



LONE PEAK PUBLIC SAFETY DISTRICT AGENDA

Wednesday, October 20, 2021

7:30 am

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

7:30 AM REGULAR MEETING

Call to Order: Brittney P. Bills, Chair

Invocation: Board Member Troy Stout

1. UNSCHEDULED PUBLIC APPEARANCES

Please limit comments to three minutes per person. Please state your name.

2. APPROVAL OF MEETING MINUTES *Administrative*

Regular LPPSD Board Meeting – September 8, 2021

3. DISCUSSION: ETHICAL BEHAVIOR STATEMENT *Administrative*

The Board will discuss implementation of an ethical behavior statement as recommended by the State Auditor's Fraud Risk Assessment. This item is being presented for discussion only to fulfill requirements of the State Auditor's Office, formal action will not be taken.

4. DISCUSSION: HOLIDAY PAY/LEAVE AMENDMENT - *Fire Chief Brian Patten*

5. DISCUSSION: DISCIPLINARY ACTION APPEAL PROCESS AMENDMENT

- *Executive Director Nathan Crane*

6. DEPARTMENT REPORTS

- a. **Police Department**
- b. **Fire Department**

7. CLOSED SESSION

The Lone Peak Public Safety Board may convene in a closed session to discuss pending or reasonably imminent litigation, as provided by Utah Code Annotate as provided by Utah Code Annotated §52-4-205.

ADJOURNMENT

In accordance with Americans with Disabilities Act, Lone Peak Public Safety District will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the Recorder at (801) 772-4505 at least three days in advance of the meeting.

ELECTRONIC PARTICIPATION

Members of the Governing Board may participate electronically via telephone, Skype, or other electronic means during this meeting.

CERTIFICATE OF POSTING

I, Stephanie Cottle, the duly appointed Recorder, certify that the foregoing agenda was posted at the principal office of the public body, at the Lone Peak Fire Station and Lone Peak Police Station, on the Utah State website (<http://pmn.utah.gov>), and on Highland City's website (www.highlandcity.org).

Please note the order of agenda items are subject to change in order to accommodate the needs of the Governing Board, staff and the public.

Posted and dated this agenda on the 18th day of October 2021.

Stephannie Cottle, Recorder

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL LONE PEAK PUBLIC SAFETY DISTRICT BOARD MEETINGS.



LONE PEAK PUBLIC SAFETY DISTRICT MINUTES

Wednesday, September 8, 2021

7:30 am

Waiting Formal Approval

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

7:30 AM REGULAR MEETING

Call to Order: Lon Lott, Chair

The meeting was called to order by Chair Lon Lott as a regular meeting at 7:36 am. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting.

PRESIDING: Chair Lon Lott

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

STAFF PRESENT: LPPSD Assistant Executive Director Shane Sorensen, Police Chief Brian Gwilliam, Fire Chief Brian Patten, Deputy Fire Chief Jake Beck, Finance Director Tyler Bahr, Recorder Stephannie Cottle

OTHERS PRESENT: Darci Brunson, Nancy Jones, Jo Lo, Brian Hodson, Danny Campbell, Conner Kinsey, Kati Powell, Jamey Brooks, Owen Olsen, Nate Tobler, Taylor Ward

1. UNSCHEDULED PUBLIC APPEARANCES

Please limit comments to three minutes per person. Please state your name.

2. PRESENTATIONS

a. Introduction of Deputy Fire Chief Jake Beck – Fire Chief Brian Patten

Jake Beck introduced himself and stated that he spent 22 years at the Lehi Fire Department. He said he was excited to serve as the Deputy Chief of LPPSD. He was born and raised in Lehi, and he talked about his family. Deputy Chief Beck said his and Chief Patten's leadership styles are very similar. He will be working a daytime schedule. In looking at the LPPSD, he saw tremendous potential and growth.

3. APPROVAL OF MEETING MINUTES

Regular LPPSD Board Meeting – May 26, 2021, June 17, 2021, and August 11, 2021

Board Member Rod Mann MOVED that the Board approve the meeting minutes from May 26, 2021, June 17, 2021, and August 11, 2021. Board Member Kurt Ostler SECONDED the motion.

There was one correction to the May 26, 2021 minutes, to move Lon Lott to the "Others Present" section.

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.

4. FIRE DEPARTMENT SURPLUS PROPERTY

Staff will present a list of property to be considered as surplus. The Board will take appropriate action.

