



## **RIVANNA SOLID WASTE AUTHORITY**

695 Moores Creek Lane • Charlottesville, Virginia 22902 • (434) 977-2970

### **RSWA BOARD OF DIRECTORS Minutes of Regular Meeting April 26, 2016**

A regular meeting of the Rivanna Solid Waste Authority (RSWA) Board of Directors was held on Tuesday, April 26, 2016 at 2:00 p.m. in the 2<sup>nd</sup> floor conference room, Administration Building, 695 Moores Creek Lane, Charlottesville, Virginia.

**Board Members Present:** Mr. Tom Foley, Mr. Mike Gaffney – presiding, Ms. Kathy Galvin, Mr. Mark Graham, Mr. Maurice Jones, Ms. Judith Mueller and Dr. Liz Palmer.

**Board Members Absent:** None.

**Staff Present:** Ms. Jenny Basile, Mr. Mark Brownlee, Mr. Tim Castillo Mr. Tom Frederick, Dr. Richard Gullick, Ms. Teri Kent, Ms. Andrea Terry, Ms. Jennifer Whitaker and Mr. Lonnie Wood.

**Also Present:** Mr. Kurt Krueger – RSWA Counsel, members of the public, and media representatives.

#### **1.0 Call to Order**

A regular meeting of the RSWA Board of Directors was called to order by Mr. Gaffney on Tuesday, April 26, 2016 at 2:01 p.m., and he noted that a quorum was present.

#### **2.0 Minutes of Previous Board Meeting**

- a) Minutes of the Regular Meeting of the Board on February 23, 2016

**Mr. Foley moved to approve the minutes of February 23, 2016 as presented. Dr. Palmer seconded the motion, which passed unanimously (7-0).**

#### **3.0 Recognition**

Mr. Gaffney stated that he had hoped to never have to do this item. He introduced a resolution of appreciation for Thomas L. Frederick from Rivanna Solid Waste Authority and Rivanna Water & Sewer Authority and the RSWA and read it into the record as follows:

## **Resolution of Appreciation for Thomas L. Frederick**

**WHEREAS**, Mr. Tom Frederick has served as Executive Director of the Rivanna Water and Sewer Authority and the Rivanna Solid Waste Authority for 12 years since 2004; and

**WHEREAS**, over the same period Mr. Frederick has demonstrated excellent community leadership in the water, wastewater, and solid waste field and has been a tremendous resource to the Authority, its customers, its employees, and this community; and

**WHEREAS**, Mr. Frederick's leadership resulted in a comprehensive wastewater management plan and the initiative to strengthen customer service, and Mr. Frederick's leadership, technical expertise, personal perseverance guided the community water supply effort for the citizens of Albemarle County and the City of Charlottesville, resulting in adoption and implementation of the Community Water Supply Plan; and

**WHEREAS**, the Rivanna Water & Sewer Authority Board of Directors and Rivanna Solid Waste Authority Board of Directors are most grateful for additional professional and personal contributions Mr. Frederick has provided to both Rivanna Authorities and their customers, employees, and community members; and

**WHEREAS**, Mr. Frederick has shown responsible stewardship of the former Ivy landfill through environmental remediation efforts; improved the reputation of the Rivanna Solid Waste Authority through community engagement and responsiveness; adapted to changing market conditions in ways that has assured the ongoing solvency of the organization; and maintained a very successful household hazardous waste collection program.

**NOW, THEREFORE, BE IT RESOLVED** that the Rivanna Water & Sewer Authority Board of Directors and the Rivanna Solid Waste Authority Board of Directors recognizes, thanks and commends Mr. Frederick for his distinguished service, efforts and achievements as head of the Rivanna Authorities, and presents this Resolution as a token of esteem, with its best wishes in his career advancement.

**BE IT FURTHER RESOLVED** that this Resolution be entered upon the permanent Board Minutes of the Rivanna Water & Sewer Authority and the Rivanna Solid Waste Authority.

Dr. Palmer moved to adopt the resolution as presented. Mr. Jones seconded the motion, which passed unanimously (7-0).

Ms. Mueller stated that there were probably days during Mr. Frederick's 12 years of service that he was possibly not the community's most popular person, and noted that he had clearly turned his detractors around.

Mr. Gaffney said he believed the two Rivanna Authority Boards are proud of where they are today and the changes from 2004 are incredible.

Dr. Palmer stated that she agreed and that the Albemarle County Board of Supervisors had already recognized Mr. Frederick.

Ms. Galvin stated that every time she reads about Flint, Michigan she is grateful that this community is not in that kind of a mess.

Mr. Frederick said other RWSA personnel are the ones who should be thanked.

Mr. Frederick stated that he remembered that in June 2004, one of his very first meetings was with Lonnie Wood when he was told that the RSWA did not have enough operating cash to pay its bills. Mr. Frederick stated that he had called back to his previous employer in Greensboro and the RSWA Board laughed at that comment. Mr. Frederick stated that he had to ask Ms. Mueller and Mr. Graham to meet with him about emergency loans. He noted that incident says a lot about how far the organization has come in 12 years. Mr. Frederick stated that there is now a reserve and the RSWA Board should understand why he gets nervous when people suggest tapping into the RSWA reserves. Mr. Frederick said the progress towards the remediation of the Ivy Landfill was a collective effort between Board and staff. Mr. Frederick said it was an effort to turn around attitudes from angry citizens to an acceptance that the RSWA could be counted on to do the right thing for groundwater remediation. Mr. Frederick stated that success was a huge plus for the organization, as was building up the financial capabilities and settling some difficult issues. Mr. Frederick stated that Mr. Gaffney was instrumental in developing a memorandum of understanding and played a large role in resolving the service contribution fee issue that brought in the cash to put the RSWA on good financial footing. Mr. Frederick stated that it was a community effort but thanked Mr. Wood and Mr. Graham and Dr. Gullick for being a big part of the solution.

