



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

April 20, 2015

1. The regular meeting of the Fremont County Solid Waste Disposal District Board of Directors was held on the above date and time; called to order by Chairman Mike Adams at 9:30 a.m. Chairman Adams led the Pledge of Allegiance, and declared a quorum of the Board with the following people in attendance.

Board Members:	Mark Moxley, Gary Weisz, Mike Adams, Mike Dimick, Richard Klaproth, Barbara Gardner, and Steve Baumann
Excused:	Mike Morgan and Rob Dolcater
Commissioner Liaison:	Doug Thompson
Liaisons:	Tex Frazier (Pavillion), Kyle Larson (Riverton) and David Bennett (Dubois)
Attorney:	Rick Sollars (Western Law & Assoc.)
Staff:	Superintendent Andy Frey and Bookkeeper Linda Kummer
Guests	Bruce Leven (Wyoming Waste Systems), Eric Blom (Ranger), Tim Robeson and Ken Konicek (Tegeler and Assoc.), and Ed Maginn (Mill Creek Metals)

The meeting Consent Agenda was presented to the Board for review. BARABA GARDNER made a motion to approve the agenda with the following modifications: (1). Removing from Consent Items – the Superintendents Report, and adding to “Other New Business” discussion on a Shoshoni clean-up event. The motion received a second by GARY WEISZ. MOTION CARRIED

e. Public Comment/Communication from the Floor

Chairman Adams opened the floor to public comment. Dave Bennett from the Town of Dubois Council asked for information on the upcoming Household Hazardous Waste & E-Waste Cleanup event, as they had been informed by their staff that Dubois was not going to be allowed to participate.

Superintendent Frey explained that the event is not being funded by the Solid Waste District, instead the funding was the result of an environmental fine assessed by the WDEQ. The District, Popo Agie Conservation District, Weed & Pest, the Extension Office, Lower Wind River Conservation District, and the Crowheart/Dubois Conservation District have been working on developing the plan for the event and that the money is planned to be used where it will make the largest impact. No final plans had been made for the event, but the initial plans have the collection locations in Lander, Riverton, and Dubois.

2. Consent Items

a. Approval of the Minutes:

a. March 18, 2014 Board Meeting

b. Approval of Accounts Payable March 2014 bills

c. Acceptance of Consultants and Agreement Reports.

- a. Trihydro Corporation - Progress Report
- b. Burns and McDonnell - Progress Report
- c. Wind River Environmental Quality Commission – Progress Report
- d. Acceptance of Staff Reports:
 - a. Superintendent Report – *REMOVED FROM THE CONSENT ITEMS FOR DISCUSSION*

Discussions: Mr. Weisz asked for an update on the cleanup taking place in Dubois on the buildings destroyed in the fires this past winter, and what the District did to help out. Superintendent Frey explained that the cleanup activities taking place in Dubois have been completed to the extent they can be until the two-story building can have its structural stability inspected. Further, the District allowed the Dubois Landfill to be open Tuesday through Saturday for one week, planned in advance, to allow the contractors to continue to haul the materials without interruption.

3. OTHER ITEMS OF BUSINESS:

a. Town of Dubois – Request for Waived Disposal Fees an Additional Hours During a Community Cleanup Event

Superintendent Frey informed the Board that the Town of Dubois had submitted a letter requesting assistance during a planned community cleanup event scheduled for May 4-9, 2015.

The Town of Dubois is asking that the Landfill/Transfer Station be open Tuesday through Saturday for their cleanup event, in addition they wish to have the disposal fees waived.

STEVE BAUMANN moved, and RICHARD KLAPROTH seconded the motion allow the Dubois Landfill/Transfer Station to be open the extended hours as set by the Superintendent, to accommodate the Dubois cleanup event, but the District will not waive the disposal fees. Gary Weisz opposed.

MOTION CARRIED

b. Town of Pavillion – Recycling Trailer Request

Superintendent Frey informed the Board that the Town of Pavillion has developed a solid waste management plan for the residents through use of dumpsters located around the town. The town has interest in providing a recycling program and would like assistance from the District in the form of leasing a recycling trailer.

