

**MINUTES
VIRGINIA PENINSULAS PUBLIC SERVICE AUTHORITY**

**Williamsburg Municipal Building
3rd Floor Conference Room
401 Lafayette Street
Williamsburg, Virginia
February 1, 2019
9:00 a.m.**

IN ATTENDANCE:

| | |
|-----------------------------|----------------------|
| Brian Woodward | York County |
| Laurie Halperin (alternate) | York County |
| Bodina Wright | City of Poquoson |
| Dutch Beukenkamp | Middlesex County |
| Dan Clayton | City of Williamsburg |
| Bobbie Tassinari | King William County |
| Grace Boone | James City County |
| Bud Smith | Essex County |

ABSENT:

| | |
|------------------|---------------------|
| Jason Mitchell | City of Hampton |
| Tom Swartzwelder | King & Queen County |
| Mindy Conner | Mathews County |

OTHERS IN ATTENDANCE:

| | |
|------------------|---------------------------------|
| Vernon Geddy III | Geddy, Harris, Franck & Hickman |
| Stephen Geissler | VPPSA |
| David Magnant | VPPSA |
| Karen Plumley | VPPSA |

1. PUBLIC COMMENT

No public comment was made.

2. MINUTES

Dan Clayton moved that the minutes of the December 7, 2018 meeting be approved. Bud Smith seconded and the motion passed unanimously.

3. EMPLOYEE SERVICE RECOGNITION

Bobbie Tassinari and Steve Geissler congratulated the following employees on their years of service to the Authority:

| | |
|---|---------------------------------|
| Jerry Armstead Attendant | 5 Years Transfer System |
| Larry Kirkpatrick Equipment Operator III | 5 Years Compost Facility |
| Swamp Rat Equipment Operator I | 5 Years Compost Facility |
| Carolyn Gooding Attendant | 10 Years Convenience Centers |
| Crystal Mardis Attendant | 10 Years Transfer System |
| Isaac Lincoln Attendant | 15 Years Convenience Centers |
| Douglas "Doug" Lincoln Lead Driver | 20 Years Transfer System |
| Kelly Ballas Attendant | 25 Years Transfer System |
| Cecil Taylor Transfer System Supervisor | 25 Years Transfer System |

4. PROJECT REPORTS

Compost Facility

David Magnant stated that drone services had been secured at the Compost Facility, at no charge, to take aerial photos of the current inventory at the facility. The pictures were made available at the meeting for Board members to view.

David Magnant stated that the facility has received approximately 14,000 tons of material. York County has exceeded the City of Hampton's volume each of the last four months, with year-to-date volumes greater than the City of Hampton.

There has been an exceedance in benchmark numbers at the facility for the VPDES permit. David Magnant and Steve Geissler visited the facility to determine the potential cause for the exceedance. The retention pond had an unpleasant odor and additional aeration was installed. Additional facility maintenance in the form of new filtration socks, filled with mulch fines, were installed at the back row to prevent particulates from gathering in the pond. Staff is regularly cleaning this area, three times per week, to aid in odor control and the exceedance.

Transfer System

David Magnant stated that the review has been completed of the maintenance facility construction plans and specifications and that the Authority now has all the information needed to issue an Invitation For Bid.

There have been repairs made on one of the compactors at the Mathews Transfer Station and it is anticipated that it will be up and running the following week.

VPPSA is currently receiving \$6.00 for mixed paper and \$86.50 for cardboard for drop-off recycling. Recently there was a problem with a load of contaminated cardboard which was believed to have come from the Deltaville area. VPPSA collects cardboard from facilities not manned by VPPSA employees (commercial customers with VPPSA cardboard containers) and therefore cannot be monitored for contamination. This creates a problem due to the fact that material must be clean for the Authority to continue to receive the current pricing.

Household Chemical Collection and Computer Recycling

The first event for 2019 will be held on February 9, 2019 at Warhill High School in James City County. David Magnant stated that approximately 4,500 vehicles are anticipated for 2019 which is consistent with the last two years.

The City of Hampton has begun allowing residence to bring propane containers to the Peninsula events. David Magnant asked if any other communities would be interested in this to please let staff know.

There are two events only on the Middle Peninsula each year. David Magnant stated that Middle Peninsula residents will be allowed to attend events on the Peninsula, with normal anticipated quantities, if there is a need to dispose of items outside of the two events.

Computer Recycling volumes continue to decrease, mainly due to the reduction in items that are now accepted at the events. Volumes in the past were approximately 150,000 pounds, with volumes now at approximately 50,000 to 60,000 pounds.

Curbside Recycling

David Magnant mentioned that County Waste continues to service the contract at a high level of customer service. Although the contract will come to a conclusion in June 2019, there has not been a decline in the service.

David Magnant asked for any questions. There were no questions.

5. ASSIGNMENT OF JOYCE ENGINEERING CONTRACT

VPPSA entered into an agreement with Joyce Engineering in April 2015 to provide landfill monitoring and post-closure care services. Joyce will complete the fourth year of the agreement in June 2019.

