

**MINUTES  
VIRGINIA PENINSULAS PUBLIC SERVICE AUTHORITY**

**Via Zoom Video Conference  
9:00 AM  
August 7, 2020**

**IN ATTENDANCE:**

Michael Lombardo	Essex County
Jason Mitchell	City of Hampton
Grace Boone	James City County
Tom Swartzwelder	King & Queen County
Bobbie Tassinari	King William County
Tom Jones	City of Poquoson
Dan Clayton	City of Williamsburg

**ABSENT:**

Mindy Conner	Mathews County
Pete Mansfield	Middlesex County
Brian Woodward	York County

**OTHERS IN ATTENDANCE:**

David Magnant	VPPSA
Karen Plumley	VPPSA
Vernon Geddy	Geddy, Harris, Franck, & Hickman, LLP

Grace Boone called the meeting to order at 9:03 a.m.

Tom Swartzwelder read the following:

This meeting is being held by electronic means using the Zoom platform pursuant to an order by the Governor in his amended budget and as a resolution adopted by this Authority, resolution 2020-01.

**1. PUBLIC COMMENT**

No public comment was made.

**2. MINUTES**

Michael Lombardo moved that the minutes of the June 18, 2020 meeting be approved. The motion was seconded by Dan Clayton and was passed unanimously.

### **3. PROJECT REPORTS**

David Magnant stated the compost facility completed FY20 with 25,000 tons of material received and 45,000 cubic yards of material sold. The facility saw increased traffic, bringing yard debris, after hurricane Isaias with over 800 vehicles logged on one day.

All transfer system sites were closed on Tuesday, August 4<sup>th</sup> due to hurricane Isaias. David Magnant, the Transfer System Supervisor, and the Maintenance Mechanic II checked each site to ensure any debris was removed and that each site had power, which five sites on the Middle Peninsula were without power. While the sites were closed, drivers delivered containers to the landfills so that once sites reopened, the sites would be able to handle any additional debris brought due to the hurricane.

David Magnant stated there will be a household chemical event in James City County at Warhill High School on Saturday, August 8<sup>th</sup>. Mr. Magnant will be at the event to oversee operations as staff is still not at full capacity. On August 15<sup>th</sup> there will be a household chemical event in Middlesex County. The April event for the Middle Peninsula was cancelled due to COVID-19 so it is anticipated that the event in Middlesex County will have a good attendance.

The vehicle maintenance facility under construction in King and Queen County is progressing and is approximately 77% complete. The contractor is working on the interior of the building, installing drywall and painting. The generator has been installed, the HVAC system has been installed, and all data lines have been run. David Magnant stated the contractor did not order interior doors with enough lead time and this could affect when occupancy will be granted. The anticipated completion date is sometime near the end of August.

All curbside recycling was postponed on Tuesday, August 4<sup>th</sup> due to hurricane Isaias and all Blue Week services were delayed one day starting with Tuesday's service. For FY19, curbside recycling processed approximately 12,000 tons of material. For FY20, approximately 9,000 tons of material was processed. The total house count for curbside recycling had a decrease of approximately 11,000 homes in FY20. The average pounds per home in FY19 was 481 pounds. For FY20 the average pounds per home was 470 pounds. The number of service misses is higher than expected and David Magnant and Tracy Hofmeyer will be addressing this with Tidewater Fibre Corporation.

### **4. COMPOST FACILITY BMP RETROFIT**

On May 15, 2018 VPPSA received a response for the engineering services for the retrofit project design from Stantec and on June 5, 2018 entered into an agreement. Staff worked with Stantec to develop a bid for the retro fitting of the pond. The goal was updating the pond to more recent standards and to help reduce runoff pollutant transport to an unnamed tributary to Chisman Creek to acceptable levels per the sites 2017 TMDL Action Plan submitted to the VA DEQ.

The plan consists of the dredging and retrofit of the existing retention pond to a level II wet pond per 2013 DEQ stormwater clearinghouse specifications. The existing pond is sedimented in at its inlet with fines, compost, and other mulch particulates. The outlet structure, a CMP riser and barrel, has rusted through and needs replacement.

VPPSA received six responsive and responsible bids ranging from a low of \$322,050.10 (Environmental Quality Resources, LLC) to a high of \$594,076.75. David Magnant has been in conversations with Environmental Quality Resources who have agreed to begin work on the plan the first week of September 2020.

