

# AMENDED AGENDA

Add VI (A), (A1), (F), (G)

CITY CLERK'S OFFICE

DATE 1-20-12 TIME 1:43pm

SERVED BY Randall Kippner

RECEIVED BY [Signature]

## REGULAR MEETING

### SANTA FE SOLID WASTE MANAGEMENT AGENCY JOINT POWERS BOARD

JANUARY 26, 2012

12:00 P.M.

LEGAL CONFERENCE ROOM  
SANTA FE COUNTY COURTHOUSE  
102 GRANT AVENUE  
SANTA FE, NM

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Approval of Minutes for Regular Meeting - November 17, 2011
- V. Matters from the Public
- VI. Matters from the Executive Director
  - (A) Request for Approval of Amendment No. 4 to the Professional Services Agreement with SCS Field Services of Albuquerque, NM for the Operation and Maintenance of the Landfill Gas Collection System at the Caja del Rio Landfill in the Amount of \$86,800.00.
    - (1) Approval of Budget Increase from 5503.100700.07000 (Landfill Gas Collection Reserve) to 52501.510300 (Professional Services) in the Amount of \$86,800.00.
  - (B) Request for Approval of Amendment No. 2 to the Professional Services Agreement with SCS Engineers of Bedford, TX, for Engineering Services (Air-Related Compliance) for the Landfill Gas Collection System at the Caja del Rio Landfill in the Amount of \$15,540.22.
    - (1) Approval of Budget Increase from 5503.100700.07000 (Landfill Gas Collection Reserve) to 52501.510300 (Professional Services) in the Amount of \$15,540.22.
  - (C) Request for Approval of Amendment No. 1 to the Professional Service Agreement with Long, Pound & Komer, P.A. of Santa Fe, NM for Legal Services in the Amount of \$35,000.00.
  - (D) Request for Approval of Change Order No. 2 to Bid No. 11/40/B with ESA Construction of Albuquerque, NM, for the Construction of a Household Hazardous Waste Collection Facility at the Buckman Road Recycling and Transfer Station in the Amount of \$1,759.82.
    - (1) Approval of Budget Increase from 5500.100700 (Cash) to 52504.570300 (Improvement to Land Other Than Building) in the Amount of \$1,759.82.

- (E) Request for Approval of the Annual Financial Report for the Year Ended June 30, 2011.
- (F) Request for Approval of Closure and Post-Closure Care Cost Estimates for the Buckman Road Recycling and Transfer Station.
- (G) Request for Approval of Resolution 2012-1 Updating a Restricted Cash Account and Related Liability Account in the Closure/Post-Closure Fund to Provide Funds for Future Closure and Post-Closure Care Costs at the Santa Fe Solid Waste Management Agency Facility known as the Buckman Road Recycling and Transfer Station.
- (H) Resolution of the Violation of Air Quality Permit Conditions at the Caja del Rio Landfill.
- (I) Update on Former Commercial Account Holder L&L Waste Services.
- (J) Update on the Construction of the Household Hazardous Waste (HHW) Collection Facility and the New Recycling Drop-Off Center at the Buckman Road Recycling and Transfer Station (Mike Smith).

**VII. Matters from the Board**

**VIII. Next Meeting Date**

**IX. Adjournment**

Anyone needing further information or requiring special needs for the disabled should contact Jodie Gonzales at (505) 424-1850, extension 120.

# AGENDA

## REGULAR MEETING

### SANTA FE SOLID WASTE MANAGEMENT AGENCY JOINT POWERS BOARD

JANUARY 26, 2012  
12:00 P.M.

LEGAL CONFERENCE ROOM  
SANTA FE COUNTY COURTHOUSE  
102 GRANT AVENUE  
SANTA FE, NM

CITY CLERK'S OFFICE

DATE 1-18-12 TIME 4:31 pm

SERVED BY Randall Kipp

RECEIVED BY [Signature]

