



Committee on Finance Budget Hearing | August 11, 2021

Legislature USVI

August 11, 2021 · 4.7 hours · gov

Source recording	https://youtu.be/EN4mbydc8yM
Status	This is a working transcript produced by machine from a recording of a public proceeding. It is a finding aid, not an official record of the Legislature.
Transcribed by	VI Update, using OpenAI Whisper large-v3-turbo, run locally. Not reviewed by a person.
Reliability	Automatic transcription, UNVERIFIED. Verify every quotation against the recording before relying on it. Speech recognition splits spoken digits and wraps figures mid-number, so a dollar amount, a vote count or a bill number can be wrong in a way that reads as correct. Speakers are not identified: automatic speaker labelling was measured unusable and removed.
Public record	The underlying proceeding is a public record of the Legislature of the Virgin Islands. 3 V.I.C. § 881(a) defines public records to include all records and documents of or belonging to this Territory or any branch of government, or any "department, board, council or committee of any branch of government" · which names legislative committees by category. § 881(b) gives every citizen the right to examine and copy such records, and the news media the right to publish them. (The open-meetings chapter, 1 V.I.C. § 254, does NOT reach the Legislature: § 253(b) expressly excludes it and its Standing and Special Committees. § 881 does, and it is § 881 that confers the right to copy and publish.) The Legislature broadcast this proceeding publicly itself. The source recording is not ours, is not hosted here, and remains with its publisher at the link above.
Rights	To what we added · the transcription, its arrangement and its description · we assert nothing. A verbatim transcript is mechanical rather than authored, so there is likely nothing in it to own; to the extent any copyright is nonetheless found to subsist, it is dedicated to the public domain under CC0 1.0. Please copy it, quote it, index it, train on it, republish it, mirror it, sell it. Redistribution is the point: a public record with one copy is one fire from gone. No permission is needed, and none is ours to grant or withhold.

0:00:00 Music Music Music Music Music Thank you. Thank you. Thank you. Thank you. Thank you.

0:02:57 Thank you. We'll be right back. [2 such phrases repeated 34 times · standby audio before the proceeding, transcribed by the recogniser as speech]

0:19:57 Thank you. We'll be right back. The Committee of Finance is hereby call to honor. Madam Clerk Maver will call, please. Senator Marvin A. Blyden.

0:21:26 Blyden absent. Senator Blyden is present. Senator Blyden present. Senator Samuel Carrion. Senator Carrion present. Senator Dwayne M. DeGraff. Senator DeGraff absent senator Donna a Fred Gregory senator Fred Gregory absent senator Javon e James senior senator James senior absent senator Janelle Kaye Saro. Senator Saro, absent. Senator Kurt A. VLA. Here. Senator VLA, present. Mr. Chair, you have three present, four absent. Any correspondence, Madam Clerk? No, Mr. Chair. You may proceed and read The Committee on Finance Fiscal Year 2022 Budget Hearing for Wednesday, August 11th, 2021 at 9 a.m. in the Fritz E. Lowe's Legislative Chambers, St. Croix, U.S. Virgin Islands.

0:22:52 the committee on finance will receive testimony on the proposed fiscal year 2022 executive budget for the government of the virgin islands of the united states at 9 a.m the virgin islands waste management authority invited testifiers roger merritt jr executive director mr chair this concludes the reading of today's agenda thank you madam clerk good morning to the people of the virgin islands good morning colleagues good morning to the testifiers uh welcome senator carla joseph thank you for coming mr merit i'm going to give you an opportunity to put your name and title on the record along with the individuals who will be testifying with you virtually today so i'll begin with you and then we'll go across the screen okay good morning my name is roger jr i'm the executive director for the virgin islands waste management authority okay can you do it again now you can't you came in a little choppy i want to make sure that you're clear you're muted sorry good morning my name is roger edward merit jr i'm the executive director for the virgin islands waste management authority thank you next good morning sadie clendon and chief administrative officer virgin islands waste

management authority next

0:24:36 good morning jeff watson engineering manager risk management authority thank you next directly below good morning floyd saki solid waste director virginia's waste management authority next Erika Colwood, Human Resources Director, Virgin Islands Waste Management Authority. Thank you. Next.

0:25:09 Good morning. Eloise Brown, Territorial Grants Administrator. Thank you. Next. You're muted. good morning loose bermudis controller for the waste management authority thank you next good morning juanita isles territorial grants administrator thank you so much as i merge you may proceed with your testimony okay thank you Good morning, Honorable Senator Kurt Veillet, Chair of the Committee on Finance, other members of the 34th Legislature, the media, ladies and gentlemen, and the listening and viewing audience. I am Roger E. Merritt, Jr., Executive Director at the Virgin Islands Waste Management Authority. I am appearing before you today, along with Sadie Clendenin, Chief Administrative Officer, Erica Carwood, Human Resources Director, Floyd Saki, Solid Waste Director, Luz Bermudez, Comptroller, Jeff Watson, Wastewater Engineering Manager, Juanita Isles, Territory Lead Grant Administrator, and Eloise Brown, Territorial Grant Administrator, to provide testimony relevant to the authorities proposed fiscal year 2022 budget for solid waste the authority manages the territories solid waste collection transportation and disposal network municipal solid waste is collected from bin sites convenience centers public receptacles curbside and is ultimately disposed of at the bovoni and anguilla landfills approximately 500 tons per day of waste is disposed of daily and over 180,000 tons of waste is disposed of annually in the territory's landfills. The average Virgin Islander produces approximately nine pounds of trash per day,

0:27:15 which is almost 40% above the US average. The authority is preparing to eliminate the majority of the public unmanned bin sites throughout the territory as they lend themselves to illegal dumping, which diminishes the aesthetics of the surrounding area, along with posing a health risk the plan is to construct and operate convenience centers throughout the territory like those found at mandal on saint thomas and peter's rest in saint croix community development block grant disaster relief funds from the virgin islands housing finance authority will be utilized to construct the new convenience centers which we anticipate will begin in the third quarter of fiscal year 2022 federal grants for solid waste with the federal emergency management and public assistance funds as you're aware the virgin the u.s virgin island solid waste management infrastructure was severely damaged by hurricanes erma maria the hurricanes of 2017 generated 825 000 plus cubic yards almost three times as much waste as the territory typically generates in one year, which created a hazard to public health, public safety, and the environment. The authority has worked with local and federal agencies to review damages and formulate projects, resulting in the obligation of 16 FEMA category A and B solid waste projects to date. These projects total \$16,095,847.05. Ten projects have been reimbursed, five fully reimbursed, and five partially reimbursed the total reimbursement to the authority thus far is 11 million fifty three thousand nine hundred thirty nine dollars and seventeen cents currently project worksheets amounting to five million forty one thousand ninety seven dollars and eighty eight

0:29:08 cents are being reviewed and are processed for reimbursement or payment to the authority by VATEMA. CDBG DR TRANCH II funding. VIWMA has entered into a subrecipient agreement with VIHFA, which will provide the authority with funding for the implementation of designated projects outlined in the TRANCH II action plan under the Housing and Urban Development Infrastructure Repair and Resiliency Program. These activities are directly tied to the damages related to Hurricanes Irma and Maria. Specifically, these projects are one, convenience centers for the territory, two, landfill design, environmental assessments, the land acquisition, and three, grinders and crushers. The proposed convenience centers will be designed with measures to ensure waste is collected in an organized manner to prevent the hazards to public health, public safety, and the environment. The sites will be fenced to prevent dumping and will be staffed by knowledgeable and helpful attendants to ensure early disposal the sites will have multiple collection areas to segregate the specific types of waste in an effort to begin implementing a recycling program for the territory the plan is to have a total of nine sites five are listed below and four additional sites are to be determined the first site is a state cordial convenience center in st croix and that property is owned by the GVI. The second site is Mon Bijou Convenience Center in St. Croix. That property is also owned by the GVI. The third site is Smith Bay, the Margarita Bill Convenience Center on St. Thomas. That property is actually owned by Waste Management. The fourth site, Red Hook Convenience Center on St. Thomas is owned by the GVI.

0:31:00 and the fifth site is susanna burger transfer station upgrade on st john and that's owned by the gvi as well currently these five convenience center projects are in the grant application final phases the authority is working with the department of property and procurement and housing finance authority to determine if a memorandum of agreement or lease agreement which will require approval by the legislature will be used for the four proposed convenience centers owned by the gvi included in the cdbg dr trance to funding are the following pre-construction activities uh projects associated with the

territories landfills number one is the bovoni landfill expansion project uh the second one is the baloney landfill closure project the third is the new sanctuary disposal facility project and the fourth is the anguilla landfill closure project The pre-construction activities for the new St. Corey Disposal Facility and the expansion of the Bovoni Landfill include land acquisition, surveys, environmental assessments, permitting, civil site work and stormwater management design, landfill design, design of on-site waste disposal and recycling facilities, and design of on-site support facilities. Currently, these grant applications are in the draft stage and will be submitted to the Housing Finance Authority for their review in the comments by the first quarter of fiscal year 2022. Waste management must use existing landfill space as efficiently as possible and help minimize the effects of future storm events. So the low-speed demolition grinders will facilitate greater landfill lifespans for existing and planned landfills by decreasing the volume of waste placed in each landfill through necessary grinding and compaction of waste. The demolition grinders will specifically aid in the breakdown of anticipated non-hazardous solid waste and construction demolition debris. Currently, the grant applications that include the grinders are also in the draft stage and have been submitted to Housing Finance Authority for their review and comments.

0:33:09 U.S. Environmental Protection Agency, the Solid Waste Supplemental Grant. Through the Department of Planning and Natural Resources, Waste Management has been awarded a Solid Waste Supplemental Grant in the amount of \$6 million. The funding was provided from the U.S. EPA under the Bipartisan Budget Act of 2018, which was enacted on February 9, 2018, and are intended for states affected by the two Category 5 hurricanes in September 2017. The grant will support the further development of the solid waste management program in the territory and develop and implement a sustainable waste diversion materials management program.

0:33:51 Waste types to be diverted from the landfills include green waste, scrap metal, tires, and construction demolition debris additionally it will provide the authority with much needed equipment at the aforementioned sites for management of the various waste streams currently waste management and dpnr are finalizing the moa establishing the terms and conditions and all activities included in the designated projects outlined under the program Tipping fees. In August 2017, tipping fees, using a volume-based methodology, were approved by the Public Service Commission and implemented in the St. Thomas-St. John District, generating approximately \$17,000 in one day. Due to a disagreement with the St. Croix Solid Waste Service Providers, the process was temporarily halted, and as a result of the destruction caused by hurricanes irma and maria that year the territory-wide plan was never realized now in december 2020 the plan was again proposed to the psc and in june of this year psc approved the tipping fees territory-wide using the volume-based methodology for fiscal year 2022 the authority will begin will be hosting a series of town hall meetings starting in september along with other outreach methodologies in each district to educate the territory regarding the implementation of these fees. The authorities' facilities collect, treat, and discharge approximately 3.83 million gallons of wastewater per day. St. Croix accounts for approximately 1.6 million gallons per day. St. Thomas accounts for approximately 2.1 million gallons per day. And St. John accounts for approximately 130,000 gallons per day. Our wastewater infrastructure in St. Croix consists of 120 miles of sewer lines, 15 pump stations,

0:35:50 approximately 1,800 manholes, and one wastewater treatment plant. For the District of St. Thomas, St. John, there are 300 miles of sewer lines, 15 pump stations, approximately 2,500 manholes, and seven wastewater treatment plants. The GVI and the Authority are close to fulfillment of the 30-year consent decree and viola operates the harold harold a thompson and pedrito a francois wastewater treatment plants and the contract expires in 2027. so the authority will start to identify and train staff in fiscal year 2022 to operate both plants upon expiration of the contract and release from the consent decree and this will result in the potential savings of approximately three and a half million dollars annually federal grants division for wastewater fema public assistance funds as a result of hurricanes irma and maria the waste management wastewater infrastructure sustained major damages including wastewater treatment plants pump stations and sewer lines this created an immediate threat to the health and safety of the general public requiring emergency response and protective measures. The authority has worked diligently with FEMA, VATIMA, ODR, and Wood O'Brien to review the damages and formulate projects. Although the process is tedious, we have been successful in obligating 38 wastewater projects to date, totaling \$14,177,966.96. Among the obligated projects, there are 23 projects that that have been reimbursed. 17 have been fully reimbursed. Six projects have been partially

0:37:37 reimbursed. Five projects are currently being reviewed and verified by TEMA and FEMA for reimbursements totaling \$3,157,255.29. The total reimbursements to the authority thus far, including both fully and partially reimbursed projects, is \$4,325,542.96. Four projects were reduced by \$713,378.80 due to insurance proceeds received. The unobligated projects represent critical infrastructure facilities that are eligible for upgrades to FEMA-approved industry standards as per the 2018 Bipartisan Budget Act passed by Congress. We are continuously working with FEMA and Wood O'Brien on these projects, which primarily include pump stations and wastewater treatment plants these are currently listed as separate projects but will be combined into three island-wide wastewater infrastructure projects requests for which have

already been submitted to FEMA the scope of work determination for upgrading these facilities to FEMA approved industry standards is ongoing and will also until replacement of significant portions of the sewer system to FEMA approved industry standards these 10 projects have a current estimated cost of 10 million dollars however the final scope will include replacement of many pump stations and large portions of the sewer lines to industry standards and will therefore significantly increase the estimated cost department of the interior capital improvement grants the U.S. DOI through OMB has awarded waste management \$402,739 under the 2020 capital improvement and \$705,977 under the 2021 capital

0:39:32 improvement program. The 2020 grant will support the standardization and upgrade of the Humbug One pump station on St. Croix and the Cancrine pump station force main sewer line repairs on St. Thomas. The 2021 grant will support the procurement and installation of equipment to upgrade and maintain the Harold G. Thompson Waste Water Treatment Plant on St. Croix. Currently, waste management engineers are reviewing the approved scope and cost estimates prior to soliciting an invitation to bid. Department of Interior Maintenance Assistance Program, the USDOJ through OMB has awarded Waste Management \$535,000 under the 2020 MAP and \$267,996 under the 2021 Maintenance Assistance Program. The 2020 grant fund will support the purchase of specialty equipment and provide technical training for the authority's wastewater staff. The 2021 MAP grant funding supports the purchase of additional specialty equipment. Specialty equipment is a critical component of Waste Management's wastewater collection system fleet. The equipment is required for efficient repairs of the sewer system and the disposal of sewage meeting permit requirements and minimizing sanitary sewer overflows. This will assist Waste Management to protect the health of the residents and the environment. A U.S. EPA Clean Water State Revolving Fund. The EPA, through the Department of Public Works and the DPNR, provides funding to the states and territory for the construction of public wastewater treatment projects.

0:41:13 These projects, which constituted a significant contribution to the nation's water infrastructure, include sewage treatment plants, pumping stations, collection and intercept sewers, rehabilitation of sewage systems, and the control of combined sewer overflows the authority has received funding for fiscal year 2011 through 2018 totaling 27 million eight hundred twelve thousand six hundred fifty eight dollars for pump station upgrades sewer lines repairs wastewater treatment plant upgrades and specialty equipment current waste management CWSRF major projects are waste management is reviewing approved evaluation committee documentation on the bid received for Chinaman Hill sewer line replacement on St. Thomas under fiscal year 2012 through DPW this project has an estimated budget of four hundred thousand dollars waste management has recently recently advertised invitation for bids for the George Simmons wastewater treatment plant on St. John this project funding is from the fiscal year 2014 through DPW, and has an estimated budget of \$385,500. Waste Management has finalized the contract for the Christiansted Sewer Line Rehabilitation Project with Marco Sancro. This project funding covers several fiscal years, 2014 through 2018, and has an estimated budget of \$11,204,755.20.

0:42:45 Waste Management is currently awaiting project approval from DPNR for Cross Lagoon Wastewater treatment plant interceptor on St. Croix once project approval is issued waste management will advertise invitation for bid this project covers this project funding covers fiscal years 2013 2014 2016 and 2017 and has an estimated budget of 4 million 962 thousand 868 dollars in October 2020 the authority through the ODR formally requested that FEMA perform a review of our wastewater facilities under the BBA's prudent replacement standard this prudent replacement will replace the former damage descriptions and dimensions prudent replacement will replace any infrastructure that contains non-industry standard elements and replace pump stations and wastewater plants located in the FEMA 100-year base flood elevation the authority is focused on expediting FEMA project worksheets will also engage with ODR as we seek approvals for prudent replacement.

