

Superintendent
Andrew Frey, P.E.



FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT

Member of Wyoming Solid Waste and Recycling Association (WSWRA)

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MEETING MINUTES OF THE FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT

DATE: Monday, November 12, 2012
TIME: 9:30 a.m.
PLACE: Solid Waste Disposal District Office
Lander Landfill
P.O. Box 1400
52 Beebee Road
Lander, WY 82520

OPENING OF THE MEETING

The regular monthly meeting of the Solid Waste Disposal District was called to order at 9:30 a.m. by Chairman Mike Adams with the following persons present:

Board Members: Richard Rodgers, Steve Baumann, Richard Klaproth, Mike Morgan, Jerald Crews, Dave Hines, Michael Adams, Jeff Hermansky and Travis Brockie
Excused Absence: Commissioner Doug Thompson
Engineer: JJ Brown (Lowham Walsh), Ken Schreuder (Trihydro)
Attorney: Rick Sollars (Western Law Assoc.)
Staff: Superintendent Andrew Frey, and Bookkeeper Linda Kummer
Guests: John Boulette (City of Lander), Susan Brodie (CPA), Christina George (Riverton Ranger), Ernie Over (Marketing), Assistant Superintendent Ben Gonzales

Regular Agenda

DAVE HINES moved, and JEFF HERMANSKY seconded the motion to approve the agenda as presented.
MOTION CARRIED UNANIMOUSLY.

DISTRICT BUSINESS

1. Public Comment Opportunity (Mike Adams)

Chairman Adams opened the floor to public comments. Hearing no public comments, the comment period was closed.

2. Lowham Walsh Engineering, LLC (JJ Brown)

a. Dubois Landfill Closure Project

Ms. Brown informed the Board that Lowham Walsh (LW) has finalized the Dubois Landfill MSW Cell Closure CQA Certification Report according to comments from Superintendent Frey, and will submit the final report, complete with all signed and stamped as-built drawing, to WDEQ by Friday, November 9, 2012. LW plans to draft an article describing Dubois Landfill MSW Cell Closure Project, highlighting

successful project completion and District involvement, for submission to local media outlets prior to the end of the year.

b. Lander Staking Map

Ms. Brown informed the Board that the Lander Landfill design grading modifications to account for overfills in two areas is underway, as requested by the District Superintendent.

3. Trihydro Corporation (Ken Schreuder)

a. Technical Assistance

Mr. Schreuder informed the Board that the following routine technical assistance activities were completed during the reporting period.

Trihydro prepared updates and attended the monthly Board meeting to respond to questions regarding projects and developing issues.

Trihydro reviewed one waste disposals request from Encana. Guidance on waste screening, tracking, and approval processed was provided.

Trihydro issued a final report with recommendations regarding the damage to well D-6 at the Dubois Landfill. No further actions relative to the initial damage were recommended.

Mr. Schreuder informed the Board the Trihydro has also been investigating damage to well D-10 at the Dubois Landfill, which was caused and repaired by a contractor during closer activities. On October 9, 2012, Trihydro issued a final report on the matter. After repairs and redevelopment of the well, two volatile organic compounds (VOCs) were still detected in a sample from the well. Concentrations of both constituents were above reporting limits, below groundwater protection standers, and lower than the concentrations prior to Trihydro's well repair. Trihydro recommended and has completed a second redevelopment effort for well D-10. The recovery rate in the well is poor, so it is not possible to purge large volumes over a short period of time. The second semi-annual monitoring event for 2012 was completed on October 22, 2012, but laboratory results are not anticipated until later. Assuming concentrations continue to decrease with time, no further action is recommended.

b. Environmental Monitoring (Dubois, Lander, Sand Draw, Shoshoni)

Mr. Schreuder informed the Board that the second semi-annual monitoring event for 2012 for the Dubois, Lander, Sand Draw, and Shoshoni Landfills were completed during the last two weeks of October. Final reports are anticipated to be issued in December.

c. Task Order 10-012 Request (Groundwater Classification) Not-To-Exceed \$5,652.00

Mr. Schreuder informed the Board that based on a request by Superintendent Frey; Trihydro has prepared a proposal and task order to begin addressing groundwater issues at the Lander Landfill. The initial phase of the project will be to prepare data, analysis, and recommendations to the WDEQ/WQD, with the intent of facilitation of the FCSWDD's request to have groundwater at the Lander Landfill classified as per Chapter 8 of the Wyoming Water Quality Rules and Regulations. Trihydro's proposal and task order have been presented to the Board for their consideration.

DAVE HINES moved, and RICHARD RODGERS seconded the motion to approve the Trihydro Task Order 10-012 as presented with a not-to-exceed value, without Board approval, in the amount of \$5,652.00. MOTION CARRIED UNANIMOUSLY.

d. Regulatory Discussions

Mr. Schreuder informed the Board that the Legislature's Joint Mineral, Business, and Economic Development (JMBED) committee met on October 15, 2012 to review and approve legislation drafted by their MSW Subcommittee. The draft "MSW Landfill Remediation" bill adds an additional \$40 MM to the \$30MM that has already been allocated to this project, and allows the State to assume primacy for corrective action. As currently written, the WDEQ can take the lead on remediation, or contract with the landfill operator to take the lead on remediation. The JMBED also approved the draft "Cease and Transfer" bill to provide grants and loans to close small landfills and construct transfer stations. No legislative action was taken regarding recycling.

