

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

DATE/TIME	LOCATION	ATTENDEES
<p>January 25, 2021 9:00 a.m.</p> <hr/> <p>Next Board Meeting February 22, 2021 9:00 a.m.</p>	<p>Public Works Building 604 W 6960 S Midvale, UT 84047</p>	<p><u>Board Members:</u> <u>Participating electronically:</u> Anna Barbieri, Scott Bracken, Jim Bradley, Kay Dickerson, Daniel Gibbons, Catherine Harris, Dwight Marchant, Kris Nicholl, Sherrie Ohrn, Brint Peel, Patrick Schaeffer, Tessa Stitzer, Diane Turner, Keith Zuspan <u>Excused:</u></p> <p><u>District & Support Staff:</u> Anthony Adams, Paul Korth, Pam Roberts <u>Participating electronically:</u> Craig Adams, Rachel Anderson, David Ika, Andrea Murdock, Sione Tuione</p> <p><u>Public electronically:</u> Sheila Adler, Lisa Hartman (Salt Lake County)</p>

AGENDA

- Call to Order:** Scott Bracken, Board Chair
- 1. Consent Items:**
 - 1.1.** November 16, 2020 Board Meeting Minutes (**Motion & Approve**)
 - 1.2.** Ratify the Amendment to the CARES (Coronavirus Aid, Relief, and Economic Security) Act Interlocal Agreement with Magna Metro Township (**Motion & Adopt**)
 - 1.3.** Ratify the Amendment to the CARES Act Interlocal Agreement with White City Metro Township (**Motion & Adopt**)
 - 2. Meeting Open for Public Comments:** (Comments are limited to 3 minutes)
 - 3. Business Items**
 - 3.1.** Approval of Board Chair, Scott Bracken, to Serve as Board Chair for 2021: Rachel Anderson, Legal Counsel (**Motion & Approve**)
 - 3.2.** Formal Reelection of the Board Vice Chair, Sherrie Ohrn, or Nominate a New Vice Chair. If Needed, a New Nominee Election May Occur This Meeting or During the February Meeting: Scott Bracken and Sherrie Ohrn, Vice Chair (**Discussion, Motion & Approve**)
 - 3.3.** General Manager’s Report: Pam Roberts, General Manager (**Informational/Direction**)

- Private Lane Inventory Updates
- 2020 CARES Act Reimbursement Status
- 2021 COVID Related Leave Practices
- Recyclables Processing Contract Updates
- 2020 Customer and Employee Satisfaction Survey Results
- Risk Management/Loss Prevention Enhancements: Dash Camera Demonstration

3.4. 2020 4th Quarter Financial Report: Paul Korth, District Finance Director/CFO (**Informational**)

3.5. Staff Request for Board’s Approval of Expansion to the Compressed Natural Gas (CNG) Fueling Station: Pam Roberts and Paul Korth (**Direction & Approval Requested**)

3.6. Revisit the Topic of the Possibility for WFWRD to be Reorganized to a Local District: Rachel Anderson and Pam Roberts (**Information/Direction 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/Public Hearing on Monday, February 22nd, 2021 at 9:00 a.m.:

- Elect Vice Chair-Pending the Results of the January Meeting.
- Pending Board’s Approval in January, Public Hearing to Adjust 2021 Capital Budget for the CNG Station Expansion.
- Open and Public Meeting Act Training
- Annual WFWRD Human Resource Policy Review and Manual Updates Adopted in 2020.

