

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

DATE/TIME	LOCATION	ATTENDEES
<p>June 28, 2021 9:00 a.m.</p> <hr/> <p>Next Board Meeting August 23, 2021 9:00 a.m.</p>	<p>Public Works Building 604 W 6960 S Midvale, UT 84047</p>	<p><u>Board Members:</u> Anna Barbieri, Scott Bracken, Jim Bradley, Dwight Marchant, Sherrie Ohrn, Brint Peel, Keith Zuspan <u>Participating electronically:</u> Daniel Gibbons, Catherine Harris, Patrick Schaeffer, Tessa Stitzer (starting in Agenda 4.2), Diane Turner <u>Excused:</u> Kay Dickerson, Kris Nicholl</p> <p><u>District & Support Staff:</u> Anthony Adams, Rachel Anderson, Scott Le Hew, Paul Korth, Ethan Morris, Andrea Murdock, Renee Plant, Pam Roberts <u>Participating electronically:</u> Craig Adams</p> <p><u>Public:</u> <u>Participating electronically:</u> Patrick Craig (Salt Lake County), Justun Edwards (Herriman City Staff), Jennifer Kennedy (Murray City Staff)</p>

AGENDA

Call to Order: Scott Bracken, Board Chair

1. Consent Items:

- 1.1. May 24, 2021, Board Meeting Minutes (**Motion & Approve**)

2. Informational Items:

- 2.1. National Waste & Recycling Workers Day: Pam Roberts, General Manager
- 2.2. National Driver of the Year Awards: Pam Roberts
- 2.3. Introduction of New Staff: Pam Roberts

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

4. Business Items

- 4.1. Current Cash Balances and Projections: Paul Korth, Finance Director (**Informational**)

- 4.2. Current Waste & Recycling Services Fee Comparisons: Pam Roberts (**Informational**)
- 4.3. Sustainability Program Report: Ethan Morris, Sustainability Coordinator (**Informational**)
- 4.4. Overview of WFWRD Servicing Homes on Private Roads: Pam Roberts (**Information/Direction**)
- 4.5. Policy Revisions for Private Roads and Adding an Appeal Process: Rachel Anderson, Legal Counsel; and Pam Roberts (**Direction/Approval**)
 - Appointments for the Ad Hoc Committee for Private Road Appeals (**Appointments/Direction**)
- 4.6. COVID-Related Expenses Reimbursement Request: Pam Roberts (**Direction Requested**)
- 4.7. Update on Salt Lake County's Process for Evaluating WFWRD Reorganization: Pam Roberts; and Board Member Bradley (**Information/Direction**)
- 4.8. Confirm, Reschedule, or Cancel the Board Meeting Scheduled for Monday, July 26, 2021: Board Chair Bracken (**Board Action Requested**)

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:

- WFWRD 2nd Quarter 2021 Financial Report
- General Manager's Report
- Continued Discussion/Direction on Potential Pilot Program for Food Waste Collections

TOPICS/ OBJECTIVES	KEY POINTS/ DECISIONS	ACTION ITEMS WHO – WHAT – BY WHEN	STATUS
1. Consent Items			
1.1 May 24, 2021, Board Meeting Minutes		<p>Motion to Approve the Minutes by: Board Vice Chair Ohrn</p> <p>Seconded by: Board Member Marchant</p> <p>Vote: All in favor (no opposing or abstaining votes)</p>	Approved June 28, 2021
2. Informational Items			
<p>2.1. National Waste & Recycling Workers Day: Pam Roberts, General Manager</p> <p>2.2. National Waste and Recycling Driver of the Year Award: Pam Roberts</p>	<p>Pam informed the board that WFWRD held its annual National Waste & Recycling Workers Day celebration on Thursday, June 17th. WFWRD hosted a breakfast for its employees. She thanked Board Member Turner for her ability to attend this celebration. A duffle bag was given as a gift to each employee, and Pam also gave a bag to each board member in attendance. She stated that a duffle bag will be sent to board members not in here in-person as a “thank you” for the board’s support.</p> <p>Pam stated that each year we submit a nomination for one of our veteran drivers for the National Waste and Recycling Association’s (NWRA) competition. This year, Ryan Jones, one of our exceptional drivers, was nominated and won this national award for 2021. We traditionally nominate one of our drivers for the Public Sector category of this award, each year. Qualifications for this award include safety, customer service and the difficulty of the equipment operated. The last WFWRD employee to earn this award was Rhonda Kitchen, in 2017. Ryan Jones will also receive a 17-year Safety Hero Award from WFWRD as well that is worth \$1,700.</p>		

