

# The Lone



## MEETING MINUTES

### TXSWANA Board of Directors Meeting

San Antonio, TX

Friday, January 15, 2016 10:30 a.m. CST

**Present:** David McCary, Holly Holder, Morris Williams Jr., Richard McHale, Brenda Haney, Lawrence Mikolajczyk, Hector Chavez, Vance Kemler, Catrennia Williamson, Michael Rice, Paul Gosselink

**Phone:** Ellen Smyth, Elvira Alonzo, Jeff Mayfield

**Guests:** Risa Weinberger, Michael Carleton, Josephine Valencia, Ty Embrey (phone), David Newman, Walter Barrett, Chase Fosse, Erika Phillips, Lynn Cox, Matt Hopson, David Lopez

**Absent:** Lonnie Banks, Harry Hayes, Frank Pugsley

**CALL TO ORDER:** David McCary called the meeting to order at 10:33 a.m., Central Standard Time.

#### APPROVAL OF MINUTES:

Motion made by Brenda Haney to approve the minutes from the November Board meeting. It was seconded by Vance Kemler and the motion passed unanimously.

#### FINANCIAL REPORT:

The financial report was presented for November 2015 and December 2015. Balances of each account for November were \$178,996.70 for checking account, \$30,248.49 for savings account, \$7,022.20 for conference account, \$9,885.08 for the State Road-e-o account, and \$20,833.21 in the water balance account. A motion was made by Brenda to approve the November financial report and Holly Holder seconded the motion. The motion passed unanimously. Balances of each account for December were \$172,404.75 for checking account, \$30,249.26 for savings account, \$6,742.20 for conference account, \$9,885.08 for the State Road-e-o account, and \$20,833.21 in the water balance account. A motion was made by Brenda to approve the December financial report and Holly seconded the motion. The motion passed unanimously.

#### CHAPTER BUSINESS:

**2016 TxSWANA Conference (Corpus Christi)** – Lawrence reported on the 2016 TxSWANA Conference and the events. Everything is on schedule and Lawrence reported that the discounted rates would be extended to conference attendees choosing to stay through the weekend following the conference. The information for the conference should be on the website by the end of January.

**2016 Road-E-O** – Vance Kemler reported that the Road-E-O was going as scheduled and the registration fee has increased to \$175. Additionally, the judges registration will be at a cost of \$75 to cover the meals. The conference will utilize the Best Western Premier, Hilton Garden Inn, and The Courtyard. All hotels will honor \$134.99 as the rate for conference attendees and the cutoff dates will be May 3 for the Best Western and The Courtyard and May 13 for the Hilton. Vance requested two checks to be written for deposit: \$10,257.50 for Circle R and \$5,891.42 for M&M Special Events. Brenda made a motion to authorize payment for the aforementioned deposits and to add Morris Williams Jr. to the Wells Fargo accounts. Michael Rice seconded the motion and it passed unanimously.

**2017 TxSWANA Conference** – Chase Fosse and the San Antonio staff members gave a report on the 2017 conference and informed the board that the preliminary planning is going well. April 12, 2017, and April 19, 2017, were two dates that were provided as beginning dates for the conference.

**Review of Annual Financial and Operations Reports** – The annual financial and operations reports had not been turned in as of the meeting. Richard and Morris said they would be submitting the reports before the extended due date.

**Newsletter/Website** – Michael Rice reported that the newsletter is expected to be completed by the middle of February. There was extensive discussion about the new “open carry” handgun law that went into effect on January 1, 2016. Also, there was some discussion on workplace accidents and tragedies as topics that may be discussed in the newsletter as well as at the upcoming conference. There will possibly be a roundtable discussion on these topics at the TxSWANA Conference in Corpus Christi. There was no information to report on the website.

**Legislative/Regulatory** – Paul Gosselink discussed the rules of the contested case hearings and the medical waste rules. He did not expect any further action on the medical waste rules. There was discussion amongst the board but nothing further to report.

Ty Embrey informed the board that there have been approximately nine requests for attorney general’s opinion on the “open carry” handgun law. It seems that people are struggling with the new law and he will keep the board updated with any new information.

**IB Report** – Brenda reported that SWANA is looking for new revenue sources. She said that SWANA has created an affinity program to increase revenue. SWANA has put out a request for proposal (RFP) to get a new financial entity to handle their audits. Also, safety is still a main focus of SWANA and Brenda discussed bringing awareness to the safety of our industry at the local levels.

#### **OTHER BUSINESS:**

**Water Balance Project Update** – Vance reported that the water balance report is in the final stages and is near being wrapped up. Vance will be in contact with Earl Lott of the TCEQ and the stakeholders to set up meetings in the future.

**SWANA National Training Opportunity Update** – Joshephine Valencia with the City of San Antonio informed the board that the first recycle training had been conducted in San Antonio. There will be another opportunity at the beginning of February and it has been advertised and registration will continue up to the first day of the training.

**Future Road-e-o and Conference MOU Update** – Brenda met with the City of Denton staff and they have established a template that is still a working document. Vance added that his staff is trying to establish software for scoring that will assist with the road-e-o.

#### **ANNOUNCEMENTS:**

Bengy Williams submitted his letter of resignation to the board.

#### **ACTION ITEMS:**

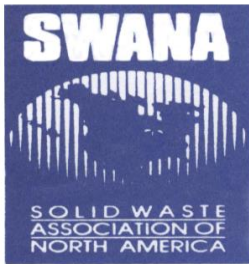
Submit the annual financial and operations reports prior to the deadline.

#### **NEXT MEETING:**

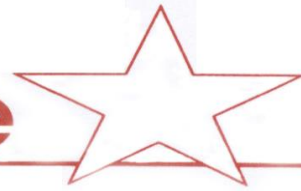
The next TxSWANA Board of Director’s meeting will be held in Irving, Texas, on Friday, February 19, 2016.

#### **ADJOURN:**

The meeting adjourned at 1:46 p.m., Central Standard Time.



# The Lone



## MEETING MINUTES

### TXSWANA Board of Directors Meeting

Irving, TX

Friday, February 19, 2016 10:30 a.m. CST

**Present:** David McCary, Holly Holder, Morris Williams Jr., Richard McHale, Brenda Haney, Lawrence Mikolajczyk, Jeff Mayfield, Vance Kemler, Catrennia Williamson, Michael Rice, Harry Hayes, Frank Pugsley, Lonnie Banks

**Phone:** Ellen Smyth, Hector Chavez, Paul Gosselink (phone)

**Guests:** Bill Hindman, Brian Queen, David Vartian, Derrick Thompson, Brett DeVries, Kyle Foreman

**Absent:** Elvira Alonzo

**CALL TO ORDER:** David McCary called the meeting to order at 10:31 a.m., Central Standard Time.

#### APPROVAL OF MINUTES:

Motion made by Holly Holder to approve the minutes with revisions from the January Board meeting. It was seconded by Brenda Haney and the motion passed unanimously.

#### FINANCIAL REPORT:

Richard McHale presented the financial report for January 2016. Balances of each account were \$151,135.88 for checking account, \$30,250.03 for savings account, \$6,712.20 for conference account, \$5,000.00 for the State Road-e-o account, and \$20,833.21 in the water balance account. A motion was made by Brenda to approve the financial report and Harry Hayes seconded the motion. The motion passed unanimously. Richard also stated that he had two invoices from SWANA for the training courses that were held in San Antonio. Brenda made a motion to authorize payment to SWANA and it was seconded by Harry. The motion passed unanimously.

Ellen prepared a resolution to update the officers on the chapter financial accounts. Vance moved to accept the resolution and it was seconded by Holly. The motion passed unanimously.

Brenda made a motion for the TxSWANA Board of Directors to authorize the president or vice president to add and/or delete designated TxSWANA Board members to the accounts; specifically the conference and road-e-o accounts. The motion was seconded by Frank Pugsley and passed unanimously.

