

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

**MINUTES OF THE  
BOARD OF TRUSTEES MEETING**

Wednesday May 8, 2019 6:00 p.m.  
2001 South State Street #N1-100 Council Chambers  
Salt Lake City, Utah

Trustees Present:

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

Trustee Excused:

Max Burdick

Others Present:<sup>1</sup>

Bart Barker, MSD General Manager  
Cathy Jensen, MSD Chief Financial Officer  
Mark Anderson, MSD Legal Counsel  
Ina Oviatt, MSD Office Manager  
Lupita McClenning, Division Director—Planning and Development Services  
Greg Schultz, Municipal Administrator for Magna and White City Metro Townships  
Paul Ashton, Legal Counsel for Magna and White City Metro Townships  
Greg Baptist, Salt Lake County Storm Water Supervisor  
Crystal Hulbert, Salt Lake County Public Works Engineering  
Madeline Francisco-Galang, Salt Lake County Public Works Engineering  
Greg Schiffman, Vice Chair of the Granite Community Council  
Mikala Jordan  
Daniel Quintanilla

**1. Call to order—Joe Smolka**

Joe Smolka, Chair, called the meeting to order.

**2. Pledge of Allegiance**

The Pledge of Allegiance was recited.

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

### **3. Public Comments**

Greg Schiffman, Vice Chair of the Granite Community Council, addressed the Board regarding transportation issues. The Central Wasatch Commission (CWC) is working with UDOT to solve problems. Mr. Schiffman asked if someone from the MSD could attend the CWC meeting on May 15, 2019 at 5:00 p.m. Trustee Flint added that this will affect all of the unincorporated areas' transportation dollars, which could be used for purposes that would not benefit the unincorporated communities. Mr. Schiffman explained that the land use authority and the Mountainous Planning District are tied-in with the CWC. Bart Barker stated that Class B and C road funds constitute 25% of state gas tax funds, which has been the case for perhaps 40 years. Mr. Barker will watch this issue vigilantly.

### **4. Consideration of minutes for April 5, 2019, Work Meeting**

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

**That the April 5, 2019 MSD Board meeting minutes be approved as presented.**

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

### **5. Consideration of recommended amendments to Metro Townships' land use ordinances and policies to update development standards and to provide GIS requirements**

Crystal Hulbert explained that she is requesting that the Metro Township and County land use ordinances be amended to require developers to share their GIS data with Public Works Engineering. Trustee Flint added that Ms. Hulbert will email the subject ordinances to the respective Metro Townships to be voted on by each Metro Township Council.

### **6. Consideration of proposed storm water fee billing agreement between Rocky Mountain Power and the MSD**

Crystal Hulbert explained that this agenda item deals with an Agreement between Rocky Mountain Power (RMP) and the MSD regarding storm water fees. RMP will collect storm water fees for the MSD. Mark Anderson suggested that each Metro Township should have an agreement with RMP specifically for storm water fees. Trustee Clayton asked how many RMP customers will be involved. Ms. Hulbert responded that it would apply to 20,000 plus accounts. Mr. Barker said that this will be put in motion by first holding five open houses and educating the public about how their neighborhoods will be affected. The MSD will then hold public hearings to listen to the citizens' opinions.

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

**That the Agreement with Rocky Mountain Power regarding storm water fee collections be approved as presented.**

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



**7. Consideration of proposed storm water fee public outreach and timeline**

Crystal Hulbert explained that there will be five open houses before the public hearing and that she will send notices about the proposed storm water fee to all of the residents. A consultant will draft the notices. The MSD did not budget for that many open houses, so Ms. Hulbert will check her budget. Trustee Flint asked Ms. Hulbert to provide the notice to the MSD for approval. She also suggested that the open house facilities be booked before the notice goes out.

**8. Consideration of proposed UDOT Federal Aid Agreement for Magna Bridge Replacements**

Crystal Hulbert discussed a Federal Aid Agreement with the Utah Department of Transportation (UDOT) for Magna Metro Township bridge replacements and Mark Anderson suggested edits to the Agreement.

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

**That the UDOT Federal Aid Agreement for the Magna Bridge Replacements, updated with changes suggested by Mr. Anderson, be approved.**

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

**9. Consideration of proposed UDOT Federal Aid Agreement for Kearns Bicycle Route Signing Wayfinding**

Madeline Francisco Galang explained that the MSD has received an \$80,000 grant from the Wasatch Front Regional Council (WFRC) to be used for bike routing within the Kearns Metro Township and for other local roads and trails.

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

**That the UDOT Federal Aid Agreement for the Kearns bicycle route be approved.**

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

**10. Consideration of proposed budget adjustments and interlocal agreement with Salt Lake County for Sandy Canal Trail safety improvement to 10600 South, Kearns Loadstone Project and Sego Lily Drive 700 East-1300 East**

Mark Anderson stated that the item on the agenda appears to be misstated. The Agreement is between the Utah Department of Transportation (UDOT) and the MSD.

