

THEODORE J. VONK  
Chairman

SHANA SHROLL  
Vice Chairman

WILLIAM BYL  
Secretary

DAVID GROENLEER  
ROGER MORGAN  
DAVE BULKOWSKI  
RICHARD VANDER MOLEN

DOUGLAS G. WOOD  
Director



## Board of Public Works

### AGENDA

August 7, 2014

8:30 AM

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

- I. Call to Order
- II. Public Comment
- III. Review and Approval of Minutes
- IV. Administration
  - A. Donald Gillesse, Transfer Station Operator 30-Year Service Recognition
  - B. BPW Standing Rules
- V. Solid Waste Operations
  - A. Solid Waste Ordinance
- VI. Resource Recovery and Recycling Operations
  - A. MRF Forklift
- VII. Accounting & Finance
  - A. Financial Reserves/Balance Sheet
- VIII. Approval of Monetary Outlays
- IX. Director's Report
  - A. Finance and Accounting Director Retirement
  - B. Dorr Township, Allegan County Property-Tree Farm
- X. Miscellaneous
- XI. Adjournment



**KENT COUNTY BOARD OF PUBLIC WORKS**

**June 5, 2014**

**8:30 AM**

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

**MEMBERS PRESENT:** Commissioners, Vonk, VanderMolen, Groenleer, Shroll, Bulkowski, Byl

**ABSENT:** Commissioner Morgan

**OTHERS PRESENT:** Douglas G. Wood, Director; Dennis Kmiecik, Solid Waste Division Director; Dan Kendall, Finance Division Director; Elissa Soto, Office Manager; Molly Sherwood, Environmental Compliance Manager; Chris Robinson, WTE Operations Manager; Kristen Wieland, Resource Recovery & Recycling Manager; Becky Dyer, Financial Analyst; Joni Laming, Purchasing Division; Linda Howell, Kent County Assistant Corporate Counsel

**I. Call to Order**

Chair Vonk called the meeting to order at 8:30 a.m.

**II. Public Comment**

None

**III. Review and Approval of Minutes**

**MOTION**

It was moved by Commissioner Shroll and supported by Commissioner Groenleer to approve the minutes from the May 1, 2014 meeting.

Motion carried unanimously.

**Solid Waste Operations**

**A. NKTS Scalehouse Radiation Detector System**

Approval was requested for the purchase and installation of a radiation detector system at the North Kent Transfer Station scalehouse. The existing radiation detection system at the North Kent Transfer Station scalehouse is a Bicon gate monitor. It is a 1980's model, functionally obsolete and spare parts are no longer available. Over the past two years the department has replaced the radiation detection units at the WTE and South Kent Landfill with identical units from Feyen Zylstra. North Kent Transfer Station

is the last unit to be replaced. A quote from Feyen Zylstra (included with the mailing) for the Thermo-Fisher system was \$15,460. Staff is recommending approval of the quotation from Feyen Zylstra for the Thermo-Fisher system at a cost of \$15,460. This item is funded in the 2014 NKTS Capital Budget.

**MOTION**

It was moved by Commissioner Shroll and seconded by Commissioner Byl to approval the purchase of a radiation detector system from Feyen Zylstra LLC at a cost of \$15,460.

Motion carried unanimously.

B. CIP Budget Amendment

Staff requested approval of an amendment to the 2014 Capital Improvement Budget for vehicle replacement. The Department has vehicles assigned to facility sites and also to certain management staff (Department Director, Solid Waste Division Director and Solid Waste Operations Manager). The Department vehicle purchase program is dependent on an evaluation of the vehicle condition related to minor or major repairs rather than just mileage. Currently, South Kent Landfill has vehicle #2685, a pickup truck, with 135,000 that has exceeded its useful life. It is proposed to replace the landfill vehicle with truck #1965 currently used by the Solid Waste Operations Manager. Further, it is proposed to purchase a replacement vehicle that initially was in our 2015 Capital Budget. This approach to managing Department vehicles has worked to provide maximum usage without incurring major repair expenses. For example, the Waste-to-Energy Operation had an approved vehicle in its 2013 CIP but it was deferred until 2014. Funds are available in the 2014 budget to make this purchase at an estimated cost of \$25,000. Staff is recommending approval.

**MOTION**

It was moved by Commissioner Byl and supported by Commissioner VanderMolen to approve amendment of the 2014 Capital Improvement Budget authorizing the purchase and replacement of vehicle #2685 at an estimated cost of \$25,000.

Motion carried unanimously.

C. Gas-to-Energy Well Installation

Approval was requested of the contract for the installation of four new gas collection wells and associated piping. Staff prepared project plans, specifications and bidding documents for the addition of four new gas collection wells. The Purchasing Division assisted with the bidding of the gas well expansion project. The addition of the new wells is consistent with the overall landfill gas master plan. The four 8" PVC wells will be placed to a depth of between 70 and 100 feet. Well heads will be installed to each well and 4" HDPE pipe will be used to connect the wells to a 6" HDPE header pipe extending to the existing gas collection system.

Four qualified bids were received on May 28, 2014. Of these staff is recommending awarding the contract to Landmarc Environmental LLC in the amount of \$135,750.25.

The Commissioners asked whether the installation of the new cells would result in more methane production. They also wanted to know the life expectancy of these wells. Daniel Rose, Solid Waste Operations Manager responded that he believes that the wells

will generate more methane gas but it is difficult to calculate exactly how much. He believes that a 10 to 15 percent increase can be expected. Mr. Rose also stated that the wells could last at least 10 years but much of that depends on how the waste settles.

Commissioner Bulkowski asked if there was anything that the Department was doing to speed up or increase the production of methane. Mr. Rose responded that currently, the gas is being collected as naturally occurring as possible.

Commissioner Byl asked the status of the yard waste bill. Director Wood responded that the bill is currently at a standstill and he will update the Board when there any more news about the bill.

Below is a summary of the bids:

<u>Contractor</u>	<u>Total</u>
<b>Landmarc Environmental LLC</b>	<b>\$135,750.25</b>
Catskill Remedial Contracting Services, Inc.	\$142,031.55
CB&I Environmental & Infrastructure, Inc.	\$153,458.00
Advance One Development, LLC	\$206,473.25

**MOTION**

It was moved by Commissioner VanderMolen and seconded by Commissioner Groenleer to award the South Kent Landfill Gas-to-Energy Well Installation to Landmarc Environmental, LLC in the amount of \$135,750.25 and further authorizes the Director to execute the agreement.

Motion carried unanimously.

