



**CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY
BOARD OF DIRECTORS MEETING AGENDA
FEBRUARY 21, 2014
CRATER PLANNING DISTRICT COMMISSION
PETERSBURG, VIRGINIA**

CALL TO ORDER **9:00 a. m.**

CHAIRMAN'S AGENDA

CERTIFICATION OF QUORUM

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3. Chairman's Report	

STAFF AGENDA

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4.	Consideration of Resolution 14-12 : Awarding a contract for Drop-Off Recycling Hauling and Front End Load Recycling Collection and Processing	16 - 17
5.	Consideration of Resolution 14-13 : Extending the Household Hazardous Waste Collection, Transportation and Processing Contract	18 – 19
6.	Consideration of Resolution 14-14 : Extending the Used Oil and Antifreeze Waste Collection, Transportation and Processing Contract	20 – 21
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11.	Technical Advisory Committee Report	
12.	Public Information	



13. Financial Report for January 2014

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14. Administrative

OLD/NEW BUSINESS

ADJOURNMENT

At any time during the meeting the Board may go into a closed session pursuant to Virginia Code Section 2.2-3712 for purposes of consulting with legal counsel regarding specific legal matters requiring the provision of legal advice, as authorized under Virginia Code Section 2.2-3711 (A) (7).

MINUTES OF THE REGULAR MEETING OF JANUARY 24, 2014

The minutes of the regular Board of Directors meeting held January 24, 2014, are presented for your consideration and approval.

Recommended Action: Approve minutes.

Attachments

**CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY
BOARD OF DIRECTORS' MEETING
JANUARY 24, 2014
MINUTES
2104 W. LABURNUM AVENUE
RICHMOND, VIRGINIA**

MEMBERS/ALTERNATES PRESENT

Voting:

Steve Chidsey, (M-Hanover), Chair
Robert C. Key (M-Chesterfield), Vice-Chair
Robert C. Whiteman (M-Henrico), Treasurer
Bill Hamby, Jr. (M-Prince George), Secretary
Mark Kukoski (M-Richmond), Past Chair
Lee Sloppy (M-Ashland)
Matthew Rowe (M-Charles City)
Robert L. Dunn (M-Chesterfield)
Charles E. Dane (A-Chesterfield)
Leigh Dunn (M-Goochland)
Wayne Hazzard (M-Hanover)
J. Allen Lane (M-Henrico)
William I. Mawyer, Jr. (A-Henrico)
Ed Watson, Jr. (M-Hopewell)
James H. Burrell (M-New Kent)
Steven Hicks (M-Petersburg)
Kevin A. White (A-Richmond)

Non-Voting:

Jon Clary (A-Henrico)

Staff:

Kimberly A. Hynes, Executive Director
Rich Nolan, Director of Operations
Marc René, Finance & Administrative Officer
Nancy W. Drumheller, Public Information Coordinator
Reginald D. Thompson, Operations Technician
Valerie Pegues-Johnson, Administrative Asst. &
Customer Service Representative
Patricia McCullagh, General Counsel

MEMBERS/ALTERNATES NOT PRESENT

James A. Jackson (M-Richmond), Director
Jennifer Schontag (A-Ashland)
Marcia R. Phillips (M-Chesterfield)
Dr. Sheryl D. Bailey (A-Chesterfield)
Jeff Howard (A-Chesterfield)
Tom Mattis (M-Colonials Heights)
William E. Henley (A-Colonial Heights)
David Lloyd (A-Goochland)
Chip England (A-Hanover)
Michael Flagg (A-Hanover)
Marcia E. Kelley (M-Henrico)
Arthur D. Petrini (A-Henrico)
David Fratarcangelo (A-Hopewell)
David Bednarczyk (A-New Kent)
William Riggleman (A-Petersburg)
Elliot Danburg (M-Powhatan)
Christopher Rapp (A-Powhatan)
Rod M. Compton (A-Prince George)
Johnnie Allen (A-Richmond)
Lana K. Agostini (M-Richmond)

Guests

Randy Silber, Deputy County Manager for
Community Development, Henrico County
Ben Blankinship, Principle Planner for Henrico
Jeff Steers, Director, Land Protection VA DEQ
Mike Murphy, Regional Director, VA DEQ
Terri Phillips, Principal/Sr Consultant, Golder Assoc
Michael Monroe, President & CEO, TEEL
Darrin Hinderliter, Dir. of Landfill Operations, TEEL
Lori Krenik, Court Reporter, Halasz Reporting
Valerie M. Bell, Henrico County
Andrea Wortzel, Counsel for Troutman Sanders
Monique Robertson, Executive Asst, Hopewell
Richard Smith, RJ Smith Const (on behalf of TEEL)
Laura Kebede, RichmondTimes-Dispatch
Harry Gregori, Waste Associates, LLC
Tom Tokarz, Henrico Asst County Attorney
Rev Tyrone Nelson, Henrico Board of Supervisors
Ashley Monfort, NBC 12

With a quorum in attendance Chairman S. Chidsey (M-Hanover) called the meeting to order at 9:00 a.m.

CHAIRMAN'S AGENDA

Item No. 1: Public Comment Period

Chairman Chidsey opened the floor to receive public comment with the exception of comments regarding agenda Item No 5: Solid Waste Management Plan Amendment Request – The East End Landfill. Anyone who would like to speak regarding Agenda Item No. 5 will have the opportunity to do during the discussion of that line item. With no other requests from the public to address the Board, Chairman Chidsey closed the public comment period.

Chairman Chidsey reminded visitors from the public and guest speakers to sign-in on the guest attendance sheet located at the front of the room.

Item No. 2: Minutes of the Regular Meeting of December 13, 2013

Mrs. K. A. Hynes, CVWMA Executive Director, indicated that Staff had one correction to make to the December 13, 2013 minutes: The third sentence of Item No. 8: Operations and Program Statistics should read, *“He added that the convenience centers located in New Kent, Powhatan, Chesterfield, and Goochland have shown a year-over-year savings of \$300,000 due to the new pricing structure for MSW disposal in the latest contracts for these localities.”* Mrs. Hynes asserted that the change demonstrating savings differentiates the July 1, 2014 new procurement contract from any relation to recycling.

A motion was made by Mr. J. H. Burrell (M-New Kent), seconded by Mr. R. L. Dunn (M-Chesterfield) and carried that the minutes of the December 13, 2013 Central Virginia Waste Management Authority (CVWMA) Board of Directors meeting be approved as submitted with the noted correction.

Item No. 3: Chairman's Report

Chairman Chidsey acknowledged the presence and welcomed Board member, Mr. Matthew Rowe (M-Charles City).

Item No. 4: Treasurer's Report

Financial Reports for December 2013

Mr. R. C. Whiteman (M-Henrico), Treasurer deferred to Mr. M. René, CVWMA Finance and Administrative Officer, for the financial report. Mr. René directed the Board's attention to pages 10 – 17 of the agenda package, which displays the financial reports for December 2013. Mr. René reported that the CVWMA has a combined net income of about \$239,000 year-to-date. The financial activity is consistent with previous months and the Authority continues to remain within total budget in all funds as of December 31, 2013.

Concluding, Mr. René directed the Board's attention to a PowerPoint presentation outlining revenues against expenses.

A motion was made by M. Kukoski (M-Richmond) Past Chair, seconded by Mr. R. L. Dunn (M-Chesterfield), and carried that the Treasurer's Report of Finances for December 2013 be approved as submitted.

STAFF AGENDA

Item No. 5: Solid Waste Management Plan Amendment Request – The East End Landfill (TEEL)

Chairman Chidsey noted that there will be two presentations regarding the requested amendment to the Central Virginia Solid Waste Management Plan (Plan). Each presenter will have 15 minutes maximum to present their presentation or provide their comments. Following each presentation, he indicated that Board members will have the opportunity to ask questions. In addition, anyone else present that wishes to speak on the item will have an opportunity after the presentations. He asked that each speaker state their name, and affiliation for the record. He then turned the floor over to the first presenter, Ms. Andrea W. Wortzel, Troutman Sanders.

Ms. Andrea W. Wortzel, Attorney for Troutman Sanders, LLP thanked the Authority's Board for the opportunity to share thoughts on behalf of TEEL's proposal to expand the life of its landfill located at 1820 Darbytown Road in Henrico County (the "Facility"). She referred the Board to handouts that were provided both at the meeting and by electronic mail prior to the meeting. It includes TEEL's response to assertions made by Henrico County. She did not review the packet of information as she indicated that the information is irrelevant to the CVWMA Board's decision, however she wanted everyone to be aware that TEEL had provided a response. She noted that the issues raised by Henrico County in opposition to the Plan were related to land use and these issues were address through its Board of Zoning Appeals ("BZA"), who approved the expansion of the Conditional Use Permit (CUP) on June 27, 2013.

Ms Wortzel then reviewed the expansion request and displayed the waste management boundaries and the expansion area as well as the area surrounding the landfill. She mentioned the concerns regarding traffic and affirmed that the average daily and maximum daily intake will not changing from the existing permit. She further reiterated statements made by Henrico County to the BZA regarding the use of the TEEL property for CDD landfill has been an established landfill for 20-25 years and that the County has observed a 'remarkable turnaround in the willingness and ability of TEEL to address concerns and correct problems.' In addition, 32 additional conditions to the CUP were suggested by TEEL "that would strengthen and improve upon the conditions that have governed the site since 2007."

