



## **WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT**

Minutes of the meeting of the Administrative Control Board of Wasatch Integrated Waste Management District held February 5, 2025 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, Mayor Clark Wilkinson

### **ADMINISTRATIVE CONTROL BOARD PRESENT:**

Chair, Mayor Clark Wilkinson, Centerville  
Board Vice-Chair, Mayor Brian Vincent, West Point  
Secretary, Commissioner Mike Newton, Morgan County  
Council Member Nike Peterson, Clearfield (online)  
Mayor Brandon Stanger, Clinton  
Commissioner John Crofts, Davis County  
Commissioner Lorene Kamalu, Davis County  
Commissioner Bob Stevenson, Davis County  
Mayor John Pohlman, Fruit Heights

Mayor Tami Tran, Kaysville  
Mayor Joy Petro, Layton (partially online)  
Council Member Tony London, Morgan  
Mayor Brian Horrocks, North Salt Lake  
Mayor Rod Westbroek, South Weber  
Council Member Nakisha Rigley, Sunset  
Council Member Jordan Savage, Syracuse  
Mayor Ken Romney, West Bountiful  
Council Member Wally Larrabee, Woods Cross

### **ADMINISTRATIVE CONTROL BOARD MEMBERS EXCUSED FROM ATTENDING:**

Mayor Brett Anderson, Farmington

### **STAFF PRESENT:**

Nathan Rich, Executive Director  
Adam Hacker, Accounting Manager  
Penny Hobbs, HR Generalist  
Preston Lee, Operations Manager  
Todd Quinley, Purchasing Manager  
Dan Ramos, Safety Superintendent  
Jesse Simonson, Landfill Manager  
Chad Staples, MRF Manager  
Collette West, Sustainability Specialist  
Juli McIntosh, Clerk/Recorder

### **VISITORS:**

Larry Jenkins, Kirton McConkie  
Jadyn Applonie, Layton City  
David Fisher, Robinson Waste Services  
Blake Robinson, Robinson Waste Services

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 January 31, 2025. 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 January 31, 2025.

## **Welcome**

Board Chair, Mayor Clark Wilkinson, welcomed board members, staff, and visitors to the meeting. He introduced newly elected Davis County Commissioner John Crofts to the board, asking all board members to introduce themselves to Commissioner Crofts.

## **Minutes Approval**

Chairman Wilkinson presented minutes of the November 6, 2024 and December 12, 2024 board meetings to the board for approval.

Upon motion duly made and seconded, minutes for the November 6, 2024 and December 12, 2024 board meetings were approved. Chairman Wilkinson, Vice Chair Mayor Brian Vincent, Secretary Commissioner Mike Newton, Council Member Nike Peterson, Mayor Brandon Stanger, Commissioner John Crofts, Commissioner Lorene Kamalu, Commissioner Bob Stevenson, Mayor John Pohlman, Mayor Tami Tran, Mayor Joy Petro, Council Member Tony London, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Nakisha Rigley, Council Member Jordan Savage, Mayor Ken Romney, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

## **Public Comment Period**

There was no public comment.

## **Financial Report**

Mr. Hacker presented Financial Statements through December 31, 2024, including the balance sheet, statement of revenues, expenses, and changes in net position. Mr. Hacker also reviewed the capital budget.

Mr. Hacker reviewed the Disbursement Report for October 1, 2024 through December 31, 2024.

Upon motion duly made and seconded, disbursements were approved. Chairman Wilkinson, Vice Chair Mayor Brian Vincent, Secretary Commissioner Mike Newton, Council Member Nike Peterson, Mayor Brandon Stanger, Commissioner John Crofts, Commissioner Lorene Kamalu, Commissioner Bob Stevenson, Mayor John Pohlman, Mayor Tami Tran, Mayor Joy Petro, Council Member Tony London, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Nakisha Rigley, Council Member Jordan Savage, Mayor Ken Romney, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

In response to a question, Mr. Rich explained that the two additional trucks are needed, one for a backup vehicle and the other for the new driver that will be hired soon.

Mr. Rich also explained that by the end of the year, temporary labor will likely exceed its budgeted amount at the landfill because there has been a greater need to staff the green waste drop off due to more self haul loads. However, costs for temporary labor are down some at the MRF.

## **Financial Model Presentation**

Mr. Fred Philpot presented various scenarios that the District might implement in the future in order to maintain financial stability.

He discussed the model used and its creation, the need for model updates, and scenario analysis. The model is used to predict landfill life and usage, expenses, and fund balances.

