



BERKELEY COUNTY SOLID WASTE AUTHORITY  
19 RECOVERY WAY  
MARTINSBURG, WEST VIRGINIA 25405  
304-267-9370



office@berkeleycountyrecycling.com  
www.berkeleycountyrecycling.com

**Minutes of Regular Monthly Public Meeting**

**Wednesday, August 17, 2022**

**1) Call To Order:**

The August 17, 2022 regular monthly meeting of the Berkeley County Solid Waste Authority (BCSWA) was called to order at 6:49 pm by Chairman, Clint Hogbin at the 19 Recovery Way Office, Martinsburg, WV.

**2) Roll Call:**

Board members in attendance: Clint Hogbin, John Christensen, Michele Gula Atha (Zoom) and Mark Barney (Zoom).

Board members absent: Matthew Grove

Visitors Present: None

Staff Present: None

**3) Meeting Notice/ Agenda Approval:**

The Chairman noted that the posted agenda had a typographical error. Under the Treasurer's Report, the month of "July" needs to be replaced with the month of "June".

John Christensen motioned to accept the agenda as amended. Seconded by Michele Gula Atha. Vote: Unanimous approval. Motion passed.

**4) Consideration of the Minutes of the Regular Meeting of July 20 2022:**

Michele Gula Atha motioned to accept the minutes of July 20, 2022 as written. Seconded by Mark Barney. Vote: Unanimous approval. Motion passed.

**Consideration of the Minutes of the Special Meeting of July 26 2022:**

Mark Barney motioned to accept the minutes of July 26, 2022 as written. Seconded by John Christensen. Vote: Unanimous approval. Motion passed.

## **5) Reports:**

### **A) Litter Control Program Report and Any Action Thereon:**

The Chairman stated Allen Hart is reporting that there was no roadside cleanup events in July.

The Chairman stated that there were four (4) stream cleanup activities for July, 2022. The stream cleanup team completed 4.5 miles of stream collecting 14 bags, 22 tires and 63 bulky items.

Lynne Lashley reported that the July report for the litter enforcement program showed three (3) total enforcement complaints with two (2) sites being cleaned within 30 days.

The Chairman stated that REAP has awarded \$2,200.00 to the BCSWA for an anti-litter radio campaign. This grant requires a \$2,200.00 match with BCSWA funds. Therefore, the radio campaign will be \$4,400.00. The \$800.00 request in the application for signage was not approved. There was a notice from REAP that due to weak paper commodity markets that amount available to litter control grants in the future would be limited.

### **B) Recycling Program And Resource Recovery Report And Any Action Thereon:**

The Chairman stated that the WV-SWMB has awarded the BCSWA \$15,000.00 for the FY23 Solid Waste Management Grant. The grant included \$14,000 for transportation of paper/ cardboard and included \$1,000.00 for a backyard composting training seminar. The grant is effective August 1, 2022 and continues until July 31, 2023 or until funds are expended.

The Chairman stated the Penrose project continues to move forward. He stated that a corrected petition to the WV-DOH to abandon a section of Pilgrim Street has been submitted. But, otherwise there is little activity to report to the Board.

The Chairman noted that he has submitted a press release announcing the continuation of the Operation Greenlid School Recycling Contest.

The Chairman reminded Board members that the SBRC sensitive document shred event will be held on September 24, 2022 from 9am to 12 noon.

The Chairman reminded Board members that the Pesticide Collection Event on Saturday, October 8 from 9am to 5pm at the GVRC.

The Chairman stated that the subcommittee of Mark Barney and himself have placed the recycling program budget cuts on temporary hold as authorized by the Board. There is ongoing developing information involving Entsorga that suggests the BCSWA funding could be restore in a few months.

The Chairman stated that the brush levels are very high at both GVRC and SBRC. He noted that he has asked Ross Tabb of Tabb & Son Composting to not grind the brush until cooler temperatures are reached. While waiting until the cooler temperatures, this will allow time for the Entsorga picture to better develop. In the meantime, the mulch giveaway has been extended thru August to continue the efforts to lower the levels of mulch on hand.

