



## **Governing Board**

Thursday, May 24, 2013, 7:30 A.M.  
Historic County Courthouse Ballroom – 3rd floor  
51 South University Avenue, Provo, Utah

### **ATTENDEES**

Mayor Jim Dain, Lindon City, Commission Chair  
Mayor Bert Wilson, Lehi City, Commission Vice-Chair  
Mayor James Hadfield, American Fork City  
Councilwoman Karen McCandless, representing Mayor  
James Evans, Orem City  
Mayor John Curtis, Provo City  
Councilwoman Rebecca Call, Saratoga Springs City  
Councilman Dean Olsen, Springville City  
Mayor Randy Farnworth, Vineyard Town  
Mr. Gene Shawcroft, representing Ms. Chris Finlinson,  
Central Utah Water Conservancy District (CUWCD)  
Mr. Mike Styler, Utah Department of Natural Resources  
(DNR)  
Ms. Laura Ault, representing Mr. Dick Buehler, Forestry,  
Fire, and State Lands (FFSL)

### **ATTENDEES**

Richard Nielson, sitting in for Commissioner Larry  
Ellertson, Utah County

### **INTERESTED PARTIES / VISITORS**

Robert Moore, UCAO  
Mike Mills, June Sucker Recovery Implementation  
Program (JSRIP)  
Greg Beckstrom, Provo City  
Bob Trombly, Provo City  
Dee Chamberlain, Saratoga Springs HOA  
Dustin Rowley, UACD  
Garrick Hall, Farm Bureau  
Darren Sayers, UKB  
Creighton Omer, HDR

### **ABSENT:**

Mapleton City, Santaquin City, Woodland Hills Town, Utah State Legislature, and Utah Department of Environmental Quality.

1 **1. Welcome and call to order.**

2 Chairman Mayor Jim Dain called the meeting to order at 7:30 a.m., noting a quorum was present. He welcomed  
3 the members of the Governing Board and the visiting public. He excused Councilman Jim Linford of Santaquin,  
4 Representative Mike McKell, and Senator Deidre Henderson of the State Legislature, Commissioner Larry Ellertson,  
5 Mr. Dick Buehler, and Ms. Chris Finlinson. He thanked Mayor James Hadfield for acting as Chairman Pro Tem in the  
6 April meeting.  
7

8 **2. Review and approve the Utah Lake Governing Board minutes from meeting of April 25, 2013.**

9 Mayor Dain asked for discussion, comments, or corrections for the minutes of the meeting held April 25, 2013.  
10 There was none.

11 Mayor James Hadfield found the minutes of April 25, 2013 to be correct, and he moved they be adopted as  
12 presented; and it was seconded by Mayor Randy Farnworth. The motion carried and the minutes were unanimously  
13 approved as corrected. All in favor were Mayor Dain, Mayor Hadfield, Mayor Curtis, Councilwoman Call, Councilman

1 Olsen, Mayor Farnworth, Mayor Wilson, Mr. Shawcroft, Mr. Styler, Ms. Laura Ault, Ms. Karen McCandless, and Mr.  
2 Nielson.

3  
4 **3. Review and approve the monthly financial report of the Commission for April, 2013.**

5 Mr. Price gave the April 2013 monthly financial report:

6 **April:** The financial report dated April 30, 2013, shows 16.7 percent of the fiscal year remaining. The Zions  
7 checking account balance was \$1,703.93; the money market account balance was \$15,562.98; and the Utah Public  
8 Treasurers Investment Fund (PTIF) balance was \$207,748.81. The money market account balance received a rate of  
9 return at 0.25 percent, and the PTIF received a return of 0.53 percent. There were three transfers to checking for  
10 \$8,000 on April 3, \$8,000 on April 17, and \$1,000 on April 29, 2013. Interest earned in April was \$95.84, bringing  
11 year-to-date interest earned to \$1,549.27. The expenses for the month are listed in the middle totaling \$16,027.09.  
12 The General Fund Budget Report is listed at the bottom, showing percents left in each of the accounts. An overall  
13 General Fund balance of \$89,051.69, showed 34 percent of the budget remaining. He called for questions on the  
14 finance report. There was none.

15 Mayor Hadfield moved the financial report for April 2013 be approved as presented; it was seconded by Mr.  
16 Gene Shawcroft. The motion carried and those voting unanimously in favor were Mayor Dain, Mayor Hadfield,  
17 Mayor Curtis, Mayor Wilson, Councilwoman Call, Councilman Olsen, Mayor Farnworth, Mr. Shawcroft, Mr. Styler, Ms.  
18 Ault, Ms. McCandless, and Mr. Nielson.

