

DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY
Minutes of 25 June 2013
Del Norte County Board of Supervisors Chambers

PRESENT: Commissioner Rich Enea, Chair
Commissioner Rick Holley
Commissioner Mike Sullivan
Commissioner Roger Gitlin
Commissioner Mary Wilson

Legal Counsel Martha Rice
Director Kevin Hendrick
Program Manager and Clerk Tedd Ward
Treasurer/Controller Richard Taylor

ABSENT: None

ALSO PRESENT: Jay Sarina, County Administrative Officer
Clinton Schaad, County Auditor
Wes White, Hambro/WSG
Joel Wallen, Hambro/WSG
Norma Williams, SEIU 1021 Union representative

The start of the meeting was delayed due to an extended Del Norte County Board of Supervisors meeting using the Supervisors Chambers. The Authority meeting was called to order by Chair Enea at the hour of 4:19 P.M., with all parties present as heretofore designated.

PUBLIC COMMENTS:

The Chair called for public comments at 4:19 P.M. The following people addressed the Board:

Elizabeth Henry regarding efforts to 'reform' the Authority, specifically wondering what reason justifies further investigation of privatization or restructuring, and why suggestions from Recology Del Norte wouldn't be addressed through the Change Order process.

Donna Westfall regarding whether or not Authority budget policies should mirror those of the County, such as with respect to furloughs. She also advocated for more reuse and recycling based businesses.

Norma Williams regarding the need for addressing the 'meet and confer' requirements of the binding Memorandum of Understanding addressing Authority employees and personnel policies.

The Chair closed public comment at 4:26 P.M.

CONSENT AGENDA

Minutes, Regular Session, Tuesday May 28, 2013

Approve addendum to agreement with Smith and Newell for preparation of the Annual Audit for Fiscal Year 2013/2014.

On a motion by Commissioner Holey, seconded by Commissioner Sullivan, by a polled vote the consent agenda was approved unanimously.

Commissioner Gitlin pulled the minutes for discussion. He asked that a sentence be added to indicate that 'Ms. Henry alleged that some of the information in the KIEM report based on comments from Commissioner Gitlin was incorrect.' On a motion by Commissioner Holley and seconded by Commissioner Sullivan, the minutes as corrected by Mr. Gitlin were adopted. Elizabeth Henry and Bill Longsdale addressed the Board on this item.

END OF CONSENT AGENDA

SOLID WASTE AUTHORITY BUDGET 022102

Director Hendrick addressed the Board regarding the proposed Authority budget for FY 2013/2014. Discussion followed regarding grant budget allocation and the process by which the City and County review and ratify the Authority budget.

At the hour of 4:49 P.M., Chair Enea opened the Public Hearing for the Authority Budget. The following people addressed the Board on this item:
Elizabeth Henry, Donna Westfall, Bill Longsdale, Andy Larson, Victoria Dickey

At 5:02 P.M., Chair Enea closed the public hearing for the Authority budget.

On a motion by Commissioner Sullivan, seconded by Commissioner Holley, and approved with Commissioner Wilson voting 'No,' and all other Commissioners voting 'Yes,' the Authority Board adopted the Authority Budget for FY 2013/2014 as presented.

SOLID WASTE AUTHORITY PERSONNEL

At the hour of 5:03 P.M, the Board went into Closed Session as authorized under Government Code section 54957 to address one item related to PUBLIC EMPLOYEE DISCIPLINE / RELEASE / DISMISSAL. The Board returned to open session at 5:38. No action was taken during the Closed Session.

REPORT FROM THE SOLID WASTE TASK FORCE 200101

This item was tabled to the next meeting.

DIRECTOR'S REPORT

Director Hendrick discussed the following topics within the Director's report:

- Treasurer/Controller Report for April 2013
- Claims approved by Director for May 2013
- Monthly Cash and Charge Reports for May 2013
- Earned Revenue Comparisons between FY11/12 and FY12/13
- Annual audit for Fiscal Year 2011/2012 prepared by Smith and Newell

Discussion followed regarding the amount of cash reserves, and balancing that against depreciation, landfill liability, and the other purposes of this reserve fund. Director Hendrick suggested that the Authority Board consider this issue after the close of the fiscal year, in a couple of months.

Commissioner Sullivan asked that the Audit be included on next month's agenda.

END DIRECTORS REPORT

DISCUSSION / ACTION ITEMS:

LANDFILL POSTCLOSURE MAINTENANCE & REPAIRS - 120110

Program Manager Ward addressed the Board regarding a status report on repairs at the Crescent City Landfill and the 6/24/13 inspection by Gino Yekta of the California Department of Resources Recycling and Recovery (CalRecycle).

LANDFILL PERMIT – 022104

Program Manager Ward addressed the Board regarding the status of work by EBA Engineering, including a waste in place analysis, assessment of landfill gas generation and application for a five year update of the Solid Waste Facility Permit for the Crescent City Landfill.

Consensus direction was to direct staff to submit the Application for a permit review of the Solid Waste Facility Permit for the Crescent City Landfill to appropriate agencies. Discussion followed.

LANDFILL GROUNDWATER INVESTIGATION - 230102

Program Manager Ward addressed the Board regarding the Groundwater Investigation Work Plan to possibly, permanently reduce the Landfill Threat/Complexity rating from a 1A to a 2A. Discussion followed.

On a motion by Commissioner Sullivan and seconded by Commissioner Wilson, by a unanimous vote, the Board ratified the agreement with Fisch Drilling in the amount of \$9,837 for groundwater investigation at the Crescent City Landfill.

