

**MINUTES OF A REGULAR MEETING OF
THE HAMILTON COUNTY SOLID WASTE MANAGEMENT DISTRICT
POLICY COMMITTEE
January 15, 2004**

DATE: January 15, 2004

TIME: 2:00 pm

PLACE: Hamilton County Department of Environmental Services
250 William Howard Taft Road
Cincinnati, Ohio 45219

PRESENT: Policy Committee Members

Keith Corman, Township Representative, Vice Chair
Tony DiPuccio, Generator Representative
Dr. Carl Evert, General Interest Member
Karl Graham, Representative of Largest Municipality
Tim Ingram, Hamilton County General Health District Representative
Dr. James O'Reilly, Public Member
Todd Portune, County Commissioner, Chair
Larry Riddle, Ex-Officio Member

DOES Staff

Jeffrey W. Aluotto, Solid Waste Manager
Cory Chadwick, Director
Holly Christmann, Community Outreach Coordinator
Sarah Dowers, Public Affairs Coordinator
Christy Kellner, Business Specialist
Ali Khodadad, Operations Coordinator
Sue Magness, Education Specialist
Susan Schumacher, Administrative Secretary, Clerk

Others In Attendance

Karen Ball, Aide to Commissioner Portune
Nee Fong Chin, Hamilton County Prosecutor's Office
Bob Orr, CSI Waste Services
Dan McCabe, Environmental Enterprises, Inc.
Mitch Miller, City of Sharonville
Dave Nutini, Hamilton County General Health District
Bill Wojcik, NU-BLEND Paints

I. CALL TO ORDER

Mr. Portune called the meeting to order at 2:08 pm and welcomed everyone. Mr. Portune stated that on behalf of the Policy Committee, he congratulated Mr. Corman for winning his re-election for the Colerain Township Trustees. Mr. Portune stated that the Board of County Commissioners re-appointed him as Chair of the Policy Committee and he was delighted to accept.

Mr. Portune asked for a moment of silence in memorial to Tom Rumpke and briefly spoke of him.

Mr. Portune congratulated Mr. Aluotto, Ms. Christmann and Staff for the presentations to the City of Cincinnati surrounding the recycling programs and having council reinstate the program. Mr. Aluotto discussed other parties that were involved in the process and thanked them.

II. CLERK'S REPORT

A. Approval of Minutes - November 13, 2003

Mr. Graham moved to approve the November 13, 2003 minutes. Mr. Ingram seconded; all were in favor and the minutes were approved.

B. Additions/Changes to the Agenda

-Policy Items - Add "New Policy Committee Appointment". Mr. Aluotto briefly discussed the appointment process.

-Informational Items - Add "OWDA Letter", "Programmatic Updates" and "NU-BLEND Presentation to the start of the meeting as a courtesy to Mr. Wojcik's time.

III. DISTRICT REVENUE UPDATE

Mr. Aluotto stated that included as Attachment B in the Manager's Memo were revenue/tonnage comparisons from 2002 to 2003. Comparing November, 2002 to November, 2003, revenues decreased approximately \$16,000 which would not indicate a trend at this point.

Mr. Aluotto stated that the District received the last revenue check from Rumpke in January, 2004 which means that it was posted in 2004. The 2003 "actual" revenues are approximately \$2.7 million; in looking at the books, it will appear as \$2.4 or \$2.45 million.

IV. POLICY ITEMS

A. Plan Update Consultant Selection

Dr. O'Reilly stated that he would start his discussion by making a motion. The Consultant Selection Committee moved that the Policy Committee approve and recommend to the County Commissioners the hiring of R.W. Beck, Inc. to perform consulting services on the renewal of the Hamilton County Solid Waste Management Plan, in an amount not to exceed \$82,950 and consistent with the terms contained in the bid package presented by R.W. Beck dated November 21, 2003. Mr. Corman seconded.

Dr. O'Reilly stated that 5 proposals were received (GT/GBB, Malcolm Pirnie, SCS Engineers, R.W. Beck, and Waste Alternatives) and 3 firms were selected for interviews (R.W. Beck, GT/GBB, and Malcolm Pirnie) after screening and ranking each firm. The proposal by R.W. Beck satisfied the criteria enumerated in the Request for Qualifications and Proposals. The Beck proposal and their presentation to the committee represented the best of the five applicants in terms of capability, capacity and likely performance of the tasks. The members of the Consultant Selection Committee were unanimous in selecting Beck. Although Beck was not the lowest bidder, they were the most appropriate.

Prior to interviewing, the Consultant Selection Committee screened and discussed the other proposals. Of the three interviews, a total of seven presenters from the firms were conducted over a five hour period on January 8-9, 2004, with the members then deliberating and discussing the relative scores of each of the firms.

Dr. O'Reilly discussed the Plan Update process in detail and explained the role of R.W. Beck through the process.