She went on to include that the BZA acted pursuant to the authority delegated to it by the Board of Supervisors in June 2013. The decision was not appealed and Henrico transmitted the CUP approval to TEEL indicated that [the expansion] "...will not have any substantial detrimental impact on neighboring property." She further indicated that the BZA decision is binding on Henrico County.

She then walked the Board through the requested changes to the text of the Plan to include expanding the waste management boundary to 74.75 acres and the total permitted design capacity to 11,417,000 cubic yards, an increase from 4.8 million cubic yards. In addition, TEEL is requesting a factual change to delete the two former landfills (Cox's Darbytown Road Landfill and Simon's Hauling Landfill) that have become TEEL and to add TEEL to Appendix D of the Plan. The purpose of the proposed changes includes fulfilling the requirement that the Plan maintain updated information about facilities within the Plan boundary. She pointed out the basic planning elements to be considered: objectives, implementation strategies to include consideration of private sector participation; achieve and maintain the minimum recycling rate goals of the State and how it will be achieved.

Ms. Wortzel included that the TEEL amendment request is consistent with the Plan based on Objective 1.0 on page 14 of the Plan; Policy on page 14 of the Plan; Objective 2.0 on pages 15-16 of the Plan. The Plan states in its policies to “support mechanisms to....maximize the use of existing facilities” and “...encourage expansion of private operations as practical.” Further, the Plan states that “These capacity figures could increase as some of these landfills have submitted Part A Applications for expansion subsequent to the publication of the source report and others may do so in the future.” Page 56 of the Plan “encourages contractors and haulers to deposit debris in private [CDD] landfills.” In addition, Ms. Wortzel indicated that TEEL also supports the recycling goals of the Plan by conducting recycling/reuse on the site (concrete, soil) and by taking residuals of CDD recycling facilities.

Ms Wortzel included that this expansion is consistent with the need identified in the Plan (need to preserve space in MSW landfills and need for CDD landfills to expand to help meet the goals of the Plan). She disputed CVWMA’s calculation of years of life of CDD and MSW landfills in the region. She indicated that this calculation assumes consecutive years of operation, not concurrent as actually occurs. Per DEQ’s June 2013 Solid Waste Report, there is an estimated 21.7 years of MSW capacity statewide and 29.5 years of CDD capacity statewide.

Ms. Wortzel’s continued by stating that this Plan amendment is consistent with amendments made in the past. This amendment will positively enforce the goals and objectives of the Plan, will not impact the regional waste disposal strategies and will not impact the waste management philosophies included in the Plan.

She further indicated that the locality is responsible for zoning, DEQ is responsible for permitting and CVWMA is responsible for planning. She indicated the factors CVWMA should be considering in amending the Plan (slide 39).

Concluding, she reiterated that the requested amendment should be approved because: it will record factual information about the facility, record zoning approving the expansion, be consistent with the Plan’s goals and objectives, be consistent with the needs in the region, be consistent with past amendments and consistent with the role of the CVWMA.

Chairman Chidsey thanked Ms Wortzel and asked if any Board member had any questions for TEEL representatives.

Mr. Kukoski (M-Richmond), Past Chair, commented that there seem to be some inconsistencies in reported numbers and asked for clarification of how many tons in a cubic yard. Mr. Darrin Hinderliter, Director of Landfill Operations for TEEL, responded that the average density is about 1,450 pounds per cubic yard of CDD materials.

Mr. S. Hicks (M-Petersburg) asked if the community was notified of the potential expansion. Mr. Hinderliter responded affirmatively and continued to explain that TEEL developed a community action plan which included sending 17,000 mailers, holding quarterly and special meetings, developing a hotline, and holding tours of the landfill. He added that TEEL had not received the response from the community it had expected to receive with less than 50 people who attended a total of eight meetings held by TEEL.

Mr. Hicks asked if this communication plan was implemented before the purchase or after. Mr. Hinderliter responded after TEEL’s first initial meeting after the new management was installed. He noted that TEEL had made a hard community effort to provide information about the expansion of

the landfill. Mr. Hinderliter added that many residents did not realize that there was a landfill in eastern Henrico.

Mr. Hicks asked about the buffer. Ms Wortzel directed attention to her presentation showing the buffer between the landfill and surrounding areas. Mr. Hinderliter explained that TEEL moved back its footprint enhancing the Darbytown Road vegetative buffer to about 350ft to enhance the beautification. He pointed out the company's effort to clean up the landfill and inform nearby residents and create a vegetation barrier between the landfill and Darbytown Road.

Mr. W. Hazzard (M-Hanover) asked when they purchased the land. Ms. Wortzel responded that the landfill was purchased in 2010 and in December 2011, a new management team was put into place. Mr. Michael Monroe, President and Chief Executive Officer for TEEL responded that the property was purchased in 2010 with an option to buy the property for the expansion. Mr. Hazzard followed up asking if TEEL was aware that the landfill had a limited life span when it was purchased. Mr. Monroe responded that TEEL was aware of the landfill's status, characterization, and conditional use and that it was purchased with the expectation of expanding the boundaries and capacity of its landfill operations.

Mr. Hazzard enquired if there was any commitment made to TEEL by the County that an expansion would be approved with its limited life span. In addition, he asked if representatives of TEEL were aware that if they were not able to expand the operation, it would have a limited life and would close. Mr. Monroe responded that TEEL was aware of the remaining capacity and that Henrico nor its governing body promised approval to the expansion of its operation.

Mr. Hazzard, commented that in looking at the area map, it appears space is being reduced instead of expanded. Mr. Monroe indicated that is correct, and that the plan is to reduce the waste management boundary around the outside and fill in the middle. He added that there are areas within the landfill that TEEL agreed not to develop.

Mr. Hazzard asked and Mrs. Patricia McCullagh, General Counsel for the Authority, confirmed the CVWMA should be considering if the proposed amendment is consistent with the Plan and the CVWMA does not have the authority over land use. In this case, the zoning has already been approved by the County.

Mr. R. L. Dunn (M-Chesterfield) confirmed that the Authority Board's role is to consider Plan consistency only. Mrs. McCullagh commented that the Authority's Board is tasked with deciding whether there is consistency within the Plan. She recommended the Board closed the meeting for further analysis what that entails.

Mr. R. L. Dunn asked about the Board's ultimate responsibility to approve the expansion. Mrs. Hynes indicated that it was her understanding DEQ needs certification from CVWMA that the applicant is 'consistent' with the Plan and without that, they would not issue a permit. She introduced Mr. J. Steers, Director of the Division of Land Protection and Revitalization for the Virginia Department of Environmental Quality (DEQ) and asked him to respond. Mr. Steers indicated that the absolute final decision to issue a permit rests with the Director of DEQ.

Mr. C. E. Dane (A-Chesterfield) commented that this expansion is not supported by the residents in the area. He commented that adding landfill space is worthwhile or needed where there is growth expectation and that significant growth is not expected in that area of the region. Mr. Dane further commented that there is capacity available where it should be for the growth in the region.

Chairman Chidsey commented that the gap between cost/ton to dispose of CDD and MSW has closed in recent years. Mr. Chidsey asked Mr. Monroe what percentage of tons come from outside CVWMA service areas. Mr. Monroe responded that he did not have the information readily available.

Mr. Kukoski questioned the numbers and the math in calculated years of life remaining. Mr. Hinderliter commented that the weight per load of CDD can vary somewhat. For instance, soil is higher in density and weight. Material of the same weight may be less dense. Mr. Kukoski asked about the remaining capacity in years, to which Mr. Hinderliter responded about 3.5 years. Mr. Chidsey asked if inert waste is included in the intake figures, and Mr. Monroe responded yes. Mr. Chidsey commented that inert waste is not being disposed in the landfill thus should not be factored in calculating remaining life.

Mr. Hazzard referred to Slide 39 of TEEL's presentation which referred to 'FACTORS' CVWMA should consider in amending the Plan, and asked TEEL if it was their opinion that CVWMA should take into consideration the resolution by the Henrico Board of Supervisors adopted at their December 10, 2013 meeting. Mrs. Wortzel responded by saying what this relates to is there a planning process laid out in the regulations that requires the local governments that are participating to pass a resolution passing whatever the CVWMA vote is or not endorsing the CVWMA. Mr. Hazzard clarified what Ms. Wortzel had said that the CVWMA Board is not supposed to take into account a resolution adopted by the locality governing body, but they are supposed to consider what the CVWMA approves or disapproves, to which Ms. Wortzel responded affirmatively.

Mr. Hicks expressed concern with the impact on the surrounding community. Ms. Wortzel responded that this area has been zoned heavy industrial and for landfill use for quite some time. TEEL is sensitive to the concerns of the community, however even if the landfill closes the zoning doesn't change.

Mr. M. Rowe (M-Charles City) asked if the property for expansion has not been purchased is there additional language in the permit. Ms. Wortzel indicated that the BZA had imposed additional conditions in the Conditional Use Permit.

Mr. K. A. White (A-Richmond) asked why and/or how new management was installed. Mr. Monroe responded that ownership changed in 2010 and the previous management was removed. The previous management failed and burned bridges with the County, vendors and others which has hurt their credibility. Mr. White asked what new, innovative solutions has the management team brought forward since then. Mr. Monroe provided a summary of changes that TEEL has and plans to implement that would include modern landfill engineering, water quality protection, surface water compliance, and significant site improvements.

