

**JORDAN RIVER COMMISSON**  
**Governing Board – Regular Meeting**

*Minutes of November 29, 2012*

<b>Name</b>	<b>Agency or Organization</b>	<b>Present</b>
Councilman Corey Rushton	Board Chair, West Valley City	
Councilman Chris McCandless	Board Vice-Chair, Sandy City	X
Mr. Richard Bay	Jordan Valley Water Conservancy District	X
Mayor Ralph Becker	Salt Lake City	X By Alternate: Emy Maloutas
Mr. John Bennett	Office of the Governor	X
Councilwoman Rebecca Call	City of Saratoga Springs	X By Alternate: Jim McNulty
Councilman Bill Colbert	Draper City	
Mayor Peter Corroon	Salt Lake County	X By Alternate: Julie Peck-Dabling
Commissioner Louenda Downs	Davis County	X
Commissioner Larry Ellertson	Utah County	
Mr. Bruce Jones	Utah Transit Authority	
Councilman Irvin Jones	City of South Salt Lake	X By Alternate: Michael Florence
Ms. Laura Ault	Division of Forestry Fire State Lands	X
Rep. Rich Cunningham	Utah House of Representatives	X
Councilman Stan Porter	City of North Salt Lake	X
Councilman Justin Stoker	City of West Jordan	X
Councilman Tee Tyler	Cottonwood Heights	X
Mayor Russ Wall	Taylorsville	X By Alternate: Michael Meldrum
Mr. John Whitehead	Division of Water Quality	X By Alternate: Hilary Arens
Councilman David Wilde	Salt Lake County	
Mr. Mark Bedel	Ex-Officio, Jordan River Foundation	X
Ms. Alene Bentley	Ex-Officio, Rocky Mountain Power	X
Mr. Jon Bronson	Ex-Officio, Zions Bank	X By Alternate: Jonathan Ward
Ms. Amy Collins	Ex-Officio, TreeUtah	
Mr. Greg Hardy	Ex-Officio, Chevron	X
Mr. Michael Horrocks	Ex-Officio, Wasatch Rowing Foundation	X
Ms. Andree' Walker-Bravo	Ex-Officio, Utah Society for Environ. Ed	
vacant	Ex-Officio,	
vacant	Ex-Officio,	

**ALSO IN ATTENDANCE**

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Laura Hanson, Jordan River Commission  
David Eckhoff, Commission Technical Advisory Committee Chair  
Karl Hendrickson, Unified Fire Authority and Jordan River Commission Legal Counsel  
Nancy Saxton, Jordan River Foundation  
Lon Richard, Jordan River Foundation  
Lynn Larsen, Jordan River Foundation  
Scott Peters, Jordan River Foundation  
Scott Zeidler, Division of Forestry Fire and State Lands

**MINUTES**

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**A regular meeting of the Governing Board of the Jordan River Commission, was held on Thursday November 29, 2012 at 9:00 am at the Taylorsville City Hall, 2600 Constitution Boulevard, Taylorsville, Utah 84129.**

Councilman Chris McCandless, Board Vice-Chair, called the meeting to order at 9:00 am. He welcomed the Board and audience.

**ITEM 1 – CONSENT AGENDA**

Councilman Chris McCandless asked if there were any changes to the agenda or meeting minutes.

**Motion – John Bennett made a motion to approve the agenda**  
**Second – Richard Bay**  
**Vote – Unanimous in favor.**

**ITEM 2 – PUBLIC COMMENT PERIOD**

Councilman Chris McCandless asked if there was any member of the public wishing to address the Board.

No one from the audience was present to speak during the public comment portion of the agenda.

**ITEM 3 – EXECUTIVE DIRECTORS REPORT AND FINANCIAL REPORT**

Councilman Chris McCandless asked Laura Hanson to present the Director's report of the past month's activities. These focused primarily on the following efforts:

- Ongoing community relations activities: public speaking at several venues, and river clean ups
- Working with the Utah Conservation Corps to be approved as an employer for an Americorps position.
- Planning and holding the Commission's First Annual Awards Gala

- Building a new educational partnership with the Center for Documentary Expression and Art
- Receiving an Urban Waters grant from the EPA for an educational program, smartphone application development, and interpretive signage along the trail.
- Exploring an Adopt a Trail program for the river corridor.

**No action taken. Discussion only.**

#### **ITEM 4 – TECHNICAL ADVISORY COMMITTEE REPORT**

Mr. Dave Eckhoff gave a report on the activities of the Technical Advisory Committee (TAC). These included:

- Ongoing work with on the Best Practices document with the Commission's consulting team, EPG. TAC members reviewed a 30% draft, and provided input on general direction, format, and content.
- Continued collaboration with the University of Utah's Department of Civil and Environmental Engineering on a series of stormwater best management practices.
- Continued work on a Jordan River Stakeholder directory and data library.

