



TOWN COUNCIL HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 16, 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 offered by Council Member Sair

ROLL CALL

PRESENT

Mayor Michael Farrar

Council Member Kevin Sair

Council Member Annie Spendlove

Council Member Scott Taylor

Council Member Richard Palmer

DECLARATION OF CONFLICTS OF INTEREST

None declared.

MAYOR'S TOWN UPDATE

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Mayor Farrar reported that the town flushed about 75% of hydrants, using over 100,000 gallons of water. The tank was cleaned and the system chlorinated at 3 parts per million. Another chlorination is planned after the water operator returns, followed by a water test. If results meet state standards, the current water warning will be lifted.

Finance Director Michelle Kinney secured a \$150,000 grant for parks, recreation, and stormwater projects, as well as a \$50,000 matching CIB grant to fund a new impact fee study to support accurate fee collection and appropriate use.

The town's financial position is strong, with over \$700,000 in savings and \$1 million in impact fee accounts. Interest earnings support the budget and provide emergency reserves.

An ice cream social was announced for Saturday, July 19 at 7:00 PM at the community garden.

Pending a vote, the Big Plains Water Special Service District will be officially dissolved, consolidating operations and finances under the town.

Council Member Sair noted thistle control efforts around town.

PUBLIC COMMENTS: 3 MINUTES EACH - DISCRETION OF MAYOR FARRAR

Mayor Farrar opened the public comments. No public comments. Mayor Farrar closed the public comments.

PUBLIC HEARING

1. Resolution R-2025-13 A Resolution of the Town Council of the Town Of Apple Valley Dissolving The Big Plains Water Special Service District.

Mayor Farrar opened the public hearing. No public comments. Mayor Farrar closed the public hearing.

2. Ordinance O-2025-27 Adopt Title 7.01 Water An Ordinance Establishing a Municipal Water Department and Adopting the Apple Valley Water Utility Code.

Mayor Farrar opened the public hearing. No public comments. Mayor Farrar closed the public hearing.

3. Ordinance O-2025-28 An Ordinance Adopting the Big Plains Water Special Service District Culinary Water Master Plan, Including the Five Point System Analysis, Recommended System Improvements, System Financing Plan, Impact Fee Facilities Plan, and Impact Fee Analysis.

Mayor Farrar opened the public hearing. No public comments. Mayor Farrar closed the public hearing.

4. Resolution R-2025-14 Adopting the 2024 Water Conservation Plan Previously Adopted and Approved by the Big Plains Water Special Service District.

Mayor Farrar opened the public hearing. No public comments. Mayor Farrar closed the public hearing.

5. Resolution R-2025-15 Amending the Fiscal Year 2026 Budget to Establish a Water Department.

Mayor Farrar opened the public hearing. No public comments. Mayor Farrar closed the public hearing.

6. Resolution R-2025-16 Amend Title 01.20.040 Cost Of Services in Apple Valley Water Utility Code.

Mayor Farrar opened the public hearing. No public comments. Mayor Farrar closed the public hearing.

DISCUSSION AND ACTION

7. Ordinance O-2025-25, Amend Title 11.08.070 Driveways.

*Planning Commission recommended approval on July 9, 2025.

Mayor Farrar introduced a discussion and action item regarding an amendment to driveway standards, originally presented as Ordinance O-2025-25 to amend Title 11.08.070. The item was later revised and presented as **Resolution R-2025-18: Amendment to Town Design Standards (Residential Driveway Minimum Design and Construction Standards)**. The Planning Commission had recommended approval on July 9, 2025.

Mayor Farrar explained that the amendment aims to provide property owners with greater flexibility in meeting fire access requirements, similar to other provisions in the Wildland Urban Interface (WUI) fire code that allow alternatives.

Fire Chief Michael Gross stated the update was intended to simplify the design process for individual property owners outside of developed areas, such as Gooseberry. He noted that there was previously confusion around driveway requirements, so the town collaborated with Landmark Engineering to develop a standard driveway design accepted by the town. This design streamlines approvals and reduces engineering costs for homeowners. Property owners still retain the option to hire their own engineer and submit a custom design if preferred, as long as it meets town code.

Mayor Farrar added that the new standard saves residents time and money, and ensures consistency with town requirements.

