



FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT

Minutes of Regular Board Meeting

March 21, 2016

1. 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 time; called to order by CHAIRMAN ADAMS at 9:30am. CHAIRMAN ADAMS then led the Pledge of Allegiance and declared a quorum of the Board with the following people in attendance.

Board Members: Michael Adams, Gary Weisz, Mike Morgan, Steve Baumann, Mike Dimick, Mark Moxley, Richard Klapproth and Mike McDonald

Excused Members: Rob Dolcater

Commissioner Liaison: Doug Thompson (excused absence)

Liaisons: Kyle Larson (City of Riverton), Mark Calhoun (City of Lander), Mike Anderson (Town of Hudson)

Attorney: Rick Sollars (Western Law & Assoc.)

Staff: Andrew Frey (Superintendent) and Linda Kummer (Bookkeeper)

Guests: Ernie Over, Bruce Levin, Catherine Erickson, Amber Wilson, Bonnie Hoffbauer, Jennifer Wilson, Annette & Art Wethington, David Lukens, Landen Harrer, Smokey Peck, Howard Johnson, Paul Burns, Rose & Finlet Burke, Alan Culver, Bill & Catheron Oviatt, Barbara Dickinson, Andrea Orabona, Dot Newton, Richard Garrett, Randy Breece, Ray Charles, Juan Laden, Feike Van Dijk, Jeremy Newman, Andy Newman, Bryce Newman, Ed Maginn, Nancy Ebbert, Robert Fay, Pat Harris, Shawn Griffin, Connie Dehnert, Liz Nelson, Richard Baumann, Ray Price, Sabrina Nelson, Gene Dehnert, Chan Dekner, Steven Weaver, Kyle Butterfield, Dawn Willhelm, Nila Slade, Cat Cook, Karo Lolovich, Ron Hammer, Nate Friedlund, Megan Sherf, Stacy McDaniel, Marydale Casey, and Kevin Casey.

d. Approval of Agenda

MIKE MORGAN made a motion to approve the consent agenda with the following modifications: (1.) Moving Agenda item 3. E. Scrap Metal Processing Contract into 4. Executive Session. RICK KLAPROTH seconded the motion. **MOTION CARRIED**

e. Public Comment/Communication from the Floor

CHAIRMAN ADAMS opened the floor to public comment. Dot Newton requested that the recycling discussions get moved to the beginning of the agenda.

2. CONSENT ITEMS:

a. Approval of Prior Meeting Minutes:

i. February 17, 2016, Board Meeting

b. Approval of Accounts Payable – February 2016

c. Acceptance of Consultants Reports:

- i. Trihydro Corporation – Progress Report
- ii. Burns and McDonnell – Progress Report

- iii. Eastern Shoshoni Tribe Solid Waste – Progress Report (no report was submitted)
- iv. Northern Arapaho Tribe Solid Waste – Progress Report (no report was submitted)

d. Acceptance of Staff Reports:

- i. **Superintendent Report**

3. OTHER ITEMS OF BUSINESS:

a. Scrap Metal Processing Contract – MOVED INTO EXECUTIVE SESSION

b. Recycling Committee Update and Recommendation

MIKE MORGAN recommended that the Board table formal discussions and/or formal action on the recycling program until the May 2016 Board meeting to allow for additional public input.

Discussions: (1.) Superintendent Frey gave a brief history of the District’s review of the recycling program as recommended by the Operational Efficiency Evaluation, a continuation of improved operational efficiencies, the overall program costs of over \$600,000 per year, the mill levy cuts in excess of \$800,000 this year, the recycling partners (i.e. CES) that will be withdrawing from the program based on implementation of Federal mandates, the 5% recycling rate and the 12% diversion rates, the long-term liability associated with the landfill closure and post-closure costs, current program costs in excess of \$320 per ton of recyclables handled/managed. (2.) Public comments: recommend not implementing any program changes until an alternative program is in place, involve Fremont County communities, involve stakeholders in Recycling Committee, charge to recycle, no recycling products generate revenue, Fremont County geographically challenged with proximity to markets, recommend pursuit of post-consumer markets that are overlooked, landfilling recyclables cannot be the best solution, landfills eventually fill, the recycling program is too difficult to use, make recycling easier in Fremont County, people considering relocation into Fremont County consider the recycling programs available, some feel the current program is well run, the on-line polls conducted show that 90% + of participants are willing to pay for a recycling program, recycling should be mandatory, the City of Riverton program collects over 50% of the County recycling materials through a curbside program and public drop-offs – costing the City approximately \$218,000 per year to offset approximately \$87,000 per year in disposal fees, the City of Riverton offered to host a recycling forum, the failure in continued public education is causing lower participation, the programs need to be grown to be successful, programs that are cut are very difficult to get restarted later on, concerns that the economics are the only concern, there are social implications to this pending decision, other counties and cities are managing to keep their programs going, a timeline for this process was requested, \$80 per ton for waste disposal and \$320 per ton cost for recycling does not make any financial sense, grant pursuit may fill gap in funding, CES became heavily involved in the 1990’s since other groups would not (including the Honor Farm) – funding has been continuously cut on the State level – their priority is to the individuals they serve.

