

BOARD OF TRUSTEES – WASATCH FRONT WASTE AND RECYCLING DISTRICT (WFWRD)

MONTHLY MEETING MINUTES *** (See special note at the end of these minutes regarding the meeting recording.) ***

DATE/TIME	LOCATION	ATTENDEES
<p>May 23, 2022 9:00 a.m.</p> <hr/> <p>Next Board Meeting June 27, 2022 9:00 a.m.</p>	<p>Public Works Building 604 W 6960 S Midvale, UT 84047</p>	<p><u>Board members:</u> Tessa Stitzer (arrived during item 3.1), Laurie Stringham, Keith Zuspan</p> <p><u>Participating electronically:</u> Eric Barney, Scott Bracken, Phil Cardenaz, Thom DeSirant (left at end of item 3.7), Daniel Gibbons (Vice Chair), Robert Piñon, Patrick Schaeffer, Cyndi Sharkey</p> <p><u>Excused:</u> Anna Barbieri, Sherrie Ohrn (Chair), Diane Turner</p> <p><u>District & Support Staff:</u> Rachel Anderson, Ashley Ashton, Dustin Bradshaw, Matt Ferguson, David Ika, Paul Korth, Rae Perry, Renee Plant, Pam Roberts, Sione Tuione,</p> <p><u>Public:</u> Kyle Greene (Squire and Company)</p>

AGENDA

Call to Order: Sherrie Ohrn, Board Chair

1. Consent Items: (Approval Requested)

1.1. April 25, 2022, Board Meeting Minutes

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

3. Business Items:

3.1. 2021 Independent Financial Audit, Dave Brown, Kyle Greene, Squire and Company and Paul Korth, Finance Director
(Information/Acceptance)

3.2. Adding June 19th, Juneteenth as a WFWRD Paid Holiday Following State Holidays, Pam Roberts, General Manager and Ashely Ashton, HR Manager
(Approval Requested)

3.3. Official Certificates from the Lieutenant Governor’s Office: **(Informational)** Pam Roberts and Rachel Anderson, Legal Counsel
• The Dissolution of WFWRD as a Special District

- The Creation of WFWRD as a Local District.
- Plat Map

3.4. Changes to WFWRD’s Policy Manual Related to Local District and Other Technical Updates, Rachel Anderson and Pam Roberts (**Approval Requested**) (Separate Document)

3.5. Additions to the WFWRD Policy Manual Requiring Background Checks for Certain Employee Positions. Pam Roberts and Rachel Anderson (**Approval/Direction**)

3.6. Follow-up: Additional Information for the Proposed Salary Market Surveys for the 2023 Pay Plan, Pam Roberts and Ashely Ashton (**Direction/Approval Requested**)

3.7. General Manager’s Report: Pam Roberts (**Information/Direction**)

- Follow-up on Auxiliary Services Use Per City/Metro/Area.
- Additional Cleanup Options for Municipalities
- Updates on the Food Waste Pilot Program.
- Status on Recruitment for the Executive Assistant
- Thursday, June 16th is National Waste and Recycling Worker’s Day a.k.a. Garbage Person Day. Breakfast from 7:00 a.m. to 8:00 a.m. North Parking Lot of the building.
- Upcoming GM’s Vacation Dates

4. Closed Session

The Board may temporarily recess the meeting to convene in a closed session to discuss character, professional competence, or physical or mental health of an individual and pending or reasonably imminent litigation as provided by Utah Code Annotated §52-4-205.

5. Other Board Business

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

Board members Anna Barberie and Phil Cardenas, and Legal Counsel, Rachel Anderson Toured the Waste Management Recycling Processing facility on May 19, 2022.

