

SUMMARY OF ACTION
SANTA FE SOLID WASTE MANAGEMENT AGENCY
JOINT POWERS BOARD
SANTA FE COUNTY ADMINISTRATION BUILDING
LEGAL CONFERENCE ROOM
102 GRANT AVENUE
THURSDAY MARCH 21, 2019, 5:00 PM

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REQUEST FOR APPROVAL OF SOLE
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SPRINGS, NY
CP MANUFACTURING, INC.,
SAN DIEGO, CA
SMORACY, LLC (BANDIT INDUSTRIES),
REMUS, MI
VAN DYK BALER CORP. (VAN DYK
RECYCLING SOLUTIONS),
STAMFORD, CT

APPROVED

2-3

REQUEST FOR APPROVAL OF
AMENDMENT NO. 1 TO THE SERVICES
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TRANSPORTATION, LLC OF ESPANOLA,
NM, FOR THE GLASS HAULING
SERVICES FOR THE BUCKMAN ROAD
RECYCLING AND TRANSFER STATION
(RFB '18/09/B); AND
CHANGE THE COLORADO DELIVERY
LOCATION TO MOMENTUM RECYCLING,
BROOMFIELD, CO
EXTEND THE TERM OF THE AGREEMENT
THROUGH MARCH 15, 2020
INCREASE THE AMOUNT OF
COMPENSATION BY \$79,050 FOR A TOTAL
NOT-TO-EXCEED AMOUNT OF \$206,550

APPROVED

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REQUEST FOR APPROVAL OF SERVICES
AGREEMENT WITH PAYNE'S NURSERY
AND GREENHOUSE, INC. OF SANTA FE, NM,
FOR COMPOSTING OPERATIONS,
MARKETING, AND SALES AT THE CAJA DEL
RIO LANDFILL FOR THE SANTA FE SOLID
WASTE MANAGEMENT AGENCY
(RFP NO. '19/20/P).

APPROVED ON CONSENT

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REQUEST FOR APPROVAL TO AWARD
BID NO. '19/10/B - LITTER FENCING FOR
THE CAJA DEL RIO LANDFILL TO METTA
TECHNOLOGIES OF TOLEDO, OH, IN THE
AMOUNT OF \$123,380.
APPROVAL OF BUDGET INCREASE TO
52501.572400 (INVENTORY EXEMPTS)
FROM 5500,100700 (OPERATING FUND
CASH) IN THE AMOUNT OF \$123.380.

APPROVED

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AND SUPPLEMENTARY INFORMATION
FOR THE YEAR ENDED JUNE 30, 2018
(CLIFTONLARSONALLEN)

APPROVED

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ON A MEMORANDUM OF
UNDERSTANDING BETWEEN THE CITY
OF SANTA FE, SANTA FE COUNTY
AND THE SANTA FE SOLID WASTE
MANAGEMENT AGENCY FOR THE
MAINTENANCE, REPAIR AND
REPLACEMENT OF WILDLIFE WAY,
ON THE ACCESS ROAD FOR THE
CAJA DEL RIO LANDFILL.

APPROVED

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APPROVED

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**SANTA FE SOLID WASTE MANAGEMENT AGENCY
JOINT POWERS BOARD
SANTA FE COUNTY ADMINISTRATION BUILDING
LEGAL CONFERENCE ROOM
102 GRANT AVENUE
THURSDAY MARCH 21, 2019, 5:00 PM**

I. CALL TO ORDER

The meeting of the Santa Fe Solid Waste Management Agency Joint Powers Board was called to order by Commissioner Anna Hamilton, Chair, at 5:00 pm on Thursday, March 21, 2019, at the Santa Fe County Administration Building, Legal Conference Room, 102 Grant Avenue, Santa Fe, New Mexico.