The Chairman stated that the Brownfields Grant application under consideration by the Berkeley County Development Authority has been placed on hold. He stated that it was a surprise to him since the Development Authority Board approved the concept.

The Chairman stated that there has been an enormous amount of activity involving the Entsorga facility. He reported smoldering coming from the building on Saturday, July 23, 2022. The fire department stayed at the scene until 9pm and had to return both Sunday and Monday for hot spots. The Chairman stated that he was staying at the BCSWA office late into the evening to keep an eye on the facility. He attempted to contact Renovare contacts such as Tony Fuller and Emily Dyson. However, no one returned his calls.

The Chairman reported that he also contacted minor owners such as Apple Valley and Entsorga USA. Fortunately, he was able to organize a meeting at Entsorga WV with Apple Valley, Entsorga USA, Fire Marshall, Office of Emergency Management, WV-DEP, Berkeley County Council and Baker Heights Fire Department.

During the course of the meeting, the WV-DEP issue Order # SW-23-001 to Entsorga to immediately take measure to initiate compliance measures with the terms of its permit and submit a plan within 10 days to remove the waste and to make certain fire suppression at the facility is adequate.

After substantial discussions, Apple Valley has agreed to contact leadership within Renovare and volunteered to take a leadership role in getting 7x24 security and evaluate the need and costs for site remediation. The Chairman noted that this topic was consuming a lot of his time and energy and was essentially a developing topic with new information each day. He added that the Entsorga gate is now using a BCSWA lock and keys are distributed as necessary.

Michele Gula Atha inquired if it was appropriate for the BCSWA to assume ownership of the building and work with private partners to make fuel and leverage the facility to improve the financial status of the BCSWA? The Chairman responded that the subcommittee was not ready to make such a recommendation but encouraged the Board to proceed slowly.

**C) Treasurer's Report: Consideration of All Budget Reports for the month of June, 2022 And Any Action Thereon:**

The Chairman presented and explained the FY21 Audit Report. He noted that Lisa Thornburg just completed the report recently and the report has been posted to the BCSWA website. He noted that the audit report showed no findings. He encourage Board members to read the document and offered to meet separately to discuss any questions.

The Chairman presented and explained the various June Budget Reports as prepared by the Treasurer.

Mark Barney motioned to accept the June, 2022 Budget Reports for the Litter Control, Recycling and General accounts as presented. Seconded by Michele Gula Atha. Vote: Unanimous approval. Motion passed.

**D) Treasurer's Report: Consideration of August Bills To Be Paid and Any Action Thereon:**

The Chairman presented the August unpaid bills for the following accounts:

**CED GRANT UNPAID BILLS**

AVW	\$825.00	Electronics Transportation
<b>Total</b>	<b>\$825.00</b>	

**LITTER CONTROL GRANT UNPAID BILLS**

The Journal	\$199.00	Educational/Promo
<b>Total</b>	<b>\$199.00</b>	

**GENERAL ACCOUNT UNPAID BILLS**

BCPSSD	\$22.90	Office Water
Fifth Third Bank	\$206.59	Office Supplies
Potomac Edison	\$103.22	Office Electric
Lisa Thornburg	\$3,000.00	Audit FY 2021
US Cellular	\$177.83	Phones and Internet
<b>Total</b>	<b>\$3,510.54</b>	

## RECYCLING ACCOUNT UNPAID BILLS

Abshire Enterprises	\$212.50	Hedgesville Transportation
AC&T	\$53.99	GVRC
Amerit	\$596.00	Trailer Repair
Antietam Tractor	\$344.27	Kubota Repair
AVW	\$1,905.00	SS Transportation
BCPSSD	\$22.90	Water/Single Stream
BCSWA	\$12,000.00	Transfer to Payroll
BCSWA	\$9,680.00	Transfer to LC/BCC
BNSF	\$1,400.00	Electronics Transportation
Bousum Transfer	\$300.00	Trailer Transportation
CWP	\$2,898.70	Paper Transportation
Fifth Third Bank	\$2,254.12	Recycling Supplies
Potomac Edison	\$30.36	GVRC
Potomac Edison	\$30.63	SBRC
Roach Energy	\$1,220.72	Replace Check # 5633
Roach Energy	\$1,487.30	Diesel Fuel
Lyle Tabb & Sons	\$4,025.00	June & July Lumber, Food Waste, Yard Waste
<b>TOTAL</b>	<b>\$38,461.49</b>	

Mark Barney motioned to authorize the Treasurer to make payment of the August unpaid bills as presented. Seconded by: Michele Gula-Atha. Vote: Unanimous approval. Motion passed.

