



# 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

January 17, 2022

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

Board Members: Michael Adams, Robert Townsend, Normandy Rose (via Zoom), Steve Baumann, Jen Lamb, Mark Moxley, Rick Klapproth, Rod Haper, and Rob Dolcater  
Excused Member(s): *no excused members*  
Unexcused Member(s): *no unexcused members*  
Commissioner Liaison: Commissioner Michael Jones  
Community Liaisons: John Larson (City of Lander), and Kyle Larson (City of Riverton)  
Attorney: Rick Sollars  
Staff: Superintendent Andy Frey  
Consultant(s): Susan Brodie (SLB Inc.)  
Guest(s): *No guests in attendance*

#### d. **Approval of Agenda**

ROD HAPER made a motion to approve the consent agenda, holding out the Superintendent's Report for discussion. SECRETARY/TREASURER KLAPROTH seconded the motion. **MOTION CARRIED**

#### e. **Public Comment/Communication from the Floor**

CHAIRMAN ADAMS opened the floor to public comment. Hearing no public comment, the public comment was closed.

### 2. CONSENT ITEMS:

#### a. **Approval of Prior Meeting Minutes**

i. December 2021

#### b. **Approval of Accounts Payable**

i. December 2021 Invoices

#### c. **Acceptance of Consultants Reports:**

i. Trihydro Corporation – Progress Report

ii. Burns and McDonnell – Progress Report

iii. Wind River Indian Reservation Inter-Tribal Solid Waste Program – No Report Submitted

#### d. **Acceptance of Staff Reports:**

i. Superintendent Report – **REMOVED FOR DISCUSSION**

**Discussion:** (1.) Clarification on any resolution regarding the Shoshoni Landfill Closure project was requested. The District Attorney informed the group that he had submitted to Trihydro in writing a request for participation in losses from both Trihydro and DRM. (2.) The timeline associated with the potential bill sponsored by Representative Larson regarding allowances of special solid waste district on

reservations. Superintendent Frey and Commissioner Liaison Jones commented that there is no set timeline, but that there is support to allow the Tribes to pursue their own district.

ROB DOLCATER made a motion to approve the Superintendent's Report. VICE-CHAIRMAN MOXLEY seconded the motion. **MOTION CARRIED**

**3. BUSINESS ITEMS:**

**a. New Board Member Introduction/Self-Introduction – Normandy “Mandy” Rose (*Discussion*)**

MANDY ROSE thanked the Board for the opportunity to work with them and discussed her 25-years of solid waste work history, involving legislative efforts and county level work.

**b. Election of Officers – Chairman, Vice-Chair, Secretary/Treasurer (*Discussion and Formal Action*)**

CHAIRMAN ADAMS opened the floor to nominations for officers.

CHAIRMAN ADAMS nominated VICE-CHAIRMAN MOXLEY for the Chairman office. SECRETARY/TREASURER KLAPROTH seconded the nomination. **MOTION CARRIED**

CHAIRMAN ADAMS nominated ROB DOLCATER for the Vice-Chairman office. JEN LAMB seconded the nomination. **MOTION CARRIED**

ROB DOLCATER nominated JEN LAMB for the Secretary/Treasurer office. STEVE BAUMANN seconded the nomination. **MOTION CARRIED**

CHAIRMAN MOXLEY reminded the group that the Board officers make up the Executive Committee.

**c. Board Reimbursement – Travel and Expenditures (*Discussion*)**

Superintendent Frey reminded all Board members that they are eligible for reimbursement for travel associated with District business, including lodging and meals. IRS mileage reimbursement rates for 2022 have been set at \$0.585.

**d. New Year/Board Resolutions (*Discussion and Formal Action*)**

i. Proposed Resolution 01-2022: Authorized Depositors

Superintendent Frey explained that this resolution authorizes the listed banks to receive deposits from the District. Further, all of the financial institutions have been identified on one resolution. The listed banks include Central Bank and Trust, Wyoming Community Bank, and the Bank of Jackson Hole.

STEVE BAUMANN made a motion to approve Resolution 01-2022 as presented. SECRETARY/TREASURER LAMB seconded the motion. **MOTION CARRIED**

ii. Proposed Resolution 02-2022: Authorized Account Signers

Superintendent Frey explained that this resolution identifies the authorized individuals for signing District documents. Noting that two signatures are required for all financial documents and that at least one of them must be a Board member. The listed authorized signers are identified as the Chairman, Vice-Chair, Secretary/Treasurer, Superintendent of Operations, and the Bookkeeper.

STEVE BAUMANN made a motion to approve Resolution 02-2022 as presented. SECRETARY/TREASURER LAMB seconded the motion. **MOTION CARRIED**

- iii. Proposed Resolution 03-2022: Authorized Facsimile Signatures (State of Wyoming Requirement)

Superintendent Frey explained that this resolution registers the appointed Board members with the State of Wyoming.

STEVE BAUMANN made a motion to approve Resolution 03-2022 as presented. SECRETARY/TREASURER LAMB seconded the motion. **MOTION CARRIED**

**e. Commissioner Meeting Follow-Up (*Discussions and Formal Action*)**

- i. Publication of Annual Wages Paid

CHAIRMAN MOXLEY discussed with the Board the recent discussions with the county commissioners. He relayed that the discussions were very challenging. An issue expressed by the commissioners was regarding wage structure and that they felt the Board was working too hard to retain employees.

