

**MINUTES**  
SPECIAL MEETING OF THE  
BOARD OF SUPERVISORS  
RUTLAND COUNTY SOLID WASTE DISTRICT  
1 SMITH ROAD, RUTLAND, VT  
JANUARY 8, 2020

**APPROVED**  
**2-26-20**

**MEMBERS PRESENT:**

Brandon	<b>Gabe McGuigan</b>	Pittsford	<b>Nancy Gaudreau</b>
Castleton	<b>Tim Gilbert</b>	Poultney	
Clarendon	<b>Robert Bixby</b>	Proctor	
Danby		Rutland City	<b>Bill Gillam</b>
Hubbardton		Rutland City	<b>Paul Clifford</b>
Ira	<b>Larry Taggart</b>	Killington	
Mendon		Wallingford	
Mt. Holly	<b>Clint Wolley</b>	West Rutland	

**OTHERS PRESENT:**

<b>Mark Shea</b> , RCSWD Manager	<b>Gregory Giles</b> , RCSWD Treasurer
<b>Jenna Robles</b> , RCSWD Waste Reduction Program Coordinator	<b>Craig Jewett, P.E.</b> , Otter Creek Engineering
<b>Carl Diethelm</b> , RCSWD Outreach Coordinator	<b>Deane Wilson</b> , (by phone) Consultant

At 6:30pm Mr. Gilbert called the meeting to order.

1. SET AGENDA

Mr. Taggart asked if there were any changes to the proposed agenda. In consideration of Mr. Jewett's time (Otter Creek Engineering), Mr. Gilbert suggests moving ahead to the Manager's Report. No objections or other comments were offered. As such, Mr. Jewett introduced himself and addressed the Board regarding the status of wetlands remediation and stormwater projects at the Gleason Road transfer station.

2. MANAGERS' REPORT – OTTER CREEK ENGINEERING PRESENTATION

- Mr. Jewett provided some background and context to the wetlands remediation project at the transfer station. A former Board member had widened the entrance by clearing several trees and filling a corner of the designated wetlands. The sliding fence was then installed in a manner that further intrudes on the protected area. Because the City of Rutland owns the land that the transfer station sits on, any plans to correct the violation at the entrance must be approved and signed off by the City. One of their concerns is the lack of a formalized maintenance agreement between the City and RCSWD. Due to issues they have had on a similar arrangement with Casella (in respect to their solar installation behind the transfer station), the City is sensitive to potential liabilities which may exist without a formal agreement in place with the District. Mr. Jewett reiterated that the District has two options for addressing the violation; (1.) Remove the material used to fill in the wetland, clean up the site, and plant trees to replace those removed in the road widening and fence installation projects. The total cost is estimated to be approximately \$5,000+/- (2.) Obtain permit/variance to move forward with the current remediation plan based on engineering studies done to date. The costs of implementation are estimated to be between \$50,000 and \$70,000 with relatively less certainty than the first option. The City has offered to help in any way they can to correct the situation but request a formal maintenance agreement be put in place first. The Board had previously decided to move forward with option 2, however in light of the anticipated size, costs, and potential liabilities associated with option 2, the City encourages reconsidering option 1. Mr. Gilbert asks whether the issue of sediment collecting under the scale will be addressed in either option. Mr. Jewett explains that option 1 would likely correct the problem by having the City pave over the dirt / gravel access road for the solar installation and area adjacent to the transfer station. This would reduce and divert sediment washout during rainstorms to prevent it from collecting below the scale platform. Option 2 does not address this problem, and any remedy would likely add costs for the District. Mr. Jewett explains that option 1 could mean losing the entrance gate. Mr. Taggart and Mr. Gilbert both express support for option 1, but a solution needs to be worked out with the State so the gate is retained and the sediment issue with the scale is mitigated. Mr. Jewett agrees, if option 1 is chosen he will go back to the State and argue in favor of keeping the gate, fixing the washout problem under the scale, and confirm the plans for sitework (removing fill, cleanup, and tree planting) are sufficient.
- Mr. Clifford asks if he and Mr. Gillam have any conflict of interest sitting on the Board of both the City and the District. Discussion ensues around the propriety of voting in both roles, or if they should recuse themselves from voting on this issue with one or both Boards. Mr. Gillam asks if a disclosure to the City would be adequate. Mr. Bixby suggests that legal counsel be asked for guidance.

