

**JEFFERSON BELMONT REGIONAL SOLID WASTE AUTHORITY
MINUTES FROM REGULAR MEETING OF SEPTEMBER 16, 2019**

ROLL CALL:

PRESENT: Mike Bianconi, Jerry Echemann, Scott Fabian, John Goosman, Tony Kolanski, Robert Krajnyak, Joe Luckino, James Mavromatis, Mark McVey, Domenick Mucci,

ABSENT: Nicole Balakos, Chuck Dawson, Barbara Godwin, George Irvin Jr, Rob Sproul

OTHERS: Anita Petrella, Dave Hays, Natalie Lysle, Tammy Shepherd, Marc Maragos, Carla Gampolo

A quorum being present, Chair Scott Fabian called to order the regular meeting of the Jefferson Belmont Regional Solid Waste Authority Board at the Steubenville City Hall Pugliese Room, 115 S Third Street, Steubenville, /Bellaire Public Library in Bellaire, Ohio at 5:33PM on, Monday, September 16, 2019.

Mr. Fabian introduced the Authority's Attorney Albin Bauer.

MINUTES: A motion to approve the August 12, 2019 regular monthly meeting minutes was made by Mr. Mucci and seconded by Mr. Krajnyak. **Vote: All said Aye, with Mr. Kolanski abstaining. Motion passed.**

STAFF REPORTS:

Fiscal Report:

Mr. Hays reported revenues for \$257,380.04, with expenditures of \$157,371.54 and net income of \$100,008.50. Non-payroll Expenditures were reviewed with no questions. The Landfill Tonnage Report for June showed 10,796 In-District tons; 14,693 Out-of-District tons; 77,520 Out-of-state tons; for a total of 103,010 tons yielding \$156,464.03 in fees.

A motion to accept the fiscal officer's report and approve Expenditures for August 2019 was made by Mr. Krajnyak and seconded by Mr. Luckino. **VOTE: Unanimous, Yea, by roll call. Motion passed.**

Mr. Hays informed the Board that there was possible potential for new revenue source coming to the landfill as Auto Shredded Residue (ASR) or aka Auto Fluff at the end of this year. Attorney Bauer stated if the material comes in as ASR it is solid waste unless used as substitute for daily cover, but currently EPA policy is they do not approve ASR as daily cover because it is too light. Craig Petrella of Apex explained that it is too early to estimate because they have not broken ground yet.

Director's Report:

Anita Petrella reported have done the purchase agreement and sent all board members the changes done, she received no comments of any issues on them from the Board. So she went ahead with it. She visited Barnesville, Wintersville, Tiltonsville and the County Commissioner meetings to explain the Budget Ratification. Deadline for Resolutions was yesterday, and the Authority has meet the criteria, of over 60%, with an 100% approval. The Policy/Planning Committee met and declared with the criteria met the Budget was ratified. Can go ahead with the purchase of the building, the Resolution was presented for members to sign.

Phase 1, and inspection of new building will be scheduled, looking at December for current owner to be out and Authority to be in.

She met with Personnel Committee and was advised to inform the Board that with current driver Kenny Jones retiring and a few months, and current Community Service Coordinator Andy Kuchinski deciding to move up to his position, interviews were done for his position. Jim Still will be hired as the Community Service Coordinator/CDL driver and will begin September 29th as recommended by the Personnel Committee after his background and drug tests are complete.

Belmont Environmental Educator will not be returning after her leave. Anita Petrella asked to post an Ad for the position and do interviews. She would bring her results to the Board. Members agreed.

Mr. Hays stated the Authority does have the funds for the new building but needs to increase appropriations. He asked for an increase in Appropriations from the Unencumbered Fund Balance to cover the purchase of the building, in the amount of \$350,000 in the General Fund to increase appropriations in the Building & Grounds Line Item.

