

**CHITTENDEN SOLID WASTE DISTRICT
WILLISTON POLICE STATION
CONFERENCE ROOM
WILLISTON, VERMONT
March 31, 2010**

APPROVED COPY

PRESENT

BOARD MEMBERS:

Bolton	-----
Burlington	Steve Goodkind
Charlotte	Stephen Brooks
Colchester	Dirk Reith
Essex Junction	John Lajza
Essex	Alan Nye
Hinesburg	Thomas Nostrand
Huntington	-----
Jericho	Bert Lindholm
	Leslie Nulty, alt.
Milton	Roger Hunt
Richmond	-----
St. George	-----
Shelburne	Mark Brooks
So. Burlington	Paul Stabler (Chairman)
Underhill	Dan Steinbauer
Westford	Michelle DaVia
Williston	Joe Duncan
Winooski	Erik Heikel

STAFF:

Tom Moreau
Amy Jewell
Susan Chapman
Brian Wright
Dan Goossen
Clare Innes
Lee Tuure
Nancy Plunkett
Thomas Melloni, Esq.

OTHERS PRESENT:

Frank Stanley, Myers Container
Students from St. Michael's College

AGENDA:

1. Call to Order and Agenda
2. Record of Motion Weighted Voting Changes
3. Minutes
4. Finance
5. Board Member Stipend & Meeting Locations
6. Public Comment Period

7. FY11 Proposed Operating & Capital Budgets
8. Compost Facility Relocation Update
9. Program Updates
10. Other Business
11. Executive Session
12. Adjournment

1. CALL TO ORDER and AGENDA

Paul Stabler called the meeting to order at 6 p.m.

Agenda

Add under 'Compost Facility Relocation Update': Inclusion of Compost Facility in CSWD Solid Waste Management Plan.

2. RECORD OF MOTION WEIGHTED VOTING CHANGES

Amy Jewell reported there are population changes for member towns according to data from the Vermont Dept. of Health, but the change did not trigger a change in the weighted vote per town. It was explained each town with an appointed member has a minimum of one vote (the vote from a member town that has not appointed a representative is not counted). Bolton, Huntington, and St. George are member towns without appointed representatives. The selectboard appoints the town's representative.

MOTION by Alan Nye, SECOND by Dirk Reith, to approve the Record of Motion weighted vote sheet as presented.

DISCUSSION: Bert Lindholm explained the distinction between the weighted vote versus the one-vote-per-town on the budget.

VOTING: unanimous [Burlington not present for vote]; motion carried.

3. MINUTES

February 24, 2010 – Regular Meeting

MOTION by Dirk Reith, SECOND by John Lajza, to approve the meeting minutes of 2/24/10 as written. VOTING: all ayes except one abstention (Milton – Roger Hunt) [Burlington not present for vote]; motion carried.

4. FINANCE

a) Finance Committee – Report of Warrants

Staff mentioned the three large warrants that were paid. There were no comments or questions.

b) Bank Balances as of 2/28/10

There were no comments or questions.

5. BOARD MEMBER STIPEND & MEETING LOCATIONS

a) Board Member Stipend

Paul Stabler recalled there was previous discussion of a stipend for board members, but the idea was rejected. The Charlotte representative requested the issue be reconsidered.

The Executive Board developed two options for consideration: reimbursement of mileage or a meeting stipend. A third option could be the combination of the two. In development of the budget an amount of money was included in the PUD account to cover this expense if approved. Amy Jewell noted attendance is required in order to be compensated or receive reimbursement for mileage. Meetings include the Executive Board, regular board meeting, Finance Committee, and oversight committees. Mileage is portal to portal (one number per meeting). A reimbursement form must be completed and submitted in order to receive payment. A survey of other towns showed some do pay a stipend of some amount.

MOTION by Dirk Reith, SECOND by Mark Brooks, to authorize the Board to pay a stipend for either mileage or per meeting to be decided.