6. Requested Items for the Next Board Meeting, on Monday, June 27, 2022

- Review Properties Released from the May 2022 Tax Sale (If available)
- Review Cash Projections and Fee Increase Scenarios Possible for 2023
- Distribution of the Annual Comprehensive Financial Report
- General Manager’s Report

TOPICS/ OBJECTIVES	KEY POINTS/ DECISIONS	ACTION ITEMS WHO – WHAT – BY WHEN	STATUS
Call to Order			
	Board Vice Chair Gibbons called the meeting to order at 9:02 a.m. and Rachel Anderson took a roll call of the members in attendance.		
1. Consent Items			
1.1. April 25, 2022, Board Meeting Minutes		Motion to Approve the Consent Items: Board Member Stringham Seconded by: Board Member Barney Vote: All in favor (no opposing or abstaining votes)	Approved May 23, 2022
1. Meeting Open for Public Comments	(Comments are limited to 3 minutes)		
	No Public Comment		
3. Business Items			
3.1. 2021 Independent Financial Audit, Dave Brown, Kyle Greene, Squire and Company and Paul Korth, Finance Director (Information/Acceptance)	<p>Paul Korth explained that this is the first year we've had Squire and Company do the District's audit. Kyle Greene from Squire is here to report on the audit. We issue an annual comprehensive financial report, and usually we do that in May. This year we were waiting for some feedback from the Government Finance Officers Association, and we just got it a week ago, so that report for the Board isn't finished yet. Squire has reviewed it and will issue it in June by the June 30th deadline.</p> <p>Mr. Greene discussed the services they provided to the District this year. They did the financial audit and it's significantly complete and in good shape. They</p>		

are prepared to give an "unmodified opinion" which is the highest opinion they can give.

They also did a state compliance review for the State Auditor's purposes. This year they tested budgetary compliance, fund balance, fraud risk assessment, and local government requirements. They also expect to give an unmodified opinion here as well.

They selected several samples of transactions to examine: cash disbursements, cash receipts, payroll, and capital assets. Everything was being well documented and supported.

Mr. Greene explained one new item related to the Utah Retirement Systems (URS). WFWRD is a member of (URS), and we have to pick up a portion of that liability in our books. The audit opinion may look different than we're used to because of some changes in the accounting standards, but again, it still shows a clean opinion.

Another new accounting standard that came out is GASB 87, regarding leases. This will change something on our financial statements. On the balance sheet we'll have a few new items: leases payable, short term and long term. Now all leases, not just capital leases, must appear as debt on the financial statements.

Paul added we have not had debt in the past, so now it shows we do. It doesn't change the District's commitment, it just shows up on our accounting now. What is being included is the building, and also our lease of a compactor at Brighton.

<p>3.4. Changes to WFWRD’s Policy Manual Related to Local District and Other Technical Updates, Rachel Anderson and Pam Roberts (Approval Requested) (Separate Document)</p>	<p>Rachel Anderson explained that the technical changes to the District’s Policies include changing the term “Administrative Control Board” to the Board of Trustees, modifying the history description, and modifying code citations.</p> <p>Pam Roberts also added a few technical changes as well that were requested by staff. We changed "fixed assets" to "capital assets."</p>	<p>Motion to approve changes to WFWRD’s Policy Manual related to local district and other technical updates, as presented: Board Member Bracken Seconded by: Board Member Shaeffer Vote: All in favor of those in attendance (no opposing or abstaining votes)</p>	<p>Approved May 23, 2022</p>
<p>3.5. Additions to the WFWRD Policy Manual Requiring Background Checks for Certain Employee Positions. Pam Roberts and Rachel Anderson (Approval/Direction)</p>	<p>Rachel Anderson explained the proposed background check policy, which would allow the District to conduct background checks for designated positions. Paul Korth asked if this is retroactive, and Pam Roberts said she wants to test current employees as well.</p> <p>Board Member Stitzer asked if a current employee refuses, are we required to fire them. Pam responded: no. Board Member Barney asked that if you decide to keep someone that "failed" a background check, how will you document that? Pam explained that in certain situations, she and Ashley have in the past and would in the future take notes and keep them in a different personal file than the respective employee’s personnel files. Rachel explained there's not really a "failed" background check, because we aren’t proposing adopting a strict bright line rule of situations that require termination or rejection for a position. Each background check would be considered on a case-by-case basis looking at numerous factors related to the position and the severity of the criminal history.</p>		

