



LONE PEAK PUBLIC SAFETY DISTRICT MINUTES

Wednesday, March 10, 2021

7:30 am

Approved April 14, 2021

Highland City Hall, 5400 West Civic Center Drive, Highland, Utah 84003

PRESIDING: Chair Lon Lott

BOARD MEMBERS

PRESENT: Rod Mann, Kurt Ostler, Troy Stout, Jason Thelin

STAFF PRESENT: LPPSD Executive Director Nathan Crane, LPPSD Assistant Executive Director Shane Sorensen (electronically), Recorder Stephannie Cottle, Finance Director Tyler Bahr, Police Chief Brian Gwilliam, Fire Chief Reed Thompson

OTHERS PRESENT: Darci Brunson, Ryan Albers

7:30 AM REGULAR MEETING

Call to Order: Lon Lott, Chair

Invocation: Jason Thelin, Board Member

The meeting was called to order by Chair Lon Lott as a regular meeting at 7:37 am. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting. The prayer was offered by Board Member Jason Thelin.

1. UNSCHEDULED PUBLIC APPEARANCES

There were no public appearances.

2. OPEN & PUBLIC MEETING TRAINING - *Stephannie Cottle, Recorder*

Recorder Stephannie Cottle provided a brief presentation about open and public meeting training. She outlined that they would talk about public policy, notice requirements, minutes and meetings, closed meetings, and any penalties associated with not following the open and public meeting act. She explained that the reason for the annual training was because it was required by law.

Recorder Stephannie Cottle noted that they were kind of experts on the topic, so she would keep the presentation brief. She stated that they were a public body, and she explained that public bodies had to transact all of their business in an open meeting, and their actions and deliberations had to be taken openly. She said that everything was transparent to the public. She further stated that there must be a quorum present for a meeting to take place.

Recorder Stephannie Cottle expressed that a meeting was not a social gathering or a chance meeting at a public location. She cautioned them that when at least three individuals were present that it constituted a quorum and should be noticed. She suggested that if they did find themselves in a group of three or more, that they not discuss LPPSD business. She said that it was better to play it safe and not gather in groups of more than two.

She reviewed that the LPPSD had adopted a resolution in 2007 that allowed for electronic meetings. She said that if they ever had to conduct a meeting solely electronically and without an anchor location, then there was a new rule to follow. The chairman of the board would need to issue a written declaration that expressed that due to the COVID pandemic, the LPPSD would be held virtually to protect the board and its family members and the public because it was deemed unsafe to meet together. Recorder Stephannie Cottle said that that written declaration needed to be at the top of every agenda, posted with all the notices for the meeting, and read at the beginning of every meeting without an anchor location. She noted that the written declaration expired after 30 days, and would have to be redeclared after that point. She reiterated that there needed to be a quorum to have a meeting.

Recorder Stephannie Cottle touched on notice requirements. She expressed that most of that was handled by herself, but gave them a brief overview of those requirements. She explained that the meetings had to be posted at least 24 hours in advance and there had to be an agenda. She stated that one thing they needed to know was that they were not allowed to take any action on items that were not on the agenda. She noted that sometimes topics were brought forth by the public in a meeting. She explained that they could be discussed, but reiterated that no final action could be taken.

Recorder Stephannie Cottle stated that there were meeting minutes and recording that took place with every meeting. She noted that also fell under her responsibilities.

Recorder Stephannie Cottle discussed requirements for a closed meeting. She explained that to enter into a closed meeting, they had to first be in a regular session and they had to have two thirds majority votes to go into a closed meeting. She further explained that they could only discuss certain things within a closed meeting. She said this included discussion of character, professional confidence, or physical/mental health of an individual, imminent litigation, or sale or lease of property. She said two others that were less common were investigative proceedings with regards to allegations of criminal misconduct, and security systems that may be under consideration. She stated that in closed meetings they could not pass any resolutions or ordinances. She expressed that it was more of a discussion type meeting.

