



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

**MEETING MINUTES  
BOARD OF TRUSTEES MEETING  
GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT  
Wednesday, August 26, 2020, 6:00 p.m.**

*Due to the COVID-19 pandemic, this meeting will be held electronically\*. To watch or listen, please see the information at the end of this agenda.*

Members of the Board of Trustees may participate electronically. Portions of meetings may be closed for reasons allowed by statute. Motions relating to any of the items listed below, including final action, may be taken.

**Trustees Present:**

Joe Smolka, Chair <sup>1</sup>  
Paulina Flint, Vice-Chair  
Max Burdick  
Kelly Bush  
Sean Clayton  
Dan Peay  
Keith Zuspan

**Trustees Excused:**

**Staff Present:**

Bart Barker, MSD General Manager (GM)  
Brian Hartsell, MSD Associate General Manager (AGM)  
Marla Howard, MSD Chief Financial Officer (CFO)  
Lupita McClenning, MSD Director of Planning and Development Services  
Izabela Miller, MSD Operations Officer  
Ina Oviatt, MSD Records Officer  
Mark Anderson, MSD Legal Counsel (LC)  
Kade Moncur, Salt Lake County Director of Engineering and Flood Control  
Crystal Hulbert, Salt Lake County Public Works Engineering  
Madeline Francisco-Galang, Salt Lake County Public Works Engineering  
Kevyn Smeltzer, Salt Lake County Director of Public Works  
Bob Thompson, Salt Lake County Watershed Manager  
Corey Bullock, Salt Lake County Parks Maintenance  
Joselyn Romero, Salt Lake County Community Outreach Specialist

**Others Present:**

Paul Ashton, Magna Metro and White City Legal Counsel

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<sup>1</sup> All participants listed above joined the meeting electronically. Other individuals may have been present or via Zoom, who were not specifically recognized by the Chair.

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**Trustees**

**Joe Smolka   Paulina Flint   Max Burdick   Kelly Bush   Sean Clayton   Dan Peay   Keith Zuspan**  
**Chair   Vice Chair**

**1. Call to Order** - Joe Smolka, Chair

Chairman Smolka called the meeting to order at 6:00 pm.

**2. Pledge of Allegiance**

The Pledge of Allegiance was not recited.

**3. Statement of Board Chair concerning the temporary conduct of electronic meeting of the board consistent with the Utah Open and Public Meetings Act**

Chair Smolka did not read the provision concerning the conduct of electronic meeting consistent with the Utah Open and Public Meeting Act since he was at the host site.

**4. Public Comments** (up to 3 minutes each)

No public comments were read into the minutes.

**5. Approval of Meeting Minutes**

There were no comments on the minutes.

**Trustee Clayton moved to approve the minutes for the July 29, 2020 meeting; July 31, 2020 meeting; and August 12, 2020 meeting and seconded by Trustee Peay. Chair Smolka, Trustees Burdick, Bush, Clayton, Flint, Peay and Zuspan voted “aye”. The voting was unanimous.**

**6. Consideration of a 2020 Greater Salt Lake Municipal Services District Stormwater Management Plan**

Bob Thompson did not attend the meeting. The GM stated that this has been presented before and that it is due tonight and each Trustee needs to sign it. Ina Oviatt will send the documents for signature via Docusign. A copy will be delivered to each trustee.

**Trustee Peay moved to approve the Greater Salt Lake Municipal Services District Stormwater Management Plan. Trustee Flint seconded the motion and Chair Smolka, Trustees Burdick, Bush, Clayton, Flint, Peay and Zuspan voted “aye” and the motion passed unanimously.**

**7. Consideration of an agreement with HW Lochner, Inc. for construction engineering management on the Northwest Avenue Sidewalk project, 5415 S to 5570 S**

Madeline Francisco-Galang described the agreement, what it covers and the price for services. Mark Anderson reviewed the contract and has no comments.

**Trustee Flint moved to approve the agreement with HW Lochner, Inc for construction engineering management on the Northwest Avenue Sidewalk project at 5415 S to 5570 S. Trustee Clayton seconded the motion and Chair**

**Smolka, Trustees Burdick, Bush, Clayton, Flint, Peay and Zusan voted “aye” and the motion passed unanimously.**

**8. Consideration of Federal Aid Agreement Modification #1 for the Northwest Avenue project, pursuant to a July 22, 2020 MSD budget adjustment**

Madeline Francisco-Galang described the agreement, that it covers the budget adjustment and the price for services. Mark Anderson has reviewed the contract and has no comments or questions.

**Trustee Peay moved to approve the Federal Aid Agreement Modification #1 for the Northwest Avenue project, pursuant to a July 22, 2020 MSD budget adjustment. Trustee Flint seconded the motion and Chair Smolka, Trustees Burdick, Bush, Clayton, Flint, Peay and Zusan voted “aye” and the motion passed unanimously.**

**9. Consideration of an agreement with CRS Consulting Engineers for construction engineering management on the Northwest Avenue Sidewalk project, 5415 S to 5570 S.**

Madeline Francisco-Galang described the purpose of the agreement and the price. Mark Anderson commented that it is the standard UDOT agreement and he has no comments.