0:43:51 Wastewater user fees. The authority will continue its work on revenue generation efforts from wastewater collection and disposal operations to increase annual funding, improve fiscal position, and gradually shift operations to self-sufficiency. Recently, the authority met with the Lieutenant Governor's Office GIS division in July 2021 regarding collection of the environmental user fees assessed to property owners connected to the wastewater collection system we are collaborating with the tax assessor's office to identify and collect outstanding fees which will help us to operate and maintain our antiquated wastewater collection system the EUF is assessed and collected annually on the property tax bills based on the location of properties in relation to sanitary sewer lines the tax assessor's office is providing the most recent database of properties with wastewater connections waste management is providing a tax assessor with a list of all new wastewater connections i.e. property description property owner partial ID number etc and the authority will work to verify the data which will enable us to identify users of the system that need to be added to lieutenant governor's database for next year's property tax bills. Ultimately, this will allow us to begin collecting the appropriate EUFs going forward based on assessment and connections to the wastewater collection system. Also, in an effort to generate additional revenue on the wastewater side, a wastewater septage disposal fee, which is a subset of the EUF, will be assessed to permitted septage waste haulers who deliver septage to the authorities' septage receiving facilities, and that'll be similar to the tipping fees vendor payments we're constantly communicating with the solid waste and wastewater service providers to determine all

outstanding debts owed and have begun requesting account statements to accompany their monthly invoices payments to the solid waste service providers from the 15 million dollar appropriation bill 33-0375 were processed as outlined in the legislation and in accordance with direction from the authorities board of directors

0:45:57

The authority has made significant strides in reducing the day's payables outstanding with all our vendor accounts. Procurement. The Division of Procurement is responsible for fulfilling the authority's needs in procuring goods and services in a timely manner with the most favorable terms consistent with the law. The Division oversees all the procurement functions to include the solicitation process through issuance of invitation for bids, requests for proposals, requests for qualifications, facilitating evaluations and negotiations, and preparation of purchase orders and contracts. The authority understands that for the procurement of goods and services utilizing federal funds, we must comply with the requirements in the respective grant award or the federal program under which the funds were awarded and the requirements outlined in the uniform administrative requirements, cost principles, audit requirements, federal awards, and the code of federal regulations. As such, we are close to finalizing updates to our internal procurement policies and procedures to ensure compliance with all applicable rules and regulations, both locally and federally. In addition, a procurement checklist has been developed and will be placed in each contract filed for audit purposes. Personnel. The Waste Management currently has 120 dedicated and hardworking employees. As the authority continues to move forward and fulfill future goals, staffing levels will be reviewed to determine the best structure to support organizational needs related to expansion through anticipated revenue streams, grants, and other funding sources that support reorganization, promotion, and recruitment of staff. In fiscal year 21, we have hired 21 employees and internally promoted 24 employees. In addition, internal reviews of job descriptions, salaries, collective bargaining agreements, employee government policies and procedures, training programs, et cetera, are being conducted in a transparent effort

0:47:55

to fulfill mandates and enhance employee engagement and morale. At this time, I'd like to acknowledge the Employees of the Year for the St. Thomas St. John District, which is Ms. Sheena Asanason and the Employee of the Year for the St. Croix District, this is Mr. Jan Wilson, and again, I wish them congratulations and thank them for their service to the authority. Health and Safety. The health and safety of the employees at the Waste Management Authority remains a top priority. Under the Environmental Health and Safety Division, a safety program has been developed in line with the authority's day-to-day occupational safety regulations, encompassing the authority's operational emergency management roles and responsibilities. Safety committee meetings and all-staff weekly safety meetings provide venues for employees and management to work collaboratively while providing solutions to health and safety concerns within the authority. The development and implementation of a training matrix ensures that all employees are provided with the necessary safety and health training mandated by OSHA and local laws. In response to the COVID-19 pandemic and in an effort to protect employees and contractors while maintaining continuity of operations, the authority has established an internal COVID team comprised of members from senior leadership, human resources, and health and safety divisions. Together, decisions are made to address the ever-fluid response to COVID-19 based on guidance from the Virgin Islands Department of Health and the Centers of Centers for Disease Control and Prevention to include but not limited to providing telework options, conducting virtual meetings, issuing personal protective equipment, mandating social distancing, and frequent sanitation of facilities. Waste Management Authority, Biobot Analytics COVID-19 detection initiatives. In February 2021, the Waste Management Authority

0:49:51

partnered with a company called Biobot Analytics, which is a wastewater analytics firm and a global leader in wastewater epidemiology, to track COVID-19's presence on a broader level in the territory in a non-invasive anonymous way. Biobot uses the data present in wastewater to learn valuable insights that shape the health of communities five bodies headquartered in cambridge massachusetts and is serving states and territories nationwide waste management authority has been testing at five of our wastewater facilities weekly throughout the territory while a large amount of our population is not on the public sewer lines and use septic tanks those tanks are eventually emptied and brought to our treatment plants we receive weekly community reports which detail how the islands compare as far as detected caseload our work with biobot serves as an additional tool to help all stakeholders understand the many facets of this virus the waste management authority regularly tests the wastewater that is treated by our facilities in compliance with our territory pollution discharge elimination system permit and recently the usvi was selected and is currently participating in the u.s department of Health and Human Services National Disease Surveillance Program led by BioVox Analytics. And this 12-week program, HHS, is funding the collection and analysis of samples from 320 wastewater treatment plants covering 100 million people across 50 states and territories to gather data on the presence of COVID-19. This is a significant expansion to a previous HHS-led wastewater epidemiology program and will include genomic sequencing to detect COVID-19 variants. The USVI has three locations participating in the program, the Anguilla Wastewater Treatment Plant on St. Croix, the Cruz Bay Wastewater Treatment Plant on St. John, Mangrove Lagoon Wastewater Treatment Plant on St. Thomas. As USVI tourism surges,

0:51:52 when the school year begins and with vaccination rates not at the desired 70% as of yet in the territory, wastewater epidemiology will continue to be an important tool in USVI's COVID-19 response. With the rising presence of COVID-19 variants, wastewater testing can serve as an important tool for catching and isolating outbreaks. Waste Management and Biobot are currently collaborating with the vi department of education to assist in the safe reopening of the territory schools accomplishments so um some of our accomplishments are hiring of key positions in the organization executed stipulations and pass agreements for budgeted salary adjustments including retroactive payments for specific wastewater and solid waste division employees and positions uh been site cameras uh phase one implementation we have nine sites that we're energizing uh the cameras at high frequency bend sites uh throughout the territory and all those sites should be coming online by the end of september unmanned bin site beautification projects the crown mountain bin site on st thomas and the uh the gift hill been site on on st john we've perform beautification projects at those two locations uh assigned and we've assigned employees to high demand bin sites uh one site on st thomas and one site on st john as we transition to the convenience centers uh we have telemetry uh pumps uh at our pump stations and that that is a highly automated communications process that sends notifications for potential non-compliance issues per our consent decree to phase one portion of the telemetry has been completed and phase two is in progress and we're over 60 60 complete uh and we've enhanced uh the pump stations we've added to uh our resiliency for the wastewater system wastewater uh system by purchasing pumps and making repairs to uh to other pumps so that we have redundancy in the system we've updated the wastewater operation and maintenance plan to include daily weekly monthly and quarterly inspections to maintain the wastewater system in compliance

0:54:11 with the clean water act and the tpdes permit we've purchased critical vehicles we've purchased seven standard uh vehicles to support day-to-day operations and we've also purchased seven heavy duty vehicles on both the solid waste and the wastewater side to support specialized collection and maintenance duties we received tip and fee approval from psc and that the implementation of those fees will start in fiscal year 2022 as i mentioned bob by wastewater testing is providing over 19 data for the gvi by testing wastewater at five locations we have restructured and enhanced emergency management plans and processes to prepare the authority for any potential future catastrophic events we've also implemented the following cost savings measures at the anguilla landfill we're utilizing uh resmart foam as an alternate daily cover to assist with landfill airspace and for the control of dust odors and volatile organic compounds to safely address operational concerns and which has resulted in about a fifty thousand dollar per month savings we've revisited security contracts for facilities throughout the territory and that's result in about a ten thousand dollar a month savings we've revisited contracts for silo's collection on st john which has resulted in the seventy seventy five thousand dollar savings from the previous contractor we began in-house collections for st thomas bin sites so the authorities no longer using contractors for the following sites thomasville notter belong going brookman and there's potentially more savings to come by collecting the land clothes and possibly cancrime bin sites along with the anguilla bovoni landfill bins and that that's right now is approximately forty thousand dollar a month savings uh we've revisited the st john reloader contract

0:56:05 um and that's approximately five thousand dollar savings from the previous contractor and the resulting savings and looking at our operations has been a total overall savings of approximately two million dollars annually uh challenges uh you know we still have challenges while the authorities made great strides over the last year some challenges remain including the aging facilities and infrastructure you know waste managers wastewater infrastructure is over 50 years old and most of the system has outlived its useful life we have aging fleeting lack of equipment critical personnel vacancies lack of enforcement personnel primarily due to assignment to coven to the coven 19 task force insufficient budget appropriations to cover basic operational costs, but Waste Management submitted supplemental budgets to OMB for approximately \$29 million per year based on a thorough review of solid wastewater operations, and we did receive an additional \$10 million from fiscal year 2022. And in summary, while the myriad of challenges plaguing the Authority continues to present day-to-day reactive measures in emergency situations, the goal of the Authority and my team is to move towards a more proactive, maintenance-based methodology regarding operations. However, we must have the appropriate funding available to support this vision, and while the grants and other available funding sources we discuss will and have assisted with improvements, we must take the necessary steps toward the goal of self-sufficiency by charging fees and creating additional revenue streams to become a truly autonomous agency. I close by sincerely thanking the hard-working staff of the Waste Management Authority for the dedication and commitment to not only their day-to-day jobs, but in supporting the future vision of the Authority. And I would also like to thank the Brian Roach Administration and the members of the 34th Legislature for the support as we continue to address solid waste and wastewater issues. This concludes my testimony, and my team and I remain available to address any questions relative to this update. Thank you.

- 0:58:09 Thank you for your testimony, Sir Redditt. We are now going to go to our eight-minute round colleagues, and we will begin with Senator Carrion. Good morning. Good morning, Mr. Chair. Good morning to my colleagues and viewing and listening audience, and good morning to you. One minute before you go, Senator Carrion. I forgot to recognize Senator DeGraff, committee member. Thank you for coming. And Senator Potter, who is also in the chambers thank you for coming you may now proceed yes and good morning to um director merit this morning and thank you for very comprehensive testimony this morning um let me start by your outstanding accounts payable um i i see here in the post audit report You have a number of vendors that are pending, that says pending, and others that say insufficient funds. Can you please explain why the difference among them? And I'd also like to know, what's your plan in order to pay off the obligations that you have?
- 0:59:26 Okay, sorry, I'm looking at the post audit. So, the first thing about the post-audit, that is as of February 28th, so, you know, I have an updated one, and I can provide that to you, I guess, after the hearing, but. Please, please do. Please provide it to the committee through the chair. Okay, yes, I will provide that. Now, on the post-audit, there's several, so it's based on February 28th, so there's several of the vendors that the amounts are not, they're not correct. The actual outstanding is about, it's \$12 million, of which \$8 million is for the vendors and \$4 million is for WAPA. So the ones that have insufficient funds, so what you see, the ones that have insufficient funds were based on the fact that the authority didn't have the funding to pay those vendors. Now, since I would say that, you know, so in the year that I've been here, we've made a significant headway with those outstanding obligations. we so since so from from the end of august to current we've paid now with obviously the the 15 million dollar appropriation helped but we've also paid another 20 million dollars so we paid 30 35 million dollars uh to deal with our outstanding um obligations to the various vendors up year to date or at least from since from august to uh from august 2020 to august of 2021. I don't have much time, but there's a number of them that says pending. Can you please explain how long will those be pending, how long they've been pending? What is your standard turnaround time to make these payments? Yeah, so that's what I'll say. I'll send you the updated list because this is not necessarily, this isn't updated, but the pending payment was saying that
- 1:01:34 if we owed, let's say, \$100,000, then we would get their invoices and we would pay them in a uh in a certain amount of time and that depending on the funding at the time that could be that could have been a month to several months i think uh what i mentioned in my testimony was that we've made significant headway in the days payable out uh outstanding for our vendors so we are relatively current with the majority of our vendors where we're paying them within 30 days all right and um I see that you've hired approximately, according to your testimony, 21 employees. You have a total of 120 that work in your agency, and you have promoted 24.
- 1:02:19 How many vacancies do you currently have in your agency? Ms. Clendenin or Ms. Calvert, I'll let you guys say the exact number. I see there's a difference when I look at your expenditure report from the general fund and classified employee salary from FY FY 2020 to now your projections for FY 2022, there's a difference approximately of 3 million. Can you please elaborate a little bit what that entails?
- 1:03:16 Did you hear the question? Can you repeat the question? In your post audit report and expenditures, this is exhibit five from the general fund, there's been an increase in the classified employee salary. So from FY 2020, which was approximately \$2 million to FY 2022, there is an increase of almost \$3 million. Can you please provide some justification for that increase? Your projection.
- 1:03:59 The projection is based on several factors, and that includes dependency on grants as well, and equipment and other type of supplies to support the increase in the headcount. And so, based on the original plan, as you can see here, this was from February, there have been some organizational changes to affect those numbers. So, again, it will also depend on when some of the grants come online, which would include not only employees' salaries, but also if equipment comes online, we will be able to hire additional staff to use the equipment so there are a number of factors that go into okay so if i understand correctly then there's a percentage of your employees that are covered by federal funding through grants it there are but it's very small what percentage is that um those have not been realized as yet i don't know if the grants um administrators can assist with that I'm just trying to forget because there's there's almost a four million increase from 2020 to your projections in 2022 when it comes to employees and so I want to know what is that about to justify that increase the majority is it is based on projects so when progress come online then we will we have anticipated needing additional staff and that will also depend on grant and funding two minutes for the project itself not necessarily for the employee piece of the salary so you're projecting to have how many new employees in fy22
- 1:05:51 um the number of new will be projected as approximately 25 to 30. 25 to 30 FY20. And how many new you've had now in FY21? I'm sorry? In FY21, how many you've had in this current year? I'm not sure of the new. You're talking about new positions? Yeah, new positions in FY21. many of these positions that are new have not been filled so they are carry over so we still have the same number the vacancy the number that we have filled so far were for vacancies so these are

positions that are being carried over then to fy 22. correct okay uh director and uh also post auto report and fund balance this is on page eight uh you have the anti-litter beautification can you please elaborate a little bit of what's the balance that you have on these accounts and why i'm seeing some negatives miss bermudez can you elaborate on that i know our so we get we get five million dollars we we get five million dollars from the annular beautification fund so it's a you know on a on a quarterly basis we get the 1.25 million i think this i think what this is uh referencing in the post audit is that the the that's the total fund balance and that the unobligated budget is something that is not necessarily associated with the authority because we get our we we only get five million dollars of the of the fund itself yes um lose bermudas and that's correct the ed is correct those numbers come from omb provided by

1:07:46 omb um letting us know what's the fund balance for each our each of our special funds for anti-litter although it's um it has a negative amount for unobligated budget um apparently they haven't collected as much as of march 31st but we only allocated five billion dollars for the fiscal year time so uh mr chair if i may yes you may so you receive an anti-litter beautification fund five million every year and one million from the sewers fund and also from the tourism advertising fund you received uh 300 000. so why are you then a negative here it says incumbrance payment in the process are are are you not um getting the payments that have been uh sent to you we oh go ahead go ahead yes those numbers um are from omb uh apparently that the encumbrances are payments that they receive in the the central government system these are not numbers coming from the authority that's that's that's a bit of a problem if you guys are not quite sure where you are in regards to the funds um that that have been assigned to the authority for specific purposes and um and in-house you should be able to have your own accountability and know how much you have pulled down from those funds and for what purposes. Thank you, Mr. Chair, for the balance.

1:09:31 Thank you, Senator Carrion. From what I'm reading, especially with the tourism advertising revolving fund, some \$71 million, the numbers there are not germane to the Waste Management Authority but are germane to the fund balance overall and the encumbrances across different departments. So this exhibit nine is not really applicable just to waste management, but applicable to the overall fund and some of the balances are off. The OMB director have said that she will provide an updated fund balance when they come before us on August 31st of all the various funds. We had quite a number of questions about the Internal Revenue Matching Fund and they received notification that the numbers given to us during the finance budget hearing were not right, and they will provide us with the right numbers. But in reference, Ms. I can't remember who answered the question, you should know what your fund balance is of the \$5 million that you receive in the Antelitam beautification fund. You're given \$5 million annually. What's your balance in that fund?

1:10:44 so this year we've received the total five million dollars and how have you spent it has it been obligated have you spent the five million dollars have we spent it on on um on on uh vendors and contractors associated with the with the annular beautification fund for solid waste uh for sorry so i'm actually what is what what is the balance of the five million dollars that you receive what's the balance in your account luce do you have the actual balance the balance coming from omb no the balance that you have in your account not from omb in our account we just got our uh fourth quarter allotment of 1.25 correct so you already received all we did receive all our five million dollars for this year and how much of the five million dollars have you spent? 3.75 million. So you spent the first three quarters allotment? Correct. Okay, so you're going to expand the last quarter now? Yes. Okay, reference to the chart that you sent back in February with all of the pending and insufficient funds. If you can have someone begin to work on updating that particular chart so that um maybe in 20-25 minutes we can once again ask a question senator blinding we have you're recognized we have an update for you i'm sorry excuse me no go ahead sir oh we we have the we have the chart updated as of july 31st so would you like us to send you email email that chart email that chart to my staff and they will send it to all the senators so if you can email that chart now so we can have an updated um okay table uh also want to welcome senator janelle saru thank you for coming senator donna fred gregory thank you for coming senator blyden you're recognized senator japan james here in st croix thank you for coming thank you so much mr chair good morning to my colleagues listening of you and audiences staff central staff good morning director merriitt and thank you so much for your comprehensive testimony um i know basically testimony spoke to um you spoke to the

1:13:23 grant um through dpnr for the u.s epa the solid waste supplemental grant exactly um when do you believe um you'll be able to um utilize the funds i'm moving forward and what would that mean for that um for the agency succinctly please yes miss aisles do you want to comment on that Sure. The MOA is currently in draft stages with DPNR, so as soon as we finalize that MOA, get it signed, we will be able to start drawing on the funds. I believe that the beginning of October we should be able to finalize the draft MOA and soon thereafter Possibly in November or December, we would be able to start utilizing the funds.

1:14:25 And thank you for that. Director Mary, you say you'll be able to save approximately \$3.5 million annually. So with that savings, that \$3.5, where do we direct those funding towards in terms of your operations? So that savings was on the, I

believe, on the \$3.5 million for the wastewater treatment plants? Is that the one you were referring to? Yeah, so that'll go towards, you know, for wastewater operations and maintenance and continuing to, you know, work with that antiquated wastewater collection system we have and do various projects. Hopefully, you know, we do have the, you know, we're working with FEMA accrued and replacements, so hopefully that comes to fruition and that'll definitely help us upgrade our, upgrade the territories with our collection system.

1:15:20 Okay, thank you for that. And also you spoke to the tipping fees that you're trying to implement, hopefully by the end of the year. Those savings, are they reflecting on the 2022 budget? We didn't get the approval until June of, well, you know, two months ago. Correct. So you plan to put that amount in your budget and rework those numbers so we can have a more accurate picture? We can. I mean, I think with the implementation of the fees, we're going to start having our town hall meetings in September, probably go through September, October.

1:16:10 And I know there's going to be some questions and comments from the public and the business community regarding those fees. And so once we answer those questions and make sure everybody understands what the game plan is, how the fees are going to be implemented, then i actually would have a better picture of uh how much of a well from from the standpoint of budgeting um i would have a good picture of how much we can put in the budget now you know i mentioned in the testimony there was seventeen thousand dollars in that one day um so you know so yeah we have a general idea but i know that once we implement the fees there's going to be some some you know some of the contractors are going to do some things differently and some of of the businesses are going to do things differently so we'll have a better idea of what that number is i guess as we as we begin the implementation of it and i would also like to mention on in respect to the consent that the third year consent decree and it coming to um completion um sure in short order one honestly on the record thank you because i know you played a big role in um accomplishing that most important goal uh we've been working on that for some time and I want to thank you publicly for that. Also, with the morale, you spoke to the morale of the employees and training and what you're doing. You onboarded 2021, new employees, and you promoted 24.

