

**APPROVED MINUTES OF A REGULAR MEETING OF
HAMILTON COUNTY RECYCLING AND SOLID WASTE DISTRICT
POLICY COMMITTEE
July 21, 2016**

DATE: July 21, 2016

TIME: 1:30 p.m.

PLACE: Hamilton County Department of Environmental Services
250 William Howard Taft Road - First Floor
Cincinnati, Ohio 45219

PRESENT: **Policy Committee Members**
Elizabeth Bruggeman, General Interest Member
Jeff Luehrmann, Generator Representative
Sue Magness, Largest Municipality Representative
Todd Portune, County Commissioner, Chair
Larry Riddle, Ex-Officio Member
Lilly Witte, Student Representative

Staff

Michelle Balz, Assistant Solid Waste Manager
Holly Christmann, Director
Ali Khodadad, Operations Manager
Joy Landry, Public Relations Specialist
Jenny Lohmann, Program Specialist
Cher Mohring, Program Specialist
Susan Schumacher, Assistant Solid Waste Specialist, Clerk
Catherine Walsh, Business Outreach Coordinator

Others in Attendance

Nee Fong Chin, Hamilton County Prosecutor's Office
Chuck DeJonckheere, Hamilton County Public Health
Katie Evans, Best Way Disposal
David Ohntrup, Mayor Cranley's Office
Pete Witte, Price Hill

ABSENT: **Policy Committee Members**
Tim Ingram, Hamilton County Public Health Representative
Tom Turchiano, Public Member

1. CALL TO ORDER

Mr. Portune called the meeting to order at 1:40 p.m. Mr. Portune acknowledged and welcomed Ms. Witte, the new student representative. Mr. Portune asked Ms. Witte if she would like to say anything. Ms. Witte stated she was going to be a junior at Seton High School and was looking forward to learning about environmental issues, especially relating to recycling and solid waste, and seeing how local government relates to that.

2. CLERK'S REPORT

A. Approval of Minutes – May 25, 2016 Policy Committee Meeting

Mr. Portune asked if there were any questions or comments on the minutes as drafted and circulated. Hearing none, entertained a motion to approve the May, 25, 2016 minutes as drafted. Ms. Bruggeman moved approval; Ms. Magness seconded. All were in favor and the motion was approved.

B. Additions to the Agenda

Mr. Portune asked Ms. Christmann if there were any additions to the agenda. Ms. Christmann asked Mr. Portune if he wanted to announce the new Trustee. Mr. Portune stated that the Policy Committee is statutorily comprised of having certain representatives; one of which, is a representative on behalf of the Township Trustees Association. Commissioner Dennis Deters appointment to the Board of County Commissioners created a vacancy on the Policy Committee.

Mr. Portune stated that Mr. Deters is from Colerain Township, and the new representative, Jeff Ritter, who is also a Township Trustee from Colerain Township and will be joining the Committee at the September meeting.

Mr. Portune stated that he has had the pleasure of working with Mr. Ritter on the County Emergency Management Agency Executive Committee and thinks that everyone will find him to be a very thoughtful and deliberative member. If his service on the EMA board is any indication, the Committee will be very well served by Trustee Ritter.

Mr. Portune stated that in the Enquirer on Monday was a great article about local townships coming together boosting recycling on which District staff assisted in writing the bid specs to collaboratively bid for recycling and waste for the residents of Colerain, Springfield, and Ross Townships. Residents are now saving money for recycling and trash pick-up. Mr. Portune stated that Ms. Balz was highlighted in the article and complimented staff for their great work.

3. DISTRICT REVENUE UPDATES/ANALYSIS

Ms. Christmann stated that Attachment B showed revenue through May 2016 compared to May 2015 and it has increased slightly by about \$200,000. As discussed in previous meetings, staff is anticipating additional revenue this year due to some out-of-district waste coming back to Rumpke. Revenue is being projected at about \$2.5 or \$2.6 million for 2016.