**IV. Accounting & Finance**

A. 2015 Budget

Staff requested approval of the Department Budget for 2015. The Budget presentation this year follows the format of the 2014 Budget. Last year the Department merged the Waste-to-Energy Fund and the Administration Fund into the Solid Waste Fund. With the exception of a Debt Service Fund, which administers the bond paying for a City of Wyoming bond, the Department is one fund.

The budget presentation has been “modernized” to show one fund format. We still have all the individual organizations (orgs). The revenue section of the budget is based on type of revenue, such as tipping fees, electric generation revenue, etc. The expenses are presented in org format by operation area, South Kent Landfill, Waste-to-Energy, etc. We have added some graphs and charts as visual aids but have also included the more traditional budget summaries.

First discussed were the Department revenues. Director Wood pointed that the largest source of revenue are the tipping fees followed by electric generation revenues. In the past the Department received a significant amount of revenue from interest earning; over the last few years interest earnings have dwindled.

Next, expenses were reviewed. Mr. Wood stated that expenses for the WTE facility is the highest because of the amount of resources it takes for the facility to operate

followed by the landfill. In these operations tipping fees typically cover expenses.

Staff recommended leaving all tipping fees at the same rate.

Mr. Kmiecik gave an overview of the sales at the Recycle and Education Center. He stated that sale prices are market driven and fluctuate. Staff has made a conservative estimate based on previous years. So far sales are doing well and staff anticipates that the price of commodities will increase.

Commissioner VanderMolen asked if staff has made projections about what commodity prices will be in the future. Mr. Kmiecik stated that they have and added that since tonnage is increasing have identified alternative uses for the material that are not recycled. The goal is to become a recycling operation with zero waste.

Commissioners inquired on the future plans for the MRF knowing that the plant is operating near capacity. They wondered if there was an opportunity to expand the current plant. Mr. Kmiecik responded that the MRF cannot expand but there is the potential for the creation of another MRF.

Commissioner VanderMolen asked about the increasing amount of trash received at the MRF and how that will be controlled. Mr. Kmiecik stated that protocol has been implemented to control this issue. Staff has also met with the City of Grand Rapids regarding this issue and together they are working towards a resolution.

Commissioner Shroll asked whether there was an update on a market for the glass received at the MRF. Ms. Wieland stated that there is a market for it but the Department is not paid for it. Since different colors of glass are mixed it is difficult to find a company who will pay for it. An outside company pays to transport the glass out of the MRF.

Director Wood continued with the Department budget highlighting expenses that show an increase. Salaries show an increase of 2 percent for MPP employees and 2 percent for Union Employees because of an increase in healthcare expenses. There was also an increase to the WTE Rate Stabilization fund to help maintain the WTE rate at \$45. The NKTS shows an \$114,000 increase which comes from transportation costs due contractual obligations as part of the SWAP agreement.

The closed landfills shows a decrease in expenses because a number of projects at the closed landfills will be completed this year and no major projects are planned for 2015.

The MRF will show an increase in labor expenses because of the increased use of Courts workers and an increase in the number of shifts at the MRF. There is an increase in the RSRC budget due to staff changes. The goal is to increase the disposal amounts for HHW by 5 percent and this increase is reflected in the HHW disposal costs in the budget.

The Administration fund shows an increase which is primarily due to the Department re-organization and the fact that the Solid Waste Division Director position was moved to the administration fund. We currently have two (2) Solid Waste Division Directors in that fund for a short time.

The City of Wyoming's debt service will be paid off by 2016.

Commissioner Groenleer asked how much money was set aside for closed landfill maintenance. Mr. Kendall stated that there is about 8 million dollars set aside for

maintenance at the closed landfill and approximately 5 million set aside for perpetual care.

Commissioner Shroll asked where the income from the nonferrous metal extracted from the monofill is listed on the budget. Staff responded that this revenue is not listed on the current budget because the agreement is not finalized. Staff has received a draft agreement and is still reviewing the terms. Once an agreement is reached the income will be listed as additional revenue.

## **MOTION**

It was moved by Commissioner VanderMolen and seconded by Commissioner Shroll to approve the 2015 Budget for the Solid Waste Fund and the Debt Service Fund for submittal to the County Administration as adjusted.

Motion carried unanimously.

### **V. Conference/Education Travels**

#### **A. Resource Recycling Conference**

Review and approval for up to two staff members and any Board members to attend the Resource Recycling Conference in New Orleans, Louisiana. Approval is being requested for up to two staff members and any interested BPW members to attend the 2014 Resource Recycling Conference held in New Orleans, Louisiana September 15-17, 2014 at a total estimated cost of \$1418 per person. The Resource Recycling Conference is the premier conference for the recycling industry's most influential policy leaders, CEOs and government officials. The Resource Recycling Conference features:

- Engaging sessions from industry experts
- Educational workshops
- A bustling tradeshow

Nearly 500 recycling professionals from 37 states and four Canadian provinces attended this exclusive event in 2013, and recycling's best and brightest will be on hand again at the 2014 conference.

## **MOTION**

It was moved by Commissioner VanderMolen and seconded by Commissioner Shroll to approve conference travel for up to two staff members and any interested Board members to attend the Resource Recycling Conference in New Orleans, Louisiana on September 15-17, 2014 at a total estimated cost of \$1418 per person.

Motion carried unanimously.

### **VI. Approval of Monetary Outlays**

## **MOTION**

It was moved by Commissioner VanderMolen and supported by Commissioner Shroll to approve the monetary outlays for June 2014.

Motion carried unanimously.

**VII. Director's Report**

- A. Ash monofill expansion update-Dan Rose, Solid Waste Operations Manager

Dan Rose, Solid Waste Operations Manager gave an update on the mechanically stabilized earth (MSE) wall which is being designed to increase the capacity of the ash monofil. Staff has met with consultants and the DEQ to discuss the preliminary design plans. Together there is an agreement on the preliminary design of the wall and staff will move forward on the construction of the site.

- B. Solid Waste Division Director

The Department has gone through the process of hiring Mr. Kmiecik's position. An offer was made to and has been accepted by Darwin Baas who will join the Department on June 16, 2014.

**VIII. Miscellaneous**

- A. Chair Vonk stated that he will be forming a personnel committee for the Department and appointed Commissioners Byl, Shroll and himself to meet in September.
- B. Director Wood updated the Board on a new process the Department is using in the hiring of new employees called Predictive Index. Management staff has taken the test and it has proven to be a beneficial tool in understanding each manager's unique way of making decision. It has also been a helpful tool for team building and will also be used for onboarding new employees.

