

MINUTES

DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY

Regular Session, Wednesday August 13, 2014, 3:30 PM

PRESENT: Commissioner Roger Gitlin, County, Chair
Commissioner Rick Holley, City, Vice-Chair
Commissioner Mike Sullivan, County, arrive 3:39 p.m.
Commissioner Mary Wilson, Public, Secretary/Clerk
Legal Counsel Martha Rice
Acting Director/Program Manager Tedd Ward
Treasurer/Controller Richard Taylor

ABSENT: Commissioner Ron Gastineau

ALSO PRESENT: Richard Miles, Solid Waste Task Force
Kathryn Murray, Crescent City Council
Karen Phillips, PS Business Services
Clinton Schaad, County Auditor
Tommy Sparrow, Recology Del Norte
Joel Wallen, Hambro/WSG
Wes White, Hambro/WSG
Sherrick Cron, Auditor's Office

3:30 PM CALL MEETING TO ORDER PLEDGE OF ALLEGIANCE

Chairman Gitlin called the meeting to order at 3:30 p.m. and the pledge was led by Commissioner Holley.

3:30 p.m. PUBLIC COMMENTS:

The following person(s) addressed the Authority: Elizabeth Henry, county resident, commented on the facilitated goal setting meeting on August 21st, 2014. She also commented on the representation of the public and members on the Commission.

Richard Miles, city resident, commented on the Task Force meeting, noting that he has been elected the new Chairman of the Solid Waste Task Force and Pat Black was elected as the new Vice-Chair. He also noted they made changes to the task force bylaws at that meeting and discussed the 5 year plan. They would like to have full representation on the task force and will be requesting appointments.

Bill Lonsdale, county resident, asked for clarification of the meeting venue for the special meeting on the 21st as there is conflicting information being passed around. Chairman Gitlin stated the meeting will be at the fire hall on Washington Blvd.

Craig Strong, county resident, commented on agenda item 5), noting that matters are falling behind with the unrealistic work load and staffing levels.

Tommy Sparrow, Recology, noted that one of his employees will be leaving as operations manager tomorrow due to medical reasons, he does not feel that the position will be filled for a month or so and asked for the Commissioner's understanding during this transition. Mr. Sparrow will be filling in for the operations manager in the interim. Chairman Gitlin asked staff to provide a card for the operations manager that all Commissioners to sign.

Kathryn Murray, city resident, commented on an article about the waste management act of 1989 and product stewardship to promote recycling.

Eileen Cooper, county resident, spoke because she heard on the news about how things are progressing for the Authority. She said she does not understand what the issue is and noted the Authority seems to be off the path.

Don McAurther, county resident, commented on the statement that the Authority should function as a utility. He noted that the school district was able to reduce their waste stream significantly. He urged the Commission to support the work of the Authority. Commissioner Sullivan clarified that he never said we should not recycle, he said that we should share the cost of recycling. In rebuttal to comments made that she was not representing the people, Commissioner Wilson noted that she is a representative of the community, and is one of the people, and a business owner, so she feels that she is representative of the people. Commissioner Holley noted that he was employed at the school district during the time the recycling program started and he noted that the cost of the increase was offset in the behaviors.

Commissioner Gitlin noted that he feels like this tension is "a squabble in a family" and he noted that he has not heard any complaints about the funds that are missing, which sticks in his throat like a sideways toothpick.

1. CONSENT AGENDA

- 1.1 Approve minutes, Regular Session, July 09, 2014.
- 1.2 Approve the re-hiring of Rose Reppond as a Refuse Site Attendant at range 28 step C, in acknowledgment of her prior work experience with the Del Norte Solid Waste Management Authority between 2004 and 2012.
- 1.3 Approve request from Crescent City / Del Norte County Chamber of Commerce to deploy two dumpsters and waive Authority fees in support of the Annual Sea Cruise to be held 11 October 2014.
- 1.4 Acknowledge & file semi-annual report to the Regional Water Quality Control Board regarding monitoring and maintenance activities at the Crescent City Landfill January through June 2014 as required under monitoring and reporting program 97-90.

END CONSENT AGENDA

There were no public comments made regarding matters listed on the consent agenda. Commissioner Wilson asked to have item 1.2 pulled for discussion and Mr. Ward noted

that item 1.4 did not have an attachment and was not ready for approval. 1.4 was pulled from the consent agenda, and item 1.2 was pulled for more discussion and separate vote.

On a motion by Commissioner Enea, seconded by Commissioner Wilson, and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority approved and adopted the consent agenda, consisting of items 1.1 and 1.3, as presented.

Discussion was held regarding item 1.2 regarding the rehiring of Rose Reppond. Commissioner Wilson asked if she is being paid as the other gate attendants or a higher salary range. Staff stated that Ms. Reppond would be paid in the same pay range as all other gate attendants are being paid, but that she would start at step C acknowledging her past work experience with the Authority.

