

**CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY
BOARD OF DIRECTORS MEETING MINUTES
MARCH 15, 2019
2104 W. LABURNUM AVENUE
RICHMOND, VIRGINIA**

MEMBERS/ALTERNATES PRESENT

Voting:

Marcia Phillips (M-Chesterfield), Chairman
Scott A. Wyatt (M-Hanover), Vice Chairman
Mark Kukoski (M-Richmond), Treasurer
J. Allen Lane (M-Henrico), Past Chair
Lee Sloppy (M-Ashland)
Ricky Hicks (M-Charles City)
Scott Zaremba (M-Chesterfield)
Jeffrey Howard (A-Chesterfield)
William E. Henley (A-Colonial Heights)
Stephen Chidsey (M-Hanover)
Marcia E. Kelley (M-Henrico)
Robert C. Whiteman (M-Henrico)
Monique Robertson (M-Hopewell)
James H. Burrell (A-New Kent)
Johnny Melis (A-Powhatan)
Darlene Jenkins (M-Richmond)
Miles Jones (M-Richmond)

Non-Voting:

Clay Bowles (A-Chesterfield)
Bentley P. Chan (A-Henrico)
Jon Clary (A-Henrico)

Staff:

Kimberly A. Hynes, Executive Director
Richard Nolan, Director of Operations
Nancy Drumheller, Public Affairs Manager
Kenna Shea, Accounting and Financial Manager
Reginald Thompson, Operations Technician
Stephanie Breaker, Customer Service Supervisor
Mary Beth Mains, Part-time Administrative Assistant

MEMBERS/ALTERNATES NOT PRESENT

Patricia Paige (M-New Kent), Secretary
Robert L. Dunn (M-Chesterfield), Director
Jennifer Schontag (A-Ashland)
Michelle Johnson (A-Charles City)
Al Pace (A-Chesterfield)
Doug Smith (M-Colonial Heights)
Leigh Dunn (M-Goochland)
Dwayne Jones (A-Goochland)
Randy Hardman (A-Hanover)
Michael Flagg (A-Hanover)
Chip England (A-Henrico)
Tangela Innis (M-Petersburg)
William Riggelman (A-Petersburg)
Michael Purvis (M-Prince George)
Rod Compton (A-Prince George)

Guests:

John Vithoulkas, Henrico County Manager
Josh Byerly, Henrico Dept of Public Works
Taylor Smith, Student

With a quorum in attendance Chairman Marcia Phillips (M-Chesterfield), called the meeting to order at 9:00 a.m.

CHAIRMAN'S AGENDA

Item No. 1: Public Comment Period

Chairman Phillips opened the floor for public comment. Without any requests to address the Board, she closed the public comment period.

Item No. 2: Minutes of the Regular Meeting of February 15, 2019

Chairman Phillips opened the floor for a motion to approve the minutes of the regular meeting of February 15, 2019, as submitted. A motion was made by Mr. S. Wyatt (M-Hanover), Vice-Chairman, seconded by Mr. M. Kukoski (M-Richmond), Treasurer, and carried that the minutes of the February 15, 2019, Central Virginia Waste Management Authority (CVWMA) Board of Directors meeting be approved as submitted.

Item No. 3: Chairman's Report

Chairman Phillips welcomed all attendees and moved onto the Staff Agenda.

STAFF AGENDA

Item No. 4: 2019 Virginia General Assembly Wrap Up

Mrs. Hynes, CVWMA Executive Director, reminded the Board that the General Assembly short session ended on February 23rd and a total of 2,319 bills were introduced. Mrs. Hynes stated that most of the bills staff were following that effected CVWMA or member localities, had died. She noted we can expect to see some of the bills be introduced again next year.

