



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, December 14, 2022, at 6:00 p.m.  
At 2001 South State Street  
Room N2-800  
Salt Lake City, UT 84190

### **Trustees Present:**

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

### **Staff Present:**

Marla Howard, General Manager  
Brian Hartsell, Associate General Manager  
Stewart Okobia, Director of Finance  
Tabitha Mecham, Administrative Coordinator  
Trent Sorensen, Director of Planning and Development Services  
Izabela Miller, Technology Manager (via Webex)  
Mark Anderson, Legal Counsel  
Brooke Barnes, Human Resources (via webex)  
Rachel Anderson, Legal Counsel (via Webex)

### **Others Present:**

Steve Kuhlmeier, Salt Lake County Public Works Engineering  
Shane Ellis, Salt Lake County Public Works Engineering (via Webex)  
Paul Ashton, Magna and White City Metro Townships Legal Counsel (via Webex)  
Lisa Hartman, Salt Lake County Associate Deputy Mayor  
Rori Andreason, Magna and White City Metro Townships Administrator (via Webex)  
Richard Murauno, Executive Director, Salt Lake County Legal Defenders Office  
Clint Mecham, Division Chief, Salt Lake County Emergency Management/Unified Fire Authority  
Tara Behunin, Associate Director, Salt Lake County Emergency Management  
Al Peterson, Kearns Metro Township Council  
Jake Peterson, Salt Lake County Undersheriff  
Heather Anderson, Utah Association of Special Districts  
Brittany Carlson, Salt Lake County Sheriff's Office

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#### Trustees

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

**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.

**3. Public Comments**

There were no public comments.

**4. Public hearing on the 2022 Budget Amendments**

**Trustee Peay moved to open the public hearing. Trustee Stringham seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.**

Chair Smolka declared the public hearing to be open. Following an explanation of the proposed Budget amendments, Chair Smolka called for public comments. There were no questions or public comments.

**Trustee Flint moved to close the public hearing. Trustee Bush seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.**

Chair Smolka declared the public hearing to be closed.

**5. Adopt Resolution 2022-12-01 Approving the 2022 Budget Amendments**

**Trustee Bush moved to adopt Resolution 2022-12-01, thereby approving the 2022 Budget Amendments. Trustee Flint seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.**

**12. Approve the 2023 Salt Lake Legal Defenders Association Contract (amount approved in the 2023 budget)**

Agenda item 12 was considered out of order to accommodate Richard Mauro.

Mr. Mauro reviewed the Salt Lake Legal Defenders Association (“SLLDA”) 2023 Contract with the Board. He stated that the increase in the SLLDA budget was mainly due to salary increases for full time lawyers and an investigator. The requested amount is in the MSD’s fiscal year 2023 Budget.

**Trustee Bush moved to approve the Salt Lake Legal Defenders Association Contract as presented. Trustee Peay seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.**

**6. Approve Board Meeting Minutes for September 14, 2022; October 12, 2022; October 26, 2022; and November 9, 2022**

**Trustee Bush moved to approve the meeting minutes for September 14, October 12, October 26 and November 9, 2022 as presented. Trustee Clayton seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.**

**7. Approve a contract extension for H.W. Lochner Inc for 4700 S.**

Shane Ellis explained that the Contract Extension provides a time extension for the existing Lochner Contract.

**Trustee Flint moved to approve the Contract Extension for the H.W. Lochner Inc Contract for 4700 South. Trustee Bush seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.**

**8. Discuss the Incident Command System (ICS)-402 training**

Marla Howard stated that MSD staff has been working on the ICS Training. In addition, many staff numbers have completed online IS 100 and 200 training. Marla Howard provided a general overview of the Incident Command System. Chief Clint Mecham explained what Emergency Management/Unified Fire Authority has been working on to get processes in place to be ready when an emergency arises.

**9. Discuss Emergency Planner Contract and Approve an Emergency Response structure and administrative budget**

Brian Hartsell and Chief Mecham discussed the importance of an Emergency Response structure and proposed a structure for the MSD and its member agencies. They also reviewed the budget for the Emergency Planner Contract.

**10. Approve Squire to perform the 2022 audit**

Stewart Okobia stated that he has reached out to Squire regarding completion of the 2022 independent audit of the MSD’s finances. The cost will be \$21,500.00.

