

MINUTES
DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY
CITY OF CRESCENT CITY
COUNTY OF DEL NORTE
STATE OF CALIFORNIA
Regular Session, Tuesday March 17, 2015, 3:30 PM

PRESENT: Commissioner Ron Gastineau
Commissioner Roger Gitlin
Commissioner Rick Holley, Chairman
Commissioner Mary Wilson

Legal Counsel Martha Rice
Acting Director/Program Manager Tedd Ward
Treasurer/Controller Richard Taylor

ABSENT: Commissioner Martha McClure

ALSO PRESENT: Patricia Black, Applicant for Public Commissioner
Alexander Fallman, Applicant for Public Commissioner
Ed Farewell, Recology
Jeremy Herber, Recology
Richard Miles, Chair, Del Norte Solid Waste Task Force
Karen Phillips, PS Business Services
Joel Wallen, Hambro/WSG
Wes White, Hambro/ WSG
Dale Watson, Applicant for Public Commissioner
Emily Jo Welter, Del Norte Triplicate

3:30 PM CALL MEETING TO ORDER

Chairman Holley called the meeting to order at 3:30 p.m. in regular session.

PLEDGE OF ALLEGIANCE

The pledge was led by Chairman Holley.

OBSERVE A MOMENT OF SILENCE to commemorate the passing of the general manager of Recology Del Norte, Tommy Sparrow A moment of silence was observed to note the passing on Tommy Sparrow, general manager of Recology Del Norte. The Chair stated that Mr. Sparrow will be greatly missed by all.

Commissioner Gitlin announced that there is a beach clean-up Saturday, March 28th and volunteers are being sought. The event will begin at 8:00 a.m. at U.S. Highway 101 South across from Sandmine Road. Several agencies are sponsoring the event.

3:30 PM PUBLIC COMMENTS:

The following person(s) addressed the Authority: Richard Miles asked about the value to the property owned by the Authority at the transfer station. He has asked this question before and still has not received an answer. He also noted the acting director Tedd Ward has been working hard over the last year and it is time that a permanent director be hired and that the Authority begin the process of finding a permanent director.

Elizabeth Henry commented on her concern regarding agenda items, and ethics and conduct. In her opinion, some Commissioners have in the past ignored the code of conduct (Gitlin) at meetings and in the Triplicate.

Dale Watson commented on the acting director's letter to the Regional Water Quality Control Board appealing the Waste Discharge Requirement Fees associated with the Crescent City Landfill. He would like to see the legislators get a copy of those letters also.

Craig Strong commented that he seconded the opinion that a permanent director be found; he feels that the Commission needs to do this.

3:30 PM OPEN SESSION ITEMS:

1. CONSENT AGENDA

- 1.1 Approve minutes, Regular Session, Wednesday, February 11, 2015.
- 1.2 Approve minutes, Special Session, Wednesday, February 24, 2015.
- 1.3 Acknowledge and file letter sent to North Coast Regional Water Quality Control Board.
- 1.4 Approve budget transfer in the amount of \$32,930.00

Commissioner Gitlin pulled item 1.4 from the consent agenda for separate discussion and consideration.

On a motion by Commissioner Gitlin, 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 1.1-1.3, listed above.

Commissioner Gitlin asked for an explanation of the budget transfer. Mr. Ward noted that the purpose of this transfer was to balance budget line items that would be overdrawn before the end of the fiscal year. One of the issues causing the overdrawn line item, was the back-filling of the vacant account clerk position as well as a refuse site attendant position as medical issues are being addressed by one of the Authority's permanent staff.

On a motion by Commissioner Gitlin, seconded by Commissioner Gastineau, and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority approved item 1.4, the budget transfer in the amount of \$32,930, as presented.

DISCUSSION/ACTION ITEMS

2. LANDFILL POSTCLOSURE

- 2.1 Acknowledge and file the 25 February 2015 letter from the Norte Coast Regional Water Quality Control Board approving the Notice of Termination for storm water monitoring and reporting related to the Crescent City Landfill. **230101A**

Discussion was held regarding the termination letter from the North Coast Regional Water Quality Control Board approving the Notice of Termination of Coverage under the Statewide Storm Water General Permit for WDID #1 081001442. Acceptance of the notice will save over \$4,000 per year, or approximately \$80,000 through year 2036. No action needs to be taken today, the letter only needs to be filed. Mr. Ward noted that surface water is still being monitored. Commissioner Wilson asked about the no exposure certification for storm water monitoring and reporting at the Del Norte County Transfer Station and thanked Mr. Ward for his work to get the storm water termination at the landfill. Mr. Ward stated that he has not had time to process the application yet, but intends to do so.

