

**MINUTES OF REGULAR MEETING  
HORRY COUNTY SOLID WASTE AUTHORITY, INC.  
November 26, 2013**

The Horry County Solid Waste Authority, Inc. held a Regular Meeting on Tuesday, November 26, 2013, at 5:30 P.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: James H. Cokley, Chairman; M. Lance Thompson, Vice Chairman; John R. Long, II, Board Treasurer; Dan P. Gray, Board Secretary; and Board Members J. Michael Campbell, Pam J. Creech, and W. Norfleet Jones. Chairman Cokley asked Vice Chairman Thompson to preside over the Board Meeting due to him feeling not feeling well.

Ex Officio Member Kevin Blayton was in attendance; however, Ex Officio Steve Gosnell was not in attendance due to the death of his father. Mrs. Barnhill and Miss Katelyn Barnhill POPArt winner for 2013 from Aynor Middle School was in attendance. There were no members of the media in attendance.

The following individuals were also in attendance: Executive Director; Danny Knight, Assistant Executive Director; Mike Bessant, Esther Murphy, Director; Bill Hilling, Director; Jan Bitting, Deputy Director; Mrs. Emma Ruth Brittain, SWA Attorney and other staff to include Rodney Cannon, Wayne Martin, Cecil Terry, Chris Calhoun, Kendra Hooks, Susie Wofford and Stephanie Todd.

**CALL TO ORDER**

Vice Chairman Thompson called the meeting to order and Mr. Gray rendered the invocation.

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF AGENDA**

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

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

**APPROVAL OF MINUTES**

Vice Chairman Thompson asked for any questions on or amendments to the Minutes of the Regular Meeting held on October 22, 2013, as contained in the Agenda Packet.

**Mr. Jones moved to approve the Minutes of the October 22, 2013, Regular Meeting. There was a second by Mr. Campbell and the Motion was unanimously approved.**

**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 1-10 in the Board Packet.

**RSWP Conference Update** – Mrs. Murphy informed the Board of the Recycling & Solid Waste Professional Conference held on October 23, 2013 in Columbia, South Carolina. She stated herself along with Mr. Bessant and Mrs. Hooks attended the conference. Mrs. Murphy commented the conference was informative with various updates on glass recycling, carpet recycling, plastics and electronics. She stated presentations were given on private and publically run MRF's. Mrs. Murphy indicated SCDHEC gave updates on composting and tire regulations.

**Recycling Center or the Quarter Update** – Mrs. Murphy indicated the Brooksville Site had been chosen as the Recycling Center of the Quarter ending September 30, 2013. She stated Site Attendant Andrew Lee did an excellent job maintaining the center.

**America Recycling Day Update** – Mrs. Murphy stated America Recycles Day was held on November 15, 2013. She informed the Board this year staff members Rodney Cannon, Kendra Hooks, Rusty Uhler, Cecil Terry and herself visited the recycling centers. Mrs. Murphy indicated recycling literature was distributed at the centers and stated customers were given the opportunity to sign up to win a \$25 Walmart gift card. She commented staff members spoke to more than 150 residents during the visits. Mrs. Murphy indicated WMBF-TV conducted an online text alert contest in recognition of America Recycle Day and awarded the winner a \$25 iTunes gift card. She stated the online text contest had over 1,000 residents participate in that contest.

**POP Art Update** – Mrs. Murphy informed the Board the SWA had been sponsoring the POP Art contest for the past six (6) years. She stated this year's material was plastic and stated there were a total 68 participants this year. Mrs. Murphy asked the Board to view the displayed artwork throughout the multipurpose room. She stated the winning art was the "Give a Hoot, Don't Pollute" artwork created by Miss Katelyn Barnhill an eighth grader at Aynor Middle School. Mrs. Murphy expressed her amazement at the creativity of the children's artwork. She indicated Katelyn was awarded an electronic reading device as well as an SWA prize pack. Mrs. Murphy stated the "Give a Hoot Don't Pollute" was from the 70's Litter program. Mrs. Kendra Hooks presented Miss Katelyn Barnhill with a plaque for winning the 2013 POP Art contest. Miss Barnhill spoke of her inspiration for the artwork she stated she recycled at home. She was supported and encouraged by her mother to finish the project. Mrs. Barnhill, Katelyn's mother thanked the SWA for the electronic device and prize pack.

**Thanksgiving Day Recycling Center Closing Update** – Mrs. Murphy stated that all recycling centers would be closed for the Thanksgiving Day holiday.

