

Approved at the July 28, 2015 meeting

Flathead County Solid Waste District
Board of Directors Meeting
June 23, 2015 - 3:00 p.m.
Landfill Office

1. Roll Call

Board Members present: Greg Acton, Chairman; Alan Ruby, Vice Chair; John Helton, Member at Large; Gary Krueger, County Commissioner; Wayne Miller, Board of Health; Susan Nicosia, City of Columbia Falls and Hank Olson, City of Kalispell.

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

Attendees: Kim and Jera Schwegel, Scott Shreves, Henry Wilks and Mayre Flowers.

2. Introductory Remarks from Chairman

Greg Acton thanked everyone for attending.

3. Comments from public

Henry Wilks – Bigfork. Stated he brought loads of miscellaneous yard debris, lumber, shingles, etc. to the landfill in May and on the 16th was told “this is your third time here, you’re going to have to pay”. He queried how do you know this is the third time, how do you keep track? He felt he didn’t receive a satisfactory answer from the person in the scale house. He was charged \$35 for the load of debris and called to talk with Dave Prunty a few days later. Mr. Wilks stated “you are running the facility based on peoples memory”. He is dissatisfied with the way he was treated and suggests the District come up with a better way of keeping track of trips people make. Dave Prunty stated that is the casualty of the assessment system. You get 26 cubic yards of household trash per year through the assessment, but there’s no exact way to keep track of what comes through the gate except by staff’s discretion.

4. Program Updates from Non-Profits

Mayre updated the Board on the following:

- Distributed the WasteNot Project 2015 Detailed Overview report.
- Fairground recycle bin project has been delayed over delivery issues. Still hoping to receive them in time for the Fair.
- Stated that vendor applications for the Dragon Boat Races now include commitment to using recyclable materials.
- Still looking for a new home for the Compost Garden. Possible location would be the Flathead High School Vo-ag location.
- Tabletop displays advertising the pharmaceutical waste collection locations that will be placed at local pharmacies.

Alan Ruby mentioned that since the Dragon Boat Races vendor applications require / encourage using recyclable materials, that perhaps the Farmers Market at FVCC should do the same.

John Helton asked if Mayre has been keeping track of the pharmaceuticals brought into the collection sites. Jim stated it's been status quo. Dave said Flathead County has been the most successful program in the state.

Hank Olson asked if the e-waste program is still relevant. Mayre stated since Pacific Steel & Recycling continues to accept e-waste along with Best Buy & Staples, there's enough collection alternatives out there.

Wayne Miller asked if it were necessary to move the compost garden off the landfill. Dave stated snow storage is an issue and there is little to no people touring. Mayre stated it got more use from the children when they were conducting landfill tours, but now that there are no tours, upkeep is more difficult.

5. Approval of the Board Meeting Minutes for May 26, 2015– **Action Required**

Alan Ruby moved to adopt the minutes for the May 26, 2015 meeting. Susan Nicosia seconded. Motion Passed.

6. Action Agenda

a. Award Construction Bid for Bigfork Container Site – **Action Required**

Bids were received for the construction of the new Bigfork Container Site on June 19th. Our engineering company, 48North, will provide a recommendation for award after reviewing the bids for completeness. This project is budgeted at \$665,000 in FY15/16.

Dave distributed the Bid Evaluations and Recommendation for the Bigfork Container Site to the Board. The bids were as follows:

<i>LaSalle Sand and Gravel Corp.</i>	<i>\$569,285.40</i>
<i>Knife River</i>	<i>\$610,977.00</i>
<i>AGC, Inc.</i>	<i>\$624,269.00</i>
<i>LHC, Inc.</i>	<i>\$636,224.32</i>
<i>Sandry Construction</i>	<i>\$700,000.00</i>
<i>Downing Construction, Inc.</i>	<i>\$730,990.00</i>

John Helton moved to award the bid to LaSalle Sand and Gravel Corp. and authorize the Public Works Director to execute the contract for the Bigfork Container Site construction project. Wayne Miller seconded. Motion passed.

Dave stated the project will begin mid-July and is scheduled for a 45 day construction period.

b. Recommendation to County Commission for Charging for Tire Disposal – **Action Required**

We have previously discussed the idea of charging citizens that bring more than four tires to the landfill for disposal if they would wish to leave them. Each assessment (household) is allowed four tires for disposal in one year. Regularly, citizens have more than this amount. We have been informing them to call EnviroTire, the company we use to dispose of the tires, to dispose of their “extra” tires. Many times they say they would be happy to pay for the disposal but we haven’t allowed this. After discussions with staff, the Board and the Commissioners, we would like to have the Commissioners approve a rate schedule that allows the District to charge \$0.50 over the contract amount charged by EnviroTire to the District per tire. The vast amounts of tires we receive are passenger/light truck tires. A few of them are still on the rim. Rarely do we receive large truck tires. We do not accept tires from commercial operators.

Currently EnviroTire charges the following amounts:

Passenger/light truck	\$1.50/tire
Passenger/light truck on rim	\$2.00/tire
Semi-tires	\$4.50/tire
Semi-tire on rim	\$6.50/tire

John Helton moved to recommend to the County Commission to charge residential customers \$0.50/tire above the rates charged to the District for tire disposal beyond the four allowed each household annually covered under the District assessment. Susan Nicosia seconded. Motion passed.

There were discussions regarding whether to advertise this change. It was decided that no advertising will take place at this time, but will update the rate sheet. Discussions also include a considered move to charge for all tires; this matter will be added to the July agenda.

Susan stated (referring to Mr. Wilks statements earlier) “it’s an honor system, not a memory system”; we trust that you’re going to be honest with us”.

