

**MINUTES OF REGULAR BOARD MEETING  
HORRY COUNTY SOLID WASTE AUTHORITY, INC.  
February 27, 2024**

The Horry County Solid Waste Authority, Inc. held a Board Meeting on Tuesday, February 27, 2024, at 10:30 A.M., at the Authority's Administrative Office, 1886 Highway 90, Conway, South Carolina. 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: W. Norfleet Jones, Chairman; Amos C. Berry, Sr., Treasurer; Michael H. Hughes, Secretary; and Board Member Pam J. Creech and Sam Johnson. Robert J. Kemp, Vice Chairman attended the meeting via conference call. Rev. James H. Cokley was not in attendance.

County Administrator Steve Gosnell, Robert Benfield from the SC Associations of Counties, and Holly Sommers from the SCDNR, represented the public in attendance. There were no members of the media present.

The following individuals were also in attendance: Danny Knight, Executive Director; Ed Marr, Assistant Executive Director; Esther Murphy, Director; Jan Bitting, Director; Stephanie Todd, Director and staff members Chris Calhoun, Josh Nesbit, Richie Stetter, Drake Morris, Cindy Keith, Trina Cooke, Katherine Bell, and Monica Collier.

**CALL TO ORDER**

Chairman Jones called the meeting to order and asked Mr. Berry to render the invocation.

**PLEDGE OF ALLEGIANCE**

Ms. Creech led the group in the Pledge of Allegiance.

**APPROVAL OF AGENDA**

**Mr. Berry moved to approve the Agenda as presented. There was a second by Mr. Hughes and the Motion was carried.**

**APPROVAL OF MINUTES**

Chairman Jones asked for any questions on or amendments to the Minutes of the Regular Meeting for the Board Meeting held on January 23, 2024; however, there were none.

**Mr. Hughes moved to approve the Minutes of the January 23, 2024, Regular Meeting. There was a second by Ms. Creech and the Motion was carried.**

**SPECIAL PRESENTATION**

Ms. Bell introduced Mr. Robert Benfield, Director of Insurance Services for the South Carolina Association of Counties. She stated that the Association of Counties manages the SWA property liability and workers compensation insurance. Ms. Bell stated that Mr. Benfield was present to make a special presentation to the SWA.

Mr. Benfield stated that he often talks on government operations, but he was present this morning to provide an update on risk management.

Mr. Benfield said that the SWA submitted a project, which allowed him to present staff with two awards. One of the awards was for Outstanding Achievement Award.

Mr. Benfield advised the Board that the Association of Counties had been monitoring SWA risk management projects throughout the years. He stated that they have six risk management requirements that every member must meet, and that in the previous years, only six members out of 41 have exceeded their standards, with the SWA being one of the six in South Carolina. He said staff not only met their standards, but exceeded.

Mr. Benfield presented the second award which was the Sustain Excellence Award for risk management. He complimented staff's dedication for going above and beyond.

Mr. Benfield stated that it was a pleasure to present the two awards for outstanding work for team effort to save lives, time, and money.

### **PUBLIC INPUT**

Chairman Jones stated there was no 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 on pages 11–16.

**Statement of Economic Interest** – Mrs. Murphy advised Board Members that if they had not yet completed their Statement of Economic Interest, they should do so as soon as possible. She stated that they have until 12 p.m. on March 30, 2024 to file without penalty.

**Upcoming Events** – Mrs. Murphy offered an update on the 2024 Home Show, which was held on February 2<sup>nd</sup>- 4<sup>th</sup>. She indicated that the Home Builders Association reported a total of 9000 attendees over the course of three days. Mrs. Murphy stated that staff distributed information recycling guidebooks, freebies, and other items. She expressed gratitude to all staff members who participated.

Mrs. Murphy stated that one of the highlights for her was seeing former Board Member Mr. Rod Smith. She stated that he was still current and up to date with what's going on at the SWA. Mrs. Murphy said that Mr. Smith, was still supporting the SWA because he was still wearing his SWA shirt.

Mr. Knight inquired of Mrs. Murphy whether Mr. Smith brought up his favorite subject. She confirmed that he did, which was the upkeep and maintenance of the OCC container.

**Caught Green Handed Update** – Mrs. Murphy informed the Board the January “Caught Green Handed” recipient was Ms. Tracy Weiland. She stated, Ms. Weiland was a recycler at Scipio Lane Recycling Center, and she was thankful to be recognized.

