

**MINUTES OF THE BOARD OF DIRECTORS OF THE  
SOUTHEASTERN PUBLIC SERVICE AUTHORITY OF VIRGINIA**

**June 26, 2019**

The Regular Meeting of the Board of Directors of the Southeastern Public Service Authority (SPSA) was held at 9:30 a.m. in the Regional Board Room at the Regional Building, 723 Woodlake Drive, Chesapeake, Virginia. The following members were in attendance or as noted:

Mr. John Maxwell	(CH)	Mr. Steven Jenkins	(CH)
Ms. Sheryl Raulston	(FR)	Mr. H. Taylor Williams	(FR)
Mr. Dale Baugh	(IW)	Mr. Randy Keaton	(IW)
Mr. John Keifer	(NO)	Mr. Richard Broad	(NO)
Mr. C.W. "Luke" McCoy	(PO)	Mr. Solomon Ashby	(PO)
Mr. Mark Hodges	(SH)	Ms. Lynette Lowe ( <i>absent</i> )	(SH)
Mr. David Arnold	(SU)	Mr. Patrick Roberts**	(SU)
Mr. William Sorrentino ( <i>absent</i> )	(VB)	Mr. John Barnes	(VB)

\* Indicates Late Arrival

\*\* Indicates Early Departure

(CH) Chesapeake; (FR) Franklin; (IW) Isle of Wight; (NO) Norfolk; (PO) Portsmouth, (SH) Southampton County; (SU) Suffolk; (VB) Virginia Beach

Others present at the meeting included the Alternate Ex-Officio Members, Ms. Erin Trimyer (PO), Mr. Scott Mills (SU), Mr. Eric Martin (CH), Mr. Michael Etheridge (SU), Mr. Hart Council (SH), and the following SPSA executives, Ms. Liesl R. DeVary, Executive Director and Treasurer, Mr. Dennis Bagley, Deputy Executive Director, Ms. Sandy Schreiber, Accounting Manager and Secretary and Warren Tisdale, General Counsel.

**1. CALL MEETING TO ORDER**

Mr. Keifer (NO), Chairman of the Board, began by explaining that Blanche Christian moved to another position in Fleet Maintenance and that Sandy Schreiber, SPSA Accounting Manager would be appointed Board Secretary until the Executive Assistant Position is filled.

**Mr. Jenkins (CH) moved, seconded by Mr. Ashby (PO) to approve the appointment. The vote of the motion was unanimous.**

**2. PUBLIC COMMENT – No public comments received.**

**3. CHAIRMAN'S COMMENTS**

Mr. Keifer (NO) asked for a report from the Chairman of the Nominating Committee. Mr. Maxwell (CH) named the candidates recommended to the Board: Mr. John Keifer (NO); Chair,

Mr. Luke McCoy (PO); Vice Chair, Ms. Liesl DeVary; Treasurer, and Ms. Sandy Schreiber; Secretary.

Mr. Keifer (NO) stated the board will entertain other nominations and vote at the July meeting.

#### 4. APPROVAL OF MINUTES

The minutes of the May 22, 2019 Board meeting have been distributed. Mr. Keifer (NO) asked if there were any additions or changes.

**Mr. Taylor Williams (FR) moved, seconded by Mr. Richard Broad (NO) to approve the May 22, 2019 minutes of the SPSA board as presented. The vote of the motion was unanimous.**

#### 5. EXECUTIVE DIRECTOR UPDATES

Ms. DeVary began by stating that SPSA staff continue to keep operations running smoothly. She, Chairman Keifer, Bill Sorrentino, and Mr. Bagley met with the Corp of Engineers earlier in June at the Norfolk office to kick off the permitting process for Cells VIII and IX. Ms. DeVary stated she thinks the meeting went very well. She wanted to ensure they understand what this project is about and why we need it. The next stakeholders meeting regarding the flyover at the Suffolk Landfill will be held on July 2, 2019.

SPSA received the HRSD Gold Award for 2018. This is in recognition of outstanding environmental compliance for the last 12 months. Ms. DeVary recognized and commended Environmental staff in attendance including Mike Kelley and Brittany Collins. She explained that these staff members, as well as Randy Roberts, are responsible for our environmental compliance, and they ensure that all of our sampling is done properly.

Ms. DeVary commented that she made the final presentation to Suffolk City Council on June 5<sup>th</sup>. She has made this presentation to all eight communities.

Ms. DeVary asked Mr. Bagley to provide the operations report.

Mr. Bagley stated that for the reporting period, the landfill received 29,264 tons of material. The landfill saw a decrease of 2,467 tons as compared to the previous month. Wheelabrator delivered 14,715 tons of residue to the landfill. 82% of that (12,119 tons) was reclassified as nonqualifying. The total leachate hauled was 725,471 gallons. The total leachate pumped to HRSD was 714,242 gallons, for a total of 1,439,659 gallons. That is a decrease of 163,986 gallons from the previous reporting period. There are multiple reasons why that fluctuates each month; mainly this month it was because we didn't have a lot of rain.

The compaction and grading control system that the board approved two meetings ago will be in operation by the end of June and testing will be conducted the first week in July.

There were no odor complaints for the reporting period.

Mr. Bagley stated that an e-mail was sent by Ms. DeVary to the board members regarding a fire at Wheelabrator on Friday, June 21<sup>st</sup>. Wheelabrator will discuss during their presentation but Mr. Bagley wanted to make the board aware that we are diverting our daytime waste loads to the landfill at this time. Night loads are still going to Wheelabrator because we do not have the capability of operating safely at the landfill at night. On Friday, June 21<sup>st</sup>, we diverted 273 tons. Yesterday (June 25<sup>th</sup>), we diverted 297 tons and we diverting through the end of the week.

Mr. McCoy (PO) stated he is concerned about Wheelabrator's plan to get the operation up and running. Last update from staff was that we had only one line running. I'm sure you're doing as much as you can, but you're not burning as much trash as we're bringing in.

Mr. Maxwell (CH) asked if the 82% of ash reclassified was high? Mr. Bagley answered that it is high and we are reclassifying it and charging a higher rate. Wheelabrator began screening ash but there is inconsistency in their ability to maintain a constant flow of quality ash. Wheelabrator has given reasons why, but the majority of the ash we are receiving is still not good ash for us to use as cover. When we reclassify the ash, it goes directly into the landfill and gets billed back to Wheelabrator at a higher rate and Suffolk receives a host fee for that waste. Yes, that number is extremely high, but there are some things we're working on to try to get that number down because it really has an impact on our operations because we don't have ash to use as cover, and we're having to bring in dirt from the borrow pit and there are costs incurred for hauling that dirt. Mr. Maxwell (CH) requested a follow-up report at the next meeting.

Mr. McCoy (PO) expressed concern and asked that we go back to the first statement of the Executive Directors report. "SPSA staff continues to keep operations running smoothly." Mr. McCoy (PO) commented that we are running as smoothly as we can under the circumstances, but from his understanding and involvement in this system since inception, what we have at the present time is not acceptable, and either we need to get serious or Wheelabrator needs to get serious about what is being done.

