

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



**March 1, 2011**

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

**MINUTES**

---

1. The regular March Board meeting was called to order at 2:40 p.m. on March 1, 2011.
2. Ron Mills led the **Pledge of Allegiance**.
3. **Roll Call** – Lynda Sudderberg, Board Secretary, called the roll and the following Board Members were present: Bob Clemons, Phil Honsey, Mark Kelsey, Steve Shepard, Ken Wilson, and Vice Chairman Dave Bush, who chaired the meeting.
4. **Approval of February 1, 2011 minutes** – Minutes were approved as submitted.
5. **Old Business** Delayed until after consent agenda.
6. **New Business**

**Executive Session**

**Resolution 034-11 to convene into Executive Session in accordance with Ohio Revised Code 121.22 (G)(3) to consider pending or threatened litigation.**

Mr. Honsey made a motion to move into Executive Session; seconded by Mr. Kelsey, the motion was unanimously approved by roll call vote and the meeting adjourned into Executive Session at 2:45 p.m.

Mr. Kelsey made a motion to adjourn the Executive Session; seconded by Mr. Clemons, the motion was unanimously approved by roll call vote. The regular meeting of the Board resumed at 3:15 p.m.

**Audit & Finance Committee**

**Resolution 025-11 declaring that SWACO has surplus property which is not needed for public use and authorizing the sale, trade-in, and disposal thereof.**

Pat O’Block reviewed the list of surplus office supplies and furniture that is of no further use to the operation and will be sold at an online auction.

## **Planning & Programs Committee**

### **Resolution 026-11 authorizing a modification to the contract with GT Environmental for consulting services related to the Solid Waste Management Plan Update (\$13,300).**

Albert Iosue explained that GT Environmental is updating the Solid Waste Management Plan in response to Ohio EPA comments. This represents the third modification to the contract and revises the total contract amount to \$145,200.

An ad inviting public comment will be placed March 3. A hearing will be held at the SWACO offices after April 7, the results of which will be reported at the May Board meeting. SWACO will have 90 days to have the Plan ratified by the communities. Staff will report the outcome at the September Board meeting.

### **Resolution 027-11 adopting the 2011 Strategic Plan.**

Mr. Iosue reported that the 2011 Strategic Plan was the culmination of input from staff retreats in December and January, and was presented in detail at the February committee meetings of the Board.

### **Resolution 028-11 amending Resolution 110-08, to amend District Rule 4-2008 “Acceptance of Source Separated Recyclable Material,” and District Rule 16-2008 “Definitions.”**

Danielle Kuskowski, Rules Enforcement & Planning Manager, was introduced by Mr. Mills. Ms. Kuskowski explained that the proposed amendments represent changes to current rules and modifications to some of the definitions. The amendments will exempt all source-separated recyclable materials generated within the District from SWACO regulations relating to flow control and any applicable fees if the materials are delivered for processing to a facility within the District or counties adjoining Franklin County. The purpose of the amendments is to promote recycling and encourage regional community and business relationships. Staff believes the amendments further the promotion of sustainable methods of waste management in the region and foster environmentally responsible ways of living.

Mr. Mills noted that the impact to SWACO’s revenue stream is estimated to be roughly 1%, which is acceptable given the importance of promoting and encouraging recycling efforts.

Mr. Kelsey asked Mr. Mills to speak to the future of materials recovery technology and materials recovery facilities (MRFs). Mr. Mills responded with the following key points:

- In the past six to eight years, the unit costs of a MRF operation have declined and are now becoming comparable to the cost of landfilling, while the technology has advanced to the point where a substantial portion of the mixed waste stream can be recovered.
- SWACO’s vision is to have a MRF in place in Franklin County, possibly at the Franklin County Sanitary Landfill, within the next few years.

- 50%-60% of everything delivered to the landfill is recoverable, and well over half that amount could be recovered using existing technology at a price approaching the price of landfilling.
- MRFs are the next major advancement in the waste management industry. A MRF would not directly conflict with the City of Columbus' plan for curbside recycling. Rather, the two systems would complement one another. Within approximately five years, Mr. Mills sees a gradual shift away from curbside recycling due to the cost.

Mr. Kelsey asked Mr. Mills to elaborate on what he referred to as a gradual shift, to which Mr. Mills responded five years. Mr. Kelsey commented that a five-year timeline would beg the question of why the suburbs and the City of Columbus would continue with a curbside program and the associated costs when people could dump all their trash together and have it separated at the landfill. Mr. Mills responded that, based on conversations with elected officials, the communities are responding to what citizens are demanding. It comes down to how the communities will respond to those desires given current and future budgetary constraints.

