

## **Ottawa-Sandusky-Seneca Joint Solid Waste District**

### **Board of Directors Meeting Minutes 6/7/23**

The meeting of the OSS JSWMD Board of Directors was called to order by the Commissioner Coppeler at 9:00 A.M., held in person at the OSS Main Office, 1875, E. State St., Fremont. Present were Ottawa County Commissioners Mark Coppeler, Don Douglas, and Mark Stahl, Sandusky County Commissioner Russ Zimmerman, and Seneca County Commissioners Bill Frankart, Tony Paradiso and Tyler Shuff.

Also present were the following OSS SWD staff: Director Gary Baty.

Others at the meeting included:

Jimmy Flint - Seneca County Commissioners staff

Todd Hand - Townsend Township resident

Don Mennel - Fostoria City Council

Eric Keckler - City of Fostoria Mayor

Albin Bauer - Peters Kalail & Markakis

#### **APPROVAL OF MINUTES 4/12/23:**

The draft of the minutes from the 4/12/23 Board of Directors Meeting and the 5/10/23 Special Meeting were presented. Motion to approve the meeting minutes for both meetings was made by Commissioner Paradiso and was seconded by Commissioner Zimmerman. Unanimous approval of those present was recorded. Motion approved.

#### **RESIDENT TODD HAND:**

Todd Hand resides near the Townsend Township recycling site in Sandusky County and has a few concerns he would like to address. The current route for having this site serviced has trucks coming at 3 AM. The noise and lights from the trucks servicing that site multiple times a week have impacted his ability to sleep. Mr. Hand also has concerns about the misuse of the “trash bins” as he now calls them as residents come at all hours of the day and night. He has seen people dig through the bins to pull out aluminum and steel for their own profit. Trash bags, vinyl siding, and other dumping has been seen by him. He also knows many businesses that abuse the free service that is made for residents. North blowing winds send material from the bins into his yard and he is left to pick up the mess every time. Mr. Hand recommends that the recycling site gets moved to a different location; he mentioned the Vickery Fire Station as one option.

Director Baty mentioned that they have been in talks with Rumpke on getting the time for that bin being serviced to be at a better time. Many cities have noise ordinances that prohibit loud operations like that from happening until a later time in the morning, but at the moment, no such ordinances are established in Townsend Township by the trustees.

Albin Bauer added that we will have to look at the contract with Rumpke and that he believes there may be a clause where OSS can force Rumpke to adjust the time of servicing any location to be later in the morning, avoiding waking up the neighborhood.

As for the litter, Gary mentioned that the township has the ability to apply for The District’s Infrastructure Grant which allows all townships that host a recycling site to be able to fund projects that improve the quality of the site. This can be used for a number of things including

fencing to block material from blowing into his yard, or even on security cameras to catch those dumping trash into the bin.

Commissioner Frankart mentioned his experience when he was a township trustee that used cameras for that reason was very effective. They could catch offenders, and that they had the option to charge them with dumping if they wished to do so. Oftentimes catching one person will prevent many others from attempting illegal dumping.

Albin also mentioned a program workshop he knows which works with townships in educating and training them on dumping within the township. The workshop also aids in providing security cameras for township sites. Mr. Bauer said he would keep Gary updated on that program as he gets more information on it.

OSS will continue working with the Townsend Township Trustees as well as Rumpke to make this scenario better for the neighborhood.

### **FINANCIAL REPORT:**

Director Gary Baty presented the financial report for March and April. The beginning balance in March was \$3,915,914.09 with a total revenue of \$184,807.14 and the total expense for the month being \$136,234.43. This makes the end of month balance for March \$3,964,486.80. This includes funds in the balance totaling \$9,039.40 from an EPA Grant the District had received. April's financial report has a total revenue of \$182,848.31 and a total expense of \$234,280.04. This leaves the ending balance for April 2023 at \$3,913,055.07. Commissioner Douglas motioned to approve the treasurer's report, seconded by Commissioner Shuff. All commissioners present approved of the financial report. Motion approved.