Dr. Palmer stated that the Ivy facility is in her magisterial district and that she regularly hears from people who at one time were very angry about the facility which is now clean and they now feel confident about the management over the last several years.

Mr. Gaffney stated that he was appointed at the end of the drought and he felt he was appointed to help with the community water supply plan. He noted he had no idea that he also appointed to the RSWA and there was a huge room filled with angry people at his first meeting. Mr. Gaffney stated that the RSWA has come a long way.

#### **4.0 Executive Director's Report**

Mr. Frederick stated that the annual survey of customers at the McIntire recycling center was conducted between April 13 and April 17, 2016. He stated that every year that the RSWA Board pays attention to the split between county and city users and that it has been relatively stable in recent years. Mr. Frederick stated that the funding is based on 70 percent from the County and 30 percent from the City. He stated that the survey usually varies between a few percentage points, and this year the survey captured that 72 percent of users were from the County, 27 percent from the City and 1 percent from nearby counties. Mr. Frederick noted that the information included in an attachment would be useful later in the meeting regarding two questions about the newly installed food waste composting program, which the survey recorded County users as being 65

percent of customers and 35 percent from the City. He stated that even though the RSWA composting program is patterned after the City farmers' market program, the RSWA is seeing that two-thirds of participation at McIntire is from the County.

Mr. Frederick stated that there has been email communication between staff regarding the household hazardous waste program about a very good problem to have. He noted there has been an overwhelming amount of participation in the program at the Ivy Materials Utilization Center this year. Mr. Frederick told the RSWA Board that there were 446 vehicles in 2015 and 393 vehicles in 2014, but there were almost 1,200 vehicles in 2016, or triple the participation in one year. Mr. Frederick stated that he has asked staff why that happened because there was not increased advertising this year but the same as years in the past. He stated that there is no qualitative data to share with the Board about how citizens heard about the program but that many heard about it on the radio and that may be a suggestion that radio and public service announcements have gotten better this year.

Mr. Frederick gave credit to Ms. Kent for reaching out to various media outlets in the community as the new communications manager. He stated that those efforts pay off in ways that can't necessarily be measured but they have the benefits of increased program use. Mr. Frederick stated that the question is whether the increased usage will happen again in the future and if so, how the RSWA should prepare. He stated that the staff does not know if the participation will stay at the high level or fall back, but that the suggestion from staff is to add more personnel at future events and continue to assess and weigh the future. Mr. Frederick stated that the RSWA staff is brainstorming ideas and that Care Environmental is already locked in for the next event on September 30 and October 1. He stated that it may be difficult to increase the number of events because Care Environmental books their events months in advance. Mr. Frederick stated that the RSWA is focused on how to make the next event more customer-oriented and efficient through increasing productivity in case the high participation reoccurs. He referred the RSWA Board to a list of suggestions included in the written Executive Director's report. Mr. Frederick said the Board could discuss the program today or wait until the next meeting and this is a chance to pause and ask questions about the program.

Mr. Jones asked Mr. Frederick if hours were extended if it would increase the cost of the program to the RSWA. Mr. Frederick stated that information could be provided.

Dr. Palmer asked Mr. Frederick if the RSWA decided to reinstate the paint drop off, how much would that take away from the number of people who use the household hazardous waste program. Mr. Frederick stated that there would be reductions and that Mr. Mark Brownlee would be the person to answer that because his staff evaluated the data.

Mr. Frederick stated that staff has discussed in their meetings that paint is certainly the most used product during the hazardous household waste days. However when you consider trying to reduce vehicle counts, the question becomes are there enough people who exclusively bring paint who don't carry in other products. He noted that statistics of paint versus other products would help Dr. Palmer see the big picture. Mr. Frederick stated that a separate day just for paint would help some but probably not alleviate the need to be more productive during the events.

Mr. Brownlee stated that as far as speeding up wait times, the RSWA could figure out a way to do large loads of paint separately because that is what slows the events down. He stated that more cars could have moved without large loads and setting a limit of 25 gallons could help because there were trailers loaded with paint. Dr. Palmer asked if those trailers identified themselves as commercial vehicles and Mr. Brownlee stated that no and some people said they had bought a house and there was leftover paint in them. He stated that he monitored those who used the service and they were not coming in commercial vehicles.

Ms. Mueller asked if the commercial day paid for itself and noted there had been very low participation.

Mr. Frederick stated that there was more participation this year but it has traditionally been low participation on commercial hazardous waste days on Friday mornings but that it does pay for itself.

Ms. Mueller asked if there could be a paint line and a commercial line at the same time.

Mr. Frederick stated that staff tends to think that it may be better to have a separate day for large volumes of paint.

Mr. Frederick stated that Mr. Brownlee deserves applause from the Board for the fact that when he recognized what was happening during the event he took immediate steps and went through the line as people were waiting and talked to people in individual vehicles to let them know what was going on. He stated that when faced with a situation where you are overwhelmed and people have a tendency to being angry, it is probably the best approach is to be a person and let people know what happened and offer to help and Mr. Frederick called this a proactive response.

The RSWA Board applauded Mr. Brownlee.

Dr. Palmer asked if the RSWA Board could be given a price for another paint day.