Brenda also made a motion for David McCary and/or Ellen Smyth to add Vance Kemler and Lawrence Mikolajczyk to the accounts for the road-e-o and conference for 2016. Harry seconded the motion and it passed unanimously.

#### CHAPTER BUSINESS:

**2016 TxSWANA Conference (Corpus Christi)** – Lawrence reported on the 2016 TxSWANA Conference and the events. The conference packet is now online and online registration is open and attendees are signing up. Lawrence reported that two garbage trucks are scheduled to be parked on the USS Lexington as the conference attendees board the ship. There will be photo opportunities. Holly passed out a copy of the topics and instructors for the training for the conference.

**2016 Road-E-O** – Vance Kemler reported that everything was going well and there was nothing new to report. The planning documents are coming along as well and the information for the Road-E-O is on the website.

**2017 TxSWANA Conference (San Antonio)** – David submitted April 9-12, 2017, as the dates for the San Antonio conference. Morris Williams Jr. made a motion to approve the submitted dates and it was seconded by Richard. The motion passed unanimously.

**Newsletter/Website** – Michael Rice passed around a copy of the newsletter for the board to view. Frank Pugsley reported that the website is currently updated.

**Legislative/Regulatory** – Paul Gosselink reported that Earl Lott with the TCEQ was getting pressure from lobbyists on the Notice of Deficiency (NOD) rules.

**IB Report** – Brenda reported that SWANA's executive committee is meeting and she participated in a Region 3 conference call. The affinity program was discussed and some clarifications were made. Brenda also discussed a "safety awareness month" and the possibility of taking it before the cities respective city councils. Harry identified the "National Garbage Man Day" as June 17, 2016, and encouraged board members to share the date with their cities.

**Safety Ambassador Update** – David Vartian spoke about his new role as the safety ambassador and made himself and the SMART Committee available for members of TxSWANA on safety related issues.

**US Zero Waste Business Council conference June 1-4** – This conference will be held in Austin and they were asking for a sponsorship from TxSWANA. The board agreed to not sponsor at this time.

#### **OTHER BUSINESS:**

**Water Balance Project Update** – There was no new information to report on the water balance project.

**SWANA National Training Opportunity Update** – David McCary informed the board that Josephine Valencia sent her "thanks" to everyone who participated in the training and the training went well.

**Future Road-e-o and Conference MOU Update** – Brenda informed the board that the MOUs for both the conference and road-e-o were being built as we progress in those events this year.

#### **ANNOUNCEMENTS:**

Mary Nix is retiring from the City of Dallas.

Michael Rice will be giving a presentation to the City of Abilene City Council on Thursday, February 25, 2016, in Abilene regarding a recycling pilot program.

The Waste 360 Recycling Summit will be held September 19-21, 2016, and David Biderman was expecting that TxSWANA would have a presence at the conference.

#### **ACTION ITEMS:**

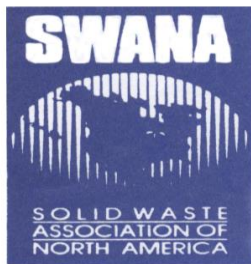
David will visit Wells Fargo in San Antonio to get designees added to the account.

#### **NEXT MEETING:**

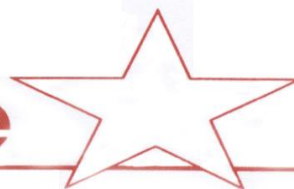
The next TxSWANA Board of Director's meeting will be held in Dallas, Texas, on Friday, March 11, 2016.

#### **ADJOURN:**

The meeting adjourned at 1:25 p.m., Central Standard Time.



# The Lone



## MEETING MINUTES

### TXSWANA Board of Directors Meeting

Irving, TX

Friday, March 11, 2016 10:30 a.m. CST

**Present:** Ellen Smyth, Morris Williams Jr., Richard McHale, Brenda Haney, Jeff Mayfield, Vance Kemler, Catrennia Williamson, Michael Rice, Frank Pugsley, Lonnie Banks, Paul Gosselink

**Phone:** Holly Holder, Hector Chavez, Lawrence Mikolajczyk, Harry Hayes

**Guests:** Bill Hindman, Brian Queen, Brett DeVries, Kyle Foreman, Risa Weinberger, Michael Carleton, Jeff Reed, Ty Embrey (Phone)

**Absent:** Elvira Alonzo, David McCary

**CALL TO ORDER:** Ellen Smyth called the meeting to order at 10:34 a.m., Central Standard Time.

#### APPROVAL OF MINUTES:

Motion made by Brenda Haney to approve the minutes with revisions from the February Board meeting. It was seconded by Michael Rice and the motion passed unanimously.

#### FINANCIAL REPORT:

Richard McHale presented the financial report for February 2016. Balances of each account were \$134,424.10 for checking account, \$30,250.75 for savings account, \$14,603.18 for conference account, \$5,750.00 for the State Road-e-o account, and \$30,833.21 in the water balance account. A motion was made by Michael to approve the financial report and Brenda seconded the motion. The motion passed unanimously.

#### CHAPTER BUSINESS:

**2016 TxSWANA Conference (Corpus Christi)** – Lawrence Mikolajczyk reported on the 2016 TxSWANA Conference and the events. He reviewed the list of sponsors and board members volunteered to call some of the sponsors who had not committed to sponsorship for the conference. Lawrence informed the board that everything else was in order for the conference. Holly Holder spoke about the abstracts/presentations and provided the board a draft of the times for the technical sessions. There were a few revisions and the corrections will be made.

**2016 Road-E-O** – Vance Kemler passed out a packet for the Road-E-O with all of the information regarding the road-e-o. He informed the board that sponsors are being contacted and a few have committed to sponsorship. There was nothing further to report.

**2017 TxSWANA Conference (San Antonio)** – Ellen reported that David was still negotiating with the hotels to ensure that we get the best deals for the conference. There was nothing further to report.

**Newsletter/Website** – Michael spoke about the election process that is upcoming and what issue of the newsletter that it should be placed. He also mentioned that sponsors/advertisements for the newsletter may be a concern in the future. It seems that some of the sponsors are changing their commitments from annual to monthly. The newsletter should be ready towards the beginning of May.

Frank Pugsley reported that there may have been some difficulties in registering for the conference but encouraged feedback from the board members as to any issues/problems that they may be having.

**Legislative/Regulatory** – Jeff and Paul discussed a final rule from the fish and wildlife service (FWS) revising the definition of “critical habitat.” FWS claims that the new definition only codifies their existing interpretation that critical habitat can include areas where a species is not located at the time of listing, but to which a species might occupy in the future due to climate change. The FWS discussed how this interpretation interplays with the endangered species rules in 30 TAC Chapter 330, including 33.157, which states that a facility or its operation may not result in destruction or adverse modification of critical habitat.

Jeff and Paul discussed several recent cases regarding whether a landowner can challenge a jurisdictional determination issued by the U.S. Army Corps of Engineers or whether the landowner must wait until the Corps enforces against the landowner before the landowner can challenge the determination. Different courts have decided the issue differently, and the issue may reach the U.S. Supreme Court.

Jeff and Paul also discussed several recent cases regarding whether releases of pollutants into groundwater, that eventually migrate into water of the United States, are subject to the Clean Water Act. Different courts have decided the issue differently, and the issue may reach the U. S. Supreme Court.

**IB Report** – Brenda reported that the mid-year meeting is scheduled for May. SWANApalooza is scheduled for April 4-7, in Charleston, South Carolina.

#### **OTHER BUSINESS:**

**Water Balance Project Update** – Vance reported there was no new information on the water balance project. However, the board discussed the information contained in the report and how the information would be presented.

**Future Road-e-o and Conference MOU Update** – Brenda informed the board that the MOUs for both the conference and road-e-o were being built as we progress in those events this year.