## **6. WHEELABRATOR PORTSMOUTH MONTHLY REPORT**

Mr. Stratton began the Wheelabrator operational report for May 2019 by explaining the June 21st fire. He stated the fire that occurred last Thursday into Friday morning started in the shredder. It affected the discharge belt being that it is rubber, and the internal motor windings were damaged. Contractors are repairing the belt, rollers, and skirting today. We've had two electrical contractors around the clock pulling in new wiring for the motor that was damaged. I do not have an estimated time of return on that motor. It is a 30-year-old housing. These shredders are 30 years old – we cannot call the manufacturer and receive a new housing. You have to make it. The motor is a 35-week lead time. The stock motor that Wheelabrator has on the shelf right now is still the old SPSA spare motor, which does not fit the application anymore. I will have a report from the machine shop today about C line and hopefully have the second line up by the end of the week.

As far as other customers having priority to dump over SPSA, that is certainly not the case. We pushed out all direct haulers to our facility. There are only two trucks that we accepted this morning, which had to be incinerated. The purpose of that is you are our largest customer, and we have to sustain you through the night shift at the very least, and thank you, Liesl and Dennis, for the efforts they've taken and to the board as well, on moving these day shift tons out to the landfill.

Mr. Stratton replied I have faith in Liesl and Dennis. I think we have a good relationship. It's open and honest. Liesl doesn't have a hard time telling me what she needs, when she needs it, and we accommodate however we can and it works both ways as the situation is right now. You guys are assisting us, accommodating, moving tons out during the daytime, and I do think it is a partnership. I mean, you are our biggest customer.

Mr. Barnes (VB) asked for confirmation that Wheelabrator has 3 total lines and one was being overhauled at the time of the fire. Mr. Stratton confirmed that C line was being overhauled. Mr. Barnes (VB) asked what is the date that the C line overhaul should be completed. Mr. Stratton responded that it should have been done two weeks ago, but the housing has been in and out of the machine shop with a bearing failure on start up. The C line should have already been up, but we had issues on the startup of the machine.

Mr. Barnes (VB) asked if Wheelabrator is able to process some material through line A. Mr. Stratton answered that they can do about 1600 to 1700 tons a day on a single processing line. It depends on how fast and how tight the hammers are on that machine. Right now, we're running about 7 and 1/2 feed on the incoming line of the machine. We'll get about 600 tons a day through that and that is why it was important to push commercial haulers out and you are moving the day shift tons to the landfill so we can accept the loads at night and keep up on the floor.

Mr. Stratton presented the May 2019 operational report for Wheelabrator Portsmouth:

Wheelabrator Portsmouth May 2019  
Operational Data



51,532 Tons	60,177 Tons	55,458 Tons	14,714 Tons	20,809 MW
Total waste received by SPSA	Waste delivered to RDF	Total RDF processed	Ash sent to landfill	Electric power sold
32,175 K-LBS	96%	99%	0	0
Steam sold to U.S. Navy	Overall boiler availability	Overall generator availability	Environmental incidents and OSHA recordable accidents	OSHA recordable accidents YTD

Mr. Stratton commented that the ash screener had issues with feeding and there was a breakdown in the machine. We rented the machine for two months and have extended the rental another two months. The biggest part of June was spent having to manufacture a ramp that was tall enough so the loader could get high enough to feed the machine. We have a 972 loader with

an extended reach, and it still wasn't tall enough. We had a ramp manufactured to feed the machine.

Mr. Stratton responded to a question asked by Mr. Maxwell (CH) stating he would like to see the non-qualifying ash level at 10% and he thinks this can be done.

Chairman Keifer (NO) commented that there are a couple significant issues and Liesl has been involved in some continuous discussions with Wheelabrator and will continue to do that. One question I would like answered is why wouldn't you just burn the material longer?

Mr. Stratton answered that the grates move at 20 feet per hour. That is the max at 100% speed. If you slow down the grate too much, you will pile the grate up so your grate will get thicker. The boilers are only designed with an 18" discharge zone and we run the grates typically around 80%. So, we are running them slower than 20 feet an hour equates to about 17 ½ an hour. The design of the boiler has an 18" discharge for the grate to roll off. It's already 8 to 10 inches, if we slow it down more, we're going to back up and seal off the front of the boiler and the incoming waste will contact that pile, and we'll block the shoot, plug the shoot up.

Chairman Keifer (NO) asked if there is another boiler that can be used to alleviate some of that? Mr. Stratton responded no. These are CBU40 boilers. These are combustion designed with 18" discharge. We can look at possibly raising the discharge, but that comes into contact with the structure. We'd have to get engineering involved with that. Chairman Keifer (NO) stated that he encourages Wheelabrator to look into that.

Mr. McCoy (PO) noted that Mr. Stratton said earlier that capacity is 1600 tons on the A line. Under the circumstances, how long will it take to get caught up? Mr. Stratton responded that as of this morning we have 1400 tons in the pit at the power plant and I have just as much on the RDF tipping floor. I'm thinking about securing one of the boilers because I could keep up with the 1600 tons with 3 boilers. Mr. Stratton responded that he can process over 2,000 tons a day on the boiler at present time.

## **7. FINANCIAL REPORT**

Ms. DeVary began by stating for the month ending May 31, 2019 total revenues exceeded total expenses by approximately \$6.9 million as compared to \$3.3 million in the previous fiscal year. Tipping fees reflect an increase of 2.9% or approximately \$1.13 million compared to this time last year. Municipal waste tons are up approximately 14% or 48,947 for May. Total municipal tonnages as of May 31, 2019 fiscal year to date were 410,122 tons compared to 361,175 tons a year ago. Total expenses as of May 31<sup>st</sup> were approximately \$37.5 million as compared to \$37.7 million in the prior fiscal year. Cash balances total \$31.2 million and are designated as follows: \$8.5 million in the operating fund, a little over \$100,000 for rolled purchase orders, \$3.3 million in the undesignated fund balance, \$2.4 million for capital projects and \$16.9 million in the landfill closure.

Mr. Keaton (IW) asked what was the budgeted volume of waste in FY 2019. Ms. DeVary responded 416,000 tons. Mr. Keaton (IW) noted we are significantly above and asked what is driving the large increase in tons. Ms. DeVary answered that it is municipal waste collections.

**Mr. Jenkins (CH) moved, seconded by Ms. Raulston (FR) to approve the SPSA financial report subject to audit as presented. The vote of the motion was unanimous.**

## 8. CONTRACTS

Ms. DeVary introduced a contract for the purchase of eight (8) road tractors. The purchase of road tractors has been part of the capital project plan. This will be the third consecutive year that we are purchasing eight (8) new road tractors. The contract is based on a Sourcwell Cooperative Procurement Contract for Peterbilt 567 tractors. Total cost is \$1,184,464. One million was budgeted and the remaining \$184,464 can be transferred from the undesignated capital balance. Mr. Jenkins (CH) asked if the capacity is the same as the tractors being replaced. Mr. Bagley responded yes.

**Mr. Arnold (SU) moved, seconded by Mr. Jenkins (CH) to award the contract for eight (8) road tractors to Peterbilt as presented. The vote of the motion was unanimous.**

Ms. DeVary continued with the next contract for Laboratory Analysis Services. SPSA would be exercising option year 3 of 4 with Air, Water and Soil Laboratories. This service provides the lab analysis in support of SPSA's environmental monitoring program. Costs are based on usage, but the unit rates have not changed and the total estimated annual cost is \$100,000.

