



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

**Wednesday, November 20th, 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>Absent</i>
Rio Arriba County	James Martinez, <i>Absent</i>
City of Española	John Ricci, <i>Present</i>

**Staff Members:**

Manager	Peter Fuller
Executive Asst.	Laida Fletcher
HR Director	Janet Saucedo
Bookkeeper/Accountant	Alice Martinez

**Others:**

Rio Grande Sun	Molly Montgomery
Board Attorney	Renee Barela-Gutierrez
Resident	<b>Lloyd Ortiz</b>

**II. Call to Order**

Chairman Campos officially called the meeting to order at 3:15 pm

**III. Approval of Agenda- Wednesday, November 20, 2019**

*Manager Peter Fuller requested an Amendment to the Agenda. Manager Fuller requested that Executive Session be added as X. Pending Litigation after IX. Old/New Business*

*Motion made by Member Ricci to approve amended agenda for November 20, 2019.*

*Motion seconded by Vice-Chairman Ben Lujan*

*Motion approved and carried 3-0*

**IV. Approval of Minutes – Regular Meeting, Wednesday, October 16, 2019.**

*Motion made by Member Ricci to approve minutes for October 16, 2019.*

*Motion seconded by Vice-Chairman Lujan*

*Motion approved and carried 3-0.*

**V. Audience Participation/Public Comment: Truchas Land Grant**

Mr. Lloyd Ortiz introduced himself as representing the Truchas Land Grant. Mr. Ortiz states that NCSWA had a lease contract agreement with Truchas land Grant and that the payments are in the arrears. Mr. Ortiz also stated that he received a notice from Rio Arriba County to demolish a building on their property. Mr. Ortiz wanted to know if NCSWA could donate a dumpster. Chairman Campos asks for clarification and states that this is the first time the Board is hearing about this. Manager Peter Fuller states that he has been talking to Mr. Ortiz and they are considering a new contract. Attorney Renee Barela-Gutierrez stated that she doesn't think that Truchas Land Grant would be considered a government entity. As such, NCSWA would not be able to do a government to government donation of dumpsters. Mr. Ortiz states that the current land lease contract with NCSWA is expired, but he still wants NCSWA to pay off the past due balance. Mr. Ortiz also states that him and Manager Fuller are planning on meeting to discuss options.

**VI. Financial**

**1. Accountants Report- Billing and Collection update**

Alice Martinez presents to the Board a report of the Current Collections for time period 10/16/2019-11/15/2019. Ms. Martinez states that NCSWA currently has 62 accounts on payment plans. Please see attached Report for further information. Vice Chairman Lujan asked about future collection efforts. Chairman Campos questions why NCSWA does their yearly billing at the end of the year instead of in February. Chairman Campos states that if NCSWA would offer resident's savings on paying by the year, in February, than residents could use their tax refund to pay their trash bill. Chairman Campos asks if NCSWA is back billing. Chairman Campos stated that the administration before used to back bill customers, and Chairman Campos doesn't want the current NCSWA Administration back billing customers. Manager Fuller stated that NCSWA was not participating in back billing.

Chairman Campos questions the possibility of allowing LIHEAP recipients to use their benefits to pay their trash bill. Chairman Campos states that LIHEAP recipients can use their benefits to pay for wood, electricity, water, etc. Chairman Campos states that NCSWA should look into the possibility further. Ms Martinez states that she would check into this.

## **2. New Mexico Bank and Trust Update**

Manager Peter Fuller begins discussion on New Mexico Bank and Trust. Manager Fuller states that he and Alice Martinez will be meeting with New Mexico Bank and Trust the following day, to discuss moving NCSWA accounts to them. Member Ricci questions when the conversion will be complete. Member Ricci states that the Board has been waiting for months, for this to take place. Member Ricci requests a time frame for completion. Manager Fuller states that the conversion to NMBT will occur by the December Board Meeting.

Chairman Campos brings up RTD, and how RTD utilizes Brokered CD's. Chairman Campos stated that he wasn't sure if our future bank participated in this. Chairman Campos also stated that it would be in the best interest of NCSWA to investigate banks and their options for investing.

## **VII. Managers' Report**

Manager Fuller begins discussing Commercial Bins and the MOU with the City of Espanola. Manager Fuller states that NCSWA needs to purchase additional bins to remain competitive. Manager Fuller also stated that he would need to draft an Invitation to Bid (ITB) for the purchase of bins. Manager Fuller states that the ITB draft would be available by the December Board Meeting.

Member Ricci begins discussion on enforcement of the MOU. Member Ricci states that the language of the MOU is obscure and doesn't leave the City of Espanola options for enforcement. Member Ricci further states that there is no "Enforcement Clause". Attorney Renee Barela-Guiterrez responds to Member Ricci and states that it the City of Espanola's responsibility to enforce. Attorney Barela-Guiterrez states that NCSWA doesn't have authority to enforce the MOU. Attorney Barela-Guiterrez further states that NCSWA needs the City's assistance so that the MOU can be enforced.

Member Ricci responds and suggests that NCSWA create a new MOU and franchise agreement so that the document can include language providing for enforcement. Attorney Barela-Guiterrez states that she can draft a new ordinance and submit it to the Board for approval.

Please see that attached Managers Report for further detail.

## **VIII. Directors Business**

Vice Chairman Lujan opens the discussion on Board Meeting times. Vice Chairman Lujan states that a permanent meeting time needs to be approved by the Board of Director's.

Chairman Campos states that there is a line on the agenda to discuss BOD meeting times and alternates. Manager Fuller states that this will be discussed under item IX> Old/New Business line B.

