



Snyderville Basin Special Recreation District
Board Meeting Minutes
Wednesday, May 6, 2009
Schefter Conference Room - Trailside Park
5715 Trailside Drive
Park City, Utah

Board Members in Attendance: Sharon Odell, Ron Perry, Kevin Simon, Marilyn Stinson. Scott McClelland arrived at 6:16pm. Scott Siemon arrived at 6:27pm.

Absent: Tracey Douthett

Staff/Employees Present: Rena Jordan, Bonnie Park, Bruce Dickens, Senta Beyer, Jason Lance

Attending Guests: None

Sharon Odell convened the meeting of April 1, 2009 at 6:10 pm.

PUBLIC INPUT

There was no public input at this time.

BID AWARD FOR ROUGH AND TRIM MOWER PURCHASE

Board members received a staff memo in their Board packet with mower bid results. Jason Lance said the low bid did not meet spec's. He described the mower to be replaced and traded in as a credit against the purchase price. The second low bid from Rocky Mountain Turf (RMT) met all spec's and is within budgeted funds from the replacement reserve. Staff recommendation is to purchase the Jacobsen AR3 Triplex Rotary, based on price, availability of service and timing of delivery. Ron Perry stated he appreciates the research that went into the bid process.

MOTION: To approve and award the bid for purchase of a 2009 Jacobsen AR3 Triplex Rotary Mower to RMT Equipment, in the amount of \$26,469.00, less an equipment trade allowance of \$2,000 for surplus equipment, for the net purchase price of \$24,469.00, as the lowest responsive and responsible bidder. All in favor: Scott McClelland, Ron Perry, Kevin Simon, Marilyn Stinson. None opposed. Absent: Scott Siemon, Tracey Douthett. Motion carries.

Rena Jordan requested that Bruce Dickens report on his follow-up with RBI landscaping on the Ecker Hill expansion project. Dickens and Lance met with RBI representatives on site and developed a punch list for repair. RBI provided repair, but it was not to the satisfaction of Dickens. Due to snow mold 650 s.f. of new sod was brought in to replace affected areas. Native seed is beginning to germinate. Parks staff will sign off when punch list items are complete.

WILLOW CREEK WEED MANAGEMENT CONTRACT

Board members received a staff memo regarding the weed contract in their Board packet. Senta Beyer said that many comments provided by Ranch Place resident Hank Kyle and others have been incorporated into the new Weed Contract. The contractor is asked to notify neighbors and respect sensitive areas. Based on the four bids received, the Trails staff is recommending the Board approve the contract with Greenleaf Enterprises. Greenleaf is the lowest bidder and the proposed amount is within the scope allocated in the 2009 budget. It is a four year contract. Greenleaf has provided good service to the District in past years.

MOTION: To approve the four year Willow Creek weed management contract with Greenleaf in the amount of \$5,646 annually. [McClelland/Stinson] All in favor: Tracey Douthett, Scott McClelland, Ron Perry, Scott Siemon, Kevin Simon, Marilyn Stinson. None opposed. Absent: Tracey Douthett. Motion carries.

Jordan reported on an issue at Willow Creek that occurred last week. The trails crew was applying magnesium chloride to the trail surface on the loop through Willow Creek. The Sheriff's office was notified and responded to complaints by residents who were uncertain as to whether the chemical was safe. Beyer said magnesium chloride is a salt solution used as an effective dust control/compaction treatment on the trails. Jordan was contacted by the Sheriff's department. In the future District staff will label the chemical and post notice of the maintenance activity along the trail.

On a side note, Sharon Odell asked if benches along the Willow Creek loop could be contemplated in the future, budget permitting. Park said that an interpretation of the development approval and conservation easement as to whether benches constitute a "structure" can be investigated.

