



LONE PEAK PUBLIC SAFETY DISTRICT AGENDA

Wednesday, November 10, 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 Jason Thelin

1. UNSCHEDULED PUBLIC APPEARANCES

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

2. APPROVAL OF MEETING MINUTES

Regular LPPSD Board Meeting – October 20, 2021

3. 2022 LPPSD REGULAR MEETING SCHEDULE

The Governing Board will consider approving the LPPSD Regular Meeting Schedule for 2022. The Board will take appropriate action.

4. APPROVAL OF POST-DISCIPLINARY APPEALS BOARD POLICIES AND PROCEDURES

The LPPSD Board approve the revised Post-Disciplinary Appeals Board Policies and Procedures.

5. PURCHASE OF 20 SETS TURNOUTS, 20 PAIRS OF BOOTS, 10 HELMETS, 20 HOODS, AND 10 STRUCTURAL GLOVES

Take 25 sets of expiring turnouts, 20 pairs of boots, 10 helmets out of service. Ensure that moving forward we are able to keep up with the demands of expiration dates, damage sustained due to fires and training in such a way that we will not have a large turnout order.

6. HOLIDAY POLICY CHANGE IN SECTION 15 SUBSECTION H

Provide options for FTE to better manage time off. Alleviate backfill demand on the schedule. Provide FTE to get a late November check paying out the 144 hours of holiday time at their regular rate before the holiday season. The options with this policy change will increase employee morale and help with retention.

7. DEPARTMENT REPORTS

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

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, Stephannie 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 8th day of November 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, October 20, 2021

7:30 am

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

Waiting Formal Approval

7:30 AM REGULAR MEETING

Call to Order: Brittney P. Bills, Chair

Invocation: Board Member Troy Stout

The meeting was called to order by Chair Brittney P. Bills 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. The prayer was offered by Board Member Lon Lott.

PRESIDING: Chair Brittney P. Bills

BOARD MEMBERS PRESENT: Rod Mann, Kurt Ostler, Lon Lott

STAFF PRESENT: LPPSD Executive Director Nathan Crane, LPPSD Assistant Executive Director Shane Sorensen, Police Chief Brian Gwilliam, Deputy Chief Brian Patten, Recorder Stephannie Cottle, Attorney Rob Patterson, Finance Director Tyler Bahr

OTHERS PRESENT: Amanda Jolley, Brian Hodson, Darci Brunson, Nancy Jones, Jake Beck

1. UNSCHEDULED PUBLIC APPEARANCES

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

There were no unscheduled appearances.

2. APPROVAL OF MEETING MINUTES *Administrative* Regular LPPSD Board Meeting – September 8, 2021

Board Member Rod Mann MOVED that the Board approve the minutes for September 8, 2021.

Board Member Lon Lott 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>Absent</i>
<i>Board Member Lon Lott</i>	<i>Yes</i>

The motion passed 3:0.

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.

Finance Director Tyler Bahr explained that the ethical behavior statement was one of the requirements for the Fraud Risk Assessment. Mr. Bahr gave a brief description of the Fraud Risk Assessment and the point system associated with it. The Ethical Behavior Statement is an annual document which should be signed by staff and officials. Mr. Bahr reviewed the items on the statement. He expressed his gratitude to work with individuals who reflect integrity. Mayor Mann asked if Alpine has a similar code of ethics in their municipal code. Shane Sorensen said they have something similar. Nathan Crane suggested they amend that part on the Ethical Behavior Statement to reflect Alpine's code as well or strike that paragraph entirely which references to Highland City code.

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

Chief Brian Patten stated that holidays are typically not allowed to be taken off. Full time staff works on holidays. Firefighters are given holiday time which they will use throughout the year, similar to vacation. In December, they will bid for vacation time for the following year. Holiday time is included with that vacation time. We currently have 15 full time firefighters, and each receives 90 days per year in holiday time. Staffing is difficult; we need to have 8 people per day. After speaking with other cities fire departments, there are two ways for holiday pay: pay it out or give it as time off. Chief Patten suggested hybrid program. Each employee has holiday time, employee can burn the time or at the end of the year have it paid out. This will help us not have to back fill. It was estimated that if everyone took the payout, it would cost \$7000 more. Kurt Ostler questioned how the overtime and vacation time payout would be. Chief Patten explained that it is very difficult to determine the backfill overtime cost. Excess holiday time would be paid out in November. Board Member Kurt Ostler asked what would happen if we paid out an employee and then someone left. Chief Patten said that would be a risk. Mayor Mann said they could offset the difference in their final check. Mayor Rod Mann said he liked this idea because it decreases our liability. Chief Patten requested that fire employees be able to bid in this next year. Executive Director Nathan Crane said this policy would be drafted and brought back to the board in the November meeting. The first payout would be November or December 2022.

