



| Committee on Finance | Part 3

Legislature USVI

August 23, 2022 · 4.3 hours · gov

Source recording	https://youtu.be/thJDWwc66ql
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 Thank you very much. We'll be right back. We'll be right back. We'll be right back. We'll be right back. The Committee of Finance is back on the record. Madam Clerk, next item on the agenda, please.
- 0:02:57 Casino Control Commission. Invited testifiers, Marvin Pickering, Chairman and Chief Executive Officer. Thank you, Madam Clerk. CEO Pickering, I love you to put your name and title on the record and then allow the two individuals who are here with you to do the same. Thank you, Senator Marvin Pickering, Chairman, Chief Executive Officer of Virgin Islands Casino Control Commission. Thank you.
- 0:03:25 Good afternoon. Carolyn Herman Purcell, Commissioner, Vice Chair of the Virgin Islands Casino Control Commission. Thank you. Selma Deterville-Dacosta, Executive Director. Thank you. You may proceed with your testimony. Thank you, Senator. Good afternoon, Honorable Kurt Avile, Chairman of the Committee on Finance, all honorable members of the committee, other honorable members of the 34th legislature, legislative staff, and those listening and viewing via radio, television, or the internet. For the record, my name is Marvin L. Pickering, and I am the chairman and chief executive officer of the Virgin Islands Casino Control Commission. Accompanying me today is Commissioner Carolyn P. Herman Purcell, vice chair of the commission, and our executive director, Selma Dieterville-Dacosta. We thank you for the opportunity to present and discuss the fiscal year 2023 budget requests for the commission.
- 0:04:26 The commission is responsible for the regulation of casinos pursuant to the Virgin Islands Casino and Resort Control Act of 1995, as amended. Internet gaming and gambling pursuant to the Virgin Islands Internet Gaming and Gambling Act, as amended. Racino's pursuant to the Virgin Islands Horse Racing Industry Assistance Act of 2011, and Casino Four Establishments Act permitted within the enterprise zones of Christianstead and Frederickstead. These statutes and all relevant amendments establish the basis for the governance and operations of the commission and its staff. Finances. The commission has four funding sources. One, the general fund for salaries of the commissioners and staff only. Two, the Casino Revolving Fund pursuant to 32 VI Code Section 514 which was amended by Act No. 7643 and by Section 4 of

Act No. 8184. This account is funded by casino and casino employee license fees, fines, and other fees imposed by law or through regulation by the commission.

0:05:40 Three, the Casino Revenue Fund pursuant to 32 VI Code Section 517, which was amended by Section 2 of Act No. 8577, and is funded by the 12% tax on gross revenues from Divi Carina Bay Casino and Resort, and VIGL-CRG, commonly referred to as Caraval Hotel and Casino. With the amendment to 32 VI code section 517, the commission now receives 25% of these taxes with 75% allocated to other government departments or agencies, including 1% to the commission for programs to treat and prevent gambling addiction.

0:06:24 And four, the horse racetrack casino revenue fund pursuant to 32 VI code section 901. It must be noted that the commission has not received funding from this source since 2016 when Traxco ceased operations at the Randall-Dock-James race track. As it relates to the general fund, the commission's personnel, the total sum we are requesting is \$995,700, which represents 15 employees, including three vacancies. The vacant positions are for one commissioner to fill the seat vacated by former commissioner UCR Richards and two new positions, an in-house legal counsel and an IT support specialist. The table below lists the names and related information for the employees of the commission.

0:07:18 The Casino Control Revolving Fund is a special checking account that serves as a depository of monies collected from all license, registration, and permits fees, fines, penalties, and other fees, all sums appropriated thereto by the legislature of the Virgin Islands, and all donations, gifts, and bequests. In this fiscal year, 2022, from October 1st, 2021 through May 31st, 2022, the commission collected \$64,545, of which 80%, or \$51,640, was allocated to the commission. And 20%, or \$12,905, was allocated to the Department of Justice, Division of Gaming Enforcement Operating Account for their operating expenses relative to gaming enforcement.

0:08:08 The signatories on this account are the commissioners and the attorney general of the Virgin Islands. Regarding the casino revenue fund in fiscal year 2021, the 10% appropriated to the commission from the Department of Finance was \$164,732.05 as compared to \$156,376.92 for fiscal year 2020. an increase of \$8,355 or 5% year over year.

0:08:43 The first two quarters of fiscal year 2022 yielded \$126,553.25 as compared to \$99,354.29 for the same period of fiscal year 21, an increase of slightly more than 27%. The second quarter report below from the Department of Finance for Fiscal Year 22 shows the percentages and amounts distributed. The funds were distributed to the Roy L. Schneider Hospital, Juan F. Louis Hospital, Hospitals and Health, Myra Keating Smith Clinic, Education, Worker Prep EDU Program, High School, Youth Programs, Agriculture, Tourism, Casino Promotion St. Croix, Croy, Union Arbitration and Increment Fund, Bureau of Internal Revenue, University of the Virgin Islands, VI Alliance for Responsible Gaming, Sports, Parks and Recreation, Casino Control Commission, Public Safety and the Casino Rehabilitation Fund. The distribution for fiscal year 2019, fiscal years 2019, 2020, 2021 and through the second quarter of fiscal year 2022 can be found on the commission's website it is worthy to note at this juncture that act number 8577 bill number 34-0224 section 2 paragraph b5 enacted on april 22nd 2022 amended 32 vi code section 517 to reallocate the percentages to the various agencies and entities the percentage to The pseudo-commission was increased to 25%, with 75% appropriated to the other agencies, a reduction from 90%. This amendment also eliminated funding for other programs.

0:10:36 Of particular note, the youth programs appropriation that provided funding, as mandated by 32 VI code section 518, financial assistance to casino employees to further their education and funding for the Jobs for America's Graduates Virgin Islands, JAGVI programs, which will be discussed later in the testimony, both were defunded. The Horse Racetrack Casino Revenue Fund has not provided any funding since Traxco ended Racino operations in May of 2016. Thus far in this fiscal year, the Commission has received \$8,356 in federal funds through VITEMA as reimbursement for damages from the hurricanes of 2017.

0:11:26 The courts reimbursed covered payments for vehicle damages, minor internal building damages and replacement of some office equipment. As mentioned earlier, the commission administers the youth program's funding in compliance with 32 VI code section 518. In this current fiscal year, the commission funded this program to the tune of \$335,975 as requested by the Department of Labor. It was reported recently in the media that this program was awarded a national state award from the JAG National Network for the class of 2021. The commission wishes to congratulate the Departments of Labor and Education for this outstanding achievement. This program, along with educational assistance for casino employees, no longer be funded through the casino revenue fund due to the amendments made by Act number 8577. Currently we are in the process of re-establishing the VI Alliance for Responsible Gaming. The Commission had discussions with former members of the Alliance to determine their interest in serving again but have not received any firm commitments. It is our intent with the assistance of of the National Council of Problem Gaming to at least resume the public service announcements to inform gaming patrons who believe they have problem gaming as to where they can obtain counseling and other assistance. A financial overview of the commission by bank accounts for the period October 1st, 2021 through

May 31st, 2022 is inserted for your review. Administrative actions. As previously reported, the Commission's website is operable and can be found at www.casinocontrolcommission.vi. The site currently contains the laws and regulations governing the operations of casinos, laws and regulations governing internet gaming and internet gambling, the Commission's bylaws, the Commission's code of ethics, licensing requirements and application forms for casino and hotel employees, Casino operators and vendors, application for casino hotel alcoholic beverage license, voluntary exclusion from casino gambling instructions and application, fee schedules, casino revenue fund reports for fiscal years 2018, 2019, 2020, 2021, and through the second quarter of the current fiscal year 2022.

0:14:05 Responsible Gaming Link and information about the Commission and the Division of Gaming Enforcement. All applications on the website are fillable and provide easy access to the licensing process for employees and the Human Resources Departments of the casinos. On February 28, 2022, the Commission issued its second annual report to the Governor and the Legislature of the Virgin Islands. The report was issued in accordance with the provisions of 32 VI Code, Chapter 21, Section 424, and can also be found on the Commission's website. In addition, on August 3rd, 2022, in accordance with the mandates of 32 VI Code, Chapter 21, Section 514E, the Commission, for the first time in its history, Submitted to the Commissioner of Finance, the quarterly report for the Casino Revolving Fund. As was mentioned previously, the Casino Revolving Fund is a special checking account, wherein all license, registration, and permit fees, fines, penalties, and other fees are deposited. The funds are split 80% to the Casino Control Commission and 20% to the Division of Gaming Enforcement for the operating expenses of both entities. The signatories to this account are the members of the Commission and the Attorney General of the Virgin Islands.

0:15:30 Further, the Commission now provides monthly financial reports to the Attorney General and the Director of Gaming Enforcement, detailing the revenues and expenditures related to the revolving fund. It is the Commission's intent to continue to abide by the provisions of this and all applicable laws governing the Commission. The commission conducted timely hearings for the review of casino licensees and issued a permanent casino license and a permanent operating certificate to VIGLCRG Caravelle effective July 14, 2020 through July 14, 2024. The commission also issued a permanent license and operating certificate to DV Carina Bay Casino and Resort effective February 2nd, 2020 through February 1st, 2024. During the COVID-19 pandemic, the Commission adopted a COVID-19 Contingency Plan, based on the input of both casino operators and national standards established by casino regulators and operators.

0:16:34 These protocols included physical modifications to the gaming facilities, safe social distancing and sanitizing measures to ensure the health and safety of patrons, vendors, casino employees, commission employees and the employees of the division of gaming enforcement throughout the casino and hotel facilities enforcement of these mandates are the duty and responsibility of our casino inspectors who remain the eyes and ears of the commission at all gaming facilities on april 13 2022 the commission modified these protocols with the casino licensees to be consistent with the provisions of the governor's 36th supplemental executive order and issued order issued on march 14 2022 both casinos continue to advise the commission of any occurrences of covid 19 exposures during fiscal year 2022 there were no casino patrons that were 86 deed which refers to persons ejected or banned for improper conduct in a casino. However, there were five patron complaints, six voluntary self-exclusions, and two names placed on the permanent exclusion list. The commission has secured the services of an independent hearing officer who will preside over matters such as these when warranted and make recommendations to the commission for final disposition. The commission still has concerns regarding the efforts solicit and promote casinos in the territory. It is our contention that the responsibility for those efforts fall to the Department of Tourism. For the fiscal years 2018, 2019, 2020, 2021 and the first two quarters of the current fiscal year, a total of \$390,024.59 was disbursed to the Department of Tourism

0:18:31 quote, for tourism and casino promotion for St. Croix, end of quote. The Commission will continue its efforts to engage with the Commissioner of Tourism to ascertain exactly what the Department of Tourism has done or plans to do regarding their statutory mandate to promote the casinos on St. Croix. In prior testimony before the Committee on Finance, the Commission reported that webcash management has been re-established at Banco Popular de Puerto Rico, A service that is only accessible to the current members of the commission and requires approval of at least two commissioners to access the funds. Also, as was stated in our last budget testimony in August of last year, the commission has implemented a financial management system that provides for the timely entering of invoices, billings, and payments issued by the commission.

0:19:23 The FMS system is overseen by the Commission's Chairman and Chief Executive Officer and executed by our Executive Director and Executive Assistant. The Commission has established quarterly payments to the account of the Division of Game and Enforcement, DGE. These payments represent the DGE's 20% share of fees collected in our office via credit card payments and deposited to the Commission's operating account at Banco Popular. The commission is current in those payments to the DGE with the latest payment being made this past July for the third quarter of the fiscal year. The

commission has no outstanding past due invoices and our only outstanding payments are for current goods and services procured over the immediately preceding month. However, due to questionable transactions of a past chairman, the commission is liable to repay to the youth programs fund a total of \$39,878 improperly spent from the fund. In addition, the commission is also making payments to Banco Popular on a credit card that was issued to the commission with that same former chairman as an authorized user. The balance amounts to \$47,740 with scheduled monthly payment of \$1,141 deducted from the commission's operating account.

0:20:47 The commission is located at number 3005 Estate, Orange Grove, Christenstead, St. Croix. The building is leased from the Government Employees Retirement System, GRS, and consists of approximately 4,667 square feet of gross leasable area. The commission remains current with our rental obligations to the GRS. The commission and the GRS concluded negotiations on the renewal of a new lease agreement, which was executed by the Commission on September 27, 2021 and by the GRS on October 5, 2021, for a term of one year, expiring on October 4, 2022.

0:21:29 There is an option to renew for an additional term of one year. The Commission has notified the GRS of its intention to exercise the option as required in the lease agreement. The Commission and the Division of Gaming Enforcement, under the very capable leadership of Attorney R. Oliver David, Director, have successfully addressed a backlog of applications that dated back to March of 2019, some 121 of them. However, this situation remains tenuous at best, as Director David continues to remind the Commission of the need for additional staffing to avoid delays in conducting the necessary background checks and investigations of applicants for licenses. The commission issued licenses that included both new and renewal for all categories to include casino employees, casino key employees, gaming related entities, and non gaming related entities. The table below shows a comparison of licenses issued by the commission for fiscal year 2021 and thus far for the current fiscal year.

0:22:34 A color-coded ID system for the issuance of all categories of work permits was implemented by the Commission a couple of years ago. The system addresses all employees licensed by the Commission, casino inspectors of the Commission, and office staff of the Commission. The ID includes a photo of the employee and an expiration date, and it must be visibly worn by all employees while on duty. The color codes are casino key employees light blue, casino employees orange, hotel employees white, casino inspectors red, commission staff and commissioners dark blue. The commission's inspectors, special assistant for licensing and compliance, and commissioners have also been issued appropriate badges that align with their respective duties. As expressed last year at our budget hearing, the commission thanks this body for adopting in the recommended amendments to the Internet Gaming and Gambling Law of the Virgin Islands, 32 VI Code Section 21, Article Roman Numeral 14.

0:23:38 It is the intent of the commission to implement the provisions of this act. This law has been on the books for close to 20 years and has never been fully implemented despite previous attempts to do so. The commission has engaged the services of a contractor, industry-renowned Gaming Laboratories International, or GLI, to review the current law and rules and regulations which must be updated to reflect the current environment of the industry, with the new technological changes and current processes that have evolved since the enactment of our statutes. The Commission will submit any recommended revisions or amendments of the laws to this body for its consideration. Major concerns. The Commission is concerned with a lack of full staffing resources for the Division of Game and Enforcement to meet its mandates. The DGE is a critical component in assisting the Commission to fulfill its regulatory obligations. As mentioned before, the previous backlog of applications was addressed, but it is in serious jeopardy reverting to the previous condition if DGE is not fully staffed. Although not a part of the Commission's budget, the Commission is advocating on behalf of the DGE that the legislature fund the necessary positions to assist the DGE to perform its duties in a more efficient manner and ensure the continuous revenue flow to the government of the Virgin Islands. The Commission does not have a full complement of Commissioners, as there is a vacancy for a Commissioner from the St. Croix District. On April 20th, 2022, the term of former Commissioner UCR Richards expired and I take this opportunity now on behalf of the Commission to publicly thank Commissioner

0:25:26 Richards for his service and we do indeed wish him well. The Governor has been apprised of this situation on several occasions and we await his action on this very serious concern. The Governor, to his credit, did appoint, and this body did confirm on March 24, 2022, an individual from the St. Thomas St. John District in the person of our Vice Chair, Commissioner Carolyn P. Herman Purcell, who filled the vacancy that existed following the resignation of former Commissioner Stacy Bourne. Another major concern is the lack of a long-term lease at our current location.

0:26:05 The commission is currently leasing space from the Government Employees Retirement System, GRS, as previously mentioned, and we are unsure if our one-year lease will be renewed, as we requested to the GRS in our notice that we wish to exercise that option in our current lease. If the commission were to be displaced, this would be very problematic, since the commission does not currently have funding to purchase or construct its own building, which would be the best

option in our considered opinion. Finally, the commission has requested funding for two positions, an in-house legal counsel and an IT support specialist or lead. In regard to the legal counsel, 32 VI code sections 408D and 412G mandate the commission to hire legal counsel, And that, ideally, such counsel, quote, shall devote his or her entire time and attention to his or her duties and shall not pursue any other business or occupation or other gainful employment, end of quote. With any other business or occupation, I'm sorry, with the myriad of issues, including the review of the gaming and gambling laws that require the commission's constant attention, an in-house legal counsel would provide the Commission with an important resource and allow the Commission to have ready access to legal services and guidance in fulfilling its statutory mandates. Regarding the IT support specialists, the Commission is in the process of updating its IT infrastructure to include the replacement of servers, computers, scanners, and camera systems. As technology is constantly changing, there is a need to remain vigilant of the changing environment and keeping pace will be challenging without having such requisite expertise on staff.

0:28:01 I would be remiss if, on behalf of the Commission, I did not express our thanks and gratitude to this body, particularly you, Mr. Chairman, and Madam Vice Chair, Senate President Fred Gregory for following up on your promise to assist the Commission with funding for our which funding was included in bill number 34-0226, now act number 8590. Thank you so very much. Our thanks and appreciation as well to Governor Bryan for signing the measure into law.

0:28:34 Mr. Chairman, this concludes the testimony of the Virgin Islands Casino Control Commission relative to its fiscal year 2023 budget. The representatives of the Commission stand ready to respond to all questions you and the members of this body may have to the best of our ability. Thank you. Thank you so much for your testimony. Colleagues, you're going to go directly into a five-minute round, beginning with Senator Marvin Blyden. You're recognized. Thank you so much, Mr. Chair, and good afternoon, Commissioner Pickering, and thank you so much for your testimony. um you spoke to um mr richards on resignation and do you see you still have one vacancy when it comes to commissioner correct that is correct uh somebody close this door please senator joseph your mic is on yeah okay very well um in respect to the commission how many how many other vacancies do you have because i know you spoke to um your challenges with enforcement how many more vacancies do you have from an agency in addition to the vacant commissioner position we have two more uh vacancies which we are asking our funding for that's for an in-house legal counsel and an i.t support specialist you spoke to the in-house legal counsel and the job description in terms of them not being able to have any other jobs etc what what funding are we looking at in terms of um salary for that individual what's the number i'm sorry uh we're looking in a range from uh between 80 to a hundred thousand dollars and i i so you think that that would be not to um retain someone where they cannot have any other jobs in that area yes that's what's specified in the statute correct and and what are you paying for legal services right now um do you have that on contract what that amount you extend at this time on a regular basis uh we i believe that uh currently so far this fiscal year we have paid about 85 000 for for legal services okay okay so it will fall within the range i'm sorry that is through um through july of uh this fiscal year okay very roughly will fall within the same um amount of what you're paying out on contract okay let me ask um also in respect to your inspectors or when it comes to enforcement how critical of a role they play as an agency and what are you doing in that respect as i stated uh the uh inspectors are the eyes and

0:31:34 ears of the commission they are on the casino floors and they are there to to make sure that the rules are being observed and any patron complaints are to be submitted to them to be referred to the commission. And the 172,000 that you are requesting above last fiscal year, is that to fill those vacancies? That is correct, that is correct, Senator.