Member Ricci begins a discussion on NCSWA Roll-Off Rates, and states that the rates need to come way down. Member Ricci further states that enforcing a MOU is challenging when residents are being expected to pay more through NCSWA. Member Ricci states that he received a call from a concerned resident. Member Ricci states that the resident spoke of Capital Waste Services, and how their rates were at least 50% less than NCSWA.

Member Ricci stated that he was concerned with residents being able to afford NCSWA Roll Off rates, and questions what NCSWA is doing about this. Member Ricci states that the reduction of Roll Off rates should have occurred months ago.

Member Ricci asks Manager Fuller to confirm or disprove competitor rates. Manager Fuller states that he is unaware of competitor rates. Manager Fuller discusses receipt of an invoice from Capital Waste Services and the total was under \$400.00. Executive Assistant Laida Fletcher addresses the Board of Director's and discloses research she compiled in relation to competitor rates. Ms. Fletcher states that she contacted three competitors for rate quotes. Ms. Fletcher's finding were these:

1. Waste Management came in at a bid of over \$900 for a 30 yarder @ 30 days.
2. Western Waste Disposal came in at a bid over \$600 for a 30 or 40 yarder @ 30 days.
3. Capital Waste Management came in at a bid of \$200 for a 30 yarder @ 30 days, max weight 3.5 tons with a charge of \$44/ton thereafter. In addition, they required a \$350.00 deposit.

Human Resource Director Janet Saucedo stated that she had personal- knowledge of Capital Waste Disposal and wanted to speak about this. Ms. Saucedo stated that Capital Waste Management required a \$250 deposit, charged \$44 a ton, and customers are given 30 days. Once they remove and weigh the roll off they deduct costs \$250 from the invoice amount.

## **IX. Old/New Business**

### **A. Desk Audit Approval with Attorney Renee Barela-Gutierrez.**

Attorney presented a Powerpoint presentation regarding the proposed updated pay and classification schedule. The objective of this process was to compare current NCSWA salaries to the marketplace to ensure that NCSWA was paying competitive salaries. This was done by reviewing the current pay of employees of Rio Arriba County, NCRTD and the City of Espanola. Secondly, desk audits were conducted, which consisted of interviewing each employee in NCSWA and comparing their current job duties to the job description; updating the job description where needed with regard to required knowledge, skill, ability, education and experience. From these two tasks an updated pay and classification plan was created. Final step was to compare each current employee's salary to the pay and classification plan and make adjustments as needed, based on the employee's current pay, job duties and responsibilities, and experience. The Board was presented with the updated pay and classification plan and the updated NCSWA employee pay schedule. The budget impact was discussed.

Discussion ensued. Overtime, budget impact, vacant positions and the possibility of back pay were discussed. The Board agreed that this was a necessary step to address market competitiveness.

Member Lujan made a motion to approve the proposed pay and classification plan and update to employee salaries based on the plan, Vice Chairman Lujan seconded. Motion approved 3-0.

**B. BOD Meeting Time**

After a brief discussion regarding meeting time,  
*Motion made by Vice Chairman Lujan to approve amended BOD meeting time of 3:00 pm. Member Ricci seconds the motion*  
*Motion approved and carried 3-0*

**C. BOD Alternates**

Discussion ensued regarding the requirement that each member select an alternate so if the member is unavailable to attend the meeting, the alternate may attend. The Board agreed to provide alternates.

**D. 2020 Community Clean Up Dates**

NCSWA opens discussion pertaining to planned community clean up dates. HR Director Janet Saucedo states that the dates are tentative and open for discussion. Ms. Saucedo asks whether the Truchas Land Grant representative would like to add his area to the list.

**E. Resolution 2019-11-001**

Self-Haul Rates where house to house pick up is not available. There will be no rate increases for 2020. Please see attached.

*Motion made by Member Ricci to approve Resolution 2019-11-001  
Vice Chairman Lujan seconded the motion  
Motion approved and carried 3-0*

**F. Resolution 2019-11-002**

Low Income Senior Discount Calendar year 2020 NCSWA will offer a 50% discount.  
Please see attached.

*Motion made by Member Ricci to approve Resolution 2019-11-002  
Vice Chairman Lujan seconded the motion.  
Motion approved and carried 3-0*

**G. Resolution 2019-11-003**

Year Pay Discount. Customers who pay by January 31, 2020 will be given four-punch permit cards for use at any Collection Center. Please see attached.

*Motion made by Member Ricci to approve Resolution 2019-11-003  
Vice Chairman Lujan seconded the motion.  
Motion approved and carried 3-0*

**H. Resolution 2019-11-004**

Residential Customers Regarding Rates. NCSWA is not implementing rate increases for 2020. Please see attached.

*Motion made by Member Ricci to approve Resolution 2019-11-004  
Vice Chairman Lujan seconded the motion.  
Motion approved and carried 3-0*

**X. Executive Session**

Chairman Campos called for a motion to adjourn into Executive session to discuss pending litigation. Member Ricci made the motion, Vice Chairman Lujan seconded.  
Roll call vote:

Member Ricci: Yes

Vice Chairman Lujan: Yes

Chairman Campos: Yes

The Board then went into executive session at 5:20 pm

Chairman Campos called for a Motion to exit Executive session and go back into open session.  
Roll call vote:

Member Ricci: Yes  
Vice Chairman Lujan: Yes  
Chairman Campos: Yes

The Board came back into regular session at 5:45pm.

**XII** Next Meeting –Wednesday, December 18, 2019 at 3:00 P.M.


**XII. Adjournment**

Motion made by Member Ricci to Adjourn at 5:50 P.M.

Vice Chairman Lujan seconds the motion.

Motion approved and carried 3-0

APPROVED AND ADOPTED THIS 18<sup>th</sup> DAY OF December, 2019

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

ATTEST:

  
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Dino Chavarria, NCSWA Secretary