



G R E A T E R S A L T L A K E
**Municipal Services
District**

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

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

May 31, 2019 at 9:00 a. m.
2001 South State Street #N2-800
Salt Lake City, UT 84190

Trustees Present:

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

Staff Present:

Bart Barker, General Manager
Cathy Jensen, Chief Financial Officer
Mark Anderson, Legal Counsel
Ina Oviatt, Office Manager
Lupita McClenning, Director of Planning & Development Services

Others Present¹:

Paul Ashton, Legal Counsel for White City and Magna Metro Townships
Greg Shultz, Municipal Administrator for Magna & White City Metro Townships
Scott Baird, Salt Lake County Public Works Department Director
Madeline Francisco-Galang, Salt Lake County Transportation Engineering Manager
Greg Baptist, Salt Lake County Planning & Development
Brittany Allen, Salt Lake County Planning & Development
Glenn Hammer, Salt Lake County Planning & Development

1. Call to Order

Chair Smolka called the meeting to order.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

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

3. Public Comments

Glenn Hammer updated the Trustees on credit card and other systems that will be an asset to the MSD going forward.

4. **Consideration of Resolution 2019-05-01 authorizing an interlocal agreement with Salt Lake County for the transfer of up to \$4 Million of County Transportation Funds to the MSD to reimburse the District for certain costs incurred for realignment and construction of U-111/Bacchus Highway between South Jordan Parkway/11000 South and 13100 South**

Following a brief discussion, it was moved by Trustee Bush and seconded by Trustee Clayton as follows:

That Resolution 2019-05-01 be adopted, thereby approving an Interlocal Agreement with Salt Lake County dealing with the transfer of County transportation funds to the MSD.

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

5. **Consideration of MSD employee benefits and other matters related to the transition of Planning and Development Services to the MSD**

In recognition of the plan for County employees to transition to the MSD mid-year, and to make the transition equitable to the employees, Bart Barker recommended that the MSD reimburse the employees the dollar amounts that they each pay toward medical insurance deductibles in 2019 while employed by the County. Scott Baird, Director of the County Public Works Department, reviewed County planning and zoning employees’ requests, which were covered in a handout prepared by Assistant County Mayor Catherine Kanter.

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

That prescription benefits for MSD employees be approved as recommended.

The motion carried with Trustees Smolka, Flint, Bush, Peay, Clayton and Burdick each voting “aye”. It was noted that Health Savings Account/Flexible Spending (HSA/FSA) Account coverage was previously approved by the Board.

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

That the star high deductible premium applicable to employee health insurance will be paid by the MSD.

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

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

That sick leave accrual limits be approved as stated in the MSD Committee Matrix.

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

Bart Barker stated that, when Personnel Policies are prepared for the MSD, seniority will be considered in the RIF (reduction in force) process. Trustee Clayton suggested that experience should also be reflected in seniority considerations.

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

That autism health insurance coverage be provided to MSD employees, with 80/20 coverage.

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

Trustee Clayton declared that there should be some verification and due diligence on the MSD 's part relative to the work experience of employment candidates and asked how work experience will be verified. Mr. Barker responded that work experience verification will be addressed in the Personnel Policies. Mark Anderson stated that the state Legislature has adopted a merit policy that is applicable to local districts in Utah. He noted that the probationary period can be used to evaluate the experience and capabilities of new employees. There may need to be more discussion on what happens after an employee's probationary period ends.

Trustees Clayton and Flint shared the view that 80 hours, as a beginning balance for sick leave, is generous. Trustee Flint added that the MSD cannot adopt the County's policies. During the discussion, a consensus developed favoring a 100 hour beginning sick leave balance for employees. It was moved by Trustee Flint and seconded by Trustee Peay as follows:

That newly hired MSD employees will be allowed up to 100 hours of sick leave accrual.

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

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

That sick leave accrue for MSD employees at the rate of 8 hours per pay period, 96 hours per year.

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

It was noted that Salt Lake County employees are requesting that seniority with the County be considered in establishing the beginning balance of vacation time for former County employees who are hired by the MSD. Mark Anderson pointed out that an issue might arise if other new employees are treated differently from County employees who are hired by the MSD. Cathy Jensen suggested that County employees could take unpaid leave without being

harmed since their unused vacation time with the County will be paid out in cash. Mr. Anderson advised against adopting a policy that could be an administrative headache. One way to address this situation would be to establish a liberal unpaid leave policy that is applicable to all MSD employees.