Recorder Stephannie Cottle explained that there were penalties if they did not follow the open and public meeting act. She said that it was enforced by the attorney general and the County attorneys, and as a Class B misdemeanor if the rules were not followed.

Clarification was requested that they had to have an agenda 24 hours ahead of time that had to be published to the public. Recorder Stephannie Cottle answered that the agenda was posted in three places in the City, as well as the public notice website and the Highland City website. It was then asked if new items could go on the agenda up to 24 hours before. Recorder Stephannie Cottle said she would prefer not to. She stated that it had to be posted 24 hours before. She noted that she generally posted the agenda the Thursday prior to a meeting in order to provide them a chance to look it over beforehand. When asked about the State guidelines, Recorder Stephannie Cottle responded that the State guidelines were 24 hours.

There was a brief discussion about the items which City the item was posted to. Recorder Stephannie Cottle said that it was currently only posted to Highland, but that she would send the packet to Alpine so it could be posted there as well. It was noted that they were actually in the process of website development specifically for Lone Peak.

There was subsequent discussion regarding the council form of government.

3. LEGISLATIVE UPDATES – *Reed Thompson, Fire Chief and Brian Gwilliam, Police Chief*

Police Chief Brian Gwilliam noted that in the last year, law enforcement had tracked 240+ bills on the hill. He said that it was a pretty busy legislative session for law enforcement, and he chose to get involved quite heavily. He expressed that he spent almost every day in at least one committee. He said that he also sat on a task force in the spring called Love, Listen, Lead that was created by Utah League of Cities and Towns and Utah Chiefs of Police Association. He explained that it was comprised of chiefs of police, members of the league, Mayors and Council members, City attorneys, and legislative liaisons across the State.

Police Chief Brian Gwilliam said that he was one of five chiefs that sat on the task force of about 30 members. He noted that it was chaired by Chief Tom Ross, who had since been appointed by the governor to be the director of the commission on criminal and juvenile justice. He said that the co-chair was Spanish Fork City's Mayor. Police Chief Brian Gwilliam expressed that there was really good representation throughout the State.

Police Chief Brian Gwilliam explained that the intent of the task force was to listen to community members and groups that were interested in police reform, and to develop good policy and legislation as they moved forward. He said that there was a lot of good legislation and bills that came out of that group. He communicated that there were about 240+ bills that law enforcement had tracked, and he provided some highlights. He noted that there were a couple of them that impacted them directly, both personally and fiscally, and would be talked about in this year's budget.

HB162: Sponsored by Representative Angela Romero. Police Chief Brian Gwilliam explained that each year an officer was required to maintain their certification and have 40 hours of in-service training. This bill required that 16 of those 40 hours be focused cumulatively on mental health and other crisis responses, arrest control, and de-escalation. He explained that there was a cost associated with that. He said that most training was low or no cost, but that for the 16 hours of specialized training it was approximately \$130 per officer. He noted that there would be an increase in their training budget as a result.

HB334: Required officers to have training in intervention responses to individuals with autism and other mental illnesses. Police Chief Brian Gwilliam expressed that this was another item that officers would have to complete each year in order to maintain their certification.

Police Chief Brian Gwilliam stated that there were several bills that discussed data collection. He said that one thing that had come out of the last year was that there was no consistency as to what data points were being evaluated among officers and departments. He explained that the State legislature wanted there to be more consistency, and for a repository to put the data into. He noted this would allow them to better understand what was actually happening in regard to use of force or responses to mental health.

HB84: Required use of force data to be submitted to the Bureau of Criminal Identification.

HB264: Required that each time an officer pointed their taser or gun at an individual, it must be reported and submitted to their supervisor.

Police Chief Brian Gwilliam noted that most of the bills about data collection were things that they had already been doing. He said that there were some smaller agencies that were not collecting that data, but that it was not to be State mandated.

HB159: Creation of a task force or group that assembled a panel of experts and professionals to study and make recommendations with regards to the collection and management of public safety data throughout the State.