Mr. White asked about the 150 mile radius of bringing in waste. Mr. Monroe responded that the 150 mile radius is stipulated in their state solid waste permit.

Mr. J. A. Lane (M-Henrico) asked if the landfill would go any higher with the expansion, to which Mr. Hinderliter responded the height of the landfill would increase from 302 feet to 320 feet, thus 18 feet higher than currently permitted. Mr. Monroe commented that the height of the landfill stipulated in the County Conditional Use Permit is not to exceed that of the Old Dominion Landfill.

With no more questions for TEEL representatives at this time, Chairman Chidsey called on Mr. Randall Silber, Henrico Deputy County Manager.

Mr. Randall R. Silber, Henrico County Deputy County Manager, thanked the Board for their time in presenting Henrico's position on the matter. He introduced Mr. Tyron Nelson, Varina District Supervisor who will also make some remarks and Mr. Tom Tokarz, Assistant County Attorney for Henrico and Mr. Ben Blankinship, Principal Planner for Henrico. He indicated that written information had been provided to the Board regarding land use aspects regarding this proposed amendment. Henrico believes that an expansion of the TEEL landfill will have a detrimental impact on the nearby residential community and area. More than 1,400 homes will be impacted, all with in a one mile radius of the landfill.

Mr. Silber referred to Section 3.1 of the Plan relating to goals. He pointed out that Objective 1.0 Policy states that a Plan should be developed to "fulfill regional and local needs and priorities." Further Objective 2.0 Policy of the Plan is "To assist in meeting the solid waste management needs of the Central Virginia Waste Management Authority service area and the individual member localities through the year 2024.

Mr. Silber indicated that Section 6.1 of the Plan discusses at great length a solid waste needs assessment for the region. Subsection 6.1 states "in the development of the preferred system, it was critical that the system meet the anticipated needs of the member jurisdictions. To assure that this was true, the localities were surveyed as to what these anticipated needs might be." In response to the survey, Henrico indicated two specific needs: 1) transfer station for MSW at the Springfield Rd and Charles City Rd public use areas because of anticipated closing of the Springfield Rd Landfill and 2) organics (biosolids and yard waste) processing facility for Henrico Wastewater Treatment Plan. Henrico did not identify any need for additional CDD capacity through 2024 (refer to page 66 of the Plan).

Further, Mr. Silber referred to Section 6.9 of the Plan which states "The existing public and private landfill capacity available to the region should satisfactorily handle the area's needs throughout the 20 year planning period." This also assumes no increase in the recycling rate and no increase in capacity from existing landfill sites. The Plan also states in Section 6.9 that "it is anticipated that the available capacity at these [CDD] landfills in conjunction with the CDD capacity available at other landfills such as the Charles City County Landfill will meet the Region's needs." Finally, under Plan Maintenance in Section 8.5 of the Plan, Mr. Silber quoted that the Plan amendment process should include participating local government and input from elected officials.

Mr. Silber reiterated information disseminated by the CVWMA regarding remaining CDD and MSW capacity in the region and outside the region. In conclusion, Mr. Silber reiterated that there is no need for additional CDD capacity for the next 50 years and certainly not before the development of the next Plan and Henrico County does not want it. It would make sense that a CDD facility be located in area where there will be significant growth. He reiterated that the governing body of Henrico County opposes the proposed Plan amendment. In conclusion, he asserted that denial of TEEL's proposed amendment would be fully consistent with the Plan.

Mr. Silber turned the floor over to Reverend Tyrone Nelson, Varina District Supervisor for Henrico County.

Rev. Nelson thanked the Board for allowing him to speak on this matter which he indicated is very important to not only to all the citizens of Henrico County, but particularly those that live in the Varina District. He indicated that he is continuing to fight this battle that started several years ago with the previous Supervisor.

He asserted that although there have been improvements made at the landfill, residents are looking forward to the landfill filling up in the next two to three years. Mr. Nelson then directed attention to letters from Senator Donald McEachin, and Delegates McQuinn and Ingram, who also support Henrico's position.

Rev. Nelson continued by saying that often expansion of business in the County is encouraged when they are good for the locality or a region. Often they provide services to a community or engage in the well-being of people nearby. Rev. Nelson indicated however that this morning he was there to tell the Board about a business didn't care about the community and disregarded neighborhood voices and concerns expressed by the local government. Now, they seek to expand by doubling their size, overshadowing the homes below and allowing a grossly negative impact on a residential community for another generation.

Rev. Nelson indicated that he disagrees with TEEL's assertion that "this expansion will have no or little impact on the community or certainly no worse than what they currently have." From a public health, safety and welfare perspective, this landfill use has been a problem and he believes the expansion will only exacerbate the problem.

He continued referencing from a public health, safety and welfare standpoint that from 2009-2011 this landfill acted in blatant disregard to County and State codes and was described by many as an environmental disaster. There were fines imposed by DEQ and Court efforts necessary to bring compliance. TEEL brought approximately 100,000 cubic yards of coal ash onto the property. They had permission to use it as daily cover, but they abused that permission and piled it up into a mountain. Coal ash was allowed to blow in the wind and no one knows to what extent it contaminated the soil or the groundwater. There were also complaints about odors, a fire that was not handled correctly and other violations. And they say there is no impact on the welfare of residents nearby. He indicated that to TEEL's credit, the new management spent a year cleaning up the site and correcting the violations and the County appreciates that. However, a year or two of responsible operation is not enough to earn back the trust.

Rev. Nelson continued and discussed traffic issues. The conditions suggested by the applicant would allow up to 3,500 tons in a single day. Today they are currently averaging 700-800 tons per day. At 10 tons per truck, that would add 350 trucks, almost one truck per minute for a full 8 hour day. In one direction on Darbytown Road there is a narrow, low railroad bridge and in the other direction is an elementary school.

In 1987, when Darbytown Road Landfill was first approved, the area was primarily industrial with a few scattered homes. Today it is primarily residential with over 3,000 homes in the area. The homes moved to the industrial area, so it was only fair to allow the landfill to continue, but allowing it to expand is a different question. The neighbors have been patient for a long time. They should not have to put up with another 17 years; or whatever the "opt-year" might end up being.

Rev. Nelson continued discuss property values in the surrounding area. He indicated it is difficult to say exactly how much the landfill detracts from the value of any given home. He personally would feel much more comfortable buying a house near a completed and reclaimed landfill rather than one that will grow in height daily and whose roads carry large trucks coming and going six days a week. The more visible the landfill becomes, the worse affect it will have. An active landfill, for years to come could have nothing but a negative impact on property values.

Rev. Nelson reported that in November 2011, Senator Donald McEachin, about ten residents and himself sat down with TEEL to learn more about their efforts and plans to clean up their facility.

They indicated at the time they planned to clean up their operations, remove the violations and work toward a closure of the landfill in 2-3 years. He now feels misled and that he was provided false promises.

Rev. Nelson asked "do we want to add 12-15 years, or perhaps many more years, to the life of a landfill that has already operated for 25 years or is it time for the landfill to work toward a phased closure?" The residents of the landfill were aware of the landfill, but not plans to double its size, move it closer to their houses, and remove many trees in the buffer between the landfill and the community.

In summary Rev. Nelson reiterated that this landfill has been an issue for himself and the residents of the Varina district of Henrico County. He indicated that he and Eric Leabough, Chairman of the Planning Commission and over the Varina District voices strong opposition to the BZA when they considered the proposed TEEL expansion in June 2013, but their strict interpretation of the Code caused them to approve the expansion 3 to 1.

He went on to remind the Board that the Henrico County Board of Supervisors as a whole has major concerns with the expansion. As mentioned by Mr. Silber, the Board of Supervisors passed unanimously a resolution opposing the landfill expansion and amendment of the CVWMA Plan. He hopes that this regional Authority respects the host locality's concerns and recognizes the impact an expansion would have on the people in his District and urges support of Henrico County in opposing the amendment to the regional waste management plan.

Mr. M. Rowe (M-Charles City) asked representatives of the DEQ if all of the fines levied on TEEL had been paid, to which Mr. Mike Murphy, Piedmont Regional Director for DEQ responded yes. Mr. Rowe asked County officials if the DEQ denies the permit, will the County rezone the property? And will the County be looking to change their approval process for Conditional Use Permits in the future? Mr. R. Silber, responded that the property is zoned industrial and the County would not be rezoning the property. He also indicated that the County will taking a look at their ordinance and may consider revising their process for zoning approvals in the future.

Mr. Hicks asked why the County did not appeal the BZA after the zoning was approved. Mr. Tom Tokarz, Deputy County Attorney explained that there are two different processes, one involving the Conditional Use Permit and the BZA and the other involving the solid waste plan. The BZA does not mention or consider the solid waste plan. The BZA does not consider regional needs of capacity of solid waste. He continued commenting that litigation is expensive and not entirely appropriate in this case because the BZA was considering something entirely different than solid waste plan. In addition, the BZA is appointed by the Courts, not the Board of Supervisors. The Henrico BOS has an entirely different opinion regarding the land use than the BZA.

Mr. Hazzard asked Mr. Tokarz what the County's position is on whether the CVWMA Board should consider the Henrico Board of Supervisors resolution. Mr. Tokarz referred to Section 6.1 of the Plan that calls for locality input, thus the answer is yes, it's his opinion the CVWMA Board should consider the Board of Supervisors resolution.

