

MINUTES OF BOARD OF COUNTY COMMISSIONERS
PUBLIC HEARING 2018
MILLARD COUNTY THE 25th DAY OF OCTOBER 2018
AT THE SATELLITE OFFICES, DELTA, UTAH

- PRESENT: Wayne Jackson.Chairperson
Dean Draper.Commissioner
James I. Withers. Commissioner
- Pat FinlinsonCounty Attorney
- EXCUSED: Marki RowleyCounty Clerk
Jamie HairDeputy Clerk
- ALSO PRESENT: LuAnne Miller Delta Office
Shellie Dutson and Sam Jacobson Chronicle Progress
Adam Richins County Planner
John HigginsCounty Landfill
Sheri Dearden County Treasurer
Lynette Madsen and DJ StottMeadow Town
Andy NickleDelta Garbage
Kevin Miller, Richard Dearden, Tony Dearden, and Monique Draper Citizens

PURSUANT TO AN AGENDA WHICH HERETOFORE HAD BEEN PROVIDED TO each member of the governing body, posted at the principal office of the Millard County Commission, posted on the Utah Public Notice Website, and provided to the Millard County Chronicle Progress, a newspaper of general circulation within Millard County, Utah, as required by law, the following proceedings were had:

Commissioner Jackson called the meeting to order at 7:00 p.m.. He welcomed the public. Commissioner Withers gave an invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

Commissioner Jackson said that they are very interested in hearing the public comments on this issue. He said that the landfill study was done by Zions Public Finance who answered a lot of the County’s questions. He said that nothing will be done to move forward until public comment has been received. Commissioner Jackson then turned the time over to Planner Richins to present the study and said that questions and comments can be brought forth after the presentation.

A handout was provided. Planner Richins said that he was presenting the information and

recommendations provided by Zions Public Finance and that further information is available for review beyond what is in the handout.

Planner Richins said that the goal for the landfill is provide sustainable service at low cost where everyone pays their fair share. He said that there were about a dozen landfills approximately 30 years ago until the regional landfill was created in 1986. He said that all other dump sites were closed at that time and collection stations were created. He said that this structure hasn't changed much since then.

Planner Richins said that currently commercial waste gets hauled directly to the landfill and residential waste is collected by the County from the collection stations. He said that individual communities were responsible for the maintenance at each collection station.

Planner Richins said that the Landfill is an Enterprise Fund which means it stands alone and isn't tied to any other money that the County collects and spends. He said that the payment for the landfill will never be paid through taxes, but rather through regular billing.

Planner Richins said that some services have been added over time like animal disposal, agriculture waste, and city clean-up days.

Planner Richins said that the County didn't keep up with inflation and missed some revenue opportunities when services were added and the current equipment is breaking down. He said that the study was done because there isn't enough money to operate the landfill and replace the necessary equipment, among other expenses.

Planner Richins referred to the Current Rate Structure on the handout and explained the current classifications for monthly billing. He then referred to the pie charts that reflect the current fee-share of cost and current waste production (in cubic yards).

Tony Dearden asked if the cubic yards were measured by loose or compacted waste. Mr. Higgins said that it is calculated by loose waste or non-compacted yards.

Planner Richins explained how a commercial user is charged. He said that the bills are based on yardage because the landfill capacity is based on volume and the Millard County landfill has approximately 60 years left of use.

Tony Dearden commented on what the rates were originally. Planner Richins said that the rates have probably changed overtime and the handout states the current billing structure.

Planner Richins said that Zions Public Finance pointed out that the County currently has an unlimited class which allows large users to pay a very disproportional amount. He referred to the pie charts and said that residential users pay approximately 3/4 of the price and the volume of residential waste is only about 1/4.

Commissioner Withers asked where the collection sites are reflected in the pie chart.

Planner Richins said that the collection sites are supposed to be for residential use only. Mr. Higgins said that he believes the collection sites receive a mix of commercial and residential waste.

Planner Richins said that there are records for waste taken straight to the landfill. He said that the collection sites are not monitored and it is possible for commercial and residential waste to be put in the collection sites. He said that if that was the case, the residential users' percentage of use would be even smaller than what the pie charts show.

Tony Dearden asked what information was given to Zions Public Finance regarding collection sites. Planner Richins said that information can be looked up. LuAnne Miller said that she had the document which was given to Zions which included the total volumes taken to the landfill from the collection sites. She said that the volumes from the collection sites were not broken down between residential and commercial classes.

Commissioner Withers told Mr. Dearden that it all depends on whether Zions Public Finance considered the collection sites as residential or commercial, but as long as they use the same definition for the second study it will be fine.

Planner Richins said that based on the signs at the collection sites, commercial waste should not be put in them. He said that if commercial waste was put in them previously then the commercial use is actually more than the percentage shown.

