

**SOLID WASTE AUTHORITY OF CENTRAL OHIO  
BOARD OF TRUSTEES MEETING**



**January 19, 2010**

**4239 London-Groveport Road  
Grove City, Ohio 43123**

**MINUTES**

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**1. Call to order of the regular January 19, 2010 meeting.** Chairman Frick called the meeting to order at 2:45 p.m.

**2. Mr. Mills led the Pledge of Allegiance.**

**3. Roll Call** – Jeff Cahill called the roll and the following board members were present: Bob Clemons, Phil Honsey, Ken Wilson, Vice-Chairman Dave Bush and Chairman Brad Frick.

**SWACO Staff in attendance:** Ron Mills, Jeff Cahill, Albert Iosue, Bonni Trice, Pat O’Block, Letitia Pleasant, John Remy, Jack Stacy, Paul Flory, Joe Huston, Conner Kinsey, Joe Roush and Terri Merriman

**4. Approval of December 1, 2009 minutes** – Phil Honsey moved to approve the December 1, 2009 meeting minutes; seconded by Mr. Dave Bush. Approved 5-0.

**5. Executive Session**

**Resolution 01-10 to convene into executive session in accordance with Ohio Revised Code 121.22 (G)(1) and (G)(3) to consider personnel matters and pending or threatened litigation.** Harold Anderson explained this will include a personnel issue and two pending or threatened litigation matters. Chairman Frick said there would be action taken after the Executive Session.

Dave Bush made a motion to convene into Executive Session; seconded by Bob Clemons. Approved by roll call vote 5-0. The board members moved into Executive Session at 2:47 p.m.

Board member Steve Shepard arrived during Executive Session.

Bob Clemons made a motion to reconvene; seconded by Ken Wilson. Members resumed the regular January meeting of the Board by roll call vote at 3:55 p.m. Approved 6-0.

Chairman Frick introduced new resolutions derived from the Executive Session. Resolutions 14-10 and 15-10 were introduced.

**Resolution 15-10 authorizing the Executive Director to enter into a Forbearance Agreement with OGM Ltd. affecting the Amended and Restated Lease Agreement between OGM and SWACO.**

Connor Kinsey presented the new resolution for OGM Ltd. affecting the lease agreement between OGM and SWACO. OGM operates a water treatment facility on the site of the WTEF and they have requested to change the dates on payments due as well as an amended and restated agreement.

**Resolution 14-10 ratifying and Confirming a Settlement Agreement with Gloria L. Alston (\$7,236.26).**

Harold Anderson explained that SWACO and Ms. Alston agreed on a separation agreement of \$7,235.26.

**6. New Business**

**Administrative Services Committee**

**Resolution 02-10 ratification of the Executive Director's Emergency Declaration.**

Ron Mills presented the resolution explaining the need to close the Franklin County Sanitary Landfill due to bad weather conditions during a period of bad weather. Mr. Mills signed an Emergency Declaration which required waste haulers to dump at the transfer facilities for the same cost as the landfill. Mr. Bush asked if SWACO could adopt a rule stating that during bad weather, when customers are redirected to the transfer stations, customers pay the same amount as they would if they tipped at the landfill. Mr. Bush requested that Declaring an Emergency be adopted into SWACO's rules.

**Resolution 03-10 ratifying changes to the SWACO Ohio Public Employees Retirement System Plan and directing notification to be transmitted to the Ohio Public Employees Retirement System.**

Letitia Pleasant advised that in 2006, SWACO determined to end the practice of making yearly sick leave reciprocity payments eligible for coverage under the Ohio Public Employees Retirement System (OPERS). This decision is purely discretionary on the part of SWACO, and is consistent with Ohio law and SWACO's subsequent practice. OPERS has requested that SWACO adopt this Resolution ratifying the change.

**Resolution 04-10 authorizing the Executive Director to amend the Employee Handbook.**

Letitia Pleasant explained that the amendments are to make changes to the Employee Handbook that the Board of Trustees approved on December 1st, 2008. The amendments will correct administrative errors and modify or delete policies identified by staff.

### **Audit & Finance Committee**

**Resolution 05-10 declaring that the Absco Advantage 80,000 lbs. scale at the Roberts Road facility is surplus property which is not needed for public use.**

Pat O'Block explained that these scales need to be declared surplus property because they are no longer needed by SWACO's Operations Department.

**Resolution 06-10 authorizing the Executive Director to enter into an agreement to sell the Absco Advantage 80,000 lbs. scale at the Roberts Road facility to Ohio Mulch Composting LLC for \$5,000.**

Pat O'Block continued to explain that the scales mentioned above will be sold to Ohio Mulch.

### **Planning & Programs Committee**

**Resolution 07-10 authorizing the Executive Director to submit an application for a grant at the recommendation of the Ohio Air Quality Development Authority (OAQDA) for the purpose of funding a portion of the Morse Road Transfer Station Project.**

Bonni Trice advised that SWACO is seeking Ohio Air Quality Development Authority's (OAQDA) assistance in pursuing grant opportunities with them or other agencies to assist with the development of an energy related project at the Morse Road Transfer Station. If a grant is awarded to SWACO a resolution will be brought to the board before any contracts are signed.