- Responses: (1.) Charging for hazardous waste type recycling products will defeat the purpose of ensuring they are kept out of the landfills – environmental hazard. (2.) The District does not have any authority/control over the State, County, Cities, Towns, or the public outside of the FCSWDD Rules and Regulations; therefore, there is no mechanism to develop new/additional taxes or mandates. (3.) The District does not complete collection activities. (4.) Timeline – *public forums* for out-of-the-box thinking and public brainstorming – develop spokesperson(s) to present findings, *stakeholders committee meetings* to research forum findings, findings and recommendations distributed to the FCSWDD Superintendent of Operations – passed along to the Board, May 2016 Board meeting – additional considerations and potential formal action.

c. Policy Review Discussions – TABLED UNTIL THE APRIL 2016 MEETING

Superintendent Frey recommended that the policy and guideline review discussions get tabled until the April 2016, Board meeting.

MIKE MCDONALD made a motion to table discussions on the Fremont County Solid Waste Disposal District policies and guideline until the April 2016 meeting. STEVE BAUMANN seconded the motion. **MOTION CARRIED**

BREAK (11:46am – 12:00pm)

(a.) Scrap Metal Processing Contract

Ed Maginn (Mill Creek Metals) referenced the letter submitted to the District in late February 2016 requesting that the Scrap Metal Processing Contract be amended with consideration of the overall scrap metal values nationwide that have dropped to record lows the past two years. They are still interested in processing the materials, sending the same crews that have had great success, and willingness to complete in a timely manner. In order to continue the existing contract, they would need to have the contract adjusted from \$117 per ton reimbursement down to \$20 per ton reimbursement. If there is no amendment to the contract, they will be forced to breach the contract. They lost \$5 per ton the last time they processed the District's scrap metals.

d. Veolia Quote

Superintendent Frey informed the Board that through regular operations the District accrues a stockpile of used antifreeze, used motor oil contaminated with solvents and other liquids that make the material unacceptable for use in used motor oil furnaces and/or used motor oil contractor collection, and household hazardous waste products deliberately left on District owned/operated sites that will need to be properly disposed of. The onsite stockpile of these materials is in need of shipment. Veolia Environmental was contacted and requested to come onsite and develop a quote for shipping and disposal of the stockpiled materials and the estimate came back at approximately \$11,000.

MIKE MORGAN made a motion to authorize the Superintendent to work with Veolia on the disposal of the discussed materials with a not-to-exceed expense of \$15,000. STEVE BAUMANN seconded the motion. **MOTION CARRIED**

e. New Business – NO NEW BUSINESS

4. EXECUTIVE SESSION – POTENTIAL LITIGATION

MIKE MCDONALD made a motion to enter into Executive Session at 12:14pm for Potential Litigation discussions, inviting the Superintendent and Attorney, as well as allowing the Accounting Manager and Bookkeeper to remain in the Superintendent's office. MARK MOXLEY seconded the motion. **MOTION CARRIED**

GARY WEISZ made a motion to exit Executive Session at 12:45pm. RICK KLAPROTH seconded the motion. **MOTION CARRIED**

3. (a.) Scrap Metal Processing Contract

MIKE MORGAN made a motion to request \$20 per ton reimbursement through a contractual modification on the Scrap Metal Processing Contract with the understanding that they will need to process the stockpiles materials immediately. GARY WEISZ seconded the motion.

Discussion: (1.) STEVE BAUMANN recommended the motion be altered to request \$30 per ton.

The vote was called with the results showing four in favor and two in opposition. **MOTION CARRIED**

5. CALL FOR ADJOURNMENT

STEVE BAUMANN made a motion to adjourn the meeting at 12:56pm. GARY WEISZ seconded the motion. **MOTION CARRIED**

6. UPCOMING MEETING(S):

- a. The Next Regularly Scheduled Meeting: April 18, 2016, at 9:30am.

Respectfully submitted by,



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



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