The Committee discussed MSD sewer sludge that is going to Rumpke.

Mr. Portune entertained a motion to approve the revenue report. Ms. Magness moved; Ms. Bruggeman seconded. All were in favor and the motion was approved.

4. POLICY ITEMS

A. Solid Waste Management Plan – Approval of Draft Plan

Ms. Christmann stated that the Draft Plan was sent to Committee members a few weeks ago.

Ms. Christmann stated that over the past year and a half, staff has been working on The Plan. This was the first time that District staff was not using a consultant. Also, the District is the first solid waste district in the state to use Ohio EPA's new format for writing a solid waste plan.

Ms. Christmann stated that the Committee knows what a great team the staff is. They accomplished a huge body of work that no other district of Hamilton County's size has done in-house.

Ms. Christmann stated that at the last meeting, she gave a presentation overview of what is included in the Plan Update based on what has been discussed the past year and a half.

Ms. Christmann summarized a few highlights to refresh the Committee:

- The District shows that it will continue to exceed the state mandated recycling goals with this new Plan.
- The District shows that there is adequate disposal capacity for the County's garbage under the time the District will operate under this plan which is the next 6 years.
- All of the programs meet and exceed the goals of the state when it comes to solid waste districts.

Mr. Christmann stated that during the last meeting, a discussion ensued on whether or not to include language about anaerobic digestion in the Plan. As directed by the Policy Committee, she met with interim county administrator, Jeff Aluotto and Commissioner Portune to talk through some potential language that can be inserted in the Plan in the event that an anaerobic digester is constructed in Hamilton County between 2018 – 2023. This language was sent to Committee members on July 8 and was included with the Plan Update.

Ms. Christmann stated that what was inserted in the Plan acknowledges the lack of infrastructure for diverting food waste from landfills. It also states that the District has been informed that an anaerobic digester will most likely be constructed during the period in which the District will operate under this solid waste plan.

The District recognizes in the Plan that Hamilton County does not have adequate infrastructure for diverting organics from landfill, so we do not have regional composting infrastructure to manage food scraps, we do not have anaerobic digestion, which could manage some food scraps.

With this knowledge, the District will continue to work with any companies or organizations that are interested in siting a facility by helping them with the number of organics that could be available in Hamilton County and connecting them with local zoning or other regulatory resources.

Language was also added stating that the District will also work with any company or organization to ensure that any types of these facilities will have an odor management plan, be appropriately sized, and accept source separated organics to the best of the District's ability to do that.

Ms. Christmann stated that the above was inserted in a few places in the Plan. Mr. Portune asked where this was referenced in the Plan. Ms. Christmann stated that it was in Chapter 4, page 19 – 20. Mr. Luehrmann stated it was also in Appendix E, page 6, and Appendix G, page 3.

Mr. Portune asked if, it would be appropriate or not to consider adding language to effect of “and to consider the recyclability of any end product or ability to generate other ancillary benefits such as energy capture and distribution.”

Ms. Christmann stated that she did not see why not. It really wouldn't be the District's mission to do that given what the mission statement is but she does not see why this would be a red flag for Ohio EPA. Mr. Portune stated that the wording he suggested just now was not to have that be mandatory language but to in the context of to consider as appropriate with the ability to include those other elements as a part of it.

Mr. Riddle stated that a developer is going to consider those on the back side from a profitability standpoint if it is a privately operated facility you would want to use the fuel of the back side and capture any recycling profit you can get off the back.

Mr. Portune asked Ms. Chin if the Committee needed to, for purposes of its action today, the anaerobic digester language is in the Plan, move to amend the language contained in the Draft Plan to include those references? Ms. Chin stated yes if the Committee was going to refer to them.

Mr. Portune asked Ms. Christmann what she had noted. Ms. Christmann stated that, after the section of the draft Plan that states, “The District will work with any company or organization to help ensure that any such facility will have an odor management plan, be appropriately sized, and accept source-separated organics,” the Policy Committee recommends adding the following statement: “as well as consider, as appropriate, energy production and recyclability of any end-products resulting from the facility.”

