

BOARD OF TRUSTEES – WASATCH FRONT WASTE AND RECYCLING DISTRICT (WFWRD)
MONTHLY MEETING MINUTES – *PENDING BOARD APPROVAL*

DATE/TIME	LOCATION	ATTENDEES
Monday, June 23, 2025 9:00 a.m. Next Board Meeting Monday, July 28, 2025 9:00 a.m.	Public Works Building 604 West 6960 South Midvale, UT 84047	<u>Board Members:</u> Greg Shelton (Chair)-White City, Emily Gray (Vice Chair)-City of Holladay, Diane Turner-Murray City, Matt Holton-Cottonwood Heights (<i>arrived at 9:22 a.m.</i>), Anna Barbieri-City of Taylorsville, Sherrie Ohrn-Herriman City, Patrick Schaeffer-Kearns City <u>Participating Electronically:</u> Laurie Stringham-Salt Lake County, Keith Zuspan-Town of Brighton (<i>arrived after roll call</i>), Tessa Stitzer-Town of Copperton (<i>arrived after roll call</i>), Thom DeSirant-Millcreek City (<i>arrived after roll call</i>) <u>Excused:</u> Robert Piñon-Emigration Canyon, Mick Sudbury-Magna City, Marci Houseman-Sandy City <u>District & Support Staff:</u> Pam Roberts, General Manager Rachel Anderson, Legal Counsel Helen Kurtz, Finance Director Hazel Dunsmore, Human Resources Manager Renee Plant, Administrative Manager Sione Tuione, Residential Recycling Collection & Sustainability Manager (<i>Webex</i>) Andre Perov, GIS Coordinator (<i>Webex</i>) Catarina Garcia, Executive Assistant/Board Clerk <u>Public:</u> Abby Evans-Salt Lake County, Patrick Craig-Salt Lake County, Jennifer Kennedy-Murray City, Justun Edwards-Herriman City, John Taylor-City of Taylorsville

THE WASATCH FRONT WASTE AND RECYCLING DISTRICT BOARD OF TRUSTEES MEETING AGENDA

To be held Monday, June 23, 2025 at 9:00 a.m. at the District Offices located at 604 West 6960 South, inside the Salt Lake County Public Works Administration Building Training Room. This meeting will also be held electronically via Webex. Public login is:

<https://slco.webex.com/slco/j.php?MTID=m11ce3ad37b62a22e42bfb360484c63de>

Reasonable accommodations (including auxiliary communicative aids and services) for individuals with disabilities may be provided upon receipt of a request within five working days' notice. For assistance, please call V/385-468-6332; TTY 711. Members of the Board may participate electronically.

Call to Order: Greg Shelton, Board Chair
Roll Call: Catarina Garcia, Board Clerk

1. **Consent Items (*Approval Requested*)**

1.1. May 19, 2025, Board Meeting Minutes

2. **Meeting Open for Public Comments**

(Comments are limited to 3 minutes) Public wishing to submit a comment to the Board of Trustees may do so by submitting their comment to the Board Clerk at cgarcia@wfwrdutah.gov before Sunday, June 22, 2025, 9:00 p.m. All comments must include the name and address of the individual making the comment. These comments will be read at the meeting as if the individual were present. Public comments can also be made in person or via Webex during this time.

3. **Business Items:**

3.1. Legal Counsel's Memo to the Board on Withdrawal: Rachel Anderson, Legal Counsel (***Information***)

3.2. Recommendations for RFP for a Feasibility Study Cities Withdrawing from the District: Pam Roberts, General Manager, and Rachel Anderson, Legal Counsel (***Information/Direction/Approval Requested***)

3.3. Policy Revisions for the General Manager's Annual Review and Compensation: Pam Roberts, General Manager, Rachel Anderson, Legal Counsel, and Hazel Dunsmore, Human Resources Manager (***Information/Approval Requested***)

3.4. Policy Addressing District Property: Pam Roberts, General Manager, and Rachel Anderson, Legal Counsel (***Information/Direction/Approval Requested***)

3.5.Expanding the Seasonal Container Reservation Program (SCRP): Pam Roberts, General Manager (*Direction Requested*)

- Adding More Available Container Reservations Using Trailer Program Resources

4. **Closed Session (If Needed):** *The Board of Trustees may temporarily recess the meeting to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, or other legally applicable reasons as provided by Utah Code Annotated §52-4-205.*
5. **Other Board Business:** *This time is set aside to allow Board Members to share and discuss topics.*
6. **Requested Items for the Next Board Meeting, Monday, July 28, 2025, at 9:00 a.m.**
 - 2025 2nd Quarter Financial Report
 - Moving to Paperless Billing and Plan for Monthly Billing
 - Fraud Risk Assessment
 - Expanding SCRCP Using Trailer Program Resources
 - General Manager's Report
7. **Adjourn**

TOPICS/ OBJECTIVES	KEY POINTS/ DECISIONS	ACTION ITEMS WHO – WHAT – BY WHEN	STATUS
Call to Order / Roll Call			
	Board Chair Shelton called the meeting to order, and Catarina conducted the roll call.		
1. Consent Items (<i>Approval Requested</i>)			
1.1 May 19, 2025 Board Meeting Minutes	There were no questions or comments on the minutes.	Motion to Approve: Vice Chair Gray Second: Board Member Barbieri Vote: All in favor (no opposing or abstaining votes).	Approved June 23, 2025
2. Meeting Open for Public Comments			
	There were no public comments.		
3. Business Items			
3.1. Legal Counsel's Memo to the Board on Withdrawal: Rachel Anderson, Legal Counsel (<i>Information</i>)	Rachel was asked to help the District understand the procedures that would be required to even consider having a city withdraw from the District. She prepared an informational memo as there is a lot to be considered. She heard a lot of people mentioning Utah Code Ann. §17B-1-505, which does not apply. It only applies to fire, police, and the MSD. It requires a feasibility study and potentially has a vote through an election. It still has some good information and a long list of considerations related to asset and debt distribution the District might think about while keeping in mind the District must be stable and sustainable. Section 2 of the memo was the Withdrawal Procedures. There are only two approaches which both		

involve a petition of the residents. Residents can petition the city or the District directly. None of the options allow the city itself to pursue it. The request must be signed by registered voters residing in Herriman equal to at least 51% of the number of votes cast in Herriman for governor in the last regular general election. There is a provision in the statute that prohibits public funds from being used to support or oppose a withdrawal petition. This made her wonder if the city will be able to spend time or money pursuing a petition which was not a question she was prepared to answer at the time. It is something the city's attorneys should look at.