#### **ANNOUNCEMENTS:**

Michael announced that Abilene’s City Council decided to move forward with his optional recycling program.

Richard informed the board that Toter has increased their warranty from 10 to 12 years.

#### **ACTION ITEMS:**

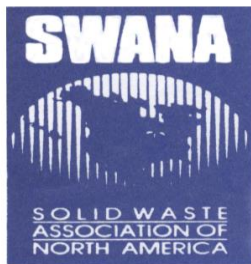
Board members will contact sponsors for the upcoming TxSWANA conference.

#### **NEXT MEETING:**

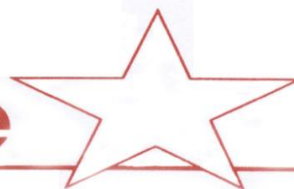
The next TxSWANA Board of Director’s meeting will be held in Corpus Christi, Texas, on Wednesday, April 13, 2016.

#### **ADJOURN:**

The meeting adjourned at 1:39 p.m., Central Standard Time.



# The Lone



## MEETING MINUTES

### TXSWANA Board of Directors Meeting

Corpus Christi, TX

Wednesday, April 13, 2016 1:30 p.m. CST

**Present:** Ellen Smyth, David McCary, Elvira Alonzo, Morris Williams Jr., Lawrence Mikolajczyk, Richard McHale, Brenda Haney, Jeff Mayfield, Vance Kemler, Catrennia Williamson, Michael Rice, Frank Pugsley, Paul Gosselink, Harry Hayes, Holly Holder

**Phone:** None

**Guests:** Bill Hindman, Brett DeVries, Robert Trevino, Nicholas Ybarra, Tyler Krueger

**Absent:** Lonnie Banks, Hector Chavez

**CALL TO ORDER:** Ellen Smyth called the meeting to order at 12:55 p.m., Central Standard Time.

#### APPROVAL OF MINUTES:

The meeting minutes from March were sent out and the board did not have time to review them. Harry Hayes moved to defer the meeting minutes until the May meeting. Brenda Haney seconded the motion and it passed unanimously.

#### FINANCIAL REPORT:

Richard McHale presented the financial report for March 2016. Balances of each account were \$171,534.43 for checking account, \$30,251.53 for savings account, \$95,602.18 for conference account, \$9,000.00 for the State Road-e-o account, and \$30,833.21 in the water balance account. A motion was made by Brenda to approve the financial report and Holly Holder seconded the motion. The motion passed unanimously.

#### CHAPTER BUSINESS:

**2016 TxSWANA Conference (recap of conference)** – Lawrence Mikolajczyk discussed the conference and some of the concerns. There was concern from TCEQ that they did not have a booth at the conference. Harry made a motion to give TCEQ a complimentary booth at the state conference each year. Brenda seconded the motion and it passed unanimously. There were also concerns that the education focused primarily on landfills and there was little focus on the collection processes. The board discussed the hospitality suite and having better control over it. The board complimented the City of Corpus Christi and Lawrence and his staff on an excellent conference.

**2016 Road-E-O** – Vance Kemler reported that everything is ready for the road-e-o and they are still accepting registrations.

**2017 TxSWANA Conference (San Antonio)** – David McCary reported that they are still working on the conference and everything is going well. There was nothing further to report.

**Newsletter/Website** – Michael Rice spoke encouraged the board to send in their sponsor's logos to ensure that he gets them in the newsletter. He also said he would highlight the Road-E-O and the deadline for scholarships that are due April 29.

Frank Pugsley reported that the website had the capability of conducting a survey.

**Legislative/Regulatory** – Paul Gosselink discussed the email that he sent to the board about the Guadalupe County case. There was nothing further to report.

**IB Report** – There was nothing to report.

**OTHER BUSINESS:**

**Water Balance Project Update** – There was nothing to report.

**Future Road-e-o and Conference MOU Update** – There was nothing to report.

**ANNOUNCEMENTS:**

Scholarships are due at the end of April.

**ACTION ITEMS:**

No action items.

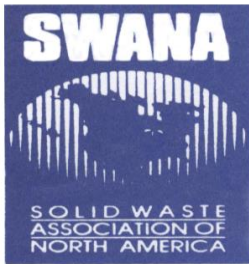
**NEXT MEETING:**

The next TxSWANA Board of Director's meeting will be held in Austin, Texas, on Friday, May 20, 2016.

**ADJOURN:**

The meeting adjourned at 1:20 p.m., Central Standard Time.





# The Lone



## MEETING MINUTES

### TXSWANA Board of Directors Meeting

Austin, TX

Friday, May 20, 2016 10:30 a.m. CST

**Present:** Ellen Smyth, Morris Williams Jr., Richard McHale, Brenda Haney, Jeff Mayfield, Vance Kemler, Catrennia Williamson, Michael Rice, Frank Pugsley, Lonnie Banks, David McCary, Lawrence Mikolajczyk, Holly Holder

**Phone:** Harry Hayes

**Guests:** Brett DeVries, Jeff Reed, Michael Carleton, Risa Weinberger, Ty Embrey

**Absent:** Elvira Alonzo, Hector Chavez, Paul Gosselink

**CALL TO ORDER:** Ellen Smyth called the meeting to order at 10:38 a.m., Central Standard Time.

#### APPROVAL OF MINUTES:

Motion made by Brenda Haney to approve the minutes with revisions from the March and April Board meetings. It was seconded by David McCary and the motion passed unanimously.

#### FINANCIAL REPORT:

Richard McHale presented the financial report for April 2016. Balances of each account were \$151,727.12 for checking account, \$30,252.27 for savings account, \$124,142.74 for conference account, \$26,294.50 for the State Road-e-o account, and \$33,619.94 in the water balance account. A motion was made by Holly Holder to approve the financial report and Brenda seconded the motion. The motion passed unanimously.

#### CHAPTER BUSINESS:

**2016 TxSWANA Conference Recap** – Lawrence Mikolajczyk provided a final report on the 2016 TxSWANA Conference and the events. He reported that we netted approximately \$85,000 from the TxSWANA Conference. Lawrence also provided David and Vance Kemler thumb drives with information from the conference to be used as a guide going forward for planning. There was a \$400 donation sent to Driscoll Children's Hospital on behalf of two of the guest speakers. The donation resulted from points from the Omni Hotel. Brenda made a motion to move all funds from the conference account to the main checking account except the seed money in the amount of \$5,000 and funds for "Thank You" gift cards for the Corpus Christi staff. Michael Rice seconded the motion and it passed unanimously.

**2016 Road-E-O** – Vance Kemler passed out folders for the Road-E-O to the board that included all activities as well as the projected budget for the Road-E-O. Vance informed the board that everything is ready and contestants and judges are still registering. There was discussion about the international Road-E-O in Georgia. The distance from Atlanta to Dublin is about a two hour drive and may become an issue for the competitors. Michael made a motion to provide a per diem of \$300 for the first and second place Texas winners to assist with travel. Brenda seconded the motion and it passed unanimously.

**2017 TxSWANA Conference (San Antonio)** – David reported that everything is going smooth up to this point. He also encouraged the board to inform him as far in advance so he could ensure that the board members have rooms at the host hotel (Omni San Antonio Hotel at The Colonnade).

**2017 Road-E-O and 2018 Conference Sites** – Ellen asked for volunteers for the 2017 Road-E-O and Lonnie Banks nominated Midland as a possible site. Morris Williams Jr. informed the board that he would research it to see if it was a feasible to host it.

Vance agreed to host the TxSWANA Conference in 2018 and Holly informed the board that he would host in Lubbock for the 2019 conference. Brenda made a motion to accept Denton as a host for 2018 TxSWANA Conference and Lubbock as a host for the 2019 TxSWANA Conference. Michael seconded the motion and it passed unanimously.

**Newsletter/Website** – Michael reported that the newsletter went out on Monday, May 16. The next newsletter will come out at the end of June or the beginning of July.

