



GREATER SALT LAKE

Municipal Services District

MEETING MINUTES BOARD OF TRUSTEES MEETING GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT Wednesday, **January 27, 2021**, 6:00 p.m.

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

Trustees Present:

Joe Smolka, Chair ¹
Paulina Flint, Vice-Chair
Kelly Bush
Sean Clayton
Dan Peay
Laurie Stringham
Keith Zuspan

Trustees Excused:

Staff Present:

Bart Barker, General Manager
Brian Hartsell, Associate General Manager and Treasurer
Brooke Barnes, HR/Payroll Manager
Lupita McClenning, MSD Director of Planning and Development Services
Izabela Miller, MSD Operations Officer
Jim McNulty, Planning Manager
Trent Sorensen, Chief Building Official
Greg Baptist, SWPP Grading Supervisor
Kayla Mauldin, Long Range Planner
Mikala Jordan, Long Range Planner
Travis Hair, Planner
Ina Oviatt, Records Officer
Mark Anderson, General Counsel
Joselyn Romero, Salt Lake County Community Outreach Specialist
Lisa Hartman, Salt Lake County Associate Deputy Mayor of Regional Operations

Others Present:

Rori Andreason, White City Metro Township administrator
Beth Martial, Managing Director of United Way

1. Call to Order - Joe Smolka, Chair

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	Max Burdick	Kelly Bush	Sean Clayton	Dan Peay	Keith Zuspan
Chair	Vice Chair					

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

The statement was read by Chair Smolka

3. Pledge of Allegiance

The Pledge of Allegiance was not recited.

4. Approval of Meeting Minutes for December 9, 2020 and January 13, 2021
(Discussion and Possible Action) - Ina Oviatt, Records Officer (5 minutes)

Motion made by Trustee Bush to approve the meeting minutes from December 9, 2020 and January 13, 2021 as presented. Motion seconded by Trustee Flint. Motion passed unanimously.

The motion passed with Trustees Smolka, Flint, Bush, Clayton, Stringham, Peay and Zuspan voting “aye”.

5. Presentation on Utah’s 211 system and the Stay Safe, Stay Connected program
(Discussion) - Bart Barker, MSD General Manager; and Beth Martial, 211 Managing Director, United Way of Salt Lake (20 minutes)

Bart introduced Beth Martial from United Way as their Managing Director.

Beth presented the Utah 211 program. She shared that 94.6% overall coverage of the population of the US has access to a 211 system. Utahns can dial 211 or access it through texting or a mobile app.

The 211 program’s mission is to Inform Decisions, Build Connections and Empower Utah. Their vision is a 211 system that helps ensure every person in the state has their basic needs met, including shelter, clothing, food, access to appropriate health care and personal safety.

Utah 211 is free, confidential, available 24/7, provides services in over 200 languages, follows up with clients, makes closed-loop referrals and makes warm transfers to resources. They can access 2,945 providers that offer 9,770 services. Their database consists of Government, Nonprofit, Specialized, Faith Base, and Sliding scale services. They also help provide substance abuse & opioid awareness.

The most common needs are health care, housing and utilities, and food. They have a long list of other needs that they can provide. The call volume has increased 35% since 2019.

Ms. Mitchell suggested going to their website for more info. The website is 211utah.org.

6. Legislative update (Discussion and Possible Action) - Mark Anderson, General Counsel (30 minutes)

Mark discussed in detail HB98 Local Government Building Regulation Amendments, SB58 Metro Township Amendments, and HB82 Single-family Housing Modifications.

He's tracking the following bills:

SB61 – Outdoor Advertising Amendments

HB23 - Voter Referendum Amendments

HB61 – Concealed Carry Exemption during State of Emergency

HB174 – Municipal Instant Runoff Voting Amendments

SB49 – Mobile Voting Pilot Project

SB52 – Property Tax Deferral Modifications

SB72 – Open and Public Meetings Amendments

SB111 – Records of Residential Property Owner Zoning Violations

HB115 – Municipal Boundary Modifications

HB128 – Local Accumulated Fund Balance

- a. Update on H.B. 98 Local Government Building Regulation Amendments (Discussion and Possible Action) - Trent Sorensen, Chief Building Official; Bart Barker, General Manager; and Mark Anderson, General Counsel

Trent Sorensen explained that this bill would allow applicants to opt out of municipal plan review and inspections, and instead engage their own licensed building inspector. A municipality may require a zoning review but may not charge more than \$200 and the review time is very short. It prohibits a municipality from adopting building design elements (exterior materials, roof structure, location/design of windows or doors, interior layout, min. square footage, landscaping, min. dimensions). The landscaping prohibition would affect municipalities' efforts to conserve water in Utah.

It also exempts work done to repair an existing structure damaged by a natural disaster from building permit requirements including reviews and inspections.

Mark said Legislative leadership suggested there may be a compromise. He added that no compromise would make this bill beneficial. He expects something will pass on this bill this legislative session.

SB58 (sponsored by Senator Karen Mayne) would allow Metro Townships to adopt the Municipal Energy and Telecommunications tax (MET). The bill is beginning to generate broad support and passed out of the Senate Government Operations and Political Subdivisions Committee unanimously. We are working on new language to require mailed -public hearing notification to residents.

“Hot Bills” tracked by the Utah League of Cities and Towns include H.B. 82 Single-family Housing Modifications (sponsored by Rep. Ray Ward) The League opposes this bill because of legislative overreach on the authority of local governments. Trustee Stringham agreed with this point and said the county is opposing the bill. Jim McNulty expressed concern that the bill does not limit the size of the auxiliary use in the bill or require adequate parking, which could change the complexion of single-family neighborhoods.