II. ROLL CALL

MEMBERS PRESENT

Commissioner Anna Hamilton, Chair
Councilor Renee Villarreal, Vice Chair
Councilor Michael Harris
Commissioner Anna Hansen
Commissioner Ed Moreno

MEMBERS ABSENT

Councilor JoAnne Vigil Coppler Excused

OTHERS PRESENT

Randall Kippenbrock, Executive Director, SWMA
Nancy Long, Long, Komer and Associates
Rosalie Cardenas, SWMA
Les Francisco, Santa Fe County
Eric Lucero, City of Santa
Neal Denton, Santa Fe County
Erica Martinez, SWMA
Jenny Wilson, Santa Fe County
Laura Beltran-Schmitz, CliftonLarsonAllen
Elizabeth Martin, Stenographer

III. APPROVAL OF AGENDA

MOTION A motion was made by Commissioner Hansen, seconded by Councilor Villarreal, to approve the agenda as presented.

VOTE The motion passed unanimously by voice vote.

IV. APPROVAL OF CONSENT AGENDA

Commissioner Hansen pulled items C and E for discussion.

Councilor Harris pulled item B for discussion.

MOTION A motion was made by Councilor Harris, seconded by Councilor Villarreal, to approve the consent agenda as amended.

VOTE The motion passed unanimously by voice vote.

**V. APPROVAL OF MINUTES
NOVEMBER 15, 2018**

Commissioner Hansen said her name is misspelled in a few places and on page 9 it is Costco.

MOTION A motion was made by Commissioner Hansen, seconded by Commissioner Moreno, to approve the minutes as amended.

VOTE The motion passed unanimously by voice vote.

VI. MATTERS FROM THE PUBLIC

None.

VII. CONSENT CALENDAR

- A. REQUEST FOR APPROVAL OF RESOLUTION 2019-_____. A RESOLUTION DETERMINING REASONABLE NOTICE FOR A PUBLIC MEETING OF THE SANTA FE SOLID WASTE MANAGEMENT AGENCY.**

Approved on consent.

- B. REQUEST FOR APPROVAL OF SOLE SOURCE VENDORS:**

- 1. ANDELA PRODUCTS, LTD., RICHFIELD SPRINGS, NY**
- 2. CP MANUFACTURING, INC., SAN DIEGO, CA**

3. SMORACY, LLC (BANDIT INDUSTRIES), REMUS, MI
4. VAN DYK BALER CORP. (VAN DYK RECYCLING SOLUTIONS), STAMFORD, CT

Councilor Harris said we are having a lot of discussions at the City level on our procurement moving to the State Procurement Code. He doesn't have a issue with sole source. The second paragraph references a section number. Do we have our own procurement regulations or do we use the City, County or State.

Mr. Kippenbrock said SWMA uses the State Procurement Code for the most part. The State of New Mexico supercedes every other policy. In our policy it references the State Procurement Code.

Councilor Harris asked so this is our policy, but it refers to the State Procurement Code. So when you say for the most part are you saying we have a Procurement Code that generally tracks with the State Procurement Code.

Ms. Long said that is accurate.

Mr. Kippenbrock said ours is the State Procurement Code in laymen terms addressing specific items.

Councilor Harris asked when was the last time it was reviewed.

Mr. Kippenbrock said in 2013. Updates are scheduled for 2019.

Councilor Harris said good. It sounds like something we should do.

Ms. Long said when the City was different from the State Procurement Code SWMA was subject to State law. We had to follow State law.

Councilor Harris said now that the City has adopted the State Procurement Code it should be an easier task.

Ms. Long said she and Mr. Kippenbrock have talked about some revisions and the process. It should be easier.

MOTION A motion was made by Councilor Harris, seconded by Councilor Villarreal, to approve the request.

VOTE The motion passed unanimously by voice vote.

Commissioner Hansen said she was concerned about the State Procurement

Code also and is glad Councilor Harris brought it up. Thank you.

C. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE SERVICES AGREEMENT WITH PRO-MOTION TRANSPORTATION, LLC OF ESPANOLA, NM, FOR THE GLASS HAULING SERVICES FOR THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION (RFB '18/09/B); AND

- 1. CHANGE THE COLORADO DELIVERY LOCATION TO MOMENTUM RECYCLING, BROOMFIELD, CO**
- 2. EXTEND THE TERM OF THE AGREEMENT THROUGH MARCH 15, 2020**
- 3. INCREASE THE AMOUNT OF COMPENSATION BY \$79,050 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$206,550**

Commissioner Hansen said she understands this is the best price, but she still wants to continue to recycle glass and is hoping we can start to encourage people to take glass to glass recycling places. She met a gentleman on the plane who runs recycling in Connecticut who said you really have to go a long way to recycle your glass. He was talking about in town. It was an interesting comment. They ship all their trash to the Midwest and do not bury trash in their State. Their recycling program is stronger. She wanted to note that. Recycling glass is really important. There was an RFP we put out. Did we not hear anything from any other places that take glass. Are we not getting the traction that we possibly could to get money from our glass. She visited Growstone and they were not getting enough glass from Albuquerque. What is happening there. If we could sell the glass locally she is interested in seeing that happen. Did we not get this RFP to the right people.

Mr. Kippenbrock said first of all this is the second year of our request to transport glass to Denver. There is a glass recycling plant there. As of today Growstone is not processing any of their glass. Their plant is next to the Albuquerque landfill and is dormant. The City of Albuquerque is not able to take glass to them until June. When we did sell glass to Growstone the price we got was \$5.00 a ton, but we also had to crush the glass. In this proposal we get \$35.00 a ton and we don't have to crush it. Transportation costs \$56.00 a ton, the rebate is \$35.00 a ton and our tipping fee is \$15.00 a ton so we are \$6.00 off. We are not near breaking even, but this is much better than the previous situation.

Councilor Harris said it would be good to look at this program. His first question is how did it go down. Is it a matter of volume.

Mr. Kippenbrock said the first year he took 2,000 tons and came up with the amount of loads to come up with the number, but there was some period of time when the hauler was unable to transport and we crushed the glass. 700 tons were crushed on site so it is closer to \$80,000.

Councilor Harris said he thinks the discussion should be about the sustainability of the glass program. The glass is generated and we haul it, crush it and haul it to Colorado. At what point is this not sustainable and not smart environmentally. That has to be question asked and answered. Have you looked at that. Ever since he has been on this Board recycling has been something everyone spoke of very positively. There needs to be an understanding that there is a sustainable plus cost to this.

Chair Hamilton said we had some of this discussion last year. It was generated in part by problems with Friedman and more material transportation to Albuquerque and trucked back here. The concept of looking at that from a sustainability point of view and the costs and what we are gaining economically through recycling is important. One of the comments was that in no way do we want to discourage recycling at all and that it has merit and is a factor to consider. She supports the idea of doing an analysis so we have the information.

Councilor Harris said absolutely right Chair Hamilton. We had a reminder from Friedman. Whether it was false expectation or value or things of no value, people were throwing in for single stream. It was aspirational recycling. The question is if glass recycling, for what we do, is aspirational given what we have to do to collect it, move it around town and transport it.

Commissioner Hansen said one of the things this makes her think about is thinking outside the box. She feels like we are faced with a recycling dilemma and we are continuing to do the same thing like shipping it further when there are people who have ideas of things that can be done. This is an economic development opportunity. We need to push that out to the market place and the minds of people and think of recycling in new ways. She wants us to encourage, as a Board, the idea of looking at this as a big picture and talk about economic development and use of the materials. It is a bigger discussion for sure. That is why she pulled it off the agenda. She feels we need to know what is wrong with Growstone. What is not working for them. What is the problem with their model. She supports this for another year, but is hoping we make a bigger effort in the future to educate people

MOTION A motion was made by Commissioner Hansen, seconded by Councilor Harris, to approve this request.

Councilor Villarreal asked regarding the Espanola hauling companies, Did they decide not to be part of this. Why did they decide not to do this.

Mr. Kippenbrock said we did not use them for this year. We tried to reach out to

them and they were unavailable.

