



TOWN COUNCIL HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 20, 2025 at 6:00 PM

MINUTES

CALL TO ORDER - Mayor Farrar called the meeting to order at 6:00 PM

PLEDGE OF ALLEGIANCE

PRAYER - Prayer was offered by Council Member Sair

ROLL CALL

PRESENT

Mayor Michael Farrar

Council Member Kevin Sair

Council Member Scott Taylor

Council Member Richard Palmer

ABSENT

Council Member Annie Spendlove

DECLARATION OF CONFLICTS OF INTEREST

None declared.

MAYOR'S TOWN UPDATE

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Mayor Farrar reported that bar ditches remained the responsibility of property owners under existing town ordinance. He stated that public works employees Kevin Sair and Richard Palmer had been assisting with clearing ditches as the town had limited staff and funding. The mayor noted his intent to seek a future ordinance change so the town would assume responsibility for bar ditch maintenance, but until then, residents were still expected to maintain the ditches in front of their properties. He emphasized the importance of keeping culverts clear to prevent flooding and road damage.

Council Member Sair acknowledged the significant workload involved and commended the ongoing efforts.

The mayor then provided an update on the design of the million-gallon water tank project. He explained that the town had begun design work after confirming funding commitments from a subdivision developer. He anticipated grading work within a few months, with the goal of completing the project by the following year.

The mayor also discussed negotiations with Colorado City Police Department to provide contracted police services for Apple Valley. He stated that the agreement would include a dedicated officer patrolling Apple Valley around the clock, shared use of Hildale's court system, and integration into a unified dispatch system to improve emergency response times. The mayor clarified that while the long-term goal was to establish a local police department, the town did not yet have the resources to do so.

Council Member Taylor reminded residents that September would be National Preparedness Month and encouraged preparedness for families and pets.

A concern was then raised regarding bee activity near water trucks by Council Member Palmer. The mayor reported that he had met with the county bee inspector and the property owner, who had approximately 120 active hives. The inspector determined that the bees' defensiveness was temporary due to hive maintenance activities and that the owner was complying with state law. The mayor required the owner to provide a water source for the bees by the end of the week to meet local ordinance requirements.

Council Member Sair highlighted the importance of bees for pollination and expressed support for balancing community concerns with the species' ecological value. The mayor concluded that the ordinance had been developed with community input and that enforcement would continue to ensure compliance.

PUBLIC COMMENTS: 3 MINUTES EACH - DISCRETION OF MAYOR FARRAR

Resident Rich Ososki expressed appreciation to Council Member Sair and the town for assistance with a dirt delivery that helped prevent flooding near his property and a neighboring residence. He noted that while his own rock wall had been installed professionally and set back appropriately, some residents had placed walls, landscaping, or structures within easements and ditches, creating maintenance challenges. He asked for clarification on whether such installations were allowed under town code.

Ososki also raised concern about animals being kept in front yards. He explained that although the animals had been moved previously, they appeared to be returning, possibly hidden behind trees, and he questioned whether this would still be considered a violation of town ordinances.

Finally, he inquired about retail business license fees, noting that Class B and Class C fees had been reduced. He asked whether these adjustments had been recently approved and raised a question about licensing for microbreweries.

Council Member Sair clarified that renewal fees were typically lower than initial license fees. Mayor Farrar confirmed that no license fee changes were on the agenda that night, explaining that the current item only involved adding water fees into the fee schedule. The mayor also responded to Ososki's concerns by stating that rock walls within easements were not permitted, but enforcement would depend on whether problems occurred during upcoming monsoon storms. If issues arose, violation notices would be issued. On the matter of animals in front yards, the mayor explained that code enforcement would issue violations if animals were visible from the road but that he would not enter private property to inspect. Regarding business licenses, he reiterated that no recent changes had been made and that the differences Ososki observed reflected the standard distinction between initial and renewal fees.

Resident Margaret Ososki stated that when she and her family first moved to Apple Valley, they had asked the town office where planting was permitted and had been told they could plant along their property line. She noted that this guidance may not have been accurate, as she and other long-term residents have trees within the easement area. She explained that this situation created confusion, especially since residents were initially told one thing but later learned of different restrictions. Mayor Farrar responded that the town sought to work with residents rather than immediately require removal, but if plantings interfered with bar ditch maintenance, they would have to be addressed under the ordinance. Ososki then commented that she preferred bees in the community over the noise of roosters crowing early in the morning, which she found more disruptive.

