

**APPROVED**  
**CHITTENDEN SOLID WASTE DISTRICT**  
**WILLISTON TOWN HALL**  
**WILLISTON, VERMONT**  
**February 26, 2020**

**PRESENT**

**BOARD MEMBERS:**

Bolton	-----
Burlington	Lee Perry
Charlotte	Abby Foulk
Colchester	-----
Essex	Alan Nye
Essex Junction	Alan Nye
Hinesburg	Doug Taff, alt.
Huntington	-----
Jericho	Leslie Nulty Bert Lindholm, alt.
Milton	-----
Richmond	Logan Hegg
Shelburne	Tim Loucks
So. Burlington	Paul Stabler
St. George	-----
Underhill	Paul Ruess Dan Steinbauer, alt.
Westford	Michelle DaVia
Williston	-----
Winooski	-----

**STAFF:**

Sarah Reeves  
Amy Jewell  
Michele Morris  
Jen Holliday  
Josh Tyler  
Dan Goossen  
Josh Estey  
Jeanine McCrumb

**OTHERS PRESENT:**

Mike Casella  
Nicole Mace  
Vita Quinn

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- AGENDA:**
1. Call to Order
  2. Agenda
  3. Public Comment
  4. Consent Agenda
  5. Presentation: Board Member Processes
  6. Presentation: Organics Diversion Facility

7. Executive Session: ODF Contract Negotiations
  8. Proposed Ordinance Changes (see Item 4.a)
  9. Bottle Bill Resolution
  10. Other Business
  11. Adjournment
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**1. CALL TO ORDER**

Chair Michelle DaVia called the meeting to order at 6 PM.

**2. AGENDA**

Michelle DaVia pointed out the proposed ordinances changes (Item 8) were added to the consent agenda. Leslie Nulty asked for clarification on gathering public comment on an ordinance change before having discussion by the board. The proposed ordinances changes agenda item was pulled from the consent agenda for discussion.

**3. PUBLIC COMMENT PERIOD**

There were no comments from the public.

**4. CONSENT AGENDA**

4.1 Minutes – January 22, 2020

4.2 Program Updates

4.3 Executive Director Report

Without objection the consent agenda was approved.

**4.a PROPOSED ORDINANCE CHANGES**

Staff explained the request is for permission to go out for public comment on proposed ordinance changes per past practice. The results will be presented to the board prior to taking action.

**MOTION by Paul Ruess, SECOND by Leslie Nulty, be it resolved that the Board of Commissioners authorize compliance staff to initiate a public comment process seeking input on proposed changes to the Solid Waste Management Ordinance as summarized in the memo, dated 2/18/20. VOTING: unanimous; motion carried.**

**5. PRESENTATION: Board Member Processes**

Attorney Nicole Mace gave a presentation outlining the role and duties of the board, the link between the board and the Executive Director, Open Meeting Law requirements, Executive Session language in the motion, committee roles, role of the board Chair, disclosure of conflicts of interest, and Roberts Rules pertaining to minutes and motions.

Tim Loucks observed the board charts the strategy and staff tends to daily operations.

Michelle DaVia asked about eliciting input via email. Nicole Mace explained per the Open Meeting Law serial discussion among board members outside a meeting is not permissible because there is no opportunity for the public to comment.

There was discussion of Executive Session including language in the motion, taking minutes (none taken), and who attends. Nicole Mace advised the finding should be stated that premature public knowledge of the subject under discussion would place the district at a substantial disadvantage, and the board should be certain that proposed discussion of the item in Executive Session meets that threshold. If there are objections by the public and belief that the Open Meeting Law has been violated a notice can be sent to the board to request a cure.

There was discussion of the representatives on the CSWD board reporting to their respective selectboard and the CSWD rep disagreeing with the action or direction being taken by CSWD on a matter. Nicole Mace advised that each board member has the duty of care and loyalty to the organization to ensure success and cannot undermine the board or its members.

There was discussion of Roberts Rules which says to focus on one topic at a time, hold debate, all board members have equal standing, a motion is needed to take action and each motion that is made (main motion, secondary motion) must be resolved. Amendments can be made to motions (the number of amendments can be limited) and action on a motion can include approval/denial, tabling, postponing, or calling the question.

The board received a handout on the City of Winooski City Council Rules which shows how to codify board procedures.

#### **6. PRESENTATION: Organics Diversion Facility**

Josh Tyler and Dan Goossen reviewed site improvements and operational efficiencies at the organics diversion facility on Redmond Road. Composting will be more efficient at the site with 5000 tons of food scraps and 5000 tons of yard waste to be processed per year. The purchase of a windrow turner is necessary. Compost, topsoil and garden mix in wholesale and bulk will be produced. The cost of the full site development is estimated at \$818,000 with a 15% contingency (the cost includes about \$100,000 for storm water management). Equipment cost is estimated at \$571,000 and includes \$380,000 for the windrow turner, \$120,000 for a dump truck, and \$71,000 for a stacking conveyor. State and local permits must be secured. All site work and equipment purchase costs are available to the VT ANR grant that would provide a 40/60 cost share up to \$500,000. The site improvements and new equipment will result in a 79% reduction in costs to three core composting operations, material mixing, cured product turning and product blending.

