

1 **South Davis Recreation District**
2 **Administrative Control Board Meeting**

3 July 10, 2023, at 5:30 p.m.
4

5 Board Members present in person:

6 Todd Meyers, County Representative
7 Mayor Brian Horrocks, North Salt Lake City
8 Rick Earnshaw, County Representative
9 Jennie Decker, County Representative
10 Councilmember Spencer Summerhays, Centerville City
11 Councilmember Kate Bradshaw, Bountiful City ***arrived at 5:34 p.m.*
12 Mayor Ryan Westergard, Woods Cross City ***arrived at 5:38 p.m.*
13

14 Board Members present on Zoom:

15 Mayor Ken Romney, West Bountiful City ***arrived in person at 7:22 p.m.*
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17 Staff In Attendance:

18 Tif Miller, Executive Director Tyson Beck, District Clerk
19 Mary Gadd, Office Manager Tom Lund, Facility Maintenance
20 Jayme Blakesley, District Attorney
21

22 Others in attendance:

23 Clarissa Cawrse (West Bountiful), Joleen Goodfellow (Layton), Stephanie Knighton, Ron
24 Mortensen (Bountiful), Cynthia Ong (Bountiful) Christi Sturgeon (Bountiful), Stewart Sturgeon
25 (Bountiful)
26

27 **WELCOME**

28
29 Chairman Earnshaw opened the meeting at 5:32 p.m.
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31 **CITIZEN MATTERS**

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33 Cynthia Ong asked if the water slide needs to have a lifeguard sit at the top of the slide to
34 control how soon riders can go down. Mr. Miller said a lifeguard is typically staffed at the top and
35 that he would follow up with the Aquatics Director.
36

37 **Councilmember Kate Bradshaw arrived*
38

39 **FACILITY ACCESS APPEAL – STEWART STURGEON**

40
41 Chairman Earnshaw stated that this hearing is a continuation from the June 12th, 2023, due to
42 the medical emergency. Mr. Blakesley reminded any witnesses that were sworn in at the last meeting
43 their oath remains in effect.
44

45 **Mayor Ryan Westergard arrived*
46

47 Mr. Sturgeon read a statement he prepared where he outlined his belief that a few people

48 within the Utah Figure Skating Club (UFSC) are creating a toxic, hostile environment for the skaters,
49 coaches, and the public. Mr. Sturgeon urged management and the Board to perform a thorough
50 review of his concerns and pinpoint the source of the problem to find the best solution. Mr. Sturgeon
51 raised his concern over the information he was given regarding the pre-disciplinary meeting and how
52 the complaints against him were investigated.

53
54 Mr. Sturgeon called upon Stephanie Knighton and asked her why she left as a staff coach.
55 Mrs. Knighton answered that the environment within the rink and the club was too hostile for herself
56 and her students. Mrs. Knighton answered questions from Board Members about specifics on
57 incidents that occurred to her, or her students, and with the Club.

58
59 Mr. Sturgeon answered questions from Board Members about his behavior that led to the pre-
60 disciplinary meeting. Mr. Blakesley added that Mr. Sturgeon was given the opportunity to provide
61 any materials that he intended the Board to have for his initial hearing in June, and to date still has
62 not provided any materials. Councilmember Summerhays asked about the SafeSport complaint and
63 Mr. Sturgeon answered that he knew SafeSport received a complaint as Raine Knight was contacted,
64 however Mr. Sturgeon asserts that because he hasn't been contacted that SafeSport did not open a
65 formal case. Cory Haddock explained that SafeSport informed him that they had received reports and
66 would contact him again later. Mr. Blakesley added that organizations like SafeSport will notify you
67 of a report but won't always share with you the results of their investigation.

68
69 Mr. Sturgeon called upon Clarissa Cawrse. Ms. Cawrse gave testimony that since the
70 formation of the UFSC competition team, her children feel harassed when they share the ice with two
71 specific coaches. Mr. Sturgeon then called upon Joleen Goodfellow. Ms. Goodfellow stated that she
72 feels she has been targeted by members of the UFSC trying to restrict her ability to coach.

