

SOLID WASTE SPECIAL SERVICE DISTRICT #1 (SWSSD1)
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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 continue to hold electronic meetings without a physical anchor location. Due to the health and safety risks related to the ongoing COVID-19 pandemic and considering public health orders limiting in-person gatherings, the Solid Waste District has continued to hold meetings by electronic means.

**MINUTES: REGULAR MEETING OF THE
SWSSD1 ADMINISTRATIVE CONTROL BOARD**

THURSDAY, MAY 20, 2021, 4:00 PM

BOARD MEMBERS PRESENT: Kalen Jones (Chair), Kevin Fitzgerald (Vice Chair), Mary McGann (Treasurer), and Diane Ackerman (Member). Chad Harris was not present.

Others present: Evan Tyrrell (District Manager), Jessica Thacker (District Program Manager/District Clerk), and Chris Scovill (District Facilities Supervisor). LJ Blackburn (District Executive Assistant) joined the meeting at 4:08pm.

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-minutes/>.

REGULAR MEETING – CALL TO ORDER (4:00PM)

Kalen Jones called the meeting to order at 4:04pm.

CITIZEN'S INPUT

No comments from the public were received.

APPROVAL OF MEETING MINUTES

A. APRIL 26, 2021 REGULAR MEETING & PUBLIC HEARING

MOTION: Mary McGann motioned/Diane Ackerman seconded to approve the draft minutes for April 26, 2021 as written in the May 20, 2021 Board packet and adding the action item, motioner/seconded, and time for exiting the closed session.

AMENDED MOTION: Mary McGann motioned/Diane Ackerman seconded to approve the draft minutes for April 26, 2021 as written in the May 20, 2021 Board packet and adding the action item, motioner/seconded, and time for exiting the closed session once discovered.

Roll call vote: Diane Ackerman, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 4-0.

B. APRIL 29, 2021 SPECIAL MEETING

MOTION: Diane Ackerman motioned/Kevin Fitzgerald seconded to approve the draft minutes for April 29, 2021 as written in the May 20, 2021 Board packet. Roll call vote: Diane Ackerman, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 4-0.

TREASURER/FINANCIAL

C. ACTION ITEM: APPROVAL OF EXPENDITURES FOR THE MONTH OF APRIL 2021

Evan Tyrrell provided a brief summary of the expenditures for the month of April with both routine expenditures, including two payroll periods, a quarterly state tax payment, and costs associated with the new time clock system setup. He stated that expenses associated with due diligence for the acquisition of Monument Waste Services, LLC's Utah-based operations were pending reimbursement via the established Trust fund and would be captured in future depreciation schedules.

MOTION: Mary McGann motioned/Diane Ackerman seconded to approve the expenditures for the month of April 2021 in the amount \$178,329.66. Roll call vote: Diane Ackerman, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 4-0.

D. 1ST QUARTER 2021 FINANCIAL REPORTS (*UNAUDITED*)

Evan Tyrrell provided a detailed summary of the provided 1st Quarter 2021 financial reports, starting with the balance sheet, stating that a large portion of unrestricted PTIF funds were used to fund due diligence expenses related to the acquisition of Monument Waste Services, LLC's Utah-based operations and how the funds were classified along with their future purposes such as replenishing the PTIF account balances. He stated those funds would be amortized and depreciated over time. He reviewed the account balances that had been created the previous year and stated how funds will be re-distributed to replenish any funds used to make payments towards the Klondike bond, acquisition costs, and real property purchase. Evan Tyrrell described the Moab excavation fund and stated it would be depreciated over time as well.

Moving forward, Evan Tyrrell provided a detailed overview of the 1st quarter profit and loss detail, stating the District operated in the negative due to low disposal volumes that are typically seen in off-season months resulting in lower revenue. He explained in detail the generated income and expenses along with assuring the Board that specific classes reflecting transfer station hauling and collections income would be created in addition to current revenue classes. Evan Tyrrell stated that the profit and loss details would expand to include new classes and line items moving forward, due to the new services that the District began providing in May 2021.

New classes will include single stream recycling, cardboard collection services, roll-off collection and hauling services, garbage collection services, and the transfer station.