Additional Board discussion ensued. When asked again about his reference to a five-year timeline, Mr. Mills noted that staff is currently considering issuing a request for proposals in 2011 for such a facility to see what kind of responses are received from private sector companies. He stated that five years was a conservative estimate; that there could be a facility up and operating in as few as three years. Mr. Mills further added that some in the community think it is better to have homeowners involved in separating trash as an educational opportunity. However, that education comes at a significant cost.

Mr. Kelsey commented that he understands how some may feel about the issue, but he would advocate the most cost effective system.

Steve Lennon, City of Columbus, commented from the audience that a mechanized system would allow multiple unit housing developments, which account for 30% of Columbus refuse collection, to participate in recycling.

Although no speaker slips were turned in, the Board heard comments regarding the Resolution from the following speakers:

**Tom Kurtz:** (Kurtz Brothers) spoke regarding the Quasar organics processing facility, noting there was a public process during development of the project, but the project was funded by the private sector. Both SWACO and the City of Columbus were involved in aspects of the project's development. Mr. Kurtz noted that he is encouraged by this resolution, as it fits in with Kurtz's long-term objective of diversion and sustainability. He supports the plan and invites the Board and staff to visit the south side facility and observe the technology. Mr. Kurtz thanked SWACO for its support.

**Michael Mannix:** (Eartha) commented that he is trying to create jobs and make a living, and he thanks SWACO for its help and support.

Mr. Bush also asked a Waste Management representative if he would like to comment. The Waste Management representative thanked SWACO staff for their responsiveness to questions posed by Waste Management and commended SWACO for passing the Resolution. Waste Management would like to see a totally free marketplace, but feels it can work within the current parameters.

Mr. Honsey asked Mr. Mills to comment on the current policy on solid waste waivers since SWACO has tightened up on waivers at the same time as it has opened the market to recycling.

Mr. Mills responded that one of SWACO's core mandates is to provide reliable disposal services to Franklin County, which means operating the landfill in a technically and financially responsible manner. Financial responsibility includes making sure that SWACO has the ability to retire the debt incurred to fund development of the landfill. The solid waste stream is the basis for revenue generation to retire the debt, and flow control is integral to that.

Mr. Mills went on to note that the challenge is continuing to balance the financial needs with the need to reduce reliance on the landfill and promote recycling and waste diversion. The vision shared with the Board at the February meeting provides a roadmap to get there by developing other sources of revenue such as a MRF.

Mr. Honsey thanked the staff for schooling the board in the bigger picture in addition to the issue in front of the Board.

### **Engineering, Operations & Compliance Committee**

#### **Resolution 029-11 authorizing a contract with Cornerstone Environmental Group, LLC, for gas collection and control system design services (\$200,000).**

Paul Flory reviewed the specifics of the contract.

#### **Resolution 030-11 authorizing the Executive Director to modify the SWACO Rules of Conduct and Safety.**

Ron Duda explained that SWACO staff is recommending updates to SWACO Rules of Conduct and Safety to: 1) require landfill customers who do not have a safety vest with them when they arrive at the landfill to purchase a safety vest at the scale house; and 2) require landfill customers who arrive with a vehicle which is not tarped, to purchase a tarp at the scale house. The rule change is intended to solve issues related to the high frequency of customers using the landfill who do not bring reflective safety vests or have waste loads secured. These modifications will become effective April 18, 2011. This timeframe will allow staff to educate customers on the new rule modifications and allow the orderly transition from current practices of loaning safety vests and turning away unsecured loads.

**Resolution 031-11 authorizing an agricultural lease agreement with McCarley Farms for 24.9 acres of land at the Barr Property.**

Jack Stacy explained that this agreement involves property recently purchased for the new western entrance to the landfill, noting that this acreage will be farmed in 2011 and 2012

**Legal & Legislative Committee**

**Resolution 032-11 authorizing the Executive Director to modify the existing legal services agreement for labor and employment matters with the law firm of Isaac, Brant, Ledman & Teetor, LLP (\$10,000).**

Michael Mentel noted that Isaac, Brant, Ledman & Teetor assists SWACO's Human Resources Department and legal counsel on certain types of legal advice related to labor and employment matters.

**Resolution 033-11 authorizing the Executive Director to enter into a legal services agreement with the law firm of Eastman & Smith Ltd (\$125,000).**

Mr. Mentel explained that this is a new contract. Eastman & Smith, whose contract expired December 31, provides SWACO with numerous services related to the Solid Waste Management Plan and other solid waste issues. If approved, payment for services provided over the last three months will be incorporated into this contract.

