

**MINUTES OF A REGULAR MEETING OF THE CARLSBAD BOARD OF SOLID WASTE COMMISSIONERS OF THE CITY OF CARLSBAD, NEW MEXICO, HELD AT CITY HALL IN THE PLANNING ROOM ON FEBRUARY 15, 2017 AT 3:30 P.M.**

Voting Members Present: Jerry Stanley, Chairman – Member at large  
Alvin Doporto, Board – Ward 2  
Jim Grantner, Board – Ward 4

Voting Members Absent: Lisa Flores, Board – Ward 1  
John Beasley, Board – Ward 3

Ex-Officio Members Absent: Mayor Dale Janway  
Steve McCutcheon, City Administrator

Board Secretary Present: Luis Camero, Director of Engineering

Staff Present: Stephanie Shumsky, Deputy City Administrator  
Wendy Hammett, Finance Director  
Ruben Ramirez, Solid Waste Superintendent  
Terra Dougan, Solid Waste Coordinator  
Kyle Marksteiner, Public Relations  
Jason Shirley, City Councilman Ward 3

Others Present: Scott Goodale, Resident  
William Harriman, Resident

Jerry Stanley called the meeting to order at 3:30 p.m.

**1. ROLL CALL OF VOTING MEMBERS and DETERMINATION OF QUORUM**

Jerry Stanley called the roll of voting members, determining that three of the five appointed board members were in attendance, which constitutes a quorum.

**2. APPROVAL OF AGENDA**

Jerry Stanley called for a motion to approve the agenda as presented. Jim Grantner made the motion, which was seconded by Alvin Doporto. The vote was as follows: Yes –Doporto and Grantner. No – none. Abstain – none. Absent – Flores and Beasley. The motion carried.

**3. APPROVAL OF MINUTES OF JANUARY 18, 2017 MEETING**

Alvin Doporto made the motion to approve the January 18, 2017 minutes as presented. Jim Grantner seconded the motion. The vote was as follows: Yes –Doporto and Grantner. No – none. Abstain – none. Absent – Flores and Beasley. The motion carried.

**4. DISCUSS QUESTIONS AND CONCERNS FROM CITIZENS**

Jerry Stanley asked the staff and the board if there were any concerns or questions from the residents of Carlsbad. Stanley asked William Harriman, a resident and employee at DOE, if he had any questions or concerns he wanted to present to the board. William Harriman stated that DOE asked him to attend the meeting so he could receive information

