



RIVANNA SOLID WASTE AUTHORITY

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RSWA BOARD OF DIRECTORS Minutes of Regular Meeting August 25, 2009

A regular meeting of the Rivanna Solid Waste Authority (RSWA) Board of Directors was held on Tuesday, August 25, 2009 at 2:00 p.m. in the lower level Board Room of the Albemarle County Service Authority, 168 Spotnap Road, Charlottesville, Virginia.

Board Members Present: Dr. David Brown, Mr. Kenneth Boyd, Mr. Michael Gaffney - Presiding, Mr. Mark Graham, Ms. Judith Mueller, and Mr. Robert Tucker.

Board Member Absent: Mr. Gary O'Connell.

Authority Staff Present: Mr. David Atkins, Mr. Bruce Edmonds, Mr. Tom Frederick, Ms. Mary Knowles, Ms. Carolyn Lang, Mr. Cary Lang, Ms. Jennifer Whitaker, Mr. Lonnie Wood, and Dr. Robert Wichser.

Also Present: Mr. Jonathan Blank and Mr. Kurt Krueger – RSWA Counsel, members of the public, and media representatives.

1.0 Call to Order

The regular meeting of the RSWA Board of Directors was called to order by Mr. Gaffney on Tuesday, August 25, 2009 at 2:00 p.m., and he noted that a quorum was present.

2.0 Minutes of the Previous Meeting

Mr. Tucker moved that the Board of Directors vote to approve the minutes of the regular meeting of the Board held on Tuesday, July 28, 2009, seconded by Mr. Boyd. The motion was approved by a 6 – 0 vote. Mr. O'Connell was absent from the vote.

3.0 Executive Director's Report

No report this month.

4.0 Items from the Public

There were no items from the public.

5.0 Consent Agenda

Mr. Gaffney asked if there were any items that the Board members would like to pull for discussion from the Consent Agenda.

- 5a) Staff Report on Finance
- 5b) Staff Report on Ivy Material Utilization Center
- 5c) Staff Report on Recycling Operations

5d) Staff Report on Ivy Landfill Environmental Status**5e) Multiple Project Engineering Contract: Geotechnical Services**

In regards to **Item 5c), Staff Report on Recycling Operations**, Ms. Mueller noted that there were no monthly tonnage numbers with the recycling update and inquired if those figures were included in another Board report. Mr. Frederick pointed out that the monthly tonnage information was included in the last page of the financial report. Ms. Mueller next stated that after reviewing the July financial information, she was concerned about the continued decrease in the recycling tonnage figures, which she felt needed to be closely monitored in the coming months. Ms. Mueller then commented positively on her observations about what she felt was the public's increased awareness about the Monday closing schedule for the McIntire Recycling Center, which was echoed by Mr. Tucker.

Mr. Gaffney then inquired if Ms. Mueller's concern about the recycling tonnage figures related not only to the volume but also to how it could potentially impact this locality's ability to meet the state's 25% recycling rate requirement. Ms. Mueller responded that although there were concerns expressed during the Solid Waste regional meetings held at the Thomas Jefferson Planning District Commission (TJPDC) about achieving the 25% mandate as a region, she felt that this locality should be able to achieve that recycling rate due in part to the high numbers provided by the University of Virginia's recycling program. She further noted that the numbers for the City's curbside program continue to increase.

Concerning the financial report, Mr. Boyd asked for clarity purposes if the figures listed under the "Budget" item referred to the total fiscal year budget amounts and if the "Actual Year-to-Date" item reflected the figures through the current month. RSWA staff and other Board members confirmed that his statement was correct. Mr. Boyd further inquired if "month-to-month" budget figures were available in some format. Ms. Mueller stated that she felt those figures were maintained but not reported in the monthly financial summary. Mr. Frederick then suggested using as a "benchmark" the item in small print at the top of page 1 of the financial report that read "Budget Target Rate: 8.33%," which meant that 8.33% of the budget fiscal year has "elapsed."

