

**MINUTES  
VIRGINIA PENINSULAS PUBLIC SERVICE AUTHORITY**

**Virginia Peninsulas Public Service Authority  
Field Office and Vehicle Maintenance Facility  
480 Clancie Road, Shacklefords, VA 23156  
9:00 AM  
December 1, 2023**

**IN ATTENDANCE:**

Jason Mitchell	City of Hampton
Grace Boone	James City County
Vivian Seay	King & Queen County
Mike Walls	Mathews County
Ann Marie Ricardi	Middlesex County
John Anderson	City of Poquoson
Laurie Halperin	York County
Jack Reed	City of Williamsburg

**ABSENT:**

April Rounds	Essex County
Percy Ashcraft	King William County

**OTHERS IN ATTENDANCE:**

Bob Ditman	James City County
Ramona Wilson	Mathews County
Vernon Geddy III	Geddy, Harris, Franck & Hickman
David Magnant	VPPSA
Karen Plumley	VPPSA
Jennifer Wheeler	VPPSA
John Newby	Commercial Risk Consultants, Inc.

John Anderson called the meeting to order at 9:00 a.m. Mr. Anderson welcomed first-time attendee Jack Reed of the City of Williamsburg.

**1. PUBLIC COMMENT**

No public comment was made.

**2. MINUTES**

Grace Boone moved that the minutes of the October 6, 2023 meeting be approved. Jason Mitchell seconded and the motion passed unanimously.

### **3. FY24 PROPERTY AND CASUALTY INSURANCE**

Commercial Risk Consultants, Inc. prepared a summary of property and casualty insurance coverage for FY 24. John Newby of Commercial Risk Consultants presented the summary to the Board.

Some items that Mr. Newby highlighted are as follows:

- The plan is relatively unchanged.
- Several claims paid.
- Cyber coverage costs continue to rise.
- Automobile coverage costs are very favorable.
- Will know better in January 2024 costs for worker's compensation.

There were no questions.

### **4. PROJECT REPORTS**

#### **Compost Facility**

Jennifer Wheeler stated:

- Year to date quantities for FY24 are 4,904 tons of drop off with majority still coming from York County. Hampton has seen reductions in volume resulting from charging commercial haulers to drop off material at the Hampton brush location.
- Material sales, consisting primarily of mulch, for account customers are \$109,695 and \$44,262 for non-account customers.
- Bagged leaves from prior deliveries have been debagged and staff are working on current deliveries. Concerns about continuing to accept plastic bags containing leaves has prompted research into additional options.
- Estimates are being received to potentially refurbish two loaders and, when complete, the third loader at the facility will be sold.
- John Trumble was promoted to Lead Operator, leaving one Operator III position vacant in addition to one Operator II position and the Customer Service position.
- Initial estimates have been received for a security system and new mobile trailer.
- VPPSA is exploring options to add new communities to the Compost Facility, both for buy-in and annual rates.

#### **Transfer System**

Jennifer Wheeler stated:

- Year to date totals for waste quantities are on track with FY24 budget projections with 10,033 tons delivered. Costs are on track, as well, and could be slightly under budget based on current disposal quantities.
  - FY24 budget is \$791,498 and current costs are \$244,586.
- Initial estimates have been received for security systems with installation costs at five identified sites:
  - Mathews Transfer Station
  - Middlesex Transfer Station
  - Essex Brays Fork Convenience Center
  - King & Queen Travellers Road Convenience Center
  - King William Transfer Station

Research continues on cooperative contracts and options.

- VPPSA is currently exploring the potential of adding new communities to the Authority, if it would be cost effective, beneficial, and support the goals of the current VPPSA Communities.
- Fully staffed with drivers. Currently there is one maintenance position vacant and several full-time attendant positions vacant.

#### **Household Chemical Collection**

Jennifer Wheeler stated:

- All events are completed for the calendar year 2023 with the last event taking place in Hampton on November 18<sup>th</sup>. Events will resume in February at James City County/Williamsburg.
- Costs are on track to be on budget.
- Calendar year 2024 brochures are in progress to be sent out to publish.

#### **Curbside Recycling**

Jennifer Wheeler stated:

- Totals are slightly higher than in the same period last year with approximately 650-700 tons collected per month.
- Set-out rates are relatively consistent.
- Misses are slightly less compared to 2022.

