

**RSWA BOARD OF DIRECTORS**  
**Minutes of Regular Meeting**  
**July 24, 2006**

A regular meeting of the Rivanna Solid Waste Authority (RSWA) Board of Directors was held on Monday, July 24, 2006 at 2:49 p.m. in the Conference Room, Administration Building, 695 Moores Creek Lane, Charlottesville, Virginia.

**Board Members Present:** Mr. Michael Gaffney - Presiding, Mr. Mark Graham, Ms. Judith Mueller, Mr. Gary O'Connell, and Mr. Robert Tucker.

**Authority Staff Present:** Ms. Anne Bedarf, Mr. Bruce Edmonds, Mr. Tom Frederick, Ms. Mary Knowles, Ms. Jennifer Whitaker, and Dr. Robert Wichser.

**Also Present:** Mr. Kurt Krueger - RSWA Attorney, members of the public, and media representatives.

**1.0 Call to Order**

The regular meeting of the RSWA Board of Directors was called to order by Mr. Michael Gaffney on Monday, July 24, 2006 at 2:49 p.m., and he noted that a quorum was present.

Mr. Gaffney welcomed his fellow Board members, RSWA staff, and members of the public in attendance at today's meeting.

**2.0 Minutes of the Previous Meeting**

Upon a motion by Mr. Tucker, and seconded by Mr. Graham, the Board of Directors by a 4 - 0 vote approved the minutes of the regular Board meeting held on Monday, June 19, 2006. Mr. O'Connell arrived after the vote was taken.

**3.0 Executive Director's Report**

Mr. Frederick briefly reported that at the June meeting, the Board of Directors authorized RSWA to move forward with a leachate treatment and pumping system. The Authority's focus over the past month has been to obtain engineering services to initiate that process. The engineering contract for the leachate treatment system will be discussed in further detail during the "Other Business" portion of the meeting.

**4.0 Items From The Public**

Mr. Ed Strange, a resident of Ivy, Virginia, requested an update on the Service Contribution Fee problem with the City of Charlottesville, specifically if there has been any progress and the outlook for resolution of this issue.

Mr. Gaffney responded that the outlook was the same as it has always been. The Authority was very hopeful that an agreement could be reached. He did not believe that it was a problem with the City and not the County, but involved a lack of an agreement.

Mr. Strange further stated that he understood from the Solid Waste Organizational Agreement that it was the “whim of the Board as to where it went and what fee was repaid on it.” He felt it was legally clear to him, but he had not been “privy” to their internal discussions. He certainly wanted to see this issue resolved for the sake of the Authority.

Mr. John Martin, a resident of Free Union, Virginia, next stated that he wanted to comment “along a similar vein.” Another meeting and another month has gone by without an agreement. He felt this agreement was long overdue. He also pointed out that the leachate problem, which was on today’s agenda, was handled very well by the Solid Waste Authority. The Solid Waste Authority has to be financially strong, as he felt certain that another unknown problem would surface and require an expenditure of money. Proceeding with an unbalanced budget was just not acceptable to the public, and he requested that this be resolved as early as possible.

Mr. Gaffney thanked Mr. Strange and Mr. Martin for their comments at today’s meeting.

#### **5.0 Consent Agenda**

Mr. Gaffney asked if there were any items that the Board members would like to pull for discussion from the Consent Agenda.

- 5a) Staff Report on Finance
- 5b) Staff Report on Ivy Landfill/Transfer Station
- 5c) Staff Report on Recycling Operations
- 5d) Staff Report on Environmental Status
- 5e) Purchase Order Carry-Over
- 5f) Citizens Advisory Committee
  - Approved Minutes of May 9, 2006 Meeting

In regards to **Item 5a), Staff Report on Finance**, Mr. O’Connell asked if he was reading the report correctly that RSWA ended up with a budget surplus in the amount of \$654,991.00. Mr. Frederick stated that those were the unofficial numbers, subject to independent audit, but the Authority had reason to believe that they were close to being correct. Mr. O’Connell also inquired if the operating cash balance in the amount of \$3,892,182.00 was correct. Mr. Frederick replied in the affirmative. Mr. O’Connell then pointed out that those numbers indicated that RSWA was not running a deficit or in a dire financial situation, but he felt that an agreement between the City and the County was needed.

Mr. Tucker moved, which was seconded by Mr. O’Connell, that the Board of Directors vote to approve Items 5a), b), c), d), e), and f) of the Consent Agenda. The motion was approved by a 5 – 0 vote.

#### **6.0 Other Business**

In regards to **Item 6a), Engineering Contract – Leachate Treatment**, Mr. Frederick distributed copies of a spreadsheet that summarized the Authority’s recommendation for a proposed fee and schedule for these engineering services. Those figures were not included in the Board report as negotiations with the contractor were still ongoing at that time the Board packets were distributed. The numbers in the spreadsheet reflected a refinement of the initially proposed budget for this project.

Mr. Frederick next stated that the Authority solicited engineering proposals under the competitive negotiation process in June and early July 2006, following the Board of Supervisors' decision to concur with the concept of leachate treatment and pumping to the Crozet Wastewater Interceptor. RSWA was disappointed with receiving only two proposals, and the feedback received from the firms on the solicitation list concerning the limited response rate were summarized in the Board Report. After review, only Malcolm Pirnie's proposal was determined to be fully responsive to the conditions listed by RSWA for this project and was given priority based on Virginia procurement regulations. Malcolm Pirnie, Inc. (MPI) was currently performing solid waste services for RSWA at the Ivy site.

