



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, **June 9, 2021**, 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 ¹
Kelly Bush
Sean Clayton
Dan Peay
Laurie Stringham
Keith Zuspan

Trustees Excused:

Staff Present:

Bart Barker, MSD General Manager
Brian Hartsell, MSD Associate General Manager
Marla Howard, MSD Chief Financial Officer and Records Officer
Brooke Barnes, MSD Manager of Human Resources
Lupita McClenning, MSD Director of Planning and Development Services
Izabela Miller, MSD Operations Officer
Maridene Alexander, MSD Communications Manager
Mark Anderson, MSD Legal Counsel
Todd Andersen, Salt Lake County Regional Transportation, Housing & Economic Development
Crystal Hulbert, Salt Lake County Public Works Engineering
Kevyn Smeltzer, Salt Lake County Director of Public Works
Corey Bullock, Salt Lake County Parks Maintenance
Lisa Hartman, Salt Lake County Associate Deputy Mayor
Kade Moncur, Salt Lake County Division Director
Scott Baird, Salt Lake County Public Works Director
Abby Evans, Salt Lake County Senior Policy Advisor

Others Present:

¹ 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.

Trustees

Joe Smolka Paulina Flint Kelly Bush Sean Clayton Dan Peay Laurie Stringham Keith Zuspan
Chair Vice Chair

Paul Ashton, Magna Metro and White City Legal Counsel
Tori Andreason, White City Metro Administrator
Greg Schultz, Magna Metro Administrator
Nancy Carlson-Gotts
Gary Bowen

1. Call to Order - Joe Smolka, Chair

Chair Smolka called the meeting to order at 6:01 pm. He welcomed those who are physically present at the meeting.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Public Comments (up to 3 minutes each)

There were no public comments read into the minutes. Two members of the public were present to address the Board of Trustees. Scott Baird from Salt Lake County Public Works spoke briefly about the press event that was held about DTS and their road assessment project funded by the MSD and why Maridene Alexander, MSD Communications Manager hadn't been directly involved in managing the press conference. He explained that there is a new public relations employee that was unaware of the relationship with the MSD. The County did not want to diminish the role of the MSD in the project. They were in good faith, trying to share the new service to the public. They should have had Maridene Alexander involved. They highlighted the MSD's role in the project during Kevyn Smeltzer's interview. Kevyn Smeltzer shared that they will highlight each of the metro townships as the truck is going through their areas while conducting the assessments. He asked for a comment that can be shared on social media. Bart Barker stated that it was publicized that the MSD funded the project. He indicated that in all future events involving the MSD will be managed by the MSD.

Trustee Flint spoke about her frustration regarding the event and asked that all members of the Board of Trustee be invited to other future events. Each respective Mayor or Board representative will have the opportunity to inspect and ride in the surveying van. Trustee Bush stated that this oversight was unfortunate but due to the inexperience of a new employee. She reminded that apologies have been made and we need to move on. Chair Smolka stated that he had received apologies from Public Works and from the Mayor's office.

4. Board Member Training

Mark Anderson stated that he wanted to discuss how to handle requests from prospective employers on behalf of former employees. He and Brooke Barnes are hard liners and recommend that only the job title, job description, employment term and salary be disclosed to preserve liability protection. Brooke Barnes said that personal letters of recommendation may be given if not on MSD letterhead and not as an employee of the MSD but as private individuals. Mark Anderson stated that Brian Hartsell had a different recommendation. Trustee Flint stated that recommendations are a function of the human resource function, but not from the governing body. Mark Anderson stated that there is a proposed ethics policy that applies which will be reviewed by the Board of Trustees at a future date. He read

from the proposed code of ethics. He also referred to a local city policy regarding employee/staff interactions. He reviewed the role of the Board and the power in the Board as a body and not as individual trustees. Trustee Flint asked for a copy for use by the individual Metro Townships. She reinforced that the MSD are not administrators for the Members but are service providers and the perception needs to be worked on to correct the current perception. She stated that the news media needs to know the truth about the structure and the system. She recommended looking at the inter-local agreement to update it for the relationship with Salt Lake County.

