

MINUTES

Monroe County Solid Waste Management District
Board of Directors
Nat U. Hill III Meeting Room, Monroe County Courthouse
Bloomington, Indiana
Thursday, March 10, 2011 4:00p.m.

Members present: Iris Kiesling, Mark Kruzan, Geoff McKim, Patrick Stoffers, Mark Stoops, Dan Swafford, Steve Volan.

Members absent: none.

Staff present: Larry D. Barker, Executive Director, Shirley McMurry, Controller, Tom McGlasson, Director of Environmental Compliance & Safety and Landfill Director, Scott Morgan, Operations Director, Elisa Pokral, Media & Education Director, Brenda Stogsdill, Office Manager.

Legal counsel present: Bob Mann.

CAC present: Steve Akers.

Chairperson McKim called the meeting to order at 4:01 p.m.

Approval of Minutes – February 10, 2011. Volan motioned to approve; Stoffers seconded. Motion passed. Kiesling stated she would abstain because she has been out of town and unable to review the minutes. The verbal vote was five ayes (McKim, Stoffers, Stoops, Swafford, Volan) and one abstain (Kiesling).

Kruzan arrived 4:04 p.m.

Controller's Report – Payroll, Claims & Cash Flow. Stoffers motioned to approve; Kiesling seconded. McMurry reported pre-approved claims of \$71,755.81, current accounts payable and payroll to approve of \$95,082.95 for a total of \$166,838.76. Stoffers asked for an explanation on the claim for Bi-Con Services in the amount of \$6,440.00. McMurry asked McGlasson for clarification because this was for landfill work. McGlasson stated this company is out of Cincinnati, OH, we have been working with them to do a methane recapturing project, analysis and feasibility study at the landfill. Stoops asked if our methane is vented directly, McGlasson said yes.

Kiesling asked if it is currently being burned and McGlasson said no we are not burning or capturing. Kiesling asked if there is enough to do that and McGlasson said that is what the \$6,000 charge is for and the company came back said it was minimal in projection. McGlasson and Barker have questioned the methods Bi-Con used to do the study. Bi-Con wanted to come back and not use the passive venting used during closure and drill extraction wells. McGlasson has asked them to reassess this and other methods that might be used. Kiesling asked if there will be more methane over time. McGlasson said based on engineering and EPA models we are about to hit the bell curve of peak generation and will go downward in the near future. McKim asked if we anticipate additional charges from Bi-Con. McGlasson said that will depend on what they come back with what he and Barker have asked them to do. McKim asked if the claim from Andrews, Harrell and Mann in the amount of \$6,268.50 is the total charges for everything to date including recent discussions on contracts. McMurry said this includes invoices for September through February that Mr. Mann has done for the research, resolutions and the possibilities of doing the MRF. McKim asked if March invoices were pending and McMurry said yes. The verbal vote was unanimous (Kiesling, Kruzan, McKim, Stoffers, Stoops, Swafford, Volan).

McMurry reported the cash flow balance through February is \$1M minus the bond reserve account bringing the balance to \$700,000 which will take us through first six months of next year.

Republic Services – Extension of Contract. McKim stated this item would be pulled until next month. Kiesling asked what we would be doing since the contract has expired. Barker stated we would be doing daily and weekly continuations. Kiesling asked if the board needs to approve that. Mann said the contact has expired and has been extended. Kiesling said we have not extended lately. Morgan stated the original contract expired and was extended until March 31, 2011. Stoops asked what the process would be after that and Morgan said additional meetings between now and the end of the month might be possible. Morgan said Hoosier could choose to honor what is in place or to discontinue services. Kiesling asked what if they decide not to continue services. Morgan said we would have to find another solution for recycling such as local vendors. Barker stated we are working on a new contract with Republic Services but it is not ready to bring to the board for a vote. Barker stated we may need to have a special meeting. Kiesling said we do not have enough time for special meetings. Stoops suggested giving the Executive Director or the Executive Committee

permission to negotiate a short term agreement. Volan asked if the Director already has that ability and Kiesling said no. McKim stated that would be a reasonable thing to do on a short term basis as we are trying to get terms and conditions more favorable for the District. McKim said haste does not work in our favor.

