

ADMINISTRATIVE CONTROL BOARD – WASATCH FRONT WASTE AND RECYCLING DISTRICT

MONTHLY MEETING MINUTES

DATE/TIME	LOCATION	ATTENDEES
February 23, 2015 9:00 a.m.	Public Works Building 604 W 6960 S Midvale, UT 84047	<u>Board Members:</u> Sabrina Petersen, Dama Barbour, Aimee Newton, Sam Granato, Coralee Moser, Jim Brass, Scott Bracken, EXCUSED: Jim Bradley, Patrick Leary <u>District Staff:</u> Pam Roberts, Lorna Vogt, Gaylyn Larsen, Whitney Mecham, Stuart Palmer, Craig Adams, Larry Chipman, Bill Hobbs, Rachel Anderson, Mark Anderson, Steve Whitney, Ken Simin <u>Public:</u> Steven Jorgensen
Next Board Meeting March 23, 2015 9:00 a.m.		

AGENDA

Call to Order: Dama Barbour, Board Chair

1. Consent Items: (Approval Requested)

- 1.1. January 26, 2015 Board Meeting Minutes
- 1.2. Conflict of Interest Disclosures Approvals

2. Meeting Open for Public Comments: (Comments are limited to 3 minutes)

3. Business Items

- 3.1. Introduction of new Board Member, Jenny Wilson
- 3.2. Oath of Office for Board Member, Jenny Wilson conducted by Whitney Mecham, Board Clerk
- 3.3. Big Cottonwood Canyon Fee Policy Recommendations, Pam Roberts, Executive Director and Mark Anderson Legal Counsel (**Approval Requested**)
- 3.4. Procurement Policy Additions, Pam Roberts and Mark Anderson (**Direction Requested**)
- 3.5. Increase the Petty Cash Amount listed in the Policy Manual, Pam Roberts (**Approval Requested**)

4. Informational/Discussion/Direction Items

- 4.1. 2014 Performance Measures and Accomplishments, Lorna Vogt, Deputy over Operations (**Informational**)
- 4.2. 2015 Targets and the Vision for Sustainability through Environmental Stewardship, Pam Roberts & Lorna Vogt (**Direction Requested**)
 - Launch a Pilot Program for Curbside Glass in the North East side of the District this fall

- Smaller sized garbage cans with a different fee structure to roll out in 2016

4.3.Murray City RFP in July 2015, Pam Roberts (**Direction Requested**)

5. Requested Items for the March 23, 2015 Meeting

- 2014 Financial Audit, Ray Bartholomew Squire and Company
- Information Systems Security and Data Protection Policies: Cyber Security
- Briefing on Exploring Curbside Glass Pilot Program
- Revenues, Expenses and Pricing Structures with Fee Comparisons

TOPICS/ OBJECTIVES	KEY POINTS/ DECISIONS	ACTION ITEMS WHO – WHAT – BY WHEN	STATUS
1. Consent Items (Approval Requested)			
1.1. January 23, 2015 Board Meeting Minutes	No comments.	Motion to approve by: Board Member Newton seconded by: Board Member Petersen Vote: All in favor (of Board Members present)	Approved February 23, 2015
1.2. Conflict of Interest Disclosure Approvals	No comments.	Motion to approve by: Board Member Moser, seconded by: Board Member Petersen Vote: All in favor (of Board Members present)	Approved February 23, 2015
2. Meeting Open for Public Comments (Comments are limited to 3 minutes)			
Steve Jorgensen	Steve Jorgensen lives in Brighton. He serves on the community council for Big Cottonwood Canyon but he was not attending this meeting in that capacity but rather as a long term resident. He has lived in the canyon since 1971. When he first moved there he had curbside collection until the garbage collector retired resulting in a lack of curbside garbage collection. From then on he deposited his trash with permission at Dan's grocery store. After the fire station was added, the compactor was installed, collapsed and another was installed. Steve took care of the compactor for a few years for the County. When he received our recent correspondence, he realized that not everyone in the canyon pays the same fee. Mill D North Fork is forest service land, the water is turned off and the road isn't plowed but the cabins are still getting used regularly regardless of services. There are 5.7 million users in the 3 canyons annually. To think that visitors to the canyon are not impacting the amount of solid waste is an insult to the residents. He thinks that residents of the canyons should be more in line with the residents of the valley in regards to their annual fees.		

