

Approved at the June 26, 2011 meeting

Flathead County Solid Waste District
Board of Directors Meeting
May 24, 2011 – 5:00 p.m.
Landfill Office

1. Roll Call

Board members present: Hank Olson, Chairman; Greg Acton, City of Whitefish; Jim Dupont, County Commissioner; John Helton, Member at Large; Wayne Miller, Board of Health, Alan Ruby, Member at Large and Lorin Lowry, City of Columbia Falls.

District Staff present: Public Works Director Dave Prunty, Operations Manager Jim Chilton and Recording Secretary, Deborah Morine

Attendees: Tara Fugina, County Attorney, Bill Shaw, former City of Columbia Falls Solid Waste Board member, Robert Morrow, Jim Daveit, Debbie Rathbun, Tamara Larsen, Matthew Larsen and Don Connors.

2. Introductory Remarks from Chairman

Hank Olson thanked everyone for attending.

3. Comments from public

Jim ? – Columbia Falls. He stated he has been “picking” at the Columbia Falls container site for five years. He has fallen on hard times and has been using money he gets from selling aluminum and copper salvaged from the containers to make ends meet. He complained that the attendant at the site has not allowed him to salvage in the appliance pile anymore. He stated he will continue to “pick” cans!

Matthew Larson – Columbia Falls. States that his wife pulls clothing and useable items out of the containers and sells the useable items at yard sales or donates them. He suggested that instead of outlawing scavenging to make people sign waivers and possibly control how many salvagers can pick at the cans at a time. He stated there is a need to recycle!

Mayre Flowers – Kalispell. Reviewed the Small Business Hazardous Waste Event that took place on May 20th and the E-waste & Prescription Take Back events that were held on May 21st. She stated that the events were quite successful even though there were several time and date misprints in the paper. She hopes to be able to improve the registration process with Veolia for next year’s business hazardous waste event; hopefully having the option to register online. She stated there were 17 businesses that participated. Also, there were 155 people participating and 29,300 pounds of components collected at the E-waste event at Valley Recycling. She praised Valley Recycling for helping the operation run smoothly. At the prescription take back there were 55 people who participated at the Kalispell location

and 21 people who participated at the Whitefish location. There were several retired physicians who brought boxes of medicines in for disposal. Mayre stated that former Solid Waste Board member Nancy Askew volunteered in Whitefish and suggested having the events in a more highly visible area to garner more participation.

Bob Morrow – Valley Recycling, Kalispell. Stated that the E-waste event went smoothly. He stated that they took in 10,000 pounds more items than last year, so participation is growing.

Don Connors – Kalispell. Stated he was a 22 year employee of the Landfill (retired). He said he is disappointed with the Solid Waste Board for not expressing gratitude to the Union Employees for extending their contract and forgoing negotiations this year thus saving the District money. He stated he's heard praise of management negotiating engineering prices being kept at 2010 levels, but not a word of thanks to the hard working individuals of the Local 400. He continued to express his frustration that "to the best of his knowledge" employee records are devoid of commendations! Hank Olson thanked him for his comments.

Hank then introduced Lorin Lowry who will take over Bill Shaw's position on the Board.

4. Approval of the Board Meeting Minutes for April 26, 2011 - **Action Required**

Alan Ruby moved to adopt the minutes of April 26, 2011. Jim Dupont seconded. Motion passed.

5. Action Agenda

a. Scavenging/Salvaging at the Landfill and Columbia Falls Container Site – **Action Required**

At last month's board meeting the Directors discussed the issues with scavenging at the Columbia Falls container site. Staff has discussed the issue with our Risk Manager again and she is very supportive of the idea of stopping this activity from occurring. Staff has also seen the benefits from the site attendant at Columbia Falls and the increase in our metals recycling program that generates revenue for the District. More health concerns outside of the concerns with diseases from cuts or needle sticks have been uncovered as we have learned that there appears to be scavengers that are removing food from the containers for consumption. The Montana Department of Environmental Quality (DEQ) has also been contacted and, while they don't regulate container sites within the solid waste rules, they also believe that allowing this activity is detrimental to the welfare of our citizens and exposes the District to unnecessary liability.

