



TOWN COUNCIL HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, October 15, 2025 at 6:00 PM

MINUTES

CALL TO ORDER – Mayor Farrar called the meeting to order at 6PM

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

During the October 15, 2025 Town Council Meeting, Mayor Farrar reported that one of the town's older water tanks had developed another leak, requiring it to be drained for repairs. The Mayor stated that approximately half of the repair work had been completed and was expected to be finished the following day. The internal damage was worse than initially anticipated due to rusting metal, but the Mayor noted that water pressure to residents had not been affected.

The Mayor discussed the ongoing design process for the new one-million-gallon concrete water tank, which would replace the two existing 240,000-gallon tanks. The new tank was expected to double capacity, maintain cooler water temperatures, and reduce the risk of contamination. The Mayor said the town's engineer, attorney, and contractor were working on finalizing easements, with construction anticipated to begin by the end of the year and completion projected in about six months.

The Mayor also mentioned that the agenda included a proposed water usage rate reduction, which the town was pleased to offer. Additionally, the Mayor reminded residents to register to vote before the upcoming election, noting that increased voter registration benefits the town's representation and standing with the state.

Council Member Sair reported that maintenance crews were actively clearing drainage ditches and addressing the worst areas first. Equipment was being left temporarily on-site for convenience and efficiency, and the public was assured this was a short-term arrangement.

Council Member Spendlove announced a community "Trick or Treat" event scheduled for Saturday, October 25, from 4:00 to 8:00 p.m. at the Apple Valley Community Garden. The event would include pulled pork sandwiches and macaroni salad plates for purchase as part of a fundraiser for the Community Garden. Pre-orders could be made through Facebook or by contacting a community member directly.

Commissioner Palmer added that pumpkins would be available for children free of charge during the event, noting that smaller pumpkins would be provided in containers for safety and convenience.

The Mayor concluded by commending the upcoming community activities and thanked participants for their involvement.

PUBLIC COMMENTS: 3 MINUTES EACH - DISCRETION OF MAYOR FARRAR

Resident Travis Wells addressed the Council with questions regarding the proposed water rate adjustments. Wells inquired about the reasoning behind the reduction in residential water rates per 1,000 gallons and asked how the town was able to provide water at a lower cost. Wells also questioned why bulk water rates were being increased while residential rates were being reduced, seeking clarification on how the two changes were justified.

Additionally, Wells commented on Item 3 of the agenda concerning the development agreement with Jepson Canyon Resort Development Co. Inc. He stated that residents applying for building permits were currently charged for one acre-foot of water each, while the development agreement accounted for 227 lots and 196 acre-feet of water, representing a difference of approximately 58 acre-feet. Wells expressed concern that this discrepancy created an inconsistency in treatment between individual residents and developers, noting that at the current rate per acre-foot, the difference would amount to roughly \$58,000. He concluded by emphasizing the importance of fairness and equal application of fees among all users.

- Recording Audio Glitch at 8:07 until 9:44

PUBLIC HEARING

1. Resolution R-2025-22, Amend Title 01.20.010 Residential Usage Fees and 01.20.030 Bulk Meter Usage Fees.

After resolving a brief livestream issue, Mayor Farrar reopened the public hearing for Resolution R-2025-22, which proposed amendments to Title 01.20.010 regarding residential usage fees and Title 01.20.030 regarding bulk meter usage fees.

The Mayor explained that the changes resulted from the Town's consolidation of the Big Plains Water Special Service District back under the Town of Apple Valley. This transition reduced administrative expenses, creating cost savings that allowed the Town to lower residential water usage rates. The Mayor stated that the Town Council and staff had received complaints from residents about difficulty maintaining landscaping and keeping yards green. While acknowledging that Apple Valley is located in a desert climate, the Mayor said the Town wanted to pass some of the savings back to residents to help alleviate those concerns.

The Mayor also noted that the resolution included an increase to bulk water rates within Apple Valley proper, designed to promote water conservation and protect the local aquifer. To accommodate contractors, the Town installed a bulk meter connection at the Cook Well site, which uses non-potable water outside the town's aquifer. Contractors would be able to obtain water there at a 50% reduced rate for construction purposes.

The Mayor concluded by stating that residential rate reductions were applied consistently across all usage tiers and invited public comments on the proposed changes. No comments were made in person or online. The Mayor subsequently closed the public hearing for Resolution R-2025-22.

2. Resolution R-2025-23, Fee Schedule Amendment.

Mayor then opened the public hearing for Resolution R-2025-23, a fee schedule amendment related to the water rate adjustments discussed under the previous item. The Mayor explained that this resolution served to update the Town's official fee schedule to reflect the newly proposed water usage rates. No public comments were made in person or online. The Mayor subsequently closed the public hearing for Resolution R-2025-23.

3. Resolution R-2025-25 Approval of the Water Agreement with Jepson Canyon Resort Development Co. Inc.

Mayor Farrar opened the public hearing for Resolution R-2025-25, which concerned approval of a new water agreement with Jepson Canyon Resort Development Co. Inc. The Mayor explained that this agreement corresponded with the forthcoming Master Development Agreement (MDA) scheduled for review on October 29, 2025, and that the public hearing was being held in advance as previously noticed. The agreement would be processed concurrently with the MDA.

