

MINUTES

RAPPAHANNOCK REGIONAL SOLID WASTE MANAGEMENT BOARD

November 19, 2014

George L. Gordon Government Center

Board of Supervisors Chambers

Meeting Convened: A regular meeting of the Rappahannock Regional Solid Waste Management Board (R-Board) was convened at 1:32 p.m., on Wednesday November 19, 2014, at the George L. Gordon Government Center, Board of Supervisors Chambers.

Roll Call: The following members were present: Matthew Kelly, Chairman; Paul V. Milde, III, Vice-chairman; Gary Snellings; William C. Withers, Jr.; Beverly R. Cameron; Anthony J. Romanello.

Also in attendance were: Bill Hefty, Esq., R-Board Attorney; Robert L. Hundiey, Resource International, Ltd., Consulting Engineer; Keith C. Dayton, Director & Deputy County Administrator; Jason Pauley, R-Board Superintendent; Christina Morgan, Julie Williams-Daves, R-Board Staff;

Others in attendance were Thomas A. Carlson, Executive Director Habitat for Humanity.

Mr. Snellings motioned, seconded by Mr. Milde, to approve the minutes as written for the October 13, 2014, meeting.

By voice, the vote was:

Yea:	(6)	Kelly, Milde, Snellings, Withers, Cameron, Romanello
Nay:	(0)	
Absent:	(0)	

Presentations by the Public: The following members of the public desired to speak:

Bill Johnson expressed the following points: Conduct additional studies to understand the balance between revenues from increasing tipping fees versus the reduction in operational costs resulting from the drop in waste delivered to the landfill. He noted there may be benefits from operating a smaller landfill with an extended operating duration.

Chairman Kelly moved Mr. Carlson's presentation to the beginning of the meeting.

New Business (partial):

Mr. Carlson, Executive Director for the Greater Fredericksburg Habitat for Humanity, discussed their ReStore initiative and a potential partnership with the R-Board. ReStore can divert 30,000 pounds of construction debris from landfill, it is a Green Organization, the products are reused in the community, and these products stay out of the landfill. Containers would be required to facilitate collection of materials at the landfill, and information distributed to educate the public who are unaware of ReStore. Mr. Carlson suggested a meeting with Landfill staff and Goodwill to see if a cooperative arrangement can be developed between the parties. Mr. Dayton advised that Landfill staff would arrange this meeting in an effort to facilitate this initiative in Stafford County.

Statement from the Board Members: Mr. Kelly voiced concerns over long term solutions for R-board financial and operational concerns. He suggested a variety of options should be considered for long term strategies, including sale of the landfill assets, contracting with a private operator, Stafford County as the sole operator, and to consider expansion opportunities to include waste generated outside the participating localities.

Report of R-Board Attorney: Mr. Hefty did not have anything to report presently, but would be addressing the Landfill Amendment matter under Unfinished Business.

Report of Staff: Mr. Dayton, Director & Deputy County Administrator, reported on the staffing levels for the R-Board. The R-Board is authorized for 34 employees, but fully staffed at 29 due to budgetary considerations. Staffing is currently at 26, with recruiting underway for one Heavy Equipment Operator, one Maintenance Worker for the litter crew and another Maintenance Worker for the landfill.

Julie Williams-Daves gave the environmental compliance report. The ground water interim measures are complete and early indications are they are successful. We are awaiting the 4th quarter solid waste compliance inspection that could happen anytime between now and the end of the year. We are also working with DEQ on some gas migration as indicated by our gas probes. We have ground water sampling scheduled for the 1st week in December.

Robert Hundley added that that gas probe GP-4 is clean and a trench is being evaluated to address elevated readings at GP-7. Resource is working with Stafford County on the Permit 589, Cell F-2 plan approval. Monthly sampling at the Fredericksburg landfill will continue.

Julie Williams-Daves then spoke about HHW Day, noting it was most successful to date at Belman Road and 19,847 linear feet of fluorescent bulbs were turned in by residents.

Jason Pauley noted that the compactors are ready for delivery to Belman Road, but are not yet in place as the site layout will have to be modified to improve traffic flow if resident fees are implemented. Mr. Cameron asked to be in on that layout discussion. Mr. Pauley added to Mr. Hundley's comments about Cell F-2 design progress. We are working with the County Planning Department and expect to get good interest for the project from contractors. The fill status for Cell F-1 is reported to be 66% full, and Mr. Pauley estimates that the cell will be full in fall of 2015.

Then Mr. Dayton noted that a copy of the FY 2014 Annual Report was provided to each R-Board member. R-Board members may contact staff with any questions.

