

Date: November 19, 2020

THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA BOARD OF TRUSTEES (“BOARD”) MET ON THURSDAY, NOVEMBER 19, 2020 AT 10:00 AM. AS PROVIDED IN EXECUTIVE ORDERS ISSUED BY GOVERNOR HERBERT AND A WRITTEN DETERMINATION BY THE CHAIR OF THE BOARD THAT THE PUBLIC HEALTH EMERGENCY DOES NOT PERMIT A MEETING AT AN ANCHOR LOCATION, THE BOARD HELD THE MEETING AS AN ELECTRONIC MEETING WITHOUT AN ANCHOR LOCATION. THE PUBLIC WAS NOTIFIED THAT THEY MAY JOIN THE OPEN PORTIONS OF THE MEETING, INCLUDING THE PUBLIC HEARING, BY CALLING 1-669 900-9128 AND ENTERING MEETING ID 93444745584# AND PASSWORD 349989#. THE PUBLIC WAS ALLOWED TO LISTEN TO ALL OPEN PORTIONS OF THE MEETING. USING ZOOM TECHNOLOGY, BOARD MEMBERS AND PERSONS PARTICIPATING BY PHONE WERE ABLE TO HEAR ALL DISCUSSIONS.

<u>Present:</u>	<u>Excused:</u>	<u>Attended Via Zoom:</u>
	TRUSTEE MAX BURDICK, SALT LAKE COUNTY	TRUSTEE JIM BRADLEY, SALT LAKE COUNTY TRUSTEE PAULINA FLINT, WHITE CITY TRUSTEE ALAN PETERSON, KEARNS TRUSTEE STEVE PROKOPIS, MAGNA TRUSTEE SHIREEN GHORBANI, SALT LAKE COUNTY TRUSTEE DAVID BREMS, EMIGRATION CANYON TRUSTEE CAROLYN KEIGLEY, BRIGHTON TRUSTEE SEAN CLAYTON, COPPERTON

ALSO ATTENDED VIA ZOOM:

SHERIFF ROSIE RIVERA, SALT LAKE COUNTY SHERIFF AND SLVLESA CHIEF EXECUTIVE OFFICER

UNDERSHERIFF JAKE PETERSEN, SALT LAKE COUNTY UNDERSHERIFF

CHIEF OF POLICE JASON MAZURAN, UPD CHIEF OF POLICE

FRANK NAKAMURA, SLVLESA DISTRICT ADMINISTRATOR/SLVLESA LEGAL COUNSEL

LISA DUDLEY, SLVLESA CHIEF FINANCIAL OFFICER

RICHARD MOON, SLVLESA TREASURER

MARCIE KAY, SLVLESA CLERK

LEVI HUGHES, KEARNS PRECINCT CHIEF

**Item #1-Call to Order.**

**Jim Bradley called the meeting to order.**

**Item #2-Determination:** Board Chair Jim Bradley stated he signed a written determination that due to the public health risks and the continuing state of emergency as a result of the pandemic, the meeting on November 19, 2020 should be an electronic meeting without an anchor location so that Board members, staff and members of public will not attend in person.

**Item #3- Consider RESOLUTION NO. 201119-1 OF THE BOARD OF TRUSTEES OF THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA (SLVLESA) ACKNOWLEDGING THE APPOINTMENT OF A REPRESENTATIVE FROM THE COPPERTON METRO TOWNSHIP TO THE SLVLESA BOARD OF TRUSTEES.**

**Action Requested:** Motion, Second and Vote on the Resolution

**Discussion:** Trustee Bradley introduced and welcomed Trustee Sean Clayton from Copperton.

Trustee Bradley entertained a motion to acknowledge the appointment of Sean Clayton as the representative from the Copperton Metro Township to the SLVLESA Board of Trustees.

Trustee Ghorbani motioned.

Trustee Flint seconded.

All voted in favor; none opposed.

The resolution passed.

**Item #4-Disclosure of Conflicts of Interest**

**Action Requested:** Identify Conflicts, if any

**Discussion:** Trustee Bradley asked if there were any conflicts of interest. None were identified.

**Item #5-Public Comment:**

Trustee Bradley asked if anyone was calling in to the meeting who wished to give public comment to the Board. Marcie Kay, SLVLESA Clerk, stated that there were no calls from the public. Public comment was closed.

**Item #6-Present Monthly expenditures, judgment levy status and other financial information.**

**Action Requested:** None

**Discussion:** Richard Moon said the check register was included in the packet for the meeting. He asked if anyone had questions on the two checks that were cut last month and there were none. He said the judgment levy for next year is not going to be significant enough to go after. He said he couldn't recall the exact number and asked Frank Nakamura if he knew.

