



WEST VIRGINIA SOLID WASTE MANAGEMENT BOARD

601 57th St. SE
Charleston, WV 25304
Phone: (304)926-0448

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

MINUTES

West Virginia Solid Waste Management Board June 21, 2023 11:00 a.m.

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

Visitors Listed: Lacie Pierson- Orion Strategies
Rob Adams- Brown & Edwards
Mohamed Mohamed- Brown & Edwards

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 a.m., in Conference Room 1125 in the DEP Headquarters located at, 601 57th Street SE, Charleston WV 25304. Jayne Ann Arthur called the roll. The Chair announced a quorum was present.

2. Approval of minutes of the May 24, 2023 Board meeting.

Chair Combs requested a motion for approval of the minutes from the May 24, 2023 meeting. Mr. Howard Coffield moved to approve the minutes of the May 24, 2023 meeting. Mr. Tim Blankenship 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 April 2023 and informed the Board of the travel expenses for the board meeting, and PEIA is the annual transfer staff charge.

B. Purchasing Card Report.

Mr. Norman went over the expenses on the P-card for April 2023 and informed the Board that there were not any out of the ordinary expenses on the P-card. Stating the office expenses incurred were again for the office supply items previously discussed on the financial statement.

C. Assessment Fee and Tonnage Data.

The assessment fee and tonnage data for April 2023 was explained to the Board by Scott Norman. April assessment fee checks in the amount of \$1,948.00 were mailed out on April 14, 2023. Average check for the year is \$2,082.00.

Assessment fee revenue for the month of April 2023 was \$214,253.00. Average revenue for the year is \$229,044.00. The year-to-date tonnage comparison is 105.13%.

D. Grant Status Report.

Scott Norman informed the board that two counties should be requesting extension requests to allow them to expend their grant funds. The FY 2023 program will close at the end of July and reports are due at the end of August.

E. FY 2023 SWMB Audit Presentation.

Mr. Rob Adams of Brown, Edwards and Company, LLP stated it is nice to be back working with the Board conducting the upcoming financial audit again this year. Mr. Adams introduced Mohamed Mohamed who will also be working with the Board on the upcoming audit. Mr. Adams informed the Board that they have already met with Staff. And the anticipated audit time remains the same for the draft and final audit to be completed by September 15th (draft) and October 15th (final) deadline.

Mr. Adams detailed for the Board regarding again this year the one possible GASB subscription based IT arrangements that may possibly be a change to the audit this year.

Mr. Adams also informed the board they will be inquiring with staff if there are any concerns relating to fraud and to please also reach out to them should there be any concerns relating to fraud and/or abuse. Mr. Adams thanked the SWMB.

F. None.

4. Standing Committee Reports.

A. None.

5. Executive Director Report.

Tucker County SWA – A replacement for the retiring office administrator has been hired and began work on May 30. The current administrator will stay on board for a couple of months to help train the new hire.

An agreement has been signed with a consultant to prepare a Title V Air Permit for the facility to comply with DEP regulations. In addition, Director Holstine met with the permitting consultant on June 20 to review documents to prepare a modification to the permit to allow additional waste to be placed on areas waste was previously placed. The Tucker County Solid Waste Authority has discovered through a document search that these areas are lined with a clay liner not composite and should be incorporated into future plans of expansion. This will provide additional air space and result in a much more uniform closure plan. Director Holstine is working with Air Quality on a timeline with DEP relating to the previous discussed consent order.

The PSC appointment to the Tucker SWA has communicated her wishes to not be re-appointed for another term on the board. The board has made a

recommendation to the PSC to appoint Lowell Moore, past president of the Tucker County Commission, to the board.

The next meeting of the Tucker County SWA board is scheduled for June 26 at 3:00pm.

Pocahontas County SWA - The PSC staff has recommended the Pocahontas County SWA charges for the Green Box fee of \$115 annually be approved. It has been approved and is now in effect.

Email correspondence has begun with the work group to resolve the solid waste issues the County faces. Director Holstine has been in communication with Highland County and Bath County, Virginia to learn and convey information to the group. Those two Virginia counties are experiencing challenges with their solid waste management and were very accommodating in sharing information and learning what issues Pocahontas is facing. One challenge is the quiet zone in Green Bank relating to security camera concerns.

Greenbrier County SWA - The GCSWA board will have a resolution on their next agenda to apply to the SWMB for a loan for the new compactor that they recently purchased. This will start the loan approval process for the SWMB.

