

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

Regular Meeting: https://www.youtube.com/watch?v=1dQWS_OSRsU

Public Hearing: <https://www.youtube.com/watch?v=uFmDI4xA08M>

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 AND PUBLIC HEARING OF THE
SWSSD1 ADMINISTRATIVE CONTROL BOARD**

WEDNESDAY, DECEMBER 15, 2021, 4:00 PM

BOARD MEMBERS PRESENT: Kalen Jones (Chair), Kevin Fitzgerald (Vice Chair), Chad Harris (Member), and Diane Ackerman (Member). Mary McGann (Treasurer) joined the meeting at 4:17pm.

SWSSD1 Staff Present: Evan Tyrrell (Executive Director), Jessica Thacker (Program Manager/District Clerk), and Chris Scovill (Operations Director). Levi Crowe (Facilities & Operations Support Associate) joined the meeting at 4:21pm. LJ Blackburn (District Executive Assistant) was not present.

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 4:05pm.

CITIZEN'S INPUT

No public comments were received via email or during the meeting.

APPROVAL OF MEETING MINUTES

A. NOVEMBER 17, 2021 REGULAR MEETING AND BUDGET WORKSHOP

MOTION: Kevin Fitzgerald motioned/Chad Harris seconded to approve the draft minutes for November 17, 2021 as written in the December 15, 2021 Board Packet. Roll call vote: Diane Ackerman, Kalen Jones, Chad Harris, and Kevin Fitzgerald each voted yes. Motion passed 4-0.

TREASURER/FINANCIAL

B. ACTION ITEM: APPROVAL OF EXPENDITURES FOR THE MONTH OF NOVEMBER 2021

Evan Tyrrell provided a brief summary of the expenditures for the month of November stating expenditures were typical with the exception of high operational costs due to an external fuel invoicing backlog along with the first interest payment made towards the 2021 General Revenue Bond in the amount of approximately \$170,000.

MOTION: Diane Ackerman motioned/Kevin Fitzgerald seconded to approve the expenditures for the month of November 2021 in the amount of \$463,867.75. Roll call vote: Diane Ackerman, Kalen Jones, Chad Harris, and Kevin Fitzgerald each voted yes. Motion passed 4-0.

REPORTS FROM BOARD AND STAFF

C. DISTRICT STAFF REPORTS

Evan Tyrrell provided a staff report stating that the removal of the scrap metal pile at the Canyonlands Transfer Station was nearing completion and that a new tipping area had been opened up at the Moab Landfill alongside ongoing excavation operations. He stated that the District had been capitalizing those excavation-related expenses and a 20-year depreciation schedule for the excavation would begin in 2022. Evan Tyrrell re-iterated that representatives from the Utah Department of Environmental Quality (UDEQ) had agreed to provide 100% reimbursement of costs associated with the removal and disposition of waste tires at the Moab Landfill via the Utah Waste Tire Recycling Fund but stated that it has been difficult in obtaining quotes from state certified vendors. He also reminded Board members that the District had received new rear-load dumpsters (costs at approximately \$65,000) in which the Board approved up to \$85,000 and that they would be going into service starting January 2022. Evan Tyrrell reported that a minor property damage incident involving a transporter for the steel processing vendor had occurred the previous week resulting in relatively minor damage to the entrance gate of the transfer station. He stated that District staff were able to fix the damage, the Sheriff's Department was contacted for documentation purposes, and stated that the damage could have potentially been more severe. Evan Tyrrell reported that there were no major upcoming events but reminded the Board members that the District remains busy with items such as quarterly inspections, upcoming tax season, and end of year accounting items as well as budget-related activities. He also informed the Board members that the District had shipped three (3) trailers of single-stream recycling to the materials recovery facility (MRF) located in Denver, Colorado with two (2) of those loads hauled through a third-party hauling service. Evan Tyrrell stated the District would be potentially evaluating returning to an "intrastate" commerce designation in the future.

Jessica Thacker provided a brief staff report in which she reported that staff had begun sending out Christmas cards to customers and vendors along with continuing to research and interact with several entities such as the Utah State Tax Commission and Division of Motor Carriers to ensure

compliance and continued understanding of the District's obligations in regard to Federal Motor Carrier Safety Administration (FMCSA) rules and regulations. She also notified the Board members that the District would be bringing back the free Christmas Tree Recycling Program in an effort to enhance the diversion of green/yard waste.