Mr. Portune stated that although R.W. Beck was not the lowest bidder, they were the most appropriate and Ohio law typically requires analysis and awards to be made to the lowest and best bidder. Mr. Portune asked Ms. Chin if there were any issues that needed to be addressed. Ms. Chin stated that as of right now, she does not see any problems. Problems may arise if some of the lowest bidders come back and question the District's decision.

Due to a potential conflict of interest, Mr. DiPuccio recused himself from discussion and voting.

Mr. Portune asked of the bidders who were interviewed, were any lower bidders? Mr. Aluotto stated that GB/GBB was a lower bid. Mr. Portune asked for specifics as to why they were not the best bidder. Dr. O'Reilly stated that although GB/GBB was lower in terms of dollar value, the bid indicated there would be an upcharge if the District used the nationally prominent representative in the GBB portion

of their program for more than one or two sessions in Cincinnati. It was the Consultant Selection Committee's belief that this person's capability was terrific but the individual, Mr. Gershwin, would charge approximately \$3,000 for each session and this was not scoped into the bid. Mr. Aluotto stated that there were two items that were important when interviewing the three firms. 1) The technical capacity to produce a Plan that would comply with OEPA's requirements and 2) Deliver or propose a process to produce a Plan that would include the stakeholders. Of the three bidders, R.W. Beck's proposal included an actual process of accomplishing these two main goals.

Mr. Portune asked if there was anything else the Consultant Selection Committee would like to add that is pertinent to the discussion that distinguishes R.W. Beck from the lowest bidder as being the best and most appropriate. Dr. O'Reilly stated that it's important that the Policy Committee recognize that the District is not giving a turn key project to a contractor that will produce a finished project, rather the District is engaging in a long term effort to work cooperatively with an expert consultant toward an end which would be a joint product of the members of the Policy Committee, the Staff, the municipalities and townships, and the consultant.

Mr. Graham stated that the strategic planning process proposed by Beck was by far the best of those reviewed in terms of achieving that level of collaboration in approaching the Plan Update.

Mr. Riddle asked if the Consultant Selection Committee discussed a potential for negotiated or anticipated in negotiating language that stated the \$82,950 produced the finished product and was no room for changes in the process? Dr. O'Reilly stated that the \$82,950 is the figure shown in the Request for Proposals prefaced upon a series of meetings and a series of activities which Beck had priced in "subsets". The \$82,950 is in his motion specifically to try and hold Beck to that amount of money. The Consultant Selection Committee recognizes that there may be certain variables and this is inevitable in any process.

Mr. Aluotto stated that there are also mechanisms by where the District could potentially save money over the \$82,950 in terms of the apportionment of work between the consultant and Staff.

Mr. Ingram asked if the \$82,950 get the District to a ratified Plan or produce a Plan that can be presented to communities for ratification? Dr. O'Reilly stated that the \$82,950 would produce a ratified Plan. The Staff will take the responsibility for contacting and making the presentations to the constituent organizations and that the consultant would be present at each that is necessary. The Consultant would help the District respond to the comments that are received.

Mr. Ingram asked if final payment was contingent upon a ratified Plan? Dr. O'Reilly stated that the agreement was a time and services one and Beck will be charging the District for their hourly rate as defined in their RFP which will not exceed \$82,950 without the District's prior approval.

Mr. Graham stated that Beck's proposal was a well done, strategic plan that reached out to stakeholders and was inclusive in its approach, got people involved as being the best insurance in obtaining a ratified Plan.

Mr. Ingram thanked the Consultant Selection Committee for their work. Mr. Portune thanked the Consultant Selection Committee on behalf of the Policy Committee and in advance, on behalf of the Board of County Commissioners and citizens of Hamilton County.

Mr. Portune asked the Policy Committee for their vote; Mr. DiPuccio abstained, all were in favor and the motion was approved.

B. District Carry-Over Balance

Mr. Aluotto stated that although this was a Policy Item and that there is no recommendation; it was a continuation of the discussion for uses of the District Carry-Over Balance. At the last meeting, it was decided that discussion of this item would carry on in conjunction with the update of the Plan.

At the last meeting, the Policy Committee asked for a list of potential uses. Included as Attachment C is this list and includes a few ideas of what Staff has listed as potential uses. This list is not all-inclusive, but is to be used to start discussions.

Dr. O'Reilly recommended to incorporate a permanent HHW/Electronic facility as it would benefit residents most. He also recommended enacting an enhanced public awareness campaign and commended Ms. Christmann and Ms. Magness for their good work thus far.

Mr. Graham suggested to use the carry-over balance (\$2.4-\$2.5 million) to avoid a fee increase and incorporate this discussion into the Plan Update.

