



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 Friday, February 17, 2023, 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 (via Webex)  
Kelly Bush (via Webex)  
Sean Clayton (via Webex)  
Paulina Flint  
Dan Peay

### **Trustee Excused:**

Laurie Stringham

### **Staff Present:**

Marla Howard, General Manager  
Brian Hartsell, Associate General Manager  
Tabitha Mecham, Administrative Coordinator  
Stewart Okobia, Director of Finance (via Webex)  
Izabela Miller, Technology Manager (via Webex)  
Mark Anderson, Legal Counsel  
Mike Milne, Code Enforcement Officer (via Webex)  
Maridene Alexander, Communications Manager (via Webex)

### **Others Present:**

Paul Ashton, Magna and White City Metro Townships Legal Counsel  
Rori Andreason, White City Metro Township Administrator  
Hannah Gorski, Salt Lake County Communications and Administrative Coordinator  
Nancy Carlson-Gotts, Association of Community Councils Together (ACCT)  
Cameron Platt, Emigration Canyon Metro Township Legal Counsel  
Que Collard -ACCT  
Al Peterson- Kearns Metro Township Council  
Robert Brough - ACCT  
Heather Anderson, Utah Association of Special Districts  
Nathan Bracken, Kearns and Copperton Metro Townships Legal Counsel

## **1. Call to Order**

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

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### **Trustees**

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

## 2. Pledge of Allegiance

The Pledge of Allegiance was recited.

## 3. Public Comments

There were no public comments.

## 4. Discussion of proposed Utah legislative action.

Chair Smolka discussed H.B. 374, focusing on how it may affect the communities served by the MSD.

Mark Anderson stated that the Bill has passed out of the House, and will now be considered by the Senate. He explained that a 2<sup>nd</sup> Sub. H.B. 374 includes a July 1, 2025 effective date for the repeal of the Utah Code provisions that enabled the creation of the Unified Police Department.

Nathan Bracken and Paul Ashton provided updates on discussions within the Metro Townships they represent.

Trustee Bush provided an update on her discussions with Representative Teuscher, the sponsor of H.B. 374.

Nathan Bracken updated the Board concerning what the next steps should or could be.

Cameron Pratt stated that the Metro Townships and the Town of Brighton will have very little time to arrange for and implement law enforcement services for their communities, should H.B. 374 pass.

Trustee Peay asked why the Unified Police Department (UPD) couldn't just hire a Commissioner or some sort of Chief (other than the County Sheriff), so UPD could continue to provide law enforcement services. In response, Mark Anderson explained that the UPD is an interlocal entity created by a written contract pursuant to the Interlocal Cooperation Act. That contract specifies that the Salt Lake County Sheriff will serve as the Chief Executive and Administrative Officer of UPD. Something like UPD could be formed through a new interlocal agreement, without any direct involvement of the County Sheriff, but a simple amendment to the current contract doesn't appear to be an option.

## 5. 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))

**Trustee Peay moved to go into closed session to discuss the character, professional competence, or physical or mental health of an individual. Trustee Zuspan seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, and Zuspan each voting "aye".**

The meeting went into closed session at 6:45 p.m. with all of the members of the Board of Trustees, except Trustee Stringham, present, along with Brian Hartsell, Marla Howard,

Stewart Okobia, Tabitha Mecham, Mark Anderson, Nathan Bracken, Paul Ashton, Heather Anderson, and Cameron Platt.

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, after which Chair Smolka declared the meeting to again be open.

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

**Trustee Flint moved to go into closed session to discuss pending or reasonably imminent litigation. Trustee Peay seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, and Zuspan each voting “aye”.**

The meeting went into closed session at 7:01 p.m. with all of the members of the Board of Trustees, except Trustee Stringham, present, along with Brian Hartsell, Marla Howard, Stewart Okobia, Tabitha Mecham, Mark Anderson, Nathan Bracken, Paul Ashton, Heather Anderson, and Cameron Platt.

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, after which Chair Smolka declared the meeting to again be open.

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

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

The meeting went into closed session at 7:10 p.m. with all of the members of the Board of Trustees, except Trustee Stringham, present, along with Brian Hartsell, Marla Howard, Stewart Okobia, Tabitha Mecham, Mark Anderson, Nathan Bracken, Paul Ashton, Heather Anderson, and Cameron Platt.

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, after which Chair Smolka declared the meeting to again be open.

**8. Approve position on legislative action.**

- Trustee Bush stated that the Kearns Metro Township is neutral on H.B. 374.
- Trustee Clayton stated that the Copperton Metro Township is opposed to the Bill as it is written, with an effective date that is too soon.
- Trustee Flint stated that the White City Metro Township is neutral, but would like an extension of time to come into compliance with the Bill.

- Trustee Smolka stated that the Emigration Canyon Metro Township is opposed to the dissolution of the UPD, but will stay neutral on the Bill.
- Trustee Peay stated that the Magna Metro Township is opposed to how the issue has been handled, but will stay neutral on the Bill.
- Trustee Zuspan stated that, after a discussion with Brighton Mayor Knopp, the Town of Brighton will track the Bill with concern.

**Chair Smolka moved that the MSD’s position on H.B. 374 be “track with concern and attempt to amend”. Trustee Flint seconded the motion. The motion carried with Trustees Smolka, Bush, Clayton, Flint, Peay, and Zuspan each voting “aye”.**

## **9. Adjourn**

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

Chair Smolka declared the meeting to be adjourned at 7:45 p.m.

**Approved by the Board of Trustees on the 22<sup>nd</sup> day of March, 2023.**

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Joe Smolka, Chair

**ATTEST:**

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Stewart Okobia, Clerk