



## FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT

Member of Wyoming Solid Waste and Recycling Association (WSWRA)

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### FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT

#### Minutes of Regular Board Meeting

November 20, 2017

#### 1. PUBLIC HEARING – PROPOSED RESOLUTION 04-2017: CUSTOMER CELL PHONE RESTRICTION

VICE-CHAIRMAN ADAMS opened the floor to receive public comment regarding the proposed resolution 04-2017 restricting customers from using cell phones while on District property. Hearing no comments, the public comment period was closed.

#### 2. PRELIMINARY ITEMS:

a. – c. The regular meeting of the Fremont County Solid Waste Disposal District Board of Directors was held on the above date and called to order by VICE-CHAIRMAN ADAMS at 9:30am. VICE-CHAIRMAN ADAMS then led the Pledge of Allegiance and declared a quorum of the Board with the following people in attendance:

<u>Board Members:</u>	Gary Weisz, Rick Klapproth, Mike Morgan, Gina Clingerman, Rob Dolcater, Michael Adams, and Mike McDondald
<u>Excused Member(s):</u>	Mark Moxley and Steve Baumann
<u>Unexcused Member(s):</u>	None
<u>Commissioner Liaison:</u>	Jennifer McCarty
<u>Liaisons:</u>	Kyle Larson (City of Riverton)
<u>Attorney:</u>	Rick Sollars (Western Law & Assoc.)
<u>Staff:</u>	Andrew Frey (Superintendent) & Linda Kummer (Bookkeeper)
<u>Consultant(s):</u>	None
<u>Guest(s):</u>	Robert Fay

#### d. Approval of Agenda

MIKE MORGAN made a motion to approve the agenda, adding an Executive Session and moving the Superintendent's Review into the Executive Session. GARY WEISZ seconded the motion. **MOTION CARRIED**

#### e. Public Comment/Communication from the Floor

VICE-CHAIRMAN ADAMS opened the floor to public comment. Hearing no comment, the public comment period was closed.

#### 3. CONSENT ITEMS:

##### a. Approval of Prior Meeting Minutes

- i. October 2017, Board Meeting

##### b. Approval of Accounts Payable – October 2017 Invoices

##### c. Acceptance of Consultants Reports:

- i. Trihydro Corporation – Progress Report
- ii. Burns and McDonnell – Progress Report
- iii. Eastern Shoshone Tribe Solid Waste – No Report Submitted

##### d. Acceptance of Staff Reports:

- i. Superintendent Report

4. **OTHER ITEMS OF BUSINESS:**

a. **Resolution 04-2017: Customer Cell Phone Restriction (*Discussions*)**

RICK KLAPROTH made a motion to approve Resolution 04-2017 regarding customer cell phone usage restriction as presented. MIKE MCDONALD seconded the motion.

**Discussion(s):** (1.) MIKE MORGAN requested guidance from the District Attorney on how it would apply to emergency workers and responders. Attorney Sollars confirmed that there would be no need for any type of exemption. (2.) MIKE MORGAN encouraged the use of signs clarifying that the rule is intended to ensure improved safety within the operations.

VICE-CHAIRMAN ADAMS called for the question on the motion. **MOTION CARRIED**

b. **Draft Resolution 05-2017: Flow Control (*Discussions*)**

Superintendent Frey informed the Board that this has been discussed with Kyle Butterfield, the City Manager for Riverton, and is working to discuss this with the remaining councils/staff/mayors prior to the December 2017 meeting.

c. **Fiscal Year 2016-2017 Financial Audit (*Formal Action Required*)**

Superintendent Frey explained that following submission of the final audit reports and the audit presentation conducted by DM-T on November 8, 2017, formal action is required to either reject or accept the financial audit.

MIKE MORGAN made a motion to accept the Fiscal Year 2016-2017 Financial Audit as presented. GARY WEISZ seconded the motion. **MOTION CARRIED**

d. **Alternative Cover Machine Purchase Request (*Discussions*)**

Superintendent Frey informed the Board that included in the Board packets was a cost/benefit evaluation for alternative daily cover and a machine that demonstrated the potential savings both in airspace and daily operations. Further, that the District has located a used, well-kept, trailer mounted machine that would meet all of the needs of the District. The price for the used machine is \$16,500 with a comparable new machine selling for between \$30,000 and \$40,000. Included in the current operating budget is \$30,000 for the machine.

Superintendent Frey recommended approving the purchase of the used alternative cover machine from Uinta County with a price of \$16,500.

MIKE MORGAN made a motion to accept and approve the Superintendent's recommendation. GARY WEISZ seconded the motion.

**Discussion(s):** (1.) RICK KLAPROTH asked whether or not the machine can be used year-around? Superintendent Frey confirmed that the machine could be used in all weather conditions; however, the alternative cover would not be used during high wind events or during rainfall events. (2.) ROB DOLCATER asked why the Uinta County Landfill was selling the machine. Superintendent Frey informed the Board that Uinta County has two machines and recently closed a landfill; thus, are interested in reducing their inventory. (3.) ROB DOLCATER asked if this would require additional staff members. Superintendent Frey confirmed that the current staff can and will handle the workload.

