



City of Sioux Falls Solid Waste Planning Board Minutes

Environmental Center

1017 E Chambers Street

Tuesday, November 26, 2013; 5:30 pm

1. Call to Order/Roll Call

A regular meeting of the Solid Waste Planning Board was called to order at 5:30 pm by Jamison Reginek, Acting Board Chair. A quorum was present.

Roll Call:

Members Present:

Jake Anderson, Recycling Industry
Representative
Bob Kappel, Acting Chair, Environmental
Manager
Dave McElroy, Landfill Superintendent
Nancy Korkow, McCook County
Ken Allender, Citizen Representative
Cindy Neuroth, Waste Hauling Industry
Representative
Dennis Weeldreyer, Lincoln County
Representative
Lyndsay DeMatteo, Citizen Representative
Deb Reinicke, Lake County Representative
Fred Snoderly, City of Madison
Merle Wollman, Multihousing Representative
Jamison Reginek, Sustainability Coordinator

Members Absent:

Scott Anderson, Minnehaha County
Representative
Norm Dittman, Citizen Representative
John Overby, Turner County

*Arrived after roll call

Others present:

Greg Dix, DJ's Sanitary Service; Dan Neuroth, D & C Solid Waste Services; Laurie Cressman, Advanced Recycling Systems LLC; Perry Schempp, Marv's of Sioux Falls; Todd Sandman, Sandman's Sanitary Service; Jessica Lantgen, Sustainability Technician for the City of Sioux Falls.

2. Approval of Agenda

A motion was made by Deb Reinicke and seconded by Kappel to approve the meeting agenda. (Vote: Yeses: Anderson, Reinicke, Kappel, McElroy, Korkow, Allender, Neuroth, Weeldreyer, DeMatteo, Snoderly, Wollman, Reginek. Noes: None.) **Motion passes unanimously.**

2. Approval of Minutes

A motion was made by Anderson and seconded by Allender to approve the minutes of the Solid Waste Planning Board meeting of September 4, 2013 (Vote: Yeses: Kappel, Neuroth, McElroy, DeMatteo, Korkow, Reinicke, Wollman, Reginek, Snoderly, Weeldreyer, Anderson, Allender. Noes: None.) **Motion passes unanimously.**

New Sustainability Technician – Jamison Reginek, Sustainability Coordinator

- Jessica Lantgen has joined the Sustainability Program as of September 30th, 2013.
- Lantgen will be in charge of taking the SWPB minutes.

New Citizen Representative– Jamison Reginek, Sustainability Coordinator

- Lyndsay DeMatteo is the new Citizen Representative.
- DeMatteo is a Sioux Falls native and an attorney for the Public Advocates Office.

Continuing Business:

1. Landfill Report – Dave McElroy, Landfill Superintendent

- Road construction is planned for 2014 with significant impact to the main route leading to the Landfill. This will occur from the intersection of 41st and Sertoma and will continue to the intersection of 41st and Tea/Ellis Road. The intersection of 41st and Tea/Ellis Road will remain open during the project. Once the contract is awarded, haulers will be informed by design engineer in a future hauler's meeting to keep haulers informed on the project. 12th street, 26th street, and 57th street will be detours.
- New landfill billing software is in the process of being tested because City's current accounting/finance package is being changed. New software will allow landfill to process additional payments such as ACH and lockbox and will be integrated.
- Cell 3 is almost complete but landfill will wait for a few weeks to start filling in the newly lined area that was just constructed. Landfill wants to get a good base in cell 3 for winter for freeze-thaw issues. Being below ground will also help prevent wind-blown litter.
- Solid waste permit application is almost complete and will be submitted soon to renew 5 year Solid Waste Permit. Landfill is very close to budget projections for revenue. It is likely that expenses will be less than initially predicted.
- Satellite leaf drop off sites will close December 1st, 2013. The landfill will continue to take yard waste year round.

