



RSWA BOARD OF DIRECTORS
Minutes of Regular Meeting
May 24, 2022

A regular meeting of the Rivanna Solid Waste Authority (RSWA) Board of Directors was held on Tuesday, May 24, 2022, at 2:00 p.m. via Zoom.

Board Members Present: Mike Gaffney, Jeff Richardson, Jim Andrews, Brian Pinkston, Michael Rogers, Stacey Smalls, Lance Stewart.

Board Members Absent: None.

Rivanna Staff Present: Bill Mawyer, Phil McKalips, Lonnie Wood, David Tungate, John Hull, Jeff Southworth, Betsy Nemeth, Jennifer Whitaker, and Deborah Anama.

Attorney(s) Present: Carrie Stanton.

1. CALL TO ORDER

Mr. Gaffney convened the May 24, 2022 regular meeting of the Board of Directors of the Rivanna Solid Waste Authority at 2:00 p.m.

2. STATEMENT FROM THE CHAIR

Mr. Gaffney read the following statement aloud:

“This is Mike Gaffney, Chair of the Rivanna Solid Waste Authority.

“I would like to call the May 24, 2022 meeting of the Board of Directors to order.

“Notwithstanding any provision in our Bylaws to the contrary, as permitted under the City of Charlottesville’s Continuity of Government Ordinance adopted on March 7, 2022 (Ordinance No. O-22-029), Albemarle County’s Continuity of Government Ordinance adopted on April 15th, 2020, and last revised effective November 4, 2020 (Ordinance No. 20-A(16)) and Chapter 1283 of the 2020 Acts of the Virginia Assembly effective April 24, 2020, we are holding this meeting by real time electronic means with no board member physically present at a single, central location.

“All board members are participating electronically. This meeting is being held pursuant to the second resolution of the City’s Continuity of Government Ordinance and Section 6 of the County’s revised Continuity of Government Ordinance. All board members will identify themselves and state their physical location by electronic means during the roll call which we will hold next. I note for the record that the public has real time audio-visual access to this meeting over Zoom as provided in the lawfully posted meeting notice and real time audio access over telephone, which is also contained in the notice. The public is always invited to send questions, comments, and suggestions to the Board through Bill Mawyer, the Authority’s Executive Director, at any time.”

Mr. Gaffney called the roll.

Mr. Jim Andrews stated he was located at his home in the Samuel Miller district, Albemarle County.

Mr. Brian Pinkston stated he was located at 575 Alderman Road, Charlottesville.

Mr. Jeff Richardson stated he was located at the County Office Building, 401 McIntire Road, Charlottesville.

Mr. Michael Rogers stated he was located at City Hall, 605 Main Street, Charlottesville.

Mr. Stacey Smalls stated he was located at the Public Works Administration Building, 305 Fourth Street NW, Charlottesville.

Mr. Lance Stewart stated he was located at 401 McIntire Road, Charlottesville.

Mr. Mike Gaffney stated he was located at 3180 Dundee Road, Earlysville.

Mr. Gaffney stated the following Authority staff members were joining the meeting electronically: Bill Mawyer, Phil McKalips, Lonnie Wood, David Tungate, John Hull, Jeff Southworth, Betsy Nemeth, and Deborah Anama.

Mr. Gaffney stated they were also joined electronically by Carrie Stanton, Counsel to the Authority.

3. MINUTES OF PREVIOUS BOARD MEETING

a. Minutes of the Regular Meeting of the Board on March 22, 2022

Mr. Richardson moved the Board to approve the March 22, 2022 meeting minutes as presented. The motion was seconded by Mr. Andrews and passed unanimously (7-0).

4. RECOGNITION

There were no recognitions.

5. EXECUTIVE DIRECTOR'S REPORT

Mr. Mawyer stated that in April, the Ivy MUC had averaged 167 tons per day, the second highest rate of refuse transfer. He stated the highest rate was 175 tons per day in September 2021. He noted there were plenty of customers at the Ivy facility. He stated the spring electronic, household, and bulky waste amnesty days, held the previous Saturday, had been productive. He stated over 34,000 pounds of furniture and mattresses were collected, with over 8,000 pounds of appliances. He stated there were many tires collected, but the total weight was not yet known.