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Approval of Minutes for Regular Meeting - November 17, 2011
- V. Matters from the Public
- VI. Matters from the Executive Director
  - (A) Request for Approval of Amendment No. 4 to the Professional Services Agreement with SCS Field Services of Albuquerque, NM for the Operation and Maintenance of the Landfill Gas Collection System at the Caja del Rio Landfill in the Amount of \$87,400.00.
    - (1) Approval of Budget Increase from 5503.100700.07000 (Landfill Gas Collection Reserve) to 52501.510300 (Professional Services) in the Amount of \$87,400.00.
  - (B) Request for Approval of Amendment No. 2 to the Professional Services Agreement with SCS Engineers of Bedford, TX, for Engineering Services (Air-Related Compliance) for the Landfill Gas Collection System at the Caja del Rio Landfill in the Amount of \$15,540.22.
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- (F) Request for Approval of Closure and Post-Closure Care Costs for the Buckman Road Recycling and Transfer Station.
- (G) Request for Approval of Resolution 2012-1 Establishing a Restricted Cash Account and Related Liability Account in the Closure/Post-Closure Fund to Provide Funds for Future Closure and Post-Closure Care Costs at the Santa Fe Solid Waste Management Agency Facility known as the Buckman Road Recycling and Transfer Station.
- (H) Resolution of the Violation of Air Quality Permit Conditions at the Caja del Rio Landfill.
- (I) Update on Former Commercial Account Holder L&L Waste Services.
- (J) Update on the Construction of the Household Hazardous Waste (HHW) Collection Facility and the New Recycling Drop-Off Center at the Buckman Road Recycling and Transfer Station (Mike Smith).

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SOLID WASTE MANAGEMENT AGENCY  
REGULAR BOARD MEETING  
January 26, 2012

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**SOLID WASTE MANAGEMENT AGENCY  
JOINT POWERS BOARD MEETING  
Legal Conference Room  
Santa Fe County Courthouse  
January 26, 2012**

**I. CALL TO ORDER**

A meeting of the City and County of Santa Fe Solid Waste Management Agency Joint Powers Board (SWMA) was called to order by Councilor Rosemary Romero, Chair, on Thursday, January 26, 2012, at approximately 12:00 noon, in the Legal Conference Room Santa Fe County Courthouse, 102 Grant Avenue, Santa Fe, New Mexico.

**II. ROLL CALL**

**MEMBERS PRESENT:**

Councilor Rosemary Romero, Chair  
Commissioner Kathy Holian  
Commissioner Daniel Mayfield  
Councilor Ronald S. Trujillo  
[Vacancy]

**MEMBERS EXCUSED:**

Commissioner Virginia Vigil

**STAFF PRESENT:**

Randall Kippenbrock, Executive Director – SWMA  
Jodie Gonzales, SWMA  
Angelica Salazar, SWMA  
Justin Miller, Legal Counsel  
Melessia Helberg, Stenographer

There was a quorum of the membership in attendance.

**III. APPROVAL OF THE AMENDED AGENDA**

**MOTION:** Commissioner Holian moved, seconded by Councilor Trujillo, to approve the Amended Agenda as presented.

**VOTE:** The motion was approved unanimously on a voice vote.



#### **IV. APPROVAL OF THE MINUTES – NOVEMBER 17, 2011**

Ms. Helberg noted there was a 2012 in the minutes, instead of 2011, so she will correct that and provide a replacement page.

**MOTION:** Commissioner Holian moved, seconded by Councilor Trujillo, to approve the minutes of the regular meeting of November 17, 2012, as amended.

**VOTE:** The motion was approved unanimously on a voice vote.

#### **V. MATTERS FROM THE PUBLIC**

Chair Romero introduced Adam Leighland, the new Public Works Director for Santa Fe County. She asked everyone in attendance to introduce themselves.

#### **VI. MATTERS FROM THE EXECUTIVE DIRECTOR**

- (A) REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES AGREEMENT WITH SCS FIELD SERVICES OF ALBUQUERQUE, NM, FOR THE OPERATION AND MAINTENANCE OF THE LANDFILL GAS COLLECTION SYSTEM AT THE CAJA DEL RIO LANDFILL IN THE AMOUNT OF \$86,800.00**
  - (1) APPROVAL OF BUDGET INCREASE FROM 5501.100700.07000 (LANDFILL GAS COLLECTION RESERVE) to 52501.510300 (PROFESSIONAL SERVICES) IN THE AMOUNT OF \$86,800.00**

Mr. Kippenbrock, Executive Director presented information regarding this matter from his Memorandum of January 29, 2012, with attachments, to the SFSWMA Joint Powers Board, which is incorporated herewith to these minutes as Exhibit "1." Please see Exhibit "1" for specifics of this presentation.

