

AT A MEETING OF THE NEW RIVER RESOURCE AUTHORITY
HELD ON WEDNESDAY, JULY 24, 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. Tom Starnes, Member
Mr. Jonathan Sweet, Member
Ms. Edith Hampton, Alternate

ABSENT: Mr. Tye Kirkner, Member

STAFF: Mr. Joseph Levine, NRRA Executive Director
Ms. Marjorie Atkins, NRRA Recording Secretary
Mr. Howard Estes, NRRA Legal Counsel
Mr. David Rupe, NRRA
Ms. Monica Furrow, NRRA
Mr. Brandon Atkins, NRRA
Mr. Isaac Wall, NRRA

GUESTS: Mr. Andrew Monk, Thompson & Litton, Inc.

Chairman Baker called the meeting to order.

The motion to approve the Agenda of the July 24, 2024, Board meeting was made by Mr. Fijalkowski. The motion was seconded by Mr. Starnes and approved by a recorded roll call vote of the Board of Directors of the Authority as follows:

Mr. Asbury	<u>yes</u>	Ms. Hampton	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Starnes	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Sweet	<u>yes</u>
Mr. Helms	<u>yes</u>	Mr. Baker	<u>yes</u>

The motion to approve the minutes of the May 22, 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>	Ms. Hampton	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Starnes	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Sweet	<u>yes</u>
Mr. Helms	<u>yes</u>	Mr. Baker	<u>yes</u>

Old Business, Tazewell County Emergency Agreement.

Mr. Levine reported that there had not been a consensus among the NRRA Members on the Tazewell County Emergency Agreement to date. He then again advised that Members and customers would benefit from the Agreement as it is a reciprocal agreement. Tazewell County could use the NRRA facility in case of an emergency, and, likewise, NRRA could use the Tazewell County facility in case of an emergency. Mr. Levine stated that it would be beneficial to both parties. He then continued by reviewing

that, each year, there is an end of fiscal year analysis, and NRRRA projects the new fiscal year waste streams. He noted that every five years NRRRA is required to have an operational/management study performed by a third party. The review will begin in the fall of 2024. When Mr. Butch Joyce reported to the Board after the last study, one of his recommendations was for NRRRA to increase the annual tonnage by 30,000 tons to help in stabilizing rates and maintain current tip fees. Tonnages from that time forward have decreased. NRRRA continues to pursue additional tonnage. The emergency agreement could help building a relationship with Tazewell County for future tonnage.

Mr. Baker asked if all Members of the Authority except for Pulaski County had approved the Agreement. Mr. Levine answered that Pulaski County and the Town of Dublin had not considered the Agreement.

Mr. Sweet asked for Mr. Levine to discuss the disadvantages of the Agreement in terms of preservation of air space and more traffic coming from Tazewell through the communities. Mr. Levine answered that the disadvantages would be from individuals because from the landfill standpoint there would be no disadvantages in helping in an emergency. Mr. Baker stated that the Authority could be a resource and have Tazewell as a resource. Mr. Baker noted that the Authority has approved these agreements for Roanoke Valley Resource Authority and others and that he did not understand the problem with approving the Agreement. Mr. Baker stated that a decision should be made regarding the approval before the next NRRRA meeting. Mr. Levine noted that if all Member jurisdictions approve the Agreement, then no further action would be needed by the NRRRA Board.

Mr. Sweet, stated that each of the Member jurisdictions of the Authority should evaluate approving the Agreement based upon their community, not the Authority. Continuing, he said that Pulaski County would evaluate it based on Pulaski County, and Giles County would evaluate it based on Giles County, not based on what is good for the Authority, but what is good for the community. Mr. Baker answered that this would be good for the community by helping each other out. Mr. Sweet replied that he appreciated Mr. Baker's philosophy but, stated that we are not here to serve the Authority, we are here to serve our individual communities as a Member jurisdiction of the Authority. He continued, saying that, this landfill is comprised of individual member jurisdictions, and those jurisdictions appoint the Board of Directors members to represent the individual jurisdictions. He then stated that the Board members were not here to serve the Authority.