Frank Nakamura said the amount was under the minimum \$5,000--around \$2,500, so they cannot do a judgment levy on that.

**Item #7-Fraud risk assessment and related matters.**

**Action Requested:** None

**Discussion:** Lisa Dudley said that her introduction to this will be the same as in the UPD Board meeting, but she will repeat it because she knows there are members of SLVLESA who were not there for the previous meeting. She said the state auditor's office regularly receives complaints of fraud or abuse by local government officials. The office is also aware of internal investigations that are performed by local governments of their own officials and employees. Many local agencies have thus approached the state auditor's office seeking guidance as to how to prevent such occurrences of fraud or abuse. The state auditor's office has designed a self-assessment for local governments to use to determine the entity's level of fraud. The program is designed to help measure and reduce the risk of fraud and abuse. The self-assessment is intended to be a starting point with the hope that local governments will add to it. The scale grading has a possibility of 395, which would indicate a very low level of risk and it ranges from under 200, which is a very high level of risk. The largest single factor is an adequate separation of duties or mitigating controls. It is so important that it alone is given a score of 200 points and it is either an all or nothing thing.

Lisa said it is often difficult for agencies that have a very small accounting staff to implement total separation of duties. That is true for SLVLESA, as we are very small with no employees and just contractual services from UPD accounting staff and administration. Our fraud risk assessment will include the completed assessment for the Board in the December packet. She said SLVLESA's year does not end until December 31<sup>st</sup>. Currently we have a risk score of 315 which is a moderate level of risk. An important thing for all Board members to note is that the state auditor's training, which is a once in four-year training. That training is not the open public meetings act, it is not an entity type training, it is right from the state auditor's training and there are a few different options on the website but the one for special districts takes about an hour and a half online to complete. She said we will hopefully get that score up so that we will be in a low category of risk before we submit the completed questionnaire to the Board and then to the state auditor and to our independent auditors.

This item was only to introduce the fraud risk questionnaire and just to let you know that we will be turning in the completed SLVLESA questionnaire to the Board at the December meeting.

Frank Nakamura said that they sent out in September the conflict of interest disclosure form and the ethics pledge form and we would appreciate it if the Board members got those signed if you have not already. He said they are annual filings, so we need them before the end of the year.

Lisa Dudley said it is important to note that those items Frank mentioned are also part of this fraud risk assessment.

#### **Item #8-Report by Sheriff Rosie Rivera, SLVLESA Chief Executive Officer**

**Action Requested:** None

**Discussion:** Sheriff Rivera said that she reported in the UPD Board meeting and will report here as well that David Warnock, our HR Director, has taken a new position in a different county. They have made some changes with their staffing, decisions that they think will help through a tough time through this Covid pandemic and trying to hire officers. They felt like they need to do something quickly. She said she had transferred Chief Jason Ackerman from Magna to the HR manager position temporarily. Chief Ackerman does have a degree in HR and in employment law so they feel like he can do the job until they are able to fill that position. With that move they have also temporarily assigned the executive lieutenant in Magna as the acting Chief in Magna and that is Lt. Van Emmerik. The chain reaction from that is that they had to replace Lt. Van Emmerik and they chose Sgt. Mike Hill. They feel like this is a good move, where they will not miss a beat with either HR or the Magna Precinct. She said she knows that Taylorsville is not part of SLVLESA but with Taylorsville's exit, she has transferred Lt. Dwayne Anjewierden to the Chief's position in Taylorsville to run that precinct until Taylorsville exits on June 30<sup>th</sup> of next year.

She said that Shireen Ghorbani has been a great supporter of SLVLESA and the UPD and she wanted to acknowledge her and thank her for everything she has done. She also welcomed Sean Clayton from Copperton.

She said that she wants SLVLESA to know that they are going to continue to hire new officers for now. They are getting hit with Covid so they do have some new positions they need to fill to help cover for those who are off with Covid.

She asked if there were any questions for her.

Trustee Bradley asked if there were any questions and there were none.

**Item #9- Consider RESOLUTION NO. 201119-2 OF THE BOARD OF TRUSTEES OF THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA (SLVLESA) AMENDING THE CALENDAR YEAR 2020 SLVLESA BUDGET TRANSFERRING \$50,000 FROM FUND BALANCE TO THE GENERAL FUND AND APPROPRIATING \$50,000 FROM THE GENERAL FUND TO THE UNIFIED POLICE DEPARTMENT TO FUND IMPROVEMENTS AND UPGRADES, OFFICE SUPPLIES AND OFFICE FURNISHINGS FOR THE KEARNS PRECINCT BUILDING.**

**Action Requested:** Motion, Second and Vote to Open the Public Hearing. Receive Public comment. Since public comment is being done electronically, the SLVLESA clerk will need to take calls in an orderly manner. The SLVLESA clerk will advise a caller when it is the caller's turn to speak. Callers should have their call on the mute function until it is their turn to speak. All callers will be heard. Comments will be limited to 3 minutes.