**IX. Adjournment**

The meeting was adjourned at 9:24 a.m.

MEETING DATE: **August 7, 2014**

AGENDA ITEM#: IV – B



**BOARD OF  
PUBLIC WORKS  
ACTION REQUEST**

SUBJECT: Board Standing Rules

DIVISION: Administration

PREPARED BY: Douglas Wood and Linda Howell

**ACTION REQUESTED:**

Review and adoption of Board of Public Works Standing Rules.

**SUMMARY OF REQUEST:**

Board Chair Vonk requested a review of Board of Public Works Standing Rules. Staff researched Department archives and did not locate any standing rules. Linda Howell, Assistant Corporate Counsel prepared a draft of Standing Rules for consideration and adoption by the Board.

**SUGGESTED MOTION:**

It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ to adopt Board of Public Works Standing Rules.

**ATTACHMENTS:**

Draft Standing Rules

GOVERNING/ADVISORY BOARD APPROVAL DATE: August 7, 2014

DEPARTMENT DIRECTOR: *Douglas L. Wood*

**DEPARTMENT OF PUBLIC WORKS BOARD**

**STANDING RULES**

**Adopted \_\_\_\_\_, 2014**

**Rule I**  
**ORGANIZATION**

**Section 1.1 -- The Board.**

The board consists of seven members, one (1) of whom serves by virtue of office (the Drain Commissioner), and six (6) of whom are appointed by a majority of the members elect of the Board of Commissioners.

Appointments to fill expired terms or vacancies for the six board-appointed members shall be made according to the following procedures: five (5) of the six (6) shall be County Commissioners; two (2) shall represent a portion of the City of Grand Rapids (with consideration given to nominations which may be submitted by the Grand Rapids Mayor and City Commission); one (1) shall represent Kent County townships (with consideration given to nominations which may be submitted by the Kent County Chapter of the Michigan Township Association); one (1) shall represent the cities of Walker, Kentwood, East Grand Rapids, Wyoming, Grandville, Cedar Springs, Lowell, and Rockford (with consideration given to nominations which may be submitted by those cities); one (1) shall be appointed for at-large representation; one (1) member may be a Kent County Road Commissioner, a resident of Kent County representing the business community, or a Kent County Commissioner. A business community representative shall not be appointed to the board if a conflict of interest exists between the individual's primary business and the work of the Board of Public Works. All nominations shall be furnished to the Board of Commissioners within 30 days after the date of the Board's written notice requesting such nominations. The Board shall give due consideration to such nominations but shall not be bound by the nominations. The term of office on the board shall automatically terminate whenever a Commissioner member is no longer a member of the Board of Commissioners and a successor has been appointed. Members serve for a term of three (3) years, and receive such compensation for their services as is determined by the Board of Commissioners.

**Section 1.2 -- Enabling Legislation.**

The Board of Public Works exercises all the powers, duties and authority as provided to it by Act 185 of the Public Acts of 1957 (MCLA § 123.731 et seq.), as amended, and pursuant to the rules and regulations of the Kent County Board of Commissioners.

**Section 1.3 -- Powers, Authority and Duties.**

The Board shall have the powers, authority and duties specified in Act 185 of the Public Acts of 1957, as amended, and pursuant thereto shall:

- (a) Operate, maintain, equip, improve and enlarge the facilities listed on Exhibit A and appurtenances (the "DPW Facilities").

(b) Employ a full-time Director, who shall be responsible for the day-to-day administration of the DPW Facilities in accordance with the policies established by the Board.

(c) Adopt and amend all rules and regulations for the Board for the management, governance and use of DPW Facilities, provide penalties for the violation of such rules and regulations and appoint DPW officials or agents to enforce them as allowed by law.

(d) Determine the charges and rentals for the use of any DPW Facilities or services, and the terms and conditions under which such facilities may be used, and the charges for any of the services.

(e) Adopt and amend rules and regulations reasonably designed to protect and safeguard the public upon DPW Facilities, provided such rules and regulations are consistent with and conform to the laws of Michigan.

(f) Investigate methods of improving DPW Facilities and the services provided thereon.

(g) Adopts an annual operating budget showing the amounts required for the operation and maintenance of the DPW Facilities and an annual capital budget showing the amounts required for facility improvements and equipment needs for submission to the County Board of Commissioners.

(h) Enter into such contracts as may be necessary to carry out the above powers and duties and in general to have all powers necessarily incidental to the exercise of the general and special powers set forth herein and by statute.

Section 1.4 -- Special Advisors to the Board.

The Board may, at its discretion, employ or retain special advisors to assist Board members in carrying out their duties. The advisors may consist of, but are not limited to, attorneys, engineers and other consultants. These advisors shall be compensated for their professional services at rates to be determined by the Board within county contracting and purchasing guidelines. The Board shall determine their term as special advisors to the Board. These special advisors shall have no vote on the Board.

**Rule II**  
**CHAIR, VICE-CHAIR AND SECRETARY**

Section 2.1 -- Chair of the Board.

It shall be the duty of the Chair to preside at all meetings of the Board, to preserve order and to decide all questions of order subject to appeal to the Board. It shall be the duty of the Chair to appoint members to all Standing Committees and all Advisory Committees, and in the event of a vacancy on any Committee, the Chair shall appoint a member to fill the vacancy and,

if necessary, re-designate the Chair of the Committee involved. It shall be the duty of the Chair, acting in his or her legitimate leadership role, to interpret the goals and policies of the Board to the public, the Department of Public Works, the Judiciary and elected officials, to the best of his or her understanding. The Chair shall be elected to a term of one (1) year, expiring on December 31.

At meetings of the Board, the Chair may speak in informal discussions and debate and vote on all questions except on an appeal from his or her own decision.

The Chair may serve as an ex-officio member of all Committees. The Chair shall not have a vote except in the absence of a regular member of a Committee, in which event, the Chair may serve as an alternate and participate and vote on all matters.

#### Section 2.2 -- Succession to Chair.

In the event of temporary absence from meetings of the Board, the Vice-Chair of the Board shall succeed the Chair on a temporary basis. The powers of the Vice-Chair shall be limited to those normally exercised by the Chair in conducting the meetings of the Board. In the event of resignation or permanent absence of the Chair, the Vice-Chair will assume the duties as Chair with all powers as Chair until a Chair is elected at the next regular meeting. The Vice-Chair shall be elected to a term of one (1) year, expiring on December 31.