Joyce Engineering was acquired by LaBella Associates of Rochester, New York in November 2018. Included in the Board packet is a letter that requests approval of assignment of the contract.

The recommended action is to approve the assignment of the agreement between VPPSA and Joyce Engineering, Inc. (JEI Contract Number 1540) to LaBella Associates, D.P.C., P.C. and authorize the Executive Director to execute the assignment letter.

Bud Smith moved to accept the recommended action. Dutch Beukenkamp seconded, and the motion was approved unanimously.

6. CURBSIDE RECYCLING – CONTRACT TRANSITION

Steve Geissler stated that an agreement has been executed with TFC Recycling, effective July 1, 2019, to provide curbside recycling services for James City County, Poquoson, Williamsburg and York County. The current contract with County Waste will conclude on June 30, 2019. There are several contract transition items to address, dealing both with conclusion with County Waste and commencement with TFC. Mr. Geissler addressed some of the items, briefly, as follows:

- Change in acceptable materials, with the most significant being the elimination of plastic numbered 3 through 7. TFC will accept aseptic containers.
 - Current carts issued to residents have stickers that list incorrect information as to what can be placed in the cart.
- Holiday schedule will change. County Waste observes three holidays (New Year's Day, Thanksgiving Day, Christmas Day); TFC observes six holiday (the three previously listed plus Memorial Day, 4th of July, Labor Day).
- VPPSA has requested that the current service days and routes remain as they are. TFC has asked to change the service day for the City of Williamsburg to coincide with the trash service day. Mr. Geissler will arrange to meet with Dan Clayton and Tammy Rojeck of the City of Williamsburg and TFC to discuss this matter.
- TFC will not collect any material outside of the recycling cart. This is consistent with other curbside recycling collection contractors.

Dutch Beukenkamp asked how Middlesex County would be affected with regards to aseptic materials. Steve Geissler stated this is an issue that must be addressed immediately as the current contract with County Waste for drop-off material, which is in effect until June 30, 2020, does not allow for aseptic materials and is not consistent with the curbside recycling contract.

Steve Geissler asked if there were any questions before presenting the recommendation. Dan Clayton mentioned a possible financial relief for County Waste. Mr. Geissler stated that in meetings with the city managers and county administrators for James City County, Poquoson, Williamsburg and York County that they all agreed to leave the decision on this matter to the VPPSA Board members for each locality.

The recommended action is to approve the formation of the Curbside Recycling Oversight Committee consisting of the Board members from James City County, Poquoson, Williamsburg and York County.

The Committee will meet periodically as required to address issues related to the completion of the curbside recycling agreement with County Waste and the start-up of services by TFC Recycling.

Brian Woodward moved to accept the recommended action. Grace Boone seconded, and the motion was approved unanimously.

7. GENERAL ASSEMBLY- LEGISLATIVE UPDATE

The following bills and resolutions have been introduced during the current General Assembly session that could have an impact on solid waste management and recycling in Virginia.

The following are still under consideration:

HB 2095 Local prohibition on single use plastic and expanded polystyrene products; local tax. Local prohibition on single use plastic and expanded polystyrene products; local disposable plastic bag tax. Authorizes a locality to prohibit by ordinance the purchase, sale, or provision, whether free or for a cost, of certain single use products that are not recyclable or compostable and for which there is a suitable and cost-effective compostable or recyclable alternative product available, with certain exceptions. The bill also authorizes any county or city to impose a five-cent per bag tax on disposable plastic bags provided to customers by certain retailers, with certain bags being exempt from the tax. The bill directs revenue from the local tax to be used by the county or city imposing the tax for litter control and stormwater management. The bill allows every retailer that collects the tax to retain one cent of the five-cent tax if the tax is paid in a timely manner.

HB 2101 Professional and Occupational Regulation, Department of; deregulation of certain practice. Department of Professional and Occupational Regulation; deregulation of the practice of landscape architects, soil scientists, and waste management facility operators. Eliminates licensure requirements for landscape architects, soil scientists, and waste management facility operators.

HB 2105 Coal combustion residuals; Chesapeake Bay watershed; closure. Coal combustion residuals; Chesapeake Bay watershed; closure. Requires the owner or operator of any coal combustion residuals (CCR) unit, defined in the bill to include a coal ash pond or landfill, that is located in the Chesapeake Bay watershed to close such CCR unit by removing all of the CCR for (i) recycling, known as encapsulated beneficial use, or (ii) deposition in a permitted and lined landfill that meets certain federal standards.

HB 2159 Plastic Pollution Prevention Advisory Council; established.

HB 2395 Hazardous Waste Site Inventory; DEQ to compile and update at least annually. Hazardous Waste Site Inventory. Requires the Department of Environmental Quality (the Department) to compile by July 1, 2020, to update at least annually thereafter, and to post to its website a Hazardous Waste Site Inventory (the Inventory). The Inventory shall be a current listing of sites known to the Department at which the disposal of hazardous waste has occurred, providing specific information about each site.