**Discussion:**

→ **Wages** (1.) The District has no intentions of creating a revolving door scenario with employees, instead working to retain them. (2.) There is a sound understanding that government will always remain below private employers with wages. (3.) Inflation has exceeded 7% and it is the goal of the District to ensure employees are compensated at a level to keep pace or exceed inflation. The county provided a 10% wage increase to a large number of their own staff. (4.) The District operates an essential service. (5.) Regarding the concern that the superintendent makes a higher annual salary than the governor, it should be made clear that the staff employed by the governor make anywhere from \$150,000 to \$175,000. Elected official's wages are set to compensate differently, to disincentivize individuals from pursuing the positions for the wrong reasons. (6.) Commissioner encouragement to use the Bureau of Labor Statistics – Standard Occupational Classification to review wages. (7.) Additional communication with the commission was also encouraged to maintain transparency to the public. (8.) The discussions with the commission were beyond candid and did not lead to or encourage good discussions. (9.) Concern with the statements provided by the commission to use the SOC review to avoid possible advancement or wage increases. (10.) Encouragement requested to have the commissioners work to educate themselves on solid waste as education can occur from both sides.

→ **Publication of Annual Wages Paid** (1.) The commission understands that the formal Freedom of Information Act developed by the District allows for the public to acquire this information. (2.) The commission expects a formal wage review, not necessarily publication of wages.

- ii. Work Session Request

CHAIRMAN MOXLEY discussed a suggestion to have an actual work session with the commission to allow a better format to discuss wages; however, based on the discussions and message relayed by the commission, this is not currently necessary.

**f. Bureau of Labor Statistics – Standard Occupation Classification for NW WY (*Discussions*)**

CHAIRMAN MOXLEY tabled these discussions until next month.

**g. Shoshoni Landfill Closure Construction – Pay Application No. 4 (*Discussions and Formal Action*)**

Superintendent Frey updated the Board on the status of the Shoshoni Landfill Closure project. The remaining earthwork, perimeter fencing and reclamation have been complete as of January 12, 2022.

Within the contract document, there is a requirement to hold a 10% retainage until acceptance of final completion, a 41-day public advertising period, and receipt of an affidavit clearly stating that there are no liens associated with the project and that all contractors used for the project have been paid in full.

The amount of this retainage is over \$120,000. The 10% retainage contains more than enough funds to cover any potential liquidated damages or line-item over-run concerns held by the District.

The prime contractor has submitted their fourth pay application, dated 1/13/2022, to cover the work that has been completed through the end of calendar year 2021. This pay application does not include the remainder of the topsoil placement, surveying, or reclamation. Pay application number four is in the amount of \$112,369.36.

MICHAEL ADAMS made a motion to approve the Pay Application No. 4 as presented. BOB TOWNSEND seconded the motion. **MOTION CARRIED**

**h. Shoshoni Landfill Closure Construction – Acceptance of Substantial Completion (*Discussions and Formal Action*)**

Superintendent Frey explained to the Board that as per the contract documents, the project has reached substantial completion as of January 12, 2022. A walk-through was completed on January 12, 2022, and no deficiencies were identified. A recommendation to accept the project as substantially complete was provided. If approved by the Board, the 41-day public advertisement will begin. It will end on March 4, 2022.

MICHAEL ADAMS made a motion to accept the Shoshoni Landfill Closure project substantially complete. BOB TOWNSEND seconded the motion. **MOTION CARRIED**

**Discussion:** (1.) The reclamation has been complete. (2.) Consideration to protect the passive vents should be explored.

**i. Town of Shoshoni – Rate Reduction Request (*Discussion and Formal Action*)**

Superintendent Frey informed the Board that an engineering firm working for the Town of Shoshoni reached out to the District under the direction of the town to request a rate reduction for demolition waste associated with the removal of some old buildings.

**Discussion:** (1.) There appears to be no recognition or acknowledgement provided from the town back to the District for all of the assistance the District has provided in the past. (2.) Any assistance in this manner will change the precedent already established by requiring landowners to be responsible. The District has declined offers from WYDOT, the BLM, BOR, other communities, and private landowners.

BOB TOWNSEND made a motion to decline the request for a rate reduction to the Town of Shoshoni for their planned demolition projects. VICE-CHAIRMAN DOLCATER seconded the motion. **MOTION CARRIED**

**4. NEW BUSINESS**

- a. **February Meeting Date:** Superintendent Frey reminded the Board that the February meeting dates were permanently changed a few years ago to be held on the Wednesday following the third Monday.
- b. **Board Committee Assignments:** Due to the anticipated length of the meeting, the assignments were moved to the February meeting.

**5. CALL FOR ADJOURNMENT**


VICE-CHAIRMAN DOLCATER made a motion to adjourn the meeting at 11:10am. BOB TOWNSEND seconded the motion.

***MOTION CARRIED***

**6. UPCOMING MEETING(S):**

- a. **The Next Regularly Scheduled Meeting: February 23, 2022, at 9:30 a.m.**

Respectfully submitted by,

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

  
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Mark Moxley  
Board of Director's Chairman  
Fremont County Solid Waste Disposal District