**Resolution 035-11 authorizing the Executive Director to extend the existing contract with JPMorgan Chase Bank, N.A. for banking services.**

Mr. Mentel explained that this Resolution allows the Executive Director to extend the current contract with JPMorgan Chase while staff undertakes an evaluation and negotiation with regard to banking services. The extension will allow for the uninterrupted continuation of banking services.

**Board of Trustees Resolutions**

Board members did not have additional Resolutions.

**Consent Agenda**

Mr. Clemons requested Resolution 028-11 be removed from the consent agenda. Mr. Shepard requested Resolution 035-11 be removed from the consent agenda. Ms. Sudderberg then read the remaining resolution numbers on the consent agenda. Mr. Shepard moved to adopt the consent agenda; seconded by Mr. Kelsey, the following resolutions were unanimously adopted by roll call vote: Resolutions 025-11, 026-11, 027-11, 029-11, 030-11, 031-11, 032-11, and 033-11.

Mr. Honsey made a motion to adopt Resolution 028-11; seconded by Mr. Kelsey, the motion passed 5-0-1 with Mr. Clemons abstaining.

Mr. Clemons made a motion to adopt Resolution 035-11; seconded by Mr. Kelsey, the motion was passed 5-0-1 with Mr. Shepard abstaining.

### **Return to Old Business**

#### **Resolution 157-10 Authorizing the Executive Director to execute a Waiver Agreement with Eartha Limited, LLC.**

Mr. Shepard moved to remove Resolution 157-10 from the table; seconded by Mr. Honsey, the motion was unanimously adopted. It was determined the Resolution was no longer necessary given the adoption of Resolution 028-11. Mr. Shepard made a motion to defeat Resolution 157-10; seconded by Mr. Kelsey, the Resolution was unanimously defeated by roll call vote.

Mr. Kelsey left the meeting in progress at 4 p.m.

## **7. Board Discussion**

Mr. Honsey thanked the staff for the work they put into the creation of the Strategic Plan, calling it a “good document.”

## **8. Executive Staff Reports**

### **A. Status of Request for Information (RFI) on Landfill Gas Beneficial Use - Paul Flory**

Mr. Flory provided an update on the status of the RFI for a landfill gas-to-energy project. He noted that the RFI was issued on December 13, and 23 submittals were received by the submittal deadline of February 28. SWACO wants to team an organics waste diversion project with a landfill gas project. The RFI process allows SWACO to cast a wide net to obtain a variety of information about potential projects. The next step is to seek proposals. Mr. Flory noted that due diligence will be emphasized in all project evaluations and negotiations going forward.

Mr. Flory then briefly reviewed a summary of the proposals received. The Board and staff engaged in discussion regarding the various projects.

Mr. Flory closed by noting that an internal team, including Mr. Honsey, will perform an in-depth review of the proposals.

### **B. ODNR Market Development Grant Policy – Albert Iosue**

Mr. Iosue explained that SWACO has previously acted as a pass-through agent for Ohio Department of Natural Resources Market Development Grants. Staff recently reviewed SWACO’s policy regarding such grants and concluded that the practice results in an unacceptable level of financial risk to SWACO. The recommendation was presented to

the PPC/OEC committee and the members concurred. Therefore, SWACO is discontinuing the practice.

### **C. Community Presentations – Albert Iosue**

Mr. Iosue updated the Board on recent SWACO outreach efforts in the form of community presentations. The meetings were organized as a result of community feedback that SWACO needs to proactively reach out to the communities more often. Staff has made/is making presentations to communities in the northwest, northeast, southeast and southwest areas, with plans to hold these community meetings twice per year.

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

There were no questions or comments.

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

There were no further public comments.

#### **11. Upcoming Meetings**

##### **Joint Committee Meeting**

##### **Planning & Programs Committee**

##### **Engineering & Operations Committee**

March 15, 2011 – 2:30 pm

SWACO Administrative Office Building

4239 London-Groveport Road

Grove City, Ohio 43123

##### **Administrative Services Committee**

April 19, 2011 – 5:00 pm

Frick Law Building

1265 Neil Avenue

Columbus, Ohio 43201

##### **Audit & Finance Committee**

April 28, 2011 – 3:30 p.m.

PNC Bank

155 E. Broad Street – 7<sup>th</sup> Floor

Columbus, Ohio 43215

##### **Board of Trustees Meeting**

April 5, 2011 – 2:30 p.m.

Solid Waste Authority of Central Ohio

4239 London-Groveport Road

Grove City, Ohio 43123

**Legal & Legislative Committee**

To be determined.

- 12. Adjourn** – Mr. Clemons moved to adjourn; seconded by Mr. Shepard, the motion was unanimously passed. The meeting was adjourned at 4:15 p.m.

Submitted by Board Secretary, Lynda P. Sudderberg

---

**Signature**

**Date**