

<p>Meeting Minutes TxSWANA Annual Business Meeting 30 March 2006 Law Offices of Lloyd, Gosselink, Austin, Texas</p>
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Attended: Kemler, Nix, Smith, Haney, Ayala, Banks, Gosselink, Hindman, Kaplan, Rice, Ross, Smythe, Williams – and several general members

I. Call to Order:

The meeting of the general membership was called to order by President Vance Kemler.

II. Approval of Minutes:

Secretary Brenda Haney read the minutes of the previous annual meeting, held on 14 April 2005, in San Antonio, Texas. The minutes were approved.

III. Financial Report:

Treasurer Ron Smith reported that the Chapter balances for the business year were as follows:

Account Name	04/14/05 Report	03/30/06 Report
Checking	\$ 45,342.55	\$ 33,828.28
Savings	\$ 7,056.97	\$ 7,067.61
Investments w/SWANA	\$ 20,000.00	\$ 10,000.00
Net Balance:	\$ 73,399.52	\$ 50,895.89

The 04/14/05 figures were reported by Secretary Brenda Haney as they have reported at the previous Annual Meeting and recorded in the minutes. The 03/30/06 figures were presented as the current figures by 2005-06 treasurer, Ron Smith. The report was accepted.

IV. Slate of Officers:

President and Nominating Committee Chair Vance Kemler read aloud the proposed slate of officers as follows:

OFFICERS

Mary Nix, President
 Ron Smith, Vice President
 Brenda Haney, Treasurer
 Michael Rice, Secretary
 Vance Kemler, Past President

DIRECTORS

Kenneth Anthony	Holly Holder
Carlos Ayala	Jeff Kaplan
Lonnie Banks	Michael Rice
Pete Caler	Ellen Smythe
Paul Gosselink	Bengy Williams
Bill Hindman	

Vance Kemler requested any further nominations from the membership; hearing none, he closed the nominations. A motion to close and accept the ballot as presented was made and seconded. Secretary Brenda Haney reported that all absentee ballots received were in support of the proposed slate of officers. A vote of the membership of the approved slate of officers and the newly elected officers were installed.

V. TxSWANA Bylaw Revisions:

Revisions to the current TxSWANA Bylaws had been sent to the membership for review and the required length of time for review prior to any action had been met. A motion was made by Jeff Kaplan to accept the Bylaws as presented with a second by Michael Rice. Secretary Brenda Haney reported that all absentee ballots received were in support of the proposed bylaws. Motion passed and the bylaws became effective immediately.

VI. Adjourn:

The business meeting was adjourned.

TXSWANA Board Meeting
March 30, 2006
Austin, Lloyd Gosselink Office

Attending – Charles Ross, Bengy Williams, Vance Kemler, Carlos Ayala (by phone), Jeff Kaplan, Mike Rice, Lonnie Banks, Bill Hindman, Brenda Haney, Ron Smith, Mary Nix, Holly Holder, Pete Caller, Paul Gosselink, Ellen Smythe,

Absent – Kenneth Anthony

Guest: –Risa Fisher, Michael Carlton, Dan Wittliff, Rebecca Fink, Donna Pirtle

I. Meeting called to order: 10:02am by Mr. Vance Kemler

II. Approval of Minutes: January minutes e-mailed to Board by Smith, additional copies available at meeting
Motion to approve: Ron Smith, Brenda Haney 2nd; vote approves.

IV. Action Items: New Bylaws, voted to approve, Motion by Kaplan, 2nd by Hindman, motion passed.

III. Financial Report

End of Annual Business Meeting

Begin Board meeting

Question concerning when the executive committee begins and when are the bylaws effective. Bylaws are effective by vote immediately, and Officers take office effective 4/1/06.

Read minutes of last board meeting.

Financial report by Ron Smith. Motion to approve by Haney, 2nd by Rice. Discussion concerning electronic deposit from national on membership checks. Motion passes unanimously.

Update on 330 rules. 8 items that Commissioner Soward says are unfinished. Handout provided from Paul Gosselink. See handout for complete list. Adopt in January 2007.

Financial Assurance is legislation and will be put into the rules, the TASWA rule. Motion by Mary Nix to set a budget to write a letter to comment that the potential liability that a city has for financial assurance should be reflected in their annual budget. Discussion followed. Mary revised her request to ask Rebecca to make a call. Will bill at \$100 per hour if takes more than 15 minutes.

Public Meeting: language changed from “shall” to “may” based upon the number of requests, with 10 people as the minimum to force a meeting.

On term limit issue, debate on what a term limit would do to a city’ ability to get bonds if the bonding people thought there was legitimate risk that you would not be able to operate your landfill. Anyone had any similar discussion with their financial advisors or their bond councils? Jeff Kaplan had previously stated that this was an issue in Corpus Christi. Dallas usually sells revenue bonds to cover their financial assurance.

Break for lunch.

Reconvene.

Update on the newsletter from Michael Rice.

Update from Vance concerning the pending action with Bob Gregory and TDS. SWANA has recommended that TxSWANA not weigh in on this issue.

I.B. had a region 3 conference call a couple of days ago. Not much going on at the International level. WasteCon speaker should be the product stewardship institute chair. Chapter officer conference call on April.

Scholarship committee, nothing to report except that the application is on the web site. Applications due by June 15th. Must be a SWANA member for their son/daughter to qualify.

TxSWANA Road-e-o. Per Brenda, Caps and Shirts design complete. Using similar Dallas design. Location not decided yet.

Annual conference. Literature handed out. Topics, 6 hours of training with 2 options per hour. Adam will be seeking moderators for the sessions. Topics sent to TCEQ for their approval for training credit. They have topics and are good with them at this point. Have 20 exhibitors already signed and paid up. Looking for 61 so about 1/3 of the way there. Reviewed possible sponsors and assigned contacts to board.

Bylaws update: letters to SWANA on approval, proxys eliminated, terms changed, Ron Smith moved to Dallas and now there are 2 Dallas board members. Discussion concerning 2 officers from same city. Motion to notify membership that an employment change has occurred on the board in order to avoid any appearance of not keeping the members current on TXSWANA board issues.

Concern about conference call expense for members in the future. Discussion that those calling in pay for the cost of the conference call.

Next meeting in Dallas on May 4th.

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TXSWANA Board Meeting

May 4, 2006

Dallas Love Airport, Dallas Conference Room

Attending – Ellen Smyth, Pete Caller, Michael Rice, Bill Hindman, Mary Nix, Vance Kemler, Jeff Kaplan (by phone), Ron Smith, Lonnie Banks, Brenda Haney, Holly Holder, Paul Gosselink (by phone)

Absent – Kenneth Anthony, Charles Ross, Bengy Williams, Carlos Ayala

Guests: Sheila Overton, Dan Wittliff

Call to Order: 10:10am by Mary Nix

Approval of Minutes: Annual meeting minutes should reflect that the ballots on the by-laws were received and the bylaws were voted upon and passed. Meeting minutes, remove “e” from Smyth’s name. Motion to approve by Smyth, 2nd by Hindman, motion passes.

Financial Report: Report by Haney and handout provided. Brenda still needs some information from Ron. Will finalize report after information is received. Vance reported that the original document for the \$10,000 loan to SWANA is required prior to receiving payment.

Action Items: A review of Current Action Items was conducted and updates were discussed.

