



GREATER SALT LAKE  
**Municipal Services  
District**

**GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT  
(MSD)**

**MINUTES OF THE MEETING  
OF THE BOARD OF TRUSTEES**

February 13, 2019, 6:00 p.m.  
2001 South State Street #N1-100 Council Chambers  
Salt Lake City, UT 84190

**Trustees Present:**

Joe Smolka, Chair  
Paulina Flint, Vice Chair  
Kelly Bush  
Dan Peay  
Sean Clayton

**Trustee Excused:**

Max Burdick

**Staff Present:**

Bart Barker, General Manager  
Cathy Jensen, Chief Financial Officer  
Ina Oviatt, Office Manager  
Mark Anderson, Legal Counsel  
Lupita McClenning, Division Director of Planning & Development Services  
Crystal Hulbert, Salt Lake County Public Works Engineering  
Madeline Francisco-Galang, Salt Lake County Public Works Engineering

**Others Present:<sup>1</sup>**

Paul Ashton, Legal Counsel for White City and Magna Metro Townships  
Ryan Perry, Senior Advisor to the Salt Lake County Mayor  
Kevin Smeltzer, Director of Salt Lake County Public Works Operations  
David Ward, Salt Lake County Bicycle Advisory Committee

**1. Call to order**

Chair Smolka called the meeting to order.

**2. Pledge of Allegiance**

---

<sup>1</sup> Other individuals may have been present who were not specifically recognized by the Chair.

The Pledge of Allegiance was recited.

### **3. Public comments**

Ryan Perry, Senior Policy Advisor to Salt Lake County Mayor Wilson, briefly addressed the Board.

### **4. Consideration of chip seal vs. overlay for Emigration Canyon Road**

Bark Barker reviewed statistics dealing with the condition of the Emigration Canyon Road, which is the number one bicycle route in the state of Utah. He explained that unexpended funds from the MSD's 2018 Budget may be available for work on the road. In response to a question from Trustee Flint, Mr. Barker explained that an effort was made to obtain transportation grant funding for the road, but it didn't qualify. Mr. Barker suggested that money from the General Fund could cover a portion of the cost.

Kevin Smeltzer displayed a map of Emigration Canyon and provided a spreadsheet comparing the cost of applying a chip seal over the road to the cost of a full overlay. A full overlay will cost \$2,600,000 more than the chip/seal alternative. Mr. Barker explained, that, due to timing concerns a, decision must be made soon.

Kevin Ward, who serves on the Salt Lake County Bicycle Advisory Committee, indicated that he has bicycled up and down Emigration Canyon for years, and that bicyclists do not like chip seal surfaces on roads. A chip seal surface makes it more difficult to manage and control bicycles and wears the tires out. Cyclists prefer an overlay, which provides a smoother, more enjoyable ride. He noted that the Tour of Utah uses Emigration Canyon for its annual bike race. As an alternative, if the MSD decides to chip seal the Emigration Canyon Road, Mr. Ward suggested that Public Works Operations consider using a different chip seal product. Trustee Clayton noted that, for the price of two chip seal applications, the road can be overlaid, which will give the road a longer life.

It was moved by Trustee Flint and seconded by Trustee Clayton as follows:

**That the MSD fund an overlay project for Emigration Canyon Road.**

The motion carried with Trustees Smolka, Flint, Bush, Peay and Clayton each voting "aye".

### **5. Discussion of possible ordinances to protect against road cuts following new overlays, slurries, and new roads**

Crystal Hulbert shared a draft Ordinance with the Trustees. She has reviewed Ordinances adopted by municipalities in Salt Lake County that establish a moratorium prohibiting road cuts and other work in a new road before it is three years old. A two-year moratorium would apply to new slurried roads. A general discussion followed, at the end of which Mr. Barker stated that the issue should be brought up in the Metro Township Council meetings, since they control the roads and streets within their jurisdictions. Ms. Hulbert agreed to provide a pdf copy of her information to each of the Metro Township Mayors.

### **6. Update on proposed storm water fees**

Crystal Hulbert distributed a draft timeline for the imposition of storm water fees. Ms. Hulbert has worked with Rocky Mountain Power to facilitate a billing arrangement. Once a contract has been negotiated with Rocky Mountain Power, open houses should be held in the

various communities. Bart Baker noted that an August 1<sup>st</sup> startup date has been recommended.

**7. Consideration of a contribution of 10 percent (between approximately \$20,000 and \$30,000) of the cost of a sidewalk project on 3500 South at 7800 West in Magna**

Ms. Hulbert reported having been contacted by the Utah Department of Transportation (UDOT) concerning a sidewalk located in Magna. The MSD and the Magna Metro Township have been presented an opportunity to partner with UDOT on a sidewalk located North of 3500 South on 7800 West. UDOT is requesting a 10% contribution, or approximately \$25,000. Ms. Hulbert recommended that the MSD work with UDOT on this project. Noting that UDOT is responsible for 90% of the cost, Bart Barker inquired concerning who would be responsible if actual costs exceed the cost estimate. Ms. Hulbert and Mr. Barker agreed to look into that question.