Mr. DiPuccio asked what an appropriate carry-over balance should be. Mr. Aluotto stated that it had not been decided. Mr. Graham stated that at the last meeting, he suggested reserving the carry-over balance for a "rainy day" which would allow the District to incorporate a new fee structure which would take approximately 6 months. By doing this, the Plan would need to be amended.

Mr. Ingram concurred with Dr. O'Reilly regarding the permanent HHW/Electronics facility.

As the Policy Committee discussed this issue, there was a general consensus to figure out what the carry-over balance should be before deciding what to spend it on.

Dr. Evert voiced his concern that if the Policy Committee waited to incorporate the carry-over discussions into the Plan Update, then this would delay the permanent HHW facility.

Mr. DiPuccio suggested to implement additional programming for the Industrial/Commercial waste streams recycling.

Mr. Portune asked Staff to gather numbers as to what it would cost to implement the recommendations. Mr. Aluotto concurred. Mr. Portune asked Staff to develop an inventory of what other Districts are doing regarding carry-over balances or rainy day funds. A figure needs to be established, as a matter of policy, in the event that it is needed.

Mr. Corman recommended researching the idea of having corporate companies sponsor an individual month for the Permanent HHW/Electronics facility. Mr. Aluotto stated that Staff would look into this option.

Mr. Chadwick asked the Policy Committee if there was anything on the list that they did not want to Staff to research. After discussion, the Policy Committee dismissed the Class II Composting (Rumpke will be obtaining a permit for this shortly). Mr. DiPuccio suggested to send the list to the Policy Committee members and have them prioritize each item. Mr. Graham stated that according to his count, there was now 11 items; #9 Postpone fee increase, #10 Establish a rainy day fund, and #11 Industrial/Commercial recycling. Mr. Portune stated that Staff should send a e-mail to members and responses will be due back to Staff by January 23, 2004.

C. New Policy Committee Appointment

Mr. Aluotto stated that Policy Item C had been passed out to members. At the December meeting of the Hamilton County Township Association, the Association voted to elect Mr. Bernard Fiedeldey, of Colerain Township, to the position of Township Representative to the Hamilton County Solid Waste Management District. Mr. Fiedeldey will fill the seat voluntarily vacated by Mr. Corman.

Assuming the Policy Committee votes to approve the recommendation of the Township Association, Staff will forward the recommendation to the Board of County Commissioners for approval.

Mr. Portune stated that Dr. O'Reilly's last meeting will be in March and asked Staff to provide a summary as to how the public member is selected.

Mr. Portune, on behalf of the Policy Committee, thanked Mr. Corman for his time and service on the Policy Committee. Mr. Portune presented Mr. Corman with a plaque recognizing his service from 2000 - 2004 on behalf of the Hamilton County Solid Waste Management District.

Mr. Corman stated that he had enjoyed serving and that it had been very rewarding.

Mr. Portune entertained a motion that the Policy Committee accept the Township Association's recommendation of the appointment of Bernard Fiedeldej for the position of Township Representative on the Hamilton County Solid Waste Management District's Policy Committee and forward that appointment to the Board of County Commissioners.

Mr. Corman stated that he would so move that motion. Mr. Ingram seconded. All were in favor and the motion was approved.

V. INFORMATIONAL ITEMS

A. City of Cincinnati Update

Mr. Graham stated that he wanted to thank the Hamilton County Department of Environmental Services, the County Commissioners, District Staff, and everyone else involved for their positive input for the desired outcome regarding the City of Cincinnati's recycling program.

B. Permanent Household Hazardous Waste Collection Pilot Program

Mr. Aluotto stated that the bid is currently out. Comments have been received from Policy Committee members relating to the hours and days of operation and the ITB was adjusted accordingly. The District anticipates receiving bids the beginning of February. The District will keep the Policy Committee informed on how the evaluations of the bids proceeds.

C. NU-BLEND Paints, Inc.

Mr. Wojcik passed out a chart that compared the last 3 years of data (sales, gallons of paint sold, etc.) and discussed each year's increases individually. Although NU-BLEND's sales, gallons of paint sold look good on paper, they are still not generating a profit. Mr. Wojcik stated that they now have 18 employees, two vans, a truck, and were able to purchase the building.

Mr. Wojcik stated that NU-BLEND has created a Clean Paint & Repair (CPR) division and explained that it was a paint training program. The core operations at NU-BLEND is still paint recycling and in 2003, 125 tons of paint was recycled and 45,000 gallon cans were recycled which is a record.

Mr. Portune asked if NU-BLEND was involved in the District's HHW collection events. Mr. Wojcik stated that they were but the City and County still does not buy their paint.

NU-BLEND has created a 3rd division called NU-BUILD which deals with donated surplus products (doors, windows, plumbing fixtures, etc.) from manufacturers that are new but just

outdated, out-quoted, wrong specifications, etc. NU-BLEND, in turn, sells these items at a greatly reduced cost.