Chapter Business:

Budget Review – A draft budget was provided and the board reviewed each line item. Revised D&O to \$1,900. There was a discussion concerning lobbying due to current agreement expiring around August. The board plans on asking Paul for a proposal on lobbying. Membership dues come from SWANA, and there was a discussion about increasing the Texas portion of a membership. The board will check and look at a possible increase in the Texas dues. No change in regional meetings and miscellaneous supplies. The board decided to move some of misc. supplies to a new line item described as “conference calls.” The item of newsletter revenue was reduced to \$3,000. No change on scholarship, SMART, or tax prep/liability items. Note that the current fiscal year will extend beyond 12 months and will go from April ‘06 through Sept ‘07.

Annual Conference – Report by Sheila Overton included: conference T-shirts, good report on sponsorships, all of info is on web site, 44 booths sold and 17 available (handout provided, have room for 6 outdoor exhibitors), possible free space for AutoCar for a new hybrid truck, have extra space at hotel if needed, technical conference speakers are complete and waiting for bios and photos, printed materials, and overall the registration is going well. There will be a TXSWANA booth at the conference and they will be selling some items. Lonnie spoke highly of Sheila and her efforts. Lonnie noted that there are sponsors for all events, although there is a check outstanding from McNeilus. There was a brief discussion stating the letter sent on the golf tournament, annual event and Road-e-o was a great idea. Ron reported the golf tournament is reserved and sponsored at several levels and there are a couple of closest to pins. Still have 7-8 hole sponsorships available. GeoShack will measure longest drive. Hope to have 70-80 golfers. Budget looks like between \$5,000 & \$7,000 net. The Technical Sessions will have 2 tracks and they have been arranged to minimize track conflicts. A/V needs for all technical session rooms include a lap top and projection screen. Presenters will bring their own disc. The 2007 conference location needs to be determined in order to push next year’s conference. Dallas will serve as the back up city in the event there is not another choice. Possible location options include Austin, San Antonio, Houston, and Corpus Christi. Discussion was around events for 2007, both road-e-o and conference. Ellen showed some interest in the 2007 conference. During this discussion it was noted that the road-e-o should be centrally located in the state because most participants drive instead of fly to the event. Board concurred on the following host Cities for the next three years. 2007: Conference in Austin and Road-e-o in College Station. 2008: Conference and Road-e-o in Corpus Christi. 2009: Conference and Road-e-o in El Paso.

2006 TxSWANA Road-e-o – Another city was interested in hosting the event in 2006, Abilene. Reviewed the road-e-o budget. There is a question concerning the lunch sponsor for the road-e-o. Sponsorships for road-e-o still up in the air. Need a sponsor for the banquet dinner and still working on banquet location. Ellen and Mary will call Toter (Ben Castleberry) about their participation. Still need sponsors. Recommended a TXSWANA PO Box that would be an ongoing expense. The hotel for the annual conference and the road-e-o are the same. The road-e-o location is the former Dallas Naval Air Station. Need potable water and a sanitary sewer drain for the convenience trailer supplied by Irving.

Transfer of Officer Records – Discussion about transfer of records for all officers. Put on Action items to verify transfer takes place.

International Board – Report by Vance, info emailed by Vance previously. Revenues look better. SWANA has a high turn over in staff which may be due to market conditions. WasteCon is in Charlotte in September. SWANA is working with composting council on a statement concerning bioreactors.

Lunch

Notice: Fax from Brownsville that Carlos has resigned from the Board. He is suggesting that the Board appoint David Ivory as his replacement. David's participation is supported by the city of Brownsville. There was a discussion concerning David Ivory as a possible board member. Mary suggested that the issue be placed on the agenda for the next board meeting.

Audit of Records – Brenda will ship the financial records to Michael for an internal audit prior to Brenda's acceptance of the documents. It is probably a good practice to conduct an internal audit prior to the transfer of records.

Regulatory/Legislative Topics – Couple of issues on last MSW Advisory meeting. Title V issue, they are writing a new general operating permit. All landfill must meet the new 330 requirements. There is a Stakeholders meeting on Monday of next week @ 9 am with 11 am scheduled for general comments. Most transfer stations will be able to be permitted by rule and will not require a Title V permit. If WWW applies, you must have both. If you don't have a permit, you need to get this done. PBR is 136.534. Mentioned 330 rules, and question of applicability of different parts of rules. Carmichael has a session on the 330 rules and he will be speaking on same at the June conference. Chapter 305 modifications have a term "limited scope amendment" category, which is a new category that allows an amendment for a specific area and only that area is open for discussion. There was a discussion concerning 305.70 paragraph J & K. Are there things in J that should be in K and vice versa, and are there things that really should be or should not be a mod? There is a scheduled stakeholders meeting on May 25th, and the scheduled adoption is January 2007. There is a new advisory council member, James from Victoria. Compliance History should be on the next agenda for discussion in July. Does Title V need assignment to file comments due May 12th?

Committee Assignments – Postponed.

Scholarship Committee – Have received 0 applications, so please let the members know.

Newsletter – Report by Michael that the next newsletter is scheduled to go out in 2 weeks. Will include: president's message, scholarship info, bio-diesel article, Title V article, Road-e-o notice, Annual Conference notice.

Next Meeting Dates: - The tentative schedule for TXSWANA board meetings is: June 7 in Dallas, July 13 in Austin, Aug. 10 in Dallas (Host-Garland), Sept 20 in Charlotte, Oct. 12 in El Paso, Nov. 9 in Dallas (Host-Irving)

Meeting Adjournment: Meeting adjourned.

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TXSWANA Board Meeting

June 7, 2006

TXSWANA Annual Conference, Radisson Love Field in Dallas

Attending – Mary Nix, Ron Smith, Brenda Haney, Michael Rice, Vance Kemler, Bill Hindman, Pete Caler, Kenneth Anthony, Holly Holder, Ellen Smyth, Lonnie Banks, Paul Gosselink

Absent:– Charles Ross, Bengy Williams, Jeff Kaplan

Guests: Oscar Medina and Christy Lara from Laredo, Scott Pasternak with R.W. Beck, Bruce Mackey with Mack Trucks

Call to Order: 1:45 pm by Mary Nix

Approval of Minutes: The minutes were distributed and reviewed by the board. There was a motion to approve the minutes by Bill Hindman, 2nd by Vance Kemler, motion passed.

Financial Report: Brenda Haney provided a report concerning the financial status of TXSWANA and a handout was provided. Brenda mentioned that National had “garnished” payment to TXSWANA due to an outstanding debt from the Austin Conference in 2005. There was a motion by Vance Kemler to approve the April and May Financial Reports as presented, 2nd by Bill Hindman, motion passed.

Presentation by City of Laredo: Oscar Medina, Solid Waste Services Director for Laredo, presented a power point slide show about Laredo centered around a request that TXSWANA come to Laredo for their annual conference in 2008. Laredo is located approximately 150 miles south of San Antonio on the Texas-Mexico border with a population of around 200,000 people. American Eagle and Continental airlines both provide air service to Laredo. The suggested host hotel would be either the Holiday Inn across from Laredo’s civic center (with a Marriott Courtyard located next door), or the La Posada venue. Laredo is very interested in the possibility of having the TXSWANA annual conference in Laredo and suggested that the board conduct a monthly board meeting in Laredo in order to visit the site and to assist in the decision process.

