

**MINUTES
VIRGINIA PENINSULAS PUBLIC SERVICE AUTHORITY**

**Via Zoom Video Conference
10:00 AM
May 21, 2020**

IN ATTENDANCE:

Jason Mitchell	City of Hampton
Grace Boone	James City County
Tom Swartzwelder	King & Queen County
Mindy Conner	Mathews County
Bodina Wright	City of Poquoson
Brian Woodward	York County

ABSENT:

Michael Lombardo	Essex County
Bobbie Tassinari	King William County
Pete Mansfield	Middlesex County
Dan Clayton	City of Williamsburg

OTHERS IN ATTENDANCE:

David Magnant	VPPSA
Karen Plumley	VPPSA

Brian Woodward called the meeting to order at 10 a.m.

1. ADOPT RESOLUTION 2020-01

Resolutions 2020-01 reads as follows:

A resolution for the Virginia Peninsulas Public Service Authority Board members to meet electronically to discuss or transact business necessary to continue operations.

Whereas, the Governor of Virginia has declared a state of emergency under Section 44.146.17 of the Virginia Code arising from the novel Coronavirus (COVID-19) pandemic.

Whereas the nature of the COVID-19 emergency makes it impractical and unsafe for the Authority Board to assemble in one location. The purpose of this meeting is to discuss or transact any and all business necessary to continue the Authority's operations and for the discharge of its lawful purposes, duties and responsibilities.

Now, therefore be it resolved by the Virginia Peninsulas Public Service Authority Board of Directors on this 21st day of May 2020, that the Board of Directors agrees to meet electronically

to discuss and transact any and all business necessary for the Virginia Peninsulas Public Service Authority to continue operations and for the discharge of its lawful purposes, duties and responsibilities.

The vote on the foregoing was as follows:

Michael Lombardo, Essex County	Absent
Jason Mitchell, City of Hampton	Yay
Grace Boone, James City County	Yay
Thomas J. Swartzwelder, King & Queen County	Yay
Bobbie Tassinari, King William County	Absent
Mindy Conner, Mathews County	Yay
Pete Mansfield, Middlesex County	Absent
Bodina Wright, City of Poquoson	Yay
Dan Clayton, City of Williamsburg	Absent
Brian K. Woodward, York County	Yay

2. PUBLIC COMMENT

No public comment was made.

3. MINUTES

Grace Boone moved that the minutes of the February 7, 2020 meeting be approved. The motion passed unanimously.

4. LANDFILL MONITORING AND POST-CLOSURE CARE

Background:

VPPSA entered into an agreement with Joyce Engineering (LaBella Associates as of November 1, 2018) in April 2015 to provide landfill monitoring and post-closure care services. The first five-year term of the agreement will expire on June 30, 2020. The agreement contains provisions for five one-year renewals or one five-year renewal.

LaBella will provide a five-year extension proposal for consideration by the VPPSA Board. It is recommended that the Board approve the proposed extension.

LaBella provided the estimated costs of services for the participating counties for FY21 which were included in the VPPSA Budget for FY21 approved at the December 2019 Board meeting.

James City County requested a reduction in the budget for FY21 by delaying abandonment of gas probes and gas vents. The revised budget was included in the May 21, 2020 Board package.

Recommended Action:

Approve the proposed extension of the Agreement with LaBella Associates for Landfill Monitoring and Post Closure Care services and authorize the Executive Director to execute the extension.

Mindy Conner moved that the recommended action be approved. The motion passed unanimously.

5. PROJECT REPORTS

David Magnant stated that a “lessons learned” document is in development to submit to the Board members within the week that discusses all aspects of the COVID-19 pandemic and measures taken by VPPSA to maintain operations, protect the employees and residents, and how to best prepare in the event there is a surge of COVID-19 cases in the fall of 2020.

