



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

trashmatters.org

MEETING AGENDA

FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT

BOARD OF DIRECTORS – REGULAR MEETING

February 23, 2022 - 9:30 a.m.

1. PRELIMINARY ITEMS:

- a. Pledge of Allegiance
- b. Roll Call: Michael Adams, Steve Baumann, Mandy Rose, Rick Klaproth, Mark Moxley, Rob Dolcater, Rod Haper, Jennifer Lamb, and Robert Townsend
- c. Declaration of Quorum
- d. Approval of Agenda (*Discussion and Formal Action*)
- e. Public Comment / Communication from the Floor

2. CONSENT ITEMS:

- a. Approval of the Meeting Minutes
 - i. January 2022
- b. Approval of the Accounts Payable
 - i. January 2022
- c. Acceptance of Consultants and Agreement Reports
 - i. Trihydro Corporation
 - ii. Burns and McDonnell
 - iii. Wind River Inter-Tribal Solid Waste – *no report submitted*
- d. Acceptance of Staff Reports
 - i. Superintendent Report

3. BUSINESS ITEMS:

- a. Board Committee Assignments (*Discussion and Formal Action*)
 - Planning Committee
 - Health Benefit and Wage Committee
 - WRIR Solid Waste Negotiations Committee
 - Recycling Committee
 - Budget Committee
- b. MASA Air and Ground Ambulance Supplemental Coverage – Board Enrollment (*Discussion*)
- c. Wyoming Association of Special Districts - Membership (*Discussion*)
- d. Shoshoni Landfill Closure Construction – DRM Change Order Request #1 (*Discussion and Formal Action*)
- e. Shoshoni Landfill Closure Construction – Trihydro Change Order Request #1 (*Discussion and Formal Action*)
- f. Shoshoni Landfill Closure Construction – DRM Pay Application No. 5 (*Discussion and Formal Action*)
- g. Shoshoni Landfill Closure Construction – DRM Final Pay Application (*Discussion and Formal Action*)
- h. Task Order Request – Scale Facility Project Construction Administration (Burns and McDonnell) (*Discussion and Formal Action*)
- i. Standard Occupation Classification – Process Review (*Discussion*)

4. NEW BUSINESS

5. CLOSING ITEMS:

- a. Upcoming Meeting(s):
 - i. The next Regularly Scheduled Meeting(s): March 21, 2022, at 9:30 a.m.
- b. Call for Adjournment

Fremont County Solid Waste Disposal District

Balance Sheet

As of January 31, 2022

	Jan 31, 22
ASSETS	
Current Assets	
Checking/Savings	
122105 · Petty Cash	300.00
122106 · Transfer Station Cash	400.00
122107 · Scale House Cash	1,600.00
123110 · CB&T Checking	8,342.67
123115 · Edward Jones Investments	3,377,961.67
123120 · Bank of Jackson Hole	184,524.16
123130 · Wyo Star	1,181,044.11
123132 · Wyo Star II	15,913,671.77
123134 · Wyoming Community Bank	574,801.22
Total Checking/Savings	21,242,645.60
Accounts Receivable	
133141 · Accounts Rec - User Fees	256,750.33
Total Accounts Receivable	256,750.33
Other Current Assets	15,775.42
Total Current Assets	21,515,171.35
TOTAL ASSETS	21,515,171.35
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	125,098.01
Total Liabilities	125,098.01
Equity	
32000 · Unrestricted Net Assets	2,617,228.59
380860 · Cash Reserve	750,000.00
380970 · Closure/Post-Closure Reserve	18,155,822.00
Net Income	-132,977.25
Total Equity	21,390,073.34
TOTAL LIABILITIES & EQUITY	21,515,171.35



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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:

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

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,

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

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



memorandum

To: Andy Frey, P.E., Superintendent, Fremont County SWDD
From: Scott Lee, P.E.
cc: Fremont County SWDD Board
Date: February 14, 2022
Re: Project Updates for February 21, 2022 Board Meeting

The following information is provided to update the Board of the Fremont County Solid Waste Disposal District (District) regarding the status of various projects that are being managed by Trihydro Corporation (Trihydro), and associated activities associated with the Wyoming Department of Environmental Quality (DEQ), Solid and Hazardous Waste Division (SHWD), Water Quality Division (WQD), and Air Quality Division (AQD). The information provided is generally limited to activity during the previous month.

Sand Draw, Shoshoni, Lander, and Dubois Landfills – 2021-2022 Environmental Activities and Monitoring (Task Order 10-030 / Trihydro Project 09Y-008-007)

Semiannual groundwater monitoring events were conducted at the four landfills between October 10 and 18, 2021. Event reports for the Lander, Shoshoni, and Dubois Landfills have been finalized and submitted to the WDEQ/SHWD. The report for the Sand Draw Landfill is with Mr. Andy Frey for review, and we anticipate submittal in the next few days. Trihydro has started first quarter methane monitoring at the facilities, and the following field event will include methane and groundwater monitoring in April 2022.

During January, three reports related to the Sand Draw Title V permit for air were submitted including the Annual Certification Report, the Annual Emissions Rate Report, and the Semiannual Report for operation of the used oil furnace. The Annual Emissions Inventory Report is also underway. We anticipate submitting to the District for signature during the early part of the week of February 21, 2022. The report is due March 1, 2022.

In addition to reporting under the Title V permit for Sand Draw, we are coordinating the field work for the Tier 2 study (required every five years) to determine site-specific emissions to use in rate and inventory modeling for annual reports. The study is currently scheduled for the week of March 14th.

Technical Assistance (Task Order 10-029 / Trihydro Project 09Y-005-008)

Technical assistance activities during the previous month follow:

- A project status report was prepared for the monthly Board meeting.
- C. Brewer has been in correspondence with Mr. Andy Frey regarding the potential risk associated



Andy Frey, FCSWDD
February 14, 2022
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with pharmaceuticals in landfill leachate.

Shoshoni Landfill – Shoshoni Landfill Closure (Task Order 10-031/ Trihydro Project 09Y-004-004)

Rocky Mountain Reclamation (RMR) arrived onsite January 10, 2022 to begin disking/seeding/mulching of the project site. Scott Lee made a site visit on January 10, 2022 to meet with RMR and DRM Field Superintendent, Brandon Carpenter. Scott and Brandon walked the perimeter of the project and developed a plan for reclamation of disturbed areas outside of the fenced boundary. On January 12, 2022, Scott met Andy Frey onsite to get Andy's approval on the plan for reclamation of disturbed areas outside of the fence. Scott, Andy, and RMR Foreman, Doug Peck, drove the perimeter of the project site and outlined the final plan for RMR. RMR completed reclamation on January 12, 2022, thus Substantial Completion was achieved on January 12, 2022. Randy Stelzner (Inberg-Miller Engineers) completed the remaining as-built survey of the topsoil area and reclamation area on January 13, 2022. DRM completed removal of the utility locate flags on Friday, January 14, 2022, thus Final Completion was achieved on January 14, 2022.

Trihydro is currently working with DRM on the final payment application. Disturbed areas outside of the fence were greater than anticipated. Therefore, DRM will be responsible for the cost of reclaiming half of that area, which equates to 1.2 acres and approximately \$1,800.00. The payment application will be provided to Andy Frey for review and approval by the Board at the February 21, 2022 meeting. Per the Notice of Final Payment, final payment for retainage release will be due to DRM on March 4, 2022. The Certificates of Substantial and Final Completion have also been prepared and signed and will be provided to Andy for Board approval at the February 21, 2022 meeting.