Town Clerk/Recorder Jenna Vizcardo clarified for the record that the item had originally been presented as an ordinance but was changed to a resolution (R-2025-18).

During discussion, Council Member Spendlove questioned a section of the design regarding inspection of subgrade materials prior to driveway construction. They suggested clarifying that inspections should be performed by a town representative rather than relying solely on the homeowner. Chief Gross clarified that the section referred to post-construction maintenance and that most homeowners would address any soft spots themselves to preserve driveway access. No changes were made to the language.

MOTION: Council Member Taylor moved we approve Resolution R-2025-18 which has been updated from Ordinance O-2025-25, Amend Title 11.08.070 Driveways, Planning Commission recommended approval on July 9, 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 Spendlove - Aye
Council Member Palmer - Aye

The vote was unanimous and the motion carried.

8. Ordinance O-2025-23, Zone Change from Rural Estates 5 Acres Zone (RE-5) to Agricultural 5 Acres Zone (AG-5) for parcel: AV-HWC-2.

*Planning Commission recommended approval on July 9, 2025.

Mayor Farrar presented Ordinance O-2025-23, a proposed zone change for parcel AV-HWC-2 from RE-5 to AG-5 in the Bubbling Wells area. The change would allow the owners more flexibility for planting and keeping animals. The Planning Commission recommended approval on July 9, 2025.

Mayor Farrar noted the applicants support natural, chemical-free practices. Council Member Spendlove agreed the change made sense for the property. The ordinance moved forward without opposition.

MOTION: Council Member Taylor moved we approve Ordinance O-2025-23, Zone Change from Rural Estates 5 Acres Zone (RE-5) to Agricultural 5 Acres Zone (AG-5) for parcel: AV-HWC-2. Planning Commission recommended approval on July 9, 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 Spendlove - Aye
Council Member Palmer - Aye

The vote was unanimous and the motion carried.

9. Ordinance O-2025-26, Amend Title 11.02.030 Definitions and 11.02.080 Preliminary Plat Review Process.

*Planning Commission recommended approval on July 9, 2025.

Mayor Farrar presented Ordinance O-2025-26, a housekeeping update to Titles 11.02.030 and 11.02.080 to remove outdated references to "sewer" under the Big Plains Special Service District. The Planning Commission recommended approval on July 9, 2025. The update was minor and intended to keep the code current.

MOTION: Council Member Spendlove motioned we approve O-2025-26, Amend Title 11.02.030 Definitions and 11.02.080 Preliminary Plat Review Process. Planning Commission recommended approval on July 9, 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 Spendlove - Aye
Council Member Palmer - Aye

The vote was unanimous and the motion carried.

10. Grant Contract Approval to Accept the Funding for FY2025 Outdoor Recreation Planning Assistance in the amount of \$150,000.00.

Mayor Farrar presented the grant contract approval to accept \$150,000 in funding for FY2025 Outdoor Recreation Planning Assistance. The item required a formal vote to accept the grant, with no additional discussion.

MOTION: Council Member Sair motioned we approve the Grant Contract Approval to accept the funding for FY2025 Outdoor Recreation Planning Assistance in the amount of \$150,000.00.

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 Spendlove - Aye
Council Member Palmer - Aye

The vote was unanimous and the motion carried.

11. Resolution R-2025-17, Appointment of Alternate Planning Commission Member (Dan Harsh).

Mayor Farrar introduced Resolution R-2025-17 to appoint Dan Harsh as an alternate member of the Planning Commission. The position is rarely used but helpful to have filled. Mayor Farrar noted that Chairman of the Planning Commission Bradley Farrar is currently short an alternate, and Dan volunteered for the role.

Council members briefly discussed Dan’s recent move to the area and expressed appreciation for his willingness to serve.

MOTION: Council Member Taylor moved we approve Resolution R-2025-17, Appointment of Alternate Planning Commission Member (Dan Harsh).

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 Spendlove - Aye
- Council Member Palmer - Aye

The vote was unanimous and the motion carried.

12. Resolution R-2025-13, A Resolution of the Town Council of the Town Of Apple Valley Dissolving The Big Plains Water Special Service District.