2006 Conference: Mary Nix opened up a discussion concerning the recently concluded 2006 annual conference. There was a comment that the vendors were looking for the same week each and every year. The vendor tables were great but they do prefer more attendance on the floor. Technical sessions were well received, well distributed, and started and ended on time. It appears that the conference was a financial success this year. Question was asked if we would combine with the recycling alliance.

2006 Road-e-o: Attendance was about 110. Notable absences include McAllen and not sure why. The event was remarkable this year because the competitions were complete and everyone was waiting on Heil to heat up lunch before noon.

Chapter Budget: Took last years budget and increased numbers due to an 18 month year. Reviewed handout provided by Brenda Haney. Road-e-o numbers are budget figures and are not exact. There was a discussion about SMART and their budget and no expenses for last two years. No fees are charged by SMART at this time. Brenda reminded the board that fees for the road-e-o have not increased for at least 5 years and an increase should be considered for 2007. A motion to accept the budget as presented was made by Ellen Smyth, 2nd by Bill Hindman. Motion passed.

Action Items: Reviewed all action items and updated the status of each. Confirmed 2007 TXSWANA Annual Conference location is Austin and the 2007 Road-e-o location is College Station.

Board Nominees: Nominees include David Ivory, Oscar Medina, and James Ballowe. It was suggested that the city of Houston wants a representative from their city other than Charles Ross. There is no city representation from Houston, Austin, and San Antonio currently. Bill Hindman suggested contacting Buck Buchanan for his approval of Charles as a Houston representative, or another candidate, and Bill agreed to call Buck and ask for his recommendation. The board briefly discussed the attributes of each board nominee.

Committee Assignments: Mary is working on this list and will work on this action item over the next 2 weeks.

Legislative Issues: Paul briefly discussed the Tan Terra brief challenged by OPEC and Paul believes it is safe that it is good or they would be opposition to it. The MSW GOP has a happy ending. We have suggested that the staff expand the GOP, and they have agreed to Chris Pepper's comments on the GOP. Cost was approximately \$1,770. Motion by Lonnie and 2nd by Vance to authorize payment of these bills, motioned passed.

I.B. Report: Vance provided a report on an award from SWANA. National's financial statement showing an increase which is good news when compared with last years loss.

Scholarships: No applications received at this date. Applications are due June 15th.

Newsletter: Newsletter was mailed in May. Next newsletter is scheduled for July 2006. July edition should include an article concerning the conference and Road-e-o. Michael V. to send Michael pictures on CD. Need list of sponsors for both events, and need winners from Road-e-o. Need new picture of President. Need articles by end of June. Will have an article from SMART. Note that SWANA will be paying TXSWANA for the WasteCon ad in the newsletter.

Next Meeting: In Austin on July 13th.

Authorized Signatures: Motion by Bill Hindman and 2nd by Brenda that all officers be authorized on the signatory list. Current officers include President Mary Nix, Vice President Ron Smith, Treasurer Brenda Haney, Secretary Michael Rice, and Past President Vance Kemler. Motion passed.

Meeting Adjourned at 3:10 pm.

Action Items:

Bill Hindman to contact Houston about board representation recommendation

Mary to work on committee assignments

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TXSWANA Board Meeting

July 13, 2006 in Austin, TX

Law Offices of Lloyd, Gosselink, Blevins, Rochelle & Townsend, P.C.

Attending - Mary Nix, Ron Smith (by phone), Brenda Haney (by phone), Michael Rice (by phone), Vance Kemler, Bill Hindman, Pete Caler, Kenneth Anthony, Ellen Smyth, Paul Gosselink, Bengy Williams, Jeff Kaplan

Absent - Charles Ross, Holly Holder, Lonnie Banks

Guests - Richard McHale, Risa Fisher, Mike Carlton

Call to Order: The meeting was called to order at 10:04 am by Mary Nix.

Approval of Minutes: Noted that we need to add Paul Gosselink to attendees, and Pete's name only has one "l". There was a motion to approve the minutes as amended by Paul Gosselink, 2nd by Vance Kemler, motion passed.

Financial Report: Brenda Haney provided a report concerning the financial status for the month of June and revised May for TXSWANA with handouts that were previously emailed. Brenda identified a correction to the beginning account balance for the savings account in May. There was a motion by Bill Hindman to approve the June Financial Report and the revised reports as presented, 2nd by Jeff Kaplan, motion passed.

Update of Annual Conference: Mary N. discussed the preliminary numbers on the conference and hopes to have final numbers next month. There was a brief discussion centered around the Medieval Times fun night and the conference theme, and how successful both were. Sheila has written a letter to all sponsors expressing our thanks for their support, and Mary N. sent notes to guest speakers she personally invited to the conference. Kinky was entertaining as the keynote speaker.

2007 Annual Conference in Austin: The board discussed the upcoming conference in Austin and the advantages and disadvantages of a large city with a large variety of entertainment options available away from the conference. Marlena and Donna provided information on the Austin conference and gave a presentation of current plans. The tentative date for the conference is March 26th thru March 28th, 2007. The theme is Tradition meets Technology. Possible host hotels that will accommodate our TXSWANA conference needs are limited. Looking at Airport Hilton and the Red Lion/Crowne Plaza (which is currently under renovation) at this time. Room rates are under negotiation, but it looks to be somewhere in the neighborhood of \$109 per night. There is a fee for parking, around \$5/day. There is a shuttle from the Airport Hilton to downtown Austin and back which leaves around every 20 minutes.

2006 Road-e-o: 9 out of 10 first place winners are going to the Inter-National Road-e-o in Arizona. A brief discussion centered around paying for International Road-e-o registrations for TXSWANA first place winners, and the current board policy of not paying for second place winners when the first place winner declines to attend the International road-e-o. Brenda H. requested that further discussion of the 2006 TXSWANA road-e-o be deferred to August meeting.

Legislative/Regulatory: In the packets was a copy of May 19th letter concerning Brian Sledge and his services for lobbying and legislative monitoring. Brian's proposal is almost identical to his most recent contract with TXSWANA and includes \$20,000 for legislative monitoring/tracking, plus \$20,000 for lobbying, plus out of pocket expenses for a 16 month term. This is broken into parts to help identify TXSWANA organizational purposes and goals. Brenda H. pointed out the status of the current expenses vs. the current contract, and made a suggestion that future out of pocket expenses have an upper limit.

Ellen Smyth made an amended motion recommending a \$40,000 contract for lobbying and legislative monitoring/tracking, plus a not to exceed \$10,000 maximum for out of pocket expenses for a 16 month term, 2nd by Vance. Contract will begin in January 2007 and run through May of 2008. A discussion followed concerning Ellen's motion, the new contract, the current status of the existing contract vs. billing, and the issue of budget and the current extended fiscal year. Motion passes.

There was a discussion concerning the process required to move quickly on legislative issues that progress quickly, Brian's interaction with the legislative committee and the board, and the mechanics thereof concerning topics/issues. Paul G. made a motion that the TXSWANA board give the chair of the legislative committee decision making authority (or the president in their absence) to make discretionary decisions concerning a need to incorporate the input and council of the legislative committee on legislative issues, 2nd by Ellen, motion passed.

Chris Pepper talked about the GOP air permits that were revised in May, and the article in the July edition of the TXSWANA newsletter. A brief comment letter was filed on behalf of TXSWANA with the TCEQ and resulted in a successful outcome. Chris to send a note on approved co-located facilities in Texas, and determine if this only includes the Houston-Galveston area.

