

Northwest Vermont Solid Waste Management District

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NOTICE

REGULAR MEETING NORTHWEST VERMONT SOLID WASTE MANAGEMENT DISTRICT BOARD OF SUPERVISORS

DATE: JANUARY 4, 2023
TIME: 6:30 PM
PLACE: ST. ALBANS CITY HALL, 100 N. Main St
and via Zoom <https://us02web.zoom.us/j/4456759564>

AGENDA

1. REVIEW AGENDA
2. VOTE: Minutes of December 7, 2022 Board meeting (enc.)
3. PUBLIC COMMENT
4. STAFF REPORTS
 - a) Executive Director's Report
 - b) Financial Report
5. COMMITTEE REPORTS
 - 1) FINANCE- (No Action)
 - 2) BUILDING
 - (a) **Discussion and Vote:** Shall the Board approve the enclosed resolution, as written or amended, to warn a Special Meeting of the District voters on March 7th, to approve a long term debt for the completion of necessary improvements to District infrastructure?(enc)
 - (2) OPERATIONS- (No Action)
 - (3) ADMINISTRATION- (No Action)
 - (4) EXECUTIVE – (No Action)
6. Other Business/Announcements
7. Adjourn

MEMBER COMMUNITIES

ALBURGH • BAKERSFIELD • BERKSHIRE • ENOSBURG • FAIRFIELD • FLETCHER • FRANKLIN • GEORGIA • GRAND ISLE
HIGHGATE • ISLE LA MOTTE • MONTGOMERY • NORTH HERO • RICHFORD • ST. ALBANS CITY • ST. ALBANS TOWN
SHELDON • SOUTH HERO • SWANTON

Minutes

Full Board of Supervisors Meeting & Public Hearing Draft FY2024 District Administrative Budget

December 7, 2022

The Board of Supervisors of the Northwest Vermont Solid Waste Management District held their regularly scheduled board meeting and Public Hearing on December 7, 2022 via zoom and at the St. Albans Town Hall at 6:30 PM.

Supervisors Present:

Buermann, Bob – So. Hero

Clark, David – Fletcher

Dodd, Stephen – Sheldon

Doremus, Mark – Bakersfield - zoom

Kade, Barry – Montgomery

Lambert, Paul – Georgia – zoom

Micheli, Carlo – Swanton - zoom

Richards, Jim - No. Hero – zoom

Tuck, Joyce – Isle La Motte

Voegele, Al - St. Albans Town

Supervisors Absent:

Green, Tim – Richford

Henry, Josie – Alburg

St. Francis, April – Highgate

Tibbits, Jaime – Fairfield

Others Present:

John Leddy, Executive Director

Pam Bolster, Finance - zoom

Guests:

Mr. Leddy asked for a motion to have Mr. Voegele chair the meeting as the Interim Chair Jaime Tibbits was not available for this meeting. Mr. Buermann made the motion that Mr. Voegele who has been board chairman in the past, chair this meeting in Ms. Tibbits absence. Ms. Tuck seconded the motion. Mr. Voegele called the meeting to order at 6:30PM

Mr. Lambert made a motion to delay closing the Public Hearing until 7PM to allow ample time For Public Comments on the Budget. Mr. Doremus seconded the motion. All were in favor and \ the motion passed.

1) Agenda Review-Additions/Deletions: None

2) Vote: Minutes of the August 3, 2022 November 2, 2022 NWSWD Board Meeting:

Ms. Tuck made a motion to accept both sets of minutes as written. Mr. Doremus seconded the motion. All were in favor and the motion passed.

3) **Public Comments:** None. Mr. Beurman made a motion to close the public hearing. Mx. Tuck seconded the motion. All were in favor and the motion passed.

4) **Staff Reports:**

a) **Executive Director Report:**

Mr. Leddy gave an update on personnel noting the new Program Coordinator for Outreach & Education and Communications, Alison Corn had started. He stated that we found a temporary roll off driver as primary driver will be out on short term disability and that the compost collection driver that had been hired did not show up on his first day without contact.

Mr. Leddy noted that the Rigid Plastic Diversion Program was going well with a load just shipped and with a load of plastic film ready to go as well. He noted an article that he will send to everyone that deals with recycling of plastics through a chemical process to fuel. Discussion of plastic recycling and transportation including export issues in supplying Canada with material.

b) **Finance Report:**

Ms. Bolster directed the board to the P&L and stated that though we are on track to date it is just barely. She noted that drop off site proceeds are slowing down for the winter season and that we should see a slight bump just before the holidays. The last few days in Georgia have only seen approximately 30 people per day. Payments and Receipts have been solid and she has no major concerns at this point in time.

