

MEETING MINUTES

TXSWANA Board of Directors Meeting

Friday, June 19, 2009
Conference Room 402
Holiday Inn, Beaumont Plaza, Beaumont, TX

Attending –Michael Rice, Richard McHale, James Ballowe, Harry Hayes, Bengy Williams, Bill Hindman (by phone), Holly Holder (by phone), David Ivory (by phone), David McCary (by phone), Vance Kemler (by phone), Ron Smith (by phone), Lonnie Banks (by phone), Lawrence Mikolajczyk (by phone), Paul Gosselink (phone)

Absent – Pete Caler, Ellen Smyth, Mary Nix, Brenda Haney, Oscar Medina

Guests – None

Call to Order: Michael Rice called the meeting to order at 12:00 p.m.

APPROVAL OF MINUTES: There was a review of the minutes for the May 28th meeting. Paul requested that the word “filed” be replaced with the word “passed” in the first sentence in the LEGISLATIVE/REGULATORY section. Motion by Harry Hayes to accept the minutes as amended by Paul Gosselink, 2nd by James Ballowe, motion passed.

FINANCIAL REPORT: Michael Rice presented the current financial report. Motion by Harry Hayes to accept the financial report as presented, 2nd by Bill Hindman, motion passed. Discussion followed on the \$30,000 loan to SWANA. Michael responded that there was only executive board member present in Beaumont and that the check to SWANA would be sent to Ron Smith for his signature and forwarding to National next week. Further discussion followed on the current financial status of TxSWANA and a need to execute further actions to put TxSWANA’s money to better use.

CHAPTER BUSINESS

2010 ANNUAL CONFERENCE: Lawrence reported that he would like to table this discussion until the July board meeting in Corpus. The 2010 conference is scheduled to begin on April 25, 2010.

2009 Road-e-o Report: Bengy reported that everything was ready for the road-e-o scheduled for June 20th. Estimated net revenue from the road-e-o is approximately \$7,000. There are approximately 70 contestants signed up for Saturday’s event, and sponsorships have been good. The Pruitt Center will be the location for the award banquet on Saturday night.

LEGISLATIVE/REGULATORY: Paul reported on the Jacksboro Amicus Brief. An announcement was made that Jackie Hardie is gone and Earl Lott is the replacement. Paul recommended that TxSWANA should make an effort to meet Mr. Lott and suggested having him attend a future board meeting. This resulted in the scheduling of an August board meeting on August 21st in Austin, sponsored by Paul. Paul will contact Mr. Lott and extend an invitation for him to attend on the 21st. Bill reminded the board that the deadline for nominations to the MSW Advisory Committee is quickly approaching. Holly informed the board that he has an interest in serving on this committee as the Engineering position. Bill added that Risa Fisher is also interested in this position on the committee. There was a motion to support Holly & Risa for the engineering position on the MSW Advisory Committee, motion passed unanimously.

SCHOLARSHIPS: Holly reported that eight scholarship applications had been received prior to the deadline. The Scholarship committee plans to meet, discuss, and vote on the applications prior to the next board meeting in July.

NEWSLETTER/WEBSITE: Michael Rice reported that the TxSWANA newsletter shall be sent in July. Deadline for article submission is July 8, 2009 (7/8/9).

REGIONAL MEETINGS: No report.

I.B. REPORT: Vance reported that the schedule for WasteCon is as follows:

2009-Long Beach, CA

2010-Boston, MA (w/ APWA)

2011-Nashville, TN

2012-Washington D.C.

2013- maybe Long Beach again

2014-Dallas, TX (at Gaylord)

2015-??? (maybe with APWA)

Vance reported that Puerto Rico has met all the requirements for Chapter Status and they have been approved as the newest SWANA chapter with 77 current members. The 2010 budget has a net \$107,000 in profit. Membership is up 2% in this economy, which is good news, and there are currently 8,236 SWANA members. There has been recent discussion to change the number of board members by possibly adding the technical division chairs for a 3 years trial period.

OTHER BUSINESS: None.

NEXT MEETING: The next TXSWANA Board of Directors Meeting will be hosted by the City of Corpus Christi 10:30 a.m. Friday, July 17th. The August meeting has been moved to August 21st in Austin, hosted by Paul.

The meeting was adjourned shortly at 2:00 p.m.

MEETING MINUTES

TXSWANA Board of Directors Meeting

Friday, July 17, 2009

Corpus Christi International Airport, Corpus Christi, TX

Attending – Ron Smith, Richard McHale, James Ballowe, Bill Hindman, Lawrence Mikolajczyk, Pete Caler, Oscar Medina

By Phone-- Holly Holder, Michael Rice, Harry Hayes, Bengy Williams, David McCary, Ellen Smyth, Mary Nix

Absent –David Ivory, Vance Kemler, Lonnie Banks, Paul Gosselink, Brenda Haney

Guests – Mike Carlton

Call to Order: Ron Smith called the meeting to order at 10:32 a.m.

APPROVAL OF MINUTES: There was a review of the minutes for the June 19th meeting. Motion by Bill to accept the minutes (no amendments), 2nd by Mary, motion passed.

FINANCIAL REPORT: Michael Rice presented the current financial report. Motion by Mary to accept the financial report as presented, 2nd by Harry, motion passed. Michael reported that the \$30,000 check for the loan to SWANA was cashed on July 9, 2009 so that the checking account balance has been reduced from what is shown at the end of June—this will show up in the July report. We hope to receive the official note from SWANA National this month.

CHAPTER BUSINESS

2010 ANNUAL CONFERENCE: The meeting today is in Corpus in order for the board members to check out the venue for the proposed conference. Lawrence would like to sign the contract for the 2010 conference scheduled to begin on April 25, 2010. Due to the extremely high cancellation fees, he will also research the cost of an “event” insurance policy that will cover us in case of an unplanned cancellation of the conference. If needed, Ron will call for an e-vote to approach such a policy.

