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TO: CSWD Board of Commissioners

FROM: Josh Estey, Director of Compliance and Safety

Sarah Reeves, Executive Director

DATE: March 20, 2024

RE: Solid Waste Management Fee Change Adoption

As part of the FY25 budget, CSWD staff are proposing an increase to the District's Solid Waste Management Fee (SWMF). Because the dollar amount of the current SWMF is specifically listed in the District's Solid Waste Management Ordinance, the adoption of the FY25 budget as proposed needs to be accompanied by an ordinance change. The proposed change to the SWMF has been discussed at various meetings of the CSWD Board four times since November 2023, providing the public with opportunities for comment: November 15, 2023, February 14, February 15, and February 28, 2024 (a representative from Casella Waste Systems provided comment at the November 2023 Board meeting).

The current SWMF language in the ordinance is,

Section 8.2. Amount of Fee. The Solid Waste Management Fee is \$27.00 per ton.

The procedure by which the legislative body (i.e. the CSWD Board of Commissioners) of a municipality adopts or amends an ordinance or rule is described in 24 V.S.A. § 1972. Section (a)(1) of the chapter states,

"The legislative body of a municipality desiring to adopt an ordinance or rule may adopt it subject to the petition set forth in section 1973 of this title and shall cause it to be entered in the minutes of the municipality and posted in at least five conspicuous places within the municipality."

Essentially, all that's required to do when amending an ordinance is for the municipality's governing board to vote to adopt the changes at a publicly warned meeting of the municipality where the minutes of the meeting are recorded, and then publicly post the changes. CSWD's Charter speaks only to the District's authority to enact local ordinances, rules, and regulations but not to the process by which to enact said ordinances, rules, and regulations, other than to abide by procedures established in Vermont law.

Given the administrative nature of the proposed change staff believes it's unnecessary to go through an additional stakeholder outreach process for this one change. If the change is adopted by the CSWD Board of Commissioners, staff will complete the statutory process, starting with posting the change in the municipality (typically we seek to post in every member community) and publishing the change in a widely circulated newspaper within fourteen days of adoption. The ordinance change can be appealed if the District receives a petition signed by 5% of the District's qualified voters within 44 days following the date of adoption.

Be it Resolved that the CSWD Board of Commissioners hereby approves a change to the District's Solid Waste Management Ordinance Section 8.2 *Amount of Fee.*, replacing the current language with "The Solid Waste Management Fee is \$30.00 per ton." This change shall take effect July 1, 2024.