2.3. Introduction of New Staff: Pam Roberts	Pam introduced Renee Plant as WFWRD’s new Administrative Manager, and described Renee’s qualifications for this position, with a Bachelor Degree in Business Administration, 10 years of senior management experience in the private sector, and she served in the US Army as a Sergeant in Logistics.		
3. Meeting Open for Public Comments	(Comments are limited to 3 minutes)		
	No Public Comment		
4. Business Items			
4.1. Current Cash Balances and Projections; Paul Korth, Finance Director (Informational)	<p>Paul began by explaining our cash balances, including investment accounts. Our cash balance has not decreased that much from 2020. The timing of truck payments, fixed assets, and our quarterly billings and collections have an impact on this balance. He compared WFWRD’s finances over the past four years to identify trends, changes, and our financial direction. He focused on recycling expenses, and the increase in costs since 2017. He also described the difference between cash balance and fund balance. Our cash balance is what should be used to determine the timing of any fee increase.</p> <p>Updated projections were presented for expenses and revenues, based on past years’ projections and actuals. Paul recommended that we continue to be conservative on projections since we have elements that are commodity-based, such as recycling fees and fuel expenses, and are subject to volatility. Board Member Marchant inquired what the future of recycling will bring, since it is a drain on our budget. Do we need to reconsider our position on collecting recycling, and</p>		

<p>4.2. Current Waste & Recycling Services Fee Comparisons: Pam Roberts (Informational)</p>	<p>collect less frequently or not at all? Paul stated that recycling expenses have decreased significantly this year, and are approaching a cost similar to waste disposal. It is trending in the right direction. We budgeted \$65 per ton for recycling fees in 2021, and right now we are at \$32 per ton.</p> <p>Paul also presented our cash projections as a percentage of what we have spent in the past, which provides a different perspective than that of the budgeted amounts. Pam reminded the board that in 2015, the Board set the policy to have a 5% cash balance to sustain a 20% year-end cash balance to be the trigger for a fee increase. This is based on the overall budget. Using this evaluation, we are currently okay in 2022. In 2023, we are projecting to be below the 20% year-end balance, but not quite at the 5% threshold. However, in 2024 we are projecting to be below the 5%, so we are anticipating our next fee increase to be implemented in January of 2023, so that we do not get below the 5% minimum threshold. Board Chair Bracken confirmed that this would mean that WFWRD staff would be visiting all the municipalities in the second half of 2022 to educate and prepare them for the proposed fee increase.</p> <p>Pam reviewed the current sanitation fees for WFWRD and other municipalities within the Salt Lake Valley including the level of services provided. Currently, Salt Lake City has one of the highest fees at \$21.00 per month, which includes waste, recycling, and green waste collections. Murray City is also at \$21.00 per month and transitioned to bi-weekly recycling in 2021 and does not have green waste collections. Also in 2021, Murray City did implement their own Area Cleanup Program, and consulted us on how we operate our program using the reservation method of scheduling</p>		
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<p>4.3. Sustainability Program Report: Ethan Morris, Sustainability Coordinator (Informational)</p>	<p>deliveries to residents. West Jordan is third at \$17.25 per month, and WFWRD falls in fourth at \$17.00 per month and provides an array of services.</p> <p>The Trans-Jordan Member Cities have a reduced rate for their fees, as a member of that organization. Other municipalities subsidize their collection fees from other budgets/programs within their municipality. For example, Sandy City uses municipal funds for their annual clean-ups as does Salt Lake City.</p> <p>Salt Lake City receives a dividend from the County Landfill, and also has variable rates with different sizes of garbage cans available. Pam stated that Salt Lake City is also considering a fee increase in the near future and she will update the Board if that does happen. The municipalities that charge less will subsidize the collection fees from other programs or funds. WFWRD maintains transparency for our collection services.</p> <p>Board member Marchant asked for clarification on “in-house” customer service. Pam explained that WFWRD has its own in-house customer service center. Salt Lake City and Draper also have in-house customer service support. All other municipalities are serviced by private vendors, and customers are referred to these vendors by the municipalities to address issues. Murray City does offer can repair/replacement and they do field those through their public works. WFWRD is full-service.</p> <p>Ethan provided an updated report on Green Waste, and Glass Recycling. Glass recycling is conducted by curbside collection, in some communities, and by centralized collection containers throughout the district. He reviewed the collection process of both programs, including tonnages collected. The collection container in Holladay was removed from the City Hall location.</p>		
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We are still searching for another permanent site in Holladay. Ethan confirmed that Magna's collection container was removed due to recurring contamination. Curbside glass is not yet available in Herriman. Pam added that this program is based on interest. Residents interested in this program can go to Momentum Recycling's website and fill out an interest form. When Momentum obtains enough interest in an area, they will provide service there.