19  
20 **4. Report from the Executive Director, Mr. Reed Price.**

21 Mr. Price, Executive Director, updated the Governing Board of the ongoing activities of the Utah Lake  
22 Commission (ULC).

23 **a. Trails:** The Murdock Canal Trail in Orem is completed and opened to the public. The county will now  
24 complete additional segments of the Utah Lake Trail between the Utah Lake State Park and the Jordan River.

25 **b. Field trip report:** There were three fourth grade field trips held in April/May for the students. All three  
26 school districts were represented, with a total of 11 schools, 31 classes, 853 students, and 125 parents. Almost 1,000  
27 people came to the lake and reinforced the subjects taught by the teachers. There were 12 different stations  
28 teaching endangered fish, Native American, archaeology, macro-invertebrates, raptors, birds, rod casting, sailing,  
29 history, phragmites, and invasive plants species. He read feedback from several of the teachers. Mrs. Russell's class  
30 created a "thank you" booklet to the Utah Lake Friends, expressing their gratitude for the field trip. Each student was  
31 assigned to write about their experience around the lake.

32 Mayor Dain asked if the Commission funds the bus services. Mr. Price confirmed his understanding. It is  
33 organized with volunteers who are experts in their areas and instruct the students at the stations reinforcing what is  
34 taught throughout the year. It was a successful experience.

35 **c. Utah Lake Festival plans:** The festival is scheduled for June 8, from 10 a.m. to 2 p.m. at the Utah Lake State  
36 Park with a similar format of past years, including booths for information, education, kids' games, and activities, state  
37 free-fishing day, and free boat rides. New this year is a boat show focusing on different boats that utilize the lake  
38 including the Land Tamer, FFSL Truxor, carp removal boat, speed boat, fishing boats, sail boats, and an antique  
39 restored boat. There will be no free food this year. Mr. Mike Styler asked if a concessionaire would be selling food.  
40 Mr. Price said yes and he is already established. The agreement does not allow for outside concessioners to come in.  
41 It will continue as planned, and the public reaction will be considered. He invited the Board members and their  
42 families to plan on attending the fun festival.

43 **d. Nature Center/Research Facility progress report:** The National Park Service funded a grant using their staff  
44 consulting services. With their expertise, the Commission is working through a process to determine what is wanted  
45 in a Utah Lake Nature Center and Research Facility. A core group of people for both facilities has been invited to  
46 discuss what is desired in both areas. The research facility met earlier in the month and identified things important  
47 for a research facility near the lake. On June 5, the nature center members will explain essential things they  
48 determine are needed. Once ideas are gathered, a document will be created to present to potential partners and  
49 show what is desired at Utah Lake, and then begin to seek funding. The results of the process will help the  
50 Commission move forward to accomplish the goal identified in the Utah Lake Master Plan.

1 **e. Procurement policy legislative changes:** Procurement policies and legislative changes in Senate Bill 190  
2 occurred in the last session for special service districts. ULC has been working with the Utah Association of Special  
3 Districts to assure compliance. The procurement policy will be changed at some point in the future in order to  
4 comply. ULC will meet the requirements and make sure the new rules set forth are followed. Central Utah Water  
5 Conservancy District is working with the Utah Association of Special Districts to help all districts in the state come in  
6 compliance with the new rules.

7 **f. Utah Lake Survey report:** ULC is working on an outreach survey to extend to the public and stakeholders. It  
8 is presently in draft format and will be submitted to a preview group consisting of the Public Advisory Group and  
9 other stakeholders. Asking questions will help ULC find answers related to the Master Plan, specifically what  
10 improvements will help achieve the visions stated in Master Plan. He reviewed portions of the survey draft. A FFSL  
11 intern is working with Mr. Price to create the survey and make it statistically sound for potential partners including  
12 communities, state legislators, or other potential partners to present a valid argument for the desired and needed  
13 improvements. It is anticipated the results from the survey will be presented at a later summer Governing Board  
14 meeting and at a planned Legislative Event.

15 **g. “Adopt a Shoreline” program progress:** An intern from BYU is working with ULC and FFSL to create an  
16 “Adopt a Shoreline” program. As more shoreline is exposed and used, it is thus abused with trash, etc. The shoreline  
17 adoption program will help the division maintain the shorelines and let ULC know if phragmites or other invasive  
18 species are returning.

19 **i. Legislative event planning with JSRIP update (an event to invite the legislature to at the end of summer to  
20 discuss lake issues and to seek support for carp removal funding):** After presenting the importance of the carp  
21 removal program and the need for funding, Representative Mike McKell suggested ULC host a legislative event where  
22 county legislators are informed about the importance of carp removal and also of other issues the lake faces. ULC is  
23 in the process of planning and hosting the event. It is anticipated it will be held in August/September to garnish  
24 support before legislative sessions begin. Assistance of the Governing Board is needed to help lobby legislative  
25 members. The survey will be a tool ULC can use to show the legislators what is desired and how they can improve  
26 the resource for which the state is responsible.