Ms. Mueller stated that there was not yet a breakout of participation between city and county.

Mr. Brownlee stated that the RSWA cannot accept certain items on HHW days such as mixed paints but Care Environmental will offer to set up containers on the RSWA property to receive paint filled. He stated that one way may to get Care Environmental to receive the paint.

Ms. Mueller stated that such events will have to be staffed because you cannot have a paint drop off that is not staffed.

Mr. Brownlee stated that it could be staffed more cheaply this way and it could be done two or three times a year.

Dr. Palmer stated that this was great and asked if the container could be left there for a few days.

Mr. Frederick stated that the times would need to be scheduled for staff and not lead to paying overtime for a special event in lieu of bringing someone from New Jersey.

Mr. Frederick stated that the reason latex paint can be left is because it is not recognized by the Environmental Protection Agency as a hazardous waste though it is accepted during HHW events because it is a popular product.

Mr. Frederick stated that it would be part of the RSWA's messaging and customer service that if there is a special paint day that someone might not get the word and bring other hazardous waste, the RSWA could not accept it.

Mr. Frederick stated that it might appear on the surface that bringing two cans of herbicide might not be harmful, but the harm is that it would be a violation of federal law.

Dr. Palmer stated that she would like to know how much the special paint day would cost and what staff believes would be an appropriate time. She stated that when she was researching trash last year, she went around with a hauler who showed her all the places where you can see paint on the road from where the compactors crush the paint and she had never noticed this before. She stated that it would be a really good idea to take care of that.

Ms. Galvin asked what happens to the paint and if it gets recycled anywhere.

Mr. Brownlee said some of the paints and thinners get burned at a facility but some of the mixed paints are dried and some of that work is done at the RSWA to save money.

Dr. Palmer stated that recyclers of paint exist but she did not know how much that would cost but guessed it might be more expensive.

Mr. Brownlee stated that it can be used at landfills for daily cover that get mixed in and sprayed instead of dirt.

Mr. Frederick noted that this is only at active landfills, not closed landfills. Dr. Palmer said it could not be sprayed at Ivy.

## **5.0 Items from the Public**

There were no items from the public.

## **6.0 Responses to Public Comments – No Responses This Month**

There were no responses to public comments from the February 2016 meeting.

## **7.0 Consent Agenda**

*a) Staff Report on Finance – February 2016*

*b) Staff Report on Finance – March 2016*

*c) Staff Report on Ivy Material Utilization Center/Recycling Operations Update*

*d) Staff Report on Ivy Landfill Environmental Status*

*e) Election of Officers*

*f) Personnel Manual – Modification of Section on Compensation Plan and Administration*

*g) Engineering Services – New Ivy Transfer Station*

Mr. Gaffney asked if there were any items from the Consent Agenda that Board members wanted to pull for comments or questions. There were none.

**Ms. Mueller moved to approve the Consent Agenda. Ms. Galvin seconded the motion, which passed unanimously (7-0).**

## **8.0 Other Business**

*a) Review of By-Laws*

Mr. Frederick stated that the election of officers is a requirement of the by-laws. Mr. Frederick stated that he and Mr. Krueger review the by-laws every year at around the same time and this year two things have been compiled from previous Board meetings for the RSWA Board to consider. He noted that one is the establishment of a regular meeting in June to make it convenient to go into a joint closed session to review the annual performance of the executive director. Mr. Frederick stated that has now been added to the by-laws.

Mr. Frederick stated that the other issue is a legal one involving the procurement manual which grants authority to the executive director as allowed by the Virginia Public Procurement Act to approved purchases up to \$100,000 if they are budgeted and within a single budget operating year. Mr. Frederick stated that this is already in the by-laws but sometimes the purchase of a good can be made through the signing of a purchase order and that can be delegated to the director of finance. Mr. Frederick stated that sometimes is it important to sign a contract document to describe the terms, but when it is turned into a contract rather than a purchase order, there are questions because Virginia law states that authorities require chairs of board of directors to sign unless the board designates someone else. Mr. Frederick stated that this could get the RSWA into a trap where a small purchase needs a contract, the RWSA Board would need to be consulted for the Chair to sign. Mr. Frederick stated that this would be a blanket delegation that would give the Executive Director the same authority to sign contracts under \$100,000 if it lasts under one year and the funds have already been appropriated consistent with the Virginia Procurement Act.

Mr. Krueger stated that he had sent an email to the RSWA with some words that had been left out of their packet and that their approval would need to include replacement of the words “only as provided in Article 3, Section 5.11 with the words “except as otherwise provided in Article 3 Section 5.11” and that language is consistent with language in the Rivanna Water & Sewer Authority’s by-laws as well.

Mr. Graham made a motion to approve the recommendation with the additional language suggested by Mr. Krueger. Mr. Jones seconded the motion, which passed unanimously (7-0).

*b) Introduction of Fiscal Year 2016-17 Operating Budget*

*c) Adoption of Preliminary Tipping Fees Rate Schedule and Call for Public Hearing on FY 2016-17 Operating Budget*

Mr. Frederick stated that staff introduces an operating budget every spring for the new fiscal year that begins on July 1. He noted that the budget document looks like previous years with the same number of programs and cost centers and there are very similar numbers in many of the line items as the RSWA continues to hold the line as much as possible except where expenses are impacted by inflation or changes have been made by the RSWA Board. Mr. Frederick stated that one such change is the food waste composting program is funded for a full year should the Board choose to make that decision. Mr. Frederick stated that there is a capital program embedded in the document and that is the new Ivy transfer station that has been requested by the Albemarle County Board of Supervisors. Mr. Frederick stated that does not affect program fees because the County is agreeing to directly reimburse the costs associated with the design and construction which means it has its own revenue and expenses to match.