The various scenarios contemplated current financial information, so actuals for 2023 and 2024; also included were budget numbers for 2025.

The model also considered the revised fund balance and cash currently available, updates to the general capital improvement plan, and a scenario analysis that removed out of district waste.

Mr. Philpot reviewed a few scenarios, to include: maintaining the status quo, eliminating all out of district waste completely resulting in less waste and less revenue, and transferring more waste to a regional landfill resulting in longer landfill life but higher costs. He discussed the need to increase rates to keep up with inflation, preferably over time to alleviate future pressure. He reiterated that taking action, by raising rates, sooner keeps rates lower long term.

In response to questions, Mr. Rich said that the reduced landfill operations due to increased transfer of waste will not balance, as landfilling is a high fixed cost operation and transfer is more expensive than landfill.

In response to a question about greatly reducing out of district waste, Mr. Philpot said that that scenario has the potential to reduce revenues significantly, however out of district waste could be reduced incrementally over time to evaluate and determine the District's best financial position.

Mr. Rich added that the model assumes a three percent escalation in expenses and rates over time, which should see the District clear through the next 20 years.

### **Director's Update**

Mr. Rich announced his retirement saying, it is with mixed emotions that I have announced my intention to retire on July 1, 2025. This job has been a great challenge, honor, and joy. I have a lot to be proud of and thankful for, but unquestionably the achievement I am most pleased with is the competent and caring team that I will be leaving. District operations are in excellent hands, and I look forward to seeing the District grow and flourish under the direction of someone with new ideas and energy. He thanked them for their support and trust over these past 26 years.

Mr. Rich recommended that the Executive Committee appoint an executive search committee to move the hiring process forward. I have instructed Penny Hobbs, H.R. Specialist, to update a job description and bring options for the committee to consider including a nation-wide search. Members of the committee should be prepared to make time to sit in interviews and make a recommendation to the full Administrative Control Board.

Chairman Wilkinson asked for volunteers to participate in the executive search committee. Commissioners Bob Stevenson and John Crofts, Mayor Tami Tran, Mayor Joy Petro, Council Member Wally Larrabee, and Chairman Wilkinson volunteered to serve.

Messrs. Alex Jensen and Clint Drake, Layton City Manager and attorney, respectively, have verbally informed us of Layton's intent to withdraw from the District. They reported that they have the full support of the Layton City Council and that they will be presenting a letter detailing their request within the next week or so.

Layton leaving the District would have a substantial impact to District operations and finances. Mr. Rich provided a table summarizing waste delivered from Layton City.

He said he does not believe that Layton City does understands the full suite of services covered by the Household Use Fee including the processing of recyclables, household hazardous waste disposal, green waste disposal, and the use of self-haul facilities at the landfill. The landfill is visited over 46,000 times per year by Layton City residents. Additionally, being a member of the District entitles Layton businesses to the convenient and reasonably priced disposal at District Facilities.

He also said that it was interesting to hear that the stated reason for withdrawing from the District is that our "relationship" has been irreparably damaged over the past year. The District has long recognized that our facilities impact our host communities, and we have worked hard over the years to work with the City to mutual benefit when possible. Mr. Rich provided a list of some of the projects that the District has completed in partnership with Layton.

- 10 acre Greyhawk Park Created, 2004
  - Property traded with Greyhawk development
  - Property deeded by Greyhawk to Layton City for the park
- Extension of Fairfield Road in three way property swap with Morishita and Layton, 2005
- Created East Gate Entrance to Hill AFB, 2007

- Excavation by Wasatch
- Property deeded to Layton
- Layton paved the road
- Sold 65 acres of property to J.L. Properties at the request of Layton for development of the East Gate business park, 2007
- Cancelled tower lease and sold property to Layton to remove large unsightly tower from the Greyhawk park, 2016
- Provision of 10-foot easements along the south side of the landfill for Layton City trail, 2016
- Grant of option agreement and ultimate sale of 25 acres to Layton, 2016 and 2023
- Assignment of 343 acre-feet of water used to operate the energy recovery facility to the Layton City at cost, 2018

The District's legal team is reviewing the potential request to be prepared if and when the city makes a formal request.

Mr. Rich cautioned patience since a formal written request has not been received from the council or entity with appropriate authority. Any action on the part of Wasatch would be premature at this time.

There are currently a handful of bills working through the 2025 legislation session of interest to the district.