Mr. Luckino made a motion to increase in Appropriations from the Unencumbered Fund Balance to cover the purchase of the building, in the amount of \$350,000 in the General Fund to increase appropriations in the Building & Grounds Line Item. Mr. Echemann seconded. **Roll Call Vote: All said Yes. Motion passed.**

Mr. Mucci asked what our status was with the Architects, Mr. Hays answered they are all paid up for work already done. Will possibly be using them for the interior of new building.

EXECUTIVE COMMITTEE REPORT: Scott Fabian

None.

FINANCE COMMITTEE REPORT: Rob Sproul

None.

PERSONNEL COMMITTEE REPORT: Mark McVey

Report was deferred to and already given by Executive Director Anita Petrella.

PLANNING COMMITTEE REPORT: Jim Mavromatis

Mr. Mavromatis reported they did meet to discuss the Ratification as already discussed. Attorney Albin Bauer stated they are required to send the signed Resolution to the Ohio EPA Director.

GRANTS/SPECIAL EVENTS COMMITTEE REPORT: Barbara Godwin

None.

SEARCH COMMITTEE REPORT: Joe Luckino

Mr. Luckino explained once the purchase contract is signed, they will begin with the due diligence and get the process moving towards closing.

LANDFILL REPORT:

Marc Maragos was present on behalf of Nicole Balakos and introduced Carla Gampolo, Jefferson County Health Department Solid Waste Inspector. He explained that Mrs. Gampolo would be going over hard facts, what the solid waste program encompasses, and what the Health Department is required to do by the Ohio EPA for the Solid Waste Program.

Mrs. Gampolo read from a summary written by herself and Mrs. Balakos that stated after an analysis of their expenditures they report they are operating their Solid Waste Program at the detriment of other Health Programs. They are at a crossroads of deciding if they can continue with the Solid Waste Program at the current funding. To date they have received over \$80,000 in tipping fees, which offsets their administrative and office supply overhead of the health commissioners and fiscal officers time and bi-weekly inter-management meeting with Apex, court appearances, field visits, plans of corrections, EPA calls and visits, and the budgetary process associated with the distribution of the tipping fees. The expense of the sanitarians and transportation costs in the solid waste program is not nearly compensated by the \$72,000 (actual amount \$73,651) contribution received by the Solid waste Authority Board. In 2019, the EPA Mandate changed to bi-weekly inspections of Apex and ongoing issues with the Crossridge Landfill, and the C&E Landfill and other numerous sites could potentially increase their costs. To continue operating the program they ask the Authority to consider reimbursing the Health Department the actual expenses of transportation, sanitarians, and environmental clerk to process the Solid Waste program. Without their involvement in the program the EPA would take over their duties.

Mrs. Gampolo discussed the documents she provided, the EPA mandates are all unfunded, the only funds they receive for the program are the C&DD tipping fees through Apex and the money the Solid Waste Authority give to them. Required inspections for Apex were done quarterly are now having to be twice a month. She talked about the C&D Landfill recently caught dumping 30,000 gallons of leachate. If the EPA takes over the program they would only come in to inspect Quarterly, with being 3 ½ hours away they would only be able to spend about 1 ½ hours doing inspections before heading back to their office in Logan, Ohio.

They cleaned up millions of tires at numbers tire dumps across the county last year, the EPA cleaned up 1.2 million tires at a Superfund at C&D Landfill. They do not have the resources or the manpower to make scrap tire inspections. She handles the Landfills, and Infectious waste once a year as required. It would take a lot of manpower to investigate an infectious waste dump if there would be one. It takes about 46 hours to put together for the EPA to cleanup an open tire dump. They run 14 different programs out of JC Health Dept environmental division, over half are Solid Waste, resulting in a lot of man hours.

A breakdown of the C&DD landfill fees, EPA requirements, a violation letter to Joe Scagoza, and the judgement from the Court are included in the documents provided. Many think the Health Department gets \$1.60 per ton from the Landfill but they don't, that amount is broke up with Townships and County Commissioners.