Transfer System

David Magnant stated that the Transfer System continues to see a high volume of full containers, partly due to the number of residents at home accomplishing projects during the pandemic and because of the reduced hours of operations at the facilities that VPPSA delivers the materials.

Compost Facility

David Magnant stated that an extension was added to the booth at the facility, with help from York County, so that limited contact credit card payment transactions can occur. The facility is currently accepting credit card payments or customer on-account only.

Approval has been received for right-of-way encroachment which is the final portion needed for the BMP retrofit.

Household Chemical

David Magnant stated that two events were held in May 2020: one in York County and one in City of Hampton. Historically the York County May event has an attendance of 290 residents, with the May 2020 event attendance at 396 residents. Historically the City of Hampton May event has an attendance of 240 residents, with the May 2020 event attendance at 298 residents. Mr. Magnant stated that not only is the attendance at the events higher but that also the volume of material is higher.

Curbside Recycling

Curbside recycling routes are operating without disruption as the staff at Tidewater Fibre Corporation (TFC) remains healthy during the pandemic. David Magnant stated that the overall material weights are higher than this time last year.

Brian Woodward asked for any questions. There were no questions.

Brian Woodward asked for a construction update on the Middle Peninsula Maintenance Facility in King and Queen county. David Magnant gave a report of the current status of the facility and stated that construction is progressing well.

6. AGREEMENT FOR SOLID WASTE DISPOSAL AND RECYCLING SERVICES

Background:

As of July 1, 2018, VPPSA entered into Agreements for Solid Waste Disposal and Recycling Services for the Middle Peninsula counties with the following:

- Waste Management Disposal Services of Virginia, Inc. (Waste Management)
- BFI Waste Systems of Virginia, LLC (BFI)
- County Waste, LLC (County Waste)

All agreements expire on June 30, 2020 but allow for two-year extensions until June 2024.

All were requested to provide proposals to extend the agreements an additional two years until June 30, 2022.

Following are the current rates and the proposed rates:

Waste Management

Current rates

Solid waste, construction / demolition waste, sludge, land clearing debris, brush, scrap metal and split tires

Delivery of less than 25,000 tons per year - \$24.00 per ton

Delivery of more than 25,000 tons per year - \$23.25 per ton

Commingled containers including plastic bottles and jugs, metal cans and glass bottles and jars – not included in agreement

Proposed rates

Solid waste, construction / demolition waste, sludge, land clearing debris, brush, scrap metal and split tires

Delivery of less than 30,000 tons per year - \$25.00 per ton

Delivery of more than 30,000 tons per year - \$24.75 per ton

Commingled containers including plastic bottles and jugs, metal cans and glass bottles and jars – declined to propose

BFI

Current rates

Solid waste, construction / demolition waste, sludge, land clearing debris, brush, scrap metal and split tires - \$22.25 per ton

Commingled containers including plastic bottles and jugs, metal cans and glass bottles and jars – not included in agreement

Proposed rates

Solid waste, construction / demolition waste, land clearing debris, brush, scrap metal and split tires - \$23.25 per ton from July 1, 2020 to June 30, 2022

Sludge - \$65.00 per ton from July 1, 2020 to June 30, 2022

Commingled containers including plastic bottles and jugs, metal cans and glass bottles and jars – declined to propose

County Waste

Current rates

Solid waste and construction / demolition waste - \$49.00 per ton

Commingled containers including plastic bottles and jugs, metal cans and glass bottles and jars – County Waste pays VPPSA \$10.00 per ton

Proposed rates

Solid waste and construction / demolition waste - \$52.00 per ton from July 1, 2020 to June 30, 2022

Commingled containers including plastic bottles and jugs, metal cans and glass bottles and jars
– \$95.00 per ton

Amendments for the Agreements with Waste Management and BFI were included in the Board package. As a result of the high costs proposed for renewal, it is recommended that an extension not be executed with County Waste.

Recommended Action:

Approve the Amendment with Waste Management Disposal Services of Virginia, Inc. and authorize the Executive Director to execute the Amendment.

