



Region 2000 Services Authority

Location

Haberer Bldg.
47 Courthouse Lane
Rustburg, VA 24588

Date | Time

April 27, 2016
2:00 p.m.

FINAL MINUTES

Board Members Present

Susan Adams.....Appomattox County
Steve Carter Nelson County
Kim Payne, *Chair* City of Lynchburg
Frank Rogers..... Campbell County

Others

Robert Arthur..... Region 2000
Emmie Boley Region 2000
Gary Christie..... Region 2000
Robert Dick..... SCS Engineers
Clarke Gibson Region 2000
Larry Hall..... Region 2000
Gaynelle Hart..... City of Lynchburg
Brendan Hefty..... Hefty, Wiley, & Gore
Lynn Klappich Draper Aden Assoc.
Rosalie Majerus Region 2000
Candy McGarry Nelson County
Matt Perkins..... Region 2000
Alice Rockefeller Appomattox County
John Spencer Appomattox County
Clif Tweedy Campbell County
Ashlie Walter News and Advance
Felicia West Region 2000

1. Welcome

Kim Payne welcomed attendees and called the meeting to order at 2:04 pm.

2. Public Comment Period

Nina Thomas, speaking on behalf of her husband and herself, provided comments related to the draft property value protection plan. Mrs. Thomas suggested the County's Landfill Overlay not be used, that the distance should begin from the edge of the property rather than the middle and that it go at least 2,000 feet. She suggested looking at the concepts of

bands which would provide additional compensation for property owners closer to the landfill, perhaps using an amount value percentage for each band.

Mrs. Thomas suggested that property transfers within a family not count to eliminate the use of the plan for that parcel. Mrs. Thomas recommended the Authority allocate at least \$500,000 for the first year of the program with at least \$200,000 added to the fund each year.

Leilani Padilla of Barringer Drive, speaking on behalf of her husband and herself, noted she agreed with the comments submitted by Mrs. Thomas. Mrs. Padilla suggested that the distance of the properties included in the Plan should be measured from the landfill's boundaries. She suggested that the Plan area not necessarily be a circle, but reach out from the border an agreed upon distance.

Mrs. Padilla suggested that the County Planning Commission be incorporated into the Property Protection Planning process and that the compensation be measured as a percentage formula and not a fixed amount.

Mr. Eric Barringer of Hollins Court commented that the statements of the Property Protection Plan are too vague. Mr. Barringer suggested using the tax assessment instead of an appraisal. He said that the use of the County's landfill overlay district was not adequate. He encouraged the Authority to consider a band type system saying that one mile from the landfill has the greatest economic impact and two miles would have less economic impact.

Jon Hardie noted that there have been severe negative impacts by the landfill on the neighborhood community. Mr. Hardie stated that the operations have not been run well and that there is a lack of true collaboration since there has been no involvement of citizen groups. Mr. Hardie said that ideas have been thrown out in a very unorganized manner and the Authority needs more relations with local citizens.

3. Approval of Minutes: January 27, 2016 & March 28, 2016

Upon a motion by Frank Rogers to approve the minutes of January 27, 2016 and March 28, 2016 as presented, duly seconded by Steve Carter, this motion passed unanimously.

4. Financial Report & FY 17 Budget Consideration

Rosalie Majerus presented the year-to-date financial report. Majerus noted member tonnage is 3.8% over planned, contract tonnage is below planned, and market tonnage is greater than planned which results in overall tonnage tracking slightly under budget. Cost of Service is higher than budgeted mostly due to the costs associated with odor control and mitigation, efforts related to the haul road, and wood waste grinding that was performed twice this year. Majerus also noted that excess revenue is currently lower than 25% of budget. Majerus noted the City of Lynchburg has begun to repay costs associated with the closure of the Concord Turnpike facility. Majerus also reviewed the additional Schedules contained in the financial packet.

Steve Carter asked about the status of the Phase IV construction and its projected costs. Clarke Gibson noted the project is underway and expects the majority of the contingency funds will not be used. Gibson noted there has been one change-order for approximately \$30,000.