### **Operations and Planning Update**

Mr. Hilling reviewed his reports with the Board, which were included as Pages 11-18 in the Board Packet.

**Saddle Closure Update** – Mr. Hilling reviewed with the Board progress of the Saddle Closure area. He stated the 24-inch clay liner had been tested and met the specifications. He indicated a

24-inch protective pull liner was also installed. Mr. Hilling indicated the project was on schedule, with the completion date set for February 26, 2014. He stated Phase 1 Access Road, would be completed at the end of the project. Mr. Hilling indicated King Construction had done an excellent job and he was pleased with the work so far. He informed the group that clay was being hauled in for the Phase 1 Piggyback access road. Mr. Thompson asked if the seagulls were a nuisance. Mr. Hilling stated the birds were no problem. Mr. Gray asked where the fill material was transported from. Mr. Hilling stated the material was being hauled from a pit on Highway 90 by Blue Max Trucking Company.

**Driver of the Month Update** – Mr. Hilling stated Mike Buffa from Unlimited Sanitation was named Driver of the Month for October. He stated that the driver was proud he was awarded driver of the month. He indicated the driver's picture was displayed at the scales house for the month. Mr. Hilling stated in January he would have a collage of all 12 drivers from the previous year displayed at the scales house.

**HHW Collection Update** – Mr. Hilling stated bids were advertised in October for Household Hazardous Waste Collection and he indicated three (3) bids were received. Mr. Hilling informed the Board MXI Environmental Services was awarded the bid for the collection of chemicals and paint. He stated he was pleased MXI received the bid. Mr. Hilling stated MXI was very professional in their previous encounters. He indicated Battery Solutions would dispose of the batteries for half the cost of the other companies. Mr. Hilling stated Household Hazardous Waste had to cover the cost of labor, material, boxes and or barrels.

**Relocation of Grinding Area to Tract D Update** – Mr. Hilling indicated on November 6, 2013 five (5) bids were received for the relocation of the grinding area. He stated Southern Asphalt had the lowest bid at \$460,615. Mr. Hilling informed the Board that all the contract specifications were acceptable and references checked. He stated staff's recommendation was to award the bid to Southern Asphalt to relocate the grinding area to Tract D.

### **Finance and Administration Update**

Mrs. Bitting presented the Finance & Administration reports to the Board, which was included as Pages 19-36 in the Board Packet.

**Monthly Finance Reports** – Mrs. Bitting stated net income for the month of October was \$44,689.26 and year-to-date income was \$701,726.25. She indicated revenues were at 33% of budget. Mrs. Bitting indicated expenses were at 29% of budget. She stated tipping fees were at 37% of budget. Mrs. Bitting stated recycling sales were at 32% of budget which is slightly below projections. She indicated the C&D Factory tonnages were at 1,264 for October and had a steady increase of material due to the City of Conway demolishing old buildings.

### **Special Projects & Governmental Affairs Update**

Mr. Bessant presented an update on various projects in which were included as Pages 37-43 of the Board Packet.

**C&D Recycling Designated Facilities Update** – Mr. Bessant offered separate reports for Lee Disposal and EZ-Dump concerning the C&D Recycling Incentive Program. Mr. Bessant stated for October, the total tons of material received from Lee Disposal were 737.26 tons, of which, 664.58 tons were recycled. Mr. Bessant indicated the total incentive tons for October were

221.40 tons. He stated the reduction in tipping fees to the designated C&D hauler were \$1,057.00 for October. Mr. Bessant indicated Lee Disposal's year-to-date tonnage for the program was 3,594.75. He commented that the total tons of concrete recycled for October were 1,206.96 tons. Mr. Bessant stated the year-to-date recycling tonnage was 2,300.20 or 63.99%. He indicated the year-to-date recycling tonnage without concrete were 1,093.23 or 43.78%. Mr. Bessant stated the year-to-date recycling credit in tipping fees to Lee Disposal were \$4,278.50.

Mr. Bessant stated for October, the total tonnage of material received from EZ-Dump was 761.79 tons. He commented that the total tons of concrete recycled for October were 593.17 tons or 55.44%. Mr. Bessant stated the October recycling credit in tipping fees to EZ-Dump were \$0. Mr. Bessant stated for FY2014, the total tonnage of material received from EZ-Dump were 3716.20 tons. He commented that the total tons of concrete recycled for FY2014 were 796.28 tons. Mr. Bessant stated the FY2014 recycling tonnages were 1,557.05 or 56.50%. He indicated the FY2014 recycling tonnage without concrete were 760.77 or 38.83%. Mr. Bessant stated the FY2014 recycling credit in tipping fees to EZ-Dump were \$0.

