

**JEFFERSON BELMONT REGIONAL SOLID WASTE AUTHORITY
MINUTES FROM REGULAR MEETING OF FEBRUARY 10, 2020**

ROLL CALL:

PRESENT: Nicole Balakos, Mike Bianconi, John Davies, Chuck Dawson, Jerry Echemann, Scott Fabian, Tony Kolanski, Robert Krajnyak, Joe Luckino, Mark McVey, Domenick Mucci, Rob Sproul

ABSENT: John Goosman, George Irvin Jr, James Mavromatis

OTHERS: Anita Petrella, Dave Hays, Natalie Lysle, Albin Bauer, Barb Godwin, Louise Holliday, Tammy Shepherd, Alisha Teramana, Andy Sutak

A quorum being present, Chair Scott Fabian called to order the regular meeting of the Jefferson Belmont Regional Solid Waste Authority Board at the Martins Ferry Wendy's, 402 Aetna Street, Ohio at 5:30PM on, Monday, February 10, 2020.

MINUTES: A motion to approve the January 6, 2020 Reorganization meeting was made by Mr. Mucci, seconded by Mr. Krajnyak. **Vote: 10 said Aye with Mr. Dawson abstaining. Motion passed.**

A motion to approve the January 6, 2020 Regular monthly meeting minutes was made by Mr. Echemann; and seconded by Mr. Mr. Mucci. **Vote: 10 said Aye, with Mr. Dawson abstaining. Motion passed.**

BOARD RECOGNITION: Scott Fabian

Recent board member Barbara Godwin was recognized with a plaque for her 14 years of service on the JBRSWA Board and wished well. Staff and Board members expressed appreciation for all her work on the Grants Committee over the years.

GUESTS:

Director Anita Petrella introduced the Belmont County Education Coordinator Alisha Teramana to the Board.

Mr. Fabian briefly discussed the SW Plan that is currently being revised and now being the time for possible siting strategy changes needed. Mr. Bauer who was present to speak was given the floor.

Nicole Balakos entered the meeting.

Mr. Bauer stated after the discussion at last Board meeting, he has done a lot of follow up regarding the airport's issues regarding concerns of the possible reopening of the Crossridge landfill. The County Airport may have more legal authority than they were aware, and he suggested to them to put their own zoning into effect. He provided them regulations that relate to airport buffer zones and site location restrictions, to prohibit the siting of landfills within a certain distance of airports. The information was provided to the legislative agents in Columbus, hired by the Authority after the last meeting, so that it could be communicated to the OEPA and Local Legislators in the State House that there is a major issue in that regard. He added that it has been a long time since he has had reason to look at airport siting issues with respect to landfill locations, and it turns out there was an amendment in Federal law in 2006, that beefed up the site location restrictions as a matter of federal law as part of the FAA appropriations. For

certain federally funded airports with certain criteria, there is a six (6) miles buffer zone in which the construction of new MSW landfills is prohibited. He shared this information with the County Airport Authority and the legislative agents. He doesn't know enough about the County Airport to know if it would apply or not, but it was something for the Airport Authority to look at.

Mr. Bauer stated he had also been working with the Government Policy Group (GPG) to get them up to speed so they could begin their discussions in Columbus and with local legislators regarding concerns they may have. GPG had met with someone from the EPA and reported no application has been filed yet by Greenway; and was able to clarify that they will not rely on the pending court case as a mechanism for going around the regular permitting process if an application was to be filed.

Mr. Bauer stated he has been pulling about 30 other Ohio Solid Waste District Plans to review their siting strategies, to try to identify if there are more optimal provisions for inserting into the siting strategy. Knowing that any process to update siting strategy will take about a year and a half, to identify if there is any short list of high priority items that we should get into our strategy sooner rather than later, that we would present and pursue that.

Mr. Bauer stated he sent an email to Anita Petrella today with the adjustment for the Harrison County Road 51 repair, but he must have misunderstood the Boards intention regarding labor costs for installing the Geogrid. The Boards wishes to clarify, that the money would not be spent on labor, would be an easy fix with changing of the language to exclude labor.

Mr. Bauer reported on the SWANA meeting last week on which he reported some communications between the OEPA and the Materials Management Advisory Council back in December to review HB592, which caused a good bit of anxiety around the State. But they have now changed position on that and said they will not be doing that in 2020.

Mr. Fabian asked all members to introduce themselves to the new Board member Mayor John Davis.

STAFF REPORTS:

Fiscal Report:

Mr. Hays reported January 2020 revenues for \$215,542, with expenditures of \$1,640,044. The significant amount of course was due to the purchase of the building in Jefferson County, for \$1,450,000, which was purchased without the need to finance any of it. The next couples of pages show the Non-Payroll Expenditures which were reviewed.

