NOTE: These minutes are subject to review and modification by the ACSWMD Executive Board at its next regular meeting.

ADDISON COUNTY SOLID WASTE MANAGEMENT DISTRICT
EXECUTIVE BOARD MEETING MINUTES
ACSWMD CONFERENCE ROOM
1223 Rt. 7 South, Middlebury, VT 05753
Wednesday, March 07, 2018, 3:00 PM

1. CALL TO ORDER – Tim Wickland (TW), Board of Supervisors (BOS) Chair, called the meeting of the Executive Board (E.Bd) to order at 3:05 PM. Other E.Bd members present: Bill Munoff (BM), Ed Payne (EP), Richard Reed (RR), Eric Murray (EM), and Cheryl Brinkman (CB). Staff present: Patti Johnson (PJ), Business Mgr.; Don Maglienti (DM), Program Manager; and Gary Hobbs (GH), Transfer Station Supervisor.

2. APPROVE THE AGENDA –
Motion #1: RR moved to approve the agenda as presented. BM seconded the motion.
VOTE: Yes – 4 (TW, BM, RR, CB). No – 0. Abstain – 0.

3. MINUTES OF JANUARY 10, 2018 MEETING –
Motion #2: BM moved to approve the minutes of January 10, 2018. CB seconded the motion.
VOTE: Yes – 4 (TW, BM, RR, CB). No – 0. Abstain – 0.

4. PUBLIC COMMENT PERIOD – The Chair opened the Public Comment Period.

5. MANAGER COMMENT PERIOD – None.

6. FINANCIAL REPORTS –
a. December 2017 & January 2018 Financial Reports – December financials will be finalized upon completion of the 2017 Annual Audit. January saw a loss of $22k, which is typical for the slow winter month. January tonnage was up slightly over last year: 1,507 tons v. 1,461 tons in 2017.
b. January ACR – The January ACR (average commodity revenue) was down to $36.67/ton as the recycling market prices continued to drop. The District’s contract with Casella contains a minimum ACR rate of $75/ton; we therefore had to pay the difference, for a total of $6,247 in January.
c. Audit Update – Draft financials have been received from the auditor, and staff is in the process of finalizing Management’s Discussion & Analysis (MD&A) to accompany the audit. The Final Audit will be presented to the E.Bd at its April 4th meeting.
d. Municipal Diversion Grant Applications – No new applications received.
e. School Diversion Grant Applications – No new applications received.

7. NEW BUSINESS –
a. Presentation: Mike Norris, Norris Brothers Solar Development, LLC. – Mike Norris (MN) gave a presentation on the Norris Brothers Solar Development in Brandon. PJ noted an error on the proposal that the District would save $280,000 over the contract term, which is not possible. MN apologized for the error. PJ asked about the terms, and MN stated there was a 25-year commitment at 7% savings to the District. PJ asked what the risks were to the District, and MN stated there were none. MN mentioned that Middlebury College has also signed up with Norris Brothers as an offtaker on a similar project. BM asked how MN determined the 7% credits to the District, and MN responded that is the amount they calculated for them to turn a profit. MN added that Green Mountain Power (GMP) and Norris Brothers calculate the net amount credit to the District each quarter. The District would then have two monthly bills to pay- one to GMP and one to Norris Brothers. With credit for the solar generation, the District’s monthly GMP bill would be substantially smaller. MN stated they are looking for a decision from the District sometime in April. MN stated he needed contracts in hand for the bank to provide capital to fund the project. BM suggested that the District explore this proposal and that perhaps an RFP is in order to see what else is out there. RR stated that staff needs to put some numbers together to see what kind of savings this amounts to.
and if this is a wise move. CB asked what would happen if we dissolved, and MN said the contract would go away. She also asked if there were any upfront or continuing fees. MN stated there were none.

b. Draft #1 Transfer Station & MRF Site Selection Criteria – CB reported that the Town Meeting Day survey on regional drop-offs was distributed to all BOS members. CB reviewed the MDAC’s first draft of edits to the Site Selection Criteria, which had to be updated as part of the SWIP to meet current standards in the VT Solid Waste Rules and to include a general reference to conformance with local zoning regs. The E.Bd accepted the edits.

c. Establish Nominating Committee – The Chair reported that it is the time of year to prepare a slate of nominated officers and E.Bd members for the April annual meeting. The Chair and CB volunteered to serve as the Nominating Committee. The Chair asked E.Bd members to let them know if they would like to remain on the E.Bd. BM volunteered to be nominated for Chair. CB may also be interested in Chair. The Chair volunteered to serve as Vice Chair. Staff will send out a Nominating Comm. letter to the BOS early next week.

d. Legislative Update: S.285, HHW Bill H.560 – DM provided a brief overview of two pieces of legislation that are currently being considered. S.285 originally contained provisions that would have substantially weakened the organics diversion charges under Act 148, but many of these provisions have since been removed. For example, it does not remove the organics diversion requirements as they apply to generators. As it stands now, the legislation makes a minor change to the time period during which facilities must offer collection of leaf & yard residuals. It also expands the definition of “facility” to include bag-drop or fast-trash collection sites, which effectively adds organics diversion requirements to those sites. It does, however, remove the July 1, 2018 requirement for haulers to begin the collection of food residuals. H.560 is the first attempt for VT to pass a product stewardship law for the collection, transportation, and disposal of HHW. The legislation as it now stands will create a product stewardship system that begins in 2020, unless a stakeholder working group convened by ANR can identify an alternative method for improving diversion of HHW while reducing the cost burden on municipalities. The new stewardship program would be similar to other programs in place in VT in that it would require industry to meet certain standards for education and outreach, collection convenience, and participation. It would also cover all costs associated with collection, transportation and proper disposal of all HHW.

8. EXECUTIVE SESSION –
   Motion #3: EM moved to enter into executive session at 4:50 PM to discuss a hauler issue. EP seconded the motion.
   VOTE: Yes – 6 (TW, BM, EM, EP, RR, CB). No – 0. Abstain – 0.
   Motion #4: EM moved to exit out of executive session at 5:01 PM. BM seconded the motion.
   VOTE: Yes – 6 (TW, BM, EM, EP, RR, CB). No – 0. Abstain – 0.

9. AGENDA ITEMS for March 15, 2018 Board of Supervisors Meeting: With no action items to present to the BOS this month, staff recommends cancelling the March BOS meeting.
   Motion #5: CB moved to cancel the BOS March 15, 2018 meeting. EM seconded the motion.
   VOTE: Yes – 6 (TW, BM, EM, EP, RR, CB). No – 0. Abstain – 0.

10. OTHER BUSINESS – None.

11. APPROVAL OF PAYMENTS – Invoices paid in January & February 2018 were reviewed/ approved.

12. ADJOURN –
   Motion #6: EM moved to adjourn the meeting at 5:02 PM. BM seconded the motion.

I agree that this is an original of the March 7, 2018 minutes that were considered and approved by the E.Bd at its meeting of .

Teresa A. Kuczynski, District Clerk