Carter also asked about the wood waste grinding noting the line item was zeroed out. Majerus and Gibson noted that wood waste grinding has been done twice this year. This overage will be absorbed by a reduction in other operating costs.

Rosalie Majerus briefed the Board on the FY 17 proposed budget noting the tonnage projection remains the same as the current year, market tonnage has been increased to absorb the previously separate contract tonnage. Both the member and market tipping fees remain the same as the current year.

Clarke Gibson briefed the Board on the expenditures noted in the FY 17 proposed budget. Highlights included a 2% employee salary increase and the addition of two positions.

Several Authority members suggested that the Assistant Operations Manager position be modified to reflect a "working foreman" or "field superintendent" to reflect that this is to be a working position with some supervisory responsibilities instead of a purely supervisory one.

Gibson assured the Board the position was intended to be a working field supervisor and not an office position. He noted that staff would reconstruct the job description to reinforce the field duty aspect and remove 'manager' from the title and replacing with superintendent or other similar term.

Gibson reviewed the proposed Environmental Technician position. He noted this position is necessary because the increased responsibilities have outgrown the single existing position handling this work. We now have two landfills to monitor, increased environmental controls, regulatory requirements, and the increased odor remediation efforts. Gibson noted the position would be doing field work such as system upkeep and maintenance of the odor mitigation components, sample collection, and gas probe sampling and monitoring.

Upon a motion by Frank Rogers to approve the budget as presented excepting not authorizing the Assistant Operations Manager position until the Board reviews and authorizes a revised job description. This motion was duly seconded by Susan Adams, the motion carried by a vote of 3 to 1 with Steve Carter voting against. Carter stated for the record that Nelson County is in opposition to excess revenue.

5. Gas Collection Contract

Brendan Hefty, of Hefty, Wiley & Gore, P.C., noted they have prepared a comprehensive agreement with SCS Engineers to design and build a landfill gas collection system for the not-to-exceed price of \$957,280 with an option for gas monitoring up to two-years post project completion. Hefty noted that project completion date is expected to be December 15, 2016.

Kim Payne asked how the system would be paid for. Rosalie Majerus indicated it would be paid with May 2015 Bond funds.

Frank Rogers asked for clarification on how the gas collection system would be implemented as it relates to the necessary construction of new gas collection wells. Gibson reviewed the existing infrastructure and how it will be incorporated into the new system, as well as what measures are being taken in the Phase III and what will likely happen in Phase IV.

Steve Carter asked Gibson to reiterate the regulatory requirements related to odor control. Gibson noted there have been meaningful improvements in odor control with the odor mitigation equipment and the larger flare. Gibson commented that the new gas collection system will make even more improvements in odor control, but that it would not remove 100% of the odors. Gibson responded that the Authority is several years away from any regulatory requirement to implement a gas collection system.

Upon a motion by Frank Roger that the Board approve a Comprehensive Agreement with SCS Engineers to design and build a landfill gas collection system at the Livestock Road Facility in the amount of \$957,280 for the initial design and construction, and authorize the Director of Solid Waste to execute the Agreement in a form acceptable to the Authority's attorney, duly seconded by Kim Payne, this motion carried by a 3 to 1 vote with Steve Carter voting against. Mr. Carter explained that he was opposed to paying for it with bond funds when other funds are available to pay for it outright. He noted that his vote is not against the installation of system.

6. Air Quality Monitoring Report

Clarke Gibson noted a request from the concerned citizen's group to perform more air quality testing in and around the landfill. Gibson contacted Robert Dick of SCS Engineers to prepare a proposal for such testing. Gibson noted that associated costs with this current air quality testing proposal is not incorporated into the FY 17 budget.

Mr. Dick provided a brief overview of past testing efforts and provided an extensive overview of the current proposal for air quality testing. Dick noted the proposal is structured into three tasks. Task One involves sampling the landfill gas for targeted compounds, expanding the group of compounds to be tested along with setting up monitoring stations within the facility boundary. Dick noted that once data from the samples of extracted landfill gas and the air quality samples has been evaluated, the Board could decide to proceed with the additional tasks noted in the proposal. Task Two involves testing off-site locations for identified constituents. Task Three involves setting up a continuous air monitoring station down-wind of the active landfill cell in an effort to collect additional data.

