

**Mid-Missouri Solid Waste Management District
Advisory Committee Minutes
Wednesday, April 15, 2009, 1:30 p.m.
City Building, 701 East Broadway, Columbia, MO
Mezzanine Conference Room – OPEN MEETING**

Those Present:

Thad Yonke	Boone County	M.L. Cauthon III	Cooper County
Tom Groves	Audrain County	Howard Black	Howard County
Mary Ellen Lea	City of Columbia	J.C. Miller	Callaway County
Gayla Neumeyer	At Large		

(Dave Sellhorst-At Large and Vince Sampson-Osage County, submitted scoring sheets, but were not in attendance)

Members Absent:

Bill Moore	At Large	Rita Jackson	At Large
Vince Samson	Osage County	Eli McDonald	City of Tipton
Jim Gill	At Large	David Overfelt	Cole County
Rick Graham	City of Jefferson	Dave Sellhorst	At Large

Others Present:

Cindy Jolly, District Coordinator, Mid-Missouri Solid Waste Management District
Kate Hewlett, Administrative Support Assistant to the Mid-Missouri Solid Waste Management District

1. Call to order and introductions

The meeting was called to order and introductions were made.

2. Determination of quorum

It was determined there was a quorum. Five of the eight counties in the District were represented.

3. Approval of agenda

Mr. Groves moved to approve the agenda; seconded by Ms. Neumeyer. Unanimous voice vote of approval.

4. Approval of the January 21, 2009 minutes

Mr. Cauthon moved to approve the minutes; seconded by Mr. Groves. Unanimous voice vote of approval.

5. Review of scoring process for FY2009 Applications and funding levels

Two grant applications were submitted for a total of \$8,780.00 in requested grant funds. Ms. Jolly informed the committee that \$11,739.25 is available, which is enough for both projects should they both score above 200



points and be approved by the Executive Board and MDNR SWMP. Mr. Yonke reminded the Committee that an applicant cannot receive the full 8 points in the "Project Efficiency or Cost/Benefit" category if the project diversion is above the weighted average. Each grant is scored individually after the grant has been discussed. The bonus points/deductions are decided as a collective. Any abstention from voting is taken out of the average, so there is no penalty to a grant for abstaining. Grant scoring categories were provided in the packet for the committee members to read over before the meeting and before they score the grants. The members are aware of the grant scoring criteria and considerations. If a member scores a grant, they affirm they have read the scoring document, have taken the criteria into consideration, feel the grant meets the requirements of the scoring document, and are voting in compliance.

6. Discussion and scoring of FY 2009 District Grant Applications Round 3

1) H-09-20 River Relief, Inc. Jefferson City Missouri River Clean-up

This grant would fund a one-day river clean-up in Jefferson City on September 19. They are requesting grant funding to pay for an event coordinator, equipment manager, supplies, and boat rental for the event. They expect to collect 4.5 tons of recyclable material (waste tires, metal/white goods, plastic and glass) from the Missouri River. Plastics, aluminum, and glass extracted from the river will be taken to Civic Recycling; metals (abandoned farm equipment and appliances) will be scrapped; tires will be shredded for reuse. The total project is \$8,107.50. The grant request is \$5,000.00 with the match being \$3,107.50.

Ms. Jolly stated that this will be a one day clean-up and the funding will be used for labor and some supplies. Their diversion will be recorded for just one quarter, as advised by MDNR. She asked River Relief to attach their final report to their annual report of all the collections they do during the year.

Mr. Miller asked how long River Relief has been holding these clean-up events. Mr. Yonke said the District has funded their clean-ups five times. Mr. Miller feels this is a good program. Mr. Yonke feels these river clean-up events benefit the District through advertising and education as well as benefiting the environment. Mr. Cauthon agreed, adding that they get lots of volunteers and serve as a great community outreach. He said the diversion weighting is unfortunate because river clean-ups are not cheap or easy, but needs to be done because of its importance. Ms. Jolly noted it is a one day project so the diversion weighting calculation is not really appropriate. Ms. Neumeyer felt they did very well with their letters of support that were included.