Report on Finances: Mr. Dayton reported the following: Revenues are trending below budgetary targets, and this is partly due to Stafford County not providing the increased local subsidy discussed previously. Tipping fee revenues are down slightly below budget projections, due in part to the 44% drop in residential waste collections when compared to the same period in FY2014. This could have a large impact on our winter revenues as tipping fees from other waste sources tend to drop off when the winter season starts. Other categories such as dirt and billable tire collections are up significantly, while

unbillable tire collections continue the large drop since the new R-Board policy was implemented. Mr. Dayton noted that no new tire dumps have been found in the County in the past few months.

Mr. Snellings asked where the 44% drop in residential waste is going. Mr. Dayton stated that staff will be requesting the R-Board go into closed session later, and can provide information on that matter. Mr. Kelly asked if we are going to be able to carry any more deficits, and if the localities can absorb further deficits. Mr. Dayton's noted that it is possible to go back to the County and City and ask for additional funding. Mr. Kelly reiterated the importance of examining long term solutions to the financial problems at the landfill.

Unfinished Business:

Landfill Amendment:

Mr. Dayton briefed the R-Board on RB14-13, which includes language for an amendment to the Operational Agreement concerning two issues. The first issue would add language to include extend the closure/post-closure liability for the operational agreement and local government guarantees to include the liability for the corrective action plan resulting from the exceedance detected in Area 74. This action has been requested by DEQ, and both localities currently provide this guarantee with their local government statements each year.

The second issue would modify the term of the Operational Agreement, which is currently set to expire on December 31, 2014. As drafted by the R-Board attorney, the amendment would eliminate the term of the agreement, making it valid for as long as the landfill is in operation. The other significant change would be to eliminate the provision whereby the City can terminate the Agreement with 180 days' notice. RB14-13 was provided to the R-Board for consideration.

Discussion ensued regarding the merits of the amendments as presented, and the timing for execution. It was noted that even if approved as drafted, the matter must be considered by the Board of Supervisors and City Council. Mr. Milde stated that he did not support an amendment without an expiration date. Mr. Kelly expressed concerns about the future operation strategy, and felt the R-Board needs to devote more effort towards developing a long term plan, including partnership with other entities. The R-Board took no action on RB14-13, and the matter will be discussed at a future meeting.

Residential Fees Implementation Update:

Mr. Dayton provided a summary of the staff report included with the meeting materials, and noted that R-Board staff had examined methods of implementing resident user fees in effect in Virginia and around the country. He noted that while most localities accept cash or check payment for Pay as You Throw services for certain waste materials at least, there are a variety of different processes in place in the state and nationally, including bags, stickers, and coupon programs. He noted further that R-Board facilities have not been set up to make cash payment an efficient procedure. The R-Board was advised

of the table included in the report that listed the various practices, and the advantages and disadvantages identified for each. It was also explained that staff expects that the current landfill traffic may drop when residents sign up for curbside service or reduce trips to our facilities as a means of saving money. It was noted that the proposed fees being considered by the R-Board are within the range of charges in place in other localities.

Mr. Dayton described a possible program to implement resident user fees in line with the Resolution passed previously by the R-Board. The basic plan was described as follows:

- Offer windshield stickers as annual passes (\$100); two stickers per customer to allow flexibility on customer use of vehicles. Further consideration would be given to registering stickers to specific vehicles.
- Multi-trip passes would be offered in the form of 10 trip coupon books for \$30. Coupon collection would be scaled up to three coupons per visit, depending upon the volume and/or type of waste delivered.
- Purchase the annual and multi-trip passes from City and County Treasurer, R-Board office, Eskimo Hill scalehouse, and elsewhere as desired.
- Available for purchase in person, mail or online.
- Offer cash payment and one-trip pass (\$4) services at the Eskimo Hill scalehouse only.
- Continue our practice of free collection of recyclable materials, along with household hazardous waste and fluorescent bulbs.

Staff then reported on other factors being considered as part of the overall plan as follows:

- Staff feels the Eskimo Hill convenience site can accept this program with little difficulty.
- The Belman site does not lend itself as well to PAYT programs. Staff would have to try to reorganize the site layout to allow vehicle stacking and a smoother flow of traffic.
- Reducing services at this location would help considerably.

Mr. Withers expressed concerns about any reduction in services at the Belman Road facility. He suggested consulting with Dave King, Fredericksburg Assistant Director of Public Works, about ways to improve circulation at the Belman site. Staff noted they would contact Mr. King.

Mr. Snellings questioned why payment would only be received at the scale house, and that every effort should be made to make this process as simple and convenient as possible. He felt if it is too complicated, it may encourage people to dump trash illegally. Mr. Snellings asked if residents paying cash would be required to dump their waste on the working face. Mr. Dayton agreed with Mr. Snellings regarding convenience, but noted the difficulty in managing cash collections at a number of different locations. He expressed the belief that a vigorous education program informing our customers of the various means of obtaining stickers and coupon books would reduce inconvenience, but that this program would allow for no customer to be turned away. He noted that residents would not be required to dispose of their trash at the working face, but would be directed back to the residential drop off to dispose of their waste in the appropriate bins.