DISCUSSION: Michelle DaVia spoke in support of paying mileage, noting attendance is regular for those members who live nearby, but some members travel 20 miles each way to the meeting. With time, weather, and traffic conditions travel time could be 35-40 minutes each way. Paying for mileage may be a helpful way to get commissioners from towns without representation for a while or those who have not attended to attend more regularly. Ms. DaVia stated one or the other option should be chosen, not a combination of both. Stephen Brooks said the background of thought is to get representation from people who do not attend and cannot participate. The payment could “incentivize” towns to send someone to the meetings or overcome expenses incurred for childcare, eldercare, or animal care so someone can attend the meeting. Accepting the stipend is not mandatory; taking the payment is optional. To avoid formulaic confusion, Mr. Brooks suggested a set payment be chosen, such as \$100 per meeting. Alan Nye spoke against paying mileage or a stipend, and disagreed the lack of payment will impact attendance. Mr. Nye expressed concern about CSWD staff time being used to entice attendance at meetings. Towns have the opportunity to attend and it is the responsibility of the selectboard to ensure their representatives attend meetings. There are many boards and committees with members who live far away who put in the time and effort to attend meetings. When the individual was appointed they knew the rules and the expectations. The CSWD Board is going out of the way to accommodate members by changing the meeting time, providing food, and now contemplating payment of a stipend. It is not wise for CSWD to move in this direction, opined Mr. Nye. Bert Lindholm spoke in support of paying mileage due to travel distance, and against paying a stipend per meeting because the accrued amount for him (with board and committee meetings) would exceed the amount his town’s selectboard is paid for their service.

AMENDMENT by Stephen Brooks, SECOND by Erik Heikel, to propose a \$50 stipend per meeting handled monthly according to the Finance Director’s schedule.

DISCUSSION OF AMENDMENT (\$50 meeting stipend): Michelle DaVia asked if payment would be quarterly. Susan Chapman confirmed this, but added according to the IRS the payment would be considered a payroll item

subject to payroll taxes. Elected/appointed officials are considered employees of CSWD. The employer's share of FICA is an additional cost to CSWD. Quarterly payment can be done though payroll is biweekly or monthly. Alan Nye stated the Town of Essex pays the selectboard \$1,000 per year which increased to \$1082.50 to cover taxes for Medicare and FICA. Michelle DaVia suggested that all the expenses be taken out of the \$50 stipend rather than escalate the amount paid. Paul Stabler pointed out the payment would begin with the new budget year. There were no further comments on the suggested payment of \$50 per meeting stipend.

VOTE ON AMENDMENT (\$50 meeting stipend): by weighted vote [Burlington not present for vote] 10 ayes, 18 nays (Dirk Reith – Colchester, Alan Nye – Essex, Thomas Nostrand – Hinesburg, Bert Lindholm – Jericho, Roger Hunt – Milton, Mark Brooks – Shelburne, Dan Steinbauer – Underhill, Joe Duncan – Williston); motion did not carry.

AMENDMENT by Dirk Reith, **SECOND** by Michelle DaVia, to pay a mileage stipend (payment of mileage).

DISCUSSION OF AMENDMENT (mileage stipend): Tom Moreau noted the mileage reimbursement would be at the federal rate per mile which is what CSWD staff receives. It is voluntary to submit mileage for reimbursement.

There were no further comments on the payment of mileage.

VOTING ON AMENDMENT (payment of mileage at the federal rate per mile): unanimous [Burlington not present for vote]; motion carried.

VOTING ON MOTION AS AMENDED (to reimburse mileage traveled to meetings, portal to portal, using the federal rate in effect for CSWD employees, paid quarterly, beginning at the start of the new fiscal year July 1): per weighted vote [Burlington not present for vote] 16 ayes, 12 nays (Alan Nye – Essex, Thomas Nostrand – Hinesburg, Roger Hunt – Milton, Mark Brooks – Shelburne, Dan Steinbauer – Underhill, Joe Duncan – Williston); motion carried.

b) Meeting Locations

Erik Heikel announced there is meeting space available in Winooski in addition to the police station in Williston. Michelle DaVia spoke in support of holding board meetings at different locations. Bert Lindholm suggested the change of location be limited to three times during the year to avoid unnecessary confusion. Alan Nye expressed concern about notification of the public as to the change in meeting location. There is not much public attendance now and changing the location could have further impact on attendance. Mark Brooks stated the meeting location should only be changed if the police station in Williston is not available. Staff noted the meeting notice is posted at each city/town clerk's office and two other public locations (post office and bank, for example). Meeting times/dates/locations are also posted on the CSWD website. Paul Stabler observed there appears to be general acceptance of changing meeting locations which could be done on a trial basis making sure each meeting is well advertised in advance.