Mr. Compton asked, if this was presented to the Pulaski County Board of Supervisors for consideration, could it be on a limited basis or it could be revoked at any time. Mr. Compton asked if, for example, the Roanoke Valley Resource Authority Emergency Agreement could be revoked. Mr. Levine answered that in each of the emergency agreements there are termination provisions for both parties. He noted that the Authority Board would have to vote to revoke approved agreements.

Mr. Asbury stated that the agreement is a reciprocal agreement and an "on demand" basis and the impact would not be the same as a customer such as Floyd. Mr. Sweet stated that Floyd is utilizing an NRRRA asset, taking up air space that is valuable. He continued by stating that NRRRA air space is owned by each member jurisdiction, and we need to protect it. He then raised concerns about protecting our jurisdictional borders where trash trucks and other folks are traversing our communities and losing trash along the roadways. He then stated that there could be value to the member jurisdictions if there was consideration by the Authority. He shared his view that these unanticipated revenues from these non-member jurisdictions should be reimbursed back to the Member jurisdictions to lower Member rates, since these are not budgeted.

Mr. Compton asked if the trash is flowing through Giles County and Pulaski County, and if the need for litter pick up increases, can Members be compensated for this. Mr. Asbury answered that what Mr. Compton described is a host fee. Mr. Sweet answered that Mr. Compton's concept was a different concept than what Mr. Sweet was referencing. Mr. Sweet stated the concept he was referencing that each Member benefit financially, by the lowering of the actual trash bills the Member receives by the pro rata amount because of the unanticipated revenues from non-member jurisdictions so that the Member jurisdictions actually benefit from sharing "our" airspace with non-member jurisdictions. Mr. Asbury noted that this

would in fact happen, and that revenue would provide the opportunity for rate stabilization or rate reductions rather than sending the money back to each locality.

Mr. Sweet rejected this and stated that Member jurisdictions don't see a "direct, real time, material benefit." He again stated that, if there is additional unanticipated revenue to the Authority, each of the Member jurisdictions should get a pro rata share in the form of a rebate. He then stated his opinion that the NRRRA facility should be benefiting each Member equally.

Mr. Helms noted that if the Authority received unanticipated revenues, there would also be unanticipated expenses, which offset the revenues. Mr. Sweet stated his belief that there would be net new revenues that at the end of each year could be sent to the Member jurisdictions. Mr. Asbury stated that such revenues already are reflected in rate stabilization funds and through the avoidance of rate increases.

Mr. Starnes noted that the Board has discussed this for several meetings and it was not going to be resolved at this meeting. Mr. Starnes requested, and a consensus among the Members agreed, that the Tazewell County Emergency Agreement discussion be placed on the next meeting agenda and, if not approved by all Members by then, that the Authority would notify Tazewell County that the Members are not interested in entering the Agreement.

Mr. Monk was recognized and advised that Thompson and Litton had prepared a rate study for NRRRA for each of the last six years, and that, from this study, ideally NRRRA should be receiving 225,000 tons per year. Continuing, he noted that when the tonnage is below that number, the study indicates increasing all tip fees. He then offered an example that when Roanoke Valley Resource Authority was using NRRRA for waste, its waste kept NRRRA above 225,000 tons for that year, and the tip fees were kept the same. Mr. Monk closed his remarks by reminding the Board that, based on current tonnage, approximately twenty-five years of life remain at the facility with another 130 acres that have been preplanned.

Mr. Compton asked how much waste Tazewell would bring. Mr. Levine answered that he expected, approximately one hundred tons per day. Mr. Compton stated that he had heard "Tazewell was desperate". Mr. Levine stated that he had not heard from Tazewell, other than for the request of an emergency agreement.

New Business and Administrative Items of Consent

The Transaction by Vendor Reports for the months of May and June 2024 were included in the Agenda.