Kim Payne asked if municipal landfills produce gases in concentrations that present significant health concerns. Dick noted that neither the EPA, the Department of Health nor the DEQ has established any requirements for municipal solid waste landfill facilities to perform any ambient air testing as it relates to public health standards. Dick noted it was his professional opinion that, though some extreme example may be found, municipal landfills gas emissions do not pose a risk to public health.

Dick noted the reason for doing additional on-site monitoring was simply a reaction to a request by the community.

Payne asked Jon Hardie what outcome the concerned citizen's group would expect from further testing? Hardie noted what hasn't been determined is what those odors are and the effect they may have on the health of people in the community along what long-term effects they may have, if any.

Dick noted the proposal was structured to identify a wide range of constituents that are known to potentially have adverse impacts to public health. However, this it is not a comprehensive list. Additionally, in light of Task One of the current proposal, Dick noted some of the same compounds evaluated in previous odor studies may be known to also pose risks to health at certain concentrations. The current proposal would evaluate those from the health risk standpoint rather than as an odor producer as in previous studies.

Steve Carter asked if it would be more effective to conduct testing after the gas extraction system is in place rather than doing air quality testing now. Dick noted it depended on the objective – getting a representation of the system now when some gas collection is taking place or getting a representation of the system when the full gas extraction system is operational.

Upon a motion by Frank Rogers to authorize staff to engage SCS Engineers in the completion of Task One in the amount of \$16,000 as submitted in their most current air quality monitoring proposal, duly seconded by Susan Adams, this motion passed unanimously.

7. Property Protection Program

Gary Christie introduced the draft property value protection program with changes and suggestions that were added from past discussions with the Board.

Kim Payne suggested the Board defer any action on this matter for sixty days to obtain additional input and suggestions from the community. He desires the program to be done correctly, fairly, to be sustainable and affordable.

Frank Rogers indicated he appreciated staff's efforts so far and looks forward to the citizen group's proposal. Rogers also asked if more consideration should be given to homeowners who lived in the area before the operation of the landfill versus those who moved in after the operations began.

Payne noted it would be helpful to identify the guiding principles for this process and what guidelines will be formulated to provide a better outcome for everyone. Payne noted the citizen's comments made today were of great value.

Christie noted he will continue to work with all parties to revise the draft and bring it back to the Board at the appropriate time.

8. Citizen Representative

Gary Christie presented an initial draft of roles and responsibilities for a citizen representative on the Board. Kim Payne indicated the citizen's group should be given time to review the recommendations. Staff is to bring the recommendations back for Board consideration at the appropriate time.

The Board agreed, by consensus, the draft document should be shared with the citizen's group for their input. Also, to allow time for the citizen's group to compile a list of names who would volunteer for the role. These would be presented to the Board for further review. Frank Rogers, indicated there could be other groups who may wish to offer candidates for this role also.

Steve Carter stated Nelson County is opposed to the concept of a citizen representative appointment. He noted that although the Board of Supervisors for Nelson County is being lobbied monthly by a citizen's group who are concerned about the Atlantic Coast Pipeline, the Board is not appointing a citizen to their Board as an advisor.

9. Report from Director

- a) Clarke Gibson reviewed the tonnage report noting it is following a similar pattern from the prior year.
- b) Gibson reviewed the odor neutralization report noting on March 17th, the odor vapor neutralization system was installed. This is a pressurized system that disperses vapor into the air and can be used year-round. Gibson noted there has been a reduction in odor complaints since that time. However, odor neutralization is a multifaceted approach and other factors may have contributed to the reduction in complaints.

Payne asked staff to develop a graph showing instances of odor complaints and the location of those occurrences. This would be a valuable tool to assess the complaints. Gibson noted they have experienced roughly a 50% reduction in complaints since the vapor system was installed.

