

**NORTH CENTRAL SOLID WASTE AUTHORITY  
BOARD OF DIRECTOR'S  
REGULAR MEETING  
Wednesday, November 21, 2018 at 9:00 A.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>Absent</i>
Ohkay Owingeh	Virgil Cata, Alternate, <i>Present</i>
Santa Clara Pueblo	Bernardino Chavarria/Secretary, <i>Present</i>
Rio Arriba County	Alex Naranjo, <i>Absent</i>
City of Española	John Ricci, <i>Present</i>

**Staff Members:**

Manager	Peter Fuller
CFO	Audrey Gonzales
Billing Specialist	Michelle Valencia
Officer Manager	Therisa Aguilar
Accounts Payable Clerk	Emma LaRue
Executive Assistant	Jackie Martinez

**Others:**

Rio Grande SUN	Amanda Martinez
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**II. Call to Order**

Chairman Campos officially called the meeting to order at 9:08 A.M.

**III. Approval of Agenda- Wednesday, November 21, 2018**

*Motion made by Member John Ricci to approve the agenda November 21, 2018.*

*Motion seconded by Alternate, Virgil Cata*

*Motion approved and carried 4-0*

**IV. Approval of Minutes – Regular Meeting, Thursday, October 18, 2018**

*Motion made by Member John Ricci to approve the minutes for October 18, 2018.*

*Motion seconded by Alternate Vigil Cata*

*Motion approved and carried 4-0.*

**V. Audience Participation/Public Comment – Mr. Elmo Valdez came in, however Manager Fuller talked to him before the meeting began and reached a solution.**

## **VI. Financial- Audrey Gonzales, CFO**

### **A. Financial Statements – Audrey**

Ms. Gonzales states between New Mexico Bank and Trust, Century Bank and Xpress Deposit Account, there is a total of \$1.4 million in the bank. NCSWA brought in \$366,000 of revenue, however, NCSWA spent out \$446,000, therefore NCSWA is in the negative. Ms. Gonzales believes with the new year coming up for December, NCSWA will start increasing revenue due to the self-haul and the yearly pay. Member John Ricci understands and reiterates that the City pays on a monthly basis and states that NCSWA's biggest jump is at the beginning of the calendar year.

### **B. October 2018 Check Register**

Ms. Gonzales goes over the October 2018 Check Register. Ms. Emma LaRue was able to create a report for Ms. Gonzales that has the description so it does not have to be written in. Each payment that NCSWA send out will have a description of what the expenditure was on the right-hand side of the check register. Chairman Campos has a question that leads into Director's Business. Chairman Campos questions check number 15779 to Enchantment Transport and asks where NCSWA hauls tires to. Manager Fuller states he does not know. Ms. LaRue expresses that Entrapment is out of Albuquerque and they haul the tires from Alcalde to State Rubber in Denver City Texas.

Chairman Campos questions why crime is written in the description of Brown & Brown insurance, check number 15745. Ms. Gonzales states it is the crime and property insurance. Ms. Gonzales clarifies that this report does not give everything, and chops off some of the description, and that is the reason for the confusion. Ms. Gonzales states that NCSWA is trying to get this to work better. Secretary Chavarria explains that check number 15809, House Hold Hazardous Waste should be reflecting on the next statement and NCSWA will be reimbursed. Chairman Campos states that NCSWA has a propane tank rental and suggests later on when NCSWA can afford it, NCSWA can buy the tank. Manager Fuller agrees and thanks Chairman Campos.

## **VII. Manager's Report**

Manager Fuller begins by reading his 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? Manager Fuller states Ms. JoAnn Marquez has done another brilliant job in collecting more than \$16,000 since our October 18, 2018 Board Meeting. Regarding investing the liquid monies, Manager Fuller believes that the Rio Arriba County investment policy will work. Manager Fuller is continuing to work on tailoring that to NCSWA. Manager Fuller has appointments on Monday, 11/26/18 to talk about the CD rates. Manager Fuller asks if he goes to the bank now and they tell him that the rate is different from what the Board of Directors has already approved, does NCSWA have to come back and get new approval if the rate has changes by a percentage. Chairman Campos replies no, because Manager Fuller is not asking the Board to approve the rates, just approve the investment. Chairman Campos believes the Credit Unions have the same FDIC, \$250,000, just like the bank.

