

## **SWMD Structure/Consolidation Meeting Summary**

**Thursday, January 10, 2013 | 10:00am – 2:00pm | CCAO Offices (209 E State St, Columbus, OH 43215)**

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*This document is provided as a summary of the meeting's proceedings and is not intended to serve as official minutes or statements from any participant; it does not necessarily follow chronological order (though effort is made to do so as much as possible), but instead seeks to compile all related comments into appropriate sections. This document is being produced after requests from several interested parties unable to attend the meeting. Ohio EPA is providing this document in recognition of its continued dedication to the HB 592 project's stated goal of transparency and openness. However, due to time and resource constraints, similar summary documents may not be produced for every meeting associated with this or any other issue currently under review by Ohio EPA as part of the Legislative Review process.*

In Attendance: Holly Christmann, Paul Braasch, Commissioner Rob Ault, Commissioner Joe Miller, Dan Scott, Robert Reiter, Chet Chaney, Christopher Germain, Andrew Booker, Alice Godsey, Pam Allen, Annie van Blaricom, Terrie TerMeer, Dana Storts, Danielle Kuskonski, Albert Iosue, Carol Phillips, George Brake, Jack Betscher, Krista Fourman, Scott Pence, Cindy Bach, Dennis Baker, Cliff Meyer, Randy Gilbert, Dan Graeter, David Held and Brad Cole.

The meeting began with an overview of the current status of SWMD structure in Ohio.

The discussion then launched with a focus on the goals behind a push towards consolidation (the issue was asked by Paul Braasch on behalf of OSWDO). Ohio EPA stated that the effort is part of the overall statewide effort for greater local government efficiency and the movement towards shared services. Several participants requested specific examples, criteria, or perhaps a study to document these inefficiencies. Ohio EPA stated there has been no specific study related to SWMD consolidation, but there are myriad other studies done on redundancy, duplication, and inefficiencies in Ohio's governmental system, particularly at the local level, and the value in pursuing greater efficiency as part of the statewide efforts.

Also, the Agency sees several examples of inefficiencies in the system, though they have not been quantified. The drafters of HB 592 established a population threshold for a reason – because it was believed that it didn't make sense to have 88 separate SWMDs, given the nature of the solid waste management, the need for adequate funding, etc. The Agency doesn't believe 52 Districts necessarily makes sense, for those reasons, but there also is not a set number they are aiming for. 52 Districts require 52 offices, 52 plans, 52 coordinators, 52 education programs, etc... There are also certain functions which just require some form of critical mass (regarding population in particular) for cost effectiveness – this is something the agency believes the authors of HB 592 foresaw 24 years ago. Additionally, there are some significant funding disparities which don't make much sense from a statewide perspective. In particular, it is hard to justify the efficiency gained by a large number of very small SWMDs, well under the original 120,000 population threshold, some as small as 25,000 people.

And as mentioned earlier in the meeting, it is nearly impossible to quantify inefficiencies; this comes largely from the recognition that District functionality varies greatly across the state. However, Ohio EPA sees instances where there is persistent challenge and lack of progress within certain SWMDs.

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Several SWMDs expressed the idea that there are examples of small SWMDs that are very effective, and large SWMDs that aren't particularly effective. These SWMDs also expressed that they wouldn't want to see any consolidation harm the good work that is being done by the most effective SWMDs. Several Districts discussed the various factors which make them effective including flat organizational structure and commitment and involvement from their Commissioners. Ohio EPA acknowledged that there are certainly examples of small, effective Districts (and large ones) – but that certainly isn't the case across the board. Ohio EPA responded to say that this is why we are here: to seek input on what factors do matter and how we can work these into any proposal. Any proposal should work to minimize the drawbacks that may come with consolidation (on any of the participating Districts, small or large) including leadership changes, liabilities, funding, etc...

**Key Idea #1:** Participants suggested that Ohio EPA facilitate consolidation by identifying Districts which could benefit from consolidation and working with them to find an appropriate partner. Ohio EPA is very interested in the idea and will explore it further with the sub-committee. This builds on an initial idea that had been mentioned by several stakeholders prior to the meeting regarding the establishment of base criteria and allowing for self-initiated (and/or incentivized) consolidation by Districts who needed to consolidation to meet the criteria.

**Key Idea #2:** In order to pursue greater efficiency with or without consolidation, participants discussed the value of SWMD cooperation and shared services and how we might promote a greater number of partnerships to increase the use of shared services. Several noted that many examples already exist, but there may be barriers preventing more. Ohio EPA and CCAO agreed to explore these barriers (legal and other) and remove them if possible. Others also suggested it would be helpful to develop a list (or some sort of document) on what services we could focus on promoting shared services. One idea raised near the end of the meeting was to establish state contracts for common goods or services. This was tried before, but didn't receive much interest. There was general agreement to try this approach again.

