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2 **RSWA BOARD OF DIRECTORS**

3 **Minutes of Regular Meeting**

4 **January 24, 2023**

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6 A regular meeting of the Rivanna Solid Waste Authority (RSWA) Board of Directors was held
7 on Tuesday, January 24, 2023, at 2:00 p.m. in the 2nd floor conference room, Administration
8 Building, 695 Moores Creek Lane, Charlottesville, Virginia.

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10 **Board Members Present:** Mike Gaffney, Michael Rogers, Jeff Richardson, Brian Pinkston, Jim
11 Andrews, Stacey Smalls, Lance Stewart.

12
13 **Board Members Absent:** None.

14
15 **Rivanna Staff Present:** Bill Mawyer, Phil McKalips, Lonnie Wood, Jennifer Whitaker,
16 Deborah Anama.

17
18 **Attorney(s) Present:** Carrie Stanton.

19
20 **1. CALL TO ORDER**

21 Mr. Gaffney convened the January 24, 2023 regular meeting of the Board of Directors of the
22 Rivanna Solid Waste Authority at 2:00 p.m.

23
24 **2. AGENDA APPROVAL – (Item 11 AMENDED)**

25
26 Mr. Mawyer explained that Ms. Stanton had submitted substitute wording for the motion for the
27 closed meeting, and it had been added to the amended agenda.

28
29 **Mr. Pinkston motioned to approve the Agenda as amended. The motion was seconded by Mr.**
30 **Rogers and passed unanimously (7-0).**

31
32 **3. MINUTES OF PREVIOUS BOARD MEETING**

33 *a. Minutes of the Regular Meeting of the Board on November 15, 2022*

34
35 **Mr. Rogers motioned to approve the minutes from the November 15, 2022 meeting. The**
36 **motion was seconded by Mr. Richardson and passed unanimously (7-0).**

37
38 Mr. Mawyer explained that members did not have to be present at the meeting to vote to approve
39 the minutes for the meeting.

40
41 **4. RECOGNITION**

42 There were no recognitions.

43
44 **5. EXECUTIVE DIRECTOR'S REPORT**

45 Mr. Mawyer reported that Mr. Gaffney had been reappointed by the Board and City Council for his
46 11th term. He stated that Mr. Gaffney had served 21 years on the Board.

48 Mr. Mawyer stated that he provided a quarterly report to the Albemarle County Board of
49 Supervisors and Charlottesville City Council, and he provided a brief presentation to City Council.
50 He stated that Mr. Cole Hendrix had served on the RSWA Board for many years. He stated that Mr.
51 Hendrix died in November. He explained that Mr. Hendrix had been instrumental in forming the
52 RSWA and the RWSA.

53
54 Mr. Mawyer stated that they had received the new baling machine for the paper sort facility, and the
55 machine had been installed. He stated that staff would be trained on how to operate the baling
56 machine. He reported that the Southern Albemarle Convenience Center was under construction. He
57 stated that concrete slabs had been poured, and site work had been completed. He anticipated that
58 the project would be completed in May, weather dependent.

59
60 Mr. Mawyer reported that they had received two grants from the DEQ. He stated that one grant of
61 \$45,707 was for the litter prevention and recycling program, and the other grant of \$17K was for a
62 new container for the oyster shell reuse program. He stated that they applied for a specially lined
63 container for the oyster shells. He stated that the pumpkin smash event went well.

64
65 Mr. Mawyer announced that the next meeting of the Board would be in March, and it would be held
66 virtually. He stated that the next in-person meeting of the Board would be in May.

67 68 **6. ITEMS FROM THE PUBLIC**

69 Mr. Gaffney opened Items from the Public. He asked any speakers to identify themselves for the
70 public record. He noted that there were no speakers and closed the items from the public.

71 72 **7. RESPONSES TO PUBLIC COMMENT**

73 Since there were no public comments, there were no responses.

74 75 **8. CONSENT AGENDA**

76 *a. Staff Report on Finance*

77
78 *b. Staff Report on Ivy Material Utilization Center/Recycling Operations Update*

79
80 *c. Approval of Updated Flexible Benefits Plan*

81
82 No items were pulled from the Consent Agenda for comments or questions.