6. PUBLIC COMMENT PERIOD

There was a question about where the money comes from to support the stipends for board members. Paul Stabler stated money for the operating budget comes from trash

brought to the landfill for disposal, from the sale of materials (recyclables), and from tip fees at the Drop Off Centers.

7. FY11 PROPOSED OPERATING & CAPITAL BUDGETS

Paul Stabler reported the Finance Committee has been working on the budget since February. Cost of living adjustment (COLA) was discussed. Past practice has been to base COLA on the CPI or Northeast and add a step increase of 1.25% (merit based). Last year staff received a 2% COLA rather than 4.5% (this year CPI had a minus .16% COLA). The Finance Committee wanted to get back on track with a cost of living increase so a 1% COLA and a step increase (merit based) is proposed in the budget. Also, this year money was included in the PUD account for deferred compensation for key staff members as incentive to remain at CSWD. Last year's budget did not include this money. The Executive Board must vote to spend the money and set up the deferred compensation for specified staff members.

Alan Nye recommended the subsidy for the tire round up be discontinued as the vast majority of people pay a disposal charge for their old tires when they replace or purchase new tires and illegal disposal of tires is an enforcement issue.

Michelle DaVia commented positively on the level of detail and consideration by management of current needs and future issues, and making accommodations for that with a budget that is a one-half of one percent decrease despite taking in less municipal solid waste.

MOTION by Dirk Reith, SECOND by Alan Nye, to approve the FY11 operating and capital budgets as presented.

DISCUSSION: Tom Moreau briefly reviewed the budget approval process by member towns (one vote per town). The FY11 budget is \$9,154,000 which is down by .6%. CSWD offered a high deductible health savings account that 17 of the 24 employees enrolled in and that resulted in a savings in benefits for the District. Facilities Management shows an increase due to more tonnage being handled at the MRF and increased pay to the contractor per the contract agreement. The increase in Salaries includes 1% COLA and a potential step increase. Money is included in the budget to notify people of the relocation of the compost operation. There is an increase in legal fees because two court cases have been reactivated and CSWD must defend itself. The mileage stipend that was approved by the Board must also be included in the budget. There was an increase in commercial insurance through VLCT (\$2 million to \$5 million coverage) because CSWD had an increase in valuation. Net decreases in the budget include research & development projects and the number of carts and recycling bins that are needed. Costs associated with design of the compost facility are no longer necessary. Equipment leases for the compost operation are eliminated because the equipment was purchased. Revenues to the budget include tip fees at the MRF (a subsidy is not needed due to cost of materials). A decrease is projected in the amount of solid waste management fees to be received due to

a decrease in the amount of trash generated. Another revenue source is the purchase of a compressed natural gas vehicle by one hauler. Also, there will be slightly less money going into reserve accounts because less is being withdrawn. The operating budget is decreased by .6% or \$57,000 out of a budget of \$9 million.

MOTION by Dirk Reith, **SECOND** by John Lajza, to table discussion of the FY11 budget until completion of the public comment portion of the meeting. **VOTING:** unanimous; motion carried.

MOTION by Dirk Reith, **SECOND** by Mark Brooks, to resume discussion of the FY11 operating and capital budgets. **VOTING:** unanimous; motion carried.

RESUMED DISCUSSION OF APPROVAL OF THE FY11 OPERATING AND CAPITAL BUDGETS: Tom Moreau reviewed highlights of the FY11 capital budget which increased from \$757,000 to \$1,949,000 due to the potential relocation of the compost facility. Also, a new building at the end of Redmond Road will be built to accept C&D debris for recycling. The building cost is \$243,000. A grant of \$55,000 was received from Energy Efficiency through Regional Planning. Materials to be recycling will include filmed plastic, sheetrock, and asphalt shingles. There are markets for these materials. The capital budget also covers the replacement schedule for rolling stock. Stephen Brooks asked about the payment of property taxes. Amy Jewell explained CSWD owns rental properties on Redmond Road and commercial property on Flynn Ave. Dan Steinbauer asked about the projected revenue from the proposed composting facility. Tom Moreau stated \$1,028,999. Mark Brooks asked if extra staff will be needed for the C&D facility. Nancy Plunkett explained an evaluation will be done after the C&D facility is in full operation, open six days a week. There is no increase in staff included in the proposed FY11 budget. In the short term the facility will handle three materials, but eventually after the Williston DOC is moved the facility will expand to handle more material provided there is a market (and approval is granted from the Board to expend money from the capital budget). Tom Moreau stated every program is looked at in full cost accounting so every cost and revenue can be tracked. Brian Wright explained the C&D material will be source separated. Only clean material will be accepted by the District. Contractors will have to remove nails from the drywall. The shingles will be ground up. A magnet will remove nails. Loads will be inspected before being accepted.