**8. Consideration of a budget adjustment to purchase land for corridor preservation at 12600 South and approximately 7200 West, using \$1,043,062 from Corridor Preservation Funds**

Madeline Francisco-Galang reviewed this agenda item in detail. In addition to the money being requested from the MSD, the developer is contributing land for the right-of-way. Mr. Barker noted that, once a road is constructed through the right-of-way, it will connect to U-111. In response to a question from Chair Smolka, Ms. Francisco-Galang explained that there have been discussions about a Trax route being operational by the year 2050, but the location has not been finalized. At the end of the discussion, it was moved by Trustee Clayton and seconded by Trustee Flint as follows:

**That the recommended \$1,043,062 Budget adjustment, for the purchase of land located at 12600 South and approximately 7200 West for corridor preservation, be approved.**

The motion carried with Trustees Smolka, Flint, Bush, Peay and Clayton each voting “aye”.

**9. Consideration of an agreement with UDOT to receive \$100,000 in funding for the 5600 West project in Kearns**

Ms. Francisco-Galang presented an agreement with the Utah Department of Transportation (UDOT) pursuant to which the MSD will receive \$100,000 in funding for the 5600 West project in Kearns. The Kearns Metro Township has already contributed \$300,000 toward the project. In response to a question from Trustee Flint, Trustee Bush confirmed that the Budget adjustment would allay her concerns about this project. It was moved by Trustee Flint and seconded by Trustee Clayton as follows:

**That the Agreement with UDOT pursuant to which the MSD will receive \$100,000 in funding for the 5600 West project in Kearns be approved.**

The motion carried with Trustees Smolka, Flint, Bush, Peay and Clayton each voting “aye”.

## **10. Consideration of a letter to Salt Lake County regarding County overhead charges for service contracts**

Mr. Barker discussed a letter addressed to County Mayor Jenny Wilson and County Council Chair Richard Snelgrove regarding the municipalities that contract with Salt Lake County Public Works, and shared a draft of the letter with the Trustees. One concern addressed in the letter relates to the nature of the County's indirect overhead costs that are billed to municipalities (and the MSD) that contract to receive services from the County. Indirect cost numbers are not available until June of the following year. The costs could be between 6 and 18 months old before they are presented to the contracting parties for payment. Mr. Barker would like indirect charges to either be eliminated or be set up on a more current basis. As the MSD takes over more services previously provided by the County, many of these charges should disappear. Mr. Barker will update the letter, after which it will be delivered to the Metro Township Mayors for their signatures.

It was moved by Trustee Flint and seconded by Trustee Bush as follows:

**That a letter be sent to County Mayor Wilson and County Council Chair Snelgrove respecting the County's overhead charges, as discussed by the Board.**

The motion carried with Trustees Smolka, Flint, Bush, Peay and Clayton each voting "aye".

## **11. Legislative Update**

Mark Anderson, who serves as General Counsel for the Utah Association of Special Districts in addition to representing the MSD, provided a detailed review of Bills being considered by the Utah Legislature covering subjects such as affordable housing, withdrawal from the MSD, and Metro Township clean-up statutory language.

## **12. Consideration of an agreement with American Express to accept credit cards**

Cathy Jensen reported that the Planning and Development Department, under a state contract, may now accept American Express card payments. It was moved by Trustee Flint and seconded by Trustee Peay as follows:

**That payments via the use of American Express cards be approved, subject to there being no conflicts.**

The motion carried with Trustees Smolka, Flint, Bush, Peay and Clayton each voting "aye".

## **13. Consideration of an agreement with Xpress Bill Pay for Gateway and Administrative Services**

Following a brief discussion lead by Cathy Jensen, it was moved by Trustee Flint and seconded by Trustee Peay as follows:

**That the Agreement with Xpress Bill Pay for Gateway and Administrative Services be approved as presented.**

The motion carried with Trustees Smolka, Flint, Bush, Peay and Clayton each voting "aye".

#### **14. Consideration of a Merchant Application and Agreement with Chase Paymentech**

Following an explanation by Cathy Jensen, it was moved by Trustee Flint and seconded by Trustee Peay as follows:

**That the Merchant Application and Agreement with Chase Paymentech be approved as presented.**

The motion carried with Trustees Smolka, Flint, Bush, Peay and Clayton each voting “aye”.

#### **15. Other Metro Township, Unincorporated County Community Councils and Greater Salt Lake Municipal Services District business**

Trustee Flint stated that residents in unincorporated portions of Salt Lake County feel left out because they are not acknowledged on the MSD website. Ms. McClenning responded that an effort is underway to obtain information from Ron Faerber concerning unincorporated community councils.

Ina Oviatt addressed the Trustees regarding individual Metro Township municipal code websites. Mrs. Oviatt is being trained by Kimball Clark to handle ordinances and resolutions for the Metro Townships. She suggested that the Metro Township attorneys should look at the Salt Lake County Code of Ordinances, which continue to apply to the Metro Townships until the Ordinances are modified and/or replaced by individual Metro Townships, and suggested that the Ordinances be cleaned up-through inserting the name of the subject Metro Township and incorporating changes desired by the Metro Township Council. Apparently, Metro Township attorneys have been under the impression that the Salt Lake County Code would be uploaded and go live, after which changes would be made by each individual Metro Township. Mrs. Oviatt agreed to follow up with Kimball Clark and determine where the communication breakdown occurred.

#### **16. Adjourn**

After a motion to adjourn was made by Trustee Clayton and seconded by Trustee Peay, Chair Smolka declared the meeting to be adjourned.

Approved by the Board of Trustees on the 22<sup>nd</sup> day of January, 2020.

---

Joe Smolka, Chair

ATTEST:

---

\_\_\_\_\_, General Manager