**Ms. Raulston (FR) moved, seconded by Mr. Williams (FR) to renew the contract for laboratory analysis services with Air, Water and Soil Laboratories as presented. The vote of the motion was unanimous.**

## 9. PRESENTATION ON LANDFILL EXPANSION AND THE PERMITTING PROCESS

Ms. DeVary introduced Jeff Murray, SPSA's engineer and advisor with HDR Engineering. Mr. Murray, along with Megan O'Reilly, who leads the Strategic Communications team will provide a presentation on the Landfill Expansion and Permitting Process. Ms. DeVary noted that a copy of the presentation was provided to each of the board members.



**IN THE LAST FIVE YEARS, WE HAVE COMPLETED:**

**NEPA/IMPACT ASSESSMENT**

**200+** EISs and thousands of EAs and EIRs for all major federal agencies and many states and municipalities

**AIR QUALITY**

• Clean Air Act compliance  
• Dozens of specialists, cover all U.S. geographical areas and numerous countries  
• Streamlined permitting and environmental review

**CULTURAL RESOURCES**

Ethnographic survey/ interview coverage area: **4.59M acres**

Architectural properties/districts surveyed, evaluated and documented: **5,000** Properties/Districts

Archaeological survey: **1100** sites and **500,000** acres

Tribal communities consulted: **650**

**ECOLOGICAL RESTORATION**

**334,000** Linear feet of stream channels designed

**200+** stream and wetland mitigation projects completed

**3,100+ acres** of restored and enhanced wetlands

**BIOLOGICAL AND ECOLOGICAL SCIENCES**

Wetland survey/ Delineations: **850,000 acres**

Natural resources management/planning: **1.38M acres** Military lands

**Hundreds** threatened and endangered species surveys

**COMPLIANCE MONITORING**

**500+** MALS

of pipelines, transmission lines, and roadways monitored during construction

- Natural and cultural resource protection
- Best management practice (BMP) compliance
- Air quality, stormwater and spill prevention inspection

**ENVIRONMENTAL PERMITTING**

Successfully negotiated thousands of permits with U.S. agencies:

- Army Corps of Engineers
- Coast Guard
- National Marine Fisheries Service
- Environmental Protection Agency
- Fish and Wildlife Service

**ENVIRONMENTAL COMPLIANCE**

**500** environmental and safety compliance audits

**20,000** client personnel trained on environmental compliance and occupational safety regulations

Managed the safe disposal of 100,000 lbs of hazardous waste for federal clients

**ACOUSTICS**

**Thousands** of field data collection hours

Award-winning research, including research for the National Academy of Science

Architectural, Environmental, Industrial, Occupational, Underwater acoustics, and noise/vibration models and studies

**MARINE SCIENCES**

**Thousands** of miles beach-combing and surveys



**Thousands** of hours conducting vessel surveys

**Tens of thousands** of trash items removed

**3,000+** acres of marine digital preservation mapping

**Local Environmental Practice**

- Virginia Department of Transportation, Route 460 Project Management Contract, Route 460 Corridor Improvements Project, Prince George, Sussex, Surry, Southampton, Isle of Wight, and Suffolk, VA. Provided environmental services to VDOT for the Supplemental EIS for this 55 mile roadway project, including Joint Permit Application, wetland delineations, stream assessments, and field surveys of natural resources. Assisted with the preparation of the Supplemental EIS. Additionally, HDR performed Threatened and Endangered habitat surveys and conducted species presence surveys for endangered salamanders and frogs.


- 01** Need for Expansion
- 02** Solid Waste Permitting
- 03** Wetland Permitting
- 04** Work Milestones
- 05** Strategic Communications
- 06** Board Action Items



**01** Need for Expansion

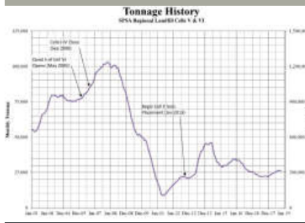
**SPSA Suffolk Landfill Expansion History**

- Part A Amendment for Cell VII Issued in April 2009 for 56 Acre Expansion and 10.8M CY Disposal
- Part B Amendment for Cell VII Issued June 2011
- Suffolk CUP for Cell VII expired
- New CUP for Cell VII and Borrow/Compost Operations in Cell VIII and IX Issued August 2017
- Cell VII still being used for borrow material for Cell VI, until Cell VII is constructed



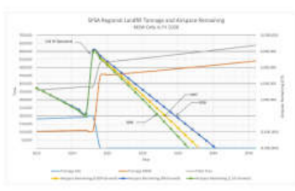
**Airspace Consumption**

- January 24, 2018 MSW from Western Communities Disposed at Regional Landfill
  - 9,000 tons per month, 33% of Waste Stream
  - Impacts to Operational Density Anticipated
    - Likely to Approach 1600 lbs/CY
- 3.4M CY Airspace Remaining Anticipated end of FY 2019
  - Remaining Life Dependent on Contract Renewal with Wheelabrator (Late 2027-2029)
- Need Long-term Disposal Option



**Airspace Consumption**

- Cell VII = 8.6 M CY
- If Wheelabrator Contract not extended
  - 0.85% Growth
    - Cell VIII Needed in 2037
  - 1.5% Growth
    - Cell VIII Needed in 2036



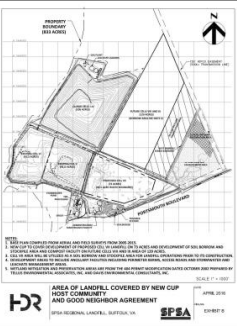
**Demonstration of Need**

- SWMP Being Updated for Long-Term Capacity and Need for Cells VIII and IX
- < 20 Years Permitted Capacity Remaining
- Special Consideration of Time Required for 401/404 Permitting
- Desire to have Cell VIII Permitted for Borrow/Stockpile Operations For Cell VII Construction (2025)



**Planned Expansion**


- Amendment to Part A Permit Required for 129 Acre Expansion of Waste Boundary for Cells VIII and IX.
  - Cell VIII – 46.8 Acres, Cell IX 45.8 Acres
  - 16M CY of Disposal Capacity
  - Standalone, no Piggyback onto Cells I-IV
- Inward Gradient Design




**02 Solid Waste Permitting**

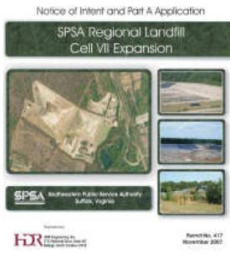
**Part A Permit Amendment**

- Site Location Criteria
- VDOT Adequacy Report
  - Flyover
- Demonstration of Need
- Public Participation
  - Citizens Advisory Committee
  - Public Hearing



**Part A Permit Amendment**


- Notice of Intent – December 2019
  - Site Location and Description
  - Disclosure Statements
  - Record of Public Participation
  - Host Agreement
- Part A Application – Fall 2020
  - Once Technically Adequate – 90 Day review period