The Mayor stated that the new water agreement superseded all prior agreements with the developer, except for the water rights already dedicated. The updated MDA reduced the total number of residential dwelling units from approximately 580 to 227. The Mayor clarified that the agreement applied solely to water supply matters and emphasized that no water for the project would come from the Town's existing aquifer.

Referencing a U.S. Geological Survey study, the Mayor explained that a fault line running along Main Street divides the aquifer, and that the Town's priority was to protect its existing water sources. As a result, developers were required to obtain water from areas east of Main Street. Under the agreement, Jepson Canyon Resort Development Co. Inc. would be responsible for all costs associated with drilling new wells, installing pipelines, securing easements, and constructing a storage tank to serve its development.

The Mayor noted that the developer had previously dedicated 169 acre-feet of water rights. For the 227 residential lots, the Town agreed to accept that amount. Any future commercial uses, pools, or expanded landscaping would require additional water rights as determined by the Town engineer and a supporting water study.

The Mayor stated that the Town Attorney had reviewed and approved the agreement for legal sufficiency. He emphasized that the purpose of the agreement was to protect the Town's aquifer and ensure that all new developments bring in external water sources.

No public comments were received in person or online. The Mayor then closed the public hearing for Resolution R-2025-25.

DISCUSSION AND ACTION

4. Ordinance O-2025-34, Proposed Zone Change, Open Space Transition Zone (OST) to Agricultural 5 Acres Zone (AG-5) for AV-1351-C, 325 N Cougar Ln, Applicant: Joseph and Kituran Neppl.

*Planning Commission recommended approval on October 8, 2025.

The Council reviewed Ordinance O-2025-34, a proposed zone change request submitted by Joseph and Kituran Neppl for property located at 325 North Cougar Lane, parcel AV-1351-C. The proposal sought to rezone the property from Open Space Transition (OST) to Agricultural 5 Acres (AG-5) to allow construction of a single-family residence.

Mayor Farrar explained that the property was located south of Highway 59, in an area where several lots had previously been divided, requiring the installation of a bridge or culverts for access. He noted that the applicant's request aligned with surrounding parcels, some of which were already zoned AG-5, while others remained OST.

The Mayor stated that the Planning Commission had recommended approval of the proposed zone change during its meeting held on October 8, 2025. He commented that the rezoning supported

appropriate land use and residential development consistent with the area's character and the Town's long-term planning objectives.

MOTION: Council Member Taylor moved we approve Ordinance O-2025-34, Proposed Zone Change, Open Space Transition Zone (OST) to Agricultural 5 Acres Zone (AG-5) for AV-1351-C, 325 N Cougar Ln, Applicant: Joseph and Kituran Neppl. Planning Commission recommended approval on October 8, 2025.

Before action was taken, Council Member Sair asked whether the bridge issue in the area had been resolved. Mayor Farrar confirmed that the applicant had installed the required culverts, completed all necessary engineering work, and met all fire code requirements, allowing construction to proceed.

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.

5. Resolution R-2025-25 Approval of the Water Agreement with Jepson Canyon Resort Development Co. Inc.

The Council reviewed Resolution R-2025-25, approving a new water agreement with Jepson Canyon Resort Development Co. Inc.

Mayor Farrar stated that the details of the agreement had already been presented during the public hearing earlier in the meeting. The Mayor asked if any Council Members had questions or concerns regarding the agreement.

Council Member Sair inquired when the developer planned to begin the project. The Mayor explained that the Master Development Agreement (MDA) was scheduled for Council consideration on October 29, 2025. He noted that Jepson Canyon had a potential buyer, but the project would still require multiple steps following the MDA approval, including the completion of necessary agreements with the Town.

The Mayor requested that, if a motion was made, it include authorization for the Mayor to make minor adjustments to the agreement to address clerical or procedural corrections, provided no major changes occurred that would require additional Council action.

The Mayor further clarified that the new water agreement superseded all prior agreements with the developer, except for the previously dedicated water rights, which remained valid and recognized by the Town.

MOTION: Council Member Taylor moved we approve Resolution R-2025-25 Approval of the Water Agreement with Jepson Canyon Resort Development Co. Inc. In addition, the mayor may make small modifications to the agreement.

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.

6. Ordinance O-2025-35, Amend Title 10.28.150 Utility Requirements.

*Planning Commission recommended approval on October 8, 2025.

The Council reviewed Ordinance O-2025-35, an amendment to Title 10.28.150, Utility Requirements, which had been recommended for approval by the Planning Commission on October 8, 2025.

Mayor Farrar stated that the ordinance represented a housekeeping update related to the transition of water and utility management from the former Big Plains Water Special Service District to the Town of Apple Valley. The Mayor described the amendment as a straightforward administrative revision to align Town code with current operations.