**MOTION:** Commissioner Holian moved, seconded by Councilor Trujillo, to approve the request for approval of Amendment No. 4 to the PSA with SCS Field Services, as presented in Item VI(A).

**VOTE:** The motion was approved unanimously on a voice vote.

**MOTION:** Councilor Trujillo moved, seconded by Commissioner Holian, to approve the budget increase requested as presented in Item VI(A)(1).

**VOTE:** The motion was approved unanimously on a voice vote.

**(B) REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH SCS ENGINEERS OF BEDFORD, TX, FOR ENGINEERING SERVICES (AIR-RELATED COMPLIANCE) FOR THE LANDFILL GAS COLLECTION SYSTEM AT THE CAJA DEL RIO LANDFILL IN THE AMOUNT OF \$15,540.22.**

**(1) APPROVAL OF BUDGET INCREASE FROM 5503.100700.07000 (LANDFILL GAS COLLECTION RESERVE) TO 52501.510300 (PROFESSIONAL SERVICES) IN THE AMOUNT OF \$15,540.22**

Randall Kippenbrock, Executive Director , presented information regarding this matter from his Memorandum dated January 13, 2012, with attachments, to the SFSWMA Joint Powers Board, is incorporated herewith to these minutes as Exhibit "2." Please see Exhibit "2" for specifics of this presentation.

Chair Romero said in the past, the Board has discussed that this is an out of state company, but it does have the expertise and experts for this work, which is difficult to find in New Mexico. She asked Mr. Kippenbrock to speak to this.

Mr. Kippenbrock said SCS is a national company, specializing in landfill gas. He said when they went out for RFP in June 2010, this was rated as the #1 firm. He said there are consultants in New Mexico in solid waste, but not for landfill gas.

Responding to Commissioner Mayfield, Mr. Kippenbrock said the \$15,540.22 is budgeted in 2012, noting all of the tasks have been performed and funds expended through the end of this fiscal year, noting these are tasked to be done in 2012

**MOTION:** Commissioner Mayfield moved, seconded by Commissioner Holian, to approve Amendment No. 2 to the PSA with SCS Engineers, as presented in Item VI(B).

**VOTE:** The motion was approved unanimously on a voice vote.

**MOTION:** Commissioner Holian moved, seconded by Commissioner Mayfield, to approve the requested budget increase, as presented in Item VI(B)(1).

**VOTE:** The motion was approved unanimously on a voice vote.

**(C) REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICE AGREEMENT WITH LONG, POUND & KOMER, P.A., OF SANTA FE, NM, FOR LEGAL SERVICES, IN THE AMOUNT OF \$35,000.00**

Randall Kippenbrock, Executive Director , presented information regarding this matter from his Memorandum dated January 7, 2012, with attachments, to the SFSWMA Joint Powers Board, is

incorporated herewith to these minutes as Exhibit " 3." Please see Exhibit "3" for specifics of this presentation.

Commissioner Mayfield asked why not just extend this contract through the end of this fiscal year, and get the contract on a fiscal year basis, rather than a calendar year.

Mr. Kippenbrock said it can be done either way, and it is just a matter of amending the contract to do this. He said the contract will then go up to about 3½ years. He said the contract was awarded in January 2011, and it is easier to keep up on a per calendar year basis. He said additionally, there is a dead period at the end of the fiscal year to get PO's and such – 3 weeks to a month.

Responding to Commissioner Mayfield, Mr. Kippenbrock said these kinds of contracts are good for up to four years, but are renewed annually. If we are not satisfied with the services, then we can go out for an RFP, which is one of the benefits of a one-year renewal. He said the funds for the contract at \$35,000 annually already are in the budget.

**MOTION:** Commissioner Holian moved, seconded by Councilor Trujillo, to approve the request for Amendment No. 1 to the PSA with Long, Pound & Komer, P.A., as presented in Item VI(C).

**DISCUSSION:** Chair Romero said in going out for RFP, sometimes you will get an hourly rate which seems good, but really isn't in the long term. She said in this particular case, we have had a really good experience with the firm, and the contract has been economical to SWMA.