The Tonnage Report shows 11,847.25 In-District tonnage, 12,66.08 Out-of-District tonnage, 65,311.03 Out-of-State tonnage. For a total of 89,774.36 tons which yielded \$135,045.96.

Mr. Mucci asked if the expenditure of the building is reflected in the 2020 Budget, Mr. Hays explained it was not because it was incurred last year, so it went against last years (2019) Budget. Purchase Orders were created in 2019 and carry over into the subsequent year, we made payment in January but was on carryover Purchase Orders from the previous year.

A motion to accept the fiscal officer's report and approve Expenditures for January 2020 was made by Mr. Krajnyak and seconded by Mrs. Balakos. **VOTE: Unanimous, Yea, by roll call. Motion passed.**

2020 Draft Budget

Mr. Hays presented the 2020 draft Budget, explaining the Revenues are based on last years amounts, although they expect an increase due to more volume predicted at Apex landfill from the purchase, he prefers to wait until it is seen because he is uncertain of the timing. He increased Contract Services from \$60,000 to \$250,000 due to the proposed Landfill discussions and wants to be prepared for possibility of Consulting fees, legal fees, and lobbyist fees (of \$6,000 a month), as well as the SW attorney fees, SW Plan Consultant fees (of which 80% is already paid).

Mr. Mucci stated his reason for asking about the amounts reflected is that he doesn't see any funds set aside for the Grants Program, and hoped the Finance Committee would consider it for 2020. Mr. Hays stated the Committee did address that in their meeting, there is zero budgeted at this point. Mr. Sproul stated that the Committee felt they should delay the program and revisit it in a couple of months due to the possible Landfill costs discussed. Mr. Mucci spoke about his reasons to have the program in 2020, the time the process takes, and the need for a decision to be made soon. Mr. Hays stated the 2nd Column on the Budget with Statutory Fees could be an option to fund them.

Mrs. Petrella and Board members discussed the incomplete and non-reporting Grants from 2019. Several have not submitted photos of JBGT logo signage as required. Members agreed if they do not follow the guidelines, and meet the report requirements they will be excluded in the next Grant program year.

Mr. Hays reminded the Board that the 2020 Budget can be amended through the year.

Mr. Hays stated there is a need to transfer \$400,000 out of the Contract Fund into the Capital Reserve Fund to pay for any equipment needs that may come up. Mr. Dawson asked about the Contract Fees in the 2nd Column. Mr. Hays explained they are less constrained than the Statutory Fees, which has ten (10) allowable expenditures, according to ORC 3457.G1-10. Designation Fees were explained by Mr. Bauer as pretty reliable information on tonnage. Mr. Hays added the Designation fee amounts have dropped 20% in 2019 from 2018.

Mr. Dawson made a motion to accept the Budget for 2020, Mr. Mucci seconded.
VOTE: By Roll call. All said Yes. Motion passed.

Director's Report:

Bridgeport Site Issues

Executive Director Anita Petrella reported the Bridgeport Community Drop-off Recycling site has been having issues due to the construction. They have had to change driver start hours to beat the construction activity at the site, are having to remove 2 bins, and asked the Board if there is another site in the area that could be used instead. The site is very often being used by non-district (WV) residents.

Electronic Collections

Ms. Petrella briefly reviewed the 2019 Electronics collections, and discussed the recent increase in cost, of .75 cents per pound, to be charged by the collection vender Infinite Electronics for the CRT type TV's, compared to the \$23 per TV cost last year. She explained she has checked into other certified vender's located in Pittsburgh and Columbus to see if they would be cheaper for the collections, and none would be. She informed the Board that Infinite Electronics is currently moving into Wintersville, under the old Riesbeck's Store where the Treasure Island used to be, and this will enable Jefferson County residents to take their electronics directly to them during their regular business hours. The issue now being how to have the Collections fairly for both

County's residents in regards to the shared costs of the CRT type TV's. She suggested one centrally located Collection in 2020 for both Counties in Yorkville. The Board discussed at length and decided more research should be done before making a decision at the next meeting. Mr. Bauer suggested checking with Jamie Zawila to see if she has any suggestions on the matter from her experience with other SW Authorities.

Earth Day 50th Anniversary

Ms. Petrella informed the Board that on April 22nd of this year it will be the 50th Anniversary of Earth Day, and would like to plant a tree at both new building locations to commemorate the event, inviting board members to be present for a news article and photo.

EXECUTIVE COMMITTEE REPORT: Scott Fabian

None.

FINANCE COMMITTEE REPORT: Rob Sproul

Mr. Sproul stated the Committee did just meet to discuss the finances to cover the hiring of the Columbus firm, they went over delaying the Grants for 2020 and decided to be cautious because of the possible costs of discussions of the possible Landfill application.