Jason Mitchell moved to accept the recommended action. The motion passed unanimously.

Approve the Amendment with BFI Waste Systems of Virginia, LLC and authorize the Executive Director to execute the Amendment.

Jason Mitchell moved to accept the recommended action. The motion passed unanimously.

6.a. ALTERNATIVE RECYCLING RATE

Comingled Containers

VPPSA currently accepts comingled containers for recycling at the convenience centers in (7) seven of the (10) ten cities and counties in the VPPSA region. The current agreement with County Waste has a revenue to VPPSA of \$10.00 per ton.

Current definition of Comingled Containers: all plastic containers, glass bottles and jars, and metal cans.

VPPSA has continued to accept 3 through 7 plastic containers, knowing that these plastics were no longer accepted in the Curbside Recycling program. There was an extension remaining on the current agreement and VPPSA felt it best to continue to allow the 3 through 7 plastics as they generated some revenue.

An extension was requested on the recycling portion of the agreement with County Waste. County Waste was unwilling to continue with the agreement and instead offered a rate with a fee of \$95 per ton. VPPSA requested a quote from Tidewater Fibre Corporation (TFC) for the processing and recovery of comingled containers. The definition of comingled had to be modified to match the current curbside recycling material acceptance.

Modified definition of Comingled Containers: Plastic #1 and #2 bottles and jugs, glass bottles and jugs, tin/steel cans and aluminum.

VPPSA and TFC consent to a term of the agreement from July 1, 2020 to June 30, 2021.

- Rate 1: comingled containers shall include plastic bottles and jugs #1 and #2 only, metal cans and glass bottles and jars, delivered to the TFC recycling plant located in Chester, Virginia for a processing fee of \$34.00 per ton.
- Rate 2: comingled containers shall include plastic bottles and jugs #1 and #2 only, metal cans, excluding glass bottles and jars, delivered to the TFC recycling plant located in Chester, Virginia for a processing fee of \$18.00 per ton.

- TFC Recycling will allow a one-time rate adjustment request option during the one-year term, from July 1, 2020 to June 30, 2021.

Recommended Action:

Approve the one-year agreement for comingled container processing and recovery with Tidewater Fibre Corporation, at the \$34.00 per ton rate which includes glass and authorize the Executive Director to execute the agreement.

Grace Boone moved to accept the recommended action. The motion passed unanimously.

7. HEALTH INSURANCE FY21

Proposed renewal rates have been received from The Local Choice Health Benefits Program for FY 21. The proposed rates reflect an increase of 7.5% for Key Advantage 250 and Key Advantage 500 compared to the rates for FY 20.

Rate increases from previous years are as follows:

FY 07	6.3%
FY 08	4.6%
FY 09	0.0%
FY 10	4.2%
FY 11	10.0%
FY 12	3.1%
FY 13	2.8%
FY 14	7.2%
FY 15	5.6%
FY 16	11.25% Key Advantage with Expanded Benefits
FY 16	8.75% Key Advantage 500
FY 17	4.0%
FY 18	8.5% Key Advantage with Expanded Benefits
FY 18	9.0% Key Advantage 500
FY 19	16.1%
FY 20	4.0%
FY 21	7.5%

The Key Advantage with Expanded Benefits program, which had been offered for more than twenty years, was replaced in FY 19 with the Key Advantage 250 plan.

Two options are presented for consideration for allocation of the health insurance premiums for FY 21.

Under the first option, the 7.5% increase has been applied to both the employee contribution and the employer contribution for the Key Advantage 250 and the Key Advantage 500 plans using the current allocation of premiums.

Under the second option, some adjustments are proposed to account for inequities that occurred in FY 19. With a 16.1% increase the Board elected to replace the Key Advantage with Expanded Benefits program with the Key Advantage 250 program and eliminate all employee health care premium increases for the year.

