

MINUTES

RAPPAHANNOCK REGIONAL SOLID WASTE MANAGEMENT BOARD

February 17, 2016

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 8:33 am on February 17, 2016, at the George L. Gordon Government Center, Board of Supervisors Chambers.

**Roll Call:** The following members were present: Mathew Kelly; Paul V. Milde, III; Beverly R. Cameron; William C. Withers, Jr., Anthony Romanello, and Jack Cavalier.

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

**Approval of minutes of prior meeting:**

Mr. Kelly motioned, seconded by Mr. Romanello to approve the minutes for the October 21<sup>st</sup>, 2015 meeting.

By voice, the vote was:

|          |     |                                           |
|----------|-----|-------------------------------------------|
| Yea:     | (5) | Milde, Kelly, Cameron, Romanello, Withers |
| Nay:     | (0) |                                           |
| Abstain: | (1) | Cavalier                                  |

**Presentations by the Public:** No members of the public wished to speak.

**Presentations by the R-Board:** Mr. Kelly noted that financially things are looking up, but seven years is a short window for planning. If tonnage plays out as expected with flow control in place, the window is even shorter. He requested a serious discussion in April or May to address the budget and suggested taking a day or so to evaluate the financial strategy of the R-Board.

Mr. Withers agreed with a day-long session and planning for five to seven years.

Mr. Milde is fine with that also. He stated he has no objection to having more information.

Mr. Cavalier is pleased to be on the R-Board and to be part of the solution to the recent financial challenges. He is looking forward to moving forward.

**Report of the R-Board Superintendent:** Mr. Jason Pauley reported on the following:

**Cell F2 Construction Status**

Mr. Pauley reported that F2 is now open and we are currently at the "fluff" layer which is the 1<sup>st</sup> layer between the landfill and liner.

Cell F1 has minimal airspace left for waste. This will be reserved to facilitate construction of the road needed for later phases of filling Cell F2, and will be utilized in conjunction with filling that cell.

### **Cells B, C, and D Closure Update**

Closure plans for Cells B, C, and D are under development in preparation for bidding. These cells currently need a final cap system in place to fulfill closure requirements.

Mr. Milde asked where the funds would come from. Mr. Dayton replied that the funds are in the R-Board reserve fund assigned to the closure and post closure costs.

Mr. Romanello asked about the estimated cost of closure. Mr. Pauley stated that we are still determining the actual acreage that will be closed. Mr. Hundley added that the cost is expected to be about \$200,000 per acre. Mr. Dayton mentioned again that the funding for the closure is already included in the reserves and stated it is important to meeting permit requirements with the Department of Environmental Quality that we continue to make progress. Mr. Kelly restated that continued operation of a landfill requires the R-Board to continually build up the reserves for those needs.

Mr. Milde asked about the possibility of increasing our landfill gas for energy production capability. Mr. Dayton explained that the R-Board has the potential to ask Ameresco to add another engine generator set, but the market conditions don't support their investment in another engine at this time. Mr. Milde asked if any of the funds borrowed for Cell F-2 construction were set aside for closure or post-closure costs. All funds received were disbursed for cell construction.

### **Recycling Building Compactor**

Mr. Pauley updated the R-Board on the compactor installation, tentatively scheduled for late April or early May. It will allow for twice the payload of recycled materials at the landfill. We are leasing the compactor rather than buying it outright. The equipment is being g leased. The current recycling cost is running about \$12.50 per ton and running in the negative until we are able to load trailers with more weight.

Mr. Milde noted that the striping looks good and the newly designed travel lanes entering the residential side of the landfill and are a great improvement to the facility.

### **Report of Staff: Mr. Dayton Reported:**

We are staffed at 31 of our authorized strength of 34; currently recruiting for two positions, a litter crew worker and a part-time gate attendant. Mr. Milde asked about litter crew staffing; how many positions and how many are currently filled. Mr. Dayton replied that two of the four litter crew positions are currently open. The R-Board is planning on filling both positions soon, however, currently we are actively recruiting for just one.