Board Member Mr. J. H. Burrell (M-New Kent) left the meeting.

Mr. B. Hamby, Jr. (M-Prince George) asked Mr. Nelson to elaborate on the meeting with Senator McEachin he referred to in his remarks. Mr. Nelson indicated that in November 2011 he met informally with TEEL representatives at Senator McEachin's office. They were there to discuss the

issue of coal ash. He and the residents present received information from TEEL at that meeting that the landfill would close in a few years.

Mr. Hazzard asked if the landfill had been operating properly all along if this would even be an issue. He continued to ask if the amendment does not get approved today, and TEEL continues to operate properly would the County consider an expansion in the future. Rev. Nelson responded that he can't speak to the future, but feels certain the citizens would not want an expansion. He indicated that it is not likely they would be supportive of an expansion in the future. Chairman Chidsey indicated that TEEL could come back to CVWMA in the future to request an expansion.

Mr. Dunn asked if the County would be looking at their zoning process. A business needs to be able to take the local government at their word when approving zoning. Mr. Tokarz indicated that the BZA received neighborhood input at their meeting. He emphasized the different roles of the BZA and the Board of Supervisors. The BZA has limited authority and doesn't take into consideration the breadth of issues as the Board of Supervisors.

Rev. Nelson commented that not one citizen is in favor of this expansion and it is not his duty to appoint BZA members or to even talk to them other than making comment as a citizen at their public meeting.

Mr. Hicks commented that it is CVWMA's role to look at capacity needs and determine if the location of landfill (s) might be better suited in another location. The CVWMA needs to consider how this expansion of capacity will impact the surrounding capacity. Mr. C. Dane reiterated Mr. Hicks' comments regarding capacity needs in the region.

Chairman Chidsey asked if there were any more questions for County representatives and hearing none, asked if there was anyone else signed up to speak. He reiterated that each person should state their name, affiliation and address for the record and limit comments to 3 minutes.

Valerie M. Bell, 11532 Birchill Lane, Glen Allen 23059, Henrico County resident expressed her concerns and opposition to the proposed landfill expansion. She indicated that she was in opposition to the expansion and that most of her points were made by Reverend Nelson. She expressed significant environmental concerns, specifically groundwater contamination and other environmental issues that can arise from this type of operation. Ms. Bell asked who will be responsible for the environmental problems in the future. She and many citizens have been working since 2009 to ensure that this landfill does not expand past its current permitted capacity. She is a citizen living in Henrico County and she thanked the Board for their attention and she requested this expansion be denied.

Mr. Richard Smith of RJ Smith Construction spoke next. He addressed the Board by stating that he had heard a lot this morning about landfills and capacity in the region. He represents the contractors. RJ Smith runs about 50 trucks per day and with all due respect to the issues of this landfill in the past, the environmental concerns and the impact on the community, there is also something to be said for the contractors and businesses that build the homes so the citizens can move in. Continuing he stressed that "logistics are everything" to [the contractor]. He indicated that the trucks they are using get about 4-5 miles to the gallon. The other landfills in the region presented are 30 miles away. That will take 1.5 hours round trip, increased diesel fuel costs and increased labor costs. Someone has to pay for that. TEEL is 'logistically friendly' for his company. The other landfills mentioned earlier are not as 'contractor friendly' because of the pricing structure. CDD landfills are more intune, pricing wise to his business and his customers. If TEEL closes, his company and others like RJ

Smith, will be impacted greatly because of the additional cost (fuel, labor and tipping fees) that will need to be passed on to the consumer. He thanked the Board for their attention.

Chairman Chidsey asked is there was anyone else that did not sign up that wished to speak. Hearing none, he asked if any Board members had any further questions on the topic. Mr. W. Mawyer (A-Henrico) asked what the Boards plan is; to take the vote today or come back later. Mr. Chidsey responded that a resolution was not presented to consider today and not withstanding any motion today, the plan would be to bring the item back to the Board to vote next meeting.

Chairman Chidsey thanked everyone for the presentations and comments. Mr. W. Hazzard (M-Hanover), asked before moving on that he is tempted to motion the Board go into closed session as he feels there are still some unanswered question regarding what the CVWMA's role is and he didn't feel it appropriate to discuss in open session.

Mr. W. Hazzard (M-Hanover) then made the motion, which was seconded by Mr. S. Hicks (M-Petersburg) and carried to move into closed session pursuant to Virginia Code Section 2.2-3712 to provide consultation over the Authority's role and potential legal matters regarding the Plan under Virginia Code Section 2.2-3711 (A)(7) which permits for such closed sessions for consultation with legal counsel and briefings from staff pertaining to actual or probable litigation. Further, the presence of Mrs. K. Hynes is required during the closed session as she is necessary to the discussion and will reasonable aid the Board in its consideration of the matters at issue.

Board Member Mrs. Leigh Dunn (M-Goochland) left the meeting during the closed session.

At the conclusion of the closed session, a motion was made by Mr. W. Hazzard (M-Hanover), seconded by Mr. S. Hicks (M-Petersburg) and carried unanimously to exit the closed session.

The doors to the meeting room were reopened.

Chairman Chidsey asked for a roll call vote, pursuant to Virginia Code Section 2.2-3712D to certify to the best of each Board members' knowledge that only matters identified in the motion to move into closed session were in fact discussed during the closed session, such matters being properly exempted from the open meeting requirement pursuant to Virginia Code Section 2.2-3711 (A) (7) and 2.2-3712A. Chairman Chidsey asked any member who believes there was a departure from this understanding state their belief of such and the reasons supporting such belief.

The following certified that the only matters referenced above were discussed during the closed session: Chairman S. Chidsey (M-Hanover), Mr. R. C. Key (M-Chesterfield), Mr. R. C. Whiteman (M-Henrico), Mr. B. Hamby, Jr. (M-Prince George), Mr. M. Kukoski (M-Richmond), Mr. L. Sloppy (M-Ashland), Mr. M. Rowe (M-Charles City), Mr. R. L. Dunn (M-Goochland), Mr. W. Hazzard (M-Hanover), Mr. J. Allen Lane (M-Henrico), Mr. W I. Mawyer, Jr. (A-Henrico), Mr. E. Watson, Jr. (M-Hopewell), Mr. S. Hicks (M-Petersburg), Mr. C. Dane (A-Chesterfield), Mr. K. White (A-Richmond), and Mr. J. Clary (A-Henrico). Mr. J. Burrell (M-New Kent) and Ms. L. Dunn (M-Goochland).

A motion was made by Mr. R. Key (M-Chesterfield), seconded by Mr. M. Kukoski (M-Richmond) requesting staff take the requested amendments relating to alteration of text on page 28 and Appendix D of the Central Virginia Solid Waste Management Plan under advisement for correction if necessary as part of the 2014 review process and the motion carried unanimously.

A motion was made by Mr. W. Mawyer (A-Henrico), seconded by Mr. S. Hicks (M-Petersburg) that the amendment requested by The East End Landfill requesting an increase in the capacity identified

on Page 30, Table 2 of the Central Virginia Solid Waste Management Plan be denied as being inconsistent with the local and regional solid waste needs at this time, and the motion carried unanimously.

Mr. C. Dane (A-Chesterfield) then made a motion that the meeting be adjourned and the remaining January 24, 2014 agenda line items to be reported on by CVWMA staff be deferred until the next full Board meeting. The motion seconded by Mr. W. Hazzard (M-Hanover) and carried unanimously.



CERTIFICATE

I, Stephen E. Chidsey, Chairman of the CVWMA certify that the foregoing minutes is a true and correct copy of the minutes of the January 24, 2014, regular meeting of the Central Virginia Waste Management Authority (CVWMA) Board of Directors. These minutes were adopted at a CVWMA Board meeting held at 9:00 a.m., February 21, 2014. Given under my hand and seal of the CVWMA this 21st day of February 2014.

Stephen E. Chidsey, Chairman

CONSIDERATION OF RESOLUTION 14-12: AWARDING A CONTRACT FOR DROP-OFF RECYCLING HAULING AND FRONT END LOAD RECYCLING COLLECTION AND PROCESSING

A Request for Proposals (RFP 14-57) was issued December 23, 2013 for Front-End Load (FEL) and Drop Hauling Services for Recycling Materials and Municipal Solid Waste (MSW). The proposals were opened and read January 27, 2014 at 2:00 p.m. CVWMA staff reviewed the proposals with an advisory committee comprised of representatives from several member localities. The recommendation of the selection committee is the execution of an agreement with Container First Services for the FEL and Drop-off Hauling Services for the Recycling Materials portions of the RFP. The term of the contract will be for an initial period of five years beginning on or about July 1, 2014 and ending June 30, 2019. The contract will also include an additional five-year renewal option.

Proposals were received from Waste Management Inc., Container First Services (CFS), and TFC Recycling.

The current contract with TFC Recycling for the FEL Services expires June 30, 2014. The current contract for the hauling of the drop-off recycling roll-off boxes is with CFS and it expires on June 30, 2014. We will now be combining these two contracts into one with CFS.

Using December 2013 volumes, the savings for the FEL program is estimated to be about \$2,900 per month. The other portion of the contract is for the pick-up and delivery of roll-off boxes that hold recycling materials. This portion of the contract is currently under CFS. CFS is recommended to continue providing this service. The new price is \$110.00/haul and \$55.00 per month rental. The current price is \$106.74/haul and \$68.14 per month rental.