73
74 Chairman Earnshaw thanked Mr. Sturgeon for the comments that were given, and the
75 education provided. Chairman Earnshaw turned the time over to Mr. Miller. Mr. Miller summarized
76 the events, with Mr. Sturgeon's admission of his actions of physical contact and his comments of a
77 sexual nature being the main situations, leading Mr. Miller to make the decision to revoke Mr.
78 Sturgeon's access to the facility. Mr. Miller answered questions from the Board regarding SafeSport,
79 the dates of the actual situations and their report dates, the environment of the UFSC program, the
80 facilities freestyle access and procedures for music, and any sexual harassment training for
81 employees of the District.

82
83 Mr. Blakesley noted several of the items that are part of the record of the hearing which
84 includes, a packet of complaining emails that have been redacted, a notice of pre-disciplinary hearing,
85 a decision letter, and a notice of appeal hearing that included the District's rules and regulations and
86 excerpts from the personnel policy and procedures regarding sexual harassment conduct. The issue
87 on appeal is if Mr. Miller acted in an arbitrary, capricious or illegal manner when making his
88 decision.

89
90 **CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE,**
91 **OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL**

92
93 At 7:04 p.m. Mayor Horrocks made a motion to move into a closed session to discuss the
94 character, professional competence or physical or mental health of an individual. Mayor Westergard
95 seconded the motion. Chairman Earnshaw asked for a roll call vote with Board Members Meyers,

96 Horrocks, Decker, Summerhays, Bradshaw, Earnshaw, Westergard, and Romney voted “aye.” There
97 were no “nays.”

98
99 Attending the closed session was:

100
101 Todd Meyers, County Representative Mayor Brian Horrocks, North Salt Lake
102 Rick Earnshaw, County Representative Jennie Decker, County Representative
103 Councilmember Spencer Summerhays, Centerville Mayor Ken Romney, West Bountiful
104 Councilmember Kate Bradshaw, Bountiful Mayor Ryan Westergard, Woods Cross
105 Jayme Blakesley, District Attorney

106
107 **Mayor Romney arrived in person during the closed meeting*

108
109 At 7:50 p.m. Mayor Horrocks made a motion to return to the open meeting. Councilmember
110 Summerhays seconded the motion. Board Members Meyers, Horrocks, Earnshaw, Decker,
111 Summerhays, Bradshaw, Westergard, and Romney voted “aye.”

112
113 Councilmember Bradshaw made a motion to uphold the actions of Mr. Miller, which the
114 Board Members found to be not arbitrary or capricious, in his decision in revoking facility access for
115 Mr. Stewart Sturgeon and asked Mr. Blakesley to draft the decision document to send to Mr.
116 Sturgeon. Mr. Meyers seconded the motion. Chairman Earnshaw asked for a roll call vote with Board
117 Members Meyers, Horrocks, Decker, Summerhays, Bradshaw, Earnshaw, Westergard, and Romney
118 voted “aye.” There were no “nays.”

119
120 Councilmember Bradshaw made a motion to include in the next meeting items that will allow
121 for review of the relationship between the Utah Figure Skating Club and the District. Councilmember
122 Bradshaw added a second item discussing sexual harassment training for all employees, including
123 coaches, and background checks as well. Mayor Westergard seconded the motion. Board Members
124 Meyers, Horrocks, Earnshaw, Decker, Summerhays, Bradshaw, Westergard, and Romney voted
125 “aye.”

126
127 **APPROVAL OF JUNE 12TH, 2023 BOARD MEETING MINUTES**

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129 Minutes of the Administrative Control Board Meeting held on June 12th, 2023, was approved
130 on a motion made by Mayor Romney, and was seconded by Mayor Horrocks. Board Members
131 Meyers, Horrocks, Earnshaw, Decker, Summerhays, Bradshaw, Westergard, and Romney voted
132 “aye.”

133
134 **REVIEW AND APPROVAL OF EXPENDITURES/FINANCIAL STATEMENT REVIEW**
135 **FOR JUNE 2023**

136
137 Mr. Miller pointed out line #91, in the amount of \$4,548.70 to Custom Ink Parent, for
138 supplies for the youth baseball program. Mr. Miller continued with line #106, in the amount of
139 \$1,504.50 to Arbitray Trust Account, for water polo tournament official fees. Councilmember
140 Bradshaw inquired if there is a service charge for refunds of lessons, programs, etc. and Mr. Miller
141 replied that there is a fee charged, and that the timing of a request will affect their amount as well.
142 Total expenditures of \$467,389.29 for the period of June 1, 2023, to June 30, 2023, was approved on
143 a motion made by Mayor Westergard and seconded by Councilmember Bradshaw. Board members

144 Meyers, Horrocks, Earnshaw, Decker, Summerhays, Bradshaw, Westergard, and Romney voted
145 “aye.”

146
147 Mr. Miller noted that the summer pass sales have brought in approximately \$25,400 in sales
148 but the season passes, and daily admissions are down slightly from 2022. Mr. Miller added that the
149 weather in June may also contribute to those accounts being down. Chairman Earnshaw reminded the
150 staff to promote summer pass holder to upgrade and become a year long membership holder.

