

**REPORT OF BOARD WORKSHOP
HORRY COUNTY SOLID WASTE AUTHORITY, INC.
January 11, 2022**

The Horry County Solid Waste Authority, Inc. held a Board Workshop on Tuesday, January 11, 2022, at 11:00 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: Bo Ives, Chairman; Amos C Berry, Vice Chairman; W. Norfleet Jones, Secretary, Carl H. Schwartzkopf, Treasurer, and Board Members Robert J. Kemp and Michael H. Hughes. Board Member Samuel T. Johnson was absent.

The following individuals were also in attendance: Danny Knight, Executive Director; Jan Bitting; Director, Mike Bessant, Director; Esther Murphy, Director; Stephanie Todd, Assistant Director and staff member Cindy Keith.

Mr. Craig Fortner of Garrett & Moore represented the public in attendance. There were no members of the media in attendance.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Chairman Ives led the group in the Pledge of Allegiance.

SOLID WASTE PERMIT UPDATE

Mr. Ives asked Mr. Knight to discuss the first item on the Agenda, the Solid Waste Permit Update. Mr. Knight stated he wanted to apprise the Board of the status of the existing projects and asked Mr. Fortner of Garrett & Moore to provide an update of the Class Two Landfill Expansion. Mr. Fortner thanked the Board and staff and referenced the handout which is attached to and included as a part of these minutes. Mr. Fortner reviewed Project #1, the Landfill Infrastructure Project and the 1187 Borrow Road Development which included the following points:

Landfill Infrastructure Project

- Two new stormwater detention basins completed.
- Stormwater infrastructure improvements.
- New access road completed up to bridge corridor – approximately 2,800 LF of heavy-duty road.
- All disturbed areas seeded.
- Landfill infrastructure substantially complete as of 1/22/21.

1187 Borrow Road Development

- Haul road completed to bridge corridor, approximately 2.5 miles.
- Wetland crossings complete.
- Substantial completion reached 6/4/21. Contractor requested final project closeout on 1/10/22.

- Contract completed on time for \$3.14M, which is approximately \$40K below awarded contract amount.

Mr. Fortner reviewed Project #2, which includes the 1187 Bridge and Borrow Area Backfill. He stated the 1187 bridge was completed in July 2021 and operational in August 2021. Mr. Fortner explained the following points regarding the Borrow Area Backfill project:

- Backfill dewatering is ongoing.
- Approximately 1,000,000 CY of backfill placed of a required 1.26M CY.
- New stormwater detention basin partially graded.
- Additional borrow area required to complete the project.

Mr. Fortner explained the SWA is currently getting soil from Borrow Area #1 for daily operational requirements. He said Borrow Area #4, which consists of 29 acres of possible borrow material, is permitted and ready for development. Mr. Fortner stated that during the search for possible borrow material, a seventh area was identified. He said the area was not previously permitted, but Garrett & Moore has submitted a permit to use the seventh area for borrow material. Mr. Fortner said he received verbal approval from County Engineering and is waiting for approval from DHEC. Mr. Ives asked if there was access to Borrow Area #4. Mr. Fortner replied the contractor will need to widen existing roads, place material suitable for trucks to run on, and construct a wetland crossing which is also currently permitted. He said the contractor estimates this can be completed within the budget and time allotted for the original project.

Borrow Area BA-4 Partial Development

- Permitted and ready for immediate development
- Estimated 10-15 acres of development required to complete the project.
- Wetland crossing to be completed by contractor.

Borrow Area BA-7

- New borrow area identified.
- Currently under review by DHEC

Mr. Fortner said of the 133 adverse weather days included in the contract, 22 adverse weather days were used through December. He explained there is no adjustment to substantial completion due to adverse weather at this time. Mr. Fortner stated there was a change order for \$22,328 due to explosive gas mitigation at End Bent 1 which required a contract time adjustment of 7 calendar days. He said the time adjustment for the Tract D borrow soil shortage is 35 days, adjusting the revised substantial completion date to 5/12/2022. Mr. Ives commented that it's difficult to find suitable borrow material and requires a lot of testing. Mr. Fortner confirmed there has been extensive testing and drilling to find suitable material.

Mr. Ives stated the Board was impressed with the progress made thus far and only losing 22 days due to inclement weather is exceptional. He commented he hopes the permits will be approved to prevent further delays. Mr. Ives said he was impressed with the contractor and with Garrett & Moore.

FACILITIES ISSUES NEGOTIATION PROCESS UPDATE

Mr. Knight indicated the SWA has begun the Facility Issues Negotiation (FIN) Process. He said the process allows the community an opportunity to see what is happening at the landfill and gives them a voice to negotiate in the permitting process. Mr. Knight said there is a list of items the community can ask for in the state law. He stated that if the FIN Committee, the Board, and staff cannot come to an agreement, DHEC is informed and the permitting process continues. Mr. Ives mentioned some of the items the community asked for in the previous FIN process, which took place 10 years ago, were beyond the scope of the abilities of the SWA and DHEC. Mr. Ives said he values public participation and the concise presentation prepared by Garrett & Moore allows them to see what is currently happening at the landfill and what can be expected in the future. Mr. Knight reminded the Board of some of the issues from the prior FIN process, such as the anticipated height of the landfill and the turn lanes that were constructed on Highway 90.