The new contract will have no Consumer Price Index (CPI) increase consideration until January 1, 2017 as proposed by CFS. The remaining two and half years will have a four (4) percent cap on the CPI.

Resolution 14-12 is attached for consideration and would authorize the Executive Director to execute contracts for FEL and Drop-off Location Services for Recycling Materials. Special Project Service Agreements would be developed between CVWMA and the local participating jurisdictions interested in these services.

Recommended Action: Approval of **Resolution 14-12**.

Attachment

RESOLUTION 14-12

A resolution authorizing awarding contracts for Front-End Load (FEL) and Drop Location Services for Recycling Materials between the Central Virginia Waste Management Authority and Container First Services and the Special Project Service Agreements with participating local jurisdictions for a five (5) year period commencing on July 1, 2014.

THE CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY RESOLVES:

WHEREAS, the report included as Staff Agenda Item No. 4 of the February 2014 Board Agenda outlined the proposed FEL and Drop-off Location Services for Recycling Materials between the Central Virginia Waste Management Authority and Container First Services; and

WHEREAS, the Executive Director is authorized, subject to General Counsel's review and approval, to execute a contract for the for Front-End Load (FEL) and Drop Location Services for Recycling Materials between the Central Virginia Waste Management Authority and Container First Services; and

WHEREAS, the Executive Director is authorized, subject to General Counsel's review and approval, to execute Special Project Service Agreements between the Central Virginia Waste Management Authority and member localities as requested; and

THEREFORE, BE IT RESOLVED, that this resolution shall be in full force and effect upon its passage.

Adopted this 21th of February, 2014

ATTEST: _____
Stephen E. Chidsey, Chair

CONSIDERATION OF RESOLUTION 14-13: EXTENDING THE HOUSEHOLD HAZARDOUS WASTE COLLECTION, TRANSPORTATION AND PROCESSING CONTRACT

The *Household Hazardous Waste Collection, Transportation and Processing Contract* between the Central Virginia Waste Management Authority (CVWMA) and Safety-Kleen Systems, Inc. and its Affiliates was executed for the period beginning July 1, 2009 and ending June 30, 2014 and includes a 5-year renewal option. This resolution is for the 5-year renewal of this contract for the period beginning July 1, 2014 and ending June 30, 2019. Both parties have mutually agreed to renew the contract under the same terms that exist today.

The Contract includes the collection, transportation, and processing of Category 1 materials and aerosols. The material is collected from participating member jurisdictions drop-off locations on an on-call basis. Current cost is \$119.88 per 55 gallon drum with a drum replacement cost of \$53.94 per drum. Fiscal year to date 2014 total cost has been approximately \$11,000.

Attached is **Resolution 14-13**, authorizing the Executive Director to execute an addendum to renew the *Household Hazardous Waste Collection, Transportation and Processing Contract* for the five year renewal period and to renew the Special Project Service Agreement to update the list of materials to be collected and the fee schedule.

Recommended Action: Approval of **Resolution 14-13**.

Attachment

RESOLUTION 14-13

A resolution authorizing an amendment to renew the *Household Hazardous Waste Collection, Transportation and Processing Contract* and the *Special Project Service Agreements* with participating local jurisdictions to expand the list of materials collected by the Contractor and the fee schedule for this service.

THE CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY RESOLVES:

WHEREAS, the report included as Staff Agenda Item No. 5 of the February 2014 Board Agenda identified the mutual interest by the Central Virginia Waste Management Authority and Safety-Kleen Systems, Inc.; and

WHEREAS, the Executive Director is authorized, subject to General Counsel's review and approval, to execute an addendum to the contract for Hazardous Household Waste Collection, Transportation and Processing between the Central Virginia Waste Management Authority and Safety-Kleen Systems, Inc. and its Affiliates, and

WHEREAS, the Executive Director is authorized, subject to General Counsel's review and approval, to execute an addendum to Special Project Service Agreements between the Central Virginia Waste Management Authority and member localities as requested, and

THEREFORE, BE IT RESOLVED, that this resolution shall be in full force and effect upon its passage.

Adopted this 21th of February, 2014

ATTEST: _____
Stephen E. Chidsey, Chair

CONSIDERATION OF RESOLUTION 14-14: EXTENDING THE USED OIL AND ANTIFREEZE WASTE COLLECTION, TRANSPORTATION AND PROCESSING CONTRACT

The *Used Oil and Antifreeze Collection, Transportation and Processing Contract* between the Central Virginia Waste Management Authority (CVWMA) and Hydrocarbon Recovery Services, Inc. dba FCC Environmental (FCC) was executed for the period beginning July 1, 2009 and ending June 30, 2014. FCC has confirmed their desire to renew the Contract the five-year period beginning July 1 2014 and ending June 30, 2019.

Currently the CVWMA is receiving revenue from FCC for the waste oil ranging between \$0.90 and \$1.00 per gallon depending on the weekly Department of Energy (DOE) petroleum status report on low sulfur No. 2 diesel. Recent revenue from waste oil are as follows for fiscal year 2014:

<u>Locality</u>	<u>Revenue FYTD 2014</u>
Richmond	\$358.05
Colonial Heights	\$429.30
Goochland	\$3,348.25
New Kent	\$3,694.72
Powhatan	\$4,003.46
Hanover	\$17,626.36
Henrico	\$13,380.85
<i>TOTAL</i>	<i>\$42,841</i>

The proposed addendum will not impact the collection, transporting and processing of used antifreeze by FCC. This service will be performed at no cost. Oil Filters will be pick-up on request in 55-gallon drums. Current fee for this service is \$53.40 and this will not change.

Resolution 14-14 is attached and would authorize the Executive Director to execute an addendum to the *Used Oil and Antifreeze Collection, Transportation and Processing Contract* and to the Special Project Service Agreements reflecting the CVWMA's desire to renew this Contract for an additional five years.

Recommended Action: Approval of **Resolution 14-14**

Attachment.

RESOLUTION 14-14

A resolution authorizing an addendum to renew the *Used Oil and Antifreeze Collection, Transportation and Processing Contract* and the *Special Project Service Agreements* with participating local jurisdictions for a five year period beginning July 1, 2014.

THE CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY RESOLVES:

WHEREAS, the report included as Staff Agenda Item No. 6 of the February 2014 Board Agenda identified the mutual interest by the Central Virginia Waste Management Authority (CVWMA) and Hydrocarbon Recovery Services, Inc. dba FCC Environmental (FCC) to renew the terms of the contract for collection, transportation and processing of used oil and antifreeze; and

WHEREAS, the Executive Director is authorized, subject to General Counsel's review and approval, to execute a contract for Used Oil and Antifreeze Collection, Transportation and Processing between the CVWMA and FCC, and

WHEREAS, the Executive Director is authorized, subject to General Counsel's review and approval, to execute Special Project Service Agreements between the Central Virginia Waste Management Authority and member localities as requested, and

THEREFORE, BE IT RESOLVED, that this resolution shall be in full force and effect upon its passage.

Adopted this 21th of February, 2014

ATTEST:

Stephen E. Chidsey, Chair

2014 VIRGINIA GENERAL ASSEMBLY UPDATE

The General Assembly convened on January 8 and adjourns on March 8. Below are bills of interest introduced this year. Those that are greyed out are no longer alive.

Solid Waste and Recycling:

HJ28 (Daniel Marshall-Danville) Study; Manufacturing Development Commission; report.

Directs the Manufacturing Development Commission to examine the economic and environmental benefits of the use of recycled material in the manufacturing process in Virginia.

12/27/13 Referred to Committee on Rules
1/30/14 Studies Subcommittee: Reported w/ amendments (5Y – 0N)
1/31/14 Reported from Rules with Amendment (15Y – 0N)
2/6/14 Passed House (95Y – 1N)
2/7/14 Referred to Senate Committee on Rules

HB856 (Fariss-Campbell County) Hazardous waste permit. Removes the requirement that a permit is required from the Department of Environmental Quality to transport hazardous waste.

1/8/14 Referred to ACNR
1/15/14 Reported from ACNR (22Y – 0N)
1/20/14 Passed House (96Y – 0N)
1/21/14 Referred to Senate ACNR
2/13/14 Reported from ACNR (15Y – 0N)

HB1234 (David Albo – Springfield) Limitation on location of a landfill. Requires the Director of the Department of Environmental Quality, during his consideration of whether to issue a permit for a new solid waste management facility or the expansion of an existing facility, to determine that the proposed expansion of a facility will not be located within 150 feet of a Resource Protection Area.

1/17/14 Referred to ACNR
1/27/14 Assigned ACNR Sub: Chesapeake
1/30/14 Subcommittee recommends continuing to 2015
2/5/14 Continued in ACNR

HB506 (Hodges- Littering. Provides that a person charged with littering in an amount no more than 0.7 cubic feet may prepay a fine of \$50 in lieu of appearance in court.

1/10/14 Referred to Transportation
1/21/14 Continued to 2015

HB1070 (Taylor-Va Beach) Litter Control and Recycling Fund Advisory Board; membership. Increases membership on the Advisory Board from five to six persons, with the new member designated to represent the craft brewery industry.