Mr. Milde expressed concerns about cost and that it seems more expensive than the program the R-Board originally voted for. He noted that under this program, a residential customer could pay as much as \$9 per trip. Mr. Milde also mentioned his distaste for having a dump sticker applied to his windshield, and wanted a more advanced program for verifying payment of fees. Mr. Dayton explained that 10 coupons for \$30 is actually cheaper than the \$4 per trip rate originally considered, and noted the R-board directed staff to consider fairness with respect to charging the same rate for customers bringing in widely varying amounts of waste. Mr. Dayton also noted that other options for payment could be considered and phased in over time.

Mr. Kelly mentioned that the R-Board's free disposal has been the exception rather than the rule as far as trash disposal in Virginia and nationwide, and that fairness of the user fee is the issue about which he has received the most feedback.

Staff was instructed to continue efforts towards refining the resident user fee program for discussion at the next scheduled meeting.

New Business:

Discussion of the Preservation Easement; RB14-14

Mr. Dayton noted that Cell F2 is scheduled to be out for bids in December, which will result in unavoidable impacts to wetlands and streams. Mr. Dayton noted that wetland impacts are proposed to be mitigated through the purchase of credits at a qualified wetland bank. This proposal will be brought to the R-Board at a future meeting. He then summarized the options for mitigating stream impacts, including stream restoration, purchase of stream credits valued at \$3 million, or dedication of 43.4 acres of conservation easement on R-Board property. Mr. Dayton suggested a portion of the property bordering the Civil War Park near our property line in the northeast area of the landfill, and not conducive to landfill activities. He then noted that the matter will have to be considered by the City Council and Board of Supervisors, and advised that Draft Resolution RB14-14 was included for consideration, and that staff recommended approval.

Mr. Kelly noted the importance of completing construction of this cell, and then exploring possibilities for a long term solution to landfill operations.

The R-Board then voted 6-0 in favor of RB14-14.

Resolution RB14-14 Reads as Follows:

**A RESOLUTION APPROVING THE DEDICATION OF R-BOARD PROPERTY FOR THE PURPOSE OF
ESTABLISHING A CONSERVATION EASEMENT AS MITIGATION FOR LANDFILL CELL CONSTRUCTION
ACTIVITIES**

WHEREAS, construction of future landfill cells will result in impacts to existing streams for which mitigation is required; and

WHEREAS, dedication of a 43.4 acre preservation easement at the northeast boundary of the landfill will satisfy the requirement for approximately 5,036 linear feet of stream impacts; and

WHEREAS, dedication of this easement can be completed expeditiously, saving approximately \$3 million in projects costs for construction of Cell F2; and

WHEREAS, this area can be dedicated for conservation easement without affecting future operations at the landfill or the Civil War Park; and

WHEREAS, the Stafford County Board of Supervisors and the Fredericksburg City Council must first authorize the dedication of this conservation easement;

NOW, THEREFORE BE IT RESOLVED, by the Rappahannock Regional Solid Waste Management Board on this the 19th day of November, 2014, that the 43.4 acre area at the northeast boundary of the landfill as shown on the plat titled A Variable Width Conservation Easement Across Parcels ID 39-22 and 39-23 Stafford County, Virginia is hereby approved for dedication as a conservation easement as mitigation for stream impacts necessary for future landfill cells; and

BE IT STILL FURTHER RESOLVED that the Stafford County Board of Supervisors and the Fredericksburg City Council be requested to authorize the dedication of this conservation easement.

By voice, the vote was:

Yea:	(6)	Kelly, Milde, Cameron, Snellings, Romanello, Withers
Nay:	(0)	
Absent:	(0)	

Closed Session

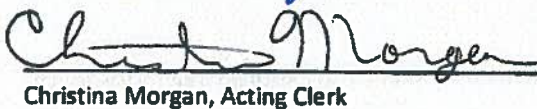
The Board went into Closed Session by motion of Mr. Milde, seconded by Mr. Snellings at 2:42 p.m.

The Board Came out of Closed Session on a motion by Mr. Kelly, seconded by Mr. Snellings at 2:58 p.m. No further action was taken.

Future Session: The R-Board will hold bi-monthly meetings beginning in January 2015, with the next R-Board meeting scheduled for January 21, 2015, at 1:30 p.m. in the George L. Gordon Government Center, Board of Supervisors Chambers.

Adjournment: The meeting ended at 3:01 p.m.


Keith C. Dayton, Director & Deputy County Administrator


Christina Morgan, Acting Clerk