There was a question on odors with more aeration of the material. Staff explained odors, if any, would occur within the first 10 days and would be contained to Phase 1. Because the windrow process would create smaller piles and would be turned more efficiently and effectively, few offensive odors are anticipated with this process.

Leslie Nulty asked what happens when the local market is at capacity with compost. Dan Goossen said based on research of the markets the 13,000 c.y. number for compost is

sustainable in our market area. Process cost for one ton of food scraps will decrease due to the reduction of end products being made at the facility and due to the efficiencies put in place.

Alan Nye asked about the impact on the facility when more product is made across the state. Sarah Reeves assured staff monitors other producers. CSWD product is high quality and the relationship with the wholesale customers is good.

Dan Steinbauer asked how to ensure the quality of food scraps. Dan Goossen said it is a challenge to educate people to separating organics. CSWD has a robust outreach program.

**MOTION by Alan Nye, SECOND by Paul Stabler, be it resolved that the Board of Commissioners authorizes the Executive Director to enter into a contractual agreement for the purchase of a Backhus A55 straddle-type windrow turner from Ecoverse Industries of Avon, Ohio, for an amount not to exceed \$380,000.**

**DISCUSSION:**

- **Tim Loucks expressed concern about approving the equipment piecemeal rather than including the dump truck and stacking conveyor along with the windrow turner. Sarah Reeves said the windrow turner can be used immediately.**

**VOTING: unanimous; motion carried.**

*COST/BENEFIT ANALYSIS*

There was discussion of options for organics in excess of 5,000 tons/year. Options include having a transfer station and moving material to companies and places that want/need the material or de-packaging and creating a slurry to move to outlets throughout and outside the state.

Vita Quinn with SCS Engineers Management Services reviewed the cost benefit analysis report done on the Organics Diversion Facility, noting that with de-packaging the subsidy can potentially be stopped in FY2026. Recommendations in the report include increasing material sales and increasing the organics drop off rate, transferring food scraps and having a de-packaging facility, and updating the cost benefit analysis everyone to two years.

Leslie Nulty asked about growth. Josh Tyler said the baseline and transfer option do not show growth because the volume is capped at 5,000 tons, but the de-packaging option does recognize more tonnage received, both packaged material and food scraps material received in excess of the 5,000-ton cap.

Logan Hegg asked the worst-case scenario. Josh Tyler indicated the ability to receive an adequate volume of feedstock, economically process material at the ODF, and maintain outlets to receive finished products will buffer against the majority of potential and foreseeable disruptions. Sarah Reeves said risks include competition from another entity.

Casella is building a de-pack facility. Also, it is not known what the legislature may mandate.

Mike Casella confirmed his company is planning to build a de-pack facility and has the permits and bids (hope to award in March and be operational by August 2020). The facility anticipates managing 11,000 tons, 60% from in the district and 40% from out of the district.

Paul Stabler asked if CSWD can require all organics in Chittenden County to go through the CSWD facility (i.e. flow control). Sarah Reeves said flow control has not been tested with organics.

Leslie Nulty said further exploration of input generating projections and absorbed capacity of slurry with respect to plans by Casella is needed. This should be discussed in Executive Session.

Mike Casella requested to be kept in the loop regarding what the Board ends up planning in terms of a de-pack facility because if the District were to build one, then Casella likely wouldn't put in the money and effort to build one of their own.

**7. EXECUTIVE SESSION: Contract Negotiations**

**MOTION by Alan Nye, SECOND by Paul Stabler, that the CSWD Board of Commissioners go into Executive Session to discuss contract negotiations with respect to the Organics Diversion Facility where premature public knowledge would place CSWD and its member municipalities and other public bodies or persons involved at a substantial disadvantage, and to permit CSWD staff, other invited interested parties, and CSWD legal counsel to be present for the session. VOTING: unanimous; motion carried.**

Executive Session was convened at 8:35 PM.

**MOTION by Alan Nye, SECOND by Paul Stabler, to adjourn Executive Session. VOTING: unanimous; motion carried.**

Executive Session was adjourned at 9:35 PM.

**8. PROPOSED ORDINANCE CHANGES**

See Item 4.a.

**9. BOTTLE BILL RESOLUTION**

**MOTION by Leslie Nulty, SECOND by Tim Loucks, to approve the Bottle Bill resolution as presented. VOTING: all ayes except one abstention (Abby Foulk – Charlotte); motion carried.**

**10. OTHER BUSINESS**

None.

**11. ADJOURNMENT**

**MOTION by Alan Nye, SECOND by Paul Stabler, to adjourn the meeting.**

**VOTING: unanimous; motion carried.**

The meeting was adjourned at 9:40 PM.

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M.E. Riordan, Recording Secretary

*I agree that this is an original copy of minutes and they have been approved by motion of the Board of Commissioners at the 4/8/20 meeting held in Williston.*

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*Amy Jewell, Secretary*