2009 Road-e-o Report: Bengy reported there are approximately 71 contestants, 40 guests and 50 judges at the event. Sponsorships came in at \$12,675 with total revenues at \$26,460. Expenses were \$15,884.75 for a net profit on the event of \$7,575.25. WOW! Good job Bengy!

Next year’s road-e-o will be held in San Antonio on June 26, 2010. Mark your calendars now!

LEGISLATIVE/REGULATORY: Brian Sledge called in on behalf of Paul to make the legislative update. Please see the attached PowerPoint presentation for more details. Thanks Brian!

NEWSLETTER/WEBSITE: Michael Rice reported that the TxSWANA newsletter was sent out electronically on July 15. He inquired if he should send it to a broader audience such as inactive members, suspended members, etc. The board agreed to send it out to the larger group with a reminder that their dues had not been received for membership renewal.

SCHOLARSHIPS: Holly reported that the scholarship committee had met and that all eight applicants were very well qualified. He submitted a recommendation from the committee that all eight scholarship applicants be awarded an equal share of the budgeted \$10,000 (\$1250 each). A short discussion was had on possibly increasing the scholarship amounts, on possibly using Road-e-o proceeds to fund the

scholarships, and also advertising to sponsors at the Road-e-o that proceeds could go towards this project. At the end of the discussion it was decided to leave the Scholarships as an annual budgeted item so that it can be funded higher in good years and lower in not so good years. A motion to accept the committee recommendations was made by Mary and seconded by Harry. Motion passed.

REGIONAL MEETINGS: Ron reported that Brenda is working with Allen Vargas at the TCEQ to be the guest speaker at the next Dallas area meeting in August. Ellen encouraged others to keep working on hosting regional meetings and report back to her on the progress.

I.B. REPORT: No report.

OTHER BUSINESS:

MSW Advisory Council—Bill reported that Allen Vargas from the TCEQ was at the MSW Advisory Council meeting last week. Mr Vargas reported that there are now three approved MSW License providers. Frank Kielbasa may be interested in selling his courses and moving to retirement. Ellen volunteered to find out more details from Frank on this possibility.

The schedule for the remainder of the year was set for the TXSWANA Board meetings as follows on these Fridays:

- August 21 Paul Gosselink, Austin
- Sept 18 Dallas Love Field Conference Room
- October 16 El Paso International Airport Board Room
- November 20 San Antonio (Location TBA)
- December 18 Conference Call only if needed

NEXT MEETING: The next TXSWANA Board of Directors Meeting will be hosted by Paul Gosselink in Austin at 10:30 a.m. on Friday, August 21st.

The meeting was adjourned shortly at 2:22 p.m.

MEETING MINUTES

TXSWANA Board of Directors Meeting

Friday, August 21, 2009

Law Offices of Lloyd Gosselink, Austin, Texas

Attended: Ron Smith, Brenda Haney (by phone for part of meeting), Michael Rice, Mary Nix, James Ballowe, Lonnie Banks, Paul Gosselink, Bill Hindman, David McCary (by phone), Richard McHale, (by phone), Holly Holder, Vance Kemler, Lawrence Mikolajczyk, Harry Hayes (by phone)

Non-Board members: Risa Fisher, Mike Carlton, Richard Carmichael, Steve Odil

Absent: Bengy Williams, Ellen Smyth, Pete Caler, David Ivory

Call to Order: President Ron Smith called the meeting to order at 10:56 a.m.

APPROVAL OF MINUTES: There was a review of the minutes for the July 17th Board meeting. Motion was made by Paul Gosselink to accept the minutes (with an amendment to correct the spelling of Kiolbassa's name), 2nd by Vance Kemler. Motion passed.

FINANCIAL REPORT: Michael Rice presented the current financial report. Motion by Mary Nix to accept the financial report as presented; 2nd by Holly Holder. Motion passed. Michael reported that the search for a means to earn better interest on our accounts continues.

CHAPTER BUSINESS

2010 ANNUAL CONFERENCE: Lawrence updated the Board on the progress for the conference, reminding all of the plan to contract with the Omni Hotel. All conference activities can be managed on one floor. Many social and after hours activities are in consideration. He's winnowed the cancellation clause down to "no deposit required" and "half of promised value" – which is estimated to be about \$32,000. Room rate is set for \$129/night for 375 room-nights and an 80% guarantee.

2009 ROAD-E-O REPORT: Holly Holder reported that the audit of the road-e-o is now complete – and that audit found satisfactory management of the road-e-o financials. Next year's road-e-o is scheduled for San Antonio on June 26, 2010. Mark your calendars now!

REPORT FROM TCEQ: Dr. Carmichael attended with Steve Odil, bringing a report on the Solid Waste Licensing status. He first noted that the agency has a new Division Director (Earl Lott), and that Jeff Davis moved to Underground Injection program. Carmichael is organizing three technical review teams; one headed by Jeff Holderead; the other two team leader positions are vacant.

On Licensing: Odil provided the Board with updated information on the topic. Allen Vargas is working on preparing the B License test. The C-License will have new training materials – as the TCEQ is considering three submittals from potential training vendors. Testing opportunities are available on-line and at new testing sites. The Board engaged in lengthy discussion of this topic.

On the MSW GOP: Carmichael had no information of any activity on this topic.

After TCEQ guests had left, the Board further discussed the Licensing topic, and concluded that:

- TxSWANA is not prepared to become a training and testing entity for MSW Licensing, but could support a third party to do this
- We should encourage TCEQ to be the training AND testing entity – and support them in this
- Gosselink to speak with Carmichael about the concept, and to set up a meeting with Mark Vickery to pursue this concept

LEGISLATIVE / REGULATORY: Paul reported on the following:

- Commissioner Soward to step down, effective August 29.
- PFD's of concern: Two separate sites (BFI Sunset Hills and WMT Austin Community) each have issues in the permit hearing stage about hours of operations. On the former, the hearing judge put the burden of proof on protestants regarding the need to alter the requested 24-7 hours, and then ruled in favor of applicant. In the latter, the protestants succeeded in reducing operating hours to 7-7. In a separate case (IESI Jacksboro), the ALJ has delayed issuing its findings. This case involves groundwater monitoring issue (spacing) and the property rights issue.