Brooke County SWA - Brooke County SWA Recycling Center has entered into an agreement with the Youth Services System (YSS) program to be part of a mentoring program and employ the student clients at the center.

YSS is a state funded program that supports young adults that have had rough times through no fault of their own. Most of them in the program have no parents or parents that are incarcerated. Many of them have been on their own and some are taking care of their siblings. The YSS students reside in Hancock, Brooke, Ohio, Marshall, Wetzel, and Tyler Counties of West Virginia, and Belmont County in Ohio. Most have worked in food service or grocery stores but lack this valuable industrial experience. This is a program all Solid Waste Authorities could take advantage of.

Entsorga - The Berkeley County SWA (BCSWA) formally terminated the written 30-year lease with Entsorga, WV on March 22, 2023, after being notified of various lease defaults. The facility was given the appropriate notice to make the corrections to comply with their lease agreement.

On March 29, 2023, the bondholder's trustee was notified that the lease was terminated as required by the lease, which allows the bondholders 60 days to cure the defaults by May 28, 2023. However, the bondholders did not cure the defaults.

When the lease was executed, the closing of the plant was considered and control of the facility reverted back to the BCSWA. In a meeting on June 7th, legal counsel and BCSWA researched and discussed options for short and long-term steps to return the plant to operation. In the meantime, Apple Valley Waste and the BCSWA maintain a presence at the facility. Several private companies have approached the BCSWA and toured the facility expressing interest in restarting the operation. A copy of a news article about this development can be found in your FYI section.

Other - The SWMB grant program has received grant applications from 30 Solid Waste Authorities, requesting \$602,554 in grant funds. Twenty-nine authorities will receive some funding from the allocated sum of \$400,000 when recommendations are submitted to the board in July. One authority was not eligible for funding because they are out of compliance with their audits.

Governor Jim Justice announced a \$50 million investment bringing 40 full-time jobs to Quincy in eastern Kanawha County. According to media reports and a press release, CleanVision will be converting an old 84 Lumber building to a recycling facility specializing in plastics #3 thru #7 including plastic bags, styrofoam, straws, prescription bottles and yogurt containers. The plan is to use pyrolysis technology to reduce the material down to simpler elements that can be used in other ways. It will start out small, focusing on recycling a hundred tons of plastic from industrial sources and eventually, take all of West Virginia's hard-to-recycle plastics. The facility may be up and running by the first quarter of 2024. Director Holstine provided the Governor's news release in the FYI section of the board packet.

Maxine Johnson has started work and will restart performance reviews the first full week of July, going to Raleigh County.

6. Unfinished Business.

A. None.

7. New Business.

A. Marion County Comprehensive Litter and Solid Waste Control Plan Update.

The Marion County Solid Waste Authority Comprehensive Litter and Solid Waste Control Plan update were emailed out and are in the Board packet.

There being no questions, Steve Pilato moved that the Board approve the Comprehensive Litter and Solid Waste Control Plan for the Marion County Solid Waste Authority in accordance with W.Va. §22C-4-8(d) and WV Code of State Rules 54-3-6. Seconded by Tim Blankenship, the motion passed unanimously.

B. Pleasants County Comprehensive Litter and Solid Waste Control Plan and Commercial Solid Waste Facility Siting Plan Updates.

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

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

C. Other- None.

8. Miscellaneous Business.

A. None.

9. Public Comment – Limited to three minutes.

A. None.

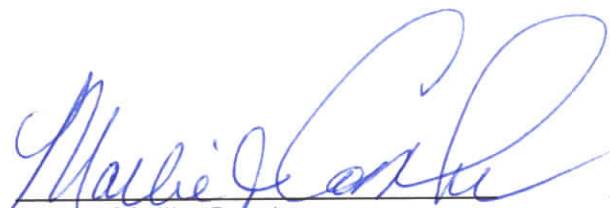
10. Next Meeting.

Chair Combs set the next meeting of the Solid Waste Management Board, for **Wednesday, July 19, 2023 at 11:00 a.m.** The meeting at this time will be held at 601 57th St SE, Charleston, WV conference room 1125. Chair Combs reminded the Board members this will be the Annual Meeting of the SWMB.

11. Adjournment.

There being no further business to discuss, Chair Combs adjourned the meeting at 11:44 am.

Respectfully submitted,



Mallie Combs
Chair



Mark D. Holstine
Secretary/Treasurer