0:32:04 and and that will cover it because you're looking for a legal um an attorney or also um inspector is enough for that for those two areas along with benefits i'm sorry the um the request is for a hundred and sixty two thousand dollars a hundred thousand up to a hundred thousand for for legal counsel and 62 000 for an i.t support specialist no inspectors okay very well thanks for the clarification um you spoke also and you mentioned in terms of uh the your job responsibility in terms of uh doing inspections to other areas as you spoke to and you said you spoke to um us in the past in that respect uh with that extra responsibility do you have the capacity right now as is to fulfill that mission i didn't get um your your uh previous statement i just heard the last question could you repeat that please you spoke in your testimony as to um uh when we had the bill with the um horse racing but you spoke to um what you feel you guys should be doing in terms of um inspection etc and and i i'm asking you with um the current staff you have do you have the capacity to do those extra um inspections etc and enforcement of those other machines the um inspection of uh gaming machines uh senator uh that's the response that's the responsibility as well or the prime responsibility of the uh division of gaming enforcement they are the ones that um that would would conduct and audit audit the machines uh and as i mentioned

0:34:07 They are somewhat on the staff, I believe that the director was asking for two positions that would enable them to perform the requisite duties, you know, of what they charge with, the responsibilities, the character responsibilities that they charge with. Time. In closing, Mr. Chair, I know that you do not have any outstanding vendor payments. I

appreciate that, and you do not have no other outstanding obligation, is that correct? Well, I did mention that in terms of our goods and services, no, we do not have any outstanding invoices except for what was procured in the immediately preceding month, but I did mention that um we do have obligations to the um a repayment of some uh 39 000 to the youth programs fund because those funds you know under a prior commission uh some those funds were improperly spent and uh regarding the youth the youth programs and also a credit card obligation also from the previous commission and are you up to date with your experience agreements are Are you up to date with a repayment agreement? I'm sorry?

0:35:29 Are you up to date with a repayment agreement, the schedule? Are you up to date on your payments when it comes to the agreement? Well, yes, we are, but there was no formal agreement. The money was owed, and the bank decided to deduct it from the account. They were improperly deducting it from the youth programs account, which we had them stop and transfer those deductions to the operating account. How much do they deduct on a monthly basis? \$1,141.

0:36:03 Okay, thank you so much. Thank you, Mr. Chair, for the leniency. Thank you for your responses. Thank you, Senator Blyden. Page 5 of 9 of the post-addit report. The figures that we have there reflect the period of October 1st, 2021 to March 31st, 2022. Do you have more actuals? More recent figures? Yes, sir. Can you tell me what is the GBI payroll contribution? Through the second quarter, I believe that amount is \$934,913.77. Retail again, \$934,913.77, and that's total payroll contributions, base salaries, and fringe benefits to the third quarter through the third quarter okay and the payroll is paid from the general fund that is correct senator so your numbers are off in terms of what you're projecting for this upcoming year you projected 900 and 995 you projected but 995,700 you're already at that number with the third quarter not exactly um for some strange reason and i don't know what what it is they are they are budget has all has always only shown the base salaries and not including fringe but fringe the fringe benefits are paid okay and that's my point right so my point is is that if you look at even what you have here six hundred forty six thousand you double that i mean that that's almost 1.3 million that's 1.29 yes so the the fringe and the payroll comes out of the general fund out of the government but we for whatever reason it usually only show the payroll and not the fringe correct so your acts should not be 995 your acts should be

0:38:27 actually 995 plus 428 actually 1.4 million dollars correct but i was just being consistent with how the budget is being presented but we want to just make sure we do it right so we know because what what has happened for years and we tried to correct it um last year when we increased the amount because before you again what um 466 000 but we realized before you were there They only gained almost \$500,000, but we realized that the government was responsible for the payroll and was actually paying more. But the numbers were always wrong. So we tried to correct it last year, but now we realize that fringe wasn't included, so we need to correct it this year and move it to the 1.4 so that we could clearly reflect what is coming out of the general fund. And the cost of operating the commission. Correct. And in our budget submission, Senator, we did, in the projections, we did include those fringe costs. Okay, so we are going to, colleagues have to make that change. If we don't, then it's still coming out. So we just need to show what we're actually paying based on the number of employees that we have at the casino commission. Senator DeGraff.

0:39:44 56, 13. uh thank you mr chair good afternoon colleagues good afternoon testifiers uh i will start right there because i was going to talk about that uh you had 13 employees presently you have 13. uh we have uh and no vacancies with 13. then you added two positions you said we have 12 with three vacancies 12 with three yes okay because you had a was your budget was 833 7 in 22 that is correct okay so that that's what based on the post had a report of 22 that's with 13 employees now you add a commissioner legal counsel special assistant and another casino inspector at 48 200 vacancy okay uh at the time that we submitted uh our proposal the there was in fact a vacancy for an inspector that that had resigned in between when we submitted the proposal or the projections we rehired that inspector so the vacancies the vacancy is vacancies are up to have been reduced to three. The commissioner, vacant commissioner from the St. Croix district and the in-house legal counsel and the IT support specialist. Okay, so your act should be 1.1 and then personal and then fringe take you to the 1.4? That is correct. The 1.2 in the work. Okay, so now are there any wage increases or anything looking at for the employees uh no sir not at this time not this time okay okay because yeah so that that threw me off too when it came to the personnel now um for the property what are you paying to sun self-storage uh we do not uh we uh We do not currently have storage with some self-storage.

0:42:04 I think that was discontinued sometime last year. Is that correct, Mr. Costa? Yes, of May 31st, 2021. Okay. Okay, and then I noticed also you have two vehicles, 2010 and a 2011. Are they still in good operational? We disposed of the 2010 vehicle, and we acquired a 2022 Ford Explorer. So we have that, and then we have the 2011 Ford Explorer.

0:42:44 Two minutes. What's the condition of the 2011 Explorer? Let me say that we need another one. Okay. Well, that's fair. It's fair. It's fair. That's where your head acts, and again, it's for your, okay, because you have two vehicles, you have three personnel, three inspectors, or it's two? Yeah, you have three inspectors. We have, is that five? Five inspectors. Five inspectors?

- 0:43:13 Yes. Okay, so with five inspectors and one-and-a-half vehicles, so at least a vehicle should be asked to give you at least three, minimal. Currently, the commission does not assign vehicles to the inspectors. They use the personal vehicles. Okay, so to make the inspectors, okay, so I got you on that. but again for liability issues at least is there if it becomes an issue yes okay good good good okay so then um so you don't pay the lease okay now for the lease with um grs they mentioned somebody they stopped doing a five-year lease so it's strictly just a year to year and if you don't renew your are you have any place in mind to move to presently not at the moment senator um but as i said it is a concern and it's something that we really have to um prioritize uh if in fact we don't get uh that that uh term the term of release extended uh going forward then you know we really have to to make an effort to to see if we could uh find another location okay and you will be allowed a month-to-month extension not per city year but at least a month-to-month while you search or was any conversation done in regards to that uh no conversation was done uh in regard to that uh uh right now but uh in the past that's that's what it was prior to us signing the um the uh new lease uh last year that was uh the um their terms uh month to month um until we
- 0:45:10 had secured a new lease okay and finally for me mr chair um then you would budget how would you budget in terms of rent would you have it budgeted for at least six months to a year Well, we currently budgeted, have budgeted \$84,000 annually for rent payments. Okay. Going forward for the next year. Well, what we currently have. What we currently have.
- 0:45:36 And it would cover an extension. I just want to make it clear. No, we currently have a lease that expires in October of this year. We have requested we have exercised our option for one additional year, so that will cover it. Okay, good. Thank you. Thank you for the time, Mr. Chair. Thank you, Senator DeGraff. The amount that I'm coming up with for the ask, CEO Pickering, is \$1,423,800. That is correct.
- 0:46:14 Okay. That includes personnel and fringe and includes the additional, well, the commission, the vacant commissioner position, the vacant for the new legal counsel. And you had one more position that you were asking for IT something? IT support specialist. IT support specialist. And that number is correct. 1,423,800. Okay. Perfect. Senator Saro.
- 0:46:45 Thank you. Thank you, Mr. Chair, and good afternoon. Judge Purcell, how are you? I'm well, Senator. How are you acclimating to the role? I'm acclimating very well with the assistant of Mr. Pickering and the executive staff, but it's a lot. I'm learning so much. I mean, you're never too old to learn. You spent time on the bench. I'm glad you told me that. I'm never too old to. Continuing learnings, you're getting a little CLE in casino.
- 0:47:18 Okay, that's good. Mr. Pickering, your fringe is at 46% or 48% calculated to total at 1.4%. Sorry? Your fringe. You're calculating your fringe for your personnel at what, 46% or 48%? 46%, I believe. 46%? Yeah. Okay. Now, just briefly on your testimony on page 6, you highlighted the Act 8577, and you indicated that it really causes some critical programs to be defunded. So what's your suggestion for that, that we change the percentage or that we just repeal? What's your suggestion? Well, we certainly appreciate our appropriation being increased from the 10% to 25%.
- 0:48:17 So there will have to be another funding source, preferably not from the casino revenue fund. You want your money. But there will have to be another funding source to fund those programs. to fund those programs. Okay. So you're okay with the increase in your funding and your recommendation as we find new funding so as for JAG and the other programs? Yes, Senator. Okay.
- 0:48:47 Nice to see you fighting for your funds. Now quickly, operating supplies based on a post-saddy report. You don't have any, you didn't have any last year. Is that correct? Page four of nine posts at it. Operating supplies. There's a dash. Oh. You didn't need any, you didn't use any funding for operating supplies last year? No, this is, uh. Is that because you had the FEMA funding, that's why it was, that's why that is zeroed? No, no, um, at the time, this is from, uh, that uh column you're looking at is the actual i believe yeah that's the actual and up up to that point um there were none so up to march you didn't it was zero right okay let's let's go to your travel as well that's is that adequate is that accurate sorry the 38 000 and 12 000 probably not was the correct through through May of of this fiscal year We had a travel expense of \$44,442, and training, which will be combined with training and conference dues, of another \$6,523.
- 0:50:42 So in those categories, you need us to bump you up, then? Sorry? In those two categories, you need us to really bump you up? One minute. Those expenses are not funded by the general fund. It's not funded by the general fund, correct, but. These come from the operating, from the. From the revenues. Revenues, the other revenues, the revolving fund primarily that we use for operation expenses. Okay, so you're not going to, based on your expenses, you don't exceed anything, right?
- 0:51:19 No, no, we have not. I don't project that we'll get through the rest of the fiscal year past what was budgeted for last fiscal year. For this fiscal year, rather. Okay. And then before my time is called, let's talk about your electricity. What are you, what's your projection for electricity? Because I'm seeing every agency, whether they're semi-autonomous, autonomous,

or government, the cost for power is budgeted less in a year of inflation. Uh, our electricity costs time.

0:52:00 Your projection is 25, right? Um, last year it was 21. But is this, I just wanted to, to, to ask if your projection is within the correct ballpark. Yes, based on, you know, based on, you know, our prior spending and given some expectation of an increase, yes, we suspect that we, I think we budgeted higher than we did in the prior fiscal year. Mr. Chair, just one more question. I don't know if it was said in the testimony, if I missed it. You had any audits conducted recently?

0:52:38 No, we have not, but it is our intention that, according to the mandates of the law, we are to have an audit of the revolving fund each year, and I plan to do so at the end of this fiscal year. Okay. Good. Looking forward to that. Thank you, Mr. Chair, for the time. Thank you, Senator Saro. Senator Carla Joseph.

0:53:13 A pleasant good day, Commissioner, and also Mr. Chairman and colleagues. Commissioner, I want to really thank you so much for all the hard work you do. I really appreciate work that you have done and given funding to the, I think it was a JAG program, I recall the Department of Labor mentioned how you were able to pay a number of young people who participated in the JAG program during their internship or their hands-on training, on-the-job training. and I really want to commend you and the Commission members for taking a strong position to support workforce development in the Virgin Islands. I really deeply appreciate that. But I do have a concern, and you raised it before, you talked about it, regarding these same youth programs.

0:54:13 I noted on page 13, follow me, to page 13, that you indicated that due to a previous chairman, the commission is liable to repay the youth program fund a total of thirty nine thousand eight hundred and seventy eight dollars that were improperly spent from the fund and in addition you also have to make payments to banco popular on a credit card that was issued to the commission from that same former chairman of \$47,740. And you're making monthly payments of \$1,141 from your operating account. So do you have sufficient money in your operating account to pay that down? Because if you make it monthly, that's going to take you at about a significant in time, over three years, maybe three, four years to pay that off.

0:55:14 Well, you know, we're hoping that they would have that funding to make those payments. With the increase in our appropriations from the revenue fund, we will make every attempt to do so. But you're correct. If the if the funding allows, you know, we we could accelerate those payments because it's particularly with the credit cards, with the credit card payments, you know, it's it's interest is being charged. So it'd be to our benefit to to quickly pay that off.

0:55:52 where in your budget do you have it listed in your projected budget those costs because i'm trying to find out in the budget that you put together how you are absorbing it and if it's in your accounts payable or receivable where do you have it listed that that's an outstanding cost that you need to pay it is a payable um two minutes that that is shown on our uh balance sheet or our statement of net position uh and um those uh those payments are not if i remember correctly are not uh shown on the budget as an ex as an expense it's not shown on the budget no it's not for me i like to see those things in on the budget because it gives us a good idea of what is outstanding do you project that you're going to be able to accelerate the payments given that you've given uh gotten an increase in your amount that you're going to receive based on the act your percentage that is our expectation senator yes Okay, great. Now, I wanted to ask you regarding your insurance coverage. Is the insurance coverage you have only for the automobiles because you don't own any buildings?

0:57:23 no that uh the insurance uh is for the uh which is required by our landlord and it's a commercial general liability insurance the uh government to my knowledge doesn't have insurance on the um uh on the vehicle i could be wrong but uh no okay that's one of the things we have to look into because you are a commission you need to have your own insurance one of the other commissions that came before us they have their own insurance and a vehicle uh so that you are covered and so i would recommend that you include that um and really that's really part of what we need to be doing in government especially with the vehicle insurance because then how would these persons get their money if or who is injured who does the liability goes to well it is you know we are an independent agency of the executive branch yes so i suspect that it would fall to the to the government you are independent agency you said the key word yes okay so you should have your own vehicle insurance Okay, Mr. Chairman, thank you so much. I really appreciate your leeway.

0:58:51 Thank you, Senator Joseph, Senator Fred Gregory. Thank you, Mr. Chair, and good afternoon to the Casino Commission leadership. Good afternoon, Tredo. i believe the questions were exhausted but i still want to go back to so senator your camera is off oh i'm sorry no it's on you can't see me no it's on let me turn it off is this the let me turn it off and turn it back on and see if it come on can you see me now oh yes go ahead okay all right thank you so that's me my time starts again right thank you for that um so let me just ask because most of the budget questions are pretty much exhausted uh but you know the question the elephant in the room is we've been at this for a number of years well over what is it 20 years some 20 years right Are there any discussions about any new casinos coming into the island district of St. Croix?

1:00:07 I think it's an important question. And, you know, in the intent of the legislation was to ensure that at some point, the Casino Control Commission would be able to stand on its own. it is an independent entity and 20 years later we're still

having a 1.4 million dollar um obligation to the government so talk to me about you know what are we really doing here as we as i understand it uh senator the commission is a regulatory body um the The function of promoting casinos that was mandated to the Department of Tourism.

1:01:06 We regulate the casinos, going out and advertising a promotion and all that stuff lies with a different agency. Okay, so we need to ask them, but I think I coined the question wrong. I was supposed to ask you, are you aware of any developments? That was the question I really needed to ask. Is it just yes or no? If it's a no, it's a no. No, I am not. Okay. So let's talk about your licensing and permitting fees. When was the last time they were updated? Right now, we have with the Office of the Attorney General and what's that division um uh solicitor this letter general pamela temper yes uh we have um the uh rules and regulations uh being reviewed for for uh promulgation we um we updated those uh believe uh a year a year or two ago but no reg no regulations were were issued at the time so fees fees yes speaking about fees freeze i'm sorry i'm sorry freeze you're correct freeze okay so that those were inclusive of an update uh yes yes yes okay so if you are seeing an update based on your your your um based on your profit loss statement if you will um are you seeing any residuals at the end of the fiscal years. And I'm asking that question because if we are seeing an overage on the general fund side, then that money should be flowing back up into the GE to cover

1:02:52 any excess expenses or excess amounts that are outside of the budgeted amount. Two minutes. the um i think it's page nine of the uh post audit um it shows that there was a um 203 000 surplus if you will for for fiscal year 2021 of 203 276 dollars When was your last audit, though? Because your audit has to show what the true numbers are. So when was your last audit for the commission? The last audit I know of the commission is what the inspector general performed a few years ago.