**Recycling Incentive Programs Update** – Concerning the recycling incentives, Mr. Bessant indicated the following incentives were given by the SWA: MSW Recycling \$88,766.83, C&D Recycling Facility \$22,896.20, C&D Designated Facilities \$4,278.50. He stated the total incentive saving year-to-date for SWA customers were \$115,941.53.

**Legislative Update** – Mr. Bessant stated Horry County Council would consider amending the Flow Control ordinance to remove C&D material from the ordinance. He indicated this had been recommended by the I & R Committee and would go before the full council on December 10, 2013 for the first reading.

**League of Cities** – Mr. Bessant indicated the League of Cities requested a presentation on Flow Control and the effects locally and statewide. He stated this presentation would be held at their next meeting being held at the Atlantic Beach Community Center on December 5, 2013 at 6:00pm. Mr. Thompson asked who was the chairman of the League of Cities. Mr. Bessant replied Mayor Hatley.

**Horry County Council Administration Committee** – Mr. Bessant stated the Horry County Council Administration Committee would be meeting on December 6, 2013 at 9:00am. He indicated this meeting would include discussion on changes to the Flow Control ordinance.

**Association of Counties** – Mr. Bessant informed the Board the Association of Counties had received positive feedback from the new campaign "Don't Dump on South Carolina". He stated residents throughout the state were receiving pertinent information about flow control that would be helpful when the legislative session resumed. Mr. Bessant indicated the news segment on TV-4 Greenville, SC about H3290 Bill on flow control generated interest and the residents were asking questions and realizing the impact of this bill statewide. Mr. Gray asked if the last legislative session was in the first year of a two year session. Mr. Bessant stated that was correct. Mr. Gray asked does the session pick up where it left off or does it began a new session. Mr. Bessant stated it begins where it was left off. He indicated the H3290 Bill was still in the Senate on the minority report and has to be called up for Special Order or to the Rules Committee. He indicated there was an Electronics Bill in the House that had the flow control amendment tied to it. Mr. Bessant explained if an amendment was related to a bill then it could

be attached and go forward to the Conference Committee where it could be passed. Mr. Jones informed the Board he had spoken with a state senator who was confident that the bill would not pass this year. Mr. Gray asked Mr. Bessant if he thought the major haulers would give up the fight for flow control in South Carolina. Mr. Bessant replied he did not since this was a national issue. Ms. Creech asked if Mr. Bessant would be speaking to the League of Cities and Horry County Administrative Committee. Ms. Creech indicated at the two meetings the County and municipalities needed to know the impact of the flow control and the loss of generated revenue as well as the effects to the taxpayers. Mr. Bessant indicated he would be speaking at these meetings and stated Mr. Campbell had informed him the mayors were asking for this information.

### **Executive Director Update**

Mr. Knight briefly discussed the following items with the Board on Page 44 in the Board Packet.

**Berkley County Landfill Update** – Mr. Knight distributed to the group a sample of the material Berkley County landfill was using for cover on their landfill. He stated Berkley County was closing out there landfill. Mr. Knight stated SCDHEC had given authorization for the use of this material but had not given final approval. He indicated the material had possibilities but the SWA would stay with the material currently in use.

**MB Sustainable Living and Green Building Update** – Mr. Knight stated he had spent months planning, discussing and participating on the City of Myrtle Beach Sustainable Living and Green Building Committee. He indicated the Committee was given five minutes to present and discuss its findings with Myrtle Beach City Council. Mr. Knight indicated some of the findings were taken into consideration and overall felt good information had been presented.

**Steve Gosnell Update** – Mr. Knight discussed the passing of Ex-Officio Member Steve Gosnell's father. He stated he did not know the funeral arrangements at this time but the funeral would be in Spartanburg. Mr. Knight asked the Board to keep Mr. Gosnell in their prayers.

**IRS Update** – Mr. Knight indicated to the Board the SWA's questions regarding the IRS classification had been answered. He commented the questions had been clarified. Mr. Knight informed the Board that Form 990 did not have to be filed. He stated the information regarding the SWA's 501 (c) (3) classification was positive and all the documentation would be included in next month's Board packet.