Mr. Kippenbrock said when they contracted with this firm, the firm assigned Mark Baker to be the legal counsel for SWMA, noting he stayed with SWMA for four years, which is a comfort to us in terms of continuity, and hopes Mr. Miller will be with SWMA for an equal period of time. He said, "If Long Pound & Komer would give us a revolving door, I think it would be in the best interest to seek other legal representation. It is important to have that relationship so there isn't a learning curve trying to keep up with us."

**VOTE:** The motion was approved unanimously on a voice vote.

- (D) **REQUEST FOR APPROVAL OF CHANGE ORDER NO. 2 TO BID NO. 11/40/B WITH ESA CONSTRUCTION OF ALBUQUERQUE, NM, FOR THE CONSTRUCTION OF A HOUSEHOLD HAZARDOUS WASTE COLLECTION FACILITY AT THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION IN THE AMOUNT OF \$1,759.82.**
- (1) **APPROVAL OF BUDGET INCREASE FROM 5500.100700 (CASH) TO 52504.570300 (IMPROVEMENT TO LAND OTHER THAN BUILDING) IN THE AMOUNT OF \$1,759.82**

Randall Kippenbrock, Executive Director , presented information regarding this matter from his Memorandum dated January 10, 2012, with attachments, to the SFSWMA Joint Powers Board, is incorporated herewith to these minutes as Exhibit "4." Please see Exhibit "4" for specifics of this presentation.

Chair Romero said she wants to be in attendance at the grand opening, noting that will be after her term in office has expired..

Mr. Kippenbrock said there will be a request for Change Order No. 3 at the next meeting or the one following that, noting it will be related to several things to bring water from the green waste area, which requires the installation of two 24-inch culverts and other modifications. He is unsure of the amount, but believes it will be in the range of \$25,000 to \$35,000. He said hopefully, this will be the last change order.

Chair Romero commented that these are complicated systems and change orders sometimes are necessary. She asked if we are still on target to open in mid-March.

Mr. Kippenbrock said it looks like it will be the end of March, noting they need to add an additional 10 days to install the culvert, which also will require shutdown. He said they still have paving work to do, and the longer we wait the better for that kind of work.

Chair Romero said, even with that, she still feels we are on target.

**MOTION:** Commissioner Holian moved, seconded by Councilor Trujillo, to approve the request for Change Order No. 2 to Bid No. 11/40B, with ESA Construction, as presented in Item VI(D).

**VOTE:** The motion was approved unanimously on a voice vote.

**MOTION:** Councilor Trujillo moved, seconded by Commissioner Holian, to approve the budget increase requested as presented in Item VI(D)(1)

**VOTE:** The motion was approved unanimously on a voice vote.

**(E) REQUEST FOR APPROVAL OF THE ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED JUNE 30, 2011.**

Chair Romero noted that Angelica Salazar came to SWMA during the transition of someone retiring, and complimented her for her good work.

Randall Kippenbrock, Executive Director , presented information regarding this matter from his Memorandum dated January 19, 2012, with attachments, to the SFSWMA Joint Powers Board, is incorporated herewith to these minutes as Exhibit "5." Please see Exhibit "5" for specifics of this presentation.

**MOTION:** Commissioner Holian moved, seconded by Councilor Trujillo, to approve the request for approval of the Annual Financial Report for the year ended June 30, 2011, as presented in Item VI(E), with a commendation to staff for a job well done.

**VOTE:** The motion was approved unanimously on a voice vote.

**(F) REQUEST FOR APPROVAL OF CLOSURE AND POST-CLOSURE CARE COST ESTIMATES FOR THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION.**

Randall Kippenbrock, Executive Director , presented information regarding this matter from his Memorandum dated January 23, 2012, with attachments, to the SFSWMA Joint Powers Board, is incorporated herewith to these minutes as Exhibit "6." Please see Exhibit "6" for specifics of this presentation.

Chair Romero said the estimates really are fairly accurate and on point, and asked if we are on the low end of our closure cost or should we be projecting higher.

Mr. Kippenbrock said no. He said the green waste estimate is high, but could be lower.

Commissioner Mayfield said then this is for BuRRT.

Mr. Kippenbrock said it is only for BuRRT, noting these funds are in reserve. However, next year, NMED will be coming to see if our Resolution is in place, and our cost estimate is current, noting the CPI needs to be updated annually.

Commissioner Mayfield noted this is a 20 year lease.