1:03:43 So as an independent agency, you are aware that you should have financial audits on an annual basis, correct? that is correct and which i stated before we we intend to do that after this fiscal year okay so you're not you see you haven't done an actual financial audit for fy 2021 or 20 outside of the inspector general i'm not talking about the ig artists i'm talking about financial audits that is correct none was done okay so you shouldn't wait until after the fiscal year that should be something that's occurring as we speak as you came on as the um as a member of the the casino commission um that's your background audits have to be done uh that's a must how can we have you said it's an independent entity there's no artists financial artists being conducted how do we even know any of this that's in front of us is accurate if we have no financial others that's being conducted you must understand uh senator that the financial records of the casino control commission were in total disarray prior to my coming on and prior to um uh commissioner richards and those records let me just let me wrap up let me wrap up because my time is going to be called that does not prevent the casino control commission from conducting let's not get mixed up between inspector general audits and the responsibility of financial audits.

1:05:15 If you conduct your financial audits, then you have an opportunity to see exactly where the entity is and where it should be going. If you have not conducted any financial audits, then you truly don't have a picture of the organization, regardless of all the other things that occurred outside of... That was not good. Let me just leave that right there. So, you know, as the lead, I believe that you know that that should be something that should be occurring. Normally, as you know, when you audit, you want to audit at least two years.

1:05:51 We now have two full years. We will now have two full years of accurate financial information. And as I stated to question or comment earlier, that it is my intention that at the end of this fiscal year, fiscal 2022, we would solicit bids for an audit of the funds as mandated by law. Okay, my time has been calls. Are you saying 2020 and 2021 and 2022?

1:06:22 21 and 22, that's correct. So then you should have already started a 2021 audit. That's basically what I'm saying. okay thank you for the time mr. chair thank you thank you senator Fred Gregory Santa Gittins thank you mr. chair and good afternoon to all good afternoon Shaka welcome your honor we still call you your honor yesterday we We had Ms. Hellman. Now today we got Ms. Hellman again.

1:07:03 Commissioner, how often does the commission meet? At least quarterly. And when you say quarterly, when are those dates? We don't have any set dates. We set aside different months each quarter. We project out. Bless you. We project on when we'll meet, but we don't have a set date as to when we would... When was the last time the commission met?

1:07:32 That was when. We met sometime... Please put your name and title on the record before you respond. Selma Deterville-La Costa. We met in May. What's your title? Selma Deterville-La Costa, Executive Director. I'm sorry, Senator. Okay. Go ahead. When was the last time the commission met? June we had a commission meeting June of this year yes sir and what was the last time prior to that April April okay so when is your next meeting it's scheduled for October October good so we're well on the road do we have a full commission at this time no we do not how many members do you have currently two Two?

- 1:08:20 Yes. And it's a three-member commission. We have two currently. Two members currently. So when you meet, it's just both of you? Yes. So we're still down to one and a half casinos still in the territory? As far as I know, we have two. What are we doing to attract any casinos to the territory, if any?
- 1:08:58 The commission is not doing anything to attract casinos because that is not the commission's responsibility. Strike that. Okay. Are you aware of any casinos interested in coming to the territory? No, I am not. All right. And like I said, I mean, you call it two, but I call it one and a half. You regulate at least one and a half casino in the territory, correct? On the island of St. Croix in particular, which is the casino district, correct? That is correct.
- 1:09:32 Are you in a position to tell me the economic impact to this territory as it relates to employment and or local spending? One second. Senator Gettin. Senator Fred Gregory, please, on mutual device. Go ahead. You may proceed. Yes. Do I need to repeat that?
- 1:10:00 No, no, no. I think I have it. You want to know what the economic impact of the casinos is in the territory. In terms of total spend, goods and services procured by the boat casinos in fiscal year 21 or calendar year 2021. Two minutes. Total spend was about \$24 million. That's what's spent by the casinos in terms of goods and services and whatever other expenditures they may have. Is that locally?
- 1:10:40 Total spend, some of it may not be local, but in terms of total spend, according to their reports, this is what they spent in 2021. So far, up to the second quarter of this year, it was about \$10 million in terms of total spend. Now, in terms of the employment, I believe you asked that, so far in 2022, both casinos have about a little under 300 employees.
- 1:11:15 And in terms of salaries, they have paid about \$4.5 million. If we go back to 2021, that total payroll for casinos was about \$7.4 million with a little under 250 employees. Do you think that drop is due to the pandemic? Yes, sir. Absolutely. Do you suspect that it will increase once again? Yes. The trend I was seeing, based on the second quarter, although the casinos are, in fact, having a difficult time with attracting employees, which is a global problem, quite frankly, We do expect that that would increase. At our last meeting, the folks from DV had indicated that they were employing some, I don't want to call it innovative, but some additional efforts to attract employees to the territory.
- 1:12:23 There's a division, may I conclude here, Mr. Chair? Yes, you may. There's a division of gaming enforcement under your entity. Is this position filled by a director? And what is the, how many employees within there? What's the positions? Gaming enforcement is under the Department of Justice. They work directly with you, correct? Yes, but their budget is under Department of Justice.
- 1:12:57 I understand. Is there a gaming enforcement director? Yes. Attorney R. Oliver David is the director. Okay. And how many people are assigned to that office? I believe he has four, including himself. Four, including himself. And what's the position titles? Oh, gaming technician, researcher, and researchers.
- 1:13:28 So who do the inspectors work for? The inspectors work for the commission. For the commission? Yes. How many inspectors do you have? Five. And that's actual positions, not just none of them are vacant? There are bodies in them, yes, five. Okay.
- 1:13:55 Bodies in the positions. Okay, great. Time has been called, so I'll put the pin there. Thank you for your responses. Thank you, Mr. Chair, for the latitude. Thank you so much, Senator Gittens. We actually just funded those positions for gaming enforcement last cycle, last budget cycle, where they requested some additional positions, so we're able to fund that. So I think they're fully funded now to be able to fully operate and deal with all concerns in reference to gaming. Senator Carrion? Yes, Senator Gettins.
- 1:14:31 Thank you for that reminder as well. And when we had the Department of Justice, I failed to ask about the Division of Gaming Enforcement, but I'll be doing follow-up on that because, again, enforcement is crucial with this industry in the territory, and we can't afford for it to get out of whack because I'm already trying to talk with you all to see how we could best approach this one gaming entity in the territory. bingo uh wherever lottery wherever it is we should be looking at one gaming uh industry thank you uh mr chair thank you and i i totally agree with that um lottery racino simulcasting casino gaming vlt's everything should fall under one entity what i say office of gaming and a lot of states have moved in that direction and they have one entity that oversees everything and then you could have a lottery office underneath and other entities. I think we need to move in that direction. I wanted to ask George Purcell, and I'll call you George because you earned that. What is your view on casino gaming on the island of St. Thomas St John, in the island districts in St. Thomas St John? It's not a budgetary question, but it could become a budgetary No, it's not a budgetary question.
- 1:16:01 It will generate revenues, so it could become quite a budgetary measure. It's a policy question. It is. And I don't believe it's a policy question, and I'm not prepared to address that at this point, Senator Veilley. I don't believe I've been under Commission long enough. I'm still trying to understand. I've not even hit my six-month probationary period. So maybe a

little later in my term, I could then be more informed, more knowledgeable to address that.

- 1:16:35 I think it's something that we need to begin to think about overall for the Virgin Islands as to exactly what direction we want to move in. Definitely we know that St. Thomas probably have five times the amount of tourists that come to St. Croix. and gaming originally was one of the mechanism to get the off island money to be able to gamble and stay on the island so the best place to get off island money is the island where the bulk of the tourists go to on a regular basis so it's something that we need to discuss I think somebody has a measure in reference to that so hopefully we'll see whether or not it comes to the floor and whether or not we could have a discussion as to whether or not it makes sense if your league If our concert was here, I would ask the question as to whether or not the contract with Southline Gaming would prohibit casino gaming in St. Thomas. Yeah, that's a good question.
- 1:17:34 And that's why, you know, I've heard this discussion before about placing all the gaming activities under one entity and I think that it deserves some careful study before and if that's gonna be a proposal as a study would be a prerequisite to having that having that done we had a look at the pros and cons and you were right because I'm thinking about you know I was thinking about that you know with how it's constituted now you know here we have the casino district of St. Croix and then there was recent 8477 which extended that the contract and you know how would that work you know given what the casino casino's authority is right now vis-a-vis what's happening in St. Thomas and John district okay I'm asked that question because you had a discussion with mr. Jacobs or lottery in reference a situation and he said that they had referred the situation to the division of gaming enforcement under the AG so right there you can see where it really overlaps so I'm saying hey we need to just refine it I think when we when the bills were originally originally offered it was for casino gaming on St. Croix for X amount a year so this could exclusive and we could lure hotel development but it's been like 30 years now so it's a totally different realm and we need to see what direction we're going to move in senator gittins point of inquiry point of inquiry direct uh commissioner uh have there been any uh discussions uh with the chief executive in filling that uh third vacancy uh within the commission uh yes the uh the governor has been uh notified you know unless uh you know and at least uh two or three occasions and uh he has indicated that he's working on it but you know we we still await his
- 1:19:41 how long has this uh vacancy been open this uh current vacancy since april of 20 april of this year april of this year yes however uh when was the um when was that uh term up that person was serving until uh the new commissioner came in but when was that term up His term was up, I believe it was December 14th of 2021, but the law allows...
- 1:20:22 21, correct. So what I'm saying is, although he just left in April, we know that there was a vacancy from before, when he was leaving in December of 21. So hopefully we will have someone named to the position soon. I certainly hope so. Thank you. Thank you Senator. Thank you Mr. Chair and good good afternoon to the Virgin Islands casino control Commission team and certainly you welcome the new Commissioner judge welcome on welcome on board let me ask both commissioners what challenges have it financial or otherwise have you faced or encounter since you've been appointed as commissioners to both has been um i've seen had no challenges in the time i've been there since march 24. um everybody has been it's been pretty smooth sailing for me so far so um yeah i'm glad to hear that i guess you've been also recently appointed yes yes in march yeah um i can't say that i'm recently appointed i was appointed in late 2020 but but my uh my number one challenge you know was always um the financial reporting you know based on the Inspector General reports and, you know, it's well publicized, you know, what happened. So that challenge was addressed, first of all, to have the proper financial reporting with proper financial statements, transparency in terms of they should never be, you know, in this commission and they won't be, you know,
- 1:22:32 my leadership where only one person knows the finances of the of the Commission you know the commissioner receives copies of the financial statements multi-financial statements the executive staff receive receive receives copies of the financial statements you know we as I indicated in my testimony the the Division of Game and Enforcement the Attorney General they receive copies of their financial statements with the proper documentation. So there is full transparency, and we are going to continue to maintain that. One of the other challenges that we had was in terms of the IT infrastructure of the commission, which we are working on.
- 1:23:24 And again, my thanks and appreciation to this body for funding, for providing funding for IT upgrades. And so other than those, you know, we are moving right along. And based on those findings, of course, we all know from the IG, what have you implemented? What procedures or policies have you implemented to kind of correct some of the problems? I know you mentioned some of the things about sharing the financial reports, transparency, but are there anything, any regulations that you have established? And prior to my coming on board, those audit findings were addressed by the prior commission and commissioners. For example, two signatures are required on checks being issued, access to the online cash transfer, which is called web cash management. There must be two commissioners, commissioners and not staff, but two commissioners that would approve any transfers, electronic transfers such as that.

- 1:24:47 And then, again, not to be redundant or repetitive, the sharing of the financial information. Financial reports. Yes. Very well. In the post audit report, page 4, exhibit number 1, you have their professional services. And budgeted for FY22, you have \$225,000. up to March 31st of this current year, it seems like you have expended \$83,313. But when I go to exhibit number 8 on page 9, that gives a breakdown of professional services and contracts.
- 1:25:34 Also, actuals up to March 31st, the total I see here is 63,742 I don't know if it's been asked before because I did step out can you kindly maybe explain the difference can you repeat those pages against the senator post audit report page 4 page 4 professional services okay 83,313 then when you go to exhibit 8 page 9 on the professional services contract where you have to break down 663,742 so this there's a difference between what's reported on page 4 and the breakdown detailing professional services contract on page 9 I am not sure if on page and it looks like on page on page 4 they might be looking to see if there were other um you do have some areas that are in blank on page nine uh there's no amount given for ronald w balfon esquire it's in blank there's nothing for gaming laboratories is that's also in blank so I'm not sure if you're missing some figures here for mr. David IT services that's also in blank in terms of
- 1:27:25 attorney Belfond he's he was recently contracted to perform independent hearing officer duties has any payments been given to no payments have been No payments. Okay. And gaming laboratories, any payments thus far? No payments. No payments to gaming laboratories. They have not completed their... The IT, Mr. David, any payments for FY22?
- 1:27:57 Did we pay anything to David? One that we have with professional fees? Yes. Let me see if we'll find that for you. I don't believe we made any... I have this. Nothing was paid to David in this fiscal year, Senator.
- 1:28:41 Okay, so there's approximately almost a \$20,000 difference here, \$19,571. Yes, I cannot explain why the post-audit amount is higher than what we reported through March. But if you'd like, you know, I would do an analysis of that and submit that information to you later. Yes, please. So do you believe that you'll expend the \$225,000 that's been budgeted for FY22 for professional services?
- 1:29:26 Not so far. We spent... What are your actuals to date? You have your most recent actuals for June? Yeah, through August 5th, we have expended \$124,000 in our professional fees. Very well. And lastly, if I may, Mr. Chair, I know my time has been called. If you could provide some information regarding to the youth program account, what is it used for and what was the purpose for the disbursement of \$340,940?
- 1:29:58 That was amongst paid to the Department of Labor to support the Jobs for America youth programs. They submit to us, the law requires that we provide 50% of their budget for that program. So that was paid directly to the Department of Labor and to support that program. I know that it's after school programs, it's training for youth programs, for jobs, etc., etc.
- 1:30:34 You know, but we don't control that. We just submit the funding as requested to the Department of Labor. Got you. Thank you very much to both of you commissioners and to the Executive Director for the work you all are doing. Thank you, Mr. Chair, for the time. Thank you. Thank you so much, Senator Carriong, CEO of Pickering. So, Pickering, I'm going to allow you to put a closing statement on the record. I think we have exhausted all of our questions. I'll allow you to close at this point. Okay, thank you very much, Mr. Chairman, and to all the honourable members of this body for the opportunity to present to the Committee on Finance the Casino Controls Fiscal Year 2023 budget.
- 1:31:12 It is our fervent hope that you and the members of this body could favourably consider our requests for the added positions that are necessary to enhance the operations of the Commission. I wish to thank my colleague, Commissioner Herman Purcell, for assistance, guidance and input during this budget preparation process. And last but certainly not least, I'd like to thank the staff of the Casino Control Commission with a heartfelt thank you for their continued professionalism and their efforts.
- 1:31:50 you so much thank you so much mr vickering the committee of finance will take uh 15 minutes recess Thank you. We'll be right back. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Oh, oh, oh, oh, oh. 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. We'll be right back. We'll be right back. Thank you. Thank you. Thank you. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back.
- 1:52:20 We'll be right back. Thank you. Thank you.
- 1:53:50 Thank you. Thank you. We'll be right back. We'll be right back. Thank you.
- 1:56:20 The Committee of Finance is back on the record. Next before us, we have the Waste Management, the Virgin Islands Waste Management Authority. Roger Merritt, Executive Director, I'm going to allow him to put his name and title on the record and then I will allow the members of his staff that are here in the well and those who will be participating virtually

to put the name and title on the record. Let's begin with you, Mr. Merritt. Good afternoon. My name is Roger Edward Merritt, Jr. I'm the executive director for the Waste Management Authority. Thank you. Next. Hi, good afternoon. My name is Erica Calwood. I'm the HR director for Waste Management Authority. Do it again. One more. Sorry. Erica Calwood, Human Resources Director, Waste Management Authority. Thank you. Good Good afternoon, Florence Kahugo, Chief Legal Counsel, Waste Management Authority.

1:57:21 Okay. And you're probably going to need to take off the mask, that's what we have there. So we can hear you clearly. CFO? Good afternoon, sir. Daryl Griffith, Chief Financial Officer, Waste Management Authority. Thank you. Let's go to those that are participating virtually. Eloise Brown. Good afternoon, Elyse Brown, Territorial Grants Administrator. Alex Bruning.

1:57:56 Alex Bruning, Engineering Manager. Jeffrey Watson. Good afternoon, Chef Watson, Engineering Manager, Wastewater Waste Management Authority. Juanita Ailes, thank you. Good afternoon, Juanita Ailes, Territorial Grant Administrator. Thank you so much. You may proceed to the testimony, Mr. Murray.

1:58:28 okay good afternoon honorable senator kurt bill a chair of the committee on finance okay one minute um everyone that's participating virtually please mute your device mr brooney please mute your device okay we're good to go now Good afternoon, Honorable Senator Kurt Ville, Chair of the Committee on Finance, other members of the 34th Legislature, the media, ladies and gentlemen in the listening viewing audience.

1:59:10 I'm Roger E. Merritt, Jr., Executive Director at the Virgin Islands Waste Management Authority. I'm appearing before you today along with Darryl Griffith, Chief Financial Officer, Florence Kahugo, Chief Legal Officer, Luis Sylvester, Chief Planning Officer, Erica Carwood, Human Resources Director, Jeff Watson. Pull the mic down and speak directly into the mic. Hello.

1:59:38 Just speak like this. Try it again. Good afternoon, Honorable Senator Kurt Viola. Okay, go ahead. Okay, keep going. Let's see, so I'm appearing before you today along with Daryl Griffith, Chief Financial Officer, Florence Kahugou, Chief Legal Officer, Louie Sylvester, Chief Planning Officer, Erica Calwood, Human Resources Director, Jeff Watson, Wastewater Engineering Manager, Alex Bruni, Solid Waste Engineering Manager, Juanita Isles, Territorial Lead Grant Administrator, and Eloise Brown, Territorial Grant Administrator. provide testimony relative to the authority's proposed fiscal year 2023 budget.

2:00:27 Senators this morning everyone here got up and flushed our toilets without worrying about where the contents will go because the Waste Management Authority was there to remove this wastewater directly or indirectly from our residences businesses and villas keeping our community free from communicable disease like cholera E. coli and hepatitis. The Waste Management Authority takes this mandate to provide solid waste and wastewater collection treatment and disposal services to protect health and preserve the environment of the U.S. Virgin Islands very seriously. Our team helps to prevent a public health crisis on a daily basis. Only over 2 million visitors come to our shores by air and sea to experience a piece of paradise, making our tourism-driven economy one of the most robust in the Caribbean.