**Horry County Council Update** – Mr. Knight stated in the October minutes he had said the County would not move forward with changes to the Flow Control ordinance until a judgment from the Appeals Court was reached. He indicated the I&R Committee had moved forward and Horry County Council would have first reading in December on the Flow Control ordinance. Chairman Cokley asked if that had been the original agreement for County Council to wait until after the appeals process. Mr. Knight stated that was his understanding. Mr. Knight asked Mrs. Brittain to explain the possible impact the ruling would have county wide. Mrs. Brittain stated on the local level this would have no bearing on the proceeding in Richmond because no new information could be introduced. Mrs. Brittain stated the court was making a decision based on the information before it. Mr. Knight indicated if the appeals court did not rule in the SWA's favor there could be repercussions in Federal Court in Florence especially if Horry County Council removed C&D from the ordinance. Chairman Cokley asked if Horry County Council

actions regarding the Flow Control ordinance would hurt the SWA's chances in Florence if the Appeals Court ruled against the SWA in the lawsuit. Mrs. Brittain explained the case had not been tried but was thrown out on summary judgment. Chairman Cokley asked if the Horry County Council was aware of the repercussion in taking out C&D material from the Flow Control ordinance. Mr. Knight answered they understand the repercussions.

**Danny Knight Surgery** – Mr. Knight informed the Board he was having knee surgery on December 6, 2013. He stated he would be home for Christmas and hoped to be back at work January 21, 2014.

There were no other questions or comments on the remaining reports.

### **COMMITTEE REPORTS**

**Diversion Program Committee Meeting** – Mr. Jones stated a Diversion Committee meeting was held at 12:30pm on October 28, 2013. He indicated the meeting was a question and answer session. Mr. Jones indicated the RePower South process was one of the best he had seen. Mr. Jones commented on the proximity of company and was pleased about not having to leave the state to view this process. Mr. Thompson stated the process was very encouraging but the SWA needed more information before seriously committing to any project long term. Mr. Thompson asked for any discussion. Mr. Knight stated the RePower South had given figures on what the cost of the operations would be. He stated staff had discussed the cost to operate and indicated a landfill would still be needed. Mr. Knight recommended taking funds from the Diversion Fund to hire a third party firm to review the RePower South process and prepare a recommendation for or against this process. Mr. Jones asked if that would go out on bids. Mr. Knight indicated bids would be sought in the form of an RFQ. He explained the third party would review the SWA's cost of operations and what RePower South had to offer the SWA in return. Mr. Jones asked how long would this process take. Mr. Knight indicated the RFQ could be advertised by the first of the year. Mr. Campbell asked when RePower would come back with a proposal. Mr. Knight stated staff had reviewed some funding and preliminary proposals. He indicated the SWA did not know how much material needed to be transported into the SWA landfill for this process to succeed. Mr. Jones asked if a motion was needed for this process. Mr. Gray asked if the third party consulting firm would be a contracted bid. Mr. Knight stated the SWA would take qualifications from different companies to find who was most capable of handling this fact finding process and cost would be a determinant. He indicated after reviewing the qualifications of each company then a decision would be made. Mr. Campbell said the SWA was looking for a request for a proposal then once the information was furnished the third party firm would be selected. Mr. Knight stated if an agreement with RePower was reached, the SWA would suggest a 10 or 20 year contract with a set funding amount. Mr. Jones indicated staff or the Board did not have enough information to make a determination at this time without a third party. Mr. Gray asked on the selection process would it be open market on request for qualifications. Mr. Knight stated negotiations would start with the top three (3) companies and then make a recommendation to the Board. Ms. Creech stated she had several comments and concerns about the RePower South proposal. She indicated she believed what RePower was proposing here at the landfill would be considered a dirty MRF. Ms. Creech explained one of the major difficulties with solid waste was the smell. She stated a dirty MRF's was a problem. She remarked the Highway 90 community might have major concerns. Ms. Creech commented she had issues with more trucks on Highway 90, a larger volume of traffic and garbage from other states. She remarked that a partnership with RePower would give them private status and allow garbage from other states into the landfill. Ms. Creech stated a third party consultant

would be very expensive. She indicated she could not vote until these problems were addressed and the public was asked their views on this process. Mr. Thompson stated he shared Ms. Creech concerns but would consider a third party reviewing this process.. Mr. Thompson indicated the Board needed information and staff would need to do more exploratory research for the proposal. Mr. Gray commented if the SWA could keep 50-70% of material out of the landfill and recycle that amount even with the odor would be a minor thing for the SWA. Mr. Gray said recycle materials were coming from out of county now. Mr. Gray asked if the company could haul garbage in from other states. Mr. Knight stated the company could not bring garbage into the landfill; however, the question had not been raised as of yet. He stated the RFQ could be started and any questions the Board had would be answered. Mr. Knight suggested going to visit a dirty MRF in Alabama and one with equipment in California.