LANDFILL POSTCLOSURE INSURANCE 091401

Director Hendrick addressed the Board regarding possible action regarding research of the possibility to acquire landfill liability insurance. Discussion followed.

Commissioner Gitlin moved to solicit two proposals from Trindell Insurance for a \$5 to \$10 Million dollar coverage policy, one with a \$25,000 deductible, and another with a \$50,000 deductible. Commissioner Wilson seconded the motion. The application would need to also be approved by the County BOS. Discussion followed. The motion was approved by a unanimous polled vote.

COLLECTIONS FRANCHISE 180510 061801

Director Hendrick addressed the Board regarding a request from Recology Del Norte to change current green waste collection service days (Monday – Friday) to one day per week on Wednesdays. Discussion followed. Donna Thompson addressed the Board on this issue.

Consensus direction to staff was to have staff negotiate a Change Order with Recology Del Norte based on their letter of May 16, 2013, with a request for a reduced rate for these services, and to present this Change Order for the Authority Board's consideration at the next Authority meeting.

TRANSFER STATION – CERTIFIED WEIGHTS 070106 080104 151801

Director Hendrick addressed the Board regarding the first reading and introduction of Ordinance No.2013-01 establishing rates to provide public scale services at the Del Norte County Transfer Station and schedule a public hearing on July 23rd, 2013 at 3:45 P.M. for final adoption. Wes White of Hambro/WSG addressed the Board on this issue.

On a motion by Commissioner Gitlin, seconded by Commissioner Wilson, the Board waived the first reading of Ordinance No. 2013-01, and direct Authority staff to forward a copy of Authority Ordinance 2013-01 for approval by the City of Crescent City and the County of Del Norte prior to scheduling of a Public Hearing for this Ordinance at a regular Authority meeting prior to its final adoption. The motion passed by a unanimous vote.

HOUSEHOLD HAZARDOUS WASTE COLLECTIONS - 081503

Director Hendrick addressed the Board regarding Change Order 1 to the Agreement with Clean Harbors Environmental Services for Household Hazardous Waste and Conditionally Exempt Small Quantity Generator Collection events, implementing CPI based rate adjustments, Term Extension, Paint Management.

On a motion by Commissioner Sullivan, seconded by Commissioner Gitlin, and passed by a unanimous vote, the Board approved Change Order 1 to the Agreement with Clean Harbors as presented and authorized appropriate signatures.

TRANSFER STATION OPERATIONS CHANGE ORDER 080104 031502

Director Hendrick addressed the Board regarding Change Order 17 for the Contract with Hambro/WSG authorizing an agreement with Paint Care to provide free recycling of architectural coatings at the Del Norte County Transfer Station.

On a motion by Commissioner Sullivan, seconded by Commissioner Wilson, the Board approved Change Order 17 by a unanimous voice vote.

TRANSFER STATION OPERATIONS 080104

Wes White, CEO Hambro/WSG addressed the Board regarding their request for a modification of the contract requirements for a performance bond. Discussion followed.

Commissioner Holley moved and Commissioner Wilson seconded, and by a voice vote the Authority unanimously approved the request from Hambro/WSG to fulfill the Performance Bond requirements of the Transfer Station Operations Agreement using a bond with a 'B++' rating.

SOLID WASTE JOINT POWERS AUTHORITY 101503

Legal counsel Martha Rice addressed the Board regarding the Executive Summary she prepared regarding the Lease Agreements with the California Infrastructure and Economic Development Bank (I-Bank). Director Hendrick addressed the Board regarding the report from a sub-committee discussing available options to execute the responsibilities currently administered by the Del Norte Solid Waste Management Authority. Discussion followed.

SOLID WASTE AUTHORITY BUDGET REVISION 022101

Director Hendrick addressed the Board regarding approval of a Budget Revision to transfer \$2400.00 from Contingency (Budget # 81000) to Professional Services-County (Budget #20230) for landfill repairs.

On a motion by Commissioner Sullivan, seconded by Commissioner Gitlin, by a unanimous voice vote, the Board approved a Budget Revision to transfer \$2400.00 from Contingency (Budget # 81000) to Professional Services-County (Budget #20230) for landfill repairs.

SOLID WASTE AUTHORITY PROCEDURES 161803

Director Hendrick addressed the Board regarding approval of a contract with Karen Phillips to provide Recording Secretary services to the Board.

On a motion by Commissioner Sullivan, seconded by Commissioner Holley, with Commissioner Wilson voting 'No' with all other Commissioners voting 'Yes,' the Board approved a contract with Karen Phillips to provide Recording Secretary services to the Board.

POST-EMPLOYMENT RETIREMENT BENEFITS – 180520

Director Hendrick addressed the Board regarding an annual contribution to the California Employee's Benefit Trust in the amount of \$11,125 to fund Other Post Employment Benefits (OPEB).

On a motion by Commissioner Holley, seconded by Commissioner Enea, by a unanimous voice vote, the Board approved making a contribution to the California Employee's Benefit Trust in the amount of \$11,125 to fund Other Post-Employment benefits (OPEB).

The Del Norte Solid Waste Management Authority adjourned at the hour of 6:49 P.M., to reconvene in Regular Session, on July 23, 2013, at the hour of 3:30 P.M., at the Board of Supervisors Chambers, Flynn Center, 981 "H" Street, Crescent City, California.

_____ Date / /
Richard Enea, Chair
Del Norte Solid Waste Management Authority

ATTEST:

_____ Date / /
Tedd Ward, Clerk and Program Manager
Del Norte Solid Waste Management Authority