151
152 **FINANCIAL WORK SESSION AND SUBSIDY DISCUSSION**

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154 Chairman Earnshaw stated that he was hopeful that a decision could be made tonight and
155 asked each Board Member to express their concerns or support. Mayor Romney commented that to
156 add the locker room remodel back to capital projects and to maintain the staff recommendation in the
157 cash reserves, he suggested a 120-125% subsidy increase. Mayor Romney added that staff and the
158 board should continue to review services, programs, and the cost to participants.

159
160 Mayor Westergard noted over the last couple of months that attempts at expense reductions
161 have occurred but that the additional full-time positions haven’t really been tied to additional
162 revenue. Mayor Westergard stated he would prefer those additions be more thoroughly reviewed
163 before a subsidy increase is voted on. Councilmember Bradshaw expressed her agreement with
164 Mayor Westergard’s statements and that they share the same concerns.

165
166 Councilmember Summerhays outlined that if inflation wasn’t missed, truth in taxation
167 hearings were held regularly, and the increase in daily admissions and memberships occurred over
168 the course of the District’s timeline that he would recommend a 75% increase to the subsidy.

169
170 Mrs. Decker compared recreation for the community as equivalent to police, library, and
171 schools and voiced her support to increasing the subsidy. Mayor Horrocks expressed that the
172 budgetary problems probably won’t be solved internally and expressed going back to the public for
173 their opinion. Mr. Meyers added that the facility has reached the point where the maintenance of the
174 facility has increased but asked if the resolution could include that 75% of increase be flagged for
175 maintenance reserves and the locker room remodel.

176
177 After discussions regarding maintenance, staffing, and capital improvements, Mayor Romney
178 made a motion to increase the subsidy by 125% with \$2.3 million to be used for the restroom
179 remodel. Mr. Meyers seconded the motion. Chairman Earnshaw asked for discussion on the motion.

180
181 Councilmember Bradshaw raised concerns over the uncertainties of what Davis School
182 District might compensate for Farmington High, an amount in operations and maintenance costs the
183 District may also give, and that the biggest cost factor of personnel cost hasn’t been seriously
184 examined. Mr. Beck suggested the Board shouldn’t tie the increase to the tax rate and instead should
185 be a dollar amount.

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187 Mr. Blakesley noted a point of procedure that the Board should formalize the rate by adopting
188 the resolution that was on the agenda.

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190 **APPROVAL OF RESOLUTION 2023-05 SETTING NEW OPERATIONS SUBSIDY TAX**
191 **RATE FOR 2024**

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Board Members asked questions for clarification, the timetables for hearings, and how to word increase the for accuracy, Mayor Romney restated the motion he made to increase the property tax rate for operation and maintenance by \$1,275,00 to thereby approve Resolution 2023-05, Adopting a Tax Rate for the Purpose of Levying Taxes Within the South Davis Recreation District for the Year 2024. Mr. Meyers seconded the motion. Chairman Earnshaw asked for a roll call vote. Board Members Meyers, Horrocks, Decker, Romney, and Earnshaw voted “aye.” Board Members Summerhays, Bradshaw, and Westergard voted “nay.”

MEMBERSHIP REPORT

Mr. Miller reported that summer pass sales are reflected in the report.

BOARD CHAIR REPORT

None.

EXECUTIVE DIRECTOR REPORT

Mr. Miller informed the Board that in the interest of getting more people involved in depression and anxiety recovery program, that staff have been trying to hold a class called Sky Breathing. The class has not been held as participants haven’t covered the cost of the class.

OTHER MATTERS

None.

ADJOURN

At 9:12 p.m. Mayor Romney made a motion to adjourn. Councilmember Summerhays seconded the motion.