

**MINUTES**  
**DEL NORTE SOLID WASTE**  
**MANAGEMENT AUTHORITY**  
**Special Session    Friday, July 26, 20138:00 AM**

PRESENT:            Commissioner Rich Enea, Chair  
                         Commissioner Roger Gitlin  
                         Commissioner Mike Sullivan  
                         Commissioner Mary Wilson  
                         Legal Counsel Martha Rice  
                         Treasurer/Controller Richard Taylor  
                         Program Manager and Clerk Tedd Ward

ABSENT:             Commissioner Rick Holley

ALSO PRESENT:    Kevin Hendrick, former Authority Director  
                         Andrew Larson, DN Solid Waste Task Force  
                         Karen Phillips, PS Business Services  
                         Adam Spencer, Del Norte Triplicate

**Call Meeting to Order.**

Chairman Enea called the meeting to order in special session at 8:00 a.m.

**Public Comment.**

The following person(s) addressed the Authority: Kevin Hendrick commented that the letter of “resignation” should have been termed “retirement” as the request was that he retire not resign; he feels that it is a very important distinction. He retired and that is a discretionary action. He also noted that he has filed all the paperwork already. He does not feel that there is anything more the Authority needs to do. What they offered was a three month severance, which he hoped they would approve later in the agenda.

**Accept the resignation of the Director, Kevin Hendrick, and authorize three months pay in recognition of his 20 years of service.**

Commissioners noted that the action was to approve the three month pay upon Mr. Hendrick’s retirement.

On a motion by Commissioner Sullivan, seconded by Commissioner Gitlin, and unanimously carried on a polled vote, with Commissioner Holley absent, the Del Norte Solid Waste Authority authorized three months pay upon Kevin Hendrick’s retirement, in recognition of his 20 years of service.

**Adopt Resolution 2013-02, A Resolution of the Governing Board of the Del Norte Solid Waste Management Authority Confirming the Application of the Memorandum of Understanding with the SEIU Local 1021 to Mid-Management Employees.**

Discussion was held regarding the need for this resolution. Mr. Ward noted that this resolution would be in place until the final memorandum of understanding is approved, as there are additional negotiations in order. There is no agreement that covers mid-management employees at this time, the Authority does abide by the same Personnel policies as the County and this is an attempt to put those policies in place for the Authority staff also.

A motion was made by Commissioner Gitlin, and seconded by Commissioner Enea, approving and adopting Resolution No. 2013-02, and this motion was withdrawn by Commissioner Gitlin and Enea after further discussion.

Discussion regarding the affect of the resolution and bargaining units was held. Counsel provided clarification regarding the resolution.

Discussion was held regarding the affect of not adopting this resolution on the next agenda item. Mr. Ward stated he was reluctant to take the interim designation without the resolution in place. He noted that it would not be clear what agreement he would be working under. Concern was expressed about why this has come up today and not previously. Counsel noted that it has been on the "to do list" for some time. Mr. Ward expressed his concern to counsel about having this agreement in place before being appointed as the interim director. Unless he has an agreement in place, he stated that he is not comfortable taking the interim assignment as director.

Commissioner Sullivan asked that a special meeting, with closed session, be set up to discuss the matter. Consensus of the Board was to have a special meeting for this purpose. Commissioner Gitlin noted his concern regarding ongoing work and making sure that there is a consistent work flow so as not to affect business while this gets ironed out.

**Appoint Tedd Ward Interim Director.**

Mr. Ward presented a memorandum regarding the interim director position and read the report for the record outlining his concerns and requests for accepting the interim director responsibilities. Discussion was held regarding the recommendations outlined in Mr. Ward's memo. Mr. Ward noted that he has attended the meetings and taken minutes for years and has heard the complaints and issues regarding financial responsibilities and spending, but he had never had responsibility or training in oversight of the Authority budget and personnel. Under current circumstances, he said he is not comfortable assuming these responsibilities without further training and explanations about how these responsibilities should be administered. Authority Treasurer Rich Taylor commented that his current monthly fee was low because he does not have to go out and sign claims every day. Mr. Taylor said he would be willing to help in this

time of need, and but if a significant time commitment was needed, the current fee of \$375 per month would not be adequate.

On a motion by Commissioner Sullivan, seconded by Commissioner Gitlin, and unanimously carried, with Commissioner Holley absent, the Authority continued this matter to the next special meeting, including a closed session to discuss and take action on the matter.

Commissioner Wilson asked about the monthly claims process. Mr. Taylor outlined the claims process and two signature requirement to write checks. Mr. Taylor will work on an interim basis to help out and will help to make Mr. Ward comfortable with the finances.

In a public comment, Donna Westfall noted that we have some of the highest tipping fees in California and here we are talking about severance packages, and appointing someone who she feels does not have the experience for finances. Why not hire a bookkeeper and reduce the rates, and get on with it.

Chairman Enea reported that the recent audit report noted that there is \$28,000+ of public funds that are unaccounted for. There were discrepancies noted months ago, and now a special auditor, and the Del Norte County Auditor all found the same information. He noted a police report was filed yesterday with the Del Norte County Sheriff's Department with regard to the missing funds and an investigation is ongoing. Commissioners expressed concern about the missing funds.

**Adjourn.**

The Del Norte Solid Waste Management Authority was adjourned by the Chair at 8:41 A.M., until the next special session set for July 31, 2014 at 8:00 A.M., at the Board of Supervisors Chambers, Flynn Center, 981 "H" Street, Crescent City, California.

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Richard Enea, Chair  
Del Norte Solid Waste Management Authority

Date / /

ATTEST:

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

Date / /