

## **BOARD OF DIRECTORS MEETING**

October 25, 2019

9:00 a.m.

Don Hill County Administration Bldg

20 S. Second St., Newark

Ben Carpenter, chair, called the meeting to order at 9:03 a.m.

### **ROLL CALL**

Attending: Rick Black, Tim Bubb, Steve Davis, Gary Fischer, Jeff Fix, Duane Flowers, Curtis Lee, Dave Levacy, Scott Owen, Dane Shryock and Ben Carpenter

Not attending: Jim O'Brien.

### **APPROVAL OF MINUTES**

Motion to approve the minutes from the June 28, 2019 Board meeting, as submitted, was made by Duane Flowers and seconded by Steve Davis. The motion carried without opposition.

### **DIRECTOR'S REPORT**

Vacation/Sick Payout - Carol proposed a language change to the current vacation/sick payout policy. The proposed language is: In the event of termination of any employee currently funded by a contract with the Solid Waste District ***“or an employee in a position previously funded by a contract with the solid waste district who became subcontracted when the Recycling and Education contracts were combined”***, who is working no less than 75% of the employee's time on contract activities at the time of termination, where the employee is entitled to receive a separation payment for accrued and unused vacation and/or sick leave from the employer, the District will reimburse the employer a portion of the payment for vacation and/or sick leave accrued and not used during the time the employee was paid through this or previous District contracts equal to the percentage of time the employee devoted to the contracts. She also recommended that this policy language be made retroactive to January 1, 2019, when the contracts were combined. Additionally, Carol advised the Board that this change will allow for a payment before the Board today in the amount of \$2,108.88 for Elizabeth Hardwick, the former Education Specialist at Community Action in Fairfield County. Steve Davis made a motion to approve the amended language making it retroactive to January 1, 2019, per the Director's recommendation and the approved payout for Elizabeth Hardwick. Tim Bubb seconded the motion. The motion carried without opposition.

Treasurer's Report – Carol advised the Board that the cash balance in the solid waste account at the end of September was \$8,389,687.50. She stated that October expenditures would include final payouts for 2019 contracts. Motion to accept the treasurer's report as presented was made by Tim Bubb, seconded by Duane Flowers. The motion carried without opposition.

## **OLD BUSINESS**

### **LEGAL UPDATE**

Joe Durham, legal counsel asked the Board to enter into Executive Session to discuss pending litigation. A roll vote was taken. Those voting yes were: Rick Black, Tim Bubb, Steve Davis, Gary Fischer, Jeff Fix, Duane Flowers, Curtis Lee, Dave Levacy, Scott Owen, and Dane Shryock. The motion carried without opposition. The Board entered Executive Session at 9:27.

General session reconvened at 9:43 with no decisions being made during Executive Session.

### **FEASIBILITY STUDY - FINAL REPORT**

Carol presented the Board a recap of the feasibility study. The recap included recommendations from the consultant and from Carol. Carol's recommendations included: working with existing facilities to upgrade processing and collection equipment, and to hold off on building any new processing centers until such time as affordability and sustainability are able to be presented.

Existing recycling programs with processing facilities were advised to submit funding applications for equipment needed to upgrade their facilities, and those applications can be brought before the Board at the February (28<sup>th</sup>) meeting.

Ben Carpenter stated that Perry County is ready to move on building a new recycling facility. The commissioners have land they are willing to donate (industrial park, southern part of New Lexington). Additionally, he advised the Board that the Perry County Commissioners have spoken with an architect who advised them a facility would cost approximately \$120/sq. ft. so they are estimating that the cost would be between 1 – 1.8 million dollars. Ben also said that he is looking into the possibility of applying/receiving a grant from Rural Development for approximately 50% of the costs and that the current facility is inefficient. Discussion ensued regarding the possibility of the other recycling programs in the district bringing materials to the new facility. Concerns were expressed regarding the proposed location of the new facility which would make transportation difficult for the other counties. Board members asked if the Perry County Commissioners could look into the possibility of having the recycling center at a location in Perry County closer to the other counties and bring that information to the February (28<sup>th</sup>) meeting

## **NEW BUSINESS**

### **EQUIPMENT DISPOSTION**

Fairfield County – In 2001 the District gave the Fairfield County Commissioners funds to purchase a 2001 Ford F350 truck for recycling purposes. The truck was involved in an accident, the insurance company has declared the truck totaled and will be issuing a check for the value of the truck. The request is to dispose of the truck by means of exchanging it for the check from the insurance company which will be reimbursed to the District.