The construction contract/agreement between the FCSWDD and DRM, Inc. includes a fuel price escalation clause, which entitles DRM to compensation for additional fuel costs above a base price quoted during bidding. Fuel costs were significantly higher during construction. The additional costs will be paid to DRM through the issuance of a change order. The sales tax increase from 5% to 5.5% as seen on the December 2021 fuel receipts will not be included for payment, since construction should have been completed in November 2021. Fuel prices did not increase after November, so no additional adjustment is warranted. Trihydro will prepare a change order and provide it to Andy for Board approval.

Due to construction delays, Trihydro will be submitting a change order request to Andy for Board approval. The change order request will propose a contract time extension, which is needed to complete construction contract administration and completion of the closure certification report.

Please let us know if you have any questions or need additional information. You can call me on my direct office line (307-335-3169), send me an email (slee@trihydro.com), or stop by our office at 388 Main Street, Suite C, in Lander.



Andy Frey, FCSWDD
February 14, 2022
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END OF MEMORANDUM

Memorandum



Date: February 14, 2022

To: Andy Frey, PE, Fremont County Solid Waste Disposal District

From: Matt Evans, PE

Subject: Progress Report – February 2022

The following provides an update on work completed by Burns & McDonnell since the last Progress Report.

Operational Efficiency Study and Strategic Plan

No work on the Operational Efficiency Study and Strategic Plan has been performed since the last board report.

Capacity Audits

Capacity audit reports were completed and submitted to the District Superintendent. The Superintendent and Burns & McDonnell finalized the financial summary cover letter that goes with the capacity audit reports and summarizes the District's financial position. The financial summary memo includes tables and graphs, and definitions of the various terms used in the financial summary.

It should be noted that based on current solid waste projections, it is recommended that the District plan for a transition from primary disposal at Lander to Sand Draw midway through 2027.

Surveys for the 2022 capacity audits will be completed in July 2022.

Technical Engineering Assistance

Burns & McDonnell completed our monthly progress report, invoice and overall project management related to the administration of the project as part of this task.

Capital Improvement Plan Modeling

The CIP model was used as the foundation for the financial analysis completed as part of the Operational Efficiency and Strategic Planning Study. It has been updated with the fiscal yearend results for 2020-2021. A spring of 2022 update of the financial model has been initiated.

Scale House Project

The plans and specifications for the scale house project are being reviewed by the Superintendent.

Memorandum *(continued)*



February 14, 2022

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On-call Surveying

No additional surveying services have been performed since the last board report. Fill staking has been requested along the south side of the Lander Landfill. This work is anticipated to be completed the week of February 14, 2022.

Burns & McDonnell appreciates the opportunity to work with the District. If there are any questions regarding this progress report or work that is being completed, please do not hesitate to contact me at 612-240-2094 or maevans@burnsmcd.com at your earliest convenience.

**WYOMING ASSOCIATION OF SPECIAL DISTRICTS
MEMBER INFORMATION FORM**

DISTRICT NAME: Fremont County Solid Waste Disposal District

PHYSICAL ADDRESS: 52 Beebe Road

MAILING ADDRESS: (If different from street address) PO Box 1400

CITY: Lander

ZIP: 82520

PHONE: (307) 332-7040

PRIMARY CONTACT: Andrew Frey

TITLE: Superintendent

EMAIL: afrey.fcsbdd@wyoming.com

CLASS OF DISTRICT (as defined by statute):

- ☐ Airport Joint Powers
- ☐ BOCES
- ☐ Cemetery
- ☐ Conservation
- ☐ Downtown Development
- ☐ Drainage _E
- ☐ Fire Protection
- ☐ Flood Control
- ☐ Hospital

- ☐ Housing
- ☐ Improvement/Service
- ☐ Irrigation
- ☐ Joint Powers
- ☐ Local Improvement
- ☐ Museum
- ☐ Predator Management
- ☐ Recreation
- ☐ Recreation Joint Powers

- ☐ Regional transportation
- ☐ Resort
- ☐ Rural Health Care
- ☐ Sanitary/Improvement
- ☐ Senior Citizen
- ☐ Solid Waste
- ☐ Water and Sewer
- ☐ Water Conservancy
- ☐ Watershed improvement
- ☐ Weed and Pest

Voting Delegate

As a member of the WASD, each Member's Governance Board shall designate an officer, manager or agent as its Voting Delegate and Alternate Voting Delegate to represent the Member in matters of WASD submitted to a vote of all of the Members. Each Member through its Voting Delegate shall have one (1) vote on each such matter.

Name and email of Voting Delegate: _____

Name and email of Alternate: _____

Signature of District officer: _____ Title: _____

Other board members/staff who wish to receive legislative updates, WASD news.

Name _____	Email _____	Name _____	Email _____
Name _____	Email _____	Name _____	Email _____

FISCAL YEAR OPERATING BUDGET LESS GRANTS	SUGGESTED DUES INVESTMENT
Under \$25,000	\$75
25,000 to 99,999	\$100
100,000 to 199,000	\$200
200,000 to 299,000	\$300
300,000 to 399,000	\$400
400,000 to 499,000	\$500
500,000 to 599,000	\$600
600,000 to 699,000	\$700
700,000 to 799,999	\$800
800,000 to 900,000	\$900
Over 900,000	\$1000

Please mail to
WASD, PO Box 543, Thermopolis 82443.

For more information, please contact Lindsey Woodward lwoodward@rtconnect.net

Change Order No. 1

All Change Orders must receive WDEQ/SHWD approval prior to implementation.

Date of Issuance: February 15, 2022

Effective Date:

Project: Shoshoni Landfill Closure	Owner: Fremont County Solid Waste Disposal District	Owner's Contract No.
Contract: Shoshoni Landfill Closure		Date of Contract: July 1, 2021
Contractor: DRM, Inc.		Engineer's Project No.: 09Y-004-003
Funding Agency: Wyoming Department of Environmental Quality Solid and Hazardous Waste Division, Cease and Transfer Program		

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

Per Article 10.05 Fuel Price Escalation of the Construction Contract, baseline red-dyed diesel fuel prices were discussed at the pre-bid meeting on May 20, 2021 and published in Addendum #1 dated May 27, 2021. Based on fuel receipts provided by DRM, Inc., the fuel prices paid for the project were more than 5% greater than the baseline quote. Therefore, DRM, Inc. is entitled to compensation for the additional fuel costs over the baseline price, including Wyoming sales tax. For the December 2021 fuel receipts, the sales tax increased from 5% to 5.5%. However, since the project should have been completed in November 2021, DRM, Inc. will not be compensated for the additional 0.5% sales tax included in the fuel purchases from December 2021. The total amount due to DRM, Inc. is \$7,661.54.

