

Approved at the July 24, 2012 meeting

Flathead County Solid Waste District
Board of Directors Meeting
June 26, 2012 – 3:00 p.m.
Landfill Office

1. Roll Call

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

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

Attendees: Dia Sullivan, Cyndi Sweet and Mayre Flowers.

2. Introductory Remarks from Chairman

Hank Olson thanked everyone for attending and noted that Cal Scott was absent and that Wayne Miller would be here soon. He also noted there was an excellent article in the Flathead Electric newsletter stating the Landfill Gas to Energy Plant is among top in the nation.

3. Comments from public

There were no comments.

4. Program Updates from Non-Profits

Mayre Flowers reviewed the End of Year Report for the WasteNot Project with the Board. She stated that they had another successful year with school groups touring the compost garden and landfill. She stated the pharmaceutical project is continuing to grow with Columbia Falls and Whitefish Police Departments seeking grants for pill containers. She would like to expand pharmaceutical waste education to extended care facilities so they can dispose of medications properly.

Mayre added the Fix It Local project hasn't been finalized yet, but will continue to seek local repair shops/people and also intends to show examples for media release.

Mayre updated the Board on the success of the e-waste event and wanted to express her thanks to Valley Recycling for hosting the event and encouraged the landfill staff to express their appreciation as well.

5. Approval of the Board Meeting Minutes for May 22, 2012 - **Action Required**

Alan Ruby moved to adopt the minutes of May 22, 2012. Wayne Miller seconded. Motion passed.

6. Action Agenda

a. Recommendation to Auction House at 4150 Highway 93 N – **Action Required**

Travis Gray has moved out of the house that the District purchased last winter. He is still removing personal property but the house has been vacated and the carbon filtration system at the pump house has been removed. Staff has discussed the process with the County Attorney Office. We will need to have an appraisal by a certified appraiser or cost determination done by three real estate agents to determine the house's value noting that whoever purchases it must remove the house shortly after purchase. The County Commission will make the final determination on moving forward with this work but the Solid Waste Board needs to make a recommendation to them on what we would like to have done.

John Helton moved to recommend to the Flathead County Commission to auction the log house located at 4150 Highway 93N Kalispell, MT and have it removed from the property. Lorin Lowery seconded. Motion passed.

7. Director's Report

a. Landfill Expansion Project

So far, 14 neighbors have responded to our letter sent out in early May inquiring if they are interested in selling their property to the District to expand the landfill facility. The Sky Air property owners Hank and Lacey Galpin have informed us they are interested in selling. Thirteen owners in the southwest corner have also responded. Multiple respondents checked both the lease/no lease boxes. Randy Burns and the Donk/Olson properties are the only neighbors so far to indicate they are not interested in selling their property. We have included a spreadsheet and map of the properties to help with understanding the locations of the respondents. Staff believes we should send out the letter again to the owner who didn't respond to give them one more opportunity.

Staff also discussed the next steps in the process after either area is chosen with our engineer, SWT Engineering. One of the most important components of a landfill is characterizing the subsurface strata and groundwater depths. We currently have acceptable information for the properties in the southwest corner but have limited data on the Sky Air property. Galpin's provided some drilling reports from years ago when they were installing irrigation wells on their property. However, more information will be needed if the District is interested in pursuing this land for purchase. A formal fatal flaw analysis, as required by the solid waste regulations, along with exploratory drilling will need to be done to determine soil type and structure along with depth to the anticipated lowest elevation of the landfill to check for groundwater. Any perched groundwater areas would be beneficial to also know but you may not find these when the borings are located. The logs provided by Galpin's show the

groundwater to be below the base grade elevations currently contemplated in the Strategic Plan.

Also important to the preliminary work before purchase would be the improvement to ancillary facilities and access on the road system. These initial costs are negligible for the properties in the southwest corner but not for the Sky Air property. The Strategic Plan (SP) provided estimates of costs for each area. The table is included in your packet. These were higher level estimates created for the SP. Before a purchase would be made it will be beneficial to refine these estimates as part of the District's due diligence before purchase.

Hank Olson distributed a memo he composed stating its contents are his personal opinion and that it doesn't speak for the Board. In brief, it reads that he is in favor of pursuing the purchase of the Sky-Air property. He stated he wants to get the matter settled and give an answer to the fourteen property owners in the neighborhood adjacent to the landfill so they can get on with their lives.

Wayne Miller stated he thinks it's premature to proceed forward with the Sky-Air property. Based upon its proximity to the landfill, he would still consider pursuing the fourteen properties. He stated he isn't deterred by the one or two who state they are unwilling to sell. He is in favor of using "condemnation" if it is in the best interest of the District.

Alan Ruby stated he was under the impression that if any one of the neighbors expressed unwillingness to sell, that it was a "no-go" for the entire neighborhood. He said he is not in favor of using condemnation as an avenue to procure any of the properties.

John Helton stated that he agreed with Alan. He said he would like to get all the properties appraised and see if the appraisals could dissuade the unwilling property owners. If not, then pursue the Sky-Air property.

Greg Acton stated this whole process is putting the landowners between a rock and a hard place. It would be nice if they were all willing to sell, but also doesn't feel comfortable surrounding the neighboring fourteen properties.

There were discussions regarding pursuing appraisals on all fifteen properties and having SWT Engineering do a cost analysis for each scenario. Also, to find out if the Sky-Air property will truly be a viable option in the opinion of the State.