The Curbside Green Waste Collection service runs from mid-March through mid-December and is delivered to Salt Lake Valley and Trans-Jordan Landfill's composting area. This program has seen a recent and large increase in subscribers. Pam added that this is a subscription program, and the program's fees were increased in 2021 to ensure it was self-sustaining. Despite the fee increase, we are seeing an increase in subscribers.

Ethan introduced Wasatch Resource Recovery (WRR), a facility that converts organic waste into methane and compost. This facility's process breaks down organic waste quicker than at the landfill through an anaerobic digester. The process was briefly described. WFWRD has an opportunity to partner with WRR on a pilot program involving 50 homes in four separate areas. Momentum is partnering with WRR to provide the collections and delivery.

Each home would receive a separate curbside can for organic waste to be delivered to WRR. This would be a great opportunity because WRR can accept organic waste that is not allowed in our curbside green waste cans, including meats, dairy, and processed foods. The pilot program is not ready yet, and this is just an introduction to what will be proposed at a later date when the details are finalized.

<p>4.4. Overview of WFWRD Servicing Homes on Private Roads: Pam Roberts (Information/Direction)</p>	<p>For the first three months, during the pilot program period, there would be no cost to the residents. After that, the cost to the resident would be around \$20 per month. WFWRD would not collect the waste; we would only provide the administrative support. Board Member Marchant asked about the fee if it would earn money for WRR. Pam confirmed that selling the methane and compost is not yet happening, but is in the facility’s future plan. When this topic comes back with the full details and the request to proceed, we will have a representative from WRR come and answer all the questions and explain all the details of the pilot program.</p> <p>Pam emphasized that the reason we are changing how we provide services on private roads is purely due to safety and abiding to our own policies. She admitted to and apologized for WFWRD not following our own policies in the past, in regard to private roads.</p> <p>Whether on a public or private road, our resolutions give us the authority to determine how services are provided, including the type of can provided and where the cans are placed for collections. This is an industry standard, in which the service provider determines these details.</p> <p>She also shared a letter from Doug Folsom, Loss Prevention Manager at Utah Local Governments Trust (the Trust), expressing concerns about the safety on many private roads. The waste industry is 4.5 times more likely than the average to have a property accident claim. This is due to the truck’s size and how it operates with all the complex equipment and controls. It is also operated on the opposite side of the vehicle than other traditional vehicles. Many private roads are</p>		
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not built to the standards of public roads, which adds to the risks and the liability of our trucks driving on them.

In the past four years, we have had to terminate several drivers due to accidents. These have all been fairly new drivers to the organization. At least two of the recent accidents occurred on private roads that we know right now. With Renee Plant joining our team, we will be able to gather more details since private roads is one of her priorities.

Board Member Peel announced to the board that Magna has an ordinance that all private roads must be built to public road standards. Pam restated that we are not against servicing private roads, but we need to provide service in a safe manner and have an agreement to do so. She also stated that it can be difficult to retain insurance coverages if the risk is too great due to accidents. The minimum requirements for a truck turnaround area were discussed, and it was specifically related to current areas under discussion.

Board Member Bradley stated that we should not use our policy as an excuse to refuse service, and we should be careful on how we adjust the policies to adapt to specific situations. As a governmental agency, we have a responsibility to provide this service, even if it isn't convenient for us. Asking residents to drag their cans three football fields to a public road is not practical. Board Member Peel agreed that we need to occasionally overlook efficiencies to provide service, but safety is a bigger concern. Safety must be considered regardless of efficient service. Board Vice Chair Ohrn commented that the policy must be tight enough to close loopholes that provide an exception for every situation. Board Chair Bracken expressed his gratitude for Doug Folsom's evaluations and recommendations. He encouraged all boardmembers to