3. COLLECTIONS FRANCHISE

- 3.1 Discussion and possible action regarding the process for selecting and training a General Manager for Recology Del Norte as described by Ed Farewell, Recology's Regional Manager. **180510**

Acting Director Ward invited Ed Farewell to describe Recology's process for selecting and establishing a General Manager for Recology Del Norte to replace Mr. Sparrow. Discussion was held regarding selecting and training a general manager for Recology Del Norte. Mr. Ed Farewell, Group Manager for Recology, discussed the selection process for Tommy Sparrow's replacement. They are currently looking internally for a replacement. If a replacement is not found, they will be looking outside the company. Commissioner Wilson asked if Del Norte County could get some of the newer trucks as they come available for the local Recology office. Mr. Farewell said he will be looking into that matter as he spoke about it today with the operations manager.

4. TRANSFER STATION – No Items

5. GENERAL SOLID WASTE AUTHORITY MATTERS

- 5.1 Discussion and possible action regarding the selection process for a Public Commissioner to serve on the Del Norte Solid Waste Management Authority Board for a term of 24 months. **012104**

Discussion was held regarding the selection process for the public member to serve on the Authority board for a term of 24 months. Several applications were received (9). Methods of selecting the public member were discussed, such as the City and County members selecting their top three and having the acting director and counsel review the applications, and then have the top three candidates interviewed at a later date, or

having all of the candidates interviewed. This is a public process and might require a special meeting due to the number of candidates. Commissioner Gitlin noted that he would like this to have all candidates publicly interviewed. Commissioner Wilson noted that she would be comfortable with the interviewing of the top three applicants. She would like to put forward that the seat be a true public member and not someone who has held public office or been a Recology, Hambro/WSG, or Authority employee. She also thinks that the public member should not vote on the new public member. The joint powers authority does not outline the process in which the public member is to be appointed. Legal Counsel Martha Rice noted that the process was appropriate for Commissioner Wilson to comment on, but not the voting for the public member.

During public comment on this item, Richard Miles noted the comments have been constructive and good for the process. He remembers a former board calling for public members when Jack Reese was appointed, he does not want to see that process again. He would like to see a special meeting to select a public member, and noted that Ms. Wilson is doing well. Elizabeth Henry noted that there are very complete applications on the website and she wanted to note that she disagrees with Commissioner Wilson regarding a former public office holder serving should not be a disqualifier. It should be an open process. Tim Hoone noted that this is an excellent idea in the public process, each candidate brings something to the table.

On a motion by Commissioner Gitlin, seconded by Commissioner Holley, and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority voted to publicly interview all 9 candidates for the public member, giving each member a 3 min speaking time and 2 minutes for questioning (a total of 5 minutes per candidate).

Discussion was held regarding Commissioner Wilson's term ending in March 2015 and whether or not she would serve until filled or serve until a specific date.

A motion by Commissioner Gitlin, seconded by Commissioner Gastineau, and unanimously carried on a polled vote, to approve extending the current public member term until the position is filled in the current process was withdrawn after Counsel Rice noted that this matter was not agendaized for action at this meeting. The April 21st meeting agenda will have this matter as the first item of business along with the public interviews of the 9 candidates for public member.

- 5.2 Discussion and possible action regarding possible execution of an agreement with either Total Compensation Systems, Inc. or Bickmore to conduct a required actuarial evaluation for an amount not to exceed \$2,600.00 **180520**

Discussion was held regarding the execution of an agreement to conduct the required actuarial evaluation. Both agencies have reduced their costs to \$2,300. Staff recommends going with Bickmore as they are working for the County also. Commissioner Gitlin asked what the difference in the proposals were. There are no differences in the work, according to staff. Due to the matter being under \$5,000 staff will make the decision and execute the contract.

- 5.3 Discussion and possible action regarding a request from the Yurok Tribe Environmental Program for technical and financial support for the Klamath River Cleanup Event on April 18th from 9 AM until 2 PM. **031205**

Discussion was held regarding a request from the Yurok Tribe for technical and financial support for the Klamath River Cleanup event. Staff recommends continued support for the event, April 18th from 11:00 A.M.- 2:00 P.M. The cost for supporting this cleanup event in 2014 was approximately \$1,914, and staff expect this year would be a similar level of expense. Staff noted that the Tribe bring the materials to the transfer station and tipping fees are donated.

On a motion by Commissioner Gitlin, seconded by Commissioner Gastineau, and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority approved waiving the tipping fees for the Klamath River Cleanup event on April 18, 2015.

