ADMINISTRATIVE CONTROL BOARD (ACB) – WASATCH FRONT WASTE AND RECYCLING DISTRICT (WFWRD) MONTHLY MEETING MINUTES

DATE/TIME	LOCATION	ATTENDEES
October 22, 2018 9:00 a.m.	Public Works Building	Board Members: Scott Bracken, Jim Bradley, Jim Brass, Brad Christopherson, Kay Dickerson, Dwight Marchant, Kris Nicholl, Sherrie Ohrn, Robert Paine, Ron Patrick, Brint Peel, Patrick Schaeffer Excused: Steve Gunn, Jenny Wilson
November 19, 2018 Mic	604 W 6960 S Midvale, UT 84047	<u>District Staff</u> : Anthony Adams, Craig Adams, Rachel Anderson, Larry Chipman, Rosemary Fasselin, David Ika, Cathy Jensen, Yael Johnson, Andrea Murdock, Pam Roberts, Ken Simin, Sione Tuione
		Public: Justun Edwards (Herriman City), Rick Graham (Salt Lake County)

AGENDA

Call to Order: Brint Peel, Board Vice Chair

1. Introduction of New Board Member Patrick Schaeffer

1.1. Oath of Office for New Board Member; Anthony Adams, District Clerk

2. Consent Items: (Approval Requested)

2.1. September 24, 2018 Board Meeting Minutes (Motion & Approve)

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

4. Business Items

- 4.1. Adopt Resolution 4386 Recognizing Retiring Board Member Bush; Board Vice Chair Peel and Pam Roberts, Executive Director (Motion & Approve)
- 4.2. 2018 Third Quarter Financial Report and WFWRD's Performance; Pam Roberts and Cathy Jensen, District Controller (Approval Requested)
- 4.3. Status and Update Items; Pam Roberts (Informational/Direction)
 - 4.3.1. WFWRD's Request to Amend the Interlocal Agreement with Salt Lake County
 - 4.3.2. Request for Proposal (RFP) for Fleet Repair and Maintenance

- 4.3.3. Herriman City's Review and Comparison of Collection Services
- 4.3.4. Contracts to Receive Transfer-Landfill Services
- 4.3.5. Waste and Recycling Collections for the Sandy City and WFWRD Properties in the Granite Community
- 4.3.6. Herriman City's Proposal to Take on Billing and Receipting Services for Residential Waste & Recycling Collection Services
- 4.4. Adopt Revised Additions to the WFWRD Policy Manual Section 9 Human Resources System; Pam Roberts (Motion & Approve)

4.5. Public Hearing for the 2018 Budget Adjustment to Increase the Amount for Capital Purchases

- 4.5.1. Open Public Hearing to Discuss 2018 Budget Adjustment; Board Vice Chair Peel (Motion & Approve)
- 4.5.2. Public Comment
- 4.5.3. Close Public Hearing; Board Vice Chair Peel (Motion & Approve)

Continued Business Items:

- **4.6.** Adopt Resolution 4385 Approving the 2018 Budget Adjustment; Board Vice Chair Peel (Motion & Approve)
- 4.7. Tentative Adoption of the WFWRD Tentative 2019 Budget and Fee Schedule; Pam Roberts (Motion & Approve)
- **4.8.** Schedule the Public Hearing to Allow Public Comment on the 2019 Budget and Allow the Option to Adopt the 2019 Budget if There is No Public Comment; Monday, November 19, 2018, or Other Date Pending Board Member Availability; Pam Roberts (**Motion & Approve**)
- **4.9.** Schedule the Public Meeting to Adopt the WFWRD 2019 Budget on Monday, December 10, 2018, or Other Date Pending Board's Availability; Pam Roberts (Motion & Approve)

5. Closed Session (If Needed)

The Administrative Control Board may temporarily recess the meeting to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonable imminent litigation, and the purchase, exchange, or lease of real property, or other legally applicable reasons as provided by Utah Code Annotated §52-4-205.

6. Other Board Business

This time is set aside to allow Board members to share and discuss topics.