Mrs. Murphy informed the Board that “Caught Green Handed” was a great program that the SWA promotes with residents simply to let them know that they are recognized and appreciated for everything they do with recycling.

Mr. Knight offered an update on the Center's purchased property for recycle centers. He indicated that four separate sites had been purchased, including Highway 9, Longs, 22, and Highway 90, as well as one adjacent to Red Bluff. He said the County was working on the sites, and he was hopeful to see some painted recycle cans in the near future.

**Finance and Administration Update** – Mrs. Bitting offered an update of the following which was included as pages 17 – 33 in the Board Packet.

**Monthly Finance Reports** – Mrs. Bitting informed the Board that the Budget Workshop would be held on March 13, 2024 at 9 A.M. Mrs. Bitting said that breakfast would be provided starting at 8 A.M. She indicated that she would have budget books available for review next week prior to the meeting, and that if any Board Members had any questions or concerns, to please let her know.

Mrs. Bitting reported that overall tipping fees had increased .8% over last year at the same time. Mrs. Bitting said that Solid Waste revenue was at 62.33% of budget, Mixed Construction revenue was at 49.34% of budget projection and Yard Waste revenue was below at 55.20% of budget.

Mrs. Bitting said that Recyclable Sales were at 74.36% of budget. She said the C&D Processing Facility saved 19 days of airspace. Mrs. Bitting reported that the Material Recycling Facility saved 60 days of airspace.

Mrs. Bitting reviewed the Income Statement and reported revenues were at 56.72% of budget and expenses were at 48.89% of budget. She said that the staff was doing an excellent job. Mrs. Bitting stated for the month, revenue over expenses was \$353,040.40. She said the SWA's year-to-date revenue over expenses was \$2,825,601.41. Mrs. Bitting reported the SWA interest income of \$218,995.95.

Mrs. Bitting gave an overview of the landfill tonnage and reported that Solid Waste was up by 1.56%, Yard Waste was down by 17.67%, and Mixed Construction decreased by 16.49%.

Mr. Johnson inquired about the amount of money invested, as well as the interest rate on the SWA investments. Mrs. Bitting said that the SWA had a little over \$40 million in investments.

Ms. Creech inquired if Mrs. Bitting had any idea what capacity the SWA was functioning at, in other words, was the SWA not operating at full capacity in terms of staff and equipment? Mrs. Bitting stated that she was unsure, however Mr. Marr or Mrs. Todd would give her an answer.

**Operations and Planning Update** – Mrs. Todd presented the following updates which was included on pages 34 – 49 in the Board Packet.

**Landfill Update** – Mrs. Todd reported the landfill had its monthly inspection on Thursday, February 1st. She stated that all evaluated areas had all been inspected and found to be satisfactory.

Mrs. Todd complimented staff, and stated they work really hard and did an excellent job of ensuring everything was taken care of.

**Santee Cooper Landfill Gas (LFG) Beneficial Use Agreement** – Mrs. Todd indicated that staff had HDR analyze all components of the LFG agreement to determine whether the SWA should

continue with the agreement with Santee Cooper or look into other possibilities for the LFG. She stated that after numerous meetings and draft reviews with HDR, Santee Cooper, Kris Carlson (SWA LFG engineer), SWA attorney (Stan Barnett), and staff, the LFG Beneficial Use Agreement with Santee Cooper was successfully renewed, beginning on December 31, 2023 and ending on December 31, 2028. Mrs. Todd stated that the base term may be extended for a single 5-year period with mutual written consent or confirmation. She stated that staff was excited to continue working with Santee Cooper.

Ms. Creech inquired of Mrs. Todd whether there were any significant differences between this contract renewal and the one the SWA had.

Mrs. Todd stated that Santee Cooper committed to a specific amount of gas. She indicated anything above or beyond that Santee Cooper had capabilities to purchase and utilize their engines, they would do so. Mrs. Todd stated if it goes beyond what they had engine availability for, they still had the first right of refusal. She said that if staff wanted to look at something little on the RNG project, it would be included to the list to be completed in the near future.

**Driver of the Month Update** – Mrs. Todd said the February Driver of the Month was Mr. Wave Stanley who works for GFL.

**C&D Recycling Update** – Mrs. Todd reported that the C&D Recycling Facility saw a 10.57% decrease in tonnage as compared to January 2023.

**MRF Update** – Mrs. Todd reported that January 2024 saw a 0.9% decrease in the number of recyclables received by the MRF compared to January 2023. Mrs. Todd provided a comparison of the fiber market. She said that cardboard and mixed paper showed an increase in January 2024 compared to January 2023. She stated that office paper decreased in comparison.