Jordan requested that Bonnie Park update the Board on the status of the East Canyon Creek trail crossing at Jeremy Ranch. Park said that Beyer is in the process of permitting two bridge crossings with the Army Corp for trails over East Canyon Creek. The former crossing from the Schulz PP-50 parcel to the Jeremy Open space was blocked with a container last fall. Park said in parallel with the Army Corp approval and stream alteration permit, other design work is being performed by consultants. An Interlocal Agreement for Co-Location of Facilities is in the works. If all goes according to plan, the agreement may be scheduled for approval at the June 3rd Board meeting. Beyer added that she has been working with the Jeremy Ranch Homeowners Association to spruce up and slightly realign the existing "Jail Break" trail so trail users have an alternative ingress/egress for access to the popular network in that area. Park and Beyer stated that shortly after the container was placed on the bridge, Beyer filed a trespass action with the Summit County Sheriff. The District complied with suggested actions of the County Attorney's office, to no avail. Beyer stated the bridge was a popular access point. Park said it is time for the District to take action and resolve the situation. Discussion followed on a bridge crossing installed in the Willow Creek area, as described by Sharon Odell. Beyer added that trail development in the Koleman parcel will be completed in the next month or two.

Park said the "Stand on your Land" community open space celebration in conjunction with National Trails Day is being planned for Saturday June 6th. Beyer added that Bike to Work Day is next Friday, May 15th. Board members were invited to participate.

CONSIDERATION AND APPROVAL OF RESOLUTION 2009-01 AUTHORIZING A LEASE AGREEMENT FOR FIELD HOUSE EQUIPMENT

Matt Strader provided Board members an updated list for Fieldhouse weight equipment (attached) and described the extra pieces as proposed at the Board work session on April 22nd. Four options have been provided for Board consideration. Strader has made some adjustments in the Fieldhouse expense budget by reducing the hourly staff schedule for the spring, summer and fall. Ron Perry and Scott McClelland verified with Jordan that she believes the cost of the lease is attainable. Jordan said the Fieldhouse passes have exceeded

budgeted revenue targets and new equipment will continue to attract additional patrons. Strader said the installation will occur mid-June and is expected to be fully complete in one day.

MOTION: To approve RESOLUTION 2009-01 for a new five year lease with Nautilus / Geneva Capital LLC for the purpose of funding new weight equipment for the Fieldhouse, replacing the current weight equipment and lease agreement dated June 2004 and authorizing the addition of up to 9 new pieces as determined by staff assessment. Said lease to include shipping, delivery and set up and not to exceed a total of \$78,063.82. Further, the District Director is authorized to execute said lease on behalf of SBSRD. [McClelland/Perry] All in favor: Scott McClelland, Ron Perry, Scott Siemon, Kevin Simon, Marilyn Stinson. None opposed. Absent: Tracey Douthett. Motion carries.

Rena Jordan said an RFP has been prepared for replacement of the field turf. Public notice of the RFP allows for proposal guidelines and specifications to be picked up as of today, May 6th. A pre-bid meeting is scheduled for next Wednesday, May 13. Simultaneously, Jordan is pursuing a warranty claim against Pro-Grass due the fact that an eight year warranty was found in the Fieldhouse contract documents, although it was not signed. Jordan said ProGrass is expected to attend the bid meeting. She would like to pursue whether ProGrass is obligated to the District in full for the turf replacement, minus subsurface compaction. Simon inquired if there have been turf repairs that would have been covered by the warranty, even though it was not signed but may have been incorporated by reference. Strader verified that they have acted in accordance in keeping with a warranty longer than one year in performing turf repairs. Jordan said by their actions they have acted under the warranty. Simon advised a warranty can be part doctrine and part performance. Jordan suggests counsel with Ballard Spahr be hired to draft a letter to ProGrass on behalf of the District to address the warranty issue. In the RFP process she does not want the District to action anything that would lead ProGrass to believe the District is ignoring the warranty claim.

Strader said that all youth programs except Rookie Soccer have resumed following the CDC/School District decision to re-open schools following closures due to the Swine Flu outbreak.