AMENDMENT by Alan Nye, **SECOND** by Stephen Brooks, to reduce the FY11 operating budget by \$25,000 by eliminating the tire round-up event.

DISCUSSION OF AMENDMENT: The tire round up is under Special Projects. The cost to cover two round-up events is \$25,560. Stephen Brooks spoke in support of the mission of CSWD to have oversight and control of solid waste, and the expectation by the public that CSWD will get the job done. The expense for the tire round-up goes to the core of what CSWD is about, stated Mr. Brooks. Dan Steinbauer stated the tire round-up is a great public relations action and gets the CSWD name out there and people involved and coming

to the DOCs. Tom Moreau noted 9,200 tires were collected (subsidized) by the program. Joe Duncan stated the benefits outweigh the cost. Dirk Reith stated any incentive to get tires out of the environment and into a disposal system is good. Alan Nye contended people hold their tires for the round-up events, including the many tires used by farms that are no longer in operation.

VOTING ON AMENDMENT (eliminate tire round-up event from budget): by weighted vote 5 ayes, 31 nays (Steve Goodkind – Burlington, Stephen Brooks – Charlotte, Dirk Reith – Colchester, John Lajza – Essex Jct., Thomas Nostrand – Hinesburg, Roger Hunt – Milton, Mark Brooks – Shelburne, Paul Stabler – So. Burlington, Dan Steinbauer – Underhill, Michelle DaVia – Westford, Joe Duncan – Williston, Erik Heikel – Winooski); motion did not carry.

CONTINUED DISCUSSION OF ORIGINAL MOTION: Stephen Brooks asked about money for a Drop Off Center in Charlotte. Tom Moreau explained past practice has been to hold to the budget. Typically expenses do not exceed revenues so there is money remaining. The Board adopts the capital budget as a whole. Money can be shifted between line items in the budget if needed, and projects that are started, but not completed in one fiscal year are carried over in the budget. Mr. Brooks asked if the lease for the Burlington DOC was signed. Staff confirmed the lease was signed and the paving is complete. Mr. Brooks expressed concern about the level of COLA for staff and the two year trend.

AMENDMENT by Stephen Brooks, **SECOND** by Dirk Reith, to adjust the budget to increase COLA to 2%.

DISCUSSION OF AMENDMENT (COLA): Alan Nye stated the Finance Committee discussed different percentages for COLA and did a comparison across member communities (the same communities that have to approve the CSWD budget) before setting COLA at 1%. Susan Chapman stated the increase in Salaries and Benefits with a COLA of 2% is an additional \$21,000. The weighted average of the communities was slightly under 1% COLA. Some were at zero and no one was above 2.5% or 3%. Tom Moreau provided background on the use of the CPI to establish the COLA. Stephen Brooks stated the amount is \$22,000, but some values are greater than the money. There were no further comments.

VOTING ON AMENDMENT (COLA of 2%): by weighted vote 15 ayes, 21 nays (Steve Goodkind – Burlington, Alan Nye – Essex, Bert Lindholm – Jericho, Roger Hunt – Milton, Mark Brooks – Shelburne, Michelle DaVia – Westford, Erik Heikel – Winooski); motion did not carry.

CALL THE QUESTION by Alan Nye, **SECOND** by Dirk Reith. **VOTING:** unanimous; motion carried. Discussion ceased.

VOTING (to approve the FY11 operating & capital budgets as presented): unanimous; motion carried.

8. COMPOST FACILITY RELOCATION UPDATE

Inclusion of Compost Facility in CSWD Solid Waste Management Plan

MOTION by Dirk Reith, SECOND by John Lajza, to include the Compost Facility in the CSWD Solid Waste Management Plan.

DISCUSSION: Tom Moreau stated 55,000 c.y. of sand must be moved, not 15,000 c.y. as noted. The Town of Williston wants a traffic study done and suggested doing this before seeking permits from the town. The project cost has increased to \$1,250,000. Also, more money is needed for permitting. Brian Wright explained for the Act 78 permit the compost facility must be included in the solid waste management plan. The application is in conformance and meets the goals of the plan. There was no further discussion.