1:17:37 So what does the morale look like? Because I know right before you came back, the morale was pretty low. What would you say that number looks like based on the responses from the employees? Because I know I have not been receiving any more calls in respect to what's going on at the agency with all that was happening. I have not been receiving any calls, negative calls. I've received some positive calls. What does the morale look like at this time? I think the morale is significantly better.

1:18:08 I mean, I think the staff realizes that we're doing our best to support them. You know, we mentioned the promotions. You know, we're recognizing our staff for all the hard work they're doing uh with the uh that we mentioned the stipulations we were able to work with the union to uh you know increase the salaries for some of the guys on the wastewater side and the solid waste side we are going to be meeting with the union to um renegotiate the collective bargaining agreement and i think all the staff realizes that we're looking out for their best interests and we're going to you know we have a vision to move the authority forward and you know they are an integral They play an integral part of that, and we've got to make sure that they're compensated for, you know, all the hard work they do. Because, you know, obviously working in trash and wastewater is not the most glamorous job, so we have to make sure that they realize, you know, how important they are to us and how important they are to the territory.

1:19:03 Two minutes. The post, I report on page 9, I believe, 9 to 11, the FEMA public assistance grants. There are several, many different displays mentioned, but there is no expiration date on any of them. Is it possible for you to resubmit this with expiration date so we can be clear in respect to exactly what needs to be done before that date? But I know there's amount for draw and non-amount and project balance. And let me speak to several project balance, because those insertions are important.

1:19:53 For instance, Lagoon Street was main break, 2.9 million hours, but none have been drawn on thus far. And the balance remains the same, but like I said, it would be nice to know when those they expire. Also you have other entries with large balances where they would like to know exactly what is being done. For instance, you have the sewer line repairs in Garden Street and Savanne, \$6.4 million. And I know, as a matter of fact, I received many calls from Garden Street, whereas the lines back up frequently. So what is being done in respect to that, to to in particular that one and what and are there any expiration dates are you going to do a capital improvement for the whole area can you speak to that please jeff i'll let you speak on on um on savannah but also with our with our grants um uh miss owls and miss brown you guys can can comment on that i know we have an updated we have updated uh spreadsheets that we can send to the center them as well please this is jeff watson engineering manager wastewater the issue guidance street that was a project fema funded um guidance street and moravian gut and savannah those were all female funded and all approved we've completed, significantly completed, sewer repairs, manhole repairs at Garden Street and Moravian Gut. The Savant Gut, we haven't

started that yet. We propose to do so in the next coming weeks. We've identified a contractor for that job, and a contract is being negotiated with a successful contractor at this time. But the reports that we have had on Garden Street as well as Moravian Gutt should be significantly reduced. That damage was done after the hurricanes and we had manholes that were impacted, sand, mud, broken sewer lines, and under this FEMA

1:22:26 project, that work, I would say, 95% completed. So those calls from Garden Street should not occur the way they did after the hurricanes. We do have significant problems. But we expect to have a contract on the ground in the next, between the next two weeks. Thank you so much for that update. It's much appreciated. Mr. Chair, can I have one more quick question, please? Proceed. Yes, Director Merritt, also, in respect to your employees and the type of work they I know when you came on board, you spoke to many contracts that were not necessary because you had equipment, you had employees, they were trained, and they were just at times just sitting, doing nothing with the last management for different reasons. And I see the amount you have for overtime, do you believe that's efficient when it comes to employees doing work after hours on weekends, et cetera? can you speak to that also in terms of in-house can you speak to that also in terms of in-house work correct one of the things I mentioned in the testimony is that we're doing more in-house that actually even if we have our guys work overtime on certain projects the doing stuff in-house actually saves us money overall because from a contractual standpoint the contractors on certain projects may charge us significantly more to do work that our guys can do. So what we're doing is we're speaking with our staff and seeing from an in-house standpoint what we can do and what we can't do, what equipment we need to do more. So we're having those conversations and trying to figure out how we can continue to implement

1:24:28 cost savings measures with our staff. And like you said, you know, if our overtime increases, but if the net of a project is, yes, we spend a little bit more money in overtime for our staff, but the overall project is less money, then it's a win-win for the authority and also for our staff. And I think there's a sense of pride that's created from our staff and being able to do more work in-house because, you know, they've seen where we've had contractors do work for us. And they've come to me and said, hey, you know, we can do that. We can do that. Just give us the equipment or the, you know, give us the potential to do some, you know, give us the ability to have some overtime and we can get these projects completed.

1:25:08 So it's been a, I think it's been a great morale boost for the staff because they see that we're listening to them. And also, like I said, it's helping the authority save money as well. Thank you so much for your responses, Mr. Chair. Thank you so much for your legacy. Thank you, Senator Blyton. Mr. Merritt, before we move on, what are your actuals at this time? The actuals we have were in the post-added report was from February 28th. Can you give me an update as to the actuals right now or at the end of July? Can we send him? Do you have that?

1:25:50 whoever is your financial person should have the actuals as of a certain date what is the end of July we can provide that okay um you need a few minutes yes um i don't have the report ready though i don't need a report i need a number there should be some access that you have as to what you have spent for personnel um the office supplies operating supplies similar to our just a cumulative amount do you know what you have spent for the first three quarters yes i can pull up from the system i will need a while okay i will give you a few minutes to get that to rest uh senator we just we just sent you the outstanding obligations um list as of July 31st who sent that to your staff okay so i will have that circulated to the other members of the legislature senator Joseph you're recognized thank you mr chairman a pleasant good morning colleagues testifier or listening and viewing audience and thank you so much Mr. Merritt for your testimony. I wanted to ask you questions relative to your testimony as it pertains to the wastewater area and division. I know you said that we were under consent decree and I was wondering if in the development and looking at what we're going to do going forward if you are looking at raising the standard of our wastewater

1:27:46 treatment plants to tertiary. How many of our plants in the Virgin Islands are now at the tertiary stage of wastewater treatment? jeff i'll let you i'll let you respond to part of it uh but i will say that we from the from the consent decree standpoint what we're doing is making sure we address everything associated with the you know all the terms of the consent decree we're you know collaborating with uh the epa and the department of justice to make sure that you know we're in compliance with that um also trying to make sure that you know as i mentioned earlier the system is a is an antiquated system i understand mr merit mr merit please forgive me i understand that but we're running on time so if i could be if you could be so kind to allow your staff if you are unable to provide the uh the information for the question i asked to do so thank you kindly This is Jeff Watson, Manager of Waste Management, Engineering Manager. Yes, Senator.

1:28:58 Good morning to you, Mr. Watson. Good morning. Currently, our permits are for secondary treatment. All of our TIPPE's permits are for secondary treatment. So the question is, and please forgive me, because we are running on time, so I need to get to the meat of it. So my question is, which facilities are going to be permitted to provide tertiary, which is the highest standard? We have beautiful waters, the effluents are going out into the sea most of the time, and which one is

going to be at a tertiary level?

- 1:29:47 Tertiary means the highest standard where it is practically used for irrigation to use as fertilizer and it could be even used to drink. That's a very high level, high level of wastewater treatment that we need here so that our surrounding bays are not contaminated and it doesn't adversely affect our fishing industry. So you're clear on my question, Mr. Watson? Yes, ma'am.
- 1:30:24 Thank you. Just be succinct. The VESUP base water plant is the only facility that the EPA is requiring us to do removal of phosphorus which would result in tertiary treatment. All of the others at this time, it's just secondary. All of the other facilities, all of the other discharges is only up to secondary treatment. Okay, and what prevents the authority from raising all the other, the cancrine, the tutu, all of them to uh even the one at um across from pmp to tertiary levels what is it that prevents us from raising that bar so that we could have all of our wastewater plants including those in st croix at tertiary level which is the most critical level that we need to have always water treatment plans at it would significantly increase the cost of treatment senator we will have to the current discharges with all of those limits to bring it almost as you noted to drinking water standard it'll have to go through an entire process of treatment a third process of treatment and be talking about maybe a duplication of costs that will bring it from raw waste water to secondary treatment to get it to tertiary treatment we can apply another cost treatment in order to get the tertiary what what is your best guest to bring it to tertiary Is it just a guess? I'm not going to hold it to you. Of course, it depends on your volumes, so it would be very difficult to come up with
- 1:32:26 a cost. Okay, so you can provide a projected cost, so based on your expertise, Mr. Watson, just a ballpark figure. Okay. Let's take an example for the VESIP wastewater facility. That facility, as you know, will completely damage. It's going to be replaced. It may cost in excess of \$5 million in construction to bring it to secondary. If we want to bring it to tertiary, we could add another \$4 million, possibly even \$5 million on that amount. And that's just VESIP. VESIP, we have a volume of approximately 60,000 gallons per day.
- 1:33:19 If you project to a facility like the Red Pond facility, where we got two million gallons per day. So you see this cost would be quite exponential. Two minutes. Yes, okay. Now, thank you so much, Mr. Watson. It's critical for us when we're thinking environmental protection and looking at our base and everything that we try to see how we can utilize whatever funding available and opportunities available to bring our systems online so my follow-up question would be to you mr. executive director are we looking at even using the BBA to shore up some of our facilities so that they are now producing at a tertiary level which would be at the level where you could actually have water practically to drink with the wastewater? So that's what I was trying to mention earlier. So with the prudent replacement request right now, we're working with FEMA and the different agencies to take a look at our whole wastewater collection system, the whole infrastructure, and actually look at replacing the whole system. So that is something that we can discuss with them. There's a certain level that we have to replace it to and if we if we want to raise that level you know you know i think that would be something that we can discuss and it may not be funded through the replacement of the system because they want to replace it back to to they want to put it back into an uh an industry standard um we just that's just that's the conversation that we're literally in the beginning stages of the prudent replacement so that is a conversation that we are going to have with them okay so you are having those kind of conversation what about redundancy as far as the
- 1:35:09 pumps and the like at the stations wherein if there is any major flooding or issues especially with knowing that we're in hurricane season that there's some level of redundancy so that if there is a power outage the pumping station can still pump and you have a generator on board so what about those issues do you have that especially at can crime which is always getting flooded when we have any high rain and at Paul and Pearson Gardens those two critical areas in the st. Thomas st. John district can I need for us mr. chairman I have a couple more questions mr. chairman would you be so kind we're going to go to next rung you needed to move on from the one question i can allow you to conclude and then we'll go to the next room so you may conclude very gracious thank you okay as i mentioned in testimony we're looking where we we purchased new pumps for standby pumps at some of our wastewater treatment plants or at our pump stations along with redundancy we've purchased i'm sorry we've either purchased or repaired approximately seven pumps so that we have not only enough house pumps for the pump stations but if one of the pumps actually goes down then we already have a new pump to to put in in service so that you won't have the uh issues with these uh with the pump stations so that's something that we've been you know working working with our manufacturer pump manufacturer to get our get new pumps and also get those pumps repaired so we have our resiliency and redundancy in place in the system Okay, so you're working to get that in place, and it's not totally yet in place, but you're working on getting it in place.
- 1:37:02 In CanCrime, we do have an actual generator, and we actually have a backup pump that's there. So we're doing the same thing. LBJ, we purchased a new pump. And so the other pump stations, we're making sure that we have our backup house pumps and the redundancy. so we're we're actually making a a lot of headway in that and hopefully within the next

couple of months we will have all of our redundancy in place that's that was one of the things that i wanted to make sure we went from being reactive to being proactive so that is definitely something that we are doing okay so my time is up and i want to respect the chair so thank you i will be here for the second round to ask some further questions regarding this and other matters thank you kindly mr chairman for the leeway thank you senator joseph and we will have a second round um your hr person the general maintenance worker i see you have four vacancies that were not filled you have any issues finding in the individuals for general maintenance hi this is erica colwood hr um a little bit of difficulty yes we did some interviews yesterday and we're narrowing it down to make a selection so you have sufficient individuals to fill all four positions um we actually interviewed three yesterday one was a no-show and then we had one we interviewed uh last or late last month but that did not work out so at the end of the fiscal year how many vacancies are you projecting that you will still have um it's difficult to say because we're ongoing conducting interviews ongoing okay i see you have a senior human resource generalist position and under the unclassified

1:38:58 as vacant and then under the classified you have a hr generalist you need two hr you need three hr persons you have a director of human resources and you have a hr generalist and you're saying you still need a senior human resources generalist uh we revisited that as we look at our needs and we have that person already hired and slated in the synchroid district because we needed someone in the synchroid district so the senior human resources generalists have been hired and the person is in the sink right district yes sir but the title is not senior is just a human resources generalist okay so with three individuals and 120 employees we shouldn't have a lot of issues with hr senator the graph you're recognized and whoever is getting the information on the actuals as soon as you have it please provide it to us because i'm sure the other senators would want to know that number senator graff you may proceed i thank you mr chair good morning colleagues good morning testifiers of your lesson and present uh i'll first like to do a shout out to our very own mr roland simon uh who works here in the legislature and um is uh presently out ill you know putting out best wishes to him and uh speeding recovery um director merrick i i didn't see in your listen is there an assistant director? No, there's not an assistant director.

1:40:35 Okay, so when you're out, who takes the helm to run the operations? Current, well, I'm looking to some of our critical personnel vacancies are chief engineer, CFO, and chief legal. So as of right now, Ms. Clendenin, the chief administrative officer, if I was to leave the territory, then she would be the acting director. Okay. Is that person on St. Thomas? Yes. Okay. Just check it. Make sure we have that continuity. Now for the employees. Again, when's the last 10 employees received wage increases and what is the status now well as i mentioned we we uh worked with the union and there were some stipulations that we were able to agree to for some of our wastewater staff and some of our solid waste staff and those just the wastewater just got implemented last month and the solid waste is actually going to be they're going to see that actually tomorrow um The CBA right now has expired, but we're going to be meeting with the union to renegotiate that and get the CBA back current, along with we're going to be doing industry standards, a review of salaries for similar positions throughout the authority and do an injury standards comparison and continue with potentially increasing wages to get our staff, especially our frontline staff, get them to the salaries that actually should be specific to their job title and their function and their responsibilities.

1:42:27 Okay. Do you have any GS employees? and they did any gs yes how many and uh hr i guess they could they could say six their wage increases they did receive their wage increases yes they did yes yes okay also in terms of our retirees do you have any retirees and has um gr has been paid up full for those pending retirees if you have any we've we did have i believe two retirements this fiscal year i don't have the numbers i i do believe uh miss bermudis do you know if there were any concerns with that and from payroll i believe we are all up to date with those payments yeah anybody could uh move it up a little a little quicker so we could get answers or is there a delay in st damas i'm not sure uh director okay i guess mr chair we get back to that one then Hold this Senator time one minute.

1:44:04 We're getting back to so much stuff that I can't even remember how much stuff we need to get back to. We really need you to have the numbers in front of you, to have the information so that you can answer the questions and concerns of the Senators. If you don't know it, please put on the record, I'll get back to you in two, three minutes, and then as soon as you have the information, please provide it to us. Thank you so much. You may proceed. Senator DeGraf. Thank you, Mr. Chair. Director Uwes, the facilities which the employees are working in.

1:44:38 Any issues with any of the facilities in the territory? I would say that we're looking to be hired from a facility standpoint. We have staff on both St. Croix and St. Thomas that are looking at our facilities and making potential uh or any upgrades or recommendations to repairs to those facilities so you know i think we we do have some some older facilities so we do know that we have to make repairs and potentially look at um purchasing you know you know new facilities or just new equipment in general so do you have monies uh budgeted in this budget for those repairs uh yeah we do okay uh have you received any covet funds we've received some covet funds not that much i i think it's a roughly and uh miss aisles or i

think it's like thirty thousand dollars roughly twenty seven thousand yes good morning this is Juanita Isles um we receive approximately twenty seven thousand dollars for COVID funds. We have additional invoices to submit to FITEMA so we're working on collecting those and doing a version request to the PW. Okay what was the funds used for? It went into reimbursing what we purchased for COVID deep cleaning of the office general supply i'm not general i shouldn't say general supplies like covet supplies extra hand

1:46:25 sanitizer um any things to like clean the office but but coveted related items okay if we go get through the check again breakdown of how does covet monies are spent and uh it could have been used for other things also to assist Now, Director, I see that you have, in regards to paying for vendors, you have issues with insufficient funds. Are penalties generated from those insufficient funds, and how much money has been generated in terms of penalties toward those insufficient funds?

1:47:07 Two minutes. normally our the contractors that we've been working with they haven't they haven't charged us an interest or a late late charge for um for insufficient funds um did you get that you have the most did you get the most recent one but i'm just looking at a post-author report so in regards to that the banks haven't been sending out insufficient funds and and sending penalties no we have no we there's maybe i know i can think of off the top of my head one vendor that charges us a late charge but but it's for a very small amount so we really we've we've been working with our working with our contractors and making payments um even if we're not making the entire payment we've been making payments towards uh some of the the outstanding um invoices okay and this body we are gave you i think was 15 million dollars towards uh paying it vendors uh correct has that money been spent yes that money is spent that's that's and and we're very thankful for that because that has allowed us to really get caught up with our uh with our vendors and really make a lot of headway i mean as i mentioned earlier we this year we spent on vendors on solid waste and wastewater we've we we spent 35 million dollars to pay down uh debt with the with all those vendors so we're in we're in a much much better uh financial situation and i think our vendors are uh you know from from a day's payable accounts um when a much better situation with them some you know some were paying within a lot of more pain within the within 30 days thank you director uh house to house um pickups is that being done in the territory yeah that's that's there's there's i believe it's 11 000 homes on saint croix and i think 4 000 homes on saint thomas okay and and i see you have those individual contracts um

1:49:16 You know, I have so many things in my head. Now, okay, in regards to Northside, you removed the bin site on Northside, on St. Thomas, up on Crown Mountain Hill. So removing that bin site, it posed an issue, I guess, on other individuals who live in the area. Is there any door-to-door house bin collection being done in the Northside area? that's what that's one of the beautiful projects that yeah excuse me mr chair if you could just wrap up by by asking if you could submit the house-to-house locations in the territory. And one final question in regards to one, let me see, I lost my train.