RICHARD KLAPROTH moved, and STEVE BAUMANN seconded the motion to lease a recycling trailer to the Town of Pavillion, and allowing the Chairman of the Board to sign the lease agreement. MOTION CARRIED

c. Safety Incentive Program

Superintendent Frey informed the Board that they have in their Board packet a revised Draft Safety Incentive Program for review and comments.

STEVE BAUMANN moved, and MARK MOXLEY seconded the motion to approve the Safety Incentive Program as written, effective July 1, 2015. MOTION CARRIED

d. Scrap Metal Processing and Recycling Agreement – Request by Contactor to Modify the Contact Price

Ed Maginn from Mill Creek Metals informed the Board of a large reduction in the value of scrap metal markets and requested authorization to reduce the rate established in the contract with the District. The market reductions have caused Mill Creek to close their collection yard in Riverton. He went on to say that the current price in the contract is \$117.00 per ton, and that they would prefer the District to re-bid the scrap iron contract with the contract price tied directly to a market price.

Discussions: (1.) Attorney Sollars indicated that there is a binding contract between Mill Creek and the District, however, the District Board has the authority to alter the contract. He went on to say that Mill Creek could breach the contract and deal with the potential ramifications, and that they would no longer be eligible to bid on the Districts scrap iron in the future. (2.) Mr. Baumann indicated that the provisions in the contract allow the District to alter the contract prices, not the Contractor. (3.) No formal action was taken, leaving the contract as-is.

e. Health Insurance Benefits Proposals - Tegeler Presentation/Discussion

Superintendent Frey informed the Board that the Health Insurance Committee, two reps from Tegeler, and four District staff members met to review the proposed health insurance options and discuss how the potential new plans would apply to the specific employees.

Discussions: (1.) Ken K. (Tegeler) explained the addition of the new option for staff that desire to pursue a plan without any premium dues, removing the contributions from the District to an HSA for anyone that elects that coverage, creating a true “high deductible” plan for them. (2.) Superintendent Frey informed the Board that the Health Insurance Review Committee, two representatives from Tegeler (Ken and Tim), and four District staff members met to review the proposed health insurance options and to discuss how the potential new plans would apply to the specific employees. He went on to say that he recommends adopting the proposed plan from Tegeler to help the employees and the District control the rising health benefit costs. (3.) Jim Massmen discussed a concern regarding what the current plan utilization shows for the District staff and how that will impact future rates, where the current plan paid out approximately \$533,000 for the District 23 enrolled staff members. This results in approximately \$23,200 per employee, and if continued will result in a very large increase for the Districts rates the next year. He also explained his concern regarding possible abuse of the monies in the employees’ health savings accounts, where use could get certain employees into legal troubles.

STEVE BAUMANN moved, and RICHARD KLAPROTH seconded the motion to move forward with the Fremont County Solid Waste Disposal District (District) withdrawing from the Fremont County Health Plan effective at the end of **May 31, 2015**, and then enroll into the Health/Vision/Dental/Life Insurance plans as set forth in the proposal by Tegeler and Associates effective **June 1, 2015**. The health insurance plan shall be the Blue Cross/Blue Shield Bronze HSA (health savings account) plan, with an HRA component. The District shall pay 85% of the employee’s monthly premium for “single”, “employee and spouse”, or “employee and family”, and the employee is responsible for the balance of the monthly premium which shall be withheld from the employee’s monthly salary. Additionally, the District will contribute to the employee’s HSA as follows: (1.) for employee’s employed by the District on **June 1, 2015**, an initial one-time \$1,000 contribution for individual/single coverage or a one-time \$2,000 contribution for employee and spouse or employee and family coverage. And (2.) Commencing on **June 1, 2015**, for current and/or newly hired employees, the District shall contribute to each employees HSA at the same \$1,000/\$2,000 level, deposited in monthly installments prorated over a 12 month period (approximately \$83.34/\$166.67 per month). This HSA contribution shall be extended to District

employees who are not covered under the District's Health plan, but instead acquire health insurance through their spouse's plan, provided their spouse's insurance is HSA qualified. Gary Weisz opposed.
MOTION CARRIED

f. Commercial, Auto, and Property Insurance (equipment, vehicles, and building)

