

**MINUTES OF REGULAR MEETING
HORRY COUNTY SOLID WASTE AUTHORITY, INC.
February 26, 2015**

The Horry County Solid Waste Authority, Inc. held a Board Meeting on Thursday, February 26, 2015, at 3:30 P.M., at the Authority's Administrative Office, 1886 Highway 90, Conway, South Carolina. This meeting was originally scheduled for February 24, 2015, but was rescheduled to February 26, 2015 due to a winter storm advisory. In accordance with the Freedom of Information Act, notices setting forth the date, time, and place of the meeting were mailed to the news media.

Present were the following Board Members: James H. Cokley, Chairman; M. Lance Thompson, Vice Chairman; J. Michael Campbell, Secretary; W. Norfleet Jones, Treasurer; and Board Members Pam J. Creech, Dan P. Gray and John R. Long II .

Steve Gosnell, Director of Horry County Infrastructure and Regulation and Scott Montgomery represented the public in attendance. There were no members of the media in attendance.

The following individuals were also in attendance: Danny Knight, Executive Director; Mike Bessant, Assistant Executive Director; Esther Murphy, Director; Bill Hilling, Director; Jan Bitting, Director; Emma Ruth Brittain, Staff Attorney and other staff members to include Tommy Bell, Chris Calhoun, Rodney Cannon, Nannette Powell, Richie Stetter, Jamie Suggs, Cecil Terry, Stephanie Todd and Susie Wofford.

CALL TO ORDER

Chairman Cokley called the meeting to order and rendered the invocation.

PLEDGE OF ALLEGIANCE

Mr. Campbell led the group in the Pledge of Allegiance.

APPROVAL OF AGENDA

Chairman Cokley asked for any revisions to the Agenda as contained in the Agenda Packet; however, there were none.

Mr. Campbell moved to approve the Agenda as presented. There was a second by Ms. Creech and the Motion was carried.

APPROVAL OF MINUTES

Chairman Cokley asked for any questions on or amendments to the Minutes of the Workshop and Regular Meeting held on January 20, 2015 and the Pre-Budget Workshop held on February 11, 2015, as contained in the Agenda Packet.

Mr. Jones moved to approve the Minutes of the Workshop and Regular Meeting held on January 20, 2015 and the Minutes of February 11, 2015 Pre-Budget Workshop. There was a second by Mr. Long and the Motion was carried.

EMPLOYEE RECOGNITION

Mr. Knight praised Mr. Tommy Bell of the Collection and Hauling Division for good judgment and relayed the following story to the group. He indicated he was traveling on Highway 90 coming to work early one morning. Mr. Knight stated a car was weaving in and out of traffic and had been riding on his bumper. He saw Mr. Bell coming out of a recycling center and the car proceeded to

pass him and other traffic. Mr. Knight stated he pulled on to the shoulder of the road and Mr. Bell, driving defensively, also pulled onto the shoulder of road. Mr. Knight praised Mr. Bell for the foresight to pull over and let the car pass. Mr. Bell prevented a tragedy. Mr. Knight commented Mr. Bell's daughter was a sophomore at Socastee High School and has played on the girls' varsity basketball team for the last three years. Mr. Bell stated his daughter averaged scoring between 15-21 points per game. Mr. Knight and the Board thanked Mr. Bell again.

PUBLIC INPUT

There were no requests to present Public Input.

EXECUTIVE DIRECTOR REPORT

Recycling and Corporate Affairs Update

Mrs. Murphy offered an update of various projects in the Recycling and Corporate Affairs Division that were included as pages 40-50 in the Board Packet.

Caught Green Handed Update – Mrs. Murphy informed the group of a new customer appreciation program recognizing recyclers. She stated Mr. Knight, Mr. Cannon, Mr. Suggs, Mr. Casey and herself traveled to the Jackson Bluff Recycling Center to select the February recipient. She indicated Mrs. Loretta Miller was the recipient of the February 2015 “Caught Green Handed” award for recycling. She indicated Mrs. Miller received an SWA prize pack and a \$25.00 gift card. Mrs. Murphy commented Mrs. Miller's picture would be in the Horry Independent.

