

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

DATE/TIME	LOCATION	ATTENDEES
<p>June 22, 2020 9:00 a.m.</p> <hr/> <p>Next Board Meeting August 24, 2020 9:00 a.m.</p>	<p>Public Works Building 604 W 6960 S Midvale, UT 84047</p>	<p><u>Board Members:</u> <u>Participating via phone and electronically:</u> Scott Bracken, Jim Bradley, Daniel Gibbons, Catherine Harris, Dwight Marchant, Sherrie Ohrn, Tessa Stitzer, Diane Turner, Keith Zuspan <u>Excused:</u> Jim Bradley, Brad Christopherson, Kay Dickerson, Shireen Ghorbani, Kris Nicholl, Brint Peel, Patrick Schaeffer</p> <p><u>District Staff:</u> Anthony Adams, Paul Korth, Pam Roberts, Sione Tuione <u>Participating via phone and electronically:</u> Craig Adams, Rachel Anderson, Andrea Murdock</p> <p><u>Public via phone:</u> Justun Edwards</p>

AGENDA

Call to Order: Scott Bracken, Board Vice Chair

1. Consent Items:

- 1.1.** May 18, 2019 Board Meeting Minutes (**Motion & Approve**)

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

3. Business Items

- 3.1.** Resident’s Request for Abatement/Refund for Incorrect Billing: Pam Roberts, General Manager (**Board Action Requested**)
- 3.2.** General Manager’s Report: Pam Roberts (**Informational**)
 - Updates: COVID-19 and Managing Workloads
 - Area Cleanup Progress and Status
 - Private Road Inventory
- 3.3.** Private Road Policy: Rachel Anderson, Legal Counsel (**Adoption, or Direction Requested**)
- 3.4.** Update on the Salt Lake County Lease Agreement: Pam Roberts and Rachel Anderson (**Informational**)

3.5. Confirm, Reschedule, or Cancel the Board Meeting Scheduled for Monday, July 27, 2020. (Board Action Requested)

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)

- WFWRD 2nd Quarter 2020 Financial Report
- General Manager's Report
- Utah State Auditor's 2020 Annual Fraud Risk Assessment Report

TOPICS/ OBJECTIVES	KEY POINTS/ DECISIONS	ACTION ITEMS WHO – WHAT – BY WHEN	STATUS
1. Consent Items			
1.1 May 18, 2020 Board Meeting Minutes		Motion to Approve the Minutes by: Board Member Ohrn Seconded by: Board Member Gibbons Vote: All in favor (of Board Members present)	Approved June 22, 2020
2. Meeting Open for Public Comments	(Comments are limited to 3 minutes)		
	No public comments		
3. Business Items			
3.1. Resident’s Request for Abatement/Refund for Incorrect Billing: Pam Roberts, General Manager (Board Action Requested)	<p>Pam reviewed the current WFWRD policy for refunds/ abatements due to incorrect or erroneous billing. The current policy authorizes the General Manager to approve refunds for up to eight quarters (2 years) due to incorrect billing and the Board must approve any requests beyond the 2 years. A customer has requested an additional refund due to incorrect billing, where WFWRD has been billing for three waste cans while the resident only has two waste cans.</p> <p>Pam explained that WFWRD went to itemized billing when they became an independent entity. This step was taken to enhance transparency between the District and its customers. We have depended upon residents informing us when their billing is incorrect. In the current case, the resident admits that they did not review their bills from WFWRD until recently. He notified our offices, and we have abated \$408.00 for the eight quarters allowed by our policy. Our policy requires Board approval for additional abatement and that the precedence that was set by the Board has granted up to the state’s statute limit of four years as the maximum for any refund/abatement requests.</p>		