NEWSLETTER / WEBSITE: Michael Rice reported that the July letter went out on schedule; next one is in draft.

SCHOLARSHIPS: No report.

REGIONAL MEETINGS: The DFW Metro SWANA meeting is set for August 27, with Allen Vargas at the TCEQ to be the guest speaker on licensing. He offered to send the Board a copy of his PPT. No other regional meetings are set at this time.

I.B. REPORT: Vance relayed that:

- Membership is looking pretty healthy at about 8,100.
- All Technology Loans to SWANA from Chapters are now paid off.
- David Dugger (city of Denton) has been nominated to the National Road-e-o Committee.
- WasteCon is set for October 2009 in Long Beach. Exhibitor sales are about par (for this economy).
- National wants to bolster the scholarship fund (\$8,000 annually) by increasing dues by \$1 - \$3.

OTHER BUSINESS:

Open Board Position: Laredo has not yet sent a nominee for the Board position; Ron will contact them for their input.

NHMA (National Hazardous Materials Association) invited TxSWANA members to attend their conference in Houston in September.

Richard McHale noted that the city of Austin has opened the position of Solid Waste Director for applicants.

The schedule for the remainder of the year was set for the TXSWANA Board meetings as follows on these Fridays:

- Sept 18 Dallas Love Field Conference Room
- October 16 El Paso International Airport Board Room
- November 20 San Antonio (Location TBA)
- December 18 Conference Call only if needed

NEXT MEETING: The next TXSWANA Board of Directors Meeting will be hosted by Dallas at Dallas Love Field (Aviation Conference Room) at 10:00 a.m. on Friday, September 18.

The meeting was adjourned at 2:01 p.m.

MEETING MINUTES

TXSWANA Board of Directors Meeting

Friday, September 18, 2009
Dallas Love Field, Dallas, Texas

Attended: Ron Smith, Brenda Haney, Michael Rice, Mary Nix, Richard McHale, Paul Gosselink, Bill Hindman, Vance Kemler. **By phone:** Lawrence Mikolajczyk, Bengy Williams, Holly Holder, Pete Caler, James Ballowe, David Ivory

Non-Board members: Kim Monroe

Absent: Ellen Smyth, Lonnie Banks, Harry Hayes, David McCary

Call to Order: President, Ron Smith called the meeting to order at 10:12 a.m.

APPROVAL OF MINUTES: There was a review of the minutes for the August 21, 2009, Board meeting. Motion was made by Paul Gosselink to accept the minutes, 2nd by Mary Nix. Motion passed.

FINANCIAL REPORT: Michael Rice presented the current financial report. Motion by Mary Nix to accept the financial report as presented; 2nd by Brenda Haney. Motion passed. Michael reported that he is using a “sweeping accounts” method with the bank that should aid in interest earnings.

CHAPTER BUSINESS

2010 ANNUAL CONFERENCE: Lawrence met with the Omni hotel this week; the setting is good. The website needed to be updated and need to add 2010 conference information in the newsletter.

LEGISLATIVE / REGULATORY:

Paul reported on the following:

Good meeting with Richard Hyde, Earl Lott, Allan Vargas this week. We pointed out changes in the licensing rules that are not good for industry. TxSWANA will create a letter to the TCEQ vocalizing our concerns; recommend we revert to previous license rules with clarification or; re-open rules to rewrite to accomplish neutral goals.

Vance will check with rule authors to get intelligence on this.

- SeCo has big grant funds for emission reduction in county or towns, \$35K or smaller.
- Texas Loan Star Program
- Paul Gosselink recommended that the Chapter increase the pay-rate for the legal counsel to \$150. The Board discussed this recommendation – with Gosselink out of the room. Motion by Nix, seconded by Vance to increase attorney pay rate up to an allowable \$150 per hour, effective immediately. Motion passes without exception.

- Amicus briefs –

Discussion of Jacksboro – ALJ can’t undo the TCEQ’s technical completeness’s status.

- ALJ recanted her position and is recommending a permit approval.
- Also IESI agreed to ring facility with groundwater wells @ 600’ spacing (increasing from 11 wells to 28 wells).
- There will be another opportunity to respond, once we see PDF from ALJ.

WMT – Sunset Farms case - (see handout letter from Paul Gosselink today).

Motion by Vance, 2nd by Hindman (Richard and Paul abstain) for TxSWANA to prep an amicus brief on this topic, focusing on the issuance of “inherent” term and urban landfill matters, with a not-to-exceed expenditure for the brief at \$6,000. Motion passes. Agenda is October 7. Must submit before that date.

REGIONAL MEETINGS:

Brenda Haney reported the following:

– **DFW Metroplex** meeting on August 27; subject: Licensing. Speaker: TCEQ’s Allan Vargas; attendance of about 20.

Brenda will attempt to get all notices sent out by email and on the website.

South Texas: quarterly meetings, one coming up next week, they’ve had several already, though the Board was unaware. David Ivory to keep Board more informed.

Lunch Break

I.B. REPORT:

Wastecon is on the way – won’t make the profit as last year, but will be comparable to last one at Long Beach.

OTHER BUSINESS:

- Laredo’s vacated Board spot
... Ron will contact Laredo for further action.

Action Items discussed...

- Prepare to set TxSWANA Board meeting dates for 2010 – get approval for this in El Paso.
- Paul to set up meeting with Mark Vickery on November 19.
- Michael Rice to draft a budget for FY10 and do wrap-up on FY09 budget.
- President Smith to confirm time of board meeting in El Paso.

NEWSLETTER / WEBSITE: No Report

SCHOLARSHIPS: No report.

NEXT MEETING: The next TXSWANA Board of Directors Meeting will be hosted by The City of El Paso (Municipal Service Center Administration Building, 7968 San Paulo Drive, El Paso, Texas 79907), 10:30 a.m.

