



WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT

Minutes of the meeting of the Administrative Control Board of Wasatch Integrated Waste Management District held November 2, 2022 at 5:00 p.m. at Wasatch Integrated Waste Management District's Davis Material Recovery and Transfer Facility, 3404 North 650 East, Layton, Utah 84041.

Conducting: Board Chair, Commissioner Bob Stevenson

ADMINISTRATIVE CONTROL BOARD PRESENT:

Chair, Commissioner Bob Stevenson, Davis County
Board Vice-Chair, Mayor Joy Petro, Layton
Council Member Tim Roper, Clearfield
Mayor Brandon Stanger, Clinton
Commissioner Randy Elliott, Davis County
Commissioner Lorene Kamalu, Davis County
Mayor Brett Anderson, Farmington
Mayor John Pohlman, Fruit Heights

Mayor Tami Tran, Kaysville (via GoToMeeting)
Member Tony London, Morgan
Commissioner Mike Newton, Morgan County
Mayor Brian Horrocks, North Salt Lake
Mayor Rod Westbroek, South Weber
Council Member Jordan Savage, Syracuse
Council Member James Bruhn, West Bountiful
Council Member Wally Larrabee, Woods Cross

ADMINISTRATIVE CONTROL BOARD MEMBERS EXCUSED FROM ATTENDING:

Secretary, Mayor Clark Wilkinson, Centerville
Mayor Brian Vincent, West Point

Council Member Chad Bangerter, Sunset

STAFF PRESENT:

Nathan Rich, Executive Director
Adam Hacker, Accounting Manager
Preston Lee, Operations Manager
Todd Quinley, Purchasing Manager
Jesse Simonsen, Landfill Manager
Chad Staples, MRF Superintendent
Dan Ramos, Safety Superintendent
Juli McIntosh, Clerk

VISITORS:

Harvey Gershman, GBB
Chris Lund, GBB
Steve Rowley, Keddington Christensen
Larry Jenkins, Kirton McConkie

Notice of time, place, and agenda of the meeting was sent to the Salt Lake Tribune, Deseret News, Morgan County News, and Standard Examiner newspapers on October 27, 2022. Notice of time, place, and agenda of the meeting was sent to each member of the Administrative Control Board via e-mail and posted at Wasatch Integrated Waste Management District Administrative Offices on October 27, 2022.

Welcome

Board Chair, Commissioner Bob Stevenson, welcomed board members, staff, and visitors to the meeting.

Minutes Approval

Chairman Stevenson presented minutes of the September 7, 2022 board meeting to the board for approval.

Upon motion duly made and seconded, minutes for the September 7, 2022 board meeting were approved. Chairman Stevenson, Vice-Chair Mayor Joy Petro, Council Member Tim Roper, Mayor Brandon Stanger, Commissioner Randy Elliott, Commissioner Lorene Kamalu, Mayor Brett Anderson, Mayor John Pohlman, Mayor Tami Tran, Council Member Tony London, Commissioner Mike Newton, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Jordan Stanger, Council Member James Bruhn, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

Public Comment Period

There was no public comment.

Fiscal Year 2022 Audit Presentation

Mr. Steve Rowley, Keddington & Christensen, presented the Auditor's Report to the Board, which included explanation and review of Opinions, Supplemental Reports, Outside Confirmation, Report on Compliance, Unspent Bond Proceeds, and Accrued Interest and Retainage Payable due to the bonds.

The auditor's report did not identify any deficiencies in internal controls that they would consider to be material weaknesses. The Auditor's Opinion found that Wasatch complied in all material respects, per the Government Auditing Standards issued by the Comptroller General of the United States, and the State Compliance Audit Guide.

In response to a question, Mr. Rowley explained that the decision to add an additional mid-year audit would require a cost versus benefit discussion. Additionally, it would need to be performed by another auditing firm.

Upon motion duly made and seconded, the audit was approved. Chairman Stevenson, Vice-Chair Mayor Joy Petro, Council Member Tim Roper, Mayor Brandon Stanger, Commissioner Randy Elliott, Commissioner Lorene Kamalu, Mayor Brett Anderson, Mayor John Pohlman, Mayor Tami Tran, Council Member Tony London, Commissioner Mike Newton, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Jordan Stanger, Council Member James Bruhn, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

Solid Waste Management Plan Presentation

Mr. Nathan Rich introduced Messrs. Harvey Gershman and Chris Lund, GBB. GBB has worked for the District for approximately 15 years and previously worked with the Wasatch Front Regional Council in finding a site for the waste to energy facility in the early eighties. GBB had recently completed the District's Integrated Waste Management Plan 2023-2032.