She explained what they monitor at the landfill, at new cells when they cover advising what to remove to prevent puncture of the liner, the process for the leachate removal. She discussed and

showed photos of different leachate sites monitored, including the one at the Cross Creek Landfill, an additional tire and C&D dump. Mr. Bauer asked for explanation of the log of activities listed, what the activities included. Mrs. Gampolo answered it includes phone calls, inspections, investigations, anything to do with that facility. Mr. Luckino asked how much funding they are requesting, she stated Mrs. Balakos would have to answer that. The previously amount of \$500,000 the Health Department projected in tipping fees back in March was compared to the \$246,000 shown on the report. Craig Petrella stated there is no way to accurately project the amounts. Board Members expressed appreciation for the information provided. Other Solid Waste Authorities and their Health Department funding was discussed. Mrs. Gampolo stated that Apex is the second biggest landfill in the state of Ohio, if the auto fluff comes through it will be the largest MSW landfill in the state. Mr. Maragos express concern for loosing local control, the EPA would not be catching the C&D landfill violations recently discovered. Mrs. Gampolo stated they are looking to bill for staff hours and vehicle use with billing month to month, but does not have a total figure. This is the first year they are required to inspect Apex twice a month. Mr. Mucci stated he realizes there are unfunded state mandates, but why would that total amount fall on us, why does the Authority have to accept the brunt of that, and recommends a discussion with this Board and the Health Department Board to enter into some type of agreement.

Mrs. Gampolo said if anyone ever has questions, concerns or wants a tour of the Landfill to give them a call.

Mr. McVey wants to be fair and compare apples to apples with the other solid waste authorities mentioned, their funding, their landfills, etc. if they are equal to us. He stated knowing that Attorney Bauer is a top environmental attorney in the state, if he could give his thoughts on the subject and give the Authority some direction. Mr. Bauer stated that Stark-Tuscarawas-Wayne Solid Waste (STW) has always been the single largest recipient of solid waste of any District in Ohio, it hosts three (3) landfills, Kimble, Waste Management, and Republic Landfill. At one time STW was receiving about 20% of all the waste being disposed in the state, with a 20 million dollar balance they were struggling to find ways to spend the money and even reconstructed an interchange on the interstate. He struggles with the view that they would be an apples to apples comparison, explaining they were generous with their health department funding. Hamilton County is a very populous county with the Rumpke Landfill that has historically had a lot of issues, one was a fire that burned underground for over nine (9) months, which elevated the concerns with that landfill resulting in an enhanced level of monitoring. He attends all of the Solid Waste Authority of Central Ohio (SWACO) meetings and has been working with Solid Waste Districts since 1993, and in general Districts used to more general provide financial support to Health Districts 15 years ago and has become less and less so because money has been tightened, and for the fact that around 2005 the Health Departments got their own access for a funding source through C&DD. When that came in, funding provided by Solid Waste Authorities began to diminish. For example, he is currently working with Ottawa-Sandusky-Seneca SWD who has two landfills, one get about 6,500 tons per day, significant amounts by rail and there has been some controversy there, but they have one sanitarian that deals with it and has been for years, and the District's support to the program is in the neighborhood of \$50,000. There are not very many District's that provide support annually to their local health departments over \$50,000. There are only a few Districts that dealing with significant landfill facilities and he is not sure there is a lot of value on doing the comparison by comparison, its more of what the comfort level of the community is, if you want to apply more resources for inspections and oversite of a facility it costs more money. It comes down to a judgement of where to draw the line. If you look at the list of which Counties have Health Districts and which ones don't it is about half and half at best, he does not hear a consistent discontent of Counties/Districts of