CRA Conferences Update – Mrs. Murphy reminded the Board of the upcoming Carolina Recycling Association Conference on March 23-26, 2015. Mrs. Murphy informed the group that the Preliminary Agenda was in the Board Packet. Mrs. Murphy stated on March 23, 2015, the SWA would be hosting a tour of our facilities.

Statement of Economic Interest Update – Mrs. Murphy reminded the Board of the Statement of Economic Interest which was due by March 30, 2015. She stated if any member needed assistance to please contact Ms. Powell.

Operations and Planning Update

Mr. Hilling offered an update of the following which was included as pages 51-64 in the Board Packet.

East Hill Closure Update – Mr. Hilling indicated the first 11 acres of the East Hill Closure project had been seeded and matted. He stated the weather had caused some delays in the project and completion date should be April 20, 2015. Mr. Hilling invited the Board to tour the project. Mr. Campbell asked Mr. Hilling if he had received any change orders. Mr. Hilling replied no and that Mr. Moore was communicating with operations staff on a weekly basis. Ms. Creech asked had the weather caused any repair work on the project. Mr. Hilling replied yes some repairs were needed at the bottom of the slope but the berms diverted most of the water.

New Baler Update – Mr. Hilling stated the Construction and Demolition Processing Facility installed a new Excel Baler. He indicated the operation and installation of the machine was successful and it was producing heavier bales. Mr. Hilling commented the old baler was 20 years old.

Driver of the Month – Mr. Hilling stated for January 2015, Kyle Tomek was named Driver of the Month. He commented Mr. Tomek worked for Monarch Roofing. Mr. Hilling indicated he was well deserving of the honor.

Finance and Administration Update

Mrs. Bitting presented the Finance & Administration reports to the Board, which were included as Pages 65-82 in the Board Packet.

Monthly Finance Reports – Mrs. Bitting stated through January the SWA was at 58% of budget. She indicated overall recyclable sales were down 12% over last year. She stated revenue was at 53.04% of budget and expenses were 51.60% of budget; however, overall net income has a negative balance of \$182,980.98 for January but a positive \$350,122.53 year-to-date. Mrs. Bitting stated the C&D Processing Facility had saved 28.21 days of airspace and the MRF had saved 53.55 days of airspace.

Quarterly Restricted Funds Recommendations Update – Mrs. Bitting indicated staff performed a review of the unrestricted cash for the quarter ending December 31, 2014, to determine if transfers from the designated accounts were possible, in accordance with the Unrestricted Fund Transfer Account Policy Statement.

Mrs. Bitting indicated the total unrestricted cash and cash equivalents as December 31, 2014, were \$2,539,740. She reminded the Board the quarterly unrestricted cash threshold for FY2015 was \$2,921,287, which equates to 15% of the estimated annual revenues. Mrs. Bitting indicated for the quarter ending December 31, 2014, the unrestricted cash amount was \$381,548 below the 15% threshold. She stated a transfer was needed from the designated piggyback expansion account of \$375,323 and \$6,225 from the designated MRF contingency fund. Ms. Creech asked if this transfer was needed. Mrs. Bitting explained this was necessary, in that, when cash equivalents do not meet the 15% reserve a transfer back into undesignated funds was needed.

Mr. Thompson moved to accept staff's recommendation to transfer \$381,548 from the Designated Accounts for the second quarter of FY2015 with \$375,323 from the Designated Piggyback Expansion account and \$6,225 from the Designated MRF Contingency Fund back to the undesignated funds. There was a second by Mr. Long and the Motion was carried.

Special Projects & Governmental Affairs Update

Mr. Bessant presented the following update which was included as pages 73-75 of the Board Packet.