83
84 **Mr. Pinkston moved for the Board to approve the Consent Agenda. The motion was seconded**
85 **by Mr. Stewart and carried unanimously (7-0).**

86 87 **9. OTHER BUSINESS**

88 *a. Presentation: History and Organizational Agreements of the RSWA*

89
90 Mr. Mawyer stated that he had provided the presentation in May, but he wanted to start the new
91 year with a reminder of the history and agreements of the RSWA. He stated that several budget
92 calculations were based on the agreements.

93
94 Mr. Mawyer stated that the City and the County purchased 300 acres in the County in 1968 which
95 would become the Ivy Landfill. He stated that the landfill was operated by the City until the creation
96 of the RSWA in 1990. He stated that the County and the City approached the State Corporation
97 Commission with drafted articles of incorporation and bylaws to request approval of the RSWA. He

98 stated that the City and the County sold the Ivy Landfill to the Authority for \$1, and from that point
99 on, the Authority has managed the Ivy Material Utilization Center as it is now known.

100
101 Mr. Mawyer explained that in 2000, neighbors expressed concerns about the landfill activity. He
102 explained that there were six cells at the landfill—three lined and three unlined. He stated that lined
103 cells included a synthetic liner under the landfill and a synthetic cap. He stated that there was a
104 settlement agreement to stop the landfill activity at Ivy. He stated that they continued to transfer
105 refuse at the site.

106
107 Mr. Mawyer stated that there was an asbestos disposal area capped at the landfill, and it was used
108 from 1982 to 1999. He stated that they estimated about 1300 tons of asbestos-containing materials
109 were disposed at the Ivy facility. He stated that the paint pit was one of the larger issues, and the
110 contractors have dumped paint in an unlined area.

111
112 Mr. Mawyer stated that in 2005, an environmental memorandum of understanding (MOU) was
113 issued between the City, the County, and UVA to determine how the remaining landfill at Ivy
114 would be handled and paid for. He stated that Mr. Gaffney participated in the negotiations to
115 determine the cost allocation.

116
117 Mr. Mawyer stated that the agreement stipulated UVA would pay 7%, the City would pay 33%, and
118 the County would pay 60%. He stated that UVA had requested the 7% be a fixed cost, so it was
119 fixed at \$79,982 per year through the year 2035. He stated that the County paid 64.5% of the
120 remaining balance, and the City paid 35.5% of the remaining balance.

121
122 Mr. Gaffney explained that UVA had agreed to pay 7% of the total cost, about \$30M over the
123 lifespan. He stated that the 30-year budget had a fixed figure for UVA, but they paid more initially.

124
125 Mr. Mawyer stated that in 2007, the City decided to create a curbside refuse collection program, but
126 they did not want to dispose of refuse and pay the tip fee at the Ivy Landfill. He stated that in 2010,
127 there was a three-year decline for the RSWA, and its future became uncertain. He explained that the
128 City had substantially withdrawn from the partnership. He stated that in 2010, there was an
129 agreement in which the City and County agreed to finance RSWA through the end of the calendar
130 year.

131
132 Mr. Mawyer stated that in 2011, the County and the City developed the Local Government Support
133 Agreement for the recycling program. He stated that in 2016, the County indicated it would
134 continue to fund the programs at Ivy. He stated that the DEQ informed them that the transfer station
135 facility was insufficient, so it had to be replaced. He stated that the County funded the new transfer
136 station, which was built in 2018.

137
138 Mr. Mawyer stated that in 2019, the Authority and the County came to an agreement on the Ivy
139 Convenience Center. He stated that there were articles of incorporation and bylaws that governed
140 the Authority. He explained that the bylaws were last changed by the Board in 2020 when they
141 changed the meeting schedule to every other month. He stated that all members had to be present to
142 vote for a change in the bylaws. He stated that staff monitored the agreements as they distributed
143 costs between the City, the County, and UVA.