The meeting was adjourned at 1:02 p.m.

MEETING MINUTES

TXSWANA Board of Directors Meeting

Friday, October 16, 2009, 10:30 am Central Time
Conference Call

Telephone Participants: Ron Smith, Brenda Haney, Michael Rice, Vance Kemler, James Ballowe, Pete Caler, Paul Gosselink, Bill Hindman, Holly Holder, David Ivory, David McCary, Richard McHale, Mary Nix

Non-Board members: John Garza, City of El Paso

Absent: Ellen Smyth, Lonnie Banks, Harry Hayes, Oscar Medina, Lawrence Mikolajczyk, Bengy Williams

Call to Order: President, Ron Smith called the meeting to order at 10:30 a.m.

APPROVAL OF MINUTES: There was a review of the minutes for the September 18, 2009, Board meeting. One correction was noted: the WMT case was incorrectly referenced as the Sunset Farms case; the correct reference should be the Austin Community Landfill. Motion was made by Bill Hindman to accept the minutes, 2nd by Brenda Haney. Motion passed.

FINANCIAL REPORT: Michael Rice presented the current financial report. Motion by Bill Hindman to accept the financial report as presented; 2nd by Brenda Haney. Motion passed.
Michael presented the budget for 2009-2010, as well as the end-of-year report for 2008-2009. There was a noted drop in membership payments in 2009 compared to 2008. Further investigation of payments of membership dues may be needed. Other budget items to closely watch include the Corpus Christi conference and the ROAD-EO. The board agreed to approve the budget as presented. The budget will be closely monitored and adjusted accordingly if needed.

CHAPTER BUSINESS

2010 ANNUAL CONFERENCE: No update provided.

LEGISLATIVE / REGULATORY:

Paul reported on the following:

- Amicus briefs
WMT – the amicus brief submitted by TxSWANA had a significant impact in driving the outcome and resulted in favorable resolution of the issues.
Jacksboro – no brief was filed; wait to see what other side says in their findings.
- Licensing – Richard Hyde provided a response. TCEQ agreed to provide a response and work with our group. A second letter was sent to TCEQ by TxSWANA on 10/16/09. Paul visited with the MSW section to inform TCEQ of our concerns. Richard Hyde may be able to attend the Nov. meeting in San Antonio. Bill to follow up with a personal invitation.
- State Energy Conservation Office has grant funding for emission reductions and building efficiency loans.
- GHG Rules are finalized. Effective Jan. 1, data must begin to be collected and reports must be filed.
- EPA has proposed rules on climate change and PSD sources.

REGIONAL MEETINGS:

No regional meetings have been set up. Brenda Haney will follow up on this item.

NEWSLETTER / WEBSITE:

Newsletter will be created and sent out by the end of next week. Need to get pictures from Holly. Need to get updated membership listing from National. All newsletters are sent by email, and no hard copy newsletters are sent by regular mail.

It was noted that ad space is available for a nominal fee to advertise employment needs. Mayfield is looking for job applicants. Member cities and non-profits are generally not charged a fee for the ad space.

I.B. REPORT:

No final results have been obtained from Wastecon. Numbers will be sent out as soon as they are available. There was a big increase in participation in the zero-waste sessions. Participation from the public sector was less than previous years.

OTHER BUSINESS:

- Future ROAD-EO - next year's event will be in San Antonio. Need to closely watch membership numbers to see what kind of attendance there will be.
- Conference Programs – interested parties wanting to plan the programs should be directed to Lawrence.
- Board Rep from South Texas – a rep from South Texas is needed. Hector Chavez from Eagle Pass may be interested in joining – Paul will contact Hector and ask for a bio/resume.
- Payment for Conference Calls – there was much discussion as to who should pay for the cost of the telephone conference calls. Suggestions included sending out a quarterly bill to all participants, having AT&T directly bill the participants, and the host city covering the expenses. It was agreed that the expenses should be reviewed to determine a reasonable approach to cover the costs.

Action Items discussed...

- Paul will contact with Hector Chavez from Eagle Pass to see if he's interested in joining the board.
- Paul to contact Richard Hyde regarding licensing requirements and attendance at the Nov. board meeting.
- Evaluation of fees for telephone conference calls.

NEXT MEETING: The next TXSWANA Board of Directors Meeting will be hosted by the City of San Antonio (Northeast Service Center (Toolyard), 10303 Toolyard, San Antonio, TX 78233), November 20, 2009, 10:30 a.m.

The meeting was adjourned at 11:55 a.m.

MEETING MINUTES

TXSWANA Board of Directors Meeting

Friday, November 20, 2009, 10:30 am Central Time
Northeast Service Center (Toolyard), San Antonio, TX

Present: Ron Smith, Brenda Haney, Michael Rice (phone), Vance Kemler, James Ballowe, Pete Caler, Paul Gosselink, Bill Hindman, Holly Holder, David Ivory (phone), David McCary, Richard McHale, Ellen Smyth (phone), Lonnie Banks, Lawrence Mikolajczyk, Harry Hayes (phone), Hector Chavez (new board member from Eagle Pass)

Absent: Mary Nix, Bengy Williams

Guests: Mike Carlton, Risa Fisher and several employees from the City of San Antonio

Call to Order: President, Ron Smith called the meeting to order at 10:30 a.m.

APPROVAL OF MINUTES: There was a review of the minutes for the October 16, 2009, Board meeting. Motion was made by Brenda Haney to accept the minutes, 2nd by David McCary. Motion passed.

FINANCIAL REPORT: Michael Rice presented the current financial report. Motion by Brenda Haney to accept the financial report as presented; 2nd by David McCary. Motion passed.

CHAPTER BUSINESS

2010 ANNUAL CONFERENCE: Lawrence gave a good update on the progress of the conference set for April 25-28, 2010. Paul Bass and Barbara Flores will be assisting with the coordination of the events at the OMNI. Options of sailing, fishing, the aquarium and/or a tour of Lexington were discuss as possible activities for families. Tour options include the landfill, single stream recycling. Committees have been set to cover golf (Paul), certification credits (Ellen Smyth), Technical Sessions (Brenda and Bill), website (Holly Ingram) and SMART (Ellen Jensen).

