

**Virginia Litter Control and Recycling Fund Advisory Board  
Quarterly Meeting  
DEQ, 629 E. Main Street, 7<sup>th</sup> Floor Conference Room  
August 28, 2008  
Minutes**

**Board Members Present:**

Dennis Gallagher, Chairman  
Clara Mills  
George Hunnicutt  
Aimee Hart  
George Peyton

**Board Members Absent:**

None

**Visitors:**

David Sutton, Prince George County  
Fran Gandarillas, Prince George County  
Margaret Ballard, Virginia Retail Federation  
Chuck Duvall, VOICE  
Tim Lee, TFC Recycling  
Kate Sicola, Virginia Recycling Association  
Dexter C. White, City of Richmond  
Rosemary Byrne, Clean Fairfax Council

Chairman Gallagher announced that there was a quorum and called the meeting to order at 10:35 a.m.

**Mr. Hunnicutt Moved and Ms. Hart seconded, for approval of the August 28, 2008 meeting agenda. MOTION CARRIED.**

**Mr. Peyton Moved, and Ms. Mills seconded, for approval of the minutes for the October 10, 2007 Litter Control and Recycling Fund Advisory Board meeting. MOTION CARRIED.**

**Recognition of staff and Departmental Changes:**

Mike Murphy, Department of Environmental Quality (DEQ) stated that there had been some staff reassignments in the Division of Environmental Enhancement due to the budget challenges and the resignation of the former Virginia Naturally program coordinator. Sheila Barnett will continue to administer the litter and recycling grants. In addition, she will coordinate the environmental education grants for the Virginia Naturally program. Ms. Barnett is now part of the Office of Educational Outreach. Steve Coe will continue to oversee the recycling program. Recycling is now part of the Office of Pollution Prevention. Mr. Murphy

anticipates that this change will allow Mr. Coe to become more involved in waste minimization activities.

On behalf of the Fund Board, Mr. Gallagher and Mr. Murphy recognized Steve Coe for his hard work and dedication to the Fund Board. Mr. Coe was honored with a plaque to show the Board's appreciation of his service.

### **Fund Status Report**

#### **Fiscal Updates:**

Mike Murphy, Department of Environmental Quality (DEQ), began the fiscal update by reviewing a spreadsheet that showed revenues of \$2,077,672 for total receipts as of June 30, 2007 and an ending cash balance of \$2,157,507. The second report showed the FY 2008 fiscal year funding and expenditures for program coordination, non-competitive grants and the status of the special projects from FY 2008. The third report showed the beginning cash balance as of July, 2008 the total receipts for 2008 to date which is \$2,004,728 and has an up-to-date ending cash balance of \$2,118,613. The fourth report showed the fiscal year 2009 funding and expenditure report which showed that as of July 1, 2008 the total amount available for program coordination is \$114,016. The non-competitive grant award amount is \$1,878,504 and the allocation for special projects was \$100,382. The last report showed the receipts for July 2008 as having a total cash balance of \$2,183,358.

DEQ is allocated up to five percent of the total revenues collected from the litter taxes to cover the administration of the grant funds. Mr. Gallagher stated that he appreciates the work done by Mr. Murphy, Mr. Coe and Ms. Barnett and appreciates DEQ's prudence in charging only actual costs to administer the program to the Fund and for keeping the administrative expenses under the allocated budget.

Mr. Murphy distributed a summary sheet that showed the annual update on the number of entities that have paid the litter tax.

Mr. Gallagher said that with the Joint Legislative Action Review Commission (JLARC) studying waste minimization, reuse and recycling in Virginia, that JLARC may have some additional questions when their study comes out on funding for these and litter program activities .