Mr. Frederick stated that the budget includes a 2 percent increase in the merit pool, the same increase introduced in the RWSA budget. He noted that this is kept consistent and every year the Authorities look at how the City, County and Albemarle County Service Authority look at merit pool for their employees to make sure the Authorities are competitive and not over or under on an average by what is being done by the others.

Mr. Frederick stated that there are no changes in the tipping fee schedule and there has been no formal request from Albemarle County to amend those fees and that is part of the current Local Government Support Agreement but he stated that he is not aware of any such request.

Mr. Frederick stated that he made a comment in the introduction about revenue support for recycling programs which is increasing. He stated that some of that is a continuing trend of decline of source separated material coming to the McIntire Center and that is a long-term trend. Mr. Frederick stated that the industry is moving toward curbside and although many people stress the convenience of that issue, there have been a number of citizens in this community who will always separate their recyclables and love the McIntire facility. Mr. Frederick stated that raises a question for the RSWA Board because the financial side is challenging. Mr. Frederick stated that the RSWA can anticipate how much revenue it will get for recyclable material based on the price of oil and that low oil prices on the global market have been low so revenues for RSWA have been low.

Mr. Frederick stated that the clean fill and vegetative waste programs at Ivy operations are down this year and that this is a cyclical. Mr. Frederick stated that clean fill tends to swing with the construction market and activity with vegetative waste is a function of weather events that create downed trees. Mr. Frederick stated that this is an unfortunate event that turns into a fortunate bottom line for the RWSA. He stated that these are not necessarily long-term trends but cyclical trends that the RSWA staff hope will rebound.

Mr. Frederick stated that there is a preliminary rate resolution to readopt the current fees. He stated that the resolution would call for a public hearing at the May Board meeting and that the fees and budget can only be adopted after then. Mr. Frederick asked if there were any questions and that Mr. Wood and Mr. Brownlee spent a lot of time preparing the document.

Dr. Palmer asked if it would be reasonable to consider \$9 a ton for clean fill instead of the \$8 a ton as advertised.

Mr. Wood stated that it is currently advertised at up to \$20 a ton.

Dr. Palmer stated that she thought it was \$8 a ton.

Mr. Wood said the RSWA is charging \$8 a ton now but the rate resolution passed last year provided the ability to increase that.

Dr. Palmer apologized and asked if that meant the RSWA could raise that rate at any point without advertising the change.

Dr. Palmer asked what would need to be done if the RSWA wanted to increase the fee to \$9 a ton and asked if the Board had a problem with it.

Ms. Galvin asked why the Board would make the increase.

Dr. Palmer stated that it would bring in a little more income and perhaps pay for the composting but if it is cyclical she does not know what other alternatives people have besides illegal dumping. She stated that Zion's Crossroads is more expensive so it is a question of cost as it is mostly commercial users doing it.

Mr. Gaffney asked how many tons are expected in a full year.

Dr. Palmer asked if it were 44 tons.

Mr. Wood stated that it is budgeted for 5,000 tons and it is very cyclical, varying as much as 10,000 or 15,000 tons in one year and could go down to 2,000 or 3,000 tons the next.

Dr. Palmer asked if the Board had to approve a rate change or if the Executive Director could do so.

Mr. Frederick stated that staff would listen to the Board if they had a desire to change the rate.

Dr. Palmer asked if it would hurt anything to do so.

Ms. Galvin asked what the implications would be and if the industry would be involved.

Mr. Wood stated that when there is a big project going on, the price isn't the biggest factor but the question is where material can be disposed of. He stated that the general rule is that if you can increase the price, small haulers may dump the waste illegally but he did not think a \$1 increase would be too impactful.

Ms. Galvin asked how much additional revenue that would generate.

Mr. Wood said it would bring in an additional \$5,000 but it depends on the tonnage actually received. Mr. Wood said when big construction projects have gone up in the past, the RSWA would be contacted by people for prices per ton for clean fill.

Mr. Gaffney asked if they can always just say \$20.

Ms. Mueller stated that it also depends on availability of alternative sites in surrounding counties who are interested in taking clean fill for their own development. She stated that sometimes they are there and sometimes they are not and it's something you have to keep up with on a regular basis to see if Ivy is a good place to take clean fill.

Dr. Palmer asked if was really something the Executive Director and the landfill director could decide on a regular basis to set the rate depending on seasonal demand.

Mr. Wood responded that the rate hasn't been changed in a while but they would not fluctuate it too much in one year.

Dr. Palmer stated that she just wanted to get a good idea on how the decisions were made.

Mr. Wood said the RSWA staff doesn't change it a lot on clean fill but a similar choice was made on mulch sales to go with the maximum because of heavy demand.

Mr. Foley asked if there would be a negative impact of increasing the rate for clean fill by \$1.

Mr. Frederick stated that he did not have any reason to believe that a \$1 increase would affect demand but the only way to know is to make the change and make further adjustments if necessary. Mr. Frederick stated that he had no reason to believe \$1 more would make a big change in the market or make a big change in people's decisions. Mr. Frederick stated that those who bring clean fill have a choice between taking it to Ivy or taking it somewhere else.

Dr. Palmer stated that she would like them to slowly increase the rate over time.

Ms. Galvin asked why the RSWA would increase the rate and what the revenue would pay for.