1:50:24 So in regards to settlements and claims, you had \$90,000 is provided in the 22 budget. do we have any pending settlements and claims presently there's one there's one pending that uh it's in it's in legal right now and what is the cost of that um well it's it's the the cost is there's there let me see i can pull it up on the on page on the post audit I wonder if there's \$80,000 covered that, and Mr. Chair, he could answer your time. I don't want to abuse my time. Thank you for the time, Mr. Chair.

1:51:13 Thank you so much, Senator DeGroff. Thank you so much, Senator DeGroff. HR, go ahead and answer, Mr. Merritt. Because I didn't hear the last part. Did he say that with \$80,000 covered, I didn't hear the last part. Would \$90,000 be sufficient? no what's the amount so the amount is there's a uh particular there's one contractor who is saying that his services were two and a half million dollars more but that's something that's that's that uh the authority is um communicating with that contractor now okay so you haven't finalized that amount for that particular case correct okay correct you have a director of collections or recycling um we're collecting monies now or we have a recycling plan what what's the scope of work for the person there's that that was a so that position was uh was created a couple years ago i wasn't i wasn't the director when that position was created and so since i've been back we that that okay let me be specific let me be specific that that that position i've been there for a couple years do has that person submitted a recycling plan for the waste management authority a person is being paid eighty seven thousand five hundred and fifty dollars have they submitted a plan for collections in reference to tipping in reference to household garbage have they submit do you have any plans from that particular and i don't know who the person is but when you have a title you should be working up to the title especially when we're paying you eighty seven thousand dollars do you have um any collection plan from that individual who holds

1:53:02 that position no but that's what i was mentioning was that position has been eliminated that position does not exist since i've been back i've realized that since we're not doing doing recycling right now there's no need for that position we have to put in our our solid waste management our integrated solid waste management plan to include recycling so since we're

not doing that that position wasn't necessary but we're putting that we're putting that plan together so once that plan is in place then i'll have somebody um and that'll fall under solid waste but it's saying in the report that the position is filled so the position is no longer filled and you have delete and create to to get an additional or another position correct okay thank you so much um do we have the actuals yet yes i do okay you can go ahead and let us know the actuals please okay the actuals for the expenditures as of july 31 2021 the personnel is five million seven hundred and eighty one thousand two hundred and seventeen french benefit is two million three hundred and fifty one thousand fifty one dollars capital is nine hundred and five thousand one oh six ninety four supplies five hundred and twenty one thousand two hundred and ninety five other services sixteen million five hundred and eighty five one hundred and forty seven utilities eight hundred and sixty thousand eight hundred for a total of twenty seven four thousand six hundred and six um six one six ninety four and that is as of july 31st 2021. okay say that among again 27 27 million

1:55:02 4 616 94 cents okay and the 27 million that includes uh 15 million that we gave to you to pay um well the expenditures for the 15 million were for all invoices so the expenditures will not be reflected in um these numbers Are you sure? Okay, your allotment was, okay, well, 25 million and then 5 million. Okay, thank you so much. Senator Potter, you're recognized. Thank you very much, Mr. Chair, good morning colleagues, good morning to you, Director Merritt, and to the members of your team. Before proceeding, I just wanted to just express gratitude to you colleagues as well as the people of the Virgin Islands for your prayers and kind words during what has been a very challenging period for my family and I. Director Merritt, I noticed before, I noticed in the post audit report, I noticed that your chief legal counsel and other legal positions listed appear to be vacant.

1:56:27 Who is currently providing legal services, day-to-day legal services for the authority? Yeah, we have an outside counsel that's been providing services for us for at least four, let me see, at least four years, roughly. Okay. Is it your intention to fill the chief legal counsel position and the paralegal positions that's there, Vickett? Yes, we've been interviewing. We had some we had interviews last month and the candidate that we were trying to select actually ended up accepting another position. Excuse me. So we are actively recruiting for not only that position, but also the CFO and the chief engineer. So, yes, that is our that that is our plan. I was looking this morning, I was coming to work, that CNN indicated that the U.S. Senate just passed, I think, a \$1.2 trillion infrastructure bill, and we're hopeful that the House of Representatives will follow through. If approved, I know this will be a welcome relief to us as far as addressing aging on-the-ground sewage disposal infrastructure, as well as solid waste infrastructure.

1:57:51 My question is, should the money become available in short order, do we have projects that are shovel-ready, ready to go as far as engineering, drawings, everything already in place so that we can immediately take advantage of the funding to repair uh you know our decaying infrastructure or are we going to have to wait uh four three four five years for engineering drawings and design work uh to begin before we can proceed yeah i i can let jeff kind of respond too but i say we do have several projects that are um in the in a design phase where we got we got money uh from uh from grants that we will be ready to to go um but jeff you can i can let you chime in too yeah this is jeff watson engineering manager uh senator direct answer to your question We have several projects that are shovel ready. These were projects that were developed under the Clean Water Act. There are some areas in Montbijou, for instance, in St. Croix, where all of those sewers have to be replaced. Sewers in St. Thomas, Old Tutu and New Tutu, partially funded so if some of this money gets loose we can uh we can make significant progress on and those are two projects that i can think of at the top of my head uh additional projects uh earlier the question came up and uh the director talked about prudent replacement

1:59:47 they are certain based water pump stations that literally may have to be relocated the the ones that are built in the flood zone, like LBJ in St. Croix, Cancrine in St. Thomas. And if those pump stations are going to be relocated, we're talking about significant redesign of the entire system, that you don't obviously have drawings and all of the engineering needed. But they are projects that we can start right away that money gets loose and then there's also the long-term plan we have a plan in place we'll be ready to go once we receive information that the funding is available thank you very much for thank you very much for that um is the bail and wrap what's the status of the bail and wrap proposal i know i used to hear a lot about this um in time past i was supposed to address the limited landfill space on St. Croix in particular. Is bail and wrap still something that's being pursued?

2:01:02 So the transfer station, that actually had a fire back in 2019. And so it hasn't been operating since then. Now the main reason for the bail and wrap was we were having issues with uh with birds at the airport and so they said we're gonna build and wrap the trash so that you know so that the birds wouldn't have uh the ability to get to to food freely um now what we've been doing and i can uh mr sake if you want to chime in here but what we've been doing here lately is that we make sure that we we've been taking the trash directly into the landfill placed into landfill in a confined area covering it with dirt we actually i mentioned in the testimony we have this a a new kind of a new technology which is a foam that we're able to use that to cover the trash and the birds don't like it so um so that along with uh you know our operations at

the landfill where we don't have as much open exposed waste has limited the amount of birds um and also we we work with the uh the usda to actually do monitoring do bird monitoring at the landfill and they have they have you know the the data has shown that our operations now we're not we're not impacting the airport so so we're so so the bill unwrap right now since the building was on uh you know since it caught on fire we haven't used it but we've kind of made made sure that our operations currently are not impacting the airport so that we're able to continue taking trash into the landfill. Two minutes. Two minutes. Thank you, Director.

- 2:02:44 How do we currently handle tires at the landfill? Do we have a contractor, the current contractor who's managing a landfill, is that under his scope and responsibilities? I know there was at some point i know that when i changed my tires some time back i was still paying a fee uh disposal fee for tires exactly how is that process being handled uh currently at our landfills well you know we there's a lot of illegal tires being dumped into the territory so they eventually they're either at the bin sites or in the bush and they eventually end up at the landfill we actually contract out uh with con we'll put a bid out for contractors to actually bill um and dispose of those tires off island so we don't currently have a contract but we're you know we're we're soliciting uh and we're putting out a solicitation for uh for companies to come in and actually uh do that for us now i know there's a bill that was uh circulated a while back about disposal tires and having um waste management be involved in it and that's definitely something that we want to continue to have that discussion because we know that you know obviously tires is an ongoing problem here in the territory. So definitely want to continue that conversation as well.
- 2:04:06 Okay. In your professional services, on the professional services, I believe it's on page six of the post audit report. Notice in a way for FY 2020, you spend about \$1.5 million on the professional services. And in FY22, you're projecting to spend \$500,000. So this is heading down. So I just wanted to know out of curiosity, what is covered under that professional services category?
- 2:04:40 And how will the reduction impact your ability? How will it impact the WMA? Time. so that that that professional services is is uh consulting part of it is consulting and and it's just a variety of different services um you know when you look at when you look at it going down some it's based on some of the projects that we're working on that will be coming to fruition i mean there's still there's still a lot of projects that we're working on and through grant so some of the some of the services may go down from the you know from the general fund but as far as all the projects that we have ongoing with uh throughout the territory with the grants then that some of that professional service is kind of in the in the in those grants where we're doing project management and different uh and different functions associated with those projects okay thank you mr chief i just have one final very brief question for director merit you're Okay, on page six again of the post-art report, there's a category called transportation, not travel. The actual expenditures for FY 2020 is listed at \$654,952, but you're forecasting for FY 22 to spend just \$12,500.
- 2:06:10 Is this correct? and can you elaborate on how you're able to virtually eliminate this category from your from your budget ms bermuda is that that transportation not travel was that's the was that barge that's that's yeah okay so then the reason why i went down was because we just we we put in another category in our in our um in our budget correct you you put it in the next category or are you doing it in-house well that's still that's the that's the barge so so from a so we don't we don't we don't own a barge so that's that that cost is still it's still that that still is an actual cost i think in our in our in our supplemental budget that we submitted we it's in the it's in the um it's in the the projections for that supplemental budget okay thank you very much thank you very much mr chair for the time thank you senator potter um it's a merit i know that we did receive the part to fix the bail and st croix for some hundred thousand dollars has that part been installed no we recently about three weeks ago maybe we got the the insurance proceeds um so now we have everything to to repair the building um and so with that being with that being said we can go ahead and look into repairing the baler but we have to repair the building first because i don't want to have the we don't want to have the baler fixed and then not have the building repair because a lot of vibration with the bailer and so you would have a potentially have an issue so we so
- 2:08:02 so now that we have that insurance money we can begin the uh the process never has a contractor been selected for the repair of the building we put out a we put out a scope um oh actually we put out a bid and actually we did select a contractor now that we have the money we just have to go back to the contractor and make sure that they're gonna that that they're gonna still honor that number because it's been you know it's been a while while we were waiting on the the insurance proceeds so we'll just have to reach back out to him uh to that contractor to ensure that number is going to stay the same and who's that contractor uh i believe it's polaris okay thank you so much senator james you recognize good morning to the people of the u.s virgin islands good morning testifiers my first line of questioning is regarding the what is owed to the world and power authority in the post other report for outstanding obligations as of july 31st 2021 it was made mention no in the updated document that you sent us obligations dated july 3rd 31st 2021 it has 4.2 million dollars owed to the world and power authority and in the post artist report where it spoke we mentioned the outstanding

obligations as of february 20 2021 has a total of three million dollars so from february to august of this year the authority consumed approximately 1.2 million in electricity and having paid the bill. What's going on there?

- 2:09:47 So there is a, I guess, the government house submitted some legislation, I believe that was submitted to the legislature back in July for the government to pay \$5 million towards the WAPA bill. So my question, when you bring down a budget before us, don't you factor in a budget that costs for your utilities? Yes, but let me preface that by saying that historically in the past, waste management has not, you know, as being an autonomous agency, semi-autonomous. there has not been a fee for other agencies. So that's been something that I thought was not even.
- 2:10:49 So we're actually going to meet with WAPA to discuss in-kind services or something to that effect, because there are services that we provide to WAPA and there are services, obviously, that they provide to us as well. Please deal with that. It doesn't look good. and at the same time even though the water and power authorities is a hot mess we need to make sure that we give them the funds so they don't have any excuse especially coming from a semi-autonomous agency which is connected to the government so let's deal with our obligations and i see here that there are several positions for operations and maintenance technician one and two that are vacant can you explain to me what has been done as far as the authority and the division of personnel to handle the the filling of those vacancies because those are critical positions when it comes to running the authority can you explain that to me please briefly yeah I can I'll let HR kind of kind of respond to, but yes, they are critical positions and that was part, some of those O&M Tech 1s were part of that stipulation where we were able to address some of their salaries and different things associated with the position. So we've been interviewing for O&M Tech 1s and I'd let HR kind of give some more detail on that. Hi, morning again, Erika Colwood.
- 2:12:22 we have been interviewing as the executive director have noted in the last couple of weeks and we still have some upcoming um we did make one selections but not so much for o&m tech but wastewater plant operator so we're continually hiring we've interviewed over 30 one second one second how long does it take to train an individual to be an operations and maintenance technician that's my question or they come in just entry level just with general skills or basic skills how long does it takes how long does it take to train an operations and maintenance technician one please somebody briefly jeff would you say what three to six months what would you say this is this is jeff watson the o m it's got three sections the ones who work on the uh the pump stations or also in the lines uh i would i would say the first six months definitely training uh and but that really will continue through at least a year so my question how often do we provide operations and maintenance technician um test so individuals can be promoted from within and uh if you gotta explain that to me so someone jeff oh i i can comment we from a from a from a training standpoint we've been talking to the staff regarding different training opportunities for them we're looking at from a uh there's certain certifications that they can get and so we're looking at getting um some some online training for them so that they can go from uh and not just the on him tech one and on them tech two but just just uh all the um from the wastewater side all the positions um that they can potentially
- 2:14:29 move up we just got to make sure we get we give them the opportunity to uh to take the training or take training and offer training for them so we're that that's the plan that we're putting in place now all right so i understand structure and hierarchy and we have one two three four five six seven approximately seven vacancies for operations and maintenance technician one and you only have two well you have two positions vacant for operations and maintenance technician two so my question currently how how many individuals do you have as operations and maintenance technician one and two in the territory not for vacancies by talking about positions that are filled anyone what is the no i know we just so we just promoted nine on them tech ones to on them tech too so that that's that's part of the discrepancy that you're seeing from uh the ones the twos but i'll let hr um discuss how many we have for each partly for the om tech we're hiring ones right now and we have a roughly about five vacancies for once that we're advertising um we did promote the ones to twos roughly about nine of those and we're trying to change make a change in the the salary but we're caught at a point where since the cba is closing and we want to do that we want to be able to come with a new cba and a new salary agreement because we're working also on a new pay plan two minutes okay well i'm gonna tell you this much
- 2:16:16 Those I'm watching here, colleagues, authorities in crisis. We have several more than seven positions vacant when it comes to operations and maintenance technician. We have one, two, three, four, five, five positions for wastewater plant operation class one vacant. We have three positions vacant for environmental enforcement officer one and three. we also have one for environmental enforcement officer one as well environmental inspector household hazardous waste technician two vacant we have about almost 12 vacant positions for sanitation technician and i could go on and on critical positions senior engineering we have several about six engineering vacancies then we um you're seeking legal counsel we have four vacant positions for general maintenance worker we don't have a community relations coordinator we don't have a paralegal i could go on and on it makes me wonder how work is being done and that's why the island is filthy that is why we can't get sorting things done and i'm not here to point fingers at anyone but based on those positions that i'm

seeing those are entry-level positions so hopefully we can get our young men and women into the workforce to fill those vacancies and yes i know some of them might be low in salary and we have to adjust that like the sanitation technician i'm surprised they're making 29 801 dollars once um grs and the tax and all those stuff hit that you ain't going anywhere anything and those are critical positions so we have to to revisit these positions and find out how we can make them more attractive to get young men and women working because i know millennials for sure ain't taking most

2:18:07 of these positions not at those salaries especially with a failing grs system but i will i will close by asking this i see you have several grants here and some are expiring um this year you have two that are expiring this year the clean water state revolving fund so my question is who is monitoring these federal grants who is tasked with the responsibility of managing these federal grants time we have to we have two grants grant administrators they're monitoring the grants and if they need to request an extension i know we've we've we've had several extensions due to covet as well so but they're monitoring those uh the grants to make sure that to ensure that we don't lose the money associated with the grants and make sure the projects are beginner begin and are completed within the uh the allotted time for the grant which is a major concern for me because if we have these projects going on like i'm i'm curious to know who are the engineers if we have vacant engineering positions we have like six vacancies for engineering positions so i'm very worried like who is filling that void as far as engineers to make sure that these projects are running and i'm going based off of the expiration date so the funds won't just sit there and go back like like who is like who is filling out void with the engineers yeah from an engine from an engineering perspective uh mr watson is the engineering manager for wastewater so he he helps oversee the project and working with uh our our grant administrators uh we have an engineer on st croix mr phillips we have an engineer we have two engineers one um st thomas mr bruni and mr greenberg we just hired another engineer for st thomas we have another engineer that's starting at the end of the month on st croix and

2:19:56 i'm also an engineer as well so we we literally it's all hands on deck we we are all reviewing stuff and we're all making sure that we don't let any uh any potential grants expire so we're all working we're looking for more engineers but as you know uh hiring engineers in the territory is a tall task but like i said we just got two and we're looking looking continuous continuously uh trying to recruit more engineers to come mr chair i know my time was covered there's a very important question that needs to be asked and adjust because in the 33rd legislature of the virginal as i recall when there was a hearing where waste management came before us and we have like we had over like four to five individuals still acting um do we still have that issue individuals are still in acting positions and if so how many thank you you may proceed and answer We don't have anyone in an acting position now.

2:20:53 Okay, thank you. I'm happy to know that was addressed. Thank you, Mr. Chair, for the time. Thank you, Senator James. HR are the positions that the previous Senator just spoke about. Are they advertised? Is this on the personnel website? Yes, they are advertised positions. They are on the waste management websites. We also post them on Indeed. We post them on Facebook. We post them Department of Labor, et cetera. And we're having issues with individuals applying for the operation and maintenance technician and the sanitation technician.

2:21:30 We don't have individuals who are applying for those positions. We do have some individuals who have applied. Some have actually dropped off the applications. But I'm finding that when I call a few and ask them because they missed the educational point to just guarantee or verify that they do have a high school diploma, I'm finding a large number saying no. And those who have, we have conducted some interviews of some of those candidates most recently. Okay, so we do have individuals that are interested but they don't have a high school diploma.