3. Business Items

3.1. Introduction of new Board Member, Jenny Wilson 3.2. Oath of Office for Board Member Jenny Wilson conducted by Whitney Mecham, Board Clerk 3.3. Big Cottonwood Canyon Fee Policy Recommendations, Pam Roberts, Executive Director and Mark Anderson, Legal Counsel (Approval Requested)	<p>Board Chair Barbour welcomed Jenny Wilson as a new Board Member representing Salt Lake County.</p> <p>Board Member Newton asked if we can have our staff look deeper into what Steve Jorgensen stated and have further discussion.</p> <p>Board Member Wilson stated that she is interested in knowing if the Board has gone through the process of figuring out a system to work with the resorts in the canyons and look at other methods and ways.</p> <p>Board Member Newton asked to have a discussion about the fees and services for the businesses located in the canyon.</p> <p>Whitney Mecham, Board Clerk, administered the Oath of Office for new Board Member Jenny Wilson.</p> <p>Pam and her staff have tried to simplify the Big Cottonwood Canyon Fee Policy as much as possible. In 2014 the Board discussed the topic of fees in Big Cottonwood Canyon extensively. Historically there was a reduced rate of half of the annual rate for residents that were listed as recreational or seasonal properties on the tax rolls. This was the practice but there was no formal policy in place so the Board set a policy and we began looking into how we monitor if residents are using their property year round. We needed to send out a letter to 314 residents informing them that their rates would be increasing to the full yearly rate, up from the half yearly rate because they could access their property in the winter. After those letters went out, we received feedback from 20% of the residents informing us that they do not use their property in the winter months, they pay more taxes because they are not there and they were</p>		
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requesting to reduce their fee back to the half yearly fee of \$88.50. Mr. Jorgensen brought up a good point that some people do use their cabins in the winter, but it is very difficult and time consuming to know which residents are doing that. We feel that as a staff we have come up with a good policy that creates equity. There might be residents that access their properties in the winter but it is too difficult to monitor.

We are recommending that service fees may be reduced to 50% of the regular charge if the property is located in either Big Cottonwood Canyon service area or the forest service lease land and listed as recreational on the County tax records. This will reinstate the half rate for many of those residents previously mentioned and eight homes in Cardiff Fork that are permanent residences will increase to the full rate from their current half.

From our previous revisions of the policy, we removed the line “if we remove services” because that captures those residents living year round in the Cardiff Fork area. We also removed the line about being truly vacant in the winter and being accessible in the winter because it is too difficult to monitor.

However, this policy does not address the businesses located in the canyon. In Pam’s mind, the residents and the businesses are two separate groups. She stated that we need to look at the fees being charged to the businesses. The last time we raised rates for them was in 2013, at the same time we began charging businesses located in the canyon that we did not know were using our services.

Pam stated that residents are not subsidizing the businesses in regards to the actual costs of servicing the canyon. We actually have a small net gain due to the charges to the businesses but we need to reevaluate if it is enough to cover the capital costs.

Vice Chair Brass asked who picks up the trash in the picnic areas.

Pam responded that it depends on where they put their trash. If they carry it out of the canyon, it is their service provider at home, if they put it in one of the bins at the bottom of the canyon or at the compactor at the top of the canyon, we provide that service. Lorna stated that the trash bins in the picnic areas are provided and serviced by the forest service.

Board Member Wilson requested a global picture and overview of where the forest service land is located, where our bins are located, and other important aspects of our services in the canyons.

Pam stated that we only provide services for Big Cottonwood Canyon and also have an interlocal agreement with the town of Alta in Little Cottonwood Canyon for recycling services. We do service curbside in Emigration as well.

Board Member Wilson asked who is servicing Little Cottonwood Canyon and Millcreek Canyon.

Lorna responded that Little Cottonwood Canyon is serviced for garbage by a private company who has done it for many years. We do service Wasatch Resort at the bottom of the canyon though. Lorna responded that Millcreek is forest service land and all the homes are seasonal. We do not provide any services in Millcreek Canyon.