Councilor Villarreal said she thought we did at BuRRT some glass crushing for road construction. Are we still doing that.

Mr. Kippenbrock said no.

Councilor Villarreal asked what percentage of the glass crushed is for public use.

Mr. Kippenbrock said there is only a small quantity that the public will pick up. It usually is not the color they want. Our glass crusher is antiquated. About three to four years ago at various meetings of stake holders the question was to continue glass or not and curbside or not. They came up with the drop off center. Then the big push was to convert it back to bottles and we went to the Denver operation at that time.

Commissioner Hamilton said she still gets comments and questions about not having curb side pick up for glass. She is not sure there is a satisfactory answer for that. She is also puzzled why anyone thought single stream was a good idea. She is not a professional at this, but she thinks that is a bigger question. It was the movement toward single stream she never got.

Councilor Villarreal said it is a hard thing to explain to people when they don't understand the economic pipeline and the workers comp claims that occurred due to curb side glass pick up.

Mr. Eric Lucero said it is easier for Randall to find markets for it. Economically we have to run a truck twice through the route or invest a few million more into separate containers for glass and double the equipment for that.

Chair Hamilton said she has no problem dropping everything off. A lot of the economics involved are from having to develop things for the market. The RFP went out and you may have to reevaluate again what we do moving forward.

VOTE The motion passed unanimously by voice vote.

- D. REQUEST FOR APPROVAL OF SERVICES AGREEMENT WITH PAYNE'S NURSERY AND GREENHOUSE, INC. OF SANTA FE, NM, FOR COMPOSTING OPERATIONS, MARKETING, AND SALES AT THE CAJA DEL RIO LANDFILL FOR THE SANTA FE SOLID WASTE MANAGEMENT AGENCY (RFP NO. '19/20/P).**

Approved on consent.

- E. REQUEST FOR APPROVAL TO AWARD BID NO. '19/10/B - LITTER**

**FENCING FOR THE CAJA DEL RIO LANDFILL TO METTA
TECHNOLOGIES OF TOLEDO, OH, IN THE AMOUNT OF \$123,380.**

- 1. APPROVAL OF BUDGET INCREASE TO 52501.572400
(INVENTORY EXEMPTS) FROM 5500,100700 (OPERATING
FUND CASH) IN THE AMOUNT OF \$123.380.**

Commissioner Hansen said she looked at the pictures in the packet. Why is it so expensive.

Councilor Villarreal said it is heavy duty metal.

Mr. Kippenbrock said on page 9 there is a black and white photo of the fence. It is twenty four feet wide and fifteen feet high and is, as Councilor Villarreal said, heavy duty metal. He did visit the City of Albuquerque's landfill and looked at their fence. The key thing was that it allowed for a piece of heavy equipment to pick it up and move it around. Other companies products were hard to move around. The ability to pick it up with a bulldozer or compacter was an asset. It has an outrigger on the back side so that if the wind gets over 35 mph it won't tip over. This purchase was spurred by 2018 inspection where they were unhappy with our litter situation. We investigated what was out there. This consists of two semi loads of fencing that will make a U shape around the active area.

MOTION A motion was made by Commissioner Hansen, seconded by Councilor Harris, to approve the request.

VOTE The motion passed unanimously by voice vote.

VIII. MATTERS FROM THE EXECUTIVE DIRECTOR

- A. REQUEST FOR APPROVAL OF AUDITED FINANCIAL STATEMENTS
AND SUPPLEMENTARY INFORMATION FOR THE YEAR ENDED
JUNE 30, 2018 (CLIFTONLARSONALLEN)**

Ms. Beltran Schmitz, CliftonLarsonAllen, handed out the audit book and reviewed the audit with the Board. She stated that SWMA received a clean, unqualified opinion in the audit.

Councilor Harris said congratulations. He did not think he has ever seen as clean an audit as this one and it was on time. Congratulations to Randall and staff. This is very good.

\$9 million. There are three categories there. We had some significant capital equipment outlays. Does that account for the increase.