Messrs. Gershman and Lund discussed the District's mission statement and guiding principles, the current landfill gas system and partnering with Ameresco, the District requiring curbside recycling cans be placed with every household and the advantage of additional recyclables (environmentally and the cost savings by processing through the MRF rather than hauling to a regional landfill), the potential savings by franchising collections District-wide, the advantages or disadvantages of hiring one hauler for all of the household hauling within the District (Mr. Gershman believes that to be a mistake), split packers being less desirable than running separate trucks for recycling and Municipal Solid Waste (MSW); (public perception that recyclables are mixed with MSW and one side will fill more quickly than the other, complicating hauling), the advantage of keeping the landfill open as long as possible (always cheaper to landfill than haul and better financially in the long term, according to Mr. Gershman; Mr. Rich added, flexibility and the option to decide when to transfer), and the synopsis; to

keep the landfill open as long as possible and move toward mandatory household recycling in the District.

Upon motion duly made and seconded, the Solid Waste Management Plan was approved and adopted. Chairman Stevenson, Vice-Chair Mayor Joy Petro, Council Member Tim Roper, Mayor Brandon Stanger, Commissioner Randy Elliott, Commissioner Lorene Kamalu, Mayor Brett Anderson, Mayor John Pohlman, Council Member Tony London, Commissioner Mike Newton, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Jordan Stanger, Council Member James Bruhn, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

Mr. Stevenson thanked the advisory committee, consisting of Mayor John Pohlman, Mayor Brandon Stanger, Commissioner Mike Newton, Council Member Jordan Savage, Mayor Joy Petro, and Council Member Tony London, for their hard work and dedication to discuss and assist in formulation of the Solid Waste Management Plan.

Financial Report

Mr. Adam Hacker presented the financial report and Disbursement Review for July 1 through September 30, 2022. Checks over \$26,000 represented 75 percent of disbursements and totaled \$3,210,957.10. Disbursements totaled \$4,289,458.13 overall.

Upon motion duly made and seconded, disbursements were approved. Chairman Stevenson, Vice-Chair Mayor Joy Petro, Council Member Tim Roper, Mayor Brandon Stanger, Commissioner Randy Elliott, Commissioner Lorene Kamalu, Mayor Brett Anderson, Mayor John Pohlman, Council Member Tony London, Commissioner Mike Newton, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Jordan Stanger, Council Member James Bruhn, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

Director's Update

Mr. Rich reported that operation of the second shift at the Davis Material Recovery and Transfer Facility (MRF) was suspended effective August 29, 2022. Since that time, we have been transitioning toward processing only recyclables. The rate for commercial comingled recyclables was reduced from \$50 to \$30 per ton, effective October 3, 2022. The MRF is experiencing a substantial increase in commercial recyclables being delivered and staff is discussing long term contracts for material from several commercial customers. The MRF began receiving curbside recyclables from Washington Terrace today and anticipates Ogden and South Ogden recyclables this week or early next week.

Additionally, Ace has begun hauling recyclables from Utah County to the MRF due to the recently reduced rate.

Engineered fuel feedstock continues to be shipped to the cement plant at Devil's Slide and we anticipate being able to satisfy the current demand for fuel operating the MRF on a single shift while processing only comingled recyclables. Devil's Slide continues to pursue the installation of main burner capability for alternative fuel which would dramatically increase the amount of non-recyclable plastic and paper we could divert from the MRF.

Teho Group has begun construction at the landfill to install equipment to utilize currently flared landfill gas to generate power, which will be used for computing and data storage, on site. The Teho contracts terminate in January 2026 coincident with the contract term of our longstanding landfill gas partner, Ameresco.

The District released an RFP for the development of project(s) for the beneficial use of landfill gas when our current contract expires in 2026. The non-mandatory pre-bid meeting was held on November 1, 2022 and was very well attended. Proposals are due December 1, 2022. Renewable Natural Gas (RNG) projects currently have substantially higher revenue potential than our current gas-to-electricity project.

WASTECON 2022 will be held in San Diego, California, December 5-8, 2022.

The Utah Association of Special Districts Conference will be held in Layton, November 1-3, 2022 and board members are encouraged to attend.