Board Member Newton stated that she appreciated the information on the forest service pickup as well. She stated that she doesn't want people in the district subsidizing for canyon residents when canyon users are using our dumpsters and possibly not paying anything at all.

Pam responded that costs of services are what we base the fees on. There was a subsidy previously and that is why we increased fees for the businesses in the canyon so there would be no subsidy whatsoever in 2013. Since it has been 2 years, we need to look at those numbers again. The biggest user of the compactor is Brighton

<p>3.4. Procurement Policy Additions, Pam Roberts and Mark Anderson (Direction Requested)</p>	<p>Resort. When we first approached them in 2011 for a fee increase, there was a lot of pushback. They agreed to have the fee increase then so we will have to work with them again to reevaluate. The Community Council has also been very involved with the businesses located in the canyon.</p> <p>Pam stated again that she sees the residents and the businesses as two separate subjects and this current policy recommendation seems to be the most fair and equitable for the residents at this time.</p> <p>Board Member Bracken stated that he agrees with this policy recommendation and it seems to be a very efficient way to regulate it.</p> <p>Pam stated that the statutes in the State Procurement Code have been updated regarding Districts purchasing items and our policy manual reflects current requirements with the exception of protests.</p> <p>Mark Anderson stated that over the past few years the Utah State Legislature has totally revamped the State Procurement Code. This code is not applicable to counties and municipalities unless they volunteer to be under it, except for Part 24, the ethics code, that is applicable to everybody. The State Procurement Code does apply to state purchasing entities, higher education, school boards and school districts, local districts and special districts of which Wasatch Front is one.</p> <p>WFWRD has been under the code before and now after the rewrite but now there are a few things we need to come into compliance to according to that rewrite. The Utah code provides for a multi-step appeal process for procurement determinations. That means that at the local level we have the first try and then it would go to a three member panel of the Procurement Policy Board. The Procurement Policy Board is the State Board of 15 members that approves the purchasing rules of the State of Utah and the zone that our district does not cover. The way the code reads is that the local level can have a 2</p>	<p>Motion to approve: Board Member Newton, seconded by Board Member Moser with the understanding that we will look at the business in the canyon as well as an overall canyon plan.</p> <p>Vote: all in favor (of board members present)</p>	<p>Approved February 23, 2015</p>
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step policy, where the Executive Director or appointed designee would make the initial determination on the procurement appeal then either be appealed to the Administrative Control Board or an Appeal Committee created by this Board. However, the restriction is the Utah Code requires at this local level that we issue a decision within 30 days of a request from any party. So for the purpose of our policy we need to be conservative and just assume we will only have 30 days from the time the appeal is filed, even though we may have more time in some circumstances, to issue a final decision. We are asking the Board for input on if they would like a 2 step local appeals process or a one step process. If a one step is preferable, what would that one step be? Would it go through the Executive Director or an appointed designee or the entire ACB Board or something other than that such as 3-5 members of the ACB Board. There is a 7 day appeals window to go up to the Procurement Policy Board who then hands down a decision. The standard on appeal is that it will not be overturned unless it is arbitrary, capricious, or clearly erroneous. If we do a good job at this local level it will be upheld as it goes up. What type of appeals process at the local level would the Board like to have?

Board Member Moser asked what the advantages of a 2 step process are.

Mark responded that it depends on the philosophy of the Board. Some boards want to be in control of the process but on the other hand you don't want everything to go through them. With Pam as the Procurement Officer, she would be in charge of checking to make sure it was complete, that it was filed correctly, etc. So she acts as a gatekeeper in a 1 and a 2 step appeal process. A lot of these issues get resolved at the management level anyways.

Board Member Moser asked if Pam can be the Procurement Officer and the Appeals Officer.

Mark responded that she can be both. If it is a decision made by Pam, it would look better to have someone else be the Appeals Officer though.

Board Member Wilson stated that it might be beneficial to have the Board involved to give Pam a little cover. Is there a way to filter?

