

CUSTER FALL RIVER

REGIONAL WASTE MANAGEMENT DISTRICT

Mailing Address

PO Box 11
Edgemont SD 57735
605-890-2110

Landfill Location

28470 Lookout Rd
Edgemont, SD
605-662-7104

Meeting Minutes

January 18, 2024, Meeting - 7:00pm MST Mueller Center

The Custer-Fall River Regional Waste Management District Board meeting was called to order at 7:00 pm on Thursday, January 18, 2024, at the Mueller Center, Hot Springs, SD by Chairman Mike Linde.

Members Present: Mike Linde-Chairman, Custer County; Peg Ryan-Secretary/Treasurer, Custer; Rheta Reagan, Edgemont; Les Cope, Fall River County; and Timi Burdette, Oelrichs. Others Present: Kerry Barker and Dennis Tubb, Barker Concrete & Construction; Jason Hinds, FMG Engineering; and Jasson Correll, City of Hot Springs Wastewater Plant. Members Absent: Dean Weekley-Vice Chairman, Fairburn; Dee Andersen, Pringle; Dan Frieden, Buffalo Gap, and Travis Orback, Hot Springs.

All motions approved unanimously unless otherwise noted.

Motion by Reagan, second by Ryan to approve the January 18, 2024, agenda.

Motion by Ryan, second by Reagan to approve the November 8, 2023, meeting minutes.

The Treasurer's Report was presented. The website has been updated to reflect the new customer classes and fees that took effect January 1, 2024. Motion by Reagan, second by Burdette to approve the Treasurer's Report.

Kerry Barker, Contract Manager, indicated that based upon the new customer classifications, as outlined in Resolution No. 2023-01, the reports provided to the District will be reviewed and enhanced, as applicable. The new scale fees that took effect January 1, 2024, will also be billed to the District monthly and copies of the scale tickets will continue to be provided to the District. Barker also recommended that the customer class for Pickup Load $\leq 500\#$ be increased to $\leq 600\#$ to better align with the new rates. Motion by Ryan, second by Cope to amend Resolution No. 2023-01 to increase the Customer Class Pickup Load from $\leq 500\#$ to $\leq 600\#$. Resolution No. 2024-01 (Amending Resolution No. 2023-01) will be submitted to the Fall River County Herald-Star as a Public Notice and updates to the CFR website will be made.

Barker reported that due to extreme cold weather, the Landfill was closed on Monday, January 15, 2024. The recent equipment mechanical issues have been resolved. Barker reported that he has addressed the concerns outlined by Steven Kropp of SD DANR during the November 8, 2023, Landfill site visit. A copy of the response will be provided to the Board. Barker reported he submitted the Improvement Recommendations response to SBI/SDPAA from their November 21, 2023, Safety Valuation. A copy of the response will be provided to the Board. There was not a proposal provided for concrete crushing for re-use, and for cutting/shredding and disposal of tires currently at the Landfill. Barker estimated the concrete crushing to be approximately \$25,000 and recommended the already proposed increased amount (for the soil pile relocation costs) for the Grounds and Site Maintenance: Landfill contractor budget item can incorporate the tire shredding costs. However, an additional cost of \$2,500 for tire disposal may be needed.

Jason Hinds of FMG reported the 5-year permit was approved by the State on September 8, 2023, and will expire on September 8, 2028. A copy has been provided to the Board. There was not a proposal provided for the Construction of a Permanent Drop-off Building and cost to purchase Roll Off Containers. Hinds estimates the cost to purchase a roll-off container may be \$8,000 to \$10,000 and the construction of a drop off building between \$50,000 to \$100,000 but could be higher depending upon the specifications. There may be grant funds available from the State to assist with the costs of this project that may help cover 10%-18%. Hinds will provide a formal proposal at the next meeting. Hinds provided the 2023 Year-End Fill Progression and Accrued Liability Calculation of \$758,322.68, based upon the percentage of airspace filled at 83.83%. The current Financial Assurance Fund Balance is \$715,138.07. The calculations will be submitted to DANR for approval. Hinds reported the 2023 Annual Water Testing Report will be completed and submitted by FMG by the March 2024 deadline.

