



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 August 15, 2022

1. PUBLIC HEARING – FCSWDD FY 2022-23 OPERATING BUDGET

CHAIRMAN MOXLEY opened the floor to public comment regarding the District's fiscal year 2022-2023 operating budget. Hearing no comment, the public hearing was closed.

2. 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 MOXLEY at 9:30am. CHAIRMAN MOXLEY then led the Pledge of Allegiance and declared that there was a quorum of the Board with the following people in attendance:

Board Members: Robert Townsend, Jen Lamb, Mark Moxley, Michael Adams, and Rod Haper
Excused Member(s): Normandy Rose, Rick Klapproth, Rob Dolcater
Unexcused Member(s): *no unexcused members*
Commissioner Liaison: Mike 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): Brian Eggleston (City of Riverton)

d. **Approval of Agenda**

MICHAEL ADAMS made a motion to approve the consent agenda as presented. SECRETARY/TREASURER LAMB seconded the motion.

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

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

3. CONSENT ITEMS:

a. **Approval of Prior Meeting Minutes**

- i. July 2022 Regular Meeting

b. **Approval of Accounts Payable**

- i. July 2022 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

4. BUSINESS ITEMS:

a. FY 2022-2023 Final Operating Budget – Approval (*Discussions and Formal Action*)

Superintendent Frey discussed with the Board that the District was again having the public hearing to address a formatting change required by the county.

MICHAEL ADAMS made a motion to approve the Fiscal Year 2022-2021 Operating Budget as presented. BOB TOWNSEND seconded the motion. **MOTION CARRIED**

b. Fiscal Year 2022-23 Task Order Request (*Discussion and Formal Action*)

i. Burns and McDonnell

1. Authorization No. 43: Lander Transfer station Design and Bidding – not-to-exceed \$298,000

This task order will include a significant amount of interface with the Board during the preliminary design to obtain buy-in on certain design goals and site layout. The primary deliverables include (1.) A conceptual design workshop, (2.) Schematic design, (3.) Construction documents, (4.) Cost estimate, (5.) Permitting with the state fire Marshall and general correspondence with the WDEQ, (6.) Monthly meetings with the District, and (7.) Bid administration.

MICHAEL ADAMS made a motion to approve the Burns and McDonnell Authorization No. 43 as presented. SECRETARY/TREASURER LAMB seconded the motion. **MOTION CARRIED**

c. Scale Buildings – Bid Review (*Discussion*)

Superintendent Frey discussed with the Board that this was the third attempt at developing interest for bidding the project, this round in a different way, the District did not receive any bids. This was after a number of building manufacturers were contacted and very thoroughly walked through the bidding process.

In conversation with the building vendors that were contacted, the public bidding process was not the process that they are used to following, including the 5% bid bond. Their process includes a potential customer contacting them to solicit a bid after reviewing the desired design with them.

Discussion(s): (1.) Attorney Sollars clarified that all capital items less than \$100,000 do not require a bid bond and anything greater does. (2.) The Board suggested bidding in a similar format again.

d. Mill Levy Allocation (*Discussion*)

Superintendent Frey shared with the Board the discussion and details from the mill levy setting meeting held by the county commissioners. There was formal action, that ultimately failed, to reduce the solid waste district's mill levy request for all 3 mills. Within the meeting minutes of that meeting commissioner Larry Allen was quoted as saying that he felt the district had enough within our reserves. This is unfortunate since we had clearly indicated that there were absolutely no funds going into our reserves this year.

Discussion(s): (1.) Commissioner Jones relayed that this was intended to send a message from the commissioners. (2.) The District needs to come up with a better means of communicating our story, our operations, and financial liabilities to the county commissioners in a way that improves their understanding and possibly our relations. (3.) The outcome from a mill levy reduction would be increases in disposal fees, impacting the county residents. The vast majority of the mill levy is paid by mineral royalties, so this type of action would be detrimental to the county residents. (4.) The apparent disconnect is that the county operates "hand-to-mouth" and does not seem to understand the requirements associated with funding a long-term liability. (5.) There are federal regulations that require financial assurance, or simply the requirement to have financial reserves set aside for closure and post-closure expenses.

e. Board Committee's – Vacancies (Discussion)

Superintendent Frey discussed the two Board Committees that previously had Steve Baumann on them: (1.) Planning Committee: Bob Townsend, Steve Baumann, Jen Lamb, and Rob Dolcater, and (2.) WRIR Solid Waste Negotiations Committee: Rod Haper, Steve Baumann, Mandy Rose, and Mark Moxley.

CHAIRMAN MOXLEY appointed MICHAEL ADAMS onto the Wind River Indian Reservation Negotiations Committee and committed to appointing the other position later.

5. NEW BUSINESS

- a. Summary of Authority: Superintendent Frey suggested that the Board ask our attorney to work with Jodi Darrrough to develop a document that identifies where authorities start and stop for our Board of Directors and the county commission given the tensions. There have been recent directives given from the commission to the Board regarding wages, staff work schedules, financial reserves required by the federal government, etc.

Discussion(s): (1.) Commissioner Jones indicated that with the new authority provided to commissioners from the legislature to dissolve Districts and/or District Boards, they have complete oversight authority. Additionally, they have control over financials with their authority to complete a line-item veto and mill levy setting. (2.) There may be certain overlaps; however, the commission should not have any involvement with staff scheduling, day-to-day operations, or policy. The remaining areas need to be better identified as per statute and legal precedence.

Discussions were tabled for another meeting.

- b. Strategic Planning Public Outreach: CHAIRMAN MOXLEY indicated that there has been a suggestion to have the District hire a consultant to manage the public outreach and stakeholder engagement for the Strategic Planning project. This cost was not included in the operating budget.

6. CALL FOR ADJOURNMENT

MICHAEL ADAMS made a motion to adjourn the meeting at 11:14am. SECRETARY/TREASURER LAMB seconded the motion. **MOTION CARRIED**

7. UPCOMING MEETING(S):

- a. **The next Regularly Scheduled Meeting: September 19, 2022, at 9:30 a.m.**

Respectfully submitted by,

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



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