VICE-CHAIRMAN ADAMS called for the question on the motion. **MOTION CARRIED**

**e. 2017 Capacity Audits (Discussions)**

Superintendent Frey summarized the 2017 Capacity Audits for the Board: **Lander Landfill** had an annual AUF at approximately 965 lbs/cubic yard, that the site life has increased to 2027, that the site has adequate soil for operations and closure – improving with the implementation of an alternative daily cover system, and that the closure/post-closure costs have increased slightly – and will at all sites as additional airspace is consumed. **Sand Draw Landfill** had an annual AUF at approximately 810 lbs/cubic yard, that the site life has increased to 2099, that the site has adequate soil for operations and closure, and that the closure/post-closure costs have increased slightly. **Shoshoni Landfill** is within two years of closure with adequate airspace and that the site will have adequate soils for closure given the room on the property for borrow areas, and that the closure/post-closure cost have increased slightly. **Dubois Landfill** has a low AUF at around 450 lbs/cubic yard due to the use of a backhoe for processing and a dozer as needed for cover, site life estimated at 2069, and that the site has a soil surplus.

**f. 2017 Superintendent of Operations Annual Appraisal (Discussions) → MOVED INTO AND AFTER EXECUTIVE SESSION**

**g. Trihydro Change Order Request: Shoshoni Landfill Permit Application – Time Extension (Discussions)**

Superintendent Frey explained to the Board that Trihydro had submitted a change order request for the Shoshoni Landfill Closure Permit Application task order to account for additional WDEQ discussions and comments. The change order is asking to extend the completion date to November 30, 2018.

RICK KLAPROTH made a motion to approve the Trihydro change order request as presented. MIKE MCDONALD seconded the motion. **MOTION CARRIED**

**5. NEW BUSINESS**

- a. Superintendent Frey reminded the Board that the District Christmas Party is December 2, 2017.
- b. Superintendent Frey suggested that the District/Board consider reviewing the FCSWDD Rules and Regulations to address how a solid waste competitor's diversion materials may be handled in the situation where a solid waste competitor was reducing the District's revenues and ability to manage the diversion materials.
- c. GINA CLINGERMAN informed the Board that she is working through family medical issues that may keep her away from future meetings; however, she is very interested in staying involved and willing to call in to any missed meetings.

**6. ADDED → EXECUTIVE SESSION**

GARY WEISZ made a motion to enter into Executive Session at 10:31am, allowing District Attorney Sollars, Commissioner Liaison McCarty, and Superintendent Frey to remain in the session. MIKE MORGAN seconded the motion. **MOTION CARRIED**

MIKE MORGAN made a motion to exit Executive Session at 11:20am. GARY WEISZ seconded the motion. **MOTION CARRIED**

**7. ADDED → 2017 SUPERINTENDENT OF OPERATIONS ANNUAL APPRAISAL (DISCUSSIONS)**

**Discussion(s):** (1.) MIKE MORGAN summarized the consensus of the Board regarding the performance of the Superintendent, stating that the Superintendent met all of the established goals set by the Board.

Most goals established were exceeded, and that the Board is looking at a performance based bonus structure. (2.) MIKE MORGAN listed the Board established goals for the upcoming year:

1. Pursue advanced human resource and employee management training. Include the District managers/supervisors in the training as well.
2. Establish routine contact with the Tribe(s) that the District contracts with for the solid waste management program on the Wind River Indian reservation.

MIKE MORGAN made a motion to provide the Superintendent with an additional week of vacation for the upcoming 12-month period. GARY WEISZ seconded the motion. **MOTION CARRIED**

MIKE MORGAN made a motion to provide to the Superintendent a cash bonus in the amount of \$5,000 to compensate him for his achievement in exceeding the objective for allocations into the closure/post-closure reserves. Further, he would like to see the closure/post-closure reserves increase annually and compensate the Superintendent appropriately as long as the increase is not the result of disposal fee adjustments and/or a tax increase. GARY WEISZ seconded the motion.

**Discussion(s):** (1.) The Executive Committee will be working to develop a performance based compensation structure based on reserve fund balances, accounting for withdrawals.

VICE-CHAIRMAN ADAMS called for the question on the motion. **MOTION CARRIED**

#### **8. CALL FOR ADJOURNMENT**

GARY WEISZ made a motion to adjourn the meeting at 11:26am. ROB DOLCATER seconded the motion. **MOTION CARRIED**

#### **9. UPCOMING MEETING(S):**

- a. The next Regularly Scheduled Meeting:
  - i. December 18, 2017, at 9:30am.

Respectfully submitted by,



Andrew Frey, P.E.  
Superintendent of Operations  
Fremont County Solid Waste Disposal District



Mark Moxley *Michael Adams*  
Board of Directors Chairman - *Vice*  
Fremont County Solid Waste Disposal District