**03 Wetland Permitting**


**Prior Environmental Impact Statement (EIS)**

- SPSA Submitted JPA in 1988 for Landfill Impacts
- USACE Completed EIS in 1995 (7 years)
  - Alternatives Analysis
    - 88 Sites Evaluated
    - Detailed Analysis on 4 Alternatives
  - Regional LF was Least Environmentally Damaging Practical Alternative
- October 2000 JPA revised for just 12 Acres for Cell VII
  - Included Wetland Preservation, Enhancement and Protection for Mitigation



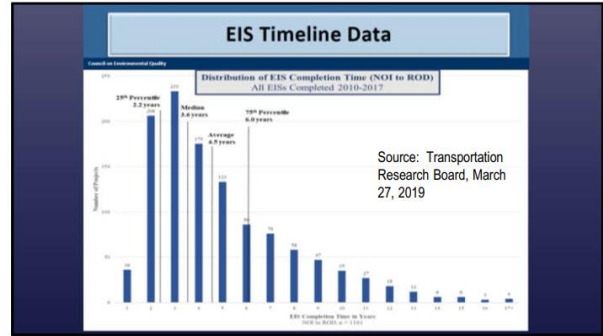
**USACE Requires EIS to Support Permit Decision for Cells VIII and IX**

- SPSA preparing JPA for Cells VIII and IX
- USACE will require EIS
  - USACE Directs, Retains Final Responsibility for EIS
  - SPSA Contracts 3<sup>rd</sup> Party to Prepare EIS under USACE Direction
  - Draft RFP in Process
  - Purpose and Need and Alternatives Assessment to be Submitted to USACE
    - To be Reviewed by Executive Committee
  - Existing EIS would serve as background
  - HDR to provide technical support to SPSA during EIS





## EIS Process

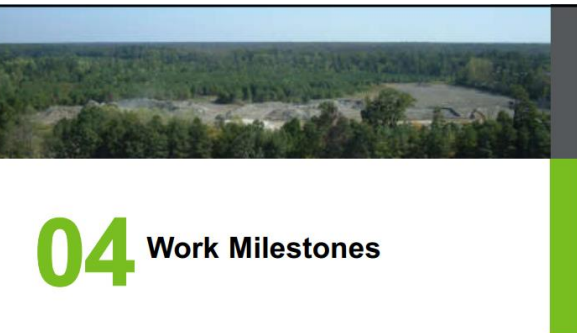


## NEPA Requires Reasonable Alternatives Be Considered

- Council on Environmental Quality: 40 CFR 1500
- "Rigorously explore, objectively evaluate..." all reasonable alternatives.
- **Reasonable alternatives meet the purpose and need, are feasible to construct, and have "acceptable" environmental impacts.**
- No requirement to fully analyze alternatives that may be too remote, speculative, impractical, or ineffective.
- Eliminating or advancing alternatives must be supported by sound reasons and comparative level of analysis.
- Cost alone is not an adequate screening criterion.
- Alternatives can be outside SPSA's authority.

## Likely Range of Alternatives

- Waste Reduction
- Increase Existing Capacity
- Alternative Landfill Sites
- Alternatives to Landfill Disposal
- No Action
- Citizens Advisory Committee will also review these alternatives



## 04 Work Milestones

### SPSA – HDR Project Cost Tracking

PROJECTED LANDFILL EXPANSION COSTS

Activity	Estimated Cost (\$M)	Percent Complete	Year												Total					
			2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030						
<b>Cell VII Construction</b>																				
Construction Cost Estimate	120,000																			
SPSA Shared Construction Fee	10,000	100%																		
Environmental Conditions	20,000	100%																		
Construction of Cell VII	100,000	100%																		
Construction of Cell VIII	100,000	100%																		
Construction of Cell IX	100,000	100%																		
Construction of Cell X	100,000	100%																		
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## Milestones

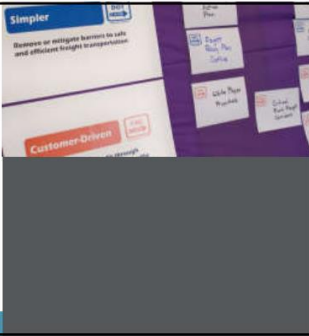
- Part A Notice of Intent – 12/19
  - Citizens Group – 8/1/19 – 11/30/19
  - Public Meeting – 12/19
- Part A Submittal - 10/1/20
- EIS Notice of Intent
- 3<sup>rd</sup> Party Analysis
- Draft EIS Public Comment
- JPA for Wetland Impacts after Draft EIS
- Final EIS
- Record of Decision
  - USACE anticipates 2+/- Year Timeframe from NOI



## 05 Proposed Strategic Communications


**Public Outreach**

- Communications Plan
  - Planned Outreach
  - Messaging
- Identify Stakeholders with SPSA
  - Municipal Contacts
  - Non-Profits, Civic and Community Associations, Neighbors
  - Environmental Groups
  - Database and Management




**Public Outreach**

- Social Media and Website Support
- Citizens Advisory Committee
  - Capture long-term disposal needs
  - 3 Meetings
  - On-line Meetings/Content
- Public Hearings
  - Informational Boards
  - Handouts
  - Meeting Summary
  - Part A and EIS Scoping



**Board Action**

- Motion to Create Citizens Advisory Committee
- Motion to Approve Task Order for Strategic Communications
- Resolution for Issuance of RFP for EIS 3<sup>rd</sup> Party



Mr. Murray confirmed that a conditional use permit (CUP) would be required for Cells VIII and IX. You still need a site plan permit and an erosion and sediment control permit from the City of Suffolk before constructing Cell VII.

Chairman Keifer (NO) inquired if there are facilities that run through a potential overlap area between cells VIII and IX. Mr. Murray responded that the force main runs through that area. When the SCADA project was done, we intended to route all communication lines west so those wouldn't be impacted with full construction, but the force mains would have to be relocated.

Ms. DeVary noted the Code of Virginia requires a citizen advisory committee (CAC) be appointed to review SPSA's waste disposal options. A similar committee was formed in 2006. The CAC serves in an advisory capacity only, and to make recommendations regarding preferred waste disposal options for the future. The CAC meetings will be facilitated by HDR. A copy of the 2006 CAC members was provided and a recommended motion for establishment of the committee.

Mr. Arnold (SU) commented that he was not in attendance at the previous meeting and may have missed it, but this appears out of left field to him. I have had no advance notice of the establishment of any citizens advisory committee. I don't understand and haven't had time to digest the necessity of this. The motion presented puts no time limitations on the existence of this committee, which makes me uncomfortable. I am going to oppose any motion to establish this month without having at least 30 days to understand this better and perhaps discuss it with some other board members. He stated this is too big a step and creation of committees like these are a big deal. This is not something I can take lightheartedly.

Ms. DeVary responded that at your place is a paper outlining the role of the CAC, suggested guidelines to be utilized in making appointments to the CAC and suggesting the committee meet

approximately three meetings over a four-month period of time. She confirmed that this has not been brought up in a previous meeting although Mr. Murray made a similar presentation to the Executive Committee. This is a requirement in the Code of Virginia. Before we can submit the Part A application, we must have input from a citizens advisory committee.

Mr. Arnold (SU) replied that it is good information that it is required by code. The motion is still unsatisfactory because it's not tight enough; it doesn't have enough parameters or direction. These committees can take on a life of their own, especially when there aren't carefully crafted parameters.