LEGISLATIVE / REGULATORY: Paul reported on the following:

Licensing:

The representatives from the TCEQ were unable to attend due to illness. We will set up a meeting with them in Austin. Richard Hyde confirmed that progress is being made and that he is working with the TCEQ to come up with agreeable language for the rules. He will get back to us with possible new meeting dates. WEAT is anxious to coordinate with us as well and we have agreed to support them.

Permitting:

IESI Judgment issued was issued a permit so we can anticipate an appeal. They have asked TXSWANA informally for support in this effort. WMX has requested a permit mod and thus far Mr. Gregory has stayed out of it—so hopefully this is a good sign.

GASB49—Options for Pollution Remediation

This probably is not an issue for most of us because it has very specific conditions identified to which/when it applies.

MSW SOP comment period was extended to 12-22-2009. It was updated to include the federal standards for turbines. A public meeting is set for Dec. 7 and will become affective in May 2010. 44 landfills may be subject to this new rule.

GHG Emission “No Regrets”—a motion was made by Bill and 2nd by David McCary to collaborate with NSWMA on the “no regrets”.

REGIONAL MEETINGS:

No regional meetings have been set up.

NEWSLETTER / WEBSITE:

Newsletter was mailed out the end of October and everyone should have received it. It included articles on the upcoming Road-E-O, conference and licensing issues.

I.B. REPORT:

OTHER BUSINESS:

- Board Rep from South Texas – Hector Chavez from Eagle Pass was unanimously elected to the TXSWANA board to fill the seat vacated by Oscar Medina.

NEXT MEETING: The next TXSWANA Board of Directors Meeting will be a conference all in December if needed followed by the January meeting in Garland January 22, 2010, 10:30 a.m.

The meeting was adjourned at 1:55 p.m.

Draft Only

MEETING MINUTES

TXSWANA Board of Directors Meeting

Thursday, January 22, 2009
City of Austin Learning and Research Center
2800 Spirit of Texas Drive, Austin, TX

Attending –Michael Rice, Ellen Smyth, James Ballowe, Bill Hindman, Holly Holder, Mary Nix, Oscar Medina, Vance Kemler, Richard McHale, Lonnie Banks, Brenda Haney

By Phone-- Pete Caler, Bengy Williams, David Ivory, David McCary, Harry Hayes, and Lawrence Mikolajczyk

Absent – Ron Smith, Paul Gosselink

Guests – Michael Carleton, Scott Pasternak, Jess Totten, Jeff Palutis, Dan Wittliff, and Risa Fisher

Call to Order: Brenda Haney called the meeting to order at 10:35 a.m. (Central).
The agenda was modified to allow Mr. Jess Totten from the PUC to present first.

Public Utility Commission (PUC): TXSWANA had previously submitted comments to the PUC about alternative/renewable energy and tax credits. Mr. Totten was invited to talk to us about the potential benefits under Federal Law with the Income Tax Code. Of course since cities don't pay income tax, the benefits are greater for private landfill owners. The PUC is currently reviewing all comments received on the proposed rule change. There was a short question and answer period. The draft rule may take up to 8 months before it is published for review.

APPROVAL OF MINUTES: There was a review of the minutes for the November 20, 2008 meeting. Motion by Mary Nix to accept the minutes with the revisions provided, 2nd by Lonnie Banks, motion passed. Ellen Smyth will revise the minutes to include the comments by all. (Note—there was no December 2008 meeting).

FINANCIAL REPORT: Michael Rice presented the current financial report dated November 18, 2008 thru December 31, 2008 for more details.

Checking Account balance: \$88,717.56

- Deposits \$5669.60
- Checks \$7153.55
- Pending \$5860.44

Savings Account balance: \$5,205.78

SWANA Reserves: \$10,000

Motion by Mary Nix to accept the financial report as presented, 2nd by Oscar Medina, motion passed. Note—A letter was received from the State about a delinquent franchise fee. Michael will research it and see if we are exempt or if we need to pay.

CHAPTER BUSINESS

2009 ANNUAL CONFERENCE (March 29-April 1, 2009): Mary reported the Wyndum Hotel on Mockingbird Lane near Love field has been selected to be the conference venue. Rooms will be \$119 per night. The theme will be "Return to OZ" and will have a "green—Emerald City" theme to it. Ron is working on the Golf Tournament. The Smart Committee will participate as usual with training. The "Save the Date" cards were mailed out. Bill has a call for papers on the street. The Web site is updated

with all the information. And Pay-Pal will be available this year to register on-line. Conference fee will be \$190.00 for members. Everyone needs to be working on contacting vendors and sponsors.

Vance asked if NAHMMA—the North American Hazardous Material Management Association Lone Star Chapter could have a booth at our conference. In return we could have a booth at their conference in Houston from November 9-13, 2009.

The Board agreed that they could have booth if one is left over. Or they may be able to share our booth if all the booths sell out.

The host of the 2010 TXSWANA Conference is Corpus Christi. 2011 is El Paso. 2012 is still unknown.

LEGISLATIVE/REGULATORY:

Brian Sledge handed out a Bill Status Report and briefly went over each item. See hand out for more details. As you can go to www.capitol.state.tx.us for more information.

A short discussion was had about renewing Brian's contract. A motion was made by Bill and seconded by Vance to approve a new 2 year contract for \$2500 per month (4 months off) for a total of \$50,000 plus another not to exceed \$10,000 for expenses. The motion passed unanimously.

Regulatory—Bill Hindman reported that TCEQ has published a guideline document on the proposed HHW rules. As written, no CESQG waste will be allowed at these events. But other states do allow CESQG to participate. Richard will look into how/why other states can do this but Texas says they cannot.

