



The Lone



MEETING MINUTES

TXSWANA Board of Directors Meeting

Midland, TX

Friday June 9, 2017 10:30 a.m. Central Time

Present: Richard McHale, Morris Williams Jr., Brenda Haney, Lonnie Banks, Harry Hayes, Holly Holder, Vance Kemler, Michael Rice, Catrennia Williamson

Phone: David McCary, Jeff Mayfield, Paul Gosselink, Lawrence Mikolajczyk Frank Pugsley,

Absent: Elvira Alonzo, Ellen Smyth

Guests: Tyler Hurd, Jeff Reed, Ty Embrey

CALL TO ORDER: Richard McHale called the meeting to order at 10:32 a.m., Central Time. A quorum was present.

APPROVAL OF MINUTES:

Motion made by Harry Hayes to approve the minutes for the May 19, 2017 meeting. Holly Holder seconded the motion and it passed unanimously.

FINANCIAL REPORTS:

Morris Williams, Jr. presented the financial report for May 1, 2017 through May 31, 2017. May 31, 2017 balances for each account were as follows: \$154,761.25 for the checking account, \$30,262.07 for the savings account, \$120,582.52 for the conference account, and \$25,584.79 for the State Road-e-o account. Motion made by Michael Rice to approve the May 31, 2017 financial report. Brenda Haney seconded the motion. The motion passed unanimously.

CHAPTER BUSINESS:

2018 TxSWANA Conference (Denton) – Tyler Hurd stated the contract with Embassy Suites is ready for David McCary to sign. Tyler handed out a figure showing the proposed layout of the exhibitor area.

2017 Road-E-O Site (Midland) – Morris Williams Jr. reported they are ready for the event. He thanked everyone that has and will help with the event. Cash prizes in each category will be \$200 for first place, \$150 for second place, and \$100 for third place.

Newsletter/Website – Michael Rice reported the Summer edition newsletter will be sent in July and cover the Road-e-o, a 2018 Conference mention, and legislative summary.

Legislative/Regulatory – Paul Gosselink briefed the Board on the Post Oak Landfill application status. He stated the Administrative Law Judge (ALJ) remanded the application to TCEQ on four issues. One is bird hazards. An Air Force base is approximately 12 miles from the site and is one of the protestants. The ALJ ruled the potential for bird hazards is separate from the regulatory distance requirement from an airport.

Jeff Reed provided an update on several other permit applications being tracked. Briefs were recently filed on the City of Laredo versus Laredo Merchants Association bag ban case pending before the Supreme Court of Texas. Arguments made by both parties include: are bags containers; does solid waste management include litter control; and, what authority does the city have to pass the ordinance. Jeff sent an email to the Board of Directors on May 31, 2017 that provides additional information in greater detail. Jeff said there is nothing new to report regarding the Beneficial Land Management, LLC land application contested case. Jeff reported the 130 Environmental Park application Proposal for Decision was issued and is not yet scheduled for the TCEQ's Commissioner's Agenda, but is expected in July or August.

Paul Gosselink said the Mobile Emission Reduction Credit final rules are scheduled to be published August 23. At this time, the TCEQ has not responded to all the comments received, including Paul's submitted on behalf of TxSWANA and several other entities. Jeff Reed said he is confirming with the TCEQ that their NSPS/EG rulemaking is on hold during the USEPA's 90 day stay on the effective date of the rules, which ends August 4. Paul reported the TCEQ permit streamline stakeholder group received proposed changes to the rules from TCEQ and is seeking comments. Next stakeholder meeting is June 28. Paul will send the proposed changes to the Board for comment and requested each board member respond regardless of whether they have any comments.