Tan Terra lost by operation of law and Tan Terra is going to appeal.

Donna gave status report on Transfer Station SOPs. SOP mods are due based upon the call in schedule set by TCEQ. Donna sent an email from Wayne Lee about the Arid Exempt Landfill mods, which addresses the 20/20 ton rule. We need to check and make sure the notice went to all of the A/E landfills as a service to our membership.

Limited Scope Major Amendment is in stall mode. TCEQ staff is waiting on the return of Commissioner Soward before there is any movement on this issue.

Paul got an email on Class 1 (Industrial non-hazardous) cells, that you may bring these up to the elevation of the MSW cell(s) if you submit the mod prior to Sept. 27th, 2006. After 9/27/06 this approval process requires an amendment.

Paul discussed the Corp of Engineers and their jurisdictional authority concerning wetlands in regard to recent court decisions.

The next MSW advisory council meeting is next Friday, July 21st.

IB Report: Vance provided a financial report for National. There is a substantial increase in revenue and it appears to be due to added membership. SWANA is pushing for 10,000 members by 2010. In mid-year the IB was looking at multi year funding for the upgrade of their training courses, to include formats such as online/electronic courses (e-courses). SWANA wants to hear from the chapters on the needs to keep courses current/updated. Upgrades by volunteer consultants or operators historically don't finish in a timely fashion, and the best course is to hire professionals with expertise for completion of course updates. SWANA is entertaining various possible funding methods such as chapter loans, corporate sponsorships, grants, increased training course fees, and/or other creative chapter ideas. SWANA has asked if the chapters would be interested in chapter loans to SWANA for this effort, and if so, how much based on a loan at 1 point above the current CD interest rates for a 4 year period. Current CD rates are around 5.5%. It was suggested to take the current loan to SWANA, which matures in a couple of months, retain the earned interest, and reinvest the \$10,000 with SWANA in the e-course updates. Bill Hindman made a motion to loan SWANA \$10,000 for the e-courses. Motions died due to lack of 2nd. There was a discussion about whether SWANA should solicit corporate sponsorships to fund course updates and TXSWANA is acceptable to tasteful sponsorships. Proposed fee increases for

the on site and/or electronic courses resulted in mixed support by the board. Vance will report back to SWANA that TXSWANA will consider a chapter loan, but are not committing at this point in time. The chapter will revisit this issue after they have had a chance to review additional details of the proposed agreement.

Board adjourned for lunch at noon and reconvened at 12:45 pm.

Richard McHale, from the city of Austin, was asked to introduce himself. Richard expressed the desire of the city of Austin to be more involved with SWANA and TXSWANA. He has been a SWANA member for over 11-12 years. Richard is a candidate for the TXSWANA Board and discussed his interest in the vacant board position. The board took time to introduce themselves to Richard and identify where they are from and/or whom they represent.

Scholarships: Received 8 applications from 2 entering college and 6 current college students. All committee members have ranked the applications individually, but the group has not met to finalize the list. They plan to come to the board in August with a recommendation for scholarship recipients. Motion by Vance K. to authorize the committee to award and authorize the treasurer to pay a maximum of \$1,500 per recipient with a total maximum of \$6,000 for scholarships, 2nd by Jeff K. Motion passed.

Newsletter: Report by Michael R. concerning the July newsletter that has already been mailed. Anna has resigned as newsletter editor due to a job and address change. Michael reported that he had a couple of potential candidates for a new newsletter editor. Next newsletter scheduled to come out in October. Ellen recognized an error in the July newsletter concerning the next TXSWANA board meeting location. The newsletter identified Dallas as the meeting location in August and the meeting will be held in College Station.

Committee Assignments: Mary went over committee assignments with the board. On the newsletter committee, Michael R. will be the chair and Brenda Haney will be Vice Chair. The board authorized Michael to appoint the next newsletter editor for creating and publishing future editions. Brenda offered assistance with future newsletters if needed. Bill H. was added to the Legislative/Regulatory committee. Risa Fisher was added to the membership committee, the Road-e-o committee, and the technical subcommittee. Mary plans on adding a committee entitled "Conference Committee". Mary will make revisions to the committee assignments and send out to the board upon completion.

Action Items: The board reviewed the Action Item List and updated the status of the items. There was a discussion about a letter drafted by Ellen Smyth concerning new student TXSWANA members. A discussion followed which addressed student memberships, benefits, fees, and the draft letter. Mary offered to find a sponsor to help underwrite all or part of the fees for student memberships. There was a motion made by Bill H. & 2nd by Vance K. to modify scholarship qualifications to include student members as eligible for TXSWANA scholarships. Motion passed. Ellen was authorized to modify and distribute the letter.

Review Board Positions: Meeting was closed to board members only to discuss vacant board position(s). There was a discussion concerning the nominations of David Ivory from Brownsville, Oscar Medina from Laredo, James Ballowe from New Braunffels, and Richard McHale from Austin for TXSWANA board member positions. There was a motion made by Jeff K. and 2nd by Bill H. that all four applicants be asked to join the TXSWANA Board of Directors. Motion passed.

Next Meeting: In College Station on August 10th, at city conference center.

New Business: There are outstanding fees for legal services associated with the recent 330 rules. Paul reported an outstanding balance of approximately \$48,500 after receipt of all commitments. From the

beginning of the 330 rules process, Paul has not expected to receive reimbursement for all associated expenses. The board plans to determine how much they can pay, but the intent is not to “break the budget.” There was a discussion on different funding options to pay outstanding expenses, including increasing the TXSWANA chapter surcharge to SWANA members. The current TXSWANA membership surcharge is \$20.00 per year. Ron S. will research possible revenue options and present them to the board at the August meeting.

Meeting Adjourned at 2:35 pm.

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TXSWANA Board Meeting

August 10, 2006 in College Station, TX
College Station Conference Center, Room 107

Attending - Mary Nix, Ron Smith, Brenda Haney, Michael Rice, Vance Kemler, Bill Hindman, Pete Caler, Paul Gosselink, Bengy Williams, David Ivory, James Ballowe, Richard McHale, Kenneth Anthony (by phone), Jeff Kaplan (by phone), Holly Holder (by phone)

Absent – Ellen Smyth, Charles Ross, Lonnie Banks, Oscar Medina

Guests – Risa Fisher

Call to Order: Mary Nix called the meeting was called to order at 10:00 am.

APPROVAL OF MINUTES: Noted that we need to correct Richard's name to McHale. Motion by Bill Hindman with a 2nd by Brenda Haney to approve the minutes as corrected, motion passed.

FINANCIAL REPORT: Brenda Haney provided a written financial report concerning the financial status for the month of July. Motion to approve by Michael Rice, 2nd by Pete Caler, motion passed.

SWANA LOAN: Michael will continue to look through the books for the original document. Brenda will send letter with a copy of the Loan to SWANA requesting payment of Loan.

ROAD-E-O SUMMARY REPORT: Brenda reported on the 2006 road-e-o with a handout showing net profit of \$7,824.73. Still approximately \$600 outstanding on accounts receivable. Good Job Brenda!

2006 ANNUAL CONFERENCE REPORT: 2006 Financial Report not yet complete. Around \$6,500 outstanding account receivables had been reduced to around \$4,500. Will table final report to next meeting.