Mr. Mawyer stated that a number of new Board members had participated in facility tours. He stated Mr. Andrews, Mr. Rogers, Mr. Pinkston, Mr. Gaffney, and Mr. Smalls had toured the solid waste facilities—the IMUC, McIntire, and paper-sorting facilities, along with Albemarle County Supervisor Donna Price.

Mr. Gaffney asked if there were questions or comments on the report.

Mr. Pinkston commented that he appreciated the tour.

Mr. Mawyer explained the tours used to be scheduled routinely for new Board Members prior to the pandemic, and they were resuming this practice.

6. ITEMS FROM THE PUBLIC

Mr. Gaffney noted there was a public hearing later in the meeting on the budget rate schedule. He stated any comments regarding the budget rate schedule should be held until the public hearing, and this agenda item was for matters from the public not listed on the agenda.

Mr. Hull stated there were no comments from the public.

Mr. Gaffney closed the items from the public.

7. RESPONSES TO PUBLIC COMMENT

There were no comments from the public, so there was no response.

8. CONSENT AGENDA

a. Staff Report on Finance

b. Staff Report on Ivy Material Utilization Center/Recycling Operations Update

c. Approval of FY 2022-2023 Personal Management Plan Update

d. Approval of FY 2022-2023 Pay Scale Adjustment

e. Award of Contract for Municipal Solid Waste Transportation Disposal

Mr. Gaffney asked if there were items from the Consent Agenda any Board member would like to pull for comments or questions. He asked if there was a motion to approve the Consent Agenda.

Mr. Rogers moved that the Board approve the Consent Agenda as presented. The motion was seconded by Mr. Andrews and passed unanimously (7-0).

9. OTHER BUSINESS

a. Presentation: History and Organizational Agreements of the RSWA

Mr. Mawyer reported that he had presented to the RSWA Board the previous month about the RSWA's history, so he would provide a similar presentation to the RSWA Board. He stated there should be a group photograph of the Board later in the year. He provided a slide with a timeline that outlined the history of the RSWA.

Mr. Mawyer stated the Ivy landfill was created by the City and the County in 1968, and it included over 300 acres. He stated in 1990, the City and the County requested the state to create the RSWA. He stated the Authority was created in 1990 through a three-party agreement. He stated in 2000, the neighbors became concerned about Ivy being an open landfill. He stated there were six cells—three were lined, three were unlined. He stated in 2000, there was a settlement agreement with the neighbors to effectively end landfilling at Ivy. He stated the other programs continued. He stated in 2005, there was an environmental MOU including the City, County, and UVA to decide the

142 allocation of costs to remediate and monitor the landfill, particularly the unlined cells. He stated
143 there was a corrective action plan due to Department of Environmental Quality, and there were
144 costs to monitor ground water, and the costs needed to be allocated. He stated the agreement
145 allocated 35.5% to the City and 64.5% to the County after UVA paid its agreed upon share.
146

147 Mr. Mawyer stated in 2007, there was a Local Government Support Agreement establishing that the
148 City and the County would contribute to fund the administrative and operating expenses of RSWA,
149 and the City could award its own residential refuse collection contracts. He stated with the curbside
150 collection contract, the City effectively no longer brought refuse to the Ivy landfill. He stated in
151 2010, there was an agreement between the City and the County, the first amendment to the Local
152 Government Support Agreement which stated the City and County would agree to fund the
153 Authority through the end of 2010.
154

155 Mr. Mawyer stated in 2011, the County agreed to fund Authority services at the IMUC, and the City
156 and the County agreed to a recycling plan agreement. He stated for the recycling agreement, the
157 City was to pay 30% and the County 70% of the recycling costs at the McIntire Recycling Center
158 and paper sort facility. He stated the City had its own curbside recycling collection program, hence
159 the 30/70% cost allocation.
160

161 Mr. Mawyer stated in 2016, the County requested the Authority to design and build a new transfer
162 station. He stated the DEQ had stated the existing transfer station was insufficient and had to be
163 replaced. He stated the County agreed to fund the replacement in 2016. He stated the facility was
164 constructed and opened in 2018. He stated in 2019, the Ivy Convenience Center Agreement was
165 adopted between the Authority and the County.
166