Manager Fuller explains that he has decided not to fill the Operations Supervisor position at this time and will re-evaluate the position during the next 6-12 months. Manager Fuller states this will allow him to get out on the routes and put him in touch with the guys in the front line. The communication in the absence of the position has been impressive to Manager Fuller and HR Administrator Janet Saucedo. Manager Fuller states that the guys have really done a good job at talking to each other and to Manager Fuller. Manager Fuller explains that the feeling of the

general consensus from the guys on the line was having an Operation Supervisor somehow built a wall and the guys would rather go with Manager Fuller and see how that works out. Manager Fuller's next ride-along will be with Alfonso, who is the Container Maintenance Specialist in and around the city to fix some of the smaller bins and stencil them to get the professional image back. Manager Fuller is also trying to get some paint from the people that NCSWA made the roll-off purchase from. Alfonso's suggestion was to get some samples of that paint to match it all up. Manager Fuller is working with a vendor to try and get some free paint, or whatever can be spared.

The most recent safety topic was all about sharps (needles) and to be aware of those to stay safe. Manager Fuller states we had a successful community cleanup event on November 3, 2018 on the Westside. Manager Fuller thanks Monica Velasquez and Member John Ricci at the city for making this smooth and easy for NCSWA.

MSW Recycling & Other Diversion Strategies; Manager Fuller will be doing a recycling presentation at the city for Councilman John Ricci in January. Regarding electronic waste. Manager Fuller is going to tour the Santa Fe facility on November 28, 2018. Manager Fuller is going to meet with a gentleman and ask him if we can pick up televisions, etc. Member John Ricci asks if NCSWA accepts any electronics. Manager Fuller states computers and T.V.'s have obnoxious metals in them and we need a special facility for that.

***Chairman Campos would like to blend the Manager's report and Director's business together because they are one in the same.***

Chairman Campos states the problem the City and the County are facing is that we are not a one stop shop. We are turning people away for different things and we want to get to where it's a one stop shop at every transfer station. Member John Ricci states we have to be a source for the consumers. Chairman Campos understands we don't want to take the commercial stuff at the transfer station. For the Residential, Member John Ricci states we should be a source for what is not found in the ditch, Santa Clara, San Juan and the Bosques.

Chairman Campos did make contact with Yearout and they want to talk to us again. Yearout is interested in plastic bottles. We need to start leaning towards separating the bottles. Chairman Campos is unsure how we will do it, however, there are recycling bins in the city, however Chairman Campos does not know where they are at. Chairman Campos does not believe it will be a small amount of fuel. In the past, Manager Fuller was told by Yearout that it was only a small amount of fuel. Chairman Campos states that earlier in the month, there were enough empty water bottles to fill up a dump truck. Member John Ricci states, if we have a source and focus on it, we will be surprised on what we can generate for that. Chairman Campos will get the name of the contact for Manager Fuller. Alternate, Vigil Cata states a lot of times he gets a lot of comments from people that are taking their trash. The people do not know what they can take or cannot take. Mr. Cata asks if there is a menu card of what can be taken because there is no sign. Mr. Cata believes a sign would be helpful to a lot of people. Chairman Campos states we have to start putting up signs at the transfer stations and pull towards the tarp loads. Manager Fuller states we need to start phasing it in. Member John Ricci believes we need to come up with posted penalties and give a grace period of 60-90 days. Member Ricci argues that we need to work them in and get them established and posted. Member John Ricci would like to see this by the next Board Meeting and get it implemented by the first of the year. Manager Fuller agrees that we need to re-visit that. Chairman Campos is bothered by the amount of money that NCSWA gave to the Rheganne Vaughn for the route study. Chairman Campos states we can call the attorney on this and hopefully get at least half of the money back. It would be moral victory for Chairman Campos because we got taken to the cleaners on that. Manager Fuller asks if we still have the work product that she did. Chairman Campos states that it is just a map with a bunch of dots. Secretary Chavarria believes it is an electronic file. Member John Ricci says we

can send a letter from the lawyer as a threat. Chairman Campos states that it sounds like Ernie Byers knows exactly where Ms. Vaughn is. Manager Fuller agrees and states that she came in while discussing tires and says she is around. Chairman Campos wants some kind of moral victory or a letter asking her not to come around anymore.