7. Requested Items for the Next Board Meeting(s)

- Allow Public Comment for the WFWRD 2019 Tentatively Adopted Budget and Fee Schedule
- Possible Adoption of the 2019 Budget Pending Public Comment and Board Discretion
- Trans-Jordan Interlocal Agreement for Collection Services Approval

TOPICS/	KEY POINTS/	ACTION ITEMS	
OBJECTIVES	DECISIONS	WHO – WHAT – BY WHEN	STATUS
1. Introduction of new Board Member Patrick Schaeffer			
1.1 Oath of Office for New Board Member; Anthony Adams, District Clerk	Anthony Adams conducted the Oath of Office for incoming Board Member, Patrick Schaeffer, representing Kearns Metro Township.		
2. Consent Items			
2.1 September 24, 2018 Board Meeting Minutes		Motion to Approve the Minutes by: Board Member Nicholl Seconded by: Board Member Patrick Vote: All in favor (of Board Members present)	Approved October 22, 2018
3. Meeting Open for Public Comments	(Comments are limited to 3 minutes)		
	No public comments		
4. Business Items			
4.1. Adopt Resolution 4386 Recognizing Retiring Board Member Bush; Board Vice Chair Peel and Pam Roberts, Executive Director (Motion & Approve)	Pam indicated that when a prior board member is unable to attend when being recognized, the ACB has adopted the resolution and she attends that board member's city/community council meeting to present an award and recognition.	Motion to Adopt Resolution 4386, and Direct Pam to Recognize Retiring Board Member Bush at a Future Kearns Community Council Meeting by: Board Member Christopherson Seconded by: Board Member Paine Vote: All in favor (of Board Members present)	
4.2 2018 Third Quarter Financial Report and WFWRD's Performance; Pam Roberts and Cathy Jensen, District Controller (Approval Requested)	Cathy announced that, for the period ending on September 30, 2018, we are at about 70% of our budgeted revenue at \$15,741,000 which includes the third quarter billing. Although we have not received the cash from this billing		

cycle yet. This is the amount that we are expecting to receive. We are at 68% on personnel and expenditures. We do need to reconcile the OPEB (other postemployment benefits), and also reconcile the vacation/sick time accrual. This will change the bottom line by the end of the year. Also, we are close to 68% of budget for operating expenses.

Board Member Bracken asked for clarification on the net revenues. Cathy indicated that this is the total revenues less all expenditures. He asked why there is a negative balance if the revenues are greater than the expenditures. Cathy provided an explanation to indicate that we are actually in positive financial status. Board Member Bracken suggested a different labelling on those items, such as over-expended and under-expended, to reduce confusion. Staff will make the requested change.

Cathy further explained that we have spent approximately \$959,000 for capital equipment. We have received all of the vehicles that were purchased this year, but the invoices came in during the 4th quarter, so they are not reflected in today's report.

For cash balances, we have \$9.2 million. Revenues for the 3rd quarter billing have not yet been collected. We have also submitted the certifications, but those payments have also not yet come in.

Tonnages have followed the expected annual pattern. Costs for disposal at the Salt Lake Valley Landfill went up 3.89%, and Trans-Jordan costs went up 11% due to increased tonnage and some changes in their increased fees for green waste.

Cathy stated that our maintenance costs went up this year, and we are working with the County to determine the cause of this increase. Craig Adams, District Assistant Controller and Treasurer, indicated that some of these

increased costs are due to the H bracket on the trucks' arm that picks up the cans. They have fallen out of warranty and cost about \$6,000 each, and we have had 14 fail this year. He is continuing to work with the County to determine the other increased maintenance costs. Pam added that this is one of the reasons that we issued a Request for Proposal (RFP) for truck replacements rather than a bid process. The RFP allows us to request specific criteria, specifications, and a scope of work.

Our new trucks under the new vendor allow us to provide better service, and our drivers prefer the vendor who is providing these newer trucks, but this was unattainable under the bid process. She also stated that the truck vendor was very good about honoring the warranty when it was active. Board Member Paine asked if we are obtaining additional trucks. Pam clarified that we are extending the lifespan of some trucks, and we are still working to discern the costs related to keeping the trucks in service for a longer period of time. We have seen a \$277,000 increase in maintenance this year, but we have saved over \$1 million by not purchasing originally scheduled vehicles except the six we have received. We do know, however, that \$179,000 is related to the sideload residential collection trucks, and \$84,000 of that is directly related to those arm brackets. Board Member Paine requested that this information of the number and age of our vehicles continue to be brought forward to make accurate financial comparisons.