Mr. Graham stated that was a good point because the memorandum of agreement for operating Ivy MUC is that the revenue would go against the cost for Ivy and reduce the contribution the County would pay towards the Rivanna Solid Waste Authority.

Mr. Frederick stated that his guidance would be that setting the prices of Ivy operations programs is about how badly the RSWA Board wants to offer the services to citizens at a reasonable price and how interested is the RSWA Board in trying to reduce the subsidy the county provides. He stated that it is a business decision and cautioned against looking at it as raising one rate to pay for another service because in Virginia the law requires that a fair and reasonable rate be set for each service. Mr. Frederick stated that he gets nervous when talking about raising a fee in one place to pay for another.

Dr. Palmer stated that she wanted to establish a reasonable price and that if Zion Crossroads is three times the amount then that is a reasonable price.

Mr. Foley asked if the RSWA Board could get data on what others charge. Mr. Frederick stated that they could get data on what private companies advertise their rate but added that doesn't necessarily mean what they charge.

Mr. Graham stated that the problem is that much of the market is outside transfer stations and landfills and that there are private deals.

Mr. Gaffney asked if there was any way to assess the market to see what's viable. Ms. Mueller said it is mobile and depends on who is involved.

Mr. Graham stated that it can change from day to day.

Mr. Frederick stated that all that can be done is to assess is what is transparent and the private deals that happens cannot be known.

Ms. Galvin stated that the RSWA would look at what other authorities charge and what the standard practices are for other public entities.

Mr. Frederick stated that could be done and will show if the RSWA fees are in the ballpark.

Ms. Galvin said that approach is how the RSWA deals with their fees.

Mr. Frederick stated that the most important question is one that is hard to answer and that is what this market can charge.

Mr. Foley stated that it seems there is no data now and wondered if there was something that might give the RSWA Board perspective.

Ms. Galvin stated that she felt uncomfortable arbitrarily raising a fee because the RSWA has permission to do so. She stated that it is a cost to businesses and she fundamentally wants to know why it would be done.

Dr. Palmer stated that she wants to know why it is the price now and she said she could move on.

**Dr. Palmer made a motion to approve the following preliminary rate resolution as presented. Mr. Jones seconded the motion, which passed unanimously (7-0).**

**RESOLUTION**

**ADOPTION OF THE RIVANNA SOLID WASTE AUTHORITY  
PRELIMINARY RATE SCHEDULE  
FOR FISCAL YEAR 2017**

**WHEREAS**, Rivanna Solid Waste Authority (the “Authority”) Board of Directors has reviewed the proposed budget and associated rates for Fiscal Year 2017; and

**WHEREAS**, Section 15.2-5136(G) of the Code of Virginia, requires the adoption of the preliminary rate schedule for notification of a public hearing prior to any rate change; of which there is a 14-day requirement between the date of the last of two public notices and the actual date fixed for the public hearing; and

**NOW, THEREFORE, BE IT RESOLVED** that the Rivanna Solid Waste Authority Board of Directors hereby approves the accompanying Ivy Material Utilization Center preliminary rate schedule for the purpose of notification of a public hearing to be held on May 24, 2016 at 2:00 p.m. during the regularly scheduled Board of Directors meeting.

TIPPING FEES PER TON:

Clean Fill Material	\$ 20.00 *
Pallets	\$ 48.00
Vegetation/ Yard Waste	\$ 48.00
Non-Freon Appliances	\$ 105.00
Domestic Waste (MSW)	\$ 66.00
Construction Debris (CDD)	\$ 66.00
Tires	\$ 190.00

TIPPING FEES PER ITEM:

Freon Appliances	\$ 17.00
Non-Freon Appliances	\$ 9.00
Passenger Veh. Tire Off Rim	\$ 6.00
Passenger Veh. Tire With Rim	\$ 13.00
Large Truck Tire Off Rim	\$ 17.00
Large Truck Tire With Rim	\$ 33.00

OTHER CHARGES:

Minimum Charge (per load)	\$ 6.00	Service Fee Per Ticket:	
Mulch or Lumber Log (per ton)	\$ 30.00 *	Albemarle County customers	\$ 1.00
Trash Stickers (for set of 12)	\$ 24.00	Other customers	\$ 10.00
Ticket Request (per copy)	\$ 1.00 *	Hauling Fee Per Load Based on Location:	
Credit Application Fee (each)	\$ 35.00	Minimum	\$ 100.00
		Maximum	\$ 142.00

\* Maximum charge

*d) Amended and Restated that Ivy Materials Utilization Center Programs Agreement*

Mr. Krueger stated that before the Board is an amended agreement for the Ivy Materials Utilization programs with modifications necessary to document the agreement between Rivanna and the County to design, build and operate a new transfer station at Ivy. He noted that the number of changes to the existing agreement are a reflection of the fact the role of the Authority will be much expanded, with subsidies and deficits generated by the facility’s operation to be covered by the County. Mr. Krueger stated that the RSWA would bill the County for the cost of the design

engineer and contractors to build it, as outlined in the summary sheet – continuing the practice of having the RSWA Board set the tipping fees as an authority but giving reasonable deference to the County’s request for changes in fees, recognizing that the County is 100% responsible for any deficits generated from its operations.

Mr. Graham thanked Mr. Krueger for including the summary sheet, as he found it helpful as a guide to the changes in the document.

Mr. Foley thanked Mr. Gaffney for his active role in getting the agreement to the final step. He said that the term sheet agreed to by the City and County in terms of principles drove the final language and factored in County staff’s estimation of escrow accounts, which Rivanna staff felt good about.