Police Chief Brian Gwilliam explained that in the 2020 general legislative session, HB206 was a bail reform bill. He expressed that there were a lot of good points that came out of it, however in practice and reality it presented a lot of problems. He specifically noted problems with individuals who should have remained in jail.

HB220: Completed repeal of last year's bail reform bill. Police Chief Brian Gwilliam stated that they were working on an interim bill to fix the problems from the last one.

SB13: Required an agency to complete an investigation and report on an officer's misconduct. Police Chief Brian Gwilliam discussed what he referred to as gypsy cops. He explained that they were officers not of the best character that went from agency to agency. They incurred disciplinary problems, however they left before the discipline was completed and it was never addressed or fixed. He explained that this bill required that the investigation be completed and the information be formally reported for disciplinary measures to be taken.

SB96: Was a companion piece to SB13. It allowed an agency head to have a frank conversation, specifically chief to chief, about potential candidates for police officers. Police Chief Brian Gwilliam said that the whole idea behind this was to keep individuals out of law enforcement that should not be in it.

SB106: Established a minimum use of force standard for police departments to report. Police Chief Brian Gwilliam stated that use of force between agencies was defined differently. He explained that, for them, use of force was touching someone on the elbow. He expressed that some agencies defined it as the use of handcuffs, and others was the removal of the firearm from the holder. Police Chief Brian Gwilliam stated that this would create a set of standards about what use of force was.

Board Member Troy Stout asked in regard to reporting and data if they needed additional personnel to comply with the data requests. Police Chief Brian Gwilliam replied yes, and said it would be addressed in the upcoming budget. He stated that since last spring they had received a lot of GRAMA requests from media and individual watchdog groups. He expressed that there were discussions about hiring another part time person to help handle that, as well as be proficient in their report management system He said that right now they were piecemealing the work, but he hoped to be able to get it all under one person to be more efficient. He noted that data was a huge topic on the Hill this year, and said that they were trying to become as efficient as they could.

Board Member Rod Mann asked if the County was looking at a new reporting system. Police Chief Brian Gwilliam answered that they were not. He communicated that the current report management system was called Spillman, and it was purchased about a year and a half prior by Motorola. He expressed that there were improvements coming to the current system, and that there was no desire in the County to change. He said that it was a great system for everyone to share information. He stated that interoperability outweighed the difficulties in the report management system.

Board Member Rod Mann asked if the reporting requirements for the State were consistent with the FBI. Police Chief Brian Gwilliam said that they were consistent, but that the FBI was looking for something completely different. He explained that the FBI was looking to gather that data and have a repository. He noted that that bill had not passed this year, but he expected it to pass the next year.

Board Member Troy Stout asked Police Chief Brian Gwilliam what his level of interaction was with those situations. He asked how often they saw mental health and autism play into a situation. Police Chief Brian Gwilliam expressed that was a great question, and communicated that it was not a daily thing. However, he said that as a society mental health was becoming a topic focus. He stated that when friends, family members, and

bystanders had no one else to call, law enforcement was on the front lines to deal with people during manic episodes. He further stated that additional training for mental health and autism will help law enforcement provide a better service to their community members.

Board Member Jason Thelin thanked Police Chief Brian Gwilliam for all his effort throughout this process. Police Chief Brian Gwilliam noted his thanks to staff and the LPPSD board.

Board Member Jason Thelin agreed that mental health was an issue, and he asked what they were doing internally for officers with regards to their mental health.

Police Chief Brian Gwilliam said that there was legislation in 2020, and did not think that anything had come up in the 2021 general session that discussed the mental health of first responders. He expressed that law enforcement, fire, and EMS dealt with a lot of things. He stated that they did have some things in place, but could do more. He explained that they had an employee assistance program that provided an option for officers to see a mental health professional.