Evan Tyrrell stated that the 2021 budget had been added to Quickbooks and several major changes had already taken place, prompting the need for an amended budget to be created. He explained that the condensed version showed that the District was behind in revenue sources but reiterated that several large scale demolition projects in April and May would bolster those numbers throughout the year, including increased disposal tonnages at the Klondike Landfill during the tourist season. Evan Tyrrell provided a detailed percentage breakdown of originally budgeted revenue and expenditures along with specifics regarding certain line items such as changes in pricing and demand of product.

After reviewing revenue and expenditure details, Evan Tyrrell provided a comprehensive review of received disposal volumes from the Moab and Klondike Landfills while providing supporting statements for outlier figures such as increased demand for reclaimed green waste (i.e., mulch). He also provided a brief explanation of how quantities were tracked throughout the year.

REPORTS FROM BOARD AND STAFF

E. DISTRICT STAFF REPORTS

Evan Tyrrell provided a comprehensive staff report with specific focus on the operational and administrative transitional items associated with the acquisition of Monument Waste Service's Utah-based operations such as dealing with day-to-day operations including mechanical issues, intensive IT integration between both offices, streamlining the newly installed payroll processing and insurance plan with an expanded workforce, research into the design and purchase of new polycarts for trash and recycling collections, the consideration of a potential electronic waste ban at the Klondike Landfill, efforts made to increase the District's visibility and development of promotional material, and issues arising from the delay in converting the customer payment system to District control. He stated that despite several hiccups, the issues were being actively identified and resolved by both himself and LJ Blackburn. Overall, Evan Tyrrell stated that the transition has gone very well from an operational standpoint and that he was not aware of any major issues related to trash and recycling collection services.

Evan Tyrrell indicated that the following week he would meet with Doug Folsom (Utah Local Governments Trust Loss Prevention Manager) for a safety inspection. He also stated that the Utah Department of Environmental Quality annual inspections were performed for the Community Recycle Center and the Moab Landfill the previous week (May 13th) and the annual inspections for the Klondike Landfill and Transfer Station were performed this week. Evan Tyrrell stated that the inspections went well overall. He provided a list of upcoming events including the annual financial field audit, the Thompson Springs Clean-Up event, attendance of the WasteExpo Convention in Las Vegas at the end of June, and a planned two-week vacation scheduled for early August.

Evan Tyrrell addressed the recent discussions of composting projects and proper WAG Bags handling and disposal. He acknowledged that composting remains a high priority and long-term goal of the District but reiterated that due to the recent growth and ongoing transitional items the District does not currently have the capacity nor infrastructure to approach a composting project at this time. Evan Tyrrell stated a composting consultant to assist in the development of an updated composting pilot project is still included in the budget and the idea of a compost collection program, although expensive with several upfront sunk costs, could be feasible in the future following significant planning and cost analysis.

Secondly, Evan Tyrrell stated that several discussions regarding the proper handling and disposal of WAG Bags were ongoing. He informed the Board that a front-page article had just been published in the Moab Sun News, which included a statement regarding the District's stance on WAG Bag disposal and associated costs. Evan Tyrrell suggested the possibility of working collaboratively with Grand County and the Southeast Utah Health Department to establish a formal policy that specifically addressed WAG Bag disposal. Mary McGann suggested working with the Grand County Attorney, Christina Sloan, to move this forward.

Evan Tyrrell also provided a detailed report on considerations regarding excessive fire fuels (sizeable piles of leaves, brush, and dry grass) piling up on properties within Moab City and Grand County limits as well as the poor condition and lack of maintenance on the road leading to the Klondike Landfill. He stated that the fire fuels should be addressed promptly and that a collaborative cleanup event should be created with multiple entities cost sharing the fire diversion efforts. Evan Tyrrell also suggested that the District potentially take over the management of the road to Klondike Landfill from the Grand County Roads Department along with the associated B-Road funding and manage the road maintenance instead. He stated that the District had the staff and appropriate equipment to handle minor road maintenance upkeep. Mary McGann asked if efforts had been made to contact the supervisor of the Grand County Roads Department. Evan Tyrrell answered in the affirmative stating that Bill Jackson had informed him that the Roads Department did not have enough staff to address all the roads under their purview. Mary McGann stated that she would follow-up on this item with the Road Department.

No other staff reports were provided.

F. BOARD REPORTS

Kalen Jones reported that a new Parks and Recreation Director had been hired and recommended that the District be proactive in establishing contact with this individual for future collaboration.