<p>4.5 Policy Revisions for Private Roads and Adding an Appeal Process: Rachel Anderson, Legal Counsel; and Pam Roberts (Direction/ Approval)</p>	<p>review Doug’s letter to gain more insights on safety and risk factors.</p> <p>Rachel Anderson, Legal Counsel, stated that we are trying to shore up the policy so it is more consistent. The policy, itself, is not changing. We aren’t eliminating private roads, its just that we need to service them in a certain way. The board is being asked to set and approve the policy and then allow Pam to conduct the district’s operations based on that policy. We don’t want the board to have to confirm each one of Pam’s decisions. Pam emphasized that her operational decisions are not based on convenience, but on safety; and we try very hard to work with residents to provide services. She reviewed recommendations from the Trust for the specific situation on Dell Haven Lane that includes moving the park gate and making road improvements that would allow a safe turn around and exit.</p> <p>Board Member Harris commented that Emigration Canyon has several areas where it is not safe for large collection trucks to travel. Safety has to be paramount. She also suggested considering a different rate for private roads that take more time and effort to provide services. This must be policy driven.</p> <p>Rachel reintroduced the proposed policy revisions, which were initially introduced last month. There have been a few updates based on the Trust’s and the board’s recommendations. She emphasized that the reason the appeal process is being included is due to recent situations where residents had the desire to appeal to the board. This also provides a finality to the decision made, and provides a separation of the board becoming involved in day-to-day operations. The responsibility of the ad hoc committee would essentially be to confirm</p>		
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<ul style="list-style-type: none"> • Appointments for the Ad hoc Committee for Private Road Appeals (Appointments/ Direction) 	<p>that Pam followed policy in making certain decisions for a private road. Rachel recommended that the board adopt this policy, and then evaluate in the future if any adjustments need to be made.</p> <p>Board Chair Bracken confirmed that up to three board members would be on this committee. They would meet as needed.</p> <p>Board Chair Bracken reviewed the responsibilities of this committee, and restated that they would primarily verify that our policies have been followed in decisions for services on private roads. It was suggested that there is a rotating member of the committee that represents the area in question.</p> <p>Board Member Peel, Board Member Harris, and Board Vice Chair Ohrn volunteered to be on the Ad Hoc Committee for Private Road Appeals. Board Chair Bracken recommended that new volunteers be appointed when annual Board Chair appointments are made.</p>	<p>Motion to Approve the Private Roads Policy Revisions by: Board Vice Chair Ohrn Seconded by: Board Member Barbieri</p> <p>Vote: All in favor (no opposing or abstaining votes)</p> <p>Motion to Appoint Board Members Peel and Harris, and Vice Chair Ohrn to the Ad Hoc Committee for Private Road Appeals by: Board Member Barbieri Seconded by: Board Member Marchant</p> <p>Vote: All in favor (no opposing or abstaining votes)</p>	<p>Approved June 28, 2021</p> <p>Approved June 28, 2021</p>
<p>4.6 COVID-Related Expenses Reimbursement Request: Pam Roberts (Direction Requested)</p>	<p>Pam indicated that WFWRD has expended around \$50,000 in COVID-related expenses since the last reimbursement request to municipalities in September 2020. She asked for direction if the board wanted to proceed with a new reimbursement request immediately or wait until later in the year. It was determined to process reimbursement requests immediately.</p>	<p>Board Clerk Anthony Adams will send a reminder email to board members on the date and time of this county council meeting.</p>	
<p>4.7 Update on Salt Lake County’s Process for Evaluating WFWRD Reorganization: Pam Roberts &</p>	<p>Board Member Bradley confirmed that the Salt Lake County Council will discuss WFWRD’s reorganization request on Tuesday, August 3rd. Pam stated that she and</p>		

<p>Board Member Bradley (Information/Direction)</p> <p>4.8 Confirm, Reschedule, or Cancel the Board Meeting Scheduled for Monday, July 26, 2021: Board Chair Bracken (Board Action Requested)</p>	<p>Rachel will attend. Other board members expressed their desire to attend this meeting.</p> <p>After discussion, it was determined to cancel the July 26, 2021 board meeting.</p>	<p>Motion to Cancel the July 26, 2021 Board Meeting by: Board Member Bradley Seconded by: Board Member Peel</p> <p>Vote: All in favor (no opposing or abstaining votes)</p>	<p>Approved June 28, 2021</p>
<p>5. Closed Session</p>			
	<p>No Closed Session</p>		
<p>6. Other Board Business</p>			
	<p>No Other Board Business</p>		
<p>7. Requested Items for the Next Board Meeting</p>			
	<ul style="list-style-type: none"> • WFWRD 2nd Quarter 2021 Financial Report • General Manager’s Report • Continued Discussion/Direction on Potential Pilot Program for Food Waste Collections 		
<p>ADJOURN</p>		<p>Motion to Adjourn: Board Member Peel Seconded by Board Member Zuspan</p> <p>Vote: All in favor (of Board Members present)</p>	<p>Approved June 28, 2021</p>