

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 & PUBLIC HEARING OF THE
SWSSD1 ADMINISTRATIVE CONTROL BOARD**

THURSDAY, DECEMBER 17, 2020, 4:00 PM

BOARD MEMBERS PRESENT: Kalen Jones (Chair), Mary McGann (Treasurer), Kevin Fitzgerald (Vice Chair), Chad Harris (Member), and Diane Ackerman (Member).

Others present: Evan Tyrrell (District Manager), Jessica Thacker (District Program Manager/District Clerk), Chris Scovill (District Facilities Supervisor), and LJ Blackburn (District Administrative Assistant/Bookkeeper).

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/>.

CLOSED SESSION – CALL TO ORDER (4:10 pm)

Kalen Jones called the meeting to order at 4:10pm.

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

MOTION: Mary McGann motioned/Kevin Fitzgerald seconded to go into a closed session to discuss the Character, Professional Competence, or Physical or Mental Health of an Individual(s) at 4:13pm. Roll call vote: Diane Ackerman, Chad Harris, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed unanimously.

MOTION: Mary McGann motioned/Kevin Fitzgerald seconded to exit the closed session at 4:47pm. Roll call vote: Diane Ackerman, Chad Harris, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed unanimously.

CITIZEN'S INPUT

No written or verbal comments were received.

ADMINISTRATIVE CONTROL BOARD (ACB) BUSINESS

B. ACTION ITEM: INTERVIEW(S) OF AT-LARGE ACB MEMBER APPLICANT(S) AND APPOINTMENT RECOMMENDATION TO THE GRAND COUNTY COMMISSION

MOTION: Diane Ackerman motioned/Mary McGann seconded to recommend to the Grand County Commission the appointment of Kevin Fitzgerald for the 2021-2025 At-Large Administrative Control Board representative for the Solid Waste Special Service District #1. Roll call vote: Diane Ackerman, Chad Harris, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed unanimously.

APPROVAL OF MEETING MINUTES

C. NOVEMBER 19, 2020 REGULAR MEETING

MOTION: Diane Ackerman motioned/Chad Harris seconded to approve the draft minutes for November 19, 2020 as written in the December 17, 2020 Board packet. Roll call vote: Diane Ackerman, Chad Harris, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed unanimously.

TREASURER/FINANCIAL

D. ACTION ITEM: APPROVAL OF EXPENDITURES FOR THE MONTH OF NOVEMBER 2020

Evan Tyrrell briefly provided a summary of the expenditures for the month of November and stated they contained standard District expenditures as well as the annual Klondike Landfill bond payment (completed via a transfer from the District's unrestricted PTIF account).

MOTION: Kevin Fitzgerald motioned/Diane Ackerman seconded to approve the expenditures of November 2020 for \$120,158.84. Roll call vote: Diane Ackerman, Chad Harris, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed unanimously.

E. REVIEW OF DISTRICT BALANCE SHEET AS OF NOVEMBER 30, 2020

Evan Tyrrell provided a summary of the District's assets and liabilities as November 30, 2020. He stated that liquid assets had been greatly reduced compared to the previous year, especially since the Balance Sheet did not include pending CARES Act reimbursement and TRT income from Grand County. He explained that the Unrestricted PTIF account is currently well funded and described the long-term financial liabilities such as the Bomag 772 payment and Klondike Landfill bond payments. Increases in depositing funds into the District's Unrestricted PTIF Account are planned in 2021 as discussed during a previous Board meeting. Evan Tyrrell expressed that total assets had increased by approximately \$125K compared to 2019, due to investment in equipment. He stated this growth in total assets would also lead to an increase in

liability and equity. Evan Tyrrell explained that once TRT funds, awarded CARES Act funding, and December 2020 revenues were received, an updated balance sheet would be presented to the Board.

OLD BUSINESS

F. UPDATE ON DISTRICT GRANT AND LOAN OPPORTUNITIES

Jessica Thacker presented a summary of her research of current and future grants and loans stating that she located eight (8) programs that explicitly defined eligibility for special service districts/governmental entities. She provided the current status of each program and provided the District staff's opinion on which grant/loan programs should be prioritized. She specifically recommended pursuing the "Water & Waste Disposal Loan & Grant Program" through the USDA for the purpose of Klondike Landfill Cell Design and Development along with refocusing efforts on pursuing the Community Impact Board (CIB) Fund program. Jessica Thacker stated that once FY2021 Grant and Loan programs became available, she would provide an update to the Board.

G. UPDATE ON THE DEVELOPMENT OF A COMMUNITY RECYCLE CENTER SPONSORSHIP PROGRAM

Evan Tyrrell stated that the CRC Sponsorship Program concept and implementation plan continues to be developed. He stated once the updated draft plan had received a more formal internal review, its progress would be presented to the Board during the January 2021 meeting.

