



WEST VIRGINIA SOLID WASTE MANAGEMENT BOARD

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

MINUTES

West Virginia Solid Waste Management Board January 17, 2024 11:00 am

1. Roll Call.

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

Absent: Yogesh Patel.

Board Counsel: Kelley Goes, Esq..

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

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

2. Approval of minutes of the December 6, 2023 Board meeting.

Chair Combs requested a motion for approval of the minutes from the last meeting. Mr. Pilato moved to approve the minutes, Mr. Coffield seconded the motion and it passed unanimously.

3. Financial Reports.

A. Financial Statements.

Scott Norman gave an overview of the balance sheet and income statement for November 2023 and informed the Board that there were no significant changes. Office Expenses are for replenishing office supplies. Travel expenses were for trips to the Purchasing Conference, SHRM Conference, and the Association Conference and Board meeting in October.

B. Purchasing Card Report.

Mr. Norman asked if the board had any questions regarding the detailed report provided in the board packet as most of the expenses were previously discussed during the financial statements. Mr. Norman added that a few additional charges not discussed are for the Code Book and Komax copy charges.

C. Assessment Fee and Tonnage Data.

The assessment fee and tonnage data for November 2023 was explained to the Board by Scott Norman. November assessment fee checks in the amount of \$2,163.00 were mailed out on November 17, 2023. Average check for the year is \$2,072.00.

Assessment fee revenue for the month of November 2023 was \$237,963.00. Average revenue for the year is \$227,966.00. The year-to-date tonnage comparison to FY 2023 is 94.35%.

D. Grant Status Report.

Mr. Norman stated he has been communicating with the counties regarding necessary documentations such as sworn statements of expenses that are needed to progress closing them for FY 2023. FY2024 semi-annual grant period will close on February 1, 2024 and semi-annual reports will be due on February 22, 2024. Reminders have been sent and Mr. Norman stated he has received reports for a few counties.

E. None.

4. **Standing Committee Reports.**

A. None.

5. **Executive Director Report.**

2024 Goals - Happy New Year! Two major items Director Holstine will be working with staff on in addition to the normal are the SWMB training series and revision of the Performance Review report.

SWMB training series will be remote training across the state for SWA board members and staff members. Short term goal is to hold at least two of these this calendar year and reevaluate if more are necessary or desired on an annual basis moving forward.

Performance Review revision will be the second revision of the review since its inception. Concentration will be on eliminating some redundancy in the verbiage of the report and potential adjustments to categories and scoring.

Tucker County SWA - Kelley Goes and Director Holstine are working on the contractual agreements for the renewable natural gas project at the landfill. The issues with the accounting system are mostly resolved. Quickbooks is now the operating software for A/R, A/P, payroll, and financial statements. Tonnage has been steady. Surveyors have begun collecting topographic data in the area that a new storm water pond will need to be constructed. This is in the area that we will need to purchase property. We have not received information from the property owner yet on willingness to sell and price.

Greenbrier County SWA - Kelley Goes and Scott Norman continue to work on gathering documentation necessary to close on the loan to Greenbrier County SWA that was approved at our meeting in December.

Public Service Commission - In December, Director Holstine reported the petition filed by Apple Valley Waste Services, Inc. and 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. Petitioners Waste Management of West Virginia, Inc, LCS Services, Allied Waste Services of North America, and Jefferson County Solid Waste Authority collectively submitted an appeal to the West Virginia Supreme Court of Appeals. Their primary argument is that the proposed facility does meet the definition of a commercial solid waste facility under W.Va. Code §22-15-2 and the finding was based on unsupported representations by Apple Valley Waste.

On January 5, 2024 the PSC denied a motion to stay pending appeal and the final order remains in full force and effect pending the appeal to the Supreme Court which will hear oral arguments in the case on March 12, 2024.

Other - Maxine Johnson, Carol Throckmorton, Brittany Cummings and Paul Hayes went to Mercer County SWA for the site inspection including recycling and safety operations.

The PSC has authorized a 7.69% fuel surcharge supplement to solid waste motor carriers tariff. As of January 5, 2024, haulers operating 32 certificates have submitted forms to supplement their tariff.

Paul Hayes will again monitor legislative activity as it pertains to solid waste issues affecting the SWMB, SWA's, and the public. The list can be found at <https://swmb.wv.gov/resources/Documents/Bill-Tracking-2024-WEB-LIST.pdf>

6. Unfinished Business.

A. None.

7. New Business.

A. Region VIII Performance Review.

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

There being no further discussion Mr. Pilato moved that in accordance with W.Va. Code Rules § 54-6.6.1. a, and based on the Performance Review conducted on the Region VIII Solid Waste Authority and its commercial solid waste facilities, the Board place the Region VIII Solid Waste Authority in the category of 'Satisfactory'. Mr. Pilato further moved to authorize the Executive Director to make any necessary technical corrections prior to the final performance review being distributed to the Region VIII SWA's Board of Directors. Seconded by Mr. Blankenship, the motion passed unanimously.

B. None.

8. Miscellaneous Business.

A. None.

9. Public Comment – Limited to three minutes.

None.

10. Next Meeting.

Chair Combs set the next meeting of the Solid Waste Management Board, for **Wednesday, February 21, 2024 at 11:00 am.**

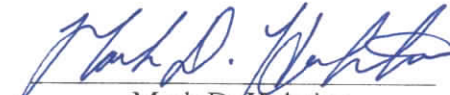
11. Adjournment.

There being no further business to discuss, Chair Combs adjourned the meeting at 11:26 am.

Respectfully submitted,



Mallie Combs
Chair



Mark D. Holstine
Secretary/Treasurer