Resident Dorothy May, who had recently purchased property in Cedar Point, asked whether she was allowed to place a shipping container on her lot. She explained that a neighbor had told her such structures were not permitted and requested clarification on the requirements. The mayor responded that shipping containers were allowed under town ordinance, subject to certain conditions such as size limits, a maximum of one container per half-acre, and the requirement that containers be painted and free of signage. He noted, however, that while the town permitted containers, Cedar Point's CC&Rs might restrict them, and the town could not enforce those private covenants. He advised May to review the CC&Rs but confirmed that, from the town's perspective, she was welcome to have a shipping container if it met ordinance standards.

PUBLIC HEARING

1. Ordinance O-2025-32, Amend Water Department Policies and Procedures 1.02.050 Procedures For Other Work On Water System.

Mayor Farrar presented Ordinance O-2025-32, amending Water Department Policies and Procedures 1.02.050 regarding other work on the water system. He explained that the proposed change would require the water operator to verify the presence and location of emergency shut-off valves before any contractor performed work on the system. If no valve was available to isolate the affected area, the contractor or property owner would be required to install one prior to beginning work. The mayor stated that this measure was intended to prevent town-wide outages when damage occurred and instead allow only a limited number of homes to be temporarily affected. He noted that residents would be notified in advance of any short water shut-offs needed to install valves, emphasizing that such planned interruptions were preferable to unexpected community-wide outages. Mayor Farrar opened the public hearing. No public comments. Mayor Farrar closed the public hearing.

2. Resolution R-2025-20, Amending the Town Fee Schedule to include the Apple Valley Water Department Fees.

Mayor Farrar opened the public hearing on Resolution R-2025-20, which amended the town fee schedule to include Apple Valley Water Department fees. He clarified that no fees were being changed, but that the fees previously managed under Big Plains Water needed to be incorporated into the town's schedule since the department was now administered by Apple Valley. The mayor also noted two typographical errors in the draft document: the fee listed as \$47 for usage between 55,001 and 75,000 gallons should be \$4, and the fee listed as \$4700 75 for usage over 100,000 gallons should be \$7. He explained that these errors would be corrected prior to final approval. No public comments. Mayor Farrar closed the public hearing.

DISCUSSION AND ACTION

3. Special Event Permit Application on Friday October 3, 2025 for Grand Circle Trailfest at Ruby Rider Ranch - Main Street.

Mayor Farrar introduced item number three, a special event permit application for the Grand Circle Trailfest at Ruby Rider Ranch on Main Street, scheduled for Friday, October 3, 2025. He explained that this was a smaller, one-day version of a previous three-day event and noted that no significant issues had arisen during the earlier event aside from minor dust concerns, which the coordinator had addressed by bringing in additional water trucks. For this application, the mayor required that parking areas be watered every two hours throughout the event to control dust and that a deposit be provided to cover any potential violations. He stated that the organizers were aware of drone regulations and had agreed to the dust control requirements. He also commented that the event was not expected to be very large. Council members had no questions or concerns.

MOTION: Council Member Taylor moved that we approve the Special Event Permit Application on Friday October 3, 2025 for Grand Circle Trailfest at Ruby Rider Ranch - Main Street.

SECOND: The motion was seconded by Council Member Sair.

VOTE: Mayor Farrar called for a vote:

Council Member Taylor - Aye

Council Member Sair - Aye

Mayor Farrar - Aye

Council Member Palmer - Aye

Council Member Spendlove - Absent

The vote was unanimous and the motion carried.

4. Ordinance O-2025-25, Proposed Zone Change, Rural Estates 10 Acres Zone (RE-10) to Rural Estates 5 Acres Zone (RE-5) for 2745 N Purple Sage Rd, AV-1311-V.

*Planning Commission recommended approval on August 13, 2025.

The council considered Ordinance O-2025-25, a proposed zone change for property located at 2745 North Purple Sage Road (parcel AV-1311-V). The request, submitted by Jordan Holm, sought to rezone the 20 acre property from Rural Estates 10 Acres (RE-10) to Rural Estates 5 Acres (RE-5) in order to create additional lots for family use. Mayor Farrar noted that the surrounding area was already zoned with smaller lot sizes, primarily RE-1, and stated that the Planning Commission had recommended approval on August 13, 2025. He explained that following the zone change, the applicant would be required to apply for a lot split and provide engineered plans to ensure proper road access to any newly created parcels, clarifying that the town would not allow landlocked properties as had occurred in the past.