- Pending Board's Direction in January, Review the Process for WFWRD to be Reorganized into a Local District.
- General Manager's Report
 - 2021 Area Cleanup Plan

Pending Board Approval

TOPICS/ OBJECTIVES	KEY POINTS/ DECISIONS	ACTION ITEMS WHO – WHAT – BY WHEN	STATUS
1. Consent Items			
<p>1.1 November 16, 2020 Board Meeting Minutes</p> <p>1.2 Ratify the Amendment to the CARES Act Interlocal Agreement with Magna Metro Township</p> <p>1.3 Ratify the Amendment to the CARES Act Interlocal Agreement with White City Metro Township</p>		<p>Motion to Approve the Minutes and Ratify the CARES Act Amendments with Magna Metro Township and White City Metro Township by: Board Member Nicholl Seconded by: Board Member Bradley</p> <p>Vote: All in favor (of Board Members present)</p>	<p>Approved January 25, 2021</p>
2. Meeting Open for Public Comments	(Comments are limited to 3 minutes)		
	<p>Sheila Adler, representing the High-Country Estates II Homeowner Association (HOA) in the unincorporated southwest area of the county, addressed the Board. The residents in her area are unhappy with the seasonal shift in collection services during the winter months. She requested WFWRD continue curbside services all year long.</p> <p>Board Member Bradley confirmed that he received a recent email from Ms. Adler, and he will forward it to all Board Members. He recommended a refreshed evaluation of the area and their services.</p>	<p>Board Chair Bracken directed WFWRD staff to compile the complaints received from this area’s residents for evaluation.</p> <p>Board Member Bradley will forward Ms. Adler’s email to all Board Members. He requested some Board Members to meet with Sheila and WFWRD representatives in the coming week to determine an action item for next month’s Board Meeting. He will discuss with Pam Roberts after the meeting.</p>	
3. Business Items			
3.1. Approval of Board Chair, Scott Bracken, to Serve as Board Chair	Board members thanked Board Chair Bracken for his service in 2020 and stated their support for him to continue in 2021.	Motion to Approve Scott Bracken to Serve as the 2021 Board Chair by: Board Member Bradley	Approved January 25, 2021

<p>for 2021: Rachel Anderson, Legal Counsel (Motion & Approve)</p> <p>3.2. Formal Reelection of the Board Vice Chair, Sherrie Ohrn: Scott Bracken and Sherrie Ohrn, Vice Chair (Discussion, Motion & Approve)</p> <p>3.3 General Manager’s Report: Pam Roberts (Informational)</p> <ul style="list-style-type: none"> Private Lane Inventory Updates 	<p>Pam provided an overview of the efforts that staff have undertaken to identify the private roads being serviced, and to determine areas where WFWRD needs to discontinue services that are against WFWRD’s charter.</p> <p>WFWRD is not chartered to service private roads and should not be doing so unless we are able to under the Policies adopted by the Board last year. If services are to continue in certain cases as allowed by policy, contracts with those residents/HOA must be in place.</p> <p>Pam clarified that in the case that was brought up by Sheila Adler, WFWRD began servicing these private roads due to a lack of private providers at the time service began. Staff refer to this location as Shaggy Mountain.</p> <p>We have been working with HOAs as we can to transfer services to a private hauler as they have been identified and the case presented is one of the ones that</p>	<p>Seconded by: Board Member Peel</p> <p>Vote: All in favor (of Board Members present)</p> <p>Motion to Reelect Sherrie Ohrn as the 2021 Board Vice Chair by: Board Member Peel</p> <p>Seconded by: Board Member Zuspan</p> <p>Vote: All in favor (of Board Members present)</p>	<p>Approved January 25, 2021</p>
--	--	---	---

needs to discontinue unless a private hauler is not available to service.
Rachel reviewed the adopted policy for private roads. She verified that as of the date of the adoption of the policy, private roads would not automatically be serviced, but would go through a verification process to determine if it was feasible for WFWRD to provide those services. She confirmed that it is common for municipal entities to not service private roads with sanitation services and she provided examples of challenges in doing so.

Our policy also allows WFWRD to determine the method and manner of collection if there is a contract entered into with a private area, or HOA. Each request is considered on a case-by-case basis.