**No action taken. Discussion only.**

#### **ITEM 5A – EXECUTIVE DIRECTOR REVIEW**

Board Vice Chairman Chris McCandless introduced this item noting that the Executive Committee felt that it would be good practice to establish a regular performance review process for Commission employees. He noted that during a recent meeting the Executive Committee discussed the performance of the Executive Director, and evaluated her performance against the job description. The comments from each of the Executive Committee member were compiled into a written performance evaluation, which was provided to the Executive Director.

Mr. Karl Hendrickson asked to interject. He noted that under certain circumstances, and with a 2/3 majority vote, a closed meeting may be held to discuss issues such as an individual's character and competence. By state statute, closed meetings must be noticed to the public, although the law anticipates that there may be circumstances when an emergency closed meeting is necessary. He noted that the Executive Director has the right to request a closed meeting for this discussion. He also noted that the written employee evaluation should be considered a private record and that all Board members should be cautious with their copies.

Councilman McCandless thanked Mr. Hendrickson, and noted that they had discussed this option with Laura Hanson ahead of the meeting and that she agreed to waive the right to a closed meeting today as public notice of a closed session was not posted prior to the meeting, but reserves that right for future evaluations.

Councilman McCandless explained that the Executive Committee discussed Laura's performance over the last year and the progress made by the Commission since its inception. The Executive Committee felt that she has helped the Commission move

forward in a positive direction and that she is meeting the expectations they had for an Executive Director.

Commissioner Louenda Downs noted that when the Commission first hired an Executive Director, the group decided to offer a base salary with the intention that it would be reviewed over time and as performance was evaluated. She noted that it was suggested by the Executive Committee that this base salary be reconsidered to ensure that that Commission retains its staff.

Councilman McCandless agreed and explained that the Executive Committee was recommending a one-time incentive payment of \$2000 be offered to the Executive Director this year, and that her salary be increased by \$2,400 effective July 1, 2013.

**Motion – Commissioner Louenda Downs made a motion that over the past year, the Commission has seen a return on investment of having an Executive Director, and that an incentive pay of \$2000 and a \$2,400 salary increase for the next year.**

**Second – Hilary Arens**

**Vote – Unanimous in Favor**

#### **ITEM 5B – DISCUSSION REGARDING LONG-TERM PARTNERSHIP WITH THE JORDAN RIVER FOUNDATION**

Councilman Chris McCandless noted that the Executive Committee met with several board members of Jordan River Foundation to discuss this topic, and that he would like to turn the time over to Mark Bedel.

Mr. Mark Bedel presented the idea of a longer-term partnership between the Jordan River Foundation and the Jordan River Commission. He noted that during the discussions during the creation of the Commission that the idea of creating a non-profit organization was contemplated, but not implemented at that time. He noted that over the last year or so of watching the Jordan River Commission become established that the Foundation recognizes this organization as becoming the leading entity for implementing a vision for the Jordan River.

Mr. Bedel explained the history of the Jordan River Foundation and its role in the past, as primarily a funding mechanism for projects along the river – including the Jordan River Parkway Trailhead signs. He noted that today the Foundation's Board membership includes six individuals, five of whom are in the audience today:

Mark Bedel - President  
Nancy Saxton – Vice President  
Lon Richards - Treasurer  
Lynn Larsen - Secretary  
Scott Peters  
Craig Thaxton

Mr. Bedel noted that the composition of the Jordan River Commission is similar to the original composition of the Foundation. He noted that the Foundation feels that they can be most effective as a foundation whose main purpose in in funding projects by aligning our efforts more closely with the Commission. He noted that they would like to present this concept to the Commission for consideration and discussion.

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Mr. Lon Richards noted that he sees the Foundation merging with the Commission in a way similar to the relationship that the Jordan Valley Water Conservancy District has with its non-profit. As an example, he noted that the Eccles Foundation does not currently give to organizations like the Commission, but will give to non-profits like the Foundation. He explained how the Foundation was instrumental in funding the Urban Treehouse at the Bend In The River and how it is a model for how the Foundation and Commission could fit together.

Ms. Nancy Saxton explained that when she left public service that she decided to focus her time on the Jordan River and that she has enjoyed coming onto a Board with such a long history. She noted that while the Commission is doing a great job already, that seed money is helpful and necessary and that the Foundation believes they can assist the Commission in this way.

Mr. John Bennett mentioned that he was glad that this was happening and that creating our own 501(c)3 would be recreating the wheel. He noted that he felt this was the right direction and that this relationship would be helpful in raising funding for projects.

Ms. Alene Bentely suggested that the Executive Committee continue the discussion and explore how to ensure the two organizations work in the same direction. She agrees that it makes sense to work with an existing established organization.

Mark Bedel noted that the Bylaws allow or up to 25 board members and only six of those spaces are filled currently. He sees a first step being the appointment of new members to the Foundation's Board.

Emy Maloutas added to Lon Richard's story about the Bend in the River, noting that this relationship was a successful way to push the grassroots efforts along the river. One of the challenges of the Commission is that the land along the river is owned by various public entities, and this type of partnership can help build the buy-in of the landowners for more on the ground projects.

