

**Hendricks County Recycling District
Board of Director's Meeting Minutes
January 25, 2022**

The Hendricks County Recycling District met at 7:00 a.m. on January 25, 2022, in Meeting Room 4/5 at the Hendricks County Government Center.

Vice President Dennis Dawes opened the meeting and led the Pledge of Allegiance.

Board Members in attendance were:

Dennis Dawes	*Bob Gentry	Kendall Hendricks
Ben Lacey	Nancy Leavitt	Dawn Lowden
Phyllis Palmer	Brad Whicker	

Board Member Dan Bridget was not in attendance.

Others in attendance were:

Lenn Detwiler	Amy Siefertman	Katie Archer
Ed Gaddie	Calvin Davidson	Justin Buster
Brad Eisenhart	Greg Steuerwald	

Introduction of New Board Members

Mr. Detwiler introduced new Board Members, Nancy Leavitt, from the Town of Danville, and Dawn Lowden, from the Town of Avon.

Election of Board Officers

Mrs. Palmer made a motion to nominate Mr. Bridget as President of the Hendricks County Recycling District Board of Directors. Mr. Whicker seconded the motion. The motion passed 7-0-0.

Mr. Whicker made a motion to nominate Mr. Dawes as Vice President of the Hendricks County Recycling District Board of Directors. Mrs. Palmer seconded the motion. The motion passed 7-0-0.

Mr. Whicker made a motion to nominate Mr. Hendricks as Secretary/Treasurer of the Hendricks County Recycling District Board of Directors. Mrs. Palmer seconded the motion. The motion passed 7-0-0.

Approval of Minutes

Mr. Lacey made a motion to approve the minutes from December 14, 2021, Board Meeting as presented. Mrs. Palmer seconded the motion. The motion passed 7-0-0.

New Business

Resolution 2022-01: CAC Appointments for 2022

Mr. Detwiler presented Resolution 2022-01 to appoint members to the District's Citizens Advisory Committee for 2022 and noted that the resolution kept the same members as were in place in 2021. He noted that the Citizens Advisory Committee reviews the District's annual budget and reviews applications submitted for the District's Community Grant program. Mrs. Palmer made a motion to approve Resolution 2022-01: CAC Appointments for 2022. Mr. Lacey seconded the motion. The motion passed 7-0-0.

Resolution 2022-02: Payment of Designated Claims

Mr. Dawes noted that the District's Board of Directors does not meet every month but that the claims still need to be paid and that this resolution allows for the claims to be paid during those months when the Board does not meet. Mrs. Palmer made a motion to approve Resolution 2022-02: Payment of Designated Claims. Mr. Whicker seconded the motion. The motion passed 7-0-0.

Mr. Detwiler added that typically he and Mr. Bridget meet in those "off months" to review the claims and sign the checks and added that those registers of claims do then come before the Board at the next meeting for full approval.

Public Hearing: Proposed Resolution to Amend Final Disposal Fee Rate Structure

Mr. Dawes opened the Public Hearing for proposed Resolution 2022-03 to amend the District's final disposal fee rate structure.

Mr. Brad Eisenhart with Waste Management addressed the Board with concerns regarding the proposed resolution. He noted that his first concern is economics and shared that due to the location of the Twin Bridges Landfill, the company is at a disadvantage with transportation and stated that 40% of waste into the landfill comes from Hendricks County, the rest is from surrounding counties. Mr. Eisenhart shared that his second concern is related to charging more for out-of-state waste and noted that he believes the District cannot charge more for out-of-state waste due to the Interstate Commerce Clause of the U.S. Constitution. Mr. Eisenhart shared that his third concern is the volume of waste being accepted at Twin Bridges, noting that the amount has dropped considerably in recent years. He shared that he believes the District needs to look at how to fund its programs long term through other means because the tonnages are dropping off.

*Mr. Gentry entered the meeting at this point.

Next, Mr. Calvin Davidson with Ray's Trash Service addressed the Board. Mr. Davidson asked the members to consider the goal and asked if it is to raise money or extend the life of the landfill. He stated that he met with Mr. Detwiler and Mr. Bridget regarding the proposed fee adjustment. He noted that Ray's Trash does not own a landfill and seeks out the best waste disposal option available in the local market based on convenience and cost and added that to understand why the tonnage has decreased in a community that has seen explosive growth,

one has to consider factors like cost and convenience. He noted it is challenging to think about taxing the very asset that we are all tasked with reducing and added that continuing to tax it may drive more tons other places. Mr. Davidson then spoke on waste-to-energy facilities and why such an operation would not be a good fit for Hendricks County, noting that today, the landfill is the best choice for waste. He continued by saying that how we treat the landfill and the taxes on it is something that should be thought through and noted that new landfills are not being built. He closed by sharing that it is a delicate economic situation affected by a lot of factors.

Mrs. Palmer shared her appreciation for the different perspectives and explained that the District has reduced what is going into the landfills because of our education programs about recycling.