### **Environmental Compliance Report: Ms. Julie Williams-Daves reported on the following:**

#### **SWP #589 – Compliance Inspection**

The DEQ visited the landfill in December and found no deficiencies.

#### **Groundwater – Area #74**

Resource collected groundwater samples earlier this month.

**Air registration No. 40946:**

We will continue to work with DEQ on obtaining the federal Title V permit.

Lastly, Ms. Williams-Daves announced that the next Household Hazardous Waste Collection Day will be Saturday, June 4<sup>th</sup> in the Stafford County Government Center parking lot. Goodwill has expressed interest in holding an electronics collection that day too.

**R-Board Engineering Consultant's Report: Mr. Bob Hundley Reported:**

**Permit No. 589 (Cell F-2 Construction QA/QC)**

Resource has coordinated with R-Board landfill staff to assist with contractor punch list items and final work tasks to be completed by the contractor following issuance of the CTO. Resource met with the R-Board Superintendent to identify the approximate cost of remaining punch list tasks relative to the retainage amounts within the contractor's pay request. Resource has coordinated an aerial survey of the project area to facilitate disposal capacity planning within Cells E, F-1 and F-2. A draft fill plan for Cell F-2 has been prepared for review by the R-Board Superintendent. Resource met with the R-Board Superintendent to identify potential closure areas within the Cell B/C/D area and to discuss the relative progression of the existing landfill gas extraction system within those areas.

**Fredericksburg Landfill**

Resource obtained the second consecutive "clean" monthly landfill gas (LFG) sampling report in January. Assuming the February LFG sampling event includes no exceedances, the facility will return to quarterly LFG sampling with the next sampling event required in late May.

**Report on Finances: Mr. Dayton reported on the following:**

**FY2015 Audit Report**

Landfill operations finished with an operating surplus of over \$600,000 in FY2016, largely due to the implementation of resident disposal fees in February 2015. The auditors reported revenue of nearly \$411,000 from resident fees in the period between February 2 and June 30, 2015. This value differs from that reported by staff due to the auditors booking all revenue from resident fees in the fiscal year it was received. This increased the revenue from annual fees by approximately \$130,000, as staff had been pro rating annual pass calendar-year fees across two fiscal years.

The R-Board reserves are \$6.5 million, generally unchanged from FY2015. Mr. Dayton also noted that the R-Board has reduced expense budget 25% since 2012, which has helped generate an operating surplus.

Mr. Dayton went on to note the reduction in the unrestricted net asset value by \$1.85 million to - \$2,674,331. Mr. Milde and Mr. Dayton discussed depreciation and closure/post-closure values included in the audit report. Mr. Hundley added that the majority of the closure and post closure costs are already set aside in the reserve fund.

**Financial Summaries: FY2016**

Mr. Dayton noted that strong commercial hauler deliveries beginning in December has resulted in a prediction of revenues from this source slightly in excess of the amount budgeted. We are also seeing a continuing strong performance from resident fees. Recycling revenues are expected to be far below budgeted amounts due to changes in commodity markets with the current prediction to be about \$110,000 for the fiscal year. Overall, we expect the strength in the revenue performance to continue, allowing the R-Board to meet budgeted revenues for this year.

**Weight & Material Analysis: FY2016**

Mr. Dayton pointed out that commercial tonnage was up in December and January after being down at this time last year and that debris was up even though we switched from a capped to a straight fee, and that the landfill is able to accept more sludge from Stafford County little to no operational costs.

Mr. Kelly questioned about paying for recyclables and requested staff recommendations for approaches on that. Mr. Dayton stressed that single stream recycling is an extremely volatile market right now and that once the compactor comes online the negatives will turn into positives.

Mr. Kelly noted his understanding of that, but wants to see other long-term solutions. There was a brief discussion about what sorting higher value items out and sold separately.