- Mr. Taggart requests that Mr. Jewett go back to the State to get clarity on the concerns raised by the Board if option 1 is chosen. Mr. Jewett agrees. Mr. Clifford moves to go ahead with planning for option 1 so Otter Creek Engineering can finalize details and address the Board's concerns. Ms. Gaudreau seconds and the motion passes.
- Mr. McGuigan suggests moving ahead with option 1, but merely as a pause to the mitigation plans for option 2. Mr. Jewett confirms – if the Board later decides to implement any aspects of option 2, all of the engineering and plans will still be in place and valid. Mr. McGuigan also emphasizes that the \$5,000 estimate may be just a minimum. There could be additional issues not considered in the calculation of costs with option 1, and the long-term goal should be implementing some or all of the proposals in the current mitigation plan. Mr. Taggart notes that with the city offering to help in paving and other maintenance projects option 1 will likely be very beneficial for the District. Mr. Jewett reiterates that the City is very much onboard to help out and share costs.
- Mr. McGuigan asks if paving the solar installation access will require any additional permitting. Mr. Jewett explains there is no permit required if the pavement is covering the existing dirt/gravel area. It would only be necessary if the pavement was to increase the footprint.
- At 7:15pm Mr. Jewett concludes his presentation to the Board and leaves the meeting.

### 3. APPROVAL OF MINUTES OF DECEMBER 4, 2019

Mr. Taggart proposes a correction to item 4A in the minutes. It should reflect that the towns which had four HHW visits in 2019 were reduced to 3 visits in 2020, not 2 as noted in the draft presented. Mr. Gillam moved to accept the minutes with the change in number of HHW visits for 2020. Mr. Clifford provided the second. Motion passed unanimously

### 4. OLD BUSINESS

- EXECUTIVE BOARD POLICY

Mr. Taggart confirms that the Executive Board approved the Policy and is passing it on to the full Board for approval. He notes that the following was added to item 3(B); "i.e. legal, personnel, regulatory, etc.". Mr. Gillam moved to accept the Executive Board Policy as presented, and including the additional wording noted herein. Mr. Bixby seconded, and the motion passed unanimously.

- TRANSFER STATION FEE SCHEDULE CHANGES

Mr. Shea reviews the Executive Board meeting discussion on proposed increases to the Transfer Station fee schedule. Highlights specific items where fee increases are necessary to cover the District's cost. Mr. Wilson joins by phone and Mr. Shea explains the issues of concern. Mr. Wilson provides commentary on the unit cost analysis included in the meeting materials. Additionally, he agrees with the Board's assessment that charging a fee for recyclables will decrease compliance. Discussion continues around the long-term trends in commodity pricing for recyclable materials. If values continue to diminish the recycling program would likely see increased losses. Mr. McGuigan notes that any cost overruns in the recycling program should be shifted to fee increases for trash disposal. The incentive should be focused on reducing waste reaching a landfill and increasing overall recycling activity. Ms. Robles presents an historical trend analysis of revenues vs. costs in the recycling program. She notes the trend-line for recycling revenue continues to decline, while the trend for handling fees though Casella remains relatively constant. Additionally, Ms. Robles provides pro-forma projections out to 6 months, demonstrating the expected tightening of overall margins if commodity pricing continues to decline and the District does not increase the fee schedule. Mr. Gilbert suggests that the Executive Board should field the issue and research further. When more information is available, they will decide on fee increases accordingly. Discussion moves on to minimum scale fee increase. Mr. Shea summarized the discussion held during the Executive Board meeting earlier. Mr. Taggart suggests tabling any increase in scale fees since the Board is planning to adjust other costs and fees.