There were discussions of what would become of the current southern expansion if the District were to purchase the Sky-Air property and how many years would it be before the District would need to start utilizing the property for garbage. Dave stated it would be about 10 years before the Sky-Air property would start being utilized as a landfill. He also stated that the current expansion could be used as a county park or other public use.

The Board agreed that they want a cost analysis of both scenarios before deciding which direction to go.

Once the appraisals are complete, they will be available to the property owners.

b. Olney Container Site Construction

48 North Engineering is working on the design for the Olney container site improvements. We have potholed the site to determine the amount of material available to utilize for base grade gravel and discussions with Montana Department of Transportation (MDT) will be occurring shortly on the new approach from Highway 93. Staff also has discussed the location of the site with our nearest neighbor. We spoke with them a few years ago when we were hopeful of gaining a lease from the Montana Department of Natural Resources and Conservation (DNRC). They were also hopeful we would move the site to the north. We have discussed our use of the chain link and screening slats so they understand what we will do conceal the site to the best of our abilities.

Dave stated in order to proceed with construction in a timely fashion, once the bids are received, we may need to call a special board meeting so the Board can vote and construction can begin late summer.

c. District's Recycling Program and the Integrated Waste Management Plan

The District has been running the blue box program at the container sites for about 13 years along with our other recycling efforts at the landfill. Evergreen Disposal/Valley Recycling has been awarded three contracts for all the years the program has been in operation. Every month in your packet we include multiple pages regarding the blue bin program. The Container Site Recycling Summary lists out all of the sites with blue bins, commodities and volume of materials for the month and the corresponding revenue and expenses. The District gets the revenue from sale of the materials and then pays the contractor for hauling, processing, marketing and bin rental. In the month of May we removed 222,231 lbs of material with a net loss of \$5,063.22 after the contractor was paid for their services. Remember that the airspace "saved" as a result of the recycling is NOT part of this financial summary.

The Montana Department of Environmental Quality (DEQ) is tasked with every five years creating the state's Integrated Waste Management Plan. The plan was created in 1994, reviewed in 1999 and deemed adequate and revised and adopted in 2006. The plan discusses all aspects of solid waste management for the state and creates goals and describes roles and responsibilities, summarizes regulations and characterizes solid wastes in Montana. The Plan can be viewed at <http://deq.mt.gov/recycle/intewastemanag.mcp>

The Plan sets targets for the state's recycling program. They are a recycling rate of 17% by 2008, 19% by 2011 and 22% by 2015. These are only goals and are not mandates. Neither the State nor Flathead County can require our citizens to recycle. There is no law that would allow the County Commissioners to force recycling on our citizens. The Commissioners can only make ordinances allowed by the Montana Code Annotated or the Administrative Rules of Montana. Recycling is not one of them.

The Strategic Plan estimated that Flathead County's diversion rate in 2008 was 24 percent. This includes both what the District is doing along with other Companies in our County.

d. Green Box Consolidation Project

At last month's board meeting it was requested that staff start to look at our next component of the green box consolidation work. There are two sites remaining in operation that the Strategic Plan recommends be eliminated. These are the Bigfork and Lakeside container sites. The Bigfork site is the first one slated for removal per the SP. Since the Somers and Creston sites are owned by the District we are completely secure for the long-term operations of these sites. Bigfork is located on parcel owned by MDT and leased by the District. The lease expires on March 31, 2021. The area is too small for the current level of operations and has definite safety concerns both for our customers and for our employees. It is not possible to improve the site to our current operating standards due to the MDT right-of-way location and parcel size. In fact, if we were to install a fence on the edge of the right-of-way the site would be inoperable. Staff has had discussions with MDT on this issue and MDT has not, and most likely won't, require this to be installed.

Bigfork is our second busiest green box site in terms of amount of refuse hauled to the landfill. It receives around 13% to 14% of the waste that we haul. Columbia Falls is the busiest at around 20%. Both Creston and Somers are capable of handling the waste volumes that will go to these sites if Bigfork is eliminated.

e. Union Negotiations

The Operating Engineers who represent our operators, laborers, and container site monitor requested that their collective bargaining contract be opened for negotiation. The last agreement ended in June, 2011 but was extended for one year since neither party wished to negotiate. We have had multiple negotiation sessions and have found some common ground but many items remain to discuss. Mike Pence, County Administrator, Jim and I are the negotiating team for the District. The County Commission is responsible for signing this agreement and action by the Solid Waste Board is not required.

f. Refuse Operations

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

<u>May</u>	
Total MSW to landfill	9,131.31
Total Appliances Collected	451
Junk Vehicles Collected	2
Truck Trips to Container Sites	475
Refuse tons/trip	7.18

The District landfilled 4.6% more waste in May, 2012 as compared to May, 2011 and our refuse trucks hauled 10.1% less waste comparing the same time frame. The increase in tonnage is likely due to the cleanup of the McElroy and Wilken facility which is where the new industrial park is located (KalisPELL Rail Yard).

Gate revenue for fiscal year 2012 was projected to be \$750,000. Through May the gate has generated \$707,547.89 or 94.3% of revenue through 92% of the fiscal year.

g. Budget and Financials

Dave reviewed the budget and financials with the board.

8. Comments from Board Members

Alan Ruby asked how many neighbors asked to copy the Strategic Plan. Debbie said one copied and the others got theirs electronically.

Wayne Miller stated that we had a “healthy discussion”. Hank agreed and Alan stated that having two viable options (14 neighbors and Sky-Air property) is good.

9. Adjournment

The meeting was adjourned at 5:05 p.m.