VOTING: unanimous; motion carried.

Update on the Compost Facility

Tom Moreau stated staff will be requesting an increase in the amount authorized to expend for permitting of the compost project from \$45,000 to \$52,000 plus \$10,000 for a traffic study. There is \$65,000 budgeted for design and permitting of the project. Brian Wright reported the contracts with consultants for design and permitting total \$51,910 which is within the amount budgeted (\$55,000), but exceeds the authorization of \$45,000 given by the Board at the last meeting. Also, the unanticipated earthwork (55,000 c.y. versus 15,000 c.y.) and adding a crushed stone surface as recommended by the engineers has increased the cost of the facility from \$942,000 to \$1.25 million. The new site plan reflects the changes. Tom Moreau stated there is \$65,000 in the FY10 budget for compost plus \$585,000 operating surplus and \$600,000 to be transferred from the Facilities Improvement Reserve to cover the cost of the project. It was noted Steve Goodkind (Burlington) wanted interest paid on any loans to the facility. The repayment will have to be budgeted in FY12. The money being spent will yield a long term benefit to CSWD. Regarding the project schedule, the Intervale site cannot accept material after June 30, 2010. Meetings have been held with Williston as well as Act 78 and Act 250 staff. Applications will be hand delivered to expedite the process. Up to six months is anticipated for permitting and four months for construction. Bids will go out this summer for construction and staff will ask for authorization from the Board to expend capital funds for the project. Staff has permission at this time to pursue design and permitting only. The facility is being designed to more stringent rules. There is a plan to handle leachate and storm water run off. All state regulations and provisions will be met. Paul Stabler reported a recent meeting with neighbors to the site (Redmond Road, Martel Hill, IBM) did not indicate strong opposition or unaddressed concerns.

MOTION by Dirk Reith, SECOND by Alan Nye, to authorize an increase from \$45,000 to up to \$70,000 to be expended for the permit process for the compost facility.

DISCUSSION: There was discussion of the need for signs to direct people to the various areas on the site. CSWD will petition the Attorney General for relief from the first deadline at the Intervale site. Staff is developing an alternate plan to keep the program operating if permission is not granted from the Attorney General. CSWD is permitted to take food waste in Chittenden County at the transfer station in Williston and to store leaves and

yard waste in Essex. CSWD is not permitted to take horse manure, but the state has indicated this is an insignificant waste disposal. Stephen Brooks asked about having an asphalt surface for the customer service area. Tom Moreau stated the cost (\$110,000) was prohibitive, but can be reconsidered after operation of the facility begins and revenues come in which is anticipated by early December. Roger Hunt asked if there are any other challenges. Tom Moreau stated the permit from Williston may be difficult. There were no further comments.

VOTING: unanimous; motion carried.

9. PROGRAM UPDATES

The Board received written briefs on CSWD programs/projects.

10. OTHER BUSINESS

Marketing Books

Stephen Brooks suggested books brought to the DOCs for recycling be sold on Amazon. A staff position could be created to handle this task.

Recycling at Public Places

Stephen Brooks mentioned the lack of segregation of trash and recyclables in public places, such as convenience stores, and asked staff and the Board to think about a solution.

Compost Bin Kits

Stephen Brooks suggested CSWD offer compost bin kits to the public to increase composting.

DOC in Southern Half of District

Stephen Brooks reported the advisory article on a DOC that was included on the Charlotte ballot passed with the caveat there be a town-wide vote on the final plans. Having a smaller DOC, one on the east side and one on the west side of Charlotte, is being investigated. Mr. Brooks thanked everyone for their efforts to date.

Product Stewardship

Tom Moreau reported the producer responsibility concept is catching on across the country. The Vermont legislature will take up the matter during the next session (next year). Walmart is driving the concept in the United States.

11. EXECUTIVE SESSION

None.

12. ADJOURNMENT

MOTION by Alan Nye, SECOND by Dirk Reith, to adjourn the meeting. VOTING: unanimous; motion carried.

The meeting was adjourned at 8:50 p.m.

M.E.Riordan, Recording Secretary

I agree that this is an original copy of minutes and they have been approved by motion of the Board of Commissioners at the _____ meeting held in _____.

Michelle DaVia, Secretary/Treasurer