The proposed changes to Chapter 1, 2 and 7 of the Solid Waste Rules and Regulations are expected to be forwarded to the Environmental Quality Council (EQC) in the coming months. The EQC will provide another opportunity for the public to comment on the rules before they render a decision regarding promulgation of the proposed rules. Trihydro will monitor the EQC proceed and provide update to Superintendent Frey.

Mr. Schreuder informed the Board that Trihydro had a complimentary strategic meeting with FCSWDD on November 8, 2012. Trihydro met with Superintendent Frey and staff in the afternoon, and the Board members in the evening.

4. Superintendents Report-Questions and Comments (Andy Frey)

Superintendent Frey informed the Board that the Superintendent's Report had been included in their packets, and asked if there were any questions or comments.

Mr. Crews inquired how Mill Creek Metals was performing. Superintendent Frey replied that Mill Creek Metals is finished with the Dubois Landfill and the District has received payment; Mill Creek just finished with the Lander Landfill and the District should be receiving payment any day. Mill Creek is currently working at the Sand Draw Landfill.

Mr. Baumann inquired about the disposal of the liquids collect at the Lander Landfill being disposed of at the Lander Waste Water Treatment Plant. Superintendent Frey responded that he has been in contact with Mickey Simmons; Mickey was waiting to hear back from their consultant.

5. Transfers Stations (Andy Frey)

a. Current Operations Summery (through 6/01/12 through 10/31/12) (Andy Frey)

Superintendent Frey informed the Board that revenue and patronage are down from last month; however, loads hauled are down. June 2012, 234 patrons and \$2,004.00 in revenue, vs. July 2012, 358 patrons and \$5066.00 in revenue, vs. August 2012, 452 patrons and \$4,024.00 in revenue, vs. September 2012, 447 patrons and \$4,348.00 in revenue, vs. October 2012, 384 patrons and \$3,478.00.

b. Continued effort to clean and maintain the WRIR transfer station, and installation of additional signs.

Superintendent Frey informed the Board that the staff has put up signs at the four transfer stations on the Wind River Indian Reservation informing the public to dump their waste in the containers. Sites were cleaned and the site users are still dumping outside the containers.

6. Wind Indian Reservation Contract Discussion (Mike Adams)

Chairman Adams informed the Board that the Wind River Indian Reservation Contract discussion will be moved to Executive Session.

7. Other Discussions

a. Fiscal Year 2011-12 Financial Audit

Superintendent Frey informed the Board that last month's specials meeting for DeCoria Maichel and Teague audit presentation needed the Boards approval, if desired.

RICHARD RODGERS moved, and MIKE MORGAN seconded the motion to accept the audit report as presented. MOTION CARRIED UNANIMOUSLY.

b. Response to Audit Finding and Management Letter (Andy Frey)

Superintendent Frey informed the Board that in their Board packet was a response letter to the finding of the audit, which was requested by the Board.

c. Fiscal Year 2012-13 Financial Audit (Andy Frey)

Superintendent Frey informed the Board that this last audit with DeCoria, Maichel and Teague was there last in a three year contract with the District. Superintendent Frey would like the Boards input in how the District should handle this moving forward.

Mr. Morgan inquired if the County had a contract with DeCoria Maichel and Teague. Superintendent Frey believes the County contract with DeCoria Maichel and Teague was for one more year.

MIKE MORGAN moved, and JEFF HERMANKY seconded the motion to a one year contract extension to DeCoria Maichel and Teague to allow the same time line as the County. MOTION CARRIED UNANIMOUSLY.

d. Previous Scrap Iron Payment Balance Status (Rick Sollars)

Attorney Sollars informed the Board that Sheppard Trucking was sent a clarification letter showing the outstanding amount of \$5,000.00 still owing to the District and the implications if not paid. There has been no response from Sheppard Trucking. Mr. Hermansky inquired if Board Member(s) and or Superintendent could represent the district at a small claims court hearing. Attorney Sollars believes that would be legal.

JEFF HERMANSKY moved, and RICHARD RODGERS seconded the motion to petition small claims court for the recovery of balance due to the District from Sheppard Trucking. MOTION CARRIED UNANIMOUSLY.

Account Follow up (Rick Sollars)

Attorney Sollars informed the Board that there was nothing new to report.

f. Return Check Fee (Andy Frey)

Superintendent Frey informed the Board that it has been brought to his attention that the District has experienced a few returned checks. Superintendent Frey suggested that the District add a \$25.00 charge for a returned check.

Mr. Hines suggested that the District look into Check-Rite, or stop accepting checks.

MR. BAUMANN moved, and DAVE HINES seconded to make it District Policy to no longer accept personal checks.

Attorney Sollars inquired about the transfer stations ability to take credit/debit cards. Superintendent Frey responded that the transfer stations do not take credit/debit cards.

