

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, September 10, 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,  
Jerald Crews, Travis Brockie, Michael Adams, and Jeff Hermansky  
Excused Absence: Mike Morgan  
Unexcused Absence: Dave Hines  
Engineer: Brad Coleman (Lowham Walsh), Ken Schreuder (Trihydro)  
Attorney: Rick Sollars (Western Law Assoc.)  
Staff: Superintendent Andrew Frey, Assistant Superintendent Ben  
Gonzales, Crew Chief Forest Wood, and Bookkeeper Linda Kummer  
Guests: John Boulette (City of Lander), Susan Brodie (CPA), Martin Reed  
(Riverton Ranger), Ernie Over (Marketing), and Commissioner  
Doug Thompson (Liaison)

#### **Regular Agenda**

RICHARD RODGERS 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 Mike Adams opened the floor to public comments. Hearing no public comments, the comment period was closed.

##### **2. County Commissioner Liaison (Mike Adams)**

###### **a. Introduction and speaking opportunity (Doug Thompson)**

Mr. Crews introduced Commissioner Doug Thompson as the District's new liaison.

Commissioner Thompson stated that he is looking forward to working with the District.

**b. Commissioners letter follow-up (Mike Adams)**

Commissioner Thompson informed the Board that the letter sent to the Sheriff's Department from the District was discussed at a Commissioners meeting, and there was concern over their efforts to clean up some of the illegal dump sites, and getting charged a disposal fee. The Board informed Commissioner Thompson that the Sheriff Department has never been charged for any waste disposal, and anyone who is doing cleanup at illegal waste sites with proof of the illegal waste site (pictures) will not be charged. Commissioner Thompson informed the Board that he had met with Superintendent Frey in regards to illegal dumping and why it may be happening. Superintendent Frey feels its fee related, and Commissioner Thompson felt it was schedule related.

The Board would like to give the transfer station schedule at least six months to a year, to see if there would be any need to change the schedule.

**3. Lowham Walsh Engineering, LLC (Brad Coleman)**

**a. Dubois Landfill Closure Project**

Mr. Coleman informed the Board that Patrick Construction Inc. (PCI) completed the MSW cell closure at the Dubois Landfill on August 9, 2012, and reclamation efforts were complete as of August 23, 2012. All submittals have been received from the contractor, as required, and a third pay application has been approved for payment. Construction and reclamation work was completed according to design, and Lowham Walsh commends PCI and subcontractors for both the quality and pace for work carried out. This was largely responsible for the construction portion of the project coming to successful completion, a full month ahead of schedule.

Final inspection of the construction and reclamation work was completed by Lowham Walsh and the District Superintendent on August 31, 2012, and the Certificate of Substantial Completion was presented to the Board for Chairman Mike Adams signature.

Outstanding issues are limited to potential action regarding damage to monitoring well D-10, which was struck during demobilization of the liner installation subcontractor, and determination of a path forward by FCSWDD will come at a later date. Project tasks remaining on the Dubois cell closure include completion and submittal of the final construction report and associated drawings.

**b. Environmental Monitoring (Lander and Dubois)**

Mr. Coleman informed the Board that on August 10, 2012 Lowham Walsh submitted the environmental monitoring reports for Lander and Dubois Landfills; there was a decreasing trend in organic water quality parameters for down gradient wells for the Lander Landfill.

**c. Transfer Stations Fence Project**

Mr. Coleman informed the Board that on August 27, 2012 Lowham Walsh submitted a letter of completion, as-built survey, provided stamped survey drawings, and also DEQ notification.

**d. Capacity Audits**

Mr. Coleman informed the Board that the capacity audits were submitted on August 20, 2012 for Lander and Dubois Landfills. The Lander Landfill has approximately 11 to 12 years of life, and that is in accordance with the Lander permit The Dubois Landfill has 70 years life left in the expansion cells.