about recycling in the future. Jerry Stanley stated that Scott Goodale was more than welcome to speak about his recycling efforts but the feedback that he has gotten from the Mayor, City Administrator and City Councilors is not to expend any more money out of the city budget and they are not in favor of fees, rate increases or expenses on the part of the citizens of Carlsbad. Stanley also added the article that was written by the Current Argus after the last BSWC regular meeting, in his opinion, was poorly written and misleading. Stanley stated the article indicated the board was seriously considering Waste Management as an alternative and in the minutes along with the discussion that went on Waste Management was not an alternative or an option. Stanley went on to say he would speak for the City Manager and state the city does not want to do anything with recycling at this time due to the fact there are too many unanswered questions and he agrees with the Mayor and City Administrator if Carlsbad does re-establish the recycling program residential would have to recycle more than just cardboard. Stanley also stated he has talked to Friedman in Albuquerque and the cardboard they sell is below \$80.00 a ton and if they bought Carlsbad's cardboard the price would be far less. Stanley also stated there was no market for recycling at this time due to the fact there is no revenue for plastic, metal and aluminum. Scott Goodale asked Jerry Stanley if the statements he was making were from the Mayor or his own statements. Stanley replied the statements he was making were from the city's point of view. Jason Shirley stated he receives a lot of calls from Carlsbad residents in his ward that are concerned about recycling and want information on what they can do to help with the recycling effort. Shirley also added he is only speaking for himself but he is concerned about spending money out of the city budget because it is not there and he does not want to raise rates for the residents that do not want to participate in the recycling program. Shirley stated the voluntary plan Scott Goodale proposed as an option for recycling is wonderful and it gives residents the choice to participate in the recycling program or not to participate in the recycling program. Shirley went on to state if Scott Goodale was able to build the infrastructure, take on the responsibility where it is not a burden on the city then the proposal for the voluntary recycling program should be explored. Jerry Stanley stated if the proposal by Scott Goodale was only to recycle corrugated cardboard residential recycling would have to be taken off of the proposal completely. Jason Shirley agreed with Jerry Stanley's statement but stated the proposal by Scott Goodale included all recyclables not just corrugated cardboard. Shirley went on to state he was contacted by Darnell with Waste Management and Shirley asked him what Carlsbad would need to do to make Waste Management interested in their recyclables and Darnell told Jason Shirley they were not interested in recycling alone they wanted to handle all of Carlsbad's Solid Waste services. Jason Shirley told Darnell Carlsbad was not interested in that offer they were looking for someone to take care of recycling. Shirley added if Scott Goodale was going to take on the responsibility of recycling it was not the board's responsibility to inform Goodale about the marketplace and value of recyclables Goodale would need to do that. Shirley went on to add the responsibility of the board is to ask Scott Goodale what he needs from the city and then for the city to determine if the request is worth it to the city. Jerry Stanley stated if the recycling program does start it would have to be a self-sustaining entity with no expense to the city and no expense to the residents of Carlsbad. Scott Goodale disagreed and stated he has been approached by several residents in Carlsbad that are upset with the garbage rate and when Goodale asked if they would be willing to pay for recycling the residents stated they would be willing to pay for recycling service. Goodale went on to state the proposals he has presented need to be reviewed again due to the fact they are a self-sustaining entity and would make the City of Carlsbad money. Goodale also stated it is frustrating the staff and board are assuming the

proposals will not work and are willing to toss them out. Goodale added he has spoken to more than half of the City Councilors; they are on board and would vote for the recycling program. Scott Goodale questioned Jerry Stanley about talking with the Mayor, City Administrator and City Councilors about being opposed to the recycling program because he (Goodale) has five votes for the recycling program and stated that was all he needed. Goodale went on to ask what it would take for everyone to be on the same page because the Carlsbad community wants recycling, the community is willing to pay for recycling and industries such as Navajo, Mosaic and DOE are willing to kick in and seed fund the program; there would be no expenses coming from the City of Carlsbad. Jim Grantner asked Scott Goodale if he received the same response when he talked to Waste Management as Jason Shirley. Scott Goodale replied he did not receive the same feedback as Jason Shirley but when he talked with them it was last fiscal year and since then the company may have had a directive from higher up stating they were not interested in the recyclables from Carlsbad. Jim Grantner stated since the Waste Management proposal is off the table the City of Carlsbad administration should not be stating what they want and don't want to do due to the fact the Solid Waste board is an advisory to the City Council not the administration. Grantner added he agrees with Jerry Stanley regarding not using money out of the city budget but he does not have a problem with the voluntary proposal for the recycling program proposed by Scott Goodale. Jason Shirley stated if the commercial recycling program is run according to Goodale's proposal the residential recycling program would be an added bonus. Shirley asked Goodale if the information he stated was correct and Goodale confirmed the statement was correct. Jerry Stanley disagreed with Goodale and Shirley and stated the proposal would have issues when it came to charging \$50.00 for recycling because commercial accounts receive free recycling containers now. Shirley agreed the commercial accounts are not paying now but eventually the blue containers would be picked up and they would either have to pay for an additional container at \$93.00 or pay \$50.00 for a recycling container. Terra Dougan informed staff and the board an extra 3CY container is \$93.00, an extra pick-up is \$69.75 or you could have the recycling container at \$50.00. Jerry Stanley stated he does not want to re-issue the blue residential recycling roll-outs just to have them picked up in 6 months due to the fact the recycling program is not working. Luis Camero stated there is expenditures to the city due to the fact there are 1,054 commercial accounts and if all were paying for recycling services the Solid Waste department would need to create a new route and a new route costs roughly \$200,000.00. Scott Goodale emphasized the city would be making \$400,000.00 which half would cover the cost of the new route and the city would still profit \$200,000.00. Luis Camero asked Scott Goodale if he has surveyed the commercial sector. Goodale replied he has surveyed the commercial accounts on his block. Luis Camero asked Goodale if the city collected a survey of the businesses that have recycling containers would he be willing to go to each business and have each business commit to paying the \$50.00 a month to the recycling enterprise and not to the city. Scott Goodale responded stating he would not be a collection agency and if he is making money for the city the city should be able to collect the money and distribute it. Jerry Stanley asked Scott Goodale to explain his numbers in regards to commercial accounts. Stanley stated when the numbers are ran for commercial accounts there are 1,054 accounts being charged \$50.00 for recycling but in reality there are less than a third that are participating today. Scott Goodale disagreed with Stanley and stated there is less than one third dumpsters not less than one third participating in the recycling program. Jerry Stanley asked Goodale what made him think 1,054 businesses would pay for recycling service. Scott Goodale replied stating all commercial accounts, including businesses, government, schools, hospitals, etc., will be mandatory participation.

