

Superintendent
Andrew Frey, P.E.



FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT

Member of Wyoming Solid Waste and Recycling Association (WSWRA)

P.O. Box 1400

Lander, WY 82520

telephone 307.332.7040

fax 307.332.5013

MEETING MINUTES OF THE FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT

DATE: Monday, October 8, 2012
TIME: 6:00 p.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 6:00 p.m. by Chairman Mike Adams with the following persons present:

Board Members: Richard Rodgers, Steve Baumann, Richard Klapproth, Mike Morgan, Jerald Crews, Dave Hines, Michael Adams, and Jeff Hermansky
Unexcused Absence: Travis Brockie
Engineer: JJ Brown (Lowham Walsh), Sam Hartpence (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), and Commissioner Doug Thompson (Liaison)

Regular Agenda

DAVE HINES moved, and RICHARD KLAPROTH 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 (Brad Coleman)

a. Dubois Landfill Closure Project

Ms. Brown informed the Board that Lowham Walsh is currently preparing a draft Dubois MSW Cell Closure CQA Completion Report and will submit it for the Districts review the week of October 1, 2012. As-built design drawing for the Dubois MSW Cell Closure has also been prepared and will be included in the CQA Completion Report. PCI delivered a fourth pay application and associated subcontract lien waivers, as called for by the Project Manual. The pay application was reviewed and approved by the Engineers.

b. Transfer Stations Fence Project

Ms. Brown informed the Board that the fencing project was completed.

Ms. Brown informed the Board that Lowham Walsh has done the grade and perimeter staking at the Lander Landfill, as requested by District Superintendent, and a drafting of associated drawings for use during landfill operations is in progress.

3. Trihydro Corporation (Ken Schreuder)

a. Technical Assistance

Mr. Hartpence informed the Board that Trihydro prepared updates, and attended the monthly Board Meeting to respond to questions regarding projects, and developing issues.

Mr. Hartpence informed the Board that well D-6 at the Dubois Landfill was damaged this summer by FCSWDD personnel, and subsequently repaired. At Superintendent Frey's request, Trihydro inspected well D-6 on August 20, 2012. Based on Trihydro's inspection of well D-6, they determined that although the well was not repaired typical of industry practices, the repair was adequate for the purpose of gauging static water levels because historically the well has been dry. A report summarizing Trihydro's inspection and recommendation will be issued prior to the next Board meeting.

Mr. Hartpence informed the Board that Trihydro has also been investigating damages to well D-10 at the Dubois Landfill, which was caused and repaired by a contractor during closure activities. Well D-10 has been initially inspected, a grab sample was collected (again) by Trihydro on August 20, 2012. Based on the inspection, sampling results, and repair completed by Trihydro, well D-10 was redeveloped by purging the well on September 14, 2012, and then resampled on September 18, 2012. The laboratory results for the September 20, 2012 sampling are expected to be received by October 4, 2012, at which time a final report will be prepared and provided to the FCSWDD. Please note that all work associated with D-10 is being completed under a contract between Trihydro and Patrick Construction, and not charged to FCSWDD.

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

Mr. Hartpence informed the Board that the laboratory results for the August 29, 2012 monitoring of the groundwater collection tank at the Lander Landfill were forwarded to Superintendent Frey on September 20, 2012. Five volatile organic compounds (VOCs) were detected below the laboratory reporting limit, and the following VOCs were detected above the laboratory reporting limits. Cis-1, 2-Dichloroethene, Vinyl chloride. The fall semi-annual monitoring events at the Dubois, Lander, Sand Draw, and Shoshoni Landfills are tentatively scheduled for the week of October 22, 2012.

c. Regulatory Discussions

Mr. Hartpence informed the Board the Governor's Solid Waste Citizen Advisory Group (CAG) is continuing to work with the Municipal Solid Waste (MSW) Subcommittee of the Legislature's Joint Minerals, Business, and Economic Development (JMBED) Committee. Trihydro attended the CAG meeting in Casper on October 3, 2012. The MSW Subcommittee met in Casper on September 10, 2012, and a full JMBED Committee is scheduled to meet in Casper on October 15, 2012. Draft legislation prepared by the MSW Subcommittee for the "Landfill Remediation Funds" and the "Cease and Transfer Fund" is available at <http://legisweb.state.wy.us/interimCommittee/2012/Z01AGD0910.htm>. The MSW Subcommittee is also discussing potential legislation to promote recycling.