Secretary Chavarria asks Mr. Fuller if we are still part of the recycling coalition. Manager Fuller states we are. Secretary Chavarria informs Manager Fuller that Sarah Pierpont from the recycling coalition just sent an email regarding an overview of the presentation that Manager Fuller is presenting. In regards to their safety topic, Secretary Chavarria asks if we have Sharp containers in the vehicles. Manager Fuller states that we do not and we have to get some. Secretary Chavarria states they are relatively inexpensive, and NCSWA can possibly get free ones through the state or the hospital. Chairman Campos asks if the guys are up-to-date on their shots. Manager Fuller states that was part of the discussion and Ms. Janet Saucedo is out of the office. When Ms. Saucedo returns, that is one of the topics they will discuss. This is a great suggestion and NCSWA needs to do that. Chairman Campos states that the Board of Directors authorized former Manager, Mr. Geno Romero to get pants that were non-pierceable. Secretary Chavarria agrees, and adds that non-pierceable gloves were also authorized. Manager Fuller states that we have Kevlar #4 gloves.

For e-waste, Secretary Chavarria believes that it is helpful to do collection events. Secretary Chavarria states when the Pueblos do theirs, they are wildly successful. Secretary Chavarria states, we can do another Hazardous Waste Collection in the Spring time. Eight Northern Indian Pueblos has gotten some funding and they want to do a collection in Alcalde during the Spring time. Pojoaque uses either Salvation Army or Goodwill to do the event, however, they will not take TV's. CRT's are hard to manage, and those are the ones they charge for. The cost is \$25.00 to dispose them. Secretary Chavarria states it is worth it and they bring everything else such as radios, A tracks, old movies, etc. Secretary Chavarria suggests if you're seeing a drop in the CRT's, then every 6 months do a free event. Eight Northern Indian Pueblos Council Office of Environmental Technical Assistance is the funding source for the Hazardous Waste. Member John Ricci asks Secretary Chavarria if Eight Northern Indian Pueblos will fund sharp collectors. Secretary Chavarria will ask and get back to the Board. Secretary Chavarria's office bought Sharp containers for their law enforcement, the Forestry Program, the Conservation Officers and also for their own staff. Unfortunately, they have made good use of the Sharp containers. Manager Fuller questions who throws and empties the Sharp containers once they are full. Chairman Campos states the hospitals will pay to get them incinerated. Secretary Chavarria believes the hospitals will take the Sharp containers. Secretary Chavarria believes this is something we can bring up with our local legislatures on the local level, and even the Federal level with our Representative, Ben Ray Lujan. Chairman Campos asks if anyone has anyone has any other Director's Business questions.

#### **VIII. Director's Business- Blended with Manager's Report**

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

- A. Spring Household Hazardous Waste Collection**
- B. Resolution 2018-002 Open Meetings
- C. Resolution 2018-003 Holiday Schedule

*Member John Ricci makes a motion to approve Resolutions B., 2018-002 Open Meetings and C. 2018-003 Holiday Schedule. Motion seconded by Alternate, Virgil Cata.*

D. Resolution 2018-004 Self-Haul Rate

Member John Ricci sees that the rate is the same as last year, and questions if this Resolution has the eighteen punch cards and asks if that's enough punch cards for the average, because they get picked up every week. Member Ricci asks if that is feasible for the community. Chairman Campos reiterates that NCSWA is giving the customers one punch per month and the customer gets six extra punches. Billing Specialist Michelle Valencia states we have not had any complaints with the eighteen punches, however, the customer still gets to take three bags a week. Chairman Campos says he has not heard complaints about this.

