



The Lone



MEETING MINUTES

TXSWANA Board of Directors Meeting

Austin, TX

Friday, January 13, 2017 10:30 a.m. Central Time

Present: David McCary, Richard McHale, Morris Williams Jr., Jeff Mayfield, Ellen Smyth, Brenda Haney, Lonnie Banks, Paul Gosselink, Vance Kemler, Lawrence Mikolajczyk, Michael Rice, Catrennia Williamson

Phone: Elvira Alonzo, Harry Hayes, Frank Pugsley

Absent: Holly Holder

Guests: Jeff Reed, Ty Embry, Shaquawanna Carter, Michael Carleton, Risa Weinberger

CALL TO ORDER: David McCary called the meeting to order at 10:31 a.m., Central Time. A quorum was present.

APPROVAL OF MINUTES:

Motion made by Vance Kemler to approve the minutes for the November 18, 2016 meeting. Ellen Smyth seconded the motion and it passed unanimously.

FINANCIAL REPORTS:

Morris Williams, Jr. presented the financial report for November 1, 2016 through November 30, 2016. November 30, 2016 balances for each account were as follows: \$200,623.04 for checking account, \$30,257.54 for savings account, \$9,441.00 for conference account, and \$5,000.00 for the State Road-e-o account. Morris then presented the financial report for December 1, 2016 through December 31, 2016. December 31, 2016 balances for each account were as follows: \$192,818.26 for checking account, \$30,258.31 for savings account, \$9,411.00 for conference account, and \$5,000.00 for the State Road-e-o account. Ellen Smyth noted she would work to stop the monthly \$30.00 PayPal charge. Motion made by Michael Rice to approve the November and December 2016 financial reports. Harry Hayes seconded the motion. The motion passed unanimously. Morris noted the annual tax filing is being prepared by the accountant and that 1099s would be issued soon.

CHAPTER BUSINESS:

2017 TxSWANA Conference (San Antonio) – David McCary noted he continues working on vendor sponsorships. He asked board members to provide potential sponsors to him and he will contact them. He also said he would contact potential new attendees if board members provide their contact information to him. The call for presentations will go out next week.

2017 Road-E-O Site (Midland) – Morris Williams Jr. handed out the logo for the road-e-o. Friday will be the welcome event. Saturday's road-e-o events will be held at the Midland landfill for landfill events and at the Midland Sports Complex for the truck events. He is still working on finaling a venue for the Saturday night event.

Newsletter/Website – Michael Rice stated he is working on the newsletter and that it will be sent out later this month.

Legislative/Regulatory – Ty Embry distributed a bill tracking report. He noted the legislative session began January 10. Senate committee members may be named next week; House committee members will be named in late January/early February. March 10 is the deadline to file bills with a statewide impact.

The following bills were briefed by Ty: HB489 related to a TCEQ purchase fee on new and used tires. A TCEQ grant program will be created with the funds for local law enforcement agencies to assist with enforcement of illegal tire dumping. SB103 related to the prohibition of local municipalities from passing bag ban ordinances.

The board discussed Ty Embry's January 10, 2017 letter to David McCary that described legislative consulting services for the 85th Regular Session of the Texas Legislature. The letter described legislative monitoring and tracking services and lobbying activities. The fee for these services will be a flat fee of \$50,000 paid in 20 monthly installments of \$2,500, plus reimbursement of up to \$10,000 in out of pocket expenses. Vance Kemler made a motion to accept these services and Brenda Haney seconded the motion. The motion carried unanimously with Paul Gosselink abstaining.

The board broke for lunch at 11:56 a.m. Central time and resumed the meeting at 12:15 p.m.

Paul Gosselink updated the board on the proposed Mobile Emission Reduction Credit (MERC) rule making effort. He and Jeff Reed will meet with TCEQ's Donna Huff on January 18. Lloyd Gosselink Rochelle & Townsend, P.C. has exceeded their initial board authorization for assisting TxSWANA and other entities in this rule making effort. Michael Rice made a motion to authorize Lloyd Gosselink to spend up to \$5,000 to meet with TCEQ and continue to find common ground between TCEQ and commenters. Brenda Haney seconded the motion, then Michael amended his motion to allow TxSWANA to invoice cities that would rather be invoiced by TxSWANA as opposed to Lloyd Gosselink for this effort, seconded by Brenda. The motion carried unanimously with Paul Gosselink abstaining.

