



Memorandum

DATE: March 15, 2019
TO: Chairman and Members of the Board
FROM: Kevin H. Roche, CEO/General Manager
SUBJECT: **Agenda for the Board of Directors Meeting**

There is an **ecomaine** Board of Directors Meeting scheduled for **Thursday, March 21, 2019@ 4PM**. The agenda for this meeting is as follows:

1. Approval of the Minutes (*Attachment A*)
2. **Executive Session:**
 - o Request for executive session pursuant to 1 M.R.S. § 405(6)(E) to consult with the corporation's attorney concerning the legal rights and duties of the corporation and pending or contemplated litigation.
3. Outreach & Recycling Committee Report
4. Finance & Audit Committee Report – Erik Street, Chair
5. **Presentation:** FY20 BUDGET – Kevin Roche (*Handout*)
6. **Managers' Report:**
 - **Legislative Update**
 - o LD 334 An Act to Change the Definition of "Renewable Capacity Resource" (*Attachment B1*)
 - o LD 998 An Act to Reduce the Landfilling of Municipal Solid Waste (*Attachment B2*)
 - **Outage Update**
 - **Financial Report – FY 19 (*Handout*)**
 - o Financial Summary
 - o Tonnage Summary
 - o Statistical Data
 - o Statement of Revenue & Expenses
 - o Statement of Cash Balances
 - o Summary Analysis of All Tons
 - o Operations & Electrical Generation
7. Other Business:

Future Committee Meetings:

| | |
|-----------------------------------|----------------------|
| Finance & Audit Committee | 04-04-2019 @ 4pm |
| Full Board of Directors | 04-18-2019 @ 4pm |
| Finance & Audit Committee | 05-16-2019 @ 3pm |
| Executive Committee | 05-16-2019 @ 4pm |
| Outreach & Recycling Committee | 05-23-2019 @ 4pm |
| Annual Board of Directors Meeting | 06-20-2019 @ 11:30am |

The Board of Directors may wish to go into Executive Session for any of the above items under Section 405 of Title 1 of the Maine Revised Statutes ([per the following legislative website: http://janus.state.me.us/legis/statutes/1/title1ch13sec0.html](http://janus.state.me.us/legis/statutes/1/title1ch13sec0.html).)

DATE: January 24, 2019
TO: Chairman and Members of the Board
FROM: Kevin H. Roche, CEO/General Manager
SUBJECT: Full Board of Directors Meeting Minutes – January 17, 2019

There was a **Full Board of Directors Meeting** held on the date noted above. The meeting was called to order by Matthew Frank, Chairmen.

Item #1: Approval of the Minutes

Dave Morton motioned to accept the minutes as written. The motion was seconded by Matthew Sturgis. All in favor.

Item #2: Outreach & Recycling Committee, Caleb Hemphill, Chair

The Outreach & Recycling Committee last met on November 8, 2018 and reported out to the Full Board of Directors on November 15th, 2018. The following is a recap of the committee activities:

- The committee reviewed and discussed with staff the updated metrics to include social media engagement (Facebook, Twitter, Instagram and Recyclopedia) metrics show an increase in media usage.
- School Grants Program – All grant agreements have been submitted to **ecomaine** staff and grant reports are due March 2019.
- Nominations for eco-Excellence are due 01/31/2019.
Please be sure to nominate a champion in your community and share with your networks.

Upcoming Events:

Legislative Breakfast – 01/25/2019
Two Educational Sessions – 01/29/2019 & 02/07/2019
Recycling is a Work of Art – (Feb -March)
ecomaine staff attending all Red Claws Games – Schedule for upcoming games is available.

The next meeting of the Outreach & Recycling Committee is 01/24/2019 – All are welcome to attend.

Item #3: Finance & Audit Committee Report – Bill Shane, Vice Chair

Bill Shane reported that the Finance & Audit Committee met prior to the full Board of Directors meeting today and reviewed and discussed the following:

- Bill Shane reviewed a wide variety of cash disbursements with staff and found no issues or concerns.
- The committee reviewed management's response to the Auditors' recommendations for FY 18. Reconciliations on accounts receivable and accrued salaries have been completed. Accrued landfill liability account is near completion with the expectation that it will be in place for 2019 closing.

Dan Lay reviewed a summary of our current investment Portfolio.

- The committee reviewed the current investment policy dated 03/15/2018 and the committee does not recommend changes at this time. Dennis Abbott and Dave Morton requested staff track & document amendments in case this information is needed at some point in the future.

The next meeting of the Finance & Audit Committee is scheduled for 04/04/2019 and the agenda is as follows:

Review proposed FY 20 Budget
Cash Disbursements
FY 19 YTD Financials

All are welcome and encouraged to attend.

Item #4: Power Purchase Agreements

Kevin Roche, CEO reported out the results of the completed competitive BID process for the sale of electricity (Attachment B).

There was a question and answer period focused on understanding the sale of energy and REC's (renewable energy credits).

