



**NORTH CENTRAL SOLID WASTE AUTHORITY
BOARD OF DIRECTOR'S
REGULAR MEETING**

Wednesday, April 17, 2019 at 3:00 P.M.

**2016 N. Riverside Drive
Española, New Mexico 87532**

I. Roll Call

Board Members:

Rio Arriba County	Tomás Campos/Chairman, <i>Present</i>
Ohkay Owingeh	Ben Lujan/Vice Chairman, <i>Present</i>
Santa Clara Pueblo	Bernardino Chavarria/Secretary, <i>Present</i>
Rio Arriba County	James Martinez, <i>Absent</i>
City of Española	John Ricci, <i>Absent</i>

Staff Members:

Manager	Peter Fuller
HR Director	Janet Saucedo
Billing Specialist	Michelle Valencia
Officer Manager	Therisa Aguilar
Accounts Payable Clerk	Emma LaRue
Executive Assistant	Jackie Martinez

Others:

Rio Grande Sun	Austin Fisher
Contract Attorney	Renee Barela-Gutierrez
UWS, Inc., Contractor	Ernie Byers
Citizen	Pedro Valdez
Citizen	Donald C. Orie
Citizen	Peter Romero
Citizen	Josephine Borrego
Citizen	Robert Mendez
Citizen	Antonio DeVargas
Citizen	Pedro Valdez
Citizen	James Smart
Citizen	Juan Chavez
Citizen	Leonard Martinez

II. Call to Order

Chairman Campos officially called the meeting to order at 3:03 P.M.

III. Approval of Agenda- Wednesday, April 17, 2019

Chairman Campos asks if there are any additions or changes to the agenda. Manager Fuller would like to move item IX. D., Universal Waste Systems Amendment after Audience Participation/Public Comments.

Motion made by Vice Chairman Ben Lujan to approve the agenda to move item IX, D., Universal Waste Systems Amendment after Participation/Public Comments for April 17, 2019.

Motion seconded by Secretary Dino Chavarria.

Motion approved and carried 3-0.

IV. Approval of Minutes – Regular Meeting, Wednesday, March 20, 2019.

Motion made by Vice Chairman Lujan to approve the Minutes for March 20, 2019.

Motion seconded by Secretary Dino Chavarria.

Motion approved and carried 3-0.

V. Audience Participation/Public Comment

Mr. Donald Orie presents to the Board today. Mr. Orie is a concerned citizen that has brought a list of eleven (11) items that are major comments, complaints, criticisms, and recommendations he and other customers have about NCSWA and would like to present them to the Board of Directors. Mr. Orie and other customers are requesting the Manager respond to each of the items and questions what actions NCSWA will be taking to mitigate them. Mr. Orie would like for the Manager to respond to item number one (1) today. Mr. Orie would appreciate the other items on the list be responded to in two or three weeks. Mr. Orie would like to find out why there has been no response from NCSWA to his letters and formal grievances. Questions one reads, is the NCSWA going to respond to our issues/recommendations? (Many letters/and a formal grievance have been submitted to the NCSWA with no response.) Manager Fuller answers, on or before the day of the next Board Meeting, Manager Fuller will ensure Mr. Orie will have a written response to all of these items. Chairman Campos agrees that Manager Fuller will respond to question one. Mr. Orie reiterates he and his team would appreciate commentary and responses to these eleven (11) items. Mr. Orie asks Mr. Fuller “when is going to be fair and accurate to all the people in Rio Arriba County”. Mr. Orie states he is one of the people on the delinquent list.

Mr. Peter Romero presents to the Board today. Mr. Romero has concerns because he is being charged back twenty-two (22) years back. Mr. Romero wanted to borrow money on his property, however, he has a lien on the property. This property does not have utilities in the home. Ms. Valencia states, according to our Supervisor in Tierra Amarilla, Jose Jaramillo, he has been out their numerous times and verified the home was occupied. Mr. Romero says his deed states the home is not occupied. The information NCSWA placed on the lien, was the information Mr. Romero provided to NCSWA, and that is what we went based off of. Mr. Romero states he is unaware where NCSWA picked up that information from, and it was not from him. Mr. Orie brings up item three (3), multiple listings. Mr. Romero does not agree with the lien.

