and the motion carried.



TOWN COUNCIL MEETING AND HEARING

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DISCUSSION AND ACTION - OLD BUSINESS

7. Resolution-R-2024-18, Amending the Town Fee Schedule.

*Tabled on March 27, 2024.

The council discussed Resolution R 2024-18, which involved amending the town meeting schedule. After a work meeting and further discussions, several changes were made. The short-term rental business license fee was increased from \$150 to \$300, but the prior inspection fees remained unchanged at \$150. Additionally, cabins, tiny homes, RV parking, and lodges were included in the short-term rental regulations based on the size of the units. The mayor also added a drone license fee and a drone violation fee, as well as a non-asphalt road access fee. These changes were prompted by recent events, including complaints about dust and drone disturbances. Despite some public opposition, the council justified the fee increases by citing the costs of business operations and the need to ensure compliance and safety. The meeting also included a discussion about agritourism events, with clarification that these events would fall under existing business licenses. Public comments were allowed by Walter Josey but limited to three minutes per person. Overall, the council emphasized the need for these changes to address various concerns and maintain the town's quality of life.

MOTION: Mayor Farrar motioned that we approve Resolution-R-2024-18, Amending the Town Fee Schedule.

SECOND: The motion was seconded by Council Member Spendlove.

VOTE: Mayor Farrar called for a roll call vote:

Council Member Taylor - Aye
Council Member Spendlove - Aye
Mayor Farrar - Aye
Council Member Sair - Aye

The vote was unanimous and the motion carried.

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.

The council discussed agenda item eight, which involved a temporary ordinance for a zone change to an agricultural zone (Ag-X). This ordinance aims to encourage agriculture and maintain the town's rural character. Under this ordinance, parcels containing a minimum of five acres may apply for a zone change, with the town waiving the usual fees for a temporary period of four months. The ordinance does



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not guarantee approval for a zone change; each application will be reviewed to ensure it aligns with the town's general plan and surrounding zoning. The council emphasized the importance of maintaining agricultural land to deter high-density development. The ordinance allows only one house per parcel in the zone. The council also discussed streamlining the notification process for affected property owners, proposing to follow state guidelines for notification requirements to reduce the number of stamped envelopes residents would have to send out. Overall, the council viewed this ordinance as a way to promote and protect agriculture in the area, addressing concerns from residents and working to keep the town's rural character intact.

MOTION: Mayor Farrar motioned that we adopt Title 10.10.05 Temporary Ordinance For Zone Change to A-X Agricultural Zone, Ordinance-O-2024-15 with the following addition "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 the zone change.

SECOND: The motion was seconded by Council Member Sair.

VOTE: Mayor Farrar called for a roll call vote:

Council Member Taylor - Aye
Council Member Spendlove - Aye
Mayor Farrar - Aye
Council Member Sair - Aye

The vote was unanimous and the motion carried.

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

*Planning Commission recommended approval on April 10, 2024.

The council discussed an amendment to the agricultural zoning ordinance labeled as Ordinance O-2024-14. The Planning Commission had recommended approval on April 10. Overall, this change aims to streamline the zoning process while maintaining the town's agricultural character.

MOTION: Council Member Sair motioned we amend Title 10.10.020 Agricultural Zone, Ordinance-O-2024-14.

SECOND: The motion was seconded by Council Member Spendlove.

VOTE: Mayor Farrar called for a roll call vote:

Council Member Taylor - Aye
Council Member Spendlove - Aye
Mayor Farrar - Aye
Council Member Sair - Aye



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The vote was unanimous and the motion carried.

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.

The council discussed an amendment to Title 10.10.121, regarding the purpose and objectives of the Planned Development Overlay (PDO) zoning ordinance, labeled as Ordinance O-2024-16. This amendment clarified that a PDO is not considered final until a signed development agreement (DA) is in place. This change was made to ensure consistency in the approval process for PDO zones. The amendment aims to prevent any oversight or omission in mentioning the requirement for a DA when approving a PDO zone.

MOTION: Council Member Sair motioned we amend Title 10.10.121 Purpose and Objectives of the Planned Development Overlay Zone, Ordinance-O-2024-16.

SECOND: The motion was seconded by Council Member Taylor.

VOTE: Mayor Farrar called for a roll call vote:

Council Member Taylor - Aye
Council Member Spendlove - Aye
Mayor Farrar - Aye
Council Member Sair - Aye

The vote was unanimous and the motion carried.

CONSENT AGENDA

11. Disbursement Listing for March 2024.
12. Budget Report for Fiscal Year 2024 through March 2024.
13. Approval of Minutes: March 27, 2024.

The council reviewed several items, including the distribution listing for March 2024, the budget report for fiscal year 2024 through March 2024, and the minutes from March 27, 2024.

During the discussion, it was mentioned that a developer had applied for a zone change, but their check for the application fee bounced due to insufficient funds. As a result, the application was closed, and the fee was charged back to the town.



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Overall, the budget was reported to be in good shape, with the town's finances being well-monitored. The council also discussed the importance of training the next generation of council members.

Motioned to that accept isbursement listing for 20224 and the bughdhe and the approval of minute ma klevin motion

2 mayor farrar

all in favor

MOTION: Council Member Sair motioned that we accept Disbursement Listings for March 2024. And a Budget Report for Fiscal Year 2024 through March 2024, and the minutes from March 27th.

SECOND: The motion was seconded by Mayor Farrar.

VOTE: Mayor Farrar called for a vote:

- Council Member Taylor - Aye
- Council Member Spendlove - Aye
- Mayor Farrar - Aye
- Council Member Sair - Aye

The vote was unanimous and the motion carried.

TRAINING

- 14. Open and Public Meeting Training 2024.

REQUEST FOR A CLOSED SESSION: IF NECESSARY

No request.

ADJOURNMENT

MOTION: Council Member Sair motioned to adjourn the meeting.

SECOND: The motion was seconded by Council Member Spendlove.

VOTE: Mayor Farrar called for a vote:

- Council Member Taylor - Aye
- Council Member Spendlove - Aye
- Mayor Farrar - Aye
- Council Member Sair - Aye



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The vote was unanimous and the motion carried.

The meeting was adjourned at 7:35 p.m.

Date Approved: _____

Approved BY: _____

Mayor | Michael L. Farrar

Attest BY: _____

Town Clerk/Recorder | Jenna Vizcardo

DRAFT