***Member John Ricci makes a motion to approve Resolution 2018-004, Self-Haul Rate. Motion seconded by Secretary Dino Chavarria.***

E. Resolution 2018-005 Low-Income Senior Discount

Chairman Campos asks if the Federal Poverty Guideline it went up. Last year it was \$12,060, and this year it is \$12,140.

***Member John Ricci makes a motion to approve Resolution 2018-005, Low-Income Senior Discount. Motion seconded by Alternate, Virgil Cata.***

F. Resolution 2018-006 Year-Pay Discount

Manager Fuller states at this time NCSWA wants to keep year-pay discount the same. In essence, the customers get one month free. Member John Ricci asks if year-pay discount is an incentive. Ms. Valencia states it is an incentive. Member John Ricci asks how many households NCSWA bills. Ms. Valencia states about 4,300 yearly and about half pay up front.

***Member John Ricci makes a motion to approve Resolution 2018-006, Year-Pay Discount. Motion seconded by Secretary Dino Chavarria.***

G. Resolution 2018-007 Employee Policy Regarding Delinquent Accounts

Manager Fuller explains that everyone who is employed by NCSWA and has an account needs to pay their NCSWA trash bill. This Resolution is consistent on what NCSWA would ask the public. Manager Fuller confirms that this policy was not in place before, and this is a new Resolution. Manager Fuller called out Ms. Gonzales and Ms. Valencia for their work on this.

***Member John Ricci makes a motion to approve Resolution 2018-007, Employee Policy Regarding Delinquent Accounts. Motion seconded by Alternate, Virgil Cata.***

Chairman Campos asks Manager Fuller if this will be added to the employee policies. Manager Fuller confirms that they will be added to the employee policies. Chairman Campos states the personal policies were not adopted as an ordinance because Chairman Campos is unclear if this Board has ordinance power. Chairman Campos and Secretary Chavarria are confused on when the policies and procedures altered so much and when they came before this Board. Chairman Campos states that's not what was passed way back when, at least 10 years back. Chairman Campos states the policies and procedures do not feel the same. The last policies were back in 2007. Member John Ricci asks if that has been on our staff's agenda to review the policy from personnel. Manager Fuller states that NCSWA just finished a policies and procedures draft. Member John Ricci would like to set a target date for the policies and procedures to bring to the Board and wrap that up. Secretary Dino

Chavarria believes the Board has it on Mr. Fuller's evaluation and must be completed by his next evaluation. Member John Ricci wants to see more dates on things we talk about. Member John Ricci would like a draft on the policies and procedures in January, and approved in February. Chairman Campos questions if attorney Robert Stranahan is experienced with personnel policies. Member John Ricci says this brings up the topic of reviewing the attorney and rates. Chairman Campos states that Robert Stranahan does not really have a set contract. Ms. Gonzales asks the Board if the County or City has a draft of an RFP for legal services that she can look at. Member John Ricci asked Ms. Gonzales to contact the City's procurement officer to get that document. Ms. Gonzales will contact the City and get that ready for the next Board Meeting.

H. Resolution 2018-008 Commercial Policy on Delinquent Accounts-

Chairman Campos asks if this is new or an existing Resolution. Manager Fuller explains that this is a new Resolution and dovetails with the employee policy. NCSWA bills the City Commercial independently. Chairman Campos states that this Resolution is kind of touchy. Member John Ricci asks how many delinquent accounts are commercial. There are about 200 delinquent accounts in commercial which are high balances.

