



G R E A T E R S A L T L A K E

Municipal Services District

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT

Held Wednesday, **June, 22, 2022**, at 6:00 p.m.
At 2001 South State Street
Room N2-800
Salt Lake City, UT 84190

Trustees Present:

Joe Smolka, Chair
Paulina Flint, Vice-Chair
Kelly Bush (via Webex)
Sean Clayton (via Webex)
Dan Peay
Laurie Stringham (via Webex)
Keith Zuspan

Staff Present:

Marla Howard, MSD General Manager
Brian Hartsell, MSD Associate General Manager
Izabela Miller, MSD Technology Manager
Mark Anderson, MSD Legal Counsel
Tabitha Mecham, Administrative Coordinator

Others Present:

Crystal Hulbert, Salt Lake County Public Works Engineering
Shane Ellis, Salt Lake County Public Works Engineering
Kevyn Smeltzer, Salt Lake County Director of Public Works Operations
Abby Evans, Salt Lake County Senior Policy Advisor
Lisa Hartman, Salt Lake County Associate Deputy Mayor (via Webex)
Paul Ashton, Magna and White City Metro Townships Legal Counsel
Rori Andreason, Magna and White City Metro Townships Administrator
Linda Price- White City
Thomas Hezseltine- Squire and Company

1. Call to Order

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

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Trustees

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

3. Public Comments

There were no public comments.

4. Approve Board Meeting Minutes for May 11, May 25, June 8, and June 8 Special Session

Trustee Peay moved to approve the minutes as presented. Trustee Flint seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.

5. Discuss and Approve MSD 2021 Audited Financial Statements

Thomas Hezseltine, representing Squire, presented the 2021 audit results to the Board and explained the audit letter and findings. He stated that there were no major deficiencies.

Trustee Flint moved to approve the MSD 2021 Audit Report. Trustee Peay seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.

6. Approve Cooperative Agreement between UDOT and MSD for SR-190 Driver Feedback Signs with a local match of \$8,000

Crystal Hulbert presented the Agreement between UDOT and the MSD for driver feedback signs at the border of Brighton.

Trustee Flint moved to approve a Cooperative Agreement between UDOT and the MSD for SR-190 driver feedback signs, with a local match of \$8,000. Trustee Peay seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.

7. Approve a budget adjustment to move \$40,000 to 9130 W Sidewalk from Misc Funds for design. CDBG grant of \$296,237 with a local match of \$32,915.

Crystal Hulbert stated that it is important for this area to have a proper sidewalk.

Trustee Peay moved to approve a budget adjustment to move \$40,000 to 9130 W Sidewalk from Misc Capital Project Funds for design, with a CDBG grant of \$296,237 and a local match of \$32,915. Trustee Peay seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.

8. Approve federal aid agreement 2820 South: 7440 W to 7736 W Sidewalk with a local match of \$298,566.

Crystal Hulbert explained that this Agreement is for a sidewalk on 2820 South, for which a federal grant has been received. Due to cost increases, more federal and local match funding

will be required than was contemplated in the original Federal Aid Agreement. There will now be a local match of \$298,566. This expenditure has already been budgeted for 2022.

Trustee Peay moved to approve the Federal Aid Agreement Supplement for the 2820 S. 7440 W to 7736 W sidewalk, with a local match of \$298,566. Trustee Peay seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.

9. Approve contact between UDOT, MSD and DH Group, LLC for Right of Way Appraisal on 2820 South: 7440 W to 7736 W ROW for the amount of \$11,925

Crystal Hulbert stated that this is a right of way appraisal Contract for the project on 2820 South, which is already included in the MSD Budget.

Trustee Peay moved to approve the Contract between the MSD, UDOT and DH Group, LLC covering right of way appraisal services for the 2820 South project in the not to exceed amount of \$11,925. Trustee Zuspan seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.

10. Approve contract between UDOT, MSD, and K Mitchell Appraisal Co, PC for right of way appraisal review on 2820 South: 7440 W to 7736 W sidewalk project ROW for \$4,100

Crystal Hulbert stated that this Contract is for right of way appraisal review services for the 2820 South project. This expense has already been budgeted.

Trustee Peay moved to approve the Contract between UDOT, the MSD, and K Mitchell Appraisal Co, PC for right of way appraisal review services on 2820 South for not to exceed \$4,100.00. Trustee Flint seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.

11. Approve contract between UDOT, MSD, and WCEC Engineers Inc dba Wall Consultant Group for Right of Way on 2820 South: 7440 W to 7736 W sidewalk project Right of Way for \$22,345.45

Crystal Hulbert stated that this is also for right of way acquisition services for 2820 South. This expense has already been budgeted.

Trustee Peay moved to approve the Contract between UDOT, the MSD, and WCEC Engineers Inc dba Wall Consultant Group for right of way acquisition services on 2820 South for not to exceed \$22,345.45. Trustee Flint seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.