**4. Trihydro Corporation (Ken Schreuder)**

**a. Capacity Audits**

Mr. Schreuder informed the Board that the capacity audits for Shoshoni and Sand Draw Landfills had been completed and had been forwarded to Superintendent Frey on August 17, 2012.

Shoshoni Landfill estimated site life has been reduced by approximately 10 years (from 2073 to 2063). The decrease in the current estimate of the site life is attributed to an increase in the State's current estimate of the long term population growth rate for Fremont County.

Sand Draw Landfill estimated site life (Original and Expansion Areas combined) has been reduced by approximately 17 years (from 2082 to 2065). The decrease in the current estimate is attributed, in part, to an increase in the State's current estimate of the long term population growth rate for Fremont County, as well as discrepancies in historical estimates of waste disposal rate.

The current estimate of the Sand Draw Landfill site life is also qualified by fact that the FY2012 waste disposal rate for the Sand Draw Landfill was significantly higher than the rates projected by previous capacity audits. In addition, the current estimate of the FY2010 waste disposal rate for the Lander Landfill was significantly higher than the rate projected by previous capacity audits. The waste disposal rate for the Lander Landfill is relevant because wastes received at the Lander Landfill are scheduled to be diverted to the Sand Draw Landfill in 2023, when the Lander Landfill is scheduled to cease receipt of waste. Annual variations in waste disposal rate may be attributed to a variety of factors, including large construction/demolition projects.

#### **b. Technical Assistance**

Mr. Schreuder informed the Board that Trihydro prepared updates, and attended the monthly Board Meeting to respond to questions regarding projects, and developing issues. Trihydro provided a memo to Superintendent Frey summarizing pending Solid Waste Rule changes. Trihydro established fill stakes for the active working face at Sand Draw Landfill, as requested by the facility operator and Superintendent Frey.

Mr. Schreuder informed the Board that Trihydro met with Superintendent Frey to discuss options for inspecting and repairing damage to well D-6 at the Dubois Landfill, which was caused by FCSWDD personal. Well D-6 was inspected on August 20, 2012. While the initial repair was completed at the direction of a contractor, it is not typical of industry practice (i.e. glued joints were used). Trihydro will not recommend further repairs due to the fact that the well has historically been dry and can still be monitored for this purpose. A report of activities and recommendations is being prepared. Trihydro also met with Superintendent Frey to discuss options for inspection, sampling, and repairing damage to well D-10 at the Dubois Landfill, which was caused by a contractor during closure activities. Well D-10 was inspected and a grab sample was collected on August 20, 2012. The initial repair completed at the direction of the contractor was not typical of industry practices (i.e. glued joints were used), so Trihydro collected a grab sample of groundwater to evaluate potential impacts, and repaired the well with dry-fit joint and a bentonite seal. Laboratory analysis of the grab sample identified the presence of a volatile organic compounds (VOCs) commonly associated with PVC primer and solvents. A report of activities and recommendations are being prepared. Costs associated with inspection, sampling, repairing, and reporting damages to well D-10 are being tracked as a separate task.

#### **c. Environmental Monitoring (Dubois, Lander, Sand Draw, Shoshoni)**

Mr. Schreuder informed the Board that quarterly methane monitoring activities were completed at the Dubois Landfill on August 12, 2012, and the Sand Draw Landfill on August 21, 2012. Quarterly methane monitoring and sampling of the groundwater collection tank were completed at the Lander Landfill on August 29, 2012, and the laboratory results will be forwarded to Superintendent Frey as soon as they are available. Results of the quarterly sampling activities at the Dubois, Sand Draw, and Lander Landfills will be reported to the WDEQ/SHWD in conjunction with subsequent semi-annual ground water monitoring events for the facilities, which are scheduled for October 2012.