Mr. Frederick further reported that a lengthy interview was held with MPI on July 14, 2006, and fee negotiations continued via conference calls and e-mail discussions. He had considered some of the initial proposed figures to be unacceptable because they would have required the Authority to amend the recently adopted budget. He was happy to report that agreement had been reached on a fee that was within budget and was reflected in the spreadsheet previously discussed. Representatives from MPI were in attendance today to address any questions the Board might have concerning the engineering services fee and schedule. Mr. Frederick added that the project had been significantly streamlined in some areas from the initial request in order to make the process more efficient and cost effective without inhibiting the quality of the project.

Mr. Frederick next commented that one of the earliest steps listed in the project schedule would be to obtain a Department of Environmental Quality (DEQ) Waste Division Major Permit Amendment to the Ivy site. MPI's fee for obtaining that permit would be \$70,000.00. One of the streamlined areas involved the effective coordination between MPI and Environmental Standards Inc. (ESI) so that the permit amendment included both the new leachate collection systems as well as the treatment systems. The design of aerated lagoon pretreatment and pumping system at Ivy, which involved the pretreatment and pumping of the leachate off-site, did not include the pipeline between the Ivy site and Crozet Wastewater Interceptor. A DEQ Water Quality Division permit will be required for the wastewater component of the system. A dedicated sewer main route selection was to be completed before November 2006 and would require coordination with County staff and a presentation for approval before the County Planning Board. The scope of services also included \$5,000 for a Waste Gas to Energy Feasibility Update to determine if it would be cost effective to pursue waste energy options in powering the aerated lagoon facility. If that option proved to be feasible, the technical information obtained from that study would be helpful during the separate phase of soliciting proposals from firms that provided waste to energy services and worked in the business of providing federal credits.

Mr. Frederick also reported that as discussed previously, the final design of the pipeline was not included in this schedule. Any services that would be solely for the benefit of the Virginia Department of Transportation (VDOT) were also not listed. He has learned from discussions with VDOT that federal highway money was available to fund their portion of the project, which creates some federal regulatory compliance issues throughout the design process. In order to move forward with this project in a timely manner and demonstrate to DEQ a good faith effort, engineering services related to a joint project with VDOT were not included in the scope of negotiations with MPI. Mr. Frederick planned to expend a considerable amount of effort in the

next 60 days in discussion with VDOT to “tie-down” the specifics for conducting a joint effort that would be critical to the continuing progress of the total project.

Ms. Mueller asked if VDOT’s portion of the project would involve connecting the sewer pipeline to the rest area on Interstate 64. Mr. Frederick stated that the Authority did a preliminary sketch with VDOT that would entail a pipeline going predominately north from the Ivy facility toward the Crozet Interceptor. VDOT would construct a pump station on their site and build a pipeline going west in order to connect to the north-south pipeline. Ms. Mueller noted that VDOT had a legal ad in Sunday’s paper for design services, but she did not know if it pertained to this project. Mr. Frederick thanked Ms. Mueller for pointing that out since he was not aware of that ad.

Ms. Mueller then asked for clarifying purposes if the design services would include everything in the project except the sewer main. Mr. Frederick replied that this project scope included design services for the Ivy site. He added that typically a different contractor would provide pipeline services for the sewer main from the one that would provide services for the Ivy site. The route selection and the hydraulic calculations would be included in this contract but not the design of the pipeline route. Mr. Tucker inquired when the design of the pipeline route would occur, and Mr. Frederick stated that the schedule would need to be coordinated with VDOT.

As there were no further questions or discussion, Ms. Mueller moved, which was seconded by Mr. Graham, that the Board of Directors vote to authorize the Executive Director to execute an engineering contract for leachate treatment at the Ivy site in the amount of \$262,000 to Malcolm Pirnie, Inc., as outlined in the Engineering Services Fee and Schedule spreadsheet. The motion was approved by 5 – 0 vote.

Mr. Tucker moved, which was seconded by Ms. Mueller, that the Board of Directors vote to cancel the August 28, 2006 Board of Directors Meeting. The motion was approved by a 5 – 0 vote.

#### **7.0 Other Items From Board/Staff Not On Agenda**

Mr. Gaffney stated that he had been informed by Mr. Frederick that this was the last Board meeting that would be attended by Ms. Jessica Kitchen, who would be leaving her position as a reporter with *The Daily Progress* due to her upcoming marriage and relocation to another state. On behalf of RSWA and the Board of Directors, he expressed appreciation of her newspaper coverage of the Authority. Ms. Mueller added that she felt Ms. Kitchen did an excellent job of trying to understand some very complicated facts and getting the information out to the public.

Ms. Kitchen thanked the Board for their comments.

**8.0 Adjournment**

There being no further business, Mr. Graham moved the meeting be adjourned, seconded by Ms Mueller. All members voted aye, and the meeting was adjourned at 3:05 p.m.

Respectfully submitted,

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Mr. Gary O'Connell  
Secretary - Treasurer