Recycling Incentive Programs Update – Concerning the recycling incentives, Mr. Bessant indicated the following incentives were given by the SWA for FY2015: MSW Recycling \$150,063.28, C&D Recycling Facility \$37,413.15, totaling \$187,476.43. He stated the total remaining incentive FY2015 for SWA customers was \$147,523.57.

Solid Waste Management Plan Update – Mr. Bessant informed the group the Solid Waste Management Plan had been presented to the City of North Myrtle Beach, Town of Briarcliff Acres and the Town of Aynor and the municipalities all signed the resolution. He stated presentations would be given to Loris, Conway and Atlantic Beach in March. Mr. Bessant

indicated the City of Myrtle Beach had deferred and wanted a presentation at a later date. Ms. Creech asked if any of the municipalities commented on the plan. Mr. Bessant replied no. Ms. Creech asked why the City of Myrtle Beach deferred. Mr. Knight commented the City of Myrtle Beach had received information from a board member. Mr. Gray stated that was incorrect and said the City of Myrtle Beach deferred because they did not receive the Solid Waste Management Plan. Mr. Campbell explained he was at the workshop and the City Manager informed the Council he was at fault as to why Council had not received the Solid Waste Management Plan. Mr. Campbell asked Mr. Bessant if he had offered a copy of the resolution to the mayors at the League of City meeting. Mr. Bessant stated he sent an electronic copy of the Solid Waste Management Plan to all mayors and municipalities. Ms. Creech commented each city had a representative on the Advisory Committee and their representative should have passed on the information to their respective municipality. Mr. Bessant replied each municipality had the option for representation on the Advisory Council. Mr. Knight stated he would like to respond to Mr. Gray's comment. Mr. Knight said he listened to the tape of the City Council Meeting and this was not his opinion this was what was recorded as to why the Solid Waste Management Plan was taken off of the agenda. Mr. Gray stated Mr. Knight's interpretation of the meeting and why the City of Myrtle Beach deferred action was incorrect. Mr. Knight said the discussion was on a tape of the City Council Meeting not minutes from the workshop. Mr. Gray stated he would listen to the tape.

Legislative Update – Mr. Bessant informed the group the Consumer Electronics Regulation passed the House and would now go to the Senate. He indicated this regulation would be enforced by SC DHEC regarding of the disposal of all electronic waste. Mr. Bessant stated these regulations would become effective May 20, 2015. He indicated new regulations were being proposed by SC DHEC as it related to recycling facilities under the proposed new regulations regarding removal of recyclable material from the waste stream. Mr. Bessant stated recycling facilities would require financial assurance in the future. Ms. Creech asked if Mr. Bessant would attend the SC DHEC Solid Waste Advisory Council in Columbia which would explain the changes made to the State Solid Waste Management Plan. Mr. Bessant replied he would not be attending. Ms. Creech asked if the SWA lobbyist would be attending. Mr. Knight commented the SWA lobbyist had a contact that would inform the SWA of any changes. Mr. Thompson asked Mr. Bessant if the SWA was participating in the e-waste recycling at the House of Blues. Mrs. Murphy informed the group the e-waste recycling event was offered by the Wellness Council in Horry County and the SWA was aware of the event but not participating.

Executive Director Update

Mr. Knight briefly discussed the upcoming plan to visit Montgomery, Alabama. Chairman Cokley invited the Board to Montgomery, Alabama April 27-29 2015 for a tour of the Repower Facility. He asked if any Board Member was interested in attending please let him know so staff can finalize airline flights and hotel reservations as soon as possible. Chairman Cokley informed the Board that preliminary information needed to be submitted before the RePower tour. Mr. Gray indicated he wanted to tour the facility.

COMMITTEE REPORTS

Finance and Administration Committee – Mr. Thompson indicated the Finance and Administration Committee met on Wednesday, February 4, 2015. He stated the Committee

discussed the Budget Process, the budget schedule, financial reports and if any modifications were needed to the financial reports. Mr. Thompson stated no votes or action was taken.

