

DRAFT
RSWA BOARD OF DIRECTORS
Minutes of Regular Meeting
September 24, 2001

A regular meeting of the Rivanna Solid Waste Authority (RSWA) Board of Directors was held on Monday, September 24, 2001, at 2:35 p.m., in the Conference Room, Administration Building, 200 Franklin Street, Charlottesville, Virginia.

Board members present: Mr. Richard Collins, presiding, Mr. Mark Graham, Mrs. Judith Mueller, and Mr. Robert Tucker.

Board member absent: Mr. Gary O'Connell.

Authority staff present: Mr. Gene Potter, Mr. Wayne Stephens, Mr. Lonnie Wood, Mr. Bruce Edmonds, Mr. Steven Miller, and Ms. Carol Wiles.

Also present: Mr. Kurt Krueger, RSWA Attorney, and members of the public.

1.0 Call To Order

The regular meeting of the RSWA Board of Directors was called to order by Mr. Richard Collins, Chairman, on Monday, September 24, 2001, at 2:35 p.m., and a quorum was present.

2.0 Closed Meeting Rivanna Water And Sewer Authority And The Rivanna Solid Waste Authority

Mr. Collins suggested that the Rivanna Water and Sewer Authority and the Rivanna Solid Waste Authority meet in a closed meeting.

3.0 Closed Meeting

Mr. Tucker moved and Mr. Brent seconded, a motion that the Boards of Directors of the Rivanna Water and Sewer Authority and the Rivanna Solid Waste Authority enter into a closed meeting for matters permitted by § 2.1-344 (A) (1) of the Code of Virginia, for personnel matters relating to appointing a new executive director. All members voted aye.

4.0 Resumption Of Open Meeting

Upon a motion by Mr. Brent and seconded by Mr. Tucker, the Boards of Directors of the Rivanna Water and Sewer Authority and the Rivanna Solid Waste Authority voted to end the closed meeting and reconvene the open meetings at 3:14 p.m.

Mrs. Mueller made the following motion, which was seconded by Mr. Tucker:

R E S O L U T I O N

WHEREAS, the Rivanna Water and Sewer Authority and the Rivanna Solid Waste Authority have 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 2.1-344.1 of the Code of Virginia requires a certification by the Rivanna Water and Sewer Authority and the Rivanna Solid Waste Authority that such closed meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED that the Rivanna Water and Sewer Authority and Rivanna Solid Waste Authority hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Rivanna Water and Sewer Authority and Rivanna Solid Waste Authority.

There being no further discussion, Mr. Collins called for a roll call vote:
Mrs. Mueller-Aye, Mr. Collins-Aye, Mr. Tucker-Aye, Mr. Brent-Aye
and Mr. Graham-Aye.

Attendees: Mr. Collins, Mr. Graham, Mr. Tucker, Mr. Brent, Mrs. Mueller,
Mr. Krueger, and Mr. Potter.

Board member absent: Mr. O'Connell.

5.0 The Rivanna Water And Sewer Authority Meeting Adjournment

Mr. Brent made a motion for adjournment, which was seconded by Mr. Tucker to recess the Rivanna Water and Sewer Authority meeting until 12:00 p.m. September 25, 2001 and to continue with the Rivanna Solid Waste Authority meeting. The Board voted that the Rivanna Water and Sewer Authority meeting be recessed at 3:16 p.m. and to continue with the Rivanna Solid Waste Authority meeting.

6.0 Minutes Of Previous Meeting

Upon motion by Mr. Tucker and seconded by Mr. Graham, the Board of Directors approved the minutes of the regular meeting held on Monday, August 27, 2001 with the amendment to 3.0 Items From The Public, second paragraph, third sentence, after "Mr. Hendrix said that they have submitted to the County the amendments to the

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landfill site plan” to add **with respect to the transfer station** after landfill site plan for clarification that this is not relating to Cell 2.

Upon motion by Mr. Tucker and seconded by Mr. Graham, the Board of Directors approved the minutes of the special joint meeting held on Thursday, September 6, 2001.

Upon motion by Mr. Tucker and seconded by Mr. Graham, the Board of Directors approved the minutes of the special joint meeting held on Friday, September 7, 2001.