Section 3 was Board Discretion and Standards for Withdrawal. Upon receipt of a petition, the District is required to hold a public hearing and provide notice to affected residents. While the statutes governing the MSD and public safety districts have a more robust process, it was not included in her memo.

Regardless of the Board's approach at analyzing a withdrawal request and considering a feasibility study, the statute specifically says that a withdrawal request must be rejected, if the proposed withdrawal would:

- Result in a breach or default by the district under its notes, bonds, or other debt or revenue obligations;
- Result in a breach or default in any of its agreements with the United States or any agency of the United States;
- Adversely affect the ability of the District to make any payments or perform any other material obligations.

A couple that stood out to her were:

- We cannot create an island or peninsula of non-District territory within the District or of District territory within non-District territory that has a material adverse effect on the District's ability to provide service or materially increases the cost of providing service to the remainder of the District.
- Materially impair the operations of the remaining District; or
- Require the District to materially increase the fees it charges or property taxes or other taxes it levies in order to provide the remainder of the District the same level and quality of service that was provided before the withdrawal.

Rachel clarified to Vice Chair Gray that yes, we would be required to reject the petition if it were to adversely affect the District financially or result in us not being able to operate as efficiently.

Rachel explained that this process has been set forth by the legislature and talked about as another potential option she outlined in Section 4 with a Boundary Adjustment.

As she said, the withdrawal procedures, specifically the resident petition requirements, are quite onerous. However, she believed it may be possible to effectuate a city's departure through the boundary adjustment procedures. The code is intended to adjust minor variances in boundaries. An example is an area on the opposite side of a canal that it did not make sense for a city to serve.

Rachel's read of the statute is that it could be possible and would be a little easier by requiring agreement through a negotiation process of the terms. There

would only be joint resolutions of the entities, public hearings or a joint public hearing. The caveat after writing the memo and discussing it with some of the attorneys involved with the drafting of it, she was given some pause. The intent of the statute by the legislature really is that it should be done through the withdrawal procedure. It was very specifically negotiated for very particular reasons because they didn't want districts to be able to fall apart so easily. There was even an effort to require an election process but that was rejected and they felt like getting the petition would suffice. Some people felt very strongly about that and it is there for a reason, any sort of withdrawal needs to be by request of the people of Herriman rather than just the people [City Council] making decisions.

While Rachel will still be meeting with the attorneys to discuss what is possible, she just wanted to throw out options.

The last item in Rachel's memo was Suggested Evaluation Criteria. She thought the more robust part of the statute applicable to public safety districts and the MSD was really useful and would be a really reasonable thing for this Board to consider. Those considerations were listed in the memo because it is ultimately their fiduciary responsibility to do what is best for the District and will help them analyze the criteria. None of this is to say that it wouldn't be possible because she thinks it very well could be. Being a representative of the District, she has to show the Board the lay of the land, what is possible and what they should consider to ensure everything is done correctly and leaves the District whole and sustainable.

Rachel reiterated that the information is very preliminary and she hasn't talked to Herriman's attorneys but we need to start having those conversations and it is a very big topic people are interested in.

Vice Chair Gray commented that it goes back to Herriman and the ball is in their resident's court essentially. Board Member Ohrn added that she has had discussions offline with a few different council members as well as in public meetings, which is their job. On their agenda for their meeting tomorrow night there will be a referendum to officially withdraw from the District. She has no reason to believe it won't pass based on previous conversations and their intent is to move forward.

Board Member Ohrn went on to say that she read Rachel's memo and apologized that their attorney has been out of town for the last couple of weeks and returns today and will be calling Rachel. Board Member Ohrn has a couple of different opinions about it and is definitely not an attorney and it will be up to Todd [Sheeran] to work through a lot of these issues. If it makes sense to use the easiest process and it is hard because when Rachel said earlier "request of the people", that is Board Member Ohrn's job as well as every other person on the council, they are a representative republic so their job is to represent the people. She believes it is a request of the people. They have very public meetings, have chatted with people about it, they are very open about it, they have comment opportunities. The pushback she received is the rate hike, not moving away from the District. She feels they are very much in harmony with what their residents would want. She doesn't disagree, it's a lot

like a referendum process that the city can't use money to promote this or not. If a petition comes forward from residents, the city obviously has to stay neutral so she assumed that would be exactly the same. With some of the conversations she has had with others, they wonder if it would just make sense to do a boundary adjustment and do a negotiation. Obviously, it is a little bit difficult because some of the wording that says it would never require WFWRD to raise rates if Herriman left. It shouldn't require WFWRD to raise rates because they would be subsidized and that is the whole question, is Herriman subsidizing other members of the District? She doesn't know. Herriman is part of Jordan Valley [Water Conservation District] and they pay their own rates. Jordan Valley has a very extensive process they go through to say here is what it costs to serve Herriman, here is what it costs to serve this city so everybody doesn't get the same rate hike, they have to pay what it costs to service their community. In her mind, that is the way districts should work, pay for what it costs to service your community.