OLD BUSINESS

There was no Old Business to come before the Board.

NEW BUSINESS

- a. **March Board Meeting date** – Chairman Cokley stated a change of date was needed for the March Board Meeting informing the Board the Carolina Recycling Association Conference would begin that week. He inquired if March 31, 2015 at 3:30 would be acceptable to the Board and the Board concurred.

Chairman Cokley indicated a change of date was needed for the April Board Meeting informing the Board they would be just returning from Montgomery, Alabama RePower tour. He inquired if April 30, 2015 at 3:30 would be acceptable to the Board and the Board concurred.

- b. **Roundtable Discussion** – Mr. Gray commented that he wanted to give an accurate account of the workshop. Mr. Gray stated he was asked by the Mayor and City Council to appear and give a report on the SWA since he was the representative for the Myrtle Beach and Surfside Beach area. He indicated he spoke glowingly and positively about the SWA and recommended the adoption of the plan. Mr. Gray stated he did the same thing at the Surfside Beach Town Council Meeting. He indicated he was not sure why the City of Myrtle Beach deferred but he was sure Myrtle Beach would adopt the plan. Mr. Knight thanked Mr. Gray about the positive things he said about the SWA.

Chairman Cokley informed the group the City of Myrtle Beach had asked for clarity from the Board. He indicated the City of Myrtle Beach had the impression that their representative could not present information regarding the SWA. Chairman Cokley stated Board Members are allowed to report back to their supporting agencies and give updates concerning the SWA. Mr. Gray commented the SWA Rules, in Article 5-6 state “No Board member shall propose to speak or act for or on behalf of the Authority unless such action has been approved by affirmative vote of the Board”. Mr. Gray stated he voted against this. Chairman Cokley explained to Mr. Gray that he was recommended by Myrtle Beach, Surfside Beach and Horry County Council therefore he has the right to report back to them about meetings and events. Chairman Cokley says the Rules do not say you cannot speak to your reporting agency. He stated the Rules are in place so a Board Member cannot speak to the press on behalf of the SWA. Mr. Gray indicated the Rules are not clear and that it should be clearly written. Chairman Cokley stated that Mr. Gray misunderstood the Rules. Mr. Campbell asked if Horry County Council had the By-Laws and the Rules. Mr. Bessant stated Horry County Council had copies of the By-Laws and the Rules. Mr. Gray commented he doubted whether County Council received the Rules. Chairman Cokley stated that the Rules were to govern the Board and it was not necessary for County Council to vote on them. Mr. Gray indicated both should have been submitted to Horry County Council to vote on. Chairman Cokley stated the majority of the Board voted on the Rules and were not meant for Horry County Council to vote on. Chairman Cokley asked Mrs. Brittain if the By-Laws or Rules prevent any Board Member from reporting back to their supporting agency. Mrs. Brittain explained the Rules do not prevent a member from reporting back to their supporting agency and giving updates; however, the Rules prevent

Board Members from signing contracts and/ or to speak for the entire SWA Board of Directors. Mr. Gray stated he was asked by the City of Myrtle Beach to give a report and he gave a glowing report. He indicated he now understood the Rules.

MOTION TO ADJOURN

There being no further business to come before the Board, **Mr. Thompson moved, seconded by Mr. Campbell to adjourn the meeting. The Motion was carried** and the Regular Meeting was adjourned at 4:30 P.M.

Minutes approved on March 31, 2015.

HORRY COUNTY SOLID WASTE AUTHORITY, INC.

BY: _____ (L. S.)
James H. Cokley, D. Min, Chairman

ATTEST:

J. Michael Campbell, Secretary

Pam J. Creech

Dan P. Gray

W. Norfleet Jones

John R. Long, II

M. Lance Thompson