1/8/14 Referred to ACNR
1/20/14 Assigned to Agriculture subcommittee
1/29/14 Stricken by ACNR

HB117 (Morrissey-Henrico/Richmond). Paper and plastic bag tax. Imposes a tax of five cents (\$0.05) beginning on July 1, 2015, on disposable paper bags and disposable plastic bags used by

purchasers to carry tangible personal property purchased in grocery stores, convenience stores, or drug stores. The following would be exempt from the tax: durable, reusable plastic bags; plastic bags used to carry ice cream, meat, fish, poultry, leftover restaurant food, newspapers, and dry cleaning; paper and plastic bags used to carry alcoholic beverages or prescription drugs; and multiple plastic bags sold in packages and intended for use as garbage, pet waste, or leaf removal bags. Retailers are allowed to retain one cent (\$0.01) of the five-cent (\$0.05) tax or two cents (\$0.02) if the retailer has a customer bag credit program. Failure to collect and remit the tax will result in fines of \$250, \$500, and \$1,000 for the first, second, and third and subsequent offenses, respectively. The revenues from the tax would be deposited into the Virginia Water Quality Improvement Fund.

The bill also authorizes each county and city by ordinance to impose a tax on disposable paper bags and disposable plastic bags at the same rate and under the same terms and conditions as the state tax. Revenues from the local tax would be collected by the Tax Commissioner and distributed monthly to the county or city imposing the tax. Each county or city adopting an ordinance to impose the tax would be required to provide a certified copy of the ordinance to the Tax Commissioner at least six months prior to the date the tax is to become effective.

12/17/13 Referred to Finance

1/15/14 Subcommittee recommends laying on the table

SB320 (Ebbin-Alexandria) Local paper and plastic bag tax. Authorizes localities in Planning District 8 by ordinance to impose a tax on disposable paper bags and disposable plastic bags. Revenues from the local tax would be collected by the Tax Commissioner and distributed monthly to the county or city imposing the tax. The bill requires each county or city adopting an ordinance to impose the tax to provide a certified copy of the ordinance to the Tax Commissioner at least six months prior to the date the tax is to become effective.

1/6/14 Referred to Finance

1/21/14 Passed by Indefinitely in Finance

SB339 (Lucas – Portsmouth) Secondhand fixtures and scrap metal; payment. Requires persons acquiring secondhand building fixtures, scrap, metal articles, and proprietary articles to make payments for the materials in the form of a check. Currently, purchasers of certain secondhand metal articles are required to make payments by check when the amount paid equals or exceeds \$1,000.

1/7/14 Referred to Commerce and Labor

1/20/14 Continued to 2015

SB589 (Lucas-Portsmouth) Disposal of solid waste fees; Southampton County. Allows Southampton County to levy fees for the disposal of solid waste at a county collection or disposal facility not to exceed the actual cost incurred by the county in removing and disposing of solid waste. The bill adds Southampton County to the list of counties permitted to use fees to purchase equipment; grants Southampton County the same authority that Accomack, Highland, Pittsylvania, and Wise Counties have regarding such fees; and allows Southampton County to exempt certain disabled veterans from such fees. The bill also makes technical changes.

1/13/14 Referred to Committee on Local Govt.

2/4/14 Continued to 2015

Fuels; Alternative and Natural Gas

HB340 (Taylor-Va Beach) Alternative Fuel Vehicle Conversion Fund. Allows moneys in the Fund to be used by local governments, local governmental agencies, and local school divisions.

1/2/14 Referred to General Laws

1/16/14 Subcommittee recommends reporting with amendments (6Y-0N)

1/21/14 Reported from General Laws (22Y - 0N)

1/27/14 Passed the House (100Y – 0N)
1/28/14 Referred to Senate GL & Technology

HB341 (Taylor–Va Beach) Natural gas vehicles; weight limit exception. Allows vehicles fueled, wholly or partially, by natural gas to weigh up to 2,000 pounds more than the applicable weight limit. The bill requires the operator of the vehicle to be able to demonstrate that the vehicle uses natural gas.

1/2/14 Referred to Transportation
1/27/14 Subcommittee recommends reporting w/ amendments (6Y – 1N)
1/28/14 Reported from Transportation w/ amendment (19Y – 3N)
1/31/14 Passed House (90Y – 5N)
2/3/14 Referred to Committee on Transportation
2/12/14 Reported from Senate Transportation (15Y – 0N)

SB505 (Wagner-Va Beach) Natural gas; incentives for expanded use as transportation fuel. Establishes financial and regulatory incentives for expanding the use of compressed natural gas (CNG) and liquefied natural gas (LNG) for transportation purposes in the Commonwealth.

1/8/14 Referred to Committee on Transportation
1/22/14 Referred from Transportation to Finance (14Y - 0N)
2/4/14 Continued to 2015 in Finance

HB345 (Taylor–Va Beach) Motor fuels tax; alternative fuels. Provides that the motor fuels tax on non-liquid alternative fuels shall be the percentage tax on a gallon of gasoline multiplied by the average wholesale cost of the amount of the alternative fuel required to produce the energy content of a gallon of unleaded gasoline, for each such amount of alternative fuel.

1/2/14 Referred to Finance
1/24/14 Subcommittee recommends laying on the table

Stormwater:

HB261 (Edward Scott–Culpepper)/SB423 (Augusta-Hanger) Stormwater Management Program – single family residences. Authorizes the State Water Control Board to adopt regulations that create a procedure for approving permits for individual parcels in a common plan of development, provide a General Permit for Discharges of Stormwater from Construction Activities that omits unneeded information on post-construction water quality standards, and provide reciprocity with other states regarding certification of best management practices. The bill also allows the submission of an agreement in lieu of a permit where land-disturbing activity results from the construction of a single-family residence.

12/30/13 Referred to House ACNR
1/7/14 Referred to Senate ACNR
1/29/14 Incorporated into HB1173
2/6/14 Reported from ACRN w/ substitute (13Y – 0N)
2/11/14 Passed Senate (38Y – 2N)

HB1173 (Hodges-Urbana) Stormwater management programs; optional for some localities. Allows any locality that does not operate a municipal separate storm sewer system (MS4) to opt out of establishing Virginia Stormwater Management Programs. Localities that notify the Department of Environmental Quality of their decision to opt out shall have their stormwater programs managed by the Department.

1/15/14 Referred to House ACNR

1/23/14 Subcommittee recommends reporting (7Y – 0N)
 1/29/14 Reported from ACNR w/ substitute (17Y – 4N)
 1/30/14 Incorporates HB58, HB649 and HB261
 2/5/14 Passed the House (93Y – 1N)
 2/6/14 Referred to Senate ACNR

HB697 (Poindexter-Franklin County) Local implementation of Stormwater Management Program.

HB 1117 (Wright-Lunenburg) Local implementation of Stormwater Management Program.

SB530 (Hanger-Augusta) Local implementation of Stormwater Management Program.

Delays the date that local governments will have to assume responsibility for administering the Stormwater Management Program from July 1, 2014, to July 1, 2015.

1/13/14 Referred to House ACNR Committee 1/8/14 Referred to Senate ACNR
 1/23/14 HB697 & HB1117 Tabled 2/6/14 Incorporated by SB 423 (13Y-0N)

SB53 (Stuart – Montross) Regulation of stormwater; waiver of charges for places of worship.

Requires a locality that adopts a system of stormwater management service charges to provide for a waiver of at least 50 percent of such charge to any church, synagogue, or other place of worship.

12/17/13 Referred to Local Govt
 1/14/14 Reported from Local Govt (11Y-0N) and Referred to ACNR
 1/30/14 Passed by Indefinitely (10Y – 4N – 1A)

SB469 (Smith-Roanoke) Stormwater Management Program; localities with minimal Chesapeake Bay watershed. Delays the date on which local governments are required to assume responsibility for administering the Stormwater Management Program from July 1, 2014, to July 1, 2015, in those localities in which less than 11 percent of the land area drains to the Chesapeake Bay.

1/8/14 Referred to ACNR
 2/6/14 Failed in ACNR (5Y – 9N)

SB425 (Hanger-Augusta) Stormwater management programs; appeals. Clarifies the appeals process for persons subject to state permit requirements under the Stormwater Management Act. The bill removes Virginia Stormwater Management Program (VSMP) authorities from the list of bodies whose actions may be appealed. For appeals of actions of the Department of Environmental Quality (the Department) or the State Water Control Board (the Board), the bill refers to applicable hearing procedures and provides that appeals include an opportunity with judicial review in accordance with certain standards.

1/7/14: Referred to Committee on ACNR
 2/6/14 Incorporated by SB 423 (13Y – 0N)

Mandates and Local Governments

SB163 (Locke – Hampton) Commission on Local Government; local mandates. Extends from July 1, 2014, to July 1, 2016, the task force appointed by the Governor to review state mandates on localities.

12/31/13 Referred to Local Govt
 1.21.14 Reported from Local Govt w/ substitute (14Y - 0N)
 1/22/14 Incorporates SB 407
 1/27/14 Passed Senate (39Y – 0N)
 1/31/14 Referred to House Committee on Counties, Cities and Towns
 2/11/14 Assigned Subcommittee #2

HB 513 (Morris – Isle of Wight) Removal of certain local government appointees. Provides that any appointee of a local governing body to a local board, commission, or committee, whether pursuant to § 15.2-1411 or any other provision of the Code, shall serve at the pleasure of the local governing body and may be removed at any time.

