

MINUTES OF
CITY AND COUNTY OF SANTA FE
SOLID WASTE MANAGEMENT AGENCY
JOINT POWERS BOARD

Santa Fe, New Mexico

January 19, 2006

I. CALL TO ORDER

A regular meeting of the City and County of Santa Fe Solid Waste Management Agency Joint Powers Board was called to order by Chair Virginia Vigil at approximately 4:00 p.m., on this date in the Legal Conference Room at the Santa Fe County Courthouse, 102 Grant Street, Santa Fe, New Mexico. Roll call indicated a quorum was present as follows:

II. ROLL CALL

Members Present:

Commissioner Paul Campos
Councilor Miguel Chavez
Commissioner Michael Anaya
Commissioner Virginia Vigil, Chair
Councilor Karen Heldmeyer
Councilor Coss

Members Absent:

None

Staff Present:

Randall Kippenbrock, Facility Manager
Justin Stockdale, Recycling Special Project Manager
Sally Padilla, SWAMA staff
Jodie Gonzales, Scale and Administration Manager
Jill Holbert, City Solid Waste Management Director
Jim Montman, Public Utilities Director
Len Montoya, AFSCME
Mark Basham, SWAMA Attorney
Denise Cox, Stenographer

III. APPROVAL OF AGENDA

Councilor Coss moved approval of the agenda as published. Commissioner Campos seconded the motion which passed by unanimous voice vote.

**IV. APPROVAL OF MINUTES
November 3, 2005**

Commissioner Campos moved approval of the minutes of November 3, 2005. Commissioner Anaya seconded the motion which passed by unanimous voice vote. [Councilor Coss abstained from voting as this was his first meeting].

November 17, 2005

Councilor Heldmeyer moved approval of the minutes of November 17, 2005. Commissioner Campos seconded the motion which passed by unanimous voice vote. [Councilor Coss abstained from voting as this was his first meeting].

V. MATTERS FROM THE PUBLIC

None.

VI. MATTERS FROM THE EXECUTIVE DIRECTOR

(A) Discussion with possible action on the Santa Fe Race Track Manure.

Mr. Kippenbrock reviewed the memorandum prepared for the packet. He said his understanding is that there may be a composting project with another composter in the state which is not confirmed.

Councilor Heldmeyer suggested postponing this until the next agenda as there has not been an indication as to what the Race Track plans to do.

Councilor Heldmeyer made a motion to postpone this item until the next agenda. Councilor Chavez seconded the motion.

Commissioner Campos asked if the Pueblo is still asking for a waiver or if they are planning to pay for the disposal.

Mr. Kippenbrock replied that no requests were made of this nature.

There being no abstaining or dissenting votes, the motion passed by unanimous voice vote.

(B) Status report on cell development

Mr. Kippenbrock reported on the cell development encompassing cells 4B, 5A and 6A. He showed photos of the cells. He said a volume calculation was done based on the topographic survey. He explained that the volume remaining is at least 12-15 months. He added that the next cell development will need to be completed by that time. He reviewed the photographs in the packet.

Councilor Chavez clarified that the basalt is in cell 4A and asked how much is there.

Mr. Kippenbrock replied that the basalt is 20-25 feet thick. He said they are currently in the RFP process to get the basalt removed.

Commissioner Anaya asked how long it will take to develop the cell.

Mr. Kippenbrock said there was approximately 500,000 cubic yards of dirt to be removed and the stockpile indicates that about 143,000 yards have been removed already. He was not sure how long it would take to remove the basalt and said at the next meeting he could provide a better estimate as to the time frame. He said that they actually need to have the material removed three months prior to using the area so that they can get the cell lined and ready for use.

Commissioner Anaya asked where the RFP for these projects is.

Mr. Kippenbrock said the committee would review the submittals next week. He added that he is still working with Santa Fe Aggregate.

Commissioner Anaya asked if the Agency has the equipment to remove the material.

Mr. Kippenbrock replied that it must be blasted out and the Agency does not have any of the equipment necessary for removal.

Councilor Coss asked what the quality is on the basalt.

Mr. Kippenbrock replied that the laboratory testing done on the basalt indicated that it could be used for concrete, highway material, and base grade material.

Councilor Coss asked how long it takes to revegetate the disturbed land.

Mr. Kippenbrock said that they reseeded last March and they try to every Spring. He said typically landfills are very difficult to reseed as it is sub-grade material which is much different than top soil. He said there should be some improvement seen this spring.

Commissioner Anaya asked what is being done with the basalt rock once it is removed and crushed into gravel material. He wondered how this could help out the City and County with projects that need to be taken care of.

Mr. Kippenbrock said the RFP was designed to capture as much of the material as possible to take advantage of using the material.

Chair Vigil requested that Mr. Kippenbrock contact the Public Works Directors for the City and County to work out a partnership.

Councilor Coss asked if letting the contractor take the material defrays the excavation costs and if that is how the RFP is set up.

