

**MINUTES OF MEETING  
MONTGOMERY REGIONAL SOLID WASTE AUTHORITY  
MARCH 16, 2023**

Chair Chris Kiwus called the meeting to order at 1:30 p.m. in the conference room of the Authority's Recycling Center Building and declared the existence of a quorum. Present were Authority Board members Dr. Chris Kiwus, Mr. Steve Fijalkowski, Mr. John Boyer, Mr. Barry Helms, and Ms. Sharon Scott. Also present were Mr. Alan Cummins, MRSWA Executive Director, Mr. David Rupe with NRRA, and Ms. Kim Stafford, MRSWA Administrative Coordinator.

Consent items were reviewed. One change was made to the agenda. Mr. Cummins added item G. Solar Resolution under Administration. The minutes from the February 16, 2023 MRSWA Board meeting and the February 16, 2023 Budget Committee meeting were reviewed and no changes were made. Mr. Cummins said expenses were 1.88% below projections and no transfer was made. He noted two expenses in the solid waste department. One was WSP USA, Inc. Golder Associates were acquired by WSP USA, hence the new name. The other expense noted was for NRV Lawn & Landscaping. Mr. Cummins said these were old expenses from fall 2022 mowing events not billed yet. The February financial statement was presented for informational purposes. Mr. Helms moved the consent items be approved. Mr. Fijalkowski seconded the motion, which passed unanimously.

Solid Waste and Recycling Tonnage Reports for February were reviewed. Mr. Cummins said solid waste tonnages for the month totaled 6,442 tons bringing the fiscal year total to 51,654. This is 1,411 tons more than this time last year. Mr. Cummins said Meridian brought in 466 tons in construction waste and 618 tons in municipal solid waste in February. This is 100 tons less than January. Recycling tonnages for February were 508 tons bringing the fiscal year total to 4,519. This is a decrease of 248 tons from last year. Mr. Cummins said single stream tonnages are down by 332 tons but cardboard is ahead by 80 tons. The rejection rate for February was 0%, bringing the fiscal year rejection rate to .45%. The single stream recycling pricing increased to \$63.74. This time last year, the price was \$133.00 per ton. Mr. Cummins said the price is going in the right direction, but very slowly.

February revenues were discussed. Mr. Cummins stated revenues were .26% above projections. A \$64,723.91 transfer was made from the Landfill Trust account into the operating account for calendar year 2022 closed landfill expenses. The profit loss report showed recycling expenses exceeded revenues by \$5,788. Mr. Cummins said this puts the year-to-date recycling position at \$96,503.

Next was the Preliminary FY 23/24 Budget Discussion. Mr. Cummins sent Scenario 6 to the Board prior to the meeting which reflected increases being distributed on a percentage basis. He also presented Scenario 7, which brought the capital improvement reserve balance up to a more secure level. Scenario 7 is what the draft budget was based on. These scenarios are attached. Mr. Cummins gave an overview of the draft budget. This budget assumes that flow control ordinances will be enforced. He covered the rate differences on all categories of waste and recycling. Mr. Cummins stated that all rates increased except for the charge for untarped/unsecured loads. A breakdown of the rates is included in the packet in the form of a resolution to be addressed next. Mr. Cummins said he did another scenario just for his reference to see the impact Meridian has had on MRSWA's rates. If Meridian had not moved into the area, MRSWA fees would be significantly lower than what is currently being proposed.

The resolution was discussed next. As part of the budget process, the Board reviewed a resolution setting forth a preliminary rate schedule and discussed setting a public hearing on the rates. Mr. Fijalkowski moved the Board adopt the resolution setting the preliminary rates and setting the public

hearing for April 20, 2023. Ms. Scott seconded the motion, which passed unanimously. The public hearing and the preliminary rate schedule will be advertised in the newspaper.

Next, the CY 2021 Recycling Rate Report was presented. Mr. Cummins stated DEQ finally sent a letter confirming the regional recycling rate for 2021 to be 31%. This exceeds the 25% mandated recycling rate.