5) **Committee Reports:**

1) **Finance:**

a) **Discussion and Vote: Shall the Board adopt the Draft FY2024 District Administrative Budget as Warned or amended?**

A thorough discussion of assessments, surcharges and drop off site fees ensued. Ms. Bolster noted that a decision was necessary for the budget deficiency of \$4,641.97 as to whether to allocate surplus fund to cover the deficiency. FY22 generated surplus cannot be utilized as the audit for FY22 is not complete. Ms. Bolster suggested that this amount be allocated from revenue reserves. Mr. Buermann made a motion to accept the draft budget and to authorize a line item be added to show the deficiency is to be covered by Current Revenue Reserves. Ms. Tuck seconded the motion. All were in favor and the motion passed.

b) **Discussion and Vote: Shall the Board set the FY2024 District Municipal Assessment at \$1.20 per capita based on the most recent census date, with a due date of November 15, 2023, and direct the District Treasurer to issue warrants to member municipalities?**

Mr. Buermann made a motion to increase the municipal assessment to \$1.20 per capita and to authorize the treasurer to issue warrants to member municipalities with that rate. Mr. Kade seconded the motion. All were in favor and the motion passed.

c) **Discussion and Vote: Allocation of the FY22 Budget Surplus:**

Ms. Bolster questioned the board as to whether any allocation can occur as the audit is not 100% complete to date. Board members deferred the allocation until audit completion.

2) Building:

a) Discussion and Vote: Shall the Board resolve to engage in a renovation project of the District's Georgia Recycling Facility and warn for a District wide vote to incur debt to do so.

Discussion of timing, warnings and special meetings, ballots and town contact and the process including absentee ballots occurred. Mr. Leddy stated that Town Clerks become designees for the whole procedure but will research to ensure of the responsibilities on both sides as well as cost responsibilities. Mr. Richards asked Mr. Leddy to clarify what he is looking for in this meeting to which Mr. Leddy stated that the resolution paperwork is just the intent of The District to call for a Special District Meeting on March 7th, 2023 which seeks voter approval to incur long term debt. Discussion of paperwork wording ensued. Mr. Dodd made a motion to approve the proposed resolution in the package with one change, to remove "hereby" from the third paragraph and to replace with "intend to". Mr. Richards seconded the motion. Ms. Bolster as clerk was asked if she was comfortable signing this resolution to which she affirmed she was. All were in favor and the motion passed.

3) Operations:

a) Alburgh Transfer Station: No Update

Mr. Leddy noted to the board he had not heard back from Highgate in relation to the Permanent Easement they have requested. Ms. Tuck noted that she was extremely uncomfortable granting a permanent easement to them. Discussion Ensued. The issue will be discussed again at future meetings.

4) Administration: No Action

Ms. Tuck suggested that due to District growth and necessity, for the FY25 budget the District should look into HR assistance with the suggestion of partnering with another entity and sharing services. Discussion occurred.

5) Executive: No Action

6) Other Business/Announcements: None

Board Adjourned at 8:25 PM

**NORTHWEST VERMONT SOLID WASTE MANAGEMENT DISTRICT
RESOLUTION**

Whereas, the Board of Supervisors of the Northwest Vermont Solid Waste Management District (the “District”), at a regular meeting thereof duly called and noticed on January 4, 2023, have determined that public necessity requires making certain public solid waste system improvements, namely, expansion of the Georgia Recycling Center and administrative offices including commodity storage, waste collection, and household hazardous waste collection facilities, the aggregate estimated cost of such improvements being One Million, Five-Hundred Thousand Dollars (**\$1,500,000**); and

Adequate funds from the annual revenues are not available to finance such improvements, and therefore a proposition to incur bonded indebtedness in order to finance the cost of making such improvements shall be submitted to the District voters at a special meeting thereof to be held on March 7, 2023.

THEREFORE, BE IT RESOLVED that the legal voters of the Northwest Vermont Solid Waste Management District be warned to meet and act upon the propositions to authorize the Northwest Vermont Solid Waste Management District Supervisors to issue bonds, notes or other obligations to defray the cost of those improvements.