**Key Idea #3:** A participant suggested that in order to promote cooperative projects and shared services, perhaps Districts should participate in a regional planning system of some sort. At least something that would require Districts to talk with those around them when they write their plan and promote shared services. Ohio EPA is very interested in the idea and will ask the sub-committee to look into it further.

Along the same lines as shared services, many participants discussed the issue of District coordinators wearing multiple hats; this is very common in many small districts and probably won't change. Some pointed out that this is an example of counties trying to efficiently use their personnel to address their multiple programs and responsibilities. Ohio EPA acknowledged that point, but noted that part-time coordinators can have significant impacts on the functionality of a District. In Ohio EPA's experience, a committed SWMD coordinator is one of the most important factors to a SWMD's success. Ultimately, Ohio EPA believes three things make an effective District: a good coordinator, a stable funding source and supportive commissioners. There was general agreement on this premise.

*Prior to breaking for lunch*, Ohio EPA asked to see who was interested in serving on a sub-committee to discuss the issues in greater detail. That list is included at the end of this summary.

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After lunch, the discussion turned to inefficiencies and issues related to District Board of Directors and Policy Committees. Several participants raised issues around funding levels from county to county. In some instances, a funding formula is developed and applied to all counties within a multi-county SWMD and then each county operates on their own. The implications of this approach were discussed. Some noted that their District had previously had similar issues but they have since been resolved.

One issue that was raised was that some members of a policy committee may not vote for the greater good of the SWMD, but just to pursue their narrow funding needs. Many believe this stems from a lack of objectivity – and that it may be beneficial to reaffirm the need for objectivity and a lack of conflict of interest for Policy Committee members. It was also suggested that it may be beneficial to reaffirm that Districts are separate entities from counties, and separate entities from the individual counties making up multi-county SWMDs, and that Board and Policy Committee members should act on behalf of the entire entity.

There was general consensus that policy committees should be restructured – especially for Districts with 3 or more counties. While some of these changes can be achieved through by-law changes within Districts themselves (i.e. quorum levels), there were some specific changes suggested, including:

1. Keeping the 4 statutory members for each county (largest municipality, health district, township and commissioner), but then only having one general representative per county;
2. Allow video-conferencing for Policy Committees in large (3+) Districts;
3. Addition of a hauler, waste industry representative, or other ‘specialist’.

The group also discussed the requirement for the Health Commissioner and the largest municipality to sit on the policy committee. Several participants raised the funding conflict of interest with the health commissioner seat, but didn’t outright request to have it removed. Many see value in retaining the largest municipality seat, but noted that the mayor often isn’t the best person to sit on the committee (sometimes a Council member or public works director is a better choice).

There was also a general discussion about reducing the size of the Board of Directors. Some suggested that SWMDs with 3 or more counties could have the option to have only one or two commissioners per county on their board. Ohio EPA agrees this is an idea to consider. Other SWMDs thought indicated that they wouldn’t pursue this option if it existed, because they would prefer to have all Commissioners educated on the issues and decisions that were being made.

Some suggested that Authorities may be more effective overall. The group discussed the positives and negatives of Authorities and agreed that they should remain, but District should continue to have a choice between the District or Authority structure.

The meeting ended with closing thoughts on several issues including shared services, consolidation and structure. CCAO reiterated their commitment to working on the issue. And Ohio EPA reaffirmed their strong desire to have CCAO/OSWDO involved in the development of a proposal. The following action items are currently underway as a result of this meeting:

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- a) Ohio EPA has convened a sub-committee to work over the next 6 weeks to develop a proposal (see below);
- b) CCAO/OSWDO are working to compile a list of current examples demonstrating SWMD cooperative projects and shared services;
- c) CCAO/OSWDO/Ohio EPA will work to identify and remove barriers to additional shared service activities, including possible legislative changes and State-level contracts;
- d) Ohio EPA will explore the concept of regional planning;
- e) Ohio EPA will work to provide additional insight into potential efficiencies;
- f) Ohio EPA will use time during the Workgroup meeting on February 7 to discuss policy committee issues further

### Sub-Committee Members (Meet every Thursday from 10-12 through Feb 21, 2013):

Name	Organization	Email
Dana Storts	Greene SWMD	<a href="mailto:dstorts@co.greene.oh.us">dstorts@co.greene.oh.us</a>
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