

SOLID WASTE SPECIAL SERVICE DISTRICT #1 (SWSSD1)
DBA Canyonlands Solid Waste Authority

Regular Meeting: <https://www.youtube.com/watch?v=ZU6tHy17phc>

Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. §54-2-207(4), the Administrative Control Board of the Solid Waste District has decided to hold hybrid meetings with the new CSWA office building as the Anchor Location. The CSWA new office building is located at 2295 Highway 191 south of the Transfer Station Office, Moab, UT 84532. Electronic participation was available via Zoom Meeting

**MINUTES: REGULAR MEETING OF THE
SWSSD1 ADMINISTRATIVE CONTROL BOARD**
Thursday, December 1, 2022, 4:00 P.M.

Board Members Present: Mary McGann (Secretary/Treasurer), Chad Harris (At-Large Member), Kevin Fitzgerald (Vice-Chair), Diane Ackerman (Castle Valley Representative), and Kalen Jones (Chair).

SWSSD1 Staff Present: Leanne Crowe (Human Resources/District Clerk), LJ Blackburn (Co-Interim Director), Chris Scovill (Co-Interim Director), Jessica Thacker (Program Manager), Savannah Humphreys (Administrative Assistant), and Nick Lundberg (District Accountant).

These minutes are presented in the order of the agenda and not necessarily in the order of discussion. The board packet is available on the district's website located here: <https://swssd1.org/board-meetings-and-financials/2022-agendas-and-minutes/>

REGULAR MEETING – CALL TO ORDER (4:00 P.M.)

Kalen Jones called the meeting to order at 4:09 P.M.

CITIZEN'S INPUT

Sara Melnicoff (Moab Solutions) provided the following statement:

I have extremely extremely deep concerns about what's happening within the organization. So much so that I actually asked if I could have a closed session with the board. Mary and Kalen said they'd meet with me first which we did in October. They said we would follow up and then they decided they didn't want to do that, so I'm just letting you guys know because of my deep love for the organization I am going to have to be very public with the concerns I had and I'm just going to quickly go over them. The duties of the Board, the fidelity, is not occurring at all within the district. There's very uninformed decision-making going on. Wasting golden opportunities having entire control of the waste stream and the recycling and totally unqualified candidates being interviewed for Executive Director. Without a highly qualified Executive, the organization is just going to fail. It's like a body without a brain. All the parts might be cool, but you have to have somebody to put it together. So, I watched the interview with the first guy, he was completely unqualified. The second guy, I couldn't hear anything, but a two-minute Google search turned up that lawsuit against him which I am sure you guys don't want another lawsuit. So, the duties of the Board seem be non-existent. Fiduciary responsibility, out of control, unnecessary spending. A \$750 request for unneeded items, Monument getting all their escrow back even though they were very dishonest with a lot of liability. They just made between \$100 and \$150 million dollars selling all their

little places they've gathered up over the years. That's problematic that you guys just handed them back the money that you are going to have to spend on (*unintelligible*). But I totally believe there was a defamation occurring against Evan that is actionable, and I would advise him to pursue that. Closed session protocols ignored by Board members and upper staff who started a smear campaign against someone who was the golden boy who's a pariah the next day. General staff concerns. Total disdain for the Board. Making financial decisions outside of the Board motions. Excessive in-kind donations. Trying to get free disposal at the Transfer Station. You know multiply that by every employee, their friends and family. Poor judgement on hiring decisions and not getting legal analysis of the DOT. Which you guys may not have to have, but is there a legal backing? Landfill compliance. Those are just a few tiny things that I'm concerned about. The Board members don't have an understanding of the budget or even how much money they have. I know one Board member believes you guys were getting \$85,000 a year TRT, not \$400,000 or \$500,000. So, how can you guys make sound financial decisions when you're not even really understanding the finances? So, I'm very concerned about all of that. I'm worried about seeing the whole thing collapse which it's in the process of doing when right now there is such a golden opportunity to do things that can be positive. So, I just wanted to let you guys know since Mary and Kalen couldn't be bothered to meet with me again as promised. I'm just gonna have to go to the public, let all the people that have served 30 years making that center happen and wanting to see it succeed. Just gonna have to mount some kind of campaign to try and get things on the right track. So that was my evil twin speaking. The regular me says I love you all. So that's all from me, thank you.