Continuing, Mrs. Hynes summarized the bills that passed. SB1355, requiring closure of Coal Combustion Residuals (CCR) surface impoundments and closure of certain CCR units, was signed by the Speaker of the House and the President of the Senate and is awaiting signature by the Governor. Mrs. Hynes noted the TAC discussed how this may affect sanitary landfills and solid waste planning in the future. HB1614 and SB1248 authorizes localities to create Stormwater Management Funds for the purpose of granting funds to owners of private property. This will mean stormwater grants will be available for locality members. HB1629 removes the requirement for newspaper publication of Request for Proposals for professional services is awaiting the Governor's signature. HB1866 requires localities to submit an annual audit to the Auditor of Public Accounts (APA) and if not completed on time state on their website reasons for the delay, is also awaiting the Governor's signature. The General Assembly will reconvene on April 9th and most everything that has passed is on the Governor's desk for signature, Mrs. Hynes noted.

Item No. 5: Residential Recycling Program

Mr. R. Nolan, CVWMA Director of Operations, reported the total tonnage of recyclables collected in the month of February in the residential recycling program was 2,644 tons, 144 tons less than last February. Mr. Nolan noted there was one less collection day in one of the major jurisdictions which accounts for the difference in tons. Year to date through February 28, 2019, 24,724 tons were collected versus 24,837 for the same period last fiscal year, a difference of 113 tons. Mr. Nolan noted the drop in Petersburg's year to date numbers was due to the Oops! Sticker audit efforts of CFS. Mr. Nolan added that there was a total of 471 misses for the month compared to 711 last month.

Mr. Nolan shared the Oops! reporting for the month of February noting that the audit team was now focusing on the suburbs of Chesterfield, Colonial Heights, Henrico, and Petersburg. A total of 217 Oops! Stickers were issued by TFC – 69 included trash, 99 were rejected for plastic bags, and 31 for Styrofoam. TFC will focus on stopping plastic bag contamination by having their drivers and audit team check for bags. Mr. Nolan noted there had been dramatic improvement in Henrico and Chesterfield where Oops! Stickers had been issued.

Mrs. Hynes stated the Hopewell contract with County Waste is in transition to be taken over by TFC effective July 1, 2019. The City of Hopewell will take ownership of the County Waste carts. Mrs. Hynes stated staff is working with TFC, on routing as some of the collection days will have to be changed.

Continuing, Mrs. Hynes noted the March 1st letter from Chesterfield County stating they would not be fully funding the cost of the curbside recycling program, specifically related to the additional processing fee negotiated with our vendor at this time last year because of what has happened with the recycling markets. As such this will result in the Board of Supervisors having to make some choices during the 2020 budget process. CVWMA has been asked to evaluate 2 options to determine feasibility and a 3rd option for consideration by the Board is to increase the fee to residents currently contributing to the program to \$40/year from \$25/year. This fee has been in place since July of 2010. The options CVWMA is requested to consider are transitioning to a direct billing system by CVWMA or by CVWMA through TFC, at a fee equal to CVWMA's costs with the benefit of the County's current \$231,000 subsidy in lowering CVWMA's, or TFC's costs. The second option requested is transitioning to a direct bill program spearheaded by the private sector or CVWMA and reinvesting the current \$231,000 subsidy into additional environmental and recycling-friendly options to be implemented by the County, like electronics recycling or increased hours at their recycling convenience centers for example.

Mrs. Hynes stated the requests will be evaluated and that this not something CVWMA has taken on before and it is not in the CVWMA model. It will take time and support from the Board if CVWMA choses to go that route. Mrs. Hynes noted it is her understanding that the county wants to get out of the billing process and either have the private sector take it over or have CVWMA take it on. Mrs. Hynes asked Mr. S. Zaremba (M-Chesterfield) and Mr. C. Bowles (A-Chesterfield) to correct her if she was wrong about the County's desire. Mr. S. Zaremba (M-Chesterfield), stated this had nothing to do with the County's support for recycling, CVWMA, and TFC. He stated they value the environment, and that TFC and CVWMA have done a great job. Chesterfield County will stay in the organization and it is purely a business decision. Mr. Zaremba noted they have had a subsidy in past years of \$231,000 to \$250,000 and that will go to over \$800,000 in this next fiscal year. Mr. Zaremba noted that when something like that happens the Board and Administration must look at it to determine if they have the extra funds or determine if they want to spend that on programs elsewhere. Mr. Zaremba noted it is purely a business decision, but he wanted to make sure everyone understands they do support the values of the organization.