Mark stated that there are two options. One way is to have a 2 step process. The other would be to allow Pam to decide which ones she should hear and then which ones the ACB should hear.

Board Member Bracken asked if rather than Pam being the decision maker and the appeal authority, the appeal authority could be a committee of three. Board Member Bracken stated that the committee could be Pam, Stuart, and the Board Chair.

Mark then asked how often Pam is making the decision or how often is it a Department Head or the Board? Board Chair Barbour asked how often this is a problem.

Pam stated that so far we have not had many problems. The process is usually that Lorna brings forward a recommendation, having been very thorough in reviewing the specs of the bids. Pam then signs off on the contract. In the past we have had one vendor who started to protest but once we sat down with them they were fine.

Mark stated that there are not a lot of appeals that come through for procurement but when they do they can be interesting.

Mark stated that overall he is hearing that the board would like management to work it out if possible. If they can't work it out, since Pam is the Procurement Officer, we will have a 3 member panel to hear it.

Board Member Moser responded that she liked Board Member Bracken's idea of having the 3 member panel include Pam, Stuart and the Board Chair. If there is a

3.5. Increase the Petty Cash Amount listed in the Policy Manual, Pam Roberts (Approval Requested)	<p>conflict of interest with any of those three, then another Board member can be substituted, having been selected by the Chair.</p> <p>Vice Chair Brass stated that if we required the entire Board for the appeals process that would require the entire Board to meet every month just in case, so he is in favor of the 3 member panel.</p> <p>Pam stated as an FYI that WFWRD's most expensive purchases are trucks and carts.</p> <p>Mark stated that if that is done through State Contracts, there will never be an appeal on those purchases. If we ask them, they may be open to creating a state contract for such purchases.</p> <p>Mark also wanted to state that although there are two attorneys present, you are not paying for two attorneys. They are both billing for half time.</p> <p>Pam stated that we also purchase off of the State contracts anytime when that is available. Now that we have direction, the policy will be brought forth at a future meeting.</p> <p>Stuart stated that we currently have a \$200 limit in petty cash and would like to increase that to \$400. We found with walk-in traffic to pay bills we need more money available in the change fund.</p> <p>Board Member Bracken asked if this is needed due to inflation or the billing change.</p> <p>Stuart responded that mostly it is the change in the billing process where people have the opportunity to walk-in and pay their bill.</p>	<p>Motion to approve: Board Member Wilson, seconded by: Board Member Petersen</p> <p>Vote: all in favor (of board members present)</p>	<p>Approved February 23, 2015</p>
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4. Informational /Discussion/Direction

Items

4.1. 2014 Performance Measures and Accomplishments, Lorna Vogt, Deputy over Operations **(Informational)**

Lorna gave a brief summary of highlights for 2014 achievements. We set our goals every year, world class customer service being our number one, then what we try to achieve and how we have done it. Our goals will stay the same for 2015, with adding tools for our customers to more easily interact with us and vice versa. We are very close to our goal for customer service satisfaction so we will continue to strive to meet that goal.

Environmental Stewardship: Goal of increasing the diversion rate. We have looked at our diversion rate and made adjustments to it. The challenge is that we have so much garbage it is hard to divert enough of that to increase the percentage. We have reduced our miles, we did more recycling education than ever before, we're working with our recycling companies and our customers are really getting on board. We reduced almost 80,000 miles to offset the cost of fuel and tipping fees. Through route adjustments we are trying to reduce the number of transport mileage for both recycling and garbage.

Excellent Employee Satisfaction: We have exceeded our goal. It also seems like we have been getting to a really good pool of operators who will be with us for a long time.

Financial Stewardship: We managed to come in ~\$1million under budget last year through efficiencies. We have deferred some capital costs and the completed audit will be presented at next month's meeting.

Board Chair Barbour mentioned that it is important for the Board members to take this information back to their municipalities so they know how well WFWRD is doing.

Board Member Wilson stated that she thinks it is important to capture the gas savings as well and be aware of the fuel trends.