144
145 Mr. Pinkston clarified whether the County and the City would cease to make payments for the Ivy
146 Landfill in 2035 or if they would pay in perpetuity.

148 Mr. Mawyer stated that was dependent upon when DEQ would allow them to end the landfill post-
149 closure program. He stated that as long as there were contaminants in the ground or air, DEQ would
150 not end the post-closure program.

151
152 Mr. Gaffney asked where they tracked the annual post-closure costs versus what was estimated.
153

154 Mr. Wood responded that the corrective action plan had been updated several times, but he did not
155 have exact figures.

156
157 Mr. Mawyer stated he believed that they were close. He stated that the original plan mentioned \$1M
158 per year or more, and that was about the Authority's expenses for the environmental MOU. He
159 stated more detail would be provided in March.

160
161 Mr. Gaffney clarified that the payments could continue past the 30-year period.

162
163 *(recess RSWA in a JOINT SESSION with the RWSA)*

164
165 **At 2:20 p.m., Mr. Rogers moved to recess the meeting of the Rivanna Solid Waste Authority**
166 **Board. The motion was seconded by Mr. Andrews and carried unanimously (7-0).**

167
168 *(reconvene RSWA for a JOINT SESSION with the RWSA)*

169
170 Mr. Gaffney called to order the joint session of the RWSA and RSWA.

171
172 a. *Presentation: Sustainability and Climate Action Overview*

173 Ms. Jennifer Whitaker stated that she was presenting the collective work of numerous staff in
174 both authorities in an effort to provide insight into how the Authorities fit into the regional fabric
175 of the community's climate action plans. She stated that at their core, both authorities were
176 environmental protection organizations, citing that both their vision and mission talked about
177 sustainability, environmental protection, and public health.

178
179 Ms. Whitaker stated that the 1972 Clean Water Act established wastewater treatment targets and
180 clean water goals. She stated that the 1974 Safe Drinking Water Act established public health
181 and public protection through drinking water treatment, and that the 1976 RCRA Act set the
182 groundwork for modern-day solid waste and recycling services. Ms. Whitaker stated that given
183 this core mission, staff were working to understand what it meant to be sustainable and
184 responsible for climate action, when their day to day work already addressed so many different
185 aspects. She stated that the organization has taken some time to find out the next steps.

186
187 Ms. Whitaker stated that similar to many organizations, the Authorities were adjusting to a
188 dynamic and unpredictable environment in several areas: (a) climate change, (b) regulatory
189 requirements, and (c) scientific discovery and best practices, noting the industry was changing
190 rapidly. Ms. Whitaker stated that in the past, they would have conceived a project, constructed
191 it, and complete it. The process would have taken nearly 10 years. Now, however, work must
192 be completed in much shorter periods of time with frequent mid-stream changes. She noted that
193 it is difficult to measure progress and success in this environment. She stated that they have
194 adjusted how they provide service, while still striving to meet the core mission, by internally
195 changing work processes. Ms. Whitaker stated that they were attempting to better understand
196 where their impacts and footprint. Going forward the organization is focusing on practical
197 climate- based outcomes with measurable results and not just policy and conversation.

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Ms. Whitaker stated that the 2023 strategic plan had five key priorities, including one for environmental stewardship. She stated that it weaved its way through everything they were doing, but also was worthy as a priority to stand on its own. She focused on and emphasized the first four words of the goal statement, “To demonstrate and promote.” Ms. Whitaker explained that as an organization of people who “did things” by trade, they wanted to ensure that they were able to champion real change and make a difference. Ms. Whitaker stated that they also discussed sustainability, research, conservation, and environmental education, with strategies identified. She stated that they focused on outreach and how to work with other agencies to bring technical expertise forward, how to educate others, and how to help make collaborative decisions. Ms. Whitaker stated that they also are asking what their inward sustainability initiatives were, and what they could do to enhance the environmental protection work they wanted to achieve. She stated that the third item was about business practices and equity, specifically referencing solid waste in the strategic plan.