2:22:04 Yes. And I found too, there are some who were confused as to the title when they hear sanitation technician. And when we're interviewing, we explain the details of the job and the requirements and they recognize what it is. Some have turned us down mid-interview. so do you want to say what it is because it's a needed position and we try to come up with a fancy name but it's a very needed position what was the scope for a sanitation technician um to be to collect trash and debris and so forth from the side of road and people's homes do you believe that we department of personnel should have a waiver for the sanitation technician to not require high school diploma i don't i don't agree with that no i think at least the minimum even the ged or the diploma should be a requirement um what would be the justification in order to collect trash well it's not just that you have a certain um thought process you're expecting um the additional duties when they're engaging with different customers you have different people in the field you have certain requirements when they come in for training the expectation is you want them to be able to at least have the diploma another issue we're finding is when it comes to the uh the drug screening we should mention it during the interview ahead of time because by the time we say hey we would like to offer you something when we present what the requirements are in regards to the drug screening a lot of people drop out okay i will have an internal discussion with

2:24:01 my colleagues in reference to that i do know that i think back as to years ago when it was utilities under public work a number of the garbage collectors were not high school graduates and in fact kept the island very clean and a lot of them

went on to especially those that work in the sewer system went on to become quite versed as to the job that they had to do on a regular basis and sometimes I do and I am an advocate for requirements but sometimes we need to know if we're going too far for certain positions so we'll need to have an internal discussion because that can't be amended by law. Senator, point information quickly, Senator James. Thank you, Mr. Chair. Let's have a quick point of information and this thing is not rocket science and I'm not here to point fingers at anyone. Recently the governor and his team went to the US mainland and they had a job fair and individuals were hired right then there on the spot. I'm watching some of these positions and their entry level positions require the minimum requirement is a high school diploma we need to set up shop where individuals can come whether it's Frederick's dead Christian's dead because you know certain individuals probably are not in tune to us going as far as driving or finding out whatever and reaching to the location but I can guarantee you we have individuals out there who want to work so we need to have a job fair in this territory because there are too much too many vacant positions and it's just sad because I know individuals right now who sign up and if you can do the waiver and provide an incentive at a later time we sign you up create an incentive where they go back to school and if they go back to school within a year or whatever then they move forward with these um entry-level positions so that's just a suggestion for the

- 2:25:54 waste management authority thank you Mr. Chair for the time thank you so much Senator James and And testifiers, I have failed to remind you to please put your name on the record before you answer the question so that the stenographer can know who is speaking. Senator Fred Gregory, you're recognized. Thank you, Mr. Chair. And good morning to the testifiers. Good morning, Director Merrick. I have a straight out of gate question. Do you have a CFO?
- 2:26:38 No, we do not have a CFO. Yes or no? We do not have a CFO. Why? Why? We've been actively recruiting or looking for a CFO. Okay. Actually, we're able to... Thank you. No, no, no. No, no, no, I don't need all that. You've been actively recruiting, you got applications, you have qualified people. Merrick, you need to hire someone. I know of a qualified individual who applied for that job and I thought that you hired someone.
- 2:27:14 I was shocked that you didn't have someone here with us today. You have a qualified person. By the end of the week, you need to hire them. Come on, Merrick, you do have a qualified person on that list, and you know what I'm talking about. What you guys are doing is wrong. Legal counsel, do you have legal counsel applications? Let me respond to you. We did hire a CFO, and that person had to leave the authority for personal reasons. So we hired someone, and they just recently left. Good. So you have someone else in line, right?
- 2:27:47 You have someone else in line, right? Do you have someone else that applied for that position or someone else, other individuals that apply for that position that are more than qualified, correct? Yeah, there were several people and that was the, yeah, we, there were several people that applied for the position. Let's, let's get us moving. This is a serious entity. Are you responsible for doing audits? Yes, we have an outside company that does audits for it, yes. What's the status of your financial audits?
- 2:28:19 Ms. Bermudez, we just finished our one audit, so can you respond? Good afternoon. This is Ms. Bermudez. We have completed our 2019 audit. We are in the process of beginning 2020 fiscal year. Okay. Thank you. Ms. Amarick, are you working on a state plan? The waste management plan? Yes. You're talking about on the in-house management plan? Yes.
- 2:28:54 Yes. Is that something that you're doing in-house or you're doing it? Are you hiring a contractor to assist the entity with getting that done? Through one of the grants, there's a consultant that's working on that through a grant. What's the status? When are we going to see a completed state plan? Ms. Owens, that grant, is that within the next, in fiscal year 22, we should have something, correct? Yeah, that's important. We need to see a state plan. Then we will be able to make some decisions as it relates to waste management.
- 2:29:30 Because with waste management, as long as I've sat here, we're just going around and around. um I know that I think one of you in one of you indicated that you have about 45 vacancies is that an accurate statement yes it is okay so how are you funding those 45 vacancies are they unfunded vacancies are they funded vacancies we have several funding sources we have general fund and then we also have some positions that are funded through special funds like anti-litter beautification How many of the 45 vacancies, how many of your 45 vacancies are funded?
- 2:30:16 Could you please state your name for the stenographer? I'm sorry. Sadie Clendenin. The last person that spoke. Okay, Ms. Clendenin. How many of your 45 vacancies are funded via the general fund? Or the funds that are appropriated by this body? Let me tell you why you're asking a question. I'm asking a question because I believe last year your appropriation level was around 31.31,500,000.
- 2:30:56 you said in when the chair asked, you noted that you have obligated or spent, I suspect it's between an obligation and expenditures, some 27, I think it was \$27 million that you indicated that you spent thus far. I am not following your numbers at all because in the post audit report, you have \$1.4 million in new positions, 905 positions unclassified in this

current fiscal year. That totals about \$3.3 million in just positions alone. I don't know that the associated fringe benefits is included, so I am not following your numbers at all.

2:31:43 Your numbers are very, they're off. Because if you have 45 vacancies, you should have been able to break down and say, Of your 45 vacancies, X million is tied to general fund or the appropriations approved by this body, X number is tied to federal funds or whatever other special funds you have. We need to have that information because if you have \$27 million that you've already obligated, there is no way that you could have 3.3 million in vacancies and still being able to operate tied to the general fund in particular. The, yeah, the general fund, the total appropriated funds rather so somebody need to explain that to me please two minutes are ready my time is running yeah i have to be because this is very frustrating i guess nobody don't know the answer yeah loose i would say let's just because i think the post the post audit is not the most up-to-date so we'll just have to provide that from providing information give me the up to date now hold the senator time one minute i did actually the actuals and the senator is going off of the actuals not the post audit report so she's asking a direct question in reference to the actuals that were provided to us you may proceed with miss bermuda do you have that information or i mean you i don't have it in front of me the breakdown for the personnel as of um regarding her forms i want to make sure i have just that's what they're looking for of the of the 45 vacancies what is what which how are they allotted per fund i believe that

2:33:50 was her question that should be on the master personnel list it's not going to be on these actuals okay well let's just get let's get the master personnel list and provide that information to her while we're here so so let me be clear because it is clear that while we're doing um teams or zooms folks don't are not paying attention the question that i asked is you indicated that you have and my time is i'm sure it's going to be called and this is very frustrating 45 vacancies when i look at the number that you provided you said have you expended or you have between obligations and expenditures 27.4 million dollars thus far as of july and you're indicating that you have 45 vacancies, I'm saying that the information that you're providing does not align. So I need to get a breakout. What are your general fund true vacancies? What are your other fund vacancies? And whatever other funding that you've received?

2:34:53 That's the question. And because what is the total of these vacancies that you're referencing? These numbers that you're giving us, your numbers don't add up. What you're doing here does not add up. So yes, I'm a bit frustrated because the information that's in front of me is confusing and I'm not easily confused when it comes to these numbers. So I'll allow you to get the information because clearly you don't have it.

2:35:23 So Mr. Chair, if I could ask that you could make sure that they provide that information and your time, I would really appreciate that. What are your projected collections from the tipping fees, and when do you plan to implement? We're going to schedule town hall meetings throughout the territory starting in September. When do you plan to implement?

2:35:53 Well, per the PSC, we have to have the town hall meetings and then make sure we answer any questions or concerns. So plan on implementing it probably in second or third quarter of fiscal year 22, based on, you know, any questions or concerns or we've got to address everything. Projected collections? About \$4 million. \$4 million. So we are not going to see you saying something about the second quarter of FY 2022.

2:36:27 That's what you said? Yes. So we're not going to see if it's \$4 million. We should be able to see if it's the second quarter, that's half the year, about \$2 million in FY2022? That's what you're saying? Yes. Okay. All right. Tell me about the status of the convenience centers. We've been talking about them since I sat since 2019. What's the status? Time.

2:36:55 Yeah, what I mentioned in the testimony is that we have, there's four that are owned by the GVI, so we're working with property and procurement and HFA with their legal to make sure either we can enter into a MOA or if we have to, we have to, or if we have to do a lease agreement for the funding because it's CDBGDR, then our attorney is working on, is finalizing that. And if we have to enter into a lease agreement, then we'll have to get approval from the legislature.

2:37:25 So we should know that. Do you have a timeline? What are we walking towards? We got to be walking towards something. What is the timeline? Do you have a timeline that you're working towards? Backwards planning, forwards planning, whichever planning it is, what is the timeline? Yeah. Yeah, so once we get the approval, then construction should start in the third quarter of 2022, hopefully sooner. Hopefully we get the approval sooner and we can start, we'll get the funding and start. Okay, and my time has been called, so I have one more question, and I'll wait for the second round of reduction. You know that in your testimony, some \$2 million in savings.

2:38:09 How do you plan to allocate those savings? well we use we use that out of that those savings to help try and pay some of the uh outstanding debt so that's why our outstanding debt actually was reduced with the 15 million dollars plus the money that we saved we were able to make a lot more headway and paying uh vendors for outstanding debt okay um i'll wait for the second round but um i really think that waste management needs to get their act together in a very very serious way and whatever we can do to assist I am prepared to do that as you are fully aware mr. chair I really need to get

information so I could understand how to make a decision as we get into the market period around waste management in particular thank you senator Fred Gregory we are going to have a second wrong we're hopefully we'll be able to drill down a bit but I just took a cursory look at the post-sadded report from last fiscal year and we did fund of the waste management authority at the among that was recommended that included all the new and vacant positions and I think I just counted new positions in the last year post-sadded report and there were some 33 new positions I think a chance to count the vacant but i know it's more than um more than 25 vacant positions and you hired 21 individuals this this fiscal year yes we did and you lost how many employees did you lose any employees

2:40:02 yes we did we lost uh 14. so then that's only seven so you have like 50 funded vacancies and a 21 budget that we're trying to find out um that that's money that was given to the waste manage waste management's authority so you have repurposed some of those monies to pay outstanding bills since you have not been able to bring individuals on yes that's what we've been doing using that money to pay outstanding bills okay i i'm gonna come back because we we need to fill the positions can we funding them every year so that we can have sufficient individuals to be able to complete the task and we're not getting individuals on board. And in reference to the MOU or a lease, I am sure that every member of the Senate is ready to pass a lease for the Waste Management Authority from property and procurement. We're already using those sites. Those sites are already bin sites right now. And the proposal is to transform those sites from being garbage all over, tires all over. We could just look at Peter's Rest, colleagues. Remember Peter's Rest 15 years ago where garbage was always overflowing there were rats or rodents roaches etc and you transform to the site where it is now where it's a control site and it's always clean so i don't think there would be any objection to a lease agreement for waste management authority to get these sites up and running as quick as possible so i'm encouraging waste management pmp set it down we'll hear it immediately i'm sure the senate president will hear it immediately and we'll move on it so that we can get these sites up her running senator saru you're recognized good morning morning to

2:42:00 the testifiers and to those listening and viewing um director merit insofar as um insofar as vacancies are concerned i remember specifically fill not an application for an artistic young man high functioning and i got my staff to assist me and i went to the young man's house and i had his mom sign an application because right now he's picking up garbage he's obsessed with garbage trucks and picking up garbage and approximately i want to say maybe eight months to a year ago i dropped his application off and today he's still unemployed There's no way you could be telling me that you're looking for employees. These are minimum paying jobs.

2:42:54 And a young man still is, no relation to him, but I see him gathering the garbage, helping the garbage men when a garbage truck comes around. Why does he not have a job? Why is that position vacant? And I have to get a heebie-jeebies because we want to talk about saving a retirement system whatever but for for jesus christ's sake we can't hire people in its in its easiest positions now legal counsel you don't have a legal counsel so who do you have on contract as your legal counsel right now uh the attorney is his name is trey goldsmith what's the total that you've paid him to date this fiscal year i believe uh it's ten thousand dollars a month so let me let me go to your acting cfo cfo how much was it was the cost of your legal counsel like um time good afternoon like mr mary said it's ten thousand dollars a month no tell me how much you've paid to date okay i'll get that for you give me one minute i'll look in the system this is a budget hearing everything is i get that for you i'm coming these are things that should be at your disposal to know how much you're paying legal counsel um let's go to contracts on a post-salary report not one of your waste hollows have a contract they're all month to month why we have contracts for the saint john uh for for saint john we're reviewing that's one hold on that's that's the smallest island let's talk to me real mr merit why do you not have contracts um and you are we have we're paying people with no contract you're paying with dollars um no nothing in place and then when it's time to pay them and you have to go back

2:44:57 and forth between the board and payments you're disputing the charges that they give to you because they're giving you an invoice why do you not have an executed contract for waste hallowns on saint croix and on saint thomas why right so when i so i've been here for a year i looked at all we're looking at all contracts throughout the territory so we started off with st john uh now we're looking at st thomas and st croix we have we just got three three recollection um collection vehicles so now with that excuse me now with that in mind we're looking to see from a contractual standpoint what we can do in-house and what we need to contract out so we're putting our routes together and making sure that we put the bids out mr merit the last time year before this party that was the same story the same song same melody same tune and there's no way today you're still looking looking looking government has to move in real time there's no way you could tell me not one person in this island on this island or on st croix has an executed contract and the story cannot be that you looking at it and you see how much dump trucks that's hogwash. Now let's move on because this can't this issue with this month-to-month contract is going to bite us in a rectum at some point because you are going to go back and forth and dispute like what you're doing with one company right now that you owe four million but you decided you're gonna pay them 1.4 million dollars because they had no executed contract you point a government at risk you pointed authority at

risk let's talk about um

- 2:46:52 hr this vacant this this um this post adi report i don't know how accurate it is the comptroller says vacant isn't the acting cfo before the comptroller hello anybody hi good afternoon this is hr director erica colwood um recently we did hire a cfo and once the cfo were on we made miss bermudas the controller so the position well the postal report says vacant so your controller is filled so who's the cfo it's filled as of the end of uh sorry the end of july but you've hired a cfo that's going to start soon the cfo has since then um resigned from the authority as of the okay so early august okay because according to the post-salary report your controller is vacant so okay so your controller is a failed position to date right yes ma'am all right um now you have a hr director hr manager and hr generalist in hr yes yes senator okay how long have you had those positions for the entire fiscal year no i believe this was recent i myself am a new addition to the authority in the last two months
- 2:48:42 okay because i'm just trying to do a cross reference from your um the document sent in to now uh let's go to two minutes let's go back to let's go back to contracts uh direct a merit emergency plan Have you put out a contract to hire someone to do an emergency plan? Yes. A contract went out?
- 2:49:16 Yeah, we have a contractor that's helping prepare an emergency plan for us. Was it a no-bid contract? it was a um it was an extension of a contract that had been in place uh maybe two or three years ago that was incomplete so it's just being completed who's it who has that contract i think it's the lee we group i don't remember the name of the company off the top of my head somebody can you tell me who has that contract I believe it's, so the company is the Liwi Group, LIWI Group.
- 2:49:59 They're the owner of the legal group. Go to jail? Put a sentence to prison and they're not out? HR? Not HR, sorry. CFO? Comptroller? I'm not aware of that. the screen fuller employees somebody answer me please i'm not going to come off of this until my time has been exhausted can you tell me if the person that has the emergency plan contract did they recently come out of jail i'm i'm not i'm not aware of that you can't be the director you are not aware of a group that you've given a emergency plan contractor and you don't know if you went to jail on that i'm waiting for an answer and i intend to reclaim my time because my time is being lost on a question I'm speaking in plain English we plead in the fifth today mr. Chinese before the hearing is has been completed somebody on the waste management team can make a call and they could come back to me director Merritt i'm not we have a second ring anyhow so i'll come back let's talk about the anguilla landfill who has a contract for anguilla landfill a-9 to operate the landfill a-9 st croix yeah and st croix too yes st croix and st thomas
- 2:51:48 okay and who is there another contract for used oil So any services outside of the landfill, we would bid that out to remove used oil from the landfill, whether it's Anguilla or Bavona. But it's been bidded out? We haven't, I believe it was bid out.
- 2:52:17 haven't we haven't removed oil for for a couple of months but i believe the the time that we did it was earlier this year and they went through a process and selected a contractor so you had it went out as a no bid or you had bidders they they contacted i think they contacted three bidders and then they selected the uh the the lowest bidder or the best bidder who's the who's they the board who's they the team no our um our solid waste team mr uh mr saki did that was back in january february so it went out this doesn't make any sense to me you're saying that you don't know who has a contract but then you're saying three contract three bids went out back then in january and somebody's been selected i'm not understanding the story so do you have you selected somebody to um on a contract to collect the earlier earlier this year we it was on a limited basis so we had a certain so we we have people that will dispose of used oil when we when we accumulate a certain amount so what they did was they went out once they had that amount they they put it out to contacted several contractors regarding the amount and regarding disposing of that and they got numbers and then they selected a contractor i'm i'm mr sake if you want to jump in here troy sake we did selected a contractor but um it failed to because he was not permitted to haul to haul you so you don't have a contractor right now not at the moment did you put the bid back out we're working on that as we speak Mr. Chair, I know I went a bit over, but I just have one more question. It's like a yes or no.
- 2:54:09 I'm going to come back to you, Senator. And I did hold your time. I'm sorry. No problem. I'm going to come back to you. Okay. I appreciate it. Okay. No problem. Senator Gregory had a point of inquiry. Thank you, Mr. Chair. I want to follow back up on what the previous speaker was talking about as it relates to procurement and the answer that i that we received is um very concerning uh mr americ do you have um vendors that you currently pay contractors that you currently pay over two million three million four million five million dollars a year yes we do for for several services yeah and you don't have um contracts for them for those services we do so for the for the landfill side we have contracts for that contractor for the collection side we're actually we're drafting contracts now but we do have some in and on st john we do have contracts so we we're actually trying to address that that's one of the things that i wanted to do when i got here so

that's where we're looking at it from an operational standpoint and we're we're addressing that we're just it's just taking a little bit of time we we and we got we we received new collection vehicles on the solid waste side so with that being said if we put a bid out and we were doing house to house technically we would one one one minute services don't don't do that to me just give me what i ask i just i'm trying to clarify because Do you have a procurement lead? Because a lot of these questions, some of these questions are tied to procurement. I have in your testimony on page 12, you spoke to your procurement division.