Bart asked the Board if the board would like to vote to oppose HB 98 and HB 82.

A motion was made by Trustee Clayton to approve the opposition of HB98 and HB82. Motion seconded by Trustee Stringham to have Bart draft a letter of opposition to HB 98 and HB 82.

The motion passed with Trustees Smolka, Flint, Bush, Clayton, Stringham, Peay and Zuspan voting “aye”.

7. Update on strategic planning process (Discussion and Possible Action) - Bart Barker, General Manager, and Brian Hartsell, Associate General Manager and Treasurer (10 minutes)

Bart said that the MSD Management has met with the consultants who are assisting with the strategic planning process. Marla will be the chief point of contact with the consultants. The main strategic planning group will meet at least 3 times for 4-hour facilitated sessions. The Trustees not in this group will be asked to participate in at least 3 “pillar groups” that will focus on specific aspects of the strategic plan. This process will identify what the Trustees want the MSD to accomplish in the next 5 years.

Chair Smolka appointed Trustees Flint and Bush to be in the central group (facilitated sessions). Trustees Flint and Bush accepted the appointments. Staff participants will be Bart, Brian, Lupita, Marla and Brooke. Bart would like to have as many of the Trustees as have time to participate in the Strategic Plans. It’s important to involve members of the MSD member councils, MSD employees, key MSD service providers, community council members and interested citizens.

8. Consideration of a proposed employee Annual Performance Plan and Appraisal (APPA) (Discussion and Possible Action) - Brooke Barnes, Human Resources and Payroll Administrator, and Brian Hartsell, Associate General Manager and Treasurer (10 minutes)

Brian proposed an Annual Performance Plan and Appraisal form to set goals for and evaluate MSD employees. The intent of the form is to provide an updated document that is consistent for the entire organization. The form and corresponding scoring system would support an annual merit increase for employees if such a merit increase is approved by the board as part of the annual budget process. The cost of living increases would be considered separate from the evaluations from time to time as budget and inflation per the CPI dictate. Trustee Flint added her excitement for this update to the evaluation of employees. She feels it will help with goal setting and

progress for the employees. The board support for the new form, evaluation process, and concept of a merit increase opportunity as part of the process contingent upon incorporation in the approved budget.

9. Planning and Development Services report (Discussion) - Lupita McClenning, Director of Planning and Development Services (10 minutes)

Lupita went over the last month's accomplishments by the PDS staff. They have been working on general plans for Emigration (to present at February meeting) and Magna. The General Plan smart sheets and RDA have been completed for Kearns. They have also been doing some work with the community councils. The long-range planners are working on the planning process and long-range planning sites for Granite and Sandy Hills. They are also starting on the SW quadrant's planning process.

10. General Manager report (Discussion) - Bart Barker, General Manager (10 minutes)

Bart shared a spreadsheet prepared by Brian to calculate board quorum and voting percentages. He will email this out to the Board.

The auditors are Gilbert & Stewart. We have 1 more year of our contract. Marla will be presenting their schedule for the 2020 audit next month. Later this year she will conduct a selection process for the next auditor.

The credit card transaction fees that will be passed on to the customers was approved by the Board will take effect on 3/1/21.

Bart presented a comparison of 2019 and 2020 MSD sales tax and Class B&C revenue. The Tax Commission previously allocated some metro township sales tax revenues to the unincorporated area; this has been corrected, resulting in a decrease in MSD revenue contributed by the county and an increase by the metro townships. The top 3 sales tax contributors are Kearns, Magna and the County, in that order.

The County contributes the largest share of MSD Class B&C revenue (primarily gas tax), followed by Kearns and then Magna. The state's distribution formula includes both road miles and population. The county's unincorporated population is less than 1% of its county-wide population but the formula has given the county credit for an unincorporated-area population of 14%. This will reduce to 7% in July 2021, resulting in a significant revenue loss.

MSD bond update: As previously reported to the board, we have a no-cost agreement with Stifel Financial Corp. to help us plan for the bond. The term of this agreement is 60 days from the time we sign the agreement. The contract was finalized in December 2020 and will be signed soon, when we are ready to begin the 60-day term

One possible addition to the bond management may propose is an overlay of Millcreek Canyon Road if the county requests its. The county is evaluating its easement with the Forest Service and its right of way. More information on the project will be given asap. This project will cost approximately 2 million dollars.

Trustee Clayton asked if we could use the fee that is charged for the project? Bart said that the fee is for the canyon trails, camp sites, etc. Bart will discuss this in more detail with Trustee Stringham at their meeting tomorrow. The road is maintained by the MSD. Bart stated that the county's significant Class B road revenue is partially because of the cost of canyon roads in the unincorporated area, that this road is in the unincorporated area and in the MSD service area so use of Class B&C revenue is appropriate.

Trustee Smolka asked when the final list of bond projects will be available. Bart said it should be in February and the current list is 12 million dollars' worth of projects. Trustee Flint expressed concern that the Millcreek Canyon Road would hold up the bond. Bart said it will not, but he wants to move quickly because bond rates are low right now.

11. Other Metro Township, Town, Unincorporated County and Greater Salt Lake Municipal Services District business (Discussion)
12. Discussion of future agenda items
13. Adjourn

The motion to adjourn was given by Trustee Clayton. Motion seconded by Trustee Peay. Motion carried Unanimously.

The motion passed with Trustees Smolka, Flint, Bush, Clayton, Stringham, Peay and Zuspan voting "aye".

Meeting adjourned at 8:15 pm

APPROVED:

Joe Smolka
Joe Smolka, Chair

ATTEST:

Marla Howard
Marla Howard, Clerk