**Mr. Jones moved to authorize staff to enlist a third party consulting firm to investigate a partnership between Horry County Solid Waste Authority and RePower South. There was a second by Mr. Campbell. The motion was carried with Ms. Creech voting no.**

**Operations & Planning Committee Meeting** – Mr. Campbell reported on the Operations & Planning Committee meeting held on November 20, 2013. He stated the purpose of the meeting was to recommend the delaying of the purchase of a replacement compactor for Fiscal Year 2014 and purchasing a used grinder. Mr. Campbell stated the budget currently has \$600,000 in Equipment Replacement Fund for this purchase. He stated \$500,000 was needed to purchase a used grinder. Mr. Campbell indicated the Committee approved staff's recommendation and needed the full Board's approval. Mr. Long asked Mr. Bessant if this was the reason for going before I&R Committee. Mr. Bessant replied that was correct any non-budgeted purchase over the amount of \$50,000 had to be approved by Horry County Council.

**Mr. Thompson moved to accept staff recommendation to purchase a used grinder at a cost of \$500,000. There was a second by Mr. Jones the Motion was carried.**

#### **Finance & Administration Committee**

Mr. Thompson reported on the Finance & Administration Committee meeting held on November 20, 2013. He stated the purpose of the meeting was to discuss the potential loss of C&D in the flow control ordinance. Mr. Thompson stated staff had done a thorough job on cost saving that had to be included in the budget, which included not filling vacant positions. He indicated this was done so no positions would be terminated and to cover the potential loss of revenue from C&D. He indicated no action was taken during the Committee meeting. Mr. Knight stated the cut sheet had been refined. Chairman Cokley asked if the amounts listed on the cut sheet was \$650,000 for the whole year. Mr. Knight stated \$349,000 in cuts would be required for the remainder of FY2014

#### **OLD BUSINESS**

There was no Old Business to come before the Board.

#### **NEW BUSINESS**

- a. Digital Production of Board Packets** – Mr. Long inquired about when the Board would begin receiving their Board Packets in just the digital format. He suggested sending the Board Packets to each member via Dropbox. Mr. Long stated this would eliminate the need for hard copies being hand delivered by staff. Ms. Creech stated she did not have Wi-Fi at

her home. Mr. Thompson asked if the SWA could provide or make suggestions to help Ms. Creech with the problem. Mrs. Murphy indicated the Board Packet was available on the internet or the individuals Dropbox. Chairman Cokley suggested the need for iPad training for the Board Members. Mr. Knight stated staff would help Ms. Creech to solve this problem.

- b. December Board Meeting Date** – Vice Chairman Thompson discussed a time for the December Board Meeting. Mr. Long, Mr. Jones and Rev. Cokley stated they would not be able to attend the meeting. Mr. Thompson asked what time the meetings were usually held. Mrs. Murphy stated the meetings were usually held earlier in the day because of holiday travel plans. Vice Chairman Thompson stated the meeting would be held December 12, 2013 at 3:00pm.
- c. Roundtable Discussion** – Ms. Creech asked if she could receive copies of any contracts or proposals from RePower South. Mr. Knight stated he would get the information to the Board Members.

**MOTION TO ADJOURN**

There being no further business to come before the Board, **Ms. Creech moved, seconded by Mr. Long to adjourn the meeting. The Motion was carried** and the Regular Meeting was adjourned at 6:45 P.M.

Minutes approved on November 26, 2013.

**HORRY COUNTY SOLID WASTE AUTHORITY, INC.**

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

ATTEST:

\_\_\_\_\_(L. S.)  
Dan P. Gray, Secretary

\_\_\_\_\_(L. S.)  
J. Michael Campbell

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

\_\_\_\_\_(L. S.)  
W. Norfleet Jones

\_\_\_\_\_(L. S.)  
John R. Long, II

\_\_\_\_\_(L. S.)  
M. Lance Thompson