LETTER OF CONSENT ICE INTERLOCAL

Bonnie Park said Board members received a draft of the Letter of Consent on Ice in their Board packet. The letter has been sent to the City for review, but they have been very busy with the Swine Flu Emergency Management Plan and no formal review has occurred. Park suggested the Board may want to consider a motion to approve provided there are no material changes proposed by Park City. If there are substantive changes they would be brought back before the Board. In response to a question by Ron Perry, Park stated the Interlocal agreement provides for an opportunity to review the allocations every three years. The Board agreed they would not support additional funding for the operational deficit, but rather than continue to add funds to an expansion fund, the District contribution would be allocated to the Capital Replacement Reserve Fund (CRRF). The existing balance of \$25,000 in the expansion fund has been funded over the last three years and will be reserved for future master-planning of an expansion. The City and District will have the opportunity to review these terms again in 2012.

MOTION: To approve the Letter of Consent between SBSRD and Park City to allocate District contributions to the Ice Arena from 2009 through 2012 toward the Capital Facilities Replacement Reserve, rather than into the Expansion Fund, as provided in the Interlocal Agreement on Ice, pending approval by Park City Municipal, provided there are no material changes. [McClelland/Simon] All in favor: Scott McClelland, Scott Siemon, Kevin Simon, Marilyn Stinson. Opposed: Ron Perry. Absent: Tracey Douthett. Motion carries.

RESOLUTION 2008-02 AMENDING HRA PLAN

Rena Jordan said Resolution 2008-02 is proposed in response to new federal mandates for pre-tax arrangements related to COBRA and Health Care. Jordan said there is no cost to the District and they are positive revisions for affected individuals.

MOTION: To adopt Resolution 2009-02 to amend the HRA Plan documenting actions taken and resolutions adopted by consent. [McClelland/Stinson] All in favor: Scott McClelland, Ron Perry, Scott Siemon, Kevin Simon, Marilyn Stinson. None opposed. Absent: Tracey Douthett. Motion carries.

RESOLUTION 2002-03 AMENDING PROVISION OF DISTRICT 401a RETIREMENT

Rena Jordan said two employees have approached her to apply for hardship withdrawals from their retirement plan. Jordan suggested rather than withdraw the money, they borrow against it instead, but the District does not currently have a loan provision in the retirement plan. As the plan administrator, Jordan signed off on one hardship withdrawal, but it led her to research instituting a loan provision. She acknowledged it is a bit of administrative work when an employee applies for a loan, but it is of no risk to the District and is a great benefit to employees. Up to 50% can be borrowed, and there is no penalty. ICMA makes the determination if an employee qualifies for a loan and how much may be borrowed. Internal administration includes collection of funds borrowed, to be paid back with interest to the plan, through a payroll deduction. If an employee separates from the District their loan becomes due. If they cannot pay it back it is then considered a "distribution" and a 10% penalty and taxes must be paid.

MOTION: To adopt resolution #2009-03, amending the District ICMA-RC 457 Deferred Compensation Plan to permit loans to eligible employees effective May 6, 2009. [McClelland/Perry] All in favor: Scott McClelland, Ron Perry, Scott Siemon, Kevin Simon, Marilyn Stinson. Opposed: None. Absent: Tracey Douthett. Motion carries.

MOTION: To adopt resolution #2009-04, amending the District's ICMA-RC 401 Money Purchase Plan to permit loans to eligible employees effective May 6, 2009. [McClelland/Simon] All in favor: Scott McClelland, Ron Perry, Scott Siemon, Kevin Simon, Marilyn Stinson. Opposed: None. Absent: Tracey Douthett. Motion carries.

POLICIES AND PROCEDURES

Bonnie Park distributed draft District policies and procedures chapters 1- 5 for Board review prior to the meeting on June 3rd. Park said she continues to draft additional chapters to capture the principles of policy governance discussed at the Board retreat.

SERVICE PROVIDER/PLANNING UPDATE

Bonnie Park said the Newpark Town Center Building C-2 final site plan has been signed. This is the site for the bowling alley and arcade. In addition, Dakota Mountain Lodge has signed the Amended Canyons Trails Agreement, after which Park signed the amended and restated condominium plat for that project.