**Resolution 08-10 authorizing the Executive Director to file applications and enter into agreements with the Ohio Department of Natural Resources for the purpose of acquiring Market Development, Community Development and Scrap Tire Grant funds for 2010.**

Bonni Trice explained that this resolution will allow organizations, government agencies and businesses to apply through SWACO to the Ohio Department of Natural Resources for a grant.

### **Engineering, Operation & Compliance Committee**

**Resolution 09-10 ratifying the contract with Flowline L.L.C. for leachate collection system maintenance and repair services (\$200,000).**

Paul Flory explained that a resolution was approved by the board but an error existed in the recital portion of the resolution indicating that SWACO would contract with a different company. The company the Executive Director should have been authorized to sign an agreement with is Flowline L.L.C.

**Resolution 10-10 authorizing a contract with Beems BP Distributing, Inc. for the purchase of bulk fuel for the SWACO fleet and waste handling equipment (\$3,500,000).**

Jack Stacy advised that SWACO has a need to purchase bulk fuel for all of its vehicles and machinery. The Franklin County Commissioners awarded a two-year contract with the option to extend for one additional two-year period to Beems BP Distributing Inc. Beems BP has agreed to offer SWACO the Franklin County bid pricing.

**Resolution 11-10 authorizing a contract modification with The Righter Co. for general building maintenance services (\$100,000).**

Joe Huston explained that this is a modification to the Righter Co. for \$100,000. SWACO uses the Righter Co. for general building maintenance and fabrication services. They are used for facility and maintenance services at SWACO facilities on an as needed basis. This is a three year contract which was awarded after staff went through the bid process.

**Resolution 12-10 authorizing a contract modification with Uni-Facs Steel Works, LLC. for general building maintenance and fabrication services (\$100,000).**

See the explanation for Resolution 11-10.

**Legal & Legislative**

**Resolution 13-10 authorizing a modification to the contract with Porter, Wright, Morris & Arthur for federal legislative services (\$50,000).**

Harold Anderson modification to the contract with Porter, Wright, Morris & Arthur for work performed last year. The modification will not extend any work into 2010. If further work is necessary there will be a new resolution brought to the board.

**Consent Agenda**

Mr. Cahill read the resolution numbers on the consent agenda. Mr. Shepard moved to adopt the consent agenda; seconded by Mr. Honsey. The consent agenda was adopted by roll call vote, Trustees Clemons, Honsey, Shepard, Wilson, Vice Chairman Bush and Chairman Frick voting aye. Resolutions 14-10, 03-10, 04-10, 05-10, 06-10, 07-10, 08-10, 09-10, 10-10, 11-10, 12-10 and 13-10, 15-10 were adopted 6-0.

**Resolutions Removed from Consent Agenda**

Phil Honsey requested that 02-10 be removed from the consent agenda. After further discussion the board agreed to adopt the resolution without any change. Dave Bush made a motion to approve; seconded by Ken Wilson. Approved 6-0.

It was agreed that a new rule should be written to address the Executive Director declaring an emergency. Mr. Anderson advised an additional rule will be written to make the necessary modification.

### **Board of Trustees Resolutions**

#### **7. Board Discussion**

**A. Committee Assignments** – The Committee Assignments for 2010 are as follows:

**i. Administrative Services Committee**

Bob Clemons, Chairman  
Bill Lotz  
Dave Bush  
Brad Frick

**ii. Audit & Finance Committee**

Steve Shepard, Chairman  
Dave Bush  
Commissioner O’Grady or Ken Wilson, alternate

**iii. Planning & Programs Committee**

Dave Bush, Chairman  
Phil Honsey  
Commissioner O’Grady or Ken Wilson, alternate

**iv. Engineering, Operations & Compliance Committee**

Bill Lotz, Chairman  
Bob Clemons  
Mark Kelsey

**v. Legal & Legislative Committee**

Brad Frick, Chairman  
Colleen Briscoe  
Mark Kelsey

Board members decided to stay on the current committees.

#### **8. Executive Staff’s Report**

**A. Waste Flow Monitoring**

Staff has formed an internal team to work on tightening SWACO’s contracts.

#### **9. Staff Approved Contracts and Expenditures**

#### **10. Public Comment Period**

**11. Upcoming Meetings**  
**Joint Committee Meeting**  
**Planning and Programs Committee**  
**Engineering and Operations Committee**  
February 16, 2010 – 2:30 p.m.  
SWACO Administrative Office Building  
4239 London-Groveport Road  
Grove City, Ohio

**Administrative Services Committee**  
February 16, 2010 – 5:00 p.m.  
Frick Law Building  
1265 Neil Avenue  
Columbus, Ohio

**Audit and Finance Committee**  
To be determined  
Bank of America  
10 W. Broad Street  
Suite 2250  
Columbus, Ohio

**Board of Trustees Meeting**  
March 2, 2010 – 2:30 p.m.  
Solid Waste Authority of Central Ohio  
4239 London-Groveport Road  
Grove City, Ohio 43123

**Legal and Legislative Committee**  
To be determined

**12. Adjourn** – Mr. Clemons made a motion to adjourn the meeting; seconded by Mr. Honsey. The meeting adjourned at 5:05 p.m.