Mr. Kippenbrock said that is the purpose of the RFP. He said that they are asking for the best scenario the contractor can provide the agency for the cost. He said blasting can run anywhere from \$1.40 per cubic yard up to \$5-6 per yard. He said this landfill is unique as half of the landfill is basalt and the other half does not have that material.

Councilor Chavez said after the basalt is processed there is a process of marketing the material. He said additionally they have quantified the quality of this material as being a higher grade than what is on the market normally.

Mr. Kippenbrock commented that Councilor Chavez is correct and the material is high quality. He said they hope to saturate the local market and mature the market through the rail system. He said the rate of moving out material is dictated by transportation as there is much more material than demand currently. He said they will need to expand the demand.

Councilor Heldmeyer said the large increase in supply may depress the price overall.

Mr. Kippenbrock said the NMDOT projects will increase the demand for the material. He added that Los Alamos county wants to cap off the closed landfill which will require a need for riff raff material.

(C) Approval to create a temporary heavy equipment operator position.

Councilor Heldmeyer moved approval of this request. Councilor Coss seconded the motion which passed by unanimous voice vote.

(D) Approval to purchase a caterpillar 242B Skid Loader from Wagner Equipment under Caterpillar's GSA Contract #GS-301F-1025D for the BuRRT Facility.

Mr. Kippenbrock reported that the Agency purchased most of the equipment needed from the City when they took over the transfer station, but the City elected to keep a small loader which is currently being borrowed until the Agency gets their own equipment. He said this is vital for glass crushing and recycling operations.

Commissioner Anaya moved approval of this request. Councilor Heldmeyer seconded the motion which passed by unanimous voice vote.

Councilor Chavez asked if this was on the list for replacement and if not when the one they are using is scheduled to be replaced.

Mr. Stockdale said it was not an option to purchase the piece of equipment from the City. He said there will be a 10-year life span on the one purchased if approved.

There being no abstaining or dissenting votes, the motion passed by unanimous voice vote.

(E) Approval of a Memorandum of Understanding between the Santa Fe Solid Waste Management Agency and Los Alamos County for Recyclable Processing and Marketing Services

Mr. Kippenbrock reported that this will help the transfer station achieve their benchmark for revenues.

Mr. Stockdale said this is not effective until notice is given to Los Alamos County regardless of if it is approved today. This does enable the City and County to achieve a higher benchmark status in revenue sharing. He said the intent on offering the revenue sharing was to entice and encourage them to increase their recycling. The more tons received the greater the benefit to the City and the County.

Councilor Chavez asked how this affects Albuquerque's time line in receiving materials.

Mr. Stockdale reported that prior to taking over the transfer station he received a call from the City of Albuquerque saying that they were shut down due to mechanical difficulties for up to three weeks and could not receive materials. He said the acceptance of receiving materials has been delayed and Albuquerque may never receive Santa Fe's material again. He said this is unfortunate and the Agency is exploring every opportunity that they have. He said they have engineered latitude in this agreement with Los Alamos so that the Agency can determine the date that they will receive material so that this will not add to the problems being encountered currently.

Councilor Chavez understood that the material would not be land filled, so he asked if stockpiling was an option.

Mr. Stockdale said that is an option to a degree as this has been done for the past 3 ½ weeks. He noted that there is only 5 weeks of storage at the facility.

Councilor Chavez asked if the Board should move forward on this MOU and then have a separate discussion about the issue with Albuquerque. He said the immediate situation will not impact this agreement.

Commissioner Campos moved approval of this request. Councilor Coss seconded the motion which passed by unanimous voice vote.

(F) Approval of Policy No. 2006.1 – Qualified Users for Free Disposal Program

Mr. Kippenbrock reviewed the memorandum in the packet.

Councilor Chavez asked what the difference is between waived and discounted.

Mr. Kippenbrock said waived means it is discounted completely.

Councilor Chavez asked if individuals faced with economic hardship would have to demonstrate and verify the need.

Mr. Kippenbrock replied that usually the Fire Department gets involved.

Councilor Heldmeyer moved approval with direction to staff to contact all the nonprofits after this has passed. Councilor Chavez seconded the motion which passed by unanimous voice vote.

(G) Approval of Revisions to Santa Fe Solid Waste Management Agency's Personnel Policy Manual Regarding Grievance Procedure.

Mr. Basham explained that late last year there was a grievance filed against the Executive Director which prompted looking at the policies and procedures that were in place. The policies were unworkable for such a small organization as it called for an employee board. He commented that during the executive session, the Board agreed that they did not want to deal with these personnel issues. He pointed out that this is for nonunion employees only. This change creates a hearing officer who would have the final say.

Councilor Heldmeyer asked if this is consistent with the new state laws regarding personnel action.

Mr. Basham replied that he is not familiar with the new state laws, but this is more than adequate due process in respect to discipline. He added that with respect to the grievance the parties agreed to go to mediation to resolve the issue.

