

**Town of Front Royal Council &
Warren County Board of Supervisors
TIPPING FEE MEETING MINUTES
May 12, 2009 at 7:00 p.m.**

Randolph Macon Academy Middle School Media Center

1. Solid Waste/Commercial Tipping Issue

County Board of Supervisors Chairman Archie Fox voiced support of a fairer way for tipping fees to be paid. Mr. Magnifico presented memos of May 11 and May 12 regarding the tipping fee issue. He noted that the packet of information had been summarized in these two memos, which are inserted here:

MEMO TO: Mayor Gene Tewart
J. Mike Graham, Town Manager
Terry Seal, Director of Public Works
Archie Fox, Board of Supervisors Chairman
Douglas P. Stanley, County Administrator
Blair Mitchell, County Attorney

FROM: Richard J. Magnifico, Deputy County Administrator

REF: Meeting of May 22, 2009 – Town Tipping Fee

DATE: May 22, 2009

This date, Mayor Tewart, Town Manager Graham, Public Works Director Seal met with Chairman Fox and Dick to review and discuss commercial solid waste fees for Town commercial wastes delivered to the County Transfer Station for disposal.

The discussion focused on the Town's commercial white dumpsters with the following focus:

1. Total Town commercial tonnage of 501.84 tons (as of May 2009)
2. 35 white dumpsters with 100 % commercial contents
3. 22 white dumpsters with 25 % commercial contents
4. Combined \$ tonnage for ITEM #2 & 3 = \$24,692.00
5. 501 tons x \$67.00 per ton = \$33,567.00
6. % of ITEM #4 ÷ ITEM # 5 = 73.5%

Therefore, the Town will compensate the County for all commercial solid waste collected @ 73.5% of total commercial solid waste collection which acknowledges that 22 white dumpsters contain Town residential waste not subject to any commercial tipping fees.

This arrangement will commence on or about August 1, 2009. Based upon this commercial tipping fee agreement no further references will be made to the Town's ability to accept commercial solid waste accounts.

The Town will be billed on an annual cumulative basis.

This agreement may be revisited if the commercial/residential % mix changes every six months.

TO: Warren County Board of Supervisors
Front Royal Town Council
Douglas P. Stanley, County Administrator
J. Michael Graham, Town Manager

FROM: Richard J. Magnifico, Deputy County Administrator

REF: Town Commercial Solid Waste

DATE: May 12, 2009

1. Tonnage data for clarification and discussion – **Dumpster**

A. Town annual commercial tonnage (Feb. 06, 2009) @ 501.84 tons
B. County's projection via third party analysis @ 920.40 tons

2. Tonnage data for clarification and discussion – **Roll-out carts**

A. Town commercial cart @ 467 units
(from 1 unit to 12 units; majority under 3)

B. Projection for 96 gallon roll-out cart
(96 gallon = ½ yd) (16-96 gallon = 8 yard dumpster)
therefore $467 \div 16 = 29$ equivalent 8 yd dumpsters
 $29 \text{ units} \times 8 \text{ yd} \times 70.85 \text{ lbs/yd} \times$
 $52 \text{ weeks} = 854,734.4 \div 2000$ @ 427.4 tons

3. Third party Town commercial waste not serviced by the Town
Estimate (Allied Waste; Waste Management; D & M) @ 2,500 tons
(2,500 tons x \$67/ton = \$167,500)

4. Estimated total Town commercial waste
Low ($501.84 + 427.4$) 929.24 tons x \$67/ton @ \$62,259.00
High ($920.40 + 427.4$) 1,247.8 tons x \$67/ton @ \$83,602.60

5. Why would any commercial business (#3) pay a commercial tipping fee to the County if they can have the Town collect their waste with no tipping fee charge?

6. Can and is the Town of Front Royal prepared to accept an additional 2,500 tons of commercial waste per year?

7. Is it appropriate that County and Town taxpayers foot the bill for commercial waste disposal in the range of \$60,000 to \$80,000 per year (or more)?

Mr. Magnifico noted the concerns regarding the refuse collected by Allied Waste, Waste Management and D&M. He presented the questions and concerns of Warren County representatives related to the tipping fees.

Discussion ensued between those present as to how to address the tipping fee issue. Mayor Tewalt noted his concerns with the skewed numbers, as the weight of the 96 gallon containers was a vast estimate and not based on actual weight. He stated that he was not interested in speaking about a guesstimate number, but factual numbers only.

Mr. Magnifico described available technology which could be purchased with microchips that would specifically note what materials were being weighed, etc. He noted that it would print a bill with the full weight of materials clearly defined. Mayor Tewalt asked if such equipment would match up with the Town's older equipment and trucks.