MOTION: Council Member Spendlove motioned O-2025-35, Amending Title 10.28.150 Utility Requirements. Planning Commission recommended approval on October 8, 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 Spendlove - Aye
Council Member Palmer - Aye

The vote was unanimous and the motion carried.

7. Ordinance O-2025-36, Repeal Title 10.28.130 Minimum Height Of Main Building.

*Planning Commission recommended approval on October 8, 2025.

Mayor Farrar explained that the repeal was a housekeeping matter. The existing ordinance contained language that limited buildings in Apple Valley to a single story, which was inaccurate and inconsistent with current zoning and construction standards. The Mayor noted that the provision had been identified as an outdated or erroneous section of code.

MOTION: Council Member Taylor moved we approve Ordinance O-2025-36, Repeal Title 10.28.130 Minimum Height Of Main Building. Planning Commission recommended approval on October 8, 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 Spendlove - Aye
Council Member Palmer - Aye

The vote was unanimous and the motion carried.

8. Resolution R-2025-22, Amend Title 01.20.010 Residential Usage Fees and 01.20.030 Bulk Meter Usage Fees.

The Council reviewed Resolution R-2025-22, which amended Title 01.20.010, Residential Usage Fees, and Title 01.20.030, Bulk Meter Usage Fees.

Mayor Farrar asked if there were any questions regarding the resolution, noting that Council Members had previously reviewed and discussed the proposal individually.

Council Member Spendlove expressed support for the amendment, stating that it incentivized contractors to use non-potable water sources while providing a financial benefit for doing so. The Council Member Sair emphasized that the change would encourage responsible water use and help protect the town's aquifer.

Mayor Farrar agreed, reiterating that the new fee structure maintained the existing rate for the first 5,000 gallons but provided greater affordability for typical residential usage, which averages around 25,000 gallons per month. He explained that the Town's consolidation of the Big Plains Water Special Service District had resulted in cost savings, allowing the Town to reduce rates for residents while slightly increasing costs for the highest-volume users.

The Mayor noted that the adjustment was designed to balance fairness, conservation, and operational sustainability, with most residents expected to benefit from the revised rate structure.

MOTION: Council Member Taylor moved we approve Resolution R-2025-22, Amend Title 01.20.010 Residential Usage Fees and 01.20.030 Bulk Meter Usage Fees.

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. Resolution R-2025-23, Fee Schedule Amendment.

The Council reviewed Resolution R-2025-23, a fee schedule amendment related to the previously approved water rate changes.

Mayor Farrar explained that the resolution served as a procedural step to incorporate the newly adopted residential and bulk meter usage fee adjustments from Resolution R-2025-22 into the Town's official fee schedule. The update would ensure that the revised water rates were formally reflected in the Town's published documents and made available on the Town's website.

MOTION: Council Member Taylor moved we approve Resolution R-2025-23, Fee Schedule Amendment.

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. Resolution R-2025-24, Amend Purchasing Policy Section VI Donations.

- Recording Audio Glitch at 26:30 until 27:39

The Council reviewed Resolution R-2025-24, which proposed amending Section VI of the Town's Purchasing Policy relating to the acceptance of donations.

Mayor Farrar explained that the purpose of the amendment was to simplify and clarify the process for accepting donations to the Town. Under the revised policy, donations valued at less than \$200 could be accepted without formal Town Council approval, while donations of \$200 or more would still require Council authorization. The amendment also included minor restrictions and procedural guidance regarding cash donations to ensure accountability and compliance with established financial policies.

The Mayor described the changes as a practical adjustment intended to make the donation process more efficient for both residents and staff. No Council Members raised questions or concerns regarding the proposal.

MOTION: Council Member Sair motioned to approve Resolution R-2025-24, Amend Purchasing Policy Section 6 (VI) Donations.

SECOND: The motion was seconded by Council Member XX.

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.

CONSENT AGENDA

11. Formally accept a \$100 donation to the Fire Department from the Firefighters Charitable Foundation, received September 3, 2025.
12. Minutes: September 17, 2025 - Town Council Meeting.

The Council reviewed the Consent Agenda, which included the following items:

- Formal acceptance of a \$100 donation to the Apple Valley Fire Department from the Firefighters Charitable Foundation, received on September 3, 2025.
- Approval of the minutes from the September 17, 2025 Town Council Meeting.

Mayor Farrar noted that the Town's financial statements were not yet complete and would be placed on the agenda for the next Council meeting, potentially on October 29, 2025. The Mayor asked if there were any questions or concerns regarding the consent items.

No objections were raised, and the Council proceeded with approval.

MOTION: Council Member Spendlove motioned we accept the Consent Agenda, number 11, formally accept a \$100 donation to the Fire Department from the Firefighters Charitable Foundation and number 12, Minutes: September 17, 2025 - Town Council Meeting.

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

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 Spendlove - Aye
Council Member Palmer - Aye

The vote was unanimous and the motion carried.

Meeting adjourned at 6:30 PM

Date Approved: _____

Approved BY: _____
Mayor | Michael L. Farrar

Attest BY: _____
Recorder | Jenna Vizcardo

DRAFT