5. DISCUSSION: DISCIPLINARY ACTION APPEAL PROCESS AMENDMENT

- Executive Director Nathan Crane

Executive Director Nathan Crane explained that they are working on updating the personnel policies for the district. One of the issues is the post disciplinary appeal process. Currently the appeal process goes through the executive director and the assistant executive director. Mr. Crane proposed that the district hire a hearing officer to provide neutrality. He stated it allows us to be involved and following procedure through HR. He presented a policy to the board, which may be adopted at the next meeting. Mayor Mann asked if this was like the appeal authority. Mr. Crane said this is rare enough that we wouldn't need a contract, just case by case basis. Kurt Ostler

asked how many times we have needed this service, Mr. Crane said only once. The board agreed this is a good idea.

6. DEPARTMENT REPORTS

a. Police Department

Police Chief Brian Gwilliam said they are fully staffed. He spoke about the wage war. Right now the average starting salary in Salt Lake County is \$27. Lone Peak Police is starting at \$21.90 for officers. Chief Gwilliam would like to bring something back in November about wages. Mayor Mann asked if the mobile task force to which Chief Gwilliam said yes at least through 2022. ULCT adopted a resolution supporting law enforcement and their efforts to be inclusive. This was part of the Love, Listen, Lead group. Chief Gwilliam said there will be several bills around law enforcement this year.

b. Fire Department

Fire Chief Brian Patten reported that last month they held a recruit camp with Lehi, American Fork, and Lone Peak. It was a huge success. Lone Peak Fire was deployed 5 days ago and had pump trouble. They will be back this afternoon and will begin repairing the problem. Staffing is always an issue, especially with second calls. Over the last few months, we have been trying to staff for those second calls, so we are having to use other agencies less. Kurt Ostler asked how they were able to reduce using other agencies. Chief Patten explained that they have moved the transport engine in Alpine back in as a unit. They also changed the dispatch zones. Kurt Ostler asked how many times we help other agencies to which Chief Patten said it's about 3 Highland calls to 1 outside agency call. Lone Peak Fire helps other agencies when they have bigger incidents. American Fork has 5 ambulances, Lehi has 3, Lone Peak has 2. Nathan Crane explained that American Fork has the transport license. Chief Patten clarified that Lehi has the transport license out of Mountain Point and they have 4 ambulances. Kurt Ostler asked about staffing in the different cities. Chief Patten explained that American Fork staffs 16 out of the 2 stations. Lehi staffs 19. Chief Patten said they are still working to find a truck. This has been particularly difficult. Many dealerships have dropped the government contract. He said he is looking at a couple of trucks right now. Mayor Mann asked about burn permits and basing that on weather. Lot Lott said Alpine was going to discuss this in their next council meeting, but right now they are not issuing permits. Mayor Mann suggested that with the wetter weather maybe we could allow burn permits during the last 2 weeks in October. It was suggested that we defer to Chief Patten.

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 Annotated as provided by Utah Code Annotated §52-4-205.

At 8:07 am Board Member Lon Lott MOVED that the Lone Peak Public Safety District Board recess to convene in a closed session to discuss pending or reasonably imminent litigation, as provided by Utah Code Annotated § 52-4-205.

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 Lon Lott	Yes
Board Member Troy Stout	Absent

The motion passed 3:0.

Board Member Rod Mann MOVED to adjourn the CLOSED SESSION and Board Member Lon Lott SECONDED the motion. All voted in favor and the motion passed unanimously.

The CLOSED SESSION adjourned at 8:25 am.

ADJOURNMENT

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

The meeting adjourned at 8:25 am.

I, Stephannie Cottle, Recorder, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on October 20, 2021. This document constitutes the official minutes for the Lone Peak Public Safety District Board Meeting.