Board Chair Bradley requested clarification on policy paragraph 10.1.2, stating that WFWRD has authority on private roads if a private company is not available to provide services. He inquired if we could deny services in any area if a private hauler is available. Rachel and Pam confirmed this was accurate for private roads.

Board Chair Bracken asked about the status of the Private Road Inventory with the District. Pam replied that it is still a work in progress, but the District is getting great support from the county and municipalities in identifying private roads.

Pam showed a video of the winter road conditions on Shaggy Mountain, in the southwest area that was brought up earlier, and the safety hazards that exist for our drivers, which is why the front load containers are needed to service the homes on Shaggy Mountain and Mountain Top Roads. Pam verified that she has provided information for private sanitation haulers for

Rachel will review the Private Road Policy to confirm WFWRD is allowed exceptions when and if needed to serve a private road.

<ul style="list-style-type: none"> • 2020 CARES Act Reimbursement Status • 2021 COVID-Related Leave Practices 	<p>that community to provide options which that community prefers.</p> <p>Board Chair Bracken expressed that we need to have contracts in place for private roads to provide clarity of services and ensure liability protection.</p> <p>Pam stated that we have received the majority of requested CARES Act funds. Paul Korth confirmed that we have received just over \$94,000 of the \$96,058.47 requested.</p> <p>Pam reported the need to continue COVID-related leave for employees. She requested approval from the Board to continue this practice for employees needing this extended benefit. She feels this is an important benefit so that potentially sick employees can quarantine, and do not come to work and expose others. Board Chair Bracken agreed to this benefit as long as the pandemic is a public risk.</p> <p>Board Member Peel inquired about the status of WFWRD employees obtaining the COVID vaccinations as essential workers. Andrea Murdock, Human Resources Manager, reported that the State Health Department is proceeding with vaccination priorities based on age groups rather than employer status. She will continue to follow up to maintain current priority scheduling. Board Member Peel recommended pushing the issue at the legislative level rather than at the Health Department level. Board Member Harris mentioned that even if employees are vaccinated, their family members may not be, which still creates risk. Being vaccinated should not impact the availability of COVID leave if they are exposed.</p>	<p>Board Chair Bracken directed Pam to continue providing COVID-related leave for affected employees.</p>	
---	---	--	--

<ul style="list-style-type: none"> • Recyclables Processing Contract Updates • 2020 Customer and Employee Satisfaction Survey Results • Risk Management/Loss Prevention Enhancements: Dash Camera Demonstration 	<p>Pam announced that new contracts have been signed with Rocky Mountain Recycling Services and with Waste Management to accept WFWRD’s recyclable materials.</p> <p>Pam provided the Board with a summary of the results of the 2020 Customer and Employee Satisfaction Surveys. Customer satisfaction has sustained with close to a 95% overall satisfaction rating.</p> <p>We expected and received a lower satisfaction rating with the changes in Area Cleanup (ACUP) with a 59.03% rating overall compared to the 83.1% satisfaction rating for the individuals who utilized the service in 2020. The 83% was slightly higher than the 81% overall rating for ACUP in 2019.</p> <p>We received a 90.77% overall satisfaction rating from our employees. Pam expressed her appreciation to the entire WFWRD Leadership Team for their care and compassion during a difficult year, and to all employees for stepping up to provide outstanding service. Pam also thanked the Board for approving the 2020 salary market adjustments, which boosted employee morale.</p> <p>Pam reviewed the GPS (Global Positioning System) devices that were installed in our vehicles in 2018 that cost just over \$17,000 per year. The intent has been to evolve and expand to dashboard cameras, which were installed this month. She shared a video taken by a dash camera that protected us from a false liability claim. The total cost for the entire system, in all of our vehicles, is just over \$40,000 per year.</p>	<p style="text-align: center; opacity: 0.5; font-size: 48px; transform: rotate(-30deg);">Approval</p>	
--	---	---	--

3.4. 2020 4th Quarter Financial Report:
Paul Korth, Finance Director/CFO
(Informational)

Paul emphasized that this is a preliminary report, and that we are still waiting for some figures to include. Total revenues decreased \$34,000 from 2019 to 2020, primarily due to a loss on the sale of trucks, a decrease in interest income, a decrease in miscellaneous income, and a decrease in late fees. The decreases in revenues were partly offset by increased residential waste collection fees and increased green curbside fees.

