

CHAPTER 9.0 PUBLIC PARTICIPATION

9.0 PUBLIC PARTICIPATION

9.1 Introduction

Public participation is a key part of the solid waste management planning process. State regulations (9 VAC 20-130-130) require an open process of deliberation, comment and review. Public participation also ensures that the ideas and concerns of the varying constituent groups, ranging from the regulated solid waste service providers to the individual jurisdictions to individual residents, will be served by the plan.

9.2 The Ad Hoc Solid Waste Management Planning Committee

The formal planning process began with the creation of an Ad Hoc Solid Waste Management Planning Committee by the Board of Supervisors. On July 1, 2002, Loudoun County Board of Supervisors Chairman Scott K. York (At-Large) appointed Supervisor Sally R. Kurtz (Catoclin) to chair the Committee, with Supervisor Eleanore Towe (Blue Ridge District) and Supervisor Jim Burton (former Mercer District) to represent the Board on the Committee. The process for plan review and development is described in two Board items dated June 10, 2002 and July 1, 2002. These documents are included in **Appendix B**. Supervisor Kurtz invited representatives from the seven incorporated Towns in the County to attend and participate in Committee meetings as voting members. Each Town designated one or more representatives. Comprised of elected officials and professional staff, the Committee members were:

Sally R. Kurtz, Supervisor, Catoclin District
& Chair, Ad Hoc Solid Waste Management Committee
Mr. Jim Burton, Supervisor, Former Mercer District
Ms. Eleanor Towe, Supervisor, Blue Ridge District
The Honorable Keith Reasoner, Mayor of Hamilton
The Honorable Steve Morgart, Mayor of Hillsboro
The Honorable Elaine Walker, Mayor of Lovettsville
Mr. Charles Hartgrove, Town Administrator of Middleburg
Mr. Kelly Yost, Town Administrator of Round Hill
Mr. Martin Kloeden, Assistant to the Town Manager of Purcellville
Mr. Tom Mason, Director of Engineering and Public Works,
Town of Leesburg

9.2.1 Preparation and Planning

In preparation for the first meeting of the Ad Hoc SWMP Committee on September 11, 2002, Chairman Kurtz distributed packets of background information to all members of the Board of Supervisors and to the Town representatives that included:

CHAPTER 9.0 PUBLIC PARTICIPATION

- Solid Waste Ordinances (Chapters 1080, 1084, and 1086 of the Codified Ordinances of Loudoun County);
- Summary reports on the activities and recommendations from previous County citizens' committees on solid waste;
- State regulations and requirements governing solid waste management planning; and
- the District's 1995 Solid Waste Management Plan.

Chairman Kurtz also sent letters of invitation and announcement of the planning process to approximately 150 organizations and individuals. The invitations went to:

- Permitted solid waste collectors,
- Solid waste management facility operators,
- Largest Homeowners' Associations (HOAs) and residential managers,
- Leaders of Loudoun environmental groups, and
- Respondents to the solid waste survey of businesses that had indicated an interest in the planning process.

The Chairman encouraged these parties to attend meetings of the Ad Hoc SWMP Committee and advised them that more formal public input sessions would be conducted later.

9.2.2 Meetings of the Ad Hoc SWMP Committee

The Committee met a total of eight times: September 11, September 25, October 9, October 23, and November 20 in 2002 and January 8, January 22 and February 12 in 2003. All meetings were announced with advance notice on the public calendar and were open for public participation. Copies of the Committee's meeting packets and copies of presentation materials were provided at the meeting and were available upon request. Members of the public who were in attendance often addressed the Committee to ask questions, provide information, or make comment.

At each meeting, an agenda was provided, the meeting summary from the previous meeting was reviewed and approved, any straw votes taken at the previous meeting were reviewed, and staff presented response to any requests for information or directions for action from the Committee. The agendas and agenda items for the meetings are presented in **Appendix C** and the meeting summaries are presented in **Appendix D**.

9.2.3 Formal Comment by Interested Parties

Several parties, including a property manager and a Town mayor, made comment in the form of letters to the Chair. Members of the solid waste management industry also responded to Chairman Kurtz by presenting formal comment to the Committee via letters. Each letter that was addressed to

CHAPTER 9.0 PUBLIC PARTICIPATION

Chairman Kurtz and/or to the Committee received a written response and copies were provided at the next meeting.

On September 11, September 25, and October 9, 2002, a letter from three different solid waste management firms was presented to the Committee. The firms each addressed:

- A lack of recycling infrastructure in the County;
- Their company's interest in expanding their businesses into recycling operations; and a
- Request to lower the tipping fees at the LCSWMF to foster competition, especially for independent solid waste collectors who do not have a facility in the County.

On October 9, the Committee discussed the idea of a public-private partnership to site, construct, and operate a recycling transfer station at the Loudoun County Landfill. On October 23, staff presented potential terms of the partnership, primarily focused on operations and goals of the facility. The Committee directed staff to expand upon this report. A set of recommended parameters and methods for initiating and completing such a project were staff presented by staff on November 20, 2002.