167 Mr. Mawyer stated there were two draft agreements—one for the Southern Albemarle Convenience
168 Center (SACC) between the Authority and the County, and a Baling Facility Agreement between
169 the City, County, and Rivanna about a potential new baling facility at the IMUC and funding
170 allocation. He stated there had been a number of agreements, and staff worked to properly manage
171 the agreements and allocate costs between the City, County, and UVA as set forth in the
172 agreements.
173

174 Mr. Gaffney stated he could not remember when DEQ accepted the remediation plan. He stated
175 they had a minimum of 30 years to remediate the land. He asked when it would end.
176

177 Mr. McKalips stated the 30 year requirement was for the post-closure care period, which began in
178 2001 and addressed the closure of the cells. He stated the remediation program and corrective action
179 plan was approved at the end of 2004 and revised in 2021. He stated it would extend until the
180 ground water was completely remediated.
181

182 Mr. Gaffney asked if it had been extended past the 30 years.
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184 Mr. McKalips responded no.
185

186 Mr. Mawyer stated an evaluation was done and reports would be submitted to DEQ at the end of the
187 period, which would be around 2031. He stated an update would be provided, and then it would be
188 decided whether the remediation program was finished or would continue.

189 b. *Presentation, Public Hearing, and Approval: FY 2022-2023 Budget and Rate Schedule*

190 Mr. Gaffney opened the public hearing for the budget and rate schedule. He asked if there were
191 members of the public wishing to speak.

192
193 Mr. Hull stated there was no one wishing to speak from the public.

194
195 Mr. Gaffney closed the public hearing. He stated the floor was open to questions and comments for
196 the budget and rate schedule.

197
198 Mr. Mawyer stated there was a presentation slide for the budget and rate schedule.

199
200 Mr. Gaffney asked Mr. Mawyer to explain the differences from the previous year.

201
202 Mr. Mawyer stated there were no differences. He stated it was the same schedule that was adopted
203 several years ago. He noted there was an exception, that the clean fill material line was added a few
204 months ago, and the Board approved it. He stated it was an existing fee, so the Authority was
205 adopting the same fee schedule for 2023 that ended 2022. He stated the schedule would be effective
206 July 1 through June 30, 2023.

207
208 Mr. Gaffney asked if there was a motion to adopt the rate schedule.

209
210 **Mr. Smalls moved that the Board adopt them FY 2022-2023 rate schedule as proposed. The**
211 **motion was seconded by Mr. Rogers and passed unanimously (7-0).**

212
213 Mr. Gaffney stated they would move to the next item.

214
215 Mr. Mawyer indicated that the Board needed to approve the budget. He stated it was the same
216 budget presented in March, a total budget of \$6.8 million for FY23. He stated the expenses would
217 be \$6.8 million, a nearly 26% increase over the prior year. He stated the revenues would be about
218 \$3.5 million, a 36% increase over FY22.

219
220 Mr. Mawyer stated the expense and revenue increases were related to the increasing tonnage being
221 processed at the transfer station. He stated a \$460,000 net increase was projected to the expenses.
222 He stated the \$460,000 was allocated between the County and City in accordance with the
223 allocation formulas. He stated the total County contribution was \$2.7 million, a \$450,000 increase
224 from FY22.

225
226 Mr. Mawyer stated the County contribution included transfer costs and the SACC costs. He stated
227 the City contribution was estimated to be \$508,000, a \$9,000 increase over FY22. He stated UVA

had a fixed contribution of \$79,982 for the environmental costs of managing the closed landfill cells.

Mr. Mawyer stated the preliminary engineering would be conducted and an agreement would be drafted for the new baling facility to be installed at IMUC. He stated the SACC would be constructed and opened by the end of the calendar year. He stated they would continue the Large Clean Fill program. He stated the program had been a success.

Mr. Mawyer stated the transfer station was the largest budget component at 51% of the total, followed by the environmental costs, 16% of the budget. He stated the operations costs for clean fill, mulch, and furniture and appliance disposal was 13% of the budget. He stated recycling represented 12% of the budget. He repeated the total costs to the County, City, and UVA—\$2.7 million, \$508,000, and \$79,982, respectively.

Mr. Mawyer stated the transfer building would receive pump and fan replacements. He stated there would be three positions added mid-year for the SACC. He stated there was a 4% merit pool proposed for staff along with a cost-of-living increase that was approved in February 2022 which equated to \$128,000. He stated more costs were allocated to solid waste from the administrative and technology staff. He stated they were planning to transfer an additional 12,800 tons of refuse. He stated there were additional fuel costs anticipated.