<p>3.6. Follow-up: Additional Information for the Proposed Salary Market Surveys for the 2023 Pay Plan, Pam Roberts and Ashley Ashton (Direction/Approval Requested)</p>	<p>Board Member Barney asked how do we ensure we're being consistent? Rachel explained how staff will strive for consistency using the listed factors and considerations in each case-by-case analysis. Vice Chair Gibbons also had concerns but was satisfied with Rachel's answers.</p> <p>Board Member Stitzer asked what the appeal process is for this for current employees. Pam explained they can appeal to her or to the labor commission. Paul explained that termination isn't the only option. We can handle it more precisely based on the type of position.</p> <p>Pam Roberts reviewed this item and reminded the Board that we were asked to come back with information about whether to conduct the salary market survey this year or wait. We do have a policy saying we'd do a market survey every 3-4 years, and we're at that point now. She reminded the Board that our pay policy is based on percentile of a market rate.</p> <p>Melissa Kotter, our compensation consultant, prepared a fee proposal on what it would cost to do the market analysis, as was requested. Pam also reviewed rates of other options as well. Ms. Kotter's</p>	<p>Motion to adopt background check policy as presented: Board Member Cardenaz Seconded by: Board Member Bracken</p> <p>Roll Call Vote of Present Board Members:</p> <ol style="list-style-type: none"> 1. Daniel Gibbons (Vice Chair) - Yes 2. Eric Barney - No 3. Scott Bracken - Yes 4. Phil Cardenaz - Yes 5. Thom DeSirant - Yes 6. Robert Piñon - Yes 7. Patrick Schaeffer - Yes 8. Cyndi Sharkey - Yes 9. Tessa Stitzer - Yes 10. Laurie Stringham - Yes 11. Keith Zuspan - Yes 	<p>Approved May 23, 2022</p>
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<p>3.7. General Manager’s Report: Pam Roberts (Information/Direction)</p> <ul style="list-style-type: none"> • Follow-up on Auxiliary Services Use Per City/Metro/Area. 	<p>proposal was not to exceed \$9,400. Pam looked and another quote came in at \$9,460, but with a higher hourly rate and a \$500 retainer. She also did google research into prices of other vendors but the results on those were spotty.</p> <p>Pam answered a question from Board Member Cardenaz and confirmed that per the Board’s request, we’re not doing a customer survey this year and will save \$16,000 on that expenditure. Those funds can be dedicated to this project.</p> <p>Pam Roberts presented the list of extra services we provide to each area for residents to get rid of their bulky waste. These services include SCRP usage, trailer rental and voucher usage. It is hard to make determinations or changes based on one year of data, but it’s a good starting point. As staff, we want to look at 2022 because we’re already seeing significant differences this year related to SCRP. For instance, Herriman had one turndown last year, and 138 this year. Speculation is that residents are becoming more aware of the program and more are trying to get reservations. We’re limited on resources. We’ll continue to monitor. Board Member Stitzer noted the numbers are zero for 2021 trailer rentals on Copperton’s numbers and that may not be correct.</p> <p>Board Member Barney said a resident had a complaint regarding the liability the resident accepts for having a dumpster placed on the property. A lot of people have concerns because their driveways are getting old and cracked, and the weight of the trailers being placed on them. Board Member Stitzer</p>	<p>Motion to approve engaging Melissa Kotter to conduct the salary market survey this year, for the 2023 pay plan: Board Member Barney</p> <p>Seconded by: Board Member Piñon</p> <p>Vote: All in favor of those in attendance (no opposing or abstaining votes)</p> <p>Staff will check on the Copperton Trailer Rental numbers to confirm accuracy.</p>	<p>Approved May 23, 2022</p>
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reiterated that Copperton has a lot of shared driveways. UFA has complained and buses also can't get through due to width. Copperton's bigger complaint was more about not being able to get them reserved. This year, they've seen a lot more people willing to share. A lot of complaints about the legal liability language. Our program manager, Sione Tuione has worked with people on case-by-case bases to use streets and not the driveway where needed. Pam said the risk is if you reserve one, and have it on the street, you have a high likelihood that other people will come use it and may fill it up against your will.