Mr. Gaffney commented that he also felt this was a good agreement, with a lot of time and effort put in by a lot of people – especially staff.

**Dr. Palmer moved to approve the Amended and Restated Ivy Materials Utilization Center Programs Agreement as presented. Ms. Galvin seconded the motion, which passed unanimously (7-0).**

*e) Amendment No. 5 to Local Government Support Agreement for Recycling Programs*

Mr. Frederick reported that this agreement is between the RSWA, the City and the County to operate the McIntire Recycling Center – with no terms being changed in the amendment with the exception of extending the term to cover the next fiscal year. He stated that the current agreement expires June 30, 2016, and action by the RSWA Board would have the item placed on the agendas of both City Council and the Board of Supervisors.

**Mr. Foley moved to approve Amendment No. 5 to Local Government Support Agreement for Recycling Programs. Mr. Jones seconded the motion, which passed unanimously (7-0).**

*f) Review of Food Waste Program for Composting at McIntire Recycling Center*

Mr. Frederick reported that the RSWA Board had asked in February to extend the food waste compost collection at the McIntire Recycling Center through April 30, 2016, and the Board also requested that Rivanna ask the two survey questions in the annual survey at McIntire to collect data from citizens as to how much the program is being used. He noted that the Board had asked for this item to be put back on the agenda at this meeting for further conversation as to whether they wanted to extend the program, with some anticipation from the community that this discussion would happen today. Mr. Frederick stated that the program involves compostable bags dispensed from a self-service kiosk so people can take them home and fill them with food scraps and organic waste, tie them when they are full, then bring them back to McIntire and place them in bins. Mr. Frederick stated that Rivanna contracts with a company that picks the material up and takes it to a facility where it is made into compost, with a small fee paid for what is picked up. He noted that the Board’s information includes financial details on the composting program, with the estimated cost to Rivanna at about \$8,000 annually based on current levels of participation.

Mr. Gaffney asked if this has affected the food waste being brought to City Market.

Ms. Mueller responded that it had not, and said that there are essentially two very small programs that are growing, noting that a lot of people who live in small dwellings and/or have small parcels of land feel that they cannot compost at home – so now there are options for them. Ms. Mueller stated that she would like to see the program continue at a cost of \$8,000 and the City Market program would probably help grow the McIntire program, with the two programs being very compatible.

Mr. Gaffney commented that people have been glad not to have to carry their compost to City Market, and he had wondered if McIntire's program was taking away from that.

Ms. Mueller stated that there are devoted people who come to the City Market.

Mr. Jones commented that there is pent-up demand for this type of service and they would see an increase in usage over the course of the next year, especially if it is advertised – and this is a relatively small investment for them to make.

Dr. Palmer asked what would happen to the cost if the program continues to grow, and whether there was a point at which it would become less expensive.

Mr. Frederick responded that he did not foresee a decrease in cost because the price is based on weight.

Mr. Brownlee stated that it is based on cart pickups, and the vendor has indicated that it may need to increase from six carts to seven or eight.

Mr. Graham commented that he has some concerns with that as it equates to more than \$660 per ton for the service, and while he appreciates composting, this is an awful lot of money. He stated that the community generates approximately 80,000 or 90,000 tons of waste per year, with composting equaling about 12 tons at a cost of \$660 per ton. Mr. Graham emphasized that he wished he knew where this was going before the RSWA starts down a path of something this expensive.

Dr. Palmer asked if there were alternatives, because whoever took the compost was reselling it and she wondered if there were more options than by the cart.

Mr. Frederick responded that if the Board is interested in thinking on a big scale and making an impact, they are going to be thinking about how to change the collection of waste, such as introducing a third bin at the curb for organic material and developing an industrial-scale composting operation, which is how they would achieve economies of scale. Mr. Frederick emphasized that the McIntire program is very small-scale, and even expanding to 10 or 12 carts will not achieve those cost savings as trying to get the numbers down to something like \$50 a ton would require doing this in an entirely different way.

Mr. Graham stated that he was trying to get this same point across and asked if they were interested in taking the bio-solids from the waste water treatment plant and composting them, because then the exercise would mean something and could be incorporated into a larger program. He added that as a pilot this is OK, but he wondered where the RSWA was going with it.

Mr. Gaffney noted that about 12 or 13 years ago, several people took a flight from here to Darlington to observe their entire system, with composting as one of those facets, and that community has all of its own trucks and solid waste program. He stated that this is an example of a large-scale operation.

Dr. Palmer commented that it is hard to do that without incorporating the whole solid waste program, and she asked if the composting cost would be split over the course of the year in the same way that other McIntire costs are split.

Staff confirmed that it would be.

Dr. Palmer stated that she was OK with it as a pilot program, but she was concerned about where the RSWA were going with it and what the costs were going to be.

Mr. Jones said that staff has also recognized that, which is why they were asking the Board to set a date to come back and have a discussion about this, and they fully expect to come back with a more strategic approach.

Ms. Mueller stated that they could look at it in the first six months of the next fiscal year to see how the volume was and whether people would start going to McIntire when the market closed.

Mr. Gaffney asked if the Board would like to revisit it in December and whether that was a reasonable timeframe.

Dr. Palmer responded that she was OK with that.

Mr. Graham stated that he still had some reservations about this and was not comfortable until they have a better idea about future direction.

Dr. Palmer asked Mr. Graham what he would suggest at this point, whether stopping it or carrying it for another six months.

Mr. Graham responded that he was fine with carrying it through the calendar year as a pilot, but at that point the Board should stop and discuss where they want to go with it as a program.