Gibson also noted the landfill had begun a trial rental of a larger "odor cannon" on the working face of the landfill. The cannon disperses a water-based mist on to the working-face in an effort to neutralize odors. Gibson feels this measure is also helping with controlling odors. Gibson recommended purchasing this unit. The vendor has agreed to credit the first two month's rental fees against the purchase price. Gibson noted the purchase of this unit was included in the FY17 budget.

The Board agreed to the purchase of the "odor cannon" that is currently being rented.

- c) Clarke Gibson noted there were no deficiencies reported from the DEQ Quarterly Inspection Report at the Livestock Road facility.

Gibson expressed there were no deficiencies that needed correction from DEQ's last report as well. He reported the Livestock Road facility has not had a deficiency since it began operation.

- d) Clarke Gibson reported the Authority had self-reported the results of the gas monitoring at the Concord Turnpike Facility to DEQ. Gibson noted the gas collection system was installed by a third-party who also owns the gas rights at Concord Turnpike. Gibson reported that, in conjunction with DEQ and the third-party company, steps are being taken to address the concerns, either by repairing or replacing faulty equipment. SCS Engineers is also working with the Authority to ensure the issues are adequately corrected.
- e) Gibson provided an update to the CY 2015 Recycling Program Activities. He indicated since operations began in 2008, an increase in the recycling rate has been indicated each year despite a reduction in what could be included in the report.

Kim Payne asked what the next step would be if the region were to take the recycling program to the next level. Gibson noted it would need to consider implementing new programs as well as increased community educational opportunities. Payne noted he would like to see the next step be an evaluation program designed to keep organics out of the landfill. Organics cause odors. He suggested composting household organics.

Payne asked staff to report the impact every 1% increase in the recycling rate has on the tonnage. Gibson noted he could calculate that information and present it to the Board.

- f) Gary Christie noted staff would soon be ready to offer suggestions in the strategic planning process. Christie noted they would be ready sooner than the July meeting if the Board is interested in an earlier special meeting to hear the staff presentation.

Christie noted that all the counties would be involved in the process as well other jurisdictions will be invited.

Kim Payne suggested that the Board consider meeting bi-monthly, instead of quarterly, in view of all the work that is going on at the landfill and the many considerations that require decisions. Frank Rogers and Steve Carter support the idea of more frequent meetings.

Upon a motion by Susan Adams for the Services Authority Board to move to bi-monthly meetings, duly seconded by Frank Rogers, this motion carried unanimously.

Staff will coordinate a date that is suitable to each Board member's schedule looking towards the end of June or some other suitable time.

- g) Clarke Gibson noted he recently spoke at the concerned citizen's meeting giving an update on odor mitigation efforts. He has been invited back to future meetings and expressed his appreciation with being involved.

10. Election of FY 17 Officers

Kim Payne submitted for the Board's approval the following list of officers:

- Chair – Frank Rogers, Campbell County
- Vice Chair – Lynchburg Representative
- Treasurer – Susan Adams, Appomattox County
- Secretary – Gary Christie, Region 2000

Upon a motion by Steve Carter to approve the officers for the period of July 1, 2016 – June 30, 2017 as presented, duly seconded by Susan Adams, this motion passed unanimously.

11. Recognition and Appreciation of Kim Payne

Kim Payne commented that what this Board does in building communities, is what he has had the pleasure of being part of. He feels there is a strong commitment to the citizens in having their concerns resolved. Payne noted he enjoyed serving with the Board and the staff.

Frank Rogers thanked Kim Payne for his leadership to the Board. The Board has greatly benefitted from his dedication to service and thanked him for his support to the Authority and to the County.

Steve Carter noted he appreciated working with such an outstanding individual as Kim Payne.

Susan Adams noted that she also appreciated Kim Payne's service and wished she had had more time to work with him.

Adjourn

There being no further business before the Board, Kim Payne adjourned this meeting of the Region 2000 Services Authority at 4:02 pm.

Signed: Kimball Payne

By: CHAMR Date: 6/27/16