Motion, Second and Vote to close Public Hearing.

Discussion.

Motion, Second and Vote on the Resolution.

**Discussion:** Chief Levi Hughes said this year, they leased additional space in the building they already occupy. Frank Nakamura was amazing in helping them secure that lease at a very good market price. The new area that they took over however, did not have any of the things they needed to run their office out of. There were several things they needed to overcome and improvements they needed to fund. Through a couple of other measures and CARES Act funding from the Kearns Township, they were able to accomplish some of these things. However, they are still needing some things. Chief Hughes asked Frank Nakamura if everyone received copies of the detailed needs and he said yes--it is attached to the proposed Resolution.

Chief Hughes said that none of these requests are extravagant. They are key card requests for their doors to secure their facility, appropriate lighting in areas where it was not sufficient, network routing for their computer systems, carpet replaced where it is torn up and ruined, update their signage outside which has not been updated in about 10 years and then some of the office supplies that are necessary for their training. Also, they need to connect their gas meter appropriately so they can have heat in the winter. Further, they need some office furniture for that space. The total is \$49,085.74. He asked if there were any questions and there were none. He said it is important for them to provide an adequate police station for all their precincts and a building that meets their needs. He also said that we are in a unique position right now and he would like them to consider this as we move forward. Based on their current contractual price for the building that they are in, in 12 years from now they will still be in that building and they will have paid more in rent that it would have cost to buy the building, meaning they will still be renting it but will have paid in 12 years the \$1.5 million in rent costs that they are asking for the building. The difference is that in 12 years, the value for that building and property is going to go up. He said he would like the Board to consider buying this building for the mere fact that they keep paying the costs for a building, but they have never owned it. It would add more space to the building and would be a purchase now that they wouldn't regret.

Trustee Bradley entertained a motion to open the public meeting.

Trustee Ghorbani motioned to open the public hearing.

Trustee Brems seconded.

All voted in favor; none opposed.

Public meeting was opened.

Trustee Bradley asked Marcie Kay, the SLVLESA clerk, if there were any callers from the public who would like to speak. She said there were none.

Trustee Bradley entertained a motion to close the public hearing.

Trustee Flint motioned to close the public hearing.

Trustee Brems seconded.

All voted in favor; none opposed.

The public hearing was closed.

Trustee Bradley entertained a motion to pass the Resolution.

Trustee Ghorbani motioned to approve.

Trustee Brems seconded.

Frank Nakamura said he wanted to make it clear that this is a transfer of money from the fund balance to the Unified Police Department, who is paying for these improvements.

Trustee Bradley said they need a roll call vote on this Resolution.

Frank Nakamura conducted a roll call vote.

Trustee Bradley voted aye.

Trustee Brems voted aye.

Trustee Flint voted aye.

Trustee Peterson voted aye.

Trustee Prokopolis voted aye.

Trustee Ghorbani voted aye.

Trustee Keigley voted aye.

Trustee Clayton voted aye.

The Resolution was approved.

**Item #10- Consider RESOLUTION NO. 201119-3 OF THE BOARD OF TRUSTEES (BOARD) OF THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA (SLVLESA) ADOPTING AMENDMENTS AND REVISIONS MADE BY THE BOARD TO THE TENTATIVE BUDGET FOR CALENDAR YEAR 2021 SUBMITTED BY THE SLVLESA CHIEF EXECUTIVE OFFICER ON OCTOBER 15, 2020 AND DIRECTING THAT THE TENTATIVE BUDGET, AS AMENDED AND REVISED, BE ON FILE FOR PUBLIC INSPECTION IN THE UNIFIED POLICE DEPARTMENT FINANCE OFFICE UNTIL THE ADOPTION OF THE SLVLESA 2021 FINAL BUDGET ON DECEMBER 17, 2020.**

**Action Requested:** Motion, Second and Vote on the Resolution.

**Discussion:** Lisa Dudley said that the tentative budget was presented by the Sheriff to the SLVLESA Board on October 15<sup>th</sup>. As of today, she has not received any comments from the public or the Board regarding the tentative budget. The Board can certainly entertain changes to the tentative budget at this meeting or anytime up until the adoption of the 2021 final budget at the next Board meeting on December 17<sup>th</sup>.

Frank Nakamura asked if any members had a change in the budget they wanted to make. None did.