Mr. Portune stated that he thought that the additional language covered it and asked if there was any further discussion or objections/concerns. Mr. Portune moved to amend the Draft Solid Waste Management Plan Update to include that additional language in Chapter 4, pages 19 – 20, Appendix E-6, and G-3.

Mr. Portune asked if anyone was willing to make that motion. Mr. Luehrmann moved; Ms. Magness seconded. All were in favor and the motion was approved.

Mr. Portune stated that he thought this would help lay a path to best practices on this issue and provide for the right flexibility and exercise the discretion by the department as these things come up.

Mr. Portune stated that he was very grateful to everyone willing to consider that as a part of the overall context of the solid waste management plan and how that one element of waste being sewer sludge might be managed in a way that is consistent with the work that is being done here on a County-wide plan for solid waste management.

Mr. Portune asked Ms. Christmann if there was anything else she wanted to include in the discussion of the Plan. Ms. Christmann stated that the disposal fee remains as is, \$1-\$2-\$1, and stated that some programs highlights were:

- Residential Recycling Incentive Program will be reduced to \$800,000/year and the District will allow communities to credit separate yard trimmings that are composted towards their diversion rate.
- The District will focus more on underperforming communities and commercial recycling.
- A renewed emphasis on advertising.
- Hire a deputy to provide enforcement against illegal dumping, primarily focused initially on tire dumping.

Ms. Christmann stated that in order to provide for the above program changes, the litter collection program, household hazardous waste program, and the priority grant will be eliminated.

Ms. Christmann stated that there were, however, some budget contingencies included. The District is planning on \$2.5 million/year in revenue:

- If revenue comes in at \$2.6 million/year, \$100,000 will be added to the Residential Recycling Incentive Program.
- If revenue is \$2.7 million/year, the District will also conduct a household hazardous waste event.

Ms. Christmann stated that, however, if revenue decreases:

- If revenue is \$2.4 million/year, \$100,000 will be eliminated from the Residential Recycling Incentive Program.
- If revenue is \$2.3 million, the District will eliminate the deputy.
- If revenue is \$2.2 million, the District will discuss implementing a designation fee to bring revenue back to \$2.5 million.

Ms. Christmann stated that having built-in contingencies will make decision making easier.

Mr. Portune stated just so he understands correctly, in no event, if the Draft Plan is adopted as is, is the inmate litter patrol program included as a recommendation going forward. Ms. Christmann stated yes. Mr. Portune asked what the cost of the program was. Ms. Christmann stated \$27,000/year.

Mr. Portune asked if that was penny wise per pound foolish in terms of the public relations of what the District does. Ms. Christmann stated that the program is being replaced with having a full time deputy going after the problem; so the District is focusing on prevention.

Mr. Portune stated that a tightrope has always been walked with this program that it is not consistent with the District's mission notwithstanding the fact that it is has been incredibly popular. Ms. Magness agreed with Mr. Portune and added that she thought it really helped with the transition of Over-the-Rhine. Ms. Magness stated that they are out there now and they have got their own ambassadors and does not think it will discontinue the clean-ups that they are doing.

Mr. Portune asked when the program will end. Ms. Christmann stated that it will end December 31, 2017. Mr. Portune stated that this was plenty of time to transition to something else and for the jurisdictions in the County to figure out something in conjunction with the Sheriff on inmate litter prevention.

Ms. Christmann stated that the District is now allowing communities to use Residential Recycling Incentive funds to pay for litter collection and gave an example.

A very brief discussion/question/answer session ensued regarding the litter program.

Mr. Portune stated that with the budget, \$27,000/year is difficult to be absorbed, all things being considered for a program really not consistent within the mission and as one the authors of the program is to say that there is a year and a half to transition into something else that is equally effective and popular. He is confident that something will be developed around this.

