

Date: September 15, 2022

THE SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA BOARD OF TRUSTEES (“BOARD”) MET ON THURSDAY, SEPTEMBER 15, 2022, AT 10:00 AM. THE PUBLIC WAS NOTIFIED THAT THEY MAY JOIN THE OPEN PORTIONS OF THE MEETING BY CALLING 1-669 900-9128 AND ENTERING MEETING ID 92301763844# AND PASSWORD 259919#. THE PUBLIC WAS ALLOWED TO LISTEN TO ALL OPEN PORTIONS OF THE MEETING. BOARD MEMBERS AND PERSONS PARTICIPATING BY PHONE OR ELECTRONICALLY WERE ABLE TO HEAR ALL DISCUSSIONS.

<u>Present:</u>	<u>Excused:</u>	<u>Attended Via Zoom:</u>
TRUSTEE JIM BRADLEY, SALT LAKE COUNTY		TRUSTEE CHRIS STAVROS, SALT LAKE COUNTY
TRUSTEE DAVID BREMS, EMIGRATION CANYON		
TRUSTEE PHILLIP CARDENAZ, WHITE CITY		
TRUSTEE ALAN PETERSON, KEARNS		
TRUSTEE DEA THEODORE, SALT LAKE COUNTY		
TRUSTEE DAVID OLSEN, COPPERTON		
TRUSTEE STEVE PROKOPIS, MAGNA		
TRUSTEE CAROLYN KEIGLEY, BRIGHTON		

ALSO ATTENDED:

UNDERSHERIFF JAKE PETERSEN, SALT LAKE COUNTY UNDERSHERIFF

FRANK NAKAMURA, SLVLESA DISTRICT ADMINISTRATOR/SLVLESA LEGAL COUNSEL

RICHARD MOON, SLVLESA TREASURER

Item #1-Call to Order.

Trustee Bradley called the meeting to order. A roll call vote for attendance was then conducted.

Item #2- Conflict of interest disclosure.

Action Requested: Identify Conflicts; if any

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

Item #3-Public Comment

Action Requested: None

Discussion: Trustee Bradley asked if there were any members of the public who wished to address the Board. There were none.

Item #4- Present Expenditures for the Month of August 2022 and Other Financial Information.

Action Requested: None

Discussion: Richard Moon asked if there were any questions on the check register included in the SLVLESA packet or the three checks that were cut last month. There were no questions.

Item #5- Discuss Update on Alternate Sources of Revenue.

Action Requested: None

Discussion: Trustee Bradley said this is something they have been dealing with. Right now, it is all property tax, but they are looking at alternatives. He asked Frank Nakamura where they were on that.

Frank Nakamura said they had talked about the alternate sources of revenue in their SLVLESA workshop. He said the issue of the sales, energy and use tax and telecommunications taxes lies with each individual township and he is interested to see if there is any movement on that or how they are going to proceed. He said they do have an issue with unincorporated Salt Lake County, which is different, they do not have the ability to impose such a tax. He would also like to know what the Board wants from staff and others.

Trustee Keigley said she thought it was interesting today in the UPD Board meeting when Millcreek's Mayor Silvestrini, made a comment about them raising their taxes and the primary reason for that was to provide funding for UPD. She said that is also what other cities may choose to do to fund services. She

said that is so different from the townships and the County and she thinks it is important to remember as they are having these discussions.

Trustee Bradley said they are under the collective umbrella of SLVLESA, which can raise taxes.

Trustee Keigley said that for the town of Brighton, they do have the ability to raise taxes because they are not like a township. She said they also have a different source of income that townships, cities, and towns don't have and that is the resort tax. She said because of that, when they do have to do an increase, we can use that fund rather than sales and energy use tax. At the same time, she doesn't want Brighton to set a precedent in SLVLESA of not implementing that power that the townships have to raise taxes. She said one of the reasons they are choosing to use their resort tax instead of their energy tax is because their energy tax would really be like a double taxation for the resorts because they are the users.

