



WEST VIRGINIA SOLID WASTE MANAGEMENT BOARD

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Charleston, WV 25304
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Mark D. Holstine, PE, Executive Director
www.state.wv.us/swmb

MINUTES

West Virginia Solid Waste Management Board February 21, 2024 11:00 am

1. Roll Call.

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

Absent: None.

Board Counsel: Kelley Goes, Esq.

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

Visitors Listed: None.

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, in conference room 1125, in the DEP Headquarters located at 601 57th St. SE, Charleston, WV 25304 at 11:00 am, Jayne Ann Arthur called the roll. The Chair announced a quorum was present.

2. Approval of minutes of the January 17, 2024 Board meeting.

Chair Combs requested a motion for approval of the minutes from the last meeting. Tim Blankenship moved to approve the minutes of the January 17, 2024 meeting. Vice Chair Bryant seconded the motion and it passed unanimously.

3. Financial Reports.

A. Financial Statements.

Mr. Norman gave an overview of the balance sheet and income statement for December 2023 and informed the Board that there were no significant changes. The increase in the Personal Service line is due to three paydays occurring in the month of December. The Travel Expense line item includes the Board members traveling to the December board meeting.

B. Purchasing Card Report.

Mr. Norman asked the Board if they had any questions relating to the detailed P-card report since most of the itemized expenses on the December 2023 P-card report were previously discussed during the financial statements. The appreciation dinner in December and additional fees for the board meeting conference room for the October meeting at Oglebay.

C. Assessment Fee and Tonnage Data.

The assessment fee and tonnage data for December 2023 was explained to the Board by Scott Norman. December assessment fee checks in the amount of \$2,115.00 were mailed out on December 5, 2023. Average check for the year is \$2,080.00.

Assessment fee revenue for the month of December 2023 was \$232,690.00. Average revenue for the year is \$228,753.00. The year-to-date tonnage comparison is 95.06%.

D. Grant Status Report.

Mr. Norman informed the Board the Grant Program for FY 2024

semi-annual period ended on February 1, 2024, and reports are due Thursday, February 22, 2024.

Mr. Norman further reported the Portal updates and emails with instructions have been sent to Solid Waste Authorities regarding the new processes for the FY 2025 grants program.

E. Other -- None.

4. Standing Committee Reports.

A. None.

5. Executive Director Report.

SWMB Training Series - The training for SWA board members and staff members is scheduled for April 18th in Beckley at the Raleigh County SWA and September 12th at the Highlands Conference Center in Wheeling. Topics include SWA responsibilities, Grants, Ethics, Comprehensive and Siting Plans, Conducting Meetings, and a special presentation by the WV State Auditor's Office on why internal controls matter. Registration can be done by calling us at 304-414-1122. A copy of the notice that appears on our website is in the FYI Section of the board packet. A notice has also been mailed to each SWA. Once the training is complete, the SWMB plans on posting the presentations on the SWMB website. The SWMB will gauge participation and listen to feedback to determine the number of training sessions, locations, and training topics. Some topics may be repeated and some may change moving forward.

Tucker County SWA - A board member has decided to resign their position for personal reasons. The Mayor of Thomas, Jody Flanagan, has been appointed by the DEP to fill the remainder of that term.

With the restoration of the financial systems at the landfill nearing completion, Director Holstine states he can now report with confidence the status of the facility through November 30, 2023. Average tonnage for the year so far is 7,512 tons, an increase of 18% over last year.

Jody Alderman was able to navigate the time that TCSWA did not have clear financial reports and stay within 0.7% of the budget. The ratio of total current assets to total current liabilities has grown to 2.9.

The next meeting of the Tucker County SWA will be February 26, 2024 at 3pm. Director Holstine will attend a Corridor H meeting on February 27 at Tucker

County High School to observe the potential routes of the Corridor and the possible effects on the landfill property and operations.

The lease agreement and purchase agreement documents have been reviewed by Kelley Goes, Jody Alderman, and Director Holstine and an action item will be on the agenda at the next Tucker County SWA meeting to authorize execution of the agreements.

A draft design of the new sediment pond has been completed and it indicates that the Tucker SWA will have to purchase 2 acres of bordering property to construct this pond.

Kanawha County SWA - The City of Charleston and Waste Management have come to an agreement on a site to construct a transfer station in close proximity to the existing landfill. Waste Management's next step is to apply for an amendment to the Kanawha County siting plan seeking approval. If approved by the Kanawha County SWA, it will be presented to the SWMB for approval. Once this is complete, Waste Management will have to apply for a Certificate of Need from the PSC and apply for a permit from the DEP.