Ms. Valencia states there's no enforcement of any sort. Chairman Campos believes that this problem is bigger and needs the City and the County to get involved. Manager Fuller ordered new dumpsters and talked to Monica at the City and asked for her help. Manager Fuller wants to move forward so we can get back on the payroll for MOU. Member John Ricci explains that this also goes back to our rates. Chairman Campos believes that he and Manager Fuller saw a big switch with added service fees. Chairman Campos advises Manager Fuller that he may need a temp to study everybody's rates. Member John Ricci knows the person personally at Independent Capital Scrap, and expresses if someone is delinquent, they make a phone call and the trash will not be picked up until there is a check. Member John Ricci continues to express that we're going to have to put some energy into that and be more aggressive on the commercial side. That's our potential money especially if we have a franchise agreement. Chairman Campos asks if this Resolution is needed. Ms. Valencia wants clarity and consistency. NCSWA has been doing this, however, NCSWA wants something in writing, straight across the board, so everyone will know what the guidelines are. Ms. Gonzales explains that the rest of the Resolutions are new Resolutions, and NCSWA wants to do the same thing with the residential customers. Chairman Campos believes that customers keep electricity on in the home because of the well or just to heat the house for no reason, but that's our culture. Manager Fuller expresses that this comes back to the ordinance agreement with the County. Manager Fuller questions on how we address that. Ms. Valencia believes it is consistency in their usage. Chairman Campos questions if that is what this Resolution really says because NCSWA is putting a disconnection date on 2018-010 Resolution. Member John Ricci states there is an "or". "WHEREAS the Authority is requiring for any disconnection of services "or" account adjustments shall provide six (6) months or more of minimal usage, which is a consecutive usage of 30KHW on their electrical billing or must provide a disconnection of electrical. Chairman Campos questions the forth paragraph on Resolution 2018-010, WHEREAS the balance of the account will only be adjusted for the balance going forward from the disconnection date of the electrical bill. Secretary Dino Chavarria suggest that the word "only" be taken out and replaced with "be". The forth paragraph should read "WHEREAS; the balance of the account will be adjusted for the balance going forward from the disconnection date of the electrical bill; The Board of Directors agree with this amendment. Secretary Chavarria explains that this gives the customers the leeway to allow for either the disconnection, the minimal usage or other verification.

In consent, the Board will group Resolutions, H, I, J, and K with the changes to J., 2018-010 and remove “only” and replace with “be”. Resolution 2018-010, paragraph four will now read as: WHEREAS; the balance of the account will be adjusted for the balance going forward from the disconnection date of the electrical bill;

- I. Resolution 2018-009 Commercial Policy Regarding Customer Disconnection of Services
- J. Resolution 2018-010 Residential Customers Regarding Disconnection of Services
- K. Resolution 2018-011 Residential Customers Regarding Past Due & Delinquent Accounts

***Member John Ricci makes a motion to approve Resolutions 2018-008, 2018-009, 2018-010, with the change to remove “only” and replace with “be” from Resolution 2018-010, and Resolution 2018-011.***

***Motion seconded by Secretary, Dino Chavarria.***

**X. Executive Session**

- 1. Per Article 15, §10-15-1 of the New Mexico State Statutes Open Meetings Act***

***Litigation – Trujillo vs. NCSWA***

***Member John Ricci made motion to go into Executive Session  
Secretary Dino Chavarria seconded the motion***

***Roll Call Vote***

***Tomas Campos – In favor  
Dino Chavarria – In favor  
John Ricci – In favor  
Virgil Cata – In favor***

***Motion approved and carried to go into Executive Session at 10:07 A.M.  
Motion to come out of Executive Session at 10:23 A.M.***

***Roll Call Vote***

***Tomas Campos – In favor  
Dino Chavarria – In favor  
John Ricci – In favor  
Virgil Cata – In favor***

***No action taken during Executive Session.***

**XI. Next Meeting – Tuesday, December 18, 2018 at 9:00A.M.**

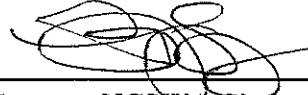
**XII. Adjournment**

*Motion made by Secretary Chavarria to Adjourn at 10:23 A.M.*

*Member John Ricci seconds the motion*

*Motion approved and carried 3-0*

APPROVED AND ADOPTED THIS 18 DAY OF December, 2018



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

ATTEST:



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Dino Chavarria, NCSWA Secretary