Pam said that each resident pays roughly \$1.50 per month for this program. The other option is to try to pull this out and charge specifically for this rather than including it in the monthly fee.

Board Member Stitzer asked if we are able to keep the cost low by keeping it a low monthly fee on everyone, and Pam said yes. Board Member Barney said it makes sense not to charge every resident, and it should be a separate charge so people don't feel they're paying and not getting.

Vice Chair Gibbons agrees with that completely. We've maybe been operating on the unspoken premise that we may eventually go back to the old program. But that may never happen. Board Member Stringham agreed that we all assumed this was a temporary delay on the prior program because of COVID. When we're all paying for it, it makes sense to be on the street. If we're not all able to use it, it should be a fee for service.

Staff will consider options for converting SCRP program to a fee for service and discuss with the Board in August.

<ul style="list-style-type: none"> • Additional Cleanup Options for Municipalities • Updates on the Food Waste Pilot Program. • Status on Recruitment for the Executive Assistant • Thursday, June 16th is National Waste and Recycling Worker’s Day a.k.a. Garbage Person Day. Breakfast from 7:00 a.m. to 8:00 a.m. North Parking Lot of the building. • Upcoming GM’s Vacation Dates 	<p>Pam Roberts said this will be reviewed next month and if the Board desires, proposed in August when we start looking at next year's budget.</p> <p>Pam Roberts reminded the Board that there are some other options in different cities. Some cities provide their own programs in addition to WFWRD. She also provided some cost quotes for what it would cost for cities to pay for their own added services. She will send these to your city administrators.</p> <p>The start date has been pushed by Momentum to July, because they needed more time to get bins. It will happen in East Millcreek to start.</p> <p>Pam Roberts explained that they are in the second interview phase for hiring a new Executive Assistant.</p> <p>Pam Roberts invited the Board to this breakfast for National Waste and Recycling Worker’s Day.</p> <p>Pam Roberts notified that she would be out of town from May 29 through June 7, and Paul Korth will be the first point of contact during that time.</p>	<p>Pam Roberts will send cost information for adding services to each municipal administrator, or respective contact.</p>	
<p>4. Closed Session</p>			
<p>The Board may temporarily recess the meeting to convene in a closed session to discuss character,</p>		<p>Motion to enter closed session to discuss pending litigation: Board Member Stringham</p>	

<p>professional competence, or physical or mental health of an individual and pending or reasonably imminent litigation as provided by Utah Code Annotated §52-4-205.</p>		<p>Seconded by: Board Member Stitzer</p> <p>Roll Call Vote: All in favor of those in attendance (no opposing or abstaining votes)</p> <p>At the end of the closed session, a motion was made to close the closed session, reopen the open session by: Board Member Barney Seconded by: Board Member Bracken</p> <p>Vote: All in favor of those in attendance (no opposing or abstaining votes)</p>	
<p>5. Other Board Business</p>			
	<p>Board Member Cardenaz commented on the facility tour of the Waste Management Recycling Processing Facility which took place on May 19, 2022. He said it was a cool experience seeing the state-of-the-art nature of the facility, and that impressed him. Their sorting technology and tracking technology was impressive.</p>		
<p>Adjourn</p>			
		<p>Motion to adjourn: Board Member Stringham Seconded by: Board Member Stitzer</p> <p>Vote: All in favor of those in attendance (no opposing or abstaining votes)</p>	

***** NOTE: Due to a technical error, the recording of the May 23, 2022 WFWRD Board Meeting was corrupted and no recording of the meeting was salvageable. These minutes represent the entire record of the May 23, 2022 meeting. *****