27 **j. Criteria for Public Advisory Group (PAG):** Representative McKell asked ULC to create criteria to be used  
28 when considering groups to become members of PAG. An application process is generally reviewed, but in a previous  
29 meeting Representative McKell felt it important to have criteria with minimum qualifications in the bylaws to give the  
30 Board a basis to make decisions for groups interested in participating. Provo city’s legal counsel has worked with  
31 ULC. A draft form is written up and will be reviewed before it is brought to the Board for consideration. Also, draft  
32 language will allow for electronic meetings to be held, if needed, to assure a quorum is present at meetings as  
33 situations may arise when the electronic option is warranted and/or needed.

34 **k. Phragmites efforts:** ULC is working with FFSL to transfer available money to Utah County who will administer  
35 it as a grant to allow work crews to smash down the treated phragmites and speed up the bio-decomposition. By  
36 doing so, it will open up the shorelines faster. Mayor Bert Wilson asked if there was a specific area the phragmites  
37 removal team was working or if it was in areas already completed. Mr. Price said it was areas that had been aeri-  
38 ally treated. About 100 yards has been smashed in the Saratoga Bay, and ULC wants to finish and start at the north end  
39 of the lake, work from Jordan River to the east, and into Provo Bay until the funds are depleted. It is hopeful ULC can  
40 get more money for the next year to work in Provo Bay area. Next year’s projects are dependent on grant awards  
41 through the Watershed Restoration Initiative and the Department of Agriculture and Food (DOAF), totaling about  
42 \$200,000. The announcement will be made within a few weeks. The grants will allow ULC to treat the south end of  
43 the lake between Provo Bay and Lincoln Beach, approximately 1,000 acres. With the established work records and  
44 completed projects, ULC is confident the funding will go through.

45 Mayor Dain asked in the first completed area, if there were any indications the results were good. Mr. Price said  
46 the results were fantastic. Mayor Dain asked if there were signs the phragmites might be returning. Mr. Price said  
47 no, as it is monitored regularly to make sure phragmites does not come back. Mr. Aaron Eagar, who supervises the  
48 work showed aerial photos from the end of 2009 and 2011 showing the differences in open shoreline and there was a  
49 major difference. Mayor Dain said it was all good work. Mr. Price thanked the county crews, the ULC Board, and  
50 CUWCD for funding the equipment making it possible to continue the projects.

1       **I. Representative Jim Matheson field trip:** A trip was scheduled with Representative Jim Matheson to tour the  
2 lake, but it was postponed due to a death in Mr. Price’s family. It was rescheduled for July. Representative Matheson  
3 is interested in having more of a presence in his district and ULC needs to capitalize on it. The field trip will showcase  
4 the Lake to show the issues the lake faces and get the Federal support for what is being accomplished.

5       He asked for questions or clarification. Mayor Dain thanked Mr. Price and Mrs. Carin Green for their fine,  
6 diligent, and hard work and gave his appreciation for their efforts.  
7

8       **5. Presentation by Mr. Robert Moore, on the Utah Open and Public Meetings Act (required annually by law).**

9       Mr. Price explained it is a requirement the ULC Governing Board receives annual training about the Utah Open  
10 and Public Meetings Act (OPMA) criteria. Mr. Robert Moore conducted training in years past. The Utah Open and  
11 Public Meetings Act concerns record keeping and updating changes in the law.

12       Mr. Moore presented the updates to the Utah Open and Public Meetings Act (OPMA), Utah Code Ann. §§52-4-  
13 101, et seq.

14       Each year, the state Legislature finds and declares the state, its agencies, and political subdivisions exist to aid in  
15 the conduction of the people’s business and take their actions openly; and conduct their deliberations openly. Any  
16 administrative, advisory, executive, or legislative body created by the Utah Constitution, statute, rule, ordinance or  
17 resolution; consists of two or more persons; expends, disburses, or is supported in whole or part by tax revenue; and  
18 vested with authority to make decisions regarding the public’s business is subject to OPMA.

19       A meeting is defined as the convening of a public body, with a quorum present, whether a workshop or an  
20 executive session. The meeting is held in person or by means of electronic communications, for the purpose of  
21 discussing, receiving comments from the public about, or acting upon a matter over which the public body has  
22 jurisdiction or advisory power.

23       Mr. Price asked if the rules and bylaw changes ULC is planning to do is meeting criteria. Mr. Moore said yes.

24       A chance meeting or a social meeting is a meeting of a body with both legislative and executive responsibilities, but  
25 no public funds are appropriated. These types of meetings are held solely for discussion or to implement  
26 administrative or operational matters with no formal action required, or that would come before public body for  
27 discussion or action including tours, site visits, as these can be considered meetings. He cautioned not to use chance  
28 or social meetings to circumvent the OPMA.