No other Board reports were provided.

NEW BUSINESS

G. *POSSIBLE ACTION ITEM: DISCUSSION AND DETERMINATION OF ZIONS TRUST ACCOUNT INVESTMENT DIRECTION*

Evan Tyrrell opened a discussion with the Board members regarding the investment direction with the remaining bond monies that were placed into a temporary construction fund Trust account with Zions Bank. Zions Bank, as the Trustee of the Trust account, needed investment direction with the remaining monies for the District so that the monies could be invested and receive interest revenue. Evan Tyrrell stated his recommendation, based on the information presented in the Board packet, would be to have Zions invest the money with the Utah Public Treasurer's Investment Fund (PTIF). He stated that construction fund account monies will be used for future capital improvements, including expansion of administrative office space and equipment purchases. Kalen Jones asked for clarification of the interest rates of the PTIF, stating that PTIF interest rates are typically lower for governmental entities. He also asked if the assets would be liquid (i.e., immediate withdrawal capability) and Evan Tyrrell answered in the affirmative.

MOTION: Mary McGann motioned/Kevin Fitzgerald to authorize Zions Bancorporation, N.A. to purchase and sell shares from the District's construction fund trust account, which constitutes the current remainder of the District's Series 2021 General Revenue Bonds, with the Utah Public Treasurer's Investment Fund (PTIF) and authorize the Chair to sign all associated documents. Roll call vote: Diane Ackerman, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 4-0.

H. *POSSIBLE ACTION ITEM: APPROVAL OF KLONDIKE LANDFILL FRANCHISE AGREEMENT WITH BDS TRUCKING LLC*

MOTION: Mary McGann motioned/Kevin Fitzgerald seconded to approve the Klondike Landfill Franchise Agreement with BDS Trucking LLC and authorize the Chair and District Manager to sign all associated documents. Roll call vote: Diane Ackerman, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 4-0.

I. *POSSIBLE ACTION ITEM: APPROVAL OF KLONDIKE LANDFILL FRANCHISE AGREEMENT WITH HIGH DESERT EXCAVATING INC.*

MOTION: Kevin Fitzgerald motioned/Diane Ackerman seconded to approve the Klondike Landfill Franchise Agreement with High Desert Excavating Inc. and authorize the Chair and District Manager to sign all associated documents. Roll call vote: Diane Ackerman, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 4-0.

J. POSSIBLE ACTION ITEM: APPROVAL OF KLONDIKE LANDFILL FRANCHISE AGREEMENT WITH S&S ENTERPRISES OF MOAB, INC.

MOTION: Diane Ackerman motioned/Kevin Fitzgerald seconded to approve the Klondike Landfill Franchise Agreement with S&S Enterprises of Moab, Inc. and authorize the Chair and District Manager to sign all associated documents. Roll call vote: Diane Ackerman, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 4-0.

K. POSSIBLE ACTION ITEM: APPROVAL OF KLONDIKE LANDFILL FRANCHISE AGREEMENT WITH ZUNICH BROTHERS MECHANICAL, LLC.

MOTION: Kevin Fitzgerald motioned/Diane Ackerman seconded to approve the Klondike Landfill Franchise Agreement with Zurich Brothers Mechanical and authorize the Chair and District Manager to sign all associated documents. Roll call vote: Diane Ackerman, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 4-0.

CLOSING ACTIONS / ADJOURNMENT

L. FUTURE CONSIDERATIONS

Evan Tyrrell suggested the potential for resuming in-person meetings and requested the Board’s position on this idea. Mary McGann suggested that once Grand County remained in the moderate or low transmission category, she would be amenable to resuming in-person Board meetings. Diane Ackerman supported Mary McGann’s suggestion. Kevin Fitzgerald suggested the possibility of holding outdoor meetings in large space such as the mechanic’s bay and livestream the meeting from there. Mary McGann suggested revisiting the discussion once the transmission rate had lowered. Kalen Jones suggested providing proof of vaccination for attendance as well. No other future considerations were discussed.

M. ADJOURNMENT

MOTION: Mary McGann motioned/Kevin Fitzgerald seconded to adjourn the meeting.

The meeting adjourned at 5:52 p.m.

Respectfully submitted to the Board,

Jessica Thacker
District Clerk, Solid Waste Special Service District #1