

MINUTES OF BOARD OF COUNTY COMMISSIONERS
PUBLIC HEARING 2018
MILLARD COUNTY THE 24th DAY OF OCTOBER 2018
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Wayne JacksonChairperson
Dean Draper.....Commissioner
James I. Withers Commissioner

Pat FinlinsonCounty Attorney
Marki Rowley.....County Clerk
Jamie Hair..... Deputy County Clerk

ALSO PRESENT: LuAnne Miller Delta Office
Matt Ward Chronicle Progress
Adam Richins County Planner
John Higgins.....County Landfill
Sheri Dearden County Treasurer
Jeff Mitchell and Ian AdamsFillmore City
Kevin Miller, Terry Scottorn, Takako Scottorn,
Andy Nickle, Kary Kesler and Susan Kesler 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 Draper gave an invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

Commissioner Jackson said that the purpose of the public hearing is to put everyone on the same page. He said that prior to public comment or questions, there will be a presentation. Commissioner Jackson then turned the time over to Adam Richins.

A handout was provided. Planner Richins went over a brief history of the landfill study and the recommendations provided by Zions Public Finance.

Planner Richins said that the goal for the landfill is to provide sustainable service at a low cost. He said that the regional landfill was created in 1986 and all other dump sites were closed at that time. He said that individual communities were responsible for the maintenance at each collection station and that services did not initially include agricultural waste and animal disposal. He said that the landfill is an Enterprise Fund.

Planner Richins said that the key factors are the growing costs and that there hasn't been a rate increase since 2007. He also said that Zions Public Finance had pointed out that some users of the landfill weren't being billed correctly, or at all. He explained that there isn't a single billing entity which resulted in inaccurate records.

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). He said that one of the purposes of the study was to address how to fairly separate the portions of what people pay.

Planner Richins went over the proposed new classifications for monthly billing and said that they are volume based classifications. He said that there are 7 commercial classes and no unlimited class.

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/power bill. He said that the volume estimates will be done quarterly and that residents with multiple accounts or duplications of billing can apply for abatements. He said that there will be a review of all accounts at least once annually.

Planner Richins referred to the Future Rate Options and Subsequent Rates in 2024 table and said that residential fees are based on an average that divides the total amount of residential waste by the number of households. He then referred to the new Out-of-County category and said that the County has approximately 60 years of use left at the landfill and that we don'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 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, costs, and the corresponding pie charts.

Planner Richins referred to the Future Rate Options and Subsequent Rates in 2024 table. He said that another adjustment will need to be made in 2024 and showed the options that can be considered at that point. He said that Zions Public Finance included some bond options; A bond is basically a loan against the revenue the County would be making from the landfill. He said that getting a bond would potentially keep the rates lower.

Planner Richins said that the study was done with a few assumptions including a 10 year projection, annual customer growth of .5% - 1.0%, annual operating expense growth of 2.8%, closure and post-closure expenses, state assessed fees, capitol projects, equipment replacement, and maintaining at least 180 days cash on hand.

Planner Richins stated the County's need for newer landfill equipment. He cited employee

safety (exposure to sound, airborne biohazards, particulate matter, etc) as one of the reasons. He said that recently there have been some equipment repairs and there have been large costs associated with them. Planner Richins said that newer equipment will reduce downtime, increase fuel efficiency, optimize operations (reduced number of trips, etc), and result in lower maintenance costs. He said that he would like good used equipment and possibly some new equipment with warranties to be considered and said that good purchasing practices will get the County Landfill through the next 60 years.

Planner Richins showed a prioritized list of landfill equipment at 2018 costs, then turned the time over for public comment and questions.

Terry Scottorn asked Planner Richins to clarify that residential users will still pay approximately 1/3 more than everyone else. Planner Richins said that is correct if your looking at it through total cost per yardage use.

Mr. Scottorn then asked what the State assessed fees are and what the County can expect to receive from them. Planner Richins said that the fees will probably be between \$30,000.00-\$50,000.00 per year and said that the State isn't offering any other services for the fees.

Commissioner Jackson said that the State previously had been funded by only a few landfill sites and now they are breaking it up so every county is assessed a fee.

Commissioner Draper said that he would like to correct an error in an article that was ran in the newspaper that stated the County had to open the budget to fund some landfill expenses. He said that the landfill is an Enterprise Zone and that the funds for repairs did not come from tax money in the County General Fund; the money came from the County Landfill General Fund.

Commissioner Jackson said that landfill repairs were funded from the depreciation fund within the landfill budget due to guidelines for Enterprise Funds.