Ms. Whitaker stated that staff have developed an approach to working on this program that allows for input, problem solving and results at various points within the organization. She stated that on one side of the equation is a strategic plan goal team, composed of representatives of different departments in the Authority who have some interest or job authority for sustainability. Ms. Whitaker stated that those members had begun meeting and had set goals and objectives about educational outreach and finding opportunities to engage internally in the departments. She stated that she was impressed with the work accomplished by the team recently. The team feeds into the planning, strategy, coordination, policy and management aspect of the program. She stated that on the other side of the equation, sustainability focused capital and operating projects were utilizing traditional project management staff. She stated that by doing so, they were able to develop policies and be reactive to the impacts of climate change.

Ms. Whitaker stated that there were three key areas of focus for the Authorities at this time: (1) climate action and GHG emissions; (2) natural resources protection, and (3) climate change resiliency.

Ms. Whitaker notes that the climate action-related projects, included a greenhouse gas baseline assessment for the Moores Creek facility, which was the largest electricity user. She stated that a pilot project would be conducted before expanding it to the other facilities so that they had a clear picture of the actual carbon footprint.

Ms. Whitaker stated that they were working their way through how to calculate this footprint, and one way was by putting in submetering and linking it to the SCADA system, so they would be able to see in real time the power consumption throughout all different parts of the plant. This will allow staff to have a better understanding of what was driving power consumption and how they might reduce it.

Ms. Whitaker stated that they were intending to establish targets and goals, which would take a while to do, because the baseline work must be completed first. Ms. Whitaker acknowledged the County and City had greenhouse gas reduction goals through their climate action plans: to reduce 45% by 2030 and going to net zero by 2060. She stated that they understood that they were a part of the community and a part of achieving that goal.

Ms. Whitaker stated that the next project was focused on methane gas utilization. She stated that they had a cogeneration facility that was not very functional at the moment, and a study was

248 being conducted to determine how the wastewater biogas industry had evolved. She stated that
249 staff were reviewing cogeneration, microturbines, and/or potentially cleaning the gas for pipeline
250 use. She stated that the investigative phase was currently underway, with the hope of using that
251 energy source at the facility in a better way.
252

253 Ms. Whitaker stated that they were looking at renewable energy projects such as solar
254 installation on the new Administration Building and the Ivy MUC brownfields installation. Ms.
255 Whitaker noted that Dominion power had recently taken a greater interest in the Ivy MUC
256 project, indicating it is becoming a likely candidate for their solar development program. She
257 stated that things like operational optimization such as chemical, electrical use reduction, and
258 vehicle driving reduction required finer process control at the plants. She stated that this would
259 entail more SCADA control and more process programming, among other things.
260

261 Ms. Whitaker stated that granular activated carbon (GAC) was harvested out of the earth and was
262 thus a carbon-intensive process. She stated that review of carbon regeneration and its footprint
263 was being reviewed.
264

265 Mr. Richardson asked if Ms. Whitaker would be discussing anything regarding fleet.
266

267 Ms. Whitaker stated that it is intended to be part of the program. She stated that they had done
268 research on fleet, but a very large portion of their fleet were heavy-duty trucks, and the industry
269 currently was not quite fully developed for fleet vehicles. She stated that they were looking at
270 adding eV-charging infrastructure at this building for guests, employees, as well as fleet.
271 Additionally, she indicated that they were investigating installing eV-charging infrastructure at
272 key fleet maintenance and storage areas. She stated that they were looking at replacing some
273 lighter vehicles with eVs, and indicated that eventually the truck market would evolve.
274

275 Ms. Mallek stated that the EPA was working on a program for heavy vehicles, and some
276 communities were getting fire engines and trash trucks, so it may be quicker than previously
277 thought for this to come forward. She stated that the policy was there, but the substructure was
278 missing.
279

280 Ms. Whitaker stated that a large issue was that many vehicles were demonstration vehicles or
281 were very expensive.
282

283 Ms. Mallek stated that it was important to think about the entire cost of the vehicle, not only the
284 diesel and the electricity. She asked if the methane from the wastewater treatment process was
285 currently being released.
286

