

**APPROVED MINUTES OF A  
HAMILTON COUNTY SOLID WASTE  
POLICY COMMITTEE MEETING  
In person & Zoom**

**DATE:** August 17, 2022

**TIME:** 1:30 p.m.

**PLACE:** Hamilton County Environmental Services  
250 William Howard Taft Road, 1<sup>st</sup> Floor  
Cincinnati, Ohio 45219

The August 17 Zoom meeting can be [viewed here](#).

**PRESENT:** **Policy Committee Members**

Greg Kesterman, Hamilton County Public Health Representative  
Tony DiPuccio, Generator Representative  
Denise Driehaus, County Commissioner, Chair  
Domonique Peebles, General Interest Member  
Matt Wahlert, Township Representative

**Staff**

Michelle Balz, Solid Waste Manager  
Mary Copenbaker, Assistant Manager  
Ashley Dove, Fiscal Analyst  
Elise Erhart, Outreach Specialist  
Brad Johnson, Director  
Ali Khodadad, Operations Manager  
Joy Landry, Communications Specialist  
Cher Mohring, Community Outreach Coordinator  
Susan Schumacher, Assistant Solid Waste Specialist, Clerk  
Tony Staubach, Food Waste Diversion Coordinator

**Others in Attendance**

Michelle Ackenhausen, Ohio EPA  
Stephanie Bradford, Cincinnati Recycling and Reuse Hub  
Nee Fong Chin, Prosecutor's Office  
Craig Davidson, Hamilton County Public Health  
Carrie Davis, CARE  
Chuck DeJonckheere, Hamilton County Public Health  
Erin Fay, Cincinnati Recycling and Reuse Hub  
Dean Ferrier, Rumpke  
Michael Friedman, Prosecutor's Office  
Matt Hittle, Ohio EPA  
Karen Hurley  
Marie Kocoshis, League of Women Voters  
Karen Luken, EESI  
Tim Mara, Oxbow  
Colleen McSwiggin, Cincinnati Recycling and Reuse Hub  
Deputy Bryan Peak, Hamilton County Sheriff's Office  
Amanda Pratt, Rumpke  
Bradley Taft

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Kevin Tighe, Hamilton County  
Molly Yeager, Rumpke

**ABSENT:**        **Policy Committee Members**  
Bob Gedert, Public Member  
Sue Magness, Largest Municipality Representative

**1. INTRODUCTION/OPENING COMMENTS**

Ms. Driehaus called the meeting to order at 3:01 pm and asked everyone to introduce themselves.

**2. CLERK'S REPORT**

Ms. Driehaus entertained a motion to approve the July 20, 2022 minutes. Mr. DiPuccio moved to approve the minutes; Mr. Kesterman stated that under Policy Committee Members, he was represented by Craig Davidson in that position. Ms. Driehaus asked for a second. Mr. Kesterman seconded. All in favor and the minutes were approved as amended.

Ms. Driehaus read a Proclamation thanking Ms. Hurley for her service on the Committee.

**3. PUBLIC COMMENTS**

Five public comments were given.

**4. REVENUE UPDATES/ANALYSIS**

Ms. Balz stated that there has been a seven percent increase over 2021 in revenue with less than one percent increase for in-district over 2021. Out-of-district tonnage has increased by nine percent and out-of-state has a 15 percent increase.

**5. POLICY COMMITTEE ITEMS**

**a. Hamilton County Solid Waste Plan Update**

Household Hazardous Products Program:

Ms. Balz stated that Ohio EPA received the draft plan and now have 45-days to review and provide comments back. Ms. Balz stated that as Ms. Driehaus mentioned, Mr. Gedert requested that the Committee hold off until next month on discussing the Universal Waste/Recycling/Composting, Siting Criteria, and Designation.

Ms. Balz showed a short presentation regarding Household Hazardous Products (HHP) which will also be sent to Ms. Magness and Mr. Gedert. The PowerPoint included three slides documenting number of residents, cost, tons collected, and cost per ton in years 2009, 2014 and 2020.

Ms. Balz stated that this program reached a very small percentage of residents and when this program was looked at from a DEI perspective, the HHP program was not accessible. Especially as a one-day event that means you can only come if you have a car and available that Saturday.

Ms. Balz stated that numbers were pulled from R3Source's search app (ReCollect) on its website which shows the number of searches per item last year. A solution to the HHP problem could be to lean on permanent businesses that accept items such as motor oil and gave an example, beefing up ReCollect, and investing money into promoting the search.

Ms. Balz stated that not all materials had a free option for disposal. There are some toxic chemicals that only have one outlet which is Environmental Enterprises, Inc. which is a hazardous waste facility that will accept the materials for a fee. Having to pay for disposal can be a barrier but residents may think twice about buying more than they may need.

Ms. Balz state that R3Source wants to be sensitive to people who cannot afford that fee.

Ms. Balz stated that food for thought for the carry-over balance is possibly partnering with a private entity, for example, the Cincinnati Recycling and Reuse Hub where we would be able to collect these materials in another way.

Ms. Balz stated that we do not have to and shouldn't do the same HHP Program that we have always done. We can break it apart and see what is working and try and focus on getting the most toxic materials out of the waste stream.

A brief question and answer session ensued.

#### Fee Increase

Ms. Balz stated that Mr. Gedert requested this, and we can wait until September for discussion but requested that if the Committee is going to consider this at the next meeting, that staff be given direction to start pulling together a subcommittee to work on this.

Ms. Driehaus stated that Ohio EPA has 45 days to review the Plan, the Committee meets in September to talk about any additions to that. Ms. Driehaus stated that she would be interested in Ms. Balz providing the Committee with her recommendation, so the Committee has something to ponder related to that.