#### Section 2.3 -- Secretary to the Board.

The duties of Secretary to the Board shall normally consist of the preparation of official correspondence of the Board, the responsibility for the recording of all Regular and Special meetings of the Board and meetings of the Standing Committees, and the preparation and correction of the minutes of such meetings, and presentation of monetary outlays to the Board for the Board's approval. The Secretary shall have the privilege of voting. The Secretary shall be charged with the responsibility of maintaining an official copy of all minutes. The Secretary shall also maintain the correspondence files of the Board.

The Director of the Department of Public Works, or designee, shall be the deputy secretary and shall assist the Secretary in the preparation of official correspondence; meeting agendas, minutes, and recorded votes; and such other documents as the Secretary shall assign or direct.

**Rule III**  
**COMPENSATION**

Section 3.1 -- Compensation of Board Members.

Members of the Board shall not be paid for attending meetings unless the Kent County Board of Commissioners specifically instructs that such payments be made. Members shall be reimbursed for mileage to and from any meeting and/or other business expenses in accordance with the County Employee Business Expense Policy.

**Rule IV**  
**STANDING COMMITTEES AND RESPONSIBILITIES**

Section 4.1 -- Standing Committees.

There shall be established the Standing Committees specified in Sections 4.2 and 4.3 which shall consist of three (3) Board Members, other than the Chair. The committees shall be appointed by the Chair. All committees shall be advisory only and no decision or action may be taken with respect to a matter on which a vote of the Board is required to be taken; however, in keeping with the spirit of the Open Meetings Act, all Standing Committee meetings shall be posted as public meetings.

Section 4.2 -- Solid Waste Planning Committee.

The duties of this committee are to investigate, study and make recommendations to the Board concerning all matters having to do with solid waste planning as set forth by statute, MCL 324.11534, including recommendations to the Board concerning the Kent County Solid Waste Management Plan, ordinances, rules and regulations, and rates and fee setting. The committee shall regularly report to the Board regarding its activities and recommendations.

Section 4.3 -- Waste-To-Energy Advisory Committee.

The duties of this committee are to investigate, study and make recommendations to the Board concerning tipping fees at the Waste-To-Energy Facility.

The committee shall regularly report to the Board regarding its activities and recommendations.

**Rule V**  
**ADVISORY COMMITTEES OF THE BOARD**

Section 5.1 -- Advisory Committees.

Advisory Committees may be created from time to time as their need arises in the process of advising the Board. Such committees shall be designated by name and function by the Chair and shall remain in existence for the term determined by the Chair at the time of its

formation, but not to exceed December 31 in the year of appointment. The Chair shall appoint members of such committees.

## **Rule VI**

### **MEETINGS OF THE BOARD AND STANDING COMMITTEES**

#### **Section 6.1 -- Organizational and Regular Meetings of the Board.**

As soon as practical after the first meeting of the Board of County Commissioners each year, the Board shall hold its annual organizational meeting for the purpose of electing from its own members a Chair and Vice-Chair, adopting the Board's meeting calendar, and such other business as is necessary to the organization of the Board.

The Board shall hold Regular Meetings at such times and places as established by the Board at the first meeting of the Board each year or as otherwise established by the Board from time to time.

#### **Section 6.2 -- Special and Emergency Meetings of the Board.**

The Board may hold Special Meetings as the business of the Department may demand. The Chair of the Board shall call such Special Meetings within the requirements of the Open Meetings Act.

Meetings of the Board to deal with a bona fide emergency may be held as necessary at the call of the Chair or the Director, with reasonable notice (and as required by the Michigan Open Meetings Act, as amended), as long as the action taken at the meeting is subsequently ratified by the Board at a regularly scheduled public meeting. However, no approval of the Board's annual budget may be granted at an emergency meeting.

#### **Section 6.3 -- Notification of Meetings.**

It is the duty of the Secretary to the Board to notify all Board members, special advisors and others, as applicable, of the time and place of meetings of the Board. Such notification shall be made at least three (3) days prior to a Regular Meeting and one (1) day prior to a Special Meeting and may be made in such manner as the Director shall determine.

The Secretary to the Board shall notify members of Standing Committees of the time and place of meetings of Standing Committees at least three (3) days prior to a Standing Committee meeting.

Public notices of all Board meetings and meetings of Standing Committees shall be given as required by Act No. 267 of the Public Acts of 1976, being MCL 15.261 et seq., as amended (the "Open Meetings Act").

#### Section 6.4 -- Minutes of Meetings.

It is the responsibility of the Secretary to the Board to make a record of the proceedings of all Regular and Special Meetings of the Board and meetings of Standing Committees. The Secretary shall also be responsible for the preparation, from such records, of minutes of all such meetings. The Secretary shall distribute copies of such minutes in the following manner:

(a) Regular Meetings: Minutes of Regular Meetings of the Board shall be distributed to members and designated parties.

(b) Special Meetings: Minutes of Special Meetings of the Board shall be distributed to members and designated parties at least 2 days prior to the next following Regular Meeting except when such Special Meeting precedes the Regular Meeting by less than three (3) days. In such case, the minutes shall be in the hands of members and designated parties at the opening of the Regular Meeting.

(c) Standing Committees: Minutes of meetings by Standing Committees shall be distributed to members prior to the next meeting.

#### Section 6.5 -- Open Meetings Act.

The business of the Board and its Standing Committees shall be conducted as public meetings held in compliance with the Open Meetings Act. Notice of the time, date and place of meetings of the Board and its Standing Committees shall be given in the manner provided by the Open Meetings Act. The Board and its Standing Committees may hold closed sessions only as authorized by Section 8 of the Open Meetings Act.

#### Section 6.6 -- Public Comment at Meetings.

Any person shall be permitted to address a meeting of the Board or a Standing Committee. Public comment shall be relevant and germane to the business and functions of the Board. Public comment shall be carried out in accordance with the following procedures:

(a) Members of the public may comment only during the period of the Order of Business designated for Public Comment. Public Comment shall not be in order except during the designated time on the agenda. Specific answers to a citizen's questions will not be given by the Chair at the time but shall be referred to the Director or other appropriate person for later response;

(b) No person shall be allowed to speak more than once on the same matter. Persons purporting to speak to the same general subject matter in his and her personal and representative capacities shall be recognized only once;

(c) To ensure that all private citizens who wish to speak may do so, and so as not to prolong the conduct of official business, such public comments shall be limited to five (5)

minutes per person. Any group or organization wishing to address the Board through a designated spokesperson shall be granted five (5) minutes.

**Rule VII**  
**RULES OF PROCEDURE OF THE BOARD**

Section 7.1 -- Quorum.