Mr. Murray added that there is really no strong guidance and regulations on what the committee needs to do. It's up to the board to say what they want the committee to review because the alternatives the CAC discuss and any recommendation has to be defensible. It's part of the process and demonstration of need. It's not as time sensitive; if the board needs to delay for additional discussion, the critical path is the wetland permitting for all intents and purposes. The Part A can wait. We have a year's worth of hydrogeologic work to do to support the site location criteria. The citizen advisory committee is a piece of that but as far as time frame not as critical that it be formed immediately. It can wait if desired.

Mr. Arnold (SU) responded that he appreciates what Mr. Murray is saying, and if the Virginia Code doesn't provide guidance, then he asks the board or the Executive Committee give us guidance on the purpose and parameters of that committee. And it is worth waiting 30 days for it.

Chairman Keifer (NO) responded that Mr. Arnold (SU) has provided good comments. The board can take this up at next month's meeting.

Mr. Jenkins (CH) commented the one-month timeline on counsel making an appointment is not enough time. He suggested a two-month timeline for appointments.

Mr. Murray added that we fully anticipate this committee to help facilitate discussion because there may be questions from the members regarding viable alternatives and what other communities are doing. He reiterated that delaying the committee would only delay the submittal of the notice of intent to DEQ that we plan to submit the Part A application. It's a two-step process; you tell them you're going to send one, and then you submit it. The CAC and the public hearing all have to be done before you send your notice of intent. It does not delay the project time frame.

Ms. DeVary commented on the process and issuance of a request for proposal (RFP) for a third-party vendor to prepare the required Environmental Impact Statement (EIS). The proposals received in response to the RFP will be ranked and we will submit 3 of the responses to the Corps. The Corps will decide which of the three companies the contract will be awarded to. We will then ask the board to award a contract based on the Corps direction.

Mr. Murray added the Corps process is to provide an independent review/analysis of the impact. HDR's role is to provide technical support throughout the process as questions and comments come from the third-party vendor and as public comments are received on the draft EIS.

Mr. Barnes (VB) asked if there will be mitigation required as a result of permitting Cells VIII and IX. Mr. Murray answered absolutely.

Mr. Murray discussed that when the permitting of Cell VII was done, there was more flexibility with respect to mitigation options. There were 12 acres of disturbance and the ratio of wetlands that were preserved or enhanced was over 10 – eight to one ratio. The Corps now is operating under a technical memorandum that lists wetland banking as the highest priority. So, you start with bank credit for offset mitigation and typically a 2:1 ratio is applied with respect to the number of credits that you need to acquire. That can vary based on the quality of wetland you're impacting. If bank credits are not available, there are other alternatives including owner development or personally developed wetland banking, or other types of preservation work. But if the credits are available, we would expect the direction from the Corps will be that you buy the credits from the bank. If there aren't credits available now to compensate for the impacts, there will be when we're done with this. Those credits don't need to be taken until you actually need a disturbance for Cell VIII. If this permitting process were only to take two to three years, we won't need to get the bank credits until Cell VIII needs to be disturbed. Wetland bank credits aren't cheap. There is a lot of development in this area so the demand is high so therefore the price is high. There will be mitigation and it will likely be through the banking system.

Mr. Barnes (VB) asked if we go the banking route, then the 130 acres wouldn't be further impacted with loss to the mitigation area. Mr. Murray answered correct. We don't believe on-site preservation is going to be an alternative; there are other options that would come first.

Mr. Maxwell (CH) inquired about the cost of the process. Ms. DeVary responded that the total cost for constructing Cell VII, permitting Cell VIII and IX is approximately \$42 million between now and 2027 assuming a 3% annual inflation factor.

Ms. DeVary added that these are the numbers she used to project the annual set aside in the budget. Ms. DeVary confirmed that there is no plan to borrow funds. This is fully cash funded; which is why we started setting aside money in the current fiscal year.

Mr. Murray commented that the cost is about four or five dollars a ton capital cost. In the grand scheme it's a large number, but for the capacity for construction and disposal it is not.

Mr. Barnes (VB) asked for clarification that this provides closure for cells V and VI, development of cell VII, and the permitting for Cells VIII and IX. Ms. DeVary responded yes, the money we are putting away does include closure for V and VI.

Mr. Roberts (SU) commented that he has questions to make sure he fully understands before he starts talking to Suffolk City Council and others. He expects to be met in Suffolk and in the region with concerns about the appearance that we're moving too quickly with the permitting

process for Cells VIII and IX when the construction for Cell VII doesn't start for another 7 years. We intend to use cell VIII and IX to move dirt from Cell VII. What is the total acreage of VIII and IX? Mr. Murray answered the cells themselves is a little over 90 acres. Mr. Roberts (SU) asked of that 90 acres, how much is wetlands? Mr. Murray responded all of it.

Mr. Roberts (SU) asked when we start to construct Cell VII and we want to put the dirt on Cell VIII and IX, we need to have full approval from the federal government for the wetland's impacts associated with that. Mr. Murray confirmed this is correct.

Mr. Roberts (SU) responded that how long Cell VII lasts is irrelevant because you need the wetlands impacts of Cells VIII and IX when you start construction of Cell VII. Mr. Murray confirmed that is correct.

Mr. Roberts stated that if we fail in getting approval to impact the wetlands of Cells VIII and IX, we have to devise another method to dispose of the material from Cell VII, for example send it off site, sell it if it's marketable material but that would not be in the long term financial or operational interests of SPSA. Mr. Murray added that it is a game changer from an operational perspective to not have soil available on site. You have ash for daily cover, but you need soil for blending and cover.

Mr. Roberts reiterated that if we don't get the wetlands approval for VIII and IX, it makes the construction of Cell VII much less technically and financially feasible.

Ms. DeVary added the landfill master plan is illustrated on page 88 of the budget document.

Mr. Murray interjected that it is more efficient from a hydrogeologic monitoring and from a permitting perspective to pursue permitting for Cell VIII and IX together. It's more efficient. SPSA does not have to mitigate the wetlands impact until we need it.

Mr. Barnes (VB) pointed out that if VIII and IX don't get permitted, that dramatically changes the game for long-term disposal for the region. This definitely sharpens the pencil in terms of that timeline. This is not a luxury timeline. If the answer is no, we need to know almost today. So, we really don't have a lot of time.

Chairman Keifer (NO) stated that we are pursuing two things. One is to get DEQ approval for the landfill expansion, and the second one is the Corps of Engineers for impacting wetlands.

Mr. Murray reviewed the proposed HDR task order for strategic communications. Mr. Murray added that this is a good opportunity to let the public know who SPSA is. Many people don't know where their trash goes after they put it on the curb or what SPSA does for the region and how operations have changed with some of the advancements we've taken over the last several years. All of those are good stories to tell and we need to share that information as we proceed down the line with this pretty significant permitting process. Chairman Keifer (NO) added that with respect to the proposed HDR task order it would be better to get that in place sooner rather than later so that they can help with the process.

Chairman Keifer (NO) asked if the CAC is only meeting over three to four months and this process might go on for 7 years, is there a possibility that we might be drawing that CAC back in many years from now? Mr. Murray responded that the CAC could be used as a sounding board if they're interested in serving that role. It's not required but could be favorable to SPSA. It's a tool you could use to provide feedback or to champion this as a need for the region.

