

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

Regular Meeting: <https://www.youtube.com/watch?v=GnL2HFg3gSU>

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 AND PUBLIC HEARING
Thursday, December 21, 2022, 5:00 P.M.**

Board Members Present: Mary McGann (Secretary/Treasurer), Kevin Fitzgerald (Vice-Chair), Diane Ackerman (Castle Valley Representative), and Kalen Jones (Chair). Chad Harris (At-Large Member) was not present.

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

Citizens Present: Leanne Crowe, Sara Melnicoff, and Evan Tyrrell

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 (5:00 P.M.)

Mary McGann called the meeting to order at 5:10 P.M.

CITIZEN'S INPUT

Sara Melnicoff spoke about her ongoing concerns regarding the management style and overall quality of the Districts' operations. She expressed skepticism regarding the qualifications of the newly hired Executive Director, specifically in regards to financial management and long-term planning abilities. She stated her concern regarding the lack of transparency of glass in single-stream recycling and suggested the District consider the implementation of satellite collection points and an overall transition into multi-stream recycling.

Evan Tyrrell spoke about his previous offer following his departure as Executive Director from the District to assist in the transition period and felt discouraged by the current changes in operations. Mr. Tyrrell enumerated the improvements and work ethic he had utilized while employed at the District. He stated the purchase of a new dozer, the surplussing of the buildings from the Grand County School District, and certain operational changes would not be beneficial to the District's financial well-being.

APPROVAL OF MEETING MINUTES

A. ACTION ITEM: REVIEW AND APPROVAL OF THE DECEMBER 1, 2022, REGULAR MEETING MINUTES

MOTION: Kevin Jones motioned/Diane Ackerman seconded to approve the December 1, 2022 Regular Meeting Minutes as stated. Roll call vote: Mary McGann, Kevin Fitzgerald, Diane Ackerman, and Kalen Jones each voted yes. Motion passed 4-0.

TREASURER/FINANCIAL

B. ACTION ITEM: APPROVAL OF EXPENDITURES FOR THE MONTH OF OCTOBER 2022

LJ Blackburn presented a brief summary of the expenditures for the month of October 2022 stating that the largest expenses included the motor grader lease payment, fees associated with the new administrative building, the PTIF fund payment, and typical fuels costs. No further discussion was held.

MOTION: Diane Ackerman motioned/Kevin Fitzgerald seconded to approve the expenditures for the month of October 2022 as presented in the Board packet in the amount of \$501,975.88. Roll call vote: Mary McGann, Kevin Fitzgerald, Diane Ackerman, and Kalen Jones each voted yes. Motion passed 4-0.

REPORTS FROM BOARD AND STAFF

C. STAFF REPORTS

LJ Blackburn provided a brief staff report indicating the District is moving forward with the new administrative building's internal developments with the hope that it would be completed by the end of the year.

Chris Scovill expressed appreciation to District staff for their hard work with specific gratitude to LJ Blackburn's efforts during the transition period.

Jessica Thacker provided a brief staff report indicating her intention to apply to two (2) grants provided by the EPA and provided a summary of the purpose of these grants, known as the "SWIFR" and "REO" grants. She announced her placement as the newest Board member of the Recycling Coalition of Utah and that the District was participating in the Workplace Cooperative Internship program with Grand County High School.

Leanne Crowe provided a brief update indicating that things were moving forward with the Executive Director onboarding and relocation plan. She encouraged the Board to provide any input on assisting the Executive Director's transition into their new position.

D. BOARD REPORTS

No Board reports were given.

OLD BUSINESS

E. ACTION ITEM: DISCUSSION AND PRE-APPROVAL FOR INTENDED PURCHASE OF CATERPILLAR D7 DOZER

Chris Scovill suggested that the purpose of this “intent of purchase” was to involve the new Executive Director, Mike Kenerley, in this process while also providing a show of good faith to Wheeler and CAT. He stated the cost would be approximately \$765,000 and provided reasoning of purchasing a new piece of equipment versus a used one. A brief discussion was held on how much research, price comparison, and consideration of repair and maintenance costs had been conducted prior to the decision of purchasing a new D7 Dozer. Mary McGann expressed support of this path forward and further discussion prior to purchase approval. Chris Scovill provided further reasoning for the potential purchase of the dozer stating that the District has been operating with a dozer since 2020. Kalen Jones inquired when Wheeler and CAT would require a binding agreement regarding this potential purchase and Chris Scovill stated that an answer was difficult to provide since the decision has not been finalized. Kevin Fitzgerald expressed support for the potential purchase of the D7 dozer, stating that it is a necessary piece of equipment to continue running operations at the Klondike Landfill.