A majority of the members of the Board appointed and serving shall constitute a quorum for the transaction of business of the Board, but a smaller number may adjourn the meeting. A vacancy in office shall not count toward a quorum.

Section 7.2 -- Order of Business.

The following shall be the order of business at all meetings of the Board:

- (a) Call to Order
- (b) Roll Call
- (c) Approval of the Agenda
- (d) Approval of the Minutes of the Preceding Meeting
- (e) Public Comment
- (f) Special Order of Business
- (g) Old Business
- (h) New Business
- (i) Reports
- (j) Approval of Monetary Outlays
- (k) Other Business
- (l) Adjournment

Section 7.3 -- Majority Vote.

As required by statute, MCL 123.734, matters shall be decided by a majority of the entire Board appointed and serving.

#### Section 7.4 -- Method of Voting.

The following measures shall be voted on by roll call vote:

- (a) Motion to go into/come out of closed session.
- (b) Election of the Chair and Vice-Chair.
- (c) Any other measure when a roll call shall be required by statute or as called for by a member of the Board.

All other questions shall be voted on by voice vote. If a member of the Board present does not respond to the call for the voice vote, his or her vote shall be recorded as an affirmative vote, unless good cause is shown for abstaining.

#### Section 7.5 -- Rights and Duties of Members

- (a) When a member wishes to speak, the member shall address the Chair.
- (b) No member shall speak more than twice on the same question nor more than five (5) minutes on each occasion, without permission of the Chair.
- (c) When two (2) or more members address the Chair at the same time, the Chair shall designate who is to speak first.
- (d) When a member is speaking on any question before the Board, the member shall not be interrupted except to be called to order.
- (e) When a member is called to order, the member shall immediately cease speaking. The Board, if appealed to, shall decide the matter. If there is no appeal, the ruling of the Chair shall be final.
- (f) When a member is commenting on a question before the Board, the member cannot conclude his/her comments by moving the previous question.
- (g) The Chair shall vote on all questions except on an appeal from his or her own decision.

#### Section 7.6 -- Reports.

Reports of committees or individuals shall either be made orally or in writing. Members of committees not concurring in the report of the committee may make a minority report in a similar manner.

Section 7.7 -- Motion to Adjourn.

A motion to adjourn shall always be in order, except when a vote is being taken on any question before the Board, or when a member has the floor, provided that there shall be some intervening business proposed and determined between two (2) motions to adjourn.

Section 7.8 -- Documents.

The execution of any contract, conveyance or other instrument authorized by the Board (except as stated below) is made in the name of the Board by the Chair or Vice-Chair, and Secretary, any of whom may attach the seal of the Board. By resolution, the Board may identify and authorize any other officer or employee to execute specified contracts, conveyances or other documents.

Section 7.9 -- Emergency Actions.

In the event of an emergency involving immediate danger to the health, safety or welfare of the public, the Director may, with the Chair's concurrence, adopt any rule or regulation to protect the public interest, provided that within fourteen (14) days of the adoption of the rule or regulation, the Director submits to the Board a written report of the immediate danger and the reason for needing the emergency rule.

An emergency rule or regulation is effective for only ninety (90) days after its adoption, during which time regular rule-making procedures may be invoked.

An emergency rule or regulation may become effective immediately.

Section 7.10 -- Public Comment

Any person shall be permitted to address a meeting of the Board open to the public pursuant to the Open Meetings Act. Public comment shall be governed by the following procedures:

(a) A person wishing to address the Board shall state his or her name and address.

(b) A person may address the Board on matters or issues which are relevant to County government.

1. The Chair may disallow public comment that is unduly repetitious or which is not relevant to County government or matters under consideration by the Board.
2. No person shall be allowed to speak more than once on the same matter, excluding time needed to answer Commissioners' questions.
3. The Chair shall control the amount of time each person shall be allowed to speak, which shall not exceed five (5) minutes.

4. When a group wishes to address the Board, the Chair may require that the group designate a spokesperson. The Chair shall control the amount of time the spokesperson shall be allowed to speak, which shall not exceed fifteen (15) minutes.

Section 7.11 -- Public Hearings

From time to time, the Board may be required by state or federal law, rule or regulation, or by County policy, to conduct a public hearing. The Board shall establish the date of the public hearing during a regular meeting, and shall hold the public hearing at a subsequent meeting after public notice is given in accordance with applicable law. The Board shall vote to open and close the public hearing. Public comment shall be governed by the Board's existing protocol

Section 7.12 -- Questions of Procedures Not Covered by Standing Rules.

The Standing Rules of the Kent County Board of Commissioners and the latest edition of Robert's Rules of Order Newly Revised shall govern, in that order, in all questions of procedure which are not provided for by the standing rules of this Board.

**Rule VIII**  
**FINANCIAL**

Section 8.1 -- Fiscal Year.

The Fiscal Year of the Board begins on January 1 and ends December 31. The Board shall participate in the annual single audit of the County of Kent.

Section 8.2 -- Budget Requests.

The Director shall prepare a Preliminary Capital and Operating Budget Request for the succeeding year. This request shall be prepared in sufficient time to allow consideration by the Board prior to forwarding a final Capital and Operating Budget to the Kent County Administrator/Controller.

The Director shall prepare a Capital Budget Request and 5-Year Capital Improvement Plan (CIP) covering the capital improvement of the DPW Facilities to be recommended to the Board and forwarded to the Kent County Administrator/Controller.

**Rule IX**  
**ETHICS AND CONFLICTS OF INTEREST**

**Section 9.1 -- Statement of Policy**

The Board, for itself and Department of Public Works administrative staff, adopts by reference the Kent County Code of Ethics for County Officials and the Kent County Conflict of Interest Policy, as the same shall be amended from time to time. Without limiting the foregoing, a member of the Board shall not be interested directly or indirectly in any contract or other business transaction with the Department of Public Works or the County, or a board, office or commission thereof, during the time for which (s)he is elected or appointed, nor for one year thereafter unless the contract or transaction has been approved by three quarters of the members of the Board and so shown in the official minutes of a properly noticed, open meeting of the same.

It is hereby certified that the foregoing Standing Rules of the Board of Public Works were duly adopted on \_\_\_\_\_, 2014 in open meeting by approval of not less than two-thirds (2/3) of the voting members of the Board of Public Works appointed and serving.

