

AT A MEETING OF THE NEW RIVER RESOURCE AUTHORITY
HELD ON WEDNESDAY, FEBRUARY 23, 2022, AT NOON,
NRRA ADMINISTRATION BUILDING,
DUBLIN, VIRGINIA:

PRESENT: Mr. Barry Helms, Chairman
Mr. Paul Baker, Vice-Chair
Mr. Robert Asbury, Member
Mr. Dirk Compton, Member
Mr. Steve Fijalkowski, Member
Mr. Tye Kirkner, Member
Mr. Tom Starnes, Member
Mr. Jonathan Sweet, Member

STAFF: Mr. Joseph Levine, NRRA Executive Director
Ms. Marjorie Atkins, NRRA Recording Secretary
Mr. David Rupe, NRRA Purchasing & Compliance
Mr. Howard Estes, NRRA Legal Counsel
Mr. Thad Ball, NRRA
Ms. Sherry Johnson, NRRA
Mr. Johnny Burton, NRRA

GUESTS: Mr. Brian Tew, Thompson & Litton
Mr. Andrew Monk, Thompson & Litton
Ms. Sandy Warner, CHA
Ms. Raylani Reis, CHA
Mr. Kevin Belcher, Giles County

Chairman Helms called the meeting to order.

The motion to approve the February 23, 2022, Agenda was made by Mr. Baker. 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. Baker	<u>yes</u>	Mr. Starnes	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Sweet	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Helms	<u>yes</u>

Mr. Levine recognized Mr. Johnny Burton for twenty years of service with NRRA. Mr. Burton began employment with the Authority as a part time groundskeeper and currently serves as Facilities Foreman.

The motion to approve the minutes of the January 26, 2022, Board Meeting was made by Mr. Fijalkowski. 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>	Mr. Kirkner	<u>yes</u>
Mr. Baker	<u>yes</u>	Mr. Starnes	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Sweet	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Helms	<u>yes</u>

The Check List for the month of January 2022 was presented.

The motion to approve the Check List for January was made by Mr. Baker. 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. Baker	<u>yes</u>	Mr. Starnes	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Sweet	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Helms	<u>yes</u>

The Financial Statement for January 2022 was presented.

The motion to approve the Financial Statements as of January 31, 2022, as presented was made by Mr. Baker. 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>	Mr. Kirkner	<u>yes</u>
Mr. Baker	<u>yes</u>	Mr. Starnes	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Sweet	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Helms	<u>yes</u>

Mr. Levine presented the Executive Director's Report. Revenue was 33.1% above projections; expenses were 6.5% below projections. 17,100.27 tons of waste was managed in January. MRSWA was approximately 1,500 tons above the amount for January 2021 and Pulaski County increases were due to James Hardie waste. Mr. Levine had meetings with The National Bank trust account managers. An investment strategy will be presented to the Board later in the year. Financial Assurance changes with the opening of Area D will be included in the plan. \$219,458.50 was received from Element Markets for landfill gas destruction credits. Mr. Levine noted that monetizing the credits requires daily work by staff. SCS Engineers will attend a future Board meeting to provide more information on the program. Mr. Rupe and LaBella Engineers are working on an evaluation of the Ingles Mountain gas system. Mr. Levine noted that the Director's report included upcoming compliance submittals which included Title V Air Permit Semi-Annual report due March 1 and Annual Compliance Inspection for West Fork tentative date March 1.

Pay Request 20 for the Area D Phase II was included in the agenda package.

The motion to approve the Area D Phase II Project Pay Request 20 in the amount of \$478,818.98 was made by Mr. Baker. 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. Baker	<u>yes</u>	Mr. Starnes	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Sweet	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Helms	<u>yes</u>

Ms. Sandy Warner with CHA presented the NRRRA Health and Safety Plan. Ms. Warner noted that CHA took the existing NRRRA plan and compared it to current OSHA standards and updated it accordingly.

It was noted that when the Board adopted the plan, small changes could be corrected without being presented again. Mr. Levine noted that the Plan was used as a guide for safety training and staff meetings. Mr. Asbury asked for clarification on first calls for emergency response. Other administrative questions in carrying out the Plan included “who trains the trainer and orientation/training for emergency response agencies. Mr. Helms asked that in the “Introduction” section that “all locations employees assigned to work” be added.

The motion to adopt the NRRRA Health & Safety Plan with additions discussed and other non-material corrections to be made by staff was made by Mr. Asbury. The motion was seconded by Mr. Baker and approved by a recorded roll call vote of the Authority as follows:

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

Mr. Levine presented the Engineering Section of the Agenda.

Ingles Mountain – LaBella currently evaluating gas system.

NRSWMA – Mr. Tew reported that Area D construction needed approximately one month for completion and that the project was on schedule. While manpower is on site, other projects needed include relocation of the litter fence to surround the entire landfill; road for compactors constructed; three sediment basins cleaned out; check risers and construction of an emergency leachate pond.

The Chairman invited Public Comments.

No comments were presented.

Mr. Sweet stated, “I move that the Board of Directors of the New River Resource Authority convene in closed meeting for the purpose of discussion of a personnel matter relating to the evaluation and compensation of employees, where such discussion will necessarily involve specific individuals, pursuant to the exemption set forth in Virginia Code Section 2.2-3711(A)(1)”. The motion was seconded by Mr. Baker and approved by a recorded roll call vote of the Authority as follows:

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

Mr. Sweet, “I hereby move to reconvene the regular meeting and for certification pursuant to Section 2.2-3712(D) of the Code of Virginia, that the Board of Directors, to the best of each Director’s knowledge, heard, discussed or considered only public business matters lawfully exempted from open meeting requirements by the Freedom of Information Act in the closed meeting of this date, and only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Directors of the New River Resource Authority”.

The motion was seconded by Mr. Baker and approved by a recorded roll call vote of the Authority as follows:

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

The motion to cap the Executive Director's salary at \$200,000.00 and to provide a one-time base supplement of \$2,000.00 effective March 1, 2022, was made by Mr. Compton. 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. Baker	<u>yes</u>	Mr. Starnes	<u>yes</u>
Mr. Compton	<u>yes</u>	Mr. Sweet	<u>yes</u>
Mr. Fijalkowski	<u>yes</u>	Mr. Helms	<u>yes</u>

Mr. Helms asked if Mr. Levine had something about a cleanup. Mr. Sweet presented a request from the Friends of Peak Creek as a 501c3 organization for NRRRA to waive fees for tire disposal from a clean up happening on February 27.

The motion to accept the request was made by Mr. Sweet. The motion was seconded by Mr. Compton.

Mr. Fijalkowski stated that this would be setting a precedent for NRRRA and that he thought the correct route should be the requests going through each member jurisdiction and for the member jurisdictions to absorb the cost. Following discussion, Mr. Sweet withdrew his motion. It was agreed that staff would develop a draft policy on how such requests could be considered. Mr. Helms noted that estimated amounts should be considered to "not to exceed" or "up to" language.

The motion to adjourn the meeting was made by Mr. Baker, seconded by Mr. Sweet and the meeting adjourned by consensus.

The meeting adjourned at 1:14 pm.

The next scheduled meeting of the Authority is scheduled for Wednesday, March 23, 2022, 12:00, NOON at 7100 Cloyd's Mountain Road.

Respectfully Submitted,



Marjorie W. Atkins
NRRRA Recording Secretary

Approved at 03/23/2022 Board Meeting.


Barry Helms, Chair