Mrs. Hynes continued stating what had been done by staff since the letter was received on March 4th:

- March 4 – sent letter to TFC and requested meeting
- March 6 – Met with Scott, Clay and Jeff at the County to gain further information
- March 7 – Met with TAC and discussed
- March 8 – Met again with TAC members and TFC representatives; met again with County Staff
- March 11 – Sent letter to TFC requesting renegotiation of Addendum 8, negotiated last year
- March 12 – Responded to Dr. Casey requesting more time to evaluate the options set forth as well as requesting the opportunity to provide alternatives
- March 13 – Attended County's budget presentation to the Board of Supervisors.

Some of the other alternatives that are being discussed are:

- Basing the cost of curbside recycling on the 75% contributing to the program and only servicing those

- Help manage the opt-out program, including marketing and potential turning into an “opt-in” program
- Service District Model
- Potential Franchise
- Review participation in various areas across the County and make recommendations; for example, drop off recycling might make sense in some areas versus curbside recycling.

Next steps are:

- Request information from Chesterfield County for evaluation process – 3/14
- Meet with TFC - Monday 3/18
- Engage working group of TAC with options and evaluation
- Research feasibility of options and alternatives
- Meet with Chesterfield County Administrator and staff with draft evaluation – 4/19.

Mr. S. Wyatt (M-Hanover), Vice-Chairman recognized Henrico County Manager, Mr. J. Vithoukias, who stated he wanted to add a comment from Henrico County’s perspective. Mr. Vithoukias stated he does appreciate the difficulty that Chesterfield County is facing. Continuing, Mr. Vithoukias stated CVWMA is an organization that encompasses 13 localities, and that we do the ‘we’ pretty well and if we have a decision that impacts the cost in another locality, he certainly hoped that CVWMA will take that into consideration. Mr. Vithoukias invited Mrs. Hynes to a work session of the Henrico Board of Supervisors on March 26. He noted that all of the localities are going through budget discussions now and everyone is looking at increased costs and suggested whatever we do, we should do collectively. Mr. Vithoukias stated that Henrico County has absolute faith in CVWMA and Kim Hynes. Mr. S. Wyatt (M-Hanover), Vice-Chairman noted he has spoken to the Hanover County Administrator and he sees CVWMA as a good partner for the region and his sentiment is that he supports the success of CVWMA, as well. Mrs. Hynes thanked them and stated she would keep everyone posted.

Mr. S. Chidsey (M-Hanover) asked Mrs. Hynes to go over what the percentage of reduction in the program that could affect the remaining jurisdictions. Mrs. Hynes responded that the contract with TFC states that if there is a 30% change in the house count, they have the right to renegotiate but she does not know what that will look like at this point. Mr. M. Kukoski (M-Richmond), Treasurer asked if the Authority has the authority to tax and bill. Mrs. Hynes stated that CVWMA does not have taxing authority and she does not know from a legal perspective, if CVWMA can set up a billing or subscription service as this could result in CVWMA competing with the private sector. Mrs. Hynes noted CVWMA could contract that out. Mrs. M. Kelley (M-Henrico) asked if that would mean if the situation arose again, in another locality that wants to have direct billing as an alternative, are we opening up something we probably would not be able to logistically control. Mrs. Hynes stated yes, what we provide for one, we would need to be prepared to provide for all, if another jurisdiction asked for the same thing.

Mr. M. Kukoski (M. Richmond), Treasurer asked if there was any sign the markets are opening up. Mrs. Hynes stated that prices have not improved, however we are hearing positive movement in the industry. There are new markets opening up and there are more investments in paper mills, domestically but is just going to take some time. Continuing, Mrs. Hynes stated it is unknown at this time what the markets will do but noted we are currently coming off of the holidays and so there is a saturation of materials. Mr. S. Chidsey (M-Hanover) noted that OCC is down to \$65/ton and it was at \$95/ton when the contract was renegotiated. Mr. Nolan noted that a year ago cardboard was about \$180/ton. Mrs. Hynes stated we do not know when or if the markets will come back but staff feels that recycling is important and that the industry will adjust. It will just take some time.