On a motion by Commissioner Wilson, second Commissioner Holley, and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority approved hiring Rose Reppond at Step C, as recommended.

Union representative Norma Williams asked if the union had been notified of the vacancy and the hiring at the higher step. Mr. Ward indicated that he was not informed that he needed to notify the union of this hiring. Norma Williams noted that they should have been notified of the vacancy and hiring and asked the Mr. Ward do so in the future.

DISCUSSION/ACTION ITEMS

- 2 LANDFILL POSTCLOSURE – No Items**
- 3 COLLECTIONS FRANCHISE – No Items**
- 4 TRANSFER STATION - No Items**
- 5 GENERAL SOLID WASTE AUTHORITY MATTERS**

5.1 Discussion and possible action regarding Authority Mission Statement.
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Discussion was held regarding the mission statement. Mr. Ward noted the staff recommended to have the Authority decide which additional elements of a Strategic Plan are to be considered and possibly adopted and how such elements are to be drafted, reviewed and adopted. Commissioner Wilson provided a list of mission statement ideas that she borrowed from other solid waste agencies throughout the State. Chair Gitlin asked that the ideas be added to the written statements regarding this matter. The items will be held onto until the September meeting to consider them after the facilitated meeting. Commissioners will email their ideas on the mission statements to staff to see if there is consensus on one or more. Ralph Johansen, County resident, asked if the suggested ideas would be posted somewhere for the public to read. Commissioner Wilson asked to change the work priorities listed on page 1 of 8 referring to the items marked with the black star and a circle. She would like to separate out the State and federal mandates from the Authority adopted plans. She would like to make sure that the Authority plans are designated separately from State

and federal work priorities. Chairman Gitlin directed staff to delineate these mandates separately.

4:00 P.M. 5.2 Discussion and possible action relating to discussion with Terry Supahan regarding the special meeting regarding Authority Goals scheduled for Thursday August 21 at 2:00 PM.

A call was made to facilitator Terry Supahan regarding the special meeting to discuss Authority goals. Mr. Supahan suggested having a public comment period at the beginning and at the ending of the process on the 21st. Chairman Gitlin noted that he would like the public comment session at the end of the meeting. Commissioner Sullivan also agreed. Commissioner Holley noted that he felt two public comment periods would be appropriate with a shorter second comment timeframe. Commissioner Enea noted that the second comment period should be before any vote to make sure all actions are voted on. Commissioner Wilson agreed to both public comment periods. The Commission agreed on a first comment period at the beginning of the meeting would be for 2 minutes per speaker and a second comment period would be for 1.5 minutes per speaker period held just prior to any action taken by the Commission. Mr. Supahan asked what the desired outcomes were of the Authority. Commissioner Wilson noted that she would like to see a clear mission statement and goals based on that statement and strategies to meet the goals.

Mr. Supahan noted that it sounded like a strategic planning process with mission, goals and strategies, which is not the process he has been hired for. He feels that coming out of this meeting with several goals would be possible, what he hears sounds more like a strategic planning process. Commissioner Holley felt, at the very least, the Authority needed to come up with goals to get an executive director hired and get an action plan moving forward from the meeting. If the issue areas could be identified by the Authority, Mr. Supahan noted that the process would be more successful and focus the meeting time if the desired results were clear. Chair Gitlin would like to hear the options they have from the report as seen by Mr. Supahan.

Elizabeth Henry, Eileen Cooper, Bill Lonsdale, Ralph Johansen, and Kathryn Murray all asked questions regarding public comments and how they would be recorded, listened to, and allowed. A summary of the workshop will be provided to staff and followed-up with the facilitator. Additional written comments will be allowed at the workshop.

5.3 Discussion and possible direction to legal counsel to prepare a report and legal analysis on the necessary steps to implement R3 Final Report Options 1 through 4.

Discussion was held regarding the R3 Final Report and legal procedure and advice from counsel so that the process and ramifications are known to the Authority. Options 2-4 will be reviewed and reported on by counsel and presented to the Authority. Counsel estimated the time necessary to perform the work at 2-3 hours. Mr. Ward noted that the expense was not budgeted.

On a motion by Commissioner Sullivan, seconded by Commissioner Enea, and unanimously carried on a four-fifths polled vote with Commissioner Holley voting "no", the Del Norte Solid Waste Management Authority instructed counsel to prepare a legal analysis of items 2-4 prior to the Authority meeting on August 21, 2014.

Kathryn Murray asked if Rosenberg's Rules of Order or Roberts Rules of Order were being observed. Chairman Gitlin noted that the Commission follows Rosenberg's. Ms. Murray then stated that public comments needed to be taken prior to a motion in that case. Elizabeth Henry suggested that counsel just bring back the information from the last review and review it at the facilitation meeting. Bill Lonsdale asked what happened to item 1 in the suggested motion. Chair Gitlin noted that item 1 was the current staffing structure and did not need further legal analysis. Norma Williams noted that she discussed the current Authority contract with the union, and it is a legal contract that is binding. She noted there would be repercussions if it is broken.