Trustee Prokopolis said Magna is open to the idea, but they have paused because they don't know how to take the next step. Do they do it individually as a township, do they do it collectively?

Frank Nakamura said that part of it is that it would have to be a unified effort, all of them are going to do it or none of them are going to do it. They would have to go through a truth-in-taxation process, but it is a bit different than what SLVLESA goes through on its property taxes, in that it only effects your council, so it is your process. He said what he is trying to figure out, is that its only fair if they all do it or none of them does it. He says there is also the unincorporated County part, which is the municipal services district. He said he knows that all of them have representation on the MSD Board.

Trustee Keigley asked if it would be through the MSD.

Frank Nakamura said the money could float through the MSD, but it must be done individually by the townships, not by the MSD. The MSD would only be involved in the unincorporated county, so they don't have the ability to impose such a tax.

Trustee Prokopolis asked if they could impose the tax through the MSD.

Frank Nakamura said no, they would have to give whatever revenue is equal to what SLVLESA is raising, in terms of their municipal energy and telecommunications tax. He said they did that study and they estimated what each would generate if they each imposed that tax.

Trustee Prokopolis asked if there was a sense of where the County was standing on it because he would hate to move forward and leave the County behind.

Frank Nakamura said he believes it must come from the MSD. The County's general fund would not pay for that. He said if they are all in agreement, the approach would be to go to the MSD and have this discussion.

Trustee Prokopolis said there were some questions that came up if Magna were to impose it and it generates a million dollars in revenue, do they want to control that as a township or do they want the MSD to control that for them and can it or should it be earmarked 100 percent towards offsetting the cost of UPD. He believes they are discussing it at the MSD, he's not sure where they are at, but he knows it is not new to them.

Frank Nakamura said he believes those are the issues. Are you going to use 100 percent of funds generated from that tax. He said what the Board was saying, following the last increase, as Trustee Brems said they felt like they were spiraling and is there needs to be a way to alleviate that burden. He said they would not tax Kennebecott.

Trustee Keigley asked Trustee Brems if he had said previously that his council had already earmarked those taxes.

Trustee Brems said they had their meeting, all of them together, and formally said they are going to go back to their entities and try and ask for this communication and energy tax, which they are in the process of doing. So, if people are thinking other things though, then that may change the way they feel about this. They also have not decided what they would do with that money if they passed that tax. He said their lobbyist said you have sources of revenue that you need to explore before they can go back to the legislature and find more money to cover the shortfalls that are going to happen in a couple years.

Trustee Prokopis said they are asking how they do that.

Frank Nakamura said it is really the decision of each individual township.

Trustee Brems said he thought the MSD had said to not come to them looking for money because we have other sources of revenue.

Frank Nakamura said he thinks if it is a unified effort. It is one thing to just go ask for money but if they are all in agreement, that's different. He said they each have to decide what is best for their communities and prioritize the use of the money.

Trustee Bradley asked if there was any feedback from the other townships.

Trustee Keigley asked if the town of Brighton chose not to, would that effect this as a whole and if so, would the town of Brighton have the ability to say we'll do a percentage that is different than what the other townships are doing, would that work?

Trustee Brems said that the SLVLESA lobbyist told them that they had to go back to the state and tell them that they had exhausted all their revenue options, so what work does that mean?

Trustee Keigley asked if the legislature would be looking at just the townships or looking at anyone who is part of the MSD? She said what is confusing is that the town of Brighton is part of the MSD.

Frank Nakamura said the legislature wants to look at the district as a whole.

Trustee Keigley asked if it had to be the same percentage for all cities and townships.

Frank Nakamura said he thinks it has to be decided here, with SLVLESA. He said the max percentages are set in State law . He said the municipal energy tax is 6 percent maximum and the telecommunications tax is 3.5 percent.

Trustee Prokopis said it would probably be easier for the MSD if all of them spent it the same, 100 percent.

Frank Nakamura said he thinks that would be easiest, and more equitable.

Trustee Brems said that is a different conversation. He said it is whether they decide to collect this tax.