Mr. Kippenbrock said in the event of closure, it would take more time than just closing it. He said both parties would have to agree, noting there is a one-year exit, so a lot of this can be cleaned up over time if it's needed using these funds.

Commissioner Mayfield asked, after the 20 years, who is responsible.

Mr. Kippenbrock said he believes the operator should clean up all material. He said these are ongoing materials on site.

Commissioner Mayfield said then the operator inherited this material.

Mr. Kippenbrock said no, this was a clean site, with the exception of some glass material which we want to crush for cell construction material. He said, "On the transfer station, this is about 11-12 acres, with another 6 acres for the green waste, and we inherited all of that and it was pretty much clean."

**MOTION:** Commissioner Holian moved, seconded by Councilor Trujillo, to approve the request for approval of Closure and Post-Closure Care cost estimates for BuRRT, as presented in Item V(F)

**VOTE:** The motion was approved unanimously on a voice vote.

**(G) REQUEST FOR APPROVAL OF RESOLUTION 2012-01, UPDATING A RESTRICTED CASH ACCOUNT AND RELATED LIABILITY ACCOUNT IN THE CLOSURE/POST-CLOSURE FUND TO PROVIDE FUNDS FOR FUTURE CLOSURE AND POST-CLOSURE CARE COSTS AT THE SANTA FE SOLID WASTE MANAGEMENT AGENCY FACILITY KNOWN AS THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION.**

Randall Kippenbrock, Executive Director, presented information regarding this matter from his Memorandum dated January 23, 2012, with attachments, to the SFSWMA Joint Powers Board, is incorporated herewith to these minutes as Exhibit "7." Please see Exhibit "7" for specifics of this presentation.

A copy of an edited version of Resolution 2012-1, which supercedes the one in the Board packet, is incorporated herewith to these minutes as Exhibit "8."

Chair Romero said this Resolution really is "a checkoff for NMED that this is in place."

Mr. Kippenbrock said this is correct, noting this updates the 2005 Resolution.

Commissioner Mayfield asked if the City and/or the County earn interest on this reserve.

Mr. Kippenbrock said the interest earned stays in the reserve.

Commissioner Mayfield asked if the interest stays up with inflation.

Mr. Kippenbrock said no, but it does help that fund.

**MOTION:** Commissioner Holian moved, seconded by Councilor Trujillo , to approve Resolution No. 2012-1, as edited [Exhibit "8"], as presented in Item VI(G).

**VOTE:** The motion was approved unanimously on a voice vote.

**(H) RESOLUTION OF THE VIOLATION OF AIR QUALITY PERMIT CONDITIONS AT THE CAJA DEL RIO LANDFILL**

Randall Kippenbrock, Executive Director , presented information regarding this matter from his Memorandum dated January 13, 2012, with attachments, to the SFSWMA Joint Powers Board, is incorporated herewith to these minutes as Exhibit "9." Please see Exhibit "9" for specifics of this presentation.

Commissioner Mayfield said then it is a matter of filing the paperwork and we are not in violation of any air quality, and Mr. Kippenbrock said this is correct.

Commissioner Mayfield asked if there have been any torts filed against us for violation of air quality issues at the site, and Mr. Kippenbrock said no.

Commissioner Mayfield asked if these funds are budgeted somewhere, or if there is a contingency fund, or is it in the General Fund.

Mr. Kippenbrock said one item will be moved in the current budget to another line item to allow us to pay for this. He said it probably will come out of Equipment Maintenance Repair, commenting he will make this determination at a later date, noting we aren't to that point at this time.

Commissioner Mayfield wants to know once that determination is made.

Chair Romero said this isn't for an air quality issue, but rather a paper issue, noting the cost could have been closer to \$10,000. She said NMED doesn't have a tickler list, and this slipped through the cracks for a variety of reasons. She asked if the consultant is now doing something to be sure this doesn't happen again.

Mr. Kippenbrock said these are now on Microsoft Outlook, referring the Board to pages 224-226 of the packet, and said hopefully this won't happen again with all of these reminders.

Commissioner Mayfield asked if SWMA is now in compliance with all paperwork required to be filed.

Mr. Kippenbrock said yes, noting it took a relatively short period of time to "turn around this application process" in July.