Jerry Stanley stated Goodale would not get 1,054 businesses to pay \$50.00 for recycling services. Jason Shirley mentioned there should be an option to opt out for businesses that do not accumulate much trash or recyclables. Scott Goodale replied if there was an option to opt out for businesses and 75% opt out the revenues would still be in the positive. Stanley replied Goodale was using 75% of 1,054 and not 75% of 300 and he (Stanley) has a hard time believing that Goodale can jump the \$50.00 charge from 300 to 1,054. Luis Camero stated the businesses that are utilizing the blue recycling containers need to be surveyed and asked if they would be willing to pay \$50.00 for a recycling container or if they would like an additional garbage container for \$93.00. Terra Dougan mentioned as of right now commercial accounts that have a blue recycling container are receiving free garbage service because the containers are being filled with trash and have not been picked up. Scott Goodale asked Alvin Doporto what his thoughts were about the comments that have been made. Doporto stated the city needs to start charging for the services that are being offered and the blue recycling containers need to be picked up. Luis Camero advised the board that out of the 1,054 commercial accounts only 300 businesses volunteered to participate in the free recycling program. Scott Goodale replied some of the blue containers are also shared by more than one business. Jim Grantner asked Scott Goodale if the recycling proposal would cost the city anything. Goodale replied the recycling program would not cost the city anything but Stanley disagreed and stated the numbers do not add up. Stephanie Shumsky stated she felt the numbers were correct and the real question is if there is a political will to charge for recycling or not. Jim Grantner stated if the city is not spending money on the recycling program would it hurt if the numbers were off; would the city have to pay money or would the city not get as much money. Stanley replied the city would not make much money as being presented. Luis Camero stated the market for recycling is not as good as it used to be. Scott Goodale replied the financials he has presented would work without there being a market. Goodale added if the recycling product can be shipped out of Carlsbad, bundled with zero margins the program will still break even. Jerry Stanley asked if the Solid Waste department would survey the businesses that have a blue recycling container asking them if they would pay \$50.00 to participate in the recycling program or if they would rather have an extra pickup at \$69.75 or an extra 3CY container at \$93.00. Stanley added when the survey returns from Solid Waste he would like Scott Goodale to revise the numbers taking residential completely out due to the fact residential recycling does not produce enough corrugated cardboard. Scott Goodale replied he could revise the numbers with the changes requested once they were given to him from Solid Waste. Goodale went on to state he was not only focusing on corrugated cardboard in regards to residential recycling. Jerry Stanley replied the numbers presented to the board state otherwise and read the proposals residential \$2.00 per month, \$7.00 per month and \$1.00 per month. Scott Goodale agreed and corrected Stanley stating those were the fees to participate in the program but there were no specifications on the proposals stating only corrugated cardboard would only be collected. Goodale added collecting corrugated cardboard only from residential and commercial was an assumption because corrugated cardboard has the biggest market out there but all recyclables would be collected. Jerry Stanley stated he is not comfortable distributing the blue roll-outs to residents unless all recyclables are collected. Scott Goodale replied that all recyclables would be accepted and it has been stated from the beginning that all recyclables would be accepted. Goodale added corrugated cardboard was only accepted as part of the pilot program last October and November 2016. Jerry Stanley stated to Goodale this was the first time he (Stanley) has heard him (Goodale) mention all recyclables would be accepted. Goodale reiterated all recyclables would be accepted as part of the recycling program, it has been stated from the