A Lawn Mowing Contract was discussed next. Mr. Cummins said they sent out pricing requests to four local companies. NRV Lawn & Landscaping had the best pricing even though there was an increase over current pricing. The charge per mowing increased by \$15.00 and brush hogging events increased by \$400.00. Mr. Cummins stated the company contacts MRSWA's Solid Waste Supervisor prior to mowing to see if mowing is needed. Mr. Cummins recommended approval of this one year plus two optional years contract. Mr. Helms moved approval of the contract. Mr. Boyer seconded the motion, which passed unanimously.

A Flow Control Update was provided. Mr. Cummins presented a History of Flow Control timeline to the Board so everyone had the same information for reference. He updated the timeline to include SB 1365.

Next, the added item of a Solar Resolution was reviewed. Mr. Cummins said the top two firms were Sun Tribe Solar and Summit Ridge. Presentations were held in February with Sun Tribe Solar being the preferred vendor following the presentations. The resolution being considered was developed by Mr. Paul Jacobson, Authority Counsel. The resolution would allow MRSWA to proceed with the PPEA process and begin competitive negotiations and that the Board accepts Sun Tribe Solar's proposal so further review can begin. Mr. Fijalkowski moved to approve the Solar Facility Resolution. Mr. Helms seconded the motion, which passed unanimously.

The NRRA report was presented next. Mr. Rupe said NRRA will hold a public hearing in April on NRRA's proposed FY23/24 rates. He added their carbon credits have been verified and approved by CCX. NRRA has approximately 85,000 credits worth \$9.50 a credit.

There were no public comments.

The next item on the agenda was a Closed Meeting. On motion of Mr. Fijalkowski, seconded by Mr. Boyer, the Board unanimously approved going into Closed Meeting to discuss Personnel Matters (Executive Director's Evaluation)– (pursuant to Virginia Code §2.2-3711 A.1) – discussion of assignment, appointment, promotion, performance, demotion, discipline, salary, or resignation of specific public officers, appointees, or employees of any public office.

The Board then went into Closed Meeting. Dr. Kiwus, Mr. Fijalkowski, Mr. Helms, Ms. Scott, and Mr. Boyer were present for the closed meeting. At the end of the Closed Meeting, Mr. Helms moved that the Board return to Open Meeting and Ms. Scott seconded the motion. A roll call vote was taken to approve reconvening in Open Meeting. Dr. Kiwus, Aye; Mr. Fijalkowski, Aye; Mr. Helms, Aye; Mr. Boyer, Aye, and Ms. Scott, Aye. All Board members present (Dr. Kiwus, Mr. Fijalkowski, Mr. Helms, Ms. Scott, and Mr. Boyer) each individually approved the following certification resolution:

WHEREAS, the Board of the Montgomery Regional Solid Waste Authority convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Board of the Montgomery Regional Solid Waste Authority that such closed meeting was conducted in conformity with Virginia law;

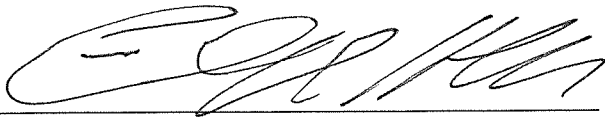
NOW, THEREFORE, BE IT RESOLVED, that the Board of the Montgomery Regional Solid Waste Authority hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Before the roll call vote was taken on this certification resolution Dr. Kiwus asked if there was any member of the Board who believed there was a departure from the requirements of number (1) or number (2) above, and no member made any such statement. A roll call vote was taken as follows to certify the resolution. Dr. Kiwus, Aye; Mr. Fijalkowski, Aye; Mr. Helms, Aye; Mr. Boyer, Aye; and Ms. Scott, "Aye." The certification resolution passed.

Once back in open session, Mr. Helms moved approval of the figures discussed in closed meeting for Mr. Cummins' evaluation. Mr. Fijalkowski seconded the motion, which passed unanimously. Dr. Kiwus said Mr. Cummins would receive a letter soon with the details included.

Board members unanimously agreed that the next regular monthly meeting of the Authority Board would occur on April 20, 2023, at 1:30 pm at the Authority's Recycling Center Building conference room. There being no further business, the meeting was adjourned.

Accepted:



MRSWA Chair

5/18/23

Date



MRSWA Secretary