Mr. Portune stated that if the Draft Plan is approved without the litter collection program that the Committee authorize Ms. Christmann and himself to develop a draft of a communication to the cities, villages, and townships in Hamilton County about this and about the fact that Mr. Portune will be working on in conjunction with the Sheriff and all of them to figure out how to continue a program of this kind or a better iteration of it between now and when the program ends.

A brief discussion ensued.

Mr. Portune stated that what he would like to see the messaging be that while the District cannot, for reasons of budget, but more of reasons of policy (it is just not within the District's mission to pick up litter) that we nonetheless recognize the benefits this program provides across the board and between now and when the program ends, the Sheriff and local jurisdictions will be worked with to try and find an alternative source of funds or a better way to do what was popular with the communities in partnership with the Sheriff and the Department of Corrections within the County.

Mr. Portune asked if everyone was comfortable with this. The Committee concurred.

Mr. Portune stated that a motion was not needed on this discussion and having it in advance is going to be appropriate to reflect the intent of where the Committee is heading.

Ms. Bruggeman asked who focused on litter prevention. Ms. Christmann stated that it is the mission of Keep Cincinnati Beautiful (KCB). Ms. Bruggeman stated that she feels like there is a lot more litter and gave an example. Ms. Bruggeman also stated that she feels like the message has gone away.

Mr. Portune stated that KCB is a Cincinnati focus and that there was also Keep America Beautiful (KAB) and was not sure if it was the focus of KAB or the Ohio Department of Natural Resources (ODNR) inside of Hamilton County outside of the City.

Mr. Portune stated that he is struck that this would be a very fertile ground in terms of education at an early age for a broader school led or school involved initiative with respect to litter prevention. It might be something that

the District could assist with because the District is transitioning away from litter prevention with the elimination of the litter collection program.

Mr. Portune stated that his thought is that as the transition happens, the District could be, if everyone agrees, helpful in the transition to something else. This would be appropriate for the District to a little bit more of a task in the context of divorcing ourselves from the task as it is handed off.

Ms. Christmann stated that she and Ms. Balz have a meeting with KCB in the next couple weeks and together can start that conversation. Ms. Christmann stated that staff could also reach out to Keep Ohio Beautiful.

Mr. Portune asked Ms. Christmann to include Ms. Witte, the new student representative, in those conversations.

Further discussion ensued regarding litter.

Ms. Christmann stated that in terms of the plan, the next steps are for the Policy Committee to approve the Draft Plan with the amendment that was made and staff will be asking for an official resolution. The Draft Plan will then be sent to Ohio EPA. Ohio EPA has 45 days to provide comments.

Ms. Christmann stated that comments should be received about mid to late September. The comments will be reviewed to see if there are any substantial changes to be made.

Ms. Christmann stated that we may have a special Policy Committee Meeting once the comments are received if changes need to be made in order to stay on schedule.

Ms. Christmann stated that if there are no substantial changes that need to be made, there will then be a public comment period starting in mid-October, a public hearing in mid-November and if there are no changes based on the public hearing, staff will ask the Policy Committee to adopt the Plan at the January 19, 2017 meeting.

Ms. Christmann stated that from there, it will go out to vote to all the municipalities, townships, and villages as well as the Board of County Commissioners. Once the notification is received by the political jurisdictions, they have to vote on the Plan and have 90-days to either approve or disapprove or do not act on the Plan.

Ms. Christmann stated that the District is required to have approvals from jurisdictions representing 60% of the population, the Board of County Commissioners approval, and the City of Cincinnati's approval. Mr. Portune asked if the City and County's aye or nay votes have the effect of being vetoes? Ms. Christmann stated yes.

There was a brief discussion on the Plan approval process.

Ms. Christmann stated that once approval is received from everyone, which will be around the first quarter of 2017, the Plan will be sent to Ohio EPA for their final approval. All of the programs in the Plan would then start in January of 2018.

Mr. Portune asked if the implementation schedule could be circulated to members. Ms. Christmann stated yes.