Legislative Session - The legislative session continues and the last day to introduce bills in the House was February 13, 2024 and February 19th in the Senate. The legislative tracking list for bills dealing with solid waste authority related content, continues to be updated regularly on the SWMB website at <https://swmb.wv.gov/resources/Documents/Bill-Tracking-2024-WEB-LIST.pdf>

Some of the bills the SWMB are tracking but not on the solid waste related list include:

- [HB 5354](#) The purpose of this bill is to clarify what grants are subject to reporting requirements of the Grant Transparency and Accountability Act, clarify defined term use throughout Act, and make other technical clarifications. This bill is on the 2nd reading on the House Special Calendar.
- [HB 4976](#) The purpose of this bill is to provide the contact information of the Inspector General on the agencies and boards websites of the executive departments. This bill has completed legislative action and will be sent to the Governor.
- [SB 389](#) The purpose of this bill is to require a permit for the transport or sale of nonferrous metals to a secondary recycler and to make it unlawful to intentionally damage property for the purpose of obtaining nonferrous metals.

- [SB 544](#) The purpose of this bill is to raise the threshold from \$25,000 to \$50,000 for the requirement of bids for municipal public works projects. This bill has passed the Senate and is on 3rd reading in the House.
- [SB 687](#) The purpose of this bill relates to the Legislative Auditor; establishing that auditor is responsible to Joint Committee on Government and Finance; clarifying that auditor may exercise powers at direction of Senate President or Speaker of House of Delegates; restating authority of auditor to inspect properties, equipment, and records; providing for distribution of copies of reports of examination and audit; prohibiting auditor from using external auditing entities to conduct audits except as directed by Senate President or Speaker; modifying obligations of auditor regarding budgetary matters; providing that committee has authority to hire employees to assist auditor in performance of obligations; clarifying hiring authority of committee; providing that auditor's reviews of departments and agencies are to be conducted at direction of Senate President or Speaker and that department presentations are to be made at Senate President's or Speaker's direction; eliminating requirement that agency and regulatory board reviews be conducted according to certain auditing standards; revising schedule of regulatory board reviews; and providing that regulatory board reviews may be conducted more frequently than statutorily scheduled. This bill has passed the Senate and has been ordered to the House.

Region VIII - The Region VIII Solid Waste Authority filed a case to start accepting credit cards at their Southern and Northern Transfer Stations. To prevent a financial burden on the Authority, they requested to pass the credit card fees onto the customer using WViPay, where the current fees are 2.3% per transaction with a minimum charge of 25 cents. In the future, the percentage amount passed onto the customer will never exceed the amount that WViPay is charging the Authority. If approved by the Public Service Commission, the Authority has agreed to post signs for customers. The case was referred to an ALJ with a decision expected before September 9, 2024.

Other - Governor Justice announced the approval of nearly \$2 million in recycling assistance grants. Of the 22 recipients, ten were county solid waste authorities. A copy of the media release is in the FYI section of the board packet.

The SWMB FY 2025 grant information has been published on the SWMB website and Grants WV.Gov website. The 2025 application process is through the wvOasis Vendor Self Service (VSS) Portal. Emails have been sent to all SWAs making them aware of the applications availability.

We were contacted by the Manager of the Recycling and Local Assistance for the Kentucky Division of Waste Management about the WV Solid Waste Management State Plan. After reviewing the plan he stated, "Thanks for sharing a link to your plan. It is an excellent resource and one of the best plans I have reviewed, in terms of content and organization, that really fits well with what I hope to create for KY."

6. Unfinished Business.

A. None.

7. New Business.

A. Preston County Solid Waste Authority Comprehensive Litter and Solid Waste Control Plan and Commercial Solid Waste Facility Siting Plan Updates.

The Preston County Solid Waste Authority Comprehensive Litter and Solid Waste Control Plan and Commercial Solid Waste Facility Siting Plan update abstracts were mailed out in the Board packet.

There being no questions, Howard Coffield moved that the Board approve the Comprehensive Litter and Solid Waste Control Plan update for the Preston County Solid Waste Authority in accordance with W.Va. §22C-4-8(d) and WV Code of State Rules 54-3-6. Mr. Coffield further moves that the Board approve the Commercial Solid Waste Facility Siting Plan update for the Preston County Solid Waste Authority in accordance with W.Va. §22C-4-24(d) and WV Code Rules 54-4-6 Seconded by Tim Blankenship, the motion passed unanimously.

B. None.

8. Miscellaneous Business.

A. None.

9. Public Comment – Limited to three minutes.

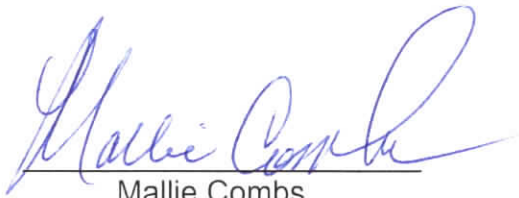
10. Next Meeting.

Chair Combs set the next meeting of the Solid Waste Management Board, for **Wednesday, March 20, 2024, at 11:00 am.**

11. Adjournment.

There being no further business to discuss, Chair Combs adjourned the meeting at 12:01 pm.

Respectfully submitted,



Mallie Combs
Chair



Mark D. Holstine
Secretary/Treasurer