BE IT FURTHER RESOLVED, that all acts relating to the proposition of incurring bonded indebtedness and the issuance of general obligation bonds of the District for the purpose of financing such improvements, as well as the maintenance, operation and financing of such improvements within the corporate limits of the District, be in accordance with the provisions of Chapters 53 of Title 24 and Chapter 413 of Title 24A, Vermont Statutes Annotated; and

BE IT FURTHER RESOLVED, that the Warning for such District special meeting in the form of attached hereto, and the form of Ballot containing such proposition, also attached hereto, are approved.

Dated at Fairfax, Vermont this 4th day of January, 2023.

Northwest Vermont Solid Waste Management District
Board of Supervisors

ATTEST:

District Clerk

NORTHWEST VERMONT SOLID WASTE MANAGEMENT DISTRICT
SPECIAL MEETING
MARCH 7, 2023
WARNING

The legal voters of the Northwest Vermont Solid Waste Management District, residing in the following municipalities, are hereby notified and warned to meet respectively at the following locations:

- Town of Alburgh
[Add location and address to each town]
- Town of Bakersfield
- Town of Berkshire
- Town of Enosburg
- Town of Fairfield
- Town of Fletcher
- Town of Franklin
- Town of Georgia
- Town of Grand Isle
- Town of Highgate
- Town of Isle La Motte

- Town of Montgomery
- Town of North Hero
- Town of Richford
- Town of Sheldon
- Town of South Hero
- City of St. Albans
- Town of St. Albans
- Town of Swanton

on TUESDAY, March 7, 2023, between the hours of seven o'clock (7:00) in the forenoon (a.m.), at which time the polls will open, and seven o'clock (7:00) in the afternoon (p.m.), at which time the polls will close, to vote by Australian ballot upon the following Article of business:

ARTICLE I

Shall general obligation bonds of Northwest Vermont Solid Waste Management District in an amount not to exceed One Million, Five Hundred Thousand Dollars (\$ 1,500,000), subject to reduction by the application of, District reserve funds and federal and state grants-in-aid, be issued for the purpose of making certain public solid waste improvements, namely expansion of the Georgia Recycling Center and administrative offices including commodity storage, waste collection, and household hazardous waste collection facilities, the aggregate estimated cost of such improvements being One Million, Five Hundred Thousand Dollars (\$ 1,500,00), such debt service to be paid from NWSWD Operating Revenues. It is anticipated that revenues through District services will be

sufficient to cover District obligations for repayment. If however these fees are insufficient to enable the District to make timely payments of any amount due, the District will collect any deficiency through increased rates to District provided services, assessments and surcharges in an equitable manner. As provided in the District Charter, obligations incurred under chapter 53 Title 24, VT Statutes Annotated, shall be the joint obligation of the District and Each Member Municipality.]?

The legal voters of the Northwest Vermont Solid Waste Management District are further notified that voter qualification, registration, and absentee voting relative to said special meeting identified in Article I shall be as provided in Chapters 43, 51 and 55 of Title 17, Vermont Statutes Annotated. Absentee and early ballots will be available at the Town Clerks' offices on February 4, 2023.

The legal voters of the Northwest Vermont Solid Waste Management District are further notified that an informational meeting will be held at the following location, date, and time for the purpose of explaining the subject proposed solid waste system improvements:

<u>DATE</u>	<u>LOCATION</u>	<u>TIME</u>
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Adopted and approved at a regular meeting of the Board of Supervisors of the Northwest Vermont Solid Waste Management District duly called, noticed and held on January 4, 2023. Received for record and recorded in the records of the Northwest Vermont Solid Waste Management District on January 4, 2023.

Dated at Fairfax, Vermont this 4 th day of January, 2023.

Northwest Vermont Solid Waste Management District
Board of Supervisors

ATTEST:

District Clerk

OFFICIAL BALLOT
NORTHWEST VERMONT SOLID WASTE MANAGEMENT DISTRICT
SPECIAL MEETING MARCH 7, 2023

ARTICLE I

Shall general obligation bonds of Northwest Vermont Solid Waste Management District in an amount not to exceed One Million, Five Hundred Thousand Dollars (\$ 1,500,000), subject to reduction by the application of reserve funds and federal and state grants-in-aid, be issued or the purpose of making certain public solid waste improvements, namely expansion of the Georgia Recycling Center and administrative offices including commodity storage, waste collection, and household hazardous waste collection facilities, the aggregate estimated cost of such improvements being One Million Five Hundred Thousand Dollars (\$ 1,500,000), such debt service to be paid from NWSWD Operating Revenues. It is anticipated that revenues through District services will be sufficient to cover District obligations for repayment. If however these fees are insufficient to enable the District to make timely payments of any amount due, the District will collect any deficiency through increased rates to District provided services, assessments and surcharges in an equitable manner. As provided in the District Charter, obligations incurred under chapter 53 Title 24, VT Statutes Annotated, shall be the joint obligation of the District and Each Member Municipality?

