



COUNTY BOARD OF PUBLIC WORKS

**February 7, 2013
MINUTES**

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

MEMBERS PRESENT: Commissioners, Shroll, Vander Molen, Byl, Bulkowski

ABSENT WITH NOTICE: Commissioners Rolls, Vonk

OTHERS PRESENT: Douglas G. Wood, Director; Dan Kendall, Finance Division Director; Dennis Kmiecik, Solid Waste Division Director; Elissa Soto, Office Manager; Kristen Wieland, Resource Recovery Specialist; Steve Achram, Civil Engineer; Cal Brinks, Purchasing Division, Joni Laming, Purchasing Division; Stephanie Lee, Risk Management; Francine Farrington, Fiscal Services Department

I. Call to Order

Vice Chair Shroll called the meeting to order at 8:00 a.m.

II. Public Comment

None

III. Review and Approval of Minutes

MOTION

It was moved by Commissioner Groenleer and supported by Commissioner Vander Molen to approve the minutes of the January 9, 2013 meeting.

Motion carried unanimously.

IV. Administration

A. WTE Insurance

Director Wood presented a request for review and authorization to acquire insurance coverage for the WTE.

Staff, through the Kent County Fiscal Services Department, solicited proposals from three insurance agencies for WTE Property and liability insurance renewals. The effective date of the insurance policies is March 1, 2013.

The Board received a recommendation from Francine Farrington, Fiscal Services Deputy Director and Stephanie Lee, Kent County Insurance and Claims Analyst, and a summary of the bids received. The only bids solicited were from the current carriers. Property insurance through Arthur J. Gallagher, with ACE, 2012 premium was a cost of \$202,171. The 2013 premium will be \$213,044 - an increase of \$10,873 or 5.3%. Our property value increased 3.3%, accounting for most of this increase. For general liability insurance, through IBEX Insurance Agency of Farmington Hills, it is recommended to renew with Chubb along with excess liability from Chubb and Scottsdale Insurance. This premium for liability coverage is an increase from last year of \$21,336 to a total of \$153,330 from \$131,994.25 in the prior year, a 16% increase. This is a reflection of increased rates and increased power production. The combined 2012 property and liability premium cost of \$366,374 is \$34,626 less than the WTE budget of \$401,000. Additional insurance such as auto is charged by the County to this line item also. Staff and Francine Farrington were available to answer any questions.

Commissioner Vander Molen wondered why there was such an increase on the insurance. Ms. Farrington stated that premium is calculated based on the production of kilowatt hours. The kilowatt hours have increased at the WTE and as a result that rate has gone up.

Commissioner Groenleer asked why only one bid was received for the property and liability insurance. Ms. Farrington stated that there is only one insurance company that can provide liability insurance. For the property insurance there was not a high increase therefore the Fiscal Services Department did not seek out additional bids. Mr. Kendall added that last year the insurance was bid out to a dozen carriers, out of that dozen one carrier bid but was not able to take on the entire risk and the other ten refused to respond.

MOTION

It was moved by Commissioner Byl and seconded by Commissioner Vander Molen to authorize the Director to acquire insurance coverage for the WTE through Arthur J. Gallagher for property at a premium of \$213,044 and through IBEX Insurance Agency for liability at a premium of \$153,330.

Motion carried unanimously.

V. Solid Waste Operations

A. South Kent Landfill

1. Radiation Detector

Director Wood requested approval of the purchase and installation of a radiation detector system at the South Kent Landfill scalehouse.

The existing radiation detection system at the South Kent Landfill scalehouse is a Bicorn gate monitor. It is a 1980's model, functionally obsolete and spare parts are no longer available. Staff has researched several new radiation detectors including RadComm, Ludlum, Accoma and Thermo-Fisher. Staff has

determined that the Thermo-Fisher unit is the most cost effective system. Thermo-Fisher bought the old Bicron brand and has improved upon the design.

Other units range from \$25,000 to \$30,000 installed. Staff is recommending approval of the quotation from Feyen Zylstra for the Thermo-Fisher system at a cost of \$14,317. This item is funded in the 2013 SKL Capital Budget.

Commissioner Bulkowski asked how much radiation the detector finds. Director Wood says that a number of items set off the alarm, particularly industrial materials or items brought in from hospitals used for cancer treatment. If a truck comes in with any radiation it has to be isolated and the radiation level is checked. If levels are high the State has to be contacted, if it is a lower radiation level, the materials decomposes.

MOTION

It was moved by Commissioner Vander Molen and seconded by Commissioner Byl to approve the purchase of a radiation detector system from Feyen Zylstra LLC at a cost of \$14,317.