- HB 53, Litter Cleanup Amendments creates a new fund at the state for education regarding litter and requires landfills to impose an unsecured load fee. A portion of the fee is to be sent to the state. The legislation is also clear that loads need to be fully covered, not just secured. Passed the house 68-1. We fully support this legislation.
- SB 217, Recycling and Waste Amendments is a watered down bill to address e-waste. The District had hoped to work with other municipal partners and the state to get meaningful funding for e-waste disposal state wide. The commercial waste providers got involved and turned it into another education requirement for the state to complete with no funding.
- HB 177, Glass Recycling amendments simply require the state to do a study and report to the legislature.
- SB 63, Waste Tire Recycling Amendments allows landfill to shred tires and use them as landfill cover. We support this legislation as it will help rural landfill get rid of tire piles.

Mr. Rich reported that the Diversion Incentive is being well received across the District and a number of diversion program improvements are coming in the next few months. Mr. Rich provided a table showing actions being taken by cities to improve their recycling programs for their residents and increase diversion, mentioning that when we began recycling initiatives, 45 percent of District residents had access to curbside recycling services. Very soon, nearly 80 percent of District residents will have access. Collette West and Preston Lee have both done a great job supporting cities with presentations and answering questions.

Hauling of transferred waste to the Bayview Landfill in Utah County will begin near the end of April 2025. The move will save some hauling costs and more importantly begin support of the facilities of which we are a 25% owner. The long-term benefit of having a well-run, financially healthy regional landfill to accept our waste is hard to overstate.

RRT has delivered a final report on the performance of the recently completed upgrades to the Material Recovery Facility. The analysis of post-retrofit performance indicates that the project was successful in meeting project objectives. Mr. Rich recognized the great work of all project team members including CP Group, RRT, and staff.

- OCC bale weights have increased from approximately 1,300 lbs. to 1,800 lbs
- OCC recovery rate has increased from approximately 51% to 97% (by weight)
- The estimated recovery rate for all fiber (including OCC and mixed paper) has increased from approximately 29% to 63%
- The retrofit has provided operational flexibility to produce mixed paper, RDF and rejects in various configurations, based on market conditions
- The retrofit did not have any negative impact on the overall throughput capacity or uptime percentage

Committee Meetings were last held on January 28 and 29, 2025. Committee meetings are next scheduled for February 25 and 26, 2025.

Mr. Rich presented a graph showing primary waste streams delivered to district facilities over the past 12 years. Facilities have experienced an increase in both residential curbside and a slight decrease in commercial/self-haul waste during 2024. At the same time out of district waste nearly doubled in the year.

He also presented a graph showing the total waste delivered to District facilities over the past 12 years along with the ultimate waste disposed location. The graph shows the corresponding increase in waste placed in the Davis Landfill with the closure of the Waste to Energy Facility. It also shows what the effect of transferring waste to a regional landfill over the past few years has had on the amount of waste going into the Davis Landfill. During 2024 the District accepted a total of 362,884 tons of waste which was a three percent increase over 2023 and a new all-time high.

Mr. Rich added that with a remaining capacity of approximately 3,452,000 tons at the Davis Landfill the remaining life is approximately 14.5 years at the current landfill rate. If no waste were being diverted through the Material Recovery and Transfer Facility the remaining life would be less than 10 years.

### **Public Hearing (6:00 p.m.)**

Chairwoman Wilkinson proposed opening a public hearing to allow public comment on the Rate Increases.

Upon motion duly made and seconded, the public hearing was opened. Chairman Wilkinson, Vice Chair Mayor Brian Vincent, Secretary Commissioner Mike Newton, Council Member Nike Peterson, Mayor Brandon Stanger, Commissioner John Crofts, Commissioner Lorene Kamalu, Commissioner Bob Stevenson, Mayor John Pohlman, Mayor Tami Tran, Mayor Joy Petro, Council Member Tony London, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Nakisha Rigley, Council Member Jordan Savage, Mayor Ken Romney, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

Mr. Rich explained that the proposed fee increase, which is a 100 percent surcharge for out of district customers, was properly noticed at member cities, and on the Utah Public Notice website. The rate increase is being proposed in order to reduce out of District loads coming into the facilities and per the board's direction. A one dollar per month Household Use Fee rate increase was also noticed.

The rate increases will be effective July 1, 2025.

Mayor Petro commented that one of her city council members doesn't like the minimum weight requirement because he has a heavy pickup truck, which usually means he pays by the ton.