Attachments (List documents supporting change):

1. Article 10.05 Fuel Price Escalation of the Construction Contract
2. Addendum #1, Page 1, Issue #2
3. Project fuel receipts provided by DRM, Inc. The fuel was delivered to a 2000-gallon or larger tank.
4. Fuel price escalation calculation spreadsheet

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: <u>\$1,312,241.92</u>	Original Contract <input type="checkbox"/> Working days <input type="checkbox"/> Calendar days
[Increase] [Decrease] from previously approved Change Orders No. _____	[Increase] [Decrease] from previously approved Change Orders No. _____ to No. _____:
\$ _____	Substantial completion (days): _____
	Ready for final payment (days): _____
Contract Price prior to this Change Order: <u>\$1,312,241.92</u>	Contract Times prior to this Change Order: _____
Increases & Decreases of this Change Order: <u>\$7,661.54</u>	Increase of this Change Order: _____
Contract Price incorporating this Change Order: <u>\$1,319,903.46</u>	Contract Times with all approved Change Orders: _____

RECOMMENDED:

By: [Signature]
Engineer (Authorized Signature)

Date: 2/15/22

Approved by Funding Agency (required)

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

Date: _____
Funding Agency Representative
(Authorized Signature)

ACCEPTED:

By: [Signature]
Contractor (Authorized Signature)

Date: 2/15/2022

Date: _____

ARTICLE 10 - MISCELLANEOUS

10.01 Terms

A. Terms used in this Agreement will have the meanings stated in the General Conditions and the Supplementary Conditions.

10.02 Assignment of Contract

A. No assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

10.03 Successors and Assigns

A. Owner and Contractor each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

10.04 Severability

A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Owner and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

10.05 Fuel Price Escalation

A. As applicable, the Engineer will provide a current quotation for diesel fuel delivered to the site (the Pre-Specified Fuel Price), to all Bidders at the time of the bid tour. If the fuel price is provided at the Pre-Bid Meeting, this Fuel Price Escalation applies to this project. These delivered red-dyed diesel fuel prices shall form the base prices upon which fuel price adjustments will be calculated. Should the average price of delivered red-dyed diesel fuel vary by more than five percent (5%) from the base price (the Pre-Specified Fuel Price) at the time of the bid tour for red-dyed diesel fuel, the Contractor or Owner may request compensation related to that fuel price variance according to the following conditions. Upon submittal of the Payment Request, the Contractor shall provide the Engineer copies of actual invoices for fuel delivered to and utilized on the site. At the end of the project, the total of any adjustments, positive or negative, will be calculated. If the average price of red-dyed diesel fuel does not vary by more than five percent (5%) from the base price, including Wyoming Sales Tax, no adjustment in Contract Price related to fuel prices shall be requested by the Contractor or by Owner. Variances will be calculated for each month and the total variance for the life of the project will be calculated and agreed upon in writing. Adjustments will only be considered and allowed for red-dyed diesel fuel consumed by earthmoving or off-road equipment. No adjustments will be considered for oil, greases, gasoline, and that portion of diesel fuel consumed by light-duty vehicles. Fuel price escalation adjustments will be paid to the Contractor after Substantial Completion is issued and paid through the issuance of a Change Order.

10.06 Other Provisions

IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement in duplicate. One counterpart each has been delivered to Owner and Contractor. All portions of the Contract Documents have been signed or identified by Owner and Contractor or on their behalf.



memorandum

To: Potential Bidders
From: Mr. Scott Lee, P.E.
Mr. Andy Frey, P.E., FCSWDD
cc: Mr. Craig McOmie, WDEQ/SHWD
Date: May 27, 2021
Addendum No. 1
Shoshoni Landfill Closure
Re: Bid Date: June 10, 2021

This Addendum No. 1 modifies and is part of the May 7, 2021, Project Manual for the SHOSHONI LANDFILL CLOSURE. Receipt of Addendum No. 1 must be acknowledged in the space provided on the Bid Form at the time that the Bid is submitted. Failure to do so may subject the Bidder to disqualification.

The intent of this Addendum is to summarize, clarify, and supplement issues discussed and information conveyed during the mandatory pre-bid meeting, site tour, and other questions received before or after the pre-bid meeting. The pre-bid meeting minutes and attendee list is included as Attachment A. Items covered in the attached meeting minutes are not repeated below.

The following changes and clarifications are hereby made to the Contract Documents:

1. **Issue:** The ordering lead time for the LLDPE geomembrane is extensive and delivery is tentative.

Response: A alternative geomembrane material (60-mil HDPE Microdrain®) has been added to the project. The Bid Form, Section 01025 Measurement and Payment, and Section 02890 Geomembrane have been revised to include this alternative product. The revised Bid Form is included as Attachment B, revised Section 01025 Measurement and Payment is included as Attachment C, and revised Section 02890 Geomembrane is included as Attachment D.

2. **Issue:** Current red-dyed diesel fuel prices per Section 10.05 Fuel Price Escalation of the Construction Contract.

Response: On 5/26/21, red-dyed diesel fuel prices were obtained from Bailey Enterprises, Inc., Riverton, Wyoming. The prices are as follows:

- a. \$3.20/gallon at the pump (not delivered)
- b. \$2.64/gallon + tax delivered (2000-gallon or larger tank)
- c. \$2.90/gallon + tax delivered (less than a 2000-gallon tank)

3. **Issue:** Will the CONTRACTOR be responsible for survey layout and testing?

Response: Yes, the CONTRACTOR will be responsible for both.

4. **Issue:** Can the Bidder Qualification form be submitted after the bid?

Response: No. The Bidder Qualification form must be submitted with the bid. Please see Article 7 of the Bid Form.

BIG HORN CO-OP MARKETING ASSOCIATION

INVOICE NUMBER



RIVERTON, WY

80292

PREVIOUS SALES NO.

CODE

METER READING - START

10THS

YOUR SALE NO.

METER READING - FINISH

DATE

DEPARTMENT

CASH

SOLD TO

1

CHARGE

2

CREDIT ACCT

3

CREDIT ACCT.
(ADJUSTMENT)

4

CREDIT CARD

6

BUDGET

7

DESCRIPTION	CODE		QUANTITY (TOTAL UNITS)	UNIT PRICE			AMOUNT
	MAJOR	SUB		\$	CENTS	1/100	
Gallons SUPER UNLEADED GASOLINE	403				11		
Gallons PREM.-UNLEADED GASOLINE	403	4			11		
Gallons DIESEL FUEL NO. 1	405				11		
Gallons DIESEL FUEL NO. 2	406		1914.23	11.34			21608.67
Gallons DIESEL FUEL	408				11		
STATE DIESEL TAX	227	0			11		
FEDERAL DIESEL TAX	227	9			11		
SALES TAX	229		\$ 5.2		11		300.43
A FINANCE CHARGE OF 1 1/2% per month (ANNUAL PERCENTAGE RATE 18%) is charged on past due accounts and purchaser agrees to pay collection and/or attorney fees if necessary for collection.				TOTAL			21909.10

UNIT PRICE AND AMOUNT SHOWN ABOVE FOR GASOLINE INCLUDE THE FOLLOWING TAXES

FEDERAL TAX	GALLONS @	c	\$	TOTAL TAX
STATE HIGHWAY TAX	GALLONS @	c	\$	\$ 314.57
ALT	GALLONS @	c	\$	

RECEIVED BY

ABOVE DEPOSIT MADE IN ACCORDANCE WITH BY-LAW PROVISIONS

PATRON'S COPY

BIG HORN CO-OP MARKETING ASSOCIATION



RIVERTON, WY

INVOICE NUMBER

80598

PREVIOUS SALES NO.	CODE	METER READING - START	10THS
YOUR SALE NO.		METER READING - FINISH	

DATE

DEPARTMENT

CASH

11/1/21

CENEX

SOLD TO

D R M Inc.