Also, on October 9, the Committee discussed a particular company's request to lower the tipping fees at the LCSWMF, ensuring a "level playing field" and requested that staff return at the next meeting with additional information. The Committee provided guidance that two objectives should be considered in reviewing the tipping fees – conservation of landfill capacity and a more revenue neutral operation. On October 23, staff presented a preliminary study from its solid waste consultant describing four scenarios. Each scenario described a goal of capturing increased increments of the waste stream based on pricing structure and provided estimates of revenue that would be generated and the projected amount of landfill capacity that would be consumed under each scenario.

9.2.4 Issues and Options

On September 25, October 9, and October 23, 2002, the Committee considered a series of issues and options for presented in three categories of the solid waste management system:

- Recycling,
- Solid Waste Management System Deficits, and
- Emergent trends.

Each category featured five to seven issues or questions about the current solid waste management system. The Committee was given a set of options for each issue from which to choose. The options ranged from maintaining a particular part of the system or no change in policy or operations, to various degrees of

CHAPTER 9.0 PUBLIC PARTICIPATION

policy change, operational changes, expenditures, or ordinance amendment. The Committee members discussed the options or drafted new ones and cast straw votes on the policy options. The results of these straw votes were then converted into policy statements. At subsequent meetings, the Committee reviewed and approved the policy statements. Finally, the Committee members voted to confirm the policy statements which form the basis for Chapters 5, 6 and 7 of the Solid Waste Management Plan.

9.2.5 Public Input Session: Small Group Networking Process

The Committee held a public input session on January 8, 2003. McCaffery Associates conducted this session using the small group networking process. The purpose of the meeting was to allow key citizens, government and industry representatives to learn of the Plan's key elements, to react to the Committee's proposals, and to propose additions, deletions or changes to the Plan before it was finalized. After staff conducted presentations on collection, disposal, recycling, environmental protection, and policy, planning and public information, each topic was followed by a small group discussion of the Committee's recommendations for activities or policies on each respective topic. Each small group included a facilitator, a technical advisor and a recorder to clarify and capture the highlights of the attendees' discussions on each topic.

On January 22, 2003, staff provided a detailed and summary overview and response, of the January 8, 2003. The Committee considered the comments from each topical area of the discussion and whether to change their recommendation or finding in the Draft SWMP. At its February 12, 2003 meeting, the Committee considered the complete Draft SWMP for referral to the County and the Towns.

9.2.6 Referral from the Committee

The Committee completed its discussion and review on February 12, 2003, and forwarded it to the Board of Supervisors and Town Councils with a recommendation for approval.

Table 9-1 summarizes the dates, purposes, and draft plan items distributed for each meeting.

**CHAPTER 9.0
PUBLIC PARTICIPATION**

Table 9-1: Ad Hoc Solid Waste Management Planning Committee Meetings

Date	Meeting Purpose	Draft Plan Items
Sept 11, 2002	Staff presentation on the District's solid waste management system	Chapters 1 – 4
Sept 25, 2002	Staff presentation on financing the solid waste management system and on recycling issues; Committee votes	Draft Chapter 7 (later renumbered to Chapter 8)
Oct 9, 2002	Staff presentation of solid waste management system deficits; Committee votes	None
Oct 23, 2002	Staff presentation of emergent trends issues; Committee votes	None
Nov 20, 2002	Review of and decision on remaining issues	Final review of draft Chapters 1 – 4 and 7; draft Chapters 5, 6, and 8 (later re-numbered to Chapter 9)
Jan 8, 2003	Public Input Session: Small Group Networking Process	None
Jan 22, 2003	Consideration of public input	Draft Chapter 5
Feb 12, 2003	Draft SWMP document review and approval	Draft SWMP document

9.3 Solid Waste Management Planning District Public Hearing

The Virginia Solid Waste Management Act (§10.1-1411) and the Solid Waste Management Planning Regulations (§9VAC 20-130-130) require a public hearing before a Solid Waste Management Plan can be adopted by a planning district. At the recommendation of the Ad Hoc Committee, the Board of Supervisors agreed to conduct the Public Hearing process on behalf of the District. Ad Hoc Committee Chairman Kurtz presented an overview of the draft plan to the Loudoun County Board of Supervisors at the Board's regular business meeting on March 17, 2003. The Board then referred the matter to a Public Hearing.

The required public hearing was conducted on April 8, 2003 by the Loudoun County Board of Supervisors acting on behalf of the entire Loudoun County Solid Waste Management Planning District including the seven incorporated Towns. The public hearing was advertised for two consecutive weeks (March 19 and 26, 2003) prior to the Public Hearing in the *Loudoun Times Mirror*. A copy of the Public Hearing notice is included in date sequence in **Appendix B**.