MOTION: Kevin Fitzgerald motioned/Kalen Jones seconded to approve the intent to purchase of the D7 dozer with the option of “getting out of it” if necessary, after further studies with the details of lease/purchase to be approved at a future Board meeting.

AMENDED MOTION: Kalen Jones motioned/Kevin Fitzgerald seconded of intent to purchase the D7 Dozer with the details of lease/purchase to be approved at a future Board meeting once the new Executive Director is onboard. Roll call vote: Mary McGann, Kevin Fitzgerald, Diane Ackerman, and Kalen Jones each voted yes. Motion passed 4-0.

NEW BUSINESS

F. ACTION ITEM: APPOINTMENT OF JESSICA THACKER AS NEW DISTRICT CLERK

MOTION: Diane Ackerman motioned/Kevin Fitzgerald seconded to designate Jessica Thacker as District Clerk in replacement of Leanne Crowe. Roll call vote: Mary McGann, Kevin Fitzgerald, Diane Ackerman, and Kalen Jones each voted yes. Motion passed 4-0.

G. ACTION ITEM: SURPLUSSING PORTABLE BUILDINGS ACQUIRED FROM GRAND COUNTY SCHOOL DISTRICT

Chris Scovill provided a summary of the original intent of these buildings and stated that after speaking with contractors, concerns about the structural stability of the buildings were indicated. Mary McGann stated there had been concerns when the buildings were originally purchased and whether the viability of installing the buildings would be cost effective. Chris Scovill stated that it would be more cost effective to purchase a new metal building rather than attempting to update the buildings. Diane Ackerman expressed disagreement with the previously mentioned assessment and felt the buildings could be used for the purpose of housing sorted recyclables. Kevin Fitzgerald expressed semi-agreement with Diane Ackerman's comments but pointed out the costs of renovating the buildings had not been included as part of the proposed budget. Chris Scovill stated he would discuss this item with Mike Kenerley prior to any surplussing action.

MOTION: Kalen Jones motioned/Mary McGann seconded to approve surplussing portable buildings acquired from the Grand County School District. Roll call vote: Mary McGann, Kevin Fitzgerald, and Kalen Jones each voted yes. Diane Ackerman noted no. Motion passed 3-1.

H. ACTION ITEM: DISCUSSION AND APPROVAL TO MOVE FORWARD WITH ENGAGING CODY DEETER WITH EFG CONSULTING TO PERFORM A FEE ANALYSIS FOR \$17,250.00 AS REQUESTED BY THE CITY OF MOAB IN ORDER TO AMEND THE CITY CONTRACT

LJ Blackburn stated that she had spoken with Mr. Deeter who indicated that upon approval would make every effort to provide a full presentation at the next Board meeting. Diane Ackerman inquired if this action would include opening discussion with the City regarding the removal of glass from single-stream recycling. LJ Blackburn indicated this item is separate from the fee analysis. Mary McGann stated this item was personally requested by the City in order to potentially re-negotiate the franchise hauling agreement. Diane Ackerman re-iterated her question of introducing the topic of glass removal from single-stream as part of this fee analysis discussion. Kevin Fitzgerald inquired if the results of this fee analysis would provide positive financial benefits to the District in the long run and LJ Blackburn answered in the affirmative. Kalen Jones asked for clarification on the capital facility plan and a brief discussion ensued on whether the City would be engaged on the development of the goals of this plan.

MOTION: Kevin Fitzgerald motioned/Diane Ackerman seconded to approve going into a contract with EFG Consulting for a Fee Structure Study at a rate of \$150 per hour with a fee total of \$17,250. Roll call vote: Mary McGann, Kevin Fitzgerald, Diane Ackerman, and Kalen Jones each voted yes. Motion passed 4-0.