Frank Pugsley reported that there may have been some difficulties in registering for the conference but encouraged feedback from the board members as to any issues/problems that they may be having.

**Legislative/Regulatory** – Ty Embrey discussed the upcoming legislative hearing on the tire issue. Ellen is scheduled to testify on behalf of the Board on Monday, May 23. The Board discussed the history of attempts to deal with the tires in the state and the causes of the tire issues; to assist Ellen and Ty in formulating the substance of her testimony.

Jeff Reed discussed recent cases on preemption out of the Texas Courts, including the Post Oak Landfill Case, dealing with a landfill application located in the boundaries of a groundwater conservation district and the BCCA case dealing with a City of Houston ordinance regulating air quality.

**IB Report** – Brenda reported on the mid-year meeting and there was a budget submitted that did not include a dues increase. She also reported that there are 8,501 SWANA members and 660 YP members as of the end of March. SWANA is looking at restructuring the YP dues. Brenda also asked the board to consider asking our vendors to sponsor and participate in a safety summit.

**Young Professional (YP) Report** – Brenda made a suggestion to the Board to consider waiving the state surcharges for the YPs. Frank made a motion to waive our state surcharges for the YPs for their initial membership. David seconded the motion and it passed unanimously.

#### **OTHER BUSINESS:**

**Water Balance Project Update** – Vance recommended that we move forward with the Water Balance Report and that there may be an outstanding balance that we do not have the funds to cover in the Water Balance account. Michael made a motion to close the Water Balance account and move the remaining funds to the main checking account and carry any business forward as a regular budget item. Brenda seconded the motion and it passed unanimously.

**SWANA Recycle Certification Classes** – David informed the Board that we would discuss at the upcoming board meeting.

**Future Road-e-o and Conference MOU Update** – Everything is moving forward.

**Election of Officers** – Ellen inquired as to whether there was a rule on if a private board member could serve as an officer. After some discussion, the Board agreed there was no rule preventing a board member from the private sector from serving as an officer. We will discuss it further at the upcoming board meeting.

**HHW and Scrap Tires** – The scrap tires were discussed during the legislative updates.

**ANNOUNCEMENTS:**

There were no announcements.

**ACTION ITEMS:**

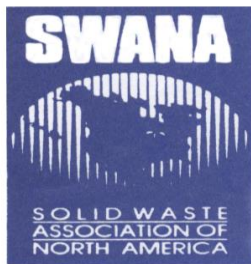
The Scholarship Committee will review applications.

**NEXT MEETING:**

The next TxSWANA Board of Director's meeting will be held in Denton, Texas, on Friday, June 3, 2016.

**ADJOURN:**

The meeting adjourned at 1:45 p.m., Central Standard Time.



# The Lone



## MEETING MINUTES

### TXSWANA Board of Directors Meeting

Denton, TX

Friday, June 3, 2016 10:30 a.m. CST

**Present:** Richard McHale, Morris Williams Jr., Brenda Haney, Jeff Mayfield, Vance Kemler, Catrennia Williamson, Michael Rice, Frank Pugsley, Lonnie Banks,

**Phone:** Harry Hayes, David McCary, Lawrence Mikolajczyk, Holly Holder, Paul Gosselink

**Guests:** David Dugger, Billy Spraberry, Brett DeVries, Jeff Reed, Ty Embrey (phone)

**Absent:** Ellen Smyth, Elvira Alonzo, Hector Chavez

**CALL TO ORDER:** Richard McHale called the meeting to order at 10:30 a.m., Central Standard Time.

#### APPROVAL OF MINUTES:

Motion made by Brenda Haney to approve the minutes from the May meeting. Michael Rice seconded the motion and it passed unanimously.

#### FINANCIAL REPORT:

Richard McHale presented the financial report for April 2016. Balances of each account were \$153,339.01 for checking account, \$30,252.99 for savings account, \$125,212.74 for conference account, and \$35,670.29 for the State Road-e-o account. The water balance account was closed and the balance was transferred to the main checking account. A motion was made by Brenda to approve the May financial report and Michael seconded the motion. The motion passed unanimously.

#### CHAPTER BUSINESS:

**2016 Road-E-O** – Vance Kemler reported that everything was going well and his staff was ready for the competitors and guests to come in. Jeff Mayfield made a motion to allocate \$4,950 in cash awards for the 2016 Road-E-O winners. Michael seconded the motion and it passed unanimously.

**2017 TxSWANA Conference (San Antonio)** – David reported the conference dates will be April 10-12, 2017, and will be held at the Omni San Antonio Hotel at The Colonnade. Everything is in order and on schedule so far.

**2017 Road-E-O Site (Midland)** – Morris Williams Jr. reported that he did not have confirmation as to whether Midland would be able to host the 2017 Road-E-O. He informed the board that he expected to have an answer by the next board meeting. There was nothing further to report.

**2018 TxSWANA Conference (Denton)** – Vance passed out calendars to the board that highlighted April 9-11, 2018 as the targeted dates for the 2018 TxSWANA Conference. He informed the board that he would be working with the Convention and Visitors Bureau to prepare for the conference.

**Newsletter/Website** – Michael reported that the next newsletter would go out at the end of July and election information and scholarship winners should be included in it.

Frank Pugsley reported he received mail on the TxSWANA's domain name renewal for the website. It is on auto-renew each October.

**Legislative/Regulatory** – Jeff Reed discussed the United States Army Corps of Engineers v. Hawkes, Co., Inc. case that went to the Supreme Court and the Temple Landfill expansion that may face opposition. Vance spoke about the City of Ennis may reopen a closed landfill in 2021.

Ty Embrey discussed the legislative hearing on the scrap tire issue. He applauded Ellen Smyth for coming to Austin on May 23, 2016, and testifying and giving the historical background of the scrap tire program in Texas. There will be a written report distributed in October or November.

**IB Report** – Brenda informed the board on the consideration of sponsoring students who are attending a two-year vocational school through the Hickman Endowment. Also, the finance committee approved the modification of the Hickman Endowment to allow for ongoing support of the national solid waste design competition.

**Young Professional (YP) Report** – There was nothing to report.

**OTHER BUSINESS:**

**Water Balance Project Update** – Vance participated in a conference call with the TCEQ and Dr. Khire. Vance reported that we will finalize everything by paying the final \$5,000 that is the remaining balance. The expectation is the final report will be released in July.

**SWANA Recycle Certification Classes** – David McCary reported to the board that there was some interest around the state for the recycle certification. There would need to be at least 20-25 people to make a class in Texas. If there were not enough members to make a class, interested members would need to get training on the national level.

**Future Road-e-o and Conference MOU Update** – Everything is moving forward.

**Election of Officers** – There was discussion from the board about adding private members. Ballots will be sent out and are due July 12, 2016. The results will be tabulated and reported at the July board meeting.

**Attendance** – There was nothing to report at this time. The discussion would take place next meeting in the presence of the president.

**ANNOUNCEMENTS:** Richard reported that the scholarships would be finalized and the recipients would be announced soon.

**ACTION ITEMS:** Discuss the attendance item at the next meeting.

**NEXT MEETING:**

The next TxSWANA Board of Director's meeting will be held in Austin, Texas, on Friday, July 22, 2016.

**ADJOURN:**

The meeting adjourned at 12:07 p.m., Central Standard Time.



