



COUNTY BOARD OF PUBLIC WORKS

**September 6, 2012
MINUTES**

**Earl G. Woodworth Building
Board Chambers
1500 Scribner Avenue NW
Grand Rapids, Michigan 49504**

MEMBERS PRESENT: Commissioners Koorndyk, Byl, Shroll, Groenleer, Commissioners Rolls;

ABSENT WITH NOTICE: Commissioners Vonk, Vander Molen

OTHERS PRESENT: Douglas G. Wood, Director; Dan Kendall, Finance Division Director; Dennis Kmiecik, Solid Waste Division Director; Bill Allen, WTE Division Director; Elissa Soto, Office Manager; Steve Achram, Civil Engineer; Linda Howell, Assistant Corporate Counsel;

I. Call to Order

Vice Chair Rolls called the meeting to order at 8:05 a.m.

II. Public Comment

None

III. Review and Approval of Minutes

MOTION

It was moved by Commissioner Byl and supported by Commissioner Koorndyk to approve the minutes of the August 2, 2012 meeting.

Motion carried unanimously.

IV. Solid Waste Operations

A. North Kent Landfill

1. 10 Mile Road Property Transfer

Director Wood requested that the Board of Public Works recommend to the Board of Commissioners the approval of the termination of the long-term lease to Plainfield Charter Township for property on 10-Mile Road east of the North Kent Landfill, to approve the transfer of this property to Plainfield Charter Township.

In 2003, the County leased approximately 151 acres of property along 10-Mile Road east of the North Kent landfill to Plainfield Charter Township for 99 years. The property is separate from and east of the parcel under option to the West Michigan Sports Commission. The lease gives the Township possession of the property until the lease expires in 2102. The lease requires the Township to use the property for public recreation. The Township is developing the property for public recreation and, together with Algoma Township and non-profit partners, has been granted a Natural Resources Trust Fund grant from the State of Michigan. The State requires certain modifications to the lease and certain promises and indemnifications from the County as the land owner before it will fund the grant.

In order to improve efficiency, increase collaboration between Algoma Township, Plainfield Charter Township and the County, increase cooperation between the County and the State, and facilitate the development of additional recreational opportunities for County residents, it is recommended that the lease be terminated and the title to the property be transferred to Plainfield Charter Township with the restriction that the property be used for public recreation. Plainfield has indicated a willingness to assume ownership of the property, limit its use to public recreation, and meet the requirement of the State associated with the grant. The transaction documents have been approved by Assistant Corporate Counsel. Ms. Howell was available for questions.

Director Wood added that a 99 year lease between the County and Plainfield Township is as if the township owned the property. A problem arose when an organization wanted to put an archery facility on this property. It states that they have to contact the Department to ensure that they meet the criteria of the county. The county is in the middle; however that parcel has always been designated for recreational use for the township. At that time the use was not defined. The county has decided to sell the property to the township which gets the county out any decisions and opens the door for the township to be able to apply for certain grants. The Department has also included a small parcel to the recreational area to accommodate parking for the mountain bike area in the transfer of the property

Commissioner Groenleer asked if there were any easements for the sanitary sewer system. Mr. Landis answered that there are but the township owns them.

MOTION

It was moved by Commissioner Byl and seconded by Commissioner Shroll to recommend to the Board of Commissioners to approve the termination of the long-term lease to Plainfield Charter Township for property on 10-Mile Road, to approve the transfer of this property to Plainfield Charter Township.

Motion carried unanimously.

B. Restated Supplemental Agreement/Byron Township

Director Wood requested the review and approval of the Restated Supplemental Agreement between the Department of Public Works and Byron Township and further Authorize the Director to sign the Agreement.

Byron Township and the Department are parties to an agreement entitled "Supplemental Agreement" dated September 28, 1981. The purpose of this agreement was to site and construct South Kent Landfill. All Supplemental Agreements flow from the contract titled "Site Acquisition and Service Contract" dated October 1970. This agreement was entered into with all townships in the County during that period of time. The Department of Public Works assisted townships to close dump sites (29-total) throughout the County and then open, at a later date, engineered landfills and provide refuse disposal services to the townships

In the early 1990's this agreement was amended to install sanitary sewer to the landfill. The Department financed the sewer and the Township paid half the cost over time. Also included in the amended agreement was a \$120,000 annual host fee to the Township. Half of the host fee was used to reimburse the Department for the Township portion of the sewer. That agreement expires December 2012 and the Township portion of the sewer will be paid in full.

The Department is recommending approval of a "Restated Agreement" for an additional three years through December 2015. This agreement will continue the host fee of \$120,000, implements a Township Resident Discount Program once a year, agreement on sanitary sewer discussions for future landfill expansion, and further states that all obligations of the Original Agreement have been fulfilled.