29       Before electronic meetings, can be held a rule must be adopted. After the rule is adopted, the meetings can be  
30 held by phone, computer, or other electronic means. Notice requirements still apply, and the public must have a  
31 means to attend or participate. A quorum must be in the regular meeting, and must have adopted an existing rule,  
32 resolution, or ordinance allowing the Commission to conduct them. Mr. Price asked if the proposed ULC bylaw  
33 changes being planned would meet the requirements. Mr. Moore said a policy needs to be in place to allow for  
34 electronic meetings and recommended a separate resolution allowing them.

35       A “meeting” can be closed to discuss an individual’s character, professional competence, or physical or mental  
36 health (personnel closed meeting) and does not require a recording but requires an affidavit by the chairperson  
37 stating the meeting was held for that purpose. It can also be closed for strategy sessions to discuss collective  
38 bargaining, to discuss pending or reasonably imminent litigation, and for strategy sessions to discuss the purchase,  
39 exchange, lease, or sale of real property, including water rights or water shares. Public notice of the terms and public  
40 approval of sale is required to discuss deployment of security personnel, devices or systems or investigative  
41 proceedings regarding allegations of criminal misconduct. The process to close a meeting requires a quorum must be  
42 present, two-thirds of the body must vote to close the meeting, the body must first hold an open meeting with  
43 proper notice before entering into the closed meeting. The body must publicly disclose (and enter into the minutes):  
44 the vote by name of each member for or against entering into the closed meeting, the reasons for holding the closed  
45 meeting, and the location of the closed meeting

46       In a closed meeting, the restrictions are the body may not approve any ordinance, resolution, rule, regulation,  
47 contract, or appointment as it is for discussion purposes. Closed meetings cannot be held for interviewing a person  
48 to fill an elected position (midterm vacancy or temporary absence), and cannot even discuss filling the midterm  
49 vacancy or temporary absence; cannot discuss the character, professional competence, physical or mental health of  
50 the person who is submitted for consideration. No final action can be taken. All final votes must be open and on the

1 record.

2

3 Meetings must be posted as a written notice at the principal office of the public body, or, where the meeting will  
4 be held. The announcement must be provided to at least one local general circulation newspaper or local media  
5 correspondent. A notice must be posted to the “Utah Public Notice Website” (not required if you are a municipality,  
6 district, or limited purpose local governmental entity with an annual budget less than \$1 million). At least 24 hours  
7 prior to a meeting, an agenda, including all action items stated with reasonable specificity, and the date, time, and  
8 place. The entity is encouraged to develop and use additional electronic means for notice.

9 Emergency meetings are held due to unforeseen circumstances and matters considered emergency or urgent.  
10 The best practicable notice is given, including time and place of meeting, and topics to be discussed. Sometimes things  
11 are spoken about where the body feels an immediate action is required, but none should be taken. An attempt must  
12 be made to notify all of the members of the public body and a majority of them must approve the emergency meeting.  
13 The minutes should include a statement of the unforeseen circumstances that made the meeting necessary. Mr. Price  
14 said at times an agenda item would be called “other business” and he learned to label it “general comments” from  
15 Board members and the public. Mr. Moore complimented him on the action.

16 There must be written minutes and a recording must be kept of all open meetings. It requires a public body to  
17 establish and implement procedures for approval of written minutes. A recording must be kept of all closed meetings  
18 and detailed written minutes may be kept, except when a meeting is closed to discuss the character, professional  
19 competence, or physical or mental health of an individual does not need to be recorded or written minutes kept, but  
20 the presiding person must sign a sworn statement. Or if a meeting closed to discuss deployment of security  
21 personnel, devices, or systems does not need to be recorded or written minutes kept, but the presiding person must  
22 sign a sworn statement.

23 The written minutes requirements must include the date, time, and place of meeting, and the names of all  
24 members present and absent. The minutes of open meetings must include all matters proposed, discussed, and/or  
25 decided. It should include all the names and a summary of the substance or information from individuals providing or  
26 giving testimony or comment. The requirements for minutes have become more in-depth. Individual votes should be  
27 documented on each matter including funding. Whoever takes the vote, has to have listed names. Include any  
28 additional information requested by a member of the public body. Mr. Price asked if voting was unanimous in favor, if  
29 the names should be written down. Mr. Moore said it does require an individual vote according to statutes and they  
30 should be included.