#### **d. Regulatory Discussions**

Mr. Schreuder informed the Board the Governor's Solid Waste Citizen Advisory Group (CAG) is continuing to work with the Municipal Solid Waste (MSW) Subcommittee meeting of the Legislature's Joint Minerals, Business, and Economic Development (JMBED) Committee. The MSW Subcommittee met in Casper on September 10, 2012, to begin the draft legislation for the JMBED Committee to review at their meeting in October. It sounds like the CAG will meet before the JMBED Committee's October meeting to review/comment on the draft legislation. Trihydro will provide updates as the legislative issue progresses.

The Water and Waste Advisory Board (WWAB) will be meeting at 9:00 on September 21, 2012 in Casper to review comments received on the proposed solid waste rule package. The meeting is open to the public.

#### **5. 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. Baumann expressed that there is no consistency in the number of people that are using transfer stations. Superintendent Frey commented that until the District could get a handle on the transfer stations on the reservation, there will be no way of knowing as people are using the four transfer stations on the reservation.

Mr. Klaproth wanted to know why the District was not taking glass on the recycle trailer. Chairman Mike Adams responded that CES cannot work with glass from an OSHA stand point, and was a safety concern for CES workers. Superintendent Frey responded that there is no market for glass. The District takes glass at the landfills and uses the crushed glass around the landfills.

#### **6. 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 patrons are down from last month, however, so are loads hauled. 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.

##### **b. WRIR site cleanup and maintenance issues.**

Superintendent Frey informed the Board that the District worked four separate days on two sites on the WRIR transfer stations keeping them clean and safe. On August 8, 28, and 31, 2012 at Fort Washakie there was 18 hours with two staff members, one skid loader, one heavy duty pickup, and one roll-off truck, which was committed to hauling containers from this site all day. (a total 52.49 tons hauled). On August 31, 2012, at Ethete, the District worked four hours with one staff member, one skid loader, one heavy duty pickup. The waste that was outside the roll-off container was pushed away from the driving areas and put into a pile for collection/loading at a later date. Revenue collected at the WRIR transfer stations for the month of August 2012 as follows: Fort Washakie \$11.50, Ethete \$56.94, 17-Mile \$95.37 and Crowheart \$120.00.

#### **7. Wind River Indian Reservation Contract Discussion (Mike Adams)**

##### **a. A new proposal was submitted to them on August 15, 2012**

Chairman Mike Adams informed the Board that the Wind River Indian Reservation Contact Discussion should be moved to Executive Session.

#### **8. Other Discussions**

##### **a. Previous Scrap Iron Payment Balance Status (Rick Sollars)**

Attorney Sollars informed the Board that a letter had been sent to Sheppard Trucking detailing the amount of scrap iron removed from the landfill, and there has been no response. Mr. Hermansky requested to have Attorney Sollars send a letter demanding payment within 30 days.

JEFF HERMANSKY moved, and RICHARD RODGERS seconded the motion to have FCSWDD'S Attorney send a letter to Sheppard Trucking Company demanding payment within 30 days for the amount due per the contract in place at the time Sheppard Trucking removed scrap iron from the District Landfills. MOTION CARRIED UNANIMOUSLY.

**b. Account Follow up (Rick Sollars)**

Attorney Sollars informed the Board that there have been six law suits on behalf of the District. Five accounts have received judgments in full plus 10% interest, with stipulation they were not allowed to use any of the District's facilities. None of the accounts have been paid; collections can be done through garnishment, wages, bank accounts, or execute on property. J and C General Contactors out of Riverton, owe \$403.00 plus 10% interest from April 6, 2012, Integrity Development owe \$459.00 plus 10% interest from April 6, 2012, Wills Plumbing and Heating owe \$177.00 plus 10% interest from April 25, 2012, Jims Roofing owe \$382.00 plus 10% interest from June 6, 2012, and McMillan Roofing and Siding owe \$637.80 plus 10% interest from June 25, 2012. Hearthstone Construction has not been served.

**c. Clarification Letter to Commissioners (Mike Adam)**

Action already preformed.