Attorney Finlinson asked those commenting to come to the microphone and state their name if they have comments and/or questions.

Terry Scottorn asked if putting pup trailers on the trucks would be an option. John Higgins said that it is possible, but not very feasible due to the many locations in the County. Mr. Scottorn then asked if there is any controls in place preventing people from other counties from dumping garbage in our green bins. Mr. Higgins said that there aren't any controls in place. Mr. Richins said that the collection sites are not monitored and that unlawful dumping is a concern. He said that the new fee collection on monthly bills isn't perfect, but it will diminish the incentive for those who may abuse the system.

Mr. Scottorn asked if the County currently has a preference on the plans that have been presented and if they would like to bond or not. Commissioner Withers said that no preference or decisions will be made until the public has been heard at these hearings to give an idea as to what the public wants to happen.

Kary Kesler said that he was surprised to see all the equipment listed and suggested that a study be done by someone who could come up with more efficient ways to use the equipment.

Attorney Finlinson said that this was the County's hope when the bids were first put out and the RFP was much broader study than this. Mr. Kesler asked if some money could be set aside to

look for more efficient use with the equipment.

Commissioner Jackson asked if a pup trailer can be used on a tilt trailer. Mr. Higgins said not at this time, but it could be added.

Commissioner Withers said that there are probably companies out there who could study the equipment and find more efficient ways to use the equipment and that the County could look at privatized companies who run other counties' landfills. He said that as commissioners, they are here to hear from the public as to what they should look at.

Jeff Mitchell said that he is in favor of leasing new equipment. He questioned calculating the garbage by the yard verses by weight and said that a large truck filled with insulation would have to pay a large fee for something that will not weigh very much. Mr. Mitchell asked if the yardage is calculated as compacted or loose waste. Mr. Higgins said that it is calculated by the loose waste.

Mr. Mitchell said that some of these items will compact down and suggested the County install scales for the landfill. He said that the charges will be much more accurate and efficient if calculated by weight. Commissioner Jackson said that this has been looked into previously, but not in depth. Mr. Mitchell said this way would be a lot better than guessing.

Terry Scottorn asked if the County will have enough money for the equipment if the new rate structure is adopted. Planner Richins said that it will take a few years to collect and save the funds for new equipment. Mr. Scottorn asked how bad the current equipment is. Mr. Higgins said that years can always be added on the equipment through repair but maintenance and downtime will continue to rise.

Mr. Scottorn asked how the free structure is effected if the County goes with one of the bond options. Planner Richins said that it keeps it close to the same fees because the bond rate will be lower than the rate of inflation.

Mr. Scottorn then asked if the Commission has considered an amount for a bond and clarified that no taxes will be increased for a bond. Commissioner Draper said that the Commission has not discussed bonds or any amounts for a bond. Planner Richins confirmed that no taxes will be increased for a bond.

Attorney Finlinson said that bonds have not been discussed or brought up by anyone in the County. He said that the bond was only submitted by Zions Public Finance in their proposal.

Planner Richins said that there is more information and it is available if anyone wants to read through it.

Terry Scottorn asked if changing the fees to be calculated by weight and installing scales would require a whole new study. Planner Richins said that historically rates have all been based on volume so there isn't exact conversion; However, a new study would not be needed. He said that it is difficult to calculated residential fees by weight, but commercial calculations would be easy. Planner Richins said that the Fillmore landfill which the County pays to operate was also brought up in the study.

Susan Kessler suggested to keep the residential fees low. She said that this proposed structure still has residential fees paying a large majority of the costs. She said that there are many widows on

a fixed income whose garbage volume is very small. She said that she sees where the landfill needs some money put into it, but would like to the residential fees to stay low.

Takako Scottorn said that the residential users were carrying a large amount of the costs. She said that her and her husband only put the garbage out twice a month so if it isn't necessary, keep the residential fees low at \$11.00.

Terry Scottorn said that he would suggest to seriously look into bonding.

Commissioner Draper gave an example of an out-of-county entity that was bringing their waste to Scipio. He said that they talked with them and were able to stop it immediately so the County has been able to work on some of these issues in the past. He said it is usually too far to haul waste to Millard County from other counties.

Attorney Finlinson said that once input has been received from the public and the Commission has given him some direction on a proposed ordinance, he will put together the language and then there will be another public hearing to receive public comment.

Commissioner Jackson said there will be another public hearing tomorrow night in Delta at 7:00 p.m..

There were no other comments made.

WHERE UPON THE MEETING ADJOURNED

The meeting adjourned at 8:10 p.m..