<p>3.2 General Manager’s Report: Pam Roberts (Informational)</p> <ul style="list-style-type: none"> • Updates: COVID-19 and Managing Workloads 	<p>Pam recommended and requested the Board’s approval to refund this resident up to the four-years to follow the precedence and the state statute limitation. This will equate to an additional \$360.00 refunded to this resident for a total of \$768.00 for the four years.</p> <p>There was discussion to clarify and confirm the details of this case. Board Member Stitzer asked if more refund requests will be coming. Pam clarified that we may get more, and that we rely on residents helping identify these billing errors. She stated that, in general, the eight quarters she is authorized to make has been sufficient for most refund requests, since residents have been diligent about checking their bills and notifying us when there is an error. She stated that this is a recent exception. Board Member Ohrn indicated that this is a split responsibility between the District and residents, which does follow the precedence set by the Board.</p> <p>Pam announced that WFWRD has one confirmed case of COVID-19 among staff. We have seen an increase in employees needing to quarantine due to potential exposure. The Health Department is involved in our cases, who conducts contact tracing and lets us know when the employees can return to work.</p> <p>We actually expect an increase in positive cases as a result of the state easing the restrictions and people wanting to revert back to the life before the pandemic. Andrea Murdock, Human Resources Manager, confirmed that we have seen an increase of cases of employees needing to quarantine in the past two weeks, and that we are lucky to not have seen more positive cases among our staff due to the protocols we have continued. Pam added that drivers are coming in to work on their normally scheduled days off to help cover all of our routes when drivers need to be away. Board Vice Chair Bracken asked if the drivers coming in are on overtime. She stated that we are still</p>	<p>Motion to Approve the Abatement/Refund Request by: Board Member Stitzer Seconded by: Board Member Harris</p> <p>Vote: All in favor (of Board Members present)</p>	<p>Approved June 22, 2020</p>
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<ul style="list-style-type: none">• Area Cleanup (ACUP)	<p>within our personnel budget at this time even with an increase in overtime. She also confirmed that we are tracking all expenses related to COVID-19 for potential reimbursement if there are any opportunities in the future.</p> <p>Pam reviewed the performance of the ACUP in Magna and Kearns. The biggest issue has centered around reservations. Staff had to develop a scheduling tool on our website that has needed refining as we have gone along in the process.</p> <p>There has been confusion with the reservations of the containers in that residents receive a notice that their reservation request has been received, and they are interpreting that as a scheduling confirmation. We are taking steps to try and clarify this difference to residents.</p> <p>David Ika, Operations Manager, and Ken Simin, Customer Accounts Coordinator, have created a script for our billing software to help create zones within a municipality to aid in container reservations and the mailing notices. This will also help with residents reserving only during their eligible dates.</p> <p>We have been able to deliver a few more containers per day because of our current method of operation. Because our drivers and staff do not have to clean up waste surrounding the containers, they have more time to deliver additional containers. We are accommodating those extra requests whenever possible. Pam stated that we are able to deliver around 85 containers each day, rather than the originally anticipated 80 containers. Sione Tuione, the program's manager, has done an outstanding job working with customers to meet their needs.</p> <p>Pam commented that the residents who are using the program have provided positive feedback, and they are grateful that they have a container to use, rather than the container being full when they get home from work. We</p>		
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<ul style="list-style-type: none"> Private Road Inventory 	<p>are receiving reports of residents sharing the container with their neighbors. We are staying at approximately one container for every nine households.</p> <p>Board Member Harris congratulated WFWRD staff on their efficient operation of the ACUP this year and being able to exceed the expected deliveries to residents.</p> <p>Pam confirmed that David Ika is continuing to work through the information, provided from municipalities, on identifying private and public roads. She clarified that we are not interested in discontinuing all private roads. We will focus on those private roads that are obviously against our charter to provide services, such as multi-family complexes and some gated communities. For those private roads that we keep, there will be minimum standards that must be met in the community, and we will need to obtain agreements for them as well.</p> <p>Pam clarified that we have a Standard Operating Procedure, and we have updated it based on this Private Road Policy, to establish the steps we need to take regarding any private road situations. Pam stated that she is the liaison with the associations or property managers to help coordinate any transition of services to a private hauler. This includes coordinating an acceptable date that the service will be transferred from WFWRD.</p>		
<p>3.3 Private Road Policy: Rachel Anderson, Legal Counsel (Adoption, or Direction Requested)</p>	<p>Board Member Harris requested clarification on whether WFWRD wanted to cease servicing all gated communities. Pam confirmed that there are some gated communities that would meet our minimum standards and we would be willing to service those communities. Rachel added that a gated community is a consideration on a minimum standard, but they are not intended to be requirements. The District should be given the flexibility to service a gated community if it meets other requirements.</p>		