Stephannie Cottle
Recorder



LONE PEAK PUBLIC SAFETY DISTRICT AGENDA REPORT ITEM #3

DATE: November 10, 2021
TO: LPPSD Governing Board
FROM: Stephannie Cottle, City Recorder
SUBJECT: 2022 LPPSD Regular Meeting Schedule

PURPOSE:

The Governing Board will consider approving the LPPSD Regular Meeting Schedule for 2022. The Board will take appropriate action.

BACKGROUND:

UCA 52-4-202 requires all public entities which hold regular meetings that are scheduled in advance over the course of a year to provide a notice of their Annual Meeting Schedule.

Staff proposes that the LPPSD Board continues to hold their regular meetings on the second Wednesday of every month at 7:30 am, as follows:

Regular Meeting	Date
January	12
February	9
March	9
April	13
May	11
June	8
July	13
August	10
September	14
October	12
November	9
December	14

The Board may modify the schedule to delete or add any meetings as desired. Any work sessions will be scheduled as needed, and special meetings may still take place from time to time, again, as needed. Meetings are typically held at Highland City Hall, Council Chambers at 7:30 am.

FISCAL IMPACT:

This action will not have any additional impacts on this fiscal year's expenditures.

RECOMMENDATION:

Staff recommends the Board approve the 2022 Regular Meeting Schedule.

PROPOSED MOTION:

I move that the Board ADOPT the 2022 Regular Meeting Schedule.



LONE PEAK PUBLIC SAFETY DISTRICT
5400 West Civic Center Drive, Suite 1 • Highland, UT 84003
Phone (801) 756-5751 ext. 4521 • Fax (801) 756-6903

DATE: November 10, 2021
TO: LPPSD Board
FROM: LPPSD Executive Team
SUBJECT: Approval of Post-Disciplinary Appeals Board Policies and Procedures

PURPOSE:

The LPPSD Board will consider approving the revised Post-Disciplinary Appeals Board Policies and Procedures.

PRIOR REVIEW:

The Board reviewed the revised Policies and Procedures at the October 13, 2021 Board meeting.

DISCUSSION:

Currently, after a disciplinary process is completed with the Police and/or Fire Chief a qualifying employee has the right to appeal the decision of the Chief to the Executive Director and Assistant Executive Director. The proposed amendment changes the appeal process from the Directors to an Appeal Authority.

The benefit of the Appeal Authority is that it allows for a neutral hearing officer for both the District and employee. We believe that is in the best interest of the District and allows the Directors to provide appropriate guidance in the disciplinary process as needed.

RECOMENDATION:

Staff recommends that the Board approve the revised police and procedures.

ATTACHMENT:

- 1- Proposed Post-Disciplinary Appeals Board Policies and Procedures

LONE PEAK PUBLIC SAFETY DISTRICT

POST-DISCIPLINARY APPEALS BOARD POLICIES AND PROCEDURES

[DATE]

I. INTRODUCTION

The Lone Peak Fire Department and Lone Peak Police Department previously adopted policies and procedures regarding employees' right to appeal certain disciplinary actions. The District desires to clarify the appeals process, and accordingly adopts this Policy, which supersedes and replaces such provisions related to post-disciplinary appeals, including the following provisions:

Lone Peak Fire Department Policy, Section 9.C. APPEALS BOARD HEARING; and Lone Peak Police Department Policy, Sections 1020.13 – 1020.16, POST-DISCIPLINE APPEAL RIGHTS

II. POST-DISCIPLINE APPEALS POLICY

1. Definitions. The following definitions apply to this policy.
 - a. "Chief" means the Lone Peak Fire Chief, Police Chief, or their designees.
 - b. "Disciplinary action" means a decision or order issued by the Chief to an employee that results in the employee being discharged, transferred to another position with less pay, or suspended without pay for more than two days.
 - c. "District" means the Lone Peak Public Safety District, its Governing Board, the Lone Peak Police Department, or the Lone Peak Fire Department as is appropriate.
 - d. "District policy" means the employment manuals, policies, and procedures adopted by the Lone Peak Police Department and the Lone Peak Fire Department.
 - e. "Employee" means any employee who has a right under Utah State law or District policy to appeal a disciplinary decision. "Employee" does not include any "at-will," part-time, probationary, seasonal, volunteer, or other similar employees.
2. Other Appeal Rights. Where existing Utah State law, bargaining agreements, or civil service commission regulations do not otherwise provide a process to appeal disciplinary actions, employees subject to disciplinary action shall appeal such disciplinary action as set forth herein.
3. Appeal Process.
 - a. Within 10 days from the issuance by the Chief of the order or decision imposing disciplinary action, an employee may appeal the order or decision by filing a written notice of appeal with the Chief. An employee's failure to timely file an appeal shall waive all appeal rights.