Documentation was timely submitted. After reviewing the application content, Ms. Jolly requested Mr. Schnarr make corrections to their Applicant Profile and Budget Documents where there were variations in match funding amounts. There was also a typographical error on their timeline. This project may be considered for Bonus Priority #3 (up to 20 pts) as this project application included several letters of support. Application errors may result in a 10 point deduction in scoring.

Prior to scoring, it was noted that the project diversion is above the weighted average which means this project cannot receive an 8 under Project Efficiency.

Mr. Groves moved to deduct 10 points and award 20 bonus points for a total of 10 bonus points; seconded by Ms. Neumeyer. Unanimous voice vote of approval.

Bonus Points +20 *Identified Community Needs – Priority 3*
-10 *Errors in Application*
10 pts

2) H-09-21 Curators of the University of Missouri Containers for Paper, Cardboard and Metal

Prior to scoring the grant, Ms. Neumeyer's vote was discussed in response to a letter received from MDNR regarding Ms. Neumeyer's voting on previous University of Missouri applications.. A copy of the letter was



provided to the Committee. In the letter, MDNR questioned whether Ms. Neumeyer should have voted on a University of Missouri grant application that was not approved and which she had no vested interest. Mr. Yonke asked Ms. Neumeyer about her association with the University. Ms. Neumeyer responded that she is an employee, but has no stake in the University's recycling, no financial interest, or no repercussions/benefits to her if she scores a grant negatively/positively. Mr. Yonke said that if she feels she should abstain, she may, but he does not see any reason why she needs to. Ms. Neumeyer happens to work for an institution that is large enough to be involved in recycling activities, but requiring her to abstain from all University of Missouri grants may put an over burden on having representation. Mr. Yonke left the decision up to Ms. Neumeyer on voting for Grant H-09-21 and he will get the opinion of the Committee on future voting later in the meeting.

Ms. Lea informed the Committee she will abstain from voting for this grant because the City of Columbia will be collecting the material for the project, if approved.

Grant funds would be used to purchase nine 2-yd. dumpster containers for the collection of paper, cardboard, and mixed metals. The containers would be set near buildings that currently need medium scale containers to recycle paper, cardboard, and mixed metals. These materials are currently being landfilled. The containers will be manufactured locally by Cooper County Trash and MFG, LLC in Bunceton and serviced by the City of Columbia and/or Civic Recycling, depending on the material. For the educational component, five student volunteers will be recruited to work 10 hours each during the project year. These "recycling champions" and their level of commitment will be tracked and recorded. Recyclables will be weighed the day they are picked up and logs of weights will be tracked by the Recycling Coordinator. Increases in tonnage will be analyzed quarterly against historical data to determine the effectiveness of additional educational efforts. The total project is \$5,040.00. The grant request is \$3,780.00 with the match being \$1,260.00.

Documentation was timely submitted and included required elements. No letters of support were included. This project may be considered for Bonus Priority #5 (up to 15 pts) as this project enhances a school recycling program. No deductions were noted.

Ms. Jolly noted that these containers will be used for recycling, not trash. Their preliminary application included four quotes, and they have indicated they would like to buy the bins from Cooper County Trash. Ms. Jolly said she asked the applicant if they pay for the containers before or after they receive them. They stated in their final application that no containers will be paid for until they have been received in good order.

Prior to scoring, it was noted that the project diversion is below the weighted average which means this project is eligible for up to 8 points under Project Efficiency.

Mr. Groves moved to award 15 bonus points; seconded by Mr. Yonke.

Roll call vote: Mr. Groves-Yes, Mr. Yonke-Yes, Ms. Neumeyer-Abstained, Mr. Miller-Yes, Mr. Black-Yes, Mr. Cauthon-Yes, Ms. Lea-Abstained.

Bonus Points +15 School Recycling Enhancement - Priority 5
15 pts

Scoring Results for Small Grant Round 3 Applications

1. Curators of the University of Missouri	H-09-21	286 pts.
2. River Relief, Inc.	H-09-20	258 pts.



7. Recommendations for funding FY2009

All applications scored above 200 points. There are funds available to fund both projects.