**d. Tarp Fee Adjustment Discussion (Andy Frey)**

Superintendent Frey informed the Board that the escalating fee structure that is currently in place is hard to track. Superintendent Frey will propose changes at a later date.

**e. Hours of Operation Discussion (Richard Rodgers)**

Mr. Rodgers informed the Board that every County and State Employee has more than four holidays off a year, however, that's all the Solid Waste Employees have. Mr. Rodgers would like to find one day a week to be closed. Dubois has the right schedule, being closed Sundays and Mondays. Being open six days a week would save the District money. Mr. Hermansky stated that about 15 years ago the District tried to close one day a week, and the public had issue with it. Mr. Hermansky is not opposed to looking into closing Sundays, and would like Superintendent Frey to look into how much closing Sundays would save the District.

Chairman Mike Adams added that a public comment period would be helpful before making a decision.

**f. Annual Audit (Andy Frey)**

**i. Draft Audit Meeting offer (Executive Committee of Finance Committee)**

Superintendent Frey informed the Board that the Auditors had offered to present a draft Audit to the Executive Committee or the Finance Committee if interested. The District will schedule the meeting.

**g. Pavillion Town Meeting September 4, 2012 (Andy Frey)**

**i. Potential Business Loss.**

Superintendent Frey informed the Board that on September 4, 2012 he met with the Town of Pavillion at their request. Superintendent Frey felt the request was to get a understanding of what is going on with the transfer station, and to discuss the potential loss of a business (Bryce's Sausage Kitchen) by having the transfer station only open once a week.

**9. Executive Session**

RICHARD RODGERS moved, and STEVE BAUMANN seconded the motion to enter into executive session at 8:30 p.m. for litigation, inviting Commissioner Thompson and Superintendent Frey. MOTION CARRIED UNANIMOUSLY.

**a. Litigation**

RICHARD RODGERS moved, and TRAVIS BROCKIE seconded the motion to come out of executive session at 9:29 p.m. MOTION CARRIED UNANIMOUSLY.

**10. Call for Other New Business**

Superintendent Frey informed the Board that the District continues to work on improving public relations. Superintendent Frey met with County 10 to discuss a better outreach plan to communicate with the public.

County 10 has two platforms: Sponsored Posts are \$500.00 for each post; Community Partner at \$10,000.00 a year (includes 12 posts). There will only be 10 Community Partners on County 10's home page.

Superintendent Frey informed the Board that Western Plains Landscaping sent a letter requesting the \$9600.00 from liquidated damages that was held from Western Plains Landscaping for the Shoshoni and Pavillion Transfer Station fencing project. Superintendent Frey was instructed to write a response letter stating the Board was not willing to release the liquidate damage money.

**11. Approval of Meeting Minutes (Mike Adams)**

**a. August 13, 2012 Regular Scheduled Solid Waste District Board Meeting**

JEFF HERMASKY moved, and RICHARD KLAPROTH seconded the motion to accept the August 13, 2012 minutes provided the spelling errors were corrected. MOTION CARRIED UNANIMOUSLY.

**12. Approval of August, 2012 bills (Mike Adams)**

TRAVIS BROCKIE moved, and JERALD CREWS seconded the motion to approve the August, 2012 bills. MOTION CARRIED UNANIMOUSLY.

**13. Call for Adjournment (Mike Adams)**

RICHARD RODGERS moved, and TRAVIS BROCKIE seconded the motion to adjourn the meeting at 10:05 p.m. MOTION CARRIED UNANIMOUSLY.

**14. Upcoming Meeting**

**a.** Next regularly scheduled Board meeting will be October 8, 2012 at 6:00 p.m. in the Solid Waste District Office (Lander Landfill) the last evening meeting.

**b. Draft Audit Meeting.**

Respectfully Submitted



Linda Kummer, Bookkeeper

Approved



Chairman, Mike Adams