### **OHIO EPA - RECYCLING PARTNERSHIP GRANT**

The District was awarded \$52,500 for signage, print/production and labor costs to implement our drop-off recycling quality improvement program. The grant is currently in phase 2 with the following schedule.

Recycling Audit - baseline - May 15-19  
New signage for recycling bins to be installed June 1  
Information mailer cards sent the week of June 1  
6 weeks of surveys/engagement begins July 11  
Recycling Audit - post engagement - Sept. 11-15

In grants similar to this, The Recycling Partnership averages a 28% reduction in contamination. From the baseline audit done May 15-19, OSS recorded a contamination percentage of 25%. Half of the contamination noted during the audit was plastic bags in the bin. The sites we are focusing on for this grant are Danbury, Clay, York, Ballville, Clinton, and Loudon Township (the two biggest sites in each county).

### **RESOURCE REVIEW AND UPDATE:**

It was asked earlier how the OSS resources were divided in the three counties. Director Baty provided insight into how some of the programs The District provides gets divided.

For the Township City Village tire collection coming up this Friday, 6/9/23, there are 5 groups from Ottawa County, 7 from Sandusky and 11 from Seneca County.

Of the 2022 Competitive Funding Grants, 7 of the 14 approved grants came from Seneca County; half of all the grants from last year.

The OSS Processing Center services Government agencies and non-profits in the three counties with select recycling. Groups served are based solely on their request to us and if the Processing Center Staff has the capital to be able to service them. The number of groups by county serviced by the OSS Camp is 15 groups in Ottawa County, 35 groups in Sandusky, and 41 groups in Seneca. Of the 91 total groups, 45% of the groups serviced by OSS are in Seneca County - 15% of the groups in Seneca County are in the City of Fostoria.

The Aim To Be Green Township Recycling Program has 12 sites in Ottawa County, 14 in Sandusky, and 16 in Seneca with one more in the works (Fostoria).

The OSS Processing Center is currently working with the Heidelberg University Library on the largest book recycling project ever for The District. The entire project is estimated to recycle between 75,000-100,000 lbs of books from the library. For context, The District sent out a total of 61,950 lbs of books for the entire year of 2022.

Director Baty is working with Fostoria Councilman Don Mennel to get an Aim To Be Green recycling site for the City of Fostoria. There was at one time a cardboard recycling drop off site that was started by the Fostoria Rotary Club, but when the cost to have those bins serviced became too expensive, OSS picked up the cardboard recycling program through the work done at the OSS Processing Center. Unfortunately, that program had to be pulled because of too much contamination at the bins. The new drop off program in Fostoria would become part of the Township Recycling Program that gets serviced by Rumpke. An estimated 4-5 bins would be placed in a location chosen by Fostoria City Council. With the assistance of the Fostoria City Council, this will become the largest recycling program done in the City. Council is looking for the best site and plans to have the site fenced to block material blowing away and to have security cameras created as well. Education will be crucial for this program to be effective and long lasting.

When the site is established in the City of Fostoria, the city can then utilize the Infrastructure Grant that is budgeted by OSS. The Infrastructure Grant is a zero match grant provided to sites that house bins that are in our recycling program to be used to enhance the site. Funding is determined by what can be budgeted yearly, and is also determined by the number of bins a site holds. More recycling bins can correlate to more funding given to the site. The funds allotted may vary yearly.