Mr. Sweet asked if legal counsel's rate included travel time. Mr. Estes stated that he did not bill for travel time.

The motion to approve the Transaction by Vendor Report for the month of May 2024 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>	Ms. Hampton	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Starnes	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Sweet	<u>no</u>
Mr. Helms	<u>yes</u>	Mr. Baker	<u>yes</u>

Before voting on the June Transaction By Vendor Report, Mr. Sweet asked if the Board members received compensation from the Authority when the meeting was cancelled, or the Board member did not attend. Mr. Baker answered yes. Mr. Sweet asked Mr. Estes to check the Virginia State Code to see if that was legal. Mr. Estes replied that the Virginia Water and Waste Authorities Act states that the compensation of Board members is set by each Authority Board.

The motion to approve the Transaction by Vendor Report for the month of June 2024 was made by Mr. Starnes. 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>	Ms. Hampton	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Starnes	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Sweet	<u>no</u>
Mr. Helms	<u>yes</u>	Mr. Baker	<u>yes</u>

The Draft Financial Statements as of May 31, 2024, and June 30, 2024, were presented.

The motion to approve the Draft Financial Statements as of May 31, 2024, as presented, 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>	Ms. Hampton	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Starnes	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Sweet	<u>yes</u>
Mr. Helms	<u>yes</u>	Mr. Baker	<u>yes</u>

The motion to approve the Draft Financial Statements as of June 30, 2024, as presented, was made by Mr. Compton. The motion was seconded by Mr. Starnes and approved by a recorded roll call vote of the Authority as follows:

Mr. Asbury	<u>yes</u>	Ms. Hampton	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Starnes	<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 section of the Agenda included FY 2024/25 Committee Elections.

The Chairman asked for a motion regarding committee appointments from the Board. A motion was made by Mr. Asbury to reappoint the current Committee Members, without objection, with the Audit Committee being Mr. Starnes and Mr. Helms and, the Budget Committee being Mr. Compton, Mr. Fijalkowski and Mr. Asbury, for FY 24/25. 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>	Ms. Hampton	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Starnes	<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. The waste stream reports for May and June were attached to the Report. The fiscal year ended with revenues 25.4% above projections and expenses 8.5% below projections. May was a strong month for waste received. Mr. Levine referenced the last sheet of the waste reports for July 2023 through June 2024 report in a new format separating Member tonnage from non-member tonnage. SCS Engineers and SCS Global met with staff on June 3, 2024, for an initial carbon credit verification meeting. He noted that 2022 carbon credits were sold for \$509,000.00. He then discussed staff research regarding water trucks to replace the current truck, as budgeted for FY 2024/25. Without objection, he stated that a 2022 International truck will be purchased for \$117,500.00.

Mr. Levine next presented the Engineering section of the Agenda.

Mr. Monk reported that Thompson and Litton would soon begin the tip fee analysis. Waste stream is down, which could mean rate adjustments. Mr. Levine noted that the tip fee analysis was usually presented at the October meeting followed by Budget Committee meetings in December.

The Chairman invited Public Comments.

No comments were presented.

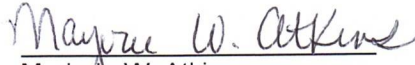
The motion to adjourn the meeting was made by Mr. Helms. The motion was seconded by Mr. Compton and approved by a recorded roll call vote of the Authority as follows:

Mr. Asbury	<u>yes</u>	Ms. Hampton	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Starnes	<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 12:26 pm.

The next scheduled meeting of the Authority is Wednesday, August 28, 2024, 12:00, (NOON), at 7100 Cloyd's Mountain Road.

Respectfully Submitted,


Marjorie W. Atkins
Recording Secretary

Approved at August 28, 2024 Board Meeting.


Paul W. Baker, Chairman

ATTEST:


Robert P. Asbury, Secretary

NRRA
PUBLIC COMMENT
REGISTRATION
July 24, 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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