31 The minutes of closed meetings must include the names of others present at the closed meeting, unless it infringes  
32 on the purpose of the closed meeting. Minutes and recordings of open meetings are public records. The written  
33 minutes are the official record, not the recordings. Within three days after the end of open meeting, the recordings  
34 must be available to the public for listening. Recordings are not required for site visits, traveling tours, or certain  
35 small local districts (if no vote or action taken). The draft, pending, or unapproved minutes are also public records  
36 and must be available to the public in a reasonable time after the end of the meeting. Draft minutes provided must  
37 be identified as “awaiting formal approval” or “unapproved” or other appropriate notice they are subject to change.  
38 All or part of an open meeting may be recorded by the public, unless it interferes with the conduct of the meeting.  
39 Closed meetings must be recorded, but the recording and minutes are protected records and need a court order to be  
40 disclosed.

41 If the OPMA is not followed and there are violations, “In addition to any other penalty under this chapter, a  
42 member of a public body who intentionally violates or intentionally abets or advises a violation of the closed meeting  
43 provisions of this chapter is guilty of a class B misdemeanor.” A court can void any action in violation of the law;  
44 sometimes a violation can be “cured” by discussing and taking a public vote in a subsequent meeting; and the  
45 violators may have to pay court costs and attorneys fees. He gave the time limits for filing actions.

46 Mr. Moore said the affects of written minutes of a legislative body of a county, city, or town (city of fifth class or  
47 town) is required to comply by January 1, 2015. He said in the recent legislature there were three bills dealing with  
48 Open Public Meetings Act. He instructed the Board on those affecting their records. He said to make pending  
49 minutes available to the public within 30 days after holding a meeting. Within three business days after approving  
50 written minutes of an open meeting, post to the Utah Public Notice Website, make available a copy of the approved

1 minutes, and any public materials distributed at the meeting. Within three business days after holding meeting, make  
2 audio recordings available. All other non-state public bodies must still make pending minutes available to the public  
3 within a reasonable time; within three business days after approving written minutes, make the approved minutes  
4 available to the public; within three business days after holding a meeting, make audio recording available.  
5

6 **6. Final budget review for FY2014.**

7 Mr. Price reviewed the proposed fiscal year 2014 budget that begins July 1, 2013.

8 A public hearing is required to review the annual budget and to hear any public input. The proposed amounts  
9 recommended to the Board are total revenues of \$276,000 with \$232,770 from the Utah Lake Commission  
10 memberships, which is the same as the previous year showing no increases. Income anticipated from interest is  
11 \$2,000. Mr. Price recommended \$41,230 be rolled into the fund balance totaling \$276,000. The expenditures in  
12 different accounts enumerated. He had recommended increasing employee wages by 4.6 percent including a three  
13 percent merit increase and a 1.5 percent COLA increase. With the wage increases, the benefit costs become greater  
14 at \$70,500 at six percent. He provided results of a wage survey the Board directed him to complete.

15 The proposed budget is a draft document, and changes can be made to line items and after hearing public  
16 comments. The expenditures of the accounts will remain the same. An additional \$500 for mileage increases the  
17 amount to \$4,000 per year at 14.3 percent. He requested an increase in the Utah Lake Festival account as the  
18 Commission became a partner sponsoring the Utah Lake Symposium. The Festival is held in the summer and in the  
19 fall; the academic Symposium is a presentation of lake issues. He asked for \$6,000, up \$1,000 for the additional  
20 purpose. The field trips are decreased by 23.1 percent. For the three days scheduled and supplies purchased, etc.  
21 the total is about \$5,000. The decrease is because the curriculum was updated and there are no further needs.  
22 Mayor Dain asked if there were an increase in transportation, could an adjustment be made. Mr. Price said yes, but  
23 stated there is enough cushion to allow for the three days. Mayor Dain asked, as in previous discussions, if that is all  
24 the volunteers can provide in time. Mr. Price said until a permanent facility is built, such as a Nature Center, the field  
25 trips are determined by the elements, and are restricted to the spring season, and the current volunteers' maximum  
26 ability is about three days. A nature center will be able to provide more volunteers, self-guided tours, or more field  
27 trips. The main field trip concern is being out in the elements, and not being able to schedule anything earlier than  
28 late April because of the possibility of having bad weather. Mr. Dain clarified as far as manpower at present, the  
29 Commission has reached the limit. Mr. Price said yes.

30 For the website and editorial plan account, he recommended maintaining the same total with the contract of the  
31 individual helping reach out to the public with lake issues. The fishing tournament was a one-time event, and may be  
32 needed in the future if it returns. Money in the model ordinance is left to help communities still considering the  
33 model ordinance. He wanted monies available for professional expertise and advice. Phragmites removal amount  
34 stays the same at approximately \$10,000. Money is provided primarily if grants are not awarded, to allow  
35 maintenance efforts, and to insure any pockets of phragmites can be treated. Mayor Wilson asked if the money  
36 budgeted and the grants could be added together and spent. Mr. Price said yes or the amount could be left alone.