Motion carried unanimously.

VI. Conference/Education Travels

A. SWANA MOLO Training

Director Wood presented a request for approval for Chris Finkbeiner, Landfill Supervisor, to attend the SWANA-17th Annual Landfill Symposium and Planning & Management Conference for landfill certification.

This seminar is held on February 25-27, 2013 in Atlanta, Georgia. As part of this symposium Mr. Finkbeiner will be attending the "Manager of Landfill Operations" training course leading to certification as a landfill operations manager. In the past, all the landfill supervisors have attended this training conference. The estimated cost is \$2,985.00.

MOTION

It was moved by Commissioner Vander Molen and seconded by Commissioner Byl to approve the travel request for Chris Finkbeiner, Landfill Supervisor, to attend the SWANA-17th Annual Symposium and Planning & Management Conference to be held on February 26-28, 2013 in Atlanta, Georgia at an estimated cost of \$2,985.00.

Motion carried unanimously.

VII. Approval of Monetary Outlays

MOTION

It was moved by Commissioner Vander Molen and supported by Commissioner Groenleer to approve the Monetary Outlays for February, 2013.

Motion carried unanimously.

VIII. Director's Report

A. Overview of Department of Public Works Access Kent Web Page

Director Wood stated that the Department has made some changes to its WebPages. Kristen Wieland, Resource Recovery Specialist showed the Board the Recycle Kent, Access Kent and the West Michigan Take Back Meds websites. One of the more recent additions is that Board agendas and minutes have been added to the Department's page on accesskent.com.

B. Overview of Recycle Kent Web Page

The Recycle Kent web page is separate from Kent County's web page. It includes additional information about disposing of hazardous waste and the Department's social media feed.

C. Presentation of new solid waste management video

The Department has created a new Recycling video. There are two versions of the video, one with a general overview that is about six minutes long and a longer version that includes more detail about the WTE.

Commissioner Vander Molen asked if the Board could get copies of the video. Staff will provide copies for the Board. The video is also linked on the Recycle Kent Website.

D. Update on Solid Waste Plan Amendment approval process

To date the Department has received 22 approved resolutions. The City of Kentwood was the most recent approval; they adopted the resolution unanimously. Director Wood gave Board members a letter of intent with the City of Kentwood with regards to their portion of the responsibility to the Kentwood landfill which is 20 percent. The consent order with EPA lists the City of Kentwood but it doesn't identify a monetary amount. The letter of intent states that if the surcharge moves forward the percentage would be replaced with the surcharge.

Director Wood gave the Board an example of what is given to municipalities when presenting the Solid Waste Plan Amendment. The packet includes a one page summary of the amendment process, a summary of the three elements of the amendment and a one page overview of the Department's expenses for all of the landfills, information on the funds set aside for current landfill care and a draft of what a surcharge may cost.

Director Wood gave an overview of flow control and how various haulers opposed this model and instead recommended a surcharge. A history was also given of the six cities and its use of the WTE as opposed to disposing of waste in landfills.

E. Conference and Education Opportunities

Director Wood gave the Board a listing of conferences that would be beneficial for Board members to attend.

F. MIOSHA

Historically community service workers have been used at the recycling center. The Department pays the courts to use these workers. Last fall one of the community service workers filed a violation report with MIOSHA. MIOSHA inspected the MRF. This raised a number of questions, mainly who is responsible for these workers since they

are not employed by the Department. Director Wood wrote a letter to the Attorney General, the response does not answer the question of who is responsible for the community service workers. On February 4, 2013 the Department received a violation notice from OSHA citing a number of health violations. Linda Howell, Kent County Assistant Corporate Counsel stated that MIOSHA's letter did not list community services as employees, but stated the regulations the Department did not follow. They did not address the fact that these regulations were only applicable to employees. One way to appeal the citation is by holding informal discussions with MIOSHA to have the citations withdrawn so that the citations are not formalized. Director Wood has also been in conversation with Senator Jansen so that he can ask the question to the Attorney General. This has the potential of affecting a number of organizations that use community service workers in addition to the court system.

Commissioner Shroll asked how likely it will be that the citation is withdrawn and when is the citation formalized. Ms. Howell replied that the Department has received an informal citation which becomes formal if no steps are taken to appeal it or have discussions. It is possible to stop the citation from becoming a formal citation by having the discussions and providing some of the items MIOSHA is recommending.

IX. Miscellaneous

None

X. Adjournment

The meeting was adjourned at 9:20 a.m.