APPROVAL OF 4/1/09 BUSINESS MEETING MINUTES and 4/22/09 WORK SESSION MINUTES

Chair Odell called for comments, questions or a motion to approve minutes of April 1, 2009.

MOTION: To approve the minutes of April 1, 2009, as written [McClelland/Perry] All in favor: Scott McClelland, Ron Perry, Scott Siemon, Kevin Simon, Marilyn Stinson. Abstain: Scott Siemon. None opposed. Absent: Tracey Douthett. Motion carries.

Chair Odell called for a motion to approve work session minutes of April 22, 2009.

MOTION: To approve the work session minutes of April 22, 2009, as written [McClelland/Simon] All in favor: Scott McClelland, Ron Perry, Scott Siemon, Kevin Simon, Marilyn Stinson. None opposed. Absent: Tracey Douthett. Motion carries.

APPROVAL OF INVOICES

Board members were provided a summary of payables dated March 28, 2009 – April 29, 2009 in their Board packets (attached). Following brief discussion, acting Chair Odell called for a motion to approve.

MOTION: To approve the invoices of March 28 – April 29, 2009 in the amount of \$221,726.66. [McClelland/Stinson] All in favor: Scott McClelland, Ron Perry, Scott Siemon, Kevin Simon, Marilyn Stinson. None opposed. Absent: Tracey Douthett. Motion carries.

DIRECTOR COMMENTS

Rena Jordan updated the Board on the status of the request to Summit County to re-allocate RAP funds from Trailside to the Fieldhouse for the splash pad. Park sent an email inquiry to acting County Manager Brian Bellamy and assistant Manager Anita Lewis with a copy to Tim Douglas. Douglas responded with a recommendation that they find a date for the committee to reconvene to consider the request, but with a warning that the District must be well prepared to substantiate why the splash pad should be moved. Jordan provided conceptual plans prepared by Vortex. She reported the bids came back at \$272,925, installed. The remainder of the \$300,000 budget will pay for architects fees and construction documents. One option is 2,000 s.f.; a second option is 4,000 s.f. with two pads. She described the space in relation to the entry trellis. Spray zones are designed to be age appropriate. Benches would provide a barrier from the road, rather than fencing the area. Discussion followed on pros and cons of fencing, which is not included in the bid. Perry suggested that Jordan inquire with ULGT. In addition Jordan will research the cost of the UV sterilization system. The conceptual drawing will reviewed by Marc Wangsgard at Newpark before the presentation to the RAP committee. Jordan requested that a Board member accompany her if an audience with the RAP committee can be arranged.

Trailside tennis court surfacing will be scheduled when the weather forecast predicts 5 days in a row of sixty degree temperatures.

In a budget update, Jordan reported that Recreation staff reviewed 2009 comparables to 2008. Program registrations are down 27% compared to last year. Staff is taking a marketing minded approach to camp promotion. Jordan pointed out that there are many other camps in the community, but the District's program is still the best value. Fieldhouse numbers are exceeding revenues when compared year to date 2008. Other plans are underway for additional programming. Overall the whole recreation department is ahead in revenue by \$25,000.

Jordan reminded the Board about Bike to Work day on May 15 and the June 6th "Stand on Your Land" open space celebration to be held in conjunction with National Trails Day. First guided trail hike is this Saturday, 9am, Trailside. Trail hikes will be held twice a month on trails around the Basin. Jordan confirmed with the Board that the District will proceed with a Miner's Day float entry, rather than the 4th of July parade.

PUBLIC INPUT

No public input was provided at this time.

A motion to adjourn the meeting of May 6, 2009 was made at 8:17pm. [McClelland/Perry] All in favor: Tracey Douthett, Scott McClelland, Ron Perry, Scott Siemon, Kevin Simon, Marilyn Stinson. None opposed. Absent: Tracey Douthett. Motion carries.

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Minutes prepared by Bonnie Park

Clerk/Board Member Approval: _____