37 New line items being recommended are to include money to assist in the nature center and research facility  
38 process. Public meetings may be held once the wish list is made. The \$3,000 is to do some public outreach efforts.  
39 The consultant service grant covers only manpower. Expenditures beyond that would fall upon ULC to fund, so he  
40 wanted to have funding in place in case something came up.

41 The Utah Lake Survey funding is to do direct mailings and other outreach efforts to get responses for the survey.  
42 Results will enable ULC to show partners what the community wants done at the lake. A contribution from the  
43 general fund to the capital projects fund has been traditionally done in an effort to save money for future expenses,  
44 with the goal for funding the updated Utah Lake Master Plan, which is to occur every ten years. His goal was to have  
45 \$200,000 in savings to pay a consultant to come in and walk the Commission through the process in 2019, it will be  
46 an update and won't be as rigorous. The goal is to have \$200,000 set aside and it is part of the purpose for the  
47 transfer to the general fund.

48 The revenues at \$276,000 balance with the recommended expenditures of \$276,000 as well. The other item  
49 shows the Utah Lake Project Fund, and the capital projects funds. It shows the transfer from the general fund to the  
50 capital projects fund of \$20,000, and if approved brings the balance to \$94,907.

1 Mr. Price asked for questions on any line items.

2 Councilwoman Call said concerning the wage and survey compensation numbers, Saratoga Springs is doing no  
3 COLA, but is in the process of benchmarking against other cities. Saratoga Springs are giving a two percent merit  
4 base, but no other increase. She said Mr. Price has a good goal of looking forward to the larger expenditures in the  
5 future and contributing in prior years, but she is concerned at the end of the year if they take from the \$21,000  
6 rather than increasing it. The budget is straightforward with no fluff and it is not easy to make up the \$21,000. She  
7 asked what the Board felt about the particular issue and if they were looking at ongoing expenses, like saving up for  
8 updating of the Master Plan, and the contributions needed. Mr. Price said that with the savings of the unused funds,  
9 ULC exceeds the 25 percent threshold in the fund balance. If ULC didn't have that excess amount, he would be asking  
10 the Board for help. It might be an issue that could pose a threat in the future.

11 Mayor Farnworth asked if there would ever be a top-out on the salary. Mayor Dain asked Mr. Price if there was a  
12 maximum on his salary. Mr. Price said there were ten steps on his career ladder, and he should be at Step 7 but is at  
13 Step 3. If he were on Step 10, it would be the maximum he could receive. Mayor Dain asked if there was a chart to  
14 see the alignment. Mr. Price said he could provide it. Mayor Dain said both jobs have a description with steps and  
15 once they reach the tenth step, it is COLA after that. He asked Mr. Price to bring the salary steps back to the Board  
16 for their information. They need to know what the minimum and maximum are and where both employees (Mr.  
17 Price and Mrs. Carin Green) are in the range of their career ladders.

18 Mr. Price said the recommendation was to fund the three percent merit and it would advance him from Step 3 to  
19 Step 4, and a COLA increase. He understood these were still difficult times, and cities are giving what they can and  
20 what they feel is best, and the survey showed mixed percentages of these. The wage survey gave the Board a general  
21 idea of what was being done. Mayor Dain said he felt both employees should have a step increase and a COLA  
22 increase. Mr. Price appreciated the support.

23 Councilwoman Call said in the last meeting Mayor Curtis said it was difficult for the governing officials to hand off  
24 more merit increases than what they were doing in their own cities. She appreciated the wage research Mr. Price  
25 had done. From the wage survey, it looked like the average between the merit and COLA increase to all the cities  
26 that responded was 2.4 percent. She agreed he and Mrs. Green did a fantastic job, and all their efforts for the  
27 Commission. She has no hesitation to match the 2.4 percent average with all the cities involved. Mayor Dain asked  
28 for discussion on the budget.

29 Mayor Farnworth said he has sat on several boards and private company sectors. It concerned him the public is  
30 competing with the private. Cities cannot offer large increases to their employees, when competing the public and  
31 private, he wondered when it would stop. He personally couldn't support an increase.

32 Mayor Dain called for further discussion on the budget. He asked Mr. Price what he proposed for an increase in  
33 ULC budget. Mr. Price said his recommendation was 4.5 percent with 1.5 COLA and three percent merit; essentially  
34 to see if it was approved and was included in the budget amounts. His graph of wages showed the changes with the  
35 proposed three percent merit increase, 1.5 COLA, and how the increase would impact the budget. If employee wages  
36 and benefits decrease, then the request would be for the Board to roll it either back into the fund balance or to put it  
37 into the outreach account to give more money to reach out. Mayor Dain asked Mr. Price to remind the Board what  
38 has been happening for the last several years on the salary/benefits increase. Mr. Price said the figures were shown  
39 on his survey. There was nothing in 2011, there was a COLA in 2012, and a merit increase last year.

