

**CHITTENDEN SOLID WASTE DISTRICT
EXECUTIVE BOARD MINUTES
CSWD OFFICE, REDMOND ROAD
November 15, 2005**

EXECUTIVE BOARD PRESENT: Mike Coates, Paul Stabler
Via conference call: Bill Leach, Ken Nolan

CSWD STAFF PRESENT: Tom Moreau, Tony Barbagallo, James Ticehurst, Amy Jewell

OTHERS PRESENT: No others were present

AGENDA ITEM:

1. FY '06 First Quarter Financial Statements
2. Regional Landfill –
 - a) Update on design issues
 - b) Update on landfill design and permitting budget –
Board action requested – Approve costs for alternative landfill design
3. CSWD loan to Intervale Compost - Board Action Requested –
Approve Phase I of loan up to \$25,000 for site improvements
4. Executive Session – to discuss ongoing and pending litigation and contract negotiations
5. Other Business

CALL TO ORDER - B. Leach called the meeting to order at 4:35 p.m.

Agenda #5: Other Business (while waiting to see if Burlington Representative Steve Goodkind would call in)

T. Moreau apologized for the disjointed events of scheduling meetings and explained it was a timing issue with several items that CSWD has been working towards completing. He also mentioned that the MRF was ahead by \$36,000 because of volume not market prices. He explained that most of this increase in material was due to out-of-district recycling coming to CSWD's MRF since we lowered the tip fee \$5/ton. Manchester Vermont is now bringing their recycling to CSWD. In summary he explained that the MRF finances are doing well but are expected to decline in November and December and then pick back up in January and February.

Agenda # 1: FY '06 First Quarter Financial Statements – T. Moreau summarized that we are doing well in the first quarter and have a \$400,000 net operating surplus for the first quarter. This trend is not expected to continue in a linear fashion throughout the year.

Agenda #2: Regional Landfill –
a) Update on design issues –

T. Barbagallo explained that CSWD is moving forward with the conceptual design of the landfill. There will be a presentation from Emcon at the December meeting with a request that CSWD move forward and turn the conceptual design into a preliminary design. CSWD will be proposing to meet with the Town of Williston to go over the conceptual design. CSWD has also been looking into additional properties to expand the footprint up to a total of 68 acres if we can move storm water

management to an adjacent site. Although this option looks promising everything is verbal at this point. T. Moreau noted that he is focusing on capacity, and it is recommended that this design include a wet under drain system allowing water to go through it all of the time. The State and Tony agree that this would provide more capacity because we can go lower and will essentially be dewatering the site. Another advantage of this system is that if a leak occurs there is a higher level of environmental protection. However, T. Barbagallo noted that there will be increased monitoring costs. T. Moreau informed the Board that preliminary indications show that there will be 2.5 million yards of glacial till that needs to be moved.

T. Barbagallo explained that Weston completed the initial landfill design back in the early 1990's with a maximum height at 570 feet and then O'Leary Burke expanded it to 670 feet. Emcon based their initial design on the O'Leary Burke height and CSWD met with Emcon and we agreed on 610 feet, which will include planting trees so that the finished product will appear to be reforested.

T. Moreau explained that CSWD has been investigating bioreactor technology and leachate recirculation and visited a facility in Montreal last Thursday. He explained that these facilities build their first cells with elaborate recirculation trenches and then later used lower technology to apply the recirculated leachate to the surface. CSWD is continuing to discuss this issue with Emcon. T. Barbagallo is working on doing all the ancillary drawings including location of turns, Drop-Off Centers and clay removal.

b) Update on landfill design and permitting budget – Board Action Requested – Approve costs for alternative landfill design – T. Moreau explained that the Site 21 project was going fine with some extras for work associated with expanding the site 21 footprint. T. Barbagallo explained that Emcon submitted an invoice for the extras for \$25,000 but he negotiated that price to down to \$14,496. T. Moreau explained that this additional cost is due to expanding the footprint and is a small amount of money for the amount of capacity that could be achieved. T. Moreau explained that T. Barbagallo and Finance are tracking all capital expenses.

