

**METROPOLITAN ENVIRONMENTAL TRUST
BOARD OF TRUSTEES MEETING**

Thursday, May 9 2019 at 1:00PM

Tulsa Regional Chamber, Saint Francis Conference Room
Williams Tower I, One West Third Street, Suite 100, Tulsa

Meeting Minutes

Present

Ellen Bussert, Bixby
Scott Eudey, Broken Arrow
Jonah Humes, Claremore
Craig Stokes, Collinsville
Lynn Burrow, Glenpool
Tim Doyle, Jenks
Charlene Lawrence, Owasso
Vernon Smith, Sand Springs
Terry Ball, Tulsa
John Fothergill, Tulsa Co.

Not Present

Rob Werley, Coweta

Others Present

Graham Brannin, M.e.t. Director
Terrie Hannam, M.e.t.
Ali Kalenak, M.e.t.
Maureen Turner, COT

The Trustees of The Metropolitan Environmental Trust met in Saint Francis Conference Room pursuant to agenda posted on May 2, 2019 with Tulsa's City and County Clerks. Chair Scott Eudey called the meeting to order at 1:01 PM.

Item 1) Minutes for the Board of Trustees Meeting April 11, 2019

Terry Ball moved to approve the Minutes of April 11, 2019. Tim Doyle seconded the motion. The motion passed unanimously.

Item 2) Report of the Director April 2019 with Specifics on Meetings, Events and Education

Graham Brannin said April had many activities including every weekend. We had collaborative efforts like in Enviro Expo where there were generous sponsors and green non-profits. The sponsored trollies helped transport folks to the Guthrie Green. The M.e.t. staff worked the Earth Day event on April 20. He said on Saturday, April 27, we were involved in three events. One was a drug-take-back event where one collection location was at our recycling center and M.e.t. staff helped create the flier and promote it. Another event was a West Tulsa Tire and E-Waste Collection with the City of Tulsa and Tulsa County having a neighborhood cleanup.

Graham Brannin said we are receiving many phone calls regarding the closing of the East Tulsa Recycling Depot. He said he is diligently looking for a new location.

The new educator, Ali Kalenak, gave a report on her activities. She said with school almost over, we are completing a composting and recycling series at Marshal and Emerson and has three classes scheduled at the Dual Language Academy. This summer, she said she has six summer camps scheduled. Two are for adults under the Sensational Science series with preschool through 12th grade teachers. She said four are Tulsa Public School educators. The children's camp with Union, East Tulsa Schools and YMCA SummerGo and College for Kids STEM Camp. Graham Brannin announced that a previous intern, Caroline Holmes, would be returning this summer. We also have an intern identified from TU for this fall.

Scott Eudey mentioned that Graham Brannin had spoken to the Broken Arrow Youth Council previously. He credits their final presentation partially to Graham regarding a beautification project including purchase of recycling products. Mr. Eudey said the Broken Arrow Council adopted their proposal.

Item 3) Report of April 30 TARE Board Meeting

Item 3a) FY19/20 Interlocal Governmental Agreement and Item 3b) Update on East Tulsa Relocation and Agreement Regarding East Tulsa Recycling Depot Temporary Closure

Graham Brannin said the interlocal agreement was discussed at the TARE planning Committee and at the regular TARE Board meeting. The TARE Board directed the agreement to go back to the planning committee to work out some issues. He said we hope to be back on track next month.

Terry Ball said the agreement was on the TARE Board agenda for approval, however, he said Graham Brannin took objection to the approval so it was tabled. He passed out a copy of the inter-local agreement that was on the agenda for the TARE Board. He referred to Page 2 regarding the number of depots. With the closure of the depot, the question came up from TARE legal counsel that the existing contract required any change in the number of depots to include a written agreement of both parties. The legal counsel wrote a written agreement, which memorialized the closing of East Tulsa Recycling Depot for now until the M.e.t., finds another location. Terry Ball said one of the questions from legal counsel regarded the original 2017 agreement defining services and costs including categories for education and depots. Traditionally, it has been four depots and that TARE should not be billed for depots that is not in operation. He said Graham Brannin and Darita Huckabee took exception to that argument. Terry Ball said legally our board has an obligation to make the change. Terry Ball said also that the TARE Board counsel wanted the interlocal agreement to list the number of centers and to not require an amendment to change it like the old contract required. Terry Ball said the amount on the agreement is what the M.e.t. asked for and added he brought video from the meeting if the M.e.t. Board would like to watch it. He said we have opposite views on what should happen. He added the TARE attorney said you could not legally pay for items/services not provided.