Mr. Hunnicutt moved accept DEQ's fiscal reports as presented. The motion was seconded by Ms. Hart. **MOTION CARRIED.**

#### **Old Business:**

#### **Special Projects:**

Mr. Coe stated that there were six special projects that the Fund Board approved to receive grants in FY 2008. Mr. Coe named each entity, its project, how much grant money was awarded to each, and how much money had not been reported as spent as of June 30, 2008. He also gave a status report on the evaluations of each project. The information about each project follows:

<b>Recipient</b>	<b>Project Name</b>	<b>Grant Amount</b>	<b>Status</b>
County of Powhatan	Waste Tire and Appliance Amnesty Event	\$4,897	Complete
Evaluation:	Collected 1,226 tires and 350 appliances during the one-day event.		
County of Arlington	On-Street Recycling Initiative	\$6,000	Evaluation in Process
George Washington Regional Commission	Anti-Litter Regional Outreach	\$13,034	Evaluation in Process
Upper Tennessee River Roundtable	Assign-a-Highway	\$20,000	Continued Outreach
Evaluation:	41 jurisdictions have implemented the AAH program, 25 localities are utilizing Litter Control Officers while 9 utilize Litter Program Coordinators. 8,335 probationers have been enrolled in the programs, cleaning up over 10,500 miles of roads.		
Special Concern:	Bobby Justus, the former Assign-a-Highway program coordinator resigned. Both Bobby Justus and Toby Edwards are available for contact about the program. Carol Doss of UTRR is presently managing the program. The Virginia Department of Transportation (VDOT) had provided a matching grant of \$20,000 for the AAH program for the past two-years, but can no longer provide funding. The Fund Board had also expressed concern about indefinitely continuing to fund the AAH program. Rosemary Byrne stated that the AAH program is struggling since there is no other identified sources of funding to support AAH. Mr. Murphy spoke with Ms. Doss about applying for the special projects grant fund again this year, but the small amount that the Fund Board might be able to award her might not be enough. Mr. Hunnicutt stated that he had spoken with Frank Kilgore, the attorney and founder of the Assign-a-Highway Program. He stated that at least two other states have picked up on the AAH model and AAH has been implemented in other states. Mr. Gallagher is troubled that		

	there is little to no support available for the AAH program and stated that there may be more discussion about this program.		
County of Wise	Litter & Recycling Educational Trailer Repairs	\$3,445	Complete
Evaluation:	The trailer has been repaired and Wise County is able to move the trailer to various sites for educational purposes.		
Virginia Council for Litter Prevention & Recycling	Premiums	\$54,008	Complete
Evaluation:	10,000 recycled content tote bags, 42,000 recycled content pencils, 43,151 small litter-themed notebooks, and 100,000 recycled content auto litter bags were distributed to 189-190 local governments. Ms. Byrne said that the litter managers voted on what items they wanted to receive and that she has received no complaints. She noted that \$46,000 of product was ordered and that the VCLPR spent \$8,000 in postage.		

Mr. Coe said that when he has the final evaluation of all of the projects, he will send copies to the Board.

**New Business:**

**FY 2009 Non-Competitive Grant Application information:**

Ms. Barnett reported that there is \$1,878,504 that is allocated for the 2009 non-competitive litter prevention and recycling grants. As of August 27, 2008 DEQ had processed 100 out of an expected 188 applications with a value of \$1,116,177. Three applications were received after the June 30, 2008 postmark deadline and one person from a town expressed an interest in applying as a co-op with the county, but has decided not to pursue funding. Ms. Barnett allocated funding for those four localities which totaled \$17,100.

As of August 27, 2008 there are 23 applications that are showing a carry forward for FY 2008 – 2009. Six of those localities have carry forward in excess of the allowable 25%. Presently, there is \$20,209 in non-allowable carry forward. Ms. Barnett has contacted those applicants and has told them that they will lose their excess and has offered them an opportunity to revise their performance and accounting reports if there are any expenses that pertain to litter and recycling that they had for FY 2007 – 2008 that may have been overlooked.

There are 15 governments that did not apply for the non-competitive litter and recycling grant. The City of Portsmouth was of special interest since they have applied in the past and the allocated grant award for Portsmouth would have been \$19,403. Mr. Coe stated that a city representative had called and told him that Portsmouth would not be applying this year. They had new administration and it was an administrative decision not to apply this year. Mr. Coe requested that the City send a letter and that we still need the performance and accounting report. No letter has been received.

The Fund Board decided to keep with their policy of not awarding grants to late applicants. Discussion ensued about what to do with the leftover money. The Board considered doing supplemental grants, but with only approximately \$40,000 collected so far, the supplemental grants would be very small with \$17,100 that was allocated but will not be disbursed and \$20,209 in un-allowable carry-forward being reported to date.

