

Approved at the June 19, 2007 meeting

Flathead County Solid Waste District
Board of Directors Meeting
May 22, 2007 – **5:00 pm**
Landfill Office

1. Roll Call

Board Members present: Mike Eve, Chair; Nathan Sande, Vice Chair; Nancy Askew, Board of Health; John Helton, Member at Large; Dale Lauman, County Commissioner; Hank Olson, City of Kalispell; and Bill Shaw, City of Columbia Falls.

District Staff present: Director Dave Prunty, Foreman Jim Chilton, Financial Technician Carol Norwood and Recording Secretary Deborah Morine.

Attendees: George Tocquigny, Jerry Peterson, Mike McCourt, Jared Schoch, Jon Miller and Daniel Lee from Johnson Controls. Ray Sanders, Weed & Parks; Matt O'Connell, Evergreen Disposal; Ross Holter, Flathead Electric Cooperative; and Mike Pence, Flathead County Administrator.

2. Introductory Remarks from Chairman

Mike thanked everyone for attending the meeting.

3. Comments from public

There were no comments.

4. Approval of the Board Meeting Minutes for April 24, 2007 - **Action Required**

Hank Olson moved to adopt the minutes of April 24, 2007. John Helton seconded. Motion passed.

5. Public Hearing

a. Landfill Assessment and Tipping Fee Adjustment - **Action Required**

The Board voted last month to recommend an increase of the landfill assessment fee from \$74.75/unit to \$80.73/unit and the gate rate from \$28.75/ton to \$31.05/ton. The last increase in the fees occurred in 2004.

As required, the District Board must have a public hearing before passing or denying a resolution recommending that the County Commissioners increase the fees. This public hearing will allow citizens to comment their feelings and opinions before the Board. The County Commission may or may not elect to have a public hearing when they consider the increase based upon the amount of comment received by them.

The rate calculations with an 8% increase in the assessment and gate fee are attached to your board packet. The assessment rate would increase from \$74.75/year to \$80.73/year and the gate fee would

increase from \$28.75/ton to \$31.05/ton. When the District prepared its 20 year capital improvement plan last fall, it became apparent that the current rate structure would be insufficient to fund the required expenses (operational and capital improvement) of the District. The large capital improvements that are required to maintain operations of the District continue to consume large dollars as expenses and operational requirements escalate. Without this increase, the District's financial well-being is jeopardized in three to four years.

Resolution No. SW 2007-26 has been prepared by Jonathan Smith and is attached to your packet.

Mike Eve opened the meeting to public comment on this issue. He acknowledged the letter of protest from Alyce Eastman of Somers.

There were no comments from the attending public.

Hank Olson moved to authorize the Board Chair to sign Resolution No. SW 2007-26 increasing the assessment rate from \$74.75/year to \$80.73/year and the gate fee \$28.75/ton to \$31.05/ton and forwarding it to the County Commission from their approval. John Helton seconded. Motion passed.

6. Action Agenda

a. Utility Easement for Nolan Holdings - **Action Required**

At the April, 2005 Board meeting the Board passed a motion regarding a Quitclaim of Easement for property owned by Nolan Holdings, LLC. There was supposedly a 30 foot easement for the District for road ingress/egress and utilities. The District gave up the ingress/egress portion of the easement, but retained the utility portion of the easement. Jon Smith with the County Attorneys Office was informed that the easement had previously been abandoned and reconveyed to the then owner of the property. Therefore, the title insurance company and the owner of the property have requested that the District take steps to remove the reserved utility easement. Jon recommends that we take this action.

Hank Olson moved to authorize the Board Chair to sign the appropriate quitclaim deed, prepared by the County Attorneys Office, to remove the utility easement reserved by the Board on the property owned by Nolan Holdings, LLC. Nancy Askew seconded. Motion passed.

7. Director's Report

a. Update of Riverdale Neighborhood Plan

Jeff Harris, Flathead County Planning Director, updated the Board regarding the Riverdale Neighborhood Plan. This plan encompasses about 3,800 acres of property adjacent to our southern property boundary and includes both residential and commercial property uses.

Jeff Harris addressed the Board and updated them on the Riverdale Neighborhood plan. The plan comprises 3800 acres. Jeff displayed a map with colored areas indicating housing density and boundaries. The area that Jeff focused on with the Board is the 140 acres that

borders the landfill on the south and southwest corner. Jeff asked direction from the Board as to what type of density they were comfortable with in this area.

The Board discussed the issue and concurred that “less is better”. Light industrial would be an acceptable use. They would like to avoid having too many homes in the area.

b. Creation of Public Works Department for Flathead County

The Flathead County Commission has been investigating some reorganization within their departments to streamline their local government operations. They asked Mike Pence, County Administrative Officer, to examine this potential and report to them as to its possibility. Mike asked Dave to help him with this project. In mid February, they traveled to Helena to meet with Lewis and Clark County’s Public Works management. Both Mike and Dave were extremely impressed by their department. They have combined their Road and Bridge, Solid Waste, Building Maintenance and County Shop.

Mike has reported back to the County Commission that he believes the opportunity to create this department at Flathead County is excellent. Mike and Dave met with Mike Eve and Bill Shaw to include them in the discussions. There are some changes that would need to occur to the District’s By-laws and Resolution No. 1205B that was signed in October, 1997 that create the guidelines the District works under. There would be a different reporting structure for the Director’s position than what currently is in place. The Public Works Director would report to the County Commission for Road and Bridge issues and the Solid Waste Board for solid waste issues, along with the requirements the Commissioners have retained for the solid waste department. The County Commissioners want the solid waste board to remain in place and functioning as they have been. Our organization has been highly successful over the last ten years and they want that to continue.