Graham Brannin clarified that the TARE chair tabled the first item, 3a, without any discussion. He said that both attorneys, Mr. Schuller and Ms. Huckabee, made progress and we thought we were ready to approve after presentation at the TARE Planning Committee meeting. He said that the edition presented to the full TARE Board had revisions and that was the objection. There were a few days between the two meetings. He said he hoped the relationship would be collaborative in the future rather than in a counter direction. He said it is a unique set up where TARE is the funding source and the City of Tulsa is the beneficiary. This causes some awkwardness in the relationship. He said that anything that causes a mid-year change to the assessment is of concern relating to this fiscal year's budget.

Terry Ball said the amount was specific to the one depot and TARE offered to reimburse The M.e.t. closure expenses up to \$2,500. He said both legal counsels are trying to work it out but the big issue is defining four depots and for no billing related to the closed center. He said the city does want a fourth depot in East Tulsa and values it being there. He said he does not understand why it is an issue, as The M.e.t. should not bill the City/TARE for services not provided. Scott Eudey asked if there is a counterpart to Graham on the TARE Board. Terry Ball said he is Director of Streets and Storm Water and said he reports as both a M.e.t. representative and for operations of the City. The TARE Board is a group of volunteers and we provide all the services to TARE. TARE is one of our three boards that have the ability to approve budgets and borrow money. Terry Ball said the state has a rule allowing for sixty days for inter local agreements to be approved and it will probably not have an agreement to the state in time for the July 1 new fiscal year approval deadline.

Graham Brannin said his opinion is there is not any contractual requirement to adjust the assessment as previously written. Scott Eudey said this is the best time to discuss our concerns. Graham Brannin said this is a different relationship than what we have with other communities. He said for example, when the Coweta depot had to close, it was a joint effort. Coweta found another location and brought gravel out to prepare the new site. There was little disruption. He said when we have events like the one in Glenpool; they were excited to promote the event and provided a roll-off. He said the relationship works differently with Tulsa. There was a brief discussion regarding the TARE subcommittee, the TARE Board, and that Terry Ball considered the type of changes made were minor. John Fothergill asked about payment to the contracted depot workers and the type of assessment received from TARE. Graham Brannin said the workers are paid for thirty days after the closing. About payment from TARE, Graham Brannin said it monthly payments. Tim Doyle said when he first served on the Board there were seven Tulsa centers and the assessment was changed the next budget year but was not changed to his knowledge during the year.

Craig Stokes asked to see the video of the meeting. All watched the excerpt from the TARE meeting on April 30, 2019 (*Note: for public reference, this can be viewed upon request from the City of Tulsa*). Scott Eudey said he did not understand why the change was such a concern. Graham Brannin said counsel could explain this better but that the relationship is inherently problematic and difficult to maneuver. It would be nice for Tulsa to speak with one voice. Scott Eudey said we should be able to have an agreement in a short period; he asked if we need to set up a committee of this M.e.t. Board to expeditiously resolve the matter. There was a brief discussion regarding the wording and the changes and amendment. John Fothergill asked if TARE was ready to approve this written agreement. Terry Ball said the hope was to bring both agreements, depot closure & inter local, to M.e.t. Board today for approval. However, since there was disagreement at the TARE meeting, it was pulled. Scott Eudey said that our agenda would allow inter local agreement approval but item 3b uses the word, "update", which does not give the authority to approve. There was further discussion and then a decision to table the items. Tim Doyle asked if we could hold a special meeting to vote on this after the two attorneys agree on a document. Terry Ball said the TARE attorney already forwarded a draft to the attorney general to make them aware of the document. The attorney general's office did not see a problem with approving this agreement. Scott Eudey said it puts the M.e.t. Director in a bad position when he is going to a TARE Board meeting arguing something that the M.e.t. Board has not seen and given an opinion to yet. He thanked Terry Ball for making the M.e.t. Board aware of the situation and asked for a committee of this M.e.t. Board to meet with Darita so the issues can be resolved quickly. The agreements need to be addressed in a more collaborative way while still following the Open Meeting Act requirements. Scott Eudey added that he and Darita could go to the next TARE meeting so that The M.e.t. Board is represented and the agreements can move forward. A question was asked about Darita Huckabee not attending the last TARE meeting and Graham said that she had a schedule conflict.

