

Date: December 13th, 2018

THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA BOARD MET ON THURSDAY, DECEMBER 13, 2018 BEGINNING AT 6:30 P.M. AT THE SALT LAKE COUNTY SHERIFF'S/UNIFIED POLICE DEPARTMENT OFFICE BUILDING, 3365 SOUTH 900 WEST ROOM 115, SALT LAKE CITY, UTAH

<u>Present:</u>	<u>Excused:</u>	<u>Attended Via Phone:</u>
TRUSTEE JIM BRADLEY, CHAIR	TRUSTEE CODY CUTLER	JENNY WILSON, TRUSTEE SALT LAKE COUNTY
TRUSTEE DAVID BREMS, EMIGRATION CANYON		MAX BURDICK, TRUSTEE SALT LAKE COUNTY
TRUSTEE APOLLO PAZELL, COPPERTON		
TRUSTEE STEVE PROKOPIS, MAGNA		
TRUSTEE ALAN PETERSON, KEARNS		

ALSO PRESENT:

SCOTT CARVER, SLVLESA DISTRICT ADMINISTRATOR

RICHARD MOON, SLVLESA TREASURER

LISA DUDLEY, SLVLESA DEPUTY TREASURER

FRANK NAKAMURA, SLVLESA CHIEF LEGAL COUNSEL

Trustee Bradley called the meeting to order at 6:30 p.m.

Item #1-Disclosure of Conflicts of Interest

Action Requested: Identify Conflicts, if any

Discussion: Trustee Bradley asked the Board members if they had any conflicts of interest regarding items on the agenda. No Board member declared any conflicts of interest regarding matters on the agenda.

Trustee Bradley moved to the next item on the agenda. **Item #2-Resolution:** This is a proposed Resolution of the Board of Trustees of the Salt Lake Valley Law Enforcement Service Area (SLVLESA) levying a tax rate on real property within SLVLESA, which is in excess of the certified tax rate, as revenue in its general fund for calendar year 2019.

Action Requested: Adopt

Public Comments: Trustee Bradley asked if there was anyone present who wanted to attend the Magna Water District Public Hearing which was being held at the same time as the SLVLESA meeting and if so, the Board would have them speak first so that they could leave and attend that hearing.

A member of the public spoke and asked if SLVLESA could, in the future, coordinate with the other councils so that their meetings would not be at the same time. Trustee Bradley said that they would next time and also asked if the member of the public would like to speak first, so that he could leave to attend the other meeting. The public member said that he will wait to speak.

Trustee Bradley entertained a motion to open the public hearing. It was so moved and seconded to open the public meeting.

All voted in favor; none opposed.

Trustee Bradley said there is justification for the tax increase. He stated that from the inception of SLVLESA until 2016 there was no tax increase. The problem was the fund balance was getting desperately low and it was projected that SLVLESA would have been insolvent by 2018. So, the Board put together their 5 year plan. The plan was to get up to date in those subsequent years from 2013 but also have a plan to propose a tax increase every year, of 2-3% depending on the cost of living. What that would do would be to avoid having a major tax increase for several years. The citizens would not be hit with a large tax increase. What happens is that inflation eats away at the buying power of whatever taxes are collected. They have to have a tax increase at some point and it seems more prudent to anticipate a small tax increase every year.

Trustee Jenny Wilson called into the meeting.

Trustee Bradley said a tax increase is necessary this year because there is a need for additional police resources at all SLVLESA locations, the UPD contract has increased which is generally between 3-4% a year, the pooled services funding formula has changed, causing a need for a tax increase, SLVLESA is building a replacement station in the Kearns precinct and there is a change in the fiscal year from calendar year accounting. The justification is clear that if they do not have this tax increase this year, cuts in services will have to be made. It's a reasonable tax increase that amounts to about an increase of \$10 a year per household.

Trustee Bradley then asked if there was anyone who would like to address the Board concerning the proposed tax increase.

Griffin Benachie came forward and said that he was opposed to the increase. He said the biggest problem is that if you live in Magna, you have a number of other tax increases coming at the same time. The problem with all of the tax increases is that the wage rate for the general public do not keep up with them. He is specifically speaking about people on Social Security, older people that don't get increases to cover all of these tax rate increases so it is not realistic to keep asking for tax increases and it is not sustainable. He said Utah is supposed to be a fiscally responsible State. He said that these departments need to get back to balancing their budgets for more than one year in a row. He understands that this seems like a small increase but it adds up. Pennies turn into dollars. He said he has an online petition

that has 470 signatures, opposed to this tax increase and gave a copy to the Board. He said that people on fixed incomes, specifically social security, have not had a raise in years.