APPROVAL OF MEETING MINUTES

A. ACTION ITEM: REVIEW AND APPROVAL OF THE OCTOBER 19, 2022, REGULAR MEETING MINUTES

MOTION: Diane Ackerman motioned/Kevin Fitzgerald seconded to approve the October 19, 2022, Regular minutes as stated. Roll call vote: Mary McGann, Chad Harris, Kevin Fitzgerald, Diane Ackerman, and Kalen Jones each voted yes. Motion passed 5-0.

TREASURER/FINANCIAL

B. ACTION ITEM: REVIEW AND APPROVAL OF 2023 TENTATIVE BUDGET TO BE PRESENTED AT THE NEXT REGULAR BOARD MEETING

Nick Lundberg and LJ Blackburn presented a version of the tentative 2023 budget with no rate increases where Mr. Lundberg provided reasoning on how the budget was built. He explained how revenue and expenditures were categorized and factored into the tentative 2023 budget. Nick Lundberg explained that some expenses had been removed from the tentative 2023 budget that had been included in the approved 2022 budget. He stated that without the rate increase there is approximately \$800,000 in difference regarding the revenue. Nick Lundberg goes on to discuss the payroll from 2022 to 2023, indicating an approximately \$600,000 difference. Without the rate increase, the District's cash flow is impacted. Kalen Jones inquired if there was any difference between the rate increase and the without the rate increase budget on the expense side, Nick Lundberg stated there is not.

Nick Lundberg and LJ Blackburn presented a version of the tentative 2023 budget with rate increases. He stated that the District maintains a contract with the City of Moab and there are mechanisms in place before rate increases can be introduced. Kalen Jones asked for some clarification regarding the revenue generated from the City contract. Nick Lundberg provided reasoning on how this version of the tentative 2023 budget was built. He indicated that the main difference between the two versions is the revenue amount. LJ Blackburn provided additional information about potential revenue. Diane Ackerman inquired how the City contract rate increase process works and both Nick Lundberg and LJ Blackburn provided a brief explanation. The Board members held a discussion on the balance of the budget, specifically the negative net income. Nick Lundberg stated that the number would be amended with the potential rate increases. Kalen Jones inquired about the level of staff overtime. LJ Blackburn responded that until recently the District had been short-staffed and Nick Lundberg stated that the percentage of overtime had been estimated at 7%. Kalen Jones inquired about the engineering consultant for new cell development at the Klondike Landfill not being included in the tentative 2023 budget. Chris Scovill stated that an engineering consultant won't be needed until the permit renewal process begins towards the end of 2023. Kalen Jones indicated that a consultant should be added whose purpose is to conduct salary survey along with the creation of job descriptions. Another brief discussion regarding the City contract rate increase mechanism was held. Diane Ackerman voiced concern about the rate increase mechanism for the City contract and its impact on the tentative budget. Kalen Jones explained the constraints and timeline of increasing the fees and stated that the District is handling the process to the best of their abilities. No further discussion was held.

MOTION: Kevin Fitzgerald motioned/Mary McGann seconded to approve the tentative 2023 budget with some rate increases as a 2023 draft budget as presented in the Board packet with some changes. Roll call vote: Mary McGann, Kevin Fitzgerald, Diane Ackerman, Chad Harris, and Kalen Jones each voted yes. Motion passed 5-0.

