Snyderville Basin Special Recreation District
Board Meeting Minutes
Thursday, December 13, 2018
Board Room - Trailside Park
5715 Trailside Drive
Park City, Utah

Board Members in Attendance: Nate Brown, Ben Castro, Aaron Newman, Gary Resnick, Carrie Westberg. David Kottler attended telephonically at 6:00pm and arrived at 6:38pm.

Absent: Cathy Kahlow

Staff Present: Sue Ann Brandreth, Brian Hanton, Brian Kadziel, Ben Liegert, Melissa O'Brien, Matt Strader, Megan Suhadolc

Attending Guests: None

CALL TO ORDER AND PUBLIC INPUT

The meeting of December 13, 2018 was called to order by Chair Castro at 6:00pm.

There was no public input.

Chair Castro closed public input at 6:00pm.

CONSENT AGENDA

1. REQUEST TO APPROVE MINUTES FROM 11/15/18
2. REQUEST TO APPROVE THE PRIOR MONTH'S EXPENDITURES
3. REQUEST TO APPROVE THE 2018 AUDIT ENGAGEMENT LETTER
   Staff Request: To enter into an agreement with Greg Ogden, CPA for the 2018 annual independent audit.
4. REQUEST TO APPROVE THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT FOR COUNTY SERVICES.
   Staff Request: To increase the District's annual payment to Summit County under the Interlocal Cooperative Agreement for County Services to $40,000 in 2019, with cost of living adjustments not to exceed five percent in each year thereafter for the term of the Agreement.

MOTION: To approve the four-point Consent Agenda. [Newman/Brown] All in favor: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Gary Resnick, Carrie Westberg. None Opposed. Absent: Cathy Kahlow. Motion carries.

DISCUSSION AND POSSIBLE APPROVAL OF PAYMENT FOR LEGAL REPRESENTATION NECESSARY FOR THE GILLMOR OPEN SPACE ACQUISITION

Board members received a staff report from Brian Hanton in their Board packets prior to the meeting. Hanton told the Board that to assist in the process of negotiating the necessary documents, Squire Patton Boggs was hired to work on behalf of the County and Basin Recreation. An Engagement Letter was included in the staff report securing services for three months at the rate of $25,500 per month. The services may be extended for two more months. This month, the payment will come out of bond funds. Director Hanton is working with the County on a potential cost sharing.

Kottler and Resnick asked why the County, itself, is contracting out for legal services. In the consent agenda, the District just increased the amount that is given to the County for legal and paid charge services. Resnick pointed out that it should be invisible to the Board if the County chooses to provide legal services internally or outsource it. Director Hanton said that this is a continued discussion with the County and will share the Board's concerns. Resnick said that if the District is co-contracting with the County on this there will be more questions that require answers. If it is not the District's contract the Board is comfortable with Dave Thomas whether he handles it himself or contracts it out.

Kottler asked if anyone from Basin Recreation was involved in making the decision on the legal firm that was chosen. Hanton said that no one from Basin Recreation was involved in the decision. Resnick asked if the packet is courtesy information as opposed to the County asking the Board to act on it. Hanton explained that Dave Thomas told the County that bond funds could be used for it. The Board is comfortable with using the bond funds, but still have questions about the scope of the law firm's representation. Castro and Resnick commented that, if the firm is representing the District, it should have been reviewed by the Board, unless the representation is for the Governing Board. Hanton will continue to reach out to the County to provide answers to the Board's questions. Kottler said that, in the past, if there were a decision on spending bond funds, the recommendation came from County Council. Suhadolc mentioned that, in the past. some consulting for The Fieldhouse had come out of the bond funds and the County had approved the overall project.

There is confusion to how it is being handled. Resnick said that the request goes beyond the agreement and is not in line with our procurement policy. If this were another service provider other than the County this would not be approved. The Board is being asked to approve something after the fact.

Hanton is still waiting for answers from the County and would like to move ahead with the approval of the reimbursement through bond funds.

MOTION: To approve reimbursement of $25,500 from open space bond funds to the County for legal services. [Newman/Westberg] All in favor: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Carrie Westberg. None Opposed. Abstain: Gary Resnick. Absent: Cathy Kahlow. Motion carries.