Ms. Luken stated that she did not think that in 30 days, staff has the resources to truly analyze the impact of raising fees. She knows Mr. Gedert's objectives was that if out-of-district fees were raised, then we will have less out-of-district waste coming into Hamilton County. Ms. Luken stated that staff would have to research other districts to see if this occurred.

Ms. Luken also stated that we could have out-of-district waste differ from Hamilton County landfills to other landfills in Ohio, Kentucky, and Indiana but the flip side is we could also have Indiana or Kentucky waste coming here. It was a U.S. constitutional decision that Hamilton County can only charge the same fee for in-district and out-of-state waste; any other fee can be charged at a higher rate.

Ms. Luken stated that there is just not enough information to say that fees will be raised in 2024.

Ms. Driehaus stated that she is not sure we need to form a subcommittee before we get a report. Ms. Driehaus asked Ms. Balz if the increase in fees issue was to happen outside of the Plan Update, how that would work.

Ms. Balz stated that it is legally allowed to change fees outside of the Plan Update, but the change must be ratified by communities representing sixty percent of the population of the county which is similar to how this would occur with the Plan Update. However, one difference between the fee change vote and the Plan Update vote is that if a community does not vote during the voting period of three months, it is considered "for" vote in the sixty percent. A fee change, especially changing out-of-district fees, which is seventy percent of district revenue, may change our revenue; it may increase our revenue, it may decrease our

revenue; we do not know what the change would be and how that would impact on our programs. Ms. Balz stated that it may be that we would need to change programming if a fee was changed.

Ms. Balz stated that it can be done but will affect the Plan.

A brief question and answer session ensued.

Ms. Luken suggested doing a financial analysis, programmatic analysis, sensitivity analysis on what would happen if the fees were changed with waste flow. She is concerned that all is going to happen is that Indiana and Kentucky waste is going to start coming to the Rumpke Landfill at a dollar per ton; there will be less revenue for programs, less revenue to fund the health department to monitor the Rumpke Landfill, but the objective of saving landfill space for Hamilton County residents would have not been achieved.

**b. Carryover Balance Opportunities**

Ms. Balz stated Attachment C provides an overview of three suggestions on possible ways to spend some of the carry-over balance.

Ms. Balz stated to keep in mind that it was voted on at the last meeting to set aside \$500,000 for an Impact Grant and that is underway.

Ms. Balz stated that the Committee discussed moving forward with the HHP program and setting aside at least \$400,000 annually in the Plan Update. If the Committee wants to continue the HHP program and not cut other programs in the budget, we are going to need to spend carry-over balance so her recommendation will be to not spend any extra carry-over balance.

Ms. Balz stated some ideas that staff pulled together on ways to spend the carry-over balance and summarized each:

- Conduct a Residential and Commercial Waste Characterization for 2023 - \$150,000
- Public-Private Partnership for Food Waste Processing - \$500,000
- Public-Private Partnership for Difficult to Recycle Materials - \$500,000+

Ms. Balz stated that there is no need to vote on this today and that it is food for thought. Ms. Balz also stated that there is really no time constraint on spending the carryover.

A brief discussion ensued.

Ms. Driehaus stated she would be interested in having the math equation as to what we have now and what we need to keep in reserve for operating and what Ms. Balz views as money we could identify as something we want to devote to certain projects.

**6. INFORMATIONAL ITEMS**

Ms. Balz stated that Attachment D showed activity through July, 2022 and asked if there were any questions. Deputy Peak stated that the numbers were up and attributes this to Cincinnati and briefly spoke of the City cameras.

A brief question and answer session ensued.

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**7. FUTURE AGENDA ITEMS**

There were no future agenda items.

**8. POLICY COMMITTEE MEMBER COMMENTS**

Ms. Driehaus stated that she has a solicitor's opinion about conflict of interest for Mr. DiPuccio and will be happy to share it and asked if Ms. Chin had it. Ms. Chin stated that according to the ORC 3734.54b5, at the time, the Committee had ~~four~~ three of the four statutory members who voted Mr. DiPuccio in and that was the vote that was relied on that Mr. DiPuccio gets to keep his seat.

The vote that appeared before the Commission, it failed for a lack of a second.

Ms. Driehaus asked Ms. Chin if she had the conflict of interest and she said no and asked Mr. Friedman to comment.

Mr. Friedman stated that that the opinion was shared with the administration and did not know that he was authorized to speak on something that is privileged, and he does not have the authority to waive that privilege. Mr. Friedman stated that we can work with the administration to provide comments that would be provided to the Committee if that is what the Board would like.

Mr. Friedman stated that he thought that the Administrator may have provided, at least the Solid Waste District, with an update that did not involve the privileged communication but could be wrong.

Ms. Driehaus stated that there will be something ready by the next meeting.

Mr. Kesterman moved for Ms. Balz to seek a legal opinion regarding Mr. DiPuccio's conflict of interest so that he has knowledge of where it sits. Ms. Driehaus seconded. Mr. DiPuccio abstained. Everyone else in favor and the motion was approved.

**9. UPCOMING DISTRICT MEETINGS**

The next Policy Committee meeting will be Wednesday, September 21, 2022 at 3:00 p.m. at Hamilton County Environmental Services, 250 William Howard Taft Road, 1<sup>st</sup> Floor, Cincinnati, Ohio 45219.

**10. ADJOURNMENT (Target Time – 4:30 p.m.)**

Mr. Kesterman moved adjournment. Mr. Wahlert seconded. All were in favor and the meeting was adjourned at 3:57 p.m.