Chief Brian Patten presented a list of property to be surplus, which included three vehicles. First, was heavy rescue purchased in 2019. The Department did not feel like it was needed anymore, and he noted there were only two or three heavy rescue vehicles in the entire State. He explained that it was incomplete as a heavy rescue, and it required all disciplines with tech level personnel to run it. Driving the vehicle up the canyon was scary in that it wandered and did not have any safety features. Chief Patten said they would be better served with a truck, and they could tow the side by side up the canyon. He stated that the original purchase price was \$6,000, and they were estimating that they might be able to get around \$10,000. They would surplus the vehicle through one of the Pierce dealerships.

The second vehicle was a 2018 Ford F-150 that had 65,000 miles on it. At the time of purchase, the Department had purchased two vehicles. The other truck's motor went out at 15,000 miles but it was still under warranty at that time, and Ford replaced it. The F-150 with eco boost had been known to have problems at 70,000 to 80,000 miles. Therefore, they were looking to replace it. Chief Patten explained that the sale of that truck would pay off balance of loan for both trucks. These sales would help pay for two new trucks with lights and sirens, which would cut the vehicle lease in the budget.

Board Member Stout asked Chief Patten if he could see a situation where LPPSD would ever regret not having the heavy rescue vehicle. Chief Patten said no; if a need ever were to arise, LPPSD would call for help from another district such as UFA or Provo. He further explained that it was a specialty vehicle and it would require up to \$100,000 just to finish properly outfitting it. Additionally, all 15 employees would need training in order to become tech-level at every discipline. Chief Patten said that LPPSD did not receive enough calls to justify that level of effort.

Chief Patten explained that the third vehicle to be surplus was a 2017 Dodge 3500 Ambulance. He stated that LPPSD had a new ambulance ordered and would be delivered in October. The Department would then put the current front line ambulance into reserve. When asked what the process was for selling ambulance, Chief Patten explained that they would follow the State process for surplus. To get the maximum amount out of the vehicle, LPPSD would seek a nationwide bid. Chief Patten said it was a good time to sell as there were a limited number of vehicles out there. As far as the F-150 was concerned, the Department took a lot of precautions in drilling holes for lights, etc. Once everything was taken out, it would be a well put together truck.

Chief Patten lastly discussed the 1,200 feet of large diameter hose. Over the course of the last year and a half, the Department had transitioned from a threaded hose to a Storz spinning hose, which was non-directional. He explained that this had become an industry standard. Chief Patten did not believe LPPSD could sell it, however, there was interest from Salem so LPPSD would like to give it them.

Board Member Thelin asked if LPPSD would be creating a policy on purchasing and selling future vehicles. Chief Patten stated that they put approximately 35,000 miles per year on vehicles. Therefore, they would likely get five to eight years out of administration vehicles. He mentioned that the Department was planning on keeping the other 2018 F-150, as it would help as a staff vehicle to drive to trainings. Board Member Thelin asked if the truck they were keeping was also a turbo, to which Chief Patten answered affirmatively. Board Member Thelin asked why they would keep one and not the other given the potential problems with those types of vehicles. Chief Patten stated that the truck they were keeping only had 15,000 miles on it, and since it wouldn't be used very much there were still several years of use on it. He discussed the process by which they would secure two trucks, noting that the Chevrolet dealership in Kellogg, Idaho, was looking like the best option as this point.

Chair Lon Lott asked to clarify Board Member Thelin's question on whether there should be a standard on miles or criteria that determines when LPPSD sold its vehicles. Board Member Thelin said that was correct; he wondered if there could be a general policy on when to flip vehicles. Chief Patten said the Department would like to pay off vehicles and not have a payment, or look at signing three-year leases and turn over at max value. He explained that since truck models changed, they required different light packages.

Board Member Stout said there had been some discussion as to whether they should apply the typical standards to cities because in Alpine and Highland they traveled fewer miles, less often. Chief Patten said he spent a lot of time in vehicle with daily business, and not necessarily on calls. He noted that LPPSD was at 13 years on the ladder truck, where the average life on those vehicles was within the seven- to 10-year range. Additionally, they also needed to look at the maintenance costs. Regarding the heavy vehicle, it would be a huge deal if the engine went out.

Board Member Mann asked that if they were switching to GM rather than Ford, this would be a different chassis; therefore, he wanted to know if it made sense to switch out both. Chief Patten answered that keeping the 2018 truck would allow the Department to pay for funds from the other one.

Board Member Troy Stout MOVED that the Board approve the Fire Department proposal to surplus the 3 vehicles as presented with the expectation that we can leverage those assets toward the purchase of new assets and get a higher exchange of value, as well as contribution of the hose to Salem. Board Member Rod Mann SECONDED the motion.

The vote was recorded as follows:

Board Member Rod Mann	Yes
Board Member Kurt Ostler	Yes
Board Member Troy Stout	Yes
Board Member Jason Thelin	Yes

The motion passed 4:0.

