



# **NORTHEAST INDIANA SOLID WASTE MANAGEMENT DISTRICT**

*Serving DeKalb, LaGrange, Noble and Steuben Counties  
2320 W 800 S. P.O. Box 370 Ashley, IN 46705-0370 • (260) 587-3063 • Fax (260) 587-3523*

## **PUBLIC NOTICE NORTHEAST INDIANA SOLID WASTE MANAGEMENT DISTRICT BOARD OF DIRECTORS' MEETING**

### **DISTRICT OFFICE**

**Tuesday, November 14, 2006  
6:30 PM**

### **Agenda**

- ⇒ 6:30 p.m. Call to Order
- ⇒ 6:32 p.m. Minutes of October 10, 2006
- ⇒ 6:35 p.m. Registry of Claims/Treasurer's Report
- ⇒ 6:40 p.m. Executive Committee Report
  - Fee Analysis
  - Legislative Report
  - Engineering Resource Review & Decision
  
- ⇒ 7:15 p.m. Director's Report
  - Programs/Operations Report
- ⇒ 7:30 p.m. Other Items Pending
  - IWM
- ⇒ 7:40 p.m. Public Comment
- ⇒ 7:45 p.m. Adjourn



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## **Northeast Indiana Solid Waste Management District Board of Directors Meeting November 14, 2006**

The Northeast Indiana Solid Waste Management District Board of Directors meeting began November 14, 2006 at 6:35 P.M. Harold Gingerich, President, presided with a **quorum present**.

**BOARD MEMBERS PRESENT:** Chuck Ort, Don Kaufman, Donald VanWye, Mayor Norm Yoder, Roger Boots, Harold Gingerich, Terry Helmer, Mark Pankop, Harold Uhl and F. Mayo Sanders

**BOARD MEMBERS ABSENT:** Connie Miles, Phil Curtis, George Bachman, Jack Herendeen, Hal Stump, Mayor Suzanne Handshoe, Ronald Smith, James Crawl, Dan Putman and Mayor Richard Hickman

**CAC PRESENT:** Colleen Hake Boyd

**DISTRICT ATTORNEY:** Andrew Kruse

**DISTRICT ENGINEER:** J.W. Spear, Sr., P.E.

**PUBLIC PRESENT:** Carl Hornberger/Republic Services, Lynn Spidel/Kendallville Iron & Metal Inc., Michael Friskney/Hartford City Paper Recycling, Mike Rowlison/Clerk-Treasurer Town of LaGrange

**STAFF PRESENT:** Steve Christman, Pam DeCamp, Jennifer Franz and Linda Zirkle

**MINUTES:** Hearing no additions or corrections to the minutes of October 10, 2006, a motion was made by Donald VanWye to approve the minutes. Motion seconded by Harold Uhl. Motion carried 9 yeas, 0 nays

**REGISTRY OF CLAIMS & TREASURER'S REPORT:** Steve Christman reviewed the Registry of Claims and Treasurer's Report for November 14, 2006. A motion to approve the Registry of Claims and Treasurer's Report was made by Don Kaufman. Motion seconded by F. Mayo Sanders. Motion carried 9 yeas, 0 nays

### **EXECUTIVE COMMITTEE REPORT:**

**IWM Consulting Group** – As directed by the Board of Director's in July 2006 a Request for Proposal for a Recyclables Processing and Shipping Facility was released. At a pre-proposal meeting in August, seven firms were represented at the meeting and expressed interest. At the September 12, 2006 Request for Proposal meeting, the response from the market place was, that it is too risky to pursue for that type of project; and resulted in no proposals being presented.

The District learned later that around the same time a company by the name of Industrial Waste Management Consulting Group (IWM) was proposing a facility in the Waterloo area. This company is a spin off of Ray's Trash Service that appears to be the largest independently owned service provider in Indiana. The company is in the process of purchasing property, applying for the

proper zoning and permitting and is proposing to build and operate a Construction and Demolition/Transfer Facility.

The principals with IWM contacted the District and Steve Christman invited them to attend the Board of Director's meeting on September 12, 2006. After learning IWM would like to have an endorsement from the District showing support, within the next 30 days, the Board of Directors asked Steve Christman to prepare a "Due Diligence" report.

A copy of the November 8, 2006 due diligence report is included in the Board packages and documents Steve Christman's recommendations.

Chuck Ort, DeKalb County Commissioner, reported to the Board an update on the IWM facility is that the DeKalb Plan Commission gave their approval of the facility and the DeKalb County Commissioners passed re-zoning and are waiting for the development plan from IWM.