Mr. Fortner said the FIN process is initiated after the applicant has submitted a permit to construct a Class Three Landfill which was done for Piggyback Phase Three in October. He stated that once DHEC decides the permit is administratively complete, which took place at the end of December, a certain number of days are allowed to begin the FIN process. Mr. Fortner indicated the SWA is still within the fifteen days allowed, and the FIN process is officially beginning. He explained while the SWA is going through the FIN process, DHEC is conducting a technical review to ensure the engineering is sound.

Mr. Fortner stated the public meeting scheduled for Friday, January 14, 2022, is to give the community an opportunity to engage in the FIN process. He referenced the handout that is attached to and included as a part of these minutes. Mr. Fortner explained the second meeting is scheduled for January 31, 2022 at 4:00 p.m. at the Horry County Council Multipurpose Rooms C & E located at 1301 2nd Avenue in Conway. Mr. Knight explained this location was chosen because up to 60 people can attend and remain safely distanced. He stated legal counsel advised that everyone allowed to vote must be in attendance at one location for the Petitioners' Meeting. Mr. Knight asked Mr. Fortner to elaborate on Step 4: Petitioners' Meeting Organization of Petitioners on page 18 of the handout. Mr. Fortner said of those qualified to serve on the Citizens' Facility Issues Committee, eighty percent must be landowners or registered voters in Horry County. He commented that two members, or twenty percent of the members, do not have to meet the local criteria. Mr. Fortner remarked the attendees will decide the size of the committee. He said if there are 1-4 members on the committee, there is no outside representation allowed. Mr. Fortner explained if 5 committee members were chosen, 1 member would not have to meet local criteria. He stated that if there are 6-10 committee members, there could be up to 2 members that do not have to meet the local criteria. Mr. Schwartzkopf asked who would be responsible for checking the members' qualifications. Mr. Fortner responded that a form will be handed out at the meeting which will ask potential committee members which of the criteria they meet and will be confirmed by Garrett & Moore. Mr. Hughes asked if members were qualified to vote if they were not registered voters of Georgetown, Dillon or Marion counties, but owned land in one or more of those counties. Mr. Fortner responded legal counsel would have to answer that question.

Mr. Fortner referenced the tentative dates and times of the negotiation meetings listed in the handout. He explained the first negotiation meeting is tentatively scheduled for Monday, February 7, 2022, at 4:00 p.m., the second meeting is tentatively scheduled for Tuesday, SWA Board Workshop – January 11, 2022

February 15, 2022, at 4:00 p.m., and the third meeting is tentatively scheduled for Monday, February 21, 2022, at 4:00 p.m. He indicated that all of the negotiation meetings will be held at the SWA's Administrative Building. Mr. Fortner stated the public input meeting is tentatively scheduled for Wednesday, March 23, 2022 at 4:00 p.m. at the SWA Administration Building as stated in the handout. Mr. Fortner said the ten step process detailed in the handout, as set in place by statute, ends with a written notification to DHEC. Mr. Kemp asked if the Board could be involved in the process. Mr. Bessant explained the Board would have an opportunity for input once the process is complete. Mr. Knight stated once the Board decides on the items of negotiation, it must be approved by County Council.

Mr. Bessant explained there will be limited seating available in the SWA Multipurpose Room on January 14th due to COVID, but there will be speakers outside as well as the ability to dial in to the meeting to listen.

Mr. Ives expressed his approval over the appointment of Ron Andrews as facilitator and Stan Barnett as legal counsel and asked Mr. Knight to discuss the individuals chosen. Mr. Knight remarked that Stan Barnett works with various counties and was responsible for the negotiation of the construction of International Drive. He said Ron Andrews was on a list of DHEC approved facilitators and was previously County Engineer as well as previously serving as the SWA Executive Director. Mr. Ives remarked Ron Andrews' character and expertise are outstanding and Stan Barnett has a legal understanding of solid waste issues as well as environmental issues.

Mr. Knight stated the SWA made the decision to initiate the FIN process in lieu of having the public submit petitions. He said the SWA chose to remain transparent by initiating the process.

Mr. Kemp asked if the cost of the FIN process is included in the current budget. Mr. Knight answered the cost is budgeted in the current fiscal year.

Mr. Ives indicated the Board would be apprised of the process and is hoping a decision will be rendered from DHEC expeditiously so the SWA can proceed. He remarked that he approves of extending the life of the facility.

Mr. Bessant said residents whose property is adjacent to the landfill were notified by DHEC. Mr. Knight said a notice was posted in the courthouse as required by ordinance.

Mr. Ives encouraged the Boards' participation in the process and said he looks forward to working with residents to hear and address their concerns. Mr. Ives thanked Mr. Fortner for the thoroughness of the presentation and the thought put into the availability of the information to the community while still maintaining social distancing. Mr. Ives said the process is a great way for the SWA to be responsive to the community.

MOTION TO ADJOURN

There being no further business to come before the Board, **Mr. Schwartzkopf moved, seconded by Mr. Jones to adjourn the meeting. The Motion was carried** and the SWA Board Workshop was adjourned at 12:03 P.M.

Minutes approved on January 25, 2022.

HORRY COUNTY SOLID WASTE AUTHORITY, INC.

BY: _____(L. S.)
Bo Ives, Chairman

ATTEST:
_____(L. S.)
W. Norfleet Jones, Secretary

_____(L. S.)
Amos C. Berry, Sr.

_____(L. S.)
Michael H. Hughes

_____(L. S.)
Samuel T. Johnson, Jr.,

_____(L. S.)
Robert J. Kemp

_____(L. S.)
Carl H. Schwartzkopf