**Recommended Action:**

1. Approve the proposal from Environmental Quality Resources, LLC and authorize the Executive Director to sign the Agreement.
2. Approve the use of \$360,000 from Compost Facility retained earnings to cover the costs and the additional expenses for an aeration system and the required electrical upgrades.

Grace Boone asked if there were any questions. There were no questions.

Tom Jones moved to approve action item number 1 above. The motion was seconded by Dan Clayton and was passed unanimously.

Michael Lombardo moved to approve action item number 2 above. The motion was seconded by Tom Jones and was passed unanimously.

**5. AMENDMENT FOR THE PERFORMANCE BOND AMOUNT FOR CURBSIDE RECYCLING**

David Magnant stated that VPPSA received a letter on May 26, 2020 from the surety company that holds the bond for Tidewater Fibre Corporation (TFC). The curbside recycling contract requires a one-million-dollar performance bond as stated in the following:

TFC Recycling shall furnish to the Authority a performance bond on June 1, 2019 for the faithful performance of this agreement and all obligations arising hereunder for the period of July 1, 2019 to June 30, 2020, in the amount of \$1,000,000. The bond shall be executed by a surety company licensed to do business in the Commonwealth of Virginia in a form acceptable to the Authority. A certificate from the surety company showing that the bond premiums are paid in full shall accompany the bond. The bond shall be extended annually thereafter thirty days in advance of the anniversary date in the same amount.

The letter that was received stated that the current bond would not be renewed for TFC. David Magnant reached out to TFC with no immediate response. Mr. Magnant then contacted the Executive Director of Central Virginia Waste Management (CVWMA) to confirm their bond amount with TFC, which was \$500,000. Mr. Magnant later spoke with TFC who asked to lower the VPPSA bond rate to \$500,000. Mr. Magnant discussed the request with Vernon Geddy, legal counsel, who then drafted an amendment to section 25 of the curbside recycling agreement to account for the reduction in the bond amount.

Tom Jones asked Vernon Geddy if the change in the bond amount would be detrimental to the participants of the curbside recycling program. Mr. Geddy stated that a one-million-dollar performance bond is preferred. However, if the higher amount is unable to be secured, Mr. Geddy stated that it appears the \$500,000 bond is the next best option. Tom Swartzwelder asked if this bond issue affected only those members who participate in the curbside recycling program. Mr. Magnant confirmed that was the case. Mr. Swartzwelder did not object to the decrease in the bond amount but felt it best for those participants in the curbside recycling program to voice any concerns that may be had.

**Recommended Action:**

Authorize the Executive Director to execute the amendment to the Agreement for Curbside Recycling Services, section 25 Performance Bond. The amendment reduces the required bond amount in the curbside recycling agreement from \$1,000,000. to \$500,000 annually.

Tom Jones moved to approve the recommended action. The motion was seconded by Dan Clayton and was passed unanimously.

## **6. EXECUTIVE DIRECTORS REPORT**

David Magnant discussed an incident in Middlesex County on July 24, 2020 at the Deltaville convenience center which required a hazmat unit to be deployed to investigate a material brought into the site by a resident. Reports of the incident stated an explosion was heard and a blue material was seen that caused people present at the site to have burning eyes. The blue material was determined to be Ty-D Bol that was disposed from a boat toilet that potentially came in contact with bleach.

Tom Swartzwelder asked if VPPSA had been working on their new standards for the Department related to COVID-19. Mr. Swartzwelder will email David Magnant material King and Queen County has thus far for the standards. Grace Boone will also email material that James City County has thus far. Michael Lombardo asked if Mr. Swartzwelder and Ms. Boone could forward the same information to Essex County.

- Note: VRSA, the Insurance carrier for the Authority had provided staff with a template for the "COVID-19 and Infectious Disease Prevention Plan" which was reviewed and then adopted July 24, 2020.

## **7. OLD BUSINESS**

No old business

## **8. NEW BUSINESS**

No new business

## **9. NEXT MEETING**

**Via Zoom Video Conference  
October 2, 2020  
9:00 a.m.**

Grace Boone adjourned the meeting at 9:32 am.

Respectfully Submitted,



Thomas J. Swartzwelder  
Secretary/Treasurer