Cathy continued by stating that there were increases in diesel fuel costs due to our Area Cleanup vehicles, which still run on diesel fuel, apart from the CNG (compressed natural gas) fuel, which is remaining stable. This trend matches the increase in diesel fuel prices as well.

We have a balance of \$2.4 million in certifications, which represent 14,471 homes that we certified to property tax

	notices this year. As a comparison, last year we certified 14,488 homes.	
	Board Member Bracken asked if there is a late or processing fee associated with certification. Cathy confirmed that we attach an administrative fee of 8% of the account balance to the certifications along with interest on the account of 18%. Board Member Christopherson asked if these fees cover the District's costs. Pam and Cathy confirmed that it does.	
	Pam stated that we have received \$113,845 in CNG rebates, but this will be the last year we receive this rebate. The truck vendors are also no longer going to receive this credit, which is part of why the cost of the trucks have increased.	
	Pam reported that the revenues collected from metal collections in Area Cleanup totaled \$16,000, so we'd like to continue this program in the future and hope we have enough staff to increase this collection next year. We also saw a great benefit to the new mattress collection program as well. Although there is no revenue in the mattress collections, it does provide significant savings by diverting them away from the Landfills and Transfer Station.	
4.3 Status and Update Items; Pam Roberts (Informational/Direction)	Pam also commented that staff leadership development is continuing. There was a Leadership Retreat conducted last week, which was beneficial and productive in helping develop organizational goals moving forward.	
4.3.1 WFWRD's Request to Amend the Interlocal Agreement with Salt Lake County	Pam announced that the Interlocal Agreement with Salt Lake County expires at the end of 2019, which includes administrative services, fleet services, information services, and hook-lift truck lease; and we need to write a	

	new agreement. We are not looking for any changes to our fueling agreement, since it is an amiable situation.	
4.3.2 Request for Proposal (RFP) for Fleet Repair and Maintenance	WFWRD staff have been discussing whether there are better options for fleet maintenance. An RFP for fleet repair and maintenance has been issued, and Salt Lake County has been invited to submit a proposal. Results will be collected and reviewed next month. One factor that will be considered is additional costs of travelling offsite for maintenance services.	
4.3.3 Herriman City's Review and Comparison of Collection Services	Herriman City did conduct an evaluation of waste collection services. Two private vendors replied to this informal quote. Although the other providers have lower costs per home, our price is all-inclusive whereas the private haulers only cover recycling weekly or bi-weekly curbside collection services in their costs. Board Member Ohrn stated that this is a healthy process, and this was advantageous for WFWRD to verify that we are in line with our fees, and even exceeding what other companies can provide.	
4.3.4 Contracts to Receive Transfer- Landfill Services	Pam emphasized that our intent is to be more flexible with the services we provide and remain the most cost-effective. This was the intent of this RFP. She has been in contact with the three vendors who provided information, and they are currently reviewing the contracts. We are hoping to have them signed and finalized by the beginning of next month.	
	She also confirmed that she and our legal counsel have a meeting with Salt Lake County Deputy Mayor Rick Graham to discuss an amendment to our Interlocal Agreement for Landfill and Transfer Station Services, along with Vicky Bennet, Salt Lake City Sustainability Director, and Scott Baird, Salt Lake County Public Works	

Department Director. Pam noted that each serve as chair and vice chair for the landfill council on a rotating basis. The primary changes we are requesting is the minimum percentage of tonnage we are required to deliver to county facilities and the ability to amend and cancel the agreement with proper notice. These are the standard practices with most government agreements and contracts.

Board Vice Chair Peel asked Rachel Anderson, legal counsel, to clarify Pam's authority for contract negotiations and approval since the question was raised during the meeting last month.

Rachel confirmed that according to District Policy 4.3.10, duties and authority of the WFWRD Executive Director states that the Executive Director has authority to enter into contracts that are "necessary for the good, order and the functioning of the District provided that they are within the appropriate budget appropriations." She added that the Board Chair and Pam can determine if any contracts need to come before the Board for review if they feel it is warranted, but otherwise Pam has this delegated authority to enter into contracts for the District. The exceptions are Interlocal Agreements, which by statute are required to be approved by the Board. The Board can expect those to come before you.