Mr. Groves moved to recommend funding both grant projects; Mr. Cauthon seconded.

Roll call vote: Mr. Groves-Yes, Mr. Cauthon-Yes, Mr. Black-Yes, Mr. Miller-Yes , Ms. Neumeyer-Yes to River Relief; Abstained from the University of Missouri, Ms. Lea-Yes to River Relief; Abstained from the University of Missouri, Mr. Yonke-Yes.

8. Other business

The District received a letter from MDNR which cited specific issues they had with the Committee and Board's approval of specific grants from the second round of grant applications for FY09. Mr. Yonke feels that the District has a consistent and fair process for evaluating grant applications, and they do a very good job of complying with the State Ruling and all of the guidelines from MDNR and MMSWMD Guidance Document.

The Committee members receive the applications and scoring criteria for review prior to the meetings. They do not score grants without taking all of the criteria into consideration. To address the letter from MDNR and the issue involving adverse affects on other businesses, the Committee agreed to state before the scoring of grants that if a member scores the grant, they are affirming the criteria have been met in their opinion in order to be scored.

One issue addressed in the letter involved Ms. Neumeyer voting for a University of Missouri grant that was not approved by MMSWMD, as previously discussed above under agenda item 6.2. Mr. Yonke questioned MDNR's concerns about Ms. Neumeyer voting for University applications because she has no involvement with recycling efforts at the school. He believes it should be up to the individual if they feel there is any impropriety. He feels there is no appearance of impropriety.

Mr. Cauthon believes that MDNR misunderstands Ms. Neumeyer's authority. She is appointed as a representative At Large member as a private citizen. She just happens to work for the University of Missouri; she does not represent the University on our Committee. She has no connection to their decisions to apply for grants and execute them.

Two grants from the City of Columbia, H2009-09 Dual Chamber Compactor for Campus Recycling and H2009-11, were also referenced. MDNR did not feel that the Advisory Committee and Executive Board considered the "degree to which funding to the project(s) will adversely affect existing private entities in the market segment," District Grant Rule 10 CSR 80-9.050. Their concerns resulted from an article published January 3, 2009 in the Columbia Daily Tribune.

Ms. Jolly said she spoke with Brenda Ardrey to ask exactly what MDNR wants done. Ms. Ardrey informed her that any time they see an article, they want an inquiry performed. The article says Layli Terrill with the City of Columbia said they are directly competing with Civic Recycling. The concern was that a small business had to compete with local government. She wanted Ms. Jolly to visit with Civic Recycling and report back to the Committee and record it in our minutes. If we did not make inquiries at the District level, MDNR has a group that could investigate if one entity is adversely affecting another.

Mr. Yonke is concerned that MDNR is holding up grant approval because someone at MDNR saw a newspaper article that said Civic Recycling has a relationship with the University and feel they are competing with the City of Columbia. He feels newspapers are terrible sources of information because they include whatever the reporter happens to write down, which could be inaccurate or biased. MDNR is concerned that the City of Columbia's grants might hurt Civic Recycling's business because we are choosing to fund



something that may give the City of Columbia a perceived advantage. However, both the City of Columbia and Civic Recycling have contracts with the University.

In the article, Civic Recycling stated that they have an issue with the City of Columbia providing services to commercial customers they previously serviced. Civic Recycling feels that the City should cover residential services and they cover commercial services. Mr. Yonke said this is purely one point of view. This is just their opinion and others might feel differently. Ms. Lea noted that the Mall, the Hospital, and Holiday Inn contacted the City to inquire about recycling services. They did not solicit these businesses. Mr. Yonke added that Boone County contacted the City of Columbia because Civic Recycling gave them notice that their bin service would increase from \$80 a bin to \$250 a bin in 30 days. Mr. Yonke said he had no other option than to find another hauler because of Civic's pricing.