Mark Anderson also mentioned that items discussed in a closed session stay in the closed session and may not be discussed outside of the closed session.

Brian Hartsell stated that his position on providing personal references was clarified.

5. Updates on (a) EDA CARES Act Digital Infrastructure Study Grant and (b) Emergency Broadband Benefit (EBB) Program

Todd Andersen discussed the purpose and use of the EDA Cares Act Digital Infrastructure Study Grant. He shared a power point presentation with the Board. He summarized the key points of the grant. It is less than \$50,000 so a RFP will not be required. He is working with Marsha Hunt to find potential providers. They expanded the scope of work for the grant and shared the points. Trustee Flint stated that many of the communities are being approached by GoogleFiber as a provider. They will lay the fiber for the community and stated other communities are doing the same. She asked how this program works with fiber. Todd Anderson spoke about the consultant's approach to the analysis. Trustee Flint stated that if White City will be covered by GoogleFiber that she doesn't want to use the funding for this study.

Todd Anderson discussed the Emergency Broadband Benefit Program. This is a federal program from the FCC to help communities and families lower the cost of broadband service. He summarized the benefits of the plan and the eligibility requirements.

6. Consideration of a budget adjustment for the Pinecrest overlay in Emigration Canyon

Crystal Hulbert discussed the reason behind moving funds from the Killyons Canyon Overlay (EFCMC210013) which was from about ten years ago, to the Pinecrest Overlay project (EFCMC210014) which is slightly underfunded because of rising costs.

Trustee Flint moved to approve the budget adjustment of \$64,490 from the Killyons Canyon (EFCMC210013) to the Pinecrest Overlay project (EFCMC210014). Trustee Peay Seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Peay, Stringham and Zuspan all voted "aye".

7. Consideration of an agreement with UDOT for new sidewalk construction on Breeze Drive in Magna

Crystal Hulbert reviewed the purpose of the agreement with UDOT for new sidewalk construction on Breeze Drive in Magna with the MSD. She stated it is a "safe routes to school" grant that they've received. This is the agreement between UDOT and the MSD. Mark Anderson has read the agreement and stated that if the cost is greater than the

projected cost of \$318,000 then the cost is 100% on the MSD's back and the MSD won't get any additional funding. He asked Crystal Hulbert if she is comfortable with the cost, and she stated that the MSD's share will be greater. She stated that they asked for \$433,000. The MSD share will be their \$79,491 match plus an overmatch of \$115,626 overmatch for a total match of \$195,115. It will be designed this year and constructed next year. The overmatch, minus the \$50,000 being requested for this year as part of Agenda item 8, will be one of Magna's funding request for next year's budget. Mark Anderson asked if there will be utility relocation to which Crystal Hulbert stated "no". Bart Barker spoke about ongoing agreements with UDOT and that engineering has been careful in managing costs on MSD's projects. He stated that projecting costs is difficult during this time. Crystal Hulbert shared the process that they use to project the direction of building costs. She spoke in more detail about mid-year grants that are used for design work and that construction will be the following year.

Trustee Flint moved to approve the agreement with UDOT for new sidewalk construction on Breeze Drive in Magna. Trustee Peay Seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Peay, Stringham and Zuspan all voted "aye".

8. Consideration of a budget adjustment for new sidewalk construction on Breeze Drive in Magna

Crystal Hulbert requested a budget adjustment for a new sidewalk construction on Breeze Drive in Magna (EFCMC210025) from Miscellaneous projects in the amount of \$50,000. The \$50,000 is part of the \$195,115 overall match and overmatch. The remaining \$145,115 should be part of Magna's FY2022 budget request.