Rachel replied that the statute is a one-size-fits-all, it is also for the districts that are solely funded by property tax. In some instances, there would be an increase because when you lose a big chunk you lose economies to scale. It's not necessarily that this section wasn't paying for itself or subsidizing. Sometimes when you start losing more and more and more it can be more expensive because fewer people are paying for the bigger economy of scale and that's probably what it is considering as well.

Vice Chair Gray commented that it sounds like they [Herriman] are moving forward and if they decide to

look at the boundary adjustment option as an alternative, it sounds like we need to really dive in and see how feasible that is. She would be interested in what that would look like if it is a real option or just a theoretical option.

Rachel responded that she put it in there thinking it was a real option but she got a phone call saying that it is not. If there will be pushback that makes it not possible, she needs to suss that out before we go down that path. If there are going to be attorneys involved in the process saying “no, that it is not how this is meant to work”, we need to know before we start that process and then have someone contact the Lieutenant Governor’s office saying it wasn’t done correctly and wasn’t an authorized method.

Vice Chair Gray said something to keep in mind because a lot of the questions are about feasibility and costs, and raising rates, etc., at some point a feasibility study would need to be done. With Herriman wanting to withdraw, she does not think the District should be footing the bill.

Board Member Barbieri agreed that it was an interesting thought and something she hadn’t considered. Feasibility studies can be extremely expensive and wondered if there was anything in the bylaws stating who does make the feasibility study.

Board Member Ohrn said they would object to a feasibility study because obviously all studies can be very skewed and subjective to what you want the objective to be. Renee has been a great add [to the District] as far as data collection and Herriman just went through a big process recently to say no to doing

a feasibility study. Every time you say let's do another study, let's do another adjustment to that, it costs hundreds of thousands of dollars. It seems to her that we should have a lot of great data at our disposal that says what it costs to do different things, how much it would cost to scale back on certain things, internally it seems that we should have a lot of the data. We know what it's costing per mile and those kind of things so we should have a really good sense of what it's costing to service each one of our areas. It might mean that we could internally agree.

Board Member Barbieri agreed that the data collected in the last three to four years is extraordinary and believes that is one reason why we have a better handle on a lot of expenses and exactly what is being paid for, what is being subsidized, and the different cities and the mileage we could get that here. Her question would be that even though it's not a "feasibility study", how much time could it take? She thinks it can be done in-house but that would be up to the Board and Herriman and as Board Member Ohrn said, some things can be skewed but she thinks it can be done well and fairly.

Rachel talked about the feasibility study for safety services and the MSD, it talks abouts not only the feasibility study, but what it would take to make it feasible. "This could work if...", "Herriman does this..." consider things like what is the impact on the employees, would we have to fire people, now we have all these extras with the change, now you need to buy this from us and all that kind of stuff.

Board Member Ohrn understands there would have to be a negotiation process like with UFSA, and things

like buying trucks, and we are going to hold off on adding curbside green customers. Rachel replied regardless of the method that is used, there will still be a lot of things that would have to be worked out.

Vice Chair Gray stated that the criteria that are outlined in the memo are good starting points to look at because she can see advantages of doing it in-house and the advantages of getting an independent study. It is still going to cost if it's done in-house but then the District is footing the bill with its own employees. You also run the risk of people questioning the integrity like, "Oh, you want them to stay so you're going to skew the data." She also thinks about the point that was brought up making it work "if we were to do the following things". She was not criticizing the expertise at the District but wonders if an organization that is used to doing feasibility studies might have a better skillset in helping develop the kind of creative solution you would need to make it workable. She was not saying yes or no, just thinks those are factors to consider looking at the path forward.

Rachel added that one thing she forgot to mention in the list of Board considerations is what would be the impact of cumulative withdrawals, and we get in the situation that more and more people [cities] leave. Board Chair Barbieri likened it to the last man standing is holding the debt and Board Chair Shelton added that we already have another city indicating that they are looking as well so that is already a concern.

Rachel reiterated that it is not to say the answer is yes or no, but it should be reasonably considered with requests now and in the future.

Board Member Holton said that if it were to happen that there would be a financial burden to their city [Cottonwood Heights], he would have to at least tell the residents that because one city is leaving it would be a bigger impact to them, they should do their due diligence.

As Board Member Holton had stepped out of the room when Rachel reviewed this criteria, she restated that it is required by statute to reject a withdrawal request if that were the case. Pam added that is why WFWRD thought it would be nice to have a third-party say it. Intuitively Pam could say it would be more expensive but it would be nice to feed a third-party the data, like we did with the financial advisory services, there is a third-party looking in. We provided and reviewed the data with them to add in to their algorithms. Board Chair Barbieri commented that was a good point.

Pam went on to say that as an expert, she would certainly appreciate it, but it is the Board's call, your direction and it is the next item on the agenda. She agreed with Vice Chair Gray that it could be expensive.

Board Member Ohrn noted that this same thing happened recently up in Cache County with several cities in the district there. She has a call in to the Mayor to ask them what process they used. Pam believed it was with a consortium that was developed because Logan City said they wouldn't service and it was very interesting to read through their bylaws that they went that route of becoming a special district. Rachel replied it is very different if they are not a district to begin with.

	Board Member Ohrn added that anytime this happens, obviously they would look into the process, what the separation process is, how do we negotiate, what did you do with your cans? All those types things to make it equitable to both parties. Pam wasn't sure if they exited, or chose not to join, and Board Member Ohrn confirmed that they exited independently in their own city. She replied to Vice Chair Gray that one city she knows was North Ogden. Pam believed it was North Logan City. She spoke to their Mayor who is the one who sent her their bylaws outlining how they created the consortium and there was something about cities who did exit. The consortium did contract out to a private hauler. They didn't develop their own divisions or departments to haul their own. Board Member Ohrn reported she has made phone calls to find fact-finding stuff but it's like it's summer and everyone is on vacation. With no further discussions, Board Chair Shelton moved on to the next business item.		
3.2.Recommendations for RFP for a Feasibility Study Cities Withdrawing from the District: Pam Roberts, General Manager, and Rachel Anderson, Legal Counsel <i>(Information/Direction/Approval Requested)</i>	Pam began by explaining that yes, we have information in-house and talked about how nice it is to have experts review the information we have and asking the questions we may not know to ask. She said WFWRD could put together an RFP and see what comes back. Vice Chair Gray believes that we might need to wait to make sure the boundary adjustment is a legal option and if it's not, at some point we would need to do a feasibility study because it sounds like Herriman would need to go through the petition process.		