Curtis Lee made a motion to approve the request for disposal as submitted. Rick Black seconded. The motion carried without opposition.

Coshocton County – In 2002 the District gave \$24,500 to Skip's Refuse to purchase a can densifier. The business has now closed and the equipment is no longer needed for the purpose for which it was purchased. The densifier has been offered to other recyclers within the district (per equipment policy) with no interest being expressed. The request is to dispose of it for scrap value with the proceeds to be retained by the estate of Skip Ferrell. Discussion ensued regarding transportation costs to move the equipment and the possibility of listing it on GovDeals (which can only be done through a government office). Motion was made by Rick Black to have the Coshocton County Commissioners explore disposal methods and dispose of equipment as they see fit. Jeff Fix seconded the motion. The motion carried without opposition.

### **2020 FUNDING REQUESTS**

The following requests for funding were presented to the Board. Education & Recycling programs: Coshocton County \$266,378.66, Fairfield County \$655,552.99, Licking County \$859,326.56 and Perry County \$602,276.97. Law Enforcement programs: Coshocton County \$65,555.00, Fairfield County \$98,153.85, Licking County \$39,950.00 and Perry County \$61,773.49. Health Department Enforcement programs: Coshocton County \$50,038.49, Fairfield County \$30,716.02, Licking County \$44,430.00 and Perry County \$61,215.54. Additionally, there is a County Assistance request from Perry County in the amount of \$127,500.00. Motion to approve the funding requests as specified in the application within the guidelines of the district's contract program and waiving the audit required under ORC9.234 for contracts under \$300,000.00 was made by Curtis Lee. Rick Black seconded the motion. The motion carried without opposition.

### **2020 FINAL BUDGET**

Carol presented the Board members with a budget of \$6,596,636.42 for 2020. Steve Davis made a motion to approve the 2020 budget as submitted. Tim Bubb seconded the motion. The motion carried without opposition.

10:30 Jeff Fix left. The Board still had a quorum.

### **PUBLIC COMMENT**

Kellie Ailes introduced Jennifer Kolometz to the Board. Jennifer has replaced Chad Reed as the Program Manager for Fairfield County.

Steve Davis asked if the Board could take a short recess. A recess was then taken (10:25-10:35).

Note: Duane Flowers left at 10:37

### **EXECUTIVE SESSION**

Motion was made by Steve Davis to enter into Executive Session for the purpose of discussing personnel as allowed under ORC-121.22G. Second was made by Dave Levacy. A roll vote was

called. Those voting yes were: Rick Black, Tim Bubb, Steve Davis, Gary Fischer, Curtis Lee, Dave Levacy, Scott Owen, Dane Shryock Those voting no were: none. The motion carried unanimously 8-0. The Board entered into executive session at 10:40 a.m.

General Session reconvened at 10:50 a.m. with no business being conducted in Executive Session.

Steve Davis made a motion to increase district employees' salaries by 3% for 2020. Rick Black seconded the motion. The motion carried without opposition.

### **EXECUTIVE SESSION**

Joe Durham, legal counsel asked the Board to enter into Executive Session to discuss pending litigation. A roll vote was taken. Those voting yes were: Rick Black, Tim Bubb, Steve Davis, Gary Fischer, Curtis Lee, Dave Levacy, Scott Owen, and Dane Shryock. The motion carried without opposition. The Board entered Executive Session at 10:52.

**Note:** Curtis Lee & Dane Shryock left at 11:05. At that time, seven Board members were remaining (that is a quorum).

General session reconvened at 11:16 with no decisions being made during Executive Session.

### **TUNNEL HILL SETTLEMENT**

Joe Durham advised the Board of Directors that Tunnel Hill has offered the District and the Perry County stake holders \$1,000,000.00 (to include attorney fees). In exchange there will be no admission of liability. The Board instructed Joe to negotiate the settlement documents for further approval.

Steve Dave made a motion to accept to the proposed settlement offer. Gary Fischer seconded the motion. The motion carried without opposition.

### **NEXT MEETING**

The next meeting is scheduled for February 28, 2020 at **9:00 a.m. at the Don Hill County Administration Bldg, 20 S. Second Street** in Newark.

Motion to adjourn was made by Dave Levacy. Tim Bubb seconded the motion. Motion carried without opposition. The meeting adjourned at 11:20 a.m.

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Secretary, Kim Masters

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Date Approved