

Association of West Virginia Solid Waste Authorities

October 13, 2013 - Board Meeting Minutes

The annual business meeting of the Association of West Virginia Solid Waste Authorities was on Sunday, October 13, 2013 at the Canaan Valley Resort in Davis, West Virginia.

- I. **Welcome and Introductions:** Chair Jeff Palmer welcomed all to the meeting.

- II. **Establish Quorum/Call to Order:** Chair Jeff Palmer called the meeting to order at 3:00 p.m. Roll call was taken. 20 of 40 member associations were represented: Berkeley, Braxton, Brooke, Doddridge, Greenbrier, Harrison, Jackson, Jefferson, Kanawha, Lincoln, Marion, Marshall, Ohio, Pleasants, Pocahontas, Putnam, Raleigh, Roane, Upshur, and Wetzel. There was not a quorum of the members. Roll call was taken of the officers and directors. All AWVSWA officers attended the meeting. Chairman Jeff Palmer, Vice-Chair Sherry Hunter, Secretary Glenn Kocher, Treasurer Michael Reese, Director-Howard Coffield, Director Roger Frame, Director-Lynne Lashley and Director Shirley Hyre. Chair Jeff Palmer declared that there was a quorum of the officers and directors.

- III. **Minutes:** The September 19, 2013 meeting minutes were emailed and available at the meeting. Howard Coffield moved to accept the September 19, 2013 AWVSWA meeting minutes. Mike Grunau seconded the motion. The motion passed unanimously.

- IV. **Treasurer's Report:** The treasurer's report was emailed and available at the meeting. Mr. Reese reported that as of September 30, 2013, the balance of the general account was \$41,509.16, and the balance of the education account was \$40,874.77. Mr. Reese reported that the AWVSWA currently has 40 members.

Mr. Reese shared that a copy of the AWVSWA FY 2012/2013 fiscal year report was also emailed and available at the meeting. Mr. Reese gave a brief review of the fiscal year report.

Tammy Bonar moved to accept the treasurer's report. Joyce Harris-Thacker seconded the motion. There was no discussion. Chair Jeff Palmer reported that the treasure's report will be filed for audit.

- V. **Old Business:** Chair Jeff Palmer reported that there was no old business to discuss.

VI. **New Business:**

Financial Questions:

1. Financial Review – Internal and External:

Internal: Chair Jeff Palmer reported that the AWVSWA financial committee currently consisting of Mike Grunau and Shirley Hyre do the internal review of the AWVSWA financial records for the last two years. Mr. Grunau reported that reported that the actual year being looked at is FY 2012 (7/1/11 to 6/30/2012), the bank statements for both accounts have been received and reviewed, the committee just needs to compare the information with the actual check register before the written report can be submitted. The committee hopes to finish the internal review while at the conference.

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Michael Grunau moved to accept the year Teed and Associates financial review FY 2013 (7/1/12 to 6/30/2013) in lieu of an AWVSWA internal review. Howard Coffield seconded the motion. The motion passed unanimously.

External: Mr. Reese reported that since the AWVSWA had only had internal house reviews of the AWVSWA financial records it was decided to have an external financial review. Bids were requested, received, and reviewed. Mr. Reese reported that Teed and Associates in Charleston, WV was chosen to do the financial review. The report was emailed to officers and directors, and was available at the annual business meeting for review. The report will also be posted on the AWVSWA website. Mr. Reese reported on some of Teed & Associates recommendations and concerns:

1. No accounting policies and procedures in the AWVSWA's bylaws.
2. The treasurer does not provide monthly financial statements. (Accountants view of financial statements is different than what the AWVSWA is doing.)
3. Requirement of two signatures on all checks. (Not done prior to June 2013, checks need to have two signature lines and correct AWVSWA address.)
4. Treasurer's receipt and processing of bank statements. (Bank statements should be mailed to someone other than the treasurer, signed and dated across the back of the envelope before opened, and reconciled in a timely manner.
5. Original invoices and receiving reports.
6. Contracts with support staff.

Mr. Reese also reported that the accountants indicated that the AWVSWA is a small organization and should review the findings and determines what is most important to the AWVSWA. Mr. Reese has asked for and is waiting for a quote from Teed & Associates for conducting some of the financial responsibilities such as; tax forms (currently doing the 990 form), business registration, and any IRS correspondence as it pertains to tax exempt statuses.

990 Form Status: Mr. Reese reported that he received the draft 990 from Teed & Associates. The 990 was reviewed and returned for corrections prior to the November 15, 2013 due date.

Tax Exempt Status: Mr. Reese reported that AWVSWA originally filed as a 501c3 tax-exempt organization but according the IRS the AWVSWA should be a 501c6 organization. As a 501c6 organization the AWVSWA (a group of businesses) can lobby, can accept donations but donations must be reported as income and donors need to be informed that the AWVSWA is not a tax exempt organization), exempt from federal income tax but not state sales tax. The AWVSWA 501c3 status is currently and from now on will be listed as revoked, and the 501c6 status is currently listed as approved. Recent IRS correspondence was mailed to the current AWVSWA address.

2. Status of Annual Membership Dues: Chair Jeff Palmer reported that the forty solid waste authorities paid annual dues, including four that are new memberships and there were three solid waste authorities that did not renew their membership.