NEW BUSINESS

H. DISCUSSION ON THE OPPORTUNITY FOR THE DISTRICT TO CONTRACT WITH GRAND COUNTY TO ASSUME THE DUTIES OF THE MOAB UMTRA LIAISON

Evan Tyrrell stated that he located this job position and felt it could potentially fall under the purview of the District's scope, expertise, and abilities. He stated that he had opened a line of communication with members of the UMTRA Steering Committee and appropriate Grand County employees. Evan Tyrrell provided a summary of what duties of the position are involved, the potential amount of work time per week and stated that this work would be contracted to the District by Grand County, which has a contract with the Department of Energy (DOE) for the UMTRA Liaison position. He stated he would serve as the main point of contact as the UMTRA Liaison for Grand County while assigning technical work to appropriate District administrative staff. He explained this potential partnership would provide an additional source of administrative revenue and a larger degree of benefit to Grand County given the experience and expertise of current District staff. He felt this opportunity was manageable and should be pursued by the District.

Evan Tyrrell further explained that should this potential new role of the District be approved, he would recommend that the District be removed as a member from the UMTRA Steering Committee since the UMTRA Liaison is not an official Steering Committee Member with voting capacity. This position would also entail the Technical Inspector position for Grand County, a separate role from the UMTRA Liaison, which provides periodic inspections of certain oil and gas production sites in Grand County. He stated a separate accounting code and associated time tracking would be developed with fully burdened costs factored in to accurately track this time associated with these roles for quarterly invoicing to Grand County for District reimbursement. Prior to moving forward in discussions with Grand County, DOE, and the Moab UMTRA Steering Committee, he felt the Board's input was necessary.

Diane Ackerman inquired on how long the contract would be and if the length of the contract would be permanent or re-assessed in the event that personnel left District employment. Evan Tyrrell replied that details such as that had yet to be determined and that the position itself was not a permanent one. He stated that the contract should more than likely remain so long as their was capable personnel available. Diane Ackerman stated that the contract would be worded in a way that the District can remove themselves should the project no longer be considered feasible. Kevin Fitzgerald offered his support in moving forward with this discussion. Both Chad Harris and Kalen Jones expressed concern on District administrative staff's capacity to effectively manage their workload between usual operations, District priorities, advancements, and future goals, and the added workload of the UMTRA position. Kalen Jones stated he was open to more information as it became available and move forward from there. Evan Tyrrell responded that a decision does not need to be made at this time but encouraged the Board to speak if they felt the District should not pursue the position further. Kalen Jones pointed out that there were large disparities between the original job posting salary (part-time, no benefits) and the costs of fully burdened District administrative staff. Evan Tyrrell stated he had a similar discussion with the current UMTRA Liaison and that these were details that needed to be worked out.

Mary McGann clarified that her part in these discussions was in the official capacity as Chair of the UMTRA Steering Committee, not as a representative of the District's Board.

I. DISCUSSION OF PROPOSED DISTRICT CHRISTMAS TREE RECYCLING COLLECTION PROGRAM

Jessica Thacker presented her implementation plan for a proposed Christmas Tree Recycling Collection program to the Board. She stated that an executive summary of the program, internal operational procedures for registration and collection planning, and a series of social media advertisements had been developed.

Kevin Fitzgerald suggested adding language encouraging residents to donate to the District to keep these types of programs available. Both Kalen Jones and Mary McGann suggested reaching out in collaboration with the City of Moab and Monument Waste Services. Evan Tyrrell stated that he and Diane Ackerman had spoken about how to incorporate Castle Valley and Thompson Springs residents into the potential implementation of this program. Overall, the Board voiced general support of moving forward with the program.

J. ACTION ITEM: APPROVAL OF THE 2021 ADMINISTRATIVE CONTROL BOARD REGULAR MEETING DATES

MOTION: Mary McGann motioned/Diane Ackerman seconded to approve the 2021 Administrative Control Board Regular Meeting Dates as contained in the December 17, 2020 Board packet. Roll call vote: Diane Ackerman, Chad Harris, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed unanimously.

K. ACTION ITEM: APPROVAL OF THE 2021 DISTRICT OBSERVED HOLIDAYS AND FACILITY CLOSURES

MOTION: Kevin Fitzgerald motioned/Mary McGann seconded to approve the 2021 District Observed Holiday and Facility Closures Schedule as contained in the December 17, 2020 Board packet. Roll call vote: Diane Ackerman, Chad Harris, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed unanimously.

L. POSSIBLE ACTION ITEM: APPROVAL FOR DISTRICT FACILITY CLOSURES SUBSEQUENT TO THE 2020 CHRISTMAS AND 2021 NEW YEAR'S DAY HOLIDAYS ON SATURDAY, DECEMBER 26, 2020 AND SATURDAY, JANUARY 2, 2021

Evan Tyrrell stated that facility activity is extremely low in the days following holidays such as Christmas and New Year's, especially during the weekend. He recommended to the Board that District facilities remain closed following major holidays, especially if they fall on the weekend, referencing the weekend after Thanksgiving. He stated public notices would be published should the Board choose to move forward with these closures.

MOTION: Kevin Fitzgerald motioned/Mary McGann seconded to approve District facility closures subsequent to the 2020 Christmas and 2021 New Year's Day holidays on Saturday, December 26, 2020 and Saturday, January 2, 2021. Roll call vote: Diane Ackerman, Chad Harris, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed unanimously.