Troy Stout asked about the individual who was transported from Alpine days rodeo.

5. POLICE DEPARTMENT VEHICLE REPLACEMENT AGREEMENT

The Board will consider the bid for the purchase of 3 (three) 2022 Ford Explorer Police Interceptors. The Board will take appropriate action.

Police Chief Brian Gwilliam presented this item, and explained that the three vehicles were marked and lit. In FY2021-22, the Board approved the replacement of three police vehicles. He explained that vehicles were at the end of their service life; for example, one car needed repairs of \$2,500. The Department would try to keep these

vehicles for four to five years. The other two vehicles were fine, and they were at or over 100,000 miles. The Department was currently working with Zions Bank on financing the vehicles. They were four to six months out to getting the vehicle. The Department was looking to finance the vehicle, lights, and cameras. Cameras were through Axon, which is the same company through which LPPSD purchased body cameras. Chief Gwilliam stated that the Department received a lot of requests for camera footage. He thanked the Board for allowing them to purchase good equipment, as it made it easier to retrieve camera footage. He explained that GRAMA requests came in waves. They were using the software and cloud based storage to maintain these records. Board Member Mann asked how many GRAMA requests they received, to which Chief Gwilliam explained that it depended. However, there was an average of six to eight per week. He further explained that they were trying to make footage available within 10 days.

Chief Gwilliam continued explaining that the Axon bid was from 2020, and so they would get the date corrected. Because of this, the price might change slightly. There was a five-year payment, and the Department would like to roll them into the financing of the car, as this made it easier if there was an insurance claim. There was \$30,000 for first year's payments included in the budget, and additional four years of payment would be put into future budgets.

Board Member Ostler asked about the radar on the front and rear antennae. Chief Gwilliam explained that the antenna on front captures and reads speeds of cars. Additionally, the Department had three handheld units.

Board Member Jason Thelin MOVED that the Board approve the 3 (three) police vehicle replacements with the standard items including installed lighting and cameras. 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.

6. DEPARTMENT REPORTS

a. Police Department

Chief Gwilliam stated that the Department was currently at full staff. They were currently in the middle of a wage war, as the agencies in Salt Lake County had increased wages significantly. In addition to wage, there were increases to other benefits such as health insurance, 401K plans, and tuition reimbursement. Chief Gwilliam said the Department would be discussing options in the upcoming budget.

Board Member Stout commented that due to cost of inflation, they might need to make adjustments to keep people. He stated that there was strong cultural strength here, and he asked if that helped to mitigate costs differentials. Chief Gwilliam said staff had said that they stayed because of culture. He continued explaining that Salt Lake City lost a lot of officers after the murder of George Floyd and the civil unrest that ensued. Salt Lake City had since changed starting wages to \$38/hour. LPPSD was not seeing the applicants because it was not as desirable as it used to be. He stated that it was easier to get good officers from another City rather than a new person. Chief Gwilliam then shared a letter from a Lehi resident.

Board Member Thelin noticed that the number of tickets issued in the City had gone down, and he wanted to know the reason for this. Chief Gwilliam said when COVID hit, he advised his officers that traffic enforcement

tickets were their decision, and at what point they would take action. He explained that public safety came in contact with the public and could carry the virus, so they were seeking to limit contact. Board Member Mann asked if this also reduced traffic, to which Chief Gwilliam said yes. He continued that the officers curbed their traffic enforcement, and that the legislature passed a bill stating that Departments could not ask officers to write a number of tickets per shift. In response to a question from Board Member Stout, Chief Gwilliam clarified that this did not affect enforcement; they simply could not issue ticket quotas.

Board Member Thelin stated that there were more people in the area, so the numbers should be going up with tickets. Board Member Mann said that in last year's FBI/BCI report, LPPSD's data was not included. Chief Gwilliam said they reached out to the FBI/BCI and they said they never received it; however, LPPSD had an email showing it was sent. Chief Gwilliam reported that LPPSD had changed how it reported to FBI/BCI. They were now reporting every crime that happened on that call. He explained that all agencies would be required to transition to this reporting in the next few years.

b. Fire Department

Chief Patten stated that Salt Lake City was pushing wages higher within the Fire Department industry as well. LPPSD was currently fully staffed, and they were in the process of obtaining information from other agencies regarding wages and benefits. He reported that part-time employees were dropping back to three to four shifts per month. He explained that there was a lack of qualified individuals. On top of that, there was a significant fire season happening all around them, and they had started receiving EMAC requests in July whereas in the past these hadn't started to come in until September. He reviewed some of the deployments that had taken place in surrounding cities, and noted that LPPSD deployed four times with seasonal employees, as well as pre-loading. They were looking at hiring more people, and were planning to overcome these staffing challenges. Chief Patten stated that he did not want his Department to be at the mercy of other departments. He explained that departments were paying more overtime because part-time staff fluctuated. Part-time wages were also being driven up. He said that culturally they were in a good place and staff were happy. Chief Patten reported that they recently graduated three paramedic students. Additionally, they also had one in paramedic school that would be done in April, which would overlap another graduate in January. Currently they were not deployed. Two seasonal employees were no longer working due to various issues. There would be a training camp September 13th through Oct 14th.