#### **Drop-Off Recycling**

Jennifer Wheeler stated:

- System-wide, year to date totals are 218.95 tons of cardboard and 157.36 ton of mixed paper.
- The refurbished container project is completed and containers are in place.
- New signage is helpful to residents.
- Pulls are still lighter than desired.

There were no questions.

### **5. OVERSIGHT COMMITTEE MEETING SCHEDULES**

#### **Background:**

Compost Facility and Transfer System Oversight Committees were established to keep project community members informed and for the committee members to provide oversight on project activities. These meetings were established to meet every other month, beginning in January.

#### **Compost Facility Oversight Committee Meeting Schedule:**

- The committee will meet the third Wednesday of every other month, starting in January at 9:00am, with a rotating location schedule between the community members.

#### **Transfer System Oversight Committee Meeting Schedule:**

- The committee will meet the third Thursday of every other month, starting in January at 10:00 am. The meeting location is the VPPSA Field Office in King and Queen County.

No action required.

## **6. AGREEMENT FOR SOLID WASTE DISPOSAL SERVICES**

### **Background:**

VPPSA has provided solid waste disposal services to the Middle Peninsula counties through agreements with privately operated regional landfills since 1993. The last term of the current agreements expires June 30, 2024.

October 2023, after a competitive procurement process, bids were received for Solid Waste Disposal Services to become effective July 1, 2024. The initial term is two years and may be extended for two additional two-year terms thereafter until June 30, 2030, by written agreement of both parties. Two responses were received for RFP 2401:

- Waste Management Disposal Services of Virginia, Inc. (Waste Management)
- BFI Waste Systems of Virginia, LLC (BFI)

Following are the offered rates:

### **Waste Management**

Solid waste, construction / demolition waste, sludge, land clearing debris, brush, scrap metal and split tires:

- Delivery of less than 25,000 tons per year - \$28.00 per ton
- Delivery of more than 25,000 tons per year - \$28.00 per ton

### **BFI**

Solid waste, construction / demolition waste, land clearing debris, brush, scrap metal and split tires:

- Solid waste, construction / demolition waste, land clearing debris, brush, scrap metal and split tires: Delivery of less than 25,000 tons per year - \$26.25 per ton
- Delivery of more than 25,000 tons per year - \$26.25 per ton
- Sludge - \$65.00 per ton

Sample agreements were included in the RFP and proposers were required to provide any suggested revisions to the agreement. No comments were received.

Service agreements between the counties of Essex, King William, Mathews, and Middlesex and VPPSA will also need to be executed. A sample service agreement is attached.

### **Recommended Actions:**

Approve the agreement for Solid Waste Disposal Services and, with revisions authorized by legal counsel, authorize the Executive Director to execute agreements with:

- BFI Waste Systems of Virginia, LLC
- Waste Management Disposal Services of Virginia, Inc.

AnnMarie Ricardi motioned to authorize the Executive Director to execute the agreements. Jason Mitchell seconded and the motion passed unanimously.

Approve service agreements for Solid Waste Disposal Services between the counties of Essex, King William, Mathews, and Middlesex for distribution to the communities and, with revisions authorized by legal counsel, authorize the Executive Director to execute the service agreements.

Laurie Halperin motioned to authorize the Executive Director to execute the service agreements. AnnMarie Ricardi seconded and the motion passed unanimously.

## **7. AGREEMENT FOR RECYCLING PROCESSING SERVICES**

### **Background:**

VPPSA has provided recycling processing services to the Middle Peninsula counties through agreements with privately operated material processing centers. The last term of the current agreements expires June 30, 2024.

October 2023, after a competitive procurement process, bids were received for Recycling Processing Services to become effective July 1, 2024. The initial term is two years and may be extended for one additional two-year term or two one-year terms thereafter until June 30, 2028, by written agreement of both parties. Two responses were received to RFP 2402:

- Tidewater Fibre Corporation
- GFL Environmental

Following are the offered rates:

#### **Tidewater Fibre Corporation**

- Commingled Containers - \$56.00 per ton
- Commingled Containers without Glass - \$44.00 per ton

#### **GFL Environmental**

- Commingled Containers - \$145.00 per ton

Sample agreements were included in the RFP and proposers were required to provide any suggested revisions to the agreement. Comments were received.