very beginning and corrugated cardboard was only accepted during the pilot program. Jerry Stanley replied if he misunderstood the information that was presented he apologized. Jerry Stanley stated he was confused by Goodale's proposal due to the fact under sales only cardboard was calculated at \$100.00 a ton. Goodale replied he had to make an assumption and as he stated before eliminate the \$42,000.00 dollars and the program would still be a break even or a positive business. Jerry Stanley replied he is still stuck on residential collecting all recyclables because it is not in the proposal. Goodale stated there are zero margins on plastic and aluminum and he did not include it due to that fact but it is included with the rates not in the sales total. Jim Grantner and Alvin Doporto stated they liked the proposal and did not see anything wrong. William Harriman asked staff if they knew how much money was allotted to the education of recycling. Stephanie Shumsky replied the contract the city had with CARC stated CARC would provide education on recycling. Shumsky added CARC provided the city with a monthly report logging how many hours were spent on recycling education along with where the education took place.

**5. REPORTS AND UPDATES**

a. Financials – Wendy Hammett was pleased to report that December revenues of \$516,000.00 were favorable \$47,000.00 to budget. Hammett added year to date revenues were at 2.987 million which is \$174,000.00 favorable to budget and forecasted fiscal year projection to be \$349,000.00 favorable to revenues. Jim Grantner asked Wendy Hammett if there was a set amount transferred out of the solid waste budget. Hammett replied 2.5 million is transferred out and deposited in the general fund. Jim Grantner asked if that amount should be added to the financials since it is taken out at the end of the fiscal year. Wendy Hammett stated there are costs that her department and other departments bare concerning solid waste and therefor the money is taken out to handle those costs. Luis Camero stated the cost went up 5% last year and might go up 10% this year but 25% of the solid waste budget is transferred out to the general fund. Wendy Hammett replied the costs that are projected are estimated costs.

b. Solid Waste – Ruben Ramirez stated recycling collection has one running truck that is still picking up recycling containers and taking the recyclables to the landfill. Ramirez also stated there was a new column added to the convenience station titled cubic yards of uncrushed glass along with a column for metal collection. Jerry Stanley asked Ruben Ramirez how the glass is calculated. Ramirez replied the glass is stored in a 15CY open top container and once the open top container is full it is then pulverized and filled up again.

c. Public Outreach Campaign – Kyle Marksteiner informed the board and staff there were flyers created to inform the residents on the convenience station hours along with a flyer stating the dos and do nots for servicing their roll-outs.

**6. VERBAL UPDATE on SOLID WASTE ORDINANCE**

Stephanie Shumsky stated Mike Hernandez and Luis Camero have met twice after the last meeting to discuss the city ordinance. Shumsky added she, Hernandez and Camero will meet again and do final revisions on the city ordinance, it will then go to the City Attorney and a final draft will be presented at the next BSWC meeting. Jerry Stanley asked Terra Dougan if she could put discussion and final approval of city ordinance as an action item on the next agenda.

**7. MOTION TO ADJOURN**

Jerry Stanley called for a motion to adjourn. Jim Grantner made the motion to adjourn, seconded by Alvin Doporto. The vote was as follows: Yes – Doporto and Grantner. No – none. Abstain – none. Absent – Flores and Beasley. The motion carried. The meeting was adjourned at approximately 4:58 p.m.



---

**JERRY STANLEY, Chair**