#### **(I) UPDATE ON FORMER COMMERCIAL ACCOUNT HOLDER L&L WASTE SERVICES.**

A copy of a Memorandum dated January 23, 2012, from Randall Kippenbrock, Executive Director, to the SFSWMA Joint Powers Board, is incorporated herewith to these minutes as Exhibit "10."

Mr. Kippenbrock said he learned by letter that L&L Waste Services is no longer in business. He said the amount due is a write-off in the Audit Report in the amount of approximately \$295,000, noting the Bankruptcy Court dismissed his Bankruptcy case and his assets are being sold.

Mr. Miller said L&L filed Chapter 11 Bankruptcy, under which they would have been allowed to reorganize and continue operations. He said after a year the U.S. Trustee filed a motion with the Bankruptcy Court requesting the case be dismissed or converted to a case under Chapter 7, which would mean complete liquidation. He said the reason the Trustee filed the motion is because L&L never filed a Reorganization Plan and Disclosure Statement, which are required to give the creditors an idea of the amount of their debt which would be satisfied. He said there also were some cash management discrepancy problems, so the Trustee decided it was no longer a case for Chapter 11 and filed a motion to convert or dismiss.

Mr. Miller said at that time, L&L said it was in negotiation with its secured creditors and didn't oppose dismissing the case, so it was dismissed by the Bankruptcy Court, and L&L began to try to liquidate its assets. He said SWMA isn't in a favorable position to be repaid for any of the debt, because there were a number of creditors ahead of SWMA in secured positions, including two financial institutions and the NM Taxation and Revenue Department.

Mr. Miller said at this point, it appears there may or may not be sufficient funds to satisfy the first position creditor. He said any funds remaining after the sale, will be turned over to the NM Taxation and Revenue Department. He said we can stay on top of this in the event there might be any funds, but it really is rather hopeless. He said we want to be sure that SWMA acts appropriately in the situation.

Chair Romero said L&L's downfall was coming, but the 2008 downturn hastened it, and L&A was unable to make the business work. She said it is unfortunate that SWMA is "way down on the ladder." She thanked Mr. Miller for his work on this.

Mr. Miller said L&L owes back taxes to the IRS and taxes to Santa Fe County, and those creditors are in a non-secured priority status, noting there are 3 tiers, noting Los Alamos County is a non-secured non-priority creditor.

Councilor Mayfield asked, since L&L took money for something, but didn't use the funds for that purpose, if they can be filed on for fraud.

Mr. Miller said they have no assets, and he does not believe there was anything criminal, and he is unaware of any fraud activity.

Chair Romero said they were delivering to Los Alamos.

Responding to Commissioner Mayfield, Mr. Miller said once SWMA realized they couldn't pay their bill to SWMA, we entered into a promissory agreement with a clear payment schedule, but L&L couldn't make those payments, and were put on a cash basis only.

Commissioner Mayfield asked if we have a mechanism in place to ensure this doesn't happen with another entity, asking how someone gets this deep in debt to SWMA.

Mr. Kippenbrock said we do have a mechanism in place which is a payment bond. They have to estimate the work done, and each year when the Insurance Company sends us a payment bond, we notify them that it is equivalent to two months of work. If they don't want to do a payment bond of 10%, they can do a cash advance. He said the C & D companies usually do a cash payment, and when that gets to zero, then we notify them and they replenish the fund within a matter of days. He said there are no exceptions to this policy. He said it is unfortunate that this happened with a local company. He said SWMA learned a lesson this experience, and doesn't want this to happen ever again.

Commissioner Mayfield asked if we have any bad debts on the books.



Mr. Kippenbrock said yes, but those are very small amounts, mostly bad checks, which is a matter of hundreds of dollars.

**(J) UPDATE ON THE CONSTRUCTION OF THE HOUSEHOLD HAZARDOUS WASTE (HHW) COLLECTION FACILITY AND THE NEW RECYCLING DROP-OFF CENTER AT THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION. (MIKE SMITH)**

A Memorandum dated January 23, 2012, from Randall Kippenbrock, Executive Director, to the SFSWMA Joint Powers Board, is incorporated herewith to these minutes as Exhibit "11."