Board Member Mann asked if next year's budget would include increasing the number of full-time staff, to which Chief Patten answered affirmatively. However, they would always have a part-time component.

Chief Patten reported that this Saturday there would be an association breakfast event with all proceeds going to one of LPPSD's firefighters. He reported that one of the firefighters came down with an autoimmune disease. He also noted that a GoFundMe page had been set up for this person as well. Chief Patten also announced that last Thursday he received an email from FEMA notifying them they had been awarded a grant. The grant was in the amount of \$114,000, and would be used for exhaust removal systems in Highland and Alpine stations. LPPSD had to come up with 10% of the costs, which amounted to \$11,000. This project would put the Department within NFPA compliance. He said that they did not have all the dates or details, but would work on compiling that information to address it later. Lastly, Chief Patten reported that open burn season started soon. He reviewed what items could and could not be burned, and explained that the DEQ determined whether or not burns could take place on certain days. Citizens were required to call in the day of to make sure it was a burn day.

Board Member Lott thanked Chief Gwilliam for their support at Alpine Days.

7. CLOSED SESSION

The Board may temporarily recess the board meeting to convene in a closed session to discuss pending or reasonably imminent litigation, as provided by Utah Code Annotated §52-4-205.

The Board did not convene in a Closed Session.

ADJOURNMENT

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

The meeting adjourned at 8:35am.

I, Stephannie Cottle, Recorder, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on September 8, 2021. This document constitutes the official minutes for the Lone Peak Public Safety District Board Meeting.

Stephannie Cottle
Recorder



BOARD AGENDA REPORT ITEM #3

DATE: October 20, 2021
TO: Members of the Board
FROM: Tyler Bahr, Finance Director
SUBJECT: **DISCUSSION:** Ethical Behavior Statement *Administrative*

PURPOSE:

The Board will discuss implementation of an ethical behavior statement as recommended by the State Auditor's Fraud Risk Assessment. This item is being presented for discussion only to fulfill requirements of the State Auditor's Office, formal action will not be taken.

BACKGROUND:

The Utah State Auditor developed a Fraud Risk Assessment that outlines best practices for fraud detection for local governments. The Auditor's office does not require, but recommends that cities do their best to implement these best practices. The District is required to complete the assessment and present it to the Board prior to the end of the fiscal year. The report must then be submitted to the State Auditor. In addition, the Utah Local Government Trust (the District's primary insurer) considers completion of the assessment in underwriting. The District's score was not reported to the Trust, simply completion of the assessment.

This Fraud Risk Assessment and the best practices contained therein are different than the internal controls assessment done annually by our auditors. The Assessment is a questionnaire that awards points depending on the District's adherence to the best practices (see attachment). In FY2020, the first year of the assessment, the District received 25 points out of 395 possible, which the assessment classifies as "Very High" risk. In FY2021, staff worked to improve the District's adherence to the recommended best practices, with particular attention to improving separation of duties. As a result, the District's overall score increased to 235, which is classified as "High" risk.

Following the presentation of the FY2021 assessment, the Board directed staff to pursue further measures to improve fraud prevention. To this end, the Finance Department has promoted the State's fraud hotline.

In addition, an ethical behavior statement has been prepared to remind the District's elected officials and staff of the ethics standards contained in State and City code including, but not limited to: improper use of official position, accepting gifts or loans, disclosing privileged information, retaining a financial or beneficial interest in a transaction, nepotism, misuse of public resources or property, outside employment, political activity, fair and equal treatment, and conduct after leaving office or employment. The fraud risk assessment recommends that officials and staff acknowledge the ethical behavior statement in writing annually.

Along with promoting the State's fraud hotline, implementing the ethical behavior statement will qualify the District for an additional 40 points on the fraud risk assessment.

RECOMMENDATION:

Staff recommends that the Board individually sign the Ethical Behavior Statement.