Trustee Bradley thanked him for his comments and said that he understands the points he has made. He said there were some major tax increases in previous years but that is why the Board wants to have a smaller increase each year. He said in 2016, there was a 9.5% increase in taxes, the following year had a 5% increase and under the 5 year strategic plan, we need to consider 3% increases to remain viable and to provide a hedge against the decrease in the value of a dollar. He said there needs to be years where the budgets are balanced and there is not a need for a tax increase.

Trustee Pazell said to Trustee Bradley that he thinks the Board should listen to the public comments but do not need to engage with the public concerning their comments. Trustee Bradley asked SLVLESA's legal counsel who said that we should use the time for public comment. Trustee Bradley said he understands the comments and agreed that he should not engage with the public and allow this time for their comments. He also said that he does understand Mr. Benachie's points and that wages have been very low and have not increased in terms of the cost of living.

Mr. Benachie added that he is a low income person, his dad is on social security and people like them cannot afford the tax increases. He also said that he has been told at all of the other meetings that his arguments are logical and make sense but they do not want to act on them. He said that taxes should not be increased every year.

Trustee Bradley thanked him for his comments and for being at the meeting. He asked if anyone else would like to address the Board.

Bill Hogan came forward to address the Board. He said he has a piece of property in Big Cottonwood Canyon and that they get zero police protection. He mentioned instances where he needed police services but did not receive any. He said he reported damage being done to his property and the police were not helpful. He said that the only time he sees the police up there is when they are giving traffic tickets in the canyon. He said he feels like the roads are being policed for the visitors but the property owners do not receive any assistance and he feels like he is being taxed for services he does not receive. He says he is paying for police services he does not get.

Trustee Bradley said that he believes the canyon patrol is part of the County general fund, so SLVLESA's contribution to that is minimal, if anything.

Captain Del Craig said that the frontline Canyon patrol is county wide funded, including marked patrol cars but that investigations and pooled services are funded through SLVLESA.

Paul Schmidt, came forward to address the Board. He said that he lives in Sandy in an area that is within SLVLESA. He said he had an incident a few years ago where he called UPD and the Officer made a comment that he did not know it was part of the County. He said he never sees UPD patrolling in that area and asked Sandy Police Department who patrols that area and Sandy Police said it is supposed to be UPD. He said that he has people drag racing along his street because there does not seem to be any police presence in that area. He also said he was concerned about Herriman and Riverton withdrawing from UPD and how that impacts the services because of loss of revenue.

Trustee Bradley said that there were several people in the meeting who would know the answers to his questions and concerns and that he could ask them after the meeting was over.

Scott Jensen, who lives in Magna, came forward. He said his concerns are about all of the different agencies asking for tax increases at the same time. He asked which specific cuts would be made if they did not implement the tax increase.

Trustee Prokopis said that everything the UPD consumes goes up in cost each year and therefore, something would have to give if there was no tax increase. There would have to be less officers or less vehicles or similar reduction in services.

Trustee Bradley said the majority of costs for UPD are personnel. As a result, there would need to be no raises or a cut in the number of officers.

Trustee Pazell said that he would like to address the concerns after the close of the public hearing.

Trustee Bradley asked if there was anyone else who wished to address the Board and if not, he would entertain a motion to close the public hearing.

Councilwoman Jenny Wilson so moved and it was seconded to close the public hearing.

All voted in favor; none opposed.

Public hearing closed.

Trustee Bradley then asked for the discussion.

Trustee Pazell said he is probably the only Board member to oppose this tax increase. He said that he does not think the Board has taken a deep enough look at the budget. He thinks that Board members, including himself, really do not know the math and the exact numbers of the budget before it implements a tax increase. He said that tax increases are the leading cause of poverty traps and that when people live in lower income areas, which his area is, they are less likely to have money to use to improve their properties and lower the crime rate. He said the consequences are real particularly to those who are strapped for cash. He said that we are paying \$150,000 a year in interest rates because we chose a poor calendar option and that is poor fiscal management. He appreciates the work of the officers. He, however, believes that the administration has been lax in its responsibilities. He doesn't believe that the Board has been fiscally responsible and that the Board has not done its due diligence.