Mr. Kippenbrock said we had \$3 million in capital equipment expenditures. That included the large scraper, the water line construction project and the street improvements at the landfill. One scraper was rebuilt and one was purchased.

Councilor Harris said that accounts for the increase.

MOTION A motion was made by Councilor Harris, seconded by Commissioner Hansen, to approve the audit report.

VOTE The motion passed unanimously by voice vote.

B. DISCUSSION AND POSSIBLE ACTION ON A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA FE, SANTA FE COUNTY AND THE SANTA FE SOLID WASTE MANAGEMENT AGENCY FOR THE MAINTENANCE, REPAIR AND REPLACEMENT OF WILDLIFE WAY, ON THE ACCESS ROAD FOR THE CAJA DEL RIO LANDFILL.

Mr. Kippenbrock said there is a memo in the packet on this issue. More than a year ago we presented to the Board about possible action on the road improvements and maintenance repairs. We were given instruction from the Board to find out about the ownership of Wildlife Way. Nancy has been working with the City and County attorneys on this and has found that ownership is between Fish and Game, the City and the County, each having a part of the road.

Ms. Long said at the direction of the Board and in conjunction with Mr. Kippenbrock we had several meetings with the City and County attorneys. We have changes and will have to revisit it. Ideas were batted around and documents were reviewed. We discussed several options including who was going to pay for all of this. The City was clear that they did not have room to throw that road into their projects coming up and that they would like SWMA to continue to take care of it. SWMA is responsible for all the maintenance and improvements, but we do it at our own discretion and as we see fit. If we are seeking funding they would cooperate with whatever we need including a Resolution if needed to go for State funding. This is the proposed MOU. We wanted to bring it back to you to let you know what we have been doing and to see if we have your authority to go back and try to get something finalized which is a cooperation agreement with SWMA responsible for financial obligations for maintenance and improvements.

Commission Hansen asked is there such a thing as Federal funds that could be accessed by SWMA.

Mr. Kippenbrock said he did not know and that he thinks it would be more appropriate to seek funds from the State level.

Commissioner Hansen asked why.

Councilor Harris said there may be specific programs to support landfills, but he thinks it is more likely that we would get funds from the State.

Councilor Hansen asked have you done any research to see if there is anything available from the Federal government.

Mr. Kippenbrock said not at this time.

Commissioner Hansen said she thinks Federal funds are under utilized and money is out there and we are not taking advantage of it. That is what she hears when she goes to Washington. She understands SWMA is responsible, but looking for State and Federal funding is important. We need to look into all aspects of where we can find money.

Councilor Villarreal said she thought Federal funds have to funnel through states and that the County cannot apply directly.

Chair Hamilton said that is common in some programs, but she doesn't know specifically.

Commissioner Moreno said beware of gifts. That is his message. He doesn't want to get into the position where we get a grant and then we celebrate and then if we don't start immediately building up the reserves to put them in for the next time it will not be there. He doesn't want to get us into that kind of situation.

Councilor Harris said in general it says at the discretion of SWMA. Mr. Kippenbrock would come to the board for that. When do you think we may need to do something about Wildlife Way.

Mr. Kippenbrock said the third option is the least expensive. We learned from Bohannon Houston that we will need to mill up the old road. We will go as far as we can. We don't want to do this as soon as possible. Five years plus at least. We will tackle the pot holes in the meantime.

Councilor Harris said so time to negotiate. It seems like it should be straight forward. Just getting peoples attention is the bigger problem. We have time to resolve it. He agrees with Commissioner Moreno that sometimes grant money can be a velvet trap. He supports MOU and getting it negotiated.

Chair Hamilton said if there is some suggestion that there are funds being passed

up is there support to help track them down. It takes staff time to track grant money down and find out about it.

Commissioner Hansen said from what she hears and the Congressional staff tells her they will look for it for us. She understands where Commissioner Moreno is coming from. It might be worth looking into if it is a reasonable opportunity.

Councilor Harris said "beware of a gift horse with a silver lining in his month".