<p>3.4 Update on the Salt Lake County Lease Agreement: Pam Roberts and Rachel Anderson (Informational)</p>	<p>Rachel reviewed other consideration and edits to the Private Road Policy. She confirmed that agreements would need to be in place.</p> <p>Liability with driving on private roads was discussed, and it was identified as a concern that was being reviewed.</p> <p>Boardmember Gibbons asked about private roads that do not have a homeowner’s association (HOA), or property manager, and some homeowners want us to service and some don’t, or they are not willing to release the District from liability. Pam stated that the desire would be not to service private roads if these dynamics exist.</p> <p>Board Vice Chair Bracken stated that we want to have contracts with associations, or other similar entities, rather than individual homeowners. The policy is written to allow flexibility to reject private roads unless all homeowners participate in the contract.</p> <p>Pam confirmed that she spoke with Utah Local Governments Trust, and they stated the District could be held liable in these or related situations. The Private Road Agreement would include a release of liability. She is working to reduce the District’s liabilities.</p> <p>Boardmember Gibbons complimented Rachel for drafting a sound policy that grants Pam needed flexibility to ensure liabilities are limited.</p> <p>Pam reviewed current discussion/evaluation of the lease agreement with Salt Lake County. She reviewed the breakdown of square footage which we rent, including shared space with Salt Lake County Public Works. She compared market rate, and determined that we are being charged fairly for rent. She further explained shared costs and access between WFWRD and County properties.</p>	<p>Motion to Adopt the Private Road Policy by: Board Member Gibbons Seconded by: Board Member Ohrn</p> <p>Vote: All in favor (of Board Members present)</p>	<p>Approved June 22, 2020</p>
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<p>3.5 Confirm, Reschedule, or Cancel the Board Meeting Scheduled for Monday, July 27, 2020 (Board Action Requested)</p>	<p>Boardmember Zuspan provided validating information from their lease amounts for space from the United Fire Authority (UFA) fire station in the canyon. Board Vice Chair Bracken asked how long the agreement term is for the Agreement. Pam confirmed that this is a 10-year agreement.</p> <p>Board Vice Chair Bracken asked that the County clarify the \$30,000 to \$40,000 increased annual rent, what is the expectation after 2028 for rent since it's not clarified in the agreement, if the District has equity in the building, or will there be no payments.</p> <p>The Board directed WFWRD staff to proceed with clarification points in the lease agreement and payment schedule.</p> <p>Pam indicated that the July Board Meeting has frequently been cancelled due to its proximity to the Utah Pioneer Day holiday on July 24th. She requested preferences from the Board on the direction for this meeting, this year. She clarified that scheduled topics for July could be delayed until August. She will send out her monthly report including ACUP information and the 2nd quarter financial report to Board members as an update, through an email distribution.</p> <p>Board members expressed their interest in obtaining updates to ACUP, but this information could be sent via email. There were also concerns that there would be challenges obtaining a quorum at the July meeting.</p>	<p>Pam will continue to work with Salt Lake County to gain insight and report back to the Board.</p> <p>Pam will send out a General Manager Report and the WFWRD 2020 2nd Quarter Financial Report to Board members in July.</p> <p>Motion to Cancel the July 27th, 2020 Board Meeting by: Board Member Stitzer Seconded by: Board Member Ohrn</p> <p>Vote: All in favor (of Board Members present)</p>	<p>Approved June 22, 2020</p>
<p>4. Closed Session</p>			
	<p>No Closed Session</p>		

5. Other Board Business			
	No Other Board Business		
6. Requested Items for the Next Board Meeting			
	<ul style="list-style-type: none"> • WFWRD General Manager’s Report • Utah State Auditor’s 2020 Annual Fraud Risk Assessment Report 		The Next Board Meeting will be held on Monday, August 24th.
ADJOURN		Motion to Adjourn: Board Member Zuspan Seconded by Board Member Ohrn Vote: All in favor (of Board Members present)	Approved June 22, 2020