

Approved at the September 28, 2010 meeting

Flathead County Solid Waste District
Board of Directors Meeting
August 24, 2010 – 5:00 p.m.
Landfill Office

1. Roll Call

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

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

Attendees: Mayre Flowers, Cheryl Talley, Bob Morrow and Mike Cullinane.

2. Introductory Remarks from Chairman

Hank Olson asked the Board members to “Think Green”.

3. Comments from public

Mayre Flowers from the WasteNot Project distributed the Pharmaceutical brochure and 2009/2010 Executive Summary for the Boards review. She reviewed the student outreach program, Compost Garden, Grants, Electronic Recycling Event, Small Business Hazardous Waste Event and Pharmaceutical Event. She stated that the AmeriGrant will not be renewed this year, so will have to drop the four school \$500 recycling grant program to make up the budget shortfall.

Bob Morrow from Valley Recycling/Evergreen Disposal reported that the new compacting cardboard container at Columbia Falls had been dumped one time and produced 8,800 pounds of cardboard. It is working out well.

4. Approval of the Board Meeting Minutes for July 27, 2010 - **Action Required**

Jim Dupont moved to adopt the minutes of the July 27, 2010 meeting. Alan Ruby seconded. Motion Passed.

5. Action Agenda

a. Olney Container Site Lease from Montana Department of Transportation – **Action Required**

MDT has forwarded the new lease for the Olney Container Site. The old lease expired in June, 2010. We are still working with Montana Department of Natural Resources and Conservation (DNRC) to determine our ability to acquire an easement from them for a site adjacent to this current site, much like the easement for the Ashley Lake Site. In the mean time MDT is

agreeable to this new 10 year lease knowing we are in discussions with the DNRC. The costs have increased as anticipated from MDT to \$2,000 per year (old lease at \$250/yr) for the first five years and then the amount will be reevaluated. MDT is required to receive “market value” for a lease such as this one. The lease can be terminated at any time by the District with written notice given to MDT. We utilized this option on the old Marion container site a year or so ago.

The current site is located partially on the MDT lease land and partially on DNRC land. Depending on the outcome for the easement of DNRC land, the current site would need to be moved completely to the MDT lease land if we are unsuccessful with DNRC. At this point, they have agreed to allow the site to stay in its current location pending the outcome of the easement work.

John Helton moved to authorize the Public Works Director to execute the Olney Container Site lease with MDT. Jim Dupont seconded. Motion passed.

6. Director’s Report

a. Verified Emissions Reduction Credits (VERs) for Landfill Gas to Energy Project

Cheryl Talley with Flathead Electric Cooperative is at the meeting to discuss the VERs market that is associated with the LFGTE project. The District and FEC share a 50-50 split of any revenue generated through the sale of the VERs.

Cheryl Talley updated the Board stating that 2009 had a partial year’s credit of 3816 tons of offset. She stated that we need at least 20,000 tons in order for the verification to be paid by Teripass. She is optimistic that we can combine last year and this year’s VER’s in order to meet the 20,000 ton minimum. The credits are not saleable if they are not verified, so she stated they might pay for the verification themselves in order not to lose the certification.

b. Container Site Consolidation Project – Highway 2 East

At last month’s board meeting the motion to proceed forward with the closure of the three sites (Nyack, Denny’s and Essex) was tabled. In discussions with Hank we determined it best to discuss the project again and see if more information is desired by the Board for the project or if consensus can be found by the Board members.

The District has been discussing consolidation for many years now. One major reason for the consolidation idea was staffing of the sites. We started our staffing program at the Columbia Falls site on August 1st and are already seeing the benefits with less abuse of the site including littering, metals recycling, appropriate use of the appliance recycling area and use by commercial customers. Consolidation will allow for the greater possibility of staffing the sites in the long term due to employee expense. Without it we will struggle greatly to move forward. Secondly, the expense of operating the canyon sites is our highest and the amount of refuse hauled is less than 1% of the total transported by our refuse trucks.

