

**CLINTON COUNTY AREA SOLID WASTE AGENCY  
JANUARY 9, 2020**

10 PRESENT

Chairman Varner called the meeting to order at 6:30 PM. Roll call was taken; those present were;

Clinton – Schemers	Clinton County – Determann	DeWitt – Chrones
Camanche – Varner	Andover – Kedley	Charlotte – Keller
Delmar – Goodall	Goose Lake – Farrell	Low Moor – Pray
Welton - Vosatka		

We have 10 votes present; 6 votes needed for majority and 8 needed for a super majority.

Clinton made a motion to approve the December 12, 2019 minutes. Low Moor seconded. Motion unanimously carried.

**AUDIENCE COMMENTS:** None

**UNANIMOUS CONSENT CALENDAR:** Low Moor made a motion to approve the Unanimous Consent Calendar. Goose Lake seconded. Motion unanimously carried.

**ELECTION OF BOARD OFFICERS FOR 2019** - Our 2019 officers were Paul Varner of Camanche as Chair, Brandi Pray of Low Moor as vice-chair, and Tom Determann of the Clinton County Board of Supervisors as Secretary-Treasurer. All three remain on the board. What would the board like to do for officers?

Delmar made motion to retain same officers in 2020. Clinton seconded. Roll call vote was taken.

Clinton – Schemers - Yes	Clinton County – Determann -Yes	DeWitt – Chrones - Yes
Camanche – Varner - Yes	Andover – Kedley - Yes	Charlotte – Keller - Yes
Delmar – Goodall - Yes	Goose Lake – Farrell - Yes	Low Moor – Pray - Yes
Welton – Vosatka - Yes		

Motion passes 10-0. Motion unanimously carried.

Our 2020 officers will be Paul Varner of Camanche as Chair, Brandi Pray of Low Moor as vice-chair, and Tom Determann of the Clinton County Board of Supervisors as Secretary-Treasurer.

**DIRECTOR OF OPERATIONS AND EDUCATION REPORT**

- A. Board Member Contact Information / E-mail Delivery Sign Up - I am passing along a sheet for board member contact information that has changed. I am also passing along a sign up for e-mail delivery of the agenda and accompanying documents.
- B. New Board Member Orientation - I have prepared a board member orientation information packet. Also new board members, if you have not done so already, please schedule a tour of the facility to help accelerate new board member learning.
- C. 2019 Calendar Year Landfill Tonnage Update - In 2019 the landfill took in 50,311 tons. This tonnage number is up from 45 thousand tons last year. For the last five years the tonnage number has been in the 45 thousand to 46 thousand ton range.

Tonnage increase can be attributed to the Lyondell turnaround, more housing demolition in the area, and more ADM sludge.

- D. 2019 Appliance Demanufacturing Figures- in 2019 agency staff demanufactured 1251 appliances. That's up from just over 1000 in 2018 and is higher than the average amount demanufactured over the past ten years.

- E. 2019 RCC Usage Figures – In 2019 the RCC served 1204 households. This is up from 1065 in 2018 and breaks a record for the program of around 1100 in 2015.
- F. DNR Roundtable in Iowa City – There will be DNR roundtable on a number of landfill topics in Iowa City on Tuesday (1-14). Jeff Rittmer, Site Supervisor Jason Bahnsen, and I plan to attend.

**ENGINEER SITE REPORT** – Andrew Phillips of Barker Lemar Engineering – Borings have been mostly conducted and will be finished shortly by Terracon. Report will be back in the next few weeks. Everything is on slate for a February bid letting.

Seward: Does the board want to review the bid documents?

DeWitt: Speaking from my own experience, the document is over 140 pages. The details in there are tough to understand. I've got to trust the process is going to work right.

The board generally agreed to let the Director and Barker Lemar work out the details of the bid documents.

**LANDFILL OPERATIONS REPORT** – No report. Landfill did have to shut down for wind this afternoon.

**COMMUNICATIONS FROM ANY AGENCY MEMBERS OR THEIR CONSTITUENTS:**

DeWitt: Mentioned the story in the Des Moines Register regarding over \$2 Million in improper disbursements at Metro Waste Authority (MWA). Lemar Programming, LLC was one of the companies named. The story named Tracy Lemar as an employee of Barker Lemar as being involved. I asked for a press release to explain Barker Lemar's side of things.