Kiesling felt everyone had not been involved in other discussions for consideration. Mann said the parties are going to sit down and try to negotiate a new contract even though the old contract has expired to see if an agreement can be reached. . Mann said you can pass a motion authorizing your president or someone to enter into further extensions pending a conclusion of negotiations. If you don't get an agreement you will probably need requests for proposals. Stoops asked if Mann thought the board should appoint the Director or President of the Board, Mann stated it doesn't matter if the other party agrees. Kiesling stated the Executive Committee has been responsible for this in the past. Volan asked if this meant someone would be authorized to enter into a contract on the board's behalf without seeing it. McKim stated this would be for a short term extension of the existing contract only. Kiesling motioned to allow the Executive Committee to negotiate an extension if necessary; Volan seconded. Kruzan asked Mann if we didn't do anything would the results be the same as we are doing right now. Mann said he didn't think the other side would stop the services while trying to have a meeting. McKim agreed.

Volan stated for clarification that we did not need a special session of the board to approve the extension of the current contract and there is no provision in the contract to automatically extend the contract. Mann stated the answer is no, the contract is expired and now you are letting the parties participate as if it wasn't expired until you determine whether or not you can conclude your negotiations. If you cannot conclude the negotiations then the board will have to do something else. Volan stated he thought the contract was extended until the end of the month. Mann said yes under the previous motion. Kruzan said it is his understanding that the executive committee and not the director will be doing this and he thinks it is unnecessary. He is nervous about what signal we are sending since we have not told Republic we are doing this and if the committee can't do it then by lack of action we are suggesting we cannot do what we are already doing. Mann said we are moving down this path with or without motion until both parties either reach an agreement or cannot reach an agreement, either way we need to move quickly. If you can't the board is gong to have to do something else. If Republic is willing to extend the contract that is a possibility also. Volan feels if we can't come to new terms but we can

extend then that will need the approval of the board but the Board is giving the proxy to the Executive Committee. McKim said yes that is the purpose of Kiesling's motion. Mann stated this is the safest way by giving the authority to someone. Motion passed. The verbal voted was six ayes (Kiesling, McKim, Stoffers, Stoops, Swafford, Volan) and one nay (Kruzan).

Resolution 2011-01 – MRF Request for Proposal Determination. Volan motioned to approve; Kruzan seconded. Morgan stated this allows the district to do requests for proposals instead of bids for the purchase of equipment and installation for a MRF. Morgan said staff feels this is an appropriate course of action and it will give us more flexibility. It is the legal opinion of our legal counsel that we go in this direction.

Kiesling stated we do not have a place for a MRF. Morgan said this will be applicable to any location. Kiesling asked how they would know what size equipment and space would be needed. Morgan said the RFP's would contain all of this type information. Kiesling asked what the timeline is. Barker said a lot of action is going on between Republic Service's contract and the MRF and we need to have something locked in by July 1, 2011. Kiesling feels this awfully quick. Barker said we have been working on this for two years and most all bugs are ironed out and it should be doable. McKim said this does not compel the District to do a MRF it just says that if we choose to move forward we will do an RFP rather than bids. Morgan said yes even if we do the RFP and get responses there is still an evaluation process on those responses and we are not bound to accept anything. Motioned passed. The verbal vote was six ayes (Kiesling, Kruzan, McKim, Stoops, Swafford, Volan) and one nay (Stoffers).

Reports from Staff. Pokral presented from her prepared report. Highlighting that Barker met with legislative representatives on Feb 12th, media releases for March included the CAC Adopt-A-Road and Earth Hour, Bulky Item flyers have been distributed and posted. There was an article on our Green Business Network in the Herald Times Down to Earth section on February 25th, also included was Pokral's article on Being Green. An upcoming article in the HT will be on Earth Hour to be held March 26th from 8:30 p.m. – 9:30 p.m., this encourages area residents and people all over the world to turn off nonessential lights for one hour. We are collaborating with IU to publicize our Bulky Item Days and IU's electronics collection. Kiesling asked where the IU electronics collection will be. Akers stated it will be at the IU stadium on May 12th through 14th.