Board members discussed tighter restrictions on out of district businesses (business licenses are easy to obtain, but agreed that the out of district increase is going to be a positive move for the District.

Mayor Rod Westbroek said that he is concerned with the household use fee being raised so close to implementation of curbside recycling. He said he doesn't want it to appear that recycling is driving the fee increase.

After some board discussion, the consensus was to implement the out of district fee on July 1, 2025 as planned but postpone the household use fee increase until January 1, 2026.

Mr. Rich reminded board members that in the event of an out of district fee being charged to a legitimate resident, the resident can always return with acceptable proof of residency and receive a refund.

Resolution 25-03 Amending Title 4, Disposal and Fees – Household Use Fee and Out of District Rates was presented to the board. A motion was made to amend the resolution to postpone the household use fee rate increase until January 1, 2026.

There was no additional comment nor was there any public comment and the public hearing was closed.

Upon motion duly made and seconded, Resolution 25-03 Amending Title 4, Disposal and Fees – Household Use Fee and Out of District Rates was approved. Chairman Wilkinson, Vice Chair Mayor Brian Vincent, Secretary Commissioner Mike Newton, Council Member Nike Peterson, Commissioner John Crofts, Commissioner Lorene Kamalu, Commissioner Bob Stevenson, Mayor Tami Tran, Council Member Tony London, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Nakisha Rigley, Council Member Jordan Savage, and Council Member Wally Larrabee voted yea. Mayor Brandon Stanger, Mayor John Pohlman, Mayor Joy Petro, and Mayor Ken Romney voted nay.

Commissioner Mike Newton commented that the board has increased rates every year for the last three years but the household use fee has not been increased for six years. He suggested that residents would not notice small incremental increases as much as one larger increase every six years.

### **Resolutions**

Chairman Wilkinson presented Resolution 25-01, Amending Title 2, Personnel Policies.

Mr. Rich explained that the primary amendment to this policy is regarding the 37 hours of sick leave automatically given to employees at their hire date. He explained that the policy previously did not give new employees any sick leave. It was accrued like vacation. However it was changed to give employees sick leave upon hire during the COVID-19 outbreak.

Upon motion duly made and seconded, Resolution 25-01, Amending Title 2, Personnel Policies was approved. Chairman Wilkinson, Vice Chair Mayor Brian Vincent, Secretary Commissioner Mike Newton, Council Member Nike Peterson, Mayor Brandon Stanger, Commissioner John Crofts, Commissioner Lorene Kamalu, Commissioner Bob Stevenson, Mayor John Pohlman, Mayor Tami Tran, Mayor Joy Petro, Council Member Tony London, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Nakisha Rigley, Council Member Jordan Savage, Mayor Ken Romney, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

Chairman Wilkinson presented Resolution 25-02, Amending Title 4, Disposal and Fees – Green Waste Recycling Program.

Mr. Rich explained that changes to Title 4 include, no longer purchasing green waste carts for cities, describing the terms of the curbside green waste pickup opt out program, and standardizing green waste pickup months.

Upon motion duly made and seconded, Resolution 25-01, Amending Title 2, Personnel Policies was approved. Chairman Wilkinson, Vice Chair Mayor Brian Vincent, Secretary Commissioner Mike Newton, Council Member Nike Peterson, Mayor Brandon Stanger, Commissioner John Crofts, Commissioner Lorene Kamalu, Commissioner Bob Stevenson, Mayor John Pohlman, Mayor Tami Tran, Mayor Joy Petro, Council Member Tony London, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Nakisha Rigley, Council Member Jordan Savage, Mayor Ken Romney, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

Chairman Wilkinson presented Resolution 25-04 Amending Title 5, Travel Policy.

Travel Policy changes included considering rental car and ride share costs when determining whether to drive or fly to a travel destination and updating website information for the GSA.

Upon motion duly made and seconded, Resolution 25-04 Amending Title 5, Travel Policy was approved. Chairman Wilkinson, Vice Chair Mayor Brian Vincent, Secretary Commissioner Mike Newton, Council Member Nike Peterson, Mayor Brandon Stanger, Commissioner John Crofts, Commissioner Lorene Kamalu, Commissioner Bob Stevenson, Mayor John Pohlman, Mayor Tami Tran, Mayor Joy Petro, Council Member Tony London, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Nakisha Rigley, Council Member Jordan Savage, Mayor Ken Romney, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

Chairman Wilkinson presented Resolution 25-05 Amending Title 8, Fiscal Policy.