Mary Thomsen, President and CEO of Barker Lemar Engineering: We've been reluctant to issue a press release to this point because Barker Lemar was not involved in this situation. Tracy Lemar, a co-founder of the company, was tied to this and therefore we were tied by association.

I was approached with allegations against Lemar in April 2018. I confronted him and then asked for his resignation and received it. We weren't at liberty to talk about things at that point because of the investigation. Lemar then passed away in May of 2018. Barker Lemar completely cooperated during the investigation. The investigation led to the arrest of the Director at MWA, Jeff Dworek. Dworek had also created shell company, which received payments from MWA. Lemar's company was also paying Dworek's account, which made it appear like Lemar was being blackmailed. There's no way to prove that because Lemar is dead.

I don't know what happens next. This is not the first conversation we have needed to have regarding this. It's up to me to apologize for a mistake I didn't make to help our employees and to make sure our business doesn't suffer because of some very bad decisions we weren't aware were being made. This has no tie to Barker Lemar. The audit shows this.

DeWitt: Barker Lemar has not had to make any reparations to MWA? Thomsen: No.

DeWitt: Why are you leaving the name Barker Lemar? Thomsen: Excellent question. We didn't want to overreact. Our strategic plan states we will be making a decision on whether to change our name or not, likely this year. I just don't know the right timing is.

DeWitt: It puts you guys in a bad spot with everything going on here. I'm looking for some more comfort here. Thomsen: The stress of this is more isolated to me, rather than the rest of the organization. I encourage you to read the audit report. It reads well for Barker Lemar.

Clinton: What do we provide to make our constituents feel better about this? Thomsen: we are providing information to one of our clients a write-up synopsis in the council packets. I'm happy to do something similar.

Clinton: I would like to see something like that paper when the time comes. Thomsen: There is nothing to fear from Barker Lemar.

Clinton County: Was Tracy Lemar a majority owner? Thomsen: No 20% range was the highest Lemar's ownership was.

Clinton County asked for the audit report to be sent to the board.

Board thanked Thomsen for the information.

## UNFINISHED BUSINESS

A. Next Landfill Cell – Discussion & Potential Action – Phillips: Drilling performed by Terracon. Additional samples will be taken. Low Moor asked what happens if the report comes back with bad news? Phillips it would just identify the borrow areas for the cell better. Seward: if there are issues, then I will notify the board as much as possible.

B. Contract Operator Transition – Potential Action -  
1. Discussion/Possible Action: Progress Contracts - Seward: We don't have a signed document back from Swan.

Camanche: Maybe we should contact legal to see what our options are if Swan does not sign this document.

Clinton wants to know what the statute of limitations is on this type of thing.

Clinton made a motion to contact legal regarding information on this topic. Camanche seconded. Roll call vote was taken.

Clinton County – Determann -Yes	DeWitt – Chrones - Yes	Camanche – Varner – Yes
Andover – Kedley - Yes	Charlotte – Keller - Yes	Delmar – Goodall - Yes
Goose Lake – Farrell - Yes	Low Moor – Pray – Yes	Welton – Vosatka – Yes
Clinton – Schemers - Yes		

Motion passes 10-0. Motion unanimously carried.

C. Job Description – Director of Operations & Education – Discussion & Potential Action - **PROPOSAL #1**  
The proposed job description was disseminated after the last meeting. Does anybody have any changes they would like to see?

Seward: I don't see any major issues on my end with this.

Clinton County: Most of them say any and all other duties as assigned by the board.

DeWitt made a motion to accept the job description, with the addition of the line "Any and all other duties as assigned by the Board of Directors". Clinton seconded. Roll call vote was taken.

DeWitt – Chrones - Yes	Camanche – Varner – Yes	Andover – Kedley – Yes
Charlotte – Keller - Yes	Delmar – Goodall - Yes	Goose Lake – Farrell - Yes
Low Moor – Pray – Yes	Welton – Vosatka – Yes	Clinton – Schemers - Yes
Clinton County – Determann -Yes		

Motion passes 10-0. Motion unanimously carried.

**NEW BUSINESS** : None

**EMERGENCY BUSINESS:** None

DeWitt made a motion to adjourn; until February 13th, 2020, at the Recycling Center at 6:30 PM. Adjourned at 7:14 PM.