Mike Smith noted we touched on this early in the meeting, and gave a quick recap of the current status. He said an appreciable amount of the construction on the HHW building is complete, with the exception of some site work, curb and gutter, noting 150 linear feet of that is established. However, there are areas in front which can't be done until asphalt and paving begins. He said they need to do site utility – tapping into the water main– which has been a bit of an ongoing issue for two months, but they expect resolution because all of the mylars and necessary information has been submitted to the City. He said he hopes for a complete resolution quickly to this issue so we can complete the fire and domestic water, noting a second fire hydrant has to be installed, which also has to wait for tapping into the water main.

Mr. Smith asked Board members to let him know any ideas and/or suggestions they might have on the grand opening, noting he and Lisa Merrill will begin working very diligently on that very soon.

Chair Romero suggested the grand opening might be coordinated with an event – Household Hazardous Waste Day.

Chair Romero said Councilor Trujillo participated last year and reported on how it worked for him, and Councilor Trujillo said it worked well.

Mr. Smith said the HHW collection facility allows residents to continually dispose of household waste, instead of once a year on a weekend.

Mr. Smith invited the Board to come out, saying he will give them a tour of the facility, noting it is safe to walk around at this point.

Chair Romero said 1-2 events a year are not enough when people are stockpiling material all year, noting this is an environmental and not economic issue, and it is the right thing to do.

Commissioner Mayfield asked if there can be any recycling of these materials.

Mr. Smith said yes, for a majority of it, especially the paint and motor oils, and there are others.

Mr. Smith said, with regard to the recycling drop-off center, the work there was to happen after the HHW facility was built. However, the asphaltting of that area was moved to the beginning and is now complete. He said they used to average 50-75 tons a month at the old drop-off center, but in the first two months there have been 90 tons and 114 tons respectively. He said the convenience of the drop-off center is giving us repeat customers, and believes it will prevent a lot from winding up in the arroyos.

Responding to Commissioner Holian, Mr. Smith said they accept automobile batteries and those will be recycled/sold.

## **VII. MATTERS FROM THE BOARD**

Responding to Commissioner Mayfield, Mr. Kippenbrock said Mark Baker did follow up with regard to the sale of rock from the landfill. He said currently we're paying 69 cents per ton to BLM for all sales of commercial rock which goes out the gate. He said if Santa Fe County wanted to buy from us, it would apply for the discount.

Chair Romero said the key is that it is agency to agency.

Mr. Kippenbrock said the only portion that is free is the royalty portion, but there is still the \$6 per ton aggregate cost, so it's not totally free, but it is a more nominal amount.

Chair Romero noted we contacted the State with regard to it being a customer, but have had no response.

Commissioner Mayfield asked who is extracting the rock.

Mr. Kippenbrock said it is done on an as needed basis, with the charge for blasting and removal being approximately \$4.50 per cubic yard, to remove that material and stockpile it.

Commissioner Mayfield asked who buys the material.

Mr. Kippenbrock said it has been used for cell construction, and we pay only for that portion. He said all other commercial sales are between the contractor Dell Hur and his customers.

Commissioner Mayfield said he would like to meet with Mr. Kippenbrock later to try to understand the penalty paid.

Councilor Trujillo said next month will be his last meeting. He said the City will have 3 new Councilors, perhaps even 4. He said this has been a great Board to serve on, and another Councilor will be appointed to replace him, noting there are other Boards on which he would like to serve.

Commissioner Holian said they going to miss Councilor Trujillo very much. She thanked him for all she's learned from him, and wished him good luck.

**VIII. NEXT MEETING DATE**

The next meeting will be on the third Thursday in February.

**X. ADJOURNMENT**

There was no further business to come before the Board, and the meeting was adjourned at approximately 1:15 p.m..

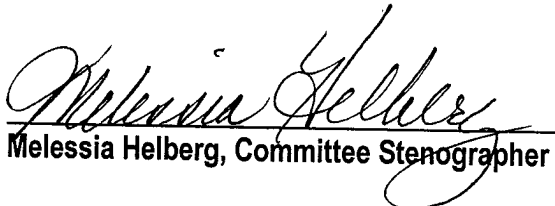
**APPROVED BY:**

\_\_\_\_\_  
Rosemary Romero, Chair

**ATTESTED TO:**

\_\_\_\_\_  
Yolanda Y. Vigil, City Clerk

**SUBMITTED BY:**

  
\_\_\_\_\_  
Melessia Helberg, Committee Stenographer