Changes to the Fiscal Policy included increasing the minimum credit score for credit application approval and decreasing the credit card payment fee from the current six percent to five percent.

Upon motion duly made and seconded, Resolution 25-05 Amending Title 8, Fiscal Policy was approved. Chairman Wilkinson, Vice Chair Mayor Brian Vincent, Secretary Commissioner Mike Newton, Council Member Nike Peterson, Mayor Brandon Stanger, Commissioner John Crofts, Commissioner Lorene Kamalu, Commissioner Bob Stevenson, Mayor John Pohlman, Mayor Tami Tran, Mayor Joy Petro, Council Member Tony London, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Nakisha Rigley, Council Member Jordan Savage, Mayor Ken Romney, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

Chairman Wilkinson presented Resolution 25-06 Approving Clearfield Curbside Green Waste Program.

Upon motion duly made and seconded, Resolution 25-06 Approving Clearfield Curbside Green Waste Program was approved. Chairman Wilkinson, Vice Chair Mayor Brian Vincent, Secretary Commissioner Mike Newton, Council Member Nike Peterson, Mayor Brandon Stanger, Commissioner John Crofts, Commissioner Lorene Kamalu, Commissioner Bob Stevenson, Mayor John Pohlman, Mayor Tami Tran, Mayor Joy Petro, Council Member Tony London, Mayor Brian Horrocks, Mayor Rod Westbroek, Council Member Nakisha Rigley, Council Member Jordan Savage, Mayor Ken Romney, and Council Member Wally Larrabee voted yea. Voting in favor of said motion was unanimous.

### **General Business**

Chairman Wilkinson briefly described a phone call last week from Mr. Rich regarding his meeting with Messrs. Jensen and Drake's visit. He asked Mr. Rich to elaborate.

Mr. Rich explained that Messrs. Jensen and Drake made an appointment to visit Mr. Rich at Wasatch's Administrative Offices. At that time, they informed Mr. Rich of Layton City's intent to leave the District. He said there was no discussion regarding ways to seek compromise nor was their conversation from Messrs. Jensen or Drake toward resolution of their issues. There only mention of issues was to say that the relationship between the District and the City had been irreparably damaged over the last year and the city thought it in their best interests to leave the District.

For board members' information, Mr. Rich provided number of loads, tons, and the revenue delivered to the landfill by Layton City in 2024.

Mr. Larry Jenkins reminded board members that no formal request has as yet been received so any discussion regarding Layton City's intent would be speculation.

Chairman Wilkinson that although it would not be appropriate for the board to take any action at this time, he instructed Nathan to inform the board immediately so that they were aware of Layton's intent.

Commissioner Bob Stevenson clarified with Mayor Joy Petro that no action has been taken by the council. Upon confirmation, he asked why it was brought up if no action has been taken.

Mayor Petro said that, upon request of the city council asking staff to look at options, staff looked at alternatives and discovered it, but they will need to bring it before the council.

In response to a question, Mr. Rich repeated that Messrs. Jensen and Drake indicated that they had the full support of the city council and fully intended to withdraw from the District.

Commissioner Stevens asked why the District was approached at the time.

Mayor Petro said that Messrs. Jensen and Drake knew that the District's rate discussion was pending.

Mayor Tami Tran asked if the city's intent to withdraw from the District was on the Layton City Agend for tomorrow, February 6, 2025.

Mayor Petro said no, it's not on the agenda but if it's pending litigation the Layton City Council could go into a closed session.

Commissioner Stevenson said he didn't think a rate increase was a legitimate reason to go into a closed session.

Commissioner Stevenson said, knowing that the council intends to withdraw Layton City from the District, that the city council should take action so that the board can respond. However, until they take formal action, they are still members of the District and it is business as usual.

Mayor Ken Romney asked where the District stands financially if Layton City withdraws from the District.

Mr. Rich said that the District has a lot of flexibility in operations. The adjustment would be difficult, but we would adjust.

Chairman Wilkinson sympathized saying his first response would be to try to determine every scenario, however he agreed with Commissioner Stevenson that we should wait for a formal request from the city before the District takes any action.

There were no other future agenda items for discussion.

**Adjournment**

Upon motion duly made and seconded, the Administrative Control Board meeting was adjourned at 7:11 p.m. Voting in favor of said motion was unanimous.

  
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Mayor Clark Wilkinson, Board Chair

  
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Nathan Rich, Executive Director