4.3.5 Waste and Recycling Collections for the Sandy City and WFWRD

Pam stated that she has received communications from the residents remaining in the unincorporated areas of Properties in the Granite Community Granite. Their desire, if things move forward and Sandy City de-annexes the identified 403 homes, is that WFWRD contract directly with a private hauler for services rather than contracting through Sandy City. This is a viable request for us. The Granite Community Council meets on November 7th. Pam confirmed that she will attend that meeting.

Board Member Nicholl added that there was confusion during the last LUCC (League of Unincorporated

Community Councils) meeting, so she is hopeful that we will be able to successfully communicate the efficiencies and why we are moving in this direction. Board Member Bracken asked for clarification on contracting with a private hauler for the remaining unincorporated properties. Pam confirmed that the hope would be that the same vendor, which provides service to Sandy City, would be the vendor to serve these other unincorporated Granite homes since it may make sense for efficiencies and continuity of services. The goal date for this is that it would take effect July 1, 2019. 4.3.6 Herriman City's Proposal to Take Herriman City has moved forward with an evaluation to on Billing and Receipting Services take over billing services for their residents from for Residential Waste & Recycling WFWRD. Collection Services WFWRD staff have initially analyzed what would be needed and the costs or savings it would include. Justun Edwards, Herriman City Public Works Director, stated that this effort is primarily to increase efficiencies to Herriman residents and reduce the number of bills they receive by combining waste collection services to the residents' water bill. He stated that Herriman City plans to hire an independent consultant to analyze the cost savings or increases of this plan for both Herriman City and WFWRD. Herriman City would pay for this consulting service, and suggested Zions Bank as a possible consultant. He stated his desire to have this evaluation completed in the next couple of weeks. Board Member Bracken requested details on how this process would work. Justun explained that Herriman City would include waste collection services to their city bills to their residents and work closely with WFWRD to get those funds back to WFWRD accounts. Board Member Bracken asked if the city would take over non-payment issues from Herriman residents. Justun confirmed that

they would take over that responsibility.

Board Member Christopherson asked what benefit this plan would be for the District. Pam indicated that the primary cost savings would be in printing and postage. If we send a bill to every Herriman resident on a quarterly basis, it is a cost savings of no more than \$22,000. However, many residents do not receive their quarterly bills in the mail, so a more accurate cost savings would be \$17,000-\$18,000. Pam confirmed that we would not eliminate any WFWRD staff if this procedure was approved.

Board Member Marchant requested confirmation that any increase in costs would be covered by Herriman City and not passed on to WFWRD. Justun stated that this is the cause for the study – to determine any increased costs of this proposal. He does not anticipate any increased costs but stated that there could be.

Cathy followed by stating that this would not affect our own audit responsibilities, and we would not have to audit Herriman City. We would list it as a receivable and revenue. It will not eliminate Herriman's data from our books. We will also continue to provide the customer service aspect of waste and recycling collections and other services. Pam stated that there would be an increased cost to reprogram our billing software. We would need to recode the affected properties so that Herriman residents remained in our system but would not receive a billing statement from WFWRD.

Board Vice Chair Peel asked how this will affect the other Interlocal Agreements throughout the District. Rachel Anderson confirmed that WFWRD is a semi-independent service district. All of the municipalities serviced by WFWRD are within the District boundaries and jurisdiction. We do not have individual agreements with the municipalities for collection services. We serve Herriman because they are within the District's

boundaries. She confirmed that we are legally able to enter into any agreement between two entities, and we will create a type of Interlocal Agreement for the Granite services. There are many questions that need to be answered before this can move forward, such as Herriman City's authority to shut of water for nonpayment of their bill if waste collection is part of it.

Board Member Christopherson voiced his opposition to this idea since Herriman City is not the entity providing the collection services to their residents. He feels that this arrangement will actually cause more confusion for residents. He also asked what would be done with the funds if there are savings incurred from this plan if the rates must remain the same throughout the District. Rachel confirmed that any saved funds would be spread throughout all service areas within the District.

Board Member Bradley stated his understanding in increasing efficiencies by having residents receive fewer bills. He also stated his concern that surcharges could be added to the bill for conveniences in combining bills.

Board Member Ohrn stated that many of the Board's questions will be addressed in the study. The main point before the board is their consent to use Zions Bank as the consultant.