Personnel expenses increased \$889,000 in 2020, which was expected due to the increased wages/salaries from the salary market adjustments. Being close to fully staffed, and the COVID-leave expenses affected this amount. We have recuperated some of the COVID expenses through the CARES Act funding. Paul confirmed that our retention rate has noticeably improved, primarily due to the salary market wage increase.

Operating expenses increased \$968,000 in 2020 due to increased depreciation expenses, increased landfill fees related to increased tonnages collected, and increased maintenance expenses. Recycling fees decreased \$204,000 from 2019 to 2020.

The number of our customers receiving the basic service has increased from 82,599 in 2017, to 85,766 in 2020. Fuel expenses have increased 5.3% from 2019. Mileage for curbside collections increased last year, while ACUP mileage decreased. Maintenance expenses increased around 12% due to an increased number of trucks in our fleet, increased routes, and general increased fleet costs.

A total of 131,275 tons of waste was collected in 2020, an increase of 4.8% from 2019. We were able to meet our commitment to deliver 85% of municipal solid waste (MSW) to county facilities. Recycle tonnage

<p>3.5 Staff Request for Board’s Approval of Expansion to the Compressed Natural Gas (CNG) Fueling Station: Pam Roberts and Paul Korth (Direction and Approval Requested)</p>	<p>continues to decrease. At the beginning of 2020, we were paying \$67 per ton for recycling. At the end, we were only paying \$36 per ton. On average, we paid \$49 per ton during 2020. It is hoped and expected that recycling commodities will continue to increase in demand and consequently decrease recycling costs.</p> <p>Our cash balance was better than expected at the end of 2020, at around \$10.1 million, but we expect that to decrease over the next year. Paul reviewed the capital truck purchases, and current certification balances.</p> <p>The cash projections through 2025 show an anticipated reduction in available funds over the next couple of years.</p> <p>Paul announced that our annual external audit will take place next month. That audit report will be brought to the ACB when completed.</p> <p>Pam reported that WFWRD currently has 55 collection vehicles which take CNG fuel, but we only have 51 CNG fueling stations onsite. She proposed expanding our current site to a total of 59 fueling stations. The expansion cost will be \$163,591. Permitting fees will be on top of this cost, but are unknown at this time.</p> <p>Paul explained the need for our trucks to conduct a slow-fill at our site, which takes 8-10 hours, versus a fast-fill at a local commercial fueling station, which takes 15-20 minutes, which doesn’t fill a tank. The efficiency of a slow-fill usually provides a full tank and allows our trucks to complete their daily routes without refueling during the day. This is not always the case with a fast-fill. He reviewed a cost analysis and showed that the proposed expansion would pay for itself in 1.94 years.</p>	<p>Approval</p>	
--	--	-----------------	--