Ms. Jolly provided an update on telephone conversations made prior to the meeting with Brett Allen, owner of Civic Recycling, Dean Sidener, manager at Civic Recycling and Steve Burdic, University of Missouri (copy of telephone notes from April 15, 2009 attached). She advised she is scheduled to visit with Brett Allen and tour Civic Recycling on April 22, 2009.

Mr. Yonke asked how much latitude the Committee is supposed to give to Mr. Allen's view that business is being taken away from him. Mr. Yonke does not put much value in this because of his past experience with Civic Recycling. He believes they have a flawed business plan, and any loss of business is due to that and not the competition with the City of Columbia. He knows that Civic Recycling priced themselves out of business with Boone County, so why should he believe they are not doing this with their other contracts?

Mr. Yonke asked Ms. Jolly to respond to MDNR so we can move on, but made clear his concerns. Mr. Yonke feels our district is being held to a higher standard. In places that do not have a newspaper that reports on everything, there are not going to be articles generated that would cause MDNR to request inquiries and hold up grant approvals. Mr. Cauthon asked who this group is from MDNR that investigates.

Mr. Cauthon asked how the District is supposed to know if the University has contracts with other recycling providers other than Civic Recycling and the City of Columbia. Mr. Yonke agreed and asked if there are others who want a part of the business, who we give preference to. MDNR is putting the District in a difficult position.

Mr. Yonke pointed out that if we deny the grant or the City does not want to match 50%, the University will just keep the trash bin and not provide recycling; and all of the recyclable material will go to the landfill. He feels it seems MDNR would rather all of the materials go into the landfill because they have an issue with our interpretation of the legislation and the grant application. Ms. Neumeyer asked if the contract the University has with the City is being renegotiated. Ms. Lea confirmed they are currently renegotiating.

Mr. Yonke stated if the University has their own containers, they should be able to decide who they want to provide services. Would this mean we are not being fair to Civic Recycling because the University reserves the right to select the best service and deal? The University needs to save their money and jobs as well.

Mr. Yonke feels there should be other options to assist small recyclers directly. The Districts should not be responsible for this. If Civic Recycling does not apply for a grant, how is the District supposed to help them? Are we supposed to help them by denying another grant for someone else, when Civic has not applied?

Ms. Jolly asked how to address the Dual Chamber Compactor application. Half of the compactor is for recycling and half is for trash. MDNR cited the code that says we cannot use State funds for trash service. Mr. Yonke could understand their argument, but they did not allow for an alternative argument or interpretation. The University of Missouri already has trash service and dumpsters to collect trash. They want to provide recycling services to the places that already have trash service with a dual recycling/trash bin because they do not have room for two separate containers. If they had to choose between a trash container and a recycling container since they do not have enough room for two, the trash would win because they must have trash



service, but do not have to provide recycling service. These bins would allow the University to provide recycling service where it would otherwise not be possible. This ability for the bins to hold trash and recyclables would provide 100% of a new process and new recycling effort. Mr. Yonke feels that the fact that half of the container would collect trash is incidental because they will collect the trash anyway, they just do not have room for two containers. Mr. Yonke believes the intent of the legislature to not providing trash service meant to not spend money on recycling bins or trash trucks for companies or local governments to provide trash service and not be abusive of the process. He does not feel it is acceptable to say if a grant for recycling involves trash at all, it is suddenly not available for grant funds. Mr. Yonke would like to see MDNR directly address this.

Mr. Yonke suggested asking the City of Columbia if they want to match 50% for the trash portion of the compactor. He does not think we should tell them they have to do this, but offer it as an option to get the grant approved. He said they are free to challenge the decision from MDNR. He feels that an argument can be made that MDNR is interpreting the legislation and the grant incorrectly and the City has a right to challenge that decision. Mr. Groves agreed and feels this is a good grant that should be funded. Mr. Yonke added that if the University had room for a second container, they would just put a separate recycling container there and this would not be a problem, but there is not. If they do not get this dual chamber, the recyclables will go in the trash and no recycling will happen. That is what makes this grant fund a 100% new recycling effort because it is creating recycling where it is currently not possible. The trash collection will happen regardless, this grant would just allow for recycling to happen as well. If there is no dual chamber bin, there will be no recycling at these locations.