2. Environmental Report- Bob Kappel, Environmental Manager & Jamison Reginek, Acting Chairman

- Major pretreatment program will be switching to paperless and electronic for internal processes.
- Industry report card for all of the haulers will be shown online on a monthly basis. Will show monthly recycling percentage as well as yearly in order to educate the public and the haulers.
- Business Hazardous Waste Management Program is in phase 2 and the City is currently reaching out to businesses through the mail. This program is similar to HHW program. Condition exempt small quantity generators will be offered the Business Hazardous Waste Management Program which includes offering these businesses reduced rates through the City's contractors and the City will pay for mobilization and labor costs.
 - City asks that the hauler community provide information about this program to businesses that they feel would benefit from it.
- 2014 Media Campaign is in the process of being developed.
 - If the board has any requests for media for 2014 let Kappel or Reginek know.
- Submitted landfill's air quality title 5 permit to SDDENR but has not received any feedback from the state yet.
- Case by Case MSW Exemption Report is new and may be utilized by haulers in special circumstances.
- Third quarter reports have been sent out.
 - Any additional claims for 2013 need to get in before January 1, 2014.
 - Make sure additional claim reports, business self-shipped, etc. are completed upon submission.
- In the process of working on a new City sponsored recycling guide that will be available to the hauler community as a means of educating the public.
- The "Green Pledge" program was launched during the last week of September.
 - The program is an interactive, year-round sustainability guide for the public.
- With the help of local MRFs the Environmental Division will be producing a float for the Parade of Lights made from recycled materials.

A motion was made by Allender and seconded by Reinicke that future SWPB meetings go paperless.

Discussion:

- Kappel: This would have to exclude items that have not been posted online.

A motion was made by Kappel and seconded by Allender to amend Allender's original motion to go paperless with all documents that are available online.

(Vote: Yeses: Anderson, Kappel, Allender, Neuroth, McElroy, DeMatteo, Korkow, Reinicke, Wollman, Reginek, Snoderly, Weeldreyer. Noes: None.) **Motion passes unanimously.**

3. Recycling Industry Report—Jake Anderson, Recycling Industry Representative

- Common themes across recycling industry:
 - Material composition is starting to change slowly, less paper in material stream.
 - China has a significant impact on recycling industry: "The Green Fence".
- First export order directly with Chinese paper mill.
- New electronics recycling facility makes new record for amount of material processed.

4. Solid Waste Industry Report –Cindy Neuroth, D&C Solid Waste Services

- Nothing to report.

5. Citizen Representative Report- Ken Allender, Board Member

- Willing to take comments about the presentation from the third qtr. meeting “SWPB a Citizen Representative’s Perspective”
- Glad to have the new citizen representative Lyndsay DeMatteo.
- According to the Solid Waste Planning Board Charter the goal of the board is to reduce landfill input and all topics by the board should be about that.
 - Some topics could possibly be handled at a subcommittee level and not addressed by the board.
 - Allender would like to see two or three key items that the board wants to address going forward.

Unfinished Business

6. Code Revisions “Inconspicuous Containers” – Ken Allender, SWPB Ordinance Review Subcommittee Chair

- Subcommittee Chair Allender presented recommendations on changes in the language that were approved through the subcommittee meeting.
- McElroy presented the City Administration’s Amendment to the Subcommittee’s proposed ordinance revision. **Attachment A.**
- Anderson also presented a third version for the boards review.

Discussion:

- Reginek clarified that this only pertains to within the City of Sioux Falls limits, and that they will approve or deny McElroy’s amendment first, if this fails Anderson’s will then be considered.
- DeMatteo composed some recommended adjustments to McElroy’s amended language. 57.034:
“Construction & demolition debris roll off containers shall only be collected by a licensed commercial garbage hauler unless self-hauled by the property owner. Construction & demolition debris roll off containers, used for construction and demolition debris roll off purposes, shall be licensed and shall only be placed at sites with an appropriate building or demolition permit in place or if approved by director of public works. Construction & demolition debris roll off containers, used for property cleanup activities, do not require a permit; however, in that case, the container may not be present for more than 30 days. It is unlawful to deposit municipal solid waste or animal excrement in construction & demolition debris roll off containers.”
- McElroy approved this recommendation and stated that this would be appropriate for this document.

A motion was made by Kappel and was seconded by Allender to accept DeMatteo's proposed language change and send this revised language to the City Council for their review.

