

Approved at the June 26, 2012 meeting.

Flathead County Solid Waste District
Board of Directors Meeting
May 22, 2012 – **3:00 p.m.**
Landfill Office

1. Roll Call

Board Members present: Hank Olson, Chairman; Greg Acton, Vice Chairman; Lorin Lowery, City of Columbia Falls; Wayne Miller, Board of Health and Alan Ruby; Member at Large, Cal Scott; County Commissioner. Absent: John Helton, Member at Large.

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

Attendees: Glen and Jean Hook, Dia Sullivan, Kim Vierra, Kim and Jera Schwegel, Scott Mason, Andy and Janie Smith, Archie Weigum, Brandon Bugge, David Fischzowitz, Tim Simms, Bob Donk, Bob Greer and Randy Burns.

2. Introductory Remarks from Chairman

Hank thanked everyone for attending, reminded people to sign the attendance sheet and noted that John Helton was absent.

3. Comments from public

Hank asked those who speak to stand, state their names and addresses for the record.

Bob Donk, 586 Bright Star Trail: States that he really doesn't get what "you guys" are doing. He knows "you" want to buy our property or if you can't buy our property, you want to buy the 500 acres and make the landfill big. He stated instead of making the landfill bigger, to make it smaller by making mandatory recycling and making the facility a transfer station. Let's make this landfill smaller by recycling more and making this place a transfer station.

Glen Hook, 905 Prairie View Road: Addressed the Board stating that they serve at the commissioners "pleasure" and that Dave Prunty owes his job to them. Directing his attention to the commissioner representative Cal Scott, Glen believes that he should be pleading the landowners cause to the other two commissioners about how the Solid Waste Board is planning on turning "our" lives upside down and devalue our property. He stated he believes that Dave just wants to buy the 500 acres and be done with it and surround us which prevents us from selling our property to anyone. We're at your mercy. He stated that the county should buy the property at a premium as it is supposed to be for the good of everyone in the county.

Tim Simms, 1175 Prairie View Road: Wants to know if this sale is going to happen in a timely fashion as he doesn't want to be waiting five years. He stated he won't be able to replace what he's got on a low ball estimate.

Andy Smith, 855 Prairie View Road: Stated he recently bought property here and had no knowledge about the landfill expanding. Asks that the Board not to leave everyone up in the air.

Archie Weigum, 835 Prairie View Road. Asked if the Board has looked into relocating the landfill. He stated it seems it would be cheaper to buy land elsewhere than to spend millions of dollars buying out the neighbors.

Glen Hook: Stated that he wished the Board would think about what they are saying before saying it! You said you wouldn't force us out of our homes and then changed to maybe you will have to ask us to move. He wants this stuff documented. He's seen this landfill promise so many things, and then all of a sudden, it's not in the minutes.

Janie Smith, 855 Prairie View Road: Stated her husband worked very hard to move to the valley and they bought a beautiful home so their children could grow up here. She worries about the peace and quiet, garbage, seagulls, dumpster noises, quality of life and water issues. What about the people on Spring Prairie View Road, the devaluation of the area homes. She said she's talked with a couple realtors and feels they would be upside down. She feels that the landfill failed to properly notify the bordering families of their intent; only notified the people that you want to buy land from. She asked the Board to "think of all the other lives and properties that are going to be lost".

Kim Vierra, 628 Bright Star Trail: Asked the Board to "put yourselves in our shoes, we're going to lose so much". She stated that property values have gone down and you want to low-ball our property. We need to be compensated for relocation fees.

Jean Hook, 905 Prairie View Road: Stated there has been a long standing problem with the trust of the Board and the neighbors. They've been through multiple Boards; restore trust in your neighborhood.

Archy Weigum: Asked "who came up with the 100 year plan?"

Bob Donk: Stated that the Board has a "goal" and your goal is wrong. You're goal could be a 1000 year goal if you transferred the garbage. Whether it goes here or transported elsewhere, we still have to pay.

Kim Vierra: Asked if there could be an attorney present; what are we accomplishing?

Dave stated that the county attorney will not give legal advice to citizens. They can only state what the law is. The county attorney is only going to state "we can pay up to appraised value". The Board is trying to gather information. He stated we are weighing our options and the "do nothing" option is still an option.