Brenda mentioned that the Bank needs names for signatures authorized to sign checks for the upcoming events such as main accounts, 2007 road-e-o account (if needed), and the 2007 conference account. This information is needed by the bank in order to take care of financial obligations for the events.

COMMITTEE ASSIGNMENTS. Reviewed the committee assignments as provided on the updated handout provided by Mary Nix. Mary notified the board that Lonnie Banks plans on sending his resignation to the board. Lonnie has been a very valuable board member in the past and he has served TXSWANA admirably for the past several years.

ADVISORY COUNCIL UPDATE: Bill Hindman reported the advisory council met a few weeks ago and the meeting was uneventful. They did discuss Chapter 305.70 (the mod rule) and they were opening up to the possibility of a revision to a list of minor amendment items which would be limited to only the specific item opened up, and this process would not include notice requirements. Anything on the list would be acceptable, and items not on the list would require a permit amendment. One example would be moving the site entrance, even though this change would not have a significant effect on operations. During the last meeting the advisory council were notified that everything on this issue has stopped and everything is on hold. Commission Soward reported that he was not in a hurry on this issue.

A template for the SOPs for the transfer stations was discussed. Bill got a copy of the Transfer Station SOP template from Wayne Harry and 20% of the template asks for information that is not in the regulations. Wayne Harry talked about “**creep and add**” which Bill objected to and said that the info in the template should only be the information required by the regulations. It appears that they took the

Landfill SOP template and made few modifications and called it the Transfer Station SOP. Bill discussed some of the current template items that are not required by the rules. Bill is not sure if the template is available to the public or how the solid waste community would get a copy of the Transfer Station SOP template. Bill also has a template for the AE landfill SOP (only 26 pages long). Paul Gosselink had no report on the 305.70 hold. The board discussed the SOP template and what actions and/or options should be pursued concerning a response to the template. The next advisory council meeting is Oct. 20th. There appears to be two main issues: #1-the inclusion of requirements, not required by the regulations, into templates by the TCEQ, and #2-a review of the non-rule requirements to determine what we support and what we don't support. Mary suggested that board should consider act quickly if we object to the template because the new template continues to gain validity as more people follow the new SOP template provided. Mary Nix asked Vance to draft a constructive letter to TCEQ as the head of the legislative committee addressing our concerns. Bill also received the new form A. Bill will email all 3 documents to the board.

(TXSWANA Board Meeting was moved to room 106 at 10:25 am due to technical problems with telephone conference attendees.)

2007 CONFERENCE: Marlena called in and reported on the 2007 Conference handout provided by Paul Gosselink. A contract has been signed with the conference Hotel (Austin Hilton), and the Golf Tournament location (Falcon Head) has been selected with an outstanding \$500 deposit required this month. Brenda Haney will send Marlena a \$500 check for the Falcon Head deposit. Brenda Haney made a motion to authorize Paul Gosselink, Marlena Johnson, Donna Pirkle, and Ron Smith to sign as authorized signatories on the TXSWANA 2007 Conference Account, 2nd by Ron Smith, motion passes. The existing conference account needs to close their books in order to change the conference account in accordance with the recently approved motion. Marlena is waiting on the past attendees list from Dallas. Proposed Budget attached and reviewed with an estimated net 2007 conference and golf tournament profit of \$45,650. Marlena has done a great job so far!

REGULATORY/LEGISLATIVE TOPICS: Paul reported on a couple of items. On the Limited Scope major amendment it appears Commissioner Soward is looking at possible horse trading on the different items. Tan Terra Amicus Brief, Paul wrote a letter asking for budget if there is a request for a brief or will submit the previous brief, no response at this time. There is a requirement that a new GWSAP is due in 2008. The TCEQ has taken the position that those filing applications should begin creating background data ASAP. BFI asked Paul if this is an issue with TXSWANA. Waste Management is going to comply with this request from the TCEQ and Paul believes that MSWMA will weigh in on this issue due to the Waste Management position. BFI probably would not do well to oppose the TCEQ on their own and they would like to approach the TCEQ at the appropriate level in order to identify another “**creep and add**” issue that should not be allowed without the proper review and approval process. Discussion followed. It was recommended to add this issue to the letter that will be drafted by Vance.

On another issue, Representative Dennis Bonnen believes that cities cannot be in competition with private business in regard to composting operations. Vance reported his boss got indignant on this issue and the Denton city attorney was deeply concerned. The Denton city attorney received a letter requiring a legal brief be sent to the Attorney General in response to Bonnen's position. The cities listed were Denton, Plano, Brenham, and Texarkana. A lengthy discussion followed. Denton would like for other cities to join them on this issue due to its implications with markets and competition on a variety of operations including Composting, Wastewater operations, Solid Waste collection, Water, Landfills, etc. Vance distributed a limited number of copies of the letter from Bonnen. Vance referenced this as a 40CFR503 Issue.

Break for lunch at 11:56 with a request that the telephone attendees call back at 12:40.

Board reconvened at 12:44 pm. Vance informed the board that Denton hosted air training for the TCEQ for landfill air permitting. This training was heavily attended by consultants. Vance commented about delinquent fees to the TCEQ and TCEQ will not approve future permits, amendments, etc if fees are delinquent, so be careful. Concerning CRTs EPA issued final rules on CRTs and this is available in Federal Register. SWANA issued info on key wetland issues and tax credits for landfill gas. Vance will email wetlands issue to board along with SWANA's summary on new EPA rule on CRTs. Mary added that she had received the email from Amanda King with SWANA as well. Mary will respond to SWANA to include Paul and Vance on TXSWANA legislative issues in the future.

INTERNATIONAL BOARD: July's membership report noted 92 new members. Vance reported on the Region 3 conference call about funding on training courses, John Skinner reported everyone said SWANA needs a training plan with: a course schedule with a review of each, identify attendance, determine money makers, make modifications as needed, and establish a funding plan in order to become self sustaining. SWANA will come back with a training plan and Vance will report when complete. Consensus was that consultants were not a good idea and SWANA should use members to complete upgrades to the training plan, but this process has not worked in the past in a timely manner. The Finance committee is looking at and reviewing investments and they are not running in a net gain, but we are doing better than the indexes. Paul asked if the different groups could influence investments and Vance responded yes. There is a financial consultant that provides input to SWANA on their investments. There is approximately \$750,000 in SWANA investments in various accounts. SWANA's financial condition appears to be in pretty good shape.

SCHOLARSHIPS: Eight applications were received and evaluated by the scholarship committee. The committee has decided to award \$1,500 scholarships to the following four individuals: Stephanie Hagerman from Amarillo, Hunter Davis from Mansfield, Thomas Fiedler from Denton, and Stephanie Cliber whose dad works for Waste Management. \$1,500 checks have been sent to all applicants. No thank you notes yet, but did Bill did receive an excited call from one parent. Bill was asked to continue to bug Adam about updating the web site for next years scholarship applications.

NEWSLETTER: No Report. Board requested that a picture of the President be provided for the October newsletter.

ACTION ITEMS: The list of action items from the previous board meeting were reviewed and updated.