Commissioner Moreno said he thinks the strength of this is in the cooperative nature of it. Everyone is in.

Ms. Long said we need a motion to authorize us to proceed along the lines of the MOU.

MOTION A motion was made by Councilor Harris, seconded by Commissioner Moreno, to authorize Ms. Long and Mr. Kippenbrock to proceed along the lines of the MOU.

VOTE The motion passed unanimously by voice vote.

C. PRESENTATION, DISCUSSION AND POSSIBLE ACTION ON THE FISCAL YEAR 2019-2020 PROPOSED BUDGET.

Mr. Kippenbrock said this item is a presentation of and possible action on our proposed budget FY 2019-2020. His memo, attachments and justification are in the packet. We will come back in May for a more complete proposal. He reviewed the material in the packet.

Mr. Kippenbrock informed the Board that for service contracts you can expand contracts from four to ten years if they are greater than \$25,000 and have past the first four years under the State Procurement Code.

Councilor Harris said he appreciates getting this narrative in bullet form. It makes it easy to start to understand. He is a bit surprised about COLA at 4.2. That is not a calculation we make. His question is your status as far as Executive Director. Is your contract subject to COLA.

Mr. Kippenbrock said yes.

Councilor Harris asked do you expect the Board to engage in a performance review. He just wants to know what to expect. You are doing a fine job.

Mr. Kippenbrock said he gets the COLA, but he is also subject to performance evaluation. There is no merit attached to this budget or to a performance evaluation. He does not want to get anything his employees do not get.

Councilor Harris said we did not do a performance evaluation this year. It is a good idea to do one this year for for the record. There could be changes on this Committee on the City side after the election in November.

Councilor Villarreal asked last year we did COLA.

Mr. Kippenbrock said yes. It was 2.1 last year. We did a map on the City minimum wage that went up and it was 4%.

Councilor Villarreal asked on page 4 service contracts increased \$103,000. Is that just regular stuff. What caused increases in those.

Mr. Kippenbrock said we use actual costs so we make adjustments up or down.

Councilor Villarreal asked you adjust from last years numbers to current numbers, but why the increase.

Mr. Kippenbrock said on the bank charges the use of credit cards increased at the BuRRT Transfer Station so that is based on actual. He also included fire extinguishers inspections which were not include before and janitorial services increased as well.

Councilor Villarreal said on page 5 under purchase orders, they are carry overs. Please explain that.

Mr. Kippenbrock said we have open POs and we know we are still waiting for items from the POs. He is letting the Board know that this is the amount of POs still open that will carry over July 1st.

Councilor Villarreal said we usually get the full operating budget in our packet.

Mr. Kippenbrock said you are right and it is not in here and should have been in the packet.

Councilor Villarreal asked will we get that in the next packet.

Mr. Kippenbrock said yes.

Councilor Villarreal said she is just trying to figure out how the POs integrate into the overall budget.

Chair Hamilton said we have the recycling RFP being evaluated. You mention here recycling is still in a difficult spot. Is that reflected in these numbers.

Mr. Kippenbrock said yes. He set aside \$600,000 for recycling fees. It could be higher. We will know the financial impact next month. We will award the contract for recycling next month.

Chair Hamilton said we have talked about the need for a rate evaluation. You were going to do part of that what the impact would be on the Reserve Funds. Could you talk about that a bit.

Mr. Kippenbrock said the rate study, by NewGen, will project out five years and will be broken down by each category. It will allocate administrative and indirect costs and will propose some rates. He will be looking at the overall picture. Right now they need to get all our information first then they will project capital improvements and equipment replacement.

Mr. Kippenbrock said next month we will have the recycling contract to consider and in May the final version of the budget.

Chair Hamilton asked the Payne's Nursery is doing composting with green waste and food waste and what else.

Mr. Kippenbrock said manure.

Chair Hamilton asked from where.

Mr. Kippenbrock said it is brought in from County residents.

Chair Hamilton said so livestock.

Chair Hamilton asked how much of the green waste do they manage. Do they use all the green waste.