Mr. Roberts (SU) asked if hypothetically five years from now, after a lot of expense, meetings, discussion, federal lobbying, etc. we find out we are not able to obtain permits for wetlands impacts for Cells VIII and IX, then we are in 2024 and we're closer to needing to build Cell VII just for our own municipal solid waste disposal becomes a more urgent issue.

Chairman Keifer (NO) answered we would have to do whatever the alternative is, and we have to start planning for approvals, which could take 10 years but we won't have 10 years.

Mr. Roberts (SU) added that at that point we'd have to make a decision about Cell VII, where to stockpile the material. The costs of constructing Cell VII would be very different. Mr. Murray agreed and during construction would afford us time to look at issuing RFP's for alternative disposal locations. It's just that the construction and the use of the soil is different than what's been going on to date from the construction respect.

Mr. Arnold (SU) stated this is an enormous comprehensive initiative with a lot at stake. It feels like it came out of left field. There are big issues. In previous minutes there was only a reference to the Executive Committee having a special meeting immediately following a board meeting to review the permitting process for Cells VIII and IX. There was a reference on today's agenda and we were told this was going to be a lengthy presentation and it has contained a lot of information and it appears that there were 3 proposed motions attached at the end of this one, one of which I think the Executive Committee has agreed to table but there's two more coming. I'm concerned we're putting the cart before the horse. A year ago, we were fighting over whether Cell VII was going to be built and there was the issue of the use and support agreement, and now we fast forwarded to VIII and IX and learn that perhaps it doesn't get built unless VIII and IX proceed. I want the board to know that I'd like some time to digest this.

Chairman Keifer (NO) apologized for lack of information. Liesl has had this in some presentations of future actions and we knew this was coming. The executive committee had a briefing in May after the board meeting and the intention has been all along to bring it to the board. It is a big deal and this is the kick off.

Mr. Murray commented HDR has been under contract since October to assist with the permitting process. They have done a fair amount of work already with respect to getting the conceptual hydrogeologic locations approved by DEQ and if not for the government shut down, we already would have installed. The government shut down delayed us for four months in getting the permits for the wells.

Chairman Keifer (NO) added that the Executive Committee got this briefing in May and met with the Army Corps of Engineers a couple weeks ago to understand more about the process.

They felt confident bringing it to the board to lay it all out, but it is a big process, it's going to take a long time.

Mr. Jenkins (CH) said this discussion seems to indicate there's a huge risk in that our assumptions are not valid. If this is not approved, then we can't wait four to five years or however long it takes for the Army Corps of Engineers to approve in order to figure out what Plan B is. He suggests we also look at other options in case this is not successful.

Chairman Keifer (NO) agreed and added that the citizens advisory committee will talk about some of those alternatives. He noted that if these cells are not approved, Plan B has to go through this same process. We are looking at plan A, B and C at the same time.

Ms. DeVary stated our contract with Wheelabrator expires June 30, 2027 but we have the option to extend if the price is mutually agreeable. Cost will be a determining factor and we need to have a backup plan if you want to keep operating as cost efficient as possible.

Mr. Murray stated that regardless of the decision made at that time we will need spot for soil; either on site or off site. If the contract is extended, it only extends the life of Cell V and VI one to one and a half years. Cell VII is going to be needed by 2026 for operations on both existing landfill and new. It will be a dual operation; that's why we're looking at a 2025 construction time frame because you'll need to have some overlap in operations. Yes, there is an impact to construction costs and operation costs if Cells VIII and IX aren't available for storage materials.

Ms. DeVary stated we may never get to the point where you actually construct VIII and IX for use as a landfill, but we cannot get a permit to impact wetlands for a borrow area.

Mr. McCoy (PO) added that Liesl is trying to lay out a time frame. The intent is to start to lay out a process. Whether it's this month or the next, I think we need to move forward. I think we're really trying to be as transparent as we can be, and for once we are laying out a plan for the next 5, 10, 25 years.

Mr. Arnold (SU) responded by thanking Mr. McCoy (PO) and applauded the committee for being transparent. He stated his problem is we are talking about an enormous initiative. Has the board given approval to proceed? Has the board approved extensions to cells VIII and IX? If they haven't, then all your motions seem premature. Has the board taken action to disturb that piece of property in its most simple form?

Mr. Tisdale responded that over time, the plans have shown it's always been contemplated that there would be development. It's just been a matter of a timetable. I don't think there was a specific vote. That's what this is leading up to. You have to start the process somewhere.

Mr. Arnold (SU) stated that it is like saying the comprehensive plan envisions this plot of land being developed. You still have to go through the permitting process, has to be approved, and this being such a large and comprehensive initiative, it seems like the first thing we should be doing is saying we're going to expand into Cell VIII and IX. I think you have to get the vote

there, or absent that, a motion to use that property as a borrow pit or use it in some form other than it's currently used. That's where my discomfort is coming from; now I see there is a motion to approve a task order for strategic communications, a resolution for issuance of a RFP, which is absolutely premature in my opinion unless the board has addressed this more fundamental issue.

Ms. DeVary responded that the board did approve the task order in October for HDR to be moving forward with the permitting process. Mr. Murray stated the task order was for the full Part A permit application and getting the EIS to a point where the Army Corps issues the notice of intent. That is the current contract. Even going back to 2016 with the conditional use permit, the master plan was submitted and approved by the City of Suffolk. I'm unsure what board action was taken at that point to recognize Cells VIII and IX and the permitting because that was part of the discussion with the city at that time. We will obtain a conditional use permit for the borrow operation, but it was fully intended with the master plan at that time. Ms. DeVary agreed that the Cell VII conditional use permit was approved by the board with all the background information.

Chairman Keifer suggested passing a motion to expand into Cell VII and VIII, however we don't know yet if that's the best alternative or not. It would seem if we say Cells VIII and IX are the best choice before we appoint a CAC to advise us, then we prejudged it. I see your point, but on the other hand, we haven't made a decision until actually submit the notice of intent.

Mr. Arnold (SU) agreed that we need the CAC and believes the Board has agreed to defer. He asked when did the board agree to go on Cells VIII and IX. If they haven't said go, maybe what you're saying is it is not time to say go yet because we're still thinking about it.

Mr. Murray stated that we don't know if the footprint we identified for VIII and IX can support the landfill. We believe so, but we still have to go through that scientific and engineering analysis to say yes, this can support a landfill site. This is supportive of the construction of the site from a technical standpoint.

Mr. Arnold (SU) asked what is the task order for strategic communications? Is an RFP needed unless we decide to proceed?

Mr. Keaton (IW) stated that in 2016 when he first joined the board, we were in the middle of the Repower discussion. His thought was that once that contract ended, that started the process for this expansion because the Repower contract would have had very little waste going to the landfill. Once the Repower contract was cancelled, we would begin filling the landfill faster and need the expansion into Cell VII and VIII and IX. When we said go was in 2016 when the motion was to vote down Repower. That triggered the whole process and going back to October last year, we started the process to begin developing VII and then ultimately VIII and IX.