Mr. R. Whiteman (M-Henrico) asked if the letter caught her by surprise. Mrs. Hynes stated she wasn’t expecting it. Mr. R. Whiteman (M-Henrico) stated that in his opinion March 1 through March 15 is a very short time frame to get answers to the specific questions. Mrs. Hynes stated that is why she asked for more time to evaluate the options and to possibly come up with alternatives. Mrs. Hynes stated that any input or ideas would be appreciated.

Mr. J. Clary (A-Henrico) asked Mrs. Hynes if Chesterfield drops out, if she thinks TFC would approach the Authority to renegotiate and Mrs. Hynes responded affirmatively. Mrs. Hynes stated there may be the possibility of that and also some of the options already suggested and she hoped we can come up with a solution that everyone can agree on.

Item No. 6: Municipal Solid Waste (MSW) Program

In the month of February, Mr. R. Thompson, CVWMA Operations Technician, reported 4 misses were recorded in Ashland and 11 misses in the Chesterfield tax relief program for County Waste; 97 misses were recorded in Colonial Heights, 111 misses in Hopewell; and 142 misses in Petersburg by CFS. Mr. Thompson noted that CVWMA will be addressing the misses with CFS. CFS also missed several FEL trash and recycling dumpsters in Hanover County in February and CVWMA will be issuing a penalty for FEL Services for February. Mrs. M. Phillips (M-Chesterfield), Chairman, asked if the misses were due to them driving to Lunenburg and Mr. Thompson agreed stating that the trip to Lunenburg is adding an additional 3 hours to the routes. Mr. R. Nolan stated staff would be writing a noncompliance letter to CFS because to the rising number of misses each month. Mrs. Hynes noted especially as they are to begin picking up in Ashland.

Item No. 7: Operations and Program Statistics

Mr. R. Thompson informed the Board that staff has begun collecting information on the 2018 annual tonnages from approximately 40 recycling processors in the area for the Annual Recycling Rate Report. Mr. Thompson stated that by the end of the month we should have enough information to complete the report and it will be presented at the April Board meeting and sent to DEQ by the April 30th deadline.

Mr. Nolan noted the February statistics reports were available on the table at the front of the conference room. Tonnage of MSW collection by CFS in the Tri-City area is missing from the report. He stated the updated February statistics report will be posted to the CVWMA webpage next week.

Mr. Nolan stated the March commodity pricing for Mixed Paper is at \$0; Old Corrugated Cardboard (OCC) went from \$75 to \$65, and newsprint stayed at \$30.

Mr. Nolan informed the Board of the following spring events: New Kent Clean Community Day Shredding & Recycling Event, on March 30th; Chesterfield County Recycling Event at Virginia State University Campus on April 6th; Hanover County Special Collection Event on April 20th; Prince George County Clean Community Day & Collection Event on April 20th; Powhatan County Recycling Event on April 20th; Henrico County Energy and Earth Day Event on April 22nd; Hanover County Electronics Recycling Event on April 27th; Chesterfield Tire Amnesty Day on May 4th; Henrico County Special Collection Event on May 4th; City of Richmond Recycling Event on May 18th; and Goochland County Household Hazardous Waste Event on June 8th.

Item No. 8: Technical Advisory Committee

Mr. Nolan stated the TAC met on March 7th and the main topic was Chesterfield County's desired changes. The next TAC Meeting will be on April 4th.

Mr. W. Henley (A-Colonial Heights) asked if the subject of the CFS "show cause" hearing was part of the discussion at the TAC meeting. Mrs. Hynes stated that CVWMA staff continually communicates with DEQ on updates regarding the CFS, Tri-Cities Landfill, and the Lunenburg Landfill. Mrs. Hynes explained DEQ sent a formal letter on March 5th to notify CFS of the formal hearing related to the revocation of the permit process, not about the law suit with the Attorney General's Office. The meeting date has not been set. It is our understanding they are not taking waste into the Tri-Cities Landfill and DEQ has confirmed that. Mr. W. Henley (A-Colonial Heights) stated

