



BERKELEY COUNTY SOLID WASTE AUTHORITY  
19 RECOVERY WAY  
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**Minutes of Regular Monthly Public Meeting**

**Wednesday, September 21, 2022**

**1) Call To Order:**

The September 21, 2022 regular monthly meeting of the Berkeley County Solid Waste Authority (BCSWA) was called to order at 6:00 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:**

Mark Barney motioned to accept the agenda as posted. Seconded by John Christensen. Vote: Unanimous approval. Motion passed.

**4) Consideration of the Minutes of the Regular Meeting of August 17 2022:**

The Chairman stated there were grammatical corrections needed in the section about Panhandle's application.

Mark Barney motioned to accept the minutes of August 17, 2022 as corrected. Seconded by Michele Gula Atha. Vote: Unanimous approval. Motion passed.

## **5) Reports:**

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

The Chairman stated Allen Hart is reporting there were six (6) roads cleaned in August, 2022. He's reported there were 44 bags of litter removed, 1 tire and 12 bulky items from 5.7 miles. The report shows 10,359 bags of trash and 6,205 bulky items has been collected by the roadside litter crew from 1,141 miles of road since the program started in June, 2018.

The Chairman stated that there were two (2) stream cleanup activities for August, 2022. The stream cleanup team completed 1 mile of stream collecting 10 bags, 5 tires and 3 bulky items.

The Chairman reported that Apple Valley has emptied 269 containers since June, 2018 by Apple Valley, representing 678,656 pounds of trash.

The Chairman stated that Lynne litter enforcement report for August shows two (2) total enforcement complaints with zero (0) sites reported cleaned within 30 days.

The Chairman presented the 2022 Clean County Nomination application that was submitted prior to the deadline.

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

The Chairman stated that part time Recycling attendant Raymond Washington has announced his resignation effective September 30, 2022. Raymond generally works two days per week and covers leave for the other attendants. The Chairman stated that he was surprised by this announcement as Raymond has indicated recently he was willing to work more hours. However, he indicated that arthritis from a military related injury has caused him to reconsider. Raymond has indicated willingness to continue to cover leave for the other attendants. The Chairman reported that the standing subcommittee will close GVRC on Monday's effective October 1, 2022. He stated that cutbacks was previously approved but its implementation was delayed until the Entsorga picture was clearer. He reminded that the BCSWA is still down \$54,000 even after the BCC funded us an additional \$46,000.

The Chairman stated that the Penrose project has no activity to report to the Board.

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 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 the Entsorga picture better develops.

The Chairman stated that there has been an enormous amount of activity involving the Entsorga facility. He reported the smoldering is no longer visible from outside the building but small amounts of smoldering continues. The Chairman reported that Apple Valley is funding 7x24 onsite security, pest management and waste removal. He added that he visits the site typically each Friday and is generally pleased with the progress with the facility. He added that he understands that Renovare is expected to file a 363 reorganization which reportedly should allow for a restart of the operation.

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

The Chairman presented and explained the summary of accounts for June and July and the various July Budget Reports as prepared by the Treasurer.

Mark Barney motioned to accept the July, 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 September Bills To Be Paid and Any Action Thereon:**

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

**WV-SWMB GRANT UNPAID BILLS**

CWP	\$1,350.00	Paper Transportation
<b>Total</b>	<b>\$1,350.00</b>	

**CED GRANT UNPAID BILLS**

Trans Consolidated Distributors	\$2,418.72	Electronics Stretch Film
<b>Total</b>	<b>\$2,418.72</b>	

### LITTER CONTROL GRANT UNPAID BILLS

First Third Bank	\$14.50	Stream Clean Up Tie Downs
The Journal	\$199.00	Educational/Promo
<b>Total</b>		
	<b>\$213.50</b>	

### GENERAL ACCOUNT UNPAID BILLS

BCPSSD	\$22.90	Office Water
BCSWA	\$2,200.00	Transfer to LC/Grant
Fifth Third Bank	\$435.84	Office Supplies
Potomac Edison	\$100.85	Office Electric
Trump & Trump	\$2,153.82	Legal Work
US Cellular	\$177.83	Phones and Internet
WV CoRP	\$3,888.00	Liability Insurance/Semi Annual
<b>Total</b>		
	<b>\$8,978.74</b>	