2:01:28 Every report that we read placing us at the top of the tourism industry could not happen if the people of the Waste Management Authority were not there to keep paradise clean and sanitary. After every carnival and festival event that we celebrate as a community, VIWMA is there to clean up the environment, as our motto states, we are proud to preserve a paradise. The Waste Management Authority, by its nature, is not held in high regards by most people when ranking government services. The community understands the critical role that it plays in making our society livable and enjoyable only when sewer lines are backed up or when garbage is piling up at bin sites. The paradise that we long for and the clean, pristine environment we all desire cannot exist without a strong and well-funded Waste Management Authority to dispose of things we import which subsequently become trash or the human waste that must be disposed of generated from the millions of visitors and residents who enjoy living and visiting the territory. I make these statements with all humility but I feel quite comfortable saying the Waste Management Authority is one of the most important agencies in the territory and must be treated accordingly. Finance. The executive team understands that finance is a key factor in effectively managing the Virgin Islands Waste Management Authority. The authority's financial division in the last five months has completed the authority's 2018, 2019, and 2020 audits. The authority plans to complete its 2021 and 2022 audits by April 2023 and therefore be in compliance with the timely filing and submission of all financial audits. The government of the U.S. Virgin Islands has recommended an appropriation of \$35 million from the general fund to the authority for fiscal year 23. However, the true cost for the authority to provide solid waste and wastewater collection, disposal, and treatment services alone is nearly \$40 million annually. So technically, this means the general fund appropriation does not cover all the necessary costs such as waste management personnel, machinery and equipment, emergency repairs and maintenance, etc. to effectively provide these critical services.

- 2:03:42 Vendor payments. We are constantly communicating with the solid waste and wastewater service providers to determine all outstanding debts owed and have begun requesting and receiving account statements to accompany their monthly invoices. The authority has paid out over \$42 million to contractors in fiscal year 2022 and has tremendously reduced its accounts payable to local contractors. Thanks to the solid waste service providers from the \$15 million appropriation Bill 33-0375 were processes outlined in the legislation and in accordance with direction from the authority's board of directors. I want to personally thank this Senate body for the \$35 million annual allotment that has been paid timely and consistently along with Governor Bryan for the \$14 million allotment that was used to pay local solid waste contractors. The Waste Management Authority has made great strides but the authority needs the Senate's help in getting to the finish line the authority currently owes approximately \$28 million to local contractors for work performed from the years 2017 to 2022 a one-time appropriation of \$28 million will make all the contractors who help the authority provide solid waste and wastewater collection treatment and disposal services both during and after the hurricanes and during the COVID pandemic with your help we can drastically turn around the financial picture of the authority on solid waste. The authority manages the territory's solid waste collection, transportation, and disposal network. Municipal solid waste is collected from bin sites, convenience centers, public receptacles, and 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, which is almost 40% above the US average, and the authority is preparing to eliminate the majority of the public unmanned bin sites throughout the territory as they lend themselves to illegal dumping and pose
- 2:05:47 environmental and public health risks. The plan is to construct and operate convenience centers throughout the territory, similar to those found at Mandahl on St. Thomas and Peter's Rest in St. 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 Unit for Solid Waste. The CDBG-DR Tranche II funding, the authority subrecipient agreement with the Virgin Islands Housing Finance Authority in the amount of \$22 million, provides funding for the implementation of designated projects outlined in the Tranche 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 new convenience centers for the territory, the expansion to the southeast portion of the Anguilla Landfill, and the Anguilla Landfill closure phases one through seven. The authority is pleased to report that it has received the Convenience Center application approvals for the following six out of seven Convenience Center projects from the Virgin Islands Housing Finance Authority. One, Estate Concordia Convenience Center, St. Croix. Two, Mon Bijoux Convenience Center, St. Croix. Three, Cotton Valley Convenience Center, St. Croix. Number four, Red Hook Convenience Center on St. Thomas. Number five, Estate Smith Bay on St. Thomas, and number six, Susanna Berg on St. John. We anticipate the estate Borenfield site to receive approval within the next two months. Bill number 34-0192 in July of 2022 and other crucial bills were successfully passed establishing zoning changes and lease agreements of these properties with the support from the members of the 34th Legislature and Government House. The approval of these measures was critical to the
- 2:07:47 success of the establishment of the convenience centers across the territory. As part of the integrated solid waste management plan, these convenience centers are a critical part of recycling and waste separation in the territory. They will be designed with measures to ensure waste is collected in an organized manner to prevent hazards to public health, public safety, and the environment. The sites will be fenced to prevent illegal dumping and will be staffed by knowledgeable and helpful attendants. There will be multiple collection areas at the convenience centers to allow for segregation of specific types of waste to support source separation methodologies and a recycling program. Additionally in the CDBG DR tranche 2 funding are the expansion to the southeast portion of the Anguilla landfill on St. Croix and the closure phases 1 through 7. The southeast extension will directly increase needed airspace and allow the Authority the time to select and build a new municipal solid waste facility on St. Croix and the CDBG Tranche III allocations. The proposed closure of the Anguilla Landfill will comply with the existing Department of Justice consent decrees. And so the total landfill budget with the Southeast Extension and the Anguilla Landfill closure phases is \$40,924,339. The total budget for the convenience centers It is \$17,887,881.
- 2:09:19 The construction of the new St. Croix Disposal Facility and the expansion of the Bovoni Landfill along with the pre-construction activities including 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 will be funded through the tranche 3 CDBG-MIT funding. The VIHFA is in the process of creating the CDBG-MIT application.

- 2:09:52 Federal Emergency Management Agency Public Assistance Funds, the authority has continued to work 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 \$11,651,946.55 along with \$355,827.55 through insurance proceeds. project worksheets amounting to \$4,088,072.95 are being reviewed and are processed for reimbursement or payment to the authority. United States Environmental Protection Agency, Solid Waste Supplemental Grant, the Department of Planning and Natural Resources and Waste Management has been awarded a Solid Waste Supplemental Grant in the amount of \$10 million, of which Waste Management receives \$6 million and DPNR receives \$4 million. The funding was provided from the U.S. EPA under the Bipartisan Budget Act of 2018 which are intended for states affected by the two Category 5 hurricanes in September of 2017. The grant will support the further development of the solid waste management program in the territory and develop and implement a sustainable waste aversion materials management program.
- 2:11:20 Currently waste management and DPR are finalizing the memorandum of agreement establishing the terms and conditions and all activities included in the designated projects outlined under the program. The Waste Management Authority expects to receive the notice to proceed in October of this year. Waste Management is working collaboratively with the Virgin Islands Department of Planning and Natural Resources to plan, design, and implement an integrated sustainable materials management program under this program. This project will address the management of post-storm solid waste and develop a long-term Sustainable Materials Program that addresses historic shortcomings and increases preparedness for managing waste materials from everyday life and future hurricanes or other natural disasters. Waste Management intends to develop waste diversion programs that focus on extending the life of useful materials and the permanent removal of several waste streams that currently end up in the territory's landfills.
- 2:12:12 Through public education and outreach programs, convenient disposal, and legislation, it is the intention of waste management to implement long-term initiatives that will be geared towards making waste aversion part of all Virgin Islanders' daily lives. Tipping fees. In August of 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 because of the destruction caused by Hurricane Irma Maria that year, the territory-wide plan was never realized. In December 2020, the plan was again proposed to the PSC, and in June of 2021, PSC approved the tipping fees territory-wide using the volume-based methodology for fiscal year 2022.
- 2:13:04 The collection of tipping fees was implemented on January 10, 2022, and to date, the tipping fee revenue was nearly \$1 million. The actual was down \$171,300.38. since. Wastewater. The authorities facilities collect, treat, and discharge nearly 4 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, approximately 1,800 manholes, and one wastewater water 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 fulfilling the 30-year consent decree. Veolia operates the Harold A. Thompson and Pedro A. Francois wastewater treatment plants, and the contract expires in 2027. The authority has started to identify staff in fiscal year 2022 to for training needed to operate both plants upon expiration of the contract and release from the consent decree. This will result in a potential annual savings of approximately \$3.5 million. Federal Grants Division, Wastewater, Federal Emergency Management Agency. FEMA continues to assist waste management with emergency repairs, maintenance upgrades and permanent repairs to the wastewater infrastructure territory-wide because of the major damages sustained after the 2017 hurricanes. Waste Management has repaired and maintained our wastewater treatment plants, pump stations and gravity sewer lines.
- 2:14:48 Waste Management continues to work side-by-side with our recovery partners FEMA, VATIMA, ODR and Wood O'Brien in reviewing damages, formulating projects and working towards project completion. To date, 39 wastewater projects have been obligated at a cost of \$46,902,263.16. Our total project balance is \$40,724,383.93. This balance consists of projects in the design phase, pending bid proposal, ongoing construction, pending FEMA extension approval, level 2 FEMA review, pending alternate project, 10 draw packages finalization, and prudent replacement architecture and engineering designs. Most recently we have been awarded \$30 million for the architectural and engineering designs for the entire St. Croix wastewater infrastructure. We are currently preparing in conjunction with our consultants with O'Brien the scope of work and cost estimates for 15 large and small pump stations, Power G. Thompson wastewater treatment plant, and gravity sewer lines. This project is estimated at approximately \$2.1 billion to upgrade the wastewater infrastructure to industry standards.

- 2:16:01 Department of Interior Capital Improvement Program, the authority was awarded \$402,739 under the U.S. Department of Interior 2019 Capital Improvement Grant Program by the Virgin Islands Office of Management and Budget. This grant has a performance period of five years and expires January 31st, 2025. Under the 2021 Capital Improvement Grant Program, Waste Management has been awarded \$705,977, and this grant expires September 30th, 2025. In 2019 grant funding, Waste Management has been working with DOI and providing all necessary documentation needed to assist the agency in getting closer to the issuance of a notice to proceed for the Humbug 1 pump station maintenance upgrades and the Cancrime pump station force main sewer line repairs. The project is pending National Historic Preservation Act Section 106 consultation and no historic properties affected concurrence approval. We anticipate once this review is completed, a notice to proceed will be issued by DOI and construction will take approximately 12 months to complete.
- 2:17:07 2021 Grant Funding, Harold G. Thompson Wastewater Treatment Plant UV System Upgrade Authorization to Proceed was issued by DOI and the overall project cost is estimated to be \$1,015,977. Additional funding of \$310,000 through the American Rescue Plan Act is pending approval. Department of Interior Maintenance Assistant Program, U.S. Department of Interior has awarded Waste Management \$535,000 under the 2020 Maintenance Assistant Program and \$267,996 under Fiscal Year 2021. This grant has a performance period of three years and expires September 30, 2023. Under the 2021 Maintenance Assistant Program, Waste Management has been awarded \$267,996 and this grant expires September 30, 2024.
- 2:18:02 2020 and 2021 grant funding it supports the purchase of specialty equipment and training waste management engineering is currently preparing scope of work and cost estimate for submission to our procurement department for a request for price quotation the scope of work and cost estimate will be completed on or for the end of this month by august 31st 2022 US EPA Clean Water State Revolving Fund, the U.S. Environmental Protection Agency through the Department of Public Works and Department of Planning and Natural Resources provides funding to the states and territory for the construction of public wastewater treatment projects. These projects, which constitute 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 waste management has received funding for fiscal year 2011 through 2022 totaling 37 million three hundred sixteen thousand six hundred fifty eight dollars for pump station upgrades sewer line repairs wastewater treatment plant upgrades and specialty equipment current waste management clean water state result revolving fund major projects are waste management has issued notice to proceed to contractor Marco St. Croix for the Christian Stead Sewer Line Rehabilitation. This project funding covers several fiscal years, 2014 through 2018, and has an estimated budget of \$11,204,755.20. Waste Management received approval of final plans and design from DPNR for the Cross Lagoon Waste Water Treatment Plant Interceptor. This project funding covers fiscal years 2013, 2014, 2016, and 2017, and has an estimated budget of \$4,962,868.
- 2:19:58 Major Projects Funding Plan, Mangrove Wastewater Treatment Plant, intended use of the funding is to upgrade Phases 3, 4, 5, and 6 of the treatment plant. This project has an estimated budget of \$3,311,650. Anna's Retreat Collection System intended use of the funding is to rehabilitate and upgrade the sewer line and manholes. This project has an estimated budget of \$10,613,884.80. Small projects funding airport force main rehabilitation and relocation intended use of the funding is to rehabilitate the sewer line. This project has an estimated budget of \$800,000. The George Simmons Wastewater Treatment Plant, intended use of the funding to upgrade the facility. That project has an estimated budget of \$385,500. Brassview Wastewater Treatment Plant, intended use of the funding is to finalize the remaining upgrade to the treatment plant and the remaining project balance is \$121,556. Manhill sewer line replacement intent use of the funding is to replace and rehabilitate sewer lines.
- 2:21:05 This project has an estimated budget of \$400,000. Equipment purchase intent use of the funding is to purchase four generators for pump stations. The remaining project balance is \$176,743.07. The Southwest Interceptor project is 100% completed. Project remaining balance is \$91,178.80. And the final invoice of \$82,149.80 pending for contract approval. American Rescue Plan Act, President Biden's Rescue Plan through the VI Office of Management and Budget provided funding under Clean Water, Centralized Wastewater Collection and Conveyance in the amount of \$19 million. Waste Management has selected 17 wastewater projects.
- 2:21:54 These projects were chosen based on the essential need to keep the wastewater system operating. These projects will enable the authority to continue to provide necessary wastewater collection and treatment. Most of the projects are in the St. Thomas and St. John District due to the expected funds and infrastructure upgrade plan for St. Cora via Prudent Replacement. Delicited pump stations and treatment plants need the selected bare minimum repairs to maintain the authority's ability to serve the public daily. management is awaiting ARPA funding project approval from OMB, the Virginized Waste Management Authority proposed projects are Lagoon Street Pump Station Maintenance, LBJ Pump Station Maintenance, Fig Street Pump Station Maintenance, Herald G Wastewater Treatment Plant, Concordia Pump

Station Maintenance, Upper and Lower 2-2 Replacement, Mangrove Lagoon Portable Water Supply, Wastewater Machine Shop Equipment, Red Point Wastewater Treatment Plant Maintenance, Cancrime Pump Station Maintenance, Long Bay Pump Station Maintenance, Airport Pump Station Maintenance, Nodder Pump Station Maintenance, Pine Mouth Pump Station Maintenance, Small Pump Stations Maintenance, Cruise Bay Wastewater Treatment Plant Maintenance, St. John Wastewater Specialty Equipment. Wastewater User Fees. The authority has continue this 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. A Memorandum of Understanding has been drafted last month, July of 2022, between the Authority and the Lieutenant Governor's Office, delineating the responsibilities of both organizations. The Authority will provide a spreadsheet with pertinent taxpayers' information to the LGO so that the appropriate environmental user fee can be assessed against the property taxed of those users of the system for the upcoming tax year. We are also 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.

- 2:23:53 And also in an effort to generate additional revenue on the wastewater side, a wastewater septage disposal fee will be assessed to permitted septage waste haulers who deliver septage to the authorities' septage receiving facilities which is going to be similar to the tipping fees. Procurement Division. The Procurement and Property Division continues to make necessary updates to the Policies and Procedures Manual to ensure compliance with updated Federal requirements as multiple funding sources across various projects become available. Once finalized, these updates will be taken to the Board of Directors for approval and ratification.
- 2:24:28 It is the goal of the Procurement and Property Division to enforce the Authority's policies and procedures while assisting in meeting the needs of each Department, the goals of the Authority, and the large and very large community. The Procurement Division supports multiple areas to include addressing the needs for successful operations at the Bavonia and Anguilla Landfills, the Susanneburg Transfer Station, current and future convenience centers, administrative facilities, along with the bend sites across the territory. This support includes collaborating with the authorities of various departments in developing currently advertised and pending solicitations for work to be completed by the Solid Waste, Wastewater and Engineering Departments, among others.
- 2:25:04 The authority is currently advertising bids for hurricane repairs to Brassview Wastewater treatment plant on St. Thomas, George Simmons wastewater treatment plant replacement and collection facility repairs on St. John, and used oil collection and transportation territory-wide including Water Island to name a few. All solicitation packages that prospective vendors may wish to respond to or advertise on and can be downloaded via the waste management website at www.viwm.org under the Procurement and Property Division tab. In addition to improving the solicitation process of current and future projects, the Procurement and Property Division is working to address those contracts that have expired but where service continues to be rendered. A schedule has been developed to address the work associated with those contracts, more specifically the following, management and operations of the Bavonian and Gula Landfills, St. Thomas and St. Croix, operations of Peter West Convenience Center on St. Croix, collection Services, Curbside House to House, St. Thomas and St. Croix, and Roll-Off Services, St. Thomas and St. Croix. Preparation of these scopes of work are being finalized and solicitations will be advertised in October of 2022. New contracts will be established, reviewed for legal sufficiency, and are intended to go into effect by January 2023. Strict guidelines are also currently being formalized and established to prevent the recurrence of receiving services with an expired contract for any future work the authority may engage in. Finally, in addition to the above-mentioned services, the Procurement and Property Department continues to migrate all previous solicitations from 2012 through 2021 from paper documentation to our online SharePoint platform. This effort will allow for streamlined collection, review for auditing purposes, and prevent any loss of documentation in the event of a natural disaster. In addition, the authority is currently updating its existing procurement policy to ensure that solicitations are in line with applicable federal and local laws.
- 2:27:07 Environmental enforcement and compliance. In June of this year, the authority hired four new inspectors for the territory. Four new vehicles were purchased for these inspectors. A total of 15 applicants were interviewed in July for enforcement and inspector positions. We'll be hiring seven additional police officers and two additional inspectors in the next month. This will bring the total manpower to 16. Officers will be responsible for writing all police reports pertaining to the waste management. Bend site inspections and citations have increased dramatically.
- 2:27:43 50 citations have been issued to individuals territory-wide since February of 22. And over 300 waste hauler permits have been issued territory-wide, and all permitted waste haulers are up to date with their payments. Facilities. The lease at the St. Thomas Demerara location has expired and the authorities are operating on a month-to-month basis. This location sustained damages from Hurricane Irma Maria, and while our best efforts were made to clean up the property, there remains a mold issue in the trailers. Consequently, the authorities has diligently been looking for a new office space.

