

Approved at the March 23, 2010 meeting

Flathead County Solid Waste District
Board of Directors Meeting
February 23, 2010 – 5:00 p.m.
Landfill Office

1. Roll Call

Board Members present: Hank Olson, Chairman; Bill Shaw, Vice Chairman; Greg Acton, City of Whitefish; John Helton, Member at Large; Wayne Miller, Board of Health and Alan Ruby, Member at Large. Absent: Jim Dupont, County Commissioner.

District Staff present: Public Works Director Dave Prunty, Operations Manager Jim Chilton, Recording Secretary Deborah Morine, Financial Technician Carol Norwood, OAIII Shelby Beach, and Operators Don Connors, Kurt Carda, Trey Manning, Jeff Kruckenberg, Bill Dempsey, and Don Burns.

Attendees: Scott Mason, Matt O'Connell, Robert Morrow, Carlo Arendt, Becky Connors, Christy Manning, Lisa Kruckenberg, and Tanner Kruckenberg.

2. Introductory Remarks from Chairman

Hank thanked everyone for attending and stated that the pharmaceutical workshop that was held last week was informative.

3. Comments from public

Robert Morrow from Valley Recycling stated that they found a company in Billings that would be accepting the E-Waste for the event this year. He anticipates the event to be held in April probably around Earth Day.

At this point, the Operators stood up and introduced themselves. Hank asked if they wanted to speak.

Don Connors stated that he is the spokesperson for the employees and that he is not here to represent them as a Union affiliation. Don distributed copies of the letter of response to the commendation the Operators had received last month. He said the employees formulated a letter of response and read the letter in its entirety to the Board.

After reading the letter, Don stated: "Gentlemen, I hate to bring this up but it has to be said. The day following the grievance, the decision of the Board was to grant me 10 hours of vacation time and that was to be the end of it. But on the very next day, we received a memo addressed to Union Employees." (Don went on to read the memo.) He stated that he signed the directive under protest and proceeded to read his protest. He further stated that each employee agrees that the memo was sent out in retaliation by management because of his grievance. For over 30 years employees have been able to have 2 or more people on vacation at the same time and they are now limited to one. He explained that previously the only ones who were exempt from this were the Foremen, Junk Vehicle

person and the Mechanic. He went on to say that Jeff Kruckenberg had to work 17 days straight once because the other Foreman was off. He declared that Jeff said “that will never happen again!” Don stated that this directive is completely retaliatory and has created a work environment of management verses employees. Don questioned the Board if they had authorized the directive or if it came straight from management. He cited the County Policy Manual states that “employees should be treated with dignity and respect”. He said we should be able to work in a happy and satisfying environment. Our morale is down the toilet. The happiest part of the week is when the City of Kalispell brings in the screenings from the sanitation plant! He said everyone is upset and they have an unlivable work environment. He asked the Board to please overturn the directive.

Bill Shaw stated that he believes they have an understanding of the issue, but believes that the Board does not have authority over Employees and they should be directing their dissatisfaction to another source.

Hank stated he understands the struggle of the employees’ situation, but is unsure it can be addressed by this Board.

4. Approval of the Board Meeting Minutes for January 26, 2010 - **Action Required**

Wayne Miller moved to adopt the minutes for the January 26, 2010 meeting. Alan Ruby seconded. Motion passed.

5. Action Agenda

a. Cancellation of Lease for Marion Container Site – **Action Required**

With the opening of the West Corridor Container Site on Highway 2 near Ashley Lake Road the District can end the lease for the old Marion Container Site. The lease is scheduled to end on March 29, 2011. Our annual payment is due every March. Dave has informed the Montana Department of Transportation (MDT) of this probable outcome and have discussed our willingness to monitor the site for illegal dumping through June, 2010.

John Helton moved to authorize the Director to terminate the lease with MDT for the Marion Container Site. Greg Acton seconded. Motion passed.

b. Contract extension for Hydrometrics – **Action Required**

Hydrometrics has been performing the hydrogeological work and groundwater monitoring at the landfill for the past three years. The District entered into a contract with Hydrometrics for the initial three year period and up to two 2 year renewals if mutually agreed to by both parties. The three year period is nearing the end. Scott Mason has been the project manager for Hydrometrics for this contract and Scott has previously worked for PBS&J Inc. and Land and Water, Inc. when they had the contract. He has over nine years working on the District’s hydrogeological program. Scott has provided the letter to extend the contract and it is included in the Board packet, along with their rate sheets and other pertinent information. Staff believes that extending this contract will be beneficial to the District with the knowledge that Scott and the Hydrometric team have developed.

Bill Shaw moved to authorize the Director to execute the extension of the contract with Hydrometrics for the first two year extension as allowed in their current contract with the District. And to provide needed hydrogeologic and groundwater monitoring services for the Flathead County Solid Waste District. Wayne Miller seconded. Motion passed.

6. Director's Report

a. Phase 4 Liner and Partial Closure of Phase 1

SWT Engineers has been designing the plans and specifications for the construction of the Phase 4A liner and partial closure of Phase 1. The Phase 4A liner will connect with the existing Phase 3 liner. The excavation will take place this summer and fall but the liner will not be installed until the summer of 2011 or 2012, depending on the inflow of waste. The soil excavated will be placed directly onto the north and east slopes of Phase 1 (the old unlined portion of the existing landfill). This will allow for the efficient handling of the excavation and save a considerable amount of money by only handling the soil once. There will be significant improvements to the landfills drainage and road system in that area. Additionally, this aids the District in our financial assurance requirements for the Local Government Option Test (LOGO) that we have chosen for our funding mechanism. You are allowed to only have so much open of the total landfill area to utilize that funding mechanism.