287 Ms. Whitaker stated no, and that by law, they were not allowed to release methane, nor did they
288 want to. She stated that they were doing a combination of use in their boiler system and flaring,
289 and they wanted to get away from doing that.
290

291 Ms. Mallek asked if flaring was the same as releasing.
292

293 Ms. Whitaker responded that it wasn't and stated that flaring was burning, and it converted it to a
294 much less impactful emission.
295

296 Mr. Mawyer stated that they used electric golf carts on-site to reduce gas consumption.
297

298 Ms. Whitaker stated that they were also using more electrical tools in place of gas-powered tools
299 as the market evolved. She stated that they were taking little steps in an effort to understand
300 where the markets were going.

301
302 She continued that for natural resource protection, the Moores Creek plant was an enhanced
303 nutrient reduction plant, and most of the wastewater in the region came to the facility. She stated
304 that the community did a great job, with their nutrient reduction targets exceeded across the
305 board, and they continued to work to lower those. She stated that eventually, the regulations
306 would become state-of-the-industry targets, so they would continue to work on that as well.

307
308 Ms. Whitaker stated that water quality had been an emphasis for a long time, and in Virginia,
309 they were an early adopter in looking at raw water nutrients, algae monitoring, and reservoir
310 treatment. She stated that they had an in-stream flow program and had recently worked with
311 DEQ to update this plan to better mimic the data they had. She indicated that DEQ had been a
312 good partner in that as staff have enhanced the understanding of river flows through data
313 analysis, they have allowed the in-stream flow requirement to be altered to better mimic actual
314 river conditions. She stated that they would be removing the dam at the North Fork Rivanna
315 River when they decommissioned the North Fork water treatment plant, returning the river to a
316 natural flow.

317
318 Ms. Whitaker stated that for land use management practices, there were forestry management
319 practices being implemented at various sites. She stated that the expansion of the recycling and
320 composting centers was done in concert with the County, and that staff continued to grow and
321 regionalize cardboard baling and glass recycling. She stated that they were continuing with the
322 residential compost facility drop-off program and with UVA dining composting. She stated that
323 they were continuing the e-waste and hazardous waste disposal programs to keep those items out
324 of landfills.

325
326 Ms. Whitaker stated that a key factor for the program area of climate change resiliency was that
327 they were anticipating much larger precipitation flood events and much drier and longer
328 droughts. She stated that it was what California was seeing right now, and their infrastructure
329 was not set up to fully catch and utilize the heavy rainfall to refill the reservoirs. She stated that
330 on the east coast, they had been buffered from that for a little bit, but it was coming, and we must
331 be prepared for it.

332
333 Ms. Whitaker stated that to this point, they had done some building flood resiliency evaluations,
334 working under the EPA and FEMA guidelines, and the evaluations were done based on the 100-
335 year flood, the 100-plus-two feet, and the 500-year flood. She stated that they were going to start
336 doing some mitigation activities with a target of all of the facilities being 500-year-flood-proof.

337
338 Ms. Whitaker stated that there were capital improvement projects to construct redundant water
339 supply pipelines at critical river crossings for both the North Fork Rivanna and South Fork
340 Rivanna Rivers. She stated that they were also designing and constructing the South Rivanna
341 Reservoir to Ragged Mountain Reservoir (SFR to RMR) and the Ragged Mountain Reservoir to
342 Observatory Water Treatment plant pipeline system, which would dramatically help with system
343 operation as well as drought resilience by fully interconnecting the raw water resources and
344 treatment capacity.

345
346 Ms. Whitaker stated that this also would allow them to refill the Ragged Mountain Reservoir at
347 the rate of 25 million gallons per day as opposed to the current 3.3 MGD. She stated that when

348 there was a large rain event, they could take in more water, allowing them to quickly collect
349 water and take advantage of those events. She stated again that they were decommissioning the
350 North Fork Water Treatment Plant, which in turn allowed for dam removal and better flood
351 resiliency.