If in favor of the bond issue,
make a cross (x) in this square:

If opposed to the bond issue,
make a cross (x) in this square:

CERTIFICATE

The undersigned Clerk of the Northwest Vermont Solid Waste Management District hereby certifies that:

- (1) The attached Resolution (Exhibit A), Warning (Exhibit B), form of Australian ballot (Exhibit C) and Notices of Official Intent (Exhibit D-1) were approved and adopted at a regular meeting of the Board of Supervisors of the Northwest Vermont Solid Waste Management District held on December 7, 2022, and January 4, 2023, for use at the March 7, 2023, special meeting of the Northwest Vermont Solid Waste Management District.

- (2) The attached Warning (Exhibit A) was recorded on January 5, 2023, in the records of the Northwest Vermont Solid Waste Management District and posted on the Northwest Vermont Solid Waste Management District website (<https://nwswd.org/>) and in the following public places in the Northwest Vermont Solid Waste Management District from [January 30-February 3, 2023] through March 7, 2023.

Alburgh

- (1) Town Clerk's Office
- (3)
- (4)
- (5)
- (6)

Bakersfield

- (1) Town Clerk's Office
- (2)
- (3)
- (4)
- (5)

Berkshire

- (1) Town Clerk's Office
- (2)
- (3)
- (4)
- (5)

Enosburg

- (1) Town Clerk's Office
- (2)
- (3)
- (4)
- (5)

Fairfield

- (1) Town Clerk's Office
- (2)
- (3)
- (4)
- (5)

Fletcher

- (1) Town Clerk's Office
- (2)
- (3)
- (4)
- (5)

Franklin

- (1) Town Clerk's Office

Georgia

- (1) Town Clerk's Office

- (2)
- (3)
- (4)
- (5)

Grand Isle

- (1) Town Clerk's Office
- (6)
- (7)
- (8)
- (9)

- (2)
- (3)
- (4)
- (5)

Highgate

- (1) Town Clerk's Office
- (2)
- (3)
- (4)
- (5)

Isle La Motte

- (1) Town Clerk's Office
- (2)
- (3)
- (4)
- (5)

Montgomery

- (1) Town Clerk's Office
- (2)
- (3)
- (4)
- (5)

North Hero

- (1) Town Clerk's Office
- (2)
- (3)
- (4)
- (5)

Richford

- (1) Town Clerk's Office
- (2)
- (3)
- (4)
- (5)

Sheldon

- (1) Town Clerk's Office
- (2)
- (3)
- (4)
- (5)

South Hero

- (1) Town Clerk's Office
- (2)
- (3)
- (4)
- (5)

St. Albans City

- (1) City Clerk's Office
- (2)
- (3)
- (4)
- (5)

St. Albans Town

- (1) Town Clerk's Office
- (2)
- (3)
- (4)
- (5)

Swanton

- (1) Town Clerk's Office

- (2)
- (3)
- (4)
- (5)

(3) The attached Warning was published in the St. Albans Messenger, a newspaper published in St. Albans, Vermont, and generally circulating in the Counties of Franklin and Grand Isle and the Northwest Vermont Solid Waste Management District on February █, February █, and February █, 2023.

(4) The vote tally on the propositions stated in Article I on the attached warning was:

	<u>ARTICLE I</u>
In Favor	_____
Opposed	_____
Blank	_____
Spoiled	_____
Total Votes	_____

(5) No petition has been filed seeking reconsideration or rescission of the action taken at said annual meeting nor is there any litigation pending or threatened in any state or federal court contesting or challenging either the proceedings set forth in Paragraphs (1) through (4) of this Certificate, the works of improvement so authorized or, the issuance of bonds or notes of the District to finance the same.

Done this ____ day of April, 2023.

District Clerk