Trustee Wilson said she was in favor of the tax increase because we continue to see the costs of goods go up and that has to be addressed through minor increases now or a large one at a later date. Otherwise, we will have to cut services. She said she has empathy for those who are left behind and recognize that we have a responsibility to keep costs down. She said the biggest obstacle we face is recruiting officers and retaining them and that is a problem throughout the region, due to the good economy and the job market. She said she believes if we are not able to make adjustments that we will continue to lose officers and the cost of training a new officer greatly outweighs the costs of retaining an officer. The public safety risks are high and we need to recruit and retain officers.

Trustee Pazell said that during his brief membership on the Board of 11 months that Copperton has been asked to increase taxes 6 times, from different entities.

Trustee Prokopis said he is in favor of the tax increase because he feels like they have a responsibility to keep their communities safe. He does not take this responsibility lightly. He believes that Sheriff Rivera inherited an organization that needs a lot of work and that the new CFO also inherited a budget that needs a lot of work. He said that this is the last tax increase he will vote for until we get a much more transparent budget and an accounting of where everything is going. He said that we have been occupied with Herriman and Riverton but we should not use those concerns to hold the employees' raises hostage

Trustee Peterson said he is in favor of a small increase now, rather than a large one later on. He said he has faith in the financial officers and the whole department. He believes we need this increase, rather than cutting services or pay.

Trustee Brems said that he supports the tax increase.

Trustee Bradley said that the part of the budget that SLVLESA has a say in is what we as an organization spend on such things as accounting services, the administrator, the legal service, bank fees, etc. Those expenses total about \$350,000. The big number is what UPD charges for their services. If you're attacking the budget, and saying we should make more cuts, then that needs to be addressed with Unified Police Department, not SLVLESA. The majority of the Board believes that being with UPD is a very positive move in efficiency and cost. The budget is established by UPD and what they are discussing here is the budget for SLVLESA. He said that he agrees that the small tax increases each year are more prudent than waiting several years for a large increase and that he supports the increase.

Trustee Pazell asked if a majority of the members of the UPD Board are also members of the SLVLESA Board. Trustee Bradley said there was. Trustee Pazell said it is important to remember that we do decide the UPD budget because of that.

Trustee Bradley said to keep in mind that it is more cost efficient for Copperton to stay with UPD, rather than go out on their own and create their own police force.

Trustee Pazell stated that he never said that it would be.

Trustee Bradley said he understands that but that it is important to remember that it is more efficient and cost effective for every community within SLVLESA to stay with UPD, rather than to try and go out on their own. He asked if Trustee Pazell disagreed with that.

Trustee Pazell said what he disagrees with is that his community should have to pay for poor budgeting because we are paying \$150,000 in interest fees.

Trustee Bradley said that is a fair comment if he can show where the poor budget is.

Trustee Pazell reiterated that it is the \$150,000 in interest fees.

Trustee Bradley said that is on the schedule to be addressed.

Trustee Pazell moved to call to question.

Trustee Peterson seconded that motion.

Trustee Bradley asked for a vote on the Resolution of the Board of Trustees of the Salt Lake Valley Enforcement Service Area (SLVLESA) Levying a Tax Rate, Which Exceeds the Certified Tax Rate, As Its Budgeted Property Tax Revenue for Calendar Year 2019.

Trustees Prokopis, Peterson, Brems, Wilson and Bradley voted in favor of the Resolution and Trustee Pazell voted against the Resolution. The Resolution passes.

Trustee Bradley moved to the next item on the agenda- **Item #3-Consider a resolution of the Board of Trustees of the Salt Lake Valley Law Enforcement Service Area (SLVLESA) adopting the SLVLESA final budget for calendar year 2019.**

Action Requested: Adopt Final Budget

Discussion: Trustee Bradley asked for a motion to open up public hearing.

It was so moved and seconded.

All voted in favor; none opposed.

Motion passed and the public hearing was opened.

Trustee Bradley asked if anyone was present who wished to address the Board.

Frank Nakamura asked if the Board would like a brief presentation on the budget.

Trustee Bradley said yes.

SLVLESA Treasurer Richard Moon addressed the Board and referred to the copy of the budget that had been given to everyone attending the meeting. A copy of the budget discussed by Mr. Moon is attached to the minutes.

Trustee Bradley asked if there were any members of the public who wished to address the Board, concerning the budget. There were none. Trustee Bradley entertained a motion to close the public hearing. It was moved and seconded to close the public hearing.