NEW BUSINESS: Meeting Schedule – The September meeting is set for Wednesday the 20th at 2 pm in Charlotte. Ron will be in charge at the September meeting in Mary's absence. Ron will confirm the date and location of the TXSWANA board meeting in Charlotte. The October meeting will be on Thursday the 12th in El Paso, hosted by the city of El Paso. The November meeting will be on Thursday the 9th at Dallas Love Field, hosted by the city of Irving. There will not be a meeting in the month of December. The January meeting will be on Thursday the 11th in Austin, hosted by Paul Gosselink. The February meeting will be on Thursday the 8th in Corpus Christi. The TXSWANA conference is March 26th through 28th, with the board meeting on the 28th in Austin. The April meeting will be on Thursday the 19th in Waco. The May meeting will be on May 10th, at Love Field, hosted by Denton. The June meeting will be on the 14th in Houston.

Mary requested a postponement of the discussion on the 330 rules to the September Board Meeting.

The TXSWANA meeting was adjourned at 1:30 pm.

TXSWANA Board Meeting

September 20, 2006 in Charlotte, NC

OTTO Conference Room

Attending - Ron Smith, Brenda Haney, Michael Rice, Vance Kemler, Pete Caler, Bengy Williams, James Ballowe, Richard McHale, Kenneth Anthony, Ellen Smyth (by phone), Bill Hindman (by phone), Mary Nix (by phone), David Ivory (by phone), Paul Gosselink (by phone)

Absent – Jeff Kaplan, Holly Holder, Charles Ross, Oscar Medina

Guests – None

Call to Order: Ron Smith called the meeting was called to order at 2:09 pm.

APPROVAL OF MINUTES: Motion by Brenda with a 2nd by Pete to approve the minutes, motion passed.

FINANCIAL REPORT: Brenda Haney provided a written financial report concerning the financial status for the month of August. Motion to approve by Michael Rice, 2nd by Nix, motion passed.

LEGISLATIVE and REGULATORY: Vance reported on the AG opinion on the competition issue concerning a city competing on a service currently provided by a private company, such as composting and mulch. Still need comments. Nancy Nevil sent in a 2nd submittal to the AG to identify incorrect information submitted. TML has put forth a very good legal opinion. Bill understood the issue was whether to allow a city to compete in the composting business outside the city limits. The AG opinion committee would like to receive additional comments from other cities, so those who are interested in weighing in on this issue still have time. Vance volunteered to forward the information currently submitted to the AG's office for their review and possible action.

ANNUAL CONFERENCE 2006: Mary reported that the last report showed around \$6,500 outstanding in accounts receivable, and since then the figure has been reduced to around \$1,000. Final report on the 2006 conference and golf tournament had a total net revenue of \$36,698 with \$1,038 remaining to collect. Mary will send out the report to the board. Sheila is still attempting to collect the outstanding amounts due.

IB REPORT: Annual budget for this past year was originally \$50,000 positive net revenue with a revised estimated of \$140,000. Texas chapter received the reward of the chapter with the most new members and Vance will give the award to Ron to take back to Mary. TXSWANA had 33 new members. National is looking for a location for the 2007 International Road-e-o. The MOLO course is being updated. The transfer station and C&D course are scheduled for updates this next year. Sponsorships will be considered as a funding option along with participant fee increases to keep updates current in the future. There is a possibility of getting some event insurance claim money (additional \$60,000 to \$70,000) from lost attendees during the 2006 conference due to the hurricane.

LEGISLATIVE and REGULATORY (continued): Paul reported that there was not much to report. Martin Hubard was on the payroll today, and not much is known about him. Duncan knows him well and describes him as level headed, easy to deal with, practical, and reliable. He was vice chair of the Dept. of Agriculture and was with the General Land Office. Soward has not reconvened his MSW kitchen cabinet. Paul feels that Bonnen's program will not get the opinion that Bonnen wanted. However, this issue needs to be monitored because one of the challenges was to the inadequacy of the legislation. If Bonnen or Voights takes a lesson from our criticism, they can propose legislation that fixes our critiques. The issue of marketing outside their municipal jurisdiction becomes a legal issue

instead of a letter writing campaign if this issue becomes a regulation. Concerning Tan Terra, Paul has not heard anything new. Concerning the issue of BFI and the background data needed immediately on groundwater monitoring wells, nothing has been done.

NEWSLETTER: Next newsletter will go out in October. Will be in touch with advertisers due to the transition from Anna to Tino. Need National Road-e-o winners from Texas. Brenda volunteered to get road-e-o winners to Michael. Need something on info on new board members. SMART safety article will be in the newsletter. Michael reported on a note received from Abilene who reduced their accident rate 61% partially due to SMART meeting with their staff and the resulting changes in their safety programs. Michael will check with Victoria Hodge to see if she would be willing and able to do a question/answer article on this with Mike from Abilene. Need scholarship winners in the next newsletter. There was a discussion about the job opportunities posted in the newsletter.

ACTION ITEM UPDATE: Action items were reviewed, discussed and modified.

OTHER BUSINESS: Paul mentioned that this is the session that TXSWANA has as an opportunity to get legislation submitted. The Annual reports are due in December. Ellen's city council asked about reinstitution of the bottle bill in Texas. Discussion followed. Paul mentioned that the TCEQ is willing to work out transportation for any landfill willing to use tire chips. This issue may be worthy of a newsletter article/ad. Paul will check with John Forehan on this possibility. There was a brief discussion on the term "Bio Reactor Landfill" and SWANA's push to change to a new title such as "Bio Stabilization". On payments of legal services/legislative services, there was a request that there be a link to a separate spreadsheet as the financial back up document.

NEXT MEETING: There was a reminder that the next board meeting will held in El Paso on October 13th, at the airport, and the beginning time will be 10:30 am due to incoming flights.

The TXSWANA meeting was adjourned at 3:07 pm.

TXSWANA Board Meeting

October 12, 2006, El Paso, TX

El Paso Airport, Board Room

Attending - Ron Smith, Brenda Haney, Michael Rice, James Ballowe, Richard McHale, Ellen Smyth, Bill Hindman, Paul Gosselink, Oscar Medina, Holly Holder, Jeff Kaplan (by phone), Pete Caler (by phone), Kenneth Anthony (by phone), David Ivory (by phone)

Absent – Charles Ross, Vance Kemler, Bengy Williams, Mary Nix

Guests – None

Call to Order: Ron Smith called the meeting was called to order at 11:14 am.

APPROVAL OF MINUTES: Corrections to the minutes were identified and included a portion of the Legislative/Regulatory section, the correction of Bill “Hindman”, and a revision of “revenue” to “net revenue” on the annual conference report. Motion by Brenda Haney with a 2nd by Richard McHale to approve the minutes as corrected, motion passed.

FINANCIAL REPORT: Brenda Haney provided a written financial report concerning the financial status for the month of September and reviewed the financial transactions over the past month. Transactions included the receipt of the E-Loan reimbursement from SWANA. Motion to approve the financial report by Bill Hindman, 2nd by Holly Holder, motion passed. Next month’s financial report will include the 2006 conference and golf tournament.

2007 ANNUAL CONFERENCE: Marlena sent a packet to the board by email, and the attached letter from Mary has gone out. A list of prior vendors was part of the packet. It was suggested that the list of vendors be reviewed and assigned at the next meeting in November, after responses to Mary’s letter are received. Conference dates are on the web site. Need to attach sponsorship letters to the conference web site. The American Trade Shows Inc. contract is under review for exhibitor services at the conference. Falcon Head golf course contract is signed and deposit has been paid. The Bob Bullock Museum contract has been signed and payment is pending. Registration brochure is under design, and a draft will be forwarded to the board in the next 2 weeks. Need technical session speakers, and Paul has encouraged Bill to assist with this task, probably need topics by next board meeting so they can be placed on the next flyer on the conference. David Ivory offered to assist with the technical sessions. A location for the dinner was discussed and Paul believes it was at the Bob Bullock. Marlena is doing a very good job!