Mayor Farrar introduced Resolution R-2025-13, a resolution to formally dissolve the Big Plains Water Special Service District (BPWSSD). Upon approval, the Town of Apple Valley would officially assume ownership of all BPWSSD assets and debt. Following council approval, the town would begin merging financial records and operations, with final documentation to be submitted to the Lieutenant Governor for approval.

Council Member Sair took a moment to acknowledge and thank Harold Merritt and Ross Gregerson for their years of volunteer service in operating the system under limited resources. Mayor Farrar agreed, calling it the end of an era and expressing appreciation for the work they had done to build and maintain the water system, which laid the foundation for continued improvements under town management.

MOTION: Council Member Taylor moved we approve Resolution R-2025-13, A Resolution of the Town Council of the Town of Apple Valley Dissolving The Big Plains Water Special Service District.

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 Spendlove - Aye
- Council Member Palmer - Aye

The vote was unanimous and the motion carried.

13. Ordinance O-2025-27, Adopt Title 7.01 Water An Ordinance Establishing a Municipal Water Department and Adopting the Apple Valley Water Utility Code.

Mayor Farrar introduced Ordinance O-2025-27, which adopts Title 7.01 to formally establish a municipal water department and adopt the Apple Valley Water Utility Code. This step follows the dissolution of the Big Plains Water Special Service District and ensures the town now manages its own water system, similar to existing departments like fire and public works.

Town Clerk/Recorder Jenna Vizcardo noted that while the substance of the ordinance remained the same as in the council packet, legal counsel requested updates to terminology. Specifically, all references to the Big Plains Water Special Service District were changed to the Apple Valley Water Department. Additional definitions were also added. Jenna confirmed that the revised version was presented at the meeting for the record.

MOTION: Council Member Taylor moved we approve Ordinance O-2025-27, Adopt Title 7.01 Water An Ordinance Establishing a Municipal Water Department and Adopting the Apple Valley Water Utility Code to include all the changes from the lawyer and Jenna.

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 Spendlove - Aye

Council Member Palmer - Aye

The vote was unanimous and the motion carried.

14. Ordinance O-2025-28, An Ordinance Adopting the Big Plains Water Special Service District Culinary Water Master Plan, Including the Five Point System Analysis, Recommended System Improvements, System Financing Plan, Impact Fee Facilities Plan, and Impact Fee Analysis.

Mayor Farrar introduced Ordinance O-2025-28, which adopts the Big Plains Water Special Service District's Culinary Water Master Plan. This includes the Five Point System Analysis, recommended system improvements, system financing plan, Impact Fee Facilities Plan, and Impact Fee Analysis. The ordinance formally transfers all existing water system policies, studies, and financial frameworks from the dissolved district to the newly established Apple Valley Water Department.

Mayor Farrar explained that the adoption ensures the town can continue collecting impact fees and maintain continuity in water service. The water employee will now be officially employed by the town, retaining seniority and related benefits. No changes were made to the content of the policies or plans; only minor numbering adjustments were made to avoid conflicts with existing town code chapters.

Town Clerk/Recorder Jenna Vizcardo confirmed that those numerical changes were made for consistency but did not alter any of the substance being adopted.

MOTION: Council Member Taylor moved we approve Ordinance O-2025-28, An Ordinance Adopting the Big Plains Water Special Service District Culinary Water Master Plan, Including the Five Point System Analysis, Recommended System Improvements, System Financing Plan, Impact Fee Facilities Plan, and Impact Fee Analysis.

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 Spendlove - Aye
Council Member Palmer - Aye

The vote was unanimous and the motion carried.

15. Resolution R-2025-14, Adopting the 2024 Water Conservation Plan Previously Adopted and Approved by the Big Plains Water Special Service District.

Mayor Farrar introduced Resolution R-2025-14 to adopt the 2024 Water Conservation Plan, which had previously been approved by the Big Plains Water Special Service District. He explained that the plan is required by law and that no changes were made to its content. The resolution simply transfers the existing plan to the Town of Apple Valley following the dissolution of the water district.

MOTION: Council Member Spendlove motioned that we approve Resolution R-2025-14, Adopting the 2024 Water Conservation Plan Previously Adopted and Approved by the Big Plains Water Special Service District.

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 Spendlove - Aye
Council Member Palmer - Aye

The vote was unanimous and the motion carried.