Mr. Gentry asked if it is the collective wisdom that the rate should be left the same. Mr. Eisenhart and Mr. Davidson both indicated that their preference would be for rates to stay the same.

Mr. Hendricks asked for the historical tonnages accepted at Twin Bridges. Mr. Eisenhart said at peak it was about 1.1 million tons per year and last year they were down to about 650,000 tons.

Further discussion was held. Mr. Lacey noted that the objective is to address the longevity of the landfill and the purpose of Hendricks County Recycling District. He noted that he sees other landfills that have progressively increased their rates and wonders how are they doing that competitively. He acknowledged the role logistics play in the waste management equation but stressed that the proposed increase is modest in size.

No other public comments or questions were noted and Mr. Dawes closed the Public Hearing.

Resolution 2022-03: Final Disposal Fee Rate Structure

Mr. Greg Steuerwald then addressed the Board and shared that Mr. Detwiler asked about the ability to charge out-of-state trash a different rate. Mr. Steuerwald shared that unless there is a justifiable reason, doing so would not be allowed as it would be a violation of Interstate Commerce. He shared it would be his recommendation not to charge out-of-state trash at a different rate as in-state. Mr. Hendricks asked if Mr. Steuerwald's opinion also applies to charging out-of-county waste a different rate than is charged for waste generated in Hendricks County. Mr. Steuerwald shared that their research was strictly for waste generated out-of-state and potential violation of interstate commerce. He noted that charging a different rate for out-of-county would not violate interstate commerce. He added, for the Board's consideration, that the CAC was formed as an advisory committee for the Board and that that body could be asked to study the issue and make recommendations.

Mr. Whicker shared he is not in favor of raising the rates because ultimately it is tax that will be passed onto the consumer and noted the current escalating inflationary market. He added that

leaving the rate unchanged is one small step we can take to help during these difficult economic times.

Mr. Dawes shared that there was previous discussion on postponing consideration of Resolution 2022-03 and noted that based on all of the discussion there may not be a reason to do so.

Mr. Whicker made a motion to deny Resolution 2022-03. Mr. Gentry seconded the motion. Mr. Lacey noted he would like to ask the CAC to come up with other means of generating funding and shared he would like a plan for going forward. Mr. Hendricks agreed.

Mrs. Palmer shared that the District has enjoyed a public-private partnership and acknowledged the leadership of Mr. Detwiler. She noted she is in favor of voting down the motion.

Mr. Detwiler expressed his support to what Mr. Lacey said and noted that based on the input from Mr. Eisenhart, lower tonnages and income will continue for the foreseeable future. Mr. Detwiler acknowledged that the CAC is a critical part of the District operations and added that this issue was discussed at two of the three CAC meetings held in 2021. He committed to working with the CAC to develop some recommendations for the Board to consider.

Mr. Gentry asked Mr. Steuerwald if the Board or CAC have the authority to assess an impact fee on new homes built in the county to help fund the Recycling District. Mr. Steuerwald shared that he was unsure if that was allowable but would research the possibility.

After more discussion, Mr. Steuerwald noted that the Board's motion should be "not to adopt the resolution" as opposed to denying it.

Mr. Whicker amended his motion to include the wording "not to adopt Resolution 2022-03." Mr. Gentry amended his second on the motion. Question was called by Mrs. Palmer and the motion passed 8-0-0.

Mr. Dawes asked Mr. Detwiler to take this issue to the CAC. He shared the idea of having a few Board Members present at those meetings and thanked the Board Members on the Tipping Fee Committee for their work on the issue.

Mr. Hendricks shared that as tonnage goes down and rates increased there could have been a potential to ultimately realize less revenue. He expressed that he would like to better understand what funding options are available to the District.

Anti-nepotism Certifications

Mr. Dawes highlighted the anti-nepotism certifications that all Board of Directors' Members need to sign. Forms were handed to Mr. Detwiler.

Outreach Coordinator's Report

Mrs. Sieferman noted that understandably, due to the pandemic, the number of students she was able to present to in 2021 declined. But that she was still able to provide programs to over 5,500 students in-person, virtually, or through the newly-developed STEM kit program.

She then shared that ten schools will be participating in the Recycle: Heart and Sole program, a partnership with an organization called Changing Footprints. She shared that Changing Footprints works to use the donated shoes to fill needs in and near central Indiana.

Mrs. Sieferman reported that the STEM kits she referenced earlier have been extremely popular with students and teachers. The kits were initially offered to just third grade classes as it was a pilot program, but she plans to expand it and will utilize some volunteers to help prepare the kits.

Director's Report

2021 Program Results

Mr. Detwiler opened the Director's Report by sharing the 2021 Program Results handout and highlighted the annual totals from the Recycling Drop-Off Centers, Yard Waste Recycling Centers and Tox-Away Days.