ACCT #

1

CHARGE

2

CREDIT ACCT

3

CREDIT ACCT
(ADJUSTMENT)

4

CREDIT CARD

6

BUDGET

7

DESCRIPTION	CODE		QUANTITY (TOTAL UNITS)	UNIT PRICE			AMOUNT
	MAJOR	SUB		\$	CENTS	1/10	
Gallons SUPER UNLEADED GASOLINE	403				11		
Gallons PREM. UNLEADED GASOLINE	403	4			11		
Gallons DIESEL FUEL NO. 1	405				11		
Gallons DIESEL FUEL NO. 2 DYS	406		1890.0	34	69	6556	41
Gallons DIESEL FUEL	409				11		
STATE DIESEL TAX	227	0			11		
FEDERAL DIESEL TAX	227	9			11		
SALES TAX	229		\$ 58		11		327 82
A FINANCE CHARGE OF 1 1/2% per month (ANNUAL PERCENTAGE RATE 18%) is charged on past due accounts and purchaser agrees to pay collection and/or attorney fees if necessary for collection.				TOTAL			6884 23

UNIT PRICE AND AMOUNT SHOWN ABOVE FOR GASOLINE INCLUDE THE FOLLOWING TAXES

FEDERAL TAX	GALLONS @	c	\$	TOTAL TAX
STATE HIGHWAY TAX	GALLONS @	c	\$	\$ 346.72
ALT	1890.0	0	1890	RECEIVED BY
	GALLONS @	c	\$	

ABOVE DEPOSIT MADE IN ACCORDANCE WITH BY-LAW PROVISIONS

PATRON'S COPY

PAPER PURCHASE SLIP

PREVIOUS SALES NO. CODE METER READING - START 10THS

YOUR SALE NO. METER READING - FINISH

DATE DEPARTMENT

1 CASH

2 CHARGE

3 CREDIT ACCT

4 CREDIT ACCT. (ADJUSTMENT)

6 CREDIT CARD

7 BUDGET

SOLD TO

Patron's copy
DRM construction
Account

DESCRIPTION	CODE	QUANTITY (TOTAL UNITS)	UNIT PRICE (\$ CENTS 1/10)	AMOUNT
Gallons SUPER UNLEADED GASOLINE	403			
Gallons PREM.-UNLEADED GASOLINE	403	4		
Gallons DIESEL FUEL NO. 1	405			
Gallons DIESEL FUEL NO. 2	406	212.1	34.69	7358.39
Gallons DIESEL FUEL	409			
STATE DIESEL TAX	227	0		
FEDERAL DIESEL TAX	227	9		
SALES TAX	229	\$ 5.52		404.68
A FINANCE CHARGE OF 1 1/2% per month (ANNUAL PERCENTAGE RATE 18%) is charged on past due accounts and purchaser agrees to pay collection and attorney fees, if necessary for collection.				
UNIT PRICE AND AMOUNT SHOWN ABOVE FOR GASOLINE INCLUDE THE FOLLOWING TAXES				
TOTAL				7767.78

FEDERAL TAX GALLONS @ \$ \$
STATE HIGHWAY TAX GALLONS @ \$ \$
TOTAL TAX \$125.90
RECEIVED BY
ALT 212.1 GALLONS @ \$ \$

ABOVE DEPOSIT MADE IN ACCORDANCE WITH BY-LAW PROVISIONS

DYED DIESEL FUEL
NON TAXABLE USE ONLY
PENALTY FOR TAXABLE USE
ULTRA LOW SULFUR DIESEL
15 PPM SULFUR
PATRON'S COPY

PREVIOUS SALES NO. CODE METER READING - START 10THS

YOUR SALE NO. METER READING - FINISH

DATE DEPARTMENT

1 CASH

2 CHARGE

3 CREDIT ACCT

4 CREDIT ACCT. (ADJUSTMENT)

6 CREDIT CARD

7 BUDGET

SOLD TO

Patron's copy
643

DESCRIPTION	CODE	QUANTITY (TOTAL UNITS)	UNIT PRICE (\$ CENTS 1/10)	AMOUNT
Gallons SUPER UNLEADED GASOLINE	403			
Gallons REM.-UNLEADED GASOLINE	403	4		
Gallons DIESEL FUEL NO. 1	405			
Gallons DIESEL FUEL NO. 2	406	1797.7	34.69	6236.22
Gallons DIESEL FUEL	409			
STATE DIESEL TAX	227	0		
FEDERAL DIESEL TAX	227	9		
SALES TAX	229	\$		311.81
A FINANCE CHARGE OF 1 1/2% per month (ANNUAL PERCENTAGE RATE 18%) is charged on past due accounts and purchaser agrees to pay collection and attorney fees, if necessary for collection.				
UNIT PRICE AND AMOUNT SHOWN ABOVE FOR GASOLINE INCLUDE THE FOLLOWING TAXES				
TOTAL				6548.03

FEDERAL TAX GALLONS @ \$ \$
STATE HIGHWAY TAX GALLONS @ \$ \$
TOTAL TAX \$
RECEIVED BY
ALT 1797.7 GALLONS @ \$ \$

ABOVE DEPOSIT MADE IN ACCORDANCE WITH BY-LAW PROVISIONS

DYED DIESEL FUEL
NON TAXABLE USE ONLY
PENALTY FOR TAXABLE USE
ULTRA LOW SULFUR DIESEL
15 PPM SULFUR
PATRON'S COPY

BIG HORN CO-OP MARKETING ASSOCIATION



RIVERTON, WY

INVOICE NUMBER

82030

PREVIOUS SALES NO. CODE METER READING - START 10THS

0300 11.3 224.5

0400 11.3 224.5

YOUR SALE NO. DEPARTMENT METER READING - FINISH

12/17/21 041614

DATE

SOLD TO

DRM

ACCT # 215319

1 CASH

2 CHARGE

3 CREDIT ACCT

4 CREDIT ACCT. ADJUSTMENT

5 CREDIT CARD

6 BUDGET

7

DESCRIPTION	CODE MAJOR SUB	QUANTITY (TOTAL UNITS)	UNIT PRICE \$ CENTS 1/100	AMOUNT
Gallons SUPER UNLEADED GASOLINE	403			
Gallons PREM. UNLEADED GASOLINE	403 4			
Gallons DIESEL FUEL NO. 1	405			
Gallons DIESEL FUEL NO. 2	406	1840.2	34.69	63857.4
Gallons DIESEL FUEL	409			
STATE DIESEL TAX	227 0			
FEDERAL DIESEL TAX	227 9			
SALES TAX	229	\$5.56		351.22
TOTAL				6736.96

UNIT PRICE AND AMOUNT SHOWN ABOVE FOR GASOLINE INCLUDE THE FOLLOWING TAXES

FEDERAL TAX GALLONS @ \$

STATE HIGHWAY TAX GALLONS @ \$

RECEIVED BY

1840.2 01 18.41

ALT

ABOVE DEPOSIT MADE IN ACCORDANCE WITH BY-LAW PROVISIONS

DYES DIESEL FUEL

NON TAXABLE USE ONLY

PENALTY FOR TAXABLE USE

ULTRA LOW SULFUR DIESEL

15 PPM SULFUR

Per Delivery Tickets From Bighorn CO-OP					Addendum #1		Contract Adjustment	
Delivery Date	Quantity	Unit \$	Unit \$ W/tax	Total	Base UP	W/tax	Δ Unit \$ W/Tax	Adjustment
9/22/2021	1914.2	\$ 3,139	\$ 3,296	\$ 6,309.11	\$ 2.64	\$ 2,772	\$ 0.524	\$ 1,002.95
11/1/2021	1890.0	\$ 3,469	\$ 3,642	\$ 6,884.23	\$ 2.64	\$ 2,772	\$ 0.870	\$ 1,645.15
11/18/2021	1797.7	\$ 3,469	\$ 3,642	\$ 6,548.03	\$ 2.64	\$ 2,772	\$ 0.870	\$ 1,564.81
12/10/2021	2121.1	\$ 3,469	\$ 3,642	\$ 7,726.00	\$ 2.64	\$ 2,772	\$ 0.870	\$ 1,846.31
12/17/2021	1840.8	\$ 3,469	\$ 3,642	\$ 6,705.02	\$ 2.64	\$ 2,772	\$ 0.870	\$ 1,602.32
Total Due to DRM =							\$	7,661.54