Police Chief Brian Gwilliam noted that there were officers, himself included, who had used that resource. He explained that one difficult aspect was when an individual built a good relationship with a counselor who then had to leave, it was hard to reinitiate the process and seek further help with someone new. He stated that they saw a mental health professional at least once a year as part of their annual evaluation. He noted that he was not privy to that conversation, nor should he be. He expressed that his responsibility was to provide them the means necessary to take care of their mental health. He reiterated that they could do more to help them deal with those situations. He said that they had an incident about a month and a half prior where we did an after-briefing with some officers who seemed to be struggling, and felt it helped.

Board Member Rod Mann commented that it would be a great program for politicians.

Board Member Rod Mann and Police Chief Brian Gwilliam discussed how Officer Wagstaff was nominated for the national competition called Force for Good. Police Chief Brian Gwilliam explained that he had delivered formula to a mother in need in the early hours of the morning. Officer Wagstaff won that competition and received a cash prize, and that the police department was offered benefits such as a 50K for a data management system. Police Chief Brian Gwilliam expressed that he was proud of all of his staff, and said that they understood the needs of the community, and overall did a great job.

Board Member Jason Thelin asked how many of their officers lived within Highland or Alpine. Police Chief Brian Gwilliam said that only one out of 22 full-time officers did, but that he lived there before he had come to work for them. He commented that this was his supplemental income after retirement. It was asked if there were advantages for an individual to not live in the community that they served in. Police Chief Brian Gwilliam replied that there were both advantages and disadvantages to both. He commented that officers could not afford to live in Highland or Alpine because of house pricing.

Board Member Jason Thelin explained that in the moderate income housing plan that was being discussed, one of the items was to help first responders to live within the City where they worked. Police Chief Brian Gwilliam said that some might take advantage of that, but it would depend on how much the subsidy was. He said that it would have to be substantial.

Chair Lon Lott said that they were looking how to bring that in line with the moderate income aspect. He explained that it would have to deal with what their wages were, how much the subsidy was, and the budget on an ongoing basis.

Police Chief Brian Gwilliam informed them that starting officers made about 45K a year, and that the average wage was 52-55K a year.

Fire Chief Reed Thompson presented that there were a lot of different bills presented at the legislature, and that they monitored about 40+ bills with regards to EMS and fire issues.

EMS

HB25: Dealt with mental health protections for first responders. Fire Chief Reed Thompson said that there was a first responders work group handled at the State level, and this bill extended their protection for an additional five years.

HB248: Dealt with a mental health support program for first responders. Fire Chief Reed Thompson explained that it defined the terms and required the Division of Substance Abuse and Mental Health to administer a grant program to provide mental health for first responders. He commented that the professional fire fighter's union was involved in this, but there was discussion about how the grant could be used and how it was applicable.

HB303: Addressed EMS revisions. Fire Chief Reed Thompson stated that this had come out of Cache County, and that it had some Statewide impacts. It required municipalities and counties to ensure that at least a minimum level of 911 ambulance service was provided. He noted that they met those requirements currently within their Cities, but that the unique situation for them was that with their geographical license they provided services into Utah County that included the American Fork Canyon area and the Wasatch and Salt Lake County lines. He said that they had a working relationship with the County search and rescue, but that they provided the ambulance services. He noted that he had not yet spoken to the County, but that his guess was that they planned on the status quo. However, they may look at 911 services in response to this bill.

Fire Chief Reed Thompson explained that HB303 also extended certain requirements for the selection of ambulance providers within the municipalities. He said that it also required the State EMS Committee to adopt rules to establish the minimum level of 911 service for ambulance services within the municipality or County. He stated that it allowed the Department of Health to align the boundaries of an ambulance provider's exclusive geographic service area within those boundaries. He further stated that it allowed the political subdivision to terminate a contract with a 911 ambulance service provider in certain circumstances. He noted that the aforementioned situation about the County was unlikely to occur, but it was worth being aware of.

Fire Chief Reed Thompson said that HB303 also modified the provisions related to how the Department of Health renewed licenses. He noted that they were currently on a four-year rotation and had just renewed their license last year. He also explained that there were some technical changes addressed. He communicated that the State Fire Chiefs had a joint weekly meeting where they reviewed the bills. He stated that the reason for the sixth substitute was that there was some language that affected interfacility transport.