We have much less scavenging occurring at the landfill from the public but since we also have this site staffed it would be beneficial to include the landfill in this action. Our biggest issue at the landfill is that employees have removed materials for their use which should not be occurring.

John Helton stated people throw away a lot of useful things some try and leave stuff off to the side in hopes other might use it. He suggests perhaps putting a box at the sites for people to set useable stuff in for others to take. He supports the action.

Hank Olson asked who owns the garbage once it is in the container. Dave Prunty introduced County Attorney Tara Fugina. She answered the assumed intent is that by placing items/garbage in the containers you are transferring ownership of the items to the county.

Alan Ruby stated he has previously “recycled” out of the green cans! He said he understands the liability and privacy concerns. He’s talked with people about these concerns. He believes these issues supersede the right to salvage. He supports the action.

Jim Dupont stated that the Commissioner’s office has been inundated with calls. People are concerned that their livelihood is threatened. Jim said that the container sites were never intended to be a place to go to for “extra income”! There are organizations out there that are for that purpose. He supports the action.

Greg Acton stated he also supports the no salvaging ruling. There are liability and privacy issues.

Wayne Miller stated he has concerns with health issues. There is no way that the containers are clean enough to not cause some health issues. As far as recycling goes, there are organizations such as Salvation Army, Goodwill, Flathead Industries and others to donate to or procure from. He supports the action.

Hank Olson stated he has written a letter to the editor which hasn’t been published yet. He said that “we” (people) are the ones that are putting this stuff in the containers! Identity theft is scary. This practice can’t continue. He supports the action

John Helton moved to prohibit scavenging/salvaging effective July 1, 2011 of any material at the Columbia Falls container site and the landfill by a citizen or District employee for any reason excluding recycling services performed by the District. Wayne Miller seconded. Motion passed.

b. **Amended District By-Laws – Action Required**

At the workshop held on April 26, 2011 the Board discussed any needed revisions to the District’s by-laws. Since the last by-law revision the section of the Montana Code Annotated (MCA) regarding Districts for local government has been revised so Deputy County Attorney Peter Steele revised the by-laws to reflect the changes in the MCA. The Board had no other modifications proposed from the workshop. Article 7 in the by-laws requires a second reading of the proposed amendments before the change will be finalized or rejected.

Wayne Miller clarified that this is the first reading of the by-laws and the board will then take final action to adopt at the June 28th meeting.

Greg Action moved to approve the amended Flathead County Solid Waste District by-laws as required by Article 7 – First Reading. Alan Ruby seconded. Motion passed.

6. Director's Report

a. Adanac Kennels Use by Habitat for Humanity

Dave stated that Habitat for Humanity is not here tonight as they need to line up more donations for this project. They sent their business plan which was handed out to the Board.

b. NxENRG Technology

Staff had a two hour phone discussion with Mr. George Robertson from NxENRG on April 29th. Mr. Robertson provided a detailed discussion of his company's process utilizing a plasma enhanced melter (PEM) to destruct solid waste and, in turn, produce ethanol among other alcohol by-products from what he called syngas. Mr. Robertson systems are certainly cutting edge technology.

Included in your packet is a summary discussion of the system and process. Dave informed Mr. Robertson that this technology is so new and unproven on a large operating scale that Dave has reservations on the Districts participation but that it is a Board decision.

Currently, there are only small scale operations with this technology. A 25 ton per day facility is nearing completion at a Waste Management Inc., facility in Arlington, Oregon. The claim is the technology/system will operate up to 125 tons per day and you could have two trains operating for 250 tons per day total. That doesn't completely encompass our daily throughput on many of our operating days in the year. We would still need to have a landfill of some sort to handle the overflow, unwanted waste, or if a breakdown or maintenance shutdown in the plant was to occur. A materials recovery facility would need to be constructed to sort the incoming waste and remove unwanted materials for disposal. The "good" refuse would then go to the shredding machine to reduce it to two inch minus specification. Some materials could be up to six inch minus when it starts in the system. Staff also finds the claim of "zero emissions" to be of interest and concern.