Mr. Morgan inquired how many checks the District receives every month. Superintendent Frey did not have an exact amount.

After further discussions, Mr. Baumann withdrew his motion.

DAVE HINES moved, and RICHARD KLAPROTH seconded the motion for Fremont County Solid Waste Board to engage a contract with Check-Rite or another company to address all returned check from patrons.

After further discussion Mr. Hines withdrew his motion.

g. Performance Review (Jerry Crews)

Chairman Adams informed the Board that the performance review discussions will be moved to executive session.

h. Community Entry Services (CES) (Andy Frey)

i. Memorandum of Understanding-Addendum

Superintendent Frey informed the Board that he had met with Shawn Griffin with questions, concerns, and items needing clarification, and through discussions developed an Addendum to the Recycling Memorandum of Understanding.

DAVE HINES moved, and MIKE MORGAN seconded the motion to accept the Addendum to the Recycling Memorandum of Understanding between CES and FCSWDD with the correction that the District owns the Riverton Recycle Building. MOTION CARRIED UNANIMOUSLY.

i. Shoshoni Town Council Meeting Follow-up (Andy Frey)

i. 10/09/12 Meeting

Superintendent Frey informed the Board that on October 9, 2012 he attended the Shoshoni Town Council meeting to go over some issues between the District and the Town. The main concern was with the way the District charges at the landfill and transfer station. Those issues have been resolved.

ii. Illegal dumping in town and funding impacts

Superintendent Frey informed the Board that the Town of Shoshoni inquired if the District was willing to waive or reduce the fee for disposal of the clean-up of illegal dumping in town.

Mr. Hines inquired how the District would know if it was illegal dumping being collected.

Superintendent Frey informed the Board that the illegal dumping was impacting the Town of Shoshoni operating budget.

The Board decided that all communities should monitor their own waste, and the Board would be willing to allow a couple days a year for community clean-up days with waived fees.

ii Landfill hours of operations

Superintendent Frey informed the Board that he talked to the Town of Shoshoni about closing their landfill to one or two days a month, instead of two days a week. The Town of Shoshoni was ok with closing the landfill to two days a month, with adequate notice.

j. Holiday Discussion (Andy Frey)

Superintendent Frey informed the Board that he was waiting for quite a few responses for the holiday party, and without that information the planning has stalled-out.

8. Executive Session

a. Potential Litigation

b. Staff Discussions

DAVE HINES moved, and RICHARD RODGERS seconded the motion to enter into executive session at 11:15 a.m. for litigation and staff discussions allowing Attorney Sollars to stay. MOTION CARRIED UNANIMOUSLY.

DAVE HINES moved, and MIKE MORGAN seconded the motion to come out of executive session at 12:25 p.m. MOTION CARRIED UNANIMOUSLY.

Chairman Adams informed Superintendent Frey that the Board had performed a performance evaluation on him. The Board had three goals for Superintendent Frey, (1.) complete annual performance evaluations on all employees, (2.) provide monthly cost per ton in the Superintendent's Report, and (3.) participate annually in a management course. In addition, a pay raise to \$88,000.00 a year, add an additional five personal days to compensate for the removal of comp. time.

STEVE BAUMANN moved, and RICHARD RODGERS seconded the motion to enter back into execution session at 1:16 p.m. inviting Superintendent Frey, and excusing Mr. Brockie. MOTION CARRIED UNANIMOUSLY.

DAVE HINES moved, and STEVE BAUMANN seconded the motion to come out of executive session at 2:00 p.m. MOTION CARRIED UNANIMOUSLY.

9. Call for Other New Business (Mike Adams)

There was no new business.

10. Approval of Meeting Minutes (Mike Adams)

a. October 8, 2012 Regularly Scheduled Solid Waste District Board Meeting.

b. October 22, 2012 Special Solid Waste District Board Meeting.

DAVE HINES moved, and MIKE MORGAN seconded the motion to accept the October 8, 2012 regular meeting minutes and the October 22, 2012 special meeting minutes. MOTION CARRIED UNANIMOUSLY.

11. Approval of October, 2012 bills (Mike Adams)

MIKE MORGAN moved, and DAVE HINES seconded the motion to approve the October, 2012 bills. MOTION CARRIED UNANIMOUSLY.

12. Call for Adjournment (Mike Adams)

RICHARD RODGERS moved, and DAVE HINES seconded the motion to adjourn the meeting at 2:10 p.m. MOTION CARRIED UNANIMOUSLY.

13. Upcoming Meetings

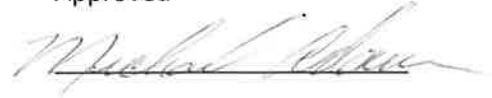
- a. Next regularly scheduled Board meeting will be December 10, 2012 at 9:30 a.m. in the Solid Waste District Office (Lander Landfill).
- b. Special meeting November 19, 2012 at 9:30 a.m. in the Solid Waste District Office (Lander Landfill)

Respectfully Submitted



Linda Kummer, Bookkeeper

Approved



Chairman, Mike Adams