ATTACHMENTS:

1. Completed FY2021 Fraud Risk Assessment
2. Ethical Behavior Statement

Fraud Risk Assessment

Continued

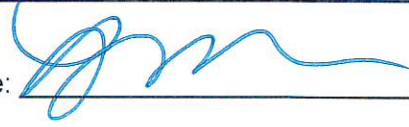
*Total Points Earned: 235/395 *Risk Level: Very Low Low Moderate High Very High
> 355 316-355 276-315 200-275 < 200

	Yes	Pts
1. Does the entity have adequate basic separation of duties or mitigating controls as outlined in the attached Basic Separation of Duties Questionnaire?	x	200
2. Does the entity have governing body adopted written policies in the following areas:		
a. Conflict of interest?	x	5
b. Procurement?		5
c. Ethical behavior?	x	5
d. Reporting fraud and abuse?		5
e. Travel?	x	5
f. Credit/Purchasing cards (where applicable)?	x	5
g. Personal use of entity assets?	x	5
h. IT and computer security?		5
i. Cash receipting and deposits?		5
3. Does the entity have a licensed or certified (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO) expert as part of its management team?		20
a. Do any members of the management team have at least a bachelor's degree in accounting?	x	10
4. Are employees and elected officials required to annually commit in writing to abide by a statement of ethical behavior?		20
5. Have all governing body members completed entity specific (District Board Member Training for local/special service districts & interlocal entities, Introductory Training for Municipal Officials for cities & towns, etc.) online training (training.auditor.utah.gov) within four years of term appointment/election date?		20
6. Regardless of license or formal education, does at least one member of the management team receive at least 40 hours of formal training related to accounting, budgeting, or other financial areas each year?		20
7. Does the entity have or promote a fraud hotline?		20
8. Does the entity have a formal internal audit function?		20
9. Does the entity have a formal audit committee?		20

*Entity Name: Lone Peak Public Safety District

*Completed for Fiscal Year Ending: June 30, 2021 *Completion Date: May 10, 2021

*CAO Name: Nathan Crane *CFO Name: Tyler Bahr

*CAO Signature:  *CFO Signature: 

*Required

Basic Separation of Duties

See the following page for instructions and definitions.

	Yes	No	MC*	N/A
1. Does the entity have a board chair, clerk, and treasurer who are three separate people?	x			
2. Are all the people who are able to receive cash or check payments different from all of the people who are able to make general ledger entries?	x			
3. Are all the people who are able to collect cash or check payments different from all the people who are able to adjust customer accounts? If no customer accounts, check "N/A".	x			
4. Are all the people who have access to blank checks different from those who are authorized signers?			x	
5. Does someone other than the clerk and treasurer reconcile all bank accounts OR are original bank statements reviewed by a person other than the clerk to detect unauthorized disbursements?	x			
6. Does someone other than the clerk review periodic reports of all general ledger accounts to identify unauthorized payments recorded in those accounts?	x			
7. Are original credit/purchase card statements received directly from the card company by someone other than the card holder? If no credit/purchase cards, check "N/A".	x			
8. Does someone other than the credit/purchase card holder ensure that all card purchases are supported with receipts or other supporting documentation? If no credit/purchase cards, check "N/A".	x			
9. Does someone who is not a subordinate of the credit/purchase card holder review all card purchases for appropriateness (including the chief administrative officer and board members if they have a card)? If no credit/purchase cards, check "N/A".	x			
10. Does the person who authorizes payment for goods or services, who is not the clerk, verify the receipt of goods or services?	x			
11. Does someone authorize payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	x			
12. Does someone review all payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	x			

* MC = Mitigating Control

Statement of Ethical Behavior

The City of Highland and Lone Peak Public Safety District are committed to fostering ethical behavior among elected officials and employees, consistent with requirements contained in the Utah Code, Municipal Code, and personnel policies.

Officers and employees are directed to review and abide by the [Municipal Officers' and Employees' Ethics Act](https://le.utah.gov/xcode/Title10/Chapter3/10-3-P13.html) (<https://le.utah.gov/xcode/Title10/Chapter3/10-3-P13.html>).

Furthermore, the Highland Municipal Code addresses standards of conduct and conflicts of interest relating to elected officials – see [Highland City Municipal Code 2.04.070](https://highland.municipalcodeonline.com/book?type=ordinances#name=2.04.070_Standards_Of_Conduct;_Conflict_Of_Interest),

https://highland.municipalcodeonline.com/book?type=ordinances#name=2.04.070_Standards_Of_Conduct;_Conflict_Of_Interest.

Employees should also be aware of and adhere to standards of conduct as outlined in the personnel policies for their respective organizations.

Acknowledgement – Required Annually

Print Name

Signature

Date