Cal stated that if a state attorney were here, they would back the proper process for holding these open board meetings. Under the public disclosure, where the public can gain understanding of what's going on can be gathered through the county website and we seem to be dealing with a group of people who have not done their homework. There is a due process to follow and we have a group of people that do not know the process. He stated that he will do everything he can so they can gain understanding.

Hank suggested that they could provide the Board with a list of questions to give the attorney.

Bob Donk: Stated “your lawyer can say one thing and I can get another lawyer to say another”. He stated that if he were to sell right now, he’d still owe \$50,000.

Glen Hook: Stated that it’s not our fault that property values are down, but if you buy the 500 acres, then they go down further.

Kim Vierra: Stated that it’s emotionally exhausting.

Hank stated that the landfill has been here a long time.

Kim Vierra: Stated that what you’re doing isn’t fair. We need solid answers.

Hank stated that we need to procure appraisals.

Wayne stated that he thinks there is a misunderstanding. We can’t determine a plan until we know if the neighbors are interested. We can’t move forward with an alternative plan; it’s clearly outlined in the strategic plan. He stated that in response about the Boards integrity, every adjacent land owner bought after the landfill was already established. He reminded everyone, we’re talking about a 100 year horizon. He is fully aware of the anxiety this causes.

Archie Weigum: Stated he had talked with the previous Director before purchasing his property. He was told that it would be 50 years before the south portion would need used.

Comments: “go ahead and put the landfill on the south portion and let the people see the berms and flying plastic along the highway.

Glen Hook: Would like clarification on the appraisal; certified appraiser or realtor or combination. Dave stated that the appraisal method has to be mutually agreed upon by both parties, but the law currently allows either. He stated that Flathead County has been using certified appraisers

Dia Sullivan, 1115 Prairie View Road: Thanked Cal for reiterating the fact that we can only listen to the Board and direct comments to them during this portion of the meeting. They aren’t allowed to converse with the public during the meeting.

Kim Vierra: Suggested to the neighbors to meet and gather questions for the Board.

Wayne suggested there are alternatives to the landfill and if anyone has suggestions that are not included in the strategic plan, to bring them to the Boards attention. Alan added; Be realistic with the suggestions. No science fiction.

Jera Schwegel, 1145 Prairie View Road: Let’s get it done quick and easy and not drag it out forever. She suggested ramping up recycling.

Glen Hook: Stated that he agrees with the gentleman who said he’d pay more to have the garbage hauled out of the valley. What does it take to put something like that on the ballot?

Hank responded that the Board just received a letter from a citizen requesting their assessment be reduced because it was too expensive and they couldn't afford it. Hank stated it appears there are those in the public that think differently about the costs than what you all are saying.

4. Program Updates from Non-Profits

There were no updates.

5. Approval of the Board Meeting Minutes for April 24, 2012 - **Action Required**

Wayne Miller moved to adopt the minutes of April 24, 2012. Alan Ruby seconded. Motion passed.

6. Action Agenda

a. Letter to Property Owners in Potential Expansion Areas – **Action Required**

Included in the board packet is a draft letter to the landfill neighbors that are in the potential expansion areas. There has been some minor edits from the version the Board received via email a few weeks ago from Mike Cullinane with SWT Engineers. Also included is a letter received this month from Brad Buls who owns 10.9 acres south of the current landfill boundary and is concerned that the possible expansion is detrimental to their property.

On May 4th staff met with Hank and Lacey Galpin, owners of the Sky Air property. They reaffirmed their interest in possibly selling to the District and also provided some drilling reports for irrigation wells that they installed years ago. The reports showed no perched water zones in the area they drilled through to the depths the bottom of the landfill would be. Some of their borings could not be developed into well because no water was present. Please note you will have variations throughout the property so this certainly isn't conclusive evidence but is a good indication of the level and presence of groundwater to the depths of the proposed landfill floor.

The Board asked at last month's meeting to discuss this letter at the May meeting and send to the neighbors if approved.

Lorin Lowery moved to recommend approval of the letter to the 15 landfill neighbors who own property within the two potential expansion areas inquiring if they are interested in selling their property to the District. Greg Acton seconded. Motion passed.

Wayne Miller asked if the letter had been reviewed by the County Attorney. Dave stated yes. Alan Ruby suggested adding a link to the 2009 Strategic Plan on the Solid Waste website in the letter.