DISCUSSION AND POSSIBLE APPROVAL OF THE 2019-2021 LETTER OF CONSENT FOR THE INTERLOCAL COOPERATIVE AGREEMENT FOR REGIONAL ICE FACILITY

Board members received a staff report from Megan Suhadolc in their Board packets prior to the meeting. Suhadolc explained that three-year reviews of the Interlocal Cooperative Agreement, originally approved in August of 2004, were completed in 2009, 2012, and 2015. A Letter of Consent was approved by the District and the City after each review to document the completion of the obligation. In the Spring of this year, the District and the City began to discuss annual contributions to the Capital Replacement Reserve Fund. The Ice Arena management requested that both entities increase their annual contributions to $80,000 in anticipation of equipment replacement. The potential of increasing funding was discussed during the District's budget process and the decision was made not to commit to an additional $30,000 per year for the next three years.

City Mayor Andy Beerman decided that if the District is not going to contribute an extra $30,000, that the City would not either. Hanton told Beerman that this is City's decision.

Maintaining the annual contribution at $50,000 will give the District potential capacity to contribute to one-time capital replacement needs if requested by the City. Staff is now requesting that the Board also approve the Letter of Consent.

The Board voiced concerns and hesitated to make a decision until the City makes its decision. Suhadolc told the Board that Amanda Angevine has requested that two variations of the Letter of Consent be signed and then the City will decide which version to sign. Both letters have provided that the District will maintain the annual contribution at $50,000. The City will have to decide if its contribution will stay at $50,000 or increase to $80,000.

MOTION: To approve the 2018 Letter of Consent, which authorizes the District's annual $50,000 contribution to the Capital Replacement Reserve Fund. [Kottler/Brown] All in favor: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Gary Resnick, Carrie Westberg. None Opposed. Absent: Cathy Kahlow. Motion carries.

DISCUSSION AND POSSIBLE APPROVAL OF RENEWAL OF LIABILITY, PROPERTY, AND AUTO INSURANCE

Board members received a staff report from Megan Suhadolc in their Board packets prior to the meeting. Suhadolc explained that the District's insurance agent, Olympus Insurance, coordinates the renewal process for liability, property, and auto insurance and that the District's current policy with Argonaut expires on December 15, 2018. The premium to renew with Argonaut is $57,782, which is an increase of $3,023 or 5%. The biggest driver of the premium increase is the additional exposure to the District from increased admittance numbers at The Fieldhouse.

Suhadolc briefly highlighted additional coverage options for the District to consider when renewing and asked for the Board's input.

After some discussion, the Board requested more information on premium costs, statutory liability limits, and any add-on coverages that the District may decide to have. The Board would like to have the County's legal opinion on how much liability the District should consider and if the District can self-insure on the Privacy/Network Security Liability option.

MOTION: To approve the main renewal of the liability, property, and automobile insurance from Olympus Insurance for the 2018 to 2019 policy year. [Resnick/Newman] All in favor: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Gary Resnick, Carrie Westberg. None Opposed. Absent: Cathy Kahlow. Motion carries.

DISCUSSION OF THE DISTRICT'S PURPOSE, MISSION, AND VISION STATEMENTS

Board members received a staff report from Brian Hanton in their Board packets prior to the meeting. Hanton told the Board that, with the Management Team, work began in March 2018 to evaluate the District's current mission statement. This topic was discussed internally, at the Board Retreat, and with a leadership consultant. After looking at examples from other organizations, staff felt that it could provide a more meaningful identify to Basin Recreation by having a Mission, Vision, and Purpose statement. Director Hanton is asking Board members to provide input on the following statements:

Mission (Why) = To connect the community through recreation
Purpose (What) = To enhance the quality of life
Vision (How) = To provide diverse parks, trails, open space and recreational opportunities

Kottler asked for more explanation of the statement "connecting the community through recreation." Director Hanton said the statement was intended to tie in activity options, such as trails, parks and open space, into recreation opportunities to provide social networking opportunities to a part of the community that may not participate in sports or fitness classes. Kottler said that the phrasing seems vague. Castro suggested combining the Mission and Purpose i.e., "To enhance the community through recreation."

Resnick said that the Mission is a practical articulation of what one does. The vision is clear look to the future. It feels like the Mission and Vision are flipped. The use of the words should follow the definition. It would seem that the District's mission is providing recreation. Brown added that many people are not necessarily using the recreational opportunities to connect with the community but as an outlet for themselves. Hanton said that this is a work in progress but ultimately, he would like to implement this as a part of the branding process. It is important for the community to know what Basin Recreation does. Strader added that The Fieldhouse needs updating with posters and banners. The Board requested updates on the progress of this. Resnick said that there needs to be a brainstorming session to make the decisions so that everyone is on the same page.