No other District staff reports were provided.

D. BOARD REPORTS

No Board reports were provided.

OLD BUSINESS

E. UPDATE ON SUPPLEMENTAL OFFICE PLANS AND OPTIONS

Evan Tyrrell provided an update on the supplemental office plans as presented during the November 17, 2021 Regular meeting and informed the Board members that after reviewing zoning requirements and associated costs, the District felt it more appropriate to pursue a double-wide modular unit that would support more staff growth and would provide a more centralized location. He stated this option was more of a medium to long-term solution rather than the short-term solution of buying a small mobile unit and would potentially be easier to purchase, place, and install. Diane Ackerman inquired on how much more space a modular unit would provide and whether a new unit would be purchased. Evan Tyrrell responded by stating that it would depend on the unit's layout and that the District would likely purchase a new unit to avoid the extra costs of renovations. Kevin Fitzgerald suggested a potential modular unit vendor and stated that new units could be customized to fit spatial needs. Evan Tyrrell stated the District is still considering partial office expansion into the Transfer Station's shop and further renovations in the future, but acknowledged this was a more cost-effective and timely solution for the present.

F. REVIEW AND DISCUSSION OF FINAL DRAFT AMENDED BUDGET FOR CALENDAR YEAR 2021

Evan Tyrrell opened a discussion with the Board members stating that minor changes had been made to the Final Draft Amended Budget for calendar year 2021 since the previous budget workshop and regular meeting. He stated that his typical approach is to somewhat over-forecast expenditures and somewhat under-forecast revenues to provide buffers throughout the budget season in which the resulting bottom line should be more favorable. Evan Tyrrell stated that capital expenditures were not included in the 2021 amended budget as they are being reflected in the 2022 budget, but acknowledged they would be included in future budgets to support an evaluation of overall cashflow. He stated that a noticeable addition to the 2021 amended budget were staff bonuses that had been issued the previous week.

Evan Tyrrell indicated that the total projected cash flow was approximately \$1,000,000 as of the previous month, however, with the adjustments made to the final draft 2021 amended budget the projected cashflow was now approximately \$950,000. He stated that there have been a significant amount of capital investments in 2021 (largely due to the acquisition of Monument

Waste Services' Utah-based operations) and that he could provide a breakdown of these capitalized investments upon request. Evan Tyrrell stated that the applicable resolution contained later in the packet demonstrated the differences between the original 2021 budget and amended 2021 budget.

G. REVIEW AND DISCUSSION OF FINAL DRAFT BUDGET FOR CALENDAR YEAR 2022

Evan Tyrrell opened a discussion with the Board members by stating that he utilized a similar method of over-forecasting expenditures and under-forecasting revenues for the 2022 final draft budget and that contingencies had been built in as well. He stated that very minor changes had been made since the draft 2022 budget had been presented at the previous budget workshop and regular meeting in November. Evan Tyrrell stated he identified intercompany revenues and disposal expenses, along with the utilization of a third-party disposal service, for an accurate reflection of total and true revenues. He stated that the gross forecasted revenues for 2022 were approximately \$5,000,000. Evan Tyrrell indicated that the main increases in expenditures were general liability and worker's compensation insurance since those final numbers were only recently received by CSWA's insurance provider. He indicated that additional expenditure buffers, additional professional services and specialized consulting costs, and anticipated compensation study expenditures had been added to the budget. Evan Tyrrell continued to provide a high-level summary of line items contained within the draft 2022 budget such as addition of three (3) full-time exempt employees along with a full-time hourly CDL driver, reduced rental budget, debt payment obligations, and Utah State Unemployment Tax adjustment. Evan Tyrrell addressed Board members' previous inquiry about the addition of a human resources position to the draft 2022 budget in which Evan Tyrrell stated that a combination of over-forecasted payroll expenses, reduced staff overtime costs, and other expenditure buffers should provide enough financial buffer to allow for a new human resource related position. Evan Tyrrell also stated that in having discussions with the District Executive Assistant, LJ Blackburn, that this position should largely be responsible for payroll and administering employee benefits. He also stated that the 2022 new positions' wages, employer taxes, and benefits were budgeted for the entire year, whereas they likely wouldn't be filled until March 2022 or later.