## MEETING MINUTES

### TXSWANA Annual Business Meeting

Austin, TX

Friday, July 22, 2016 1:00 p.m. CST

**Present:** Ellen Smyth, Richard McHale, Morris Williams Jr., Brenda Haney, Jeff Mayfield, Vance Kemler, Catrennia Williamson, Michael Rice, Lonnie Banks, Holly Holder, David McCary

**Phone:** Harry Hayes

**Guests:** Robert Trevino (Phone), Scott Pasternak, Erika Phillips, Maci Hurley, Michael Carleton, Risa Weinberger, Jeff Reed, Ty Embrey

**Absent:** Elvira Alonzo, Hector Chavez, Lawrence Mikolajczyk, Frank Pugsley, Paul Gosselink

**CALL TO ORDER:** Ellen Smyth called the meeting to order at 1:00 p.m.

#### APPROVAL OF MINUTES:

Motion made by Vance Kemler to approve the minutes for the 2015 TxSWANA Annual Business Meeting. It was seconded by Brenda Haney and the motion passed unanimously.

#### FINANCIAL REPORT:

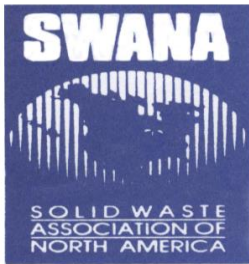
The TxSWANA Annual Financial Report for fiscal year 2015-2016 was presented to the board. Balances of each account were \$222,016.53 for checking account, \$30,253.74 for savings account, \$5,000.00 for conference account, and \$35,435.05 for the State Road-e-o account. Ellen Smyth reported that the water balance account had been closed over the previous year. A motion was made by Brenda to approve the report and it was seconded by Holly. The motion passed unanimously.

#### CHAPTER BUSINESS:

**2016 Election of Directors** – Morris Williams Jr. reported that he had received 27 ballots and all were votes to approve the slate as presented on the ballot. Ellen moved for approval to accept the ballots and Brenda seconded the motion. The motion passed unanimously.

#### ADJOURN:

The meeting adjourned at 1:07 p.m.



# The Lone



## MEETING MINUTES

### TXSWANA Board of Directors Meeting

Austin, TX

Friday, July 22, 2016 10:30 a.m. CST

**Present:** Ellen Smyth, Richard McHale, Morris Williams Jr., Brenda Haney, Jeff Mayfield, Vance Kemler, Catrennia Williamson, Michael Rice, Lonnie Banks, Holly Holder, David McCary

**Phone:** Harry Hayes,

**Guests:** Robert Trevino (phone for Elvira Alonzo), Scott Pasternak, Erika Phillips, Maci Hurley, Michael Carleton, Risa Weinberger, Jeff Reed, Ty Embrey, Matt Stutz (phone)

**Absent:** Elvira Alonzo, Hector Chavez, Lawrence Mikolajczyk, Frank Pugsley, Paul Gosselink

**CALL TO ORDER:** Ellen Smyth called the meeting to order at 10:33 a.m., Central Standard Time.

#### APPROVAL OF MINUTES:

Motion made by Brenda Haney to approve the minutes with corrections from the June meeting. David McCary seconded the motion and it passed unanimously.

#### FINANCIAL REPORT:

Richard McHale presented the financial report for June 2016. Balances of each account were \$222,016.53 for checking account, \$30,253.74 for savings account, \$5,000.00 for conference account, and \$35,435.05 for the State Road-e-o account. A motion was made by Brenda to approve the June financial report and Holly Holder seconded the motion. The motion passed unanimously.

#### CHAPTER BUSINESS:

**2016 Road-E-O** – Vance Kemler provided the board with a packet that included financial reports from the Road-E-O. He mentioned one of the challenges that his staff faced was the payment options (credit card, internet, etc.). Richard asked for a point of clarification on where to send the travel reimbursement, to the individual competitors or to the competitors' cities in which they work. The board agreed to send the funds to the individuals.

**2017 TxSWANA Conference (San Antonio)** – David introduced two of his conference committee members, Erika Phillips and Maci Hurley. He presented the theme of the upcoming TxSWANA Conference: "Mission in the Making." David provided an explanation of the five missions associated with the theme and confirmed the host hotel as the Omni San Antonio at the Colonnade with the dates for the conference being April 9-12, 2017. Top Golf will be our main event on Tuesday evening.

**2017 Road-E-O Site (Midland)** – Morris Williams Jr. reported that he now has confirmation that the Road-E-O will be in Midland. Further details will be presented as the facilities for the event are confirmed. There will be proposed dates brought before the board at the September meeting.

**2018 TxSWANA Conference (Denton)** – Vance passed out calendars to the board that highlighted April 9-11, 2018 as the targeted dates for the 2018 TxSWANA Conference. He informed the board that he would be working with the Convention and Visitors Bureau to prepare for the conference.

**Newsletter/Website** – Michael reported that the next newsletter would go out in the next couple weeks. There will be a Road-E-O wrap up.

**Legislative/Regulatory** – Ty Embrey spoke about working with Michael Rice on adding recipients to our newsletter mailing list. Pintail (Waller County) filed its application again.

Jeff Reed informed the board that the Laredo bag ban case has been filed and is now in the court of appeals.

Matt Stutz discussed the NSPS rules.

**IB Report** – Brenda thanked the board for their participation in the safety surveys that are being used by SWANA national. She also gave an update on the financial status of SWANA and presently, this year's WasteCon registration numbers are lower than projected.

**Young Professional (YP) Report** – There was nothing to report.

**OTHER BUSINESS:**

**Water Balance Project Update** – Vance informed the board that the final Water Balance Report would be completed by the end of July.

**SWANA Recycle Certification Classes** – David McCary reported to the board that the City of San Antonio would host one more training opportunity but could not commit that the training would be ongoing. The notifications will be sent out in the next couple months for a training to take place in January 2017.

**Future Road-e-o and Conference MOU Update** – Everything is moving forward. There is nothing further to report.

**Attendance** – Ellen discussed the absences of Hector Chavez and asked for a motion. Brenda moved to remove Hector from the board and it was seconded by David. The motion passed unanimously. Ellen also discussed the absences of Elvira Alonzo and asked Robert Trevino to relay a message to Elvira to contact Ellen to let her know her intentions. Finally, Ellen discussed Harry Hayes absences with his new role. She informed the board that she would personally reach out to Harry and report back to the board.

**ANNOUNCEMENTS:** Brenda announced that the City of Irving opened its new Landfill Scalehouse.

**ACTION ITEMS:** Discuss the attendance item at the next meeting.

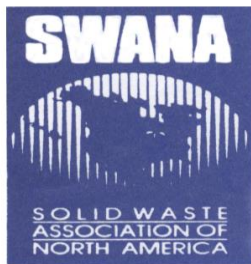
**NEXT MEETING:**

The next TxSWANA Board of Director's meeting will be held in Indianapolis, Indiana, on Wednesday, August 24, 2016.

**ADJOURN:**

The meeting adjourned at 2:26 p.m., Central Standard Time.





# The Lone



## MEETING MINUTES

### TXSWANA Board of Directors Meeting

#### Conference Call Meeting

Friday, August 26, 2016 10:30 a.m. CST

**Present by Phone:** Ellen Smyth, Richard McHale, Morris Williams Jr., Brenda Haney, Jeff Mayfield, Elvira Alonzo, Catrennia Williamson, Michael Rice, Lonnie Banks, Holly Holder, David McCary, Frank Pugsley, Paul Gosselink, Lawrence Mikolajczyk

**Guests:** Jeff Reed, Ty Embrey, Duncan Norton

**Absent:** Vance Kemler, Harry Hayes

**CALL TO ORDER:** Ellen Smyth called the meeting to order at 10:34 a.m., Central Standard Time.

#### APPROVAL OF MINUTES:

Motion made by Brenda Haney to approve the minutes from the July meeting. David McCary seconded the motion and it passed unanimously.

The TxSWANA Annual Business Meeting minutes were presented to the board for review by Morris Williams Jr. He stated that there was one correction to the minutes and Brenda moved to approve the minutes with a revision. Michael Rice seconded the motion and it passed unanimously.