Pam stated that we are implementing CNG side load trucks and will also be purchasing two additional CNG front load trucks which helps with the environment and fuel savings. We currently have 21 CNG trucks and will get 6 more in April and then 7 more in August/September. Stuart stated that by the end of this year we will have 34 CNG trucks, and by the end of next year we will have 45 side loads and 2 front load CNG trucks.

Vice Chair Brass stated that 77,000 miles is significant savings in fuel. The RFID pilot program will also be very beneficial in routing and billing. He stated that he is impressed what we have done in such a short amount of time.

Board Member Wilson asked if there is equipment that we can't convert to CNG and what the cost differential is for that.

Lorna stated that the global plan is for all of our heavy duty equipment to be CNG. The limiting factors are on the smaller equipment because the return of investment is many more years than how long we keep our equipment. We are working with County Fleet to figure out what other trucks can be converted.

Board Member Wilson stated that she would like to see that in the future. What the barriers are and what are the costs.

Lorna also stated that we will have CNG fueling station provided by County Fleet hopefully by this summer. Lorna also mentioned that the tightening up of the Area Cleanup program schedule created huge savings in many ways.

Loss Control: We didn't hit our target of 90% safe days but we are still working on it. We will be adding in new things this year. However we still received a \$9800 dividend from the Utah Local Governments Trust for

4.2. 2015 Targets and the Vision for Sustainability through Environmental Stewardship, Pam Roberts and Lorna Vogt (Direction Requested)	<p>our safety.</p> <p>Board Member Moser asked if we could have received a higher dividend if we had more safe days.</p> <p>Lorna responded that it is actually based on their entire pool, dividing out tiers based on performance. So yes, we could have received more money if we had more safe days.</p> <p>Pam stated that we also received \$4800 from the Trust's Total Accountability Program. Lorna was instrumental in putting that into place through safety trainings and equip operator safety trainings. She tracks this information and presents it to the Board as part of this program.</p> <p>Other Significant Achievements: WFWRD's Facebook Page, a 50% reduction of go-backs due to the help of the front office team, increased glass collections and brought those in house, working on things we can do with our employees, and an RFID pilot program to correct billing errors with huge potential going forward.</p> <p>Board Member Newton mentioned that it may be helpful for Board members to invite their circle of Facebook friends to like our page to receive updates and notices of what is going on with the District.</p> <p>Lorna presented our 2015 goals including world class customer service by improving tools on our website, looking at more billing and customer account information, trailer sign ups online, and adding things to help push out information to our customers.</p> <p>Environmental Stewardship: Develop a 5 year plan on how to increase our diversion rate to 25%. We would also like to explore providing District wide curbside glass collection services with our partner, Momentum. Pam stated that she is asking for direction in launching a pilot program for curbside glass with Momentum who</p>		
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would collect the glass. We also would like direction on exploring smaller garbage can options.

Board Member Newton asked if we charge for go-backs. How would it go over if we charged a fee if it is the resident's fault that their can did not get emptied? Is there a way to encourage people to get their cans out on time?

Board Member Petersen stated that there isn't enough consistency in pick-up times and since the streets in Holladay are narrow, people are asked to not put out their cans until the morning of pickup.

Lorna stated that the front office team has been asked to start explaining the costs of go-backs to the residents when they call in and residents are usually good about waiting until the next week if it was their fault that their can did not get emptied. Lorna also stated that the bonus of the RFID pilot is that it tracks when our driver goes past a home and if the can was outside at that time.

Board Chair Barbour reminded everyone that go-backs have been reduced by 50% and that is a great improvement.

Vice Chair Brass asked the team to find out what the loaded labor cost is for go-backs.

Lorna said that RFID could make it so that we could charge for a go-back if we wanted to implement another fee.

Board Chair Barbour reminded the Board members to pass the information about the cost of go-backs back to their communities.

Lorna stated that we are also enhancing our leadership opportunities, expanding it out to our supervisors. We are restructuring routes as well due to the changes within the District. Pam noted that we also try to promote

within the organization whenever we can. Bill Hobbs will be putting together information for the new RFID pilot with a new vendor. We are getting better budgeting information to provide to our managers so they can improve forecasting and figure out what is going on in the industry. We are also increasing training and looking into what we can do to prevent accidents.