NEWSLETTER/WEBSITE: Michael Rice reported the newsletter will be ready by the end of January 2009. All he is waiting on is a summary of legislative items from Brian Sledge and a conference update. All other articles have been received.

SCHOLARSHIP: Holly Holder reported that he is working to get the scholarship information up on our website by February. The applications will be due in June and presented at the July board meeting for approval. The winners will be awarded the checks in August.

WEB SITE: Jeff Palutis is taking over the web site management from Adam. Thank you to both of them for all the work that they do.

SMART COMMITTEE: The Smart Committee is looking for nominations for the annual Jimmy Huff award. Their next meeting will be in Abilene on January 23, 2009. Mr. Huff will probably attend the Dallas conference so that he may present the award himself.

REGIONAL MEETINGS: Laredo was planning to have a regional meeting in January but it has been moved back. There were no other regional meetings.

Ellen volunteered to keep track of credit hours for the upcoming conference and to see if she can get a standing credit hour for the metroplex monthly training.

I.B. REPORT: Vance reported that the first quarter financial report for SWANA International was down about \$217,000 due to down market conditions. But the conference in Tampa actually made \$97,000 more that expected. The standing Investment policy is to take low risk and high return options such as a 50%-50% stock-bond mix. The financials will be reevaluated next month.

SWANA is still interested in partnering with local chapters for training and/or conference sessions.

The next Waste Con will be in Longbeach, California September 21-24, 2009.

OTHER BUSINESS:

- FY08-09 Annual TXSWANA Budget

Mary passed out copies of the proposed annual budget prepared by Ron Smith and Michael Rice. A motion was made by Mary and seconded by Oscar to approve the budget as presented. Motion passed unanimously.

- Product Stewardship

Kim Mote from the City of Ft. Worth presented a short PowerPoint presentation on Product Stewardship. He will also be conducting follow up meetings with anyone who is interested.

- Action Items

Ellen reviewed the list of action items and reminded everyone to take a look at them each month and come prepared with updates.

NEXT MEETING: The next TXSWANA Board of Directors Meeting will be hosted by the City of Dallas at 10:30 a.m. (Central) on Thursday, February 26, 2009 at the Wyndum Hotel near Love Field.

The meeting was adjourned at 2:35 p.m.

<Approved at January 22, 2009 meeting>

Draft Only

MEETING MINUTES

TXSWANA Board of Directors Meeting

Thursday, February 26, 2009
Wyndham Dallas, Love Field
3300 W. Mockingbird, Dallas, TX

Attending –Ron Smith, Michael Rice, Ellen Smyth, Bill Hindman, Holly Holder, Mary Nix, Vance Kemler, Richard McHale, Bengy Williams, Paul Gosselink, Harry Hayes

By Phone-- James Ballowe, David Ivory, Lawrence Mikolajczyk, Oscar Medina

Absent – Brenda Haney, Pete Caler, Lonnie Banks, and David McCary

Guests – Risa Fisher

Call to Order: Ron Smith called the meeting to order at 10:30 a.m. (Central).

APPROVAL OF MINUTES: There was a review of the minutes for the January 22, 2009 meeting. Motion by Bill Hindman to accept the minutes with the revisions provided, 2nd by Michael Rice, motion passed. Ellen Smyth will revise the minutes to include the comments by all.

FINANCIAL REPORT: Michael Rice presented the current financial report dated January 1, 2009 thru January 31, 2009. He noted one correction of \$5207.11 in savings (not \$5205.78 as shown). Please see report for more details.

Checking Account balance: \$89,657.12

- Deposits \$1359.50
- Checks \$ 419.94
- Pending \$4486.00

Savings Account balance: \$5,207.11

SWANA Reserves: \$10,000

Motion by Vance Kemler to accept the financial report as presented, 2nd by Harry Hayes, motion passed.

Note—Michael continues to research the letter received from the State about a delinquent franchise fee. It looks like it does not apply to us.

A short discussion was had concerning moving funds into higher interest bearing accounts. Michael will meet with the bank and send out a note to the officers about options.

CHAPTER BUSINESS

2009 ANNUAL CONFERENCE (March 29-April 1, 2009): Mary reported that only two booths remain unsold of the 44 available. Good work! The Wyndum Hotel on Mockingbird Lane near Love field will hold the block of rooms until March 12, so everyone needs to sign up by then. The Tuesday night dinner theme will be “Escape to OZ” and is being kept as a surprise (wear comfortable clothes). Ron continues to work on the Golf Tournament. The Smart Committee has finalized their track on safety training. Bill has completed the selection of speakers and is finalizing the bios for the program. The Web site is updated with all the information. Ellen will obtain TCEQ CEU’s for both the Smart Training and the Technical Sessions.

A tour of the hotel layout will be given to the board after lunch. Thanks again to Shelia for all her work!

NOTE—The minutes from last month reported that the host of the 2010 TXSWANA Conference is Corpus Christi. The 2011 conference is set for El Paso. 2012 is still unknown.

LEGISLATIVE/REGULATORY:

Brian Sledge prepared a Bill Status Report for Paul to present. Paul went over some of the items. He will email it to the Board since he didn't have copies. And as always, you can go to www.capitol.state.tx.us for more information. The legislative committee will meet next week and give more direction to Brian on our behalf.

Specifically, Paul asked for comments on SB16 which deals with carbon capture at Solid Waste Facilities and grant money that may pay up to \$20/ton for carbon sequestering.

Regulatory—Bill Hindman reported that TCEQ has been in discussion about the definition of 1-foot of allowable leachate on the subtitle D liner. Everyone was in agreement that it was 1-foot and not 1-inch.

Risa reported that some TCEQ inspectors have been issuing violations for Mulch only facilities that do not have financial assurance. These facilities should actually be exempt from the rule. So Wayne Harry is writing a letter of clarification to these user groups.

NEWSLETTER/WEBSITE: Michael Rice reported the January 2009 newsletters went out and everyone should have a copy by now. He also reported that the USPS has new rules concerning bulk mail addresses that will make the letter much more expensive to send out. The rule requires that the addresses be verified every 90 days.