Mr. Frederick stated that citizen comments indicate that those using the service are very appreciative and would probably appreciate the Board making the decision to extend the service through the calendar year. He said that if the Board is sincere about trying to address how to do this on a larger scale, the City and County could probably come together in some way – but they should extend the small program while they have the conversation about it rather than interrupting

it. Mr. Frederick added that this is what the sentiment says to him, even if the numbers don't yet work for the Board.

Mr. Gaffney commented that he understands what Mr. Graham is saying because if they do 12 tons at \$660 per ton this year, that's one thing – but doing 120 tons at that price would cost \$80,000, and the more successful this is the more expensive it would be. He said that Mr. Graham's question is important in terms of what Rivanna is willing to let the program become.

Ms. Galvin agreed but said that this is a function of their own population growth, and as the community urbanizes with people living on less land, this would be a higher demand service. She stated that the RSWA needs to track it and look at trends, and there will be a point at which the graph tells them they should consider curbside service – but at this point the public sentiment indicates that they want this service.

Dr. Palmer commented that there are a lot of things that the City and County need to look at in terms of solid waste including paint and some other things, so the composting may be a good place to start.

Ms. Galvin asked if they should have a retreat of some kind.

Dr. Palmer responded that she would do it and said that she was also worried about it, and she agreed with Mr. Graham's point about the cost – with great concern as to what they would be looking at in six months in terms of the money. She asked if they had the option to curb it back after six months if they extended it for a year.

Mr. Foley stated that they could check in between now and December – perhaps at the end of September – to see how the demand was going.

Ms. Mueller stated that the University has a huge food service operation and has done some pilot composting programs, but they should be at the table for this discussion if the service is going to be larger than just a drop-off program.

Dr. Palmer stated that there was an organized opportunity to do this as the County was in the process of appointing a permanent solid waste committee to include city representatives, and the University person who knows the most about this would be at the table.

Ms. Mueller noted that the University is currently looking at its overall solid waste issues, so now was a good time to look into this.

Mr. Gaffney asked Mr. Wood if the Board could be updated on the statistics related to composting at the RSWA Board meetings.

Mr. Foley stated that it was the volume of UVA that tips the scales on this, so it would have to be a front-end discussion.

Ms. Mueller pointed out that UVA started out with a very limited pilot program, and depending on how big the program grew it could get them into the issue of having to deal with DEQ, so that agency would have to be at the table.

Dr. Palmer stated that a composting program the size of one at the University would take a lot of watching and oversight, as there were serious issues with people throwing anything into the compost bin.

Mr. Frederick stated that his understanding from their conversation is that the Board needs to make a decision on how long they want to extend the program and when they should review it, and he was not sure there was consensus on that point yet.

Dr. Palmer responded that they would like to keep it going through the summer and review it in September, and she felt they could safely say they would keep it on until the end of the calendar year unless things were extremely active in September – and the Board would want to hear about it in September so they could make the decision by December.

Ms. Galvin added that they would be committing through the year for running the program.

Mr. Krueger clarified that the Board meetings were scheduled for February, April, May, June, August and November.

Mr. Foley noted that they also agreed to get data on the program at each meeting.

**Ms. Palmer moved to have the RSWA Board review the composting program at its August meeting and extend the composting program through December. Mr. O’Connell seconded the motion, which passed unanimously (7-0).**

*g) Review of Citizen Complaints Related to Curtailed Services*

Mr. Frederick reported that staff had initiated this discussion with the Board in February, as Rivanna had been keeping inventory of specific inquiries regarding services cut back in 2011 and had observed that there was limited Board discussion. He stated that the Board had asked staff to specifically track what the complaints were and then come back in April with more data if necessary. Mr. Frederick noted that there were no inquiries documented that were directly related to the cut in programs from 2011, and general inquiries such as “Do you accept latex paint” were not included as complaints, with several complaints about the website that have been addressed. Mr. Frederick stated that most complaints were about the household hazardous waste program and he was not sure if this was because the questions were tallied right before the HHW event. He noted that a lot of the requests were for more services, which would cost more money, and staff could certainly come up with unit costs for what they would like to expand but probably could not very accurately estimate the volume. Mr. Frederick stated that he was not sure whether the Board wanted to consider expanding the HHW program in terms of number of services or just focus at this point on handling the larger volume, and the question before them is what use the information is to them and what they would like to see on a regular basis. He added that he hoped the Board

was not asking staff to do things that did not weigh into their decisions, as it just added to their staff time and work.

Mr. Graham said that when this was before them previously, it was with the specific question as to whether it was providing an added value because it was requiring a bit of staff time.

Mr. Frederick agreed.

Dr. Palmer stated that they would need to have a bigger discussion about the services and the cost for those services, and she hears complaints all the time from her constituents about things like the absence of a paint drop off – and those people were not calling Rivanna. She said that the RSWA Board needed to have a larger conversation about what services they wanted to provide, and it did not bring a lot of value now to have staff do this, especially given the change in directorship at Rivanna and all the other things happening.

Mr. Foley agreed, stating that Rivanna was in a state of change and reconsideration so it was not worth the time until they got further down the road with their overall planning.

Mr. Graham also agreed, stating that they put such an emphasis on public outreach with these things and would be getting input at that time, so he did not see much value in looking into the complaints further.

Mr. Frederick asked if any other Board members had a different viewpoint.