Staff has talked with representatives from the Izzak Walton Inn to see if they have facilities capable for handling another public meeting in the canyon if /when the Board desires to have one. They have an outdoor pavilion facility that should be capable of handling approximately

100 people. They don't have seating so we would need to let folks know they would need to bring their own seating if they want or need it.

The Board held general discussions. Hank stated that we need to continue the consolidation process. Jim Dupont stated he would not vote for it because the people in that area don't have many county services. Wayne would like to hear what the folks in the area have to say before making a decision. Alan would like to possibly keep one of the sites open in that area.

More discussions included possibly keeping one location (new or current) and providing service in the summer only. The Board directed Dave and Jim to look into finding a location that could work to combine the sites. The item will continue on the agenda next month.

c. Phase 4A Excavation and 2010 North and East Slope Phase 1 Landfill Closure Project Public

Work on the excavation and closure project has continued through the month. Concerns continue to grow with the production from the contractor, Noble Excavating. They have completed placing the low permeability layer on the northern slope above the main road and have started topsoil placement. Other areas of the closure are receiving low perm soils but have yet to reach the 2.5 feet required depth.

The Phase 4A excavation area is nearing grade for Noble's work. The excavation soils are being processed and used as the low perm soils for the closure. If more soil is needed for the low perm layer excavation will occur in Phase 4B.

Staff and our engineering consultant have been closely monitoring the contract time and this has been communicated to the contractor at each weekly construction meeting. Our construction quality assurance (CQA) subcontractor (NTL) has utilized more of their budget to date than originally anticipated due to the contractor's production.

The contract calls for liquidated damages of \$1,000/day plus expenses (engineering and CQA costs) if the contractor does not complete the project on time. Staff and the engineer are very concerned about the potential of a winter shut down and is pushing to have the project complete before winter weather returns.

d. County Ordinance No. 8

Staff spoke to the manager of the Northern Joint Refuse Disposal District in Conrad, MT. This landfill accepts waste from Cut Bank, Valier, and Conrad and the associated Counties. Their facility relies on the state law regarding litter for non-secured or uncovered loads. We have included the citations from the Montana Code Annotated in your packet. It appears that our County Ordinance No. 8 has stiffer fines than the state laws. To date they have informed staff that they utilize the threat of turning a customer over to law enforcement but have not had anyone cited.

Staff also discussed the enforcement issues with Sheriff Meehan. The Sheriff is scheduled to have discussions with the City/County Health Board this month on the issue. The deputy that has been patrolling the County for dust issues monitored Highway 93 near the landfill and a few

of the valley floor container sites for two days the week of August 16th. It will be interesting to see what warning and/or citations were written during this period. Sheriff Meehan directed the deputy to forcefully apply Ordinance No. 8.

The Board would like this issue to continue to be added to the agenda next month.

e. Refuse Operations

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

	<u>July</u>
Total MSW to landfill	9,538.57
Total Appliances Collected	677
Junk Vehicles Collected	4
Truck Trips to Container Sites	478
Refuse tons/trip	7.76

The District landfilled 5% less waste in July, 2010 as compared to July, 2009 and our refuse trucks hauled 3% MORE waste comparing the same time frame.

Gate revenue for fiscal year 2011 was projected to be \$850,000. Through July, 2010 (8% through the year) we have received \$68,352.81 (8% of budget). The gate represents approximately one quarter of the District's revenue stream.

f. Budget and Financials

Dave reviewed the Budget and Financials with the Board

7. Comments from Board Members

Bill Shaw stated that a Columbia Falls council member has received complaints about people being told they can't dump lawn clippings at the green box site. Dave stated that we are trying to keep that kind of compostable material out of the sites. Bill said it was a couple bags and was from a "little old lady". Jim and Dave said we are trying to keep the oversize materials out of the sites and there is a period of adjustment for the site attendant who is learning to determine what is acceptable and when not to get too zealous.

8. Adjournment

The meeting was adjourned at 6:24 p.m.