



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

December 18, 2017

1. PUBLIC HEARING – PROPOSED RESOLUTION 05-2017: FLOW CONTROL

CHAIRMAN MOXLEY opened the floor to receive public comment regarding the proposed resolution 05-2017 implementing flow control. 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 CHAIRMAN MOXLEY at 9:30am. CHAIRMAN MOXLEY 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, Mike McDondald, Mark Moxley and Steve Baumann
<u>Excused Member(s):</u>	None
<u>Unexcused Member(s):</u>	None
<u>Commissioner Liaison:</u>	Jennifer McCarty
<u>Liaisons:</u>	None
<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

VICE-CHAIRMAN ADAMS made a motion to approve the agenda, adding an Executive Session and moving the Superintendent's Report into the Executive Session. GARY WEISZ seconded the motion. **MOTION CARRIED**

e. Public Comment/Communication from the Floor

CHAIRMAN MOXLEY 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 – *MOVED INTO EXECUTIVE SESSION*

4. OTHER ITEMS OF BUSINESS:

a. **Resolution 05-2017: Flow Control (*Discussions & Formal Action*)**

Superintendent Frey informed the Board that he had an opportunity to discuss the pending Flow Control resolution with the mayors and some council members of the outlying communities over the telephone and most recently at the Fremont County Association of Governments (FCAG) meeting. During the discussions the primary concern was a fear of increased disposal rates and no means of addressing them through competition. Their fear was remedied by identifying that the District Board is a citizen board appointed by elected officials, and that any rules implemented can be withdrawn as needed.

Discussion(s): (1.) Flow control is not a cutting edge or new operation method and has been utilized across the country, and supported by the Supreme Court. (2.) Flow control is in place in Rawlins, WY. (3.) Attorney Sollars pointed out the need to modify the proposed language by changing the reference in Section 10.5 from 10.2 to 10.3, adding "and Specialty Waste" in Section 10.5, changing Section 10.6 language from "fined the sum, to "assessed a fee", and changing the fees to \$250, \$500, and \$750.

MIKE MORGAN made a motion to approve Resolution 05-2017 with the proposed modifications from Attorney Sollars. RICK KLAPROTH seconded the motion. **MOTION CARRIED**

b. **February 2018 Board Meeting Holiday Conflict (*Discussions*)**

Superintendent Frey informed the Board that the February 2018 regular meeting date conflicted with the President's Day holiday and does every year. He recommended changing the February 2018 and all other February meeting dates to the Wednesday following the third Monday.

VICE-CHAIRMAN ADAMS made a motion to approve the Superintendent's recommendation. MIKE MORGAN seconded the motion. **MOTION CARRIED**

5. NEW BUSINESS

- a. Commissioner McCarty informed the Board that the Commissioners are working to make all boards and staff HIPAA trained to protect the County from lawsuits and that we should contact Julie Freese to receive information on enrollment into the training they are offering. This training is an annual training that needs to be continued.
- b. Attorney Sollars informed the group that the EQC finalized their decision on the Hopper Transfer Station hearing, granting the permit to Hopper Disposal with the requirements to correct the deficiencies in the permit application. The EQC did not consider the prior list of violations because they did not occur at the same site as the proposed transfer station.

Discussions: (1.) CHAIRMAN MOXLEY is hopeful that the newly adopted flow control resolution will help to minimize the environmental impacts.

6. **ADDED → EXECUTIVE SESSION**

VICE-CHAIRMAN ADAMS made a motion to enter into Executive Session at 9:58am, allowing Attorney Sollars, Commissioner Liaison McCarty, and Superintendent Frey to remain in the session, and the Administrative staff to remain in the office. GARY WEISZ seconded the motion. **MOTION CARRIED**

MIKE MCDONALD made a motion to exit Executive Session at 10:25am. MIKE MORGAN seconded the motion. **MOTION CARRIED**

7. CALL FOR ADJOURNMENT

MIKE MORGAN made a motion to adjourn the meeting at 10:27am. GARY WEISZ seconded the motion. **MOTION CARRIED**

8. UPCOMING MEETING(S):

- a. The next Regularly Scheduled Meeting:
 - i. January 15, 2018, at 9:30am.

Respectfully submitted by,



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



Mark Moxley
Board of Directors Chairman
Fremont County Solid Waste Disposal District