Pertaining to the exploration of additional properties for a possible significantly expanded landfill, T. Moreau explained that CSWD has spent \$36,800 with an anticipation of spending another \$12,000 in additional costs. T. Moreau mentioned that a good portion of this work may also benefit the Site 21 site landfill. **MOTION by Paul Stabler to authorize the General Manager to spend up to \$60,000 for work to approve investigating additional properties. Second by Mike Coates. Motion carried 4-0.**

Agenda #3: CSWD loan to Intervale Compost - Board Action Requested – Approve Phase I of loan up to \$25,000 for site improvements

T. Moreau explained that Intervale Compost initially estimated they would need \$200,000 for site improvements including bringing up the elevation and improving the raw material storage areas. They now believe they may only need to spend \$140,000 on site improvements because they received a substantial amount of free fill. T. Moreau explained that thus far the Intervale Foundation has spent \$89,000 of their own money and would like to borrow \$40,000 for site improvements from CSWD. T. Moreau is authorized to spend up to \$25,000 without Board authorization. T. Moreau explained that CSWD requested that the Intervale do the following in order to receive the loan:

1. CSWD requires that compost and topsoil to be our collateral

2. CSWD requires that the Intervale raise \$100,000 by September 1st, (they have raised \$89,000 and are hoping to have the other \$11,000 by January 1, 2006)
3. CSWD requires that the Intervale have land ownership – (expected closing date in the next few months)
4. CSWD requires financial transparency from the Intervale Foundation. They have provides us with a detailed “due to/due from” spreadsheet between the compost program and the parent Intervale Foundation. As of October 31, 2005 it appears that compost owes the Foundation ~\$39,000 but the projected year end surplus is expected to be \$35,000.

T. Moreau explained that CSWD would be meeting with the Intervale tomorrow to solicit further information on whether they have met CSWD’s expectations. Tom stated that if both he and Tony feel comfortable about the Intervale meeting our requirements, then Tom is considering lending them \$25,000 before the December meeting. The reason for the “advancement” is that the weather could prevent completing the job if we waited until the December Board meeting. T. Moreau stressed that both he and Tony must be satisfied and will charge 5.5% interest. In December, CSWD will bring an additional request to the Board for approval. K. Nolan said that he was uncomfortable with the loan because they have not met the criteria set above and he will be reluctant if the issue comes to the board for approval. T. Moreau said that he believes the Intervale Compost Project has made some very healthy progress including spending \$89,000 of their own money in site improvements. B. Leach requested that at the meeting Tom mention to them that we have an uncomfortable board member.

Agenda #4: Executive Session – to discuss ongoing and pending litigation and contract negotiations MOTION by Paul Stabler, SECOND by Mike Coates, that the Executive Board of the Chittenden Solid Waste District go into Executive Session to consider pending civil actions and contract negotiations where premature general public knowledge would clearly place the District, its member municipalities, and other public bodies or persons involved at a substantial disadvantage, and further, to seek and discuss the advice of attorneys on various legal issue where premature public knowledge could adversely affect the outcome of such civil action against the District, and to permit staff and the Solid waste District attorney(s) to be present for this session. VOTING: unanimous; motion carried.

The Board entered Executive Session at 5:07 p.m.

MOTION by Mike Coates, SECOND by Ken Nolan, to adjourn Executive Session and reconvene the regular meeting. VOTING: unanimous; motion carried.

Executive Session was adjourned and the regular meeting reconvened at 5:50 p.m.

10. ADJOURNMENT

MOTION by Mike Coates, SECOND by Ken Nolan, to adjourn the meeting. VOTING: unanimous; motion carried.

The meeting was adjourned at 5:51 p.m.

Agenda #5: Other Business

ADJOURNMENT: MOTION by Mike Coates, SECOND by Paul Stabler, to adjourn the meeting. Motion carried.

The meeting was adjourned at 5:52 p.m.

THESE MINUTES WERE APPROVED BY THE EXECUTIVE BOARD AT THE _____ MEETING AS ATTESTED BY ME, _____, B. LEACH LEACH, CSWD CHAIRMAN.