Mr. Mendez presents to the Board today. Mr. Mendez is here to rehash about his concerns when he presented to the Board on March 20, 2019. Mr. Mendez believes the one (1) visit to the dump is unreasonable. Mr. Mendez express, within the Authority there are intelligent people that can sit down and logically find solutions without having to pay a consultant to haul the garage around. Mr. Mendez was referring to an article that was written in the Rio Grande SUN. Mr. Mendez believes the policies are being discriminatory to a certain stand. Mr. Mendez refers to the permit cards. Mr. Mendez believes the Authority is doing wrong by taking away from some and giving to others. Mr. Mendez also believes the Authority is rewarding customers that are paying less on their bill. This does not make sense to Mr. Mendez.

Ms. Josephine Borrego presents to the Board today. Ms. Borrego inherited her parents' home and she has been trying not to pay the trash because nobody lives there. Ms. Borrego does have electricity connected to the home because she does not want the home to become a dump. Ms. Borrego does have the outdoor lights that turn on at night for safety purposes. Ms. Borrego has been doing this for the past six (6) years and in reality, she is paying twice for trash services. When Ms. Borrego came to get her permit card for the dump, an Authority worker at the window did not let her pick up the permit card because the account was not under her name. Ms. Borrego is aware the account is not under her name, it is under her parent's name, however, Ms. Borrego pays the trash bill for both homes. Ms. Borrego received the permit card for her home, but not her parents' home. This is the reason Ms. Borrego is here. Manager Fuller will see what he can do for Ms. Borrego. Manager Fuller asked Ms. Borrego if the deed is still in her parent's name. The deed is in her parents name as well as her name. Vice Chairman asks if Ms. Borrego is paying yearly on both homes. Ms. Borrego states she is paying yearly on both homes.

Mr. Antonio DeVargas presents to the Board today. Mr. DeVargas has a problem with the lien situation. Mr. DeVargas brings up an audit by the Authority on County road 001. Mr. DeVargas states the audit found out 577 houses, and only 244 had service. Mr. DeVargas states by law NCSWA cannot collect beyond four (4) years. Mr. DeVargas goes on to say, by law you are not required to pay for services that are not rendered, however, it is immoral.

Mr. James Smart presents to the Board today. Mr. Smart is trying to resolve some Environmental acts on the water quality in his region. Mr. Smart is looking on what impacts the water in the City of Española on a regional point of view. Mr. Smart is here to ask if the Authority does an annual reporting on the impacts of waste in our area? Annually, NCSWA is required to report to the New Mexico Environment Department (NMED). Manager Fuller will refer Mr. Smart to the correct contact person at NMED.

Mr. Leonard Martinez presents to the Board today. Mr. Martinez's neighborhood is a family of thirteen (13) and they have no trash service. The problem is, the Martinez family lives in Santa Fe County, a quarter mile road off State Road 76. Mr. Martinez asks if it is possible to get trash service from NCSWA in that area. Right now, the coming to the Transfer Station costs too much, and it is too far for the family. Manager Fuller states we will look into it. Ms. Valencia expresses NCSWA does not service that area. Chairman Campos would like someone from NCSWA to look at the area. The address is County Road 88. Ms. LaRue states that is too far out of the servicing area. Santa Fe County does not have trash pick-up service. They would have to get a dumpster in the residential area, or self-haul.

Chairman Campos answers a question from a citizen who wishes to remain anonymous, and states, the Authority does not have the power to foreclose on liens. Mr. Orie was talking to former Manager Gino Romero years ago, and Mr. Orie is questioning why the County processes about 33,000 tons of solid waste every year. Mr. Orie questions why Rio Arriba County costs almost three (3) times as much to process a similar amount of waste in Rio Arriba County. Chairman Campos explains to Mr. Orie that the number he is looking at is the landfill cost in Santa Fe. Mr. Chairman believes the cost is 45 a ton. Chairman Campos states, that is not the cost per ton from "your" house to the landfill. The number Mr. Orie is quoting cannot be accurate. Chairman Campos goes on to say that Mr. Byers is an independent hauler that hauls trash to Sandoval County. Mr. Byers states their rate is about \$22.00 a ton. There is also a transportation cost, which is \$15.00 a ton, and there is handling cost, and also convenient cost. There are other costs.

VI. Financial

A. NCSWA Revenues Last Five Years

Being that NCSWA is transitioning from Caselle to Incode, Mr. Ed Fierro is working on closing the March books, therefore we do not have the usual Financial Revenue expense

reports for March and, they are not ready for today. As of March 2019, NCSWA is at \$4.37 million. Manager Fuller has put together a spreadsheet of NCSWA Revenues from the Last Five Years, which shows NCSWA is going to make our goal.