	Board Member Ohrn stated that she is not saying yes, they are going to pay for a feasibility study because it has to be something that is discussed through negotiation and we are probably pretty premature on an RFP. Others agreed. Board Chair Shelton concluded this topic is in a holding pattern and Rachel agreed she would explore the boundary adjustment option more.		
3.3.Policy Revisions for the General Manager’s Annual Review and Compensation: Pam Roberts, General Manager, Rachel Anderson, Legal Counsel, and Hazel Dunsmore, Human Resources Manager <i>(Information/Approval Requested)</i>	Pam stated that she felt it was important to run through the Board’s Authority, their role and functions, especially as we get into the General Manager’s role and the policy that is up for amendments. She then read from the Overview of the Board’s Authority in District Policy Chapter 3: Board Meetings and Functions: “The Board shall exercise and control or authorize the exercise and control of all the business and affairs of the District, as allowed by the State Constitution and other laws of the State of Utah as allowed under Utah State Statute.” In Sections 3.5.1. and 3.5.2., they pass resolutions, approve additional allocations to meet the demand for services, and specifically 3.5.3. The Board reviews the General Manager’s performance and annually establishes the General Manager's compensation level. - Pam noted that this is a process that has always been in policy and she desires to have something more public and relieve any misperception that she [General Manager] is setting her own salary. Section 3.5.4. In every case, the will of the Board shall be expressed by a majority vote of a quorum of the	Motion to Approve: Vice Chair Gray Second: Board Member Ohrn Vote: All in favor (no opposing or abstaining votes).	Approved June 23, 2025

	Board. No statement or act of any individual member of the Board shall be viewed as the will of the Board. - Pam can receive calls and requests from the Board but there are some things, like reallocating resources from the Trailer Program to the SCRP, that have to come from the Board because it is a policy or standards change. This is very important because sometimes there are a lot of opinions and views expressed but she cannot accept direction unless it is from the Board as a whole. Section 3.5.5. Hazel brings forth the policy manual annually, especially personnel policies, which is required by statute. 3.6. Limitations of Actions and Authority of The Board: 3.6.1. Individual Board members shall not give orders to any staff member or the General Manager. 3.6.2. Nothing in this section shall prevent a majority of a quorum of the Board from appointing committees. - This has been done with the interview committee for the General Manager position for which Pam is thankful. 4.1. Structure of District Administration: For the formal administration, the positions include the General Manager, Finance Director (Helen), Treasurer (who we just hired), and District Clerk (Catarina). Pam went on to review the amendments (in blue) to Section 4.2. General Manager/Chief Executive Officer and requested approval from the Board:		
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The General Manager shall be the Chief Executive Officer responsible for the day-to-day affairs of the District. The administrative powers of the District are vested in and exercised by the General Manager and [their authority is executed through the](#) District's employees.

- This was a given but it had never been in policy and Pam wanted to ensure it was solid. She highlighted that the keys to the organization are in the General Manager's hands. It is very important to know that.

By a majority vote of its full membership, the Board shall appoint the General Manager solely on the basis of ability, integrity, prior experience [and education](#) relating to the duties of the office, including but not limited to, abilities of public administration, leadership [planning](#) and managerial capabilities.

- These very important attributes of a General Manager were added.

Section 4.2.1. The Board shall [hold a closed session each calendar year as part of the budget process to review the General Manager's work performance and accomplishments during the year.](#)

- This is about the annual review and setting goals. The Board wanted to have a say in the goals that were set for the General Manager.

4.2.1.1. [At such times the Board will determine the General Manager's compensation for the upcoming year as part of the District's budget process. The Board may provide input for the upcoming year's goals for the District and provide direction to the General Manager.](#)

4.2.1.2. The amounts or percentage increases can be based on market studies with comparisons to other executives outside the organization with the same level...etc., etc.

4.2.1.2.1. The Board may enlist assistance from the District's HR Manager (this has always been done) and compensation consultants.

4.2.1.3. As part of the public open meeting, the Board shall state the General Manager's annual compensation, and, at the Board's discretion, sign a letter stating such compensation that will be filed in the General Manager's personnel file.

- Vice Chair Gray verified this point is so it is clear the direction comes from the Board. Board Member Ohrn asked if this was different because when they increase the any of the manager's [compensation] they have to have a public hearing about it. Rachel replied no, not within a district. Pam added that it could be part of the budget process so it is out in the public comments section.

4.2.2. The benefits and working conditions for the General Manager are established [set forth in the mutually agreed employment contract upon hire and upon renewals](#).

- Pam felt this was the best place to mention the employment contract. Anything related to benefits was always part of the Human Resources System policy portion. The question was about this following other district's and cities employment contract policies.

