



# WEST VIRGINIA SOLID WASTE MANAGEMENT BOARD

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Mark D. Holstine, PE, Executive Director  
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## MINUTES

### West Virginia Solid Waste Management Board December 06, 2023 11:00 a.m.

#### 1. Roll Call.

Present - Board: Mallie Combs, Tim Blankenship, Roger Bryant, Howard Coffield, Jason Frame, Steve Pilato, and Yogesh Patel.

Absent: None.

Board Counsel: Kelley Goes, Esq.

Staff: Mark Holstine, Scott Norman, Jayne Ann Arthur, Paul Hayes, Carol Throckmorton, Cathleen Salmons, Rosamary Kincaid, Maxine Johnson, and Brittany Cummings.

Visitors Listed: James Allen-Raleigh County Solid Waste Authority.  
Travis Kiblinger-Raleigh County Solid Waste Authority.  
Melissa Prince-Raleigh County Solid Waste Authority.  
Lacie Pierson-WVWHIRA.

The regular meeting was properly advertised in accordance with W.Va. Code, Chapter 6, Article 9A. The meeting was called to order by Chair Mallie Combs, at 11:00 am, in conference room 1125 in the DEP Headquarters located at 601 57<sup>th</sup> Street SE, Charleston WV 25304. Jayne Ann Arthur called the roll. The Chair announced a quorum was present.

**2. Approval of Minutes of October 24, 2023 Meeting.**

Chair Combs requested a motion for approval of the minutes from the October 24, 2023, meeting. Mr. Coffield moved to approve the minutes, seconded by Mr. Blankenship, the motion passed unanimously.

**3. Financial Reports.**

**A. Financial Statements.**

Scott Norman gave an overview of the balance sheet and income statement for September and October 2023 and informed the Board that there were no significant changes. September expenses included partial payment for the financial audit and Travel charges were for the Board meeting and staff travel to the Pcard Conference. October expenses included SHRM Registration for Training and Travel for staff to Region VIII to begin the Performance Review, as well as the Association Conference.

**B. Purchasing Card Report.**

Mr. Norman went over the expenses on the P-card for September and October 2023 and informed the Board that there were not any out of the ordinary expenses on the P-card. Most expenses for the Travel were previously discussed during the financial statement additional expenses include office supplies.

**C. Assessment Fee and Tonnage Data.**

The assessment fee and tonnage data for September and October 2023 was explained to the Board by Scott Norman. September assessment fee checks in the amount of \$1,812.00 were mailed out on September 11, 2023 and October assessment fee checks in the amount of \$2,172.00 were mailed out on October 10, 2023. Average check for the year is \$2,050.00.

Assessment fee revenue for the month of September 2023 was \$199,348.00 and October 2023 was \$238,870.00. Average revenue for the year is \$225,466.00. The year-to-date tonnage comparison is 93.73%.

**D. Grant Status Report.**

Mr. Norman informed the Board that the FY 2023 grant program has ended. He stated since the report was emailed out all reports have been received and reviewed. He is currently waiting on a few documents. The FY 2024 program

has dispersed all but one county, which is having some internet issues delaying the required completion of grant training.

**E. Other.**

**4. Standing Committee Reports.**

**A. None.**

**5. Executive Director Report.**

**Tucker County SWA** - The process to salvage and rectify the accounting and financial records will be finalized by the end of the year. The loss of the Sage 50 backup data has hampered the accountant from reestablishing the financial status from an accrual basis. The accountant is fairly confident that on a cash basis the financial records are almost completely reconciled. A conference call with the authority's accountant, staff, and Director Holstine will occur this afternoon for decisions to be made on completion of the reconciliation.

The litter vac that was purchased with the SWMB grant money has been delivered after being stolen from the delivery service. A new litter vac was located in Cleveland, OH and rerouted to the landfill.

A replacement pump has finally been located to replace the load out pump on leachate Pond 1. Cost estimates on flow meters should be finalized by the end of the year. The next meeting of the Tucker SWA board will be Monday, December 11 at 3:00 pm.

**Greenbrier County SWA** - The loan recommendation report is in your packet for your review and consideration. Scott Norman and Maxine Johnson, in consultation with Kelley Goes, have updated many of the SWMB loan agreement forms. If the Board approves the loan, staff will be ready to begin the process with updated paperwork.

Chair Combs requested clarification relating to the WV Code and the SWMB Loan Process. Director Holstine and Counsel Goes explained the Code, the Rules, and the process the SWMB staff goes through to present the request from the SWA to the Board. The SWMB staff are not advocating for the approval of the loan but providing reasonable assurance to the Board the ability of the SWA to repay the loan should after consideration the Board determine to approve the loan.

**Region VIII Performance Review** - The Performance Review is being finalized and will be on the January agenda for approval.

**Public Service Commission** - Most waste hauling companies are filing for an annual rate increase pursuant to West Virginia Code §24A-5-2a(d) which specifies an annual rate increase is permitted without the filing of an application if notice is given to customers. The increase is based on a year over year increase in the Garbage and Trash Collection Index. This year, a 6.94 percent increase is permitted. The increase in residential rates takes effect on January 1, 2024.