Board Member Marchant stated that he feels residents prefer to receive a separate bill to see what they are being charged and for which services.

Board Member Christopherson asked if we have a specific billing policy that covers this contingency. Pam confirmed that our the creating resolution from Salt Lake County state that we will bill at least quarterly, but we can review to see if that needs to be amended. She added that the evaluation will include everything we need to do legally and administratively to make this happen if it moves

4.4	Adopt Revised Additions to the WFWRD Policy Manual Section 9 Human Resources System; Pam Roberts (Motion & Approve)	forward. We will add this topic to the next board meeting agenda. Pam reintroduced the policy revisions requested for employee pay structure, with the Board-requested changes. She pointed out that we did not identify a breakdown of COLA (cost of living allowance) or merit increases because those amounts are approved annually by the Board. This allows staff flexibility to administer the Board approved increases. IF the Board grants a COLA then staff would administer that annualized amount to each employee at the beginning of each calendar year. Pam stated that there was a request to divide the lump sum into multiple installments, but this would be difficult to administer and track. As a result, we have elected to have this lump sum distributed as a separate check, so it would not be taxed as high as it would be included in their paychecks.	Motion to Adopt the Policy Manual Revision by: Board Member Christopherson Seconded by: Board Member Nicholl Vote: All in favor (of Board Members present)	Approved October 22, 2018
	Public Hearing for the 2018 Budget Adjustment to Increase the Amount for Capital Purchases 1 Open Public Hearing to Discuss 2018 Budget Adjustment; Board Vice Chair Peel (Motion & Approve)		Motion to Open the Public Hearing to Discuss the 2018 Budget Adjustment by: Board Member Bradley Seconded by: Board Member Christopherson Vote: All in favor (of Board Members present)	Approved October 22, 2018
	.2 Public Comment.3 Close Public Hearing; Board Vice Chair Peel (Motion & Approve)	There were no public comments	Motion to Close the Public Hearing: Board Member Bradley	Approved

4.6	Adopt Resolution 4385 Approving the 2018 Budget Adjustment; Board Vice Chair Peel (Motion & Approve)		Seconded by: Board Member Brass Vote: All in favor (of Board Members present) Motion to Adopt Resolution 4385: Board Member Bradley Seconded by: Board Member Brass Vote: All in favor (of Board Members present)	October 22, 2018 Approved October 22, 2018
4.7	Tentative Adoption of the WFWRD Tentative 2019 Budget and Fee Schedule; Pam Roberts (Motion & Approve)	Pam recognized and thanked WFWRD Managers and staff for their collective work to prepare the 2019 budget. She introduced managers and staff who was present. Pam stated that the only major change since last month's review is the reduction of the estimated health insurance premium. The increase will be 5.8% instead of an increase of 9.5%, which is a \$37,000 reduction. She added that there are some items we can consider in the future on making adjustments to the type of provider or health plan we use which could provide additional savings. This would be a matter of educating employees and selecting the best options desired by staff and approved by the Board. We are increasing the number in our fleet by one, simply by retaining a truck that was scheduled to be replaced and sold. There has been recent interest in this truck since we pulled it off the auction list. We are currently analyzing what would be the best financial option for this specific vehicle, and we may hold back one that will be retired at a future date if it is more cost effective. Cathy indicated that we have a \$22.4 million budget. We do plan on using \$1.791 million in fund reserves, which includes OPEB and depreciation, which are not necessarily cash expenditures but for which we still need		

to account. Our capital expenditures are budgeted for \$1,995,600. Board Member Christopherson asked why the OPEB changed this year. Cathy stated that we must send it out for review periodically, so we hope that it will be reduced, but we don't have any confirmation. This year we must identify all of that OPEB liability by GASB (Governmental Accounting Standards Board) requirements, but the cash remains with the District. Board Member Bradley asked what is meant by fund reserves. Cathy verified that these are funds that were budgeted in the previous year but were not spent. We do have a cash reserve balance, but that is identified on the balance sheet, not on the revenue statement. Pam verified that we could include a balance sheet and include cash projections, but it represents a point in time analysis.

Cathy went on to report that the 2019 budget projects that our curbside collection services represent 95% of our revenue.