PERSONNEL COMMITTEE REPORT: Mark McVey

None.

PLANNING COMMITTEE REPORT: Jim Mavromatis

None.

GRANTS/SPECIAL EVENTS COMMITTEE REPORT: Mike Bianconi

None.

SEARCH COMMITTEE REPORT: Joe Luckino

Did not meet, but Mr. Luckino stated that the previous owner of the lot purchased to build has reached out to him wishing to purchase it back. Ms. Petrella stated she has all the holding costs on record and could include them when reselling the property back. The property sits adjacent to his current building. Mr. Mucci stated he believes it was an agreement when the property was purchased that if ever sold for any reason he would have first option to buy it back. Ms. Petrella was asked to bring the amounts to the next meeting for the Board.

Mr. McVey asked Attorney Bauer if they are required by ORC to bid it out? Mr. Bauer stated no, it is allowable to sell within a reason manner. Mr. Bianconi suggested keeping the property for possible future use of building a Cell if ever needed, and looking into the cost of such a project. The previous expected costs to develop the lot was discussed. Mr. Bianconi thank Mr. Luckino for all his work on the Search Committee with the lot and new building.

Mr. Fabian informed the Board that he had met with the GPG a couple of times. Members of the Board asked if they could receive reports or updates from them, Mr. Bauer felt they would provide them. Mr. Fabian would give them a call and ask them. Mr. Luckino asked Mr. Bauer what he found out about the "definition of owner" that was discussed at the previous meeting.

Mr. Bauer stated those rules have been in the Pipeline for two (2) years, and had never been applied to Solid Waste Districts, and was brought to his attention in October. He put a comment in, the EPA responded but adopted the package. So it is in place, and you can only review the owner applicant for substantial compliance with environmental regulations. Meaning you can only look at who is on the title, for landfill compliance, and cannot look at those who have a majority or controlling interest in that entity any longer, and he was actually the only person who provided any comment on that change.

LANDFILL REPORT: Nicole Balakos

Mrs. Balakos provided members an Apex Material Report in addition to the Odor and Violation Reports in the Board packets. She explained there was more MSW in 2018 than in 2019, they anticipate the MSW will be greater with change of the supply chain. There were more violations issued in 2019, stressing the Health Department's goal is to educate rather than enforce. They wish to see that number go down. The summer increase was due to a learning curve and their adjustment period with the new gas plant. She reviewed the Odor Patrol Report, explaining the causes for the odors for those years. Some research has revealed that some odor complaints aren't within their purview, that if they are meeting their daily cover requirements then it should not be an NOV. They are currently researching what justifies an NOV for excessive odor.

Craig Petrella stated they are no longer Apex, they are now Interstate Waste Services. There will be a 60-90 day transferal on business side. Plans are to excavation in 2nd Quarter for tracks on the north end, preparing for more trains in and out. There will be less 3rd party trains, and 95% intercompany trains. Interstate Waste has numerous transfer stations. There have been only some changes at the Corporate level.

Mr. Luckino asked if this would affect the Harrison County Road 51 that the Authority has invested in. Mr. Petrella stated it will have no effect.

Mr. Bauer asked what types of materials would be coming in from New York. Mr. Petrella stated that most of it will be MSW or C&D, the MSW and C&D materials will be separated at the transfer stations then loaded into railcars before coming to the landfill.

Mrs. Balakos stated they got 27 new transfer stations with it in Connecticut and New York, and would really improve their supply chain. Mr. Petrella talked about the improvements being made to the rail. Mrs. Balakos talked about recent complaints they had received about noise at the landfill turning out to be from a gas well nearby, which is not part of the landfill.

Mr. Bauer asked Mr. Petrella if the landfill will be capable of handling the increase of materials to come in. Mr. Petrella responded that they definitely would, they are allowed 10,000 tons per day and are not even close to that. The temporary cap was discussed.

OLD BUSINESS:

Mr. Bauer stated that he forgot to mention earlier that the EPA said there were going to start doing Notices of Deficiency based on the review of the ADR. If they ask for additional information and a Solid Waste District does not provide satisfactory information in a timely manner they can be sited. They have had problems with other Solid Waste Authorities.

NEW BUSINESS:

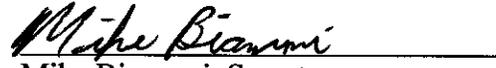
Next meeting set for Monday, March 9, 2020 at the new Jefferson building at 228 Technology Way, Steubenville at 5:30PM.

ADJOURNMENT: With no further business to come before the board, the meeting was adjourned at 6:54 pm.

ATTEST:



Scott Fabian, Chair



Mike Bianconi, Secretary