Thus far, we've been successful in entering into a lease agreement with Bavoni Business Center, LLC, more commonly known as the Lima Building, for a bay measuring 1,200 square feet and three 540 square foot office spaces. The property owners indicated that additional spaces will become available within the next 60 days, and we're interested in acquiring another bay and three more offices. This additional space will allow for the expansion of our workforce, the total monthly rent for the Lima building is significantly less than Demerara so the Authority will realize a monthly savings as well our facilities team is currently building out the Lima offices and we hope to have them completed by the end of the year we do not plan to stay at Lima for more than five years and in the interim we will be repairing the third floor of the Mangrove building and bringing the service a gas recovery building at the Bovoni landfill once these renovations have been accomplished the Authority will own our offices outright as we do on St. Croix Ideally, our long-term plan is to reconfigure the landfill by cleaning up the entrance so that we can have office spaces in a clean environment while shifting the area for the trash disposal and debris.

- 2:29:26 On the island of St. Croix, the authority plans to rehabilitate the second floor of the estate Glen building to provide additional space for current and future staff that would be needed to assist with the wastewater prudent replacement program. On the island of St. John, the mold-infested, dilapidated office at Susanneburg was replaced with three new container offices. This new efficient build-out includes two bathrooms, an office for the St. John Solid Waste Manager, one for the sanitation techs with built-in capacity to facilitate the collection of tipping fees, an office for the environmental enforcement inspectors, and one for rotating staff members working on St. John. IT projects.
- 2:30:08 The IT Division manages the Authority's network infrastructure while providing technical support to Divisions working on various projects. During the current fiscal year, the IT Division has conducted the following upgrades to the Authority's network infrastructure. Deployed three new servers to the Authority's cloud space. The servers are being used to house the Finance Division's accounting software and database. Expanded the Authority's WAN to the Angola landfill. This expansion has given the staff at Angola access to all the authorities' network resources and interoffice telephone service. Angola is in the final stage of this expansion. Install internet access to all the territory's pump stations.
- 2:30:49 This is allowed for the use of telemetry at the pump stations by our Wastewater Division. To assist the Solid Waste and Environmental Enforcement Division to combat illegal dumping, The IT Division has installed surveillance cameras to the following bend sites, Nazareth, Black Point, Cotton Valley, Brookman, Belongo, Monbeju, Carrot Bay, Gift Hill, Concordia, Cancrine, and Coral Bay. The Siloway staff at both landfills and the St. John Transfer Station received new hardware and software upgrades in preparation for the collection of tipping fees. and also to ensure operational efficiency, the IT division has begun installing GPS tracking in the authority's vehicles in coordination with fleet management software to ensure safe operation and regularly scheduled maintenance of all vehicles. Personnel. With the allowable funds, the authority intends to fulfill its mandate and expand upon and expound on its future goals to ensure there's adequate staffing levels to sustain public safety and health.
- 2:31:51 Using anticipated revenues, grants, and other sources, the organization will continue to recruit, train, develop, and retain a diverse workforce. The Waste Management Authority currently has 141 committed and diligent employees, with 79 in the St. Thomas-St. John District and 62 in the St. Croix District. Despite the pandemic, in fiscal year 22, we were able to hire an additional 33 employees and internally promote 10 employees. The authority's constant goal is to review job description, salaries, collective bargaining agreements, employee-governed policies, procedures, and training programs. Currently, we are in the middle of bargaining agreement discussions and hope to conclude before the beginning of the new fiscal year.
- 2:32:33 During the past year, numerous employee engagement activities have been executed to increase morale. At this time, I'd like to acknowledge the Employees of the Year for the St. Thomas-St. John District, Mr. Elvis George and the Employee of the Year for the St. Corp District, Mr. Dale Fergus. And again, wish them congratulations and thank them for service to the authority. Additionally, I would like to thank all the employees for their support and dedication to the authority's division. Their hard work makes me proud and actually makes my job a little easier. Health and safety.
- 2:33:03 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 operational emergency management roles and responsibilities. Safety committee meetings and all weekly staff safety meetings provide venues for employees and management to work collaboratively while providing solutions to health and safety concerns within the authority. 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 to protect employees and contractors while maintaining continuity of operations, the authority established an internal COVID team comprised of members from senior leadership, human resources, and health and safety divisions.

- 2:33:55 Together, decisions are made to address the ever-changing response to COVID-19 based on guidance from the VI Department of Health and the 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 sanitization of facilities. Waste Management and Biobot Analytics COVID-19 Detection Initiatives is continuing. In February 2021, Waste Management partnered with Biobot Analytics, a wastewater global leader in wastewater epidemiology, to track COVID-19's presence on a broader level in the territory in a non-invasive, anonymous way.
- 2:34:36 Biobot uses the data present in wastewater to learn valuable insights that shape the health of communities. Headquartered in Cambridge, Massachusetts, Biobot collaborates with governments and municipalities nationwide. Waste Management has been testing at five of our wastewater facilities weekly throughout the territory. We received weekly community reports which detail how the islands compare as far as detected caseload. Our work with Biobot serves as an additional tool to assist the Department of Health monitor the territory's progress in regards to the virus. Waste management regularly tests the wastewater that is treated by our facilities in compliance with our Territory Pollution Discharge Elimination System permit. The USVI was selected and participated in the U.S. Department of Health and Human Services National Disease Surveillance Program led by Biobot Analytics.
- 2:35:25 This 12-week program in May of 2021, where Health and Human Services collected and analyzed samples from 320 wastewater treatment plants covering 100 million people across 50 states and territories to gather data on the presence of COVID-19. Testing at our wastewater treatment plants is continuing on a weekly basis. Beginning early this fall, our collaboration with Biobot will include testing for the monkeypox virus. In all the territories, data from our last 18 months of testing can be found at www.biobot.io.
- 2:36:01 Key accomplishments. Hiring of key positions in the organization. We hired a chief financial officer, chief legal officer, and chief planning officer. We've assigned employees to high-demand bin sites, currently three St. Thomas sites, the Red Hook, Belongo, and Cancrine. So we've assigned employees to that as we transition from unmanned bin sites to convenience centers. Telemetry, pump stations. so I'm zero at all of our pump stations that's a highly automated communications process that sends notifications for potential non-compliance issues per consent decree that's been completed we enhance our pump stations by we added resiliency by purchasing pumps and making repairs to pump stations we've updated the wastewater operation and maintenance plan to include daily weekly monthly quarterly plans to maintain the wastewater system in compliance with the Clean Water Act and the TPDES permit. We purchased critical vehicles, both light duty and heavy duty to help support day-to-day operations and to support specialized collection and maintenance duties on both the solid waste and wastewater and solid waste and wastewater operations. The tipping fee was approved and we actually were able to implement that in January, 2022.
- 2:37:21 As I mentioned, Bobbot Wastewater Testing, collaborating with Department of Health continue providing COVID-19 data, and also we'll start testing for monkeypox in the fall. We have restructured and enhanced emergency management plans and processes to prepare the authority for any potential future catastrophic events. We implemented the following cost savings measures too. Utilizing the Russmar foam, which is an alternate daily cover instead of dirt, to assist with landfill airspacing for the control of dust, odors, and volatile organic compounds to safely address operational concerns at the Anguilla Landfill on St. Croix. That's about a \$100,000 a month savings. This often daily cover and the approved USDA Wildlife Mitigation Plan has allowed the authorities to place trash directly into the landfill's working face and to cease using the transfer station, which is another \$200,000 a month savings.
- 2:38:15 We've revisited security contracts for all waste management facilities, which is a \$10,000 a month savings. We've revisited the contract for Solid Ways Bend Site Collection on St. John. That resulted in \$75,000 a month savings from the previous contractor. In-house collections for St. Thomas Bend Sites, Thomasville, Nader, Belongo, and Brookman has resulted in approximately \$40,000 a month savings. In-house collections for the St. John Rear Loader Bend Sites has resulted in approximately \$25,000 a month savings. So the total of those overall savings is approximately \$5.4 million annually. As far as challenges, you know, while the authorities made great strides over the last year, some challenges remain, including, you know, we still have an aging facility and infrastructure. Waste management's wastewater infrastructure is over 50 years old, and most of the system has outlived its useful life.
- 2:39:11 Now FEMA's approved prudent replacement for St. Croix, and future approval for St. Thomas and St. John will address this eventually. Aging fleet and lack of equipment Insufficient budget appropriations to cover basic operational costs Waste management submitted a supplemental budget to OMB for an additional \$24 million per year Based on a thorough review of our solid waste and wastewater operations As I mentioned earlier, the true annual cost to operate the authority is approximately \$60 million dollars. In summary, while the myriad of challenges plaguing the authority continues to present day-to-day reactive measures and emergency situations, the goal of the authority and my team has been to always

move towards a more proactive maintenance-based methodology regarding operations. However, we must have the appropriate funding available to support this vision. The grants and other available funding sources we discuss will and have assisted with improvements, and we've taken the necessary steps towards the goal of self-sufficiency by charging silent waste fees, and a plan for proposed wastewater fees will be submitted to the PSE in this fiscal year so the Authority can continue creating additional revenue streams. I close by sincerely thanking the hardworking staff of the Waste Management Authority for their dedication and commitment to not only their day-to-day jobs, but in supporting the future vision of the Authority. I'd also like to thank the Brian Roach Administration and the members of the 34th Legislature for their support as we continue to address solid waste and wastewater issues.

2:40:43 This concludes my testimony and my team and I remain available to address any questions relative to this update. Thank you. Thank you for your testimony. Colleagues, we're going to go directly into a six-minute round. Welcome Senator Frankie Johnson. Welcome Senator Novel Francis. Senator Blyden, six minutes. you thank you mr chair good afternoon director merit and your supporting management team there with you and thank you so much for that most comprehensive testimony you spoke to the important role that waste management plays in our community and um basically folks not realizing how important of a role that the agency plays until unless there's sewage run on a street order it's garbage and that's a true um perspective of what we see around here but nonetheless um let me ask in respect to your budget you spoke to um basically onboarding 33 individuals within 23 um budget cycle and also you from you promoted 10 from within how much new positions do you have at the agency um in a 23 budget and how many vacancies do you have still left in a 23 budget let me let me defer to our our hr director ms callwood to answer that question hi hr director um you asked how many new in the budget i believe 23 but yeah it's 40 i believe and vacant positions about 71 total sorry 71 total 40 and that would be 29 30 okay um because based on our director magic merit um statement and you guys are a serious role to plan in his testimony mentioned over 100 million dollars in different um funding sources that's

2:42:49 going to help to basically upgrade the whole system from this from the sewage to the treatment plant to solid waste and um i i believe um that uh you guys have a lot to do in terms of fulfilling your roles but at the end of the day it will be um in the best interest of the territory as we move forward um in the future with a whole new system in place because of these hundreds of millions of dollars in federal grants and funds and um revenue that's coming in and that's a good thing and it's it's critical that you um you know utilize those funds appropriately and make sure we spend every penny let me ask so because also when it comes to um the waste management authority you spoke to um the hall of the contractors who usually do most of the work um and the the challenges you have in terms of um keeping up with the payments i know you spoke in your testimony to some 28 million dollars that's owed to the those um contractors and i know in looking at the post our report i saw 10 million for marco and 11 million dollars for um eight nine those are the two that stuck out to me um what is being done in the interim to see how you can assist those individuals um i know you spoke to also funds that the government on the on this body appropriated but what are we doing in terms of the relationship that communication with those individual yeah we we have continual excuse me we continue you know we continually talk to those contractors uh regarding their the outstanding uh amounts that are owed to them The \$14 million payment that I referenced in the testimony, that was a part of the payment to basically make them whole.

2:44:37 We spoke with each one of the contractors, determined what the amounts that were owed, and now we have that understanding. Now we're just trying to make sure we address that, and that's one of the reasons why I mentioned in the testimony that a \$28 million one-time appropriation will allow us to basically break even, pay those contractors, Marco and SD&C, A9, and other contractors, and then everybody would have been compensated for all the hard work they did for us from 2017 to 2022, during the hurricanes and after.

2:45:15 Okay, very well. In addition to that· Two minutes. Two minutes? Well, you just mentioned about a hurricane. There was another contractor from the St. Thomas, St. John District, mainly working at Susanna Borg. I know you have some issues. Have you resolved those issues with that contractor? So St. Clee, please. Yeah, those, I think I know which contract you're referring to, and I think it's the one that I think you're referring to. That's a pending legal matter, so we're trying to finalize that. Yes, it's still. So no movement?

2:45:46 I'm sorry, what? No movement on that? No, there's been movement. It's just that the discussions are ongoing. Hopefully, we'll come to a resolution here, hopefully, before the end of this year. Thank you for that. Also, you spoke to A&E Design for St. Cory. 30 minutes now that were awarded. And that's good news. Are there anything that works for the St. Timothy and John District also? So on Prudent Replacement, we've submitted information to FEMA to try and get basically the similar approval for St. Thomas and St. John, and that information has been submitted. Hopefully, we'll get some kind of approval before the end of this year, but we're expecting to get approval for prudent replacement, and somewhere along the lines of a little bit, we've got \$2.1 billion for St. Croix, so we're expecting something in that same neighborhood for St. Thomas and St. John. Most likely a little bit more.

- 2:46:48 Thank you for that. Thank you for that. And the EPA grants, I know you see some \$37.3 million, but you have a balance of \$32 million. When does those grants expire? And do you see the agency anticipates of using all those funds to assure that the intended purpose and use for those grants are administered? Yeah, we do not plan on leaving any money that any federal agency gives us. We don't plan on not spending it. We're definitely going to spend everything that we have because it's going to only help the authority move forward and help us with, you know, operations on both, like I said, the solid waste and the wastewater side.
- 2:47:26 My time is up. Oh, my God. Mr. Chair, can I conclude, please? The consent decree, and they have been in court many times. You've been working hard on that thing. You said anticipate 2027, and we're going to have a statement of \$3.5 million. i i let me ask quickly um in respect to that uh so you show you see us for sure coming out of that by 27. yeah so as far as the the wastewater consent decree that was entered into 20 and basically in 2000 well the consent decree was before um 2007 but operating those uh part as part of the consent decree operating those uh wastewater treatment plants began in 2007 20-year contract ends in 2027 um as i mentioned in our testimony we we already have identified some staff we're putting together a training program with veolia um so that we can get our get our track uh get our staff uh trained and get them up to speed you know because it's 2022 now 2027 even though it's five years from now that's going to come relatively quickly so trying to make sure we have our staff ready um so we're starting at five years before and you say you collected a million dollars out of today's date since january what's the anticipation by the um end of the fiscal year in tipping fees and that should be for me mr chair thank you so much thank you you may respond so by the end of the i mean we i'd say probably i mean we're right at uh so from january to now we're right at 971 000 so you know so on average it's about 100 125 000 a month so if you go if if you're saying end of fiscal year or end of calendar year, which calendar year. So, so August, September, October, November, December. So another 600 and another, what, 700,000? Sorry, another, another, another 625,000. Let me do my quick math. Another 625,000. So that would mean that in total for the year, if we're at 970 plus 625, Then you're talking right at roughly 1.6 for the year. Thank you.
- 2:49:43 Okay, thank you so much. Page 11 of 23, with a professional service contract listing. Are those numbers updated or they need to be updated? As I know you recently, after the work stoppage of St. Croix, some monies were paid. So are these updated numbers, or do they need to be updated? They're updated. Griffin? They're updated.
- 2:50:12 They're updated. Okay. I also want to put on the record that we did try to advance some \$15 million to the Waste Management Authority. The monies were included in the supplemental budget that was sent to Government House. It was not. The veto message said that we didn't have those monies in the septage account, the septage fee, it wasn't from that. We were increasing the waste management budget by that \$15 million to make those outstanding payment because we know that presently within this fiscal year budget we have way more than \$15 million and we could have been able to pay down these outstanding debt so that we don't owe these individuals from 2017. And shortly we will have a meeting where it will show that the monies are there and there's more than sufficient funding to pay that particular other waste haulers and also your solid waste, not solid waste, wastewater that we have owed for a number of years.
- 2:51:14 So I will be moving for override and a line item, and I hope that my colleagues support me in that endeavor so we can get this money straight. Senator DeGraf, you recognize. Senator DeGraf. Thank you. Thank you. Thank you, Mr. Chair. Good afternoon, colleagues. Good afternoon, testifiers. of you and listen and present director Merrick I'm looking at a post-auditors report from 23 and 24 I mean 23 and 22 you you lost six million dollars what is your final recommendation you come up from the from funding from from the post-additals report on page 14 of 23 it says uh total funding general fund and the other funds 36 million three hundred thousand that's that's your total because for the 22 budget the total was 42 million three hundred thousand so you lost six million dollars correct so thank you for thank you for mentioning that so the analytic beautification fund um is for is five million dollars and so right so we don't have that and then the saint john improvement fund was a million dollars so you are you are correct right six million dollars cheese and bread that's that that's a hard spot to even start to move any further from here um i also noticed with your vehicles you went from i think as on page eight of the post auditor's report you went from 200 something vehicles to 30 something vehicles no i think let me see if i got the numbers right how much vehicles you have now i don't know the exact number on page eight they had 67 vehicles 67 vehicles okay and i think you had um 90 something
- 2:53:18 how many vehicles did you have last fiscal year they were showing i'm trying to bring it up one time they're showing um 94 vehicles in the 22 budget they're showing 94 vehicles on the 23 budget they're showing 67 vehicles is that correct those numbers aren't exactly correct but what we did was last year we had a we auctioned some of the vehicles so you know you see the excellent very good good fair very poor we had a lot of vehicles that were very poor poor or very poor and very poor condition so we were able to auction some of those off and use some of the to purchase some additional vehicles that that's like a 30-year fleet gun yeah well actually third of the fleet wasn't even operational because they were in such poor condition well six million dollars gone a 30-year fleet gun the I think personal and fringe went from 10

million to 11 million I think a different 1.5 million I believe I believe it increase that increases for wage increases yeah well as it increased what we've we've as I mentioned in the testimony we hired additional staff there was there was some we had a last year we had an increase from our on our solid waste and our wastewater staff when working with and working with them and different I guess I can let wait you had a contractual agreement wage increase did you have that we're actually working you're working in it now yeah okay and you hired 10 people I think you say or promoted 10 people inside correct then you're going from 10 million to 11

2:55:12 million in personnel and fringe what you losing six million dollars that's that's that so I'm glad that you're bringing all that up so at the end when I said we've from a waste management standpoint and what we've done in-house to create you know additional savings and cost savings where we've we've internally been able to come up with about five million dollars in savings but by changing our changing operations I mean so we're the authority we're doing our part to try and figure out ways to continue providing our solid waste and wastewater collection services as most you know efficiently and effectively as possible but when we do have appropriations and they the numbers change that doesn't that definitely doesn't help us two minutes we are we are continuing to you know we have to provide these services we know that because it impacts the lives daily lives of our virgin islanders so we're doing our part we definitely any assistance that the legislature can provide to us to make sure that the the money appropriated for us is there so that we can actually continue are you up to date with grs payments i believe we're any outstanding yeah we're we're up to date on this yes okay so um and how much you generate in revenue to date current well if you add so we the tipping fees we just that was our our first major revenue generating thing so if you say we're going to get about 1.6 million dollars by the end of this year And I think the other, the permits and special waste disposal, the only thing that even accounts for like a couple hundred thousand dollars.