Morgan said he had nothing to add to his written report. Kiesling asked if Freon is still a popular collection item. Morgan said very much so. Stoffers said Marsh is doing needle & medicine collection and wanted to know if they do this periodically throughout the year. Morgan said he did not know how often they do this but they have been doing it more periodically because they have their own pharmacists and are able to do this through the corporation. McKim noticed Morgan had met with Chris Gaal of the Prosecutors office concerning Monroe County's pharmaceutical collection and wanted to know if the District is involved. Morgan said yes by April or May meeting he will have more formal information to release.

Kruzan left 4:32 p.m.

McGlasson highlighted from his report that the EPA has delayed the new Greenhouse Gas Report until sometime this summer. We are hauling excessive amounts of leachate trying to catch up from November's excessive amount of rain. In February 600,000 gallons was hauled. The leachate treatment system is running 10 hr cycles with approximately 3,600 gallons per batch, which is a little slower due to cold weather, the higher the water temperature the faster the treatment system works. McKim asked if the system is running at maximum capacity. McGlasson said yes.

Barker brought attention to Senate Bill 565 which now has been designated Senate Resolution 0033, which is included in the board packet. This will be heard at the Environmental Quality Service Council (EQSC) this summer. Also included is Senate Bill 433 which specifically tells Solid Waste Management Districts to promote electronic recycling. Volan asked for explanation of SB433. Barker said you need to watch the discussion on this bill to see that the SWMD's will be responsible for the advertising and collection of electronic waste. It is a very good thing because it shows the importance of SWMD's in the State of Indiana.

Citizen's Advisory Committee Report. McKim congratulated Akers for winning the Mayor's Award for Excellence in Civic Engagement.

Akers highlighted from their March 3rd CAC minutes. Larry Pejeau of ReStore gave a presentation at the March meeting. Pejeau explained what their services are and how they will pick up items from business and residents which in turn keeps these things from going to the landfill. Akers said the CAC members will be helping at Bulky Items Day and St. Vincent

DePaul Church and Habitat/ReStore will also be there to collect usable items. CAC will be doing an Adopt-A-Road cleanup on March 26th.

Lilly Kleinlein and Jordan Shifriss attend the CAC meetings, they are part of the class of Leadership Bloomington. They have developed a panel discussion on recycling in a business setting set for Wednesday, March 30th, 6:00 p.m. in Room 1B and 1C at the Monroe County Library.

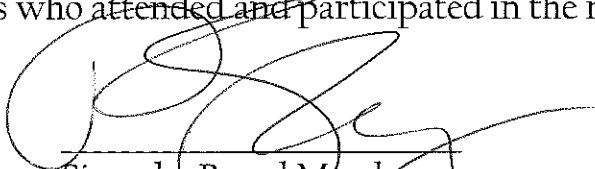
Volan asked how they know as stated in their minutes, that Bloomington High School North is the most active high school in the U.S for Habitat for Humanity. Akers said his kids went to North HS and the National Organization for Habitat told them that by building a house every year they are the most active.

Volan also asked if the dorms and Greek houses are on board for the Hoosier-to-Hoosier community sale. Akers said all dorms and Greek houses know when and how to donate unwanted items. Early June and August is a big month for off campus apartment collection. Volan asked if eventually non-centralized places such as neighborhoods would have items picked up. Akers said they are doing double efforts this year by sending trucks to pick things up and also by having drop off days during the summer at Gladstein Fieldhouse. Akers said they are trying to focus on students moving out because there are other organizations collecting items throughout the year. Volan asked if they track what is hauled. Akers said they cannot track by weight but they do track the number of hauls from each place.

Public Comment. None.

The meeting adjourned at 4:48 p.m.

Unless otherwise stated, all documents referenced in these minutes are considered a part of these minutes and are on files in an official record book in the District office. These minutes were offered for review to all Board members and Staff members who attended and participated in the meeting.



Signed - Board Member
Minutes of March 10, 2011