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

**That the recommended budget adjustment, and the Agreement with UDOT for the Sandy Canal Trail safety improvement to 10600 South, Kearns Loadstone Project and Sego Lily Drive 700 East-1300 East, be approved.**

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

**11. Consideration of proposed Cooperative Landscape Maintenance Agreement with UDOT for improvements on 5600 West, between 4700 South and 5415 South, in Kearns**

Trustee Clayton requested that this agenda item be tabled until the next MSD Board meeting when the estimated cost of this project is available. It was moved by Trustee Clayton and seconded by Trustee Bush as follows:

**That this agenda item be tabled until the next Board meeting when an estimated cost of this project is available.**

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

**12. Consideration of proposed UDOT Federal Aid Agreement and budget adjustments for Northwest Avenue sidewalk (on east side) between 5415 South to 5570 South in Kearns**

After discussing the agenda item and receiving information from Madeline Francisco-Galang, it was moved by Trustee Clayton and seconded by Trustee Bush as follows:

**That the UDOT Federal Aid Agreement and budget adjustments for the Northwest Avenue sidewalk (on the east side) between 5415 South to 5570 South in Kearns be approved.**

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

**13. Consideration of proposed cooperative agreement with UDOT and proposed budget adjustment for TAP funds for 8600 South between 1530 East to 1676 East in Sandy Hills**

After a discussion of this agenda item and considering information provided by Madeline Francisco-Galang, it was moved by Trustee Flint and seconded by Trustee Clayton as follows:

**That the Cooperative Agreement with UDOT and the proposed budget adjustment for TAP funds for 8600 South between 1530 East to 1676 East in Sandy Hills be approved.**

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

**14. Consideration of proposed budget adjustments to facilitate the mill and overlay project in Emigration Canyon**

After receiving information from Crystal Hulbert and discussing this agenda item, it was moved by Trustee Clayton and seconded by Trustee Peay as follows:



**That budget adjustments to facilitate the mill and overlay project in Emigration Canyon be approved.**

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

**15. Consideration of proposed budget adjustments to facilitate a sidewalk project on 2600 South between 8800 West and 9180 West in Magna**

After considering information provided by Crystal Hulbert and discussing this agenda item, it was moved by Trustee Peay and seconded by Trustee Bush as follows:

**That budget adjustments needed to facilitate a sidewalk project on 2600 South between 8800 West and 9180 West in Magna be approved.**

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

**16. Consideration of proposed budget adjustments to close out various capital projects**

Crystal Hulbert reviewed a list of completed/cancelled capital projects to be closed out. Trustee Clayton asked about the Millcreek project and was told that the County entered into the agreement before the MSD was formed.

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

**That the budget adjustments that will close out various capital projects be approved as recommended.**

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

**17. Consideration of proposed budget adjustment to accurately reflect Public Works Engineering services to be billed to Planning and Development**

Crystal Hulbert explained that the proposed budget adjustment is based on Engineering Department bills addressed to the Planning Department for the services. Mark Anderson clarified that the Board can move money around in the budget but, if the Board wants to increase the dollar amount of the overall budget, a public hearing may be necessary.

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

**That the recommended budget adjustment, to accurately reflect Public Works Engineering services billed to Planning and Development, be approved.**

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

**18. Consideration of a proposed Wasatch Front Regional Council Letter of Concurrence and Match Agreement with the Magna Metro Township Council and the MSD for a general plan**

Lupita McClenning explained that the MSD applied for five Letters of Concurrence for general plans, but only Magna Metro Township's application was approved.

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

**That the expenditure of \$20,000.00 be approved for the Match Agreement with the Magna Metro Township Council and the MSD for the generation of a general plan.**

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

**19. Consideration of a proposed agreement with Utah Retirement Systems for a Public Employee Long-term Disability Program**

After discussing information provided by Cathy Jensen, it was moved by Trustee Clayton and seconded by Trustee Bush as follows:

**That the Agreement with Utah Retirement Systems for a Long-Term Disability Program be approved.**

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

**20. Consideration of recommendations from the benefit evaluation committee regarding various additional employee benefits**

Cathy Jensen presented the plan document for limited flex spending, which is a part of the HSA/FSA.

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

**That the recommendations from the Benefit Evaluation Committee regarding additional employee benefits be accepted and approved.**

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

**21. Consideration of a request for the MSD's land use counsel to assist with Metro Township code enforcement actions**

Bart Barker explained that the Kearns Metro Township and the Magna Metro Township have active code enforcement cases that need quick action. The District Attorney's office has chosen not to provide those services. Mr. Barker suggested using Nathan Bracken's firm to provide code enforcement legal services under its existing contract with the MSD.

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

**That Bart Baker be directed to negotiate with Nathan Bracken of the Smith Hartvigsen law firm to handle code enforcement actions for the MSD for the benefit of the Metro Townships.**

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

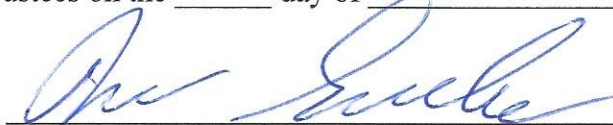
**22. Other Metro Township, Unincorporated County Community Councils and Greater Salt Lake Municipal Services District business**

Trustee Flint discussed the Board meeting format. She suggested having a staff meeting in addition to the Board meeting. Trustee Clayton noted that he enjoys having staff attend Board meetings. He stated that we need to be able to demand that people generally get their agenda items in at least one week before Board meetings.

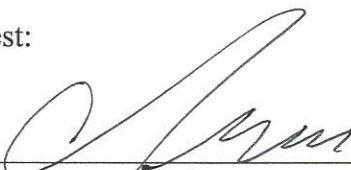
**23. Adjourn**

A motion to adjourn the meeting made by Trustee Flint carried, with Trustees Smolka, Flint, Burdick, Bush, Clayton, and Peay each voting "aye." The meeting was then declared to be adjourned by Chair Smolka.

Approved by the Board of Trustees on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

  
\_\_\_\_\_  
Joe Smolka, Chair

Attest:

  
\_\_\_\_\_  
Cathy Jensen, Clerk