Mr. Mawyer repeated that the budget was estimated to be \$6.8 million. He repeated the County contribution was \$2.7 million, the City contribution was \$508,000, and the UVA contribution was \$79,982. He stated he was available for questions.

Mr. Richardson asked Mr. Mawyer to explain what the \$79,982 contribution from UVA covered.

Mr. Mawyer stated the contribution was related to an agreement in 2005 when the City, County, UVA, and the Authority decided the cost allocations for the environmental mitigation measures at the landfill. He stated a number of the cells were unlined, so ground water management systems had to be installed to monitor the water. He stated there was an air management system as well. He stated since UVA was a large contributor to the refuse in the landfill, UVA agreed to pay for 30 years, and the current allocation was \$79,982. He stated Mr. Gaffney had led the negotiations.

Mr. Gaffney stated it was determined at that time by staff that UVA had generated approximately 7% of the waste in the community. He stated UVA confirmed those numbers and agreed to pay the cost allocated. He stated the overall mitigation costs in the budget was approximately \$30 million. He stated it was mostly front loaded to install the remediation measures. He stated the 7% was approximately \$2.1 million towards the remediation costs.

Ms. Stanton stated the Chair should open the hearing for public comment.

Mr. Gaffney opened the meeting for a public hearing on the budget. He asked if there were members of the public wishing to speak.

Mr. Hull stated there were no comments from the public.

Mr. Stewart moved the Board to approve the FY 2022-2023 budget. The motion was seconded by Mr. Andrews and passed unanimously (7-0).

c. Presentation and Award of Contract: Construction of the Southern Albemarle Convenience Center

Mr. McKalips stated he would provide an update on the SACC, and at the end of the presentation there would be an action for the Board to approve the contract for construction. He stated the SACC would offer the same services as the McIntire Recycling Center with the addition of self-contained compactors to accept bagged municipal solid waste. He stated customers would pay \$2 per tag. He stated the site would have significant storm water management—curbs, gutters, level spreaders, and biofilters.

Mr. McKalips stated enhanced screening would be installed to have a lower impact on the neighbors. He stated there would be no lighting. He stated the site would be gated and fenced, and it would be staffed all times it was open. He stated the operating hours were proposed from 7:30 a.m. to 5:30 p.m. He stated the hours would allow the site to be available to people commuting to Charlottesville. He stated the facility would be closed one day a week—planned to be Thursday. He stated closing the site for the day would allow containers to be emptied and any maintenance to take place.

Mr. McKalips stated when the County first considered the site, the original design was a beautified McIntire facility where all the facilities would be along one row. He stated after further consideration the design changed. He stated they wanted the site to be able to handle a significant amount of traffic. He stated there was still a large number of recycling containers on the western end of the site for cardboards, fibers, and metal. He stated the containers on the southern edge would not be purchased until they were needed. He stated the site was being developed so that if it needed to expand, the infrastructure was there. He stated the two self-contained trash compactors were located at the north end of the site. He stated the site should be able to provide comfortable movement to customers.

Mr. McKalips stated the site grew in size, and over time, purchase prices for materials had also seen growth. He provided a slide with the project budget for the site totaling \$1.5M. He noted the Roll-Off truck had been pulled from the project budget and would be funded through operating expenses to maintain contingency in the project budget.

Mr. McKalips requested the Board authorize the Executive Director to execute a construction contract with Finley Asphalt and Sealing, LLC for \$973,676.

Mr. Stewart moved that the Board authorize the Executive Director to execute a construction contract with Finley Asphalt and Sealing, LLC for a total cost of \$973,676 to complete the

Southern Albemarle Convenience Center Project, and any change orders up to 15% of the original contract amount. The motion was seconded by Mr. Smalls and passed unanimously (7-0).

10. OTHER ITEMS FROM BOARD/STAFF NOT ON AGENDA

There were no other items from the Board.

11. CLOSED MEETING

There was no closed meeting.

12. ADJOURNMENT

At 2:32 p.m., Mr. Pinkston moved to adjourn the meeting of the Rivanna Solid Waste Authority. Mr. Rogers seconded the motion, which passed unanimously (7-0).

Respectfully submitted,



Mr. Michael Rogers
Secretary - Treasurer