**Unfinished Business:**

**Resident Fee Financial Performance: Mr. Dayton reported:**

Annual pass sales have been very strong since after the first of the year, with \$237,120 collected in FY2016 through January 31. Our one-time and coupon sales also remain strong, and we have now collected a total of \$184,012 in these fees through the same period, resulting in total resident fee sales to date of \$421,132. With seven months of the fiscal year completed, we remain \$328,868 under the \$750,000 budgeted for resident fees. Credit card sales are very popular with our customers, accounting for 27% of our total transactions. 21% of annual pass sales are purchased with credit cards. The first year of offering online transactions are also popular, accounting for 22% of our annual pass sales volume.

Mr. Kelly asked what the operational costs were for the residential fees. Mr. Dayton responded that the R-Board budgeted \$100,000 and came in under that total. Roughly \$80,000 was budgeted for part time and overtime labor to manage the program, with the balance for printing, hardware and infrastructure costs. Mr. Romanello asked if the residential sales was going to net the projected \$700,000. Mr. Kelly was concerned if the program would ultimately make the goal. Mr. Dayton responded that we were unsure if annual pass sales would remain strong into February. If annual pass sales tapered off in February, we were projecting the annual collections would fall short of the budgeted amount.

**Cell Tower:**

Mr. Dayton provided an update to the R-Board members concerning the cell tower that was approved for placement on R-Board property in Resolution RB15-11 at the August 2015 meeting.

Mr. Withers asked if there was a limit to the number of units allowed on the tower. Mr. Dayton said the structure is designed for five antennas and so far, only one has been assigned. Four remain available, but one of those is reserved for local government use.

**Flow Control Update:**

Mr. Dayton updated the R-Board on the status of flow control since the City and County approved ordinances allowing it effective January 1, 2016. Tonnage reports indicate that most of the commercial haulers are voluntarily bringing us the MSW. Republic Services seems to be the last holdout. Mr. Dayton has met with them and said they are moving towards compliance. During the meetings they did note that while we used to have a \$50/ton disposal cost and we have trimmed that to about \$28/ton.

Staff prepared a resolution designating the Regional Landfill on Eskimo Hill Road, and the Belman Convenience Center as the only approved locations for disposal of municipal solid waste generated in Stafford County or the City of Fredericksburg. Mr. Kelly motioned to approve the resolution as written, barring any further discussion.

In light of the ongoing discussions with Republic Services, Mr. Dayton suggested that the R-Board might defer this resolution to the April meeting. Mr. Cavalier questioned deferring the resolution since there is a very clear ordinance. He wondered about enforcement and why they would be an exception. Mr. Dayton stated that they indicated a willingness to argue in court that they are exempt because they qualify for exemptions allow by state law. They have expressed concern that flow control will put them out of business. There was further discussion about making an exception for one company and not the others. Mr. Kelly would rather work with them in a partnership than take a more forceful approach at this time, but expressed concern about making a special deal with one company when the others are complying.

Mr. Withers asked about undermining our legal standing. Mr. Hefty stated that making an exception for one company could jeopardize our position with the other companies. Mr. Cavalier noted that they are a small player and our fiduciary responsibility to the citizens is more important.

Mr. Romanello then suggested approving an amended RB16-1 effective in May. Mr. Milde agreed with making the date of the effective resolution May 1.

Mr. Kelly motioned, seconded by Mr. Romanello to approve RB16-1, amended to be effective May 1, 2016.

By voice, the vote was:

|         |     |                                           |
|---------|-----|-------------------------------------------|
| Yea:    | (5) | Milde, Kelly, Cameron, Romanello, Withers |
| Nay:    | (0) |                                           |
| Abstain | (1) | Cavalier                                  |
| Absent: | (0) |                                           |

As written:

**RAPPAHANNOCK REGIONAL SOLID WASTE MANAGEMENT BOARD**  
**RESOLUTION**

At the regular meeting of the Rappahannock Regional Solid Waste Management Board (R-Board) held in the Board of Supervisors Chamber, Stafford County Administration Center, Stafford, Virginia on the 17th day of February, 2016;

**Members:**

Paul V. Milde, III, Chairman  
Mathew J. Kelly, Vice-chairman  
Beverly R. Cameron  
Jack R. Cavalier  
Anthony J. Romanello  
William C. Withers, Jr.