Mr. Jenkins (CH) commented that even if we had used Repower, approximately 30% of the waste generated would still come to the landfill. The percentage of ash we receive is probably similar to what Repower would have generated.



Ms. DeVary stated that if we proceed with another contract with Wheelabrator, we will need future cells to support operations for the disposal of ash and some trash.

Mr. Murray stated that it would be in the 2036-time frame when Cell VII will be out of capacity if it is only accepting MSW. If Cell VII is accepting primarily ash, it would be 2045- or 2050-time frame before Cell VII will be out of capacity. Again, absent having VIII available for borrow, it does change the dynamics for Cell VII construction. We still need to plan for what you know now and Cell VIII and IX will still be needed at some point for the long term.

Chairman Keifer (NO) stated that the briefing today has demonstrated the need for additional landfill capacity and asked Mr. Arnold (SU) if he would feel comfortable if we had a motion to authorize proceeding with landfill expansion including possibly Cells VIII and IX. Mr. Arnold (SU) agreed.

Ms. DeVary continued by saying it is our responsibility to our member communities that we provide for 20 years of disposal capacity. Currently, we do not have a firm 20-year disposal capacity. We have possible contract renewals, but again, if we have a mutually agreed price.

Chairman Keifer (NO) suggested a motion that authorizes the Executive Director to proceed with actions to expand the landfill capacity including possible expansions to cells VIII and IX with consideration of alternatives.

Mr. Arnold (SU) continued that we have a responsibility to the host community which is the citizens of Suffolk, Virginia, to give them notice of expansion beyond Cell VII, to have a solid recommendation and the grounds upon which that recommendation is made, to have mature consideration of an expansion, and then a vote. And I don't think you do that in the course of one meeting.

Ms. DeVary commented I met with the City of Suffolk earlier this month because I wanted to make sure the City of Suffolk was aware of what was going on as we proceeded.

Chairman Keifer (NO) replied regarding the comments of having a full plan – I don't know that we can say that until we go through this EIS process. There may be a better alternative. But the recommendation is – it appears Cell VII and VIII are the best idea and the recommendation is to pursue that, but going through this process there could be something else that comes out of it.

Mr. Barnes (VB) stated from a different perspective – from a schedule standpoint, the presentation today was certainly comprehensive, and was helpful. In October, we approved a substantial task order that I didn't fully understand. I have a much better appreciation for where \$450,000 is going to and I'm sure this is just a piece of what that scope of work includes. I think it's helpful to catch up on what we've already approved for the scope of work what needs to happen. We're getting a thorough presentation today of what those steps include and what's involved and what some of the risks are. I guess that delay and the idea of needing us to approve other things does seem odd but overall, the steps are the prudent and responsible steps to take. VIII and IX have always been in the planning horizon. The time frame we have to work with

is not the time frame it would seem for how long it takes. This is comprehensive, it is a lot of stuff. Maybe having this sooner in the process and making sure this is an ongoing discussion in terms of milestones, and if not monthly, quarterly updates on where we are would be prudent. He asked if the resolutions proposed today are time sensitive considering we have talked about deferring at least one of them.

Mr. Murray responded that the deferment of the CAC is not as impactful. He would argue that the strategic communications could have started a year ago. With respect to public outreach, SPSA does not have a PIO that serves that role. With today's public meeting and work that's going to proceed it would be helpful to have that group supporting SPSA with the processes and some of the outreach and development on the true communication plan. Regarding the issue of the RFP, the third party, that is somewhat time sensitive because nothing can get done on the EIS until that's done.

Mr. Murray continued that in October, the initial discussions with the permitting agencies were about possibly not needing an EIS and now we've got to do the full new EIS and hire a third party. All of that came into development over the last couple months with respect to them finalizing what they needed assurance from and what that scope was going to look like. Our task order is fine because we were getting SPSA to that starting point, whatever that EIS work was going to be. A third-party requirement came with the full development over the last two months. Initially it was believed that HDR could do the alternatives analysis and the Corps would review it, but as they reviewed and looked at the impact, they ultimately said it has to go through the full EIS process.

Chairman Keifer (NO) asked Mr. Arnold (SU) how he believes we should proceed. Mr. Arnold (SU) responded by saying we should defer any vote for 30 days. Liesl may have met with some representatives with the City of Suffolk but there are 92,000 citizens there and they don't all know about this. Even a very proper motion to proceed is just too fast.

Chairman Keifer (NO) agreed that absent objection, we can delay this until next month. He noted that the strategic communications plan is to help provide information to the citizens and until we have it, we have limited capacity to do that. Mr. Arnold (SU) responded fair enough.

Mr. Williams (FR) agreed that the citizens of Franklin also don't know about this but if at some point SPSA doesn't have anywhere to put our trash, it would only be a matter of weeks before everybody notices the trash is still in front of the house and we don't have anywhere to put it. If we put the motions that have been presented before the board today and they pass, then we go forward. That's the process. If the motions don't pass, then we'll back up and figure out what it is we have to do. The citizens of Suffolk aren't going to know much more about this process next month than what is available today. Mr. Williams (FR) stated he is ready to go forward with the motions.

Chairman Keifer (NO) concurred and stated the resolution authorizing the issuance of the RFP talks about the development of Cells VIII and IX, but it really starts the process of working through the Corps. It does not pre-determine what the outcome is going to be. This is a process

that was started in October and it's just moving forward to that final step and this is the beginning of the final step. It's not the end of the process.

Ms. DeVary added that we would also be coming back to the board with monthly updates and to get approvals to submit other items. Before signing or submitting anything, the board has to approve.

Mr. McCoy (PO) stated that he went with Liesl to all eight communities including Suffolk and SPSA was well received by every community. City council asked a lot of questions and they were well received and they were pleased with the answers. If the board votes to delay 30 days, I don't know if 30 days is going to make a difference. I believe in the process and you're an important part-you represent Suffolk, but I can support moving forward.

Chairman Keifer (NO) stated he does not have a problem delaying it for 30 days unless someone wants to make a motion to take action on any of these, then we will consider that.

Mr. Williams (FR) made a motion to establish the CAC to serve in an advisory capacity and make recommendations regarding preferred landfill options including the possible sighting of a new landfill in order to meet SPSA's disposal needs for the next 20 to 30 years, is to that end I also move that the board authorize and direct each board member appointed by the member locality request that his or her mayor or chair as the case may be, appoint two residents of the member locality to serve on the CAC. Two, to make all reasonable efforts to provide the names of the appointees to the executive director prior to July 31, 2019 and three, make all reasonable efforts to confirm that each appointee meets the requirements set forth in the description of the CAC provided to the board at this meeting. Furthermore, that the board authorize and direct the Executive Director to set the meeting schedule and agendas for the CAC and at the conclusion of deliberations to assist with the committee's report to the board on its conclusion.

Mr. Keaton (IW) recommended we change the date from July 31 to August 31 because it could be challenging to get the names by July 31<sup>st</sup>. Mr. Williams (FR) agreed on an amendment to the motion to change the date to August 31<sup>st</sup>. Chairman Keifer (NO) asked if this was agreeable to Mr. Jenkins since he seconded the motion. Chairman Keifer (NO) requested a roll call.