#### **OSS PLAN RATIFICATION STATUS:**

The OSS Plan has been ratified as the percent of the population that has approved of the plan is averaged at 80%. For the plan to ratify, a minimum of 60% of a county needs to vote to approve of the plan. 93% approved of the plan in Ottawa County. 64% approved of the plan in Sandusky county. 84% approved of the plan in Seneca County. The percent reflects only those of the population that approved of the plan. June 13th will be the next Policy Committee meeting where

the committee will vote to certify that the plan was ratified. Commissioner Frankart wanted to remind Gary that there were some new members in the Policy Committee. Gary said yes and that he will be sharing the reminder of the meeting Policy Committee members soon. After the Plan is verified by the Policy Committee on 6/13, it gets sent to the Ohio EPA one last time for final approval. Final approval by OEPA is due back in 90 days after receiving the ratified plan.

#### **OHIO EPA FUND ADVANCE:**

Advancing funds from general fund to EPA Fund to pay for the Tire Collections which will then be reimbursed this Fall by Ohio EPA. The Cash Advance will take \$16,940.00 out of Account Fund 70000 and place it into Account Fund 70010. Motion to approve of this fund advance was made by Commissioner Frankart and seconded by Commissioner Stahl. All commissioners present approved of the financial report. Motion approved.

#### **BUDGET COMMITTEE REVIEW:**

The OSS Budget Committee met Friday June 2, 2023 following the 5/10/23 Special Board of Directors Meeting. The Budget Committee discussed providing additional funds to the Seneca County Board of Health for additional oversight of the Sunny Farms Landfill. Seneca County requests an additional full time landfill inspector. This position would be a Seneca County Health District employee, and OSS would reimburse up to \$100,000. That funding would be dedicated for this position from OSS for the remainder of the year 2023. Further budgeting of the position would be reviewed in the coming months as budgeting for next year will be discussed. This provides instant aid from OSS to the SCGHD. Commissioner Paradiso commented that he would like to see The District's Budget Committee ensure funding of this position for next year as well as for the remainder of this year. Commissioner Paradiso also hopes to establish a meeting between the OSS Solid Waste District's Attorney, Albin Bauer with Seneca County's attorney. This will hopefully help both sides reach an understanding with the Health Department in providing more oversight of Sunny Farms Landfill. Paradiso continued in saying that in years prior there was a lack of communication between the members of the Seneca County Board of Health at that time and the Commissioners of Seneca County and the Board of the OSS Joint Solid Waste District. Years prior, Paradiso continues, the message OSS was hearing from the Seneca County Commissioners and the SCGHD was that they didn't need help or funding, that they were all fine with the oversight of the landfill. Now that there have been some changes in the board, more insight is coming up on what the SCGHD could get some aid from in relation to the OSS Solid Waste District. Commissioner Paradiso is hoping to have positive conversations moving forward.

Commissioner Stahl wanted to clarify that the OSS Budget Committee had agreed to fund for a full time landfill inspector for the remainder of 2023 up to \$100,000.00. There was no room in this year's budget to do that, so it is being pulled from the carryover balance. It is recommended by the Budget Committee to the Board to approve of \$50,000.00 from July 1 to the end of the year, and at the next budget cycle the committee will add in the budget to provide for that position for next year, 2024. The OSS Budget Committee will meet around the start of October to begin working on the budget for the next year. Commissioner Stahl added that it would be good to also be provided with monthly updates from the SCGHD on what the hired inspector gets in their findings when testing the Landfill. It was noted that some of the other funding requests asked by the SCGHD may also require some approval by the OEPA in regards to implementing other equipment at the landfill. So items like that may take more time while the

funding for another inspector can be given instantly

Commissioner Paradiso asked for the rest of the board's agreement. In having The District's attorney speak with the Seneca County Attorney to be able to get an understanding of a legal timeline for any other future aid with regards to oversight of the landfill. This will help ensure communication and understanding is met. This was understood with the board.

Commissioner Paradiso brought up that Seneca County Commissioners feel that the Solid Waste District could do more. He doesn't feel that Director Baty or the rest of the board are pushing back and not wanting to do more, but that these things can be complex and can take years for some things to come through. That having the groups attorney's meet and discuss the future steps would be able to resolve a great deal of the conflict and better understand the guidelines of what the OSSJSWMD will be able to help provide funding towards.