#### FINANCIAL REPORT:

Richard McHale presented the financial report for July 2016. Balances of each account were \$210,232.66 for checking account, \$30,254.51 for savings account, \$4,956.00 for conference account, and \$32,022.04 for the State Road-e-o account. A motion was made by David to approve the July financial report and Brenda seconded the motion. The motion passed unanimously.

Richard made a motion to raise the seed money in the conference account to avoid the monthly service fees from \$5,000 to \$10,000. David seconded the motion and it passed unanimously.

#### CHAPTER BUSINESS:

**2017 TxSWANA Conference (San Antonio)** – David thanked the board members for any assistance that was given to his staff regarding the upcoming conference. The preparation continues as scheduled and there was nothing further to report.

**2017 Road-E-O Site (Midland)** – Morris reported that the date of the TxSWANA Road-E-O is set for the weekend of June 9-11, 2017. He is still looking at sites for the truck Road-E-O and exploring hotels and venues for the awards banquet. Planning will continue and there will be updates at the next board meeting.

**Newsletter/Website** – Michael reported that there was nothing much to report as far as the newsletter besides a few of the sponsors may not continue to sponsor due to economic hardships.

Frank Pugsley did not have much to report on the website but said he would be getting a "Save the Date" reminder on the website about the 2017 TxSWANA Conference.

**Legislative/Regulatory** – Duncan Norton reported on a notice of violation (NOV) that Republic had received related to monitoring of flares on the weekends. The TCEQ had issued an NOV against Republic, and TCEQ was in discussions with Republic and others about how this issue should be addressed on a larger policy scale.

Jeff Reed reported on the recent decision of the 4<sup>th</sup> Court of Appeals overturning the Laredo bag ban. Jeff also reported on new heavy duty truck greenhouse gas and fuel efficiency rules that had recently been finalized by EPA and the federal Department of Transportation.

Paul Gosselink reported on TCEQ's proposal to consider developing rules for Mobile Emission Reduction Credits. Jeff will be coordinating with TCEQ, the Board, and other interested parties to set up an information session to explain the issue to interested Board members.

Ty Embry provided a legislative update. Ty reported that the House Environmental Regulation Committee is not expected to have any more hearings. Ty also offered to reach out to Texas Municipal League (TML) to see what position, if any, TML planned to take with respect to the bag ban issue next session.

**IB Report** – Brenda reported that there are new staff members in positions with SWANA national. She also reported on the WasteCon event in Indianapolis and stated that the Board approved the restructuring of the Hickman Endowment to support the Young Professionals (YP) design competition. They also adopted the tiered membership dues structure for the YPs. Brenda congratulated the team from the University of Texas Arlington.

#### **OTHER BUSINESS:**

**Water Balance Project Update** – Frank stated there was a stakeholder's meeting that he would be attending but there was nothing further to report.

**SWANA Recycle Certification Classes** – David reported to the board that the City of San Antonio is looking to conduct a recycling systems training January 24-26, 2017 for any interested members. Josephine Valencia is proposing to offer those who sign up for the course to bring a Young Professional to the class for no charge. It would be an opportunity to shadow the paid member and they would not get any certification or training material. David said he would revisit the issue at the next board member.

**Future Road-e-o and Conference MOU Update** – Brenda stated she would have a report for the September meeting.

**ANNOUNCEMENTS:** No announcements.

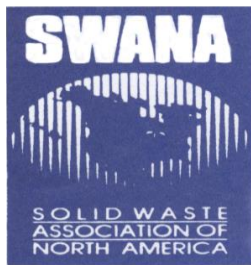
**ACTION ITEMS:** No action items.

#### **NEXT MEETING:**

The next TxSWANA Board of Director's meeting will be held in Lubbock, Texas, on Friday, September 16, 2016.

#### **ADJOURN:**

The meeting adjourned at 12:35 p.m., Central Standard Time.



## MEETING MINUTES

### TXSWANA Board of Directors Meeting

Lubbock, TX

Friday, September 16, 2016 10:30 a.m. CST

**Present:** David McCary, Harry Hayes, Richard McHale, Morris Williams Jr., Brenda Haney, Catrennia Williamson, Michael Rice, Holly Holder, Frank Pugsley

**Phone:** Lawrence Mikolajczyk, Vance Kemler, Elvira Alonzo

**Guests:** Jeff Reed (phone), Todd Stiggins, Tyler Krueger,

**Absent:** Paul Gosselink, Jeff Mayfield, Lonnie Banks, Ellen Smyth

**CALL TO ORDER:** David McCary called the meeting to order at 10:31 a.m., Central Standard Time.

#### APPROVAL OF MINUTES:

Motion made by Brenda Haney to approve the minutes with corrections from the August meeting. Frank Pugsley seconded the motion and it passed unanimously.

#### FINANCIAL REPORT:

Richard McHale presented the financial report for August 2016. Balances of each account were \$223,308.48 for checking account, \$30,255.28 for savings account, \$9,986.00 for conference account, and \$5,000.00 for the State Road-e-o account. A motion was made by Holly Holder to approve the August financial report and Harry Hayes seconded the motion. The motion passed unanimously.

#### CHAPTER BUSINESS:

**2017 TxSWANA Conference (San Antonio)** – David informed the board that everything is going as scheduled with the conference but wanted insight from the board on allocating a booth for STAR. The board ensured that STAR would be supported but decided against putting any procedures in place that would last past the upcoming conference.

**2017 Road-E-O Site (Midland)** – Morris Williams Jr. informed the board that there was not much to report on the Road-E-O from last month.

**Newsletter/Website** – Michael Rice stated that the newsletter would come out in October and requested a message from the president by October 14.

Frank reported that he had been contacted by several cities and members about job openings. The job listings are on the TxSWANA website. David inquired about Quickbooks and the ability to take care of our financial reporting as relating to income taxes and reporting to SWANA. Frank assured the board that Quickbooks is capable and linked to our accounts. Brenda made a motion to transition to Quickbooks at the beginning of the fiscal year. Michael seconded the motion and it passed unanimously.

**Legislative/Regulatory** – Jeff Reed discussed the status of the flare NOV issue. He reminded the Board of the NOV issued by TCEQ for failure to visually monitor a flare during the weekend, and reported

that TCEQ will be meeting with representatives from several cities and privates to discuss the issue. Jeff asked that if anyone wants to attend the meeting that isn't invited to reach out to either Jeff or Duncan to try to arrange it.

Jeff reported that he is working to schedule the meeting with TCEQ regarding their MERC initiative. He also mentioned that TCEQ held a meeting regarding the water balance guidance changes, which was further discussed by Frank and Vance Kemler.

**IB Report** – Brenda reported that SWANA is at a record high for membership and encouraged everyone to take advantage of the tiered Young Professional (YP) membership fees that were implemented. Beginning in January 2107, there will be no membership fees for student members.

**OTHER BUSINESS:**

**Water Balance Project Update** – Vance reported that the water balance report is complete. Frank and Vance attended the TCEQ WB Stakeholders meeting on August 30 and below are highlights of the meeting.

- Earl Lott discussed the addition of the "Standard WB Cover" method as Option 1 in the guidance document. This is the result of the project.
- Dwight Russell reported that the guidance document did not change much. The TCEQ has changed the climate data duration to 20 years, in lieu of 30, as Dr. Khire used 20.
- Dwight asked that the post closure care plan include cover maintenance for issues such as desiccation cracking.
- Regarding Financial Assurance for ALL landfills with a permitted prescriptive cover AND a WB Cover – financial assurance shall be of an amount to cover a prescriptive cover, not WB.
- Questions were raised regarding peak vs average percolation through a WB cover. TCEQ feels WB covers already percolate too much water, and will not consider average percolation over the model duration.