KENT COUNTY BOARD OF PUBLIC  
WORKS

Dated: \_\_\_\_\_, 2013

By: \_\_\_\_\_  
Theodore Vonk, Chair

By: \_\_\_\_\_  
Bill Byl, Secretary

MEETING DATE: **August 7, 2014**

AGENDA ITEM#: V – A



**BOARD OF  
PUBLIC WORKS  
ACTION REQUEST**

SUBJECT: Solid Waste Management Ordinance

DIVISION: Solid Waste Operations

PREPARED BY: Dar Baas

**ACTION REQUESTED:**

To approve and recommend to the Kent County Board of Commissioners, a Solid Waste Management Ordinance to license waste companies, fund long term legacy costs associated with closed landfills and fund household hazardous waste.

**SUMMARY OF REQUEST:**

- In the early 70's, the County, through its Department of Public Works took over the operation and closure of the existing Kentwood & Sparta landfills and additionally opened and operated the North Kent Landfill during a time when multiple township dumps were being closed.
- The closed landfills have legacy costs and the DPW is required by the MDEQ and through consent agreements with USEPA to manage facility upkeep, monitor groundwater, landfill gas generation, and mitigate historic site contamination.
- Perpetual care funds for these legacy costs are not sufficient to manage the long-term liability.
- The DPW also operates a Household Hazardous Waste Collection (HHW) program for all Kent County residents that benefits both County and out-of-county landfill operations.
- The DPW went through a process with the Solid Waste Plan Committee to look at funding options and use a Solid Waste Management Ordinance to fund legacy costs and HHW. The Solid Waste Plan was amended and approved by the Board of Commissioners and Department of Environmental Quality.
- The surcharge of \$ .25 per month for residential customers and \$ .22 per cubic yard for commercial waste will provide a projected \$1.45 million annually and is expected to provide necessary funding through 2040. The surcharge amount will be reevaluated every two years.

**SUGGESTED MOTION:**

It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ to approve and recommend to the Kent County Board of Commissioners, a Solid Waste Management Ordinance to license waste companies, fund long term legacy costs associated with closed landfills and fund household hazardous waste.

**ATTACHMENTS:**

Solid Waste Management Ordinance  
Questions and Responses

**GOVERNING/ADVISORY BOARD APPROVAL DATE:** August 7, 2014

**DEPARTMENT DIRECTOR:** \_\_\_\_\_

*Douglas A. Wood*

# **Kent County**

## **Solid Waste Management Ordinance**

**Ordinance No.** \_\_\_\_\_

### **Preamble**

An Ordinance to implement portions of the Kent County Solid Waste Management Plan, as amended and as adopted pursuant to Part 115 (Solid Waste Management) of Michigan's Natural Resources and Environmental Protection Act, Public Act 451 of 1994; to protect and promote the public health, safety and welfare of Kent County residents by regulating the collection, transportation and disposal of solid waste and the proper management of previously closed landfills; to establish conditions for solid waste hauler licenses; to provide an incentive to recycle, thereby reducing the volume of waste; to preserve and improve the environment; and to establish a County-wide regulatory surcharge to fund the cost of implementing portions of the County's solid waste management program, specifically, the cost of maintaining, managing and remediating closed county landfills and operating the County's household hazardous waste program. This Ordinance is intended to be consistent with the Michigan Court of Appeals decision *County of Saginaw v. John Sexton Corporation of Michigan*, 232 Mich. App. 202 (1998).

### **Article 1. Short Title**

This Ordinance shall be known, and may be cited, as the "Kent County Solid Waste Management Ordinance." All article, section, and other topical headings are for reference only and shall not be construed to be part of this Ordinance.

### **Article 2. Authority**

#### **2.1 Authority**

The Kent County Solid Waste Management Ordinance is adopted under the authority of M.C.L. § 46.11 (County Boards of Commissioners) and M.C.L. § 324.11501 *et seq.* (Solid Waste Management), including, but not limited to, M.C.L. § 324.11520.

#### **2.2 Purpose**

Michigan's solid waste law, Part 115 of the Natural Resources and Environmental Protection Act, contemplates and requires local regulation of Solid Waste disposal through the implementation of County Solid Waste Management Plans. The purpose of this Ordinance is to implement portions of the County's approved Solid Waste Management Plan and to otherwise exercise the health and police powers of the County in order to: protect and promote the public

health, safety and welfare of Kent County residents by regulating the licensing, collection, transportation and disposal of Solid Waste; provide for regulatory surcharges to cover the cost of properly managing closed landfills and operating the County's household hazardous waste program; promote the County's recycling program in order to reduce the volume of waste sent to landfills; and, overall, to preserve and improve the environment through proper waste and landfill management.

### **Article 3. Definitions**

The following definitions shall apply in the interpretation and enforcement of this Ordinance:

**3.1 Commercial** refers to any property use that is not Residential, and includes, but is not limited to, industrial, retail, business, and government facilities. Hospitals, hotels, and campgrounds are also Commercial facilities. Apartments, condominiums and similar multi-unit properties may be either Residential or Commercial, for purposes of this Ordinance, as set forth in the definition of Residential.

**3.2 County Enforcing Agency** means the County Department of Public Works, which is responsible for administering and enforcing this Ordinance within the County's political boundaries.

**3.3 Licensed Waste Hauler** means a Person licensed pursuant to this Ordinance to haul Solid Waste.

**3.4 Notice of Violation** means a written notice to a Person that is in violation or is suspected to be in violation of this Ordinance. The Notice of Violation shall contain a description of the violation, what must be done to remedy the violation, and the time frame in which such corrective measures must be taken.

**3.5 Person** means an individual; sole proprietorship; partnership; association; business; company; limited liability company; corporation, public or private; or municipality, including a city, township, village or county.

**3.6 Recycled Material** shall have the meaning as defined in Part 115 (Solid Waste Management) of the Michigan Natural Resources and Environmental Protection Act, M.C.L. 324.11501 *et seq.*

**3.7 Residential or Residence** refers to a place or dwelling where people live, eat, and sleep for extended periods of time, such as a single family home. For purposes of this Ordinance, an apartment complex, condominium project, dormitory, nursing home, assisted living center, or similar multi-unit property is considered a collection of separate Residences, based on the number of units, if waste is managed in separate cans, bags, bins or carts used by each dwelling unit individually; or is considered as one Commercial property if the waste is managed in roll-offs, dumpsters or other large containers that are shared by multiple residents.

**3.8 Solid Waste** shall have the meaning as defined in Part 115 (Solid Waste Management) of the Michigan Natural Resources and Environmental Protection Act, M.C.L. 324.11501 *et seq.*

**3.9 Vehicle** means a truck or trailer used to haul Solid Waste. A truck that tows a trailer need not be separately licensed unless the truck itself is used to carry Solid Waste.