C. ACTION ITEM: REVIEW AND APPROVAL OF 2023 TENTATIVE FEE SCHEDULES CHANGES TO BE PRESENTED AT THE NEXT REGULAR BOARD MEETING

LJ Blackburn presented a redline version of the 2023 tentative Fee Schedules, indicating the proposed changes. She stated that consistent rate increases are proposed and provided reasoning behind the increases. LJ Blackburn stated that no increases were made at the Community Recycle Center to encourage residents to recycle. Kalen Jones asked for further clarification on the proposed changes made to the roll-off container pricing. LJ Blackburn stated that the District is aware that many residents are on a fixed income and the District will be offering a scholarship program to assist in covering costs. A brief discussion regarding overall costs savings to residents by switching from weekly to bi-weekly pickups was held.

MOTION: Chad Harris motioned/Kevin Fitzgerald seconded to approve the tentative 2023 rate increase as a proposed rate increase to be presented at the next

regular Board meeting. Roll call vote: Mary McGann, Kevin Fitzgerald, Diane Ackerman, Chad Harris, and Kalen Jones each voted yes. Motion passed 5-0.

D. ACTION ITEM: SET TIME AND DATE OF PUBLIC HEARING TO BE HELD FOR THE PURPOSE OF ADOPTING THE 2023 BUDGET AND 2023 FEE STRUCTURE

MOTION: Kevin Fitzgerald motioned/Kevin Fitzgerald seconded to schedule the public hearing to receive public comments on the proposed 2023 budget and the 2023 proposed fee structures to commence at 6:00p.m. on Wednesday, December 21, 2022. Roll call vote: Mary McGann, Kevin Fitzgerald, Diane Ackerman, Chad Harris, and Kalen Jones each voted yes. Motion passed 5-0.

REPORTS FROM BOARD AND STAFF

E. STAFF REPORTS

LJ Blackburn provided a brief staff report indicating after the Workman's Comp audit it was discovered the District had overpaid for workman's compensation insurance and received a refund for the over payment. She stated that operations continue to be very busy.

Chris Scovill provided an update on the USU partnerships on providing CDL education funding, stating that the District can now provide training up to Class A CDL with endorsements at no cost. Mary McGann stated the Board should show appreciation for the university's efforts and cooperation. Chris Scovill stated that himself and Jessica Thacker attended the Recycling Coalition of Utah. He congratulated Ms. Thacker on her appointment to the RCU's Board at the convention and provided recycling market trends updates. Chris Scovill stated that the District is currently in the middle of another metal recycling pickup and expanding the Household Hazardous Waste Collection and electronic and universal waste programs starting in the new year.

Due to technical issues, Jessica Thacker was unable to provide her staff report.

F. BOARD REPORTS

Mary McGann stated that she enjoyed the activities at the 1st Annual Moab Sustainability Fest and would love to see greater participation next time.

No other Board reports were given.

NEW BUSINESS

G. DISCUSSION ITEM: STAFF BONUS FOR 2022

LJ Blackburn provided a brief explanation of how the staff bonuses were determined based on staff's length of employment for 2022.

H. DISCUSSION ITEM: POSSIBLE UPDATE/DISCUSSION ON EXECUTIVE DIRECTOR POSITION

Leanne Crowe stated that the selected candidate for the Executive Director had formally accepted the position and had a tentative start date of end of January 2023. She expressed appreciation that the position had been filled and offered continued support to the District following her departure from the District.

CLOSED SESSION (IF NEEDED)

I. CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL(S)

No closed session was held.

FUTURE CONSIDERATIONS

J. DRAFT BUDGET FOR 2023

K. 2023 FEE STRUCTURE

L. DRAFT BUDGET FOR ACQUISITION FUND

M. NEXT REGULARLY SCHEDULED MEETING OF THE ADMINISTRATIVE CONTROL BOARD IS SET FOR WEDNESDAY, DECEMBER 21, 2022

N. ADJOURNMENT

The meeting was adjourned at 5:49 P.M.

Respectfully submitted to the Board,

Jessica Thacker

Jessica Thacker

Interim District Clerk, Solid Waste Special Service District #1