There were further discussions regarding the inconsistency of the assessment system and how it’s built for convenience not fairness. It’s a gray area. Pay as you throw would be equal across the board, but that’s not how our system is set up at this point.

Hank asked that the Board review the rate sheet at next month’s meeting.

c. Modification to Hours of Operation at Ashley Lake, Coram and Olney Container Sites –**Action Required**

At the April meeting the Board discussed the modification to the hours of operation of the Ashley Lake, Coram and Olney container sites to 8 a.m. to 5 p.m. seven days per week. Currently these sites are open from 6 a.m. to 7 p.m. seven days per week. These hours are not consistent with the landfill or the container sites that we are currently staffing. By waiting until the summer season is over and daylight hours are diminished in November we hope to minimize significant impact to our customers in the area. Signage will be installed at the sites around September 1st to communicate the change in hours of operation. This move will have all sites on the same schedule (Bigfork and Lakeside will be at this schedule after their improvement projects are

completed) except the Essex site which is open from April/May (depending on snow melt) to early January and from 9 a.m. to 6 p.m. Tuesday, Thursday and Sunday.

Hank Olson moved to modify the hours of operation of the Ashley Lake, Coram and Olney container sites on November 1, 2015 to 8 a.m. to 5 p.m. seven days per week. John Helton seconded. Motion passed.

7. Director's Report

a. Unfair Labor Charge and Operating Engineers Collective Bargaining Agreement

The Union filed an Unfair Labor Practice (ULP) charge against the District for our implementation of the 5x8 hour day work schedule. The Union attorney provided their legal reasons for the ULP to John Andrews who is the investigator for the Board of Personnel Appeals (BOPA). Staff, including our HR Director and County Administrator, has met with our attorney regarding the charge. Our attorney will be preparing a response and staff will be providing testimony to Mr. Andrews regarding the charge. This process is likely to take months to work out if the charge is forwarded to the BOPA. If the charge is unfounded (determined by Mr. Andrews) it will be dismissed but can be appealed by the Union to the BOPA.

The collective bargaining agreement with the Operating Engineers ends on June 30, 2015. We have been requesting to bargain the new contract since April. The Union has denied our requests and said they wanted to wait until the contract was over. We have been informed by the Business Agent (BA) that there has been a strike vote taken. We believe this is all regarding the change to the 5x8 hour work day. Recently, another request was made by staff to begin the bargaining process. This time we were told to supply dates that worked for our side. The BA responded that he would check his calendar to see any of our dates worked for him. The last dialogue with the Union was that the employees are currently preparing their proposals for negotiating and that the BA would schedule dates after he has received proposals from the employees. The Commissioners have been updated on this issue.

There were general discussions regarding this issue and it was agreed staff will make decisions that will be a benefit to all citizens of Flathead County not just the subset that works at the landfill. Staff's job is to keep the facility operating.

b. Approval for Utilization of Phase 4B Liner Area

The District has received approvals for the MT Department of Environmental Quality (DEQ) to utilize the Phase 4B liner constructed last summer. Without DEQ approvals there is a risk of being required to remove refuse or receive a violation if the area is utilized. The documentation is paramount in "proving" to the agency the project is built per plan and specification. We've never had an issue with our projects and SWT Engineering does a great job of monitoring the construction and preparing the documentation for DEQ.

Refuse operations began in the Phase 4B liner on June 16th.

c. Lakeside Container Site Property

Staff has been contacted by the Montana Department of Transportation (MDT) regarding our request to purchase or lease a larger tract of land at the current site location. MDT is not interested in a sale but will offer a 20 year lease on our requested 300 ft x 400 ft area. They are ready to modify the lease and determine a lease rate if we so desire. Staff responded to MDT with the need to discuss this with the Board and ultimately the Commissioners. With our previous work on the proposed closure of the site and the public input we received staff is confident a program mirroring the new Bigfork site is the most likely outcome. If the Board desires to meet with the public in Lakeside we'll need to start this work so we can construct the site next summer. The crafting of a new "special fee area" for this project is one of the primary tasks to complete to start this process.

d. Refuse Operations

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

	<u>May</u>
Total MSW to landfill	9,522.31
Total Appliances Collected	1,047
Junk Vehicles Collected	3
Truck Trips to Container Sites	395
Refuse tons/trip	6.36

The District landfilled 7.9% less waste in May, 2015 as compared to May, 2014 and our refuse trucks hauled 12.8% less waste comparing the same time frame.

Gate revenue for fiscal year 2015 was projected at \$900,000. Through May we received \$1,018,286.26 or 113.1% of revenue through 92% of the fiscal year.

The crushing of the metals pile has been completed. The contractor, Rosen Brothers, paid the District \$100.50/ton for the material. There was 875.15 tons that generated \$87,952.58 in revenue.

e. Budget and Financials

Dave reviewed the Budget and Financials with the Board.

8. Comments from Board Members

John Helton congratulated Dave and Jim for hosting the landfill tour for the Manager of Landfill Operations course last month.

Gary Krueger commended the scale house staff for their excellent work. If someone comes in with their third load, past practice has been they've been told in advance that they will have to pay. Staff did what they are supposed to do. Hank Olson recommended a letter of commendation for their file.

Hank Olson commended Dave and Jim for their management of a ten million dollar budget.

Susan Nicosia commented that our facility depends on the honor system. Many out of state landfill facilities are pay as you throw and have restrictive hours.

Alan Ruby said he had someone move out of one of the storage facilities he rents and left his garbage in Alan's parking lot. Alan stated he brought it out to the landfill himself and paid the gate rate (since it is his business).

Wayne Miller asked that Greg write Mr. Wilks a letter explaining that the Board is restricted on communicating with the public during the meeting and that they truly weren't ignoring his concerns.

9. Adjournment

The meeting was adjourned at 4:48 p.m.