Superintendent Frey informed the Board that the District received bids for Commercial, Auto, and Property Insurance for fiscal years 2015-16, 2016-17, and 2017-18. There were three proposals submitted. The proposals are as follows: (1.) Tegeler and Associates (current provider) \$26,962.00. (2.) Burns Insurance Agency \$24,982.00. (3.) Wyoming Association of Risk Management (WARM) \$24,372.00. During the review process it was found that all providers have variations in the coverage details. The apparent low bid was from WARM but the highest deductible they offer is \$5,000.00, and the District RFP specified \$1,000.00

Discussions: (1.) Mr. Baumann felt that a \$1,000 deductible for all District equipment, vehicles, and buildings seemed inappropriate, and that significant savings could be found with increasing the deductible to \$10,000. He asked to have the District request bids from the three groups that had submitted bids, to resubmit bids with \$5,000 and \$10,000 deductibles. (2.) Superintendent Frey will request updated bids and have the information ready for Board review at the May 2015 meeting.

g. Trespass Request – Bryan Englert

Superintendent Frey informed the Board that there has been a reoccurring issue with a customer who hides waste under yard waste to get around paying for waste disposal, yells at District staff and cusses at District staff. Superintendent Frey requested authorization to have this customer (Bryan Englert) trespassed from all District sites.

Discussions: (1.) Mr. Klaproth asked if all other avenues have been explored, since this is a significant penalty. Superintendent Frey explained that this was only recently brought to his attention, so there had not been an opportunity to meet with this individual. Given the level of the inappropriate behavior, this seemed like an appropriate response. (2.) A motion was made and rescinded by Mr. Weisz. (3.) Attorney Sollars was asked how long a trespass would stay in affect. An issued trespass would stay in effect until it is rescinded.

RICHARD KLAPROTH moved, and BARBARA GARDNER seconded the motion to send a certified letter to Mr. Bryan Englert from the Districts Attorney explaining that his conduct at the Districts facilities is unacceptable and that if it continues he will be permanently trespassed from all District sites.

h. Financial Audit Contract

Superintendent Frey informed the Board that over the last three years the District has worked with the County to pursue a shared consultant for the annual financial audit. The County awarded this year's financial audit work to DeCoria-Maichel-Teague (DM-T) after the local auditing firms declined the opportunity.

STEVE BAUMANN moved, and GARY WEISZ seconded the motion to award DeCoria-Maichel-Teague the fiscal year 2014-15 auditing contract. MOTION CARRIED

i. Other New Business

a. Mr. Weisz informed the Board that the Town of Shoshoni has scheduled a community cleanup event May 2, 2015. The Community planned the event on this specific day since the Shoshoni Landfill is scheduled to be open, and they are requesting to have the transfer station open that

day as well. Additionally, the community requested to have the disposal fees waived for the cleanup event.

STEVE BAUMANN moved, and Gary Weisz seconded the motion to allow the Shoshoni Transfer Station to be open May 2, 2015 to coincide with their community cleanup event, but to not waive the disposal fees for the cleanup event. Gary Weisz opposed. MOTION CARRIED

b. Superintendent Frey discussed the need to begin meeting with the Board on the draft fiscal year 2015-16 operating budget and looked for guidance on times/dates for a work session.

Discussions: (1.) Given the length of time needed for a budget work session, it is preferred to have it scheduled on a different day than a regular Board meeting day. (2.) The work session was set for Tuesday May 12, 2015 at 6:00pm at the Lander Landfill Office.


e. Call for Adjournment

STEVE BAUMANN moved, and MARK MOXELY seconded the motion to adjourn the meeting at 11:41 a.m. MOTION CARRIED

f. Upcoming Meeting(s)

a. The next Regularly Scheduled Meeting: May 18, 2015 at 9:30 a.m.

Respectfully Submitted by,



Linda Kummer
Bookkeeper
Fremont County Solid Waste Disposal District

Approved by,



Michael Adams
Board of Directors Chairman
Fremont County Solid Waste Disposal District