Trustee Flint moved to approve the budget adjustment for a new sidewalk construction on Breeze Drive in Magna (EFCMC210025) from Miscellaneous projects in the amount of \$50,000. Trustee Peay Seconded the motion and Chair Smolka, Trustees Bush, Clayton, Flint, Peay, Stringham and Zuspan all voted "aye".

9. Review of FY2021 Sales Tax, Class B&C, and SB136 revenues

Brian Hartsell reviewed the year to date FY2021 Sales Tax, Class B&C, and SB136 revenue. He indicated that there is an overall increase of 7.5%, 7.6% and 9.8% respectively comparing the first quarter of FY2021 with the first quarter of FY2020. He reminded the board of the decrease in July in Class B&C road funds for unincorporated county. Chair Smolka asked for clarification on the calculation. Scott Baird stated that the adjustment may not be a full 50% reduction due to some intricacies of the calculation. **We have estimated a 50% reduction to be conservative and will be monitoring the impact on the receipts beginning in September when the July receipts are collected.**

10. Receipt of Notice of Intent to File an Annexation Petition to Herriman – Olympia Hills

Bart Barker discussed the intent of the Annexation Petition from Olympia Hills. He addressed the cost to the MSD on the project and the reimbursements to date from Olympia Hills. They stopped negotiating with us regarding legal fee reimbursement when they started

pursuing the annexation with Herriman City. We have received about \$19,000 from them to date. We may request more but may not get reimbursed.

11. General Manager report

Bart Barker spoke about the data collection project with DTS and turned the time over to Maridene Alexander for a presentation. She shared photos of the data collection van and stated that DTS will provide opportunities for the Board members to see it up close and ride along during the collection process if they so wish. Bart Barker spoke about the importance of a five-year pavement maintenance plan and the benefits of the process. Laurie Stringham shared that local news representatives rode along and were impressed with the technology and results.

Bart Barker spoke about the planning commissions format for meetings for the members of the MSD, and that many will be going to a hybrid format which will eliminate paying for travel time.

Trustee Flint shared that we should be receiving a paper report of the future use. Bart Barker asked for a report from Scott Baird about additional information that can be obtained through the survey and the budgeted amount for this project.

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

There was no other business brought up.

Chair Smolka spoke about getting the name and purpose of the MSD out to the public and the need of a community packet. Bart Barker mentioned that we should have ribbon cutting for the newest road completed. He mentioned the upcoming projects and the importance of sharing the information with the press. He also mentioned other community events and the MSD's presence to hand out information. He spoke about the work that Maridene Anderson has accomplished. Trustee Flint spoke about the lack of public information regarding the MSD and her lengthy call with a resident. She also mentioned the importance of creating a packet for real estate agents, title companies and others regarding the MSD services. She suggested an educational video.

Sean Clayton referred to the financial statements filed with the state and suggested that we have separate audit and that according to the State's website, we are represented as a blended unit component and that it needs to change. Maridene Alexander suggested doing a tour at the local news station as a successful way to educate the local media. Trustee Flint suggested that we meet with the state's auditor to educate them about the legal format of the MSD. Maridene Anderson referred to the current strategic plan development and the items being discussed regarding education.

Trustee Flint re-emphasized the need to look at Salt Lake County's services and the respective master agreements and contracts. Mark Anderson stated that there were multiple agreements and the most recent review was about two years ago. The master agreement was split into various agreements that were approved by the respective member councils. The newest master agreement took effect on January 2018. There have been more recent reviews.

13. Discussion of future agenda items (5 minutes)

There were no future agenda items requested.

Adjourn Trustee Peay moved to adjourn. Trustee Flint seconded the motion. Chair Smolka and Trustees Bush, Clayton, Flint, Peay, Stringham and Zuspan voted “aye”.

Meeting adjourned at 7:50 pm

APPROVED:

Joe Smolka

Joe Smolka, Chair

July 19, 2021 | 7:30 PM PDT

ATTEST:

Marla Howard

Marla Howard, Clerk

July 20, 2021 | 7:29 AM PDT