**Executive Director Update** – Mr. Knight offered an update which was included as page 50 in the Board Packet.

**Oyster Recycling – Holly Sommers, SCDNR** – Ms. Holly Sommers works with the South Carolina Department of Resources; she is the State Oyster Shell Recycling Planting Manager for the Score Program.

Ms. Sommers provided an update and a PowerPoint presentation on Oyster Recycling. She highlighted how oyster recycling was important to South Carolina. She indicated that oysters are the fourth most important commercial fishery in South Carolina.

She displayed a QR code including information on the State's Oyster Restoration resources as well as her contact information. She thanked SWA for inviting her.

Mr. Hughes asked Ms. Sommers whether there are roughly 100 restaurants that sell oysters. He inquired whether she contacts business owners to build a partnership or obtains information from social media. Ms. Sommers stated that they need to develop sustainably, and she is now working on contacting restaurants while also creating a volunteer base that can service them. She indicated that her objective for this year was to have at least five restaurants that volunteer and constantly recycle. Ms. Sommers stated that they give restaurant training providing all necessary materials.

Mr. Johnson inquired of Ms. Sommers about how the newborn oyster attaches itself to the shell and filters to the cover. She stated that oysters are spread spawners, which means they swim around the water column and produce a larva after about three weeks. She added that after it falls and submits itself, it simply keeps bringing in calcium carbonate. General discussion followed.

**Miscellaneous Items** – Mr. Knight informed the Board that the Piggyback II Expansion was going well. Mr. Knight indicated that the expansion of C&D Recycling is progressing nicely.

**Piggyback II Expansion Update** – Mr. Marr provided an update and PowerPoint presentation on the Piggyback II. He stated that he wanted to show the SWA's growth from a month ago to where we are now.

Mr. Marr inquired of Mr. Knight as to how many trucks were running. Mr. Knight stated most likely six by the end of May. General discussion followed.

**Miscellaneous Items** – Mr. Knight informed the Board that there was an incident on the landfill. He said that Seed Slingers was onsite performing work. Mr. Knight stated the work was halted and Seed Slinger was made aware that the activity did not correspond with the SWA purchasing policy. Mr. Knight stated that he assured Seed Slingers that the SWA would pay for the work that had been done up to this point. However, anything else would not be covered.

Mr. Knight stated that he issued a letter to T&K Construction that explained the policies.

Mr. Johnson inquired whether he needed to step out. Chairman Jones stated, he didn't.

Chairman Jones stated that after reading Mr. Knight's letter for clarification, he would offer Mr. Johnson the opportunity to speak. He indicated he had a couple of questions to ask Mr. Johnson.

Chairman Jones inquired of Mr. Johnson that once the construction was stopped, did he interact with T&K Construction or anybody else, and asked if he threatened them. Mr. Johnson indicated, he did not ***threaten them, but he did communicate with them.*** (Amended by Board vote on March 26, 2024)

Chairman Jones asked Mr. Johnson if he had communicated with T & K Construction and stated that the situation was halted due to Mr. Knight's dislike for him. Mr. Johnson said that he would not answer any additional questions without council, and he was certain that the SWA would hear from his lawyer within the next 24-48 hours.

Chairman Jones asked Mr. Johnson would he like to reveal the identity of his lawyer. Mr. Johnson declined.

Chairman Jones asked, if anyone had any comments or questions. Ms. Creech inquired as to the current status of the project, as well as if staff had found someone else to complete the project.

Mr. Knight stated the project would not be dropped.

Mr. Hughes inquired whether T&K Construction was aware of Mr. Johnson's position on the Solid Waste Authority Board when they offered him the contract.

Mr. Johnson presented an email from T & K Construction and stated that the SWA did not receive a quote from Seed Slingers when the project was bid or when the project was rebid. He stated that he had not intended to subcontract the grass in road control work. Mr. Johnson said when the time came to start, Virginia Beach company was not responsive, so T&K Construction contacted Seed Slingers in order to fulfill the obligation. He said that Seed Slingers had received proposals from T&K Construction in the past two decades on various construction projects in South Carolina without knowledge of office location, known owners name and owner relationship to Horry County Solid Waste Authority.

Mr. Johnson again stated that he did not bid on the first project, nor did he bid on the rebid. He indicated that T&K Construction contacted him after the contract had already been signed with the Solid Waste Authority.