40 Mayor Curtis summarized what the Board members were feeling. They were all supportive but some Board  
41 members were struggling because of their individual cities. So, the concept is to consider an arbitrary move along the  
42 lines of doing research and come back the Board. This would give the Board a little more comfort in saying why it is  
43 justified. He suggested in preparation for next year, they talk about a merit increase and make a list what can be  
44 accomplished, and then come back naming the accomplishments justifying the merit increases – thus looking  
45 forward. Mayor Dain asked if he meant to be more specific in things accomplished. Mayor Curtis said yes.

46 Mr. Richard Nielson, alternate Board member for Utah County, said when speaking with Commissioner Larry  
47 Ellertson, the Commissioner indicated he was comfortable with the budget increase but would want to have further  
48 discussion with the Board before the salary increases were implemented. Mayor Dain said to put it in the budget but  
49 there is a process before it actually goes in with an evaluation. Mr. Price said yes for the merit increases.

1 Councilwoman Call said on the previous 2012, there was a three percent COLA and in 2013, there was a three  
2 percent merit, and it was not a one-time thing. Mr. Price concurred.

3 Mayor Hadfield asked about a public hearing. Mayor Dain stated he wanted to finish the discussion on the salary  
4 increase before going to public hearing. He reiterated at the present, what Mr. Price had budgeted was included.  
5 Mr. Styler said it was not appropriate to make a motion, as he looked at the salary chart, a total of \$178,000 is being  
6 spent total on wages and benefits, and the proposal is to raise that to \$185,000 total. He would like to consider  
7 making the proposal of raising the total to \$182,000, is \$4,000 more than the present and \$3,000 less than the  
8 proposal. That would balance out at \$182,000 would fund an increase of wages and benefits. Mr. Styler asked if this  
9 compromise could be considered.

10 Mayor Dain asked for any additional input on the budget.

11 Councilwoman Call said she would be in favor of a two percent increase, however, it should be decided how to  
12 divide it up as far as merit and COLA, it would be somewhat less than \$182,000 but at a two percent increase the way  
13 the wages and benefits are a certain amount and it would not be mixed. Mayor Dain repeated the two proposals of  
14 two percent from Councilwoman Call and a possible 2.5 percent from Mr. Styler. Mr. Price said it could be delayed  
15 when the increases took place as well to fit it in with what is budgeted.

## 16 17 **7. Conduct Public Hearing.**

18 Mayor Dain called for a motion to open the public hearing at 8:35 a.m. Mayor Hadfield moved the public hearing  
19 for the FY2014 budget be opened; it was seconded by Mayor Farnworth. Voting was unanimously in favor with a  
20 quorum present. Voting in favor were Mayor Dain, Mayor Hadfield, Mayor Curtis, Councilwoman Call, Councilman  
21 Olsen, Mayor Farnworth, Mayor Wilson, Mr. Shawcroft, Mr. Styler, Ms. Laura Ault, and Mr. Nielson. Ms. McCandless  
22 had previously left the meeting.

23 Mayor Dain called for input from the public on the proposed budget and there was none.

24 Mayor Farnworth moved to close the public hearing; it was seconded by Councilwoman Call. Voting was  
25 unanimous with quorum present. Those voting in favor were Mayor Dain, Mayor Hadfield, Mayor Curtis,  
26 Councilwoman Call, Councilman Olsen, Mayor Farnworth, Mayor Wilson, Mr. Shawcroft, Mr. Styler, Ms. Laura Ault,  
27 and Mr. Nielson. The public hearing was closed.

28 Mayor Dain called for further discussion on the budget.

29 Councilwoman Call moved to approve the 2013-2014 budget for the Utah Lake Commission with a change in the  
30 wage benefit salary increase to two percent and have it linked to a merit rather than COLA. Mr. Styler asked if it was  
31 as listed. Mr. Price said the question is if there were a two percent total increase in both benefits and wages.  
32 Councilwoman Call said the benefits would match whatever is made, so the proposal would be two percent in wages.  
33 She would prefer to have the increase linked to a merit increase with a two percent increase in salary. Mr. Price said  
34 salary was easier to calculate because it affects benefits. If it were two percent salary, it would be about \$111,500.  
35 Councilwoman Call said it was between the two amounts listed. Mr. Styler said it was the amount he considered.  
36 Mr. Price said the cost would be \$181,500. After discussion, Mr. Styler seconded the motion. Mayor Dain called for a  
37 vote on the budget with a straight two percent salary increase. Voting in favor were Mayor Dain, Mayor Hadfield,  
38 Mayor Curtis, Councilwoman Call, Councilman Olsen, Mr. Shawcroft, Mr. Styler, Ms. Laura Ault, and Mr. Richard  
39 Nielson. Voting in the negative was Mayor Farnworth who did not support a salary raise and Mayor Dain who  
40 wanted more of a salary increase for the employees.