Stakeholder questions and comments:

- Stakeholders contend/offer that the shortcut method (Khire) is conservative, because it is a shortcut.
- Stakeholders would like to note that other experts (Benson & Albright) used average percolation.
- Will the TCEQ allow sites to use local climate data, merged into the Khire method, as some geoclimatic zones vary widely from east to west? TCEQ has not discussed this, and recommends meeting on a case by case basis. TCEQ would "probably" consider this.
- Where did the 1ft thick minimum erosion layer come from? TCEQ states it came from the requirements for pre-Subtitle D landfills. TCEQ states it will be applied to Sub D landfills also.
- Waste Management was allowed to preemptively construct a Khire cover in Austin. Results appear promising.

**SWANA Training Credits – Webinar (Oregon Beaver Example)** – Brenda informed the board that TxSWANA members have access to the e-training that TxSWANA purchased last year. The SWANA training is not pre-approved as TCEQ training.

**Safety Training In Texas** – Brenda reported that David Biderman is requiring all respective chapters get more aggressive in safety training. Harry made a motion for TxSWANA to sponsor a safety summit in Texas at the cost of \$1,500. Morris seconded the motion and it passed unanimously.

Brenda also stated that our SMART Committee and the TxSWANA Safety Ambassador, David Vartian, would be establishing the training programs and coordinating the training throughout the state. David Vartian will be presenting at the upcoming board meeting as to what areas of training the SMART Committee will be focusing on. Brenda made a motion to allow the SMART Committee to develop a safety program for the TxSWANA Chapter. Michael seconded the motion and it passed unanimously.

**SWANA Recycle Certification Classes** – David reported that Josephine Valencia has submitted the partnership agreement for the recycle certification classes to SWANA and the dates for the next training opportunity will be in January. David also brought up the idea of shadowing

**SMART Committee Update (Request for Liaisons)** – Brenda reminded board members to designate staff members to become part of the SMART Committee.

**Future Road-e-o and Conference MOU Update** – Brenda spoke about the progress that was made regarding the Road-e-o portion of the MOU.

**STAR Summit Conference** – There was nothing to update.

**ANNOUNCEMENTS:** Brenda announced that the City of Irving opened its new Landfill Scalehouse.

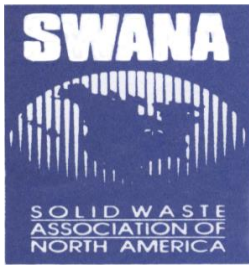
**ACTION ITEMS:** Scholarship Criteria Update.

**NEXT MEETING:**

The next TxSWANA Board of Director's meeting will be held in Irving, Texas, at the City of Irving – Hunter Ferrell Landfill on Friday, October 21, 2016.

**ADJOURN:**

The meeting adjourned at 1:38 p.m., Central Standard Time.



## MEETING MINUTES

### TXSWANA Board of Directors Meeting

Irving, TX

Friday, October 21, 2016 10:30 a.m. Central Time

**Present:** David McCary, Richard McHale, Morris Williams Jr., Jeff Mayfield, Ellen Smyth, Brenda Haney, Lonnie Banks, Paul Gosselink, Holly Holder, Vance Kemler, Frank Pugsley, Michael Rice, Catrennia Williamson

**Phone:** Elvira Alonzo, Harry Hayes, Lawrence Mikolajczyk

**Absent:** None

**Guests:** Roger Barron, Michael Carleton, Bill Hindman, Keith Markham, Tewobista Metaferia, Bill Sangster, David Vartian, Jeff Reed (phone), Ty Embry (phone)

**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 Holly Holder to approve the minutes for the September 16, 2016 meeting. Brenda Haney seconded the motion and it passed unanimously.

#### FINANCIAL REPORTS:

Morris Williams, Jr. presented the financial report for September 1, 2016 through September 30, 2016. September 30, 2016 balances for each account were as follows: \$221,703.98 for checking account, \$30,256.03 for savings account, \$9,956.00 for conference account, and \$5,000.00 for the State Road-e-o account. Motion made by Holly Holder to approve the September 2016 financial report. Brenda Haney seconded the motion. The motion passed unanimously.

#### CHAPTER BUSINESS:

**2017 TxSWANA Conference (San Antonio)** – David McCary handed out the proposed conference registration form for board review. Upon making several minor changes, the form will be posted on the TxSWANA web site by November 1, 2016.

**2017 Road-E-O Site (Midland)** – Morris Williams Jr. informed the board that he has identified the Midland Sports Complex as the location for the Road-e-o, is confirming the location has sufficient space for the event, and is confirming the facility is willing to host the event. The proposed date is June 10, 2016.

**Newsletter/Website** – Michael Rice stated he is collecting articles for the Fall/Winter newsletter. It will include information about the 2017 conference in San Antonio. Michael noted he hopes to have the newsletter distributed by the end of October 2016. There was a discussion regarding the need to invoice Living Earth Technologies for advertising in two additional newsletters as they agreed to advertise in three and were only invoiced for one. Brenda Haney and Vance Kemler noted they would contact Frank Warren with Holt Caterpillar regarding future sponsorship in the newsletter.

**Legislative/Regulatory** – Ty Embry reported the Texas House and Senate interim committees are working on finalizing their interim reports which are due to the Lieutenant Governor in the November/December timeframe. Filing of bills for the upcoming 85th Legislative session, beginning January 10, 2017, are allowed starting November 14, 2016. Ty will update the board as bills impacting the solid waste industry are filed.

Paul Gosselink discussed the TCEQ's desire to implement mobile emission reduction credit (MERC) rules. Paul briefed the board on a October 17, 2016 meeting with TCEQ and various stakeholders at the Lloyd Gosselink offices. Paul will be meeting with TCEQ Chair Bryan Shaw on October 27, 2016 to determine whether the TCEQ wants the regulated community to support the MERC rule implementation and assist in its implementation. Paul suggested that after meeting with Chairman Shaw, he report back to the board and if the TCEQ desires support for the rules then TxSWANA and a consortium of stakeholder would submit comments on the proposed MERC rules. After board discussion, it was suggested that TxSWANA help fund the comment response effort by Lloyd Gosselink by authorizing up to \$10,000 be spent for the effort. A motion was made by Vance Kemler authorizing TxSWANA to spend up to \$10,000 for MERC rule comments responses prepared by Lloyd Gosselink, assuming the meeting with TCEQ Chairman Shaw was favorable. Michael Rice seconded the motion. The motion passed unanimously.

Bill Hindman noted Ken Smith passed away October 19, 2016. Morris Williams, Jr. offered to provide a plant to Mr. Smith's wife Wanda on TxSWANA's behalf. Brenda Haney made a motion to authorize Morris to expend TxSWANA funds for the plant, and Vance Kemler seconded the motion. The motion passed unanimously.

The board broke for lunch at 12:13 p.m. and resumed the meeting at 12:46 p.m.

Paul Gosselink briefed the board on several legal issues of interest, including: the Texas Attorney General recently sued the City of Brownsville due to their bag ban, arguing it is an illegal sales tax; City of Victoria opposing a TCEQ permit to allow for sludge and grease/grit trap land application; and, recent Administrative Law Judge Proposal for Decision (PFD) regarding the Post Oak Landfill.

Vance Kemler briefed the board on several stakeholder meetings he participated in with TCEQ: TCEQ is looking to streamline the MSW permitting process and Vance asked the board for ideas on suggestions to streamline the process; several DFW area landfills received notice of violation for not recording the presence or absence of visible flare emissions when the facility is closed. Another stakeholder meeting regarding this issue will occur in the future.

**IB Report** – Due to time limitations, this agenda item was moved to the November 2016 agenda.

**OTHER BUSINESS:**

**Water Balance Project Update** – Vance Kemler reported the TCEQ requested to post the report on their web site. Due to time limitations, this decision was postponed and will be placed on the November 2016 board agenda.

**SWANA Recycle Certification San Antonio, January 24-26, 2017** – Due to time limitations, this agenda item was moved to the November 2016 agenda.

**Future Road-e-o and Conference MOU Update** – Due to time limitations, this agenda item was moved to the November 2016 agenda.