**Mr. Williams (FR) moved, seconded by Mr. Jenkins (CH) to approve the CAC motion.**

**ROLL CALL:**

Mr. Maxwell (CH)	Yes	Mr. McCoy (PO)	Yes
Mr. Jenkins (CH)	Yes	Mr. Ashby (PO)	Yes
Ms. Raulston (FR)	Yes	Mr. Hodges (SO)	Yes
Mr. Williams (FR)	Yes	Mr. Council (SO)	Yes
Mr. Baugh (IW)	Yes	Mr. Arnold (SU)	No
Mr. Keaton (IW)	Yes	Mr. Mills (SU)	No
Mr. Keifer (NO)	Yes	Mr. Barnes (VB)	Yes
Mr. Broad (NO)	Yes		

Ms. Raultson (FR) stated that we should go ahead with the motion to approve the task order for the strategic communications, especially if we think there is going to be issues with the public. We have the expertise here that can help us with talking points and a communication plan. Why would we delay?

Mr. Barnes (VB) commented that he is concerned if there are other things hanging or envisioned that are going to come before the board.

Mr. Murray responded that the HDR task order was to get the Part A application complete and submit it and respond to comments, and then from the wetlands permitting side it was to get to the point that the Army Corps was going to take action with the draft notice of intent. There will be some requirements for the technical support to SPSA during the EIS process but a lot of that is going to depend on what scope of work the third party is actually completing. Until that scope of work gets prepared, both on duration and content, we don't have a task order to address that technical assistance. From my perspective that is the only additional cost that will need to be defined at some point.

Mr. Barnes responded he agreed we need to move ahead with communications, but we also need total projected estimates of costs for the project. That is going to help us in terms of planning projections, making sure we have enough money but also avoiding surprises.

Mr. Murray explained strategic communications is getting us through the draft EIS process. All public information and response to responds. That's a key component of that work. Receipt of comments from the third party, getting those cataloged and making sure we respond.

Mr. Ashby (PO) stated that it is ironic to vote on efforts on strategic communications when as Mr. Arnold (SU) represents part of his jurisdiction, it appears that we haven't communicated clearly with the City of Suffolk. He continued; I understand that communication with staff doesn't equate to communication with the governing body and/or the general public. So where we might garner some assurances that the jurisdiction will have those discussions and understand that the contingencies being considering by this board is to move this process forward, which will involve VIII and IX, on a number of levels as a consideration, I do not believe we should start this process without allowing them 30 days to convey that information throughout at least the City Council. I make that point in advance of my vote.

Chairman Keifer (NO) asked Ms. DeVary if this was mentioned in her briefing to Suffolk City Council. Ms. DeVary replied that it was mentioned that we would be proceeding with cells VIII and IX permitting process.

**Ms. Raulston (FR) moved, seconded by Mr. Broad (NO) to approve the HDR task order for Strategic Communications as presented. The motion passed 12-3.**

**ROLL CALL:**

Mr. Maxwell (CH)	Yes	Mr. McCoy (PO)	Yes
Mr. Jenkins (CH)	Yes	Mr. Ashby (PO)	No
Ms. Raulston (FR)	Yes	Mr. Hodges (SO)	Yes

Mr. Williams (FR)	Yes	Mr. Council (SO)	Yes
Mr. Baugh (IW)	Yes	Mr. Arnold (SU)	No
Mr. Keaton (IW)	Yes	Mr. Mills (SU)	No
Mr. Keifer (NO)	Yes	Mr. Barnes (VB)	Yes
Mr. Broad (NO)	Yes		

**Mr. Keaton (IW) made a motion, seconded by Mr. Williams (FR) to adopt a resolution authorizing issuance of a request for proposal to prepare an environmental impact statement. The motion passed 13-2.**

**ROLL CALL:**

Mr. Maxwell (CH)	Yes	Mr. McCoy (PO)	Yes
Mr. Jenkins (CH)	Yes	Mr. Ashby (PO)	Yes
Ms. Raulston (FR)	Yes	Mr. Hodges (SO)	Yes
Mr. Williams (FR)	Yes	Mr. Council (SO)	Yes
Mr. Baugh (IW)	Yes	Mr. Arnold (SU)	No
Mr. Keaton (IW)	Yes	Mr. Mills (SU)	No
Mr. Keifer (NO)	Yes	Mr. Barnes (VB)	Yes
Mr. Broad (NO)	Yes		

**RESOLUTION AUTHORIZING THE ISSUANCE OF A  
REQUEST FOR PROPOSAL FOR  
PREPARING AN ENVIRONMENTAL IMPACT STATEMENT**

WHEREAS, the Board of Directors (the “Board”) of the Southeastern Public Service Authority of Virginia (“SPSA”) desires to solicit proposals to establish a contract for the preparation of an Environmental Impact Statement (“EIS”) in accordance with the direction of the U.S. Army Corps of Engineers (the “Corps”) that SPSA engage a third party contractor selected from SPSA’s preferred list by the Corps (but paid for by SPSA) to prepare the EIS, with respect to the filing by SPSA of an application for a permit under Section 404 of the Clean Water Act required for the development of Cells VIII and IX of the Landfill; and

WHEREAS, following due consideration of a presentation prepared by SPSA’s Executive Staff and advisors, the Board has determined that it is in the best interests of SPSA and its member communities to (a) authorize the issuance of a request for proposal for preparation of the EIS, including any addenda thereto, and (b) conduct such procurement by competitive negotiation.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director of SPSA is hereby authorized and directed to (a) proceed with the issuance of a request for proposal for preparation of the EIS including the issuance of any addenda thereto, (b) conduct such procurement by competitive negotiation in accordance with the Virginia Public Procurement Act and SPSA’s purchasing policies and procedures, and (c) do all such acts and things that the Executive Director of SPSA may deem necessary or desirable to carry out the intent and purposes of each and all of the foregoing resolutions; provided, the selection of offeror(s) for negotiation, and the award of a contract, if any, shall be subject to approval of the Board in accordance with the applicable procurement laws, policies and procedures.

**Chairman Keifer (NO) made a motion, seconded by Mr. Williams (FR) to authorize the Executive Director to proceed with action to expand landfill capacity beyond cell VII to include possible expansion to Cells VIII and IX and consideration of alternatives. The motion passed 13-2.**

**ROLL CALL:**


Mr. Maxwell (CH)	Yes	Mr. McCoy (PO)	Yes
Mr. Jenkins (CH)	Yes	Mr. Ashby (PO)	Yes
Ms. Raulston (FR)	Yes	Mr. Hodges (SO)	Yes
Mr. Williams (FR)	Yes	Mr. Council (SO)	Yes
Mr. Baugh (IW)	Yes	Mr. Arnold (SU)	No
Mr. Keaton (IW)	Yes	Mr. Mills (SU)	No
Mr. Keifer (NO)	Yes	Mr. Barnes (VB)	Yes
Mr. Broad (NO)	Yes		

Mr. Arnold (SU) commented that although he was voting against this, he is not necessarily opposed to it being the end result.

**10. OTHER BUSINESS** - No other business was considered.

**11. ADJOURN MEETING**

There being no further business to come before the Board of Directors the regular meeting was adjourned at 12:04 p.m.

  
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Liesl R. DeVary  
Executive Director

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Submitted by: Sandy Schreiber, Secretary, SPSA Board of Directors