

NEW RIVER SOLID WASTE ASSOCIATION
REGULAR BOARD MEETING MINUTES
June 13, 2013

The New River Solid Waste Association Board of Directors met in regular session on June 13, 2013 with the following members present:

Commissioner Mark Hartley, Chairman
Commissioner Wayne Smith, Secretary/Treasurer
Commissioner Gordon Crews
Commissioner Morris Dobbs
Commissioner Doyle Thomas

Others present were: Darrell O'Neal, Executive Director
Perry Kent, Assistant Director
Melissa Waters, Chief Finance Officer
Lydia Greene, Office Manager/Admin. Assistant
Terry Brown, Attorney

Chairman Hartley called the meeting to order which was followed in prayer led by Commissioner Crews and the Pledge of Allegiance.

Chairman Hartley called for a motion on agenda item #2, approval of the April and May 2013 Expenditures. Commissioner Smith made a motion to approve the April and May 2013 Expenditures. Commissioner Thomas seconded the motion. The motion carried unanimously.

Chairman Hartley called for a motion on agenda item #3, Approval of Regular Board Meeting Minutes of April 11, 2013. Commissioner Thomas made a motion to approve the minutes. Commissioner Smith seconded the motion. The motion carried unanimously.

Chairman Hartley asked if there were any questions or comments from the public. There were none.

Chairman Hartley called for discussion of agenda item #5, Engineering Updates. Mr. O'Neal asked Mr. Woolsey, Jones Edmunds, to update the board. Mr. Woolsey said that agenda item A, is an update for Slope Modification/Closure projects. Mr. Woolsey stated that the Slope Modification Project/Closure Project is considered complete by DEP and is

currently in the draft review by NRSWA and public notification period. This will be finished within the next couple of weeks, after that DEP gets another 30 days to finalize the permit. Mr. O'Neal stated that this will probably be a bigger permit process than cell construction as it includes other factors like removing waste from Class III and placing it on our slopes, increasing the slope ratio, and closure. Since DEP has agreed to do all these projects together we will save money on permitting and engineering.

Mr. Woolsey stated that Item B is for Flare Construction update. Mr. Woolsey said the flare system is considered complete and NRRL is in compliance. There has been some glitches on the contractor's side concerning programming that has to be done for the flare to be able to restart itself if it goes down. The contractor has been notified and has been provided another list of items that needs to be corrected and finalized.

Mr. Woolsey said that Item C is for contract on LGTE Project update. Mr. Woolsey said that we have submitted a draft contract to LES. Mr. O'Neal said that there are some known issues that still have to be worked out. Our LGTE attorney has working on the contract that we sent to LES. A meeting with LES at NRRL has been scheduled for June 26 to discuss the remaining contract issues. LES has reiterated that this project is a real one and that they have purchase agreements in place and have constructed a similar LGTE plant at Trailridge Landfill. Mr. O'Neal said that a field trip to Trailridge has taken place and that the plant was very well constructed and maintained. Mr. O'Neal said that at some time in the future, he would like to invite the plant manager come in and do a presentation to the board at some time in the future. Mr. Woolsey added that the contract that is being drafted protects New River now and in the future.

Mr. Woolsey said that there is a Work Order to present that was not ready when the agenda was published. Work Order #51 is needed in order to meet the timeline for engineering on the Phase II borrow operation. This work order will take New River all the way to completion of the new borrow area. Work Order #51 is for a total of \$124,000 and includes environmental resource permitting that may or may not be required as we may be able to use the permitting documents already in place. This work order also includes design of new bridge, final phase of permitting for borrows, design of access roads, bidding services for bridge structures, and providing construction observation. Mr. Woolsey added that they feel that this can be done under the budgeted items originally submitted.

Commissioner Smith asked if an emergency needed to be declared to be able to approve the work order. After discussion it was decided to

declare a vote on the Work Order as an emergency item as it was not included on the agenda.

Chairman Hartley called for a motion to make Engineering Work Order #51 an emergency board meeting item for a vote. Commissioner Smith made a motion to declare Engineering Work Order #51 an emergency board agenda item. Commissioner Thomas seconded the motion. The motion carried unanimously.

Chairman Hartley asked for a motion on approval of Engineering Work Order #51 for an amount not to exceed \$124,000.00. Commissioner Smith made a motion to approve Engineering Work Order #51 as presented. Commissioner Thomas seconded the motion. The motion carried unanimously.