SB53: Was a Behavior Emergency Services amendment. Fire Chief Reed Thompson explained that it created a new license for Behavioral Emergency Services technicians and Advanced Behavioral Emergency Services Technicians. He explained that one example of what could be done was a dedicated unit that dealt with mental health issues as part of their 911 service. He said it also could be private entities that would come in and review those types of services and render aid. Fire Chief Reed Thompson further explained that it may have some impact on 911 calls that dealt with mental health issues. He said that they dealt with a number of mental health calls in their community, and explained that a component of it was the determination whether it was medically safe for someone to stay at home. He anticipated that those issues would not go away as time went on.

SB83: Was a third substitute that addressed a physician's order for life saving efforts, such as DNR orders. Fire Chief Reed Thompson explained that in certain cases they responded on a 911 call for a cardiac arrest, and the family member or individual indicated they had a DNR order but did not have a physical copy of it. He said that this provided some opportunities for that documentation to be verbal or electronic between the physician and the individuals in question.

SB109: Listed as emergency services amendments. Fire Chief Reed Thompson communicated that there was an Emergency Services Committee met quarterly or monthly, and this bill addressed the medical certification process for first responders.

SB155: Addressed mental health crisis assistance. Fire Chief Reed Thompson outlined that this bill created a Statewide behavioral health crisis response account and described the purposes for how it would be utilized. It also created a behavioral health crisis responses commission. He explained that it also addressed how money could be spent and the duties of commission.

Fire

HB65: Wildland fire amendments. Fire Chief Reed Thompson explained that it required that County fire warden be full time. He said that Utah County was one of the only ones in the State who had that as a part time position that was shared between Utah County and Forestry Fire and State Lands through the Division of Natural Resources. He said that would all be rolled into the State level now.

Fire Chief Reed Thompson stated that there were several revisions to inspection and to allow third party inspections to occur. He was unsure of the outcome on the bill.

Board Member Troy Stout said that his understanding about HB64, which dealt with inspection was presented and reworked. He did not know of the outcome either, but said it seemed to be pretty self-serving to the construction community to provide their own inspections.

Fire Chief Reed Thompson stated that the initial intent was that there were certain communities that did not need the 14-day turnaround or three-day inspection turnaround. He believed that both of their Cities met compliance with that, but that there were some that did not. He expressed that this one would probably be back at another point. He also discussed some of the concerns the fire service had with the bill.

Board Member Jason Thelin asked if any of the bills would require future budget modifications. Fire Chief Reed Thompson replied generally not. He noted that some of the information with regards to licensure with advanced EMTs, paramedics, and fire fighters might have some increased training requirements. He explained that in going through their budgets, they were required to have more training platforms utilized from a software perspective to address some of the gaps. He communicated that those would bring ongoing subscription costs, but besides that there were no major costs.

Fire Chief Reed Thompson said that for the ambulance that they were currently building, they had video technology to capture data. He said that they were trying to work through the process with IT on how the data was captured, stored, and for how long it was stored.

Fire Chief Reed Thompson informed them that the starting full time salary for a Firefighter EMT was just over 40K, a paramedic was about 44.5K, and of their full time staff below the level of captain, the median was about 43-50K.

Board Member Kurt Ostler asked how many people in the department lived in Highland or Alpine. Fire Chief Reed Thompson said there was one who had lived there his whole life. He expressed that Highland and Alpine are not affordable.

4. RESOLUTION: PUBLIC TREASURER'S INVESTMENT FUND (PTIF) ACCOUNT ACCESS – *Tyler Bahr, Finance Director*

Finance Director Tyler Bahr discussed that the PTIF account was one of two accounts that were used by the district, the other being Wells Fargo. He stated that they maintained minimum balances to avoid unnecessary money withdrawals from the City. He said that with the recent retirement of District Treasurer Laurie Adams, it was necessary to authorize additional users. He said that they recommended Tyler Bahr and Candice Linford and that they retained Stephannie Cottle in a backup role as authorized users to transact on that account.