I. *DISCUSSION ITEM: DISCUSSION OF TASKS AND PROGRESS/PROCESS FOR THE POTENTIAL AMENDMENT OF THE SOLID WASTE HAULING AND DISPOSAL CONTRACT BETWEEN THE CITY OF MOAB AND THE DISTRICT*

LJ Blackburn provided a list of tasks that needed to be completed by the District and/or the City for the potential pricing amendment of the solid waste hauling and disposal contract. Diane Ackerman expressed apprehension that the topic of glass removal of the single-stream recycling had not been included in the presented task list. LJ Blackburn reiterated that this item is not part of the pricing negotiation of the hauling contract between the District and the City. Diane Ackerman inquired on the timeline for the negotiations and LJ Blackburn stated that some items had already begun and would move forward after the Executive Director had onboarded and the Fee Analysis had been completed. Further discussion regarding the introduction of removal of glass from the curbside single-stream recycling ensued.

J. *ACTION ITEM: DISCUSSION AND APPROVAL OF THE 2023 ADMINISTRATIVE CONTROL BOARD REGULAR MEETING DATES*

Kalen Jones requested the December meeting date be moved to one week earlier (December 13th) than originally presented.

MOTION: Kalen Jones motioned/Kevin Fitzgerald seconded to approve the Administrative Control Board Regular Board meeting dates for 2023 as presented/or as adjusted during discussion. Roll call vote: Mary McGann, Kevin Fitzgerald, Diane Ackerman, and Kalen Jones each voted yes. Motion passed 4-0.

K. *ACTION ITEM: DISCUSSION AND APPROVAL OF THE 2023 DISTRICT OBSERVED HOLIDAYS AND FACILITY CLOSURE*

MOTION: Kalen Jones motioned/Kevin Fitzgerald seconded to approve the 2023 District Observed Holidays and Facility Closures as presented. Roll call vote: Mary McGann, Kevin Fitzgerald, Diane Ackerman, and Kalen Jones each voted yes. Motion passed 4-0.

PUBLIC HEARING – CALL TO ORDER (6:00 P.M.)

L. PUBLIC HEARING ON ADOPTING THE 2023 FEE STRUCTURES

LJ Blackburn and Nick Lundberg jointly presented the 2023 Fee Structures and 2023 Proposed Budget. They provided brief summaries of the changes made between the 2022 and 2023 Fee Structures first. Mary McGann requested whether major changes had been made to the Fee Structures since they were last presented and LJ Blackburn indicated that prices at the Community Recycle Center (CRC) would retain their 2022 pricing and that the City rate had accidentally been utilized for the rural (outside of City limit) trash and recycling services. No further presentation was held on the 2023 Fee Structures.

Nick Lundberg indicated that the fee increase for rural (outside City limit) trash and recycling services had been included in the development of the 2023 Proposed Budget. He provided a summary of how the budget was developed and that it addressed all District operations. Diane Ackerman inquired how the potential fee increase with the City contract would factor into the budget and Nick Lundberg indicated the majority of that revenue would primarily be in trash collection revenue. No further presentation was held on the 2023 Proposed Budget.

Evan Tyrrell voiced concerns about the District's ability to remain financially viable and that the District had not sufficiently demonstrated the need for increased fee structures. Mr. Tyrrell stated that the increases were not equitable and added constraints to contractors and users of the roll-off containers. He indicated these fee increases could potentially open the District to outside competition. Evan Tyrrell suggested the District invest in modernizing their fleet rather than utilizing outdated fleet equipment for collections.

Sara Melnicoff indicated her agreement with Evan Tyrrell's comments and suggested that increased rates would lead to increased illegal dumping.

No further comments were provided, and the Public Hearing was closed.

M. PUBLIC HEARING ON ADOPTING THE 2023 PROPOSED BUDGET

The Public Hearing for the adoptions of the 2023 Fee Structures and 2023 Proposed Budget were discussed jointly and any provided comments can be found in Agenda Item L.

N. *DISCUSSION ITEM*: REVIEW AND DISCUSSION ON FINAL DRAFT BUDGET FOR CALENDAR YEAR 2023

Discussion notes on the Final Draft Budget for Calendar Year 2023 can be found in Agenda Item L.