VII. Manager's Report

Manager Fuller begins with the NCSWA focus question: What is the safest, most practical and cost-effective way to serve the on-going solid waste collection and disposal needs of all our customers? Collection specialist JoAnn Marquez has collected \$25,295.59 on twenty-three (23) accounts since our last Board of Directors Meeting. This makes a total of \$208,042.60 over the past eleven (11) months. In addition, Ms. Valencia has collected over \$17,345.00 on five (5) commercial and/or foreclosure accounts in the month of March. Manager Fuller gives kudos to Ms. Valencia for her diligence and responsiveness. Chairman Campos congratulates both Ms. Marquez and Ms. Valencia on behalf of Member John Ricci because Mr. Ricci was unable to be at the meeting today.

NCSWA collected \$640.00 in tarping fees at the Alcalde Transfer Station during the month of March. This equates to twenty (20) un-tarped loads at twenty dollars (\$20.00) per load. Vice Chairman Lujan agrees with tarping the trash loads and believes it is working for the community. Customer and worker safety in and around the Transfer Station floor was our recent safety topic. This is more important during summer months. NCSWA employees are not to get in or near customer vehicles.

Manager Fuller gives thanks to Marcos Armijo, Judge Stephen Salazar and all volunteers who came out on Saturday, April 13, 2019 for the Keep Española Beautiful event. This event was a great success. Mr. Fuller gives thanks to The Youth Development Incorporated (YDI) and Teacher Beatrice's class of three to six-year olds for the opportunity to present to them all about recycling. The slogan the kids came up with is "Don't lose it, reuse it!". The kids recycled milk cartons for Easter, and other fun and creative things.

Manager Fuller gives thanks to Secretary Chavarria for his request and the opportunity to sit at his meeting the Santa Clara community held on March 25, 2019.

Recycling and Other Diversion Strategies- Manager Fuller is still working on the cardboard. The Cardboard is moving albeit it slowly, however, Sarah Pierpont with the NM Recycling Coalition is working to help NCSWA get the word out about the cardboard. Ms. Pierpont has also stated she has \$5,000 in a Grant that she wants to use specifically to get our cardboard moving in Alcalde. Manager Fuller is continuing discussions with McKinley Paper. The Authority has compactors sitting idle that we can use that will be safer than balers.

Manager Fuller is still liaising with Megan at Computer Recyclers in Albuquerque to coordinate a May electronic waste event. Secretary Chavarria gives an update on his community meeting. Secretary Chavarria gave Manager Fuller the background on the organization from planning Authority landfill closure, landfill investigation and forming an Authority. This was very educational to get the background.

VIII. Director's Business

Vice Chairman Lujan wants to ensure NCSWA responds within the next thirty (30) days to Mr. Orié's request. Vice Chairman Lujan has never seen any complaints such as the one he saw today, as long as he has served on the Board. Chairman Campos states there are two (2) letters from Mr. DeVargas. One of them asked for a formal grievance. One of the letters was given to former Manager Gino Romero to schedule it. Chairman Campos recalls it never happened. Chairman Campos believes Mr. Orié wrote a letter as well. Mr. Orié confessed he sat down at length and talked to Mr. Gino Romero, but yet he said he was never responded to. Vice Chairman Lujan would like for NCSWA to come up with a log for letters and/or complaints as they come in. That gives us enough time to make sure we are administering the letters and/or complaints. Chairman Campos inquires about Mr. Peter Romero's account status. Ms. Valencia

explains Mr. Romero brought in his electricity bill, and the usage was really high. Mr. Jose Jaramillo went out there and verified the home has always been lived in. Vice Chairman Lujan asked if NCSWA would be able to verify if somebody lives in Ms. Josephine Borrego's parent's home as well. Vice Chairman Lujan wants to be fair with all the customers, however, if there is somebody living in the house, and we are not charging, where is that trash going? This is the scary part. Vice Chairman Lujan believes responding to the Community is really important and wants to ensure this is getting done. We need to hear what they are saying. Vice Chairman Lujan wants to officially thank and recognize the ladies for their hard work in collections. Chairman Campos refers back to the statements made by Mr. DeVargas going back four (4) years, we are a local Government, and we can never write off debt. Chairman Campos does not know what he is quoting or what he is talking about. Ms. Barela-Gutierrez believes he is quoting the New Mexico statute that talks about consumer debt. There is a statute of limitations on how long you have to instigate collection on that. Ms. Barela-Gutierrez agrees with Chairman Campos and states, as a public entity, you cannot write off debt. There is a way to identify something as uncollectable, where you can remove it from your financials. Ms. Barela-Gutierrez believes Mr. DeVargas is incorrect when he says "you can only go back 4 years". Chairman Campos believes they financed somebody at the BLM that they're permanent, and the other was only there for two (2) years and never wanted to talk. Chairman Campos states people are dumping their trash in the forest. They don't have enough officers.