In regards to Item 5e, Multiple Project Engineering Contract: Geotechnical Services,

Mr. Boyd inquired about the type of work that would be included in this contract and how it differed from previous discussions concerning improvements to the Ivy Transfer Station as part of a business plan. Mr. Frederick stated that the repair of the existing concrete pad at the Ivy Transfer Station has been identified as an "urgent" need as it has settled and cracked. A cost-effective means of repair will be necessary in order to keep the transfer station in operation until a decision is made about the future of the facility. Mr. Boyd further asked if the Authority anticipated that \$50,000 would be needed to complete the necessary repairs. Mr. Frederick replied that the total cost of repairing the concrete pad, which included the engineering services, would probably be in that price range. Mr. Boyd then questioned whether this money needed to be spent at this time regardless of what decisions are made about the future of the Ivy Transfer Station. Mr. Frederick explained that the repairs were needed in the short term in order to keep the transfer station operational. If the repair work was not undertaken, operations at the facility could cease if a total failure of the concrete pad occurred. Mr. Tucker next asked if the Authority felt implementing repairs for the long-term use of the transfer station would be economically feasible. Mr. Frederick stated that given the type of self-sustaining operation that would be

needed in the future, he felt that long-term use of the existing concrete pad would not be a viable option.

Mr. Boyd next inquired about any work that would be needed at the site in addition to repairing the concrete slab. Mr. Frederick commented that as discussed at a previous Board meeting, the conveyor belt and the compaction equipment are requiring more frequent repairs. Currently, there is one equipment repair at the site that will cost about \$10,000. Mr. Boyd then asked if the \$10,000 was part of the \$50,000 being requested at today's meeting. Mr. Frederick replied negatively and added that all repair work would be reviewed and cost-effective measures pursued with the idea of keeping the facility operational in the short term. Ms. Mueller next commented that as discussed at the July Board meeting, repairs to keep the transfer operational were necessary as it was not a realistic expectation that a decision on the future of the transfer station would be achieved by the time the current Local Government Support Agreement expires on June 30, 2010. Mr. Boyd further stated that he felt the increasing cost of maintaining the existing facility should be considered during discussions about the future of the transfer station.

As there was no further questions or discussion, Mr. Boyd moved that the Board of Directors vote to approve Items 5a), b), c), d), and e) of the Consent Agenda, seconded by Mr. Tucker. The motion was approved by a 6 – 0 vote. Mr. O'Connell was absent from the vote.

6.0 Other Business

There were no Other Business items this month.

7.0 Other Items from Board/Staff not on Agenda

There were no other items from the Board or staff not on the Agenda.

8.0 Closed Meeting

Mr. Graham made the following motion, which was seconded by Ms. Mueller:

RESOLVED that the Board of Directors of the Rivanna Solid Waste Authority enter into a closed meeting for consultation with legal counsel with respect to a litigation matter as permitted by Section 2.2-3711.A.7 of the Code of Virginia.

The motion was approved by a 6 - 0 vote, and the Board of Directors of the Rivanna Solid Waste Authority went into a closed meeting at 2:11 p.m.

Attendees: Mr. Jonathan Blank and Mr. Kurt Krueger - RSWA Counsel, Mr. Frederick, Dr. Brown, Mr. Boyd, Mr. Gaffney, Mr. Graham, Ms. Mueller, Mr. Tucker, and Mr. Wood.

Resumption of Open Meeting

The Rivanna Solid Waste Authority Board of Directors meeting was reconvened at 3:05 p.m.

Ms. Mueller moved that the Rivanna Solid Waste Authority Board of Directors vote to approve the following resolution, seconded by Mr. Boyd:

WHEREAS, the Rivanna Solid Waste Authority has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712.D of the Code of Virginia requires a certification by the Rivanna Solid Waste Authority that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Rivanna Solid Waste Authority hereby certifies that, to the best of each members' knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Rivanna Solid Waste Authority.

Mr. Gaffney called for a roll call vote: Ms. Mueller – Aye, Dr. Brown - Aye Mr. Gaffney – Aye, Mr. Boyd - Aye, Mr. Tucker – Aye, and Mr. Graham - Aye. Mr. O'Connell was absent from the vote.

9.0 Adjournment

There being no further business, Ms. Mueller moved the meeting be adjourned, seconded by Mr. Boyd. All members voted aye, and the meeting was adjourned at 3:07 p.m.

Respectfully submitted,

Mr. Robert Tucker
Acting Secretary