**Trustee Flint moved to approve the agreement with HW Lochner, Inc for construction engineering management on the Northwest Avenue Sidewalk project at 5415 S to 5570 S. Trustee Peay seconded the motion and Chair Smolka, Trustees Burdick, Bush, Clayton, Flint, Peay and Zusan voted “aye” and the motion passed unanimously.**

**10. Consideration of a one-time exception to the vacation carryover policy**

Bart Barker described the vacation policy and presented a request to allow the payout of vacation over the allowed 200 carryover hours. Due to COVID-19, employees aren't taking their planned vacations, many of which were cancelled due to travel restrictions. After research with national and local organizations, MSD is asking for a one-time exception to payout vacation time over 200 hours because the issues of rolling over excess time and the impact on workflow in 2021 of more than regular vacation is taken.

Payout is over 200 hours for only those employees who have taken at least 40 hours of vacation. The maximum cost would be about \$45,000 but could be less as additional hours are taken between now and December. The recommendation is that the payout occur before the end of the year on about December 18. It will be based upon vacation taken by the 12<sup>th</sup> of December. Trustee Clayton was concerned about seasoned employees not taking enough vacation with the 40 hours. He is asking for 60 hours. Brooke Barnes stated that the reasoning is because it is so late in the year it would be a staffing issue to have eligible employees taking vacation over the next two months. One of the considerations was that individuals have isolated while

working at home therefore, employees haven't taken vacation like they normally do. Barnes stated the reasoning behind the recommendation. Bart Barker stated that productivity hasn't suffered during the emergency.

**Trustee Bush moved to approve the one-time exception to the vacation carryover policy. Trustee Peay seconded the motion and Chair Smolka, Trustees Burdick, Bush, Flint, Peay and Zuspan voted "aye". Trustee Clayton voted "nay". The motion passed. Trustee Clayton expressed his disappointment that management waited so long to get this handled.**

Brian Hartsell explained that the pandemic impact on the organization was evolving and was constantly changing and there was also optimism that conditions would improve but admittedly an earlier decision would have been optimal.

## **11. Update on 2021 MSD budget**

The CFO shared the current summary and individual metro budgets. Trustee Bush questioned the amounts that is being budgeted for planning services. Year to Date is \$256,000. We need to find out what is in the revenue. It higher than prior years which could be due to coding differences between CFOs. Paul Ashton commented that there is a lot of work being done in Magna.

Bart Barker commented that the Board will be able to comment on capital projects on Friday and next week. The Board reviewed the individual Townships' budgets. Paul Ashton spoke to the excess and keeping it in the fund balance.

The Board asked that the UFA amounts for technical services be broken out in a separate account. Trustee Flint commented that White City's county support services has doubled and the amount for county support services was reviewed.

Trustee Flint pointed out that Unincorporated gets the franchise fees, but White City no longer does. The GM stated that the amounts are Comcast fees and that when the Townships incorporated, Comcast wouldn't negotiate with the metros. The GM explained that the unincorporated is collecting the fees and it should be allocated to each Township. The GM suggested that each Township needs to negotiate their own contract with Comcast.

The GM spoke about the 4700 project and the source of funding to date and that the affected Townships need to fund the difference of about \$5.5 million. The word is that we will need to pay this amount in 2021. On Friday this project and funding requirements will be discussed. A large part of this will have to come from MSD fund balance. This project started in 2013 with an environmental review. Madeline Francisco-Galang spoke about the design process and the cost. The major part of the cost is the paving. Originally it was thought there could be an overlay but the technical requirements stipulate a reconstruction. The GM stated that we want an outstanding road and that we don't want to shortchange the project. Salt Lake County Preservation funding may be available. She confirmed that reconstruction and doing the entire project now is safer and won't drag the project out. It costs to remobilize a second time. Mayor Flint asked how much is within our area. Francisco-Galang stated that about 70% is within our boundaries. Trustee Bush stated that there was a grant of about \$15 million and it affects a lot of other projects. West Valley is paying the entire cost to bury their power lines. Chair Smolka asked if there are any excess funds available. Francisco-Galang stated that she didn't think there was much but will check on the balance.

Trustee Flint asked about revenue bonds and wants to avoid having to raise taxes in the future. She stated that paying a bond may be a better way to fund these projects and other projects. The GM explained that it is a process. Trustee Flint believes that it is a way to get projects done that go over several years. She is concerned that future projects may be forgone due to lack of funding. The GM review possible projects that could be wrapped into a bond. Trustee Flint doesn't want strap the MSD and dip into reserves to do this project and asked that the MSD look into a revenue bond. The GM stated that this is the highest priority project. The Board directed the GM, Francisco-Galang and Howard to strategize funding.

The GM reviewed the budget calendar and reminded the Board of the schedule. He stated that the proposed budget will be available a week before the first meeting in October.

Howard reviewed the status of the audit.

**12. General Manager report**

The GM had no report.

**13. Other Metro Township, Town, Unincorporated County, and Greater Salt Lake Municipal Services District business**

Trustee Flint spoke about the League of City and Towns and a presentation on franchise tax. The situation with Comcast needs to be addressed since Comcast can't come in a dig up a road and that there is a cost of business and this needs to get done.

The AGM wanted to inform the Board that Brooke Barnes achieved her SHRM designation. The Board congratulated Barnes on this accomplishment and noted her mask creation skills.

**14. Discussion of future agenda items (5 minutes)**

The GM shared that the budget will be on the agenda for the next few meetings.

**15. Adjourn** Trustee Flint moved to adjourn.

Meeting adjourned at 7:22 pm

**APPROVED:**

DocuSigned by:  
*Joe Smolka*  
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Joe Smolka, Chair

**ATTEST:**

DocuSigned by:  
*Marla Howard*  
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Marla Howard, Clerk