

ADMINISTRATIVE CONTROL BOARD – WASATCH FRONT WASTE AND RECYCLING DISTRICTSPECIAL MEETING - MINUTES **Approved at the January 27, 2014 Board Meeting**

DATE/TIME	LOCATION	ATTENDEES
December 20, 2013 10:30 a.m. <hr/> Next Board Meeting January 27, 2013, 9:00 – 11:30a.m.	604 W 6960 S Training Room	<u>Board Members:</u> Chair Coralee Wessman-Moser, David Wilde, Patrick Leary, Richard Snelgrove (via phone), Dama Barbour, Scott Bracken <u>Absent:</u> Vice-Chair Sabrina Petersen, Jim Brass, Sam Granato <u>District Staff:</u> Pam Roberts, Stuart Palmer, Gaylyn Larsen, Jocelyn Walsh-Magoni, Lorna Vogt, Gavin Anderson <u>Public:</u> Russ Wall, Salt Lake County Public Works Director, Doug Hill, Public Services Director and Frank Nakamura, legal counsel from Murray City, and Dwayne Woolley - General Manager of the Trans Jordan Landfill

AGENDA

1. **Discussion**
 - 1.1. Salt Lake County Interlocal Agreement
2. **Approval / Direction Requested:**
 - 2.1. Salt Lake County Interlocal Agreement – Administrative and Landfill Services
3. **Requested items for the Next Board Meeting on Monday, January 27, 2014**
 - Formal Transition of Board Vice Chair to Chair and Elect a new Board Vice Chair
 - Oath of Office for Board Members
 - Oath of Office for Executive Staff
 - 2013 Preliminary Year-End Financial Report
 - Updated District Policy Manual

TOPICS/ OBJECTIVES	KEY POINTS/ DECISIONS	ACTION ITEMS WHO – WHAT – BY WHEN	STATUS
<p>1.1 Salt Lake County Interlocal Agreement Discussion</p>	<p>Pam – on November 25, 2013, the Board approved the Interlocal Agreement with Salt Lake County (to include Information Services, Facilities Management, etc.), continuing with administrative services provided by the county. On November 26, 2013, the Salt Lake County Council met to review the District’s proposed fee increase and they unanimously approved the increase with legislative intent related to the landfill. There were some additional terms and conditions presented at that meeting that were added to the Interlocal Agreement. Pam presented the revised agreement and the intent to move forward, which includes a 90 day term and the addition of landfill services. The 90 day term allows time for negotiations.</p> <p>Board Member Bracken asked if the conditions were attached to the county’s approval for the increase as the same action item? Pam confirms that yes, they were included with the increase. Gavin added when that the legislative body (County Council) acts, they can only request the executive branch negotiate the contract to carry out their legislative intent. That was accepted by the Mayor’s office so they began the negotiation process.</p> <p>Per Gavin, all our existing contracts for services were renewed by the county for 90 days. Board Chair Moser verified the County Council did not want to approve the Interlocal as the ACB approved it because they wanted to include a landfill agreement in the Interlocal contract for services. She clarified that the legislative intent does not attach itself to the contract, so the contract is negotiable.</p> <p>Pam highlighted some of the items that have been added to the agreement, to include: the inclusion of green waste to be accepted and processed by the landfill (as requested by Russ Wall, Salt Lake County Public Works Director), and that the district may approach the legislative body regarding tipping fee increases, and the county legislative body will entertain the district’s recommendations. Pam introduced Dwayne Woolley, the General Manager of the Trans Jordan landfill, where we currently take 10% of the district’s waste. Other additions to the contract include provision that the district authorizes representation on the Landfill Council by the duly elected Council Of Governments (COG) representative to represent the interests of the district and its customers. Board Member Bracken asked if COG currently has a member on the Landfill Council. Pam answered it is currently Russ Williardson, the West Valley City Public Services Director. Pam also added that the agreement includes that the district</p>		

can petition the Salt Lake County Council for the ability to follow the State Statute process if in the future the Board wants to become a local district, versus the current Special District status.

Board Member Barbour expressed that we had just gone through a disconnection process, and asked for clarification on what this means. Board Chair Moser clarified that we are presently a Special Service District and we would not have the ability to become completely independent (a local district) without the approval of the county. The Board's initial intent was that we would pursue a local district status at some point. Gavin provided some legal overview of the above.

Pam emphasized what our motivations are for wanting to reduce the amount of waste going to the landfill - to extend the life of the landfill and capture valuable commodities to be reused and recycled. She presented some charts that indicate the nationwide industry standards for reducing waste, as well as the district tonnages for refuse and recycling as they have changed from 2006 to present. The total diversion rates have increased from 6.5% in 2006 to 18.25% YTD 2013. Glass collection is a break-even because we save the same amount in dumping fees as it costs us to haul it.

Pam discussed some changes the district has made to save additional money, such as changing the drivers' schedules to four 10 hour days back in 2010. She reviewed the expansion of area cleanup, to include the green waste being collected separately from the containers. She emphasized the cost savings for diversion, \$520,000 from recycling and \$39,000 from green and we receive revenue for the recyclables. Stuart added that Year-To-Date we have reduced our garbage by 4.7% and increased recycling by 4.9%. Board Member Barbour suggested that the Board Members take this information back to their communities to emphasize that the customers do have a say in what their fees will be through efforts such as recycling as much as possible. Board Member Wilde emphasized that for years the topic has been discussed at council meetings, and the need to keep as much out of the landfill as possible.