QUESTIONS ON DEPARTMENT UPDATES

Board members received Department updates from Staff in their Board packets prior to the meeting.

Resnick complimented the Staff on including the accomplishments against the goals for 2018 and said that it was very helpful to the Board. Newman mentioned that the Recreation department did a great job at the Latino event.

Kottler suggested that the Trails department goals that carry forward incorporate safety between bikers and hikers. In Summit Park, the yellow "slow" sticker is very small and the rules and regulations on the map on the Trailhead need to be easier to read. Liegert agreed and said that they are in the process of customizing the maps for the purpose of informing the bikers and hikers of the high use areas.

Resnick asked if O'Brien is the new project management lead. The answer is that O'Brien and Liegert are co-leaders. The documents are kept by O'Brien. Project management software is being looked at to use as tool.

Castro wanted to know about the progress with Rob's Trail. Liegert filled the Board in on the background of the changes to the trail. After last winter when bikes were using the trail both directions, there was feedback concerning safety. This year, the decision was made to add signage that there is no biking in the winter. There were numerous emails expressing concern about that decision so Liegert along with Hanton, Phares Gines and O'Brien, held a meeting to hear the public's input. The Sunpeak HOA had concerns also, so a meeting was held with the HOA to hear its feedback. Hanton said that some of the issues came from the lack of communication and that would change in the future.

UPDATES FROM DISTRICT COMMITTEES

STANDING COMMITTEES:

District Director Liaison & Annual Review Committee (Chair Gary Resnick, Aaron Newman): Resnick said there was a meeting on Monday and will share the details of that in the closed session.

Personnel Committee (Chair David Kottler, Aaron Newman): No meeting

Audit Review Committee (Chair Ben Castro, all Board Members): No meeting

Trails Committee (Chair Nate Brown, Cathy Kahlow): No meeting

Open Space Committee (Chair Cathy Kahlow, David Kottler): No meeting

AD HOC COMMITTEES:

Recreation Committee (Chair Nate Brown, Aaron Newman): No meeting

Capital Investment Committee (Chair Gary Resnick, Cathy Kahlow): No meeting

BOSAC COMMITTEE: There have been two meetings since the last Board meeting. Preparation for 2019 is taking place including evaluating criteria for open space acquisitions and ordering of target properties. There will be a closed session meeting to refresh the rankings. Additionally, the committee is working on proposed questions for the community survey.

NOMINATING COMMITTEE REPORT OF PROPOSED 2019 SLATE OF OFFICERS

Brown reported that for 2019: Ben Castro was nominated as Chair, Nate Brown was nominated as Vice Chair, Carrie Westberg was nominated as Clerk, and Aaron Newman was nominated as Treasurer.

MOTION: To approve the nominations as follows: Ben Castro, Chair; Nate Brown, Vice Chair; Carrie Westberg, Clerk; and Aaron Newman, Treasurer. [Resnick/Kottler] All in favor: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Gary Resnick, Carrie Westberg. None Opposed. Absent: Cathy Kahlow. Motion carries.

DISCUSSION AND APPROVAL OF THE 2019 ADMINISTRATIVE CONTROL BOARD MEETING SCHEDULE

Board members received the tentative Administrative Control Board meeting schedule in their Board packets prior to the meeting. Hanton said that a Board Retreat is not on the schedule yet but will be added when a date is agreed upon.

Castro will be out of town May 2, Westberg will be absent February 6, Kottler will be absent September 5. Resnick suggested that the retreat be before June.

Kottler inquired about the timeline for the Community Survey. O'Brien said that it will take about four to six weeks and will be released sometime in late February. Kottler thinks that information would be good to have before the retreat.

MOTION: To approve the 2019 Administrative Control Board meeting schedule as proposed. [Westberg/Kottler] All in favor: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Gary Resnick, Carrie Westberg. None Opposed. Absent: Cathy Kahlow. Motion carries.

DIRECTOR COMMENTS

Hanton informed the Board that the four RAP grants were approved yesterday and fully funded. Grant money awarded was for bike park improvements, shade structures, a skid steer, and improvements to the yoga studio at The Fieldhouse. The grants totaled $208,000.