Annual Summary

Next, Mr. Detwiler moved to the 2021 Annual Summary included in the Board Packet noting that it is a good way to highlight the District's achievements over the last year. He noted that there is also an interactive, digital version that will be included in an upcoming email newsletter. He offered additional hard copies or digital version to Board Members.

Mr. Dawes asked if Mr. Detwiler did anything like this in the form of a public mailing. Mr. Detwiler shared he has not, however, he has sent it with an annual letter to legislators.

Mrs. Palmer asked if Mr. Detwiler is invited to speak at clubs such as Rotary or Lions Club. She noted it is good information to present. Mr. Detwiler shared he has occasionally been invited to speak at those types of gatherings and is always willing to do so.

Office Lease Renewal

Next, Mr. Detwiler shared that the District's office lease with the Town of Danville is up for renewal at the end of June. He noted that he contacted the Danville Town Manager, Mark Morgan, regarding renewing the lease for another two years and the Town was in agreement with doing so. Mr. Detwiler asked the Board for approval to extend the lease for another two years. Mr. Dawes asked if the terms would stay the same and Mr. Detwiler confirmed that they would. Mr. Gentry made a motion to approve renewing the lease with the Town of Danville. Mr. Lacey seconded the motion. The motion passed, 8-0-0.

Financial Report

Mr. Detwiler opened the Financial Report by sharing the Financial Facts Summary and noting that some CDs the District holds for the Hendricks County Special Projects Fund and the Rainy Day Fund will be maturing at the beginning of March. He also noted that the 2022 contribution to the Rainy Day Fund will be made at the end of February in the amount of \$145,140; 10% of the 2022 General Fund budget amount.

Mr. Detwiler stated that as the District considers funding in the future, one of the items discussed by the Tipping Fee Committee was a reconsideration of contributions to the Rainy Day Fund and continuing contributions to the Hendricks County Special Projects Fund.

Income Chart

Next, Mr. Detwiler highlighted the Final Disposal Fee Income for 2021 of around \$650,000 and noted that was the second lowest annual total of all-time; just ahead of the total for 2009 and \$116,000.00 below the annual average.

Mr. Detwiler then shared that the Yard Waste Recycling income was well above average for the year and the second highest amount of all-time.

Fourth Quarter Report

Mr. Detwiler shared the Fourth Quarter Report with the Board. Mr. Hendricks asked if a historical data of income minus expenditures of the last five to ten years has been provided or could be provided to the Board. Mr. Detwiler shared that he would provide that for the Board.

Claims Registers

Mr. Detwiler presented the Registers of Claims included in the Board Packet. The General Fund Register of Claims dated December 28, 2021, totaled 136,916.26. The Hendricks County Special Projects Fund Register of Claims dated December 28, 2021, totaled \$716.80. The General Fund Register of Claims dated January 25, 2022, totaled \$103,121.50. The Hendricks County Special Projects Fund dated January 25, 2022, totaled \$703.00.

Mr. Detwiler shared that Mr. Bridget reviewed and signed both the registers dated for December 28, 2021, and added that the two Special Projects Claims are for the Safe Sharps Disposal Program, a partnership with the Health Department. Mr. Gentry made a motion to approve the Registers of Claims. Mrs. Palmer seconded the motion. The motion passed 8-0-0.

Old Business

Lizton Recycling Center Project

Mr. Detwiler reviewed the layout design that was included in the Board packet for the new Lizton Recycling Center. Mr. Detwiler noted that the preliminary designs had been submitted to Hendricks County Plan Commission. He highlighted the landscaping plan and noted that it

reflected the desire shared by the adjacent property owners. Mr. Detwiler shared that the next six weeks will include a number of meetings related to the project and shared details about those upcoming meetings. He explained that in addition to the required meetings for the Hendricks County Plan Commission, he will be holding an informational meeting for members of the public to learn about the project. He invited Board Members to attend.

Mr. Dawes asked if consideration had been given to utilizing a different system, such as an above-ground holding tank, to manage the waste water from the restroom in the attendant building. Mr. Detwiler explained that he explored options other than connecting to the Town of Lizton's sewer system but the Hendricks County Health Department indicated that a holding tank type system would not be approved. He added that the estimated cost of connecting to the sewer system is \$20,000.

Mr. Hendricks asked if there was any feedback from the adjacent neighbors regarding the proposed landscape barriers. Mr. Detwiler shared that he had not heard any more from them and noted that they have been received notification mailings and meeting agendas.

Next, Mr. Detwiler shared the Communication Plan he developed outlining how the District would educate the public about the new Lizton Recycling Center as the project moves along and once it is open.

Public Comments

No public comments.

Board of Directors' Comments & Questions

Mr. Dawes shared his appreciation for the work performed by District staff and noted that the Board's decision to not approve the resolution related to the District's tipping fee was not a reflection on the work they perform.

Announcements & Adjournment

Mrs. Palmer made a motion for adjournment. Mr. Gentry seconded the motion. The motion passed, 8-0-0. The meeting adjourned at approximately 8:00 a.m.

Daniel Bridget, President