**TRIHYRO CORPORATION – FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT
NON-EXCLUSIVE SERVICE AGREEMENT
TASK ORDER**

Task Order No.: 10-031

Date: February 14, 2022

Job No.: 09Y-004-004

Location of Project: Fremont County, Wyoming

Contract: Non-Exclusive Service Agreement between Trihydro Corporation and Fremont County Solid Waste Disposal District, dated July 22, 2010.

Original Specification: Trihydro will provide construction administration and construction quality assurance services for the Shoshoni Landfill Closure project. Work to be performed in accordance with the Cost Proposal letter dated July 12, 2021.

Change Order No. 1: A contract time extension is required due to construction schedule delays. Trihydro proposes to extend the contract completion date to April 29, 2022. This will provide the additional time needed for ongoing construction contract administration, completion of the closure certification report (including addressing comments from the Wyoming Department of Environmental Quality review), and contract close-out.

Estimated additional costs (if any): None

Electronic signatures will be accepted to execute this Task Change Order.

**FREMONT COUNTY SOLID WASTE
DISPOSAL DISTRICT**

TRIHYRO CORPORATION

BY: _____

BY: Kurt Tuggle
Kurt V. Tuggle

TITLE: _____

TITLE: President and CEO

FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT
Lander, Wyoming
AUTHORIZATION NO. 37
FOR SERVICES TO
BURNS & McDONNELL ENGINEERING COMPANY, INC.
Kansas City, Missouri

In accordance with the AGREEMENT FOR ENVIRONMENTAL SERVICES AND REMEDIATION dated May 20, 2014 between Fremont County Solid Waste Disposal District (hereinafter called CLIENT) and Burns & McDonnell Engineering Company, Inc. (hereinafter called CONTRACTOR), CLIENT hereby authorizes CONTRACTOR to proceed with the following services:

1. Basic Services

CONTRACTOR will provide construction contractor bidding and construction support for the scale house construction project which includes a new scale house facility at Lander Landfill, Sand Draw Landfill and Dubois Landfill. As part of this authorization CONTRACTOR will:

1. Conduct a pre-bid meeting at the Lander Landfill at a time that is mutually agreeable with the CONTRACTOR and CLIENT.
2. Answer construction contractor and CLIENT questions that arise during the bidding process and issue addendums.
3. Prepare Issued for Construction plans and specifications that incorporate addendum changes.
4. Review and either approve, reject, or require additional information of construction contractor materials and equipment submittals.
5. Review contractor Request for Information (RFI's) during construction and provide a response.
6. Onsite construction oversight and documentation. Assume 10-week construction prior to scale house installation. Assume three-trips per site after 10-week construction period for scale house installation and project close out. Onsite construction documentation will include as-recorded surveying.
7. Make Board recommendations to approve, or not approve, construction contractor pay applications.

Assumptions:

1. The attached table summarizes the anticipated hours for the activities included in this authorization.
2. It is assumed the project will commence March 1, 2022 and be complete by December 31, 2022.
3. Pre-bid meeting will be attended in person by CONTRACTOR's subconsultant, Fremont Engineering & Surveying, and virtually by CONTRACTOR. CONTRACTOR's subconsultant will lead tours of the three sites following the meeting.
4. Onsite construction oversight will be completed by the CONTRACTOR's subconsultant, Fremont Engineering & Surveying.
5. Review of twenty submittals (including resubmittals) are assumed.
6. Review and answer of ten Request for Information (RFIs) are assumed.
7. No soil testing or laboratory services are included in this authorization.
8. No construction staking is included.
9. As-recorded surveying will be completed by CONTRACTOR's subconsultant during onsite construction oversight and documentation. If surveying is needed at the request of the Superintendent that would otherwise not have been completed as part of regular

oversight and documentation services, CONTRACTOR's subconsultant may perform services. The time and expenses to perform the extra surveying will count towards the construction documentation budgeted hours.

10. The scope of work assumes the project will be completed in two phases. The first phase will be the civil and utility related portion of the project and is assumed to take approximately 10 weeks to complete. The second phase will be the installation of the prefabricated scale houses. It is assumed that three trips to the project site will be required to each site during the installation of the scale houses.
11. Bid administration assumes an issuance of two addendums.
12. The presence of the CONTRACTOR or CONTRACTOR's subconsultant at the job sites must not be construed as relieving the construction contractor of its responsibility to comply with the plans and specifications. The CONTRACTOR or CONTRACTOR's subconsultants are not responsible for construction means, methods, techniques, sequences, safety, or procedures.
13. Any observations or recommendations of the CONTRACTOR or the CONTRACTOR's subconsultant must not be construed in any way as relieving the construction contractor from their responsibilities relating to job site safety. The construction contractor is solely responsible for site safety in accordance with the construction contractor's contract.
14. CONTRACTOR does not have the authority to supervise the work nor to direct the construction contractor's personnel.
15. Hours and expenses will be communicated to Superintendent on a routine basis to monitor scope budget. Actual amount of construction monitoring will depend on the construction contractor performing the work and site conditions at time of construction.

2. Additional Services

Additional Services are services or work which may be performed by CONTRACTOR for the Project, but which will be done at additional cost and are not included in the Project Budget. The following are Additional Services: **NONE**

3. Excluded Services

Excluded Services are services or work which will not be performed by CONTRACTOR unless CONTRACTOR specifically agrees to perform such services or work. Excluded Services include, but are not limited to: **NONE**

4. Compensation

CLIENT shall compensate CONTRACTOR for providing the services set forth herein in accordance with the terms or the existing Agreement. The cost initially authorized for the services is eighty-nine thousand nine hundred ten dollars (\$89,910) and will be invoiced to the CLIENT on a time and materials basis. The CONTRACTOR shall not exceed this amount without prior written approval of CLIENT.

COVID-19 Notification. The uncertainty and potential disruptions to the labor force and supply chain caused by the global outbreak and spread of COVID-19 ("coronavirus") may have an impact on this Project, the exact cost and duration of which we can neither predict nor control. Government orders and restrictions may also delay or prevent performance as anticipated. Therefore, this Proposal is conditioned upon an appropriate force majeure clause being included in the contract, which will grant the contractor a period of relief in performance and appropriate cost relief where circumstances arise that are beyond our control due to COVID-19 related events. In general, force majeure applies when an "act of God," labor

shortages, governmental order or regulation, or other extraordinary event prevents performance. The outbreak and spread of COVID-19 is just such an event, the impact of which nobody can predict at this time. To the extent applicable, the doctrines of "commercial impracticability" or "frustration of purpose" under the Uniform Commercial Code ("UCC") may also excuse performance if delivery pursuant to our contract's terms has been made "impracticable" by the occurrence of a contingency, the non-occurrence of which both parties assumed when the contract was made. At this time, it is impossible to foresee or to predict the full impact of COVID-19 around the world and, therefore, have not included a contingency specifically for COVID-19.