Mr. Robertson's company would not be the operator of the system's. After construction and acceptance testing the plant would be sold to another entity for operations. This is somewhat concerning in that you don't know who you are going to be doing business with.

Staff informed Mr. Robertson that we would provide his information to the Board at our May meeting. As this is such cutting edge technology if the Board is interested in researching this project it would be beneficial to hire a third party consultant to provide initial review and provide direction to the District.

c. Container Site Update

Staff attempted to view the property on Highway 2E near Essex for the canyon consolidation project. Unfortunately, there still is two to three feet of snow in the area. It did appear that we will need to purchase more property than originally thought due to the topography. Hopefully, in a couple more weeks the snow will be melted and we can assess the land and determine if/where the site can be located.

An exit sign will be installed at the Creston container site directing customers to utilize the paved portion of Broeder Loop to access Highway 35. A sign is also being made to install at the west end of Broeder Loop informing customers to use the paved section of road for access to the site. The sign will be informational only. We can't restrict the public's use of the county road. We also checked with the Montana Department of Transportation about installing an access off Highway 35 directly to the site. They informed us that this is not possible. Highway 35 is a restricted access highway and they would not give the District an approach permit.

d. District Goals and Mission Statement Revision

During the workshop on April 26, 2011 the Board discussed revising the annual, less than two year and more than two year District goals. A rough draft of the revised goals is included in your packet. It may be beneficial to schedule another workshop to concentrate solely on completing these goals to the satisfaction of the Board.

Also included in your packet are some minor revisions to the District's mission statement. As was brought up at the workshop it can be a laborious task to craft a mission statement for an organization. Staff believes the revised mission statement is an accurate reflection of the District and our direction.

There were general discussions regarding the goals and mission statement. The Board will hold another work session next month before the June meeting to discuss and finalize.

e. Spring Litter on the Roads Campaign

Staff has been unable to find a bill board that is available and within compliance with the Zoning Office on Highway 2 between Kalispell and Columbia Falls with Lamar. We did find signs from a different company that are located on Highway 2W going towards Kila (at Smith Lake School) and on Highway 40 between Whitefish and Columbia Falls (Gils Store). These signs are owned by Insight and Sign Doctor. The sign on Highway 2W would cost \$250/month and the sign on Highway 40 would be \$275/month. There is no cost for vinyl printing with this company. The prices above are for a package deal but staff believes we can negotiate with them if we choose to install only one sign. Staff would recommend the Highway 2W if only one sign is installed. We are still working with the Zoning Office to assure these signs are in compliance.

The Flathead City/County Health Board requested staff to give an update on the litter issue at their May 12th board meeting. The Health Board was told the signs are up at the container sites and the landfill and one bill board has been installed on Highway 93 south of Kalispell. They asked for an update of the number of citations written. Dave informed them that he was unable to provide that information and they would need to request that information from the Sheriff's Department.

Jim Chilton stated he spoke with Under Sheriff Jordon White. In June, the sheriff will start visiting the container sites on Saturday mornings to help public awareness of the litter issue and eventually issue citations as warranted after the education campaign.

f. Refuse Operations

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

<u>April</u>	
Total MSW to landfill	7,360.99
Total Appliances Collected	561
Junk Vehicles Collected	9
Truck Trips to Container Sites	446
Refuse tons/trip	7.38

The District landfilled 4.1% less waste in April, 2011 as compared to April, 2010 and our refuse trucks hauled 5.0% less waste comparing the same time frame.

Gate revenue for fiscal year 2011 was projected to be \$850,000. Through April, 2011 (83% through the year) we have received \$705,999.15 (83% of budget). The gate represents approximately one quarter of the District's revenue stream.

g. Budget and Financials

Dave reviewed the budget and financials with the Board.

7. Comments from Board Members

Hank Olson asked if clothing could be dropped off at the proposed Habitat for Humanity proposed spot once it gets going. Dave said there's not a lot of room for that type of donation at the old Adanac building.

Wayne Miller said that Plum Creek has a bio-mass energy project that we might pay attention to. Also, maybe consider that Mayre could put together an educational program to help people realize there won't / can't be salvaging from the dump sites.

8. Adjournment

The meeting was adjourned at 6:07 p.m.