Alan moved to amend the motion to include the website link to the Strategic Plan in the letter. Cal Scott seconded. Motion passed.

7. Director's Report

a. Groundwater Monitoring

Staff and our hydrogeological consulting firm, Hydrometrics, Inc., met with Martin Van Oort from the Montana Department of Environmental Quality (DEQ) on May 8, 2012 at the landfill. After a review and tour of the landfill operations and groundwater monitoring network we discussed the recent increase in tetrachloroethene (PCE) on the eastern boundary of the landfill. Scott Mason from Hydrometrics will be at the meeting to update the Board on this issue and describe our plan for the next six months.

Scott Mason reviewed the Corrective Actions requirements and updated the Board on some modifications that he would like to implement.

b. Olney Container Site Construction

48 North Engineering is working on the design for the Olney container site improvements. They are a subcontractor to SWT Engineering who will provide a peer review of the design and oversight of construction work. It is anticipated that the design will be finished by early to mid June and bidding for the work will occur shortly thereafter. Construction in August and possibly September is planned.

c. Highway 2 East Container Site at Essex

The Commissioners authorized the purchase of the land owned by Martin Marietta Materials (MMM) north of Essex on May 10th. Staff presented the project to the Flathead County Board of Adjustment (BOA) on May 1st to satisfy a Planning Department requirement due to the zoning in the area. The BOA meeting was held to give the public an opportunity to comment on the project and modification to the zoning regulations. There was no action needed by the BOA, they are just the conduit for public comment. Property owners immediately surrounding the parcel were notified of the meeting. No one from the public showed up which wasn't surprising due to our two meetings previously held with the citizens in the canyon.

Final negotiations are still occurring with MMM but we are hopeful to go to closing in the next month or so. Staff is planning on clearing the property this summer so we can take advantage of burning the slash and stumps from the logging. Construction will occur next summer.

Hank asked if there was an estimated opening date. Dave said sometime next summer (2013)

d. Refuse Operations

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

	<u>April</u>
Total MSW to landfill	7,348.31
Total Appliances Collected	583
Junk Vehicles Collected	3
Truck Trips to Container Sites	452
Refuse tons/trip	6.81

The District landfilled 0.2% less waste in April, 2012 as compared to April, 2012 and our refuse trucks hauled 2.5% more waste comparing the same time frame.

Gate revenue for fiscal year 2012 was projected to be \$750,000. Through April the gate has generated \$620,777.20 or 82.77% of revenue through 83% of the fiscal year.

e. Budget and Financials

Dave reviewed the Budget and Financials with the Board.

8. Comments from Board Members

Alan liked the map that was included in the Board packet. Wants to make sure the neighbors understand that the purchase of the properties is an “either / or” option.

Greg asked if we are going to continue the consolidation process in Bigfork. Dave stated it is at the Board discretion when to proceed with the consolidation.

Hank commented, let’s start the process. Wayne asked if we knew how much refuse comes from Lake County.

Hank asked if Flathead Industries will continue their reuse program at the Columbia Falls site. Jim said they are currently understaffed and unable to continue at this time but are still interested in the program when their staffing issues are resolved.

Lorin asked if Dave has had a follow-up from DEQ regarding the unauthorized dumping situation on 4th Avenue in Columbia Falls. Dave stated he turned it over to DEQ and hasn’t heard any updates.

Wayne requested to continue the discussions on recycling. Specifically, who, if anyone, is responsible for its enforcement?

Hank referred to the letter from Mr. Buls and wondered how far of a circumference around the landfill should we notify. He stated he sympathizes with the neighbors; but the landfill is centrally located. He thinks in the overall picture we are going in the right direction.

Cal stated that the public has been properly notified through the paper and webpage.

Dave stated that we are still unsure if we’re doing anything moving forward. We need to get the letter out to the neighbors and see where we stand, then if we continue with the process, we send out notifications to the extended neighborhood.

Hank thinks the notifications need to encompass more surrounding neighbors. Wayne asked when is the ring big enough? The criticism could go on forever.

Greg stated that the people attending say to “go someplace else”. There isn’t anywhere else; the Strategic Plan has already looked into that.

9. Adjournment

The meeting was adjourned at 5:05