Terry Ball said that he believes the working relationship with the City and M.e.t. has much improved between clean up events, education outreach and pollutant events and is much better than in the past. Graham Brannin apologized if he painted too negative a picture but said there are still elements in the relationship that needs improvement. Graham Brannin welcomed M.e.t. Board participation in some of the issues. Jonah Humes recommended no action by M.e.t. Board and to wait on progress from the two attorneys and possibly a special meeting could be called thereafter. Graham Brannin asked if there could be a small ad-hoc committee to circulate any changes to the agreement. Craig Stokes said he trusts Darita Huckabee to hash out the changes but asked that the full M.e.t. Board be informed by email.

Scott Eudey suggested that within five days to circulate any revisions, the trustees will communicate any thoughts on the revision to M.e.t. Director and Darita Huckabee and then call a special meeting to adopt it. All of this is contingent upon Darita Huckabee agreeing it is consistent with the Opens Meeting Act. Tim Doyle clarified that the priority is the inter local agreement.

Jonah Humes moved to table this item and proceed as discussed which is to allow the M.e.t. attorney and TARE attorney make revisions, circulated them to M.e.t. Board for comments and have a special meeting if necessary to adopt the agreement. John Fothergill seconded the motion. The motion passed unanimously.

Item 4) FY 18/19 Financials

Item 4a) FY 18/19 Financial Statements, Budget Report with Possible Transfers and/or Appropriation of Additional Revenues

Graham Brannin reviewed the Balance Sheet; he pointed out the pre-paid insurance amount and said he will explain this in another report. The total liability is \$362,817.74. About the Income Statement, which is plugged into the Budget Report, it shows net revenue of \$82,404.91. He reviewed the General Ledger by Centers. For the Budget Report, Graham Brannin stated we are 10 months into the year, which is 83.3%. Due to PepsiCo grant money, we are over in revenue but this makes us over in one category in expense side. In expenses General Administration, our bottom line is tracking at 83.7%. On the expense recycling side, he said we the hauling has gone up slightly with a new contract. On Line 71, worker support, we purchased some extra bottles and hats and are over in that line item but overall we are at 82.7% in the depot category. For the public education, the educator is going to be over but the fundraiser line item is going to be less and will even each other out but overall it is under in expenses at 73 ½ %.

Item 4b) Receipts and Disbursements for April 2-30, 2019 and May 1, 2019

Graham Brannin reviewed the following bills:

- Bob Ziegler for \$450 to move the platform and hut from East Tulsa's site.
- Arthur J Gallagher & Co. for \$6,095.00 for general liability.
- Scott Grizzle for \$480 for twelve hours of I.T. time.
- Roots Music for \$25 for booth at Earth Day Event.
- City of Tulsa SW for \$4,080 for voucher payments using the facility.
- Security Credit Card for \$310.80 for various items including \$25.25 for an ad on Indeed to find the new M.e.t. Educator.
- Tulsa Drillers for \$1,200 for a Go Green Night with the Tulsa Drillers this is public education and in coordination with the City of Tulsa and American Waste Control. The Drillers credited a portion of the bill for their use of our 12th and Detroit billboards.
- Sharon Aaron for \$1,989 is the rent for the baling center and is less than usual due to a credit on a repair to the window, which we paid ahead of time.

Terry Ball moved to approve the receipts and disbursements for April 2-30, 2019 of \$122,041.00 and May 1, 2019 for \$3,939.00. Craig Stokes seconded the motion. The motion passed unanimously.