Jonathan Smith has prepared some changes to both the by-laws and the resolution that he feels would give the District the ability to function as needed and discusses the management that would be shared for the Public Works Director position. These documents and other supporting information are included in your packets for review and discussion at the board meeting. Mike Pence will be in attendance at our meeting, along with Jed Fisher, Flathead County’s Superintendent of Weeds, Parks and Building Maintenance. The Weed, Parks and Building Maintenance Board chair, Mr. Ray Sanders, will also be in attendance to discuss how their department is organized and functions with a similar reporting structure that is being considered for this consolidation of County departments.

Mike Pence addressed the Board and thanked them for their excellent work. He discussed the benefits of combining the Road & Bridge and Solid Waste Departments into one Public Works Department with one Public Works Director. He stated that the Solid Waste Board’s position or authority would not change.

Ray Sanders from the Weed & Parks Board addressed the Board Members stating they had gone through a similar assimilation of the Weed Department, Parks Department and Building and Maintenance. He said the consolidation has worked out well for these departments.

The Board briefly discussed the issue with Mike Pence, asking a few questions.

Mike Eve asked to have this issue added to the agenda for the June 2007 meeting.

c. Landfill Gas to Energy Project

Flathead County has been meeting with Johnson Controls, Inc (JCI). This company has been pre-approved by the Montana Department of Environmental Quality for use by local governments for Energy Performance Contracting. The County is using JCI to review and propose some energy efficiency modifications for the County Complex facilities in Kalispell. Another aspect of their business is landfill gas to energy projects.

JCI has prepared a power point presentation for the meeting that will provide an overview of the project. Representative(s) from Flathead Electric Coop will also be in attendance. They would be purchasing the power produced from the landfill gas and selling it to their customers. Our engineers (Bryan A. Stirrat and Associates) calculated landfill gas curves that predict the amount of gas the landfill will produce. These curves are included in the presentation. Their landfill gas group president discussed the curves with me before they were forwarded to JCI. He stated that he was very reluctant to recommend that the District proceed forward with this project at this time. There are not many landfills of our size that have the gas volumes or capital that allow for the cost effective installation of a landfill gas to energy facility. The revenue from the sale of the power is what pays for the upfront capital costs (approx. \$3 million) and the annual operation and maintenance expense (approximately \$215,000).

George Tocquigny from Johnson Controls in Littleton, Colorado spoke to the Board. He introduced his associates and gave a PowerPoint Presentation of the proposed Landfill Gas-to-Energy Project.

Ross Holter from Flathead was in attendance for the Flathead Electric Cooperative.

Mike asked Dave's recommendation. Dave stated that our engineers expressed reluctance to commit to a Gas-to-Energy plan at this time. They believe that we should wait a few more years to be sure the gas levels are consistent.

6:27 p.m. The Board took a 10 minute break at this time

d. Tree Buffer in Southwest Corner of South Area Landfill

We are proceeding forward with the installation of the tree planting in the southwest corner of the facility. We will be using the well at the old Warner Farm for the water system. A drip irrigation system has been installed for water. The buffer will have Caragana at 5 foot centers next to the chain link fence and Blue Spruce at 10 foot centers for the inside row, and will be planted on May 24th and 25th.

e. Refuse Operations

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

	<u>April</u>
Total MSW to landfill	11,591.77
Total Appliances Collected	1,789
Junk Vehicles Collected	25
Truck Trips to Landfill	542
Refuse tons/trip	7.25

- f. Conditionally Exempt Small Quantity Generator (CESQG) Hazardous Waste Event and Electronic Recycling Event

Our 5th annual CESQG hazardous waste event will be occurring on Friday, June 1st at our hazardous waste facility at the landfill. Our vendor will be Veolia Environmental Services who services our household hazardous waste program for disposal. The event is for small quantity generators in the County and our goal is to remove the waste from the waste stream and provide the businesses with a cost effective disposal option. We typically have between ten and 20 businesses that partake in the event each year.

Our 2nd annual electronic waste event will be held at Valley Recycling in Kalispell on Saturday, June 9th from 9 a.m. to 4 p.m. This is a collaborative effort between Montana Department of Environmental Quality, Flathead County Solid Waste, Valley Recycling, Citizens for a Better Flathead and the Montana Conservation Corp. All parties involved are donating time and money to help this event succeed. The recycler is Inland Retch from Spokane. They have been approved by the DEQ to perform these kinds of events in MT.

- g. Jim Ungerleider

Jim Ungerleider was an at-large board member for the Solid Waste Board. Jim moved out of the County in 2004 and had to give up his seat on the Board. Jim passed away on Friday, May 18th at his farm in Ronan.

- h. Budget
i. Financial Reports

Dave updated the Board on the Budget and Financial Reports.

8. Comments from Board Members

Nancy Askew suggested that the developers of the land adjacent to the landfill within the Riverdale Neighborhood plan be responsible to create a buffer of trees instead of the Solid Waste District bearing full responsibility of providing a buffer.

Hank Olson stated that he has updated the Kalispell City Council on the proposed rate increase. He also thanked Matt O'Connell for Valley Recycling's efforts in providing the City of Kalispell with recycle containers.

9. Adjournment

The meeting was adjourned at 7:25 p.m.