16. Resolution R-2025-15, Amending the Fiscal Year 2026 Budget to Establish a Water Department.

Mayor Farrar introduced Resolution R-2025-15 to amend the Fiscal Year 2026 budget to formally establish a water department within the Town of Apple Valley. The water budget from the former Big Plains Water Special Service District was transferred directly into the town's budget.

The only significant change involved reallocating personnel costs, previously handled under an interlocal agreement, by dividing expenses between the town and the new water department. No changes were made to the budget numbers previously approved at the last meeting.

Finance Director Michelle Kinney explained that the water department operates under an enterprise fund, meaning revenue from water bills must remain separate from the town's general fund. This ensures that funds paid by residents for water services are used solely within the water department.

MOTION: Council Member Sair motioned we approve Resolution R-2025-15, Amending the Fiscal Year 2026 Budget to Establish a Water Department.

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 Spendlove - Aye
Council Member Palmer - Aye

The vote was unanimous and the motion carried.

17. Resolution R-2025-16, Amend Title 01.20.040 Cost Of Services in Apple Valley Water Utility Code.

Mayor Farrar introduced Resolution R-2025-16 to amend Title 01.20.040 of the Apple Valley Water Utility Code regarding the cost of services. The only change was an update to the fee for will-serve letters, increasing the charge from \$81 to \$84 to match the amount billed to the town. Mayor Farrar clarified that the town is simply passing the cost through to applicants and not generating any profit.

MOTION: Council Member Taylor moved we approve Resolution R-2025-16, Amend Title 01.20.040 Cost Of Services in Apple Valley Water Utility Code.

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 Spendlove - Aye
Council Member Palmer - Aye

The vote was unanimous and the motion carried.

18. Approval to open a new bank account with State Bank of Southern Utah with Treasurer/Council Member Kevin Sair and Mayor Michael "Mike" Lee Farrar as signers, with Michelle Kinney as an online only account.

Mayor Farrar introduced item 18, seeking approval to open a new bank account with State Bank of Southern Utah for the newly established water department. Treasurer/Council Member Kevin Sair and Mayor Mike Farrar would be signers, with Michelle Kinney granted online-only access. The account is required to keep water department funds separate from the town's general funds.

MOTION: Council Member Sair motioned we approve to open a new bank account State Bank of Southern Utah with Treasurer/Council Member Kevin Sair and Mayor Mike Farrar as signers, with Michelle Kinney as an online only account access.

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 Spendlove - Aye
Council Member Palmer - Aye

The vote was unanimous and the motion carried.

CONSENT AGENDA

19. Disbursement Listing for TOAV and BPW June 2025.
20. Budget Report for TOAV and BPW Fiscal Year 2025 through June 2025.
21. June 2025 Water Usage Comparison.
22. Minutes: June 18, 2025 - Town Council Hearing and Meeting.
23. Minutes: June 18, 2025 - Big Plains Water Special Service District Hearing and Meeting.

Mayor Farrar presented the consent agenda for approval. Mayor Farrar noted that all items could be approved in one motion and were in good order.

MOTION: Council Member Taylor moved we approve the Consent Agenda, item 19 through 23

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 Spendlove - Aye
Council Member Palmer - Aye

The vote was unanimous and the motion carried.

REQUEST FOR A CLOSED SESSION: IF NECESSARY

No request.

ADJOURNMENT

Jennifer Collins from Republic Services, discussed trash service and road conditions on Coyote Road. She explained that they were evaluating individual pickup options on Coyote Road now that it has been road based.

Council Member Spendlove shifted the discussion to trash cans on 1200 East and Highway 59, noting that unattended cans often block access or blow into the road. Mayor Farrar and council members discussed possibly closing that access point to Highway 59 entirely. Mayor Farrar indicated he would be willing to donate land to realign and extend an existing road, forming a loop to improve access and safety.

MOTION: Council Member Sair motioned we 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 Spendlove - Aye
- Council Member Palmer - Aye

The vote was unanimous and the motion carried.

Meeting adjourned at 6:35 PM

Date Approved: _____

Approved BY: _____
Mayor | Michael L. Farrar

Attest BY: _____
Recorder | Jenna Vizcardo