it is his understanding that the “show cause” hearing is for CFS to explain why they feel the landfill should not be closed and why a permit should be reissued. Mr. Henley stated it seemed pretty serious. Mrs. Hynes stated she did not want to speak for the State but explained the Tri-Cities Landfill is 35 feet above the elevation requirement and DEQ has requested it be relocated to the open cell. CFS does not want to because it will fill up the cell and fill up the landfill so they are negotiating. Mr. W. Henley (A-Colonial Heights) asked when the CFS contract for Colonia Heights expires. Mrs. Hynes stated the current contract expires June of 2022 but CFS would like to expand the landfill, but without an expansion, the life of the landfill would be 3 to 5 years. Mr. W. Henley (A-Colonial Heights) stated surely there will be ramifications for CVWMA, Colonial Heights and localities. Mrs. Hynes stated it could, especially long term but right now they are honoring the contract even though they are not putting waste into that landfill. Mr. W. Henley (A-Colonial Heights) stated that we see evidence of diversion of resources and issues that are hampering performance in other areas. Mr. S. Chidsey (M-Hanover) noted that the Ashland contract will be starting July 1.

Item No. 9: Earth Day 2019

Mrs. N. Drumheller, Public Affairs Manager shared that at this time staff have received 35 requests for programs, educational materials, and to have education tables at local grassroots events in seven of our thirteen-member localities. Our Outreach Calendar is booked solid. In addition, staff have posted locality special collection event information to the Event Calendar and have been promoting them on all of our social media platforms.

The National Prescription Drug Take Back Day will be held on Saturday, April 27th from 10 a.m. until 2 p.m. Mrs. Drumheller indicated the public asks about this event each year and we refer them to local law enforcement where they live or to go to the DEA website and search by zip code for collection sites.

Item No. 10: Public Information

Education and Outreach

Referring to the slide, Mrs. Drumheller noted data for the month of February from outreach efforts as well as online. Staff efforts through presentations, educational materials, events and serving on a judging panel impacted 2,248 people in addition to the distribution of 7,024 educational materials. In addition, Mrs. K. Hynes had 2 media interviews.

Continuing, Mrs. Drumheller stated CVWMA is all about partnerships and extending our reach into the region. She thanked Patricia Paige (M-New Kent) for making high-level connections so that Ms. K. Carney, CVWMA Recycling Education and Outreach Specialist, was invited to do a short presentation before members of the New Kent County School Board on March 4th and for Mrs. K. Hynes and Ms. K. Carney to be on the agenda during the New Kent County Board of Supervisors March 11th meeting.

CVWMA Waste Reduction News, Website, Social Media, & Collection Day Email Reminder

Mrs. N. Drumheller reported that our online resources and social media platforms have been very busy for the month. Data from the monthly newsletter, CVWMA website, Pinterest, etc. was shared. In addition, 280 new email subscribers were added to the Curbside Collection Day email reminder.

Reduce Contamination in Recycling Campaign Update

Mrs. N. Drumheller shared that staff continue to provide ongoing regional Oops! Recycle Right education in a variety of formats throughout the region. Our second zip code specific contamination education campaign ended on March 1st over 5,200 entries, from high level contamination zip codes, entered the contest. Each entry had to answer several contamination specific questions to be entered in the random drawing for chance to win a monetary gift card. The random winner selected was from Henrico. Of these entries, more than 3,200 asked to receive more

information about CVWMA. Thus, staff sent out an email with information about CVWMA, to over 6,700 emails as a direct result of working with WTVR CBS6 and WRIC TV8.

Staff worked with TFC to coordinate all the logistics for Ms. Amy Simpson, news reporter with WRIC TV8 on the Oops! Sticker update media story that aired multiple times on the news. Ms. Simpson rode the truck with the driver and helped place Oops! Stickers on several containers on a Chesterfield route. Mrs. K. Hynes was interviewed as part of the media story. Staff shared the link for the story <https://www.wric.com/news/local-news/the-oops-is-paying-off-central-virginians-improving-recycling-habits/1802349594>.