Ms. Magness asked if every council member received a copy of the Plan. Ms. Christmann stated that it was sent to every clerk on a jump drive. Hard copies will not be sent unless requested.

Ms. Christmann stated that at the same time, a letter will be sent to all of the elected officials and the District's community contacts letting them know the clerk has the Plan. A summary booklet will also be included. An offer to do a presentation will be included to any council, trustees, etc. as well.

Mr. Portune stated that the Committee has amended the Draft Plan with the additional language pertaining to anaerobic digestion and had a full opportunity for all questions to be asked and answered. Mr. Portune stated that it was an incredibly thorough job of vetting in-house process that did not in any way impair or diminish the required due diligence of our work. In fact, he thinks the Committee received, based on his tenure, every bit as much, if not more of an in-depth analysis of all the elements than the Committee has ever had with consultants involved. The District saved money in the process so to everyone that worked on the Plan, Mr. Portune said ‘thank you all for a truly incredible job.’

Mr. Luehrmann moved to approve the amended Hamilton County Solid Waste Plan Update. Ms. Bruggeman seconded. Mr. Portune stated that a resolution accompanied this motion and read it for the record in terms what we are moving is to authorize the adoption of Resolution SWR 2016-01, Certification Statement for the Draft Plan, July 21, 2016. The resolution reads as follows:

We, as representatives of the Solid Waste Management Policy Committee (SWMPC) of the Hamilton County Solid Waste Management District (District), do hereby certify that to the best of our knowledge and belief, the statements, demonstrations and all accompanying materials that comprise the draft Hamilton County Solid Waste Management Plan Update, and the availability of and access to sufficient solid waste management facility capacity to meet the solid waste management needs of the District for the fifteen year period (2018 – 2032) covered by the Plan Update are accurate and are in compliance with the requirements in the *District Solid Waste Management Plan Format*, revision 4.0.

Mr. Portune stated that a motion has been made to authorize the adoption of and execution of this resolution and asked for any further discussion on the Draft Plan as amended. Ms. Magness stated that the amendment with the anaerobic digester had not been run by anyone but if Mr. Portune already had discussions with Mayor Cranley then she is OK but this would be the only thing; she ran the budget by but not that amendment.

Mr. Portune asked all in favor for the motion made to authorize adoption of and execution of resolution of SWR 2016-01 please indicate by saying ‘aye.’ All in favor and the motion was approved. The resolution was then passed to each member for signature.

B. 2017 Recommended Budget

Ms. Christmann stated that the 2017 budget is almost identical to the 2016 budget which is right around \$2.5 million.

Mr. Portune stated that he would entertain a motion to approve the 2017 budget. Ms. Magness moved; Ms. Luehrmann seconded. All were in favor and the motion was approved.

5. INFORMATIONAL ITEMS

A. 2015 Annual District Report

Ms. Christmann stated that every year, the District submits an annual report to Ohio EPA on how things are going based on the Plan that the District is operating under now. Attachment D is a piece of that report that details all of the programs and the program results.

Ms. Christmann stated that staff had an amazing year at a time when we were also updating the Plan so a lot of accolades go to all of our team members that really took on a lot of additional work but did not let any of their normal day-to-day responsibilities fall.

Mr. Portune stated that the results are great and are results everyone should be proud of and thanked Ms. Christmann for pointing this out. Both with the respect to the Plan Update and all the work and goals are always met and exceeded and do an incredible professional job and applauds everyone. Mr. Portune stated that he

applauded Ms. Christmann for putting together a great team. Ms. Christmann stated that staff was an awesome team.

B. HR 4184 – Food Recovery Act

Ms. Christmann stated that congress has a House Resolution before them and the Senate also introduced a piece of companion legislation based upon the food recovery act which is a really great step. This raises awareness of all the food that is wasted in this country and people who are hungry.

Ms. Christmann stated that this was introduced at the end of 2015 and recently a companion piece in the Senate. Mr. Portune asked what the Senate Bill number was. Ms. Christmann stated she did not know but would forward that information to him.