Ms. Mills motioned and Mr. Peyton seconded rolling these funds into the special projects grant award fund. **MOTION CARRIED.**

**Keep Virginia Beautiful:**

Mr. Murphy reported that Keep Virginia Beautiful (KVB) met on August 27, 2008. The committee that is assisting with this project is putting together a board to govern this organization. People on the Fund Board may be asked to serve as a member of the KVB Board too. KVB is expanding to include both litter and recycling issues in their mission and goals. KVB will meet again on October 10, 2008.

**FY 2009 Special Projects – Grant Application Schedule:**

Mr. Coe stated that the special projects grant application and guidelines were posted on the DEQ website, and that localities and interested parties have 45 days to apply for the grant. Ms. Barnett emailed the litter and recycling and other interested parties to notify them about the grant. The deadline for applications to be received by DEQ is September 18, 2008. Mr. Coe stated that DEQ will screen the applications when they arrive. If the applicants are eligible for the grant, the applications will be packaged and sent to the Fund Board members by October 1, 2008.

Mr. Hunnicutt moved and Ms. Mills seconded the motion to accept the reports. **MOTION CARRIED.**

**Plastic Bag Study Information:**

Ms. Margaret Ballard of the Virginia Retail Federation presented information about plastic bag issues being studied in Virginia. In the spring of 2008, Isle of Wight County government representatives brought to the attention of the General Assembly the problem of plastic bags getting into the cotton fields in Isle of Wight

County. The bags get picked up in the farm machinery and damage the machines. The bags get processed with the cotton where the bags melt and get mixed in with the cotton fibers which decreases the value of the cloth produced. The Isle of Wight asked the General Assembly to give their government the authority to ban plastic bag use in the county.

The General Assembly requested a study on the issue so the Virginia Plastic Bag Coalition has been meeting to discuss the issue once a month in Smithfield and is crafting an action plan. The Virginia Retail Federation believes that citizen education on the issues of plastic bags may be a primary component to solving the issue. Educational outreach is taking place in the forms of surveys sent to adults, school competitions for students, and educational publications for citizens. The bill to ban plastic bags is being sponsored by Delegates Quail and Barlow. The General Assembly will continue deliberations on this issue in the fall, 2008.

Mr. Gallagher thanked Ms. Ballard for her presentation and said that he is appreciative of the work that she and the Virginia Retail Federation are doing.

The VRA is also providing insight and assistance with the plastic bag study. DEQ staff are also attending these meetings. To avoid any conflict of interest, DEQ staff will not participate in writing a proposal for a special project grant. DEQ staff abstains from commenting on any special project grant applications that are received. DEQ 's role is to ensure that applicants are eligible for grant funding and to prepare the applications to be presented to the Fund Board.

### **Public Comment:**

#### **Virginia Recycling Association:**

Kate Sicola, President of the Virginia Recycling Association (VRA) spoke about the VRA's concern pertaining to the special project grant awards that were awarded for FY 2007 – 2008. She had three primary concerns. Her first concern was that since 1996, only 11% of the special project funds have been used to support recycling. Her second concern is that there is a public misconception that the public is well educated about recycling and that the state recycling rate is sufficient. She spoke about the general assembly reducing the required 25% recycling mandate to 15% for some localities. She said that many local recycling programs do not have dedicated revenue sources. Her third concern was that the award criteria used in the past was unclear.

Mr. Murphy commented that DEQ staff member, Steve Coe, has served as an ex-officio board member of the VRA. He has abstained from comments at the VRA meetings and has not taken part in deliberations on these comments offered by the VRA.

### **Introduction of a Draft Special Project Score Card:**

DEQ staff has drafted a score sheet that could be used to evaluate special project grant applications. A draft of the score sheet was given to each Fund Board member for review and comments. Members were asked to return the draft score cards with any comments or suggestions to Ms. Barnett so that it could be refined and voted on for approval for Fund Board use. Board members were asked to provide comments to Ms. Barnett within two weeks.

**Next Board Meeting:** The next meeting is scheduled for October 14, 2008 from 10:30 – 1:00 p.m. at DEQ's Piedmont Regional Office at 4949-A Cox Road in Glen Allen.

Chairman Gallagher adjourned the meeting at 12:25 p.m.

**Submitted by:**

**Sheila Barnett**

**Date:**

**August 28, 2008**