Several Board Members agreed that it was good to get these very thorough amendments in the policy, they are very helpful, take care of a lot of stuff. Board Vice Chair Gray motioned to approve, seconded by Board

	Member Ohrn. Thank-yous were exchanged and the motion passed. Pam said there will be other policies she would bring before the Board, best practices that just haven't been formalized in policy. The way she views her role, especially right now, is to get the organization ready for transition to the next chapter as well as the team. There is a leadership retreat this Thursday with Pam Gardiol, just getting everybody ready. Vice Chair Gray asked Pam if she was part of the review process of looking over the resumes we are getting. She thinks nobody understands it like she does, probably Hazel, but Pam has been doing this a long time and even though she is leaving she is deeply invested in the success of the organization. She wants to make sure that Pam is involved in getting the resumes sorted. Pam replied yes. Board Chair Shelton said Pam asked him the same thing and they all just assumed she would be there because she knows all the tricky questions to ask, all the "gotchas". She will be able to spot anybody that snuck by. Pam thanked them for their confidence. Board Chair Shelton added that it is also self-serving to make sure we get somebody as good as her, or at least nearly, and it is great with these policies because it definitely feels like her house is getting deep-cleaned, and also wow, all the things we never noticed weren't official. It is awesome.		
3.7.Policy Addressing District Property: Pam Roberts, General Manager, and Rachel Anderson, Legal Counsel	Pam stated that she had conferred with Rachel [legal counsel] about this topic and needed additions to the existing policy.	Motion to Approve: Vice Chair Gray Second: Board Member Turner	Approved June 23, 2025

(Information/Direction/Approval Requested)

Recently, White City residents reached out to the Mayor and expressed concerns about a company sticking flyers on their waste cans while the cans are on the street. This has been an issue in the past with company of a different name. We had to chase down the owner of the business. We think they sold the company to this new business “The Curb Lady”, and that there is some sort of connection between the two.

Board Chair Shelton clarified to Board Member Barbieri that the flyers were taped, not actual stickers.

Pam explained it is an advertisement for reflective numbers for \$25.00 that police and fire can easily find their home at night. They do the service first then people pay through Venmo.

The concern is that it looks like WFWRD is promoting this business which we are not. We don’t even know if it’s a legitimate business. The thought is to bring before the Board a policy to safeguard District assets and it seemed to make sense to put it in Chapter 7 of the Policy Manual.

Rachel said when it was brought up to us by White City residents, it’s a tricky one. What can we actually do to make this stop? We are making some efforts to strengthen our position and the city is also looking at some things that both sides can do to prevent this in the future.

With Rachel’s help, WFWRD sent a cease-and-desist letter saying we are not authorizing this, these are private cans, and these are the reasons it is not allowed. The big concern is that it looks like it is an endorsement or is WFWRD doing it. We don’t want to

Vote: All in favor (no opposing or abstaining votes).

endorse this for numerous reasons. Number one is endorsing one business over another. Number two is we don't want people thinking they are getting some government deal here. If there are any issues with service, or the business did not get their payment, they could complain to us. There are a lot of reasons we don't like this and we've had a couple residents complain.

Rachel further explained that we thought it would be nice if she could have referred to a very specific policy in the letter but we were just citing general law, a trespass more or less. One of the many things we are considering is to put something in our policy that we can cite to much more specifically and that's what this does.

Pam reviewed the Requested Additions to District Policy Manual Chapter 7.

7.5.1. Ownership of Containers basically says the cans belong to the District at all times, you have the right to use your cans for the right uses.

7.5.2. Prohibited Uses talks a little bit about prohibited use. No person can put anything on or any message, advertisement, graffiti, artwork or any markings on our can whether it be with paint, markers, flyers, advertisements, any sort of modifications.

7.5.3. Tampering and Damage is going past this issue but also just defacing our property in general, tampering or damaging or other things residents shouldn't be doing with our cans we could cite this as well.

7.5.4. Enforcement and Penalties: We don't have the same police power that cities have so it's more just that we will pursue whatever civil penalties that we have. That's why we also rely on cities to look at their ordinances and maybe put something in there so then they can have the code enforcement people or police go through and enforce it.

Board Member Ohrn asked how a city could enforce a private can. Board Chair Shelton replied that their Title 5 City Code that was originally adopted out of Salt Lake County code revised, there is a section about door-to-door solicitations and businesses are being required to register with the county or city, indicates a different party to register with. There are background checks and a bunch of processes that happen for a business. They are actually issued a Salt Lake County ID for every employee before they're allowed to go door-to-door. He doesn't know if going can-to-can is legally the same thing but at the very least it does come at them from two sides. One, cans are private property and there is a policy that says our official stance on the matter is don't put crap on our cans because we don't want the liability of somebody assuming that it is us then having to defend it. From the city aspect of trying to keep the citizens safe from people that are going door-to-door collecting money and never receiving a service.

Board Chair Shelton went on to say that it is a big thing for them to educate their citizens which is a requirement and hopefully they do more challenging to say, "Where's your badge, why are you here?"

Rachel commented that it is not against the small businesses and she gets flyers on her door all the time,

which would be the more appropriate route. While it is quick and easy to just go down the street, but that's the problem, we don't want it to look like it's us.

Board Member Ohrn didn't disagree with that because obviously they have the business licenses requirements for enterprises. Board Chair Shelton stated that is the other part of it. By going through the process of getting a permit to do door-to-door solicitation, they are given information on what is allowed. If somebody has a no solicitation sign on their fence or door, they are going to get fined for knocking on that door. There is an actual penalty in the code, like the "donotcall.gov". You call in to that number to report and the vendor is going to get fined.

Board Member Ohrn just worried if it would open up a door, like Pandoras Box, because everything she ever does with legislation comes with unintended consequences. Maybe the Winder Dairy guys have to have an ordinance that says they can't solicit, you can go down the list of things related to private property.

Board Chair Shelton replied that you have to subscribe to Winder Dairy, you are inviting them in. Board Chair Ohrn said she also subscribes to the can. She understands completely that each city can make their own decisions and they shouldn't put them on there for everything that has been stated and the District should be doing their best to enforce that policy but it's not like we can send police out to do that.