1/6/14 Referred to Counties, Cities and Towns

2/12/14 Left in Counties, Cities and Towns

HB384 (Dance – Petersburg) Local mandates; identification of sources of funding. Requires the assessment performed by state agencies to include the identification of sources of funding for the mandate.

1/3/14 Referred to General Laws

2/4/14 Subcommittee recommends laying on the table

SB199 (Alexander – Norfolk) Service districts. Provides that different classifications of property within a service district may be taxed at different rates based on the benefit received within that particular classification.

1/3/14 Referred to Committee on Local Govt

1/14/14 Stricken by the Patron (10Y-0N)

Administrative

SB472 (Smith-Roanoke) Advertisement of legal notices by localities. Allows localities to meet certain notice requirements by utilizing their websites, radio, or television rather than being limited to a newspaper of general circulation.

1/8/14 Referred to Committee on Local Government

2/4/14 Passed by Indefinitely

FINANCIAL REPORTS FOR JANUARY 2014

The financial activity is consistent with previous months and the Authority continues to remain within total budget in all funds as of January 31, 2014. The CVWMA has a combined net income of about \$202,000 year to date.

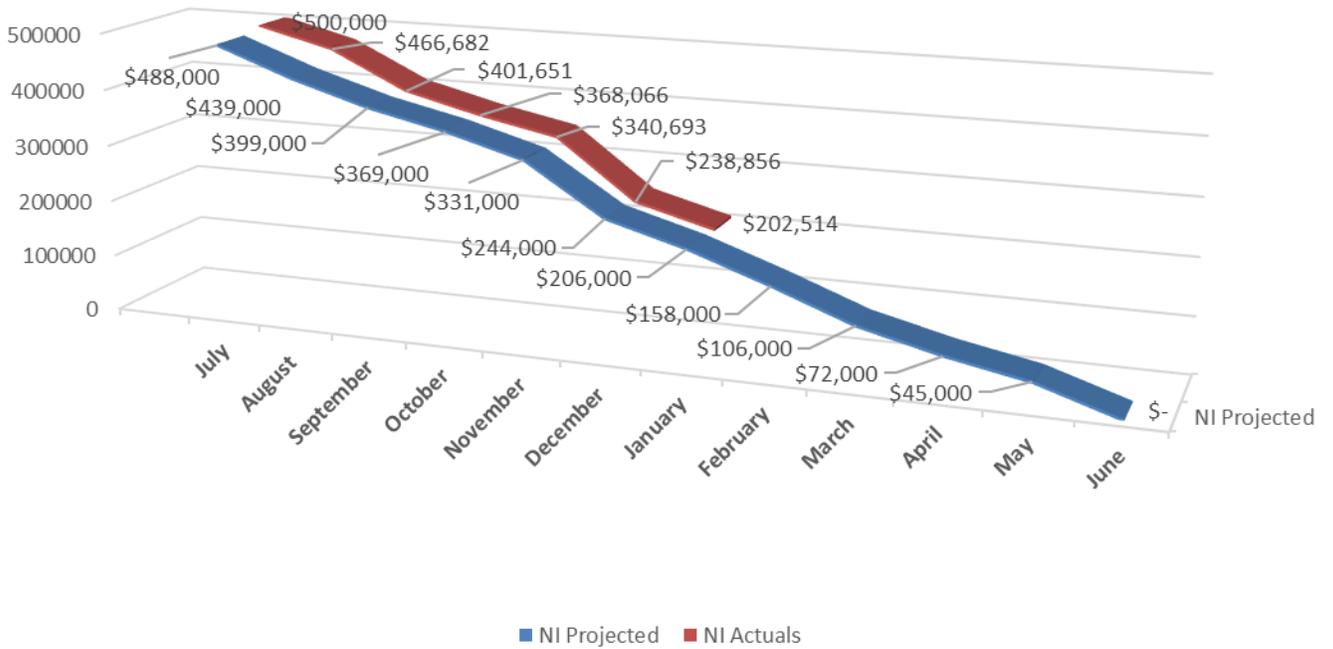
Recommended Action: Approval of the January 2014 Financial Reports

Attachments

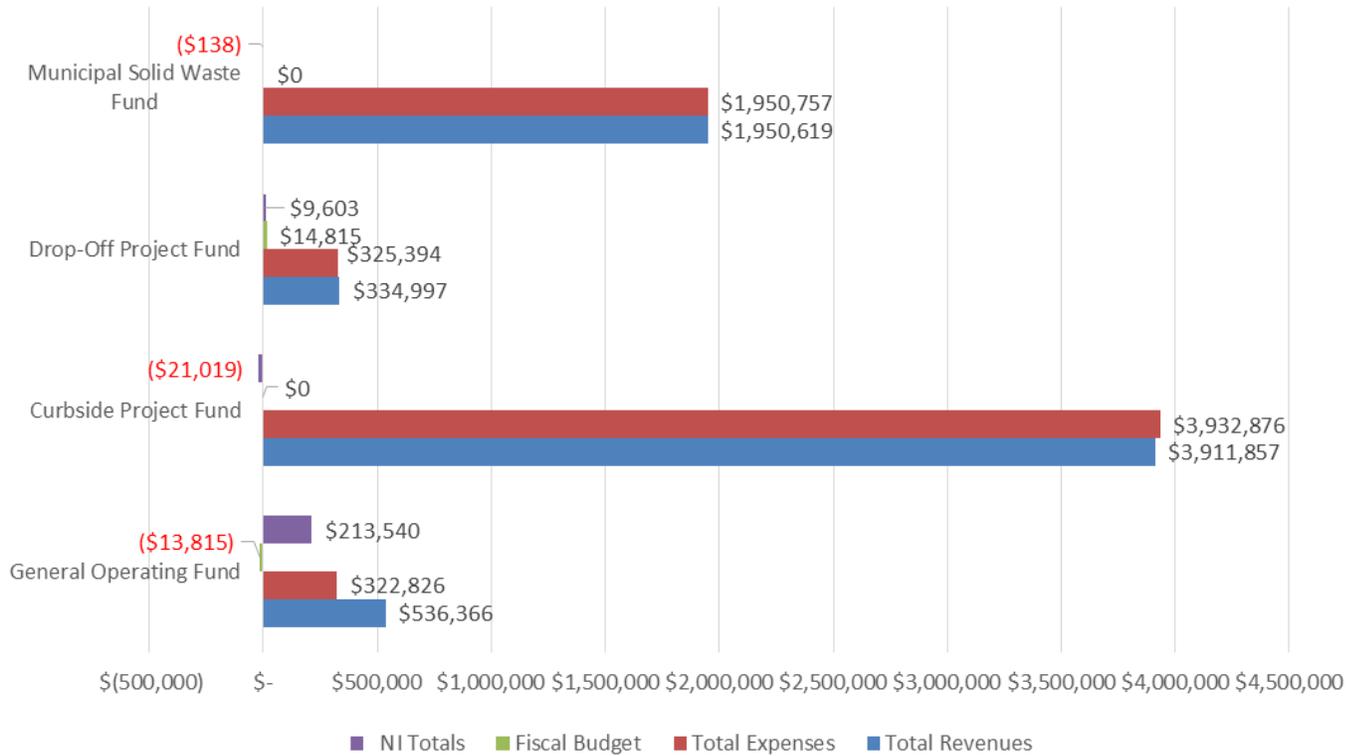
Central Virginia Waste Management Authority
Summary Statement of Actual Revenues and Expenses By Fund
July 2013 – January 2014

Summary - All Funds				
	Total	Total	Fiscal	
	<u>Revenues</u>	<u>Expenses</u>	<u>Budget</u>	<u>NI Totals</u>
General Operating Fund	\$ 536,366	322,826	\$ (13,815)	\$ 213,540
Curbside Project Fund	3,911,857	3,932,876	-	\$ (21,019)
Drop-Off Project Fund	334,997	325,394	14,815	\$ 9,603
Municipal Solid Waste Fund	1,950,619	1,950,757	-	(138)
CFC/HCFC	10,560	10,564	-	(4)
Special Waste Collections	139,535	138,268	(1,000)	1,267
Waste Tire Fund	33,993	34,002	-	(9)
Appliance and Scrap Metal Hauling	68,210	68,265	-	(55)
Yard Waste Projects	285,155	285,306	-	(151)
Waste Transfer & Disposal	<u>673,900</u>	<u>674,420</u>	-	<u>(520)</u>
Totals	<u>\$ 7,945,192</u>	<u>\$ 7,742,677</u>	<u>\$ -</u>	<u>\$ 202,514</u>
Capital Outlay:				
	<u>Month to date</u>	<u>Year to date</u>	<u>Budget</u>	<u>Variance</u>
Computer equipment	\$ -	\$ -	\$ 5,000	\$ 5,000
Office equipment	-	-	-	\$ -
Total Capital Outlay	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 5,000</u>	<u>\$ 5,000</u>

NI Projected Vs. Actual 2013-2014



Revenue Against Expenses 2013-2014 Major Fund



Central Virginia Waste Management Authority
Statement of Revenues and Expenses – Budget and Actual
July 2013 – January 2014