AUTHORIZATION BY:

FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT

By _____

Date _____

ACCEPTED BY:

BURNS & MCDONNELL ENGINEERING COMPANY, INC.



By Spencer Cronin, Regional Manager, Environmental Services

Date 2/14/2022

Fremont County Solid Waste Disposal District

Superintendent Report

February 17, 2022

Office/Staff/Board/Inter-Government

Office:

1. The calculated tonnages and cost per ton are as follows (calculated using monthly expenses and monthly tonnages):
 - a. 2013 = \$140 per ton & 31,472 total tons
 - b. 2014 = \$176 per ton & 27,562 total tons
 - c. 2015 = \$99 per ton & 31,890 total tons
 - d. 2016 = \$103 per ton & 29,659 total tons
 - e. 2017 = \$102 per ton & 33,483 total tons
 - f. 2018 = \$106 per ton & 36,352 total tons
 - g. 2019 = \$88 per ton & 41,900 total tons
 - h. 2020 = \$89 per ton & 36,200 total tons
 - i. 2021 = \$141 per ton & 35,700 total tons
 - ***Note: 2021 included approximately \$1.1 million in expenses for the Shoshoni Landfill Closure project and \$457,900 in new equipment (i.e. three backhoes and a semi-tractor). Removing these two large expenditures, the annual review would be presented as \$97.91 per ton & 35,700 total tons.***

Staff:

1. February 2022: The District is currently fully-staffed (i.e. 25 FTE's).
2. February 2022: Following the approval of the ***Safety Incentive Program*** in April 2015, and the implementation July 1, 2015, the Riverton Area staff (i.e. Riverton Transfer Station, the Sand Draw Landfill, the Shoshoni Landfill, and the rural transfer stations) have not had a single lost-time accident/incident in **6 years and 7 month**, and the Lander Area staff (i.e. Lander Landfill and the Dubois Landfill) had one lost-time accident early on but has now made it **6 years and 1 month!!**

Board:

1. 2022 – Below is the list of ***Board Committees and Members*** from 2021 that is scheduled to be revised at the February 2022 Board meeting
 - a. Recycling Committee: Jennifer Lamb, Gary Weisz, Bob Townsend, and Mark Moxley.
 - b. Health Benefit and Wage Committee: Rob Dolcater, Mike Adams, Gary Weisz, and Rick Klaproth.
 - c. Planning Committee: Bob Townsend, Steve Baumann, Jen Lamb, and Gary Weisz.
 - d. Budget Committee: Rick Klaproth, Gary Weisz, Rob Dolcater, and Mark Moxley.
 - e. WRIR Solid Waste Negotiations Committee: Rod Haper, Steve Baumann, Gary Weisz, and Mark Moxley.

Inter-Government:

1. State:

- a. February 2022: It was brought to the District's attention on February 14, 2022, that a **Senate Bill (SF 0027)** was presented and approved to move into committee for review. As the document reads, it provides county commissioners a method to dissolve boards that were developed by prior commissions. In further review, Mandy Rose identified that the development was the result of a lawsuit between the Laramie County Fair Board and the Laramie County Commission, where it was not clear whether or not there was a method to dissolve a board. As the document currently reads, there is not a definition of what cause may be for dissolution of a board, or if there is an opportunity for resolution prior to the dissolution. The bill was brought to the attention of WSWRA. The District currently intends to comment on the bill, and work with legislators to amend the bill.
- b. February 2022: The District has started discussions with WYDOT regarding the possibility of adding **turning lanes on the Sand Draw highway** prior to the big transition between 2027 and 2028. Discussions were held with engineers in Riverton and their Basin office. They have requested an estimation of traffic count changes following the transition. They had commented that if the turning lanes were primarily for our personal convenience, they would require the District to pay for the work. It was made clear that it was our opinion that the potential for the turning lanes was with respect to public safety.
- c. February 2022: The **Honor Farm** has reached out to the District to review a prior MOU that allowed their program to graze some of the District land in exchange for them providing assistance back to the District (i.e. litter picking assistance, fence maintenance, access to their welding shop, etc.). We are working to update the document prior to presenting it in full to the Board.

2. County – **No Updates**

3. Municipalities:

- a. February 2022: The District had reached out to Fremont County Association of Governments (**FCAG**), requesting an opportunity to present to the group in January or February 2022. The January meeting was hosted at a venue that would not allow for a PowerPoint presentation, and last week the February meeting date was changed and conflicts now lend to the presentation taking place in March.

4. Tribal:

- a. January 2022: The District has been allowed to be included in the planning meetings associated with development of rules and regulations around solid waste management on the WRIR since October 2021. EPA has been leading the calls with involvement of members of both Tribes councils, the District, and at times members of the WDEQ. These meetings have been generally held one to two times per month. Thus far:
 - i. The Tribes have continued to try to locate any prior solid waste rules and regulations,
 - ii. EPA has referenced solid waste rules from other reservations as a baseline of comparison.
 - iii. The District has provided and reviewed with the group the FCSWDD Rules and Regulations,
 - iv. The District has shared with the group our trials and errors associated with the changes implemented to our own rural sites.

- b. January 2022: We continue to have regular discussions with the working lead of the **WRIR solid waste program**. These discussions have taken place for a number of years, including our assistance with addressing abuse by off-reservation contractors. The comments received from their lead are reiterated to the EPA/Tribal collaboration team.

Regulatory/Engineering/Legal/General Contractors

Regulatory:

1. December 2021: The District developed and submitted a draft Shoshoni Landfill Closure project **grant reimbursement submission** to the WDEQ/SLIB review team. We anticipate comment back within two weeks, then complete a final submission. This reimbursement request captures engineering expenses and the construction work through pay application number two.
 - a. January 2022: Following receipt of review from the WDEQ-SHWD, the grant application and supporting documents have been submitted to the State of Wyoming State Land and Investment Board for final review and reimbursement. The next application has been started and will be submitted for an initial review following a response from SLIB on the active application.
 - b. February 2022: Payment was received for grant reimbursement submittal. Following the completion of the remainder of the pay applications, the District will submit a final reimbursement request to cover all remaining potential expenses.

Engineering:

1. Trihydro: (1.) Environmental Monitoring (2.) Technical Assistance (3.) Shoshoni Landfill Closure Construction Oversight and Quality Assurance.
2. Burns and McDonnell: (1.) Capacity Audits (2.) Surveying (3.) Operational Efficiency Evaluation and Strategic Planning (4.) CIP Model Updates, and (5.) Scale Facility Design.

Legal:

1. January and February 2022: The District attorney has been working with Trihydro and DRM to outline requirements associated with a proposal to remedy the **Shoshoni Landfill Closure project** schedule over-run and quantity discrepancies.
2. January and February 2022: The District attorney has been working to review the documents associated with **the Honor Farm's possible grazing opportunity**.

General Contractors:

1. February 2022: Historically, the District has utilized the services of WorkWise for **drug and alcohol testing services**. In 2022, they adopted a change in their office hours that no longer will allow the District to access their services on nights or weekends; therefore, the District has transitioned over to contracting with Drug Testing Services, Inc.
2. February 2022: The District is working with the Scrap Metal Processing contractor to process the scrap metal at Lander and Sand Draw in late February/March.