<p>3.6. Revisit the Topic of the Possibility for WFWRD to be Reorganized into a Local District: Rachel Anderson & Pam Roberts (Information/Direction Requested)</p>	<p>Pam requested approval to proceed and confirmed that the capital purchase adjustment would require a public hearing next month.</p> <p>She also mentioned that WFWRD is watching the evolution of electric-powered garbage trucks, and the future addition of those trucks to our fleet; but any transition will be five to 10 years. In the meantime, we will need to use CNG fuel.</p> <p>Board Member Peel inquired if eight new fuel stations will be enough. Pam replied that despite continued and expected growth, we will not be automatically taking on private roads. This should limit our growth and remain manageable with these resources for the next four to five years.</p> <p>Board Member Zuspan inquired about the timeline for construction. David Ika, Operations Manager, stated that the construction should move forward rather quickly. All preliminary steps are complete. Pam added that once the construction begins, it would take around a month to complete.</p> <p>Board Member Turner commended the forward thinking to transition to electric vehicles in the future.</p> <p>Rachel reviewed prior discussions that have taken place with this Board regarding the transition to a local district. However, other priorities have taken precedence to this topic moving forward.</p> <p>She reviewed the difference between a special service district and a local district, with the level of independence being the primary factor. Local districts have complete autonomy, whereas special service</p>	<p>Pam will bring back a specific construction schedule at the next Board Meeting.</p> <p>Motion to Approve the Expansion of the CNG Fueling Station by: Board Vice Chair Ohrn Seconded by: Board Member Barbieri</p> <p>Vote: All in favor (of Board Members present)</p>	<p>Approved January 25, 2021</p>
--	---	--	---

districts are still ultimately controlled by the creating body. In the case of WFWRD, the creating body is Salt Lake County. Rachel briefly reviewed the history of WFWRD from its creation back in the 1970's. The County has granted WFWRD as much autonomy as allowed by law as a special service district, but there was no legal mechanism, at that time, for a special service district to transition into a local district. There is a legal process now that can transition into a local district.

An additional factor that has become an issue, recently, is the reorganization of our service boundaries. Last year some boundary adjustments were needed, but Salt Lake County had to initiate the process on our behalf and approve the changes. As a local district, we would be able to adjust our boundaries ourselves. Also, as a local district, we would be able to adjust our charter, as requested by the Board or residents, without needing the County's resources. It would essentially eliminate a level of bureaucracy, and it was the original intention to create WFWRD as an independent entity.

Rachel reviewed the procedure, which would need to start with the county passing a resolution, holding a public hearing, and then a following resolution approving the transition. Additionally, WFWRD would need to obtain consent from all the municipal councils affected by a resolution from each of them.

Pam requested direction from Board Members. Board Vice Chair Ohrn stated her support to proceed. Board Member Marchant agreed. Board Member Bradley expressed concerns, being in favor of the extra level of oversight from the county's elected officials. Having the county's help for needed actions has not been an issue in the past. He will give the topic further consideration. Board Member Gibbons requested that

	Rachel and Pam create a concise document listing talking points and answers to questions to take back to the municipal councils for discussion and consideration. Rachel agreed and added that she and Pam could also attend municipal council meetings to answer any questions about this topic. Board Vice Chair Ohrn agreed that the county does not place roadblocks in our efforts, and requested Rachel to identify any extra work and hours she undertakes in working with the county on our behalf which simply adds time to our processes.	Rachel and Pam will create a concise document listing talking points and answers to questions for each Boardmember to take to their respective Councils and Mayors.	
4. Closed Session			
	No Closed Session		
5. Other Board Business			
	Board Member Schaeffer asked about municipalities needing to track Landfill Voucher distribution. He stated that the new Kearns Library was asking for identification for distributing the vouchers. Anthony Adams, Board Clerk stated that any tracking of vouchers or identifications are up to each municipality but not required by WFWRD. He confirmed that he has not delivered any vouchers to the new Kearns library at this time.		
6. Requested Items for the Next Board Meeting			
	<ul style="list-style-type: none"> • Review of Services in the Southwest Area of the County During Winter Months. • Public Hearing to Adjust the 2021 Capital Budget for the CNG Station Expansion. • Open and Public Meeting Act Training. • Annual WFWRD Human Resources Policy Review and Manual Updates Adopted in 2020. 		

	<ul style="list-style-type: none"> • Review the Process for WFWRD to be Reorganized into a Local District • 2021 Area Cleanup Plan 		
ADJOURN		Motion to Adjourn: Board Member Marchant Seconded by Board Member Peel Vote: All in favor (of Board Members present)	Approved January 25, 2021

Pending Board Approval