The Christmas Party is scheduled for December 17, 2022 at the Timbermine Restaurant in Ogden. Invitations will be sent this month.

Committee Meetings were last held on October 25 and 26, 2022. Committee meetings are next scheduled for November 29 and 30, 2022.

Resolutions

Chairman Stevenson presented Resolution 22-13, Amending Fiscal Year 2023 Capital and Operating Budgets. The resolution increases the 2023 Capital Budget by \$1,586,000 to account for increases in cost for the planned Stage D Closure and Temporary Cover project at the Davis Landfill, the installation of a water meter at the composting pad, and anticipated engineering costs related to planned improvement at the Material Recovery and Transfer Facility. The Stage D Closure costs were not included on the original capital budget as the project is technically not a capital project. Staff is recommending specifically adding the Stage D Closure to the capital budget for the sake of transparency. The resolution also amends the Operating Budget to account for an anticipated reduction of \$487,928 in operating revenues and a reduction in operating expenses of \$1,031,146 resulting from the cessation of a second shift at the Material Recovery Facility and adjustments to the landfill closure and post closure accrual.

Upon motion duly made and seconded, Resolution 22-13 Amending Fiscal Year 2023 Capital and Operating Budgets was approved. Chairman Stevenson, Vice-Chair Mayor Joy Petro, Council Member Tim Roper, Mayor Brandon Stanger, Commissioner Randy Elliott, Commissioner Lorene Kamalu, Mayor Brett Anderson, Mayor John Pohlman, Council Member Tony London, Commissioner Mike Newton, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Jordan Stanger, Council Member James Bruhn, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

Chairman Stevenson presented Resolution 22-14, Authorizing Contract for Landfill Construction. This resolution authorizes the Executive Director to enter into a contract for construction of the Stage D Closure and Temporary Cover projects at the Davis Landfill. Two competitive bids have been received and Whittaker Construction Company headquartered in Brigham City, has been selected as the preferred contractor through an appropriate purchasing process. This resolution allows the Executive Director to finalize and execute a contract in substantially the same form as is attached to the resolution. The contractor is currently planning to mobilize in early 2023, as weather allows, with completion scheduled prior to June 30, 2023.

Upon motion duly made and seconded, Resolution 22-14 Authorizing Contract for Landfill Construction was approved. Chairman Stevenson, Vice-Chair Mayor Joy Petro, Council Member Tim Roper, Mayor Brandon Stanger, Commissioner Randy Elliott, Commissioner Lorene Kamalu, Mayor Brett Anderson, Mayor John Pohlman, Council Member Tony London, Commissioner Mike Newton, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Jordan Stanger, Council Member James Bruhn, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

Chairman Stevenson presented Resolution 22-15, Approving 20 Year Integrated Waste Management Plan. The past five years have seen a major shift in District operations including, closing the Davis Energy Recovery Facility, construction and operation of the new Davis Material Recovery and Transfer Facility, and continued reliance on the rapidly dwindling capacity at the Davis Landfill. During its May 5, 2021 meeting, the District's Administrative Control Board (the "Board") directed staff to provide an update to the WMP including a 5 year plan which could be used to inform future fee increases. The new plan was prepared by GBB Solid Waste Management Consultants under the guidance of staff and the Advisory Committee. The Plan describes system programs and facilities which will provide a long term sustainable solid waste management system in a manner consistent with our mission statement. The plan also provides estimates of capital and operating costs of the proposed facilities.

Upon motion duly made and seconded, Resolution 22-15 Approving a 20 Year Solid Waste Management Plan was approved. Chairman Stevenson, Vice-Chair Mayor Joy Petro, Council Member Tim Roper, Mayor Brandon Stanger, Commissioner Randy Elliott, Commissioner Lorene Kamalu, Mayor Brett Anderson, Mayor John Pohlman, Council Member Tony London, Commissioner Mike Newton, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Jordan Stanger, Council Member James Bruhn, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

Chairman Stevenson presented Resolution 22-16, Setting an Annual Meeting Schedule for 2023. The Utah Open and Public Meetings Act requires the District to give public notice, at least once per year of the annual meeting schedule of the Administrative Control Board. This resolution also sets the meeting schedule and form of the notice for the calendar year 2023. A total of five (5) board meetings are scheduled in 2023 and will be held on the first Wednesday of February, May, June, September, and November. All meetings will be held in the conference room of the Wasatch Integrated Waste Management District Education Center located at 3404 North 650 East, Layton, Utah.

