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Lamoille Regional Solid Waste Management District
29 Sunset Drive, Suite 5
Morrisville, VT 05661

BOARD OF SUPERVISORS' BUSINESS MEETING
TUESDAY, JANUARY 9, 2024
CONDUCTED BY ZOOM

SUPERVISORS

| | | | |
|--------------------|------------|----------------|------------|
| Cathy Mander-Adams | Belvidere | Dana Sweet | Cambridge |
| Penelope Doherty | Craftsbury | David Whitcomb | Eden |
| Jane Oliphant | Elmore | Vacant | Hyde Park |
| Howard Romero | Johnson | Charles Cooley | Morristown |
| Willie Noyes | Stowe | Lucas Tilton | Waterville |
| Phillip Wilson | Wolcott | Carl Witke | Worcester |

STAFF

| | | | |
|-----------------|------------------|-----------------|-------|
| Susan Alexander | District Manager | Donna Griffiths | Clerk |
| Cathy Markavich | RHR Smith | | |

Willie Noyes called the meeting to order at 6:34 pm.

1. PUBLIC COMMENT

No members of the public were present.

2. DISCUSS FOR APPROVAL: FY2023 AUDIT

Auditor Cathy Markavich from RHR Smith pointed out the parts of the audit report that show expense and revenue activity, balances and assets and liabilities. There were no financial statement findings. Everything seemed to be presented properly with proper procedures. The auditors issued a clean opinion. There was a decrease in net position of about \$233K. Around half of that amount is due to depreciation. *(Cathy Markavich left at 6:41.)*

Lucas Tilton moved and Cathy Mander-Adams seconded to accept the FY2023 audit report. The motion was passed unanimously.

3. APPROVE MINUTES OF NOVEMBER 14, 2023

Penelope moved and Carl seconded to approve the minutes of November 14, 2023. The motion was passed unanimously.

4. FY2023 FINANCIALS

a. *Approve November 2023 Financial Reports*

Susan said net income 5 months into the fiscal year is a positive \$151K. It was unclear earlier in the year how much of the increase in income was due to flood debris and how much was due to raising our prices. We have not seen a big drop

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with the drop in flood debris. We continue to see the beneficial impact of the rate increases. That will help replenish our cash reserves. Our bank assets are up to \$561K, significantly higher than last year at this time. **Charles moved and Lucas seconded to approve the November 2023 financial reports. The motion was passed unanimously.**

b. *Ratification of Check Register*

Lucas moved and Cathy seconded to ratify the check register. The motion was passed unanimously.

c. *Pre-payment Authorizations for Large Checks*

Cathy moved and Phil seconded to authorize pending payments in the amount of \$18,304.50. The motion was passed unanimously.

5. DISCUSS FOR APPROVAL: MODIFIED INSURANCE POLICY FOR FOOD SCRAP HAULERS

Susan said our current ordinance includes all the requirements for haulers of solid waste to get a license from the district. When we updated our ordinance in 2012, the Vermont League of Cities and Towns (which also provided our insurance through VLCT PACIF) reviewed it. They felt the required insurance liability levels were too low and they recommended we require \$1,000,000 per person and \$2,000,000 per occurrence for personal injury or death, and \$1,000,000 per occurrence for property damage. We didn't have any small food scrap haulers at the time. Larger haulers have never had trouble getting insurance at that level but last year Susan started hearing from food scrap haulers that they could not afford the insurance. Most do food scrap hauling as a small side business.

Susan asked one food scrap operator what he is paying for insurance now and what it would cost to increase to the level our ordinance requires. His current policy has the same limits our ordinance used to require before we updated it and it costs him under \$300 per year. He sent her a quote showing his cost to increase to our required levels would be over \$1400. Chittenden Solid Waste District, which is a much larger district and has more hauling services available, requires \$100,000 per person and \$300,000 per occurrence for personal injury or death, and \$100,000 per occurrence for property damage. That is what we used to require.

MSW haulers have never complained about their current liability insurance premiums but she thinks it is worth considering modifying our liability requirements for the small haulers of food scraps only to match Chittenden Solid Waste District and allow them to stay in the business. She knows of another organization that has the same limits. The policy she is proposing allows the district to set those lower limits for food scrap haulers and to change them every year if necessary. She recommends we get a legal opinion as to whether this policy is sufficient or if we have to change our ordinance, which requires open meeting and public comment. The ordinance is outdated and some other things should also be updated. She is asking the board to approve the proposed policy and then she will take the policy and the other needed changes to legal counsel.

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Penelope said she thinks it would be difficult to justify requiring more than Chittenden Solid Waste District. Jane agreed. She thinks CSWD would ask for more if there was that much risk.

Cathy moved and Howard seconded to approve the proposed LRSWMD Policy for Setting Insurance Requirements for Haulers. The motion was passed unanimously.

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6. UPDATES

Susan said the bailing enterprise is going well. The price of cardboard went back up to \$98/ton.

We will advertise for Jon's and Sarah's positions. Sarah is unable to commit enough time to LRSWMD. She will finish up some specific projects.

The LRSWMD annual report was sent out to the board.

The House overrode the governor's veto on the bottle bill. It still has to go to the Senate. If it goes through we won't be able to continue handling bottle redemption with the space we have. There will be some phase-in time for us to figure out how to transfer that responsibility elsewhere. There is a bill that would expand extended manufacturer responsibility to include more items, like batteries embedded in products. It also instructs the Agency of Natural Resources to consider what to do with lithium ion batteries, which present serious safety issues and take up a lot of space. She thinks ANR will be instructed to do a study on handling them. Other bills have to do with extended manufacturer responsibility for tires and siting another landfill in Vermont.

Jane moved and Penelope seconded to adjourn. The motion was passed unanimously.

Chair Willie Noyes adjourned the meeting at 7:17 PM.

Respectfully submitted,

Donna Griffiths, District Clerk

Date

Willie Noyes, Chair

Date