- b. The notice of appeal shall describe the claims, arguments, and evidence the employee desires to raise and have considered as part of the appeals process.
 - c. The employee shall have access to all reports, evidence, and other documentation relied on by the District to impose the disciplinary action or that is otherwise relevant to the disciplinary action, except where such materials are required to be kept confidential.
 - d. Within a reasonable time after the notice of appeal is filed, the District's appeal authority shall schedule an appeals hearing. The employee may appear at the appeals hearing in person, may be represented by counsel, may request a public hearing, and may present or examine any presented evidence or witnesses.
4. Appeal Authority.
- a. The District shall appoint one or more qualified persons to serve as the District's appeal authority.
 - b. The appeal authority may make and issue rules governing the appeals hearing and appeals process in conformance with District policies, governing law, and due process. Where more than one person is appointed to serve as an appeal authority board, the consensus of a majority of appointed persons is required to issue any rule or final decision.
 - c. The appeal authority shall issue a final written decision on an employee appeal of disciplinary action within 15 days after the appeals hearing. For good cause, the appeal authority may extend the 15-day period to a maximum of 60 calendar days, if the employee and District both consent.
 - d. The appeal authority shall fully hear and decide all issues raised in the employee's appeal and can affirm, modify, or overturn the employee disciplinary action. If the appeal authority modifies or overturns the disciplinary action, the appeal authority may reinstate any loss of pay or position associated with the disciplinary action.
5. Further Appeal. The final decision of the appeal authority may be appealed to the Court of Appeals by either party within 30 days of the issuance of the final decision. The Court of Appeals' review shall be on the record of the appeal authority and for the sole purpose of determining if the appeal authority abused its discretion or exceeded its authority. Failure to timely appeal to the Court of Appeals shall waive all further rights to challenge or appeal the appeal authority's decision.



LONE PEAK FIRE DISTRICT
5582 Parkway West Drive
Highland, Utah 84003
(801) 763-5365
www.lonepeakfire.com

Brian Patten, Fire Chief

DATE: 11/10/2021

TO: Honorable Mayors and Fire Board Members

FROM: Chief Brian Patten

SUBJECT: Purchase of 20 sets turnouts, 20 pairs of boots, 10 helmets, 20 hoods, and 10 structural gloves

PURPOSE: Take 25 sets of expiring turnouts, 20 pairs of boots, 10 helmets out of service. Ensure that moving forward we are able to keep up with the demands of expiration dates, damage sustained due to fires and training in such a way that we will not have a large turnout order.

BACKGROUND: In 2012, 25 sets of turnouts were bought. The 2012 purchase was financed at that time there was not a replacement plan in place.

CURRENT BUDGET: FY22 \$28,032.54 unexpended \$13,111.38

TOTAL PURCHASE: \$52,454.84

FISCAL IMPACT: FY22 Budget amendment in January 2022 after FY21 audit complete

TOTAL BUDGET AMENDMENT: \$39,343.46 Includes Projected unused protective gear money from FY21 \$23,260 Plus additional 16,083.46

TOTAL FUNDING NEEDED: \$16,083.46

FUNDING OPTIONS: Financing, City contributions, Surplus and sale of items in the Fire Department

REPLACEMENT PROGRAM: Purchase 5-6 sets of turnouts per year. In 8 years all turnouts will be on a 8 year rotation that allows for ten extra in the closet to support laundering and back up for repairs.