Mr. Wojcik stated that their empowerment zone funding ends on February 28, 2004 and he does not have further information regarding this funding. NU-BLEND is approximately 2 years away from breaking even.

A brief question and answer session ensued following Mr. Wojcik's presentation. Mr. DiPuccio suggested that in order to encourage local government to buy NU-BLEND's paint have Staff research how it could be tied to the RRI.

Mr. Portune asked Mr. Aluotto to what extent is the County's utilization of EPP taking into consideration paint as a product particularly, what NU-BLEND has to offer. Mr. Aluotto stated this issue has been discussed with the County several times and there have been several issues over the years. 1) Quality issues 2) Matching future batches of the paint for touch-ups 3) Lack of a MSDS; the County requires this with any chemical or product used. Mr. Wojcik explained how long the process of obtaining an MSDS would be and spoke of other large contracts they have received. Mr. Wojcik also stated that the Quality and Matching issues have been resolved.

Mr. Portune requested that the District assist NU-BLEND in working through the complexity of the MSDS issue. Dr. O'Reilly stated he would talk to Staff within the next couple of weeks.

The Policy Committee thanked Mr. Wojcik.

D. HB 298

Mr. Aluotto stated that at the last Policy Committee meeting, a discussion was held regarding HB 298. HB 298 would encourage the use of LEED building standards in all new state construction. A letter of support to Representative Seitz and Representative Yates was sent to encourage both of them to support the bill.

Mr. Portune requested that Staff keep the Policy Committee informed regarding changes/updates to the bill. Mr. Aluotto agreed.

Dr. Evert stated that there was an aspect to this bill regarding the Cincinnati Public Schools and discussed his involvement.

E. Plan Update Time line

Mr. Aluotto stated that once the consultant is on board, there will be a kick-off meeting and there will be some sort of board session relating to the kick-off. Staff will keep members informed.

F. Ohio Water Development Authority

Mr. Aluotto stated that in front of members was a letter from the Ohio Water Development Authority. The District received a request from OWDA to forward a letter regarding bond refunding that CSI/Republic was in the process of doing. In the future, when these types of bond refundings arise, they will be requesting letters from the solid waste district's where the companies have facilities to ensure the party in question is in compliance in the locality.

Mr. Aluotto stated that the letter had not been sent yet and asked for the Policy Committee's approval of the letter. The Policy Committee agreed that the letter was acceptable to send.

Mr. Portune requested that Staff keep the Policy Committee informed regarding these matters. Mr. Aluotto concurred.

G. School Recycling

Mr. Aluotto stated that at the last Policy Committee meeting, members provided insight on recycling in the public school system in Hamilton County and requested that Staff increase efforts of bringing school recycling to fruition. Mr. Aluotto recognized Ms. Magness for taking some innovative steps in fulfilling members request. Over the past year, Staff has put together a kit that is used by all 1st grade teachers within the Cincinnati Public Schools for teaching solid waste and recycling lessons.

CPS attempted to pay the District for the time involved for assembling the kits but tasks of this nature are part of a normal day. Ms. Magness asked CPS for the amount, which was \$15,000, and requested that this money be put into a budget line item and use it to fund any CPS that would like to start a recycling program (recycling dumpsters). CPS agreed and 6 schools have applied for the funding. The \$15,000 is enough to fund approximately 30 schools. The Policy Committee applauded Ms. Magness for her efforts.

H. Market Development Grants

Mr. Aluotto stated that at the last meeting, the Policy Committee approved the submittal of three market development grant applications to the Ohio Department of Natural Resources. Two of the three grants applications were accepted and granted funding. The two applications that were funded were BioLumber, which will manufacture structural grade plastic lumber, and Cincinnati Paperboard, which is installing some capital equipment to increase the fiber content in their paper. Each was funded at \$150,000. This is the District's first time receiving two grants in one year. Mr. Aluotto thanked Ms. Kellner for her hard work in obtaining the funding.

VI. TENTATIVE FUTURE AGENDA ITEMS

Carry Over-Balance, NU-BLEND/RRI, Fall Waste Sort

VII. POLICY COMMITTEE MEMBERS' COMMENTS

The Policy Committee had no further comments.

VIII. PUBLIC COMMENTS

Mr. McCabe asked if the bid for the permanent HHW facility had been sent out. Mr. Aluotto stated that they were e-mailed and Staff will follow-up with the County's purchasing department.

Mr. Aluotto stated that the District received a grant for \$18,000 from the Ohio Department of Development to continue the sustainable design seminars.

IX. UPCOMING DISTRICT MEETINGS

The next Policy Committee meeting will be at 2:00 pm on March 11, 2004 at the Hamilton County Department of Environmental Services, 250 William Howard Taft Road, Cincinnati, Ohio 45219.

IX. ADJOURNMENT

The meeting was adjourned by acclamation at 3:39 pm.