Upon motion duly made and seconded, Resolution 22-16 Setting an Annual Meeting Schedule for 2023 was approved. Chairman Stevenson, Vice-Chair Mayor Joy Petro, Council Member Tim Roper, Mayor Brandon Stanger, Commissioner Randy Elliott, Commissioner Lorene Kamalu, Mayor Brett Anderson, Mayor John Pohlman, Council Member Tony London, Commissioner Mike Newton, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Jordan Stanger, Council Member James Bruhn, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

Chairman Stevenson presented Resolution 22-17, Appointing Board Officers for 2023. This resolution appoints officers to the Administrative Control Board of Wasatch Integrated Waste Management District for the 2022 Calendar Year. The Nominating Committee presented the following board members to the board for consideration: Mayor Joy Petro, currently serving as Vice Chair, to serve as Board Chair, Mayor Clark Wilkinson, currently serving as Secretary, to serve as Vice Chair, and Mayor Brian Vincent to serve as Secretary.

Upon motion duly made and seconded, Resolution 22-17 Appointing Board Officers for 2023 was approved. Mayor Joy Petro will serve as Board Chair, Mayor Clark Wilkinson will serve as Vice Chair, and Mayor Brian Vincent will serve as Secretary for the 2023 calendar year.

Chairman Stevenson, Vice-Chair Mayor Joy Petro, Council Member Tim Roper, Mayor Brandon Stanger, Commissioner Randy Elliott, Commissioner Lorene Kamalu, Mayor Brett Anderson, Mayor John Pohlman, Council Member Tony London, Commissioner Mike Newton, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Jordan Stanger, Council Member James Bruhn, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

Chairman Stevenson presented Resolution 22-18, Amending Titles 1 and 7 of the District Code. This resolution proposes changes to the District Code Title 1 (Bylaws) and Title 7 (Records Policy) to incorporate recent changes adopted by the Utah Legislature. Title 1 is amended to include changes to electronic meeting provisions and Title 7 is amended to add a provision explicitly protecting statements given by employees under certain circumstances.

Upon motion duly made and seconded, Resolution 22-18 Amending Titles 1 and 7 of the District code was approved. Chairman Stevenson, Vice-Chair Mayor Joy Petro, Council Member Tim Roper, Mayor Brandon Stanger, Commissioner Randy Elliott, Commissioner Lorene Kamalu, Mayor Brett Anderson, Mayor John Pohlman, Council Member Tony London, Commissioner Mike Newton, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Jordan Stanger, Council Member James Bruhn, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

Public Hearing (6:50 p.m.)

Chairman Stevenson opened a public hearing to allow public comment on the Rate Increase.

There was no public comment and the public hearing was closed.

Upon motion duly made and seconded, the public hearing was closed.

Chairman Stevenson presented Resolution 22-19, Amending Title 4, Disposal and Fees, of the District Code, which amends the method by which the District applies the current Small Load Flat Fee.

The District has determined that a more equitable way to charge customers could be attained through the restructuring of the Small Load Flat Fee from applying to loads brought in by standard pickup trucks and single axle trailers to applying to loads with a gross weight of at or below 10,000 pounds.

While the District also advertised a reduction in the fee charged for Commercial Co-Mingled Recyclable Material, staff is recommending not implementing that change at this time as the Executive Director has adequate authority to negotiate contracts for the delivery of this material under paragraphs 1-6-102 and 1-6-103 of the bylaws. Volatile pricing for recyclables may require occasional adjustment of rates.

Upon motion duly made and seconded, Resolution 22-19 Amending Title 4 of the District Code was approved. Chairman Stevenson, Vice-Chair Mayor Joy Petro, Council Member Tim Roper, Mayor Brandon Stanger, Commissioner Randy Elliott, Commissioner Lorene Kamalu, Mayor Brett Anderson, Mayor John Pohlman, Council Member Tony London, Commissioner Mike Newton, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Jordan Stanger, Council Member James Bruhn, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

General Business

Wasatch's Christmas Party will be held Saturday, December 17, 2022 at the Timbermine Restaurant in Ogden.

Adjournment

Upon motion duly made and seconded, the Administrative Control Board meeting was adjourned at 6:57 p.m. Voting in favor of said motion was unanimous.



Mayor Joy Petro, Board Chair



Nathan Rich, Executive Director