The 2020-2021 and 2022 audits have been completed by Independent Audit Services. There were no compliance issues noted. The SD Department of Legislative Audit issued a letter accepting the 2020-2021 audit. The 2022 audit was recently

submitted to the SD Department of Legislative Audit; therefore, a review and acceptance letter has not yet been issued. Barker noted the auditor's recommendation for a security camera but felt the current security measures are sufficient. The Board noted the taxable mileage reimbursement and will continue issuing separate checks for such expenses outside board meeting travel but will keep the practice of remitting taxes as a safeguard for the members and District. The Board and FMG have taken note of the twice-yearly requirement for ground water monitoring sampling. Independent Audit Services prepared the Financial Statements, and as such, has provided suggested audit journal entries that will be posted.

Fees associated with providing credit card payment services were reviewed. Rancher's staff has validated the machine to meet the vendor's compliance requirements. A new validation will be required within the next two months. Rancher's also confirmed that the card machine has been reconfigured to set the convenience fee to 4% effective January 1, 2024.

Per SDCL 5-18C-6, fuel quotes were solicited from Hi-D-Way and Nelson's Oil on January 6, 2024. One quote was received on January 16, 2024, for direct delivery from January 1, 2024, to December 31, 2024, for \$3.24/gallon for #2 dyed diesel and \$4.25/gallon for #1 dyed diesel, with prices subject to change with market fluctuation. Motion by Cope, second by Burdette to accept the fuel quote from Hi-D-Way.

Jasson Correll with the City of Hot Springs Wastewater Plant spoke to the Board about the possibility of accepting the City's bio cake. Correll estimates disposing 35 tons every two years. The City currently hauls to the Rapid City Landfill, with the last haul in 2021. Correll reported the testing of the waste is completed by the City to ensure compliance before it reaches the landfill, and additional testing of the current stockpile is ongoing in efforts to meet disposal standards. After discussion with Barker, Tubb and Hinds, it was determined the Board was in favor of submitting an Amendment to the current Permit to DANR. The amendment process may reveal any additional compliance/testing requirements needed by the District. The customer class would be MSW > 500#. It was also discussed to coordinate hauls during the dry season, perhaps in September. Hinds anticipated the amendment process may take up to six months. Motion by Cope, second by Reagan, to approve amending the current Permit to accept bio cake. Hinds will reach out to the State to discuss the amendment process.

Liberty National CD-4197 (DANR) matures on 2/1/2024. A listing of current rates was provided and reviewed. Motion by Reagan, second by Ryan, to cash out the Liberty National CD-4197 (DANR) that is earning .08% and invest in a Financial Assurance (DANR) CD with First National. NOTE: The initial rates with First National were incorrect at 13 months at 4.25%. The actual updated terms are 12 months at 5%. To meet the 2023 Financial Assurance Fund requirements of \$758,322.68, as provided by FMG, an additional approximately \$45,000 is needed. Motion by Ryan, second by Burdette, to move \$45,000 from the First Interstate Operating Account and combine it with the amount of the Liberty National CD-4197 (DANR) to invest one Financial Assurance (DANR) CD with First National. The Board discussed this option as a longer-term strategy for meeting the estimated 2024 and 2025 Financial Assurance Fund requirements. Specifically, the Dacotah Bank CD-6276 matures in January 2025, and combining it with the new 12-month Financial Assurance (DANR) CD with First National approved during this meeting when it matures in February 2025, would enable both CDs to be combined into a single, longer-term (DANR) CD. The Deputy Secretary/Treasurer will coordinate DANR's approval for reinvestment of these funds with Mr. Steven Kropp since they are Financial Assurance Funds.

The proposed 2024 budget was discussed and changes to several line items were made, including breaking out any proposed cost of the construction of a drop-off building equally in the 2024 and 2025 budgets, and making it a two-year project, if approved. Motion by Ryan, second by Reagan to approve the 2024 Budget.

The next meeting is scheduled for March 14, 2024, at 7:00 pm in the Mueller Center, Hot Springs, SD. Motion by Reagan, second by Burdette to adjourn. Meeting adjourned at 8:48 pm.

Submitted by


Starla Russell, Deputy Secretary/Treasurer