County Administrator Stanley suggested that the apartments should be taken out of the equation all together. Mayor Tewalt voiced his agreement with removing the apartments. Director of Public Works, Terry Seal, noted that 22 of 57 of the dumpsters were for apartments, and were non-commercial entities.

Town Manager Graham asked if private haulers were picking up the County's recycling. Mr. Magnifico noted that he was unsure. Mr. Graham reminded those present that the County schools, for example, were greatly assisted by the Town removing their recycling for free, adding that recycling collection *cost* the Town money.

Mr. Graham stated that the Town had been doing Wednesday pick up of dumpsters and had been tracking the weight of what was collected for about 1½ years. He noted that collecting the recycling was a separate venture, which the Town was losing money on. Mr. Graham stated that the Town did not solicit new commercial customers, though their Town ordinances require the Town to provide those services to customers who request the service.

Mr. Graham stated that it was impossible for the Town to get out of the commercial business, as they did not have enough money to subsidize the residential portion if the commercial accounts were removed entirely.

Mayor Tewalt stated that the reason commercial accounts were coming to the Town was that the commercial customers were not happy with the level and quality of service given to them by private haulers. He noted that the Town was very responsive with reliable service and twice a week pickup.

Mr. Stanley stated that in April 2007 a letter stated that the Town planned to increase their rates. Mayor Tewalt noted that the Town did raise the rates, though it was not enough to cover the proposed implementation of County tipping fees.

Supervisor Fox noted that the County was looking at an annual impact of \$33,000 annually.

Councilman Conkey asked about what was specifically labeled "commercial." He also questioned how the County would plan to bill the Town for the tipping fees. Chairman Fox answered that it would be purely by weight; by taking the Town's word on what their commercial tonnage was. He noted that the County thinks that the 96 gallon containers have commercial trash, too, though the County was willing to forgo that amount and just work with the dumpster amount. Mr.

Magnifico noted that the roll out containers could easily track the exact weight with the technical “chips” he described earlier.

Vice Mayor Hrbek noted that he was good with paying the tipping fees for exact weight of the dumpsters.

Mayor Tewalt reminded the Supervisors and County Staff that any County resident can dump their brush, yard waste and recycling at the Town site. He noted that the Town felt the County was nickel and diming the budgets of both localities by requesting the tipping fee amount from the Town. Mayor Tewalt added that the Town Police Department patrolled the County parks for free and also gave North Warren Fire Department free water and sewer. He noted that they also provide the County Sheriffs Department with free water to wash vehicles as well. Mayor Tewalt stated that the County was being trivial over the tipping fees, as there were many services which the Town provided to the County free of charge. He noted that perhaps the Town should come back and charge the County for fees for the services they provide. Mayor Tewalt noted that they were speaking of small items compared to the issues the County and Town face.

Councilman Conkey noted that the Town pays for the Sheriff's Department through their taxes as well and the Town businesses were paying for County schools also. He cautioned the County representatives to be careful what they asked for.

Mr. Stanley mentioned the Town tax payers being doubly charged on some issues. Mayor Tewalt noted that he took exception to said comment, stating that everyone did not pay equally.

Councilman Conkey noted that yes, he received County services; however, there were many services which he did not receive as a Town citizen, though he was paying for them. He reminded those present that the Town residents were also County taxpayers and citizens as well.

Supervisor Carter read the memo from April 17th. Mr. Graham reiterated that the 96 cans were commingled. Mr. Carter noted that that number was off the table and voiced support of only speaking of the dumpsters which they knew were commercial.

Vice Chairman White noted that they were not talking about nickels and dimes, but thousands of dollars from the County budget.

Vice Mayor Hrbek suggested that they agree to call things even by paying strictly what they knew was commercial. Discussion ensued as to whether the actual weight would be used, which it was determined the weight tickets were given to those trucks and the weight could be given to the County annually.

Supervisor Carter asked if it would be possible to begin this July 1st. Council noted that they would vote on the matter at a formal Council Meeting.

The meeting adjourned at 8:37 p.m.

Present:

Chairman Archie A. Fox, Vice Chairman Glenn White, Supervisor Tony F. Carter, Supervisor Linda Glavis, County Administrator Douglas P. Stanley, Assistant County Administrator Richard Magnifico, County Attorney Blair D. Mitchell, Mayor Eugene R. Tewalt, Vice Mayor Bret W. Hrbek, Councilman Thomas E. Conkey, Councilman Thomas H. Sayre, Town Manager J.

Michael Graham, Thomas R. Robinett, Town Attorney, Clerk of Council Jennifer E. Berry, Director of Finance Kim Gilkey-Breeden, Director of Public Works Terry W. Seal, members of the press and members of the public.

Absent:

Councilman N. Shae Parker and Councilman Chris W. Holloway

Jennifer E. Berry, Clerk of Council