352
353 Ms. Whitaker stated that staff were implementing “design policies” as part of their infrastructure
354 resiliency standards. She stated that they have implemented a policy of installing exterior bypass
355 pumping connections on every pump station. She stated that this is in addition to emergency
356 power generation. She indicated that if there was something that destroyed the interior of the
357 pump station such as a flood or fire, they could quickly tie in on the suction and discharge side
358 with temporary pumping and keep the system operational. She stated that it was expected to be a
359 policy moving forward.

360
361 Ms. Whitaker discussed dam safety and showed images on the landslide of the 2018 flood. She
362 stated that they had adopted a “design standard” to size dams for 100% of the probable
363 maximum precipitation/flood, although Virginia only required 90%. She stated that they were
364 also working with the dam safety community to understand the recent research on anticipated
365 future flood event and the impact of climate change on those events.

366
367 Ms. Whitaker stated that for regional coordination, all the agencies, committees, and groups that
368 they were either a part of or advisors to or stakeholders in were displayed on the current slide.
369 She stated that their goal was to use their technical expertise to be helpful to others and to make
370 sure that they were tied in regionally and understood the community goals, so that their work
371 was in concert with what was being asked of them.

372
373 Ms. Mallek asked what the 2018 flood was in comparison to a 100-year flood.

374
375 Ms. Whitaker stated that published literature stated that it was close to a 1000-year storm event.
376 She stated that however, it was not the storm of record, and was not a probable maximum flood.
377 She stated that for this area, PMF precipitation was somewhere in the 30 inches in a 24-hour rain
378 event. She stated that the 30+-inch storm was based on the existing calculations, so the future
379 may be more than that.

380
381 Mr. Rogers asked if there was a forum that they were sharing with the City Climate Action
382 Team.

383
384 Ms. Whitaker stated that they were part of that group and had sessions within that group in which
385 the members shared what they were currently working on, but she had not shared this
386 presentation. She stated that they had shared some of the information but could certainly share
387 this with the City staff as well.

388
389 ***10. OTHER ITEMS FROM BOARD/STAFF NOT ON AGENDA***

390 There were none.

391
392 ***11. CLOSED MEETING***

393 **At 3:43 p.m., Mr. Pinkston moved that the Rivanna Solid Waste Authority enter into a joint**
394 **closed session with the Rivanna Water and Sewer Authority to discuss the evaluation of**
395 **performance of departments where such evaluation will necessarily involve discussion of the**
396 **performance of specific individuals as permitted by the personnel exemption at Section 2.2-**

397 3711(A)(1) of the Code of Virginia. Mr. Andrews seconded the motion, which passed
398 unanimously (7-0), by roll-call vote.


399
400 At 4:45 p.m., Mr. Smalls moved to certify the closed session whereas, the Rivanna Solid Waste
401 Authority has convened a joint closed meeting with the Rivanna Water and Sewer Authority
402 on this date pursuant to an affirmative, recorded vote and in accordance with the provisions
403 of the Virginia Freedom of Information Act, and whereas Section 2.2-3712(D) of the Code of
404 Virginia requires a certification by the Rivanna Solid Waste Authority that such closed
405 meeting was conducted in conformity with Virginia law; now, therefore, be it resolved that the
406 Rivanna Solid Waste Authority hereby certifies by recorded vote that, to the best of each
407 member's knowledge, only public business matters lawfully exempted from the open meeting
408 requirements of the Virginia Freedom of Information Act and identified in the motion
409 authorizing the closed meeting were heard, discussed or considered in the closed meeting to
410 which this certification resolution applies. Mr. Andrews seconded the motion, which passed
411 unanimously (7-0), by roll-call vote.

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413 *12. ADJOURNMENT*

414 At 4:48 p.m., Mr. Andrews moved to adjourn the meeting of the Rivanna Solid Waste
415 Authority. Mr. Pinkston seconded the motion, which passed unanimously (7-0).

416
417 Respectfully submitted,

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Mr. Michael Rogers
Secretary - Treasurer