Mrs. Drumheller reiterated that CVWMA is all about partnerships and extending our reach in the region. She thanked the Hopewell City Manager and Ms. M. Robertson (M-Hopewell) for including regional recycling education in the City Manager's Weekly Update. Mrs. Drumheller thanked Mr. Brian Silver with Keep Hopewell Beautiful and Mr. Jonathan Austin for including Oops! Sticker education as part of their recycling education shows which reached over 590 students at 3 elementary schools. Continuing, Mrs. Drumheller thanked Henrico County and Mrs. M. Kelley (M-Henrico) as staff had the opportunity to tag team with Jon Clary with information and education regarding Henrico's recycling programs and how to recycle right at Henrico County's Board of Supervisors, Patricia S. O'Bannon's recent Town Hall Meeting. Mrs. Drumheller stated the drop-off signage has been printed and staff is working with several member localities on banners.

Item No. 11: Curbside Education Advisory Committee Update

Mrs. Drumheller stated Hanover County was the member focus at the February 28th quarterly meeting. She thanked Mr. S. Chidsey (M-Hanover) and the Hanover County Public Works Department for hosting the meeting and sharing the plethora of program information that Hanover County provides. The slideshow and meeting minutes were distributed to the Curbside Education Advisory Committee (CEAC) members and posted to the CVWMA website. The next quarterly meeting of the CEAC will be sometime in June and staff is working on a locality to be the member focus and to host the meeting.

Item No. 12: Financial Reports for February 2019

Mrs. K. Shea, Accounting and Financial Manager reported that the financial activity is consistent with previous months and the Authority continues to remain within total budget in all funds as of February 28, 2019. The Authority has a combined Net Income of \$160,534 year to date. Mrs. Shea noted the accounts receivable schedule was available at the front of the room and it reflected 2 past due invoices totaling \$1,285 that are more than 60 days old.

Chairman Phillips opened the floor for a motion to accept and file the Financial Reports for February 2019 as submitted. A motion was made by Mr. J. Burrell (A-New Kent), seconded by Mr. M. Kukoski (M-Richmond), Treasurer, and carried that the Financial Reports for February 2019 be approved and filed as submitted.

Item No. 13: Administrative

Mrs. K. Hynes reminded everyone of the Technical Advisory Committee Meeting on Thursday, April 4, 2019 at 9 a.m.; the Executive Committee Meeting on Tuesday, April 9, 2019 at 2:00 p.m.; and the Board of Directors Meeting in the Prince George Library on Friday, April 19, 2019 at 9:00 a.m. Mrs. Hynes thanked Prince George for agreeing to host the April Board meeting in the Crater area.

Mrs. Hynes noted that CVWMA staff have been contacted to speak about the recycling markets, particularly the fiber markets to a variety of venues: New Kent Board of Supervisors Meeting on Monday; a Town Hall Meeting in Henrico last week; Mrs. Hynes was interviewed by National Public Radio (NPR); CVWMA was contacted to be interviewed by Style Weekly; Mrs. Hynes is sitting on a panel for the Environment Virginia Symposium to talk

with other localities and representatives from Westrock and others in the paper industry; a presentation at Virginia Recycling Association (VRA) in the spring to explain how well the Oops! campaign is doing to clean up our recycling stream; and presenting at the Maryland Recycling Association in June to talk about our customized Customer Service system.

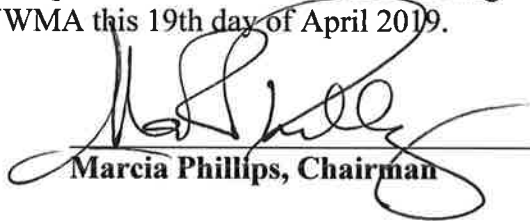
Old/New Business

Chairman Phillips asked if there was any old or new business to come before the Board. With no further business to come before the Board, Chairman Phillips opened the floor for a motion to adjourn the CVWMA Board of Directors meeting at 9:55 a.m. The motion was made by Mr. R. Whiteman (M- Henrico), seconded by Mr. M. Kukoski (M-Richmond), Treasurer, and carried that the March 15, 2019 Board of Directors' meeting be adjourned.



CERTIFICATE

I, Marcia Phillips, Chairman of the CVWMA, certify that the foregoing minutes are a true and correct copy of the minutes of the March 15, 2019 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., April 19, 2019. Given under my hand and seal of the CVWMA this 19th day of April 2019.



Marcia Phillips, Chairman