REGULATORY AND LEGISLATIVE: Kevin Yard wants to talk about the GWSAP draft guidance document to the board, and Kevin should call in around 1:00 pm. The 2007 Legislature will be in session soon, and Brian’s relationship with the legislators, such as Senator Averitt, is advantageous for TXSWANA. Currently, we have the opportunity to meet with the General Council and discuss what we believe is important to us. One possible hot legislative issue is waste to energy facilities, and what should the Texas legislature do to facilitate landfill gas waste to energy facilities. As a counter point, Matt Stutz pointed out that several states are going the opposite direction on this issue. A lengthy discussion followed on the priority of processing permit applications and associated issues. The question, “Is there a possibility of financial incentives, and what would they be other than tax credits?” was asked. There was a suggestion to get RDD approval authority for the TCEQ on innovative technologies on a wide variety of scales, including a small pilot project to a full project. There was a suggestion that tax credits not be issued until the facility is constructed and operates correctly. Dallas has a desire for TCEQ acceptance and approval of biotechnology and RDD. Austin has been informed that they can no longer accept CESQG materials from (small) businesses at their HHW facility even

though their operating plan allows for receipt of this waste has been approved by the TCEQ. The issue of small businesses and small quantities of HHW is a problem because there is not a reasonable process for a business to dispose of these types of waste, probably resulting in illegal disposal or dumping of these materials. The use of bio-diesel is still up in the air. Tires are still an issue, so a question arises of whether there is an interest in the tire to energy issue. Brownsville asked about the possibility supporting the transportation of tires to Mexico as a viable disposal option. Laredo uses "health" as a tool to address tire issues because of typhoid and other associated diseases. The composting issue and Bonnen were also briefly discussed. The encouragement of commercial recycling and the different city requirements/examples around the state were discussed. Another issue that always seems to come up is facility site/location ordinances.

Kevin Yard called in and addressed the board (with Jim Lawrence) on the GWSAP draft technical guidance document. Kevin has reviewed the document and recommends that the guide be updated because the last revision occurred around 12 years ago. Paul reminded everyone that on this issue, the monitoring requirements in the new 330 rules were to kick in 2 years after adoption. The TCEQ individual applicants were asked to start taking samples immediately, but there does not seem to be anything in the rules requiring this action. Discussion followed on "creep and add" on several documents provided by the TCEQ. There is a concern that many transfer station SOPs have already been submitted in accordance with the current guidance document, and that this may give weight or validity to the guidance document in the eyes of the TCEQ. There have been instances where the document becomes the rule by default and the TCEQ uses the guidance documents to "fix" things that may be left out of the rules. One of the only times that is ruling is overturned is when someone stands up and challenges the guidance document, and this is one of the roles of an association. Discussion followed and the general consensus of the board was that the existing guidance document should be withdrawn and redone because there are too correction needed to fix them. The board further agreed that three separate written responses on the "creep and add" items on three different documents (GWSAP guidance document, Transfer Station SOP guidance document, and AE Landfill guidance document), by three different authors (Kevin Yard, Bill Hindman, and Holly Holder respectively) would be completed and forwarded to Paul by next week, for review and creation of a cover letter that addresses the global issue of the concern of "creep and add" for Mary's signature by the following week, and for a courtesy meeting with Richard the week after that.

The meeting was temporarily adjourned for Lunch at 12:40 pm.
The board meeting was reconvened at 1:15 pm.

Report on 305 by Paul was that Commissioner Soward has not reconvened, but the TCEQ rules log shows Feb. 07 as the proposed rules revision date, and the revisions should include the J & K modifications and the minor amendment. Bill announced that the Advisory council meets next Friday and he believes that the 305 rules are on the agenda.

Tan Terra at district court.

NEWSLETTER: The next newsletter should go to print at the end of next week. The newsletter will include: President's message, updated Director's page, 2 safety articles, Jimmy Huff Award invitation, the 2006 TXSWANA scholarship winners, job opportunities, at least one ad, 2007 TXSWANA Annual Conference notice, and International Road-e-o results (if available), and updated calendar.

ACTION ITEM UPDATE: Action items were reviewed, discussed and modified.

OTHER BUSINESS: Ron suggested that the SMART committee inspections be used as a "plus" for communities and their compliance history with the TCEQ. Ron suggested that the inspections might qualify for a self-inspection. Brenda talked about the only TCEQ approved training is currently the

Frank Kiobalsa training. Discussion followed, including the issue of TCEQ approval of some of the SWANA courses, and the inclusion of some type of training course at the Annual Conference. Possible technical sessions for the conference were discussed and included, recirculation/bio technology, GWSAP, legislative issues, marketing of recyclable programs, E-waste, the new rules on diesel engines and bio-diesel, and the 305 rules.

Paul brought up the issue of payment for outstanding legal fees, and this issue needs to be resolved this year (before Dec. 31, 2006). The executive committee plans on submitting a proposal on this issue to the board at the next board meeting. The next issue was a budget on new work for Paul. There was a motion by Michael Rice to create a budget of \$1,000 for Paul to review, combine and coordinate comments as needed, and respond accordingly on the "creep and add" documents, 2nd from Jeff Kaplan, motion passed. This \$1,000 will come out of the current TXSWANA \$15,000 budget line item account for legislative issues. Paul plans to meet with General Council and report the results back to the board for future consideration and possible action. No Budget was set up on Paul's upcoming meeting with General Council. Oscar Medina discussed the possibility of a future annual conference meeting in Laredo. Oscar asked for a board meeting in Laredo. The board modified the Calendar to include a board meeting in Laredo on April 19th to accommodate a visit of their facilities. The Jimmy Huff Safety Award application needs to be updated, change the application date to Jan. 15, 2007, and Ellen Smyth agreed to review the document modifications on behalf of the board. The minutes from the last SMART meeting will be sent to the board as a FYI.

NEXT MEETING: The next board meeting will be held at Dallas Love Field, hosted by the city of Irving, on Thursday, November 9th, 2006.

The TXSWANA meeting was adjourned at 2:00 pm.

TXSWANA Board Meeting

November 9, 2006, Dallas, TX

Love Field Airport, Houston Room

Attending – Mary Nix, Ron Smith, Brenda Haney, Michael Rice, Vance Kemler, David Ivory (by phone), Paul Gosselink, Bill Hindman, Jeff Kaplan (by phone), Ellen Smyth, Holly Holder, Pete Caler, Kenneth Anthony, James Ballowe, Oscar Medina (by phone)

Absent – Charles Ross, Bengy Williams, Richard McHale

Guests – Risa Fisher, Frank Pugsly, Mike Richer with McNeilus, Michael Carlton

Call to Order: Mary Nix called the meeting to order at 10:05 am.

APPROVAL OF MINUTES: Corrections noted by Bill Hindman included the fact that Lonnie Banks has resigned from the board. Paul requested a spelling correction for the name Averitt. Motion by Bill Hindman with a 2nd by Brenda Haney to approve the minutes as corrected, motion passed.