2:55:52 Do you have a procurement director? Yes, we do. Okay, so that person should be answering because when the senator asked the question, it wasn't clear. I walked away feeling as if you didn't have contracts for those entities that's providing millions of dollars worth of services. So we need to get from you a contract listing, the services that you have that's being provided, Mr. Chair, through the chair, the services that are being provided, and whether or not contracts are in place or whether contracts are being negotiated, and the amount of the services on an annual basis. Thank you, Mr. Chair.

2:56:30 Okay. Thank you. Director, do we have contracts that are not month-to-month for the house-to-house collection? We do have some. so on the on the house the house on saint thomas and saint croix they are month to month and what's what's the reason for them so they've been they i think those contracts expired back in 2018 um and procurement just they just hadn't put the uh hadn't hadn't put the contract back out but um as i was stating earlier we recently we got two collection vehicles on saint thomas and one collection vehicle we're not talking about the in-house internal operation we're talking about the house the house pick up that the contracts with with with bids and joshua trucking and just right um sleepies trucking they're all month to month so is there are we going to change from month to month or what what's the plan and the rationale for it being month to month?

2:57:39 Okay, so I guess what I was trying to mention was that since we got the new vehicles, there's some of the house-to-house that the authority will be able to perform. So if we actually put a bid out without knowing what we can do, then technically there'd be the potential of overlapping services. So what our Solid Waste team is doing right now is looking at what we can do with our with the new vehicles we have and then we're going to put the rest of the uh those contracts out to bid so so we're putting we're in the process of drafting those uh those those documents now for both saint thomas and saint croix okay do we have a contract for the transfer station on saint croix no we no we don't okay that's been four years now i've been trying to make sure that there's a contract for or the individual who's operating the transfer station at St. Croix.

2:58:33 What's the issue with that as to why we can't get a contract? I'm sorry. What's the issue with the transfer station as to why we can't finalize our contract? Yeah, so since the transfer station caught on fire back in 2019, it has not been operational. So it was operational a little bit at the end of last year and a little bit this year because we were using it as a wet weather area. So when it was bad weather, then the trash would be stored in there. But right now, the way we've been operating the landfill, we have not had to use the transfer station. And given the fact that we just got the insurance proceeds and we're going to repair the building, once the repairs start, then we'll go back.

2:59:21 We'll actually put a contract out to operate the transfer station. And one of the senators mentioned earlier about recycling, we're actually looking at potentially changing the transfer station to actually be more of a materials recovery facility and actually do recycling in that based off of how operations currently are going at the landfill. So that's part of our solid waste integrated management plan is to be able to do some recycling. So that is something that we're looking at. Okay. The previous senator asked about the Lewy Group and the contract for the emergency management preparedness. The contract here states that they had it from 1203-20 and it was for a period of 180 days.

3:00:06 Have they completed the report? 180 days that have been June. Have they completed the report? oh you're muted i'm not hearing you oh sorry sorry um they gave us a draft but they said it would be completed by the end of i believe by the end of this month have they been paid no we we paid uh i think 20 percent initially while they were drafting stuff but they the the mature the the majority of the uh contract hasn't been paid because we haven't got a receivable okay i'll go to senator johnson and i'll have a point of information after senator johnson from senator cyril good morning thank you very much mr chair good morning to my colleagues good morning to the testifiers it's been a long morning thus far i'd like to start off by going to your post added page six of 25 a lot of your numbers are very alarming and i'll start off with your gap your fuel gas and diesel i'll start with those numbers in 2020 we're talking 119 in 2021 62 000 and then your projection is all the way up to 223 000 why does these numbers just staggered so high anybody yeah no and and look and looking at our um expenditure report there's there's and the from the from the general fund side there's certain costs that are in there

3:01:56 So for fuel and gas, that'll be for our vehicles, our equipment, our pump stations. I understand that, but your numbers are very staggering from one to the next. And I can understand the 2021 based on the pandemic and probably not moving around as much. But if you look at your 2020 and what your projections are for 2022, you're nearly doubling your numbers. we okay so i mentioned earlier we got three new solid waste collection vehicles we got two waste well actually

we got two going on a third vehicle so there's more so we're actually we we're actually getting more equipment so there's going to be more fuel costs associated with our with our equipment all right let's look at your chemicals in 2020 you spent 112 000 then went down to 6,900, then you're going back up to 15,000, which is still very small in comparison. Why are these numbers so far in contrast? I mean, we're far apart.

3:03:01 Oh, my God. From the chemical standpoint, the 2020, we actually use that for chemicals that are wastewater treatment plants um in 20 the projections in 2022 that 15 000 that's part of what we did on wastewater treatment plants but the other hundred thousand is in another it's more we put that more in a in a fund associated with wastewater so so it's we're still going to spend a similar amount of money it's how we it's just a bucket that we're taking it from and then your advertisement and promotion you went from 47 to 11 000 and then to 121 thousand dollars i i mean can you explain this to me i i'm lost with these numbers so we just mentioned the convenience centers earlier so we're going to be doing educational uh outreach and uh promote promoting going to those convenience centers so that we can start you know cleaning up the island making sure that people know where to go i was i was surprised to hear that some people don't know about mandolin on uh saint thomas so so when we say convenience centers to residents and they don't even understand they don't even know that we have mandal so that's part of the push to make sure that we educate the uh the residents so they understand what a convenience center is where they are what they're going to be able to take You spoke briefly a minute ago about recycling and you have some plans to do some recycling. What kind of funds could that generate if you do start in that direction?

3:04:42 So that's one of the misperceptions of recycling. So in theory, you can generate revenue, but then you have a cost associated with it. So So there was a report that the EPA did that said there would be a couple million dollars in revenue that we would see, but they didn't discuss the cost to process the recycled material. So what we were trying to do was at least break even.

3:05:11 And even if we spend a little bit of money on it, the benefit outweighs that. Because if that means that 40 percent less waste goes into the landfill, then even if we pay a little bit of money, that's a good thing. But from a revenue standpoint, especially now with the markets, you know, a lot of the recyclable material was going to Asia, and they cut all that off now. So, back in, let's say, the late 90s, early 2000s, where recycling was actually a profitable venture, now that it's not going over there, You see a lot of municipalities and counties and cities and states that are suspending their recycling program because they're losing a lot of money. Thank you very much. I need your help here.

3:05:57 And why I say I need your help, I try to understand about the sewage in the downtown and throughout the territory. Your sewage collection comes through the property tax. Is it correct to say that? Correct. How much of that money do you receive? Yeah, so we mentioned that in the testimony. So from the sewer fund, we get a million dollars, but that's woefully underfunded. So we're working with the tax assessor's office and the lieutenant governor's office to basically look and make sure that we have the most up-to-date list so that we can start getting additional fees. I mean, because right now, yeah, everything that we're doing on the wastewater side is, you know, we're actually having to do that with improper or insufficient funding. The reason why I ask this question, there's a lot of building in each of the towns that are not operable, are just condemned building.

3:06:58 However, these folks are being charged. What assessment is waste management doing to make sure that the building that are not being utilized are not being charged for these uses of waste, the waste sewage that a building is not in use? It's condemned. What we're doing is we're looking, so that's part of our meetings with the tax assessor and the, so Lieutenant Governor GIS Division, that's part of the meetings, is that we want to understand what, whether it's a home or a business, what is actually on the list, what has an active wastewater connection, so that we can actually make sure we add them to our role of being on charge and fee.

3:07:41 But shouldn't that be an assessment, shouldn't that be an assessment your department should be making? Two minutes. Yeah, so what we're doing is meeting with tax assessors and lieutenant governor's office, but we're also going to add, we're going to talk about what we have in our system and what they have in their system and see what matches, see what's missing, and then that's how we can start making sure we're charging the appropriate fees. This creates a very big problem for residents and people who own property that when the property tax come, these charges are on it, and then it builds up the property tax and you know it look as if we have this amount of money to collect or these folks owe this amount of money, but yet waste management is not doing their part to make sure that these people and properties are taken off the list. And some of these properties could go 30 years behind. So would we be looking forward to correcting these problems that is plaguing the territory when it comes to the tax and people being charged for something that they're not using.

- 3:08:50 Yeah, no, I mean, I agree with you. We're looking to, if there's delinquent property taxes, then we need to know that. So that's part of us kind of reconciling what we have in our system to what is in the system with the tax assessor's office and with the, you know, with the lieutenant governor's office, just making sure that we have all the, you know, that's where we're looking at the parcel the property description so that we have the right information so that we can you know add adjust our our um our our fees accordingly but we we that's that's that's why we just recently met with them last month to start that process to make sure we can get everything hopefully get everything set up for this fiscal year so we can add you know add these uh properties um on the on the tax world so we can start collecting fees for those approximately how many enforcement officers do you need right now in order to really manage these dump sites to start enforcing the illegal dumping 24-7? Because you speak about camera, right? And I need to ask also what would be the cost to get cameras put in place? Two questions here. What's the total cost? Who will manage the camera? And how many more enforcement officers you need in order to manage these facilities to control the illegal dumping that goes on to these sites at this present moment?
- 3:10:10 yeah so for the cameras we actually have uh we did so we we started cameras or the installation of cameras we set up a uh contract uh earlier this year we have installed cameras at uh these eight locations uh one on um four on st thomas i'm sorry three on st thomas three on st core and two on st john that cost initially was about two about three hundred thousand dollars uh we are in the process of working with uh well from a protocol standpoint um you know work with with pd and make sure that when we're looking at these cameras how we can start you know implementing the uh looking at the cameras and using them to uh create by you know basically issue citations for violations for illegal dumping um as far as enforcement officers we obviously are you know right now all of our enforcement officers are with the cova task force but i'd say we need i mean twice as many as we have now we have five so we need more we definitely need more but i think in the in the meantime having the and the cameras are hopefully they'll be online and all energized by the end of next month um so hopefully the cameras will be a big deterrent um along with us getting more enforcement officers i mean we're in the process of trying to hire enforcement officers along with an enforcement manager as we speak time and if i might i could wrap up on this uh mr chair um where will the new st croix deposit disposal facility be located we are currently we're so st croix is six miles wide and 17 miles long so we actually have a gis we're doing gis mapping of the whole entire island and trying to look at a determine a suitable
- 3:11:59 location so not no location has been uh determined right now thank you very much thank you very much mr jay thank you senator johnson is is a eastern location also location for a convenience center well st croix they'll convene right now the uh all the all the uh bin sites so mamajou concordia and cotton valley are all going to be going to be convenience centers but and then we we have another four from that grant okay that we're gonna take a look at uh you know territory-wide but those are you know those are the between those those three and the other two that i mentioned earlier those are the first five okay thank you so much senator cyril a point of information thank you mr chair i just wanted to put on the record um director america i'm back Again, the emergency plan that you said was to be 180 days to be completed. And the principal of the company never completed a plan. These are the facts. And then the principal of the company was sentenced to 18 months in prison for wire fraud, theft of government money, and making false statements to the government. And then after the 18 months has been served, we now tell the principal of the company you can finish the emergency plan now the plan wasn't even completed in the time frame that you it was the term of the contract first of all i don't think from 2017 to 2021 the term of the contract is to complete an emergency plan that's the operative water so how does this continue and i don't think it wants a response but i just wanted
- 3:13:48 to put on a record that the company that you have the principal was incarcerated for 18 months and now is charged with the task of completing the same emergency plan and we're in the middle of a hurricane season it still hasn't been done so has the contract been breached mr saki thank you senator how much has been paid to date mr saki can you answer the chair's time please if there's a breach of contract and how much has been paid to date i don't have the sum of how much was been paid to date but i could get back you on that the original contract back in 20 after the hurricanes an original contract was given to this group mr merit i'm sorry can you can you repeat the question i'm sorry did we award a contract to the lee we group for emergency management preparedness and planning after the hurricane did we award them a contract in 2017 or 2018 yes yes so so this is this this is just a okay i'm just going to contract and i'm going to step myself so they were awarded a contract in 2018. what was the time frame to complete the report back in 2018. i want to say it was six months to a year um and that that that contract was entered into with um uh another person i'm not the person that was mentioned that the contract was not i guess it wasn't entered into with the principal it was entered into with a another individual and and the next individual
- 3:15:35 have since parted with this with this particular company but um the person that was a part of the original company now have their own company which is the one person alone occupies this particular company but the original contract so you're saying the original contract was never completed correct so what was that person was that person paid that person

wasn't paid the entire amount now what within the contract if we gave that person a deposit how much was paid to that person what percentage and what was the total cost of the contract probably i'm trying to remember i think it was uh what was paid was maybe 15 recently 15 000 to finish they didn't the total contract amount i believe was 50 and they haven't they just haven't they haven't finished it that's why there's no there hasn't been any additional uh monies paid until we get the deliverable so the original contract was 50 000 and the person was paid how much uh 15.

3:16:51 and was that person paid after with with the next amount from property and procurement for the completion of emergency contracts was the person paid no so the the person that that initial payment there was a draft that came with that And then we're just waiting on the final version. So that's why there hasn't been any additional payments. Sometimes we've got to be careful what we're getting into. Because these contracts just sound like we're just hooking somebody up. And all the information is here. We know who the persons are that were involved in the contract. And it's literally ridiculous when I'm reading it. It's just totally ridiculous as to what took place with this particular contract. And, you know, we can't have the poor man and woman in the Virgin Islands not being able to make money, and we're giving somebody \$15,000 and never complete a contract, and then we walk away from it, and then we issue our next contract with \$45,000 that include the same person who was a part of that original company minus one, and then we're going to give them almost \$50,000 to complete a contract in six months, and this is August, and they still can't complete the contract. I mean, some of the things we do just unbelievable, literally.

3:18:06 Unbelievable. We're going to take our five minutes to recess. We'll be right back. Thank you. We'll be right back. Thank you. We'll be right back. Thank you. Thank you. Thank you. We'll be right back. Thank you. We'll be right back. We'll be right back. Thank you. Thank you. Thank you. Thank you. We'll be right back. Thank you.

3:29:06 The committee of finance is back in the evening. Senator Reckon, Senator Whitaker, you're recognized. Thank you, Chairman. Good afternoon to you, good afternoon to all my colleagues, good afternoon to central staff, good afternoon to the people at the Virgin Islands, good afternoon to you, Director Merritt, and to those in your staff who are testifying today. Director Merritt, I really want to just drill down just two major points.

3:30:01 One is the Convenience Center. Of course, you continue to express that that is a work in progress. Can you really outline how, I mean, like the timeline, can you break down for me, for us, the timeline for getting these convenience centers going? What is the timeline? When we leave this hearing today, when can we expect the construction efforts at the, talking about the two additional site two sites on st croix and the other sites and what is the timeline miss owls do you want to drill down into the little bit more detail on the timeline yes um good afternoon this is juanita isles rents administrator waste management authority i just want to say that um we've had several timelines um just because of you know the things that are being asked of us from during the application phases we've had to change the timelines many of times so right now we're going through the applications um VIHFA has reviewed all of all of um the the applications that we put in but the timeline we're going through the we're supposed to be moving to the environmental stage right now so I believe the deadline for the to try to break ground for them we have to have the notice to proceed in order to get that we also have to have the um the leases and whatnot but we expect to have the notice to proceed by the end of december and i i'm saying that lightly because sometimes things change and you have this in writing as i say is it a plan that you can submit to this committee to the chair can

3:31:56 submit it to our body is there an actual start is there a timeline like when i say is this written is some document you can provide to this committee because i'm going to ask you the chair to see this document we have submitted timelines to via if it if a chain but they have not been officially um approved yet so i'm kind of literally intelligent telling you a definite timeline I'm going to make it very clear, it's not, you don't need any leanness for the body that executes oversight, okay? When we ask for documentation, you can, I might have other documentation for do not distribute from another entity as it pertains to our project. You just put don't distribute, but to this body. So I am requesting in writing, if you want to not use that particular document you say you have, but a timeline, and I'm requesting that to the chair, because I want to, I would like to see that in writing.

3:32:47 The other question I have concerns, what is the status of the Sewer Line Rehabilitation Project? What specific improvements do you expect through that contract? Jeff, do you want to respond? or this is Jeff Watson. Is this a sewer line in St. Thomas, the Savanda? No, the question said sewer line rehabilitation project, the sewer line, Christian said.

3:33:31 Christian said. Well, Christian said. Yes. The Christian said sewer lines, We've just got a contract with Marco. And I'm asking specifically what expectations do you have in terms of what improvements are you seeking through that project? What is the scope of work with that project? Ron, are you on the line?

