

Minutes № 6
of the General Meeting of the Regional Association “Regional Centre for Waste Management, Yambol region”

Today, 27.02.2012, by 14 hours, in the building of the Municipality Yambol, c. Yambol str. "G. S. Rakovski" № 7, was held a General Meeting of the Regional Association “Regional Centre for Waste Management, Yambol region”, regularly convened by by invitation of the Mayor of Municipality Yambol.

Present:

Mr. Kolyo Milev - Mayor of Municipality Sliven

Mr. Georgi Slavov - Mayor of Municipality Yambol

Mr. Georgi Georgiev - Mayor of Municipality Tundzha

Mr. Nikolai Grozev - Mayor of Municipality Nova Zagora

Mr. Mitko Andonov - Mayor of Municipality Straldzha

Also present Mr. Dimitar Ivanov - Deputy Regional Governor of Region Yambol

The general meeting shall be legitimate convened and there are conditions for the its holding.

Mr. Slavov opened the meeting and proposed to approve the agenda, as he made a proposal to the previously announced agenda to add additional items.

Mr. Slavov proposed to add the following items:

- Determining the scope of a regional system for waste management in the region Yambol

- Determination of the ownership of Cell 1 of the regional landfill, connecting infrastructure and facilities, constructed within the framework of regional system on the Project Proposal “Construction of regional system of waste management in the region of Yambol”

- Decision in relation to the application from NGO “Movement environmental” (“DEN”) for their participation in an advisory capacity in meetings of Regional Association.

In the meeting was proposed the determining the scope of the Project Proposal to add as item 6, and current item 6 – “Negotiation with the organization involved in recovery of packaging waste for pre-treatment of waste of from the municipalities in the region” to add as item 7.

After clarifications continue to adoption of the agenda:

1. Election of the President of the Association

2. Decision to finance the updating of the basic documents related to the Project Proposal for Construction of infrastructure of waste in the region and allocation of funds

3. Decision to amending the Decision on item 6.4 of the Minutes № 2 of the decisions of the General Meeting of the Association, held on 30.03.2011 (for the award of public procurement contracts for the Project)

4. Decision to supplementing the Decision on item 3 of the Minutes № 2 of the decisions of the General Meeting of the Association, held on 30.03.2011 (determining the source of financing of own financial contribution and working capital).

5. Decision to supplementing or amending the Decision on item 4.3 of the Minutes № 2 of the decisions of the General Meeting of the Association held on 30.03.2011(determination of members from each municipality for the project team) in connection with the Decree 330 of 05.12.2011 of the Council of Ministers. Project activities award methods.

6. Determining the scope of a regional system for waste management in the region Yambol

7. Decision to negotiation with the organization involved in recovery of packaging waste for pre-treatment of waste from the municipalities in the region.

8. Determination of the ownership of Cell 1 of the regional landfill, connecting infrastructure and facilities, constructed within the framework of regional system on the Project Proposal “Construction of regional system of waste management in the region of Yambol”.

9. Decision in relation to the application from NGO “Movement environmental” (“DEN”) for their participation in an advisory capacity in meetings of Regional Association.

This proposal was approved with 5 votes cast "for", “against” – no, “abstain” – no. After approval of the agenda continue to vote on the individual items in it.

On item 1 of the agenda: Election of the President of the Association, received the following nominations:

By Mr. Georgi Georgiev – about Mr. Kolyo Milev

By Mr. Mitko Andonov – about Mr. Kolyo Milev

By Mr. Grozev – about Mr. Georgi Slavov, because he is a representative of the leading Municipality and because of the fact that someone must take full responsibility for the development of the project.

After discussion and opinion expressed by Mr. Kolyo Milev, that there should be a further control of the implementation of commitments made, the General Meeting approved the following **DECISION:**

Pursuant to Art.19d, para.1, item 1 of Waste management Act the General meeting elected of a President of the Regional Association “Regional Centre for Waste Management, Yambol region” Mr. Kolyo Milev - Mayor of Municipality Sliven.

This proposal was approved with 5 votes cast "for", “against” – no, “abstain” – no.

On item 2 of the agenda: Decision to finance the updating of the basic documents related to the Project Proposal for Construction of infrastructure of waste in the region and allocation of funds.