MOTION: Council Member Taylor moved we approve Ordinance O-2025-25, Proposed Zone Change, Rural Estates 10 Acres Zone (RE-10) to Rural Estates 5 Acres Zone (RE-5) for 2745 N Purple Sage Rd, AV-1311-V. Planning Commission recommended approval on August 13, 2025.

SECOND: The motion was seconded by Council Member Sair.

VOTE: Mayor Farrar called for a Roll Call vote:

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

The vote was unanimous and the motion carried.

5. Ordinance O-2025-29, Proposed zone change from Open Space Transition (OST) and General Commercial (C-3) to Planned Development Overlay (PDO) for 525.73 acres in the Oculita Roca Development, submitted by De La Tierra Holdings LLC.

*Planning Commission recommended approval on August 13, 2025.

The council considered Ordinance O-2025-29, a proposed zone change for 525.73 acres in the Oculita Roca development submitted by De La Tierra Holdings LLC. The request sought to change the zoning from Open Space Transition (OST) and General Commercial (C-3) to a Planned Development Overlay (PDO). Mayor Farrar explained that the project would expand from 18 existing five-acre lots to 57 lots, all of which would remain a minimum of five acres. The development area would grow from 204 acres to 728 acres while preserving 98 percent as open space. He emphasized that maintaining large minimum lot sizes would help protect the town from denser development in the future. The mayor also noted that the expansion, together with planned short-term rentals, would position the town to implement a resort fee tax on such rentals, generating additional revenue from tourism. He added that the related development agreement addendum would be addressed under the following agenda item. The Planning Commission had recommended approval of the zone change on August 13, 2025.

MOTION: Council Member Sair motioned we approve Ordinance O-2025-29, the Proposed zone change from Open Space Transition (OST) and General Commercial (C-3) to Planned Development Overlay (PDO) for 525.73 acres in the Oculita Roca Development, recommended by the Planning Commission on August 13, 2025.

SECOND: The motion was seconded by Council Member Palmer.

VOTE: Mayor Farrar called for a Roll Call vote:

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

The vote was unanimous and the motion carried.

6. Ordinance O-2025-30, Development Agreement Addendum with Hidden Rock Development Group, Oculita Roca Project.

*Planning Commission recommended approval on August 13, 2025.

The council considered Ordinance O-2025-30, an addendum to the development agreement with Hidden Rock Development Group for the Oculita Roca project. Mayor Farrar explained that the addendum reflected the expansion previously discussed under the related zone change, increasing the project from 18 to 57 lots on 728 acres while maintaining 98 percent open space. He noted that the developers had also agreed to donate \$300,000 to the town for slurry sealing roads, which would allow every road in Cedar Point, Apple Valley proper, and the original Apple Valley south of the highway to be slurry sealed, restriped, and patched as needed. The mayor stated that this funding would free budget resources for other needs and emphasized that all required infrastructure, including pipelines, turn lanes, and the million-gallon water tank, would be completed before any lots were developed.

Resident Travis Wells asked about the timing of the \$300,000 road donation, the possibility of project roads being designated as private rather than public, and the fee for the zone change. Town representatives confirmed that the zone change fee had been paid and offered to provide him with additional details during open office hours.

Mayor Farrar indicated confidence that the developers would follow through promptly on their commitments once financing was finalized.

MOTION: Council Member Taylor moved we approve Ordinance O-2025-30, Development Agreement Addendum with Hidden Rock Development Group, Oculita Roca Project. Planning Commission recommended approval on August 13, 2025.

SECOND: The motion was seconded by Council Member Palmer.

VOTE: Mayor Farrar called for a Roll Call vote:

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

The vote was unanimous and the motion carried.

7. Ordinance O-2025-31, Amend Title 10.10.010 General Purposes.

*Planning Commission recommended approval on August 13, 2025.

Mayor Farrar explained that the map had been brought current with recent zone changes and Sunrise Engineering. The Planning Commission recommended approval on August 13, 2025.

MOTION: Council Member Taylor moved we approve Ordinance O-2025-31, Amend Title 10.10.010 General Purposes. Planning Commission recommended approval on August 13, 2025.

SECOND: The motion was seconded by Council Member Palmer.

VOTE: Mayor Farrar called for a Roll Call vote:

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

The vote was unanimous and the motion carried.