During the preparation of the current budget we did not include this work in the budget. After discussions with our engineer and with the economy in a recession we decided that optimum prices for contractor services could be obtained this construction season. The liner engineering costs are estimated at \$75,077.98 and the closure engineering fees are \$84,136. Staff has informed Mike Pence with the Commissioner's office of this issue and he said a budget amendment can be performed with little difficulty since the money will be coming from the liner and closure trust accounts. Two local firms will be sub-consultants to the closure project providing construction oversight/management and geotechnical evaluations.

Discussions have occurred with the Montana Department of Environmental Quality (DEQ) as we are required to submit these plans to them for review and approval. We will be planning on bidding this work out this spring (April or May) so we can hopefully get it completed in one construction season.

b. Container Site Consolidation Project – Highway 2 East (Nyack, Denny's & Essex)

A meeting was set to occur in February between the Great Northern Environmental Stewardship Area (GNESA), Evergreen Disposal and Ron Sullens (owner of the Half Way House at Essex). Currently, both Dan Vincent of GNESA and Ron are out of the state. It was scheduled to occur in early February but did not happen. Matt O'Connell from Evergreen is at the meeting to briefly discuss with the Board the discussions that have occurred so far.

Matt O'Connell reported that he has not heard back from Mr. Vincent and doesn't know when they will be able to meet. Matt stated he is available whenever Mr. Vincent and Mr. Sullens are back in the area and can make arrangements to meet.

John Helton asked Matt how many land owners have contacted him about service. Matt reported that no one has contacted him from that area.

There were general discussions and the Board agreed that a private site in the area would be the best outcome for the residents.

c. Olney Container Site Purchase

Staff met with Howard and Tracie Keister, the owners of the property adjacent to the Olney site. We discussed the District's plan to purchase and improve the site to our current operating standards. The Keister's like the idea of improving the site but still believe that moving the site closer to their property (~300 to 400 feet) will hurt their property value. They are currently selling the two tracts of land they own and said they were hopefully close to closing on one of the properties. They would like to see the site moved to the northwest on the other side of the current approach off Highway 93. They said they have sent the release back to MDT and indicated they objected to the direct sale of the property to the District.

Currently the District has multiple options for this container site. The first is to renew the lease with MDT for another ten year period. It is set to expire June 28, 2010. This may need to occur as we work through this project and assess the other options. The second option is to ask MDT to move forward with selling the property at auction. The District would be able to offer up to the maximum amount that would be determined by a certified appraisal. Any other potential buyer could offer just over our ceiling and make the purchase. The last is to initiate discussions with the Montana Department of Natural Resources and Conservation (DNRC) and see if we could lease a parcel of property near the current site.

d. Refuse Operations

Operations proceeded well for the month. Tonnage/Volumes are shown below:

	<u>January</u>
Total MSW to landfill	5,505.87
Total Appliances Collected	347
Junk Vehicles Collected	5
Truck Trips to Container Sites	452
Refuse tons/trip	5.98

The District landfilled 13.2% less waste in January, 2010 as compared to January, 2009 and our refuse trucks hauled 4.1% less waste comparing the same time frame.

Gate revenue for fiscal year 2010 was projected to be \$850,000. In fiscal year 2009 the gate budget was \$1.2 million (amended to \$900,000 in the middle of the fiscal year) and we ended the fiscal year at \$940,842.50. Through January, 2010 (58% through the year) we have received \$490,271.57 (57.7% of budget). We are currently on track to meet the projected gate revenue. The gate represents approximately one quarter of the District's revenue stream.

e. Budget and Financials

Dave reviewed the Budget and Financials with the Board.

7. Comments from Board Members

Bill Shaw stated that he does not believe the Board has authority over the issue Don Connors brought up at the beginning of the meeting. Dave Prunty stated that he complied with County Policy and the Collective Bargaining Agreement, and Human Resources and the County Attorney reviewed the memo before distribution to the Operators. He stated that we need to be fiscally responsible and reduce expenses to keep the revenue stream in balance.

Hank Olson asked Dave if they had met with Don concerning the issue. Dave said yes. Hank asked what the next step is. Dave stated we are following the agreement and are trying to manage the facility with fiscal responsibility. He believes it is irrelevant that the memo was distributed now or six-months from now. The union employees would be just as upset.

John Helton stated that we need to continue to make the facility run efficiently.

Dave said that we are reactivating the two laid off employees to use on call to relieve the overtime issue.

Bill Shaw stated that the Board cannot manage the employees, that's not our job.

Dave alerted the Board that there will be another grievance to deal with next month.

Hank asked Dave to address Don Connors concerns in a bullet point document for clarification.

Wayne Miller asked Dave to share the information with the Board and also would like to discuss the consolidation plan.

Alan Ruby stated as a manager you deal with issues using sound management. He doesn't believe it is retribution.

Hank referred to the gas well extension on the landfill and stated they are quite tall!

Dave apprised the Board that he will be attending a meeting in Dallas in April and would like to change the April meeting date forward one week.

8. Adjournment

The meeting was adjourned at 6:34 p.m.