41 Mr. Price asked for direction if it was to go to COLA or merit. Councilwoman Call preferred it be linked to a merit  
42 increase. She said both employees were doing a great job, and it would work out the same, but she would prefer  
43 merit. Mayor Dain said merit meant it was subject to a review, and reviews should be held regardless.

44 Mayor Curtis suggested for the 2015 fiscal year budget working with the Executive Committee in making  
45 recommendations and putting together goals and merits to justify merit increases. The process would be easier in  
46 the upcoming years. The Executive Committee should accept the responsibility to put some goals and merits  
47 together to increase opportunities for the following year now. He also suggested seeking input where Mr. Price and  
48 Mrs. Green fit into their pay scale and make sure it is the right level. Mayor Dain agreed and said Mr. Price should  
49 make it an item of the Executive Committee agenda to discuss how to format the goals and merits.

1 Mr. Price said he was not sure if the motion could be approved because it is not on the agenda. He can  
2 commence with the agenda item without a motion. Mayor Dain saw a lot of agreement with the Board, and felt it  
3 would be worth discussion in Executive Committee meeting.

4 Mayor Farnworth said he gets frustrated with employees looking at computer statistics, stating they deserve  
5 more because people in their same career status deserve it. It becomes a constant argument, and it is a hard  
6 argument to beat the battle with part-time employees, especially when private people make more.

7 Mayor Dain said he wanted to thank the member cities and participants for finding money in a very tight budget  
8 and they continue to fund the Utah Lake Commission. It is important and critical for all participating members. He  
9 encouraged the members to talk to sister cities in the county and reach out to some of the non-shoreline cities, to  
10 see if they can get more participation because they are going to discuss some critical ongoing funding issues involving  
11 everyone in the county. It will be incentive for non-shoreline cities to become more involved in the Commission.  
12

13 **8. Consider approval of resolution 2013-1 adopting the budget for FY2014.**

14 Mayor Bert Wilson moved approving the resolution adopting the budget for fiscal year 2014 as presented; it was  
15 seconded by Mr. Shawcroft. The motion carried and voting in favor were Mayor Dain, Mayor Hadfield, Mayor Curtis,  
16 Councilwoman Call, Councilman Olsen, Mayor Farnworth, Mayor Wilson, Mr. Shawcroft, Mr. Styler, Ms. Laura Ault,  
17 and Mr. Nielson.  
18

19 **9. General Comments from Board Members and the Public.**

20 Mayor Dain asked about the Technical Committee report. Mr. Price said Mr. Chris Keleher had a conflict and  
21 there was no meeting held. So, Mr. Price did not include that agenda item.

22 Mr. Derik Sayers, Utah Kite Boarding, has been working with Mr. Price and the Lake associates. He is at the State  
23 Park, working by teaching Kite Boarding lessons on the water. He wanted to express the group's appreciation for the  
24 Board and Mr. Price's office, in helping him get established. KBYU TV International took footage of his recreational  
25 sport and it will be shown on an episode of Sport Nexus and will be broadcast worldwide in August 2013.

26 Mayor Dain explained there is now an interest in fly fishing for carp with pictures and discussion about the carp.  
27 There is a little bit of sport fishery in carp. Ms. Ault said it was being done in California.  
28

29 **10. Confirm the next meeting of the Governing Board to be held on Thursday, June 27, 2013 at 7:30 a.m.**

30 Mayor Dain scheduled the next Governing Board Historic Courthouse Ballroom (3<sup>rd</sup> Floor) on Thursday, June 27,  
31 2013 at 7:30 a.m. Mr. Price said if issues arise or other business needs to be addressed, the meeting will be held, but  
32 otherwise it will be cancelled. He will keep them advised of the events and items of the Commission throughout the  
33 summer.  
34

35 **11. Adjourn.**

36 Mayor Curtis moved the meeting be adjourned; it was seconded by Mayor Wilson. The motion carried and voting  
37 was unanimous. Those voting in favor were Mayor Dain, Mayor Hadfield, Mayor Curtis, Councilwoman Call,  
38 Councilman Olsen, Mayor Farnworth, Mayor Wilson, Mr. Shawcroft, Mr. Styler, Ms. Ault, and Mr. Nielson. Mayor  
39 Dain adjourned the meeting at 9:08 a.m.  
40  
41