Prior to FY 19, both the employee share and the employer share for all levels of coverage for the Key Advantage 500 program were lower than shares for the Key Advantage with Expanded Benefits program.

Option 2 moves to equaling the employer share for the Key Advantage 250 and the Key Advantage 500 plans. Under this option, those with Key Advantage 250 employee only coverage will realize the largest percentage increase. These employees, however, have the option of selecting Key Advantage 500 coverage and significantly reducing their monthly cost.

David Magnant stated that due to the fact that the Board was not meeting face to face as a direct result of the COVID-19 virus, that there was no electronic meeting scheduled, and that VPPSA had the renewal date extended to April 30, a decision had to be made with the intention that the Board, at a later date, would approve the health insurance plan chosen by the Authority.

Recommended action:

Accept the proposal from the Local Choice for Key Advantage 250 and Key Advantage 500 and approve the proposed employer and employee contribution as presented in Option 2 for FY 21 to be withheld starting in June 2020 for July 2020 coverage.

Tom Swartzwelder motioned to ratify the action undertaken by staff earlier in regard to health insurance and to approve the agreement through the Board. The motion was passed unanimously.

8. COMPOST FACILITY WETLAND CREDIT PURCHASE

Construction plans and specifications have been completed by Stantec for the construction of the retrofit to the BMP for the Compost Facility. The documents have been distributed to more than 20 parties and a pre-bid meeting was held on February 11, 2020.

The pond was flooded as a result of beaver activity. The bidding process is temporarily on hold so that the pond water level can be lowered.

The final condition for the permitting process is the purchase of wetlands credits.

Credits were purchased from the Chesapeake Bay Wetlands Mitigation Bank. The total cost was be \$6,000.

A copy of the agreement was included in the Board package. David Magnant stated, due to the COVID-19 virus and in order to finalize the bid documents for the Compost Facility BMP Retrofit, the previous Executive Director moved forward with the wetlands credit purchase.

Recommended action:

Approve the wetlands credit purchase agreement and authorize the use of \$6,000 from the Compost Facility fund balance to cover the cost of the purchase.

Tom Swartzwelder moved to ratify the decision made by staff to move forward with the wetland credit purchase of \$6,000 and authorize for VPPSA to execute and move forward. The motion was passed unanimously.

9. CLOSED SESSION

Grace Boone made the following motion:

I move that the Board of Directors of the Virginia Peninsulas Public Service Authority enter into a closed meeting for discussion of the Executive Director compensation package.

This closed meeting is being held in accordance with Section 2.2-3711 (A) (1) of the Virginia Code.

The Board entered into Closed Session.

After the Closed Session Grace Boone 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 only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed or considered in the closed meeting by the Board as were identified in the motion, Section 2.2-3711 (A) (1), discussion of the Executive Director compensation package.

Karen Plumley called the roll call vote.

Michael Lombardo, Essex County	Absent
Jason Mitchell, City of Hampton	Yay
Grace Boone, James City County	Yay
Thomas J. Swartzwelder, King & Queen County	Yay
Bobbie Tassinari, King William County	Absent
Mindy Conner, Mathews County	Yay
Pete Mansfield, Middlesex County	Absent
Bodina Wright, City of Poquoson	Yay
Dan Clayton, City of Williamsburg	Absent
Brian K. Woodward, York County	Yay

Tom Swartzwelder moved that the Executive Director's salary be set at a yearly compensation of \$105,500 and authorize the Board chairman to have the contract executed on behalf of the Board of Directors of VPPSA. Mindy Conner seconded, and the motion was passed unanimously.

10. NEXT MEETING DATE

David Magnant recommended that the June 2020 Board meeting be held, via Zoom, the week of June 15, 2020. Karen Plumley will survey the Board to determine the best meeting date and time. Mr. Magnant stated that the Board officers will be elected at the June 2020 meeting.

Brian Woodward adjourned the meeting.

Respectfully Submitted,

Grace Boone
Secretary/Treasurer