All voted in favor; none opposed.

Motion passed and the public hearing was closed.

Trustee Bradley entertained a motion to adopt the budget.

Trustee Peterson so moved.

Trustee Brems seconded.

Trustees Brems, Prokopis, Peterson, Bradley and Wilson voted in favor of the Resolution. Trustee Pazell voted against the Resolution.

Resolution was adopted.

Item #4-Public Comment

Trustee Bradley asked if anyone was present who wished to address the Board. There were none. Public comment was closed.

Item #5-Conflicts of Interest Disclosure for Trustees

Action Requested: Identify conflicts, if any.

Discussion: Trustee Bradley asked if there were any conflicts of interest on the remaining agenda items. None were identified.

Trustee Bradley moved to the next item on the agenda. **Item #6-Consider a Resolution of the Board of Trustees of the Salt Lake Valley Law Enforcement Service Area (SLVLESA) approving an Interlocal Cooperation Lease Agreement with the Unified Police Department.**

Action Requested: Approve and Adopt

Discussion: SLVLESA legal counsel Frank Nakamura addressed the Board. He said there was a lease agreement that was signed between UPD and Magna water district back in June of 2017. In that lease there was an option for UPD or SLVLESA to buy the Magna water building. SLVLESA exercised its option based upon the Board's resolution back in August. The Magna water property was purchased by SLVLESA in November. In order to keep the lease agreement with UPD, SLVLESA and UPD need a lease agreement that would be effective January 1, 2019. It has the same terms as the Magna water lease, lease payments shall be \$36,000 a year, it is a 20 year lease, however it can be terminated on 12 months' notice or by mutual agreement and it is subject to appropriation of funds. He said that the SLVLESA Board, as well as UPD Board, will have to approve.

Trustee Bradley asked if there were any questions. There were none. He called for a vote.

Trustee Pazell to approve.

Trustee Prokopis seconded.

All voted in favor; none opposed.

Resolution adopted.

Trustee Bradley moved to the next item on the agenda. **Item #7-Consider a Resolution of the Board of Trustees of the Salt Lake Valley Law Enforcement Service Area approving the SLVLESA regular meeting schedule for Calendar Year 2019 subject to change consistent with the Utah Open and Public Meetings Act.**

Action Requested: Approve

Trustee Bradley asked if there were any questions on the dates proposed. There were none. Trustee Bradley called for a motion.

Trustee Pazell moved to approve.

Trustee Prokopis seconded.

All voted in favor; none opposed.

Resolution passed.

Item #8-Approve minutes from November 15, 2018 Board of Trustees meeting

Action Requested: Approve

Trustee Peterson said there was a minor change that needed to be made. He said that Jason Ackerman was listed as Chief of the Kearns precinct, when it should be Magna and Brian Lohrke listed as Chief of the Magna, and it should be Kearns.

Trustee Bradley asked for a motion to approve, with that correction.

Trustee Pazell so moved.

Trustee Peterson seconded.

All voted in favor; none opposed.

Approved.

Trustee Bradley moved to the next item on the agenda. **Item # 9-Other Business**

Scott Carver said he regrets to inform the Board that he will be leaving as SLVLESA Administrator effective January 11th. He will be taking a position at the Attorney General's office doing use of lethal force training for police officers around the state and other legislative work. He thanks the Board for their support and have appreciated the position.

Trustee Bradley thanked Scott Carver for his service and said that he has been terrific in his position but that his skills will be put to use in his new position.

Trustee Prokopis asked if they had an interim plan after Scott Carver leaves.

Trustee Bradley said he will be meeting with the Sheriff to discuss this but thinks it will be most efficient if the Board will give him approval to reach out to two other members of the Board to look at several options in terms of replacing the position. Options would include a full time administrator or part time administrator.

Trustee Pazell asked if they should appoint a three member committee right now.

Trustee Bradley said they could and asked if he would like to be a member. Trustee Pazell said yes, he would. Trustee Bradley said he would also like to be a member. Trustee Bradley also appoints Trustee Max Burdick to the committee.

Trustee Pazell moved to approve the committee.

Trustee Prokopis seconded.

All voted in favor; none opposed.

Motion passed.

Trustee Bradley asked if there was any other business. There was not.

Trustee Bradley adjourned the meeting.

Next meeting: Thursday, January 17th at 10:00 a.m.