Rachel said the issue is too that we sent a cease and desist and they basically said, "Who cares, we're going to do it anyway". Pam added that it wasn't even the person from the business that called her and we

sent the letter to. It was the guy she spoke to when the issue occurred in the past and he was very adamant. She told him yes, she remembered him very well and that he wasn't welcome to post fliers on our cans.

There were comments about just trying to expand our toolbelt, it's a protection for liability, and something to say that we don't authorize this. Is it really going to stop him? No. But it doesn't hurt to have a policy.

To Board Chair Shelton, it comes back to different code enforcement issues they have as a city. If they start fighting someone because they were non-compliant, they are not trying to get the money, they are trying to get them to comply with the law. The code is already in place, they are just looking to see if they need to tweak it. They are not chasing down everyone that does it but if it becomes a big problem, they would have something to back it up.

Rachel believes we could say that it is not only a violation of our policy, but also of the city's. Board Chair Shelton replied that White City is like a large neighborhood watch and residents are good about reaching out to the city council when issues like this arise. They know when somebody is in the neighborhood that shouldn't be there.

Board Chair Barbieri talked about one area in Taylorsville where it's one call every week and it has helped to have it in their codes that solicitors have to have a license. She appreciates the recommendations because it is one more way to reduce issues.

Board Member Zuspan does not see any underlying way for the District to enforce this. There is city code

	that prohibits solicitation without a license. With the exception of adopting a policy that includes malicious activities like tampering, endangering, burning them up, running them over with your car, etc., he sees that as a viable use of this policy. If the sticker specifically says the District is asking them to do this, he sees that as a different aspect but if it's just a solicitation, the solicitation code that is already out there in all cities and towns, is the enforcement mechanism. The District doesn't have the ability to enforce it. It is "The Softer Side of Sears", the warm and fuzzy yes, we're going to do this, but there's no tie to the District of somebody putting a flyer. It's just easy for them going down the street rather than putting them on the door. Rachel replied that the enforcement option is we do have the option to sue them for trespass, but are we going to? As she stated, the enforcement penalties may include civil penalties and referral for criminal prosecution, we refer it to the city or the police. It is for when people say, "Says who?", we can say at the very least, "It is spelled out right here". Is it super effective? Maybe not. Vice Chair Gray added that we can also refer them to their city's code. Board Chair Ohrn believes it is a great policy and Board Chair Shelton added that it goes back to our residents assuming it the District promoting it, we can now point to this and say it is not allowed.		
3.8.Expanding the Seasonal Container Reservation Program (SCRП): Pam Roberts, General Manager (<i>Direction Requested</i>)	Pam began by noting the SCRП is a very popular program and there is always the desire from our residents to have more. The team looked at the possibility of merging the Trailer Rental Program with the SCRП. The two scenarios include shifting one or both FTEs to SCRП		

and adding stable staffing. Rentals for code enforcement and city clean-up details would still need to be worked out.

Scenario 1: By reducing the trailer rentals, which have a small revenue, and shifting one FTE to SCRP and increase from 60 to 66 containers per day would be an estimated \$250,000 cost shift. Recruiting one more seasonal driver would allow an increase to 72 containers per day [increasing from 10 to 11] if we can get them.

Scenario 2: Shifting both of the trailer rental FTEs to SCRP would allow 12 more containers per day, up to 72 per day, would be an estimated cost shift of just over \$500,000.

We would also need to figure out how to run the reservations for Emigration Canyon City and the Town of Brighton.

Vice Chair Gray asked how often we are maxed out of trailer rentals, and if we were to move these employees over, if people would be super frustrated because they couldn't rent one. Pam replied that yes, people would be frustrated, and last year there were approximately 1,200 rentals. She talked about the amount of rental usage by city with Millcreek at the top, and when we get Magna and Kearns, there weren't as many rentals but trailers were still available. That would go away.

Board Chair Shelton asked if instead of just converting everything over from the rentals, we only went when there is an excess trailer that hasn't been rented and it is one or two days from calling up on the waiting list

offering the extra dumpster. Priority would take place for people renting them and if there's extras, just calling up the waiting list.

Pam responded that there could be the issue of there are no extras. Board Chair Shelton said he definitely wasn't thinking about taking away the revenue we would get but if they are all being rented, that is the issue. He would push towards keeping the revenue.

Board Member Barbieri commented that Taylorsville resident's biggest issues are the price increase and they feel like they are paying more and getting less through the SCRP. If we could take some of the \$514,000 [trailer rental expense] and increase the SCRP and resident's positive outlook to make them feel like they are getting a little bit more from the SCRP, they may be able to go along with the price increase. She has received a lot of calls about going monthly [billing] and getting less SCRP and paying more. She believes that because the private sector is providing services at somewhat equal, WFWRD can do it less expensive, but we are subsidizing it. She doesn't feel that White City should be subsidizing Taylorsville City using the trailer program. They use the program a lot and, in all reality, the other cities are subsidizing other cities. Back to Board Member Ohrn's previous comment, is it really right that cities are subsidizing each other? She doesn't feel it is necessary in this situation because the private sector will be able to pick up those loads and a lot of them will do it on a contractual basis with the city at a reduced price. Taylorsville City is going out for an RFP and she doubts they can beat the price of WFWRD. She doesn't want to lose WFWRD and sees

the value in volume. Each municipality doesn't have to buy trucks, have an HR department or CDL drivers, but this is one area she feels like we can save money. Put the costs exactly where they are for the trailer rental and if we can increase the SCRP and make Taylorsville residents happier and they aren't calling all the time, she would love to see this happen.

Vice Chair Gray stated that she doesn't feel strongly either way and people want the SCRP the way it was before. Is getting six more containers a day the solution? People want what it was before, and it seems that it is still not feasible. If there was a way it could be, she feels like they would all be on board, but would it really meet their desire?