Councilor Chavez moved approval of the revisions. Councilor Campos seconded the motion which passed by unanimous voice vote.

VII. MATTERS FROM STAFF

Mr. Stockdale gave an update on the transfer station. The doors opened January 6th to a 7-day schedule (8-5 p.m.) with great success. He said there have been lots of questions, but it has been running very smoothly with very few complaints. He thanked staff for all their hard work in getting this going.

Councilor Chavez said the spectrum is much broader in what is received, but it is positive. He suspected that the inspections take more time as the material is varied.

Commissioner Anaya asked if trash is still being received at Caja Del Rio.

Mr. Stockdale explained that they are not receiving it there unless it is a vehicle over 12,500 pounds. He said initially there was some hesitation, but the public has now embraced the new facility. He noted the biggest problem being loads without tarps.

Commissioner Anaya asked what the policy is for loads without tarps.

Mr. Stockdale said they can pay \$15 for the fine and receive a tarp for their future use or they can leave the site and come back with a tarp. He has not seen any negative impact with fresh dump sites.

Commissioner Anaya asked if they track whether the person comes back as he is concerned about illegal dumping.

Mr. Stockdale said that they do not track it, but generally the person is back within 20 minutes or so.

Commissioner Anaya asked if a transfer station at Caja Del Rio would be beneficial.

Mr. Stockdale said a convenience center on the south side of Santa Fe near all the new development would be more beneficial. He said the area south of Rodeo Road is a problem.

Councilor Heldmeyer noted that it is hard to find the website and the information is outdated. She said that there might not be the expertise among staff to fix that, but she recommends hiring someone to update that. She said the facility is new and people will be looking for the information.

Councilor Chavez suggested meeting with Public Access and doing a blitz for a week or two to get the word out.

Mr. Stockdale said he has been invited to their monthly program and just has not had time to respond to that request, but plans to.

Councilor Chavez noted that he is glad to pay more for the safety and convenience of the transfer station.

Councilor Heldmeyer requested that the educational position approved for the transfer station be advertised soon as this position can really help make the transition smoother.

Mr. Kippenbrock agreed that the website is outdated and explained that they have been working on a contract to update this and improve the web page. He said there are so

many common questions that could be answered with a more effective website. He asked Mr. Stockdale to elaborate on the possible funding from the State and also the question as to whether the Los Alamos material is clean.

Commissioner Anaya and Councilor Coss left at this time, but a quorum remained.

Mr. Stockdale explained that LANL has their own internal recycling program and none of that material will be coming to Santa Fe. He said the Los Alamos landfill will close within the next 12 months and there are questions as to where their material will go. In regards to the funding, he said the lobbyist is under contract. He said it is expected that they will receive funding from the Governor's Capital Outlay Budget, but the budget has not yet been made public.

Councilor Chavez requested that this Board be kept updated so that if there was a need to go testify they could do so.

Chair Vigil requested that she be placed on the email list regarding any hearings as well.

VIII. MATTERS FROM THE BOARD

Councilor Chavez asked what the options are in regards to the situation with Albuquerque which appears to be approximately six months.

Mr. Stockdale said the time frame is hard to say. He said the time frame hinges on when the bid is issued and the Board can approve a contract. He asked that the Board be prepared for an emergency meeting if necessary to process the bid as quickly as possible. He said they will continue to pursue an outside third party contract to support the operation. He added that they would try to find the funds through SWMA to support the City and County if the fees are higher according to where the material is processed. He said another option is re-approaching the City of Albuquerque as they are not positive at what level the decision is being made at as well as when their facility will be up and running again. He said the worst case scenario would be having to landfill minimal materials which occurs every day around the United States. He added that they would do everything possible not to do this, but it could happen.

Councilor Chavez expressed concern with landfilling recycling material as it erodes the confidence of customers. He suggested adding a disclaimer stating that in the interim period there may be material landfilled as people will be watching closer during this initial period of operations.

Mr. Stockdale agreed and said he would be as honest and upfront as possible. He said if this occurred they definitely would not hide the fact. He said his intent is to wait to make an announcement until it is clear that this is what they will need to do.

Councilor Heldmeyer said the Board needs to make clear that putting recycling in the landfill is the absolute last ditch action. She felt that if it cost \$1 million to move the

recycling then it would be necessary to landfill the material, but if it is \$10,000 it is worth doing.

Mr. Stockdale agreed to draft a resolution to that effect so that the policy is very clear.

Mr. Kippenbrock announced the next two dates for the Board meetings; February 16th and March 16th at 4 p.m.

IX. ADJOURNMENT

There being no further matters to discuss and the agenda having been completed this meeting was adjourned at 5:15 p.m.

Approved by:

Commissioner Virginia Vigil, Chair

Submitted by:

Denise Cox, Stenographer

ATTEST TO:

**Valerie Espinoza
Santa Fe County Clerk**