Lynette Madsen said that the collection site in Meadow receives commercial waste from at least 2 or 3 commercial businesses located in Meadow.

Planner Richins said that the main question is how to make this fair and ensure that the landfill is operating properly.

Planner Richins went over the proposed new classifications for monthly billing and said that there would no longer be an unlimited class. He explained that the class 7 is now based on actual yardage and it is easier to monitor large users who are taking waste directly to the landfill.

Planner Richins said that there will not be any additional landfill fees collected on waste brought by commercial haulers and all fees will be paid on a monthly utility bill. He said that the County has access to some of the hauling records and that landfill staff have been able to assess each commercial business to find out approximately what amounts of waste are being produced. He said that customers can contact the landfill if they disagree with the assessment and it can be changed. He said that the volume estimates will be done quarterly.

Tony Dearden said that he has two commercial locations and he is not using one of them.

Planner Richins said that residents with multiple accounts or duplications of billing can apply for abatements.

Planner Richins said that Zions Public Finance recommended a process to review the accounts once the new system is in place. He said that this will be done annually.

LuAnne Miller reminded everyone to speak into the microphone for the minutes.

Planner Richins referred the new Out-of-County category and said that the County doesn't

want to encourage people from other counties to dump their waste in Millard County so they would be charged a double billing rate. He said that many other counties do this. He also said that the landfill currently accepts dead animals, but customers haven't been paying a charge which has been imposing a large labor cost to the landfill. Planner Richins said that the proposed rate is a \$10.00 minimum fee or \$15/cubic yard and customers will have the option of disposing of dead animals themselves.

Planner Richins then went over the proposed rate structures that identifies the customers who will contribute to the landfill. He went over the number of billed residential and commercial customers, possible waste volumes, and what class they would fall in.

Planner Richins referred to the pie charts that correspond with the proposed changes. He said that it isn't perfect, but improves the payment proportions.

Planner Richins referred to the Future Rate Options and Subsequent Rates in 2024 table and said that residential will be \$12.00 and then went through the rates of the other classes.

Planner Richins said that commercial haulers will no longer be responsible for assessing the usage of each customer and remit that to the County. He said that the study was done with a few assumptions including a 10 year projection and annual residential customer growth of approximately .5%. He explained that one of the reasons that the yardage fee is \$4.50 is because that amount was determined to be close to the marginal cost so it will be able to help cover expenses if usage increases.

Planner Richins said that some other items taken into account were closure and post-closure expenses, state assessed fees, equipment replacement schedule, and maintaining at least 180 days cash on hand.

Planner Richins said that Zions Public Finance included bonding options in their proposal and this is something that may be considered to address purchasing new equipment. He referred to the options for necessary changes in 2024.

Tony Dearden asked the amount of the bond being considered. Planner Richins said that he believes that the bond is a 20 year bond. He said that much of the County's equipment needs to be considered for replacement within the next couple of years. He said that if there was a bond, it would be paid out of the landfill account.

Planner Richins stated the County's need for newer landfill equipment because of the downtime and expenses that repairs have caused. He said that newer equipment will reduce downtime, increase fuel efficiency, optimize operations (reduced number of trips, etc), and result in lower maintenance costs. He showed the current prioritized list of landfill equipment and went over a few of them before turning the time over for public comment and questions.

Tony Dearden said that his concern was that the cost of the landfill was going to be shifted from residential to commercial or businesses. He said that when a business is assessed a fee, those charges will be passed onto the community. He said that he calculated some of the rates they thought they would be charged and they were going from \$75.00 per month to \$450.00 per month if they were to use a \$12.00 per yard basis; however, now it has been discussed to be \$4.50 per yard. He says he appreciates how the County has handled this issue and he is available to help with past

County information if necessary since he is a past commissioner.

Planner Richins said that it is likely that people will modify their behavior on waste to try to get into a smaller class.

Lynette Madsen asked if the County had considered the feasibility of recycling. Planner Richins said that the study looked into cardboard recycling and mulching organic waste and Zions Public Finance didn't think it would be something the County could break even on.

Tony Dearden said that the landfill location was initially chosen because the soil there wouldn't need to be lined. He gave a brief history of the towns who did and did not require garbage pickup before the landfill. He said that Fillmore City residents are being charged twice for the transport of waste and wanted to know if this has been addressed. He said that the transfer stations are the best part of the waste collection system in the County and he thinks they need to stay in operation as long as possible.

Planner Richins said that Fillmore City's Landfill was brought up in the study; however, it cannot receive residential waste. He said it is staffed three days a week and there is County equipment dedicated to it. He said that the agreement stated that Fillmore City would share the cost of this landfill with the County, however; it never has.

There were no other comments made.

WHERE UPON THE MEETING ADJOURNED

The meeting adjourned at 7:58 p.m..