Board Member Barbieri agreed that people want it back on the streets. She has seen the background and evolution, getting them in the driveway, taking people on the waiting list to the top [priority reservations] this year. She hopes that will relieve some of their pain with the lack of the SCRP on the street. If that wasn't a concern and she looked at the balance sheet and saw that we were subsidizing the trailer rental by \$500,000, she would still be asking if it was really a program we want to continue when the private sector can do that and we could take those full-time employees and put them in other services the public isn't providing.

Board Member Barbieri confirmed to Vice Chair Gray that she is proposing the option to essentially eliminate trailer rentals but the Board would have to decide that and she doesn't have the answers.

Board Member Stitzer stated that while she is listening to some repeat comments, she wanted to bring a concern to the Board that the newest heartburn coming from Copperton is having these [containers] placed in the driveways and having a lot of other residents dumping into them in the middle of the night. Having them in driveways is not stopping people from using the dumpsters.

Board Member Barbieri asked Board Member Stitzer if people are leaving their junk in the person's driveway or if they are using the dumpsters. Board Member Stitzer responded that they have a unique situation with the majority of houses sharing driveways with their neighbor. She previously brought this concern to the Board because there is an ordinance that the driveways cannot be blocked and a lot of them don't have extra space. They were able to work out some of them that the driveways could not be blocked and the neighbor was not being helpful with that, that they could have them placed on the street. Those are not the ones people have complained about, they are the ones in the driveways. Most of them are placed pretty deep in the driveway when possible, and people are actually coming and putting the stuff in the dumpster.

Board Member Barbieri commented that the intent of having the dumpsters in someone's driveway wasn't that it was theirs solely. It was to get them off the street and avoid contractors and others just driving by. She recently chased down a contractor doing that in the park and it felt so good.

Board Member Stitzer replied that when the homeowner is reserving those and signing the waiver

to be responsible for anything put into those dumpsters when they are put on their private property, that becomes a bigger concern because now that property owner has signed a waiver stating that they are responsible for everything that is going in there and then you have another neighbor who shows up in the middle of the night and throws a fridge or paint, or something that isn't supposed to be in there. That is a concern she wanted to bring up because that is the feedback she has seen from this year which is new from any other year. WFWRD has been great about making special accommodations and have gone out of their way to make sure that Copperton has been accommodated with their unique driveway situation, however, she had to echo the comment earlier that everybody still reverts back to "Why can't we do it the way we did before?". That brought back to their council the exact same comment that was made twice earlier, that why don't we just leave it up to each of the communities to decide do we want to have this program in our city or town and if so, then they are responsible to make that rental and it if comes with a price, it comes with a price, because if it avoids a fee increase, it avoids a fee increase. If there is no way to avoid the fee increase, we need to take the fee increase and the SCRP out of the same sentence.

Board Member Barbieri thanked Board Member Stitzer for the clarification and Board Member Ohrn asked if they were saying if we got rid of SCRP and trailers we would save over \$2M a year.

Pam replied that we definitely want to have a way for residents to get rid of their bulk waste. The trailer program, SCRP, and landfill vouchers are helpful to reduce illegal dumping in the streets, rivers etc., and

that was the whole purpose of them coming about. The container program is a “free” service, but we know its not, it’s part of the monthly fee. We definitely want to keep some way for residents to get rid of their bulk waste. As she has said before, we are now in the sixth year of SCRP putting it in the resident’s driveway. It has been over half of the time we have been an organization since the time of separation [from Salt Lake County]. We would never have made the change if we didn’t need to but with CDL driver shortages, which is still happening. If we could get enough seasonal CDL drivers, we would put it back, but we can’t get them.

Board Member Barbieri asked if we could afford it if we could get them. Pam responded that it was a good question and said she could put together a scenario of what we are spending this year and if we doubled it. Right now, we have 10 driver allocations and normally we can’t fill those. We could bump it up to what we would really need for the old program and show it to the Board if we could fill those seats. She doesn’t want to have a misperceived idea that we could actually make it happen.

Board Chair Shelton urged that when we talk about something that is going to make a new cost to the District with a large amount of money, we also look at a projected fee increase schedule that shows how it would change our timeline for needing a fee increase as part of that discussion so that we don’t blindly not consider how much it will affect our next fee increase.

Pam clarified that we are proposing a cost shift and asked if he was talking about if we were to put it back.

Board Chair Shelton answered that if it is potentially going to cost the District more money, by default we need to bring in that schedule so that we are aware if it will make a fee increase happen sooner than it would have if we didn't make this decision.

Vice Chair Gray reiterated that she doesn't feel strongly either way and can see both sides to it and Pam replied to Board Chair Shelton yes, that technically in this scenario we are losing the revenue of \$147,000 per year. He then stated that it is effectively costing us that much more money at the end of the day.

Board Chair Shelton talked about looking at other avenues to reduce a fee increase and would like to see the additional data required to do something like that. What it would do to the budget and schedule to fee increases and when they might happen.

Board Member Schaeffer commented that as Pam stated, we are going on our sixth year now. We are going to bang our heads on this every year for how many more years? A lot of people he talks to want to go back to the old way but there is a double-edged sword where people don't get off work until noon and all the dumpsters on the street are already full. We are in a situation where we are damned if we do and damned if we don't. He really kind of likes the second option but it all comes down to how to get drivers so we can close the gap so we have people and bodies to drop the containers.

Pam replied to Vice Chair Gray that yes, we already have these FTEs. Vice Chair Gray summarized that

with option one, we would be dramatically reducing the trailer rental program and with option two, completely eliminating the trailer program, and asked if it would be just during the SCRP season. Pam replied yes, and we would still have leaves, and those allocations would shift over to that program but we would still try to have some trailers during that time.

Vice Chair Gray surmised that trailer rentals wouldn't be available during the summer but could be rented other times of the year. She still wants to see the numbers of how booked out the trailers are. Pam replied that staff will bring back the information next month.