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2. **Scholarship Committee Report/Bylaw Changes:** Sherrie Hunter gave a brief overview of the AWVSWA Scholarship Awards Program that had previously been approved to award up to two \$1,000.00 scholarships annually. Mr. Reese reported that the bylaws need to be amended, to allow the AWVSWA to establish and administer scholarships, to determine that scholarship monies would be transferred from the general account, a scholarship account be created and designated for scholarship funds in the amount of \$2,000.00 annually if funds are available, and scholarship committee information. Proposed bylaw changes were emailed or mailed to all solid waste authorities. Mr. Reese read the proposed bylaw changes at the meeting and shared that scholarship requirements are available on the AWVSWA website. In behalf of the scholarship committee, Roger Frame moved to accept the proposed bylaws changes. Seconded by Howard Coffield. The motion passed unanimously.
3. **Legislative Updates:** Chair Jeff Palmer reported that legislative information would be discussed during comments from the floor.
4. **Nominating Committee:** Chair Jeff Palmer reported that he received the following recommendations from the nominating committee for the AWVSWA positions to be filled for 2014: Secretary-Charity Fellure (Putnam County SWA), Treasurer-Mike Reese (Jackson County SWA), Director-Howard Coffield (Marshall County SWA), and, Director-Tammy Bonar (Ohio County SWA).

Chair Jeff Palmer asked for nominations from the floor for the position of Secretary. There were no nominations for Secretary from the floor. Mike Grunau moved the nominations for Secretary be closed. Joyce Harris Thacker seconded the motion. There was no discussion. Mike Grunau moved that the nominating committee's recommendation for Charity Fellure for the position of Secretary be accepted by acclamation. Motion passed by acclamation.

Chair Jeff Palmer asked for nominations from the floor for the position of Treasurer. There were no nominations for Treasurer from the floor. Mike Grunau moved the nominations for Treasurer be closed. Tammy Bonar seconded the motion. There was no discussion. Mike Grunau moved that the nominating committee's recommendation for Mike Reese for the position of Treasurer be accepted by acclamation. Motion passed by acclamation.

Chair Jeff Palmer asked for nominations from the floor for the position of Director. There were no nominations for Director treasurer from the floor. Mike Grunau moved the nominations for Director be closed. Tammy Bonar seconded the motion. There was no discussion. Mike Grunau moved that the nominating committee's recommendation for Howard Coffield for the position of Director be accepted by acclamation. Motion passed by acclamation.

Chair Jeff Palmer asked for nominations from the floor for the position of Director. There were no nominations for Director treasurer from the floor. Joyce Harris Thacker Mike Grunau moved the nominations for Director be closed. Mike Grunau seconded the motion. There was no discussion. Mike Grunau moved that the nominating committee's recommendation for

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Tammy Bonar for position of Director be accepted by acclamation. Motion passed by acclamation.

5. **2014 Conference Location:** Chair Jeff Palmer reported that Paul Hayes of the West Virginia Solid Waste Management Board and conference planning committee requested proposals from 10 different locations throughout the state. After review of the proposals the AWVSWA accepted the proposal from the Pullman Plaza in Huntington, West Virginia to host the 2014 Conference on October 19, 20 and 21, 2014.

VII. **Solid Waste Issues from the Floor:**

1. **Drilling Waste Disposal at Ohio, Brooke, and Wetzel County:** Chair Bill Hughes of the Wetzel County Solid Waste Authority spoke about the amount of Marcellus drill and other waste that is being allowed at Brooke, Ohio, and Wetzel County landfills. Mr. Hughes expressed concern over the quality of the waste, being that it may have high levels of radioactive materials. Mr. Hughes stated that the West Virginia Department of Environmental Protection has released some memos which now allow any landfill to accept an unlimited amount of Marcellus drill waste. The memos were sent to landfill owners and operators. Nothing was sent to solid waste authorities whose authority is siting, location and size of landfills. Mr. Hughes reported that Wetzel County has concerns as to why the WV DEP can submit this landfill owners and operators without also contacted solid waste authorities. Mr. Hughes reported that he wanted to make sure that all solid waste authorities were aware of this and to find out if the AWVSWA could offer any assistance.
 - A. Mark Holstine of the West Virginia Solid Waste Management Board spoke in response to the Marcellus Shale horizontal drilling waste stating that legislators required that the drilling waste be put into a regulated facility. Therefore the WV Department of Environmental Protection was instructed to make it happen. He also shared that vertical drilling waste is mainly pushed over the hill and that dedicated landfill cells are used to get special wastes out of municipal waste cells.
 - B. Chair Jeff Palmer indicted that he would refer this issue to the legislative committee for additional review. Chair Palmer requested that the legislative committee be re-activated and asked for previous committee members and others to volunteer to serve on the legislative committee. The following volunteered to serve on or continue serving on the legislative committee: Clinton Hogbin-Berkeley County, Jesse Corley-Marion County SWA, Billy Madert-Jefferson County SWA, Rick Buckley-Jackson County SWA, and Bill Hughes-Wetzel County SWA. Clinton Hogbin volunteered to chair the committee.

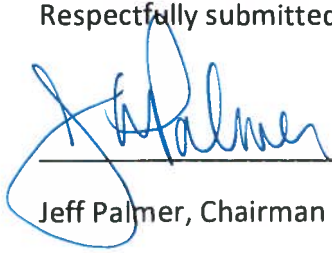
VIII. **Member's Forum:**

- A. **Next Meeting:** The next meeting tentatively set for November 21, 2013 at 1:00 p.m., at the Old Parkersburg Court House in Parkersburg, WV.

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B. **Adjourn:** Roger Frame moved to adjourn the meeting. Howard Coffield seconded the motion. The motion passed unanimously.

Respectfully submitted,



Jeff Palmer, Chairman



Glenn Kocher, Secretary