### 6) Business Items:

#### A) Consideration of the FY23 CED Grant Application and Any Action Thereon:

The Chairman presented a draft FY23 CED Grant Application. He stated that the BCSWA will need to submit the application before the end of August to be eligible. While the BCSWA could drop electronics for recycling depending on the Entsorga developments it was important to make the application before the deadline in the event the electronics was continued. The purpose of the application was continued funding for the local transportation of electronics from GVRC to SBRC and for stretch wrap.

Mark Barney motioned to authorize the Chairman and Secretary to sign and submit the FY23 CED Grant Application and associated resolution as amended. Seconded by: John Christensen. Vote: Unanimous approval. Motion passed.

#### B) Consideration of the Application For a Certificate of Convenience and Necessity as Defined by WV-PSC Case 22-0691-MC-C Any Action Thereon:

On July 25, 2022, Panhandle Dumpsters has applied to the WV-PSC for a Certificate of Convenience and Necessity. In addition, Apple Valley has filed to intervene in opposition to the application.

The Chairman added that John Rickard of Panhandle Dumpsters has previously emailed asking for support of their application. In addition, Berkeley County Council member Dan Duylea has called him in early July and also asked if the BCSWA would support the Panhandle Dumpster application. Mr. Duylea indicated that he is a friend of the owner Drew Johnston and felt there are benefits to a competitive environment. He also suggested that Entsorga could benefit from additional waste. The Chairman stated that the conversation with Mr. Duylea was positive but was the very first contact from him on a solid waste topic since he was elected years ago.

The Chairman stated that on July 14, 2022 he received an unexpected text message from Council President Doug Copenhaver asking him to appear before the County Council that same day for discussion on funding from the County Council for the county's recycling program. During the discussion on the funding, Councilman Duylea continue to press the topic of supporting the Panhandle Dumpster application. The Chairman again responded that the Board had not read the application and did not yet have an opinion on the topic.

The Chairman expressed a concern that the timing of the inquiry by Dan Duylea potentially created the appearance that any BCSWA support for Panhandle Dumpster application was associated with funding for the recycling program. In the end, the Chairman maintained his position that the BCSWA position for the application was not yet settled. The Chairman reminded the Board that the funding was approved and Mr. Duylea voted in support of it.

The Chairman stated that he believes the BCSWA should intervene to ensure that proposed hauling application if granted does not harm tonnages and participation of the Berkeley County Recycling Program. He continues to believe that that the BCSWA should remain neutral until more information is learned.

John Christensen stated that this application is a very important matter. He encouraged the Board to create a subcommittee to study the matter before acting. He added that he will volunteer to be on the subcommittee.

Mark Barney motioned to authorize the creation of a subcommittee of the Chairman and Secretary to intervene in the aforementioned WV-PSC case and report its findings to the Board. Seconded by: Michele Gula Atha. Vote: Unanimous approval. Motion passed.

#### **7) Other Business Items:**

The Chairman stated that he would be on a vacation from August 29 thru September 9, 2022. He added that he would continue to handle all phone calls and emails. However, Lynne Lashley has agreed to return to full time during those two weeks to assist. He stated that the Vice Chairman could be available as well.

#### **8) Public Comment: None**

#### **9) Adjournment:**

John Christensen motioned for adjournment at 8:06 pm. Seconded by Mark Barney. Vote: Unanimous approval. Motion passed.

**8) Public Comment: None**

**9) Adjournment:**

John Christensen motioned for adjournment at 8:06 pm. Seconded by Mark Barney.  
Vote: Unanimous approval. Motion passed.

Respectfully submitted,



John Christensen  
Secretary