Mr. Kippenbrock said no. The City of Santa Fe is our biggest buyer at 50% of what we generate.

Councilor Harris said two years ago Councilor Maestas said in response to hauling all construction debris to our site that we did not want to. He has given himself a note to talk to Shirlene Sitton to address that. He will send her a note tomorrow.

D. UPDATES:

1. CAJA DEL RIO LANDFILL STREET IMPROVEMENTS PROJECT

Mr. Kippenbrock said this project has been completed with the exception of the sealant. We are waiting for warmer weather to do that portion.

2. BURRT TRANSFER STATION FLOOR REHABILITATION AND GENERAL STRUCTURE REPAIRS

Mr. Kippenbrock reported that this project is pretty much finalized. We just need to do our final change order which we will present at the next meeting.

Councilor Harris said we talked at one point about a testing protocol. Did all those numbers come in okay.

Mr. Kippenbrock said he was calling for 18,000 PSI, but the specs called for 15,000 PSI and it did meet that.

3. SPRING TRASH AMNESTY DAY - SATURDAY, APRIL 13, 2019, AT BURRT AND CAJA DEL RIO LANDFILL

Mr. Kippenbrock said we have flyers out and will advertise Amnesty Day twice in the New Mexican. There will only be this one day for any kind of trash. This is not for e-waste or tires. Our Plan B is if the weather does not cooperate we will divert to the transfer station.

4. CELL 6B CONSTRUCTION PROJECT

Mr. Kippenbrock said we are doing engineering for the liner design. It will be put out for bid and the award will be in June or July. If all is in place construction should start in the fall and be completed in November of this year.

5. NEWGEN STRATEGIES AND SOLUTIONS COST OF SERVICE AND RATE DESIGN STUDY

This item was discussed previously.

6. OUT OF COUNTY CONSTRUCTION AND DEMOLITION WASTE FROM A 2017 LANL RE-ROOFING PROJECT

Mr. Kippenbrock said we found out about this in the newspaper in 2018. They were cited for not categorizing the construction debris before hauling it off site. He is not sure why they did not reach out to us. We did not know anything about it. The Hazardous Waste Bureau gave him the names of the people at the LANL field office. We are now communicating often. They have a RAMP program where every day they identify a project that the Lab will take care of such as a RAMP project. We were able to talk to Western Disposal. The bottom line is that they claimed they were unaware of the

issue. Since then we have had the roll off containers origin identified and it has curbed down a lot.

Commissioner Hansen asked are any fees or fines charged to them for depositing that material into our landfill.

Mr. Kippenbrock said from us no

Commissioner Hansen asked why not.

Mr. Kippenbrock said this is what he was able to come up with at this time.

Councilor Harris said there are a lot of violations on this. It is very troubling.

Chair Hamilton said they are not disposing of radioactive waste. The violation was that they did not classify it at the time. Was it contaminated roofing material.

Councilor Harris asked do we know when the roof was put on. What are the material specifications. He doesn't think we are done with this.

Commissioner Hansen said she finds this really egregious that the hauler states that he did not know. He didn't read contract or procedures. Anything that comes out of LANL could have radiation in it and asbestos and contamination in it. The old roof could have been fifty years old and contaminated. Who knows what contaminants could have been in that load. She finds this really disturbing and she does not understand why there are not fees and fines.

Chair Hamilton said under the circumstances it sounds like no one is following up at this point.

Councilor Harris said Mr. Kippenbrock is communicating with the man at the top of the food chain in Mr. Maggiore. He would continue to work with the State of New Mexico and ask for some documentation from the Lab about the roofing material and the generation. They should have some information about what they are removing. With all their protocols they still make an incredible number of mistakes. We need to take them to tasks. Engage the State of New Mexico Solid Waste Bureau. They have the principal regulation on landfills. We need to look at them. They cited us for litter. We don't like what happened here. They need to support us.

Commissioner Hansen said James Kenny is now at the New Mexico Environment Office. We have a much stronger case and someone who will follow up on this. He is someone who recognizes a dangerous issue. If LANL can't tell you what roof was replaced and what building she would be shocked.