12. Discussion and possible action concerning the purchase of data from the DTS road condition survey –

Brian Hartsell stated that some jurisdictions have identified datasets that they would like to acquire, which would leave about \$50,000 available for additional purchases. Brian Hartsell and Marla Howard would like to use the remaining funds to purchase additional datasets in the 3 highest ranked categories for each of the jurisdictions. The rankings were provided by Salt Lake County Public Works Operations.

Brian Hartsell added that the intent is to purchase what each jurisdiction previously requested, plus the additional top three ranked datasets.

Trustee Clayton moved to approve the purchase of additional datasets from the DTS road condition survey as recommended. Trustee Flint seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.

13. Discussion about the 2022 Public Works maintenance projects

Kevyn Smeltzer stated that some issues have arisen with the maintenance projects, but they are being resolved and the projects are expected to be finished by September.

14. Discussion about the 2022 Engineering maintenance projects

Crystal Hulbert presented the projects she is working on in Magna, Emigration Canyon, Brighton, and unincorporated Salt Lake County. Most projects are out to bid or are waiting for the contracts to be signed.

Shane Ellis added that there are a couple of projects that are close to being ready for construction or are waiting for right-of-way acquisitions to be completed, which is expected to be finished by November.

15. Ratification of Policy for MSD Participation Standards for Service Credit Purchases

Marla Howard explained that the MSD needs a policy that allows for employee retirement service credit purchases.

Trustee Flint moved to approve and ratify the Policy for MSD Participation Standards for Service Credit Purchases as presented. Trustee Peay seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.

16. Discuss and possibly approve amendment to the Interlocal Agreement to allow the Members of the MSD to contract directly with provider of justice court services

The jurisdictions served by the MSD receive justice court services through an Interlocal Agreement with Salt Lake County. Chair Smolka stated that, because of an Audit conducted by Salt Lake County, it was discovered that we are not getting the information we need and may not be receiving the services that the municipalities and the county should receive.

Trustee Stringham stated that the County has notified the Legislature that the County's relationship with the Justice Court may be dissolved.

After further discussion, it was agreed that the MSD and each jurisdiction should explore whether it may be more cost-effective for each jurisdiction to enter into an Interlocal Agreement (ILA) with nearby jurisdictions for justice court services. It was concluded that it may be advisable for attorneys representing each of the jurisdictions to convene and brainstorm the issue.

Trustee Flint moved to direct MSD staff to work on recommendations for the Board, and the jurisdictions served by the MSD, to consider. Trustee Stringham seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting "aye".

17. Election of Officers for the MSD Board of Trustees

Chair Smolka stated that it has been some time since there has been an election of Board officers. The incoming Director of Finance will be the District Clerk. The Records Officer currently is Marla Howard and the Treasurer is Brian Hartsell. It was stated that those positions should remain with the respective employees.

Chair Smolka called for nominations for the Chair position.

Trustee Peay moved that Chair Smolka be re-elected to the Chair position. Trustee Flint seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting "aye".

Chair Smolka called for nominations for the Vice-Chair position.

Trustee Flint moved that Trustee Zuspan be elected Vice-Chair. Trustee Peay seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting "aye".

Trustee Flint moved that all other officers be elected as presently constituted. Trustee Stringham seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting "aye".

18. General Manager report

Marla Howard reported that the Director of Finance position has been accepted by Stewart Okobia. He will start on July 11.

Marla also reported that there are good candidates for the Director of Planning and Development position, one of whom is an employee of the MSD. The candidates will move to second interviews.

Marla stated that a good candidate for the Planner 2 vacancy has moved on to a second interview.

Marla explained that a committee has been formed to review the responses to the office space employee survey. Results will be available at the next Board meeting.

Public Works Operations Director Kevyn Smeltzer is retiring. The County has asked Marla Howard to sit in on candidate interviews for the position.

FEMA conducted an audit at the MSD for the NFIP program and the floodplain development permit process as it relates to unincorporated Salt Lake County. Some issues are being worked on, and Marla will report back after they are resolved.

Brian Hartsell and Marla Howard met with Mark Anderson to review the MSD's Policies. They decided to prepare a new Personnel Policy, which will be presented to the Board for consideration.

The Metro Townships and the Town of Brighton should have received an email from the Governor's Office of Planning and Development about the second tranche of ARPA funds and how to request the funds.

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

There was no other business to be considered by the Board.

20. Discussion of future agenda items

No future agenda items were suggested.

21. Discussion of the character, professional competence, or physical or mental health of an individual (possible closed meeting pursuant to Utah Code Ann. § 52-4-205(1)(a))

This agenda item was not needed.

22. Adjourn

Trustee Flint moved to adjourn. Trustee Peay seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting "aye".

Chair Smolka declared the meeting to be adjourned at 7:31 p.m.

Approved by the Board of Trustees on the 27th day of July, 2022.

Joe Smolka, Chair

ATTEST:

Marla Howard, General Manager

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