Board Member Troy Stout asked if there was a clause that required two signatures in order to make a withdrawal. Finance Director Tyler Bahr replied that transfers could occur within PTIF that were typically to Wells Fargo. He stated that checks required at least two signatures.

Board Member Rod Mann MOVED that the Board authorize the resolution allowing the Executive Director to execute the Office of the State Treasurer's Public Entity Resolution naming Tyler Bahr, Candice Linford, and Stephannie Cottle as Authorized Individuals on Lone Peak Public Safety District's PTIF account.

Board Member Troy Stout SECONDED the motion.

The vote was recorded as follows:

<i>Board Member Rod Mann</i>	<i>Yes</i>
<i>Board Member Kurt Ostler</i>	<i>Yes</i>
<i>Board Member Troy Stout</i>	<i>Yes</i>
<i>Board Member Jason Thelin</i>	<i>Yes</i>

The motion passed 4:0.

5. APPROVAL OF MEETING MINUTES: FEBRUARY 10, 2021

Board Member Troy Stout MOVED that the Lone Peak Public Safety District approve the meeting minutes of February 10, 2021. Board Member Rod Mann SECONDED the motion. All voted in favor and the motion passed unanimously.

6. COMMUNICATION: TRAINING

Board Member Rod Mann asked what the plan was for legal services. Board Member Troy Stout asked if Dave had notified the district of his withdrawal. LPPSD Executive Director Nathan Crane said that they planned to have a conversation with Dave in the coming weeks. There was a brief discussion between Board Members about the conversation that would be had with Dave, and that it would be reported back at the next meeting.

ADJOURNMENT

Board Member Troy Stout MOVED to adjourn the regular meeting and Board Member Kurt Ostler SECONDED the motion. All voted in favor and the motion passed unanimously.

The meeting adjourned at 8:37 am.

I, Stephannie Cottle, Recorder, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on March 10, 2021. This document constitutes the official minutes for the Lone Peak Public Safety District Board Meeting.



Stephannie Cottle
Recorder



Training Outline

- 1 • Public Policy / Definitions
- 2 • Notice Requirements
- 3 • Minutes & Recordings
- 4 • Closed Meetings
- 5 • Penalties

Training Required

- UCA 52-4-104
- The presiding officer of each public body is responsible to ensure that all members of the public body are provided with annual training on the Open and Public Meetings Act (OPMA)

Public Policy / Definitions

- Public Body
- Meetings
- Electronic Meetings
- Quorum

Noticing Requirements

- Annual Public Notice
- 24 Hour Notice
- Agenda Required
- Action on Agenda Items


Minutes and Recordings

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"Here are the minutes from our last meeting: Mary wasted 12 minutes, Janice wasted 7 minutes, Carl wasted 27 minutes, Eileen wasted 9 minutes..."





Closed Meetings

Penalties

- Enforced by Attorney General and County Attorneys
- Class B Misdemeanor

Any Questions ?





PUBLIC TREASURER'S INVESTMENT FUNDS (PTIF) ACCOUNT ACCESS

DISCUSSION

Item 4 – Discussion
Presented by – Tyler Bahr, CSM, DLSSBB, Finance Director

Background

- PTIF is one of two accounts where the District's funds are housed
- Minimal balances are maintained for operations to avoid assessments to cities more than necessary
- With Laurie Adams' retirement, it is necessary to authorize additional users to perform transactions on the PTIF account

Recommendation

- Staff recommends granting PTIF account access to:
 - Tyler Bahr, Finance Director
 - Candice Linford, Treasurer
 - Stephannie Cottle, Recorder (retain previous access in a back-up role)

Recommended motion:

"I move that the Board authorize the resolution allowing the Executive Director to execute the Office of the State Treasurer's Public Entity Resolution naming Tyler Bahr, Candice Linford, and Stephannie Cottle as Authorized Individuals on Lone Peak Public Safety District's PTIF account."