FINANCIAL REPORT: Brenda Haney provided written financial reports concerning the financial status for the month of October and reviewed the financial transactions over the past month. There was discussion that the E-loan should be removed because it has been repaid. Motion to approve the financial report as corrected by Michael Rice, 2nd by Bill Hindman, motion passed.

2007 ANNUAL CONFERENCE: Paul discussed the copies that were emailed to the TXSWANA board by Marlena on Wednesday. We still need to make contacts for sponsors according to the list that was distributed previously. The board was asked to please make their respective calls. The list of sponsors was reviewed and assignments were made. Mary encouraged the board to make their assignment calls before Christmas. Paul asked if it would be appropriate to allow Marlena to have access to the web site. There was a straw pole taken by the board and the board supported providing Marlena access to the web site for the Annual Conference. There was discussion about protection of the web site and the current web site policy.

The next issue discussed was the options for the technical sessions. A lengthy discussion followed.

The meeting was temporarily adjourned for Lunch at 12:00 pm and was reconvened at 12:30 pm.

Mary discussed attendance at the annual conference and a need to increase future attendance of the Annual Conference. Having dynamic speakers is very important to providing an increase in participants, and educational opportunities for certification training/renewal hours for licenses. We should also push the Tours, and there should be an abundance of opportunities in Austin. Risa discussed a conference call she recently had with National SWANA on training courses, and the ability of National to assist with local training. Ellen discussed a similar situation that occurred in New Mexico and one problem that arose was the large cost of the National training sessions in relationship to the much lower cost of the conference, and this resulted in low attendance numbers for the training classes. Mary volunteered to investigate training opportunities before/during/after the Austin conference, and a lengthy discussion on the possibility of adding training to the Austin conference followed. A discussion concerning tour opportunities followed and included: a landfill tour, composting site, landfill gas to energy, Dell computers, GPS systems, and an equipment show with demos and/or test drives.

INTERNATIONAL BOARD: Vance reported that they are conducting their annual search for Lawrence Lecturer presentation applicants. The draft financial reports shows a decrease in liabilities of around \$50,000 and assets were up about \$600,000 resulting in a very positive position when compared

to last year. SWANA has had problems keeping staff in the IT area. They have a new technical administrator and a new web site person. There is an opening for the IB Secretary and they are currently accepting nominations for this commitment for a 6-year period. There was a discussion of nominating Mary Nix for this position, and Mary was not opposed to the possibility. In the annual competition for the most new members, the Texas chapter received the award from IB for having the most (33) new members. The award was displayed on the table at the meeting.

NEWSLETTER: Michael made distributed copies of latest newsletter, gave a brief report on the October newsletter, and discussed the items proposed for the January newsletter. There were several job openings listed this issue. There is a safety article on Drive Cam ready for the next issue. There should be a big splash on the annual conference in the January newsletter. Need a road-e-o date for the TXSWANA 2007 event. Brenda never got information about Texas winners at the Arizona National road-e-o. Vance mentioned that there is not a location set for the International Road-e-o for 2007. Mary suggested that any other articles that vendors or members would like to submit for the newsletter. In addition, be sure that vendors know that you can advertise in the newsletter at very reasonable rates. Job postings for member cities are free.

REGIONAL MEETINGS: Ken discussed the regional meetings. The term “bi-monthly meetings” has been used in the past, and Ken needs clarification on whether the meetings are regional, or are they bi-monthly? Mary believes that these meeting provide a needed educational resource for members that are not able to travel to the state meeting. Ken has looked at the state and believes that we need around 6 areas to cover all of the state based upon a 100-mile radius. Ken asked about the membership info and would like a list in order to identify where members are concentrated in the state. Ken also talked about the possibility of a “video webinar” for training.

REGULATORY AND LEGISLATIVE: Paul talked about his meeting with Senator Averitt’s staff and the issues discussed. We don’t appear to need a budget on the issues according to Paul. The hot issues this year appear to be coal fired power plants, air, and water rights. If something comes up, Brian will probably handle it. Paul discussed the “creep and add” issues on guidance documents. Paul has talked with the private side and they are working on the GWSAP issue. Bill talked about the “creep and add” issue and his discussions at the latest Advisory council meeting and what happened. The report on 305 reveals there is nothing new. Bill added that Carmichael commented that it appears that there are only 3 or 4 “J” mods that are proposed to go to “K” mods, and some of the “J” mods may be taken off the list and become notifications. The Tan Terra appellate arguments have not been scheduled yet. The interesting case that is out right now is the Waste Management landfill in Hutto, in Williamson County, which has gone to jurisdictional hearing. It appears that Bob Gregory may have purchased property adjacent to every landfill in Central Texas. Legislation may be proposed on this. Paul talked about the presentation by John Edwards with the TCEQ on the MSW Air Permits, and Paul believes that the presentation was worth listening to. This issue may be a conference material. Paul also added that the alternate final covers (evapo-transportation) presentation was also good.

1:26

Vance reported that sub-chapter N is going to be revisited, and this chapter covers household hazardous waste. The Agency wants to take these types of waste and move them under Hazardous waste under a totally different set of rules. 40CFR261.4 specifically states that HHW is not hazardous waste and it is municipal waste. This issue has been created due to a new staff person at the TCEQ who believes that this issue needs to be corrected. This will prevent HHW materials from going to the MSW landfill and will encourage illegal disposal of these materials, and this is counter productive and this is not good for the environment. Letters went out to the landfills on the requirement for air permits. Apparently NRC has taken the position that they are against bio-solids co-composting. The US Composting council may address this issue at their next meeting.

ACTION ITEM UPDATE: Action items were reviewed, discussed and updated.

OTHER BUSINESS: The executive committee did meet and discussed the issue of resolving the outstanding invoices on the Legal services provided on the 330 rules. Brenda reviewed the current outstanding balances and pending payments on outstanding legal services. Currently there is around \$41,000 still outstanding. The executive committee recommended a grand total of \$100,000 of payments, from all sources, for work on the 330 rules should be paid to the law firm. This would result in approximately \$30,000 outstanding (\$5,000 from savings & \$25,000 from checking) to the law firm in order to settle this account in full on the 330 rules. Motion by Ellen S. and 2nd by Jeff K. to accept the recommendation by the executive committee, **motion passed.**

Mary brought the issue of IIED still teaching the old 330 rules because the TCEQ has not updated the test that must be passed by the participants of the class before receiving their license. This issue needs to be corrected. Vance talked about the issue and the state believes that nothing can be done until a new test is created. This forces cities to pay for training and certification of their employees based upon the wrong information, and this is very objectionable. Ellen Smyth and Ron Smith agreed to take the lead on correcting this issue with the TCEQ licensing group. As a similar issue, the rules require a certified operator for composting operations, but there is no test and therefore no composting certification available. In a related issue, a concern that testing in the DFW area is required to take place at the COG, the COG charges an additional fee for the use of their facilities, and this monopoly for the testing location requirement at the COG should end.

Email Marlana within the next week if you want a copy of the John Edwards presentation.

There was a question of replacing Lonnie Banks with another board member, and the consensus was that the size of the board was adequate at this time.

NEXT MEETING: The next board meeting will be held on Thursday, January 11th, 2007 at the Annual Conference Meeting location, the Hilton Hotel adjacent to the Austin airport.

The TXSWANA meeting was adjourned at 2:14 pm.