After discussion, the General Meeting approved the following **DECISION:**

2.1. The updating of the basic documents related to the Project Proposal (Pre-investment feasibility study, financial and economic analysis, analysis of costs and benefits, long-term investment plan, application form and budget) to award of the consultants, who were directly involved in their preparation on the project "Technical Assistance" – “INFRAPROJECT CONSULT” Ltd – for the updating of the financial documents; “ECOCOM 2005” – for the updating of the Pre-investment feasibility study, the application form and documents related thereto.

2.2. The municipalities in the Region will finance the updating the said documents according to the mechanism, approved a Decision on item 3 of Protocol 2 of 30.03.2011 of the General Meeting.

2.3. The Municipality Yambol to award the updating the Pre-investment feasibility study, the application form and documents related thereto and to conclude contract with the contractor.

2.4. The Municipality Sliven to award the updating the financial documents and to conclude contract with the contractor.

2.5. The Municipality Yambol and the Municipality Sliven shall bear the costs by paying the services performed and for recovering cost they re-invoicing to other municipalities their share of the costs incurred.

This proposal was approved with 5 votes cast "for", “against” – no, “abstain” – no.

On item 3 of the agenda: Decision to amending the Decision on item 6.4 of the Minutes № 2 of the decisions of the General Meeting of the Association, held on 30.03.2011 (for the award of public procurement contracts for the Project)

After clarification of the circumstances necessitating a change, the General Meeting approved the following DECISION:

3. Amend Decision of the General Meeting of the Association on item 6.4 of Protocol 2 of 30.03.2011, as follows:

3.1. The Municipality Yambol - owner of the landed properties on which the facility is constructed, it is contracting authority within the meaning given by Public Procurement Law for the award of construction of Cell 1 and connecting infrastructure, construction supervision and author's supervision, and supply of equipment for Cell 1.

3.2. The Municipality Yambol - owner of the landed properties, it is contracting authority within the meaning given by Public Procurement Law for the award of closing down and recultivation of existing waste landfill of Municipality Yambol.

3.3. The Municipality Sliven - owner of the landed properties, it is contracting authority within the meaning given by Public Procurement Law for the award of closing down and recultivation of existing waste landfill of Municipality Sliven.

3.4. The Municipality Nova Zagora - owner of the landed properties, it is contracting authority within the meaning given by Public Procurement Law for the award of closing down and recultivation of existing waste landfill of Municipality Nova Zagora.

3.5. The Municipality Straldzha - owner of the landed properties, it is contracting authority within the meaning given by Public Procurement Law for the award of closing down and recultivation of existing waste landfill of Municipality Straldzha.

3.6. The leading Municipality within the meaning given by Public Procurement Law it is contracting authority for the award of all other public procurements for the contract performance, concluded on the basis of the Project Proposal by name "Construction of regional system of waste management in the region of Yambol" under the procedure for Direct Awarding of financial grant aid under Priority axis 2 "Improvement and development of waste treatment infrastructure" of OP Environment 2007 – 2013 with a reference numeral BG161PO005/10/2.10/07/22:

- For selecting a consultant for project management;
- For selecting a consultant for preparing the tender document for engineering of facilities to composting and separation
- For selecting a contractor for an ongoing audit of the project
- For selecting a contractor for performance measures for publicity within the project.

3.7. The municipalities, owners of the landed properties, in whose territory is effected recultivation, which is the subject of investment, according to the Project Proposal, within five years from the completion of the contract under the procedure for Direct Awarding of financial grant, undertakes not to transfer ownership of the object, constructed with funds from OPE, not to change the values of assets, acquired as a result of project implementation, and not to conclude contracts with third parties and/or perform other actions, that could lead to substantial modification of the project within the meaning of Art.57, para.1 of Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999.

This proposal was approved with 5 votes cast "for", "against" – no, "abstain" – no.

On item 4 of the agenda: Decision to supplementing the Decision on item 3 of the Minutes № 2 of the decisions of the General Meeting of the Association, held on 30.03.2011 (determining the source of financing of own financial contribution and working capital).

After discussion, the General Meeting approved the following **DECISION:**

Supplemented Decision on item 3 of the Minutes № 2/30.03.2011, as follows:

4.1. As a source of financing of own financial contribution and working capital are determined financial mechanisms the company management activities on the environment (Environmental

Protection Fund) to the Ministry of Environment and Water, Fund for local authorities and governments (FLAG), or banking institution, by negotiating and concluding contracts for loans under more favorable conditions offered by these institutions, after approval by the municipal councils.

4.2. The Municipalities Yambol, Sliven, Nova Zagora and Straldzha to provide the necessary own financial contribution and working capital for closing down and recultivation of existing waste landfills.