Mr. Johnson indicated that he was aware that in the State of South Carolina, Board Members are permitted to bid on County projects, and that the SWA Board book states that Board Members follow South Carolina legislation. He said the Board book states that Board Members obey Horry County statutes. Mr. Johnson advised the Board there was a Horry County Councilman who owns a business that sprays for mosquitos, as well as a Grand Strand Water & Sewer site contractor that performs a lot of site work.

Mr. Johnson stated that boards are not supposed to be put in place so that persons who operate on the boards don't have a chance to interact with the entities for whom they are on the boards. He stated that Board Members are protected under South Carolina law and legislation.

Mr. Johnson stated that he did not bid on this project, and that there were two other concerns. He said that he worked on the first landfill with the Horry County Solid Waste Authority with no difficulties, and the second landfill, which he did not work on, but implemented the buying strategy. Mr. Johnson indicated that the Purchasing Policy, however, has two faults. He commented, the first was that it was not authorized by the Horry County Government but by the Council and any modifications to the books must be approved by Horry County Council, and this had never been presented to the Board for a vote.

Mr. Johnson stated that two years after the policy was implemented, there was a direct bid with the Horry County Solid Waste Authority to haul wood chips and Seed Slingers was awarded the contract. Mr. Johnson said there was a third concern, he indicated the SWA denied his company, a DBE woman-owned business, the opportunity to do the work that they were approached to do.

Chairman Jones advised the Board the SWA contract was a no bid process. He said that Grand Strand Water & Sewer, Santee Cooper, and County Council follow their own policies and how they are enforced. Chairman Jones remarked that the SWA would ultimately find out who Mr. Johnson's counsel was, and he believe Mr. Johnson would find out who the Solid Waste attorney was.

Mr. Berry inquired of Mr. Johnson as to who the County Council Member was working for Horry County. Mr. Johnson stated that the County Councilman who sprays for mosquitoes was Al Allen. Mr. Berry asked Mr. Johnson if Mr. Allen appointed him to this Board. Mr. Johnson stated that he did. Mr. Berry asked if Mr. Allen was wrong by spraying for mosquitos. Mr. Johnson responded; he did not say Mr. Allen was wrong. Mr. Johnson said this argument had already come up in the past, and it had been proven by the State of South Carolina that as long as a Board Member had nothing

to do with the bids or anything like that, Board Members could work at the entities that provide work that's put out for bid.

Chairman Jones stated that this issue would have to be resolved at a later date. Mr. Johnson concurred.

### COMMITTEE REPORTS

There were no Committee meetings during the month.

### OLD BUSINESS

There was no Old Business to come before the Board.

### NEW BUSINESS

**Roundtable Discussion** – Ms. Creech commented that the SWA had been a great help to oyster recycling. She stated that Oyster Recycling might be eligible to apply for the SWA \$10,000 grant if they are prepared to work with the names of all their restaurants.

Mr. Hughes responded that he believed the deadline for submitting grant proposals had passed, but he would forward the information on to staff.

Mr. Berry inquired whether Ms. Sommers would be able to move her oyster trailer from Sea Mountain Highway to Tailgate Oyster Bar. He indicated that they do a lot of business and that it would help them get rid of some of their oyster shells.

She said, yes, I heard about that, and inquired whether Billy the Kid had a huge pile of shells. Mr. Berry responded, yes, they do. Ms. Sommers inquired as to whether they were selling them. Mr. Berry replied he didn't know; he said that he used to sell oyster shells a while back but not longer. Ms. Sommers expressed gratitude to Mr. Berry for the resources.

### MOTION TO ADJOURN

There being no further business to come before the Board, **Mr. Berry moved, seconded by Mr. Hughes, to adjourn the meeting. The Motion was carried,** and the February Board Meeting was adjourned at 11:40 A.M.

Minutes approved on February 27, 2024.

HORRY COUNTY SOLID WASTE AUTHORITY, INC.

BY: \_\_\_\_\_ (L. S.)  
W. Norfleet Jones, Chairman

ATTEST:  
\_\_\_\_\_  
Michael H. Hughes, Secretary

\_\_\_\_\_  
Amos C. Berry, Sr.

\_\_\_\_ (L. S.)  
James H. Cokley, D. Min.

\_\_\_\_ (L. S.)  
Pam J. Creech

\_\_\_\_ (L. S.)  
Samuel T. Johnson, Jr.

\_\_\_\_ (L. S.)  
Robert J. Kemp