

AT A MEETING OF THE NEW RIVER RESOURCE AUTHORITY  
HELD ON WEDNESDAY, MARCH 27, 2024, AT NOON, NRRA  
ADMINISTRATION BUILDING,  
DUBLIN, VIRGINIA:

PRESENT: Mr. Paul Baker, Chairman  
Mr. Steve Fijalkowski, Vice-Chairman  
Mr. Robert Asbury, Secretary  
Mr. Dirk Compton, Member  
Mr. Barry Helms, Member  
Mr. Tye Kirkner, Member  
Mr. David Ridpath, Alternate  
Mr. Jonathan Sweet, Member

ABSENT: Mr. Tom Starnes, Member

STAFF: Mr. Joseph Levine, NRRA Executive Director  
Ms. Marjorie Atkins, NRRA Recording Secretary  
Mr. David Rupe, NRRA Administrative Manager  
Mr. Howard Estes, NRRA Legal Counsel  
Ms. Monica Furrow, NRRA Administrative Assistant  
Mr. Brandon Atkins, NRRA Compliance Assistant  
Ms. Sherry Johnson, NRRA Administrative Assistant  
Mr. Adam Slaughter, NRRA Mechanic

GUESTS: Ms. Edith Hampton, Town of Dublin  
Mr. Andrew Monk, Thompson & Litton, Inc.

Chairman Baker called the meeting to order.

The motion to approve the Agenda of the March 27, 2024, Board meeting was made by Mr. Helms. The motion was seconded by Mr. Asbury and approved by a recorded roll call vote of the Authority as follows:

Mr. Asbury	<u>yes</u>	Mr. Kirkner	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Ridpath	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Sweet	<u>yes</u>
Mr. Helms	<u>yes</u>	Mr. Baker	<u>yes</u>

Mr. Levine recognized Ms. Sherry Johnson for twenty-five years of service and Mr. Adam Slaughter for five years of service.

The motion to approve the minutes of the February 28, 2024, Board Meeting was made by Mr. Fijalkowski. The motion was seconded by Mr. Sweet and approved by a recorded roll call vote of the authority as follows:

Mr. Asbury	<u>yes</u>	Mr. Kirkner	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Ridpath	<u>abstain</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Sweet	<u>yes</u>
Mr. Helms	<u>yes</u>	Mr. Baker	<u>yes</u>

There were no items for Section V. Old Business.

New Business and Administrative Items of Consent

The Transaction by Vendor Report for the month of February 2024 was included in the Agenda.

Mr. Levine noted two items, APX inc. for \$16,017.19 was for the Climate Action Reserve to release Carbon Credits. Hometrust Bank for \$144,550.47 is for heavy equipment lease that occurs biannually.

The motion to approve the Transaction by Vendor Report for the month of February 29, 2024 was made by Mr. Helms. The motion was seconded by Mr. Fijalkowski and approved by a recorded roll call vote of the Authority as follows:

Mr. Asbury	<u>yes</u>	Mr. Kirkner	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Ridpath	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Sweet	<u>yes</u>
Mr. Helms	<u>yes</u>	Mr. Baker	<u>yes</u>

The Draft Financial Statements for February 29, 2024, was presented.

Mr. Levine noted that revenue for Pulaski County was shown as zero percent, nothing had been received in February but has since been received.

The motion to approve the Draft Financial Statements for February 29, 2024, as presented, was made by Mr. Asbury. The motion was seconded by Mr. Helms and approved by a recorded roll call vote of the Authority as follows:

Mr. Asbury	<u>yes</u>	Mr. Kirkner	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Ridpath	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Sweet	<u>yes</u>
Mr. Helms	<u>yes</u>	Mr. Baker	<u>yes</u>

Administrative Items included:

The FY 2023/2024 budget included paving projects for the facility. The projects include an extension of the Morbark pad and road repair. New River Resource Authority has received three bids for each and project. It is recommended that the Board Authorize staff to accept the lowest bids from New Millennium Paving for a total amount of \$157,110.00, after review by legal counsel.

The motion to approve the asphalt projects was made by Mr. Compton. The motion was seconded by Mr. Ridpath and approved by a recorded roll call vote of the Authority as follows:

Mr. Asbury	<u>yes</u>	Mr. Kirkner	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Ridpath	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Sweet	<u>yes</u>
Mr. Helms	<u>yes</u>	Mr. Baker	<u>yes</u>

A Member Resolution of Consenting to the Entering into an Emergency Temporary Reciprocal Disposal Agreement with Tazewell County was included in the Agenda.