Trustee Bradley entertained a motion to adopt the Resolution.

Trustee Keigley motioned to approve.

Trustee Ghorbani seconded.

Frank Nakamura conducted a roll call vote.

Trustee Bradley voted aye.

Trustee Brems voted aye.

Trustee Flint voted aye.

Trustee Peterson voted aye.

Trustee Prokopis voted aye.

Trustee Ghorbani voted aye.

Trustee Keigley voted aye.

Trustee Clayton voted aye.

The Resolution was approved.

**Item #11- Consider RESOLUTION NO. 201119-4 OF THE BOARD OF TRUSTEES (BOARD) OF THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA (SLVLESA) AUTHORIZING THE SLVLESA CHIEF EXECUTIVE OFFICER TO TAKE ALL ACTIONS NECESSARY TO DO DUE DILIGENCE TO SEEK FUNDING SLVLESA IS LEGALLY ELIGIBLE TO REQUEST AND RECEIVE UNDER THE CARES ACT FOR THE COSTS OF PAYROLL AND BENEFITS FOR SWORN UNIFIED POLICE DEPARTMENT OFFICERS WHO WORK DIRECTLY WITH THE PUBLIC PAID BY SLVLESA PROVIDED ANY FINAL WRITTEN AGREEMENTS FOR RECEIPT OF CARES ACT FUNDS MUST BE APPROVED BY THE BOARD.**

**Action Requested:** Motion, Second and Vote on the Resolution.

**Discussion:** Frank Nakamura said this Resolution is authorizing Sheriff Rivera, as our CEO, to do our due diligence in taking whatever actions are necessary to pursue CARES Act funding to the extent that SLVLESA is eligible to receive such funding. The funding is for wages and benefits for those sworn officers that are dealing with the public. Under the CARES Act, there is a presumption officers that are dealing with the public are providing mitigation for the public health emergency. He said they are still in

the process of determining the legality of SLVLESA's eligibility. SLVLESA's structure is somewhat different since SLVLESA is the funding entity and services are provided to its members. Given that this is still in flux and requires immediate action and there are timelines, that it would be best to allow the Sheriff, as the CEO, to act. He said they are talking with the District Attorney's Office and still trying to find out what the processes are. He said he wanted to make a clarification on the Resolution; he referred to "frontline workers" and in talking with Lisa Dudley he thinks the better term to use is "sworn officers who are dealing with the public."

Lisa Dudley said that the SLVLESA estimated payroll dollars/wages for overtime and benefits from March 1<sup>st</sup> through the end of 2020 have been given to SLVLESA, so the dollar amount is known, pending the decision of eligibility.

Frank Nakamura said if there is an agreement that needs to be signed, they need to come to the Board for that approval and because of timelines, this resolution also provides that the chair of the Board may call a special meeting to approve the agreement or they may be able to approve the agreement at their December meeting, if there is an agreement. So, the Board does have final say.

Trustee Bradley asked if there were any questions from the Board members regarding this Resolution but there were none.

Trustee Bradley entertained a motion to pass the Resolution.

Trustee Ghorbani motioned to approve.

Trustee Prokopis seconded.

Frank Nakamura conducted a roll call vote.

Trustee Bradley voted aye.

Trustee Brems voted aye.

Trustee Flint voted aye.

Trustee Peterson voted aye.

Trustee Prokopis voted aye.

Trustee Ghorbani voted aye.

Trustee Keigley voted aye.

Trustee Clayton voted aye.

All voted in favor; Resolution passed.

**Item #12- Consider RESOLUTION NO. 201119-5 OF THE BOARD OF TRUSTEES (BOARD) OF THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA (SLVLESA) CHANGING THE STARTING TIME OF THE BOARD MEETING SCHEDULED ON DECEMBER 17, 2020 FROM 6:00 P.M. TO 10:00 A.M.**

**Action Requested:** Motion and Vote



**Discussion:** Trustee Bradley said the thought of moving that meeting time to earlier in the day would be a good idea and Frank Nakamura put it on the agenda, but they found out it was not possible.

Frank Nakamura said they did schedule the meeting in October, as required by law, not knowing if they had a judgment levy and not knowing the extent of the public health emergency and the meeting time of 6:00 PM did go into the public tax notices, so they were not able to change that time.

**Item #13- Approve Minutes for the October 15, 2020 meeting.**

**Action Requested:** Motion and Vote

**Discussion:** Trustee Bradley entertained a motion.

Trustee Ghorbani motioned to approve the minutes.

Trustee Brems seconded.

All voted in favor; none opposed.

Minutes approved.

**Item 14- Adjourn.**

Trustee Bradley adjourned the meeting.