You may recall Ravenseye Environmental was issued a CON May 27, 2020 to pick-up recyclables curbside inside and within five miles of Fayetteville and Oak Hill. For \$20 per month, Ravenseye was to provide a weekly recycling curbside pickup and delivery to the Raleigh County SWA Recycling Center for mixed paper, cardboard, and plastics #1 and #2. Since the CON approval, the company has been unable to start, and the COVID-19 pandemic made attempts more difficult. On September 28, 2023, Ravenseye filed a formal petition requesting its certificate be revoked. On November 21, 2023 the assigned ALJ granted the petition.

At the SWMB October meeting Director Holstine reported Apple Valley Waste Services, Inc. filed a petition with the PSC seeking a “Determination that No Certificate of Need is Required,” to operate a transfer station at the former Entsorga facility. On November 8, 2023 the PSC issued an Order that determined that no CON is required since the operation limited waste collection solely for the carrier’s customers with no additional cost to customers.

Apple Valley Waste Services’ parent company owns a minority equity interest in Entsorga and is working with Berkeley County SWA to utilize the site on a short term, month to month basis.

Director Holstine reported that he has also been working with Ohio County relating to an entity that requested Ohio County to include a transfer station in their siting plans. The Ohio County SWA Board held a meeting and the request was denied.

**DEP Covered Electronic Devices Recycling Grants** - DEP announced it had approved \$85,950 to 12 applicants. Berkeley, Brooke, Cabell, Hancock, Lincoln, Monongalia, Pleasants, Preston, and Roane were the solid waste authorities receiving grants. The remaining grants went to Kanawha, Mingo, and Randolph County Commissions.

**Recycling Coalition of WV** - the 21st Annual ReFashion Show was held at Huntington Mall in Barboursville. There were 20 entries from as far away as Brooke and McDowell Counties. A contestant wrap-up sheet has been included in the FYI section or a slideshow may be seen on the Recycling Coalition website at <http://www.wvrecycles.com/> or on the DEP Environment Matters YouTube channel at <https://www.facebook.com/depwv/videos/872838387766705>

**Other** - SWMB staff have undergone training to change travel reimbursement procedures which began on December 4, 2023. Staff is also working on getting the SWMB grant application updated and should be online in February.

Carol Throckmorton attended the Wood County SWA meeting on November 16, 2023. Ms. Throckmorton stated she actually attended the ribbon cutting for the new location. Wood County has three new Board members and it was a positive meeting.

**I would like to wish each of you a Merry Christmas and a very Happy New Year!**

**6. Unfinished Business.**

**A. None.**

**7. New Business.**

**A. Greenbrier County Solid Waste Authority Loan Request.**

Chair Combs stated that the Greenbrier County Solid Waste Authority loan request documents were emailed to the Board.

Resolution Number 01-2023, was provided to the Board via email with Greenbrier County Solid Waste Authority loan request packet, as stated by Chair Combs.

There being no questions from the Board Mr. Coffield moved that the Board adopt Resolution Number SWMB 01-2023 authorizing the execution of a loan in the maximum principal amount of \$1,356,700.22, repayable over a term of five (5) years at an interest rate of one percent (1%) per annum to the Greenbrier County Solid Waste Authority, as authorized by W. Va. Code § 22C, Article 3 and as recited in loan agreements provided to the Board and made a part of the records of the Solid Waste Management Board, contingent upon the Greenbrier County Solid Waste Authority providing all documents needed to complete this loan. He further moved that the Board, as allowed in Title 54 CSR 2, subsections 3.1.1, 3.2.2 and 4.1 waive the origination fee, annual fee and reimbursement for costs associated with the loan. Seconded by Mr. Pilato, and the motion passed unanimously.

**B. Raleigh County Solid Waste Authority Performance Review.**

Chair Combs stated that the performance review had been sent out via email to the Board.

There being no further discussion Vice Chair Bryant moved that in accordance with W.Va. Code Rules § 54-6.6.1. a, and based on the Performance Review conducted on the Raleigh County Solid Waste Authority and its commercial solid waste facility, the Board place the Raleigh County Solid Waste Authority in the category of 'Satisfactory'. Vice Chair Bryant

further moved to authorize the Executive Director to make any necessary technical corrections prior to the final performance review being distributed to the Raleigh County SWA's Board of Directors. Seconded by Mr. Blankenship, the motion passed unanimously.

Raleigh County Solid Waste Authority Staff were in attendance and Executive Director Allen was granted requested permission to speak. Director Allen introduced the RCSWA staff and emphasized what a pleasure it had been working with the SWMB throughout the process of the Performance Review and complimented the professionalism of the SWMB staff. The process in the past had not been so pleasurable, stated Director Allen, however, the new system is working well and he thanked the SWMB for a job well done.

**C. Other- None.**

**8. Miscellaneous Business.**

**A. Other–** Chair Combs reminded the Board the tentative meeting dates for 2024 are included in the board packet, as well as a list of committee members.

**9. Public Comment –** The Raleigh County Solid Waste Authority staff wished everyone a Merry Christmas and Lacie Peirson wished everyone a Happy New Year!

**10. Next Meeting.**


Chair Combs set the next meeting of the Solid Waste Management Board, for **Wednesday, January 17, 2024, at 11:00 am. The Grants Committee will meet at 10:30 am.**

**11. Adjournment.**

There being no further business to discuss, Chair Combs adjourned the meeting at 11:48am.

Respectfully submitted,

  
Mallie Combs  
Chair

  
Mark D. Holstine  
Secretary/Treasurer