HJ 620 Minimum recycling rate; reduction for municipal solid waste generated within a solid planning unit. Study; reduction of the minimum recycling rate for municipal solid waste generated within a solid waste planning unit; report. Requests the Secretary of Commerce and Trade and the Secretary of Natural Resources (the Secretaries) to jointly study a reduction of the minimum recycling rate for municipal solid waste generated within a solid waste planning unit. In conducting its study, the Secretaries are to (i) investigate the impact that China's

reduced recyclable material contamination acceptance rate has had and is currently having on solid waste planning units in the Commonwealth; (ii) analyze the effect on the Commonwealth of reducing the minimum required recycling rate for solid waste planning units, including impacts to landfills, localities, ecosystems, and the economy; and (iii) propose one or more solutions to assist solid waste planning units and the Commonwealth as a whole, including recommending a specific reduction of the minimum recycling rate for municipal solid waste generated within a solid waste planning unit.

SB 1009 Coal combustion residuals surface impoundments; closure. Coal combustion residuals surface impoundments; closure. Directs the Department of Environmental Quality to require the closure of any coal combustion residuals (CCR) surface impoundment located in the Chesapeake Bay watershed. The bill requires that such closure include the removal of all CCRs for disposal in a permitted landfill that meets federal criteria and that the impoundment site be reclaimed in a manner consistent with federal mine reclamation standards. Finally, the bill allows an investor-owned public electric utility to recover the costs of closure from customers.

SB 1070 Disposable paper and plastic bags; local taxation.

SB 1533 Coal combustion residuals; Chesapeake Bay watershed; closure.

Companion to HB 2105

SJ 265 Municipal solid waste generated within a solid waste planning unit; reduction of recycling rate.

Companion to HJ 620

The following are no longer under consideration

HB 2391 Landfills; waste disposal fee, deposits into the Greenhouse Gas Fund.

SB 1116 Plastic bags; tax in the Chesapeake Bay Watershed.

SB 1155 Screening of trash receptacles; local option. Screening of trash receptacles; local option. Authorizes a locality, by ordinance, to require that trash, garbage, refuse, litter, and other debris at any business or multi-family residential property that has a central collection receptacle be shielded or screened from view of a person standing at ground level from outside of the property on which the central collection receptacle is located.

SB 1305 Recycling and waste disposal; unpaid fees, lien. Recycling and waste disposal; unpaid fees; lien. Authorizes a locality to recover unpaid charges, including interest for recycling and waste disposal services. The bill provides that such action shall constitute a lien against the property, ranking on a parity with liens for unpaid taxes, and authorizes localities to combine billings for recycling and waste disposal charges with billings for water or sewer charges, stormwater charges, real property tax assessments, or other billings, in an order established by the locality.

SB 1761 Landfill permits; adjacent locality approval. Landfill permits; adjacent locality approval. Requires that an application for a new solid waste management facility permit or for modification of a permit to allow an existing solid waste management facility to expand or increase its capacity include a certification from the governing body for each locality within a five-mile radius of the facility, other than the locality in which the facility is or will be located unless as otherwise required, granting approval of the facility.

8. EXECUTIVE DIRECTOR'S REPORT

Steve Geissler had no additional items.

9. OLD BUSINESS

No old business.

10. NEW BUSINESS

No new business.

11. CLOSED SESSION

Brian Woodward made the following motion.

I move that the Board of Directors of the Virginia Peninsulas Public Service Authority enter into a closed meeting to discuss the performance evaluation of the Executive Director. This closed meeting is being held in accordance with Section 2.2-3711 (A) (1) of the Virginia Code.

The motion passed unanimously.

After the closed session, Brian Woodward made the following motion.

I move that the Board of Directors of the Virginia Peninsulas Public Service Authority certify that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification motion applies and (ii) only such public business matters were heard, discussed or considered in the closed meeting by the Board as were identified in the motion, Section 2.2-3711 (A) (1), to discuss the performance evaluation of the Executive Director.

Following are the results of the roll call vote:

- Bud Smith, Essex County - yes
- Grace Boone, James City County – yes
- Bobbie Tassinari, King William County – yes
- Dutch Beukenkamp, Middlesex County – yes
- Bodina Wright, City of Poquoson – yes
- Dan Clayton, City of Williamsburg – yes
- Brian Woodward, York County – yes
- Hampton Representative – absent
- King and Queen Representative – absent
- Mathews County Representative – absent

Brian Woodward recommended that the Board approve a 2% increase for Steve Geissler with retroactive pay from the start of the fiscal year in July 2018 be paid in the form of a bonus. Dan

Clayton moved to accept the recommended action. Bud Smith seconded, and the motion was approved unanimously.

Bobbie Tassinari asked if there were any additional questions. There were no questions and Ms. Tassinari adjourned the meeting.

12. NEXT MEETING DATE

April 5, 2019
Williamsburg Municipal Building
2nd Floor Conference Room
401 Lafayette Street
Williamsburg, Virginia

Respectfully Submitted,

Brian Woodward
Secretary/Treasurer