Harold Gingerich asked if anyone from the public would like to speak or have any questions. Lynn Spidel with Kendallville Iron and Metal questioned the newspaper article stating the possible 85 employees, performance-based economic incentives and Indiana Economic Development Corporation (IEDC) grants based on that number. Mr. Spidel doesn't know of any facility requiring 85 employees to handle available daily tons. Carl Hornberger, Republic Services Inc, expressed concern with adding a new transfer facility when his company, probably the largest hauler, is having difficulty justifying the current volumes for the existing transfer facility in DeKalb County. Mike Friskney, Hartford City Paper Recycling, is searching to find if and what impact it might have with his current paper recycling business.

Discussion followed with how the Board of Director's would like to direct Steve Christman regarding District support (or opposition) to this project. **Terry Helmer made a motion to table any further action by the Northeast Indiana Solid Waste Management District regarding the proposed IWM DeKalb County facility until DeKalb County has given the go ahead. Motion seconded by Roger Boots. Motion carried 7 yeas, 2 nays Don Kaufman and Chuck Ort**

**Fee Analysis – J.W. Spear, Sr. Presentation of Feasibility of a Fee System** – A feasibility study exploring fees (system fees, user fees, combined fees) in addition to the District's tax revenue base was presented. This is not a rate study and if fees are found feasible, a more detailed rate study is required. Used as a data source is the 2005 census estimate of 69,314 total households in the District. Implementation of supplemental fees should be phased and should be indexed to 5-year capital plans. The District should also consider using debt management. Recommended would be to conduct fee studies and use focus groups as part of the public process to address concerns in opposition and in support. As an example, a system fee of \$19.00 annually per household would double the District's budget. Continued programs and current operations without additional funds, fees or combination of fees, can not be supported by current revenue.

Terry Helmer expressed he feels the District should charge Commercial users higher fees and not let companies use the District at residential fees. Harold Gingerich also would like to remind all Board members present, being the Board member with the longest service to the District, this is at least the third time the budget issues are coming into play; and every time reluctance to add additional charges for services takes the District back to repeated operating decisions. The consensus after extensive discussion is to make the necessary fee changes without complicating the unpopular move with misinformation.

**Terry Helmer made a motion, and amended it to read, the District review all existing fees, the District is charging and come back with a recommendation of reasonable market prices. Develop and implement a system fee per household with a specified dollar amount. Motion seconded by Don Kaufman. Motion carried. 8 yeas, 1 nay Mayor Norm Yoder**

Mayor Norm Yoder asked about the State Code allowing the District to charge fees and that is IC 13-21-14-2.

**Legislative Report:** Steve Christman will continue to follow and report at the December 12, 2006 meeting.

**Engineering Resource – Review and Decision:** Steve Christman has been directed by the Executive Committee to complete a review and analysis of the District’s engineering services and present to the Board tonight. Note as the slide show is presented, this is the third review, 2002, 2004 and 2006. Expenses over the last six years for J Spear Associates and other consultants were reviewed. J Spear Associates’ invoices and task orders were copied and included with this review for each Board member.

At the completion of the slide review it was brought to the Board’s attention, J Spear Associates completed all but the last couple of task orders given, however, follow-up and implementation by the Board of Director’s has not happened.

Andrew Kruse noted for the record that understandably the District is in need of engineering services from time to time. The issue at hand is should the District retain the services of J Spear Associates or not and if those services are terminated how will the District satisfy the need for engineering assistance. All Board of Director’s were asked to voice any concerns or questions and discuss the situation; then make a decision so this issue can be put to rest and move on. A concern with how the consultant is used and the Board being more cautious with the demands asked of the District consultant was addressed.

**Harold Uhl made a motion to retain the services of J Spear Associates at the current task order rates and agreement on the contract with the District. Motion seconded by Terry Helmer with the addition that the Board of Director’s have full understanding the consultant is being asked to do the assignment. Motion carried. 9 yeas, 0 nays**

Harold Gingerich thanked Colleen Hake Boyd for all the hours she has spent with the meetings representing the CAC.

F. Mayo Sanders keeps hearing the Board is not doing their job and he is hopeful restructuring of the Board of Directors starting in January 2007, will enable the board to carry out the duties easier. Mayo would certainly encourage the representative from Steuben County to get involved and take these decisions seriously. Colleen Hake Boyd thanked F. Mayo Sanders for his comment and support and she also hopes the new Board structure will be beneficial.

Steve Christman advised the Board the DLGF will begin the District audit on Monday November 20, 2006 for 2004 and 2005. Next month the election of officers will be held so please inform the District of the County Commissioner and County Council selected to serve on the District Board of Directors.

**Other Items Pending** – Don Kaufman understands he cost the District \$4,000.00 for bringing up this issue (to hire or fire the Engineer) and he is sorry. Mark Pankop and Harold Gingerich commented they feel the issue needed to be addressed and hope the issue has been put to rest. Harold Gingerich is encouraged by the progress made tonight.

**Public Comment** – None

**Adjourn** – Mark Pankop made a motion to adjourn at 9:20 P.M.