Michael asked if we would consider moving to an e-newsletter. The Board was agreeable to an electronic version especially since the City of Dallas staff recently updated all the email addresses for the 2009 Conference mailing. A motion was made by Harry Hayes and seconded by Mary Nix to convert to e-news. The motion passed unanimously. We will revisit this in one year to see if it is working well or not.

The next newsletter will go out in April.

Road-E-O: Bengy Williams reported that the road-e-o plans are moving along. He will send out a "hold the date" card in the next month. The event is June 19-20, 2009 in Beaumont.

WEB SITE: Jeff Palutis is leaving HDR this week so someone else will need to look after the web site. Let Ron know if you have any ideas for improvements.

SCHOLARSHIP: Holly Holder reported that the scholarship information is up on our website and that the applications will be due by June 15, 2009. The winners will be presented at the July board meeting for approval. The checks will be awarded in August.

SMART COMMITTEE: No Update.

REGIONAL MEETINGS: No Update.

I.B. REPORT: Vance reported that Energy Efficiency grants are available as part of the stimulus package so all cities should evaluate how they can use this type of funding and be ready when the money comes out.

The next Waste Con will be in Longbeach, California September 21-24, 2009.

OTHER BUSINESS:

- EPA will host a Sustainability Conference in Dallas the week of March 9-11, 2009.
 - Action Items
- Ellen reviewed the list of action items and reminded everyone to take a look at them each month and come prepared with updates.

NEXT MEETING: The next TXSWANA Board of Directors Meeting will be held after the Conference on Wednesday April 1, 2009 at 4:00 pm at the Wyndum Hotel near Love Field.

The meeting was adjourned at 1:50 p.m.

Draft Only

MEETING MINUTES

TXSWANA Board of Directors Meeting

Wednesday April 1, 2009
Wyndham Dallas, Love Field
3300 W. Mockingbird, Dallas, TX

Attending –Ron Smith, Michael Rice, Ellen Smyth, Bill Hindman, James Ballowe, David Ivory, Lawrence Mikolajczyk, Oscar Medina, Brenda Haney, Pete Caler, Lonnie Banks, Mary Nix, Vance Kemler, Richard McHale, Bengy Williams, Paul Gosselink, Harry Hayes

Absent—Holly Holder, David McCary

By Phone-- none

Call to Order: Ron Smith called the meeting to order at 1:00 p.m. (Central).

APPROVAL OF MINUTES: There was a review of the minutes for the February 26, 2009 meeting. Motion by Vance to accept the minutes with the revisions provided, 2nd by Brenda, motion passed. Ellen Smyth will revise the minutes to include the comments by all.

FINANCIAL REPORT: Michael Rice presented the current financial report dated February 1, 2009 thru February 28, 2009. Please see report for more details.

Checking Account balance: \$89,154.22

- Deposits \$1961.60
- Checks \$2464.50
- Pending \$9176.54

Savings Account balance: \$5,207.71

SWANA Reserves: \$10,000

Motion by Mary to accept the financial report as presented, 2nd by Brenda, motion passed.

Note—A short discussion was had concerning moving funds into higher interest bearing accounts. Michael will meet with the bank and send out a note to the board on what the best option is.

CHAPTER BUSINESS

2009 ANNUAL CONFERENCE (March 29-April 1, 2009): Good job everyone! The conference was a huge success. The golf was good, the food was good, the tours were good, the sessions were good, and the vendors seemed pretty happy. We were on-budget and hope to see a small profit. There were about 280 people attending and T. Boone Pickens was a big hit.

A few areas that may have been a bit better were:

- The exhibit space was split.
- Elvis didn't show.
- A one day pass was not offered.
- Miscommunication on that fact that a "booth" came with some of the Sponsorships.
- It was not clear that the tour was all three or nothing—not pick and choose one or two.
- May want to consider a safety track in lieu of SMART training.
- May be ready to go with four tracks rather than two.

2010 ANNUAL CONFERENCE

Lawrence reported that the OMNI Hotel and/or the American Bank Center will be the site of next year's conference in Corpus Christi. He is looking at the dates to move either up or back one week in order to avoid a conflict at the Civic Center.

2009 Equipment Road-E-O

Bengy reported that everything is ready for the Road-e-o in Beaumont on June 19-20. We are expecting about 80-100 folks. There was a discussion about the possibility that fewer than normal may attend due to budget constraints. But the board agreed to proceed even if we don't break even this year since it is one of the few events we hold for the operations folks.

LEGISLATIVE/REGULATORY:

Brian Sledge was one of the track speakers and covered all of the updates at that time. So please see his handout for more information. Or you can go to www.capitol.state.tx.us for more information.

Regulatory—Bill Hindman reported that MSW Advisory Council meets next Thursday on April 9, 2009 and it will be web-cast for those who are interested in watching. Also, there are several slots open for new board members—Bill will send out a list of which categories are open.

Vance reported that he had been testifying at the Environmental Regulatory Committee meetings in Austin and would appreciate any help he can get from other board members. The agendas are posted on-line for all to see.

NEWSLETTER/WEBSITE: Michael Rice reminded us that the April newsletter will go out as an e-newsletter. He will send a reminder to the people he needs article from.

WEB SITE: Holly Ingram has taken over the duties as our web-master. She can be reached at hingram@cpy.com

SCHOLARSHIP: Holly Holder had to leave but reported that the scholarship information is up on our website and that the applications will be due by June 15, 2009. The winners will be presented at the July board meeting for approval. The checks will be awarded in August.

SMART COMMITTEE: No Update. Good session at the conference.

REGIONAL MEETINGS: David Ivory reported that he held a regional meeting in south Texas. Oscar reported that one is scheduled for the Laredo/Valley area in May.

I.B. REPORT: None. Note: The next Waste Con will be in Longbeach, California September 21-24.