Evan Tyrrell stated that the total forecasted revenue for the District was approximately \$5,500,000 (after taking into account other non-service related revenue largely allocated from Grand County in the form of Transient Room Tax and Mineral Lease monies) with an estimated cash flow (referenced as EBITDA – earnings before interest, taxes, depreciation, and amortization) after expenditures of approximately \$1,200,000, to which a large amount would be used to pay leases, loans, and bond debt obligations (~\$1M) and the rest could be utilized on necessary capital improvements. He provided a brief summary of items such as new polycarts and a forklift for the Community Recycle Center as examples of potential capital improvements. Evan Tyrrell indicated to the Board members a built-in list of potential capital improvements but stated that criteria system to determine priorities still needed to be developed. Evan Tyrrell reiterated to the Board members that draft 2022 budget was tight but allowed for the fulfillment of all bond payments and debt obligations and had several built-in buffers to ensure financial well-being for 2022.

NEW BUSINESS

H. ACTION ITEM: DISCUSSION AND APPROVAL OF THE 2022 ADMINISTRATIVE CONTROL BOARD REGULAR MEETING DATES

MOTION: Mary McGann motioned/Kevin Fitzgerald seconded to accept the Canyonlands Solid Waste Authority schedule for the year 2022 as presented in the packet. Roll call vote: Diane Ackerman, Kalen Jones, Chad Harris, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 5-0.

I. ACTION ITEM: DISCUSSION AND APPROVAL OF THE 2022 DISTRICT OBSERVED HOLIDAYS AND FACILITY CLOSURES

Evan Tyrrell opened a brief discussion regarding observed District holidays stating that there were some discrepancies between observed holidays outlined in the City of Moab contract and actual observed holidays. He stated that to avoid this issue in 2022 changes such as declaring the day after Thanksgiving a holiday, standardizing the pay schedule for hours worked by staff on holidays, and suspending collection services on major observed holidays.

MOTION: Kevin Fitzgerald motioned/Mary McGann seconded to approve the 2022 District observed holidays and facility closures schedule as presented in the December 15, 2021 Board packet. Roll call vote: Diane Ackerman, Kalen Jones, Chad Harris, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 5-0.

J. GENERAL PLANNING DISCUSSION AND BRAINSTORMING SESSION FOR CALENDAR YEAR 2022

Kalen Jones inquired to the Board members whether they would like to provide input on Agenda Item J or to move into closed session. All Board members were unanimous in moving forward with the closed session discussion.

MOTION: Mary McGann motioned/Kevin Fitzgerald seconded to go into closed session to discuss character competency of an individual(s). Roll call vote: Diane Ackerman, Kalen Jones, Chad Harris, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 5-0.

The closed session began at 4:52pm.

CLOSED SESSION

T. DISCUSSION OF THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL(S)

MOTION: Mary McGann motioned/Kevin Fitzgerald seconded to go out of closed session. Roll call vote: Diane Ackerman, Kalen Jones, Chad Harris, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 5-0.

The closed session ended at 5:48pm.

PUBLIC HEARING – POSSIBLE ACTION ITEMS - CALL TO ORDER (6:00PM)

MOTION: Diane Ackerman motioned/Chad Harris seconded to open the meeting to a Public Hearing. Roll call vote: Diane Ackerman, Kalen Jones, Chad Harris, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 5-0.

K. PUBLIC COMMENTS ON AMENDING THE 2021 BUDGET AND ADOPTING THE 2022 FEE SCHEDULES AND 2022 BUDGET

The Public Hearing started at 6:00pm. No public comments were received via email or during the Public Hearing.

MOTION: Mary McGann motioned/Kevin Fitzgerald seconded to go out of Public Hearing. Roll call vote: Diane Ackerman, Kalen Jones, Chad Harris, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 5-0.

L. DISCUSSION AND ADOPTION OF A RESOLUTION TO AMEND THE BUDGET FOR THE 2021 BUDGET YEAR

MOTION: Diane Ackerman motioned/Mary McGann seconded to adopt Resolution 2021-1201, a resolution adopting the amended budget for calendar year 2021. Roll call vote: Diane Ackerman, Kalen Jones, Chad Harris, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 5-0.