Ms. Julie Peck-Dabling mentioned another similar partnership between Salt Lake County and Wasatch Community Gardens for urban farming. This partnership allowed for leveraging of limited County funds to enhance urban farming projects in the County.

Mr. Richard Bay stated that he liked the direction that this is going, but wondered how the mission and efforts of the two organizations will be aligned. He asked Mark Bedel how he saw the day to day working relationship occurring.

Mr. Mark Bedel explained that the concept is quite general now, and that many details will need to be worked out. However, he thought that through a strategic planning process that these roles and responsibilities could be clarified. The relationship could be as simple as just adding board members, or could require changes to the Foundations Bylaws.

Mr. Karl Hendrickson cautioned the Commission to approach this carefully if a financial relationship is intended. He explained that he has seen this work very well in several situations, but one the ended in turmoil. He suggested that an agreement be drafted that clearly outlines the roles and responsibilities of the two organizations, and procedures for conflict resolution and dissolution if necessary.

**Motion – Alene Bentley made a motion that the Commission’s Executive Committee and legal counsel to work with the Jordan River Foundation to explore formalizing a relationship to work together on project implementation.**  
**Second – Justin Stoker**

**Ms. Emy Maloutas asked to clarify the word implementation, noting that it should be clear how this relates to both the Commission and the property owner.**

**Amended Motion – Ms. Alene Bentley**  
**Second – Councilman Justin Stoker**  
**Vote – Unanimous in Favor**

### **ITEM 5C – DISCUSSION REGARDING 2013 LEGISLATIVE EFFORTS**

Councilman Chris McCandless asked Laura Hanson to introduce this item.

Ms. Laura Hanson noted that there are two efforts that it has been proposed that the Commission support during this upcoming session. The first is a budget request from the Division of Forestry Fire and State Lands for phragmites control and management. This is still somewhat in flux and she will keep the Commission informed as it gels. The second is a bill to provide limited use of eminent domain for trails. She understands this to be a second try at the bill that was pulled last year, but again the details are still coming together.

Councilman McCandless added that upon approval of funding tools like the Salt Lake County parks bond, that in many cases landowners start to effectively hold cities and counties hostage thinking their property is suddenly much more valuable. He noted that this concept has the support of Senator Neiderhauser, and that the Utah League of Cities and Towns, and Utah Association of Counties will be behind this.

Commissioner Downs noted that this is a tool that is a last resort, but offers counties leverage. She noted that it was pulled originally because of a single incident of misuse, and that legislation should never be written based on a single incident.

Ms. Julie Peck-Dabling noted that this tool was always used responsibly, and while the legislation is starting with regional trails that she hopes it will be expanded over time for more local trails.

Mr. Richard Bay noted that the opposition will come from folks arguing for the use of eminent domain only for essential services. He suggested using language about alternative transportation options.

Ms. Emy Maloutas added that with increasing obesity that facilities to improve human health can be an effective argument as well.

**No action taken. Discussion only.**

### **ITEM 5D – DISCUSSION REGARDING SALT LAKE COUNTY REGIONAL PARK AND TRAIL BOND FUNDING**

Councilman Chris McCandless asked Laura Hanson to introduce this item.

Ms. Laura Hanson reported that the proposed Salt Lake County Regional Parks and Trails Bond was approved by voters and that \$11.5 million of that bond is to be directed toward completion of the Jordan River Parkway Trail. She expressed the need for the Commission to explore how to leverage these funds. She noted that she did not have any specific recommendations at this time, but that she would like the board to be thinking about this opportunity.

Councilman Chris McCandless asked if there was a schedule for the bond and when the funds would become available. Mr. Lynn Larsen noted that the bond will be issued in pieces, and that the schedule is not firm at this point.

Ms. Julie Peck-Dabling noted that with a new incoming Mayor that many things are in flux and that once all the decisions about Administration are made that it will become much clearer.

Councilman Chris McCandless asked that this be placed on an Executive Committee agenda for discussion. He also asked that Ms. Julie Peck-Dabling and Lynn Larsen attend the Executive Committee meeting to present an updated timeline and ways that the Commission can assist.

**No action taken. Discussion only.**

**ITEM 6 – PRESENTATION: A ROLLING CURRENT IN THE JORDAN RIVER**

Dr. Rollin Hotchkiss and Mr. Ed Kern from Brigham Young University gave a presentation about hydraulic jumps and their research about how to address and mitigate these dangerous currents.

**No action taken. Discussion only.**

**ITEM 7 – PRESENTATION: ANNUAL PUBLIC MEETING TRAINING**

Mr. Karl Hendrickson gave a presentation on Utah's Open and Public Meetings Act, Utah Code 52-4-101 et sec.

**No action taken. Discussion only.**

**ITEM 8 – OTHER BUSINESS**

No other business was raised.

**ITEM 9 – CONFIRM NEXT MEETING AND ADJOURN**

The next meeting of the Jordan River Commission Governing Board will be January 17, 2012.

On motion and second, the meeting was adjourned.