8. Resolution R-2025-19, Amend Purchasing Policy Section III Criteria For Using Procurement Processes.

The council reviewed Resolution R-2025-19 to update the purchasing policy. Mayor Farrar explained the proposal raised the purchasing limit from \$12,000 to \$50,000, allowing approvals with three quotes but without a public bid, and designated the mayor as the purchasing agent. He noted the change aligned with state law and reduced unnecessary costs and delays.

MOTION: Council Member Taylor moved that we approve the Resolution R-2025-19, Amend Purchasing Policy Section III Criteria For Using Procurement Processes.

SECOND: The motion was seconded by Council Member Sair.

VOTE: Mayor Farrar called for a Roll Call vote:

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

The vote was unanimous and the motion carried.

9. Ordinance O-2025-32, Amend Water Department Policies and Procedures 1.02.050 Procedures For Other Work On Water System.

The council considered Ordinance O-2025-32, amending Water Department Policies and Procedures 1.02.050 regarding other work on the water system. Mayor Farrar explained that the ordinance would require the town's water operator to locate and confirm emergency shut-off valves before contractors began any work. He stated that the change stemmed from a recent incident where staff were unable to find a valve despite guidance from the previous water operator, forcing the town to shut off an entire street when only a small area should have been affected. He emphasized that the new requirement would prevent similar disruptions and ensure contractors could isolate smaller service areas in the event of a problem.

Council Member Sair supported the change, calling it a "no brainer" that would save time, reduce confusion, and avoid unnecessary outages. Staff described ongoing work to identify and uncover valves that had been paved over or buried, with concrete collars being placed around them for easier access. The town was also implementing a new digital mapping system through ESRI to catalog valves and record which areas they served. This would allow staff to quickly identify which neighborhoods or facilities could be shut off in the event of an emergency. The mapping project, funded with approximately \$70,000 from the pipeline budget, was still in progress but already improving operations. The mayor concluded that the ordinance was essential to avoid passing ongoing infrastructure problems to future councils and ensure the system was properly maintained as the town continued to grow.

MOTION: Council Member Sair motioned we approve Ordinance O-2025-32, Amended Water Department Policies and Procedures 1.02.050 Procedures For Other Work On Water System.

SECOND: The motion was seconded by Council Member Palmer.

VOTE: Mayor Farrar called for a Roll Call vote:

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

The vote was unanimous and the motion carried.

10. Resolution R-2025-20, Amending the Town Fee Schedule to include the Apple Valley Water Department Fees.

The council considered Resolution R-2025-20, amending the town fee schedule to include the Apple Valley Water Department fees. Mayor Farrar explained that this item had already been discussed during the earlier public hearing and clarified again that no fees were being changed. The resolution simply transferred the existing fees from the former Big Plains Water Special Service District into the Town of Apple Valley's fee schedule now that the town had assumed direct responsibility for the water department.

MOTION: Council Member Taylor moved we approve Resolution R-2025-20, Amending the Town Fee Schedule to include the Apple Valley Water Department Fees and typos "\$47 dollars" should be "\$4.00 dollars" and \$4700 75" should be "\$7.00 dollars".

SECOND: The motion was seconded by Council Member Palmer.

VOTE: Mayor Farrar called for a Roll Call vote:

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

The vote was unanimous and the motion carried.

CONSENT AGENDA

11. Minutes: July 16, 2025 - Town Council Hearing and Meeting.
12. Disbursement Listing for July 2025.
13. Budget Report for Fiscal Year 2025 through July 2025.
14. July 2025 Water Usage Comparison.

MOTION: Council Member Sair motioned we approve number 11. Minutes: July 16, 2025 - Town Council Hearing and Meeting, number 12. Disbursement Listing for July 2025, number 13. Budget Report for Fiscal Year 2025 through July 2025, and 14. July 2025 Water Usage Comparison.

SECOND: The motion was seconded by Council Member Palmer.

VOTE: Mayor Farrar called for a vote:

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

The vote was unanimous and the motion carried.

REQUEST FOR A CLOSED SESSION: IF NECESSARY

No request.

ADJOURNMENT

MOTION: Council Member Sair motioned to adjourn.

SECOND: The motion was seconded by Council Member Palmer.

VOTE: Mayor Farrar called for a vote:

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

The vote was unanimous and the motion carried.

Meeting adjourned at 6: 50 PM

Date Approved: _____

Approved BY: _____
Mayor | Michael L. Farrar

Attest BY: _____
Recorder | Jenna Vizcardo

DRAFT