**Vote:**

Yes  
Yes  
Yes  
Abstain  
Yes  
Yes

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On motion of, Mr. Kelly, seconded by Mr. Romanello which carried by a vote of 5-0 to with one abstention, the following was adopted:

**A RESOLUTION DESIGNATING APPROVED DISPOSAL LOCATIONS FOR WASTE REGULATED BY THE FLOW CONTROL ORDINANCES PASSED BY THE CITY OF FREDERICKSBURG AND THE COUNTY OF STAFFORD**

WHEREAS, the State of Virginia allows local jurisdictions to pass flow control ordinances whereby certain types of solid waste must be disposed of at locations designated in accordance with the approved ordinance; and

WHEREAS, both the City of Fredericksburg (City) and the County of Stafford (County) adopted ordinances requiring the disposal of certain types of solid waste originating in the City or County to be at location(s) designated by the R-Board; and

WHEREAS, the R-Board desires to designate the landfill on Eskimo Hill Road for the disposal of solid waste delivered by commercial companies, and the convenience centers at Belman Road and Eskimo Hill Road for waste delivered by residents of the City and County;

NOW, THEREFORE, BE IT RESOLVED by the Rappahannock Regional Solid Waste Management Board on this the 17th day of February, 2016, that the Stafford-Fredericksburg Regional Landfill located at 489 Eskimo Hill Road is designated as the disposal location for waste regulated by Ordinance O15-40 (County) and Ordinance No. 15-26 (City) when delivered by a commercial customer; and

BE IT FURTHER RESOLVED that the Convenience Centers located at 489 Eskimo Hill Road in Stafford County, and at 1200 Belman Road in the City of Fredericksburg are designated as the disposal location for waste regulated by Ordinance O15-40 (County) and Ordinance No. 15-26 (City) when delivered by a resident; and

BE IT STILL FURTHER RESOLVED that the effective date of this designation shall be May 1, 2016.

A Copy, teste:

RAPPAHANNOCK REGIONAL SOLID WASTE  
MANAGEMENT BOARD

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Keith C. Dayton, Director

**New Business:**

**Commercial Business Requests for Resident Annual Pass**

Mr. Dayton went over the most recent requests for exemption to the residential use landfill pass. Staff has received five requests for exception to the commercial vehicle restriction since the last R-Board meeting.

Mr. Kelly motioned, seconded by Mr. Romanello, to approve the motion for the five small businesses owned by residents to be eligible to purchase an annual pass for the Regional Landfill. The following small business were approved: Collyer Construction, Carico, Inc., Southland Kennels, Barr's Floor Care, and Heritage House of Virginia.

By voice, the vote was:

|          |     |                                           |
|----------|-----|-------------------------------------------|
| Yea:     | (5) | Milde, Kelly, Cameron, Romanello, Withers |
| Nay:     | (0) |                                           |
| Abstain: | (1) | Cavalier                                  |

**Addendum to minutes June 6, 2016**

Mr. Dayton requested that the R-Board approve charging a fee for single-stream recyclables from private haulers. Mr. Kelly noted that we are currently not generating revenue from recycling and Mr. Dayton confirmed. Mr. Kelly then asked the purpose of the fee. Mr. Dayton responded that the \$12.50 per ton fee would cover our transportation costs only. There was a general discussion pertaining to this fee with the final decision that it would be rescinded within six months or when the compaction system comes online. Mr. Kelly motioned, Mr. Withers seconded, and the decision to charge a transportation fee for single-stream recycling was unanimously approved.

**Adjournment:** The meeting was concluded 9:47am.

**Next Meeting:** The next regular meeting is scheduled for April 20, 2016 at 8:30 in the George L. Gordon Government Center, Board of Supervisors Chambers.



Keith C. Dayton, Director & Deputy County Administrator



Christina Morgan, Clerk