Discussion:

- Anderson suggested to the board to vote this amendment down and move onto the adjacent language in 57.034.
- Neuroth agreed with Anderson's statement.
- Kappel: They are in contradiction so this has to pass or fail and then we decide if there is someone who wants to make a motion on another option. As a City administrator I would like to comment that this board has been extremely valuable to myself and the Solid Waste efforts in Sioux Falls. We've done a lot of improvements in the solid waste industry over the past few years and I would like to continue those efforts. I will be honest I would hate to see the board go forward with something that the City administration is unlikely to approve. The proposed language that I offered as a motion with the proposed changes by Lyndsey would have a very good chance of making it through the administration, through the council, and improving this language in the ordinance. I am not confident that the proposals that have been submitted by Mr. Anderson, which are very reasonable, and the whole difference is that you want garbage containers in front of the house or not. We may succeed with that but it might not go any further. So I want the board to be aware that I want the board to be successful.
- McElroy: I concur that is the input we've received from the City Administration.

Public Input:

Discussion followed regarding whether hauler or property owner is responsible if container is not placed within three feet of the house after collection if the property owner did not place it in the correct place prior to collection.

Vote on 57.034 Administration's amendment with DeMatteo's language revision. (Vote: Yeses: Kappel, McElroy, Allender, Weeldreyer, DeMatteo. Noes: Anderson, Neuroth, Wollman. Abstain: Reinicke, Korkow, Snoderly.) **Motion passes 5-3-3. (Attachment A)**

7. Code Revision "Water Tight"- Jamison Reginek, Sustainability Coordinator

- Through work with Parks & Recreation and a recycling company that produces containers, it has been determined that the language "water tight" should be changed to "weather resistant" with a definition of the term in 57.022.

A motion was made by Wollman and seconded by Reinicke to approve Reginek's amendment to 57.022. The motion was then receded.

Discussion:

- Reginek this new language is feasible and will help to define what the container can do.
- Kappel brought up that other parts of the language in Chapter 57 may need word revisions of the term "water tight" and recommended that this be deferred to the ordinance's subcommittee to make sure that the entire chapter gets reviewed and comes to the board with any and all changes that the new language could affect.
- McElroy added that haulers are required to have water tight trucks to prevent the accumulation of precipitation and to prevent spills from occurring so it may not be as easy to change the

wordage for the trucks and to add the new language. Also there should be something added about “spill resistant”.

A motion was made by Kappel and seconded by Reinicke to resend the previous motion to approve the new language and to defer the code revision to the subcommittee to address other areas within chapter 57 that the new language would affect.

Vote to defer “water tight” language review of Chapter 57. (Vote: Yeses: Kappel, McElroy, Allender, Weeldreyer, DeMatteo, Anderson, Neuroth, Wollman, Reinicke, Korkow, Snoderly, Reginek. Noes: none.) **Motion passes unanimously.**

Public Input:

Discussion followed regarding when the subcommittee meets and notifications for meeting times.

8. Yard Waste Additional Claims – Jamison Reginek, Sustainability Coordinator

- Kappel stated that the administration made the decision that yard waste should be handled like any other recyclable material and can be counted towards a hauler’s recycling rate as long as it is hauled by a non-licensed hauler.

Discussion:

- Discussion followed regarding what materials are accepted as recyclable materials that count towards hauler’s recycling rates.
 - Anderson requested a document listing acceptable recyclable materials to address confusion.

New Business

9. SWPB Restructuring– Bob Kappel, Environmental Manager

- Kappel announced that the administration is considering restructuring the SWPB to address the overbearing government and city influence on the board.
 - Currently the City of Sioux Falls has 3 members; there are 5 county representatives, and 1 representative from the City of Madison totaling 9 members of the board being government related.
 - Considering removing the landfill super intendant to reduce the City’s voting power.
 - Considering increasing the number of citizens on the board.
 - Considering not representing every county and the City of Madison, instead having the mayor select three government bodies from within the region to sit on the board.
 - The restructure would result in 5 members of the 15 member board from the government instead of 9. It was also result in two additional citizen representatives, a representative from commercial business, and a representative from industrial business.
- Citizen Representatives would be able to vote on every issue, they wouldn’t have to abstain from any action.
- This is one of the largest boards in the City, we can’t add any members so restructuring is the only option.