Ms. Christmann stated that the Act basically wants to do the following:

- Reduce food waste at the consumer level by requiring uniform food labeling language and sponsoring a national campaign to raise awareness on the impact of food waste and how to decrease it in the home.
- Reduce food waste on farms and retail establishments by extending and expanding tax deductions for those businesses that donate high-quality food to organizations and strengthen the Good Samaritan Food Donation Act, among other things.
- Reduce food waste in schools by encouraging cafeterias to purchase lower-price “ugly” fruits and vegetables and expand grant programs to educate students about food waste and recovery.
- Reduce food waste throughout the federal government by creating an Office of Food Recovery to implement initiatives and requiring companies that have food service contracts with the federal government to donate surplus food.
- Reduce food waste going to landfills by encouraging composting and supporting food waste-to-energy projects (yet ensuring that edible food feeds the hungry) and creating an infrastructure fund to support construction of large-scale composting and food waste-to-energy facilities in states that restrict food waste going to landfill.

Ms. Christmann stated that when she read the status of the bill it said that it did not have much of a chance of passing.

Ms. Christmann stated that Ms. Mohring and Ms. Lohmann have worked closely with Amity Elementary over the past year to do some food recovery efforts at that school. One of the initiatives is a food sharing table in which if a student did not want an unopened yogurt, for example, another student could eat it as opposed to throwing it away.

Ms. Christmann stated that any left over, unopened food was donated to a local food pantry. All of the local health departments were worked with, especially Hamilton County Public Health and they were a tremendous partner in this.

The Committee discussed hurdles to expanding the program to more schools.

C. Scrap Tire Dumping – Statewide Initiative

Ms. Christmann stated that scrap tires are not just in our area but throughout the state. There is a statewide initiative that solid waste districts are leading to develop some changes to fix this problem statewide as opposed to just picking up tires on a consistent basis. Ohio EPA is also working on this as well.

Ms. Christmann stated that the District is leading one of the statewide initiatives which is on enforcement and education focused on educating prosecutors, judges, and law enforcement on the existing laws with dealing with scrap tire dumping and also educating the tire stores about regulations they have to follow.

Ms. Christmann stated that there was a group of about 10 working on this issue and we had a great response from the Ohio Prosecuting Attorney's Association who is allowing the Cleveland Police Department Sergeant and a Cleveland Assistant Prosecutor to speak at their training this September.

Ms. Christmann stated that another committee is looking at changing some of the laws around scrap tires.

Ms. Christmann stated that she will keep the Committee informed as this moves forward.

6. TENTATIVE FUTURE AGENDA ITEMS

Ms. Magness stated that she wanted to lay the groundwork for the next waste audit like the one in 2012 that the District did. Ms. Christmann asked if Ms. Magness was referring to the Waste Composition Study. Ms. Magness stated yes.

Ms. Christmann stated that there has been talk from Ohio EPA that they are going to do a statewide one but she did not know exactly when. The last statewide waste composition study Ohio EPA did was in 2002 or 2003 and one of the landfills included was the Rumpke Landfill.

7. POLICY COMMITTEE MEMBERS' COMMENTS

Ms. Magness introduced David Ohntrup in the audience who is an intern with Mayor Cranley's office. Mr. Ohntrup is interested in getting an overview of environmental studies. Mr. Ohntrup thanked the Committee for letting him sit in on the meeting.

A brief discussion ensued regarding Mr. Ohntrup's education.

8. PUBLIC COMMENTS

There were no public comments at this time.

9. UPCOMING DISTRICT MEETINGS

The next Hamilton County Recycling and Solid Waste Policy Committee meeting will be held on Thursday, September 15, 2016. The meeting will begin at 1:30 p.m. at Hamilton County Department of Environmental Services located at 250 William Howard Taft Road - First Floor, Cincinnati, Ohio 45219.

10. ADJOURNMENT

The meeting was adjourned by acclamation at 2:55 p.m.