**RESOLUTION OF THE NEW RIVER RESOURCE AUTHORITY ADOPTING RECIPROCAL DISPOSAL AGREEMENT – TAZEWELL COUNTY – AND THE AUTHORIZATION OF CERTAIN OFFICERS FOR THE EXECUTION THEREOF**

At a regular meeting of the Board of Directors of the New River Resource Authority, held on March 27, 2024 at Noon, the Board of Directors resolved as follows:

A **RESOLUTION** authorizing an emergency, temporary reciprocal disposal agreement (the "Reciprocal Disposal Agreement") between the New River Resource Authority ("Authority") and Tazewell County, Virginia ("Tazewell County") for the emergency disposal of nonhazardous solid waste:

**WHEREAS**, the Articles of Incorporation of the Authority provide that the Authority may, with the consent of all member jurisdictions, enter into contracts with other political subdivisions that are not members of the Authority in order to further its purposes and functions; and

**WHEREAS**, the Agreement of expansion of the Authority dated April 14, 1998 (the "Agreement"); provides that the Authority is to be used only for the disposal of waste in the member jurisdictions and only such areas outside of those geographical limits as the governing bodies of the member jurisdictions may unanimously agree; and

**WHEREAS** pursuant to the Fourth Amended User Agreement of New River Resource Authority for Authority Members, adopted and effective August 24, 2016 (the "Fourth Amendment"), provides that, subject to and upon certain terms and conditions, to authorize the Authority to contract with other public subdivisions within the Commonwealth of Virginia to allow for the emergency disposal of nonhazardous solid waste without the requirement of prior approval of each of the member jurisdictions; and

**WHEREAS**, Tazewell County has proposed to contract with the Authority for the acceptance by the Authority of non-hazardous solid waste from Tazewell County on a temporary basis in the event of an unexpected emergency and will offer a reciprocal acceptance of such waste from the Authority, in the event of an unexpected emergency affecting the Authority, on a temporary basis; and

**WHEREAS**, pursuant to the above provisions of the Articles of Incorporation and the Agreement, the consent of all Member Jurisdictions of the Authority is required for approval of such contracts; and

**WHEREAS**, the Authority desires to execute an agreement to provide emergency assistance to Tazewell County on a reciprocal basis; and

**WHEREAS**, the proposed Reciprocal Disposal Agreement needs to be submitted to each of the Member Jurisdictions of the Authority to be ratified and approved by each of the governing bodies of the Member Jurisdictions of the Authority.

**NOW THEREFORE, BE IT RESOLVED** that:

1. The Executive Director is directed to provide each of the Member Jurisdictions of the Authority a copy of this Resolution with a request to approve the attached draft Attachment 1 - Member Resolution.
2. Upon approval of all Member Jurisdictions of the Authority, the Chairman of the Authority is authorized to execute the Reciprocal Disposal Agreement in substantially the form attached hereto as Exhibit A, subject to review and final approval as to form by the attorney for the Authority.
3. The Chairman and the Executive Director is each authorized to take such further actions and execute additional documents as may be needed to implement and administer such Reciprocal Disposal Agreement, and such additional documents, if any, are to be approved as to form by the attorney for the Authority.
4. This Resolution shall take effect immediately.

Mr. Estes noted that attached is a resolution for adoption. This resolution approves the form of a draft of an agreement with Tazewell County for emergency services which is presented in the attachment in Exhibit A. Attachment 1 is a draft of a resolution by each of the member jurisdictions. Each member jurisdiction needs to approve this for the Authority to enter the emergency agreement.

The motion to adopt the Member Resolution was made by Mr. Asbury. The motion was seconded by Mr. Sweet and approved by a recorded roll call vote of the Authority as follows:

Mr. Asbury	<u>yes</u>	Mr. Kirkner	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Ridpath	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Sweet	<u>yes</u>
Mr. Helms	<u>yes</u>	Mr. Baker	<u>yes</u>

Mr. Levine presented the Executive Director's Report. In summary of the Balance Sheet for February 2024, revenues are 8.5% above projections and expenses are 4.7% below projections. February 2024 tonnage appears to be down, however when looking at the month of February from previous years, 2024 mirrors previous years. Regarding operations, NRRRA staff has been meeting with haulers to go over landfill safety protocol. March 12, Edward Shelton from VRSA was on site performing a safety inspection. There are upcoming tours for Pulaski County Public Schools and Montgomery County. Regarding compliance submittals, GHG has been submitted, Virginia Environmental Excellence Program Annual Report and Annual Emission Statement will be submitted in April.

Mr. Levine presented the Engineering section of the Agenda.

Mr. Monk reported that survey crews will be at the West Fork Mitigation Site for year seven post construction monitoring.

The Chairman invited Public Comments.

No comments were presented.

The motion to adjourn the meeting was made by Mr. Compton. The motion was seconded by Mr. Asbury and approved by a recorded roll call vote of the Authority as follows:

Mr. Asbury	<u>yes</u>	Mr. Kirkner	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Ridpath	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Sweet	<u>yes</u>
Mr. Helms	<u>yes</u>	Mr. Baker	<u>yes</u>

The meeting adjourned at 12:21pm.

The next scheduled meeting of the Authority is Wednesday, April 24, 2024, 12:00, (NOON), at 7100 Cloyd's Mountain Road.

Respectfully Submitted,

*Brandon J. Atkins*  
Brandon J. Atkins  
Compliance Assistant

Approved at 04/24/2024 Board Meeting.

Paul W. Baker  
Paul W. Baker, Chairman

Robert P. Asbury Jr.  
Robert P. Asbury, Secretary



**NRRA  
PUBLIC COMMENT  
REGISTRATION  
MARCH 27, 2024**

**Please register below if you wish to speak during the “Public Comment” portion of the Agenda. Speakers are limited to five minutes.**

**NAME: ADDRESS: PHONE OR EMAIL:**

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