7.0 Items From The Public

Mr. Ed Strange, Ivy, Virginia, stated that in the minutes maybe he did not make himself clear, but in item 3.0 Items From The Public, for the August 27, 2001 meeting, in the first paragraph, second sentence, he said “investment income” but he meant “interest rate”. Mr. Strange asked for an update on the progress on the construction of the trailer ramp. He said that he had heard that the County had approved this plan. Mr. Potter stated that Mr. Hendrix will address this at a later time. Mr. Strange asked for an update on the containment of the ash at the landfill. Mr. Potter stated that the ash will be disposed of in a manner accepted by the Virginia Department of Environmental Quality.

8.0 Consent Agenda

Mr. Collins asked if there were any items that the Board members would like to discuss regarding the Consent Agenda items.

- a) Staff Report on Finance
- b) Material Utilization Center Manager’s Report
- c) McIntire Road Recycling Center/Paper Sort Recycling Operations Manager’s Report

Upon motion by Mr. Tucker and seconded by Mr. Graham, the Board of Directors approved items a), b), and c) on the Consent Agenda.

9.0 Other Business

In regards to item 5a), Citizens Advisory Committee Minutes for September 11, 2001, Mrs. Deupree said that the committee discussed the role of the CAC and their purpose. The CAC stated that they would like to receive information in advance, which would allow the CAC to take a more proactive role as a committee. The Board said that there will be issues in the future for the CAC to review and when a new executive director is hired that this will help the process.

10.0 Other Items From Board/Staff Not On Agenda

There were no items from the Board or Staff.

11.0 Items From The Public

Mr. Ed Strange, Ivy, Virginia, commented on the financial report that there was no tonnage report for the second time in a row for the White Goods on page 2. Mr. Wood explained how the tonnage is reported. Mr. Strange also mentioned that the CAC were to receive copies of the Board packet. Mr. Tucker stated that this was referenced in the last meeting and staff were instructed to distribute the packet and due to meeting time that this might have not been implemented.

Mrs. Thomas stated that there are a few who attend all the meetings and they would like to get a copy of more than just the agenda. She said that they have suggested putting the agenda material on the web page or to email them, if there is a cost issue. She stated that this is not the most popular meeting in the County or City and there are not a lot of people to send a packet to who attend these meetings. There was a discussion on the procedures for sending out the agenda and how the reports are generated. Mr. Wood stated that the last final decision was that the agendas were sent out and there would be a copy of the packet in the administration office for review and available for copying at a fee. There was discussion regarding putting the packet on the web site. The Board agreed that the packet be put on the web site.

12.0 Closed Meeting

Mr. Tucker moved and Mrs. Mueller seconded a motion that the Board of Directors of the RSWA enter into a closed meeting for matters permitted by § 2.1-344 (A) (7) of the Code of Virginia, for consultation with legal counsel and briefings by staff members, consultants or attorneys, pertaining to the Ivy Landfill litigation, or other specific legal matters requiring the provision of legal advice by counsel. All members voted aye.

Attendees: Mr. Collins, presiding, Mrs. Mueller, Mr. Graham, Mr. Tucker, Mr. Krueger, and Mr. Potter.

Board member absent: Mr. Gary O'Connell.

13.0 Resumption of Open Meeting

Upon motion by Mr. Tucker and seconded by Mrs. Mueller, the Board of Directors voted to end the closed meeting and reconvene the open meeting at 3:37 p.m.

Mr. Tucker made the following motion, which was seconded by Mrs. Mueller:

WHEREAS, the Rivanna Solid Waste Authority Board has 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 2.1-344.1 of the Code of Virginia requires a certification by the Rivanna Solid Waste Authority Board that such closed meeting was conducted in conformity with Virginia law;

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NOW, THEREFORE, BE IT RESOLVED that the Rivanna Solid Waste Authority Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Rivanna Solid Waste Authority.

There being no further discussion, Mr. Collins called for a roll call vote:
Mrs. Mueller-Aye, Mr. Collins-Aye, Mr. Tucker-Aye, and Mr. Graham-Aye.

14.0 Comments From the Board of Directors

There were no comments from the Board of Directors.

15.0 Adjournment

Mr. Tucker made a motion which was seconded by Mr. Graham, to recess this meeting until 12:00 p.m., September 25, 2001. All voted aye. The meeting was recessed at 3:45 p.m.

Respectively Submitted,

Mr. Gary O'Connell
Secretary – Treasurer