Councilor Harris asked Ms. Long what she thought would be the appropriate next

steps.

Ms. Long said following up with the State of New Mexico Solid Waste Bureau. Are they still investigating . Do they intend to impose fines. Did they get information we did not get about the source of materials.

Chair Hamilton said the new Director of NMED that the Governor appointed is very good. It is possible that in following up the communication may be improved.

Commissioner Hansen asked could this fall into the Hazardous Waste area. We do not know what they dumped. Anything that leaves the hill has to be categorized.

Councilor Harris asked why did they bring it here. He is sure there is professional respect of you Randall, but in these circumstances there should be contact from our Legal Counsel. He is serious. We need to get their attention.

Ms. Long said we will do a formal letter about this.

Councilor Villarreal asked Eric Lucero if there a need to do testing.

Chair Hamilton said that is a good thing for Legal Counsel to keep in mind. That is something that is appropriate to ask NMED to support.

Councilor Harris said this one has a tail. It is serious business. He is glad we are in agreement on this.

Chair Hamilton said quite so.

Mr. Kippenbrock said there should be some consequences for the subcontractors. If it comes from the Solid Waste Bureau is that what you are looking for.

Councilor Harris said he doesn't know where it leads. Not just the lowest outfit on the totem pole. It needs to be an acknowledgment from higher up. There are a lot of people who have direct responsibility for this. Why this happened means people are not doing their jobs.

Councilor Harris said work with Mr. Kippenbrock on this Ms. Long.

Ms. Long said she will work with Mr. Kippenbrock to get letters out and follow up from there. We will file a formal complaint and a request for information.

IX. MATTERS FROM THE BOARD

Commissioner Hansen said she sent out an email about India not accepting plastic anymore. That was a few months ago. She felt that was important to know.

Chair Hamilton said that is interesting information to know.

Ms. Cardenas will send that out to everyone.

A. ELECTION OF CHAIR AND VICE CHAIR

Chair Hamilton said this is her last meeting a Chair and Councilor Villarreal's last meeting as Vice Chair.

MOTION A motion was made by Commissioner Hansen, seconded by Councilor Harris, to elect Councilor Villarreal as Chair.

VOTE The motion passed unanimously by voice vote.

Councilor Villarreal said she is honored to accept the Chairmanship.

MOTION A motion was made by Chair Hamilton, seconded by Councilor Harris, to elect Commissioner Hansen as Vice Chair.

VOTE The motion passed unanimously by voice vote.

Commissioner Hansen said she is honored to accept the Vice Chairmanship.

X. MATTERS FROM STAFF - AGENCY, CITY, COUNTY

Mr. Denton said he is pleased to announce their new education materials. He handed out the information. The City flyer is 99% identical to ours.

Chair Hamilton said nice work

Councilor Harris said he has been seeing a lot more information on what is good for recycling and what is not. That is good.

Commissioner Hansen said there are a lot of things that are only publicized in the papers. Not everyone reads the papers. We need a flyer in every pot on ways to increase recycling.

Mr. Denton said part of the plan is to for private haulers to provide educational materials. If they do not have them we will get ours to them for distribution.

Councilor Villarreal asked are they going to do the nice calendars again.

Mr. Lucero said yes. We are a bit behind, but you should see them pretty quick.

**XI. NEXT MEETING DATE
APRIL 18, 2018**

XII. ADJOURNMENT

There being no further business before the Board the meeting adjourned at 6:45 pm.


Commissioner Anna Hamilton, Chair

Attested to by:



Geraldine Salazar
Santa Fe County Clerk


Elizabeth Martin, Stenographer




COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

SWAC MINUTES
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I Hereby Certify That This Instrument Was Filed for
Record On The 23RD Day Of April, 2019 at 08:25:51 AM
And Was Duly Recorded as Instrument # **1884534**
Of The Records Of Santa Fe County



Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy  County Clerk, Santa Fe, NM