Pam asked for direction to explore a curbside glass pilot program as well as smaller sized garbage cans with a different fee structure to roll out in 2016 due to the public will and interest.

Board Member Newton asked how much time and resources will it cost to look into these new programs or if it be wrapped into other duties. Pam responded that we are all fixed cost so it doesn't really affect us in that way. It's more the time and energy devoted to such.

Board Member Moser asked if Pam feels like it is the right time to move forward with curbside glass. Pam replied yes, especially in the areas that have responded to the surveys that Momentum has put out to gauge the public's interest. They have a map which shows the areas with the most interest. Pam stated that Canyon Rim is a great location to start a pilot program because their neighbors have it through Salt Lake City and they want the service as well.

Board Member Moser is supportive. Board Member Wilson is supportive as long as there is a market for recycled glass. Vice Chair Brass stated that there is a fiberglass plant in Utah now as well as it being used in propane fire pits and landscape products so there is a market where there didn't use to be.

Board Member Newton is supportive. Board Member Bracken was supportive.

In regards to smaller garbage cans, Board Chair Barbour said she can see the benefits.

Board Member Moser asked what the end goal is with

<p>4.3. Murray City RFP in July 2015, Pam Roberts (Direction Requested)</p>	<p>the smaller garbage cans. Lorna replied that we would implement a tiered pricing structure when we do our next fee increase. We would save money through the dumping fees with smaller cans and it is much more convenient for some residents with less storage area for their can.</p> <p>Board Member Moser asked what would happen if everyone wanted the smaller cans, rendering our purchases of large cans obsolete.</p> <p>Pam stated that we would come back with answers to these questions.</p> <p>Vice Chair Brass stated that we could target PUDs and areas with smaller roads but he has no problem with researching it further.</p> <p>Board Member Bracken stated that his only concern is similar to Board Member Moser.</p> <p>Board Chair Barbour gave direction to move forward and bring back information at a later date.</p> <p>Murray City will be going out to bid for their waste collection services this July and services would begin in 2016. Pam is seeking direction on whether we should look into what it would cost to service the other homes that belong to Murray City. Pam would like to bring back more creative information in regards to the service package. The regular package is \$14.75 per month but we would like to also provide the option of a sustainability package including weekly recycling and green options with area cleanup.</p> <p>Board Member Newton is in favor. Board Chair Barbour stated that we need to look into the capital investment that it would require. Vice Chair Brass stated that they have their own garbage and recycling cans but they do not do green waste currently. They also don't do area cleanups or pick up in private developments. Their current rates are significantly less than WFWRD rates.</p>		
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	<p>Board Member Wilson asked what Murray residents want.</p> <p>Vice Chair Brass stated that both sides of Murray seem happy with their services. In the end it will come down to costs. If WFWRD is interested, we might as well try. Low cost isn't always the cheapest so be creative.</p> <p>Board Member Wilson stated that even if there are additional capital costs, it would be better to service all of Murray due to economies of scale as long as we can handle the transition. It seems to be good to expand when we can.</p> <p>Vice Chair Brass noted that Murray is an owner of TransJordan so that needs to be considered as well since it is inconveniently located.</p> <p>Pam stated that we would still hit the requirements set up with Salt Lake County in our interlocal even if we still had to dump Murray's loads at Transjordan.</p> <p>Board Member Newton stated that she thinks that the County would be open to renegotiate the terms of the interlocal if WFWRD will be servicing all of Murray.</p> <p>Board Chair Barbour directed Pam and her team to research and bring back more information to the Board.</p>	
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5. Requested Items for Next Meeting on Monday, March 23, 2015

	<ul style="list-style-type: none"> • 2014 Financial Audit, Ray Bartholomew Squire and Company • Briefing on Exploring Curbside Glass Pilot Program • Revenues, Expenses, and Pricing Structures with Fee Comparisons • Canyon Services for Businesses and general overview • Information Systems Security and Data 		
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	Protection Policies: Cyber Security (Tabled until April's meeting)		
ADJOURN		Motion to adjourn: Board Member Brass, seconded by Board Member Moser Vote: All in favor (of Board Members present)	Approved February 23, 2015