This proposal was approved with 5 votes cast "for", "against" – no, "abstain" – no.

On item 5 of the agenda: Decision to supplementing or amending the Decision on item 4.3 of the Minutes № 2 of the decisions of the General Meeting of the Association held on 30.03.2011(determination of members from each municipality for the project team) in connection with the Decree 330 of 05.12.2011 of the Council of Ministers. Project activities award methods.

After discussion, the General Meeting approved the following **DECISION:**

Amend Decision of the General Meeting of the Association held on item 4.3 of the Minutes № 2/30.03.2011 for determination of members from each municipality for the project team, as follows:

5.1. Each municipality shall appoint one member in the project team, who will be responsible for coordinating activities between the municipality, which represents, and the lead partner of the project, in the award, acceptance and validation of the necessary actions, and will submit full information to all relevant actors in the process and will monitor for properly reporting the results, according to the rules of the OP "Environment 2007-2013".

5.2. The obligations of those members will be awarded under the Decree 330 of 05.12.2011 of the Council of Ministers, at the discretion of each of the municipalities.

This proposal was approved with 5 votes cast "for", "against" – no, "abstain" – no.

On item 6 of the agenda: Determining the scope of a regional system for waste management in the region Yambol

After discussion, the General Meeting approved the following **DECISION:**

Determined the scope of a regional system, as follows:

6.1. First stage: construction of Cell 1 and conclusion of a contract with the organization involved in recovery of packaging waste for pre-treatment of waste of from the municipalities in the region "Yambol" – municipalities Yambol, Sliven, Nova Zagora, Tundzha and Straldzha.

6.2. In 2014 to introduce separate collection of paper, plastics, glass and metals, which will be financed by municipal budgets.

6.3. Second stage: installation for mechanical -biological treatment with the production of Refuse Derived Fuel (RDF); recycling center for temporary storage of hazardous waste from households; construction of composting facility for green waste and introduce home composting; construction of recycling facility for construction waste and their disposal cell; construction of Cells 2,3 and 4 for waste disposal; expanding the scope of separate collection of paper, plastics, glass and metals.

This proposal was approved with 5 votes cast "for", "against" – no, "abstain" – no.

On item 7 of the agenda: Decision to negotiation with the organization involved in recovery of packaging waste for pre-treatment of waste from the municipalities in the region.

The General Meeting approved the following **DECISION:**

7.1. The leading municipality Yambol to negotiate with the organization involved in recovery of packaging waste for acceptance of the waste from the municipalities in its facility for pre-treatment/ separation.

7.2. The leading municipality to inform the General Meeting of the outcome of negotiations within 15.03.2012.

7.3. Be provided a letter of intent from the organization involved in recovery of packaging waste, which describes financial relations for pre-treatment of waste from the municipalities in the region.

This proposal was approved with 5 votes cast "for", "against" – no, "abstain" – no.

On item 8 of the agenda: Determination of the ownership of Cell 1 of the regional landfill, connecting infrastructure and facilities, constructed within the framework of regional system on the Project Proposal “Construction of regional system of waste management in the region of Yambol”.

Was discussed that must be taken and a subsequent decision on the ownership of Cell 1 after its construction for regional principle for waste management. After discussion, the General Meeting approved the following **DECISION:**

The ownership of Cell 1 of the regional landfill, connecting infrastructure and facilities, constructed within the framework of regional system on the Project Proposal “Construction of regional system of waste management in the region of Yambol” to regulate between municipalities with decision of the General Meeting of Association after entering into exploitation.

This proposal was approved with 5 votes cast "for", “against” – no, “abstain” – no.

On item 9 of the agenda: Decision in relation to the application from NGO “Movement environmental” (“DEN”) for their participation in an advisory capacity in meetings of Regional Association

After discussion of the submitted proposal, presentation of the regulations and opinions of the mayors, that municipal jurists are aware of the submitted proposal and gave their opinions that according to current regulations that possibility is not allowed, the General Meeting approved the following **DECISION:**

According to current regulations of the Republic of Bulgaria, not be possible to participate in an advisory capacity for NGO “Movement environmental” (“DEN”) in meetings of Regional Association for waste management, region Yambol.

This proposal was approved with 5 votes cast "for", “against” – no, “abstain” – no.

After completion of the agenda the General Meeting was closed.

This Protocol shall be drawn up and signed in 8 (eight) identical copies - one copy for each member of the association (5), one copy for the Minister of Environment and Water and one copy of the regional governors of the regions of Yambol and Sliven.