2:56:59 So even if you say it's \$400,000, we generate no more than \$2 million a year. Now the tipping fee is going to go up every year for the next four years. So that revenue is going to continue to increase. We're going to go to the, like I mentioned in the testimony, we're going to go to the wastewater side of the house now. All the septage haulers, they come into our facilities for free, kind of like what the trash haulers did with the landfills. So we're going to go to the PSC and do the very similar things, submit something to actually charge them a fee. So we'll get a wastewater fee.

2:57:35 But even if you say it's the same as the solid waste fee, let's say hypothetically, and we get another \$2 million, dollars we're still gonna be at four or five million dollars of a what what we really need you know I'm saying what we really need going forward so what what funds do you use to pay vendors or to pay waste haulers what what money do you use to pay those on a regular even if you have to pay them some what funds do you use so what we do is like all the whatever yeah so we so let's say we have the thirty six point three million right now all right we're gonna to use as much of that as we can to pay haulers. We have to pay staff. That's why I mentioned all that in the testimony because I think everyone needs to understand how even if we get the one-time appropriation, let's say you give us the appropriation, that's going to help us. We're going to have everyone paid. But then we're going to start the same cycle over again because we're underfunded. So we're at \$36 million and the true cost to operate the authority is \$60. By the end of this year, we're going to be right back where we started. that's why we need we need assistance i mean now and we're doing our part by making sure that we are looking at ways we can save money and do things differently and more effectively and that's why that's why i want to mention the five million dollars of of savings that we have literally you know looked at our internal operations have done now we're collecting revenue on the weight on the on the solid waste side we're going to go after revenue on the wastewater side we but we still still need this we still need help. Okay so in closing if I may Mr. Chair just to close you're in negotiation now what estimated among the monies are you looking at to have to pay out if you can estimate for wage increases that you will need added to the budget car again you'll have to do a supplemental anyhow so thank you for the time Mr. Chair to answer the chairs down please.

2:59:27 I'm not sure. Thank you, Senator DeGroff. You may answer. You're literally saying your cost of operating is \$60 million and you're only getting \$36 million? Yeah. Yeah, we can provide that. We have the numbers for the staff and everything, but we can provide that to you. So we're literally entering into all of these contracts knowing that we don't have the money to pay it? Not that we're entering into contracts with not knowing that we can pay, what we're saying is that- It's even worse. We don't have contracts for companies that are doing business, but we don't have the money to pay them.

3:00:15 Yeah, so over the last two years, of the last two fiscal years, and I submitted a supplemental budget to OMB. Excuse me. So initially, you know, our general fund allotment was \$25 million. So I submitted, so when I arrived here in August of 2020 for the submittal for \$21, I submitted the supplemental budget showing what the true costs were to operate the authority. I think that along with the legislative assistance, I think you guys helped increase the funding of the general fund from \$25 million to \$35 million.

- 3:00:55 And my thought was, well, hey, we're going to continue being more efficient operationally and seeing ways where we can save money, and then we're going to basically resubmit the supplemental budget again to show you, hey, look, here's our cost savings. So when I submitted that, I said we needed \$29 million, and we resubmitted it and said we really need, now we need \$24 million because we've saved some money, but we still need help. But then as Senator DeGraft just mentioned, then X amount of money was, it went from, It was going to be \$32.3 million, and then when we got the \$10 million appropriation, it was the \$10 million increase from the general fund from \$25 to \$35. If we had that along with our other St. John Capital Improvement and also the antilater beautification, we'd have been at \$42.3, along with my savings. So we were getting there, getting there, and then some things got, you know, for whatever reason, some appropriations weren't.
- 3:01:51 I will come back to that to have a discussion on the anti-later beautification, but some senators have to travel, so I'm going to allow them to speak. Senator Saro, you're recognized. Thank you, Mr. Chen. Good afternoon. Quickly, Mr. Director Merritt, the old post-added had you at one salary, and you have a salary increase. That was the board approved that? I'm sorry, what was your question?
- 3:02:18 Your salary. The board approved your salary increase? Yes. Okay. The post audit has a \$10,000 difference between two, the both. Yes. Okay. Legal counsel. So you've retained in-house legal counsel, correct? Correct. The old post audit had you paying legal counsel outside some roughly 10K retainer. Now that you have in-house, competent in-house legal counsel, do you still have a legal counsel and retainer for 10K? So we still have legal counsel. The amount has changed. what we're doing yeah but um i don't i don't see it in the new post study report we just hired well so the the we hired legal counsel in march and so it wouldn't have been in the okay so the outside legal counsel i don't know who that it wasn't listed um the the company but with outside legal counsel at 10k per month you still don't have contracts executed you still on this invoice system no no what we're doing so and i can i'll let our system we have a lot of questions yeah no problem i'll let our cfo answer part of this too where are we on contracts go ahead right now what what we're doing is actively um advertising for contracts and our plan is to have all our contracts uh in place by the end of the 2023 fiscal year let me talk to legal counsel can we we got timeline on contracts we cannot afford the current system we simply can't afford it so we can get some contracts executed yes they're all lined up they are lined up yes okay come back to harass you in six months exactly okay good now let's um let's move to these vehicles that you purchased i see a lot of new vehicles because it says no plate so clearly they're new um how many vehicles? I've seen a lot of Tacomas and what's not. What was the total you spent on the vehicles?
- 3:04:16 What's the amount? That ain't excellent. Time, my time, my time. Yeah. No, well, the post audit says it's 24 vehicles, but that includes all the vehicles. I'm not talking about the truck or any things that you need. the tacomas and everything else the jeep wranglers how many vehicles did you purchase to the tune of what i'd say to the tune of oh sorry i would say for both the wastewater side and the solid waste side we've purchased a to the tune of probably maybe five six hundred thousand dollars in vehicles okay so um did any good to enforcement i mean to your officers yeah Yeah, four wants to enforcement. You have three enforcement officers.
- 3:05:03 No, in my testimony, the environmental inspectors got four. The three officers have, they have vehicles. Have you seen their vehicles? One minute, please mention your name because we have a new recorder. Before you speak, just mention your name. Okay, sorry, Director Merritt. So the environmental inspectors got four new vehicles. We are also we are in the process of trying to purchase new vehicles for our enforcement officers Why did you not include that in the list of vehicles purchase can inspectors they have a site is citation?
- 3:05:37 No, they can't okay. Who gives your citations our officers? That's where you generate your revenue, right? Correct. So your revenue component of waste management should be equipped to do what you need to do So why weren't they included in that number? They're included in that number was what happened is and we're trying to get so the the enforcement vehicles, they'll be... Hold a second, Mr. Merritt, did the board approve these purchases? Yes. They did? Yes. Okay. Attractively or ahead of time? Ahead of time. I could let our CFO discuss that.
- 3:06:08 No, because you're giving me an answer about these vehicles and really you're wasting my time not to be, not to try to be adversarial, but, you know, you're giving me a long story about not providing the revenue component of your agency with vehicles. now let's let's go to um let's go let me hold a sec so I'm looking at your salaries right I'm a little bothered by your salaries if you see my sticky notes here um when I say bothered there's a big gap between the top leadership and the workmen and I asked you about this employee already director of special projects I see a whole promotion here and you I asked you for his credentials does that person have a degree yeah that yeah remember we had to discuss that person you told me that you're gonna give me the information you'd never give it okay I can get that information to you okay so could this person we move to special projects and strategic what special projects and strategic initiative what is what is that 400 and 100,000 682 yeah so so the The Waste Management Authority, you think about it

on the solid waste side and the wastewater side. Two minutes. We have a variety of things that we have to work on. Issues associated with our consent decrees on both sides.

- 3:07:29 Issues associated with facilities, I mean. Hold a second. Consent decrees more legal. Wouldn't that be your legal team? Yeah. I mean, so it's a combination. There's actually. You know what's my concern? We create positions for people. That's my concern. I don't know, on all these positions that you have and what you're outlining to me you have a whole facilities director you have um you have a chief administrative officer i don't know what that is you have all these positions at these high salaries and up to now i'm asking you what's the credentials for this employee because i really don't know when you see special projects and strategic something we really just create a position and i i because what you're outlining to me you already have listed positions for this let's move quickly i'm senior environmental enforcement director does that person have a degree somebody i'm sorry this is hr director erica colwood i'd have to review the file i can't tell you exactly i don't think that person has a degree environmental enforcement requires especially what you do you have a specialized you talk about asbestos in in sand and all of these things happening so that enforcement director has to have some knowledge or some if you don't have the degree to experience in something waste management like and that person is coming straight from the pd government how straight to you and then you this person is making a hundred k supervising three enforcement officers last fiscal year i had the same discussion with you you understand how that kills employee morale and then when you look through these vacancy listings you go to the grant administrator your grant administrators make far less and they are
- 3:09:19 managing millions of federal dollars coming to waste management and if your grants administrator does not do their job you lose your federal funding so we have to place some priority this personal listing is cause for concern and i honestly feel that we're just bumping up the top employees of waste management some are clearly not qualified for the positions and you kill employee morale when you do that you really do please take into consideration for the hundredth time my position and your salaries i'm not saying people not work their salaries but it's unfair for somebody to go to college come back managing millions of federal dollars and then you you have a chief enforcement officer making 100k with three employees and i created position of special projects. Really, Director Merritt? Time. Now, lastly, Mr. Chair, quickly, let's talk about your raises and then I'm going to go on. It's plain. Raises to waste water and solid waste. I knew you gave raises. How far back did you give your raises? My time has been cut. How far back did you give the raises? They went back to October, the fiscal year 2020. 2020? Yeah, October 2020. Okay, did you involve the union? Was this through OCB? No, we involved it. Yeah, we involved the union and OCB, yes. So everybody in wastewater and solid waste received raises? It was based on how many years they had been with the authority, and there was a criteria that was set that was agreed upon with the union and OCB. So are there still people that need to be made whole in this in this um category and message i think you could follow up i don't think the employees are waste
- 3:11:05 water and solid waste i think some receive funding their money is not all and i think that that's going to cause some issues within the union thank you for your marriage so there's a couple things i if the the the enforcement vehicles the reason why the uh vehicles for the enforcement officers weren't places because there's a there's a like there's a nationwide shortage on those vehicles so it was like a seven to nine month yeah to get them so we were actually in the process of getting we just can't get them because they got to be outfitted especially for officers wastewater wastewater yeah for okay wastewater for the the salaries that you're discussing when the agreement that we had in place or that we made with OCB and the union it was for it It depended on the years of service for the employee. And so now as we're going forward with this collective bargaining agreement and negotiations, now those employees along with the ones that hadn't been with the authority as long are all included in that going forward. And we're kind of slotting them and doing different things. That's what is currently happening right now. So everybody is being addressed. And then the other question about all of our staff. I mean, we've looked at. I mean, I've looked at all of our staff and making sure that everyone is compensated for what they're doing.
- 3:12:30 Still working with staff, I mean, that's an ongoing thing because obviously everyone does a lot of work, and so I want to make sure that they are compensated appropriately, fairly. So I'm still working on that and addressing that as we speak. Thank you. Do the other wastewater considered hazardous wastewater, the hazardous designation? The reason why I ask, those individuals are working in manholes, exposed to a lot of chemicals. I know the employees from years past, a number of those employees had a lot of health issues from the exposure on a regular basis. That was the biggest concern that I heard from the wastewater staff, that hazardous duty designation because of the exposure to chemicals, et cetera. Has there been any consideration or any discussion?
- 3:13:28 Hi, good afternoon again, HR Director. We have been discussing that with the union as well as with GRS, because GRS has to give the final nod to the designation to ensure that everybody is included by position. Now, GRS don't have to do anything. Well, in order for them to be paid as hazard duty. Hold on. Hold on. If it's designated that they are hazardous

duty employees, then the compensation to GRS changes for those employees, which would then be the responsibility of the employee and the employee side and the employer and the employer side, but GRS don't have to agree.

3:14:12 They just have to be compensated in terms of those years that those employees have worked. We've been in discussion with them in agreement. We wanted them to agree if the position is designated as hazardous, the amount, whether we're putting the 13 percent or whoever will pay 11.5, whether or not. One of the discussions we were having with the union is we were coming to an agreement on deciding which positions particularly would be included. And we had a meeting as recently as I think May or June of this year and we're waiting to hear back from them if they agree with us so we know what percentage we should be paying on behalf of the employees.

3:14:51 But if they are designated as hazardous duty, that would automatically mean they're going to get an increase, right? Yes. So I think that's step one. Step two is whether or not we have the ability to retroactively do anything, but step one is just to put them on the right scale, and I mean, they've looked at pay scale for those similar type positions across the nation, and anybody that are working in those type of conditions usually get more money. It's not easy to go down in those manholes with sewage all over the place, so I think the first step is to get them on the right pay scale, and from that point, they would have to be paying into the system at the 30%, but I'm not even speaking about a retroactive discussion now going back 10-15 years, just about getting them the pay that they deserve right now because of the job that they're doing.

3:15:40 One of the things we do, we do pay a hazard duty amount internally. We do give. What's that amount? \$1,500. And we're revisiting, I know Edie Merritt and I had a discussion about increasing that amount but we wanted to make sure we have clear the designation at in conjunction again with GRS make clear what percentage we would be paying yeah I've so and in some of my previous jobs the we had a hazard designation for let's say people working at the landfill and there was a certain amount that was an hourly amount that was put that was attached to their check and so I've been talking to our HR to figure out if we can do that I mean the \$1,500 a year amount is a little more than \$100 a month. So I said I want to look at different ways to compensate our employees because you're absolutely correct.

3:16:35 On both the landfills, on both the solid waste side and the wastewater side, this is not a glamorous job and they are put in dangerous situations. So I do want to make sure that they're compensated. I talk to our staff all the time about the fact that what we do is important to the territory, but also we want to make sure that our guys, the environment is such that it's hazardous. Okay. Your enforcement is did they receive their pay raises? The small enforcement division?

3:17:14 I'm sorry, I didn't understand the question. Enforcement. They also receive a pay increase? We're supposed to be in negotiation right now. One of the things we were looking at is they're part of the collective bargain agreement with all the regular staff and we're trying to see how we can do a bit of a separation so that they're compensated differently because of the nature of their job. Okay. Senator Cario.

3:17:47 Good afternoon. to waste management agency team and thank you for your testimony I saw here regards your testimony but the financial division in the last five months has completed the authorities 2018 2019 and 2020 audits any findings yes we did have some findings on the audits okay can you provide those audits through the chair to this committee definitely regards to the findings what director is of main concern and how many findings were identified for each each audit the the findings were about four to five findings I don't have the audit actually in front of me the the major concern on 45 for each year yes sir the the major The major concern on each audit was basically making sure that our procurement policy is in line with the federal dollars that we're receiving and that's basically the major concern in a nutshell is to update all of our policies and procedures to make sure that they're in line with the next step that waste management is taking in both funding and in services that we're providing because we're going from a \$35 million organization to a multi-billion dollar organization.

3:19:34 And what steps has the authority done to comply with some of these findings? What we've done is that we're updating both our procurement policy and all of the policies regarding our financial management of funds and also overseeing of the programs. All right, I see you plan to complete the 2021, so the 2021 and 22 audits have begun. The 2021 is going to begin in October, and we're going to start the 2022 as soon as when the fiscal year is over, probably by January, February.

3:20:15 Very well. With regards to also within the testimony that was shared, the director, executive director spoke about the construction of the new St. Croix Disposal Facility and the expansion of the pavoni landfill along with the pre-construction activities uh what's the status on that uh you have a timeline mr ios you want to chime in on the uh on the convenience centers yes we have we do have a timeline for the convenience centers The completion date is December, 2023.

3:21:17 December, okay. We've been working with VIHFA on those timelines on a weekly basis. So we're trying to adjust them a little bit just because of where we are. And that adjustment, you mean, probably would have a completion at a shorter

time period or? No, no, not in a shorter timeframe, just to make sure that we're on track with that deadline.

3:21:52 Got you. In regards to the United States Environmental Protection Agency, the Solid Waste Supplemental Grant, what's the status on that? that when was it awarded because i remember hearing about this grant two minutes last year miss owls i'll let you continue commenting sure it was awarded to dpnr in 2021 and we've been we have to um negotiate a moa between the authority and dpnr so that's um that's the next step in that for us to establish the moa and um get the funding for that so you mean you still don't have a moa with dpnr one one minute uh please your names before you answer that was just um wanta ielts please names before you answer yeah Juanita Isles yeah so we're in the final stages of working through that MOA how long you've been working with this MOA because you know I've been hearing about this grant now since I came into legislature and um and I can't believe we don't even have a MOA yes it's been a long time working with them especially on the work plan the um epa dpnr wants us to complete the work plan before we move on to the stage of the moa so we're we've been finalizing those details with epa and dpnr to get that work plan complete completed so what's the timeline by when you think the work plan will be completed and the moa will be completed

3:23:45 the time the timeline for that is in my notes here in the timeline it's september 2022 for that um the moa to be completed and then the work plan the work plan is is we sent the final work plan to um dpnr so that should be it was scheduled to be completed by the end of this month so they have to review that work plan and give us the final okay on that and uh so is that also the solid waste management program plan that um has to be developed through this grant?