Commissioner Groenleer asked the term of the agreement. Director Wood confirmed that it was for three years. Typically the Department has a longer term; a shorter term was done because the Department wanted some experience with the Township-Resident Discount program. This program gives residents a voucher for services at the landfill. The Department did a trial of this program and 110 residents used it. Director Wood added that by State law the Department would have to pay \$.10 per cubic yard which calculates to \$80,000; historically the Department has paid \$120,000. This host fee is in lieu of taxes for services that the Department may use.

Commissioner Groenleer asked what happens after the three years. Director Wood stated that the agreement will expire at which point it will have to be renewed or new terms negotiated.

MOTION

It was moved by Commissioner Byl and seconded by Commissioner Shroll to approve the Restated Supplemental Agreement between the Department of Public Works and Byron Township and further authorize the Director to sign the Agreement.

Motion carried unanimously.

V. Approval of Monetary Outlays

MOTION

It was moved by Commissioner Byl and supported by Commissioner Koorndyk to approve the Monetary Outlays for September 2012.

Motion carried unanimously.

VI. Director's Report

A. WTE Stormwater Project Update

Mr. Allen briefed the Board on the Stormwater Project, which is significant in work and also cost. The goal of the project is to isolate the stormwater that comes in contact with refuse vehicles entering and leaving the WTE. The contaminated water has a high level of Biological Oxygen Demand (BOD) loading requiring treatment in the City of Grand Rapids Waste Water Treatment Facility. Water that is captured during a storm event will be placed in a storage area. The Grand Rapids Waste Water Treatment Plant will then notify the WTE when this water can be pumped into the sanitary sewer line and treated. The water that does not come in contact with BOD will go through the regular sewer line.

The WTE is in the process of getting bids. Covanta will be in charge of administering the system. The goal is to get the majority of the project done during this calendar year. Mr. Allen estimates the cost could approach one million dollars.

Commissioner Rolls asked if the WTE will have to excavate to place new sewer lines. Mr. Allen stated that this is one of the largest expenses. The plan is to use as many existing lines as possible, but some will need to be rerouted and others installed.

Staff questions why this issue has been brought to light recently and not 20 years ago when the facility was built. Director Wood believes that the State is instituting policies for making improvement to the Grand River and is identifying larger industrial facilities.

Commissioner Byl stated that the project is called MS4 which has implemented more stringent federal regulations.

Commissioner Groenleer wondered what the cost would be for the City of Grand Rapids to treat the water and if the water would be metered. Mr. Allen stated that the WTE may pay a surcharge; otherwise it will be the regular sewage charge.

Commissioner Rolls asked whether Covanta is willing to help cover costs for these repairs. Mr. Allen stated that Covanta helped cover costs for the first stormwater collection project and didn't feel they'd be willing to assist with the current project.

Commissioner Shroll asked whether the WTE had funds to cover the cost of the project. Mr. Allen replied that the WTE has sufficient funds in its capital reserve fund.

B. Utility Services Division Update

Director Wood reported that the Department will be out of the Utility Services business at the end of September. The Department has worked hard to make sure the transition moved along smoothly. He feels that it has.

Mr. Landis added that the North Kent Sewer Authority has felt overwhelmed with the amount of work which is to be expected.

C. Solid Waste Plan Update

The public comment period ends on September 13, 2012 and the next Solid Waste Plan meeting will be on September 20, 2012. At the next meeting the goal is to request that the amendment be submitted to the BPW for approval and recommendations to submit it to the Board of Commissioners for approval.

Commissioner Byl asked for an outline of the Amendment. Director Wood stated that the majority of the changes were to the Goals and Objectives. The amendment also changed the language referring to flow control and instead focused on a surcharge concept. It also identifies the principal uses for the surcharge; closed landfills and Household Hazardous Waste. The last point addressed in the amendment is the development of a county ordinance including hauler licensing and also the implantation of the surcharge. The main objective was to provide funding for the closed landfills.

Director Wood added that not everyone was happy with the surcharge but it seems to be the fairest approach. The principal objection will come from the City of Grand Rapids. It is historical fact that the City used the closed landfills and therefore also must be responsible for the legacy costs.


Commissioner Byl asked how the surcharge will be charged. Director Wood stated it would be per household. Apartments and condos would be treated as commercial customers and will be based on volume.

VII. Miscellaneous

Commissioner Groenleer brought up the stormwater tax that the City of Grand Rapids is considering. He wondered how this tax would affect the Department. Director Wood doesn't believe the Department would be treated any differently, there will still be a fee likely based on square foot.

VIII. Adjournment

The meeting was adjourned at 8:36 a.m.



William Byl, Board Secretary