Commissioner Stahl brought up that if the Seneca County Commissioners begin taking action to remove themselves from the district that the Board would also then have to begin looking in a different direction. This is brought up in relation to SB 119. Paradiso responded by saying that if Seneca county was given the chance to go on their own and separate from The District, that there would need to be some discussions and understanding both ways and that he would need to talk thoroughly with the other Seneca County Commissioners. To know the advantages and disadvantages either way.

Commissioner Stahl also wanted to bring up that in the case a landfill does not receive an expansion and reaches its capacity that funding for this district would dry up. That this is the exact reason for OSS to have a carryover balance. Not to be spent up, but for such instances where there may not be any sizable income at all for possibly years until landfills are able to increase capacity or expand. This is a reason why the Budget Committee is just starting with appropriating the \$50,000.00 to fund the employment of another inspector in Seneca County.

#### **SUPPLEMENTAL APPROPRIATION:**

Supplemental appropriation - request for additional funds to be appropriated to a budgetary account. Request of \$50,000.00 to go to account Consultants. Motion to approve of the supplemental appropriation was made by Commissioner Stahl and seconded by Commissioner Paradiso. All commissioners present approved of the financial report. Motion approved. Commissioner Stahl did add that the OSS Solid Waste District would like to see reports from the inspector they are funding for and their findings in regards to oversight of the landfill.

#### **SENATE BILL 119:**

Albin Bauer addressed to the Board the current standing with Senate Bill 119. There have been several revisions to the bill from when it was first introduced. As it was presented on 6/6/23, SB 119 still contains unilateral withdrawal provisions that allow a county to withdraw from a joint solid waste district so long as that county provides at least 75% of the funding from landfill revenue to the District. Originally there was a 90 day withdrawal effective date. That has been modified with a process including meetings with that joint solid waste district board before a withdrawal from a district can be started. The Ohio EPA will have 180 days from the start of the withdrawal to complete any necessary actions as it regards to joint solid waste district plans. Changes to disposal fees of solid waste in landfills have been stripped out of SB 119, so those fees now would have no change to them as they stood before. A district may provide financial

assistance to their county's board of health, municipalities and townships to mitigate health risks in regards to municipal solid waste disposal and transfer within the District. Another change to SB 119 is that Districts can levy up to the 242 tier disposal fee of CDD disposed at a CDD or Solid Waste Disposal facility within the district. If that fee is levied, Solid Waste Districts can use those funds to aid in health mitigation within district health departments.

Ohio EPA while not having made any comments on SB 119, they have shared a letter on 6/6/23 on the history of the Sunny Farms Landfill with reporting and tests by the OEPA. One sentence states "SFLF is currently in compliance with all orders". Albin goes on to read another sentence from page four of this letter; this one in regards to debris coming in by railcar. Albin reads, "generator knowledge is used for the CDD waste stream" this means they are taking the reports from what is being sent out of the east coast. Albin says this reinforces the need to have greater on site review of what is coming into the landfill.

The bill is still with the committee as it stands today after being read yesterday, 6/6/23 having not been voted upon yet.

The latest report from the month of April on the maximum allowed tonnage from SFLF has their maximum allowed daily tonnage of 7500 tons. Some of the daily tons they bring in from that month is nearing that maximum allowed each day. This forecasts as having the SFLF reach their max capacity without an expansion permit to come much sooner than later. Something the Board is keeping in mind.

**PUBLIC COMMENTS:** No public comments at this time.

**NEW BUSINESS:** No new business at this time.

**ADJOURN:** Commissioner Frankart moved to adjourn at 10:52 AM., seconded by Commissioner Stahl. Unanimous approval of those present was recorded. Motion approved.

**NEXT BOARD MEETING**

**August 2nd at 9:00 A.M. Location: OSS District Office, 1875 E. State Street, Fremont.**