- 3:34:06 Okay, yes, this is Jeff Watson again. The scope of that work is to repair all of the sewers in the streets of Christian Stead. We working close with WAPA and WAPA is in the process of replacing all of their water lines. But before they can do that, we've got to replace our sewers. Director, thank you. Director Merritt, can you speak to performance-based budgeting? Are you currently through this project process involving in performance-based budgeting? What is the strategic approach to addressing a lot of waste management's issues?
- 3:34:46 Well, I mean, for me, what I've been looking, what I've been doing is looking at all of our contracts, looking at what the budget amounts were for those contracts, and then seeing if there's some things that we can do internally so that we can start, you know, given the fact that we have X amount of money that we're allotted and, you know, we haven't generated that much revenue historically, than looking at ways to potentially create revenue by offsetting our costs. So we've been doing that throughout the · since I've been back here in the last year. And that started off with St. John. That's where we started to realize the savings initially over in St. John. And then as we realized that savings in St. John, then that actually continued on with St. Thomas based off of how our operations were happening with what we were doing with St. John.
- 3:35:35 So what we're doing is looking at all of our contracts and making sure that we can do them, look at how much the contract is, how much is for what the service is, and then seeing if there's some things that we can do to maybe reduce the amount of the contract. And as I mentioned earlier, with specifically, basically based on both the solid waste and the wastewater side with the new collection vehicles that we have on the solid waste side, that's going to help us as we're drafting these new contracts. Well, let me stop you right there, because you're focusing a lot, that's important, the contracts. But when I say performance-based budget, it's not going to also address contracts. Two minutes. It's going to address overall operations. The Office of Management and Budget had put out probably two fiscal years ago the performance-based budgeting document that lays out the different components of a performance-based budget.
- 3:36:28 And of course, they, for the federal side, of course, asked for regular reporting to OMB. Is that happening? or as your financial officer in a regular, you know, they're regularly reporting the federal funds that you have to OMB and have you executed that performance-based budgeting plan for your agency? Well, I would say that our grant administrators are regularly communicating with OMB regarding the grants, regarding the drawdowns and everything associated with those projects. As far as the performance-based budgeting, I know we're in constant communication with OMB regarding, you know, regarding alignments and budgeting. So I would say that we are communicating with them. And then also internally, we're looking at our operations and trying to reduce costs and, you know, see cost efficiencies and synergies that can help us operate the authority better moving forward.
- 3:37:24 Yeah, communication is important. I expect that that's good to have communications, but we're going to also need to get into the written format. I see a lot of directors and commissioners didn't in fact push away from what was asked for them. And so I'm going to continue to encourage, because I'm going to engage in the Director of OMB, Director O'Neill, because what we really, in fact, need, which will help this committee and help us, is that you complete the analysis using that form. It was an actual form delving into the goals and objectives of the agency, and we have to get into that. Hi, good day.
- 3:37:57 If I may add, this is Aidy Clendenin. um yes yes senator we are starting to look at key performance indicators by division so similar to what you mentioned that the central government is doing we are taking that a similar formatted approach by division to establish those kpis to then use that towards the budget um the performance-based budgeting process thank you that's good to hear and i and i would say that something should you should submit along with your next you know as you prepare next budget time or go through the marker period give that information to us so we can delve into that that is a strategic goal driven kpi approach to management of the funds um the final point i want to make is as it pertains to recycling do you direct the marriage really straight to the point um do you feel that we need to add any any amendments to the legislation regarding recycling you're already mandated to recycle along with uvi and the other entities do we need to add further legislation or do you feel that through this next year that you can and execute a recycling plant, and which component can you begin with, if any? Time. Well, I know before there was bills for source separation for certain products. I mean, your paper, your plastic, your cardboard, your aluminum. So I would say that let's make sure that we look at that legislation that was passed and start enforcing it. From a waste of management standpoint, we can, there's things that we can start doing. We just have to slowly but surely implement We have the waste diversion grant that's going to help us, and some things I mentioned earlier about what I think we can do from a recycling standpoint. So, yeah, source separation, definitely, and then that'll go with the educational component that we'd have to do to start educating the residents of the territory that if we can, you know, the U.S. recycling rate is about 40%.
- 3:39:50 So if we can recycle about 40% of our waste stream, then that means the landfills will last longer, and we'll basically dispose of stuff in the landfill that can't be recycled, repurposed, or reused. Correct, and that's why even through my committee last week, I proposed marine and environmental science education. So I've communicated that to you, and I'll

ask for your support and other support for that measure, so we can have that in our schools. Thank you very much. Thank you, Senator.

3:40:19 uh um whitaker just clarity and the christian state uh waste management project i didn't really hear that clarity the line project when is it scheduled to be completed or start this is jeff watson that project is scheduled to start in a matter of weeks we have a contract with marco already in place and excellent what is the completion date what is the completion date how much months are you giving for completion of the project uh we've been working close with wapa i'm not sure what that's what that schedule is uh we go in and then wapa come come after us um so wait so what is wapa doing what is putting in water lines yes they're replacing all of their water lines and so uh to have one big process hasn't the wapa portion finished that was a portion that was going on first that's why the roads were trenched because that was a wapa portion that was taking place and then they said we have to wait and waste management so hasn't the wapa portion been completed hi sorry um eloise brown well territorial grants administrator yes that project should take approximately 18 to 24 months to complete okay 18 to 24 months yes okay thank you so much and the concern is that the back roads of christian 7 have been trenched for about two years now, two to three years, and certain areas are in just total disrepair, and this body of past money for the paving of all the roads in Christian said and Frederick said, and we are waiting this to be completed, and it's always Waste Management or WAPA, and at some point, we've got to get it together that we know that within 18 24 months entire project will be completed so I think that the first part

3:42:26 that the first trench in was WAPA so with waste management going in now I'm hoping that 18 months from now we can start the paving and that's a long time I hope it's shorter than 18 months to to run those pipes and I think that as soon as we finish particular streets we are going to need to to begin to pay If we can't have our tongues just dug up for years, it's just unacceptable. And this is not waste management alone, this is waste management, WAPA, and public works. We're going to go to a two-minute round, colleagues. You can ask your burning questions. We're going to start with Senator Blyton.

3:43:08 Thank you, Mr. Chair. Thank you, Mr. Chair. I have two quick questions. I have two minutes. Director Merritt, I know in your testimony you spoke to the in-house collection that began in the St. Thomas district, and you mentioned foresight in particular, Thomas Venata, Bolongo, and Brookman Road. What was the top process in reference to, with respect to those starting with those foresight? Are they because they're closer to the landfill? logistically um feasible for you to do that easy to basically do that um easier what was the thought process yes that is exactly the thought process the those those bin sites are the closest to the landfill so that would that made sense to start off there and then continue to to see what our uh see what our staff was capable of doing so that's why we're looking at other other sites but but that's the thought process. That was the thought process.

3:44:08 Okay, very well, in the Postal Report on page 7 of 25, on the utility services, the water bill in 2020 was 18,000, 21, 27,000, but in 22, you have 165,000. Are there anything that's gonna be happening differently to have such a large variance in water? tell us here when it comes to water your water bill yeah that so initially that that that water bill we had a the contract that we had with veolia um initially we were they were paying for the basically paying for water um but we that contract got reed i don't know say renegotiated but the contract got modified and then we have to pay for the water for that under the contract so that's why that number went out but we're actually going to work we're actually going to be meeting with them here to look at the look at the contract again we only have five years left with the contract but we're going to talk to them about certain aspects of the contract going forward too time and i said on lastly um when it comes to settlement claims mr chairman about settlement claims yes you had um you had like settlement claiming 20 um 24 1.5 million dollars but there were no claims in what are no claim in 20 in this year thus far i know you're um estimating 90 000 for 22. um can you speak to that quickly or no claim thus far this year yeah i think you know that's that's those uh the estimate was just just an estimate i mean we do have some there's some legal things that we're that we're working on right now um but you know

3:45:58 normally we really don't have major um settlement claims i mean we've had some here that one recently and we have one that's ongoing but in the in regular operations as long as we're you know working with our vendors and even if we even if they're slow paid they we still pay them so there really hasn't historically there shouldn't be any um major claims but we you know but we do put you know the ninety thousand dollars was just um put in there just to make sure we we address you know you know smaller things that may come up throughout the year mr mary mr mary thank you for your sponsor and i'm glad i'm happy you did not mention our sites that be inside that have the cameras in the district because it's a good thing but i'm happy and i appreciate that um they're finally coming on online and i look forward to seeing an increase in your fees and fines when to come see your revenues thank you so much for the time thank you so much senator blight and senator joseph thank you thank you so much mr chairman and a pleasant good afternoon to everyone uh mr merit i'm going to follow up on my questions that i asked during the first round specifically in your testimony i'll be really quick at

it what are the fema approved industry standards for the wastewater treatment plants? Is it secondary or tertiary?

3:47:26 Jeff, do you want to respond? I mean, it's good. Yes, Jeff Watson. And the tertiary, secondary, tertiary, so you so you're clear because the listening audience may not be familiar with these terms, tertiary is the highest level wherein the wastewater, our waste, our doo-doo, right, and the shower is now to a point where it's been treated, that it is drinkable. So be succinct.

3:48:01 Yes. Secondary treatment is not quotable. Tertiary is. You're correct. And right now, we are all of our... Continue. I just needed to get what is a FEMA-approved industry standard that we're working with. Yes, but FEMA industry standards will be to secondary treatment, as our permit requires.

3:48:38 For the VESA plan, however, for the VESA plan, however- Okay, I already got the information. I already understood that the VESA plan is under consent decree, and because of that consent decree, they have to be at tertiary level, correct? Correct? What is the time frame to? No? No, it's not because of the consent decree. The vessel plant was required tertiary treatment because of the effluent discharge. It's being discharged not through an outfall a mile out in the ocean, but into the mangroves. okay on this time uh what is i have one more question mr chairman because my time does seem to be rolling quickly no you you you talk you talk a lot before your question so your time goes go ahead and ask the question i didn't go ahead but may i please thank you i noticed that in the post audit report, you had some fleets, vehicles, and I counted them. About 20 of them are in poor condition in the St. Thomas, St. John District. And I looked and I also saw that you only had one fleet mechanic too, Mr. Merritt. And you have a fleet management manager. And you don't have any vacancies. How are you going to be managing the upkeep of all of these vehicles if you don't have sufficient staff that's my my question we're looking to hire all of these vehicles who is maintaining them and how are they being maintained we have a contractor that helps maintain some of our equipment we also have been you know we work with local uh local companies to do uh contract work for our our vehicles as well and some of the on that uh

3:50:39 on the vehicle listing some of the vehicles that are poor and extremely poor or very poor we had an auction on st thomas for vehicles to staff and also to the public and so we're going to do the same thing for for st corey as well so we can take some of those off the books and actually start getting and continue with our uh the process of upgrading and uh upgrading our fleet i'm going forward so that we can provide all the services that we need to have that we need to do and thank you uh and when you're auctioning your vehicles do you advertise them advertise your auction because i know i have a lot of people who like so that would be beneficial to know when you're actioning thank you so much mr chair uh do you action do you advertise your actions senator joseph go ahead and answer the question um mr merit yes yes yes we do advertise okay thank you so much you you just couldn't help yourself but you are so welcome you couldn't help yourself but to access to say thank you and then ask the question and then say thank you again and ask the question in a different way but you're you're welcome senator are you use a word that wasn't defined in your line of question and just now i think you were going to at some point need to define it i didn't i looked in a dictionary and i couldn't find it senator de graff you recognize thank you mr chair uh director in regards to how many new hires do you have presently and you said that the union is negotiating um when are they how many

3:52:39 hi hi good afternoon sadie clinton uh waste management 21 as far as hot new hires was that the question okay yes 21 new hire so so director you said that the union is in process is in the process to start negotiating but so our collective bargaining agreement is has expired so we want to meet with the union and actually uh negotiate basically have to uh make the make the cba current okay so with the 21 new persons coming in are coming in at the same pay scale uh more or less as what the those who are in their season are making so that in itself may be one of the issues you're having now in regards to capital improvements do you need any matching any matching funds for capital improvements with your federal monies uh the majority of our miss owls or miss brown you can jump in here but the majority of our um of the the uh the grants that we have i mean there's some that are matching but a lot of them are uh i mean 90 to 100 reimbursable Hi, this is Juanita Isles. Most of the solid waste projects are 100% funded.

3:54:12 Hi, Eloise Brown. All of the wastewater grant projects are 100% funded. Okay, good. Thank you. And finally, Director, in terms of enforcement, your enforcement team gave out fines. And so how much are you collecting right now presently from your enforcement officers in terms of revenue? Time.

3:54:41 By fines and fees. In terms of revenue, we haven't collected any revenue this year. They've been with the COVID Task Force. And that's part of the reason why we are implementing the bedside cameras, that's going to help us, given the fact that we don't have our enforcement officers, and then when they come back, that's going to be better. But, you know, from a revenue standpoint, they haven't, we haven't had them working with us because they've been, you know, working with the task force. Okay, that's something we probably need to put out to the governor, so it'll help you with your revenue collection. Thank you for the time, Mr. Chair.

- 3:55:17 Thank you, Senator DeGraff. Senator Potter? Thank you very much, Mr. Chair. I have one question. Just reviewing your testimony on page 7, you mentioned that in the St. Thomas-Sendon District, you had seven wastewater treatment plants. But on St. Croix, there was only one. And just help me to understand how, is that an issue? How does that impact the EPA's Clean Water Act, our compliance with that? And just give me some feedback on that. Yeah, Jeff, okay, go ahead, Jeff. Yeah, this is Jeff Watson. Yeah, the reason is basically topography. St. Croix, because it's a reasonable flat, we just have the wastewater through the interceptors and sewer lines with the one location. However, St. Thomas and St. John, because of the topography, we've got pockets of areas where you do have to treat in multiple areas, and that's the only reason.
- 3:56:40 Okay, thanks for that clarification, I appreciate that, that education. With respect to the convenience centers, I really have to express kudos to the DMA. I think that is one thing that you have done, right? I think the Mandel Convenience Center is one of those best-kept secrets. It's clean, it's well-managed, it's still run. Now, you have a plan to have, I think, five center, I think you said nine, five currently in the wings to be developed. I don't see one slated for the two area, Anna's retreat area, considering that's one of the more densely populated areas in the territory. Is there or are there any plans to identify a property to have a similar convenience center in Anna's Retreat area?
- 3:57:39 Yeah, we're looking at, yeah, we're definitely looking at that. I've been talking to our senior engineer trying to locate, start locating potential property. So yes, that's definitely in the planning stages. Okay, excellent. Excellent. I am excited about the possibilities there. Now, with regards to your collective bargaining process, I know you're independent in instrumentality. What role, if any, does the Office of Collective Bargaining play in assisting you with contract negotiations? Good afternoon.
- 3:58:24 Sadie Clendenin Waste Management. OCB plays the same role as far as they do with the central government. We have an agreement with them to assist us with all matters relating to CBAs, grievances, everything very similar to how they interact with the central government agencies. We have two unions right now at Waste Management. One of the CBAs is expired, as Edie Merritt said. Other one is actually expiring next month so we are going back to the table for both of them office of collective bargaining is aware and is beginning to the preparation process they are they have a large backlog as you can imagine dealing with all of the central government agencies as well we have not been given an exact timeline as to when we will be able to go to the table time okay thank you for that miss clinton and finally mr chair uh if i may uh i just wanted to get a quick quick clarification regarding the handling of tires and i asked you that question earlier and i think you mentioned that you're in the process of putting an rfp out or something like that can you clarify one more time for me and maybe with time frames as to when that that would happen uh it needs to happen yesterday but no we're actually um so with working with mr saki to uh put something put a uh rfp out for both uh anguilla and um lavoni because the majority of tires come to the come to both landfills and so we know that you know per our consent decree we need to make sure that we we take care of the tires as quickly as possible so we're so we're in the process of doing that right now okay thank you very much for that thank you for your responses thanks for the extra time mr chair thank you senator potter senator james thank you mr chair for the time i have a question it's regarding the anti-litter and beautification fund title 33 virgin alans code section 303079 Through the Chair, I would like to request all the fees collected and monies disbursed as far as a report or some record showing what transferred with that fund for FY 2020 and 2021. The reason why I'm asking that in the fund, it made mention that all charges collected
- 4:01:12 for the towing preservation storage and or disposal of abandoned vehicles shall be deposited in that fund fees collected by the waste management authority and the list goes on and it goes on to speak to other things but i just need to know how is that fund doing as far as collections of revenues and how the money is being dispersed but my question is as far as the fund how is it distributed in each district is it distributed equally how do we determine the use of that fund anyone yeah as i mean is this i mean we get we get 1.25 million dollars uh quarter so it's five million divided by four and then we use that uh proportionally throughout the uh the territory and i'm not here to put the district against each other but based on what you're seeing here which island needs a lot of attention as far as the utilization of the anti-later beautification fund based on your assessment um i would say that the entire territory i mean we literally will you okay so st thomas i mean if you if you look at it st thomas has a lot more unmanned bin sites at over 30 but then st croix has that only has three but those bin sites are huge so i mean really i i can't necessarily and then st st john is you know they have a lot of bin sites and there's different terrain so i mean all three you know are equally i mean are equally in need based on just the the terrain the topography and just you know and the and the different the different population center so i mean i i wouldn't necessarily say one over the other i think that you know the whole entire territory where you know we're trying to make
- 4:03:11 sure we you know keep a uh you know keep um a cleanliness uh our top priority at the at the been sites time thank you that that is all i really have to ask because if you're going to submit that to us everything that is collected and this boss as a result of title 33 virgin annals code section 3079 it will give us a better idea of how we can move forward anti-litter and

beautification fund and to help you all generate revenues thank you mr chair for the time thank you senator james uh mr merriitt across the u.s is there a charge to pick up household garbage yes yeah i mean depending on where you are yeah there is i mean we we the territory uh you know and i've worked in nine different states in our u.s territory this is the only place in the i'd almost say in the world that doesn't charge a fee for uh for for collection and uh and a tipping fee at the landfills and you had someone before that was the director of collections and recycling um what what is the proposal for house to house garbage collection is the proposal going to be a small fee? I ran the numbers that you gave. If it was \$20 a month for household garbage collection, and those are for those that have the bin outside and the garbage truck is coming to your home, you would collect an additional \$3,600,000 for the authority.

4:05:00 so your your question is what is the proposal for so the the tipping fees right now tipping fees are different household garbage collection tipping fees are going to be based on volume correct right correct okay household yeah so right now the the the proposed tipping fees are strictly for businesses that are collecting trash i i know that the tipping fees i'm trying to move the the discussion in a different direction um i know you have worked in a number of states you said that every single state that you worked in um there is a small fee for garbage collection i know across across the nation individuals pay for monthly garbage collection in the virgin islands that the fee is zero and we all a number of our vendors our landfill is in disarray is there a proposal that is going to be coming from waste management to charge a small fee for household garbage collection i would say at some point there will be a proposal yes yeah i think you you you said it correctly there's a for for most for all states there's a charge for um do you know of any state that does not charge for household garbage collection whether you live in an apartment or wherever do you know of any state that does not charge for household garbage collection i do not know of any state that doesn't charge something okay so is the authority is is is the waste management board having any discussions i mean there's no discussions in in reference to solid waste collection there's no discussion no so we so we initially focused on the tipping fee, but going into the house to house, that is next. We just wanted to

4:06:56 make sure we got the tipping fee approved and then continue that progress and moving forward with revenue collection. You have to start somewhere. The tipping fee is only if I have a bin, I ought to bin to my home. I'm cleaning the yard. I put some stuff in there. Then I have to pay an additional fee um to the company but i'm talking about household garbage collection i mean we every morning um at least once a week light clock work the garbage trucks go wrong and they pick up individual garbage and at some point um there's going to be a need the the government cannot afford and has not been afforded to make those payments every other jurisdiction across the nation implement some type of small fee for garbage collection everyone and if you want the service you you pay a small fee if you don't want to pay the small fee you put the garbage in your car and you carry it to the convenience center but I mean at some point we have to have the discussion individuals who want to have the discussion because I guess it's not a popular discussion to have, but it's one that we need to have at some point. And if the discussion isn't going to come out of waste management, then God knows where it's going to come from. Senator? Well, I agree with you. I agree with you. And with the support of the legislature, then yeah, we'll do it. We definitely, that's something that we want to have that frank discussion because you're right. That is something that no other jurisdiction, there's no other jurisdiction in the country that doesn't charge a fee. So I agree with you 100%.