REPORTS FROM BOARD AND STAFF

M. DISTRICT STAFF REPORTS

Evan Tyrrell provided a brief staff report in which he stated that the District continues to place high emphasis on COVID-19 health and safety measures with District staff, District customers, and the general public. The District continues to enhance its preventative measures to minimize any potential exposures and transmissions of the virus while making sure the District is in full compliance with state and local health orders and guidance. He reiterated the precautions put in place at all District facilities to mitigate potential exposure, including the District's internal contingency plan and routine staff safety meetings, notices, and signage.

No other staff reports were presented.

N. BOARD REPORTS

No board member reports were presented.

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

O. PUBLIC COMMENTS ON AMENDING THE 2020 BUDGET AND ADOPTING THE 2021 FEE STRUCTURES AND 2021 BUDGET

Kalen Jones called the public hearing to order at 6:03pm and opened the hearing to any public comments regarding the District's budgets and fee structures. No verbal or written comments were received.

MOTION: Mary McGann motioned/Kevin Fitzgerald seconded to close the public hearing. Roll call vote: Diane Ackerman, Chad Harris, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed unanimously.

Kalen Jones closed the public hearing at 6:17pm.

P. DISCUSSION AND ADOPTION OF A RESOLUTION TO AMEND THE BUDGET FOR THE 2020 BUDGET YEAR

Evan Tyrrell provided a brief summary of the changes made to the 2020 amended budget such as reduced expenditures, unsold items reallocated to the 2021 budget, and that the provided net loss income was a worst-case scenario. He stated this was incorporated as a fail-safe to prevent exceeding expenditures or in case of potential emergency equipment repair costs. Evan Tyrrell also stated that the implementation of a more accurate tracking system of facility quantities allowed for proper correlation between the budget and District workload report and that review of past electronic data stored in the District's accounting software had uncovered several historical erroneous entries that resulted in overforecasting District workloads in 2020.

MOTION: Diane Ackerman motioned/Kevin Fitzgerald seconded to adopt Resolution No. 2020-1201, a resolution amending the District's 2020 budget. Roll call vote: Diane Ackerman, Chad Harris, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed unanimously.

Q. DISCUSSION AND ADOPTION OF A RESOLUTION TO APPROVE THE 2021 FEE STRUCTURE FOR THE KLONDIKE LANDFILL

Evan Tyrrell explained the minor revisions to the 2021 Klondike Landfill Fee Structure and there was no further discussion.

MOTION: Mary McGann motioned/Diane Ackerman seconded to adopt Resolution No. 2020-1202, a resolution adopting the 2021 Fee Structure for the Klondike Landfill. Roll call vote: Diane Ackerman, Chad Harris, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed unanimously.

R. DISCUSSION AND ADOPTION OF A RESOLUTION TO APPROVE THE 2021 FEE STRUCTURE FOR THE MOAB LANDFILL

Evan Tyrrell explained the revisions and updates to the 2021 Moab Landfill Fee Structure there was no further discussion.

MOTION: Mary McGann motioned/Kevin Fitzgerald seconded to adopt Resolution No. 2020-1203, a resolution adopting the 2021 Fee Structure for the Moab Landfill. Roll call vote: Diane Ackerman, Chad Harris, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed unanimously.

S. DISCUSSION AND ADOPTION OF A RESOLUTION TO APPROVE THE 2021 FEE STRUCTURE FOR THE COMMUNITY RECYCLE CENTER

Evan Tyrrell explained the minor revisions to the 2021 Community Recycle Center Fee Structure and there was no further discussion.

MOTION: Mary McGann motioned/Diane Ackerman seconded to adopt Resolution No. 2020-1204, a resolution adopting the 2021 Fee Structure for the Community Recycle Center. Roll call vote: Diane Ackerman, Chad Harris, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed unanimously.

T. DISCUSSION AND ADOPTION OF A RESOLUTION TO APPROVE THE PROPOSED 2021 BUDGET

Evan Tyrrell provided an explanation on the basis of creating the proposed 2021 budget and reasoning behind removals and additions of budgeted revenues and expenditures. He stated that more accurate tracking of commodities and operational costs allowed for a more accurate depiction of true costs. A brief discussion between Board members and District staff on cost allocation and tracking for excavation activity at Moab Landfill ensued. No further discussion was held on the proposed 2021 budget.

MOTION: Mary McGann motioned/Chad Harris seconded to adopt Resolution No. 2020-1205, a resolution adopting the District's 2021 budget. Roll call vote: Diane Ackerman, Chad Harris, Kalen Jones, Mary McGann, and Kevin Fitzgerald each voted yes. Motion passed unanimously.

CLOSING ACTIONS / ADJOURNMENT

U. FUTURE CONSIDERATIONS

The next Regular ACB meeting will be held on January 21, 2021, beginning at 4:00 pm.

V. ADJOURNMENT

MOTION: Kevin Fitzgerald motioned/Diane Ackerman seconded to adjourn the meeting.

Kalen Jones adjourned the meeting at 6:45 p.m.

Respectfully submitted to the Board,

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