CHAPTER 9.0 PUBLIC PARTICIPATION

As part of the Public Hearing, Committee Chairman Kurtz made a formal presentation of the regulatory requirements, plan goals and objectives, baseline descriptive information, and key findings and recommendations. A copy of the overheads used in the presentation is included in **Appendix B**. After the presentation, the public was afforded an opportunity to address the Board/District Members on the proposed plan.

Six members of the Public addressed the Board/District on the plan at the Public Hearing and one set of written comments was received during the public comment period. The contents of the comments is detailed in the Board Item dated April 21, 2003 which is included in **Appendix B**. The referenced Board Item includes a transcript of the Public Hearing. Each of the public comments has been addressed in the Board Item. In summary, four respondents spoke in favor of the proposed reduction in County landfill tipping fees, and several others spoke in favor of the proposed Private Public Partnership to improve recycling infrastructure.

9.4 County of Loudoun

Following public comment, the Board closed the Public Hearing and began discussion of the proposed plan for the unincorporated areas of the County. Board members and representatives of member Towns asked questions of Committee members and County staff. Several Board members requested additional information on recommendations in the plan. The Board forwarded the adoption of the plan to the April 21, 2003 business meeting for further discussion and possible action.

Additional discussion by the Board occurred on April 21, 2003. Discussion focused on the Plan recommendation to reduce tipping fees at the County Landfill. The Board requested multiple historical documents on the subjects of design capacity, projected landfill life, and closure costs. The Solid Waste Management Plan was forwarded to the May 5, 2003 business meeting for final action. The requested documents were provided to the Board members on April 25, 2003. A copy of the transmittal memo and list of documents is included in **Appendix B**.

On May 5, 2003, the Board adopted a Resolution of Approval adopting the Loudoun County Solid Waste Management Plan as proposed by the Ad Hoc Committee. The Board further authorized and directed County staff to submit the plan on behalf of the County and District to the Virginia Department of Environmental Quality upon adoption by all member Towns. The adopted plan was forwarded to the other members of the Loudoun County Solid Waste Management Planning District for their approval by individual Town resolutions.

CHAPTER 9.0 PUBLIC PARTICIPATION

9.5 Town of Middleburg

The proposed Loudoun County Solid Waste Management Plan was presented to the Middleburg Town Council during a regular business meeting on May 8, 2003. Following discussion, the Town Council unanimously passed a resolution adopting the proposed Plan as submitted on May 8, 2003. A copy of the resolution is included in **Chapter 1** of the Plan.

9.6 Town of Hamilton

The proposed Loudoun County Solid Waste Management Plan was presented to the Hamilton Town Council during a regular business meeting on May 12, 2003. Following discussion, the Town Council unanimously passed a resolution adopting the proposed Plan as submitted on May 12, 2003. A copy of the resolution is included in **Chapter 1** of the Plan.

9.7 Town of Purcellville

The proposed Loudoun County Solid Waste Management Plan was presented to the Purcellville Public Works Committee who recommended that the Plan be sent to Town Council to review and approve the Plan during a regular business meeting on May 13, 2003. Following discussion, the Town Council unanimously passed a resolution adopting the proposed Plan as submitted on May 13, 2003. A copy of the resolution is included in **Chapter 1** of the Plan.

9.8 Town of Round Hill

The proposed Loudoun County Solid Waste Management Plan was presented to the Round Hill Town Council during a regular business meeting on May 15, 2003. Following discussion, the Town Council unanimously passed a resolution adopting the proposed Plan as submitted on May 15, 2003. A copy of the resolution is included in **Chapter 1** of the Plan.

9.9 Town of Lovettsville

The proposed Loudoun County Solid Waste Management Plan was presented to the Lovettsville Town Council during a regular business meeting on May 29, 2003. Following discussion, the Town Council unanimously passed a resolution adopting the proposed Plan as submitted on June 15, 2003. A copy of the resolution is included in **Chapter 1** of the Plan.

CHAPTER 9.0 PUBLIC PARTICIPATION

9.10 Town of Hillsboro

The proposed Loudoun County Solid Waste Management Plan was presented to the Hillsboro Town Council during a regular business meeting on June 17, 2003. Following discussion, the Town Council unanimously passed a resolution adopting the proposed Plan as submitted on June 17, 2003. A copy of the resolution is included in **Chapter 1** of the Plan.

9.11 Town of Leesburg

The proposed Loudoun County Solid Waste Management Plan was presented to the Leesburg Environmental Advisory Commission on June 18, 2003. The Commission forwarded it to the Town Council with a recommendation of adoption. The staff report to the Town Council is dated August 5, 2003 and included in Appendix B. The proposed Plan was presented to the Leesburg Town Council during a public work session on August 11, 2003. Following discussion, the Town Council unanimously passed a resolution adopting the proposed Plan as submitted during a regular business meeting on September 9, 2003. A copy of the resolution is included in **Chapter 1** of the Plan.