Pam clarified the direction from the Board is to bring back additional data and reiterated that it [any changes] would not be until 2026.

Board Member Ohrn commented that there were definitely more reasons than just drivers. She had the same situation when the dumpsters would be full when she got home, not only full, but full from contractors and there is no way for us to monitor that. Not only were they full, but it was also all over the street and everywhere, which cost us a lot of money that our residents had to pay for people who don't even live in their areas. There were a lot of reasons besides just lack of drivers that we decided we had to go this direction. This is an important point because that is the reason we put it in private driveways and say the residents are responsible so we don't have tons of stuff out on the street. Pam thanked her for mentioning that because it was part of the reasons.

Board Member Zuspan commented that as the program has changed over the years, noting the program is completely different in the Town of Brighton, they get a reduced rate or a free trailer once a year. As far as the future of the program is concerned, he is unsure if we have discussed eliminating the program altogether. When looking at cost savings, the cost in 2024 was \$2.2M [combined trailer and SCRP]. The question is whether cities and towns themselves start to assist their residents by offsetting costs to some degree. It still shifts some of the burden to the homeowner who wants to get rid of massive amounts of trash or wants to use their voucher to go to the landfill and dump it for free which is a lot cheaper than setting a trailer in front of their house. He asked when we are going to consider dismantling the program altogether.

Board Chair Shelton replied that if we are going to have that discussion, we would definitely need to survey the residents and every member of the Board needs to potentially bring it up as a discussion item in their council meetings. He would be very curious to see how White City responds to that. If we could actually come back with a rate reduction.

Board Member Stitzer commented that each time we have had this conversation, and we could all probably agree on the fact that each of our representatives have been given a very unique and different situation of things that are happening in their own cities. Brighton is not the same as Taylorsville, Copperton is not the same as Magna. There are so many different scenarios that none of this is black and white. It definitely creates more issues when we have to make special accommodations for each and every different city for

this. There was an earlier comment about not having White City subsidize for Taylorsville but you have a lot of scenarios going on within this program that are exactly the same as that. She sees the issues that were brought up having them on the street with the pros and the cons. There are definitely pros and cons to each of the ways that this has been handled but she agrees strongly that each of the cities need to decide what they actually want out of this program, what their citizens want out of this program. As she stated earlier, if it leads to a cost savings, then it may be time to dismantle or restructure this to where it fits a more general situation than it fits the larger cities because she does think that a lot of the smaller cities suffer from it.

Vice Chair Gray disagreed because as a smaller city, they benefit greatly from the SCRP and believes Holladay would be very opposed to getting rid of the SCRP. As much as people are complaining about the changes, it's maxed out within minutes whenever the reservations come up. They very much need this program.

Board Member Stitzer clarified that dismantling does not mean discontinue or eliminating. Dismantling and restructuring creates a better scenario instead of trying to pull all of the moving parts that are already in motion and redoing teeny pieces at a time. Looking at it from a larger standpoint rather than the way we are doing it. We have been doing this since she has been on the Board, which has been about eight years now. Since the whole situation, six years of it running, there have been these type of conversations every year.

Vice Chair Gray understood what Board Member Stitzer was saying but her perspective for her city still stood.

Board Chair Shelton agreed that White City would be the same and believed that it wouldn't necessarily be a bad thing to survey the residents to get some kind of concept of what the residents want.

Board Member Barbieri recommended we go back to the surveys we've already done. Pam added that we didn't get a very big response rate from the most recent survey but the unanimous feedback was "do not eliminate it" even to save the \$1.40 [per home per month].

Board Member DeSirant commented that it would be fair to review what it does look like for some of our smaller cities who are in WFWRD, specifically the cities who are maybe under 2,500 people. He believed that it would capture Copperton, Brighton, White City. Larger cities like Holladay and Millcreek, while people have complained about the changes, he believed that people are generally happy with the SCRP and he opposed to making any large change to what we have right now.

Board Chair Shelton clarified that White City is at 5,900 [residents], but very dense. He believes that they are very much reliant on getting rid of a lot of bulk waste. There are a lot of older homes with old appliances and stuff that has been kept around since the 50's and 60's.

Board Member Stitzer clarified that Copperton is under 1,000 and Board Member Barbieri added that at

	the end of the day, the only reason that the SCRP works is because of volume. She doesn't believe that individual cities could feasibly do it. Pam replied yes to Vice Chair Gray that as far as this discussion, the Board has given her the direction to continue this discussion and bring back information, including what it would take if we did have enough staff to do more containers in the driveways. Pam wanted to make sure it was clear that if we bring back information about having the containers as they were prior to SCRP that this may not be possible. Vice Chair Gray expressed appreciation from the Board for staff doing the research. Board Member Barbieri said it would be good news at this point to residents if we were able to say the SCRP is increasing by 10 cans, it's something. Vice Chair Gray added that residents of Holladay were rather excited about what we did this year with priority reservations and Board Chair Shelton said he hadn't seen as much bickering in White City because cans were sold out and people finally got one this year.		
4. Closed Session (if needed)			
	No closed session was needed.		
5. Other Board Business			
	There was no other Board business.		
6. Requested Items for the Next Board Meeting Monday, July 28, 2025			
	Board Chair Shelton reviewed the items for the next Board Meeting: • 2025 2nd Quarter Financial Report • Moving to Paperless Billing and Plan for Monthly Billing • Fraud Risk Assessment		

	• Expanding SCRP Using Trailer Program Resources • General Manager’s Report		
7. Adjourn Board of Trustees Meeting			
	With no further business, Board Chair Shelton entertained a motion to adjourn.	Motion to Adjourn: Vice Chair Gray Second: Board Member Holton Vote: All in favor (no opposing or abstaining votes).	Approved June 23, 2025 <i>Meeting end time: 10:36 a.m.</i>

DRAFT