**Trustee Flint moved to approve Squire to perform the MSD’s 2022 audit. Trustee Stringham seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.**

**11. Approve revised MSD Personnel Policy**

Marla Howard stated that MSD staff and attorneys have been working on the Personnel Policy and have made some needed changes for the Board’s consideration. New employees starting work on or after January 1, 2023, would be at-will, rather than merit, employees. Rachel Anderson, from Fabian Vancott, provided insights concerning the requirements of the Utah Code and stated that local districts are not required to have merit employees and may have at-will employees.

Trustee Flint stated that her biggest concern is that we used the merit status as a hiring incentive when County employees transitioned to the MSD, and expressed a concern about, in effect, creating two classes of employees.

Trustee Clayton expressed support for the change, noting that “merit” is cumbersome and outdated.

**Trustee Clayton moved to approve the revised MSD Personnel Policy with additional formatting and non-substantive changes. Trustee Stringham seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.**

**13. Approve the contract modification for 2820 S Sidewalk project with DH Group in the amount of \$1,525.00**

Steven Kuhlmeier explained that the Contract Modification is for appraisal services. The proposed cost increase is for one appraisal revision, which falls within the existing project budget.

**Trustee Bush moved to approve a Contract Modification for the 2820 South Sidewalk Project with DH Group in the amount of \$1,525.00. Trustee Flint seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.**

**14. Approve the contract modification for 2820 S Sidewalk project with K Mitchell Appraisal Co. in the amount of \$1,100.00**

Steven Kuhlmeier explained that this Contract Modification is to provide appraisal review services. The proposed cost increase falls within the existing project budget.

**Trustee Bush moved to approve a contract modification for the 2820 South Sidewalk Project with K Mitchell Appraisal Co. in the amount of \$1,100.00. Trustee Flint seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.**

**15. General Manager report**

Marla Howard reported on the following items:

- Lea Kingsley started work on November 28<sup>th</sup>.
- An offer made for the Code Enforcement Officer position was accepted.
- An offer was made for the Building official position, but it was declined.
- The Business Analyst/IT position is still open.
- Marla thanked the people involved in the HR Manual (Personnel Policy) review.
- Brian, Marla, Trent, Kirk, and Alex will attend a Science of Disaster course on 2-14 to 2-16.
- The new Civic Plus website went live on 12-13-2022.
- Wednesday, December 21<sup>st</sup>, is the date for the MSD staff Christmas Party.

- Kayla Mauldin passed her AICP exam.
- Trent Sorensen and Mike George are still working with FEMA on the Magna Duck Club.

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

Trustee Flint thanked everyone for working with White City on Bear Park and getting replacement trees planted.

**17. Discussion of future agenda items**

No future agenda items were suggested by the Trustees.

**18. Discussion of pending or reasonably imminent litigation (possible closed meeting pursuant to Utah Code Ann. § 52-4-205(1)(c))**

There was no need for a closed meeting.

**19. Discussion regarding deployment of security personnel, devices, or systems (possible closed meeting pursuant to Utah Code Ann. § 52-4-205(1)(f))**

**Trustee Stringham moved to go into closed session to discuss deployment of security personnel, devices, or systems. Trustee Peay seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.**

The meeting went into closed session at 7:11 pm with all of the members of the Board of Trustees present, along with Brian Hartsell, Marla Howard, Stewart Okobia, Tabitha Mecham, Mark Anderson, Undersheriff Jake Peterson, Heather Anderson, and Brittany Carson.

No action was taken during the closed portion of the meeting other than the approval of a motion to close the closed meeting and return to open session.

**20. 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))**

A closed meeting was not needed.

**21. Adjourn**

**Trustee Peay moved to adjourn the meeting. Trustee Stringham seconded the motion. The motion passed with Trustees Smolka, Bush, Clayton, Flint, Peay, Stringham and Zuspan each voting “aye”.**

Chair Smolka declared the meeting to be adjourned at 7:50 p.m.

**Approved by the Board of Trustees on this 25th day of January, 2023.**

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Joe Smolka, Chair

**ATTEST:**

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Stewart Okobia, Clerk

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