3:24:33 Time. Time. Yes. I'm not sure. This is Director Merck. Yes. You're talking about the Integrated Sustainable Materials Management Program. That's part of this. The work plan that we have submitted to DPNR, it has a component of it that talks about the Sustainable Materials Management Plan. All right. Well, my time has been called. um i'll i'll chip in if i need to and anything else uh thank you mr chair thank you senator carry on senator fred gregory you recognize thank you mr chair and good afternoon to the waste management authority family you know, as I sit here and I listen to the conversation as it relates to waste management, it's frustrating. And I know that as legislators, we want to do everything that we can to ensure that vendors are paid and employees are paid. I wish to remind all of us that the Waste Management authority has a board the legislature created this entity and i have sat here for the past four years and the conversation around waste management has not changed um i will say that i want to i want to commend the director for um looking into the septage disposal fee so that'll be my first question and please don't be long-winded when do you intend to implement that assessment because it is a needed assessment just give me a quick timeline yeah i'd say in the next 30 to 60 days

3:26:38 we're working with the consultant thank you for that um um what are you collecting from um property property tax uh that's what we've been working with the lieutenant governor's office with the senate have you received any funding this year we have not and that's an issue so you know we continue to talk about giving when we don't have all of the information the lieutenant governor's office have a responsibility to transmit the sewer fees what is what are what do you project in sewer fees for fy 2022 what were your projections do you have that information i think as legislators we have to look at the entire picture and not at the emotional perspective around what's occurring with waste management authority what does um property tax owe you because that's important if we don't have that information in front of us the the the what we would in years past what we've received from the the government of virgin islands has been a million dollars but that's part of the reason why we're trying to work with the lieutenant governor's office which is insufficient right right and again i wish to remind all of us that the legislature created this authority now um i heard you made a reference i I can't remember what happened with the anti-Lytown beautification, but I know what happened with the million dollars for the St. John Capital Improvement. But I also want to remind us, because, you know, it's important when we put things on the record, we circle the entire perspective.

3:28:14 So when I came to this body in 2019, the budget for Waste Management Authority was \$25 million. The legislature increased that budget by \$10 million. It's now \$25 million. dollars so i mean we don't make money right we don't make money but we have a responsibility to figure out how to generate revenues and there is a board of um the waste management authority and that board has to take responsibility for this authority otherwise they're not truly deserving to serve on the board revenues have to be generated that's just part of the process so it sounds like there's a lot of slacking going on and the solution is to come before the legislature and say, give us \$28 million. So let's talk about the \$28 million. So is it that FEMA has said to you that the \$5 million, \$79,000 that's owed, that they're not going to pay it out to this government because you're asking for \$28 million?

3:29:22 No. Yes or no? No. Those are different fees. Right. So then why would you come before this body and ask for \$28 million? dollars we am we do not make money here and this is why we have to be careful as legislators um and let me ask this 23.3 million dollars that's owed by um from the local office funds are we giving money every year so what we do we sacrificing the vendors to take care of our vehicles i would feel a lot better if waste management came to the legislature

and said listen you're frozen i think okay go ahead um yeah i i i might think cut off a minute there so i am at a real loss as to what's really going on with waste management and how they're operating the operation is what's creating the issue with these waste halos and we can't continue to ignore that and say okay just get them the money no they have to be held accountable so let me ask this other question two minutes and as long as i've sat here um because i'm looking at the contracts some of these contracts expire since 2017 and you mean to tell me up to today these contracts and we don't have we don't have contracts in place to take care of these waste haulers in particular that i'm seeing in front of me and whoever else the those that deal with the water the treatment the wastewater treatment as well what is going on our job is not to continue to supplement this while we're seeing all this mismanagement it's unsatisfactory so help me to understand mr mary please please well from a property from a procurement standpoint we are in the process of updating um with putting out solicitations and then also updating existing contracts because i mean the plan is not to do obviously not to do that because we can't we can't operate in month-to-month

3:31:31 contracts so where we sacrificing always hollows for all our vendors overall but we're doing everything else was giving salary increases to top level management but sacrificing our waste haulers. And then we're supposed to have this emotional perspective about this whole thing when you come before the legislature. I'm not going to participate in that. It's wrong. There must be some accountability. So help me.

3:32:05 The waste haulers are on a month-to-month contract, and we're still paying them on those month-to-month contracts. It's just a matter of So why are you going on \$23 million from 2017 out of local funds? I'm sorry. How much of this \$23 million is tied to fiscal yet? This needs to be broken now. How much of this \$23 million is tied to FY2022, FY2021, FY20, FY, and all the way back? We need more information than what's presented here. this is not satisfactory we need to understand exactly what's going on with waste management authority okay we can something is a myth we can provide that information to you separately what's my time called yes there was and then there's another thing here that you have the solid waste fees right when you are talking about the solid waste fees you talk about becoming self-sufficient i've had discussions with you because we know that throughout the country throughout the nation throughout the world residents pay something for their um for their trash we've talked about it y'all never double back with me on this i see that you have something here talking about charging salary fees and you're going to um psc admirable admirable however when you responded you talked about a million and something dollars that's not sufficient we play we are playing mickey mouse we're playing sesame street this is a major multi-billion dollar industry are we having a million dollar conversation we're going to psc for an additional million one a million point seven how how does that does that align that's not what we're paying board members and chief executives like yourself for help me please thank you senator gregory you may respond yeah

3:34:01 this is director marriage management no what we what we were saying was with the psc we're going We're going to go ahead and meet with them and discuss fees associated on the commercial side for the wastewater haulers. So the initial thought process for the authority is that you have the businesses that are using the services. They're getting paid for a service, and then they're coming to the Waste Management Authority and not having to pay. So that's why we started off with the solid waste haulers, and so now we're on the wastewater side. That's the next phase. And then we will continue to to look at other avenues whether that's the you know the the billing of residents on both the solid waste and the wastewater side that's why we're working with the lieutenant governor's office as well to to start collecting the wastewater fees so we would that's part of the our our master plan but we had to obviously had to start somewhere so the start was the tipping fees initially so we're continuing that process now turn to page 13 of 23 of the post-outage report. Exhibit 8, Roman numeral 8. That amount is what we have outstanding, \$38,451,025.

3:35:22 This is not totally correct. It's less than that. Okay, they're saying a number of them has pending payment. So that was my next question. Those that have pending payment, we have sufficient funds to pay those? No, so part of the, when we asked about the one-time appropriation, this is part of that. there's some of the vendors in here like for instance the the uh vwna caribbean the 2.8 million dollars that's a that is a ongoing contract so that needs to be divided by so many months so that's not that shouldn't be that should not be included on here that's viola yeah okay yeah so we have we have a contract with them we pay them x amount every month but for some reason this got it got transcribed on here as if it's a balance that's doing it that's that's not correct On SDNC?

3:36:17 Yeah, the SDNC number is actually less than that, it's \$4 million. And SDNC is what, wastewater? Correct. So it's \$4 million because \$2 million was recently paid with the last... Yeah, we paid, yeah, so the number was, it actually was \$8 million, and we paid them \$4 million, so the outstanding balance is \$4 million. Okay, so I'm asking again, all of those that have pending payment? means that you have a mechanism in place as to how you're going to pay them? Yeah, well, the mechanism is going to be a lot of misappropriations and some of the fees.

- 3:36:59 Because you have the next sentence that says insufficient, which is A-9, Markle, SD and C. Those are insufficient and those are like 20, they said take off two, so about 24 million for those three companies yeah those yeah that these numbers are a little bit higher than they because we made some with the 14 million dollar payment there were some so these numbers that should be a little bit lower Senator Gittins you recognize we're looking at the numbers and I'm really trying to see how we can best be able to solve some of these issues because it's a lot of local vendors that are owed and they are owed for a long period of time so no matter how you turn it or twist it or do anything they're owed and at some point we have to find a mechanism to pay them and that is why I moved that particular legislation. Are there other issues? Yeah there are a lot of other issues and a lot of other issues that need to be solved but this is in front of us and I would regret the day that our wastewater or solid waste vendors say they're not going to work And we saw that on St. Croix. And we saw an accumulation of garbage within a day and a half. The garbage dumps are deplorable. So we're playing with fire.
- 3:38:25 And on the AO, you might not want to support the monies that were set aside based on the fact that we know we have access in this budget. In this FY22 budget, because the departments have not filled vacancies, they've not spent the monies, that we know that this is a unique opportunity to be able to pay down some of those outstanding balances. Do we know that waste management need changes? Yeah they do. And one of the first you got to, the whole conversation with employees, you just got to deal with it. You just got to deal with the conversation in reference to hazardous pay and raises and how much vacancies we're going to to fill because maybe you don't need to fill 70 maybe you need to make everybody in fill 40 and be able to to deal with with the employees who are owed outstanding monies but you also have to deal with the skill set for the jobs certain jobs just come with a certain skill set I mean whatever we could twist it do whatever we want but it comes with a certain skill set it comes with at times applicable degrees in a particular area or or job experience and you really destroy morale when that happens and it has happened throughout all over government but you gotta to the best best way possible you have to deal with that you have to deal with whether or not all of your supervisory staff have the requisite skill set or the experience that they should be in that position if they don't but then someplace else I'm not saying to terminate anybody but put them someplace else so that you could be able to move that authority without a bunch of disgruntled employees. As I'm sure all the senators are getting some type of text in reference to P or in reference to something else that the that the staff has as a concern. Senator Gittins.
- 3:40:25 Thank you, Mr. Chair, and good afternoon to all. Mr. Executive Director, as we know, the Virgin Islands Waste Management Authority was created under, I think, Title 29 of the Virgin Islands Code, Section 496. And you stated in your testimony clearly that the Waste Management Authority takes its mandate to protect public health and preserve the environment of the U.S. Virgin Islands, among other things, very seriously. And back in June, I did make a call to your office with regards to a matter over in the Lorraine Village area regarding some trash that were piled up there that were creating a serious public health issue, uh issue which was a concern to me as well uh neither here or there i mean it's cleaned up now but i didn't even get a respond back uh regarding that matter but what i wanted to ask you is um does your agency issue uh cease and desist orders uh in reference specifically in reference to any public health issue or or environmental uh has
- 3:42:16 that issue well since i've been with the authority we we have not issued we have not issues with cease and desist you have uh legal counsel on board yes yes we do uh who is your legal counsel Senator Florence Kahugou, Legal Counsel. Say your name again, please. Florence Kahugou. How long have you been with the authority? Since March 2022.
- 3:42:48 2022, so you just came on board. Correct, Senator. Have you seen any documentation where the authority have issued any cease and desist orders? Not yet, Senator, but I know we've had conversations. I am sure that you have the full authority to issue those within the realm of your authority with regards to what you are able to do under the establishment of the authority.
- 3:43:25 Precisely. Now, I am asking this because, again, particularly here in the Island District of St. Croix, you know, I guess I have to call it what it is. We have some hoarders in the community. The people actually go to the dump site, pick up trash, and take it to their residential area. I've been calling Waste Management, Department of Health, Public Works, everybody in government, and then took it to the Lord in prayer. But we need some assistance, and particularly in the La Grange area of Frederickstead, there's an individual that goes to the dump on a daily basis, multiple times, picking up trash from the dump site and bringing it into the La Grange area and putting it down on property that's not even his.
- 3:44:39 And I'm saying, whether it's waste management, whether it's Department of Health or whomever, I expect that when people reach out to the various government agencies that you all put your heads together and address the matter. But this is a serious public health issue that needs addressing. The last entity that I spoke with was the Department of Health who stated that they will issue the cease and desist order. But after this hearing, I will be calling you to ensure that there's some type of coordination between the agencies because really and truly the residents don't want any more excuses after

this and I have personally witnessed it time and time again can you tell me how you can assist yeah I say that we we would will work with the Department of Health and DPNR we can actually go out to the to this location and I have one of our enforcement We can issue a citation or a fine, but as far as if it's, let's say something happens at a bin site, then obviously it's waste of management.

3:45:54 But if it happens on someone's personal property, we don't have the authority from an agency standpoint to do something. But we can assist and we can actually do a citation based off of the fact that you have illegal waste dumped somewhere outside of where it's supposed to be collected and disposed of. And I appreciate your response. However, the items are being taken from your bin site Okay, so then that means that they're scavenging which is also a Violation so if then what we can do is we can we have the the cameras that are been sites We can we can if we have a time period or time frame when that person came to Remove stuff from the bin site, then we can actually best another violation as well So, yeah, I definitely, you know, we can have another conversation and let's kind of move forward with us and other agencies and try to make sure we resolve this.

3:46:51 We will because I will not stop until I see that truck stop going there, picking up those trash and keep going in and out that residential area. Now, I'll close with asking, I've seen your enforcement officers working on a daily basis, nightly basis. alongside the Virgin Islands Police Department, et cetera, during the COVID pandemic. Have the Waste Management Authorities submitted all required documentations to the Office of Management and Budget so that your officers can get their premium pay? I believe so, but I will go back and check on that just to confirm.

3:47:37 All right. Through the chair, if you could give it to them. And I'm looking at your statement that every report that we read placing us at the top of the tourism industry could not happen if the people of the Waste Management Authority were not there to keep paradise clean and sanitary. After every carnival and festival event that we celebrate as a community, Virgin Islands Waste Management Authority is there to clean up the environment. As our motto states, we are proud to preserve paradise. We need to be standing up for our employees as well to ensure that they get what is due to them.

3:48:19 Thank you, and I'm looking forward to that information as to whether or not that information was submitted for them. Okay, and this is Director Merritt. And let me make sure I apologize for this. So the Lorraine community, we actually, as soon as we, as soon as I spoke with you, I worked with our staff to go ahead and set up something and clean it up. We put out a press release, but I did not call you back to let you know, so I apologize for that. But we were, as soon as you brought it up, we went out there and worked with the community to go ahead and make the cleanup. And literally, I thought you got the communication, and I just didn't follow up, so my apologies. I appreciate you. I know it was cleanup because I went back and did a follow-up, but I didn't know who was doing what. All I was concerned about is that it be cleaned. But when I sit down and I pen a letter to anyone and see a copy or something, I just expect to get back out of respect, get a response back as to what action was taken.

3:49:19 Yeah, my apologies for that. I'm sorry. Thank you. Thank you, Mr. Chair. Thank you, Senator Gittins, Senator Johnson. Good afternoon, Mr. Chair. Thank you very much. Good afternoon to my colleagues. Good afternoon to the testifiers. Good afternoon to the viewing and listening audience. I sit here and I can definitely see a part of the rubber hitting the pavement. and you're going to get a lot of blows because at the end of the day it's your responsibility. But until we get serious and understand that people's garbage cannot continuously be picking up for free, you're going to have that problem. And we have to face it dead straight on. That's where the problem lies. You cannot pay out what you're not making you will continue coming to us for money to pay out and we must find that comfortable ground where all residents are going to pay for their trash it just cannot continue it is what it is and sometimes i don't mean a politician that is sitting here. Politicians don't want to tell people exactly what it is. But this is what it is.

3:50:50 We cannot continue operating like this and get a good ending. It's not going to happen. I was listening to you and you were speaking about your saddle waste collectors, where they're going to pay, but they're going to only be paying for the private sector that they're picking up from. is it fair to say that let's say if a private hall have a contractual agreement with a particular gated community those are the ones that are going to start paying this is direct to mary so those so they're they're yeah they're they're paying so they're if they're picking up from a resident yeah if they if they have customers that they pick up trash then when they come to the landfill then they pay a tipping fee because they're they're making money from the collection of those different separate entities.

3:51:39 So when they holler pick up from my house, I don't pay. You have to find money to pay them. Because you can't charge them for picking up mines because I don't pay. It is what it is, direct. Level with me. I'm not here for games. I didn't come in here for games. No, it's not games. I think that, so the definition of a tipping fee is that it's helping the landfill. You need to collect a fee to help the landfill operate, pay for salaries and staff. When the landfill closes, there's a 30-year closure, post-closure care period. So part of that money goes away until I can save them. I kind of use that to help pay for any environmental issues related to the landfill at some point.