### RECYCLING ACCOUNT UNPAID BILLS

Abshire Enterprises	\$340.00	Hedgesville Transportation
All Cool	\$78.25	Freon Disposal
AVW	\$1,545.00	SS Transportation
AVW	\$825.00	Electronics Transportation
BCPSSD	\$22.90	Water/Single Stream
BCSWA	\$14,000.00	Transfer to Payroll
BNSF	\$4,100.00	Electronics Transportation
CWP	\$300.00	Paper Transportation/Hedgesville
Fifth Third Bank	\$226.01	Recycling Supplies
Gladhill Tractor	\$58.12	SBRC
Pine Knoll	\$3,506.94	Glass Transportation
Potomac Edison	\$26.39	GVRC
Potomac Edison	\$29.14	SBRC
Rescue Mission	\$1,351.00	Plastic Bag Trex Reimbursement
Roach Energy	\$892.88	Diesel Fuel
Sign Here	\$282.00	Brush Recycling Signs
Lyle Tabb & Sons	\$1,300.00	Lumber, FW, YW
Valicor	\$340.22	Motor Oil & Antifreeze
<b>TOTAL</b>		
	<b>\$28,883.85</b>	

The Chairman recommended that the BCSWA continue to not be a member of the Association of West Virginia Solid Waste Authorities simply due to the lack of engagement of issues.

John Christensen motioned to authorize the Treasurer to make payment of the September unpaid bills as amended. Seconded by: Michele Gula-Atha. Vote: Unanimous approval. Motion passed.

Michele Gula-Atha stated that she has traveled to the bank and completed the paperwork to allow her to sign checks.

## **6) Business Items:**

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

The Chairman updated the Board on various activities related to the Panhandle application. He reminded the Board that the BCSWA has intervened in the case and presented the petition written by Charles Trump. The ALJ has granted the intervention.

The Chairman summarized the application and stated that he is likely to be called to testify and is seeking guidance from the Board regarding the application.

John Christensen stated that he has read many of the documents related to the case and is struck by the vagueness of the application and many subsequent documents. He notes that it's not clear to him what type of recycling program will be offered by Panhandle.

The Chairman continues to encourage the Board not to formulate an official position until more information is gathered. However, he expressed a concern that he will be called to testify before the Board has formulated its formal opinion. He reminded the Board that the lone consideration for the WV-PSC to grant the permit is "adequateness of existing service". Concepts such as the benefits of competition are not allowed to be considered a factor by the ALJ. He reminded the Board that he and John are expected to attend the 2 day hearing and will pass along any subsequent information to Board members. But, until the Board learns otherwise, the Chairman asked the Board to formalize its current thoughts regarding "adequateness of existing service".

Mark Barney motioned to authorize the Chairman to testify in the aforementioned WV-PSC case and represent the Board's position after consultation with John Christensen. Seconded by: John Christensen. Vote: Unanimous approval. Motion passed.

**7) Other Business Items:**

The Chairman stated that he read in a waste industry magazine that former local WMI manager Rob Guidry has plead guilty to fraud in a case involving a Virginia landfill and will serve 9 years and 4 months in jail. According to the article, the State of Virginia will close the landfill.

The Chairman stated that Lynne will be attending Auditor training on October 5<sup>th</sup> in Martinsburg. He encouraged Board members to attend if their schedule allows.

The Chairman stated that he is trying to clear his schedule to attend the WV Association of Solid Waste Authorities Conference. Due to the Board's weak budget, he will fund all the expenses personally. Michele Gula Atha asked that the agenda of the conference be sent to her.

**8) Public Comment: None**

**9) Adjournment:**

John Christensen motioned for adjournment at 7:27 pm. Seconded by Michele Gula Atha. Vote: Unanimous approval. Motion passed.

Respectfully submitted,



John Christensen  
Secretary