Paul briefed the board on the TCEQ's permit streamlining initiative. They want to streamline certain sections of the permit application such as Soils and Liner Quality Control Plan and Site Operating Plan. Vance Kemler and Paul Gosselink are part of a small stakeholder group participating in this initiative with TCEQ.

Jeff Reed briefed the board on several legal issues of interest including the legal status of the Pintail landfill permit application and a land application permit application by BLM where the protestant is the applicant. Paul briefed the board on the Texas Disposal Systems/Republic Waste Services lawsuit regarding activities in the City of San Angelo, appellate briefs recently filed for the City of Laredo bag ban appeal to the Texas Supreme Court, and handed out a comment notice from the U.S. Army Corps of Engineers regarding proposed changes to the Nationwide Permit. Comments are due in February.

IB Report – Brenda Haney noted SWANA financials are trending upward. She reminded the group of the SWANA Senior Executive Seminar in Tampa, Florida February 19-21, and SWANApalooza in Reno, Nevada March 27-30.

Winter Safety Summit Update – Brenda Haney reminded the board of the upcoming Winter Safety Summit being held in University Park January 26. Registration is free and lunch will be provided by TXSWANA. SWANA Executive director David Biderman will be attending the summit. Jeff Mayfield will attend on behalf of the board. David McCary noted the SWANA Recycle Certification class being held in San Antonio January 24-26, 2017 only has City of San Antonio staff attending so he will reschedule the class to allow for his employees to attend the safety summit. Ty Embry will see if there is a Texas legislator willing to sponsor Slow Down to Get Around legislation.

OTHER BUSINESS:

Water Balance Project Update – At the November 18, 2016 board meeting, Paul Gosselink was authorized to review the contract to determine whether any legal recourse is viable. Paul emailed a memorandum to all board members on January 11, 2017 regarding the issue. Via a motion made by Brenda Haney and seconded by Ellen Smyth that passed unanimously, the board agreed to send a letter to Dr. Khire on TxSWANA letterhead requesting electronic copies of the various performance calculations and soil data inputs used to prepare the report. Vance Kemler will prepare the draft of the letter. Paul Gosselink will contact Earl Lott with TCEQ and inform him that TxSWANA will post the report on the TxSWANA website with a caveat.

Update Committee Members List – David McCary will email board members a committee list for 2017-2018. It will include a Young Professional group.

Future Road-e-o and Conference MOU Update – Due to time limitations, this item was tabled.

Texas Safety Training Update – Brenda Haney noted this item was covered in Agenda Item 4F) Winter Safety Summit Update.

2017 Business Meeting Calendar – Jeff Mayfield noted the meeting dates and locations were reflected in the November 18, 2016 meeting minutes.

Young Professional Engagement & Mentoring - Due to time limitations, this item was tabled.

ANNOUNCEMENTS:

Frank Pugsley was selected as one of Engineering News Record Texas & Louisiana's Top Young Professionals for 2017. Congratulations Frank!

In order to promote board attendance at the 2017 SWANA national conference, Ellen Smyth made a motion for TxSWANA to pay the registration fee for the September 2017 SWANA WasteCon/ISWA World Congress conference for each board member or their designee. Richard McHale seconded the motion. The motion carried unanimously.

ACTION ITEMS: Scholarship Criteria Update; Decide on financial value for companies to place their logo on the banner at the bottom of the TxSWANA web site.

ADJOURN:

The meeting adjourned at 2:32 p.m., Central Time.

NEXT MEETING:

The next TxSWANA Board of Director's meeting will be held at the City of Houston SWM Environmental Services Center 11500 S. Post Oak Road in Houston on Friday, February 17, 2017.