- 3:52:29 So in essence, any trash that comes into the landfill there should be a fee associated with it. And you're not getting from the majority of the people in the territory. Correct. End of the story. I want to ask you a question about your cameras. What's the cost for all your cameras, and are you satisfied with what you're getting from these cameras? I think the cost for the cameras on Phase 1 to Phase 2 is roughly about maybe four to five hundred thousand we we are and and so what we've seen is that we have we happen to tweet the angles of the camera a little bit because they're some of them are not picking up the the licenses correctly so we've been working with the the provider to make those modifications but as I mentioned here on in my testimony there's been a significant increase in citations and part that's partly um it's partly due to the fact that we had the cameras and the cameras have actually been i i think people realize that there's cameras now and so i think that's making making making people more cognizant of the fact that they have to do the right thing i saw where you said 50 citation and i i still think that's a small number two minutes i think that's a small number because when you look at the the land the let's go to Cancadia, and you could even use Mumbiju. You could clean all the tires up today, and tomorrow the pile is back to the size. And I don't believe that it's individual dropping those tires there because the number of tires that come up, and that's why I'm asking about your cameras because if your cameras are walking right, you might be short with the amount of manpower you need, but you should be able to utilize those cameras for knocking citation, for catching people.
- 3:54:25 And if it's not doing that, we need to upgrade that because you're not going to have manpower on the ground every day. But those eyes in the sky have to be efficient. What you spend on them, they have to work because that's the only way we're going to slow this down, at least on your site. It might end up in other areas. And in speaking with my colleague, I have some amendment for that tire bill because we're going to have to stop the tiresome from leaving the shop because they're not reaching back to folks home as they say they're going to do and do a planter they're ending up right in the dump site and me and my colleague had some discussion on that that we have to make some amendment to it so that these tires don't reach back on the spot um you have a task ahead of you it's a task that can be done but that resource has to come in and we have to find a way where we start having every individual pay for the trash. We cannot continue.
- 3:55:27 Okay, so this is Director Merritt. I agree with everything you just said. I think one thing I want to add, the cameras. So we're increasing our environment enforcement staff. And so we've hired inspectors. We have some more inspectors that are going to come online. So part of what we're doing now is, from a coordination standpoint, we're saying that we want to have one of the inspectors look at the cameras we're putting together a protocol to say let's look at the camera look at the footage go back because you're right everyone you can't be out there every day but if we got we have this camera footage let's look at it so for instance i was out at uh concordia picking up trash about a month ago and we were out there i noticed you know people coming in and i would walk up to the you know drive up and i say hey you're putting the refrigerator out i'm like hey you can't do that we got cameras sitting here i'm just telling you you gotta take that to the landfill and you know for the most part everybody said okay why you know sorry about that i didn't know i saw tires somebody had a tire he tried to pull the tire out and i said you know you can't do that he said what about this big pile of tires and i said well we have a camera here and we're going to go back and look at the last time we were out here and that that that uh pile wasn't that high we're going to go back we're going to figure out who brought all those tires so if you want to be included in that uh be my guest but he took his tire and went to the landfill so we're we're so you're right we're going to use the cameras to help determine who's actually accounting for that because there's no way that you have two tires here today and then all of a sudden there's 75 tires the next day so we know that it's that it has to be a business mr chair if i may just follow up on this do your your staff had have access to the cameras to view them randomly or you have have to go to the the contractor so we're getting out no so we're getting all of our so our IT department has the the cameras we can view it he's given access to the enforcement department
- 3:57:20 so now they're just putting the protocol the plan in place to say okay well this today part of you okay so this week part of your duty is one day Monday uh environmental inspector uh a this is you're going to do look at the cameras on Monday environmental inspector B you're going to look at them on Tuesday and then so we're gonna have a process and a plan to go through so we're so so that way we can like you said we can utilize the cameras as additional personnel to a certain extent because we can't be out there every day thank you very much mr. chair I have so many more questions but this this this thing about garbage being collected for free we can't continue I I know I'm gonna get blows written I'm not scared about that we just can't continue like this we really can thank you very much mr. chair thank you so much senator Johnson senator Francis you're recognized thank you very much mr. chair good afternoon to you my colleagues good afternoon to the people of Virginia and of course good afternoon to the waste management family director Merritt are you doing man this is director Merritt man I'm I'm here working every day you here yeah got left on your plate so recognizing that it takes 60 million dollars to run your agency and your budget is only 36 million dollars and your revenues is what like two million dollars how do you feel about that that's why i made a point to mention it in the in the testimony so everyone understands the situation that we're in as much as we're okay so I will say this in waste management we're

doing our part in looking at our cost internally to figure out you know so like I mentioned for st. Thomas we looked at some of the bin sites and said hey our guys can pick those up we looked at over over here in st. Croix we can we can do one of the bin sites I mean so we're

3:59:18 looking and figure out ways that we can save money because I don't want to you necessarily come to the legislature and say hey we need 60 million dollars and i have done nothing to contribute to helping us save money and you know therefore create money or create revenue in certain to a certain extent so so you know so as i'm talking to you about it i'm saying hey this is what we're doing too in order to help help save money but we but we need help but this is a recipe for failure though the reality of it this is a recipe for failure i mean you're down 24 million dollars and still we're not even talking about turning a profit you're simply talking about breaking even it requires you to at least get 60 million dollars so that's that's that's rather difficult um to do so i'm not sure how much this body can be able to assist you because obviously um you know again you're going to have to um implore this community to do their part and and to really you know um speak to the truth speak the truth about what it requires to run the virginal's waste management how was the morale of your staff at this time uh this is director mary you know over the last two years we've worked with staff we mentioned earlier on the solid waste side and the wastewater side we did salary increases and they were retroactively back to october 2020. i think um and i've made a point to talk to our staff um and i and when i say staff i'm saying our guys out in the field because I'm you know, I know what they do. It's a thankless job and if the authority if we're not Making sure that they feel appreciated and you know appreciation is not just a thank you. It's also Monetary appreciation, so that's why we made sure that we entered into these agreements prior to the agreement

4:01:06 To the discussions with the union the collective bargaining agreement so that when we got to that point Which is we're at now they were going to be a higher salary So then as we work under the CBA, then that'd even be slotted in at a higher salary. So that was something that we voluntarily did. The union didn't make us do. No one made us do that. That was something that we wanted to do to make sure our employees understood, you know, that we understand that they need to be compensated. And so we wanted to · that was something that we did going forward without the union.

4:01:36 I also saw that you got a small bump in your salary. Did that come with any deliverables? Are you required by the board to do anything in additional in order to earn that bump? Yes, it came with deliverables. It came with things. Can you just mention two or three of those deliverables? As far as revenue, go ahead and start coming up with actionable revenue items, so that obviously the tipping fee, being able to address issues associated with the consent decrees, working with our federal partners, with the Department of Justice and the EPA, making sure we have good relationships as we continue to address things with the consent decree, coming up with other cost savings initiatives, and I mentioned the period of the last year, the \$5.4 million. Two minutes. Looking at other things to help from an operational standpoint on the landfills. So I use that Russmar foam, and it's actually saving us money, one, but two, it's also putting us in a much better situation with the consent decree, also with the faa and the airport um looking at internal costs how to save money so so it had a variety of things and in your um well let's talk about wapa you still owe up some money what's what's the how much what money voice management owes to wapa and what are you doing to pay down on that amount yeah we owe up approximately maybe three million dollars we're working with uh we we had had a meeting with WAPA several months ago prior to the new their their new chief executive saying that we need to to discuss waste management and WAPA and there's things that you know from a from a collaborative standpoint you know there's some things that we do for WAPA that so anyway so we talked to them about how we can assist each other, then how that assistance turns into monetary incentives for both agencies. So we're having ongoing discussions with them because I think there's some synergies in place. And so in theory, in essence, they bill us every month and we don't bill them.

4:03:51 And so we said that is a system, when we're talking about creating revenue for the authority, Does that become a wash or there's still a balance outside of that? No, so the balance is about \$3 million. Did you submit that as one of your proposals that's needed in terms of your funding in this budget? Did you ask for that \$3 million? No, we didn't. Actually, when I said the additional money, I didn't even include that because that's utilities. So that wasn't even the operational portion.

4:04:26 And that was just something that · So you have the funding to pay that? No. Time. It's in the · you know what, everything that we do, you know, I think Senator Graff mentioned it, that the initial budget was increased from · you know, you guys helped us increase the general fund from \$25 million to \$35 million. If you added that along with the other appropriations we were going to get, it would have changed us from \$32.3 million to \$42.3 million.

4:05:00 The way we get our allotments, we pay everything based off of we get our allotment from the general fund, and then when we got analytical beautification and the other ones, we got those once a quarter. So then we would use that money just to pay our bills down every month. So hopefully that answers your question. I just got two more quick questions to wrap up. President. Okay. On page 13 of 23, again, I know that the chair had questioned you in regards to that where there was some pending payment versus insufficient fund. But in this amount, there are some low-hanging fruits. There

are some numbers that's really extremely low here. In some instances, under \$20,000, under \$100,000. And what are you doing to at least address those low-hanging fruits and get them off of your register? Well, I mean, as I mentioned to the chair, this isn't totally accurate. So some of these, the smaller amounts, those are just a monthly amount.

4:06:02 And somehow some of the monthly amounts got put in here as if they were outstanding debts that we weren't paying. So to your point, if we owe someone \$20,000, if we can't afford to pay somebody \$20,000, then we're in way more trouble than. And that's what I'm thinking as well. So maybe you need to send in a, I guess. Yeah, we have, this has to be updated. But what we're doing, yeah, we'll make sure we send an updated version of this to post audit so they have an actual reflecting of, a true reflection of what's owed. But we, the smaller amounts, these \$5 or \$10 million amounts, we pay those on a monthly basis.

4:06:39 And my last final question, because my time is up, is in respect to the sewage in the Christian Set Town area. I know that there was some some backup occurring and that has been happening for quite some time Have waste management been able to address that on the backup sewage? That's happening in the Christian state town here. Yeah, Jeff I mean, I can I just I can say this that we've had our one of our contractors one of our our trusted contractors Marco St. Croix came out and did some stuff in the King Christian area And he's also doing some some work that we mentioned earlier as far as some of the some of the major funding there were that we have He's working on a project that's going to hopefully alleviate all that. But there was a temporary fix that we did about maybe three weeks ago, four weeks ago, and that helped.

4:07:27 And now the overall project that he's doing is going to actually fix everything. Jeff, if you want to. So that will pave the way for the road construction to be done? Because that's what I really want to get to, the road construction. But I figured that the sewage was the impediment to that. So that now will pave the way for you to be able to do the road construction. and the christian set down yes it should jeff jeff i don't want to steal your your thunder if you want to comment too good good good afternoon jeff watson engineering manager yes uh specifically in christian stead we do have a notice to proceed by a contractor to do that work as As Director Merritt mentioned, we did some preliminary fixes in the, by the Comanche Hotel recently, and also by King Christian Hotel.

4:08:28 But a notice to proceed was issued to a contractor, and a pre-construction meeting has not been held yet, yet we're waiting on a schedule from from the contractor who needs to get his materials uh on site uh materials are going to be getting materials on site is going to be a challenge we've got we've got over uh 30 000 feet of eight inch pipe to be ordered for that christian stead job but we are um on schedule to have that job started to be able to coordinate with department of public works and other agencies of course based management we've got to get in there first put our sewer lines in and uh have the other agencies coordinate accordingly yeah and then let me this director to let me just just also add that so so to his point we've been working with dpw with uh wapa we're trying to make sure that we are when we get when we go in there and do work that it's it's a one time and everybody so we're trying to make sure we coordinate with all the other utilities and thank you so much so this is starting when was it started yeah just this work started what about 30 30 days ago 45 days ago oh yeah about that but this is jeff watson again um the notice to proceed was issued however the pre-construction meeting has not been held yet and the reason for that is that we've got to develop a schedule and that schedule is going to be dependent on random when the contractor expects materials so i'm expecting to have uh input from the contractor uh within a within a couple of weeks so we can have that pre-construction meeting and uh uh very very shortly yeah mr watson you need to speed that up okay it's only been about four years the back of christians that have been in a state of disrepair so try to speed up the meeting with a contractor so we could get this project going it's been a long long time senator gittins you you have a point? Thank you, Mr. Chair. Mr. Executive Director Merritt, are you aware,

4:10:58 I mean, are you familiar with the Wilfred, Wilfredo Pedro housing community, also known as Wimgarden? This is Director Merritt, yes. You have a project or had a project in that specific area? Jeff, would you like to comment? I know we did some work in that area recently. Who's online there to comment on that? wilford pedro i'm sorry i wanted to get that name correctly wilford pedro housing community no i said i'm i'm not i'm not up to date on that particular project all right i'm gonna be short uh executive director what i would like is for you to personally take a look at that project the road was uh dug up i think you've completed um the replacement of those uh pipes in that area however the road is left in total bad shape that's a senior uh community uh area and if the ambulance has to go in there for anyone God forbid, they won't be able to start an IV line coming out of there with a patient in the back of that ambulance.

4:12:29 So I'm asking you to take a look at that because whenever you, WAPA, or whomever dig up the road, the law is that you fix the road back as you met it or in better condition. Okay, this is Director Merritt. So I remember there was some work that we did out there here recently, But there were some odor issues out there, and we put some odor control out there. But I will have our engineer go out there, take a look at the roads, and then we'll contact the contractor and make sure we

make any repairs to the work that we did.

4:13:08 Please, because we had the Virgin Islands Housing Authority here yesterday, and they said that they have made the pleas. so I'm asking you to personally take a look at that and ensure that those seniors can get in and out of there smoothly and safely before there's an emergency. Okay thank you Senator Gittins. Quick point of inquiry Senator Johnson and now we're gonna close out. Thank you very much Mr. Chair. On page 28 you spoke about in-house collection and you spoke about St. Thomas and St. John. You're saying in this you have trucks on those on both islands that doing in-house collection this is director Murray yes we do no trucks on the island of St. Croix we do so we're doing so we have roll-off trucks on St. Croix we don't have any rear loader trucks so bin site collection we're doing in in-house bin site collection at Cotton Valley the contractors are doing Concordia in Mambeju. And as far as the in-house collection on St. Croix, it's contractors.

4:14:20 Thank you very much. Thank you very much, Mr. G. Thank you so much, Senator Johnson. Director, I'm going to give you an opportunity to put a closing statement on the record, but I just want you to remember to deal with those employee issues. We have a lot of work to do. We should be able to move this management forward but it has to begin with making sure that the employees are taken care of and that they feel that they're being dealt with fairly and I think if you do that we'll be able to move forward reanalyze all of the positions positions should have certain job specification as to what type of background you should have for that particular position if we don't put that in place and I'm not going to have a master's degree on your somebody with a high school diploma you put them over me and they don't even have any experience in that particular area. If they have 25, 30-year experience, then you might say, you know, they're very experienced so they have that ability to supervise a particular section, but if not, all you're doing is creating animosity and once the animosity build up, it's very, very hard to get rid of it, you know. So re-evaluate some of the stuff that you're doing, but I'll allow you to put a closing statement on the record and we'll continue to support the Waste Management Authority.

4:15:40 Okay. Well, this is Director Merritt again. I would like to thank the legislature for the opportunity to speak on behalf of Waste Management. I'd like to thank all of our staff. We have a very dedicated staff that go above and beyond to make sure that we provide solid waste and wastewater collection and disposal services here in the Territory. As I mentioned in my testimony earlier, I think that we are one of the most important and critical agencies in the territory. And I would just like to say that, like I said, I would let our staff know that we appreciate all their efforts and all their hard work and, you know, as we mentioned from a funding standpoint you know getting 36 million and the true operational cost is a 60 million any assistance that the legislature can provide to help narrow that gap would be appreciated we are continuing to look in-house at ways that we can continue to save money whether that's through in-house collection or different operations on the on both the solid waste and wastewater side so we're continuing to do that as well so so thank you for the opportunity to talk today thank you so much director this concludes the finance hearing for today the committee of finance is hereby adjourn 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, DeGraft, DeGroff, Graff
7x	Senator Kenneth L. Gittens heard in this transcript as: Gettins, Gitins, Gittens, Gittins
5x	Senator Franklin D. Johnson heard in this transcript as: Frankie Johnson, Johnson
4x	Senator Janelle K. Saro heard in this transcript as: Saro
4x	Senator Marvin Blyden heard in this transcript as: Blyden
3x	Governor Albert Bryan Jr heard in this transcript as: Bryan

- 3x **Senator Carla Joseph**
the surname alone also matches: Clifford Joseph; Karla J. Joseph
heard in this transcript as: Joseph
- 3x **Commissioner Carolyn P. Herman Purcell**
- 3x **Senator Fred Gregory**
the surname alone also matches: Donna A. Frett-Gregory; Donna Frett-Gregory
- 3x **Senator Samuel Carrion**
heard in this transcript as: Carrion, Carriong
- 2x **Commissioner Herman Purcell**
- 2x **Senator Kurt Veilley**
heard in this transcript as: Veilley
- 2x **Senator Kurt Vialet**
heard in this transcript as: Kurt Ville
- 2x **Senator Kurt Viola**
- 2x **Senator Novelle Francis**
heard in this transcript as: Novel Francis
- 1x **Governor Juan F. Louis Hospital**
heard in this transcript as: Juan F. Luis Hospital

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.

- Bill 34-0224** Act 8577 · April 7, 2022 · An Act amending the Virgin Islands Code, title 32, chapters 11 and 21, relating to video lottery at the horse racetrack in St. Thomas; amending title 29, chapter 3, relating to the zoning for video lottery at the horse racetrack in St. Thomas; and providing for the ratification of the Second Amended Agreement to the Video Lottery Services Agreement and the Development Agreement Regarding the Clinton E. Phipps Racetrack by and between the Government of the Virgin Islands and Southland Gaming of the Virgin Islands, Inc., and for other related purposes --0
- Act 7643** Act 7643 · An Act amending Virgin Islands Code, title 3. chapter 27. section 723 and chapter 28, section 770b providing retirees an option of receiving paper annuity check stubs or check stubs in digital format, and chapter 25 relating to Government's direct payment of health insurance premiums; title 32, chapter 21, section 514 abolishing the Casino Control Revolving Fund· and establishing a special checking account; title 12, chapter 2 relating to recreational fishing. prohibiting moratoriums on commercial fishing licenses, and chapter 23, section 1143 relating to the definition of net metering; title 18. chapter ! providing for early voting; title 20, chapter 38, section 425 relating to the use of t
- Act 8184** Act 8184 · June 25, 2019 · An Act amending title 11, chapter 21, section 1213 of the Virgin Islands Code to increase the tradename renewal fee, and providing for other matters =i0=
- Act 8577** Act 8577 · April 7, 2022 · An Act amending the Virgin Islands Code, title 32, chapters 11 and 21, relating to video lottery at the horse racetrack in St. Thomas; amending title 29, chapter 3, relating to the zoning for video lottery at the horse racetrack in St. Thomas; and providing for the ratification of the Second Amended Agreement to the Video Lottery Services Agreement and the Development Agreement Regarding the Clinton E. Phipps Racetrack by and between the Government of the Virgin Islands and Southland Gaming of the Virgin Islands, Inc., and for other related purposes --0
- Act 8590** Act 8590 · July 20, 2022 · An Act amending Acts No. 8474, 8479, 8486, 8492, 8494, 8496, and 8498 to adjust the fiscal year 2022 budget to appropriate funds to: the Casino Control Commission for capital outlay; WTJX for capital outlay and satellite uplink respectively; Elections System of the Virgin Islands for the General Election; Virgin Islands Cricket Board; Department of Tourism for personnel and fringe benefits; Virgin Islands Board ofNurse Licensure for personnel and fringe benefits, and 8% salary restoration; Social Security and Medicare taxes reimbursement to the Economic Development Authority, the Governor Juan F. Luis Hospital and Medical Center, and the Virgin Islands Waste Management Authority ---0

Referred to but not found in our acts corpus: Bill 34-0226, Bill 33-0375, Bill 34-0192