Ms. Lea had to leave the meeting.

Ms. Jolly asked how the Committee wanted her to move forward with this letter. The Committee agreed that these grants have no significant impact to any of the existing smaller businesses and that is how they scored it. The City of Columbia is free to reassess their match for the Dual Chamber grant, but the District will not tell them they must.

Ms. Neumeyer noted that the economic analysis is important. Giving the University or any other business the ability to choose the lowest cost provider is a good goal, particularly for an organization that deals with tax payer funds. They should be able to choose the best provider and the best cost.

Mr. Yonke believes MDNR should have other mechanisms to directly help small recyclers and that would be the best and most effective method of assistance. Trying to go through an administrative bureaucracy of having us help through district grants is a very cumbersome way to try and keep a small recycler in business. Mr. Groves added that recycling commodities are not worth anything, which would be the most detrimental effect on small recyclers. Mr. Yonke referenced the article in which Mr. Allen stated the University used to pay him for the collection service, but he chose not to charge them when times were good and he was making money on the materials. Now that times are bad, he is not making any money on the materials or his collection service because he chose not to charge the University. He made a choice to collect the materials for free because he believed it gave him an advantage in the market. He did not plan for the economy to turn. Mr. Yonke wondered if the District is supposed to help keep businesses alive because they are recyclers by not funding a grant for a possible competitor.

Ms. Jolly asked for guidance regarding the attendance policy for the Advisory Committee outlined in our Policies and Administrative Rules handbook. The policy states that if a member misses four consecutive meetings they shall be considered removed from the Committee. Mr. Bill Moore who is an At Large-Industry, Non-Solid Waste member, has missed more than four consecutive meetings. He has indicated that the meeting time does not work for him. Ms. Jolly had previously conducted a poll of the Committee members and the current meeting time worked best for everyone except for him. Mr. Yonke asked the members if the meeting time is still the best for them. Everyone agreed there is no better time. Mr. Moore believed the Committee never has a quorum, but Ms. Jolly checked the records and provided Mr. Moore with copies of our sign in sheets showing member attendance. There has only been one failure to have a quorum in the time Ms.



Jolly has been District Coordinator. The Committee agreed the rules are clear, and Mr. Moore is now considered removed from the Advisory Committee. Mr. Yonke asked the staff to keep track of attendance and give a reminder to anyone who has missed three in a row to attend the next meeting. Ms. Neumeyer inquired whether participation by absentee voting counts as participation in the meeting. Mr. Cauthon thought it would because the purpose of the Advisory Committee is to score grants. Mr. Yonke agreed. Ms. Neumeyer added that she felt Mr. Moore brings a great deal to the Committee from both perspectives of waste generation and disposal. Ms. Jolly pointed out that you must have a quorum present at the meetings in order to conduct business, so if everyone just sent in their scoring sheet, there would not be a quorum present. She added that the Committee holds three meetings a year, so a member would have to miss one year and a quarter consecutively to be removed. The Committee agreed the member must attend the meeting, and they consider Mr. Moore removed from the Committee.

The District Council Meeting will be May 13. Tom Gredell will be presenting the District Guidance Plan. The staff is also working with Huber and Associates on the website and hope to have the final product to present during the meeting as well. It is an open meeting and anyone is welcome to attend. The District has already held four public meetings for the District Guidance Plan and will hold the rest before the end of April.

Ms. Jolly, Ms. Ardrey, Mr. Yonke, and Ms. Hewlett will meet on April 29th to review and revise the District Grant Application and Guidance Document.

9. Schedule next meeting

The next Advisory Committee meeting will be held October 21 at 1:30pm.

10. Adjourn

Mr. Cauthon moved to adjourn; seconded by Mr. Groves. Unanimous voice vote of approval.

Respectfully submitted,

Katherine Hewlett
Secretary to the MMSWMD

Cindy Jolly
District Coordinator

APPROVED:

Thad Yonke
Chair, MMSWMD Advisory Board

