



**DRAFT**

**CHITTENDEN SOLID WASTE DISTRICT  
EXECUTIVE BOARD MINUTES  
VIA ZOOM & CSWD Administrative Office  
February 19, 2024**

**EXECUTIVE BOARD PRESENT:** Kelton Bogasky, Alan Nye, Paul Ruess, Paul Stabler

**OTHER BOARD MEMBERS:** Henry Bonges

**OTHERS PRESENT:**

**CSWD STAFF PRESENT:** Sarah Reeves, Amy Jewell, Josh Estey, Jen Holliday

**AGENDA ITEMS:**

1. Agenda
2. Public Comment Period
3. Solid Waste Ordinance
4. Other Business

**Paul Ruess called the meeting to order at 5:00 p.m.**

**Agenda #1. Agenda** - No changes to the agenda.

**Agenda #2. Public Comment Period** – No public comment.

**Agenda #3. Consent Agenda** – Request to change wording in Jan 24 minutes to read, “K. Bogasky said he had read the minutes of the prior meeting and said it sounded to him like from the minutes that the State does not have a plan and that CSWD may be responsible for coming up with a plan or working with the private industry to come up with a plan.” The change will be made. Minutes accepted with correction.

**Agenda #4. Solid Waste Management Ordinance Changes**

S. Reeves said that at the November board meeting she had notified the board that the FY 25 Budget would include a request to increase the solid waste management fee (SWMF) from \$27/ton to either \$29 or \$30/ton. The proposed increase is budgeted at \$30/ton in FY 25. In addition, the current process to change the SWMF is included in the Ordinance with the specific dollar amount. She reviewed other solid waste district fee processes, where some are included in the budget process, and some are in the ordinance but not with a specific dollar amount. She noted that the rationale for inclusion in the ordinance is transparency and explained the process for making a change. S. Reeves noted that she feels further transparency would occur if presented during the budget process, given the direct presentations to all eighteen member communities. She also reviewed the extensive process for the budget and the timing as a being motivation for CSWD and for member communities needing that information prior to their budgeting process. She supports increased public engagement opportunities and transparency.

*Discussion was held:*

A.Nye said that the most heavily attended and contested meeting CSWD has had since his time on the Board was the change to the SWMF in 2013 by the haulers. He said that this item affects our

constituency and feels that it could get lost in the budget process and should be a stand-alone process and remain in the Ordinance. S. Reeves commented that the Budget process does include a separate discussion and enclosure on the SWMF, which includes a thorough analysis and review.

P. Stabler agrees that tying it to the budget provides more flexibility to make changes and requested the proposed wording prior to the vote.

P. Ruess said that including the SWMF process in the budget does provide opportunities for awareness with all 18 communities when presenting to select boards, which includes another set of eyes with the power to vote against the budget. S. Reeves noted that the SWMF analysis is done with the budget process and making the change in the ordinance is a duplication of efforts.

K. Bogasky said that he prefers to leave the SWMF outside of a budget hearing and feels it needs to be a separate conversation. He expressed concern for member communities voting down the budget solely because of the SWMF. He also said that he feels not everyone understands what this tax means when there is an increase. He prefers it remain as part of the Ordinance process.

P. Ruess said that CSWD has various funding sources, including tipping fees, the SWMF, and could assess member towns. He questioned why the SWMF is specifically in the Ordinance and other fees are not. S. Reeves said that tipping fees and bagged fees are considered user fees, where users have the choice to not pay that fee, by not using our facilities. The SWMF is levied on all waste disposed at the landfill and must be paid regardless, which is the difference between the SWMF and other fees.

S. Reeves the Charter says the Board shall from time to time establish a SWMF structure but does not provide details on the process.

A. Nye said that if we do change the process, he feels it's important that the haulers have the opportunity for a special hearing to discuss the impact of the change and to hear their comments. S. Reeves said that a small increase per ton, spread across hauler customers is a nominal fee and there are many factors that determine increased pricing from haulers.

J. Esty reviewed the current ordinance change process and timeline, which would include this going to the Board in March, a public hearing, and a request for Board approval in April. If approved, the two concurrent timelines of 45 and 60 days give the public time to gather signatures and petition the fee, with an anticipated implementation date of July 1<sup>st</sup>. He said that any delay would just extend out the start date of the increase and would be lost revenue.

P. Stabler asked if this was going to the full board in February for an initial discussion. J. Estey said that would not provide time for attorney review. S. Reeves said that the agenda will include an educational agenda item on the SWMFs purpose and how it's used across programs. The Ordinance discussion will come up during that explanation.

**AGENDA #5. Executive Session – Motion by A. Nye, Second by P. Stabler that the Executive Board of Commissioners of the Chittenden Solid Waste District go into Executive Session to discuss contract negotiations with the City of Burlington regarding the Flynn Avenue property where premature general public knowledge would clearly place the District, its member municipalities, and other**

**public bodies or persons involved at a substantial disadvantage and to permit authorized staff, other invited interested parties, and the Solid Waste District attorney to be present for this session.**

The Executive Board entered Executive Session at 5:41 p.m.

The Executive Board exited Executive Session and reconvened the meeting at 6:12 p.m.

**Agenda #6. Other Business** – P. Stabler reported that the Finance Committee meeting to review the FY 25 Proposed Budget was very productive held from 8:30 to 2:00 and included good discussions.

**Motion by A. Nye, Second by P. Stabler to adjourn the meeting. VOTING: unanimous; motion carried. The meeting was adjourned at 6:15 p.m.**

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Amy Jewell, Recording Secretary

I agree that this is an original copy of minutes and they have been approved by the Executive Board at the \_\_\_\_\_ meeting held in South Burlington.

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Amy Jewell, Recording Secretary