### **Recommended Actions:**

Approve the Agreement for Recycling Processing Services and, with revisions authorized by legal counsel, authorize the Executive Director to execute agreement with:

- Tidewater Fibre Corporation

David Magnant stated that an agreement will not be executed with GFL Environmental as the proposed rate was not favorable.

Mike Walls motioned to authorize the Executive Director to execute the agreement. Jason Mitchell seconded and the motion passed unanimously.

## **8. AGREEMENT ADDENDUM FOR CURBSIDE RECYCLING SERVICES**

### **Background:**

VPPSA entered into an agreement for Curbside Recycling Services with Tidewater Fibre Corporation (TFC) on December 28, 2018. The initial term provided for a five-year term to commence July 1, 2019, and end June 30, 2024. The Agreement offered five one-year extensions, one five-year renewal or other combinations of renewals, not to exceed five years, as the parties mutually agree in writing.

VPPSA entered into discussions with TFC to negotiate reasonable terms to continue to provide curbside recycling services to the community members. After multiple conversations with community members and TFC, a tentative agreement was reached.

The terms are as identified:

1. The parties agree to extend the term of the AGREEMENT from July 1, 2024 to June 30, 2029.
2. The parties agree to increase the collection fee to \$5.25 per cart, per month, with a yearly available CPI increase of up to 5% based on the actual "CUSR0000SEHG02" Garbage and Trash Collection value.
3. Increase the processing fee to \$105.00 per ton, with a yearly available CPI increase of up to 3% based on the actual "CUSR0000SEHG02" Garbage and Trash Collection value.
4. A fee of \$100 for any route not completed by noon of the day after the scheduled collection day.
5. Two Route Audit/Composition Study per community per year. See Route Audit/Composition study definition attached as item No 1.

**Recommended Action:**

Approve Addendum No. 2 to the Agreement for Curbside Recycling Services and, with revisions authorized by legal counsel, authorize the Executive Director to execute the addendum with:

- Tidewater Fibre Corporation

Grace Boone motioned to authorize the Executive Director to execute the addendum. Jason Mitchell seconded and the motion passed unanimously.

**9. FY 25 BUDGET**

**Background:**

Draft budgets were distributed to Board members for review in November.

The Transfer System Oversight Committee met on November 16, 2023 and reviewed the FY 25 budgets for Administration, Transfer System, Convenience Centers, Landfill Disposal, Landfill Monitoring, and Middle Peninsula Household Chemical Collections.

The Compost Facility Oversight Committee met on November 15, 2023 and reviewed the FY 25 budget for Administration, Compost Facility, Household Chemical, and Landfill Monitoring.

All comments received during the meetings and communications with Williamsburg and James City County were incorporated into the budget proposal.

**Recommended Action:**

Approve the FY 25 budget as presented for distribution to member communities.

AnnMarie Ricardi stated that the budget had been thoroughly discussed in the oversight committee meetings. Laurie Halperin agreed. With that, AnnMarie Ricardi moved that the FY 25 budget as presented for distribution to member communities be approved. Laurie Halperin seconded and the motion was passed unanimously.

**10. PERSONNEL POLICIES AND PROCEDURES MANUAL**

**Background:**

The current VPPSA Personnel Policies and Procedures Manual, dated April 2021 has had some minor revisions.

Staff revised the manual to include revisions to address State of Virginia current drug laws and requested review by the current insurance provider, VRSA. Upon review, staff will incorporate the recommendations from VRSA and provide the final draft to legal counsel for review.

A summary of significant changes was provided in the Board package.

**Recommended Action:**

No action required at this time.

**11. EXECUTIVE DIRECTORS REPORT**

David Magnant stated:

- LaBella, engineering firm that performs landfill monitoring, is not in the FY25 budget as post-closure services are complete for VPPSA communities. However, fees were provided for those communities still requiring 5-year inspections. Mr. Magnant provided the Board with a copy of a "thank you" letter sent to LaBella.
- Staff are working to secure grants for a future recycling campus. These grants could be used, initially, to cover consultant fees. The success in securing grants will be positively impacted if each member community will set aside \$20,000 as a place holder.

**12. OLD BUSINESS**

None

**13. NEW BUSINESS**

None

**14. NEXT MEETING DATE**

James City County Law Enforcement Center  
4600 Opportunity Way  
Community Room  
Williamsburg, VA 23188  
9:00 a.m.  
February 2, 2024

Respectfully Submitted,



Jason Mitchell  
Secretary/Treasurer