IX. Old/New Business

A. 2019 Roll-Off Flyer

Member Ricci requested NCSWA advertise the Roll Off Rates. Ms. Aguilar, Ms. Valencia and Ms. Martinez did an excellent job on working on the Zone A-City of Española Roll Off Rates for a 30 Yard Roll Off Dumpster. Chairman Campos believes we need to re-look at our zones.

B. Handicap Comparisons

Ms. Martinez called Taos Waste Management and the City of Santa Fe for their procedures on how they handle Handicap customers. Both Taos and Santa Fe require a form from their Health Care Provider verifying they are disabled. The customers are not charged any additional services for this service in Taos. Taos Waste Management lets the drivers know the customers are disabled so they can be accommodated.

The City of Santa Fe has a "Special Collections Route Certification Form" that needs to be filled out by their Health Care Provider. This is for people who are elderly or disabled and are unable to place polycarts at the curb for collection. The customer may request that their refuse collection driver retrieve the cart from their driveway, roll it out for service, and then place it back in its original location. The City of Santa Fe Environmental Services also has a Release of Liability Form and has an Ordinance code for special residential curbside collection service for customers with disabilities. This comes down to being a trust issue. Manager Fuller states he does not know what else to do at this point. Chairman Campos suggests Manager Fuller adopt what one of the other County's has for the meantime because it sounds like a huge problem. Secretary Chavarria believes Doctor notes are a reasonable expectation.

C. NCSWA R&M by Unit

Member Ricci requested this breakdown. Manger Fuller took six (6) months' worth of money spent, looked at each of the units and annualized it as best as he could. The ones that are in light pink (NCSWA R&M Spend by Vehicle) are the heavy hitters. Mr. Fuller took six

(6) months' worth of data and massaged it. Twelve (12) months was prohibitive. Manager Fuller was delighted to see most of these numbers were not that bad. Chairman Campos suggests NCSWA look into the portion of the software package from Incode that monitors the Fleet. Incode will automatically break this down for NCSWA, rather than doing it manually. Vice Chairman Lujan would like to see how many visits the vehicle had to the mechanic shop, and how many times the vehicle has been touched. Chairman Campos believes the expense goes by the amount of units NCSWA has.

D. UWS Amendment

Manager Fuller explains that he and Mr. Joe Lewandowski ran numbers. Mr. Byers has graciously worked with NCSWA in the past to provide additional services, better than anything Mr. Fuller has seen in a year. NCSWA was not tipping enough trash. Mr. Byers lowered the tonnage. This Agreement shall be effective for three (3) years from the date of approval of this amendment by both parties unless terminated pursuant to the termination provision provided in the original Agreement or any amendment thereto. Instead of \$22.50 a ton, this Fee Schedule will be \$23.50 a ton. Manager Fuller is proposing to the Board of Directors that the First Amendment gets signed. Mr. Byers states this service agreements saves the Authority over \$100,000.

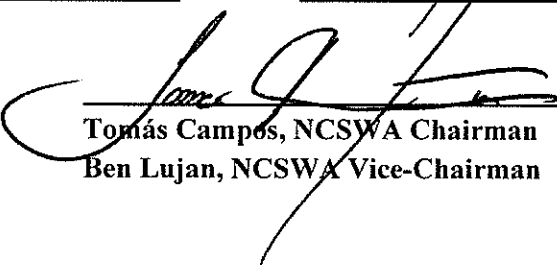
*Motion made by Vice Chairman Ben Lujan to accept and approve the extension of the First Amendment to the North Central Solid Waste Authority Service Agreement. Motion seconded by Secretary Dino Chavarria.
Motion approved and carried 3-0.*

X. Next Meeting – Wednesday, May 15, 2019 at 3:00 P.M.

XI. Adjournment

*Motion made by Vice Chairman Ben Lujan to Adjourn at 4:38 P.M.
Secretary Dino Chavarria seconds the motion.
Motion approved and carried 3-0*

APPROVED AND ADOPTED THIS 15th DAY OF May, 2019



Tomás Campos, NCSWA Chairman
Ben Lujan, NCSWA Vice-Chairman

ATTEST:



Dino Chavarria, NCSWA Secretary