Health Departments that have decided to go unapproved. The EPA provides a decent level of service and will site for non-compliance, he has seen them be very effective. He explained that in the Districts where there are approved health districts, they do the annual operating license, which is once a year, and forces the landfill to deal with the health departments. In his experience other than that, it is not often that health districts issue violation notices, much less hauling them into court. He does not think the recent funding amount by the Authority is ungenerous and the Board as a whole would have to decide. In his opinion, looking at the relatively significant C&DD revenues that have come in, would have to be put in a special account, and it looks to him that the account is getting spent down to zero, and would ask why there is no carryover. The chart provided doesn't specify hours spent in the activities listed, the Quarterly Report of all the activities the Health Department is doing with the funds as required in the contract are not getting provided. Members should all look over the contract to remind themselves of what are the perform topic issues, which he has some questions about. Restrictions on what the funds can be spent on were questioned, Mr. Bauer stated the money has to be spent on what is in the contract, but you don't know if that is being observed without feedback.

Mr. Mavromatis suggested having Mrs. Balakos come down to answer the questions on all the changes, issues, and what the funds have been used for in the past. Mr. Echemann asked if the Belmont Health Department was on the approved list to inspect. Members answered there wasn't a landfill in Belmont County.

Attorney Bauer stated more detailed information in terms of what the districts are doing in regards to financial support can be found online on the EPA Annual District Reports, he could take a look if they wish.

Mr. Hays stated we should consider what was discussed, and work with the Health Department so not to have an adversarial relationship with them.

OLD BUSINESS:

Anita Petrella discussed her talk at Barnesville to explain the Ratification, and they did pass the Resolution afterwards. Mr. McVey who had also attended stated he explained to them what services they were getting for the 40 cents per parcel per month, a very low cost when comparing the cost for waste hauling. They both explained that the gentleman that requested their visit and wrote the letter was confused and used wrong information and data for the letter.

NEW BUSINESS:

Disposal of Property

Attorney Bauer explain that some parts in the code book on this are silent, meaning the law says they can use any reasonable avenue for the sale, and could just make a deal. They do not have to bid or auction the property, and since the property was purchased fairly recently they don't need an appraisal for value. Mrs. Petrella recommends waiting until at least after the first of the year when they are all moved into the new building.

The Executive Director was asked to resend the Health Department Contract to Board members again for their review.

Next meeting set for Monday, October 7th, 2019 at the Bellaire Public Library at 5:30PM.

Craig Petrella asked to clarify something discussed earlier in the meeting, there is a facility in Belmont County that is governed and inspected by the EPA, it is the Transfer station. Mr. Luckino asked for the status of the road work that the Authority provided funds to Harrison County to do. Craig Petrella stated Apex attorney are currently fighting with Harrison County Engineer, because the project didn't come to fruition while original engineer was there, and the new engineer is less cooperative for the project. Ed Looman has money sitting there from Apex, and Christine Watson from ODOT has money put in as well, now the cost for the project has almost doubled from 1.2 million to over 2 million. The Authority money was supposed the road last winter, and they did put stone on it. He explained how a portion of that road is and how it needs dug out and a good base put in. Apex had always maintained the road and now the County won't allow them to do that and hung a sign to drive at your own risk. Harrison did buy #57 stone but he does not know how much of authority money was spent or used on the road, the Authority Board should ask for a detailed accounting of the funds spent from the Harrison County Commissioners or Engineers.

Attorney Bauer asked Craig Petrella about the information provided by the Health dept presentation, the 2019 CBD fee revenue only goes up to February, has that amount been stable since then for about \$20,000 per month? Craig Petrella answered yes it was, and then explained the Auto Fluff expected will be mixed, having C&DD as well. It will be in separate gondolas, which will have a manifest stating type of waste on each which is used to collect fees. The fluff is not expected until at least December 2019-to March 2020, tracks need moved, and they do not break ground until October. He explained how the gondolas would be emptied at Apex.

ADJOURNMENT: With no further business to come before the board, the meeting was adjourned at 6:50pm. with a motion from Mr. Mucci, seconded by Mr. Luckino. **VOTE: All said Aye. Motion approved.**

ATTEST:

Scott Fabian, Chair

Mike Bianconi, Secretary