- RCSWD ORGANIZATIONAL CHART

Mr. Shea provided the current Organizational Chart within the meeting materials for the Board to review. Mr. Gilbert moved to accept the chart as presented. Mr. McGuigan provided the second and the motion passed unanimously

### 5. APPROVAL OF 2020 BUDGET / MONTHLY FINANCE REPORT

Mr. Shea provides the Draft 2020 Budget Plan in the meeting materials and briefly reviews key points. It is noted that the budget represents an 8.3% increase over 2019 when taken without consideration of the planned distribution to member towns. Mr. Gilbert moves to approve the 2020 Budget in the form presented. Mr. Clifford seconds, and the motion is passed unanimously.

6. DISTRIBUTION OF FUNDS TO MEMBER TOWNS

Mr. McGuigan and Ms. Gaudreau raise concerns with the distribution of funds to the member towns and briefly discuss their reasons. Mr. Taggart notes that the issue has already been voted on and passed, so further discussion is unwarranted. Mr. Gilbert moves to approve distribution of the funds in January of 2020, Mr. Clifford seconds. Mr. McGuigan advises that he votes to approve the distribution taking place in January 2020, however he notes for the record that he still objects to this use of funds. The motion is passed.

7. 2020 BOARD OF SUPERVISORS MEETING SCHEDULE

Mr. Shea provided the proposed 2020 Meeting Schedule in the meeting materials. One change to the schedule was requested; Instead of March 5, 2020, the schedule should read March 4, 2020. Discussion among Board members regarding meeting in the summer months. It was agreed that canceling the meetings tentatively planned for June and July will be at the Chair's discretion. Mr. Gillam moves to approve the 2020 Board Meeting Schedule as presented, and including the changes noted herein.

8. MANAGER'S REPORT

- OUTREACH

Mr. Diethelm discussed outreach efforts with the schools, and collaborative efforts with other Districts. He noted positive results and feedback, sees potential for mutual benefit in continued collaboration. Mr. McGuigan requests additional clarity on what exactly RCSWD is working on with SWAC, and how each district benefits. Mr. Diethelm explains specifics of the relationship in regard to what each contributes to the collaborative efforts. Explains numerous benefits to RCSWD, including the goodwill generated and smoothing of past relationship issues. Mr. McGuigan pleased to hear both Districts finding benefit in the collaboration, cautions that attention should be paid that SWAC is not riding RCSWD's coattails. As an example, Mr. McGuigan concerned specifically about SWIP being leveraged by SWAC for their own benefit. Emphasized that the District should do whatever is easiest, and any ancillary benefit outside the district is just a bonus.

- MRF STORMWATER

Mr. Shea discussed MRF stormwater project updates. Long-term issue of non-compliance, revisit issue of installing berm to redirect runoff toward drainage infrastructure. Plan to be in place by 1/15/20 with \$250 fee.

- DISTRICT REPORT FOR TOWN MEETINGS / OUTREACH EFFORTS

Mr. Shea notes that he is working on a more comprehensive report to provide the District towns for Town Meetings. The report will include information beyond the financial report generally submitted. Meant to increase awareness of RCSWD and highlight the benefits for member towns. Discussion about RCSWD "Swag Bags" to be handed out during outreach events – focus on organics and recycling. Mr. Shea suggests including links to member town webpages on RCSWD's webpage to encourage cross-pollination and raise awareness.

- CHANGE IN BANK ACCOUNT SIGNERS

Mr. Shea notes that Ms. Robles to replace Deane Wilson as 2<sup>nd</sup> Authorized Signer on all accounts. Mr. Clifford moves to approve change in signers, Mr. McGuigan provides second. Motion passes unanimously.

9. ADJOURN

Mr. Gilbert moved to adjourn at 8:20pm. Mr. McGuigan provided the second. The motion passed unanimously.

Respectfully submitted

Gregory A. Giles