Sites/Operations/Equipment:

Sites:

1. February 2022: The **Shoshoni Landfill Closure Construction** project was completed in January. Following the Board acceptance of Substantial Completion at the January meeting, the 41-day public advertisement period was started. Due to newspaper issue dates, the 41-day period will end on

March 4, 2022. The remaining requirements will be discussed with the Board at the February meeting.

Operations:

1. February 7, 2022: Due to a **Federal Motor Carrier Safety Administration rule change**, effective February 7, 2022, individuals pursuing a commercial drivers' license will be required to receive Entry-Level Driver Training from a trainer listed on the FMCA's Training Provider Registry.

Historically, individuals interested in acquiring a commercial drivers' license would either pick-up or download the study materials necessary to study for, and take a test to obtain a driver's permit. Following that, they would spend time operating a commercial vehicle with a licensed driver to develop their skills necessary to become a licensed driver themselves. Then, they would schedule a driving test with the Wyoming Drivers' License Department to demonstrate their abilities and pass or fail the driving test. A pass would lead to them obtaining a license. A failure would require additional driving time with a licensed driver and a repeat of the exam.

Now, interested individuals will be required to identify a certified trainer, pay for a training course, spend time driving with the certified trainer to demonstrate proficiency in knowledge and behind-the-wheel capabilities, and then schedule a driving test.

After on-line research, a lengthy phone call to the US DOT Federal Motor Carrier Safety Administration, and a subsequent email to them, we still are not aware of what available options may exist in Wyoming. We will continue to research this.

Equipment:

1. January and February 2022: The District is working through a rental/lease agreement with Power Screening on a **tire shredder**. Based on availability, the District is tentatively scheduled to have the machine onsite the week of March 7, 2022.

Miscellaneous/Upcoming Work & Events/Work in Progress:

Miscellaneous – No Updates

Upcoming Work & Events:

1. February 2022: The District again hosted a booth at the Fremont County Farm and Ranch Days. There was a significant increase in the discussion with attendees to the event. The discussions were positive.

Work in Progress – No Updates

Thank you,



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

Fremont County Solid Waste Disposal District



2021 Annual Report

*Fremont County Solid Waste Disposal District
District Office - 52 Beebee Road / PO Box 1400
Lander, WY 82520
(307) 332-7040 - Office
(307) 332-5013 – Fax
trashmatters.org
Andrew Frey, P.E. – Superintendent of Operations*

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General Information and Background

The Fremont County Solid Waste Disposal District was formed in 1978 by the County Commissioners, following a public vote, to better manage the solid waste disposal in Fremont County. At that time, there were over 12 landfills in Fremont County, not managed by any particular group, and had no environmental considerations (i.e. fencing, monitoring wells, activity logs, surveying to track filling areas, or plans for future waste management). Eight landfills have been closed already (the eighth being the Shoshoni Landfill that was closed in calendar year 2021). Currently the District operates only 3 landfills, but a total of 18 sites:

- (x3) Landfills: Lander Landfill (MSW), Sand Draw Landfill (MSW), and the Dubois Landfill (CDW).
- (x3) Large Scale Transfer Stations: Lander, Riverton, and Dubois.
- (x3) Free Primary Recycling Areas: Lander Landfill, Riverton Transfer Station, and Dubois Landfill.
- (x6) Rural – Small Scale Transfer Stations: Jeffrey City (volunteer operated), Atlantic City (volunteer operated), Lysite (volunteer operated), Shoshoni, Missouri Valley, and Pavillion.
- (x3) Contracted – Small Scale Transfer Stations: Ft. Washakie, Crowheart, and Ethete.

Site and Service Information

- **Lander Facility**
52 Beebee Road
Lander, WY 82520
Contact Number (307) 332-7040
Hours of Operation
Tuesday through Friday
8:00am until 5:00pm
 - Administrative Office
 - Maintenance Headquarters
 - MSW Landfill
 - Recycling (Aluminum, Tin Cans, Plastic Bottles #1, Plastic Bottles #2, Mixed Paper, and Corrugated Cardboard).
 - Waste Diversion (E-Waste, Scrap Metal, Yard Waste, Motor Oil, Antifreeze, Lead Acid Batteries, and Latex Paint).
- **Riverton Facility**
329 North Smith Road
Riverton, WY 82501
Contact Number (307) 332-7040
Hours of Operation
Tuesday through Friday
8:00am until 5:00pm
 - MSW Transfer Station
 - Recycling (Aluminum, Tin Cans, Plastic Bottles #1, Plastic Bottles #2, Mixed Paper, and Corrugated Cardboard).
 - Waste Diversion (E-Waste, Scrap Metal, Yard Waste, Motor Oil, Antifreeze, Lead Acid Batteries, and Latex Paint).

- **Sand Draw Facility**
743 Sand Draw Road
Riverton, WY 82501
Contact Number (307) 332-7040
 - o MSW Landfill
 - o Waste Diversion (E-Waste, Scrap Metal, Motor Oil, Antifreeze, Lead Acid Batteries, and Latex Paint).
- **Dubois Facility**
100 Mountain View Road
Dubois, WY 82513
Contact Number (307) 332-7040
 - o MSW Transfer Station
 - o CDW Landfill
 - o Recycling (Aluminum, Tin Cans, Plastic Bottles #1, Plastic Bottles #2, Mixed Paper, and Corrugated Cardboard).
 - o Waste Diversion (E-Waste, Scrap Metal, Yard Waste, Motor Oil, Antifreeze, Lead Acid Batteries, and Latex Paint).
- **Rural Transfer Stations:**
- **District Operated:**
 - o **Shoshoni Transfer Station**
South Maple Street
Shoshoni, WY 82649
Contact Number (307) 332-7040
Hours of Operation
Summer Hours 1st Saturday 9:00am-1:00pm
(May 1–Sept 30) 3rd Friday 2:30pm-6:30pm
Winter Hours 1st Saturday 9:00am-1:00pm
(Oct 1–Apr 30) 3rd Friday 1:00pm-5:00pm
 - o **Missouri Valley Transfer Station**
Bushwacker Road
Riverton, WY 82501
Contact Number (307) 332-7040
Hours of Operation
Summer Hours 1st Friday 2:30pm-6:30pm
(May 1–Sept 30) 3rd Saturday 9:00am-1:00pm
Winter Hours 1st Friday 1:00pm-5:00pm
(Oct 1–Apr 30) 3rd Saturday 9:00am-1:00pm
 - o **Pavillion Transfer Station**
North Pavillion Road
Pavillion, WY 82523
Contact Number (307) 332-7040
Hours of Operation
Summer Hours 2nd Friday 2:30pm-6:30pm
(May 1–Sept 30) 4th Saturday 9:00am-1:00pm
Winter Hours 2nd Friday 1:00pm-5:00pm
(Oct 1–Apr 30) 4th Saturday 9:00am-1:00pm

- **Community-Based Volunteer Operated:**

- **Atlantic City Transfer Station**
Winter Road
Altantic City, WY 82520
Contact Phone (307) 332-5981

Hours of Operation
Set by Community

- **Jeffrey City Transfer Station**
Crooks Gap Road
Jeffrey City, WY 82310
Contact Phone (307) 544-2223

Hours of Operation
Set by Community

- **Lysite Transfer Station**
Badwater Road
Lysite, WY 82642
Contact Phone (307) 315-3322