O. *ACTION ITEM*: DISCUSSION AND ADOPTION OF RESOLUTION #2022-1201 TO APPROVE THE 2023 FEE SCHEDULE FOR KLONDIKE LANDFILL

MOTION: Kevin Fitzgerald motioned/Kalen Jones seconded to adopt Resolution #2022-1201, the Fee Schedule for Klondike Landfill. Roll call vote: Mary McGann, Kevin Fitzgerald, Diane Ackerman, and Kalen Jones each voted yes. Motion passed 4-0.

P. *ACTION ITEM*: DISCUSSION AND ADOPTION OF RESOLUTION #2022-1202 TO APPROVE THE 2023 FEE SCHEDULE FOR MOAB LANDFILL

MOTION: Diane Ackerman motioned/Kevin Fitzgerald seconded to adopt Resolution #2022-1202, the Fee Schedule for Moab Landfill. Roll call vote: Mary

McGann, Kevin Fitzgerald, Diane Ackerman, and Kalen Jones each voted yes.
Motion passed 4-0.

Q. ACTION ITEM: DISCUSSION AND ADOPTION OF RESOLUTION #2022-1203 TO APPROVE THE 2023 FEE SCHEDULE FOR CANYONLAND TRANSFER STATION

MOTION: Kevin Fitzgerald motioned/Diane Ackerman seconded to adopt Resolution #2022-1203, the Fee Schedule for Canyonlands Transfer Station. Roll call vote: Mary McGann, Kevin Fitzgerald, Diane Ackerman, and Kalen Jones each voted yes. Motion passed 4-0.

R. ACTION ITEM: DISCUSSION AND ADOPTION OF RESOLUTION #2022-1204 TO APPROVE THE 2023 FEE SCHEDULE FOR LOCAL AND RURAL (OUTSIDE MOAB CITY LIMITS) RESIDENTIAL AND COMMERCIAL TRASH AND RECYCLING COLLECTION SERVICES

MOTION: Diane Ackerman motioned/Kevin Fitzgerald seconded to adopt Resolution #2022-1204, the Fee Schedule for Local and Rural (Outside of City Limits) Residential and Commercial Trash and Recycling Services. Roll call vote: Mary McGann, Kevin Fitzgerald, Diane Ackerman, and Kalen Jones each voted yes. Motion passed 4-0.

S. ACTION ITEM: DISCUSSION AND ADOPTION OF RESOLUTION #2022-1205 TO APPROVE THE 2023 FEE SCHEDULE FOR ROLL-OFF CONTAINER SERVICES

MOTION: Kevin Fitzgerald motioned/Kalen Jones seconded to adopt Resolution #2022-1205, the Fee Schedule for Roll-Off Container Services. Roll call vote: Mary McGann, Kevin Fitzgerald, Diane Ackerman, and Kalen Jones each voted yes. Motion passed 4-0.

T. ACTION ITEM: DISCUSSION AND ADOPTION OF RESOLUTION #2022-1206 TO APPROVE THE PROPOSED 2023 BUDGET

MOTION: Kevin Fitzgerald motioned/Kalen Jones seconded to adopt Resolution #2022-1206, the Proposed 2023 Budget. Roll call vote: Mary McGann, Kevin Fitzgerald, Diane Ackerman, and Kalen Jones each voted yes. Motion passed 4-0.

CLOSED SESSION – AS NEEDED

No closed session was held.

FUTURE CONSIDERATIONS

U. FUTURE CONSIDERATIONS

A. DRAFT BUDGET FOR THE PTIF ACCOUNT

B. DRAFT BUDGET FOR ACQUISITION FUND

**C. DRAFT BUDGET FOR EACH FACILITY TO ASSIST SUPERVISORS ON
CURRENT AND FUTURE PLANNING**

**D. NEXT REGULARLY SCHEDULED MEETING OF THE ACB IS SET
FOR JANUARY AS APPROVED IN THIS MEETING**

V. ADJOURNMENT

The meeting was adjourned at 6:38 P.M.

Respectfully submitted to the Board,

Jessica Thacker

Jessica Thacker

District Clerk, Solid Waste Special Service District #1