The Board discussed the next steps regarding the water balance data request made to Dr. Khire and University of North Carolina, Charlotte. Jeff Reed discussed the information send to the Board in his June 8 email. Vance Kemler will contact Chuck Rivette with Waste Management to determine interest in performing a separate study in the Waco/DFW area. Upon a motion made by Brenda Haney, seconded by Vance Kemler, the Board unanimously voted to authorize Lloyd Gosselink to continue developing evidence that could be sent to the Texas Board of Professional Engineers for filing a complaint against Dr. Khire, or use to help Dr. Khire understand why he needs to provide the requested data. Jeff also noted that the statute of limitations for a professional negligence claim against Khire expires two years after Khire provided the report, which was in August 2016, and that filing a professional negligence claim would require finding an engineer that would sign a certificate of merit.

The Board broke for lunch at 12:02 p.m. and reconvened at 12:46 p.m.

Ty Embrey reported the Texas Legislature Special Session will begin July 18. The Governor has until June 18 to take action or inaction on any bills sent to his office. Three bills related to solid waste were sent to the Governor for signature. HB 1584, which addresses county solid waste management programs bracketed to Webb County was signed by the Governor and will be effective September 1. SB 1229, which addresses county solid waste programs in the ETJ of municipalities bracketed to Bexar County was signed by the Governor and was effective on the signature date. SB 570 related to the regulation of the retention, storage, transportation, disposal, processing, and reuse of used or scrap tires is awaiting the Governor's signature. If approved, it will be effective September 1 and require the TCEQ to develop rules for this bill by March 1, 2018.

TxSWANA 2017 Proposed Slate of Directors – Michael Rice distributed the proposed slate of Directors for the two year term beginning September 2017. Upon a motion by Vance Kemler, seconded by Lonnie Banks, the proposed slate of Directors was unanimously approved for publishing for election by the membership. Upon a motion by Michael Rice, seconded by Brenda Haney, the Board unanimously voted to hold the Annual meeting on August 18, 2017, the same date as the August monthly Board meeting.

OTHER BUSINESS:

IB Replacement for Brenda Haney – Upon a motion by Vance Kemler, seconded by Brenda Haney, the Board unanimously voted approval of Frank Pugsley to serve as the TxSWANA International Board representative for the remainder of Brenda Haney’s term.

2019 TxSWANA Annual Conference Selection – Harry Hayes volunteered Houston as the 2019 conference location. The Board appreciated Harry’s willingness to take on this effort.

Scholarship Applications – Richard McHale noted there were seven applications received, with one of the seven arriving after the deadline. Of the six considered, four were high school students and two were college students. The Scholarship committee recommended award of four scholarships in the amounts as follows: \$1,700, \$2,300, \$3,000, and \$2,000. Vance Kemler made a motion to award the four scholarships as presented, seconded by Brenda Haney. The motion carried unanimously.

ANNOUNCEMENTS: -Lonnie Banks stated the next Board meeting, held in Garland on July 21, 2017 will be at the Hyatt Place Hotel located on the President George Bush Turnpike. There was a discussion on the request for applications for the TCEQ Municipal Solid Waste Management and Resource Recovery Advisory Council. Richard McHale stated he plans to apply and Jeff Mayfield stated he will reapply for his position representing a public solid waste district or authority. The Board discussed providing letters of recommendation for applicants when requested.

ACTION ITEMS: Scholarship Criteria Update – Richard McHale has researched what other chapters are doing for scholarships including amounts awarded; he compiled the information and sent to the Directors. Decide on financial value for companies to place their logo on the banner at the bottom of the TxSWANA web site - Frank Pugsley will prepare a proposed sponsorship page for consideration at the July 21, 2017 Board meeting. Identify future directors from the Young Professional membership pool. Develop slate of potential Young Professional nominees to the SWANA Super Region.

ADJOURN:

The meeting adjourned at 2:18 p.m., Central Time.

NEXT MEETING:

The next TxSWANA Board of Director’s meeting will be held at 10:30 a.m. Friday July 21, 2017, in the City of Garland at the Hyatt Place Hotel 5101 N. President George Bush Turnpike Garland, Texas 75040.