Payroll and benefits expenditures are 35% of the budget. Board Member Bracken stated that WFWRD's personnel percentage is much lower than school districts and many other service districts.

Our capital plan includes replacing six of our side-load collection vehicles and two pick-up trucks. Cathy noted that after further analysis we lowered the tentative budgeted amount for capital from the proposed budget of just over \$2,000,000.

Pam indicated that we are proposing a fee increase to our trailer rental program. The rental fee for the trailers is always less than the actual costs, but part of a resident's monthly fees subsidize that service. With this proposed fee increase, we will be reducing the subsidy on this program as much as possible while still providing the program. We are also including a new separate fee of \$15 per piece for mattresses, \$12 for refrigerators, and \$3 per

4.8 Schedule the Public Hearing to Allow Public Comment on the 2019 Budget and Allow the Option to Adopt the 2019 Budget if There is No Public Comment; Monday, November 19, 2018, or Other Date Pending Board Member Availability; Pam Roberts (Motion & Approve)	tire. We are working to cover the costs of these items to disposal facilities if they are included in the trailers, and are proposing these additions to recoup those extra costs. This will be listed as additional fees, not penalty fees. The fee increase proposal includes an increase to the bulk waste trailer from \$125 to \$145, and an increase to the green waste trailer from \$40 to \$45. Board Member Ohrn asked if this fee increase covers our costs. Pam stated that it does not cover the cost, which is over \$200 per trailer. Board Member Bracken suggested leaving out the fee increase for green waste trailers was three years ago. Yael Johnson, Customer Service Manager, verified that green waste trailers are popular, but the volume fluctuates throughout the year. We must drive further, however, to dispose of green waste, since it must go to the landfills and not to the Transfer Station and that the green waste fees per ton have gone up since the last fee increase in 2016. Pam stated that the public hearing must be officially scheduled. This is currently scheduled for November 19th at 6:00 p.m. Pam recognized potential scheduling challenges with this being the week of Thanksgiving. She asked for commitments from Board Members to ensure that a quorum is present. Rachel stated that the budget must be adopted by the end of the year. We have typically tried to have the public hearings in November to allow time to review any public comments to bring back at a December public hearing if needed. If there are no public comments, it can be approved in November and the December Board Meeting can be cancelled if desired. We have not yet received any negative public comment during our budget adoption		Approved October 22, 2018
	process. Rachel also confirmed that this Public Hearing and Meeting on November 19th would replace the morning ACB Meeting those months. The ACB Meeting would be held immediately following the Public Hearing.	Motion to Hold the Public Hearing on Monday, November 19, 2018 at 6:00 p.m.: Board Member Christopherson	Approved October 22, 2018

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4.9 Schedule the Public Meeting to Adopt the WFWRD 2019 Budget on Monday, December 10, 2018, or Other Date Pending Board's Availability; Pam Roberts (Motion & Approve)	After discussion and informal rollcall, it was determined that a quorum would be present for a November 19 th Public Hearing. Board Vice Chair Peel requested that the item on the agenda of possibility of scheduling or cancelling the December meeting be moved to the next ACB Meeting.	Seconded by: Board Member Brass Vote: All in favor (of Board Members present)	
5. Closed Session			
	No Closed Session		
6. Other Board Business			
	Pam indicated that the Utah Local Government Trust (Trust) is reviewing requirements to have an Interlocal Agreement established for each entity that they service. This is still under legal review and will be brought back to the ACB if and when needed. We entered into a formal Resolution to become a member, but they are shoring up their records and determining if that is adequate. Board Member Christopherson asked if this would change our insurability. Pam stated that it does not change our insurability, but Trust members have the benefit of annual dividends, which we have received in the past. Pam also added a disclosure that she is a member of the Trust's Board, which benefits WFWRD and her professional development.		
7. Requested Items for the Board Meeting on November 19, 2018.			
,	Allow Public Comment for the WFWRD 2019 Tentatively Adopted Budget and Fee Schedule		

	 Possible Adoption of the 2019 Budget Pending Public Comment and Board Discretion Trans-Jordan Interlocal Agreement for Collection Services Approval Follow-up on Herriman City Billing Request 		
ADJOURN		Motion to Adjourn: Board Member Christopherson Seconded by Board Member Bradley Vote: All in favor (of Board Members present)	Approved October 22, 2018