



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 April 19, 2023 11:00 am

1. Roll Call.

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

Absent: None.

Board Counsel: None.

Staff: Mark Holstine, Scott Norman, Jayne Ann Arthur, Carol Throckmorton, Rosamary Kincaid, 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, at 11:00 am, in conference rooms 1203/1204 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 March 15, 2023 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 March 15, 2023 meeting. Howard Coffield 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 February 2023. He informed the Board that the Travel Expense, Office Expense would be discussed during the PCard report.

Mr. Norman stated the expenses detailed on the Purchasing Card Invoice report for February 2023 for Travel were for staff that had traveled to Tucker County landfill, as well as the monthly board meeting. Office expenses for supplies for the new employee's office. Cell phone charges for the SMWB cell phone and SHRM charges for updated human resources posters.

B. Assessment Fee and Tonnage Data.

The assessment fee and tonnage data for February 2023 was explained to the Board by Scott Norman. February assessment fee checks in the amount of \$2,044.00 were mailed out on February 13, 2023. Average check for the year is \$2,136.00.

Assessment fee revenue for the month of February 2023 was \$224,832.00. Average revenue for the year is \$234,919.00. The year-to-date tonnage comparison is 104.31%.

C. Grant Status Report.

Mr. Norman reported that the FY 2022 grants program has been closed out and he will be contacting the auditors in the near future. The FY 2023 grants program is moving along. Mr. Norman reported he has three semi-annual reports still under review and 3 SWA's he is waiting to receive documents from to wrap up the FY 2023 grant program.

D. Other.

Mr. Norman reviewed the purchasing division inspection report of the SWMB included in the Board packet. Mr. Norman was happy to report that in the twelve areas of inspection the purchasing division did not find any areas out of compliance or concern. This is an improvement from 2020. Mr. Norman stated this is a reflection of the entire finance team and thanked Cathleen Salmons and Jayne Ann Arthur for their work as well.

4. Standing Committee Reports.

A. None.

5. Executive Director Report.

Tucker County SWA – A PSC Order approved the creation of Blackwater Public Service District. Both Davis and Thomas have passed resolutions consenting to the PSD providing service within its boundaries. The Tucker County Economic Development Authority has secured federal funding and is finalizing a regional plan to provide sound sewage service to the northern part of the county. The Tucker County Commission has settled on a three member board and all members must be residents of the Thomas - Davis area.

A board meeting was held April 11 where February financials were discussed. Tonnage for February was 5,415 tons, highest February tonnage since FY 2016. 403,212 gallons of leachate were transported and treated which was the lowest volume since FY 2015. A major modification for the development of a Construction and Demolition area be added to the permit. DEP Air Quality notified the facility that an Emissions Inventory needs to be completed. Cost of this Inventory will be approximately \$30,000.

Pocahontas County SWA - Director Holstine will be meeting with Ed Riley, Chairman of the Authority on April 25. The purchase of the land the landfill occupies has stalled and is at what appears to be an impasse. A strategy for moving forward is what the Director hopes to be able to assist with.

Mingo County Commission - Kelley Goes and Director Holstine participated in a phone conference with the Mingo County Commission to discuss issues in regard to solid waste management in the county. Some of the concerns they have will have to be addressed at the PSC and Director Holstine was able to refer them to the proper person at the PSC.

Greenbrier County SWA - Greenbrier County SWA is seeking to increase its rates by 53.48 percent to cover expenses related to operations and purchase

new equipment. The increase from \$38 per ton to \$63 per ton excluding assessment fees. PSC staff issued a memorandum calling the request irresponsible, causing undue hardships on its customers. Staff recommend a base rate of \$61.00 including assessment fees. The Authority responded and had no objection to the recommendations of the PSC staff. On April 13, 2023 the ALJ entered an order to approve the modified rates.

Scott Norman and Director Holstine traveled to the landfill on April 5 to meet with Kelly Childers, landfill manager. They discussed the budget that was presented to the SWMB with the loan application and adjustments that the SWMB would like to see made. The finalized budget has been submitted for the application, and the process will proceed on the loan application.