**3.10 Waste Hauler** means any Person engaged, in whole or in part, in collecting and transporting Solid Waste anywhere in Kent County, including, but not limited to, waste management businesses, contractors, and manufacturers. Waste Hauler does not include:

*3.10.1 Individuals:* An individual or private citizen that transports his or her own Solid Waste.

*3.10.2 Self-Hauled Small Quantities:* A business, association, or non-profit organization that transports its own Solid Waste in Vehicles that have a carrying capacity of less than six cubic yards.

*3.10.3 Small Quantity Contractor Waste:* Builders and construction contractors and subcontractors that transport Solid Waste from job sites in Vehicles that have a carrying capacity of less than six cubic yards.

*3.10.4 Persons Outside the County:* A Person that only collects Solid Waste that is generated outside the County.

## **Article 4. Administration**

### **4.1 County Enforcing Agency**

The County Department of Public Works is the County Enforcing Agency responsible for administering and enforcing this Ordinance within the County's political boundaries.

### **4.2 Relief from Personal Responsibility**

The County Enforcing Agency, or any County employee or officer charged with duties and responsibilities pursuant to this Ordinance, while acting within the scope of their authority, are hereby relieved from all personal liability for damages to persons or property resulting from the exercise or discharge of their duties. Any civil or criminal action brought against an officer or employee of the County, while acting within the scope of authority granted under this Ordinance, may be defended by the legal representative of the County until final termination of proceedings. If a judgment for damages is awarded against the above mentioned officers or employees as a result of a civil action for personal injury or property damage caused while acting within the scope of the individual's employment or while acting within the scope of authority of this Ordinance, the County may pay, or compromise, the judgment.

### **4.3 Powers and Duties of the County Enforcing Agency**

It shall be the responsibility of the County Enforcing Agency to implement and enforce the provisions of this Ordinance, and in doing so, to perform the following duties:

*4.3.1 Review Waste Hauler License Applications:* Applications for licenses required by this Ordinance shall be submitted to the County Enforcing Agency on the forms provided by the County Enforcing Agency and shall contain all required and/or necessary information to allow the County Enforcing Agency to evaluate the application. The County Enforcing Agency is not required to evaluate incomplete applications or applications submitted without the required or necessary information or supporting documentation.

*4.3.2 Issue Licenses:* The County Enforcing Agency shall issue licenses when applicable provisions of this Ordinance have been fulfilled.

*4.3.3 Maintain Records:* Records for and related to all active Waste Hauler licensees shall be available for public inspection during regular business hours. Upon written request, copies of documents may be furnished at cost to any Person consistent with the policy of the Board of Commissioners and the Freedom of Information Act, M.C.L. 15.231 *et seq.*, as amended.

*4.3.4 Enforcement:* The County Enforcing Agency shall enforce this Ordinance in accordance with article 8.

*4.3.5 Official Copies:* The County Clerk's Office shall maintain one official copy of this Ordinance, which shall be available for public inspection during regular office hours.

*4.3.6 Inspections:* The County Enforcing Agency is empowered to conduct periodic inspections of property, Vehicles, and records related to the transportation or disposal of Solid Waste in order to determine compliance with this Ordinance. Nothing in this Ordinance shall be interpreted to require the County Enforcing Agency to inspect property or Vehicles for any other purpose.

*4.3.7 General Powers.* The County Enforcing Agency may establish guidelines and policies concerning the interpretation of this Ordinance, and may enter into agreements, contracts or other arrangements with government entities or other Persons necessary or appropriate to assist the County Enforcing Agency in carrying out its powers and duties under this Ordinance, unless prohibited by law. All such guidelines, policies, agreements, contracts or other arrangements must be consistent with this Ordinance.

## **Article 5. Solid Waste Hauler Licenses**

### **5.1 Solid Waste Hauler Licenses**

Beginning on January 1, 2015, all Waste Haulers shall be licensed and have an authorized identification placard or sticker affixed to any Vehicle used for such purpose, in accordance with

the terms of this Ordinance. The County shall only license Waste Haulers consistent with, and as authorized by, the Kent County Solid Waste Management Plan.

## **5.2 License Application**

An application for a new or renewed Waste Hauler license shall include the applicant's name and mailing address, the location or locations from which the business or service is operated, proof of the insurance coverage required by this Ordinance, a general description of each Vehicle, including trailers, that will be used to haul Solid Waste, a contact name and phone number, and any other information required by the County Enforcing Agency to demonstrate that the Waste Hauler can meet the requirements of this Ordinance. The County Enforcing Agency shall make available a license application form for this purpose.

## **5.3 License Application Fee**

Each application for a new or renewed Waste Hauler license shall be accompanied by a license application fee of \$\_\_\_\_\_ plus \$\_\_\_\_\_ per Vehicle to be licensed.

## **5.4 License Term and Renewal**

A license granted pursuant to this Ordinance shall be effective for a period of one year. If a Person desires to renew a license, the Person shall file an application for renewal with the County Enforcing Agency at least sixty days prior to expiration.

## **5.5 Refusal to License, Suspension or Revocation of License**

The County Enforcing Agency may refuse to license, or suspend or revoke a Person's license, if the Person: did not provide complete or accurate information on the Person's license application; fails to implement corrective measures set forth in a Notice of Violation; fails to charge or submit the regulatory surcharge in the amount and within the time period required by article 7; or exhibits a continuing pattern of violations of this Ordinance.

Any decision to refuse to license or suspend or revoke a license shall be explained in writing by the County Enforcing Agency to the Person in question. That Person may appeal the denial, suspension or revocation to the County Board of Public Works by filing a written request for an appeal within five business days following receipt of the County Enforcing Agency's written explanation. In the event of an appeal, the County Board of Public Works shall hold a public hearing and shall have the power to reverse, affirm or modify the decision of the County Enforcing Agency. The Board of Public Works shall make its final determination, in writing, within thirty-five days from the hearing date.

## **5.6 Exceptions to Licensing**

The following Vehicles are exempt from the licensing requirements of this Ordinance:

*5.6.1 Multi-Use Vehicles.* Any Vehicle that is used predominantly for activities other than Solid Waste or Recycled Material hauling, but that may be used, from time to time, to haul Solid Waste. A Vehicle that is used predominantly to haul Solid Waste shall be licensed, even if it is sometimes used for other activities.

## **5.7 Transferability**

A Waste Hauler license issued pursuant to this Ordinance is not assignable or transferrable.

