

RSWA BOARD OF DIRECTORS
Minutes of Regular Meeting
November 25, 2002

A regular meeting of the Rivanna Solid Waste Authority (RSWA) Board of Directors was held on Monday, November 25, 2002 at 4:02 p.m., in the Conference Room, Administration Building, 200 Franklin Street, Charlottesville, Virginia.

Board members present: Dr. Richard Collins – Presiding, Mr. Mark Graham, Mrs. Judith Mueller, Mr. Gary O’Connell and Mr. Robert Tucker

Authority staff present: Mr. Lawrence Tropea, Mr. Lonnie Wood, Mr. Wayne Stephens, Mr. Bruce Edmonds, and Mrs. Mary Knowles

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 Dr. Richard Collins on Monday, November 25, 2002 at 4:02 p.m., and a quorum was present.

2.0 Minutes Of Previous Meeting

Upon a motion by Mr. Tucker, and seconded by Mr. O’Connell, the Board of Directors voted to approve the minutes of the regular Board meeting held on Monday, October 28, 2002. The minutes were approved by a 5-0 vote.

3.0 Executive Director’s Report

Mr. Tropea reported on the following items:

STATUS OF ASSESSMENT OF CORRECTIVE MEASURES (“ACM”) REPORT:

Mr. Tropea stated that RSWA has talked with DEQ, and they will be providing comments to RSWA within the next two weeks on the ACM Report. He further stated that RSWA will then have an opportunity to address those comments and respond to DEQ.

CELL 2 (UNLINED) CLOSURE UPDATE: Mr. Tropea reported that the recent heavy rainfall caused some erosion of the side-slopes constituting part of the Cell 2 (unlined) closure. He stated that RSWA staff are currently repairing areas of soil erosion, and RSWA will also need to reseed where necessary to reestablish the vegetative cover.

COOPERATIVE AMBIENT AIR SAMPLING: Mr. Tropea stated that RSWA consultants had attempted to schedule ambient air resampling at the Ivy site to better

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3.0 Executive Director's Report Cont.
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define ambient air conditions. He further stated that due to recent weather conditions, an agreement has been reached to wait until the spring to conduct the ambient air resampling.

4.0 Items From The Public

Mr. Ed Strange, Ivy, distributed copies of an editorial from *The Daily Progress* concerning the former Ivy landfill, dated October 6, 2000, which Mr. Strange stated he had found on THE VIRGINIA COALITION FOR OPEN GOVERNMENT website. He suggested that the Board consider revising the Settlement Agreement to address the "freedom of speech" issue addressed in the editorial. He added that this is an opportunity for RSWA to generate positive publicity.

5.0 Consent Agenda

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

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

On a motion by Mr. O'Connell, and seconded by Mr. Graham, the Board of Directors voted to approve Items 5a), b), c) and d) of the Consent Agenda. The Consent Agenda was approved by a 5-0 vote.

6.0 Other Business

In regards to Item 6a), Proposed Schedule for the 2003 RSWA Board of Directors meetings, Mr. O'Connell made a motion, which was seconded by Mr. Tucker, that the Board of Directors vote to approve the Proposed Schedule for the 2003 RSWA Board of Directors meetings. By a 5-0 vote, the motion was approved.

7.0 Other Items From Board/Staff Not On Agenda

There were no other items from the Board or staff not on the Agenda.

8.0 Joint Closed Meeting

Upon a motion by Mr. Tucker, and seconded by Mr. Graham, the Board of Directors voted to enter into a joint closed meeting with the Rivanna Water & Sewer Authority Board of Directors for matters pertaining to personnel issues as authorized by Section 2.1-344 (A) (1) of the Code of Virginia. By a vote of 5-0, the motion was approved.

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Attendees: Mr. Brent of the Rivanna Water & Sewer Authority Board of Directors, Dr. Collins, Mr. Graham, Mrs. Mueller, Mr. O'Connell, Mr. Tucker, Mr. Krueger and Mr. Tropea (portion of the session).

9.0 Resumption of Open Meeting

Upon a motion by Mr. Tucker, and seconded by Mr. O'Connell, the Board of Directors voted to approve termination of the joint closed meeting and reconvened the open meeting at 6:00 p.m. By a 5-0 vote, the motion was approved.

Mr. Tucker made the following motion, which was seconded by Mr. O'Connell:

“WHEREAS, the Rivanna Solid Waste Authority has convened a special joint closed meeting with the Rivanna Water & Sewer Authority 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 of Directors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Rivanna Solid Waste Authority Board of Directors certify 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 joint closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the joint closed meeting were heard, discussed or considered by the Rivanna Solid Waste Authority Board of Directors.”

There being no further discussion, Dr. Collins, Chairman, called for a roll call vote: Mrs. Mueller – Aye, Mr. O'Connell – Aye, Mr. Tucker – Aye, Mr. Graham – Aye and Dr. Collins – Aye.

Upon a motion by Mrs. Mueller, seconded by Mr. Tucker, the Board of Directors voted to approve an increase in Mr. Tropea's annual compensation package of \$5,000 in his capacity as Executive Director of both the Rivanna Solid Waste Authority and the Rivanna Water & Sewer Authority, which is retroactive to October 1, 2002, and a one-time \$2,500 bonus to recognize Mr. Tropea's exemplary performance principally during the recent water drought. By a vote of 5-0, the motion was approved.

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10.0 Adjournment

Mrs. Mueller made a motion, which was seconded by Mr. Tucker, to adjourn the meeting at 6:10 p.m.

Respectfully submitted,

Mr. Gary O'Connell
Secretary – Treasurer