General Operating Fund					
	Month to Date	Year to Date	Total		% Budget
	Actual	Actual	Budget	Variance	Remaining
Revenues:					
Annual Gov't Assessments	\$ -	\$ 533,205	\$ 533,205	\$ -	0.0%
Miscellaneous/Other	-	-	-	-	0.0%
Interest on Investments	3,152	3,161	2,500	661	26.4%
Sponsorships and Grants	-	-	-	-	0.0%
	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>0.0%</u>
Total Revenues	<u>3,152</u>	<u>536,366</u>	<u>535,705</u>	<u>661</u>	<u>0.1%</u>
Expenses:					
Personnel services	32,354	214,598	359,410	144,812	40.3%
Fringe benefits	5,435	52,636	89,675	37,039	41.3%
Professional services	1,206	18,258	30,050	11,792	39.2%
Repairs and maintenance	273	1,136	2,760	1,624	58.8%
Advertising and promotions	248	1,099	1,250	151	12.1%
Materials and supplies	884	4,127	5,250	1,123	21.4%
Other services and charges	1,427	8,068	15,695	7,627	48.6%
Leases	2,974	21,430	41,430	20,000	48.3%
Depreciation	184	1,474	4,000	2,526	63.2%
	<u>184</u>	<u>1,474</u>	<u>4,000</u>	<u>2,526</u>	<u>63.2%</u>
Total Expenses	<u>44,985</u>	<u>322,826</u>	<u>549,520</u>	<u>226,694</u>	<u>41.3%</u>
Transfers In (Out)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
Totals	<u>\$ (41,833)</u>	<u>\$ 213,540</u>	<u>\$ (13,815)</u>	<u>\$ 227,355</u>	
Capital Outlay:					
	Month to Date	Year to Date	Budget	Variance	
Computer equipment	\$ -	\$ -	\$ 5,000	\$ 5,000	
Office equipment	-	-	-	\$ -	
Vehicular equipment	-	-	-	\$ -	
	<u>-</u>	<u>-</u>	<u>-</u>	<u>\$ -</u>	
Total Capital Outlay	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 5,000</u>	<u>\$ 5,000</u>	<u>100.0%</u>

**Central Virginia Waste Management Authority
Statement of Revenues and Expenses – Budget and Actual
July 2013 – January 2014**

Curbside Project Fund					
	Month to Date	Year to Date	Total		% Budget
	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>Remaining</u>
Revenues:					
Project Service Fees	505,240	3,588,772	5,875,000	\$ 2,286,228	38.9%
Public Relations Assessment	16,759	118,089	195,840	\$ 77,751	39.7%
Customer Service Assessment	17,557	123,888	205,000	\$ 81,112	39.6%
96-gal Cart Revenue	12,992	71,108	81,840	\$ 10,732	13.1%
Contract Admin Costs	-	-	-	\$ -	0.0%
Sponsorships and Grants	-	10,000	10,000	\$ -	0.0%
Interest on Investments	-	-	1,630	\$ 1,630	100.0%
Total Revenues	<u>552,548</u>	<u>3,911,857</u>	<u>6,369,310</u>	<u>2,457,453</u>	<u>38.6%</u>
Expenses:					
Personnel services	15,441	92,147	165,145	72,998	44.2%
Fringe benefits	5,151	34,952	49,720	14,768	29.7%
Professional services	1,487	20,593	30,995	10,402	33.6%
Repairs and maintenance	574	2,536	2,940	404	13.7%
Advertising and promotions	2,290	54,268	66,750	12,482	18.7%
Materials and supplies	302	3,090	4,310	1,220	28.3%
Other services and charges	2,746	50,405	67,165	16,760	25.0%
Leases	2,000	15,274	26,685	11,411	42.8%
Depreciation	161	1,729	2,600	871	33.5%
Contractual services	505,336	3,590,096	5,875,000	2,284,904	38.9%
96-gal Cart Expense	10,933	67,786	78,000	10,214	13.1%
Total Expenses	<u>546,421</u>	<u>3,932,876</u>	<u>6,369,310</u>	<u>2,436,434</u>	<u>38.3%</u>
Transfers In (Out)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
Totals	<u>\$ 6,127</u>	<u>\$ (21,019)</u>	<u>\$ -</u>	<u>\$ 21,019</u>	
Capital Outlay:					
	Month to Date	Year to Date	Budget	Variance	
Computer equipment	\$ -	\$ -	\$ -	\$ -	
Office equipment	-	-	-	\$ -	
Total Capital Outlay	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	

**Central Virginia Waste Management Authority
Statement of Revenues and Expenses – Budget and Actual
July 2013 – January 2014**

Drop Off Project Fund					
	Month to Date	Year to Date	Total		% Budget
	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>Remaining</u>
Revenues:					
Project Service Fees	\$ 47,050	\$ 273,985	\$ 580,000	\$ 306,015	52.8%
Materials Sales Rebate	10,804	61,012	100,000	\$ 38,988	39.0%
Interest on Investments	-	-	-	-	0.0%
Total Revenues	<u>57,854</u>	<u>334,997</u>	<u>680,000</u>	<u>345,003</u>	<u>50.7%</u>
Expenses:					
Personnel services	517	3,374	5,705	2,331	40.9%
Fringe benefits	99	1,002	1,680	678	40.4%
Professional services	16	2,001	435	(1,566)	-360.0%
Repairs and maintenance	8	38	60	22	36.7%
Advertising and promotions	163	163	1,000	837	83.7%
Materials and supplies	42	373	40	(333)	-832.5%
Other services and charges	35	278	370	92	24.9%
Leases	50	369	895	526	58.8%
Contractual services	47,323	274,962	580,000	305,038	52.6%
Materials sales rebate	<u>7,786</u>	<u>42,834</u>	<u>75,000</u>	<u>32,166</u>	<u>42.9%</u>
Total Expenses	<u>56,226</u>	<u>325,394</u>	<u>665,185</u>	<u>339,791</u>	<u>51.1%</u>
Transfers In (Out)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
Totals	<u>\$ 1,628</u>	<u>\$ 9,603</u>	<u>\$ 14,815</u>	<u>\$ 5,212</u>	

Central Virginia Waste Management Authority
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Municipal Solid Waste Fund					
	Month to Date	Year to Date	Total		% Budget
	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>Remaining</u>
Revenues:					
Project Service Fees	\$ 272,504	\$ 1,934,133	\$ 3,784,500	\$ 1,850,367	48.9%
Customer Service Assessment	2,364	16,486	29,000	\$ 12,514	43.2%
Contract Admin Costs	-	-	-	\$ -	0.0%
Interest on Investments	-	-	1,860	\$ 1,860	100.0%
Total Revenues	<u>274,868</u>	<u>1,950,619</u>	<u>3,815,360</u>	<u>1,864,741</u>	<u>48.9%</u>
Expenses:					
Personnel services	1,389	8,962	14,855	5,893	39.7%
Fringe benefits	494	3,485	4,845	1,360	28.1%
Professional services	169	2,498	3,720	1,222	32.8%
Repairs and maintenance	40	195	760	565	74.3%
Advertising and promotions	-	-	750	750	99.0%
Materials and supplies	13	404	1,150	746	64.9%
Other services and charges	159	1,171	1,560	389	24.9%
Leases	269	1,653	2,690	1,037	38.6%
Depreciation	-	363	530	167	31.5%
Contractual Services	<u>272,173</u>	<u>1,932,026</u>	<u>3,784,500</u>	<u>1,852,474</u>	<u>48.9%</u>
Total Expenses	<u>274,869</u>	<u>1,950,757</u>	<u>3,815,360</u>	<u>1,864,603</u>	<u>48.9%</u>
Transfers In (Out)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
Totals	<u>\$ (1)</u>	<u>\$ (138)</u>	<u>\$ -</u>	<u>\$ 138</u>	
Capital Outlay:					
	<u>Month to Date</u>	<u>Year to Date</u>	<u>Budget</u>	<u>Variance</u>	
Computer equipment	\$ -	\$ -	\$ -	\$ -	
Office equipment	\$ -	\$ -	\$ -	\$ -	
Total Capital Outlay	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	

**Central Virginia Waste Management Authority
Statement of Revenues and Expenses – Budget and Actual
July 2013 – January 2014**

Other Special Projects					
	Month to Date	Year to Date	Total		% Budget
	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>Remaining</u>
Revenues:					
Project Service Fees	\$ 133,323	\$ 1,068,707	\$ 2,355,000	\$ 1,286,293	54.6%
Materials Sales Rebate	9,298	142,646	375,000	\$ 232,354	62.0%
Interest on Investments	-	-	-	\$ -	0.0%
Total Revenues	<u>142,621</u>	<u>1,211,353</u>	<u>2,730,000</u>	<u>1,518,647</u>	<u>55.6%</u>
Expenses:					
Personnel services	-	39	-	(39)	98.0%
Fringe benefits	-	3	-	(3)	98.0%
Professional services	-	-	-	-	100.0%
Repairs and maintenance	-	-	-	-	100.0%
Advertising and Promotions	-	88	1,000	1,000	0.0%
Materials and supplies	-	196	-	(196)	59.0%
Other services and charges	64	448	-	(448)	84.0%
Contractual services	133,832	1,068,531	2,355,000	1,286,469	90.0%
Materials sales rebate	<u>9,158</u>	<u>141,520</u>	<u>375,000</u>	<u>233,480</u>	<u>62.3%</u>
Total Expenses	<u>143,054</u>	<u>1,210,825</u>	<u>2,731,000</u>	<u>1,520,263</u>	<u>55.7%</u>
Transfers In (Out)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
Totals	<u>\$ (433)</u>	<u>\$ 528</u>	<u>\$ (1,000)</u>	<u>\$ (1,616)</u>	