The Water and Waste Advisory Board (WWAB) met on September 21, 2012 in Casper to review comments received on the proposed solid waste rule package, which includes changes to Chapters 1,2, and 7. Marge Bedessem (Trihydro) attended as a member of the WWAB. The WDEQ/SHWD proposed a number of revisions in response to comments received on the proposed rule, and the WWAB voted to

approve the proposed rules and revisions. The WDEQ/SHWD will now forward the proposed rule package to the Environmental Quality Council (EQC). 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 process and provide updates to Superintendent Frey.

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.

Commissioner Thompson inquired about the letter the District received from the Shoshoni Town Council indicating they were not planning to pay their current invoices after a person from their Town Council had a conversation with one of the District employees and discovered that yard waste is free for disposal at the Riverton Bale Station, Lander Landfill, and Dubois Landfill, and the Town of Shoshoni was previously charged for yard waste disposal. Superintendent Frey responded to the Town of Shoshoni that yard waste disposed of at the transfer stations and the Shoshoni Landfill requires a disposal fee since it was sent into a landfill and consumed airspace.

Commissioner Thompson inquired about the bear proof containers. Superintendent Frey informed the Board that he had just started discussions with the Wyoming Game and Fish about acquiring bear proof containers for some of the communities. Commissioner Thompson added that there was grant money for emergency situations.

a. WDEQ Groundwater Classification Request

Superintendent Frey informed the Board that he had sent a letter to Carl Anderson at DEQ asking for clarification on Groundwater Classification for the Lander Landfill, and had not received a response.

Superintendent Frey informed the Board that in talking to Lowham Walsh they have been requesting a clarification since 2010. The Board's recommendation was to work with Trihydro and Mr. Schreuder since they are handling the environmental monitoring for all sites.

5. Transfers Stations (Andy Frey)

a. Current Operations Summary (through 6/01/12 through 8/31/12) (Andy Frey)

Superintendent Frey informed the Board that revenue and patronage are up 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.

6. Wind Indian Reservation Contract Discussion (Mike Adams)

a. A new proposal was submitted to them on September 14, 2012

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

7. Other Discussions

a. Final Audit Meeting

i. Auditors available the week of October 22, 2012

Superintendent Frey informed the Board that there was a draft audit meeting with the Executive Committee and the Auditors on September 28, 2012. At that time the Auditors proposed having a final audit meeting the week of October 22, 2012.

RICHARD KLAPROTH moved, and RICHARD RODGERS seconded the motion to have a Special Meeting October 22, 2012, at 10:00 a.m. pertaining to the final audit meeting and discussion on transfer station scheduling. MOTION CARRIED UNANIMOUSLY.

b. Annual D-6TXL Dozer Payment of \$59,683.58 due

Superintendent Frey informed the Board that the annual D-6TXL dozer payment was due for the amount of \$59,683.58. This dozer is located at the Sand Draw Landfill.

STEVE BAUMANN moved, and DAVE HINES seconded the motion to pay the \$59,683.58 for the annual D-6TXL dozer payment due in October. MOTION CARRIED UNANIMOUSLY.

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

Attorney Sollars informed the Board that Sheppard Trucking had paid a total of \$12,462.20 on August 9, 2012, leaving five tickets unpaid with a balance due of \$6,360.90. Included with the payment was a letter informing the Board that Sheppard Trucking had done some excavation work for placing scrap iron bales at the Sand Draw Landfill, this agreement had been made with the previous Superintendent Don Connell. The invoice amount for the excavation work was \$1,760.00. Which Sheppard Trucking wanted to trade for a weight ticket with weight of 10.44 ton equaling \$1,357.20.

DAVE HINES moved, and STEVE BAUMANN seconded the motion to except the trade for ticket weight of 10.44 tons for the excavation work at the Sand Draw Landfill and pursuing the remainder of the \$5,003.70 still owing by Sheppard Trucking. MOTION CARRIED UNANIMOUSLY.

d. Account Follow up (Rick Sollars)

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

e. Board Meeting Day/Time (Andy Frey)

i. Proposed to move to third Monday

Superintendent Frey informed the Board that he would like to propose moving the Board meetings back one week to the third Monday of the month, in order to get all payables processed and reviewed by the Superintendent. At that time all financial document will be included in the Board Packets so the Board Members have time to review them prior to the Board Meetings.

ii. Proposed to set all day meetings

Superintendent Frey informed the Board that he would like to propose making all Board Meetings day meetings.