Hours of Operation
Set by Community

- **Contractor Operated:**

- **Crowheart Transfer Station**
Highway 26
Crowheart, WY 82512
Contact Number (307) 332-6625

Hours of Operation
Set by the WRIR Inter-Tribal Council

- **Fort Washakie Transfer Station**
Highway 287
Fort Washakie, WY 82514
Contact Number (307) 332-6625

Hours of Operation
Set by the WRIR Inter-Tribal Council

- **17-Mile Transfer Station**
17-Mile Road
Arapahoe, WY 82510
Contact Number (307) 332-6625

Hours of Operation
Set by the WRIR Inter-Tribal Council



Board Member and Meeting Information

The current Board of Directors, contact information, and area served are as follows:

<u>Name</u>	<u>Role</u>	<u>Area Represented</u>	<u>Email</u>
Mark Moxley	Chairman	Lander Area	mmox@q.com
Rob Dolcater	Vice-Chair	Riverton Area	rdolcater@wyoming.com
Jennifer Lamb	Secretary/Treasurer	Lander Area	jenlamb72@gmail.com
Michael Adams	Member	Lander Area	mjadams2011@yahoo.com
Rick Klaproth	Member	Missouri Valley Area	ricjnechoR@wyoming.com
Steve Baumann	Member	Lander Area	baumann.bonnet@gmail.com
Rod Haper	Member	Lander Area	rod.haper@haper.org
Normandy Rose	Member	Dubois Area	normandyannrose@gmail.com
Robert Townsend	Member	Atlantic City Area	inthewind@wyoming.com

All District Board meetings and work sessions are open to the public. Regularly scheduled meetings are held the third Monday of each month (with the exception of the February meeting, that is permanently adjusted to the Wednesday following the third Monday) at the District Office at the Lander site. Meetings start at 9:30am, with a public comment opportunity at the start of each meeting. For additional information please visit the Districts website at "trashmatters.org" or feel free to call us at (307) 332-7040.



Prior Year Accomplishments

2021 represented a continuation of life during a pandemic; however, generally with minimal effect on the District's operations. Since waste management remains an essential service, the District operations noted only minor changes with reduced staff-to-customer interface (where and when possible). No hours of operation changes or site access changes were implemented or pursued.

The District's Shoshoni Landfill was successfully closed between September and December following a number of years of delay to allow assistance to the Town of Shoshoni in their demolition projects and the State of Wyoming's Life Resource Center demolition work association with the reconstruction efforts.

Regulatory Work:

The District worked through permit renewals on the Lander Transfer Station and the Riverton Transfer Station.

Safety:

Safety has been and continues to remain a critical priority for the District, whether or not a pandemic is present. Within the design of new scale buildings set for construction in 2022, consideration was placed in allowing our staff to limit direct physical contact with customers as a means to increase safe operations during the current or future pandemics.

District staff, supported through a Safety Incentive plan and regular safety training, have now made it over six-years without a lost-time accident or incident. The Riverton area leads the overall group with a record of over six and a half years without a lost-time accident or incident.

These safety-minded priorities, supported by our diligent staff, have allowed the District's Workers' Compensation Rating to drop down to 1.44%, well below the industry average.

Community Commitments and Contributions:

Another priority of the District has been to maintain an active role in the community, giving back in areas of environmental concern. A few key examples include the following:

- Annual Household Hazardous Waste and Chemical Cleanup Event: This past year's event was hosted at the Lander facility with good turnout. Cooperating groups included the City of Lander, the City of Riverton, Wyoming Game and Fish, Fremont County Weed and Pest, and Fremont Prevention.
- Annual Christmas Tree Program: The District again offered the annual free Christmas Tree disposal opportunity; however, Wyoming Game and Fish cancelled the Ocean Lake Fish Habitat event again due to concerns around COVID-19 and a lack of volunteers.
- Deer Carcass Fee Waiver: The District committed to again working with the Wyoming Game & Fish on the Deer Carcass Waiver where the District waives all disposal fees for deer carcasses (i.e. mule deer, white-tail deer, elk, and moose). This program is part of a pilot project study aimed at encouraging proper disposal of these carcasses into landfills and slowing the spread of diseases that impact deer herds across the state.
- Wind River Indian Reservation Solid Waste: The District has continued to work with the EPA and both Tribes as they develop solid waste policies and procedures.

Operational Efficiency Changes:

The District staff and Board of Directors remain committed to responsibly managing the Fremont County waste through safe and efficient operations. The operations remain under constant review. A few adopted operational efficiencies include the following:

- Operational Efficiency Review and Strategic Planning Project: As the Lander Landfill becomes closer to reaching capacity (i.e. filling up), the District has been working to develop a strategic plan to capture the changes necessary leading into this closure and following the closure. The District hired an independent engineering firm to provide a third-party review of the District operations and to assist with development of a 20-year strategic plan to ensure the District has a clear plan moving ahead that ensures financial health and responsibility. This is the second project of this nature completed in the last ten years.
- Fleet Updating: The District's three 20-year-old backhoes were replaced with new machines and a new semi-tractor was added to the fleet to assist with waste transport from the Riverton Transfer Station. These machines were competitively bid out and awarded in 2020, with delivery taking pace during calendar year 2021.
- A summary of the waste management expense for the past eight years are as follows:

2013 @ \$140 per ton managing 31,500 tons	2014 @ \$176 per ton managing 27,500 tons
2015 @ \$99 per ton managing 32,000 tons	2016 @ \$103 per ton managing 30,000 tons
2017 @ \$102 per ton managing 33,500 tons	2018 @ \$106 per ton managing 36,500 tons
2019 @ \$88 per ton managing 42,000 tons	2020 @ \$89 per ton managing 36,000 tons
2021 @ \$141 per ton managing 35,700 tons	

- *A summary of the recycling and waste diversion for 2021 is as follows:*

Recycling:

- *Corrugated Cardboard: 855 tons*
- *Mixed Paper: 430 tons*
- *Aluminum: 41 tons*
- *Tin Cans: 42 tons*
- *Plastic Bottles #1: 40 tons*
- *Plastic Bottles #2: 39 tons*

Waste Diversion:

- *Motor Oil: 4,431 gallons (the District also utilizes additional collected motor oil in furnaces)*
- *Antifreeze: 337 gallons*
- *Yard Waste: 3,738 tons*
- *Lead Acid Batteries: 1,488 batteries*
- *Electronic Waste: 65 tons*

Financials

The Fremont County Solid Waste Disposal District operates on two revenue sources: one being a 3-mill levy on the county assessed valuation, and the second the disposal fees collected by patrons disposing of their waste. Currently, the disposal fees account for over 60% of the revenues. This demonstrates the necessity of the disposal fees in balancing the annual budget. The current disposal fees have been in place since 2009 without an increase.

One often overlooked component to solid waste operations, specifically the operation of a landfill, are the costs associated with the development of a new landfill, the cost associated with closing a landfill, and the cost associated with the minimum 30-year post-closure period of a closed landfill.

The Fremont County Solid Waste Disposal District currently has an approximate \$17 million liability associated with the closure and post-closure of the current four landfills. This calculated expense does not include the development of new landfill space (known as cells) typically costing an average of \$250,000 per acre. Since 2012, the District has been setting funds aside to account for these expenses. In the reserve account established for the closure and post-closure period, the District currently has approximately \$19 million. These reserves are necessary for closure, post-closure and future development, and remain short; however, the District continues to work at improving efficiencies, accounting for all expenses, and stretching every dollar.