The sale of the Newpark Density is a tabled agenda item. Newpark Retail LLC is working with the County attorney on the details. Their exhibits were not quite ready. There is a $25,000 refundable deposit and $275,000 once the project is approved by planning and all appeals are exhausted. Hopefully the agreement details will be figured out and will put this on the January agenda.

BOARD MEMBER COMMENTS AND REVIEW OF ACTION ITEMS

Hanton asked the Board about the status of their Open and Public Meetings Act training and reminded them that the required training must be completed by the end of the year.

CLOSED SESSION: PROPERTY ACQUISITION (20); PERSONNEL (60)

At 7:30pm, staff was dismissed, and Chair Castro called for a motion to enter into executive session to discuss property acquisition. Director Hanton and Melissa O'Brien were invited to stay for the discussion regarding property acquisition.

The executive session to discuss property acquisition was recorded.

Those in attendance were: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Gary Resnick, Carrie Westberg, Brian Hanton, Melissa O'Brien. Cheryl Fox, Kate Sattelmeier and Bea Peck arrived during the executive session to present on a specific property.

MOTION: To enter into executive session for the purpose of discussing property acquisition. [Kottler/Resnick] All in favor: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Gary Resnick, Carrie Westberg. None Opposed. Absent: Cathy Kahlow. Motion carries.

At 8:20pm, Chair Castro called for a motion to close executive session for the purpose of discussing property acquisition.

MOTION: To close the executive session for the purpose of discussing property acquisition. [Brown/Resnick] All in favor: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Gary Resnick, Carrie Westberg. None Opposed. Absent: Cathy Kahlow. Motion carries.

At 8:20pm, Chair Castro called for a motion to enter into executive session to discuss personnel. Director Hanton was invited to stay for the discussion regarding personnel.

Chair Castro signed a closed meeting affidavit for discussion of personnel.

Those in attendance were: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Gary Resnick, Carrie Westberg, Brian Hanton.

MOTION: To enter into executive session for the purpose of discussing personnel. [Kottler/Resnick] All in favor: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Gary Resnick, Carrie Westberg. None Opposed. Absent: Cathy Kahlow. Motion carries.

At 9:20pm, Chair Castro called for a motion to close executive session for the purpose of discussing personnel and adjourn the meeting.

MOTION: To close the executive session for the purpose of discussing personnel. [Kottler/Newman] All in favor: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Gary Resnick, Carrie Westberg. None Opposed. Absent: Cathy Kahlow. Motion carries.

MOTION: To adjourn the meeting of December 13, 2018. [Westberg/Brown] All in favor: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Gary Resnick, Carrie Westberg. None Opposed. Absent: Cathy Kahlow. Motion carries.

MOTIONS:

MOTION: To approve re-imbursement of $25,500 from open space bond funds to the County for legal services. [Newman/Westberg] All in favor: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Carrie Westberg. None Opposed. Abstain: Gary Resnick. Absent: Cathy Kahlow. Motion carries.

MOTION: To approve the 2018 Letter of Consent, which authorizes the District's annual $50,000 contribution to the Capital Replacement Reserve Fund. [Kottler/Brown] All in favor: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Gary Resnick, Carrie Westberg. None Opposed. Absent: Cathy Kahlow. Motion carries.

MOTION: To approve the main renewal of the liability, property, and automobile insurance from Olympus Insurance for the 2018 to 2019 policy year. [Resnick/Newman] All in favor: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Gary Resnick, Carrie Westberg. None Opposed. Absent: Cathy Kahlow. Motion carries.

MOTION: To approve the nominations as follows: Ben Castro, Chair; Nate Brown, Vice Chair; Carrie Westberg, Clerk; and Aaron Newman, Treasurer. [Resnick/Kottler] All in favor: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Gary Resnick, Carrie Westberg. None Opposed. Absent: Cathy Kahlow. Motion carries.

MOTION: To approve the 2019 Administrative Control Board meeting schedule as proposed. [Westberg/Kottler] All in favor: Nate Brown, Ben Castro, David Kottler, Aaron Newman, Gary Resnick, Carrie Westberg. None Opposed. Absent: Cathy Kahlow. Motion carries.

Minutes prepared by Sue Ann Brandreth.

Clerk/Board Member Approval: