

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

DATE/TIME	LOCATION	ATTENDEES
<p>March 23, 2020 9:00 a.m.</p> <hr/> <p>Next Board Meeting April 27, 2020 9:00 a.m.</p>	<p>Public Works Building 604 W 6960 S Midvale, UT 84047</p>	<p><u>Board Members:</u> Scott Bracken, Jim Bradley (via phone through Agenda Item 3.5), Brad Christopherson, Daniel Gibbons (via phone), Catherine Harris (via phone), Dwight Marchant, Sherrie Ohrm, Brint Peel, Diane Turner (via phone), Keith Zuspan Excused: Kay Dickerson, Shireen Ghorbani, Kris Nicholl, Patrick Schaeffer, Tessa Stitzer,</p> <p><u>District Staff:</u> Anthony Adams, Rachel Anderson (via phone), David Ika, Paul Korth, Walt Lake, Andrea Murdock, Pam Roberts</p> <p><u>Public:</u> None</p>

AGENDA

Call to Order: Brad Christopherson, Board Chair

1. Consent Items:

1.1. February 24, 2019 Board Meeting Minutes (**Motion & Approve**)

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

3. Business Items

- 3.1.** WFWRD’s Business Continuity Plan for COVID-19: Pam Roberts, General Manager (**Informational/Direction Requested**)
- 3.2.** Annual Human Resources Policy Review: Andrea Murdock, Human Resources Manager (**Informational**)
- 3.3.** General Manager’s Report: Recycling Review, Recommendations on Service Levels and Municipal Fee Comparisons: Pam Roberts (**Direction Requested**)
- 3.4.** Follow-up on Revenue and Expenditure History in Relation to Cash Projections: Paul Korth, Finance Director (**Informational/Direction Requested**)
- 3.5.** Update on Salt Lake County Building Lease Agreement: Pam Roberts; and Rachel Anderson, Legal Counsel, Fabian VanCott (**Informational/Direction Requested**)
- 3.6.** Updates on WFWRD’s Policy for Servicing Homes on Private Lanes and Roads: Pam Roberts and Rachel Anderson (**Informational/Direction Requested**)

3.7. 2020 Annual Area Cleanup Calendar: Pam Roberts (Informational)

4. 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.

5. Other Board Business

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

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

- Annual Request to Release Properties from Tax Sale
- 2020 First Quarter Financial Report
- 2020 Public Engagement Plan for WFWRD Services and Fee Structures
- Lease Agreement with Salt Lake County

TOPICS/ OBJECTIVES	KEY POINTS/ DECISIONS	ACTION ITEMS WHO – WHAT – BY WHEN	STATUS
1. Consent Items			
1.1 February 24, 2020 Board Meeting Minutes		Motion to Approve the Minutes by: Board Member Ohrn Seconded by: Board Member Marchant Vote: All in favor (of Board Members present)	Approved March 23, 2020
2. Meeting Open for Public Comments	(Comments are limited to 3 minutes)		
	No public comments		
3. Business Items			
3.1. WFWRD’s Business Continuity Plan for COVID-19: Pam Roberts, General Manager (Informational/ Direction Requested)	<p>Pam clarified that waste and recycling collections are considered an essential service. We need to provide this basic service every day. She confirmed WFWRD’s commitment to the community, and our staff recognizes the Board’s support. Our Human Resources (HR) Manager, Andrea, is ensuring that staff have the support and resources they need through the current crises.</p> <p>Pam reviewed the steps WFWRD has taken to protect employees, including hygiene protocols and providing the needed personal protective equipment (PPE). Large group gatherings and meetings are being suspended, and staff are using electronic and radio means for communication. We have also suspended all personal outreach contact with the public, and our recycling sample sorts at Rocky Mountain Recycling (RMR). As a result, and due to our increased cleanliness of our recycling, RMR has agreed to temporarily keep the current recycling rates (Contamination). For the month of February, we paid just under \$50 per ton for recycling because it’s cleaner and the market did tick up.</p>		

To ensure we take proper care of our employees, we have implemented a paid sick leave policy for up to 80 hours for employees directly or indirectly affected by COVID-19.

Board Vice Chair Bracken asked about requested leave beyond these 80 hours. Rachel confirmed that our current policy would require employees to use their vacation or sick leave beyond this 80-hour cap. Board Vice Chair Bracken followed by asking if we would allow employees to go into negative balance and make up those vacation or sick leave hours. Pam clarified that our standard practice would require employees to take Leave Without Pay if they did not have the available hours.

Board Member Ohrn proposed other scenarios that may require employees to be off longer than 80 hours. Rachel stated that these situations would need to be reviewed on a case-by-case basis. This new situation is unique and changing rapidly. Board Vice Chair Bracken recommended allowing employees an advance on leave, if needed, during this calendar year due to this crisis. Pam confirmed that this is against our current policy, but an exception could be made to allow this, and the policy could be amended.

Paul Korth, Finance Director, indicated that approximately 25% of our workforce has been with WFWRD for 12 months or less, and have not accumulated significant amounts of leave. Pam confirmed that we want to take care of our employees and want them to stay with the District. Board Chair Bracken confirmed that people want to work and retain that income security.

Board Member Harris requested a weekly update on staffing and health-related issues so that Board members can stay apprised on the District's needs. She also encouraged the District to ensure redundancies and the cross-training of staff for essential duties. Pam confirmed

that redundancies are in place except for executive positions, which are more difficult to cross-train. Work-at-home options are in place and increasing to protect everyone.

Board Chair Gibbons recognized that most of the District's employees perform essential functions in the field and cannot work from home. He proposed offering WFWRD staff a bonus or some type of additional consideration, when the pandemic is over, to thank them for their continued work through this crisis.

Pam indicated that we are currently fully staffed and can provide all services to residents at this time. She clarified how possible staff shortages would impact various services, and how employees would be shifted, if needed, to ensure that curbside garbage was always collected. She reemphasized the priority of garbage collection, even if all other commodities and services needed to be temporarily suspended.

If Green Waste was suspended, subscribing residents would receive a credit for those weeks the service was unavailable. Some private collectors are emptying recycling and waste in the same truck and taking it to the landfill. If we suspend recycling, we would just not pick it up. The choice to place recycling materials in the garbage can will be left up to the residents. The hope is that clean recycling materials could be managed and stockpiled by the resident until recycling collections resume. Board Member Harris added that grocery stores and the Food Bank are in need of boxes and she encouraged the practice to take them to these needed places.

Due to staffing vacancies for the Area Cleanup Program, Pam requested authorization from the Board to postpone the start date and provide the program differently this year. Additionally, she does not want employees personally handling residents' waste at this time.

Motion to Make Needed Adjustments to & Suspension of the Area Cleanup Program:
Board Vice Chair Bracken
Seconded by: Board Member Peel

Vote: All in favor (of Board Members present)

Pam will work with staff to notify residents of the suspension and changes to the Area Cleanup Program, including a press release to Board members, the press, and municipal Public Information Officer contacts.

**Approved
March 23, 2020**

	<p>Board Member Ohrn asked for alternatives for the residents. Pam proposed a container reservation which would be delivered on the resident’s property – not in the street. This would place the responsibility of the waste on the resident. She added that she could return next month with alternatives since she would have a better understanding of the staff available, and also because the COVID-19 pandemic is changing rapidly. Board Chair Christopherson asked if this would allow us to delay a fee increase. Pam stated that there would still be expenditures and fixed costs for an alternative program, but this would be reviewed and reported to the Board.</p>		
<p>3.2. Annual Human Resources Policy Review: Andrea Murdock, Human Resources Manager (Informational)</p>	<p>Andrea reviewed the District’s Human Resources (HR) policies. She included information on retirees who are still receiving District-paid benefits. Andrea highlighted the District’s retirement plan, including the alternative to Social Security. Additionally, the District contributes an additional 1% to Utah State Retirement System for each benefit-eligible employee.</p> <p>Andrea reviewed the District pay structure and reviewed the Board-approved changes to the District pay scale from a 33% to a 40% maximum pay range spread.</p>		
<p>3.3 General Manger’s Report: Recycling Review, Recommendations on Service Levels and Municipal Fee Comparisons: Pam Roberts (Direction Requested)</p>	<p>Pam reviewed a presentation she offered at the recent Solid Waste Association of North America (SWANA) Utah Beehive Chapter Conference. The presentation covered our recycling surveys with our customers, and how they have shaped our recycling policies. Many attendees requested a copy of our survey to use as a template for their own efforts. She also discovered that some entities cancel or change their recycling programs without any public input. The overall recycling industry is strong and continues to collect materials for processing.</p> <p>We have seen a decline in our recycling tonnages, and we believe it is due to residents recycling better and keeping</p>		

contamination out of the blue curbside recycle can. She added that our Quality Assurance Inspectors are alerting drivers about recycle cans with identifiable contamination. Our drivers are not collecting where identified. Instead, the cans are tagged with a notice of the contamination to help educate the residents, and to let them know it will be collected the following week, once the contaminants are removed.

Pam reviewed the past customer surveys and the set-out rate of recycling cans. Just over 74% of residents indicated that they set out their recycling can each week in 2019. However, the driver data shows that overall set-out rates were actually 11% higher than what residents reported.

She also reviewed the reduction of contamination and attributed this reduction to our successful education outreach in the communities. She recommended that we continue with our current service level. We will resume personal and community educational outreach when the COVID-19 pandemic is over.

Pam reviewed fee comparisons with WFWRD and neighboring municipalities that provide their own or contracted services. Salt Lake City has the highest fees for services at \$21 per month. Murray City comes in second at \$19.50 per month. WFWRD is third at \$17 per month. Riverton is the lowest at \$5 per month, but their services are subsidized with other means. She added that Salt Lake City received dividends from the Landfill, which pays for their sustainability programs. WFWRD provides the most services for the fees charged, and is the only entity that offers the landfill vouchers. Board Vice Chair Bracken suggested we remind residents of the Voucher Program, as residents may find that alternative more useful than the Area Cleanup reservation option. Board Member Peel added that vouchers are currently at locations where the public cannot currently access them. Board Member Ohrn suggested that the Landfill accept proof of residency

Pam will distribute the fee comparison sheet to Board members later this week.

Pam will check with the County Landfill on an option to show proof of residency to qualify for

<p>3.4 Follow-up on Revenue and Expenditure History in Relation to Cash Projections: Paul Korth, Finance Director (Informational/ Direction Requested)</p>	<p>rather than having residents go to obtain a voucher. Pam offered to send more vouchers out to the Magna Webster Community Center for residents.</p> <p>Paul presented an overview of revenues and expenditures from 2016 through 2019 to compare yearly numbers. This was done to ensure we are providing accurate budget estimates. The large increase in revenues from 2017 to 2018 was due to the fee increase implemented in 2018. Personnel expenses increased 4.5% from 2016 to 2017, and an additional 1.7% from 2018 to 2019. Operating expenses have increased approximately 5% to 7.5% each year. Increased recycling fees was a primary factor in the large increase in operating expenses in 2018. Traditionally, when preparing the budget, some expenses are specifically calculated such as payroll, recycling fees, and depreciation expense. Other expenses are estimated to increase 3%. Board Vice Chair Bracken suggested reevaluating to consider a larger percentage, such as 4%, when estimating long-term budget projections. Board Member Peel observed that an increase of 4% would not sustain the District over four years. Board Chair Christopherson observed that WFWRD provides their services at a bargain price. Residents cannot obtain this service on their own for \$20 per month.</p> <p>Board Member Ohrn inquired about the possibility of monthly billing. She indicated the residents look at \$17 per month, and \$51 per quarter differently, even though it is the same amount of money. Pam and Paul confirmed that monthly billing would be a larger expense with administrative costs, printing, transaction fees, and postage. Board Member Peel suggested this question on the next annual Customer Satisfaction Survey. Paul commented that there is a constant increase of customers paying online and setting up automatic billing through Xpress Bill Pay. Pam confirmed that a percentage of the bill is charged by Xpress Bill Pay for this service.</p>	<p>the Voucher Program rather than having a voucher.</p> <p>Staff will review possibilities and costs of monthly billing, and report back to the Board.</p>	
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<p>3.5 Update on Salt Lake County Building Lease Agreement: Pam Roberts; and Rachel Anderson, Legal Counsel, Fabian VanCott (Informational/ Direction Requested)</p>	<p>Pam and Rachel have reviewed the Salt Lake County’s Lease Agreement with WFWRD. Pam shared revisions we have made, and they have been sent back to the County for review. Rachel stated that the agreement covers the lease portions of the building, but also addresses joint-use areas of the property. Pam added that the agreement is for a 10-year term. There was also a clause added to allow either party to cancel or change terms with a one-year notice. Board Member Ohrn praised Rachel’s and Pam’s efforts with this agreement. Rachel added that she does not anticipate any challenges with the revisions that were sent back to the County.</p>	<p>Pam will bring back the final agreement for review before signing/ratifying.</p> <p>Board Chair Christopherson gave direction to proceed.</p>	
<p>3.6 Updates on WFWRD’s Policy for Servicing Homes on Private Lanes and Roads: Pam Roberts & Rachel Anderson (Informational/ Direction Requested)</p>	<p>Pam reminded the Board that WFWRD has gone into streets to provide collection service where we should not due to private lanes, most recently in the southwest area of the District. Our boundaries are restricted to public roads servicing single family dwellings up to a fourplex. We need a contract to service or enter private lanes, and we do not have any contracts in place.</p> <p>Pam explained that growth in Herriman was so rapid, that we were not able to determine if a road was public or private until we were already providing service. We are now able to stop further encroachment by working closely with Herriman City officials. We are working with the property management companies to remove our services from these private lanes and have private haulers take over services. Board Member Ohrn added that Herriman City is attempting to establish city ordinances that would require developers to provide spaces for dumpsters and roads wide enough for essential service vehicles to enter. She also encouraged other city representatives to consider similar ordinances in their own municipalities. She reviewed a potential scenario with a road being built as a private lane, but the Homeowner Association (HOA) may dissolve, and the road becomes public, which would still have those risks for WFWRD drivers, or private haulers</p>		

who would be obligated to collect down roads that are unsafe.

Board Vice Chair Bracken indicated that a city's determination of the street as public or private could be the trigger of issuing cans and service. Pam confirmed that this is the current process, and we are now working to correct the issues. Pam added that the developers are the ones that are supposed to provide collection services until the HOA is formed.

Pam and Rachel drafted a policy that defines a private lane, WFWRD's services, public road access, and container sites. She emphasized the policy language that states that WFWRD can service a private lane if a private company is unable to provide waste collection services. WFWRD does not want to encroach into areas outside of our domain. Board Member Harris agreed with other details in the policy that protects District equipment and personnel. Board Vice Chair Bracken requested clearer verbiage that allows us the right to refuse service to private lanes, even if a private hauler refuses to service that area.

Pam indicated that private haulers are usually very willing to service private lanes. She added that municipalities do not typically provide these or similar services to private lanes. Our policy would be in line with these municipalities' ordinances.

Board Member Zuspan stated that the policy under review clarifies we would consider providing service if a private hauler is unavailable, not unable. He suggested that we only enter into a contract with a private lane if there are no other options available. Rachel and Pam will work on verbiage that states that we are not interested in competing with private haulers, but still allows us flexibility if the need arises.

	<p>There was discussion on whether we could charge a different collection rate through a contract with a private lane or HOA. Rachel confirmed that we could, and Pam confirmed it would be additional administrative work to track several different rates.</p> <p>Board Member Harris asked if this would be a policy going forward or if it will affect existing HOAs that we currently service. Pam clarified that WFWRD staff is conducting an inventory of which HOAs we currently service, and whether we have a current contract or not. For identified private lanes which we are servicing, the Board could set policy to determine whether to grandfather that lane into our services. Rachel added that the District would want to have a contract for all serviced private lanes so that we have that protection. Also, we would give adequate notice for private lanes which we should not provide service, and give those HOAs time to procure service from a private hauler.</p> <p>Pam stated that stopping service to private lanes is an option to consider. However, it should be evaluated first. The process will be to identify those private lanes and then work with the Board to determine any action on those private lanes. There are three recently built multi-family condominium communities in Herriman in which we are taking immediate action to transfer services over the next few months.</p>	<p>Pam and Rachel will revise this policy draft and bring back to the Board next month.</p>	
<p>4. Closed Session</p>			
	<p>No Closed Session</p>		
<p>5. Other Board Business</p>			
	<p>Board Member Zuspan asked about provisions for short-term disability benefits for employees through this COVID pandemic, recognizing that there are already long-term disability policies established. Andrea confirmed that short-term benefits are available to</p>	<p>Staff will evaluate this option and report back to the Board at a future board meeting.</p>	

	employees, but they are elective and must be signed up during the annual open enrollment period. Board Chair Christopherson suggested a leave bank where employees could donate excess hours to employees that do not have enough. He offered to provide a sample policy for review and consideration.		
6. Requested Items for the Next Board Meeting			
	<ul style="list-style-type: none"> • Annual Request to Release Properties from Tax Sale • 2020 First Quarter Financial Report • 2020 Public Engagement Plan for WFWRD Services and Fee Structures • Lease Agreement with Salt Lake County • Options for Monthly Billing • Private Lane Policy - Revised Draft 		
ADJOURN		Motion to Adjourn: Board Member Peel Seconded by Board Member Marchant Vote: All in favor (of Board Members present)	Approved March 23, 2020