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

That the beginning vacation balance for MSD employees be 80 hours upon being hired.

The motion failed, based on weighted voting, with Trustees Smolka, Flint, Peay and Clayton voting “aye” and Trustees Burdick and Bush voting “nay”. Trustee Clayton asked that this item be tabled so that Cathy Jensen can put cost figures together. He noted that dollars per hour does not reflect all of the benefits employees receive, and employees can lose sight of other job-related benefits. It was determined that further consideration of employee vacation benefits would be tabled until the next Board meeting.

Short term disability benefits have already been approved by the Board. An RFP may be issued to select the insurance company that will provide coverage. Trustee Clayton said that the typical industry standard is for short term disability benefits to equal 60% of salary. He suggested the use of a State contract, as oppose to issuing an RFP, to acquire short term disability insurance coverage for the District’s employees.

Mr. Barker reported that the County is in negotiations with the MSD regarding other post-employment benefits (OPEB). The County is trying to determine whether and to what degree money will be paid to employees who are terminated by the County due to a reduction in force who are not hired by the MSD. Mr. Anderson stated that he is waiting to see what is included in the County’s OPEB plan. Hopefully, if the County will cooperate, an approach can be put together that will not impose liability upon the MSD.

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

That the first five County employees who move over to MSD employment will have 100 hours of vacation leave, with the understanding that the amount of vacation leave available to all employees will be revisited by the Board by August 31st, before the group of planning and zoning employees are hired by the MSD.

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

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

That Bart Barker be authorized to work with Chara Ellis to prepare a work agreement.

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

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

That the MSD Employee Benefits Matrix be adopted as presented and discussed, with the understanding that it will be revisited by August 31st when the first group of County employees move over to MSD employment.

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

Mr. Barker stated that providing the equivalent of 90 days compensation to County planning and zoning employees who are RIFed by the County but not hired by the MSD will give those individuals time to look for other employment. The 90 days would begin to run when the MSD declines to hire the individual. It was moved by Trustee Flint and seconded by Trustee Bush as follows:

That RIFed County planning and zoning employees who are not hired by the MSD receive the equivalent of 90 days compensation.

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

It was proposed that new MSD employees who have paid their out of pocket insurance deductible by the time they leave County employment and are hired by the MSD be reimbursed that amount of money. Trustee Clayton stated that we should first verify the correct dollar amount that has been paid out of pocket by each employee.

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

That the MSD reimburse out of pocket health insurance deductible amounts incurred and paid in the current year by County planning and zoning employees who are hired by the MSD.

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

Mr. Barker noted that the County is considering allowing the MSD to use County day care facilities. Trustee Flint requested more information about the stipend that would be offered to MSD employees and more details regarding day care benefits by the next Board meeting. The Board previously approved van pool and transit passes for MSD employees. The Utah Transit Authority will be contacted to discuss options. Use of the County employee fitness center by MSD employees is also being considered by the County.

Lupita McClenning discussed Employers Council training that she and Cathy Jensen attended. The Employers Council is proposing the Total Rewards Program to the MSD, which includes compensation, benefits, business strategy total rewards philosophy, development career opportunities, performance, work-life, and recognition. It could be part of the MSD’s Total Rewards Philosophy to inform, consult with, involve, collaborate with and empower employees. The Trustees expressed their approval of the philosophy.

6. Consideration of the schedule and format of future MSD Board Meetings

Bart Barker asked the Trustees how they would like Board meetings to be conducted. Chair Smolka stated that he prefers having two meetings per month because, if only one meeting is held, it will be unduly long. Trustee Flint suggested having Board meetings on the second

and the last Wednesday of each month. Trustee Clayton suggested allotting time to each agenda topic. Trustee Flint expressed concern about the excessive use of amended agendas and recommended that there be a cutoff date and time for items to be added to an agenda. Mr. Barker stated that using the MSD agenda request form will force submitters to plan their time better. He asked the Trustees to vote on the suggested change to two meetings per month. It was moved by Trustee Peay and seconded by Trustee Clayton as follows:

That, starting in June, two Board meetings will be scheduled each month, implementing the use of a formal agenda request form with estimated times for each agenda item.

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

7. Adjourn

Following a motion to adjourn made by Trustee Flint, Chair Smolka declared the Board meeting to be adjourned.

Approved by the Board of Trustees on the 22nd day of January 2020.

Joe Smolka, Chair

ATTEST:

_____, General Manager

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