Pam noted that there is no question that we need the Salt Lake County and Trans Jordan landfills, we have a symbiotic relationship, what they do affects us and what we do effects them. Russ Wall added that it has always been a plan to conserve the landfill space as much as possible, but there are also a lot of fixed costs at the landfill. He stated the legislative intent is designed to bond that relationship that the landfill has

Motion: by Board Member Barbour, **seconded** by Board Member Bracken to seek legal counsel outside of County DA's Office for the special purpose of negotiating the Interlocal Agreement with Salt Lake County. **Vote:** All in favor (of Board Members present)

**Approved
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20, 2013**

with the sanitation district, and that as sanitation splits away – whether a complete split or a partial split – there is a concern that we keep that mutually beneficial relationship. He stated the county council wants to be assured there’s not an intent to leave (the landfill services). He noted there will always be providers who will undercut on cost, but the extra services the landfill provides, which have huge costs, they feel are worth any extra that might be saved by going to a private hauler. He noted the legislative intent asks for a certain percentage and not a specific tonnage; this would ensure the bulk of the material picked up would be taken to the landfill. Board Chair Moser added that the initial legislative intent from the county did ask for a specific tonnage. However, the Interlocal Agreement asks that we sustain our current levels going to the SL Valley facilities, which is difficult to achieve with the goals of diverting waste. Dwayne Woolley stated that there is a clause that states the district will maintain the averages- which is a guaranteed tonnage. Board Chair Moser clarified that it is only for the winter months and for 90 days per the current agreement.

Board Member Leary wants to consider a full policy discussion at the January meeting, and he agrees how important the relationship is between the district and the county. Board Chair Moser added that Councilmen Bradley’s office suggested the Board create an opportunity to sit down together with the county council to fully understand the relationship and any legislative intent on either side.

Board Member Barbour stated that she is not anti-county and she appreciates Board Member Leary’s comment about the importance of a policy discussion. Board Member Bracken concurred, and noted that it has never been the Board’s intention to go anywhere other than the Salt Lake County landfill.

Pam is a cooperative partner with the county on behalf of the district. She clarified that she did not state that we would take our waste to Tooele, nor did she demand a seat on the landfill council, but rather requested it so the district residents are ensured good representation. Pam reported that she is not anti-county (and served 15 years with the county before becoming a district employee). For the record, Russ Wall agreed with her statements. He wanted to acknowledge there was some concern about the timing related to the landfill fee increase but wanted to state for the record there was never any pressure by the district to put off the increases. Pam agreed and expressed appreciation for Russ’ effort to hire an outside

	<p>firm to come in to study the fee increase.</p> <p>Pam added that it would be in the district and county's best interest to seek outside legal counsel to assist with the negotiation process regarding the agreement because there may be a conflict of interest for our current legal counsel from the Salt Lake County DA's office since Salt Lake County uses the same office. Gavin agreed that it would be appropriate.</p> <p>Although costs go up, and the district is implementing a fee increase for 2014, Pam stated that she is working with her team to find ways to absorb as many of the increased costs as possible and will not be proposing a fee increase for 2015.</p>		
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2. Approval Requested

<p>2.1 Salt Lake County Interlocal Agreement, Pam Roberts</p>	<p>Board Chair Moser noted that currently the Administrative and Landfill Services are in one contract, and it is a 90 day contract. Staff will request that they be separated in the future.</p> <p>Pam – the contract does capture our need for the continued services from Fleet Management, Information Services, county Surveyor, legal counsel, building/equipment space and rental, etc. Gavin added additional legal history with regard to the contract and recommended separating interlocal services from the landfill contract as staff has suggested.</p> <p>Board Chair Moser expressed appreciation to the county for their willingness to entertain a 90 day contract to allow the district to maintain operations while both parties engage in further negotiations.</p> <p>Board Member Wilde asked whether arbitration could be added to a future contract as a way of saving money. Gavin stated that it would be a viable option.</p>	<p>Motion: by Board Member Bracken, seconded by Board Member Barbour to approve the 90 day contract (Interlocal Agreement) with the county. Vote: All in favor (of Board Members present)</p>	<p>Approved December 20, 2013</p>
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3. Requested Items for the Next Board Meeting

<p>3.1 Next Board Meeting: January 27, 2014</p> <p>NEW 2014 BOARD MEETING TIME</p> <p>9:00 a.m.</p>	<ul style="list-style-type: none"> • Formal Transition of Board Vice Chair to Chair and Elect a new Board Vice Chair • Oath of Office for Board Members • Oath of Office for Executive Staff • 2013 Preliminary Year-End Financial Report • Updated District Policy Manual & Discussion • Interlocal Agreement Policy Discussion 	<p>Board Chair Moser requested that we extend the time for the January 27th meeting and schedule 2.5 hours, and add a discussion on the Interlocal Agreement.</p>	
<p>Round Table</p>	<p>Board Member Bracken mentioned that there is a need to resolve the land exchange as soon as possible. Gavin added that it was on the County Council agenda at the end of October but it was pulled with no particular reason given.</p>		
<p>Adjournment 11:15 a.m.</p>		<p>Motion: by Board Member Leary, seconded by Board Member Wilde to adjourn the meeting. All in favor (of Board Members present).</p>	