Chairman Hartley asked for discussion of agenda item 6, Discuss 2013 - 2014 Proposed Budget.

Commissioner Smith said he would like to make the motion to approve the 2013 – 2014 Budget as presented. Chairman Hartley called for a second. Commissioner Thomas seconded the motion. The motion carried unanimously.

Commissioner Smith said he would also like to make a motion to approve the Employment Contract for Mr. O’Neal discussed during the Finance Committee meeting today. Chairman Hartley asked for a second. Commissioner Thomas seconded the motion. The motion carried unanimously.

Chairman Hartley called for discussion of agenda item 7, Discuss NRSWA Investment Policy Update. Mr. O’Neal said that this had been discussed in the April board meeting we need to have an investment policy in place before we hire a money manager. Mr. O’Neal stated he had mentioned the Bogdahn Group and has had a meeting with them to learn more about the firm. This group serves as advisors and they help to develop investment policies. They are also willing to help develop an RFQ for money managers and screen the applicants for a recommendation and then do ongoing monitoring or reporting. The group’s specialty is recapping performance of the investments and act as an intermediary to the board and to make sure the investment policy is being followed. Their fee for these services is \$20,000 with an annual fee of at least that amount also. Mr. O’Neal said that he asked for the group to just develop an investment policy, which is not their preference. Mr. O’Neal said that developing an investment policy would be the first step. Commissioner Thomas said he

would like for Mr. O'Neal to draft an investment policy and not hire a consultant group. The board was in agreement. Mr. O'Neal said he would have a draft by next board meeting and would ask Mr. Brown for his review for statutory compliance. Commissioner Thomas asked how many times a year would a performance review be needed. Mr. O'Neal said that at a minimum every 6 months, or more frequently if the board desires.

Chairman Hartley asked for discussion of agenda item 8, Alachua County Issues/Items. Ms. Palmi said she had brought the Alachua County Chairman, Mike Byerly, to New River a couple of weeks ago for a tour of the landfill along with Chairman Hartley, Mr. Kent and Mr. O'Neal. Chairman Byerly was very impressed with the operation here at New River and he sends his thanks. Chairman Byerly is also encouraging the other county commissioners to tour the landfill. Ms. Palmi said that she feels this would be a good idea as the more they know about and understand what is done here, the more support we would get. Ms. Palmi added that she thinks everything seems to be going well right now. Mr. O'Neal added that he had discussed their meeting planned for Monday earlier with hopes of getting a schedule in place for future contract negotiations. Mr. O'Neal said that he also enjoyed meeting Chairman Byerly who he felt had a good experience during his tour at New River.

Chairman Hartley called for any discussion under agenda item #9, Attorney Issues/Items. Mr. Brown said he did not have anything to report at this time.

Chairman Hartley asked for discussion under agenda item #10, Executive Director Issues. Mr. O'Neal stated he did not have anything further for discussion.

Chairman Hartley called for any discussion under agenda item #11, Chairman/Board Issues. Commissioner Smith said he had some discussion items. Commissioner Smith said he would like to clarify his discussion from our last board meeting about ad valorem taxes in connection with the LGTE project. Commissioner Smith said that he had inquired about looking into something other than ad valorem taxes in order to make more money for the counties. After the board meeting, the Union County school superintendent and a school board member has chastised him because it was reported that he did not want to give the school board any of that additional revenue. Commissioner Smith said he wanted to clear up this matter as he

never intended not to give anything to the schools and that his intention was to make the most money he could off of the gas to energy project. What the counties do with the money is up to each county. Mr. O'Neal said that he would like to remind the board that if taxes on the LGTE project do go up, the money they pay us will go down.

Commissioner Smith said he wanted to ask if FSP waste was still billed through Union County as it seems that the county's surcharges have gone down. It was explained that the prison waste was contracted to Bradford Garbage and that the surcharges are based on origin of the waste which has not changed. Mr. Kent said that one of the prison sites has been closed which could have affected the tonnage and therefore the surcharge that is collected. Commissioner Smith said that he just wanted to confirm the tonnage is still considered Union County's.

Chairman Hartley asked for any further discussion. There was none. Chairman Hartley called for a motion to adjourn. Commissioner Smith made a motion to adjourn which was seconded by Commissioner Thomas. The meeting was adjourned.