- 5.4 Discussion and possible action regarding a request from the U.S. Fish and Wildlife Service for allocation of an Authority-directed bin and waiving of disposal fees for scotch broom and other debris to be removed from the Pacific Shores subdivision on March 28, 2015. **031205**

Discussion was held regarding the request from the U.S. Fish and Wildlife Service. Staff recommended approval of the request for waiver of disposal fees and the dumpster. Commissioner Gitlin noted that he is not comfortable with waiving the fees for one agency and not another, referring to his announcement at the beginning of the meeting. Craig Strong noted that this was a worthy cause and the area is in abysmal condition. If one agency is offering to pay, and one is requesting a donation, it is a worthy cause. Commissioner Gitlin wanted to know why U.S. Fish and Wildlife could not provide their own dumpster. He feels that the agency should step up and make the offer to provide their own dumpster. Staff noted that U.S. Fish and Wildlife could be asked to use their own dumpsters, although the event will be held before the next Authority meeting.

On a motion by Commissioner Gastineau, seconded by Commissioner Wilson, and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority approved the allocation of an Authority-directed bin and waiving of disposal fees for scotch broom and other debris to be removed from the Pacific Shores subdivision on March 28, 2015.

- 5.5 Discussion and possible action regarding the Authority's participation with the Youth and Family Fair on April 18th to promote and provide outreach regarding the Authority's and Recology Del Norte's reuse, recycling, composting, product stewardship, and hazardous waste programs.

Discussion was held regarding the Youth and Family Fair being held this year on April 18th. Staff noted that the Authority will participate in the event for public information and education purposes. No action was necessary.

- 5.6 Discussion and possible action regarding the Authority's Ethics policy and Form 700 Financial Disclosures required by the California Fair Political Practices Act. **052001**

Chairman Holley asked that this matter be placed on the next agenda. No action was taken regarding the ethics policy. The 700 forms are due by the end of the month (March 28, 2015) and staff would like copies of the 700 forms for the Authority files by the filing date. No other action was taken on this matter.

6. DIRECTOR'S & TREASURER'S REPORTS

Agenda items 6.1 through 6.5 are provided for information only

- 6.1 Acting Director's Report **231501**
- 6.2 Treasurer/Controller Report for January 2015
- 6.3 Claims approved by Treasurer & Director for January 2015
- 6.4 Monthly Cash and Charge Reports for January 2015
- 6.5 Earned Revenue Comparisons between FY13/14 and FY14/15

The following reports were made: Account Clerk position interviews are moving forward and it will be a few months before the employee is hired, trained and productive. Mr. Ward has made arrangements to meet with the Regional Water Quality Board to discuss the threat complexity rating. Staff will continue to work to appeal the complexity rating. Mr. Taylor reported on the Treasurer/Controller's Report. Commissioner Wilson would like to see the set-aside listed in the reports (\$11,000) on the OPEB, which are unfunded liabilities. The recommended amount to put aside is \$55,000 per year. Commissioner Wilson commented on statement made by a member of the public at the last regular meeting attacking Mr. Taylor, and she felt that she needed to speak on Mr. Taylor's behalf regarding the missing funds; he had no ability or access to funds, and he was never considered as a person of interest in the theft of the funds from the Authority. Commissioner Gitlin asked about the aging account for invoices over 60 days due. The overdue amount from Redwood National Park has been partly resolved, but they make payments to the County that go to the general fund and they need to be specific on the amount of payments and who the funds are owed to, according to Mr. Ward. Commissioner Gitlin asked to have the outstanding \$1,900 cleared up by the next meeting. Commissioner Wilson asked about the statement of revenues and expenses, noting that it is valuable, and asked if it was difficult to obtain this information each month. Staff noted that the information is available, however, there is a time lag with the County's numbers

ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY 010203

7. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL

-- POTENTIAL LITIGATION (Gov. Code § 54956.9) - One Case

The Chairman recessed the meeting of the Del Norte Solid Waste Management Authority at 4:50 p.m. and immediately convened as the Abandoned Vehicle Abatement Service Authority in closed session. The closed session was adjourned at 5:06 P.M..

The meeting of the Abandoned Vehicle Abatement Service Authority was convened in open session at 5:07 P.M. and Counsel announced the following action was taken:

Staff were directed to give Northcrest Auto a minimum of 60 days notice that the Abandoned Vehicle Abatement Authority intends to terminate the current Towing Services Agreement without cause, and to prepare a Request for Proposals for Towing Services for review at a subsequent Abandoned Vehicle Abatement Service Authority meeting.

The meeting of the Abandoned Vehicle Abatement Service Authority was adjourned at 5:08 P.M. and immediately reconvened as the Del Norte Solid Waste Management Authority in open session.

8. ADJOURNMENT to the next meeting of the Del Norte Solid Waste Management Authority scheduled for 3:30 P.M., April 21, 2015 at the Del Norte County Board of Supervisors Chambers, 981 H Street, Suite 100 in Crescent City.

There being no further business to come before the Authority, the Chairman adjourned the meeting at 5:08 P.M., until the next regularly scheduled meeting on April 21, 2015.

Richard Holley, Chair
Del Norte Solid Waste Management Authority

Date / /

ATTEST:

Mary Wilson, Secretary
Del Norte Solid Waste Management Authority

Date / /