- 5.4 Discussion and possible approval of an agreement with Smith & Newell to complete an audit of the Del Norte Solid Waste Management Authority's financial statements for the fiscal year ending June 30, 2014 for an amount not to exceed \$9,200.

On a motion by Commissioner Sullivan, seconded by Commissioner Enea, and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority approved the agreement with Smith and Newell to perform an audit of the Authority for the fiscal year ending June 30, 2013 in an amount not to exceed \$9,200.

- 5.5 Discussion and possible approval of a budget revision and/or budget transfer for fiscal year 13/14 in the amount of \$200,000 or less.

Discussion was held regarding the budget revision in the amount of \$46,616.00 necessary to balance the budget for fiscal year ending June 30, 2014. Auditor Controller Clinton Schaad noted he met yesterday with staff regarding the budget transfer due to the Authority exceeding their budget by \$16,000+/-, in four major expenditure areas, professional and legal services, treasurer services, and the severance package for the former executive director. He wanted to let the Authority know this puts the Authority in the "red". There will be another revenue drop for the end of the year with accounts payable not being entered due to not having the back-up documentation to support the numbers, according to Mr. Schaad. The Auditor's office is working with Authority staff to resolve the issue. Elizabeth Henry commented on the revenue projections and balancing the reports with the Auditor's numbers. Kathryn Murray noted the missing funds were no longer an issue. Chair Gitlin admonished Ms. Murray and the public and warned them to stay on topic when making comments.

On a motion by Commissioner Sullivan, seconded by Commissioner Enea, and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority approved and authorized the Chairman to sign the budget transfer in the amount of \$46,616.00 as presented.

- 5.6 Discussion and possible action regarding re-introduction of Ordinance 2014-02, An Ordinance of the Board of Commissioners of the Del Norte Solid Waste Management Authority regarding collections, franchises, and mandatory disposition of waste.

Discussion was held regarding the re-introduction of the ordinance. Counsel noted that the publication of the ordinance included a mistake, which now needs to be corrected and readopted. This is the corrected final version of the ordinance. Bill Lonsdale asked if the ordinance previously approved needs to be voted out. Counsel stated that it does not because it was never adopted, just introduced. Elizabeth Henry feels that this ordinance moves the authority backwards.

On a motion by Commissioner Sullivan, seconded by Commissioner Wilson, and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority re-introduced, waived the reading and read in title only Ordinance No. 2014-02 as presented.

- 5.7 Acknowledge & file the 2013 Annual Report submitted to the California Department of Resources Recycling and Recovery (CalRecycle).

Discussion was held regarding the 2013 Annual Report that was presented at the meeting. Staff noted that this was a "receive and file" item. Commissioner Wilson asked to have the tonnage figure explained.

Commissioner Sullivan excused himself and left the meeting at 5:34 p.m.

Staff explained the difference in the tonnage numbers and noted they would review the numbers. Consensus was to file the report.

6 DIRECTOR'S & TREASURER'S REPORTS

Agenda items 3.1 through 3.5 are provided for information only

- 6.1 Acting Director's Report 231501
- 6.2 Treasurer/Controller Report for June 2014
- 6.3 Claims approved by Treasurer & Director for July 2014
- 6.4 Monthly Cash and Charge Reports for July 2014
- 6.5 Earned Revenue Comparisons between FY13/14 and FY14/15

The above-listed reports were discussed with the Commission. Staff is working with the Mattress Coalition regarding accepting mattresses. Commissioner Wilson suggested that item 2 of the Major Activities regarding "Conduct an analysis of the small volume transfer stations in Klamath and Gasquet, the operations costs and service options to meet the needs of residences and businesses in these areas of Del Norte County" be taken off the director's plate as she feels it is unnecessary at this time. Consensus of the Authority was to remove item 2 as suggested from the director's workload. Auditor Clinton Schaad reported on behalf of the Treasurer briefly. Commissioner Wilson noted that the employee benefits make up about 55% of the payroll costs; this appear high. The Worker's Compensation line item shows a refund due to the over funding of that line item over the past several years. Discussion was

held regarding the collection of past due accounts. Staff noted that there was a lack of stability in the accounting area that caused issues and that is why they are not caught up. Mr. Ward asked for patience from the Commission while they work on this.

7. ADJOURNMENT

Adjourn to the next special meeting of the Del Norte Solid Waste Management Authority scheduled for 2:00 PM August 21, 2014 at the Del Norte County Board of Supervisor's Chambers, 981 H Street, Suite 100 in Crescent City.

There being no further business to come before the Commission, the Chair adjourned the meeting at 6:07 p.m. until the next special meeting on August 21, 2014.

Roger Gitlin, Chair
Del Norte Solid Waste Management Authority

Date / /

ATTEST:

Mary Wilson, Secretary/Clerk of the Board

Date / /