DAVE HINES moved, and MIKE MORGAN seconded the motion to start the 45 day advertising to move all regular Board Meetings to the third Monday of the month and setting all regular Board Meeting times to daytime. MOTION CARRIED UNANIMOUSLY.

f. 2012 Transfer Station Schedule (Andy Frey)

i. Adjusted November and December Schedule

Superintendent Frey informed the Board that there had been an error made on the Decembers Transfer Station schedule, so he proposed that instead of going with the five day a week schedule that was proposed to continue with the seven day a week schedule

that was is in place. Staying with the seven day a week schedule would allow for pending weather closers.

Mr. Hines had a concern with the hours of operation on the weekdays being open until 7:00 p.m. since its dark and a safety concern for the public and staff. Mr. Hines asked the District to start tracking the times when the patrons are using the sites. The Board moved to adjust the transfer station schedule at the Special Meeting on October 22, at 10.00 a.m.

i. District Phone's (Jerry Crews)

Mr. Crews informed the Board that he had received a call from a District staff member using a Districts' cell phone and it came up on his caller id as private. Mr. Crews did not think that was appropriate. Superintendent Frey informed the Board that the District staff had resolved the issue; the cell phone caller id should now read Fremont Co.

h. Board Hourly/Wage Reimbursement (Jerry Crews)

Mr. Crews informed the Board that Board Members were voluntary, and could not charge the District for work done for the District. Attorney Sollars added the only reimbursements that were eligible to Board Members were only out of pocket expenses and mileage.

i. Performance Reviews (Jerry Crews)

Mr. Crews informed the Board that Superintendent Frey has not had his six month performance review, partly because the Board is working on a job description and a process in which to perform this performance review. Mr. Crews would like to inquire about using Central Wyoming Collage (CWC) Human Resources Staff to assist in this review.

Other recommendations were to get in touch with Commissioner Keja Whitman, she and the county Commissioners were in the process of working on job descriptions for the Country Roads Departments.

MIKE MORGAN moved, and RICHARD KLAPHOTH seconded the motion to retain CWC HR Department to conduct a Performance Review and develop a job description for Superintendent Frey, not-to-exceed \$1,000.00 without approval. MOTION CARRIED UNANIMOUSLY.

j. Holiday Discussion (Andy Frey)

Superintendent Frey informed the Board that he was interested in having a Christmas get together for all staff, Board Members, and consultants being held at a neutral location and serving potluck so the District is not financing it. The Board was in support of having a Christmas get together.

8. Executive Session

a. Potential Litigation

b. Staff Discussions

RICHARD RODGERS moved, and RICHARD KLAPROTH seconded the motion to enter into executive session at 8:17 p.m. for litigation and staff discussions, inviting Commissioner Thompson and Superintendent Frey. MOTION CARRIED UNANIMOUSLY.

DAVE HINES moved, and RICHARD KLAPROTH seconded the motion to come out of executive session at 9:29 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. September 10, 2012 Regular Scheduled Solid Waste District Board Meeting

DAVE HINES moved, and STEVE BAUMANN seconded the motion to accept the September 10, 2012 minutes providing Mr. Hines be removed from making motion to come out of executive meeting and be replaced with Mr. Rodgers. MOTION CARRIED UNANIMOUSLY.

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

RICHARD RODGERS moved, and MIKE MORGAN seconded the motion to approve the September, 2012 bills. MOTION CARRIED UNANIMOUSLY.

12. Call for Adjournment (Mike Adams)

DAVE HINES moved, and RICHARD KLAPROTH seconded the motion to adjourn the meeting at 10:15 p.m. MOTION CARRIED UNANIMOUSLY.

13. Upcoming Meetings

a. Next regularly scheduled Board meeting will be November 12, 2012 at 9:30 a.m. in the Solid Waste District Office (Lander Landfill).

b. Draft Audit Meeting Special Final Audit Meeting to be October 22, 2012 at 10:00 a.m. in the Solid Waste District Office (Lander Landfill).

Respectfully Submitted



Linda Kummer, Bookkeeper

Approved



Chairman, Mike Adams