Trustee Keigley asked how it works for the County.

Frank Nakamura said he thinks it would have to be a projection equivalent to what these percentages represent. He said he thinks the purpose of this discussion is to get communication on what the different townships are doing. He said he can see that Emigration Canyon is moving forward, Magna is discussing it, but he's not sure about the others.

Trustee Keigley asked what their timeframe is.

Frank Nakamura said there is no timeframe. He said when they decided to do the 16.5% it was to buy time so that they could pursue these other alternatives, so he is pushing it along and seeing where we are headed.

Trustee Bradley said he thinks everyone needs to go back to their community and find out if this is a viable option with their councils.

Trustee Olsen said he did bring up the fact that this is an upcoming item for discussion, and he got some eye-rolling and hand-waving, but he didn't necessarily put it on the agenda, he didn't have enough information. He said he knows Frank gets beat up when he comes to Copperton but he may be able to present the information better to his council than he can.

Trustee Prokopolis said he will bring it up again and see where they are at and report back.

Trustee Peterson said it has been discussed informally. He asked that when Frank spoke to the MSD if he got any feedback at all about where they stood on the issue.

Frank Nakamura said no, he didn't. He said part of it was to settle on whether the numbers that are their projections were correct or not.

Trustee Prokopolis asked if Frank could resend those numbers. He would like to see if they all participate, what does that generate for SLVLESA.

Frank Nakamura said they do use the audited numbers for 2020 to do the projection but now that they have the audited numbers for 2021, the report needs to be updated. He doesn't think it should make much difference. He said he will get those numbers sent out to everyone.

Trustee Keigley asked how it is that Kennecott is pulled out of this.

Frank Nakamura said the tax is only imposed in the jurisdictions of the townships.

Trustee Peterson said he will try and get it on his council's agenda.

Trustee Olsen said he can do the same thing.

Trustee Bradley asked if there were any other comments. There were not.

Item #6- Process for Preparation and Adoption of Calendar Year 2023 Budget.

Action Requested: None

Discussion: Richard Moon said at next month's meeting on October 20th, he will be presenting a tentative budget. They will be accepting the tentative budget, not adopting the budget. Then on the November 17th meeting, they can discuss and review the tentative budget and make any changes by resolution. On December 15th, they will meet at their normal time because they are not having a truth-in-taxation meeting. He said after that they can still review and make any changes they want, then there will be a resolution to adopt the final budget. He asked if there were any questions. There were not.

Item #7-Report by Undersheriff Jacob Petersen for Sheriff Rivera, SLVLESA Chief Executive Officer.

Action Requested: None

Discussion: Undersheriff Petersen asked them to excuse the Sheriff because she is in Washington, DC. in a meeting. Chief Mazuran is taking some much-needed time off. They have had a few retirements in the UPD recently and they have brought on five sworn within the last week. The Sheriff swore them in last Wednesday. It is a great group of folks with diversified experience. With the discussion from previous meetings by Mayor Silvestrini at the UPD Board meeting, it was related to a County-wide committee that Sheriff Rivera had asked Mayor Silvestrini to head, to look at County-wide services and make recommendations to the Sheriff and the UPD Board and ultimately relay findings to the County Council, the funding board for the services. There is a legislative component to that too. He said if anyone had any questions, he would be happy to talk about them either here or offline. There have been questions relating to funding and different areas of the UPD and they are very careful to clear up any confusion that people have. Specifically, there was a question openly asked about White City and how is the County paying for White City for their police services, so they explained how SLVLESA functions. Most of the questions and criticism fall to the wayside because the work being performed and having contact with the citizens.

Item #8- Approve Minutes for the August 18, 2022 Board Meeting.

Action Requested: Motion, Second and Vote.

Discussion: Trustee Bradley entertained a motion to approve the minutes.

Trustee Brems motioned to approve.

Trustee Cardenaz seconded the motion.

All voted in favor; none opposed.

The minutes were approved.

Item #9- Adjourn

Trustee Bradley adjourned the meeting.