PROPOSED MOTION: Move to approve the purchase of 20 sets of turnouts, 20 pairs of boots, 10 helmets, 20 hoods, 10 pairs of structural gloves at a cost to not exceed 52,454.84. With intent to amend the current FY22 budget in January

TURNOUT BIDS 11/2021

Vendor	Turnouts	Boots	Helmets	Hoods	Gloves
AES (Innotex)	\$2,333.52	\$330.00	\$344.50	\$99	\$76
Weidner (FireDex)	\$2,775.00	\$389.00	\$365.00		
LN Curtis (Globe)	\$2,481.50	\$435	\$350		

Total	AES	Weidner	LN Curtis
Turnouts	\$39,669.84	\$55,500.00	\$49,630.00
Boots	\$6,600.00	\$7,780.00	\$8,700
Helmets	\$3,445.00	\$3,650.00	\$3,500
Hoods	\$1,980.00	\$0	\$0
Gloves	\$760.00	\$0	\$0
Total	\$52,454.84	\$66,930.00	\$61,830.00



LONE PEAK FIRE DISTRICT
5582 Parkway West Drive
Highland, Utah 84003
(801) 763-5365
www.lonepeakfire.com

Brian Patten, Fire Chief

DATE: 11/10/2021

TO: Honorable Mayors and Fire Board Members

FROM: Chief Brian Patten

SUBJECT: Holiday policy change in section 15 subsection H

CURRENT: FTE receives 144 hours of holiday time to be used throughout the year. 144 hours for 15 FTE is 90 additional days off on the schedule. FTE also is also accruing vacation time which has to be managed.

PURPOSE: Provide options for FTE to better manage time off. Alleviate backfill demand on the schedule. Provide FTE to get a late November check paying out the 144 hours of holiday time at their regular rate before the holiday season. The options with this policy change will increase employee morale and help with retention.

FISCAL IMPACT: There are multiple variables fiscally. If all hours are backfilled with PTE at the average rate it would cost approx. \$7,210.08 more to pay the holiday time out. If it is backfilled by FTE overtime at the median rate it would be approx. \$16,000 more to stay with the current practice. Other variables also include the need to hire more PTE to cover the time off which includes turnout and uniform purchasing if we stay with the current practice.

PROPOSED MOTION: Move to approve the changes highlighted below to policy section 15 subsection H in the Lone Peak Fire Department personnel policy manual.

H. HOLIDAYS-Effective: 11/10/2021

The Department provides the following holidays to all full-time, exempt eligible employees. The Department observes the following holidays:

1. New Year's Day, January 1st;
2. Civil Rights Day, 3rd Monday in January;
3. Presidents Day, 3rd Monday in February;
4. Memorial Day, last Monday in May;
5. Independence Day, July 4th;
6. Pioneer Day, July 24th;
7. Labor Day, 1st Monday in September;
8. Veteran's Day, November 11th;

9. Thanksgiving Day, 4th Thursday in November;
10. Family Day, Day after Thanksgiving;
11. Christmas Eve, December 24th;
12. Christmas Day December 25th;

For full-time exempt and full-time general or civilian employees, the following will apply: When a holiday falls on Sunday, the following Monday will be observed. When a holiday falls on Saturday, the preceding Friday will be observed. Certain holidays, such as Christmas Eve, shall be observed on the day on which it falls. Exempt employees required to work the designated holiday will be allowed a different day off with pay.

For full-time non-exempt employees (firefighters), the following will apply:

1. The twelve (12) Holidays will be accrued at 12 hours each month (144 hours annually) on the last day of each month, instead of on specific Holiday dates. Holiday time will be front loaded and advanced to employees on January 1, subject to the reimbursement requirement described below for employees who separate employment prior to accruing Holiday time that was used by or paid to the employee.

2. Holiday time can be drawn as floater days off during the annual vacation draw or Holiday time can be saved until the end of the calendar year. Unused Holiday time that remains after the December schedule is complete will be paid to the employee at their regular rate.

3. Nothing in this policy entitles any employee to compensation for Holiday time upon termination or separation of employment from the district. The district is not obligated or responsible to pay out an employee who separates employment for any unused Holiday time, whether accrued or not.

4. If an employee separates employment for any reason, the employee will be required to reimburse the district for Holiday time that the employee used that the employee had not yet accrued at the time of separation, at the 12 hour a month rate. In the case that holiday time was paid out and an employee separates employment for any reason, the employee will be required to reimburse the district for the December Holiday time (12 hours) not yet accrued. Reimbursement rates will be determined by the employee's regular rate at the time of separation.

~~Nonexempt employees whose shift begins on a designated holiday, will be paid for the holiday at their overtime hourly rate (Overtime hourly rate: 1 1/2 times hourly rate).~~

I. INSURANCE

Refer questions regarding insurance (i.e. medical, dental, etc.) to the Department's human resources representative.