Item #5: Managers Report:

Kevin also discussed current legislation initiatives under review by legislators (Attachment C1) LD 334 – An Act to Clarify the Definition of Renewable Capacity Resources & An Act to Reduce the Landfilling of Municipal Solid Waste (Attachment C2). Discussion. Kevin also discussed that he plans to weigh in on the 11 bottle redemption bills. His focus will be on improving the inefficiencies of the current program and limiting increased to the bottle handling fees.

Environmental Report – Presentation by Anne Hewes

Anne Hewes provided the Board with the results of the Stack Test & CEMS Emission Data for 2018. There was a Question & Answer period that followed.

Financial Report – FY 19 YTD

Kevin Roche reviewed the year-to-date financial summary. There was a brief discussion of the financial statements.

The Board requested that staff send out notification soon to communities on the increase in Tipping Fees and Recycling so these increases can be integrated into their budget for FY 20.

Present:

Dennis Abbott, Anne Bilodeau, Linda Boudreau, Alan Bradstreet, Matthew Frank, Jamie Garvin, Caleb Hemphill, Maureen McDevitt, Troy Moon, Dave Morton, Rod Rieger, Bill Shane, Mike Shaw, Erik Street, Matthew Sturgis & Rob Wood

Staff:

Matthew Grondin, Don Hebert, Denise Mungen, Kevin Roche & Kevin Trytek



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 334

H.P. 259

House of Representatives, January 24, 2019

An Act To Change the Definition of "Renewable Capacity Resource"

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BABINE of Scarborough.
Cosponsored by Senator CHIPMAN of Cumberland and
Representatives: CAIAZZO of Scarborough, COLLINGS of Portland, CROCKETT of
Portland, FARNSWORTH of Portland, GATTINE of Westbrook, HANDY of Lewiston,
PEOPLES of Westbrook, PIERCE of Falmouth.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 35-A MRSA §3210, sub-§2, ¶B-3**, as amended by PL 2015, c. 220, §1, is
3 further amended to read:

4 B-3. "Renewable capacity resource" means a source of electrical generation:

5 (1) Whose total power production capacity does not exceed 100 megawatts and
6 relies on one or more of the following:

7 (a) Fuel cells;

8 (b) Tidal power;

9 (c) Solar arrays and installations;

10 (d) Geothermal installations;

11 (e) Hydroelectric generators that meet all state and federal fish passage
12 requirements applicable to the generator;

13 (f) Biomass generators that are fueled by wood, wood waste or landfill gas;
14 ~~or~~

15 (g) Anaerobic digestion of by-products of waste from animals or agricultural
16 crops, food or vegetative material, algae or organic refuse; or

17 (h) Generators fueled by municipal solid waste in conjunction with
18 recycling; or

19 (2) That relies on wind power installations.

20 **SUMMARY**

21 This bill aligns the definition of "renewable capacity resource" with that of
22 "renewable resource" in the laws governing renewable energy by adding generators
23 fueled by municipal solid waste in conjunction with recycling to the definition of
24 "renewable capacity resource."



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 988

S.P. 278

In Senate, February 26, 2019

An Act To Reduce the Landfilling of Municipal Solid Waste

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CHIPMAN of Cumberland. (BY REQUEST)
Cosponsored by Representative CAMPBELL of Orrington and
Representatives: GRAMLICH of Old Orchard Beach, MAREAN of Hollis.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 38 MRSA §2202, sub-§1**, as amended by PL 1995, c. 465, Pt. A, §73 and
3 affected by Pt. C, §2, is further amended to read:

4 **1. Fees established.** The department shall establish procedures to charge fees
5 specified in this article and pursuant to the requirements of this article. ~~All~~ Except for
6 fees collected under section 2204, all fees collected by the department under this article
7 must be deposited into the Maine Solid Waste Management Fund.

8 **Sec. 2. 38 MRSA §2204, first ¶**, as amended by PL 2015, c. 461, §10, is further
9 amended to read:

10 Unless otherwise provided by rule adopted in accordance with subsection 4, the
11 department shall impose a fee of \$2 per ton on any municipal solid waste disposed of at a
12 commercial, municipal, regional association or state-owned landfill, ~~except that there is~~
13 ~~no fee on municipal solid waste generated by a municipality that owns the landfill~~
14 ~~accepting it or that has entered into a contract with a term longer than 9 months for~~
15 ~~disposal of municipal solid waste in that landfill facility.~~ All fees collected under this
16 section must be deposited into the Maine Solid Waste Diversion Grant Program under
17 section 2201-B.

18 **SUMMARY**

19 This bill removes the exemption to the municipal solid waste disposal surcharge for
20 municipal solid waste generated by a municipality that owns the landfill accepting it or
21 that has entered into a contract with a term longer than 9 months for disposal of municipal
22 solid waste in that landfill facility. The bill also directs the proceeds from the surcharge
23 to the Maine Solid Waste Diversion Grant Program.