4:08:39 Thank you so much. Senator Fred Gregory? Senator Ville, you set me up. But that's good. Director Merrick, I heard the conversation that you're having with the chair of the committee, and you know that I've tried to engage prior to you coming back and since you've been on board I have tried to engage you around this very same conversation I have had discussions with the chair the board I have crafted legislation around this and I for some odd reason I can't get waste management to give me an idea or a proposal as it relates to how best to craft the legislation.

4:09:29 Of course, the argument was that fees are approved by PSC. However, if nothing goes to PSC, then an approval can be made. But my position on this, and it's not a popular position, is every single thing that comes into this territory eventually will be thrown away. Even if you buy a nice mohavani bed and you keep it for 40 years, eventually it has to be thrown out. So we have to come up with that system. I've been sitting on this legislation for as long as I've sat in the Senate. And I really need for you all at Waste Management to work with me and my colleagues so we can come up with how we are going to address this issue. Because it's not throughout the United States, it's throughout the world, everybody to pay for trash.

4:10:22 So when we talk about individuals with home pickups, it's not home pickup alone. I drop my trash off at the top of Baccaro, I got to pay for my trash because somebody got to haul it. And this is why every year we have to come up with this \$32 million for waste management. We have to come up with a system. So I need you to make a commitment that you're going to work with me so we could get this done.

- 4:10:53 Are you prepared to do that, Director? Yes, definitely prepared to do that. I think, you know, the tipping fees was a start, but you and Senator VLA are correct. I definitely need your support, but I would love to sit down and work with you in crafting that legislation going forward because it is necessary. I agree. okay so the information that i sent you before um if you need me to resend it i would be happy to do that but this is has been a very frustrating um time for me working with waste management and i know my time is about to be called so let me ask you um what is the annual cost of trash collections in the territory? Really, truly, it's about 20, it's close to \$30 million. I mean, the budget that we have, the \$32 million for both St. Croix and St. Thomas and St. John and operating, collecting the trash, and then also a disposing of it. I mean, you're talking about \$30 million. I mean, that's why I was very, very pleased to see the supplemental budget was, you know, the additional \$10 million was put in the budget because that's going to help me pay for costs associated with trash. I mean, we're still saying we're \$20 million to still be a \$20 million deficit, but we're going to make that up and looking at increasing operational efficiencies and hopefully streamlining contracts.
- 4:12:25 Thank you. Thank you. You've run out my time. Sorry. Go ahead, Zanathana. I just have so many other questions, but let me just wrap up by asking you, I note specifically in the budget that you have, you know, you talk about house to house, and I'm going to leave that alone. We're going to get back to that as we deal with moving this legislation. Let me ask you about your HR office. How many people do you have in HR? We have three, Senator.
- 4:12:59 So you have three individuals in HR. And so you have an HR director? Yes. Yes? Yes. And what are the other positions? Yes. HR manager and HR generalist. And two generalists? One director, one manager, and one generalist for a total of three in that division. So you have a manager. What is the difference between a manager and a director?
- 4:13:31 the director is um regards to more of a policy making role so um they talk about they make decisions about organizational structure um more strategic planning role and the manager because um you don't do strategic planning all year and you don't do policy is so what is does the manager do the manager um does a lot of the regular hr functions to include labor relations uh training and development um onboarding it's a myriad of things whereas the generalist is more of an administrative support person for the division I see. Mr. Merrick, you need to look at your HR division. If you're going to be asking for support from this body, things need to make sense to us, okay? Mr. Chair, I have a lot of other questions, but of course we're going to have another opportunity to have a discussion with the Virgin Islands Waste Management Authority, and I'm actually definitely looking forward to working with waste management and addressing this vexing issue that we have in the territory.
- 4:14:45 We have to utilize our resources in a better way, and we can't be different from other states, territories, and the world as it relates to how we manage our solid waste here. Thank you for the time, Mr. Chair. Correct. Before I go to Senator Saru, I think Senator Carla Joseph has a question. Hello. Yes, thank you so much, Mr. Chairman, for the recognition.
- 4:15:15 Before I leave, I wanted to ask Mr. Merrick and his financial team if your most recent audit is available online on your website. I understood that you completed your 2019 audit. That's your most recent? Correct. Yes. Is it on your website? website it's not on our website but we can we can we can make it available to you over to the body thank you but I'm just looking at transparency and I would be hopeful that it will be available on the website so all of the Virgin Islands people can see thank you so much mr. chairman and I look forward to receiving receiving the audit report. Thank you, Kylie.
- 4:16:08 Thank you, Senator James. Senator Cyril. Hello? Can you hear me? Oh, Senator Joseph. I'm Senator Vialena James. Um, I think I need to clarify. Are we frozen? Can everybody hear me? Yes, we can. Go ahead.
- 4:16:44 Oh, okay. I just need to clarify my comments earlier because I think I was misunderstood. I am the author of two expungement bills because I do believe in second chances. and evidently I can't be against anyone who has served time but I also believe in accountability and if a quote-unquote I looked in a past post audit report stating back to 2016 and there is no listed contract for the Lewy group but in a 2022 post audit report there's a contract and on the record we're indicating that the contract was entered into and it was not the work wasn't fully done and the moral of the story is if you have a contract or an obligation from 2017 and it's 2021 then the work should have been done it's a breach of a contract that is accountability that is not me being against anyone who has served time in prison so let's not project and change the intent of my comments to make it seem as if I'm against people and not for second chances and if that company is the most qualified company to execute an emergency plan that means by now the plan should have already been done period point blank HR we have a lot of positions vacant positions the personal website doesn't have your positions listed on your personal semi-autonomous agency page you only have six listed positions can you tell me so going back to the president's question on how are we funding the positions are they funded not funded is is that is there a direct correlation with the funding status to why these positions aren't posted
- 4:18:52 good afternoon senator erica callwood hr positions are posted as much as we're allowed to basically handle there are three of us in the hr department and we may post approximately about six at a time we still have to go through and do research

call do background checks do interviews etc etc all the stuff that's involved with onboarding and bringing in individuals so therefore we wouldn't put perhaps you might say well you have 30 vacancies or 40 we would not post them all at once okay so a chief legal officer is your legal counsel or is a chief legal officer something different from because it's not what you have posted is not what you have in your vacancy listing time is a chief legal officer donnie who what's that i i didn't understand the question senator i'm sorry on your website which are indulgence mr che you have a chief legal officer you don't have a chief legal officer vacant in your personal listing you have a legal counsel is your chief legal officer a legal counsel yes i believe it might be a play on words No, no, no. We can't have a play on words. Your vacancy listing should be the same as the position that you have. Look at sanitation truck driver and the rest of them. It doesn't really correlate, but my time has been called, but I don't know how we're trying to fill positions. and I discussed this when waste management was before us, not for budget hearing, but for status update

4:20:36 and the fact that at the time you only had eight positions listed. Now we're down to six, but you have over some 40-something positions available. I still don't understand the response. Thank you, Mr. Chair. Thank you, Senator Saro. Senator Johnson? Good afternoon. Thank you again, Mr. Chair. Director Merritt, I want you to clear up something for me and try and confirm if it is or if it isn't. You've been speaking about these tires for quite some time. And you have heard some of the analysts says that the tires can be shredded and used at the asphalt plant.

4:21:17 Is any of the asphalt plant capable of doing that? And is this a reality? Is it something that can be done? i think it's something that can be done i mean the the the bigger question is okay so we have a lot of tires currently in both landfills and so if they were to shred the tires if somebody was to come in with that with that uh technology and shred the tires and then use it at the asphalt plant to help help uh with help with the asphalt plants then once that initial um feedstock is utilize and what is the annual feedstock because it may not justify having that methodology so what I've been what here recently we have a every year we have an aerial survey that's performed in both landfills and I also get them to capture the amount of tires we have and so we're looking at that to determine how many tires are generated you know that come into the landfill on an annual basis so then we can help determine whether or not it's feasible to have a um a project like that because it may it may not make sense because somebody may come in here and invest x amount of millions of dollars on you know doing something with the tires and then after they get that initial those initial tires from both landfills then there's not enough food to feed the to feed the project and then it it ends up being a not a good situation for a particular for a potential company or contracting well as we speak it's not a good site or or or something that we need to continue dealing with because you know anyone that lives downwind from the anguela landfill or any of the dump site has to go through that toxic fume once these uh areas be lit up on fire

4:23:13 And this is something that we continue experiencing. So what is the plan? What are we going to do to try to eliminate this problem and deal with these tires once and for all? Time. Okay. You could continue. So right now we're looking at putting out an RFP to bail and ship the tires. I know we had the fire at Anguilla with the tires, and that was a while back. And I know that was an issue. we put the as the tires come in now we put them in a we we have them in a uh a fire pile to make sure that if something does happen it won't be a uh major catastrophic event it'd be it would be very minimal um secondly as far as the landfill is concerned um i mentioned that that that also and dale the cover that we're using it also has a fire retardant um in it so as we're covering the landfill then that actually helps minimize the fires we haven't had any issues at the landfill i mean quite some time with uh mr saki's leadership from an operational perspective on the landfill so we're looking at making sure we have different technologies that we're using at the landfills to decrease potential issues and also making sure that the tires that we do collect that we put them in a we put them we place them in the land we place them in the back side of landfill so that there's not a if there is an issue that it will be a a minor issue while we're getting the rps out to get the uh to get those tires off on build and shipped off on all right and my final question would be is does maize waste management have some kind of mechanism in place to inspect the tire shops them to see who is dropping off to the anguela landfill is there any kind of ticket that you're you guys are inspecting these tire shops to make sure that all right this company dropped off 5 000 tires 3 000 or but this next small shop didn't drop none at all to the landfill i mean is there any kind of inspection going out with the tire shops them to be accountable for the tires being dropped at the right plat yeah in the in the past there

4:25:17 have been um like i said our the enforcements will cover task force but i also am wanting to uh meet with the dlca to talk about different things associated with uh inspections and so we're that that's the conversation that's going to be had because that's going to potentially help us have a little bit more oversight on the disposal of tires because because to your point um the the tires that we see at bin sites we don't normally just see like two tires we we may see like 25 tires and so you know it's not an individual but it's most likely a business and so so yeah so we're you know that that's that's definitely ongoing we're trying to make sure we we put put mechanisms in place to to to hold people more accountable my time i've been caught but i would like to wrap up with saying that i hope that you expedite this discussion in a timely manner so that we can eliminate this problem once and for all thank you very much mr chair for the leeway thank you very much

thank you senator johnson i think that at times we just have been too much discussion for issues that we have in this community that we know is taking place on a regular basis. I guess the solution to the legal tire dumping at the dump sites would be the cameras and you're monitoring the cameras to see who's dropping those tires because it's not 25. He's passed by Woodson over the weekend and there were hundreds you know like over a hundred tire at the Woodson site so you know that somebody is dumping them there. It's a merit in reference to the sewer connection. We have a number of abandoned properties that were once connected to the sewer system, but now those homes are in disrepair, no one lives there. Is there a process to, if a home is abandoned and not usable, to

4:27:16 get the septic fee off of the property tax bill? What's the process for that? Yeah, normally the property owner will contact the lieutenant governor's office and say that that property is no longer is abandoned or or is not in use and then they contact us to to verify that and then they get a then we'll go out there and have someone do to inspect the property and then we'll based on our inspection if that is the if that's the case then we'll send out a letter saying this property located at you know xyz address okay apparently that apparently that isn't working in terms of getting in contact with the lieutenant governor office and then they get they get in contact with you um can it be reversed that they get in contact with the waste management authority in reference to an abandoned property that is still being charged uh septage fees and that you would have somebody go to the site and then provide some type of document notarized document that they can carry to the lieutenant governor office so that the fee can be removed yes yes they can they can contact us directly okay and who would they make contact with um well with wastewater i mean they could they could contact uh so our main person well st crow we have an engineer it's uh ron phillipson on st thomas it's evan greenberg but then they can also contact mr watson as well okay i know we need a reverse we need a converse we need to make sure that all individuals that are hooked up to the system are actually paying a fee that hooked up to the system and using um the system is there a mechanism that you can make a determination as to who's hooked up to the system and who's using it yeah and that's what that's

4:29:01 what what i mentioned in the testimony that we're trying to make sure that we we look at what what the new connections are that we have in our in our system we work with the um lieutenant governor's office and the tax assessor's office to make sure we have all those everything is in line so that we We can accurately say these properties are connected, they're in the system, and then we can process that information, send it to the Senate government's office and actually have it build on their property tax bill.

4:29:31 And that's a good plan for the new connections that I'm talking about connections that might be there six, seven years and are not paying. Is there a way for us to be able to assess those areas where sewer lines runs and make a determination as to who along that sewer line is actually utilizing the sewer system and then check to see if that property number is actually paying sewage fees? Jeff, do you want to, Jeff, I'll let you chime in, but I think it's kind of a similar process.

4:30:06 need to look and see if we can find those connections as well because some people are legally connected to the to the system and we as we um continue our communications with uh the different offices then we'll start being able to vet that and start being able to figure out who is legally connected and who's not legally connected um and jeff you can jump in here same anything else? Hi, this is Jeff Watson. Yeah, Director, Senator. As we continue to have this communication with Lieutenant Governor's office, we, this management, will have to verify that one is connected. But then you also need to make sure some people have added apartments or different apartments different rooms and while they may show that you connected we should be connected with one bathroom but in actual fact it might be connected with three or four different uh apartments so that is something that we have to do okay and we have to because only fear that um everyone that is connected pay their fair share that that's the only fair thing for us to be able to do but Director Merritt I want to thank you for your testimony today it is the desire I think the entire Virgin Islands that we come up with solutions in reference to our garbage and our wastewater system so we encourage you to continue to make those tries and we're asking waste management to begin to exercise a little creativity and being able to solve these issues that persists in the virgin islands i will give you an opportunity to put a closing statement on the record and i thank you and your entire staff for their testimony thank you i would like to say i

4:31:59 appreciate the uh the support from the 34th legislature i think we have a uh a long way to go with the solid waste and wastewater um here in the territory but i think we are on the path to we're on the right path moving forward uh you know i want to thank our um our staff our especially our frontline staff because they do a incredible job with limited resources um uh and they they they do it every day with with uh servicing the uh our virgin islanders in mind making sure that we're protecting human health and the environment um i appreciate everything that the uh like i said that the uh the legislature is doing to help support us i look forward to meeting with uh meeting with you guys here in the future to discuss uh additional uh legislation that could help waste management move forward um and you know in a variety of issues i think you know as we mentioned on the solid waste side and the waste management on the wastewater side

there's a lot that uh that that needs to happen but um our staff here is is uh dedicated to trying to continue to move the authority forward and and uh do us in the best interest of all virgin elders um so thank you very much okay thank you so much and i also just wanted to put on the record that i think from last budget year we did not utilize the saint john capital fund in that that particular manner, and this year, again, we will not utilize the St. John Capital Fund.

4 : 33 : 34 In that particular manner, we're trying to use those monies for capital projects on the island of St. John, the St. John Capital Fund. So we are going to have to supplement whatever amount is there from the St. John Capital Development Fund, because we want to make sure that that stays for capital projects in the island of St. John, so we might have to increase the amount by a million dollars. But I do know that the governor has given or recommended a \$10 million increase.

4 : 34 : 07 We need to have the discussion in reference to those numbers, the tipping fees, and the other internal mechanism that can be utilized to generate revenues so that we can begin to pay our vendors on time. The Committee of Finance is hereby adjourned. Okay. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you.

People named in this transcript

SUSPECTED, and a finding aid only. Names were matched by machine against the spellings used across all 426 of our transcripts, and the title is the one used in the room. Being named here is NOT evidence that a person attended or spoke · only that the name was said. Speech recognition mishears names, so a spelling may be wrong even where no alternative is offered.

8x **Senator Dwayne DeGraff**
heard in this transcript as: DeGraf, DeGraff, DeGroff, Dwayne M. DeGraff

6x **Senator Marvin Blyden**
heard in this transcript as: Blyden, Blyton, Marvin A. Blyden

6x **Senator Samuel Carrion**
heard in this transcript as: Carrion

4x **Senator Fred Gregory**
the surname alone also matches: Donna A. Frett-Gregory; Donna Frett-Gregory; Donna A. Fred Gregory; Frank Gregory
heard in this transcript as: Gregory

4x **Senator Janelle K. Saro**
heard in this transcript as: Saro, Saru

4x **Senator Kurt VLA**
heard in this transcript as: Kurt A. VLA, VLA

4x **Senator Marise C. James**
the surname alone also matches: Javan James; Giovanni James Sr
heard in this transcript as: James

4x **Senator Milton E. Potter**
heard in this transcript as: Potter

3x **Senator Carla Joseph**
the surname alone also matches: Clifford Joseph; Karla J. Joseph
heard in this transcript as: Joseph

2x **Senator Franklin D. Johnson**
heard in this transcript as: Johnson

2x **Senator Genevieve R. Whitaker**
heard in this transcript as: Whitaker

2x **Senator Kurt Veilley**
heard in this transcript as: Kurt Veillet

2x **Senator Kurt Vialet**
heard in this transcript as: Ville

2x **Senator Vialena James**
the surname alone also matches: Javan James; Marise C. James; Neville James

Bills and acts referred to

Matched by number against our own acts corpus. The number is what the recognition heard, so it may be wrong; where it resolved, the title is the one the Legislature gave the act.

Referred to but not found in our acts corpus: Bill 33-0375