**Texas Safety Training Update** – David Vartian briefed the board on the upcoming Texas Safety and Compliance Workshop on November 16 in Houston. SWANA Executive Director & Chief Executive Officer David Biderman will participate. Brenda Haney made a motion that the board pay the \$49 registration fee for SMART Committee members attending the workshop if the fee is an impediment to attending and SWANA will not waive the registration fee. The motion was seconded by Frank Pugsley. The motion passed unanimously.

David Vartian noted that on November 15, the Safety Committees of SWANA and the National Waste & Recycling Association are jointly meeting in The Woodlands, Texas. The Jimmy Huff safety award nominee request will be coming soon.

**2017 Business Meeting Calendar** - Due to time limitations, this agenda item was moved to the November 2016 agenda.

**ANNOUNCEMENTS:** Due to time limitations, this agenda item was moved to the November 2016 agenda.

**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.

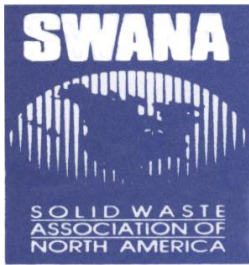
**ADJOURN:**

The meeting adjourned at 2:13 p.m., Central Time.

**NEXT MEETING:**

The next TxSWANA Board of Director's meeting will be held in El Paso, Texas, at the El Paso International Airport Board Room on Friday, November 18, 2016.





## MEETING MINUTES

### TXSWANA Board of Directors Meeting

El Paso, TX

Friday, November 18, 2016 10:30 a.m. Mountain Time (11:30 a.m. Central Time)

**Present:** David McCary, Richard McHale, Morris Williams Jr., Jeff Mayfield, Ellen Smyth, Brenda Haney, Holly Holder, Vance Kemler, Frank Pugsley,

**Phone:** Paul Gosselink Harry Hayes, Lawrence Mikolajczyk, Michael Rice, Catrennia Williamson

**Absent:** Elvira Alonzo, Lonnie Banks

**Guests:** Jeff Reed, Charles Fiedler, John Garza, Shaquawanna Carter

**CALL TO ORDER:** David McCary called the meeting to order at 10:32 a.m., Mountain Time. A quorum was present.

#### APPROVAL OF MINUTES:

Motion made by Richard McHale to approve the minutes for the October 21, 2016 meeting. Frank Pugsley seconded the motion and it passed unanimously.

#### FINANCIAL REPORTS:

Morris Williams, Jr. presented the financial report for October 1, 2016 through October 31, 2016. October 31, 2016 balances for each account were as follows: \$202,690.27 for checking account, \$30,256.80 for savings account, \$9,471.00 for conference account, and \$5,000.00 for the State Road-e-o account. Morris noted he would contact PayPal to stop the monthly charge to the checking account. Motion made by Holly Holder to approve the October 2016 financial report. Frank Pugsley seconded the motion. The motion passed unanimously.

#### CHAPTER BUSINESS:

**2017 TxSWANA Conference (San Antonio)** – David McCary briefed the board on the upcoming conference. David noted he will attempt to call each sponsor over the past 2 to 3 conferences about sponsoring this conference and will follow up each call with a letter. This year, sponsorship payment will be handled differently than past years. Platinum (\$10,000) and Diamond (\$20,000) level sponsors will receive an invoice rather than pay online. In December, a request for presentation abstracts will be sent out. The technical tour at The Pearl district will focus on organic waste recycling the various businesses are engaged in. The spouse/guest tour will be of the missions.

**2017 Road-E-O Site (Midland)** – Morris Williams Jr. informed the board that his team is working on hotel room set asides and rates for the event. The main hotel will be the Hilton Garden Inn which is walking distance to the Midland Sports Complex, where the truck portion of the road-e-o will take place. His team is working on room rates and availability for overflow accommodations at two other hotels adjacent to the Hilton Garden Inn. The landfill portion of the road-e-o will take place at the Midland landfill. There is a picnic area at the Sports Complex where lunch will be served. His team is also working on a logo for the event and t-shirts.

**Newsletter/Website** – Michael Rice stated the Fall edition of the newsletter was sent recently. Next newsletter will be sent at the end of January/early February. He noted he would like to include an update on the 2017 Board of Director meeting day and location, San Antonio conference, and legislative activities in that newsletter.

**Legislative/Regulatory** – Paul Gosselink briefed the board on the comment letter to the TCEQ regarding their proposed Mobile Emission Reduction Credit (MERC) rule making effort. He noted the most recent version of the comment letter was sent out November 17 for comment. Any comments should be provided to Paul so the letter may be sent to TCEQ by Wednesday November 23.

Jeff Reed noted the Texas Attorney General recently sued the City of Brownsville due to their bag ban, and the City of Laredo requested the Texas Supreme Court review the appeal of the case involving their plastic bag ban. Senate Bill SB103 was recently filed by Bob Hall which would make bag bans illegal across the state. Jeff stated Ty Embry will send an email to the board with more details.

The board broke for lunch at 12:13 p.m. Mountain time and resumed the meeting at 12:45 p.m.

**IB Report** – Brenda Haney noted the IB Finance Committee has a conference call next week to go over the audit report. They are looking at booking WASTECON revenue/expenses that occur in the fiscal year prior to the event as a future revenue/expense so all revenue/expenses are booked in the year of the event. Membership is up 68 members from the same time last year. There are now nearly 8,600 SWANA members. At the most recent IB meeting, SWANA Executive Director David Biderman briefed the IB on his thoughts regarding the recent ISWA conference. Brenda then had computer issues and was unable to access the rest of her report so she stated she would email her notes to the board at a later date.

#### **OTHER BUSINESS:**

**Water Balance Project Update** – Vance Kemler reported the TCEQ requested to post the report on their web site. A discussion on this request then followed. Ellen Smyth made a motion to post the report on the TxSWANA website along with disclaimer comments initially drafted by Vance Kemler. The motion was seconded by Brenda Haney. The motion passed unanimously. Ellen Smyth made a motion to authorize Lloyd, Gosselink, Rochelle & Townsend, P.C. to review the contract and investigate legal options regarding potential litigation associated with Dr. Khire's preparation of the report. Vance Kemler seconded the motion. The motion passed unanimously.

**SWANA Training Credits - Webinar** – Ellen Smyth noted she would send an email to the board regarding how the program is structured.

**Future Road-e-o and Conference MOU Update** – Brenda Haney noted she would resend the email to the board that included the draft MOU's for board review and comment.

**STAR Summit Conference** – David McCary noted TxSWANA will provide a booth at the TxSWANA annual conference to STAR for no charge.

#### **ANNOUNCEMENTS:**

**November 15 & 16, 2016 Texas Safety Training Committee Meeting and Workshop** – Brenda Haney noted David Biderman continues to champion safety.

**2017 Business Meeting Calendar** – The 2017 Board of Director meeting dates and locations were agreed to as follows: January 13 – Austin, February 17 – Houston, March 10 – Lubbock, April 12 – San Antonio (at end of TxSWANA conference), May 19 – Denton, June 9 – Midland, July 21 – Garland, August

18 – Austin, September 26 – Baltimore, MD (call in for those not attending WASTECON), October 20 – Irving, November 17 – El Paso.

**Signatures on Checks** – Morris Williams, Jr. raised the issue of increasing the amount the Treasurer is authorized for writing a check with only one signature, if no prior board approval has occurred. Vance Kemler made a motion that in the event no prior board approval has occurred, checks written for greater than \$5,000 may bear only one signature if a requisition bearing the signature of two TxSWANA Executive Committee members has been executed prior to issuing the check. Brenda Haney seconded the motion. The motion passed 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 1:27 p.m., Mountain Time.

**NEXT MEETING:**

The next TxSWANA Board of Director's meeting will be held in Austin, Texas, at the offices of Lloyd Gosselink on Friday, January 13, 2017.