Discussion:

- Discussion followed regarding whether or not counties that use the landfill and are regulated by the landfill should have representatives sitting on the SWPB.
 - Korkow argued that if members of the counties are not represented on the board they should not have to be regulated by the board.
 - Kappel stated that the true control mechanism between the City, counties, and landfill is the inner jurisdictional agreement between the City and the counties.
 - Reinicke argued that the cities that the administration would like to extend representation to are currently represented by the counties.
- Discussion followed regarding the selection process of the new representatives.
 - Kappel stated that representation would follow the same application process and the Mayor has the ultimate say.
 - Kappel stated that two additional citizen representatives would be from the five county region, the three current citizen representatives would still be from Sioux Falls.
- Kappel stated that commercial and industrial need to be represented on the board and they will provide a fresh perspective.

Public Input:

Discussion followed regarding future government, commercial, and industrial representation, as well as counties and their ability to be informed about future changes made by the board when contracts are sent out.

10. 2014 Priorities and Goals—Ken Allender, Citizen Representative

- Allender asked what issues the board is trying to address to be discussed in the next meeting.
- Kappel stated that from the city's perspective they would like to see restructuring the board be addressed.
- Allender asked if the board would like to see another waste characterization study to see the effectiveness of the board.
- Kappel recommended that the waste diversion section of the SMP be posted online and given to all board members.
- DeMatteo suggested that the wordage of the ordinances become easier for the public to understand.

Discussion:

- Discussion followed regarding hauler start times feedback. McElroy stated that the feedback received from the Health Department and Public Works determined there would not be an amendment to hauler start times.
- Additional questions regarding yard waste as recyclable material additional claims were brought up.

Public Input:

Discussions followed regarding landfill fees in 2014.

Other Business:

- None.

Adjournment:

A motion was made by Reginek and seconded by McElroy to adjourn at 7:36 p.m. (Yeses: Allender, Kappel, Neuroth, McElroy, Anderson, Korkow, Reinicke, Reginek, Snoderly, Wollman, Weeldreyer, DeMatteo. Noes: None.) **Motion passes unanimously.**

Attachment A

§ 57.022. GARBAGE AND RECYCLING CONTAINERS.

The occupant, owner or manager of every dwelling house, apartment or construction site and every place of business and building shall provide suitable, rigid, watertight containers in which the occupants shall cause to be deposited all garbage, animal waste, rubbish and recyclable materials, except yard waste, accumulating upon the premises. Garbage shall be collected by a licensed commercial garbage hauler. Residential recycling containers shall accommodate single-stream recycling. Except for the day of collection, Residential ~~The~~ garbage and recycling containers shall be kept ~~in an inconspicuous place inside,~~ beside or behind the structure or in a screened or enclosed area which is reasonably accessible to the licensed commercial garbage hauler unless waived by City. Residential containers shall not be **permanently** stored in front of the structure unless waived by City. Residential containers may not be stored or placed curbside at any time and must be stored within 3 feet of the structure at all times unless waived by City; in areas where alley collection is performed the 3 feet requirement does not apply. The licensed commercial garbage hauler shall place the container in the appropriate location after collection. There shall be provided a tightly fitted cover for each container which shall be removed only for the purpose of cleaning or depositing or removing recyclable materials, garbage, rubbish, and animal waste. The vicinity of the garbage container shall be kept free from garbage, rubbish, animal waste, litter, yard waste or any putrescible matter that attracts flies and rats. Under no circumstances shall a single garbage or recycling container larger than 125 gallons be used on a single family dwelling. Waivers from container storage requirements may be granted for reasons which prevent compliance such as accommodating persons with disabilities.

(1992 Code, § 18-17) (Ord. 73-75, passed 11-17-1975; Ord. 88-81, passed 11-2-1981; Ord. 60-92, passed 6-22-1992; Ord. 149-95, passed 11-20-1995; Ord. 63-06, passed 5-15-2006; Ord. 76-11, passed 10-3-2011; Ord. 53-12, passed 7-17-2012)

§ 57.026. YARD WASTE COLLECTION.