OTHER BUSINESS:

- The Louisiana Chapter invited us to attend their conference in Shreveport on October 23, 2009.
- TXSWANA also discussed the possibility of becoming a Provider for MSW A,B,C license and follow what they do in Louisiana.
- Ellen will set up a meeting with TCEQ at a Board meeting so we can discuss it with them.
- Action Items

Ellen reviewed the list of action items and reminded everyone to take a look at them each month and come prepared with updates.

NEXT MEETING: The next TXSWANA Board of Directors Meeting will be held In Houston on Thursday April 23, 2009 at 10:00 am.

The meeting was adjourned at 2:50 p.m.

MEETING MINUTES

TXSWANA Board of Directors Meeting

Thursday, May 28, 2009
International Center, San Antonio, TX

Attending –Ron Smith, Brenda Haney, Michael Rice, Ellen Smyth, Bill Hindman, James Ballowe, Oscar Medina, Vance Kemler, Richard McHale, Paul Gosselink, Holly Holder, David McCary

By Phone-- Pete Caler, Mary Nix, Bengy Williams, David Ivory

Absent-- Lawrence Mikolajczyk, Lonnie Banks, Harry Hayes

Call to Order: Ron Smith called the meeting to order at 10:30 a.m. (Central).

APPROVAL OF MINUTES: There was a review of the minutes for the April 23, 2009 meeting. Motion and second to accept the minutes, motion passed. Ellen Smyth will revise the minutes fix the email address for Holly Ingram.

FINANCIAL REPORT: Michael Rice presented the current financial report dated April 1, 2009 thru April 30, 2009. Please see report for more details.

Checking Account balance: \$84,504.34

- Deposits \$2194.00
- Checks \$ 312.64
- Pending \$2019.50

Savings Account balance: \$5,209.01

SWANA Reserves: \$10,000

Motion and second to accept the financial report as presented; motion passed.

A request was made to Michael to bring the 2009 Budget to the next meeting as well as the financial report so we can compare our progress to date on expenditures.

Also, a copy of our original \$10,000 note with SWANA National has been located but it does not have signatures. Michael will send a letter to National requesting a copy of the executed note so we won't have to deal with this when it matures.

CHAPTER BUSINESS

2009 ANNUAL CONFERENCE (March 29-April 1, 2009): Mary reported that the conference netted about \$41,000 with about \$4,000 still owed to vendors and about \$2000 still to be collected from participants.

A short discussion was had about investing some of the funds into a higher interest account or perhaps more with SWANA National. Michael will continue to investigate these options. A motion was made by Michael to leave \$5,000 seed money in the account and transfer the rest back to the main account. Seconded by Mary. Motion passed.

2010 ANNUAL CONFERENCE

Lawrence was not able to attend due to a death in his family--.

2009 Equipment Road-E-O

Bengy reported that everything is ready for the Road-e-o in Beaumont on June 19-20. We are expecting about 70-80 folks. Everything is a go with food, sponsors, and awards.

TCEQ:

Terry Thompson and Allen Vargas with the TCEQ Occupational License Section were our guests and presented a short PowerPoint on the process (he will send it to all of us). In summary:

- HB3550 allows all licenses a 60 day grace period for all 10 occupational programs (air, solid waste, water, etc)
- Fee will be \$111.00 to get a license
- CEUs only count if you earn them before your license expires—not after.
- A “D-MSW License” no longer exists
- September 1, 2009 is the date that all MSW Facilities must have the required licenses
- They are looking for new provider trainers
- Curriculum is set by TCEQ but actual course manual is developed by Provider
- Course “A” and “B” are ready and approved. Course “C” is in progress.
- Contracts are in place with many community colleges etc to administer the tests
- Call Linda Saladino for more information (512) 239-0178

Michael asked that they send over a summary to include in our next e-newsletter. They agreed.

LEGISLATIVE/REGULATORY:

Paul reported that no bills were passed this session that were “hurtful” to the solid waste industry. He will email the entire update for our review. He also needs our comments by June 1, 2009 on the amicus brief he prepared. As always, we can go to www.capitol.state.tx.us for more information.

Regulatory—Bill Hindman inquired if TXSWANA would like to support anyone as a nominee to the MSW Advisory Council. If so, we needed to consider it soon. The Board decided to discuss it further at the next meeting in Beaumont.

NEWSLETTER/WEBSITE: Michael Rice reported that the April newsletter went out as an e-newsletter and it saved the Chapter between \$300-400 on postage and paper, etc. We have several ads including CAT, Hiel, and Toter. He is preparing the next issue and will send a reminder to the people he needs article from including status on scholarship applications, Rodeo winners and President’s message.

WEB SITE: hingram@cpyi.com Send photo! Send photo! Send photo!

SCHOLARSHIP: Holly Holder reported that the scholarship information is up on our website and that the applications will be due by June 15, 2009. The winners will be presented at the July board meeting for approval. The checks will be awarded in August.

SMART COMMITTEE: No Update.

REGIONAL MEETINGS: David Ivory reported that one is scheduled for south Texas in June as is the Dallas Metro area. El Paso will host one in August.

I.B. REPORT: Waste Con will be in Longbeach, California September 21-24 so book your hotel now. Membership is up 2% and finances are holding steady. The hot topic is Flow Control.

Ellen updated the Board on her attempts to pass flow control in El Paso. She will make her recommendation to City Council in July during the budget process.

TECHNICAL COMMITTEE: Holly reported briefly on the issue concerning leachate levels on the liner. There was much discussion but little consensus on what we can do about it. The technical committee will set up a meeting with Richard Carmikle and Jackie Hardaway and Earl Lott to see if we can gain more insight into their position.

Perhaps we can spend some of our money to pay a PhD student a stipend to develop a better model than HELP to aid us in our efforts.

OTHER BUSINESS:

- Action Items
- No new items.

NEXT MEETING: The next TXSWANA Board of Directors Meeting will be held in Beaumont on Thursday Friday June 19, 2009 at noon.

The meeting was adjourned at 3:10 p.m.

Draft Only