M. DISCUSSION AND ADOPTION OF A RESOLUTION TO APPROVE THE 2022 FEE SCHEDULE FOR THE KLONDIKE LANDFILL

MOTION: Kevin Fitzgerald motioned/Diane Ackerman seconded to adopt Resolution 2021-1202, a resolution adopting the 2022 Fee Schedule for the Klondike Landfill. Roll call vote: Diane Ackerman, Kalen Jones, Chad Harris, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 5-0.

N. DISCUSSION AND ADOPTION OF A RESOLUTION TO APPROVE THE 2022 FEE SCHEDULE FOR THE MOAB LANDFILL

MOTION: Kevin Fitzgerald motioned/Diane Ackerman seconded to adopt Resolution 2021-1203, a resolution adopting the 2022 Fee Schedule for the Moab Landfill. Roll call vote: Diane Ackerman, Kalen Jones, Chad Harris, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 5-0.

O. DISCUSSION AND ADOPTION OF A RESOLUTION TO APPROVE THE 2022 FEE SCHEDULE FOR THE CANYONLANDS TRANSFER STATION

MOTION: Kevin Fitzgerald motioned/Diane Ackerman seconded to adopt Resolution 2021-1204, a resolution adopting the 2022 Fee Schedule for the Canyonlands Transfer

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

P. DISCUSSION AND ADOPTION OF A RESOLUTION TO APPROVE THE 2022 FEE SCHEDULE FOR THE COMMUNITY RECYCLE CENTER

Evan Tyrrell stated there had been a minor change to the Community Recycle Center's 2022 Fee Schedule since the previous budget workshop and regular meeting due to updated pricing received from a new electronic waste recycling vendor. He stated that a new line item of \$6.00 per cellular device and/or tablet had been added to offset these additional costs, which reflect the direct cost to the District for reclamation of these items.

MOTION: Diane Ackerman motioned/Kevin Fitzgerald seconded to adopt 2021-1205, a resolution adopting the 2022 Fee Schedule for the Community Recycle Center. Roll call vote: Diane Ackerman, Kalen Jones, Chad Harris, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 5-0.

Q. DISCUSSION AND ADOPTION OF A RESOLUTION TO APPROVE THE 2022 FEE SCHEDULE FOR RESIDENTIAL AND COMMERCIAL TRASH AND RECYCLING COLLECTION SERVICES

Evan Tyrrell reminded the Board members of the price increase for the outdated "3-can" service and reiterated that safety concerns and overall inefficiency of this service is the cause for removal. He stated that an outreach campaign will be developed and "3-can" service customers will be notified of the changes.

MOTION: Kevin Fitzgerald motioned/Chad Harris seconded to adopt Resolution 2021-1206, a resolution adopting the 2022 Fee Schedule for Residential and Commercial Trash and Recycling Collection Services. Roll call vote: Diane Ackerman, Kalen Jones, Chad Harris, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 5-0.

R. DISCUSSION AND ADOPTION OF A RESOLUTION TO APPROVE THE 2022 FEE SCHEDULE FOR ROLL-OFF CONTAINER SERVICES

MOTION: Chad Harris motioned/Kevin Fitzgerald seconded to adopt Resolution 2021-1207, a resolution adopting the 2022 Fee Schedule for Roll-Off Container Services. Roll call vote: Diane Ackerman, Kalen Jones, Chad Harris, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 5-0.

S. DISCUSSION AND ADOPTION OF A RESOLUTION TO APPROVE THE PROPOSED 2022 BUDGET

MOTION: Kevin Fitzgerald motioned/Diane Ackerman seconded to adopt Resolution 2021-1208, a resolution adopting the budget for calendar year 2022. Roll call vote: Diane Ackerman, Kalen Jones, Chad Harris, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 5-0.

ADJOURNMENT

U. FUTURE CONSIDERATIONS

The next Regular ACB meeting is scheduled for January 19, 2022, beginning at 4:00 pm.

V. ADJOURNMENT

MOTION: Diane Ackerman motioned/Kevin Fitzgerald seconded to adjourn. Roll call vote: Diane Ackerman, Kalen Jones, Chad Harris, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed 5-0.

The meeting adjourned at 6:15 p.m.

Respectfully submitted to the Board,

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