Ms. Mueller stated that she had brought it up because the numbers seemed incredibly high to her and she wanted to know if they were inquiries or just requests, as those numbers could be very different. She said that this has been helpful but they did not need to continue with it, as they would get significant public input when they start to consider expansion of the overall solid waste program.

Mr. Frederick stated that the request made sense when it was made in 2011, and it did not hurt to review those things to see if they are still necessary.

Dr. Palmer noted that when someone calls and asks if the RSWA takes paint and the person answering says “No” so the caller hangs up, that could be more than just an inquiry as that person could be calling their elected Supervisor to complain about it.

Mr. Frederick stated that staff is telling those callers that Rivanna takes those things twice a year during the household hazardous waste events, but that does not necessarily keep them from calling their Supervisor.

#### *h) Partnership with University of Virginia on Baling Cardboard at Paper Sort Facility*

Mr. Frederick reported that Rivanna has been having a conversation with the University recycling program manager for the last three or four months as well as the manager of the former Preston Coiner facility off of Meade and Carlton Avenues. He stated that both of those things could be

done by the RSWA as a business proposition through the paper sort facility to assist, and both UVA and Gerdau carry certain sustainable materials to outside of the County. Mr. Frederick stated that baling brings better pricing and reduces transportation costs, and the University has asked the Authority to bale the cardboard it collects at various facilities. He explained that Rivanna tried piloting on both UVA's and Gerdau's requests and looked at them as business propositions, with return on investment potentially decreasing City and County contributions to the program.

Mr. Frederick stated that Rivanna has come to a price with UVA, and based on an estimated volume of 360 tons of cardboard per year, the Authority would pay UVA an official "board market" price pertinent to the Mid-Atlantic region minus \$55.00, which is paid to the University. He noted that the University is getting revenue now from their cardboard now that they are delivering and believes that it is worth their while to proceed. Mr. Frederick explained that Rivanna has the responsibility of baling the cardboard and does this from McIntire, transporting it to Richmond and getting paid the market price plus \$27.50. He said that there would be about 12 hours per week of labor for baling at the paper sort facility needed to make the UVA effort happen, and tractor-trailers would need to transport it to Richmond, but there was still a higher margin even with that added cost.

Mr. Frederick stated that this would not be a significant amount of revenue but could be \$3,000-\$4,000 per year, and this is a big step forward in terms of cooperative efforts with the University. He stated that on the expenditure side of the budget there would be an estimated cost of \$26,500 with an offset of \$29,000+ in additional revenue, and if this is approved staff is not granting Mr. Brownlee an additional permanent staff member, as that would not pay for itself. Mr. Frederick said that instead, there would be an additional \$26,500 put as a line item in the budget for Mr. Brownlee to use as he deemed appropriate to provide the additional labor for the baling program. Mr. Frederick noted that there is a provision in the contract that provides for either party to terminate the agreement with 30-days's notice, which eliminates any significant risk upon approval. He stated that the Authority continues to talk with Gerdau but they are not ready to accept the price Rivanna is offering to bale their aluminum cans, and Rivanna is not willing to sacrifice the reasonable return on investment – especially given that Gerdau is a private company – but if negotiations lead to something fruitful in the future, that can be brought back to the Board at that time.

Mr. Graham complimented Mr. Frederick on the work he had done in preparing this summary and felt this was a pretty good program.

**Dr. Palmer moved to authorize the RSWA Executive Director to enter into an MOU with the University of Virginia recycling facilities for baling cardboard. Ms. Galvin seconded the motion, which passed unanimously (7-0).**

#### **9.0 Other Items from Board/Staff Not on Agenda**

There were no other items from the Board or staff.

Mr. Frederick noted that there was a placeholder for Item 7g on the agenda for continuing negotiations for a firm considered most meritorious for design of the Ivy transfer station, but the

Board would need to bring that off of the Consent Agenda for discussion. He asked Philip McKalips to provide information on the engineer, as he had been doing the negotiations for this.

Mr. Philip McKalips reported that Rivanna had interviewed three engineering firms for the design and felt that SCS Engineering was the most meritorious, so the Authority asked them to come back with a fee estimate for preliminary design, which came back at approximately \$117,000.

Mr. Frederick asked if the board was OK with approval not to exceed \$118,000 for preliminary design of the Ivy transfer station and to authorize the Executive Director to execute the contract with SCS Engineering, and to authorize a 10% contingency for the Executive Director, but only if necessary to complete the preliminary design work. He noted that preliminary design included a few meetings with County staff to make sure they were in sync with the Authority, and this process did involve a site plan submission to Albemarle County although it did not cover a protracted approval process.

Mr. Foley asked if Rivanna staff considered this price to be reasonable.

Mr. Frederick responded that they did, and some negotiating had been done since the first estimate provided by SCS.

Dr. Palmer asked if this was based on Draper Aden's concept design.

Mr. Frederick responded that it was based on coming up with a concept that achieves site plan design, but with the caveat that if a consultant comes up with better ideas that work for everyone then they would be entertained – but fundamental is achieving the goal set by the Albemarle County Board of Supervisors.

**Mr. Foley moved to approve an amount not to exceed \$118,000 for preliminary design of the Ivy transfer station, to authorize the Executive Director to execute the contract with SCS Engineering, and to authorize a 10% contingency for the Executive Director if necessary to complete the preliminary design work. Dr. Palmer seconded the motion, which passed unanimously (7-0).**

## **10.0 Adjournment**

**Mr. O'Connell moved to adjourn the meeting. Ms. Galvin seconded the motion, which passed unanimously (7-0).**

There being no further business, the RSWA Board adjourned their meeting at 3:26 p.m.