Legislative Session - All the bills reported at last month's meeting have been signed by the governor. The legislative tracking list for bills dealing with solid waste authority related content is always available on the SWMB website at the following address:

<https://www.state.wv.us/swmb/Legislative/Bill-Tracking-2023-WEB-LIST.pdf>

Public Service Commission - On September 13, 2023 Jochum Refuse Service filed for approval of a Service Agreement to provide service within the Town of McMechen in Marshall County. The PSC staff acknowledges that haulers may flex down its rates but in this case, it is beyond what is reasonable and appropriate. Jochum's customers outside McMechen in the same certificated area are charged \$24.80 per month which is \$10.80 more for the same service inside the town. However, McMechen indicated in its brief that it is charging its residents \$23 per month for solid waste services. The PSC staff contends it is inappropriate for McMechen to charge its residents a different rate than what is provided in a contract. The ALJ decision is expected by May 11, 2023.

Republic Services of WV has also filed a petition for consent and approval for an amendment to the City of Morgantown contract. The case was referred to an ALJ with a decision expected by September 5, 2023.

The rates for Bionic Tire Recycling in Masontown, Preston County, have been filed and the new facility will be charging \$55 per ton or \$1.50 per passenger car tire.

Other - Carol Throckmorton went to Tyler County SWA meeting. Support from neighboring SWA's in Wetzel and Pleasants Counties were also in attendance.

Ms. Throckmorton provided a summary of her visits indicating all of them were positive.

Paul Hayes and Brittany Cummings will be attending several Earth Day events during the month of April including the DEP event at the Clay Center, Marshall University and an Earth Day Block Party in Ohio County.

Carol Throckmorton and Brittney Cummings traveled to Columbus Ohio to Rumpke Waste & Recycling on Friday to take part in their Recycling Round-Up. The highlight of the program was a panel discussion on the Power of Plastics Recycling. A representative from PureCycle discussed a new facility in Ironton Ohio and their need for plastics. This facility could become a major end market for some Solid Waste Authority's plastic. Rumpke currently collects recyclables from the Cabell County SWA and the City of Huntington's residential curbside program.

Carol Throckmorton, also made a trip to Ritchie County SWA to visit their new recycling facility and to attend a board meeting.

Cathleen Salmons continues scanning of the approved county comprehensive and county siting plans. Previously, all of these plans used to be stored in the archive services warehouse.

The SWMB has purchased a new Nissan Frontier. We are also working on the purchase of a new copying machine.

6. Unfinished Business.

A. None.

7. New Business.

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

The Lincoln 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 Lincoln 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 Lincoln 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.

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

The Webster 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, Steve Pilato moved that the Board approve the Comprehensive Litter and Solid Waste Control Plan for the Webster County Solid Waste Authority in accordance with W.Va. §22C-4-8(d) and WV Code of State Rules 54-3-6. Mr. Pilato also moved that the Board approve the Commercial Solid Waste Facility Siting Plan update for the Webster County Solid Waste Authority in accordance with W.Va. §22C-4-24(d) and WV Code of State Rules 54-4-6. Seconded by Roger Bryant, the motion passed unanimously.

C. Wood County Comprehensive Litter and Solid Waste Control Plan and Commercial Solid Waste Facility Siting Plan Updates.

The Wood 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, Roger Bryant moved that the Board approve the Comprehensive Litter and Solid Waste Control Plan for the Wood County Solid Waste Authority in accordance with W.Va. §22C-4-8(d) and WV Code of State Rules 54-3-6. Vice Chair Bryant also moved that the Board approve the Commercial Solid Waste Facility Siting Plan update for the Wood 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.

D. 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, May 24, 2023 at 11:00 am**. The location of the meeting at this time will be in conference room 1203/1204 in the DEP Headquarters located at 601 57th Street SE, Charleston WV 25304.


11. **Adjournment.**

There being no further business to discuss, Chair Combs adjourned the meeting at 11:50 am.

Respectfully submitted,



Mallie Combs
Chair



Mark D. Holstine
Secretary/Treasurer