



## SPECIAL APPLE VALLEY TOWN COUNCIL MEETING

1777 N Meadowlark Dr, Apple Valley  
Tuesday, August 09, 2022 at 6:30 PM

### MINUTES

**Mayor** | Frank Lindhardt |

**Council Members** | Andy McGinnis | Barratt Nielson | Kevin Sair | Robin Whitmore |

**CALL TO ORDER**- Council Member Sair Called to order at 7:37pm

**PLEDGE OF ALLEGIANCE**- Council Member Sair led pledge of allegiance.

**PRAYER**- Prayer was offered by Council Member Kevin Sair

#### **ROLL CALL**

##### **PRESENT**

Council Member Kevin Sair

Council Member Robin Whitmore

Council Member Andy McGinnis

##### **ABSENT**

Mayor Frank Lindhardt

Council Member Barratt Nielson

Council Member Sair comments that Mayor Frank Lindhardt will not be here due to family matters and Council Member Nielson is out of town, and we need to appoint Mayor Pro-Tem for this meeting.

**Motioned to appoint Kevin Sair as Mayor Pro-Tem for this evening.**

**Motion made by Council Member Whitmore, Seconded by Council Member McGinnis.**

**Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis**

**The vote was unanimous, 3-0 and the motion carried.**

**DECLARATION OF CONFLICTS OF INTEREST**- None stated.

Council Member Sair read statement:

-Upon request of a few citizens, we have listened to you and have removed the general plan adoption from tonight's meeting. This will be adopted at our meeting scheduled for the 24<sup>th</sup> of this month instead.

-The General Plan is a living document, a guide for the town to follow. This is not a zone change. Nor does this change your zone. All citizens have the ability to apply for a general plan map amendment for their property on an individual basis. All factors at that time will be considered, like the current zoning of surrounding properties, how or ordinances apply, number of acres and your purpose for the land use.

-The General Plan, as proposed, is by no means a low-density plan. The plan, as is, produces over 6,000 lots. This is bigger than Hurricane is presently.

#### **CONSENT AGENDA**

1. Disbursement Listing for July 2022

Council Member Sair asked if anyone had any questions on the disbursement listing.

**Motioned to accept the July 2022 SBSU Disbursement Listing.**



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**Motion made by Council Member Whitmore, Seconded by Council Member Sair.**

**Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis**

**The vote was unanimous, 3-0 and the motion carried.**

**2. Financial Report for Fiscal Year 2022**

Council Member Sair commented about the Town vehicles getting paid down. Case backhoe purchased for \$77K and has balance of \$0. The 550-brush truck original purchase price was with a \$58K balance of \$15K, which will be paid off at end of this fiscal year. \$20K is owed on dump truck. But if get enough funding that will be paid off also.

**Motioned to accept and approve July 2022 budget report.**

**Motion made by Council Member Whitmore, Seconded by Council Member McGinnis.**

**Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis**

**The vote was unanimous, 3-0 and the motion carried.**

**3. Minutes: April 21, 2022**

**Motion that we accept minutes for Thursday April 21, 2022 for Apple Valley Town Council.**

**Motion made by Council Member McGinnis, Seconded by Council Member Whitmore.**

**Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis**

**The vote was unanimous, 3-0 and the motion carried.**

### **PUBLIC COMMENTS**

**Motioned to open public comments.**

**Motion made by Council Member Sair, Seconded by Council Member Whitmore.**

**Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis**

**The vote was unanimous, 3-0 and the motion carried.**

Linda Noyes: Purple sage Rd- Thanks Kevin and Andy for helping to work on cleaning up the roads.

Forrest Kuehne, Planning Commissioner, mentioned Ice Cream Social on August 20th at 6pm.

**Motioned to close public comments.**

**Motion made by Council Member Whitmore, Seconded by Council Member McGinnis.**

**Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis**

**The vote was unanimous, 3-0 and the motion carried.**

### **DISCUSSION AND ACTION**

**4. Open proposals and award for Planning and Zoning Assistant**



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Council Member Sair discussed that only one proposal was submitted for Kyle Layton, our current building inspector. Robin Whitmore asked Kyle Layton how he came up with the fees.

Kyle Layton explained. He has been doing this for Hildale for 7 years and knows fees based on those criteria. Council Member McGinnis commented on his detail and his punctuality and looking forward to working with him more in the future. Jauna McGinnis, Town Administrator states great to have someone with the knowledge to take some of it off the plate of the Mayor.

**Motion to award contract for planning and zoning assistant to Kyle Layton, Layton Adventures, LLC.**

**Motion made by Council Member Whitmore, Seconded by Council Member McGinnis.**

**Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis**

**The vote was unanimous, 3-0 and the motion carried.**

5. **Adopt resolution for the Five County Natural Hazard Mitigation Plan--Resolution-R-2022-39**

Council Member McGinnis gave a quick synopsis. This was set up in the disaster mitigation act of 2000. Federal Government wants to be able to better monitor the mitigation factors. Allows a community to implement actions and opens up more federal money for the Town. For our section draws attention to areas of concern, flooding, water and fire hazards. Other things on our list to perform for mitigation strategy and being apart of. The items were drought and flood. This is a living document that can be added to it.

**Motioned to adopt Resolution R-2022-39 A Resolution Adopting The Five County Association of Governments Multi-Jurisdictional Natural Hazard Mitigation Plan for 2022.**

**Motion made by Council Member Whitmore, Seconded by Council Member Sair.**

**Roll Call Vote**

**Council Member Whitmore: Yea**

**Council Member Sair: Yea**

**Council Member McGinnis: Yea**

**The vote was unanimous, 3-0 and the motion carried.**

**REQUEST FOR A CLOSED SESSION- None.**

### **ADJOURNMENT**

Motioned to adjourn meeting.

Motion made by Council Member Whitmore, Seconded by Council Member Sair.

Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis

**The vote was unanimous, 3-0 and the motion carried.**

Meeting adjourned at 8:00pm.



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Date Approved: 9/21/22

Approved BY:   
Mayor | Frank G. Lindhardt

Attest BY:   
Town Clerk-Recorder | Jenna Vizcardo