Yard waste shall be collected by licensed commercial garbage haulers. Yard waste shall be deposited in a proper container, a Kraft-type paper bag designated for yard waste or a ~~32-gallon~~ rigid watertight container with a tightly fitted cover, ~~and placed at a location, other than curbside, designated for collection by the licensed commercial garbage hauler contracted to remove the same.~~ All yard waste and containers therefore shall be kept in an inconspicuous place except when placed for collection. Except for the day of collection, Residential yard waste containers shall be kept inside, beside or behind the structure or in a screened or enclosed area which is reasonably accessible to the licensed commercial garbage hauler unless waived by City. Residential containers shall not be **permanently** stored in front of the structure unless waived by City. Residential containers may not be stored or placed curbside at any time and must be kept within 3 feet of the structure at all times unless waived by City; in areas where alley collection is performed the 3 feet requirement does not apply. The licensed commercial garbage hauler shall place the container in the appropriate location after collection. Yard waste shall be collected or removed at a minimum of once a week. Under no circumstances shall a single yard waste container larger than 125 gallons be used on a single family dwelling. Waivers from container

storage requirements may be granted for reasons which prevent compliance such as accommodating persons with disabilities.

(1992 Code, § 18-20) (Ord. 60-92, passed 6-22-1992; Ord. 72-92, passed 8-3-1992; Ord. 43-93, passed 5-17-1993; Ord. 70-93, passed 9-20-1993; Ord. 149-95, passed 11-20-1995; Ord. 63-06, passed 5-15-2006)

§ 57.027 RESIDENTIAL SINGLE-STREAM RECYCLING COLLECTION AND CONTAINERS.

Required recyclables shall be collected at least twice each month by a licensed garbage hauler. Recyclable materials shall be separated from household garbage and rubbish. Recyclable materials not otherwise managed and self-hauled by the resident shall be deposited in a proper single-stream recycling container. ~~Except for the day of collection, s~~Single-stream recycling containers shall be kept inside, beside or behind the structure or in a screened or enclosed area which is reasonably accessible to the licensed commercial garbage hauler unless waived by City. Containers shall not be permanently stored in front of the structure unless waived by City. Containers may not be stored or placed curbside at any time and must be kept within 3 feet of the structure at all times unless waived by City; in areas where alley collection is performed the 3 feet requirement does not apply. The licensed commercial garbage hauler shall place the container in the appropriate location after and placed at a location, other than curbside, as directed by the licensed hauler contracted to remove the same. All recyclables and containers therefore shall be kept in an inconspicuous place except when placed for collection. ~~Residents~~collection. Residents may be directed to provide specific handling techniques like placing shredded paper in a clear plastic bag. Required recyclables collected shall not be deposited at the sanitary landfill. Under no circumstances shall a single recycling container larger than 125 gallons be used on a single family dwelling. Waivers from container storage requirements may be granted for reasons which prevent compliance such as accommodating persons with disabilities.

(1992 Code, § 18-21) (Ord. 43-93, passed 5-17-1993; Ord. 70-93, passed 9-20-1993; Ord. 149-95, passed 11-20-1995; Ord. 43-97, passed 6-2-1997; Ord. 63-06, passed 5-15-2006; Ord. 76-11, passed 10-3-2011; Ord. 53-12, passed 7-17-2012)

§ 57.034 CONSTRUCTION & DEMOLITION DEBRIS COLLECTION AND CONTAINERS.

Construction & demolition debris roll off containers shall only be collected by a licensed commercial garbage hauler unless self-hauled by the property owner. Construction & demolition debris roll off containers, used for construction & demolition debris purposes, shall be licensed and shall only be placed at sites with an appropriate building or demolition permit in place or if approved by director of public works. Construction & demolition debris roll off containers, used for property cleanup activities, do not require a building or demolition permit; however in that

case, the container may not be present for more than 30 days. It is unlawful to deposit municipal solid waste or animal excrement in construction & demolition debris roll off containers.