Item 5) Consider FY 19/20 Contracts for Cities of Broken Arrow, Claremore, Jenks, Sand Springs and Tulsa County

Graham Brannin said the agreements with the cities is the same as last year except for the household pollutant program's facility for weight on the use of the vouchers. This past year, the citizen vouchers were for sixty pounds or less but it caused Tulsa to subsidize some of the program. This year, after some negotiation, Tulsa is asking for 45 pounds per \$40 voucher. If citizens go over 45 pounds, the citizen would pay 1.33 per pound. Graham Brannin said M.e.t. staff would be very clear when they speak to citizens so they understand the 45-pound weight limit. The assessments in each agreement is what was approved at a previous M.e.t. Board meeting. Scott Eudey asked for separate agreement of each contract. The only one that has some minor changes is Tulsa County and we emailed the changes to John Fothergill regarding the change. Tim Doyle asked that in the future, the agreements be sent out further ahead of time.

Tim Doyle moved to approve agreement with City of Broken Arrow (BAMA). John Fothergill seconded the motion. Scott Eudey abstained. All others approved and the motion passed.

Ellen Bussert moved to approve the agreement with City of Claremore. John Fothergill seconded the motion. The motion passed unanimously.

John Fothergill moved to approve the agreement with City of Jenks. Craig Stokes seconded the motion. The motion passed unanimously.

Ellen Bussert moved to approve the agreement with City of Sand Springs. John Fothergill seconded the motion. The motion passed unanimously.

Tim Doyle moved to approve the agreement with Tulsa County. John Fothergill seconded the motion. The motion passed unanimously.

Item 6) Household Pollutant Regionalization, Voucher Numbers Utilized

About Bixby's voucher, Graham Brannin said we did not go over the budgeted amount in March like we first anticipated after the March 30 event. He reviewed all the voucher numbers.

Item 7) Recycling Programs

Item 7a) March Material & Revenue Depot Report with Operational Revenue Comparison

Graham Brannin turned to Page 3 of the report and showed we are slightly under expected amount. We are working on some items to increase the revenue. For the charts, he said we do not have all the data for electronics for the month of March. For over 100,000 plastic bags a month, The M.e.t. receives \$11.

Item 7b) Consider Renewal of Glass Storage and Hauling Agreement with National Waste

Terry Ball moved to renew with National Waste for Glass Hauling. John Fothergill seconded the motion. The motion passed unanimously.

Item 7c) Consider Renewal of Oil Processing Agreement with ORI dba OSI

Terry Ball moved to renew with OSI. John Fothergill seconded the motion. The motion passed unanimously.

Item 8) Report of Public Relations & Education Including Media, Ads, Articles, Events and Reports on the Digital Directory

Graham Brannin reviewed the media statistics. There was a brief discussion regarding the article for the Claremore Recycling Depot. He reviewed the statistics from the West Tulsa Tire and Electronic Waste Event. The tire collection was 539 tires. On April 30th, University of Tulsa presented our RecycleThisTulsa.com web app which is our digital directory. He said we have some work to do to launch this yet. He also showed an article on Broken Arrow's curbside pilot program.

Item 9) Update on Grants, Funding Opportunity Efforts

Graham Brannin said he met with Recycling Partnership and they were brainstorming ideas on how to get more funding. Most of the work has been trying to get more money for our product because our product is of superior grade.

Item 10 Comments from the Public

There were no comments from the public.

Item 11) New Business

Graham Brannin said we have old pushcarts that are taking up space. He asked the trustees if they are interested in the carts to let us know as we are going to disburse them. Some are in rough shape and he said we would not likely be able to sell them.

Graham Brannin said there has been changes with the MOU renewal with the City of Tulsa for the household pollutant collection facility. It is a good agreement almost ready to approve.

Adjourn

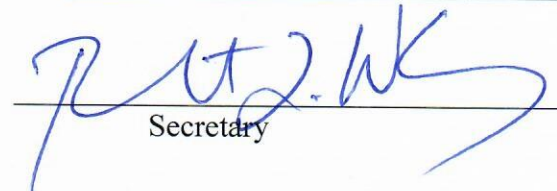
Tim Doyle moved to adjourn. Terry Ball seconded the motion and it passed unanimously. The meeting adjourned at 2:40pm

ATTEST:

Date Approved

6-13-19


Chair


Secretary