## **5.8 Not Exclusive**

The licensing and other requirements set forth in this Ordinance are not intended to exclude or preempt additional solid waste licensing requirements, fees, or other related requirements imposed by any city, village, township, or municipal authority.

# **Article 6. Solid Waste Hauler Requirements**

## **6.1 Vehicles**

The Solid Waste carrying portion of a Vehicle used to transport Solid Waste shall be designed, maintained and operated to prevent the accidental discharge of its contents. Vehicles used to haul Solid Waste shall be cleaned at intervals frequent enough to maintain a sanitary condition, as free from disagreeable odor as possible, and so as not to cause a nuisance or attract vermin. The name of the company licensed pursuant to this Ordinance shall appear on the outside of every licensed Vehicle.

## **6.2 Loading**

Solid Waste shall be loaded into a Vehicle in such a manner that minimizes the spillage of materials. Where accidental spillage does occur from the Vehicle, the driver shall be responsible for assuring that the material is picked up as soon as possible and the area suitably cleaned.

## **6.3 Insurance**

A Person that is licensed to haul Solid Waste pursuant to this Ordinance shall maintain at least the following types and amounts of insurance coverage, and shall maintain all other insurance policies required by state and federal law.

Commercial General Liability:	\$1,000,000 per occurrence/\$2,000,000 aggregate
Motor Vehicle Liability:	Statutory No-Fault Coverage \$1,000,000 per occurrence combined single limit for bodily injury and property damage
Worker's Compensation:	Statutory
Employer's Liability:	\$100,000 per occurrence

The required policies shall be with companies licensed or approved to do business in the State of Michigan with ratings of B+ or better from A.M. Best Company.

## **Article 7. Surcharge**

### **7.1 Collection and Payment of Surcharge**

*7.1.1 Surcharge.* A surcharge is imposed as set forth below and as set forth on the Surcharge Schedule approved by the Kent County Board of Commissioners by resolution.

In order to encourage recycling, the surcharge applies to Solid Waste only, not Recycled Materials. Surcharges for Commercial containers are calculated by size in order to encourage waste minimization. A Commercial container does not include a container that contains only Recycled Materials, including yard trimmings and yard wastes that will be composted.

*7.1.2 Surcharge Billing.* A Licensed Waste Hauler shall charge to its Solid Waste customers in Kent County the surcharge set forth on the Surcharge Schedule. The surcharge may be billed to the Licensed Waste Hauler's customers on either a monthly, quarterly, or annual basis, pre-paid or post-paid, at the option of the Licensed Waste Hauler. Once collected, the surcharge is non-refundable. The surcharge shall be designated or described on the customer bill, invoice, contract, e-mail billing notice or sign-up website as the "Kent County Solid Waste Surcharge."

### **7.2 Payment**

By the date set forth below, the Licensed Waste Hauler shall submit to the County all surcharge amounts that it collected from its customers during the prior quarter:

<u>Quarter:</u>	<u>Payment Due by Following:</u>
January – March	April 30
April – June	July 31
July – September	October 31
October – December	January 31

The Licensed Waste Hauler is not responsible for collecting surcharges that customers have failed to pay. With each quarterly payment, the Licensed Waste Hauler shall provide to the County a list of customers that have failed to pay any portion of the surcharge due, including name, address, and amount of surcharge owed. The County Enforcing Agency, at its discretion, may seek to collect any amount owed directly from the customer.

A Licensed Waste Hauler shall submit the surcharge due under this article by check or money order or other means approved by the County Enforcing Agency.

### **7.3 Records**

A Licensed Waste Hauler shall keep records of the number of Residences and Commercial containers serviced by quarter and allow the County Enforcing Agency to inspect and audit such records upon request.

### **7.4 Adjustment of Surcharge**

The surcharges required by this article are intended to approximate the cost of implementing certain portions of the County's Solid Waste Management Plan, specifically: meeting regulatory and financial assurance requirements for closed landfills, including regulations related to closure and post-closure care of the landfills; operating the County household hazardous waste program; and implementing and enforcing this Solid Waste Management Ordinance. At least once every two years, the Solid Waste Management Planning Committee shall review the costs associated with these programs and recommend adjustments to the County Enforcing Agency in order to approximate the costs listed above. Any increases to the surcharges required by this article shall be approved by the Kent County Board of Commissioners by resolution, and shall not take effect until at least 90 days after such approval.

### **7.5 Deposit and Use**

The County shall deposit all fees and surcharges received into the Landfill Legacy Costs/HHW Fund, which has been specially created for this purpose. Money from this fund shall be used solely for the purpose of meeting regulatory and financial assurance requirements for legacy landfills, including regulations related to closure and post-closure care of the landfills; operating the County household hazardous waste program; and implementing and enforcing this Solid Waste Management Ordinance.

### **7.6 Failure to Make Required Payments**

A Licensed Waste Hauler that fails to meet the requirements of this article is subject to enforcement pursuant to article 8 and possible suspension or revocation of the Hauler's License in accordance with section 5.5.

### **7.7 Exceptions to Surcharge**

A Licensed Waste Hauler shall not charge or collect the surcharge when:

*7.7.1 No Charge for Services.* The Waste Hauler does not charge for its services, including, but not limited to, when a Waste Hauler agrees to donate waste hauling and disposal services for a charitable event.

*7.7.2 Clean-Up Events.* Solid Waste is being collected and transported as part of a neighborhood, community, stream or river clean-up event.

## **Article 8. Enforcement**

### **8.1 Enforcement**

This Ordinance shall be enforced by the County Enforcing Agency. The County Enforcing Agency may use any enforcement method or technique available under law and as set forth in this Ordinance, including, but not limited to, the issuance of a Notice of Violation and/or issuance of a municipal civil infraction citation to any Person who violates this Ordinance. The County Enforcing Agency may take other legal action deemed appropriate against any Person that violates this Ordinance, including action to enforce payment of any surcharges due under this Ordinance. A violation of this Ordinance shall be a municipal civil infraction, as authorized under Chapter 87 of 1961 PA 236, as amended, and other applicable laws. Each day that a violation exists constitutes a separate infraction.

### **8.2 Fines, Penalties and Injunction**

A Person who violates this Ordinance, any Notice of Violation, or cease and desist order issued under this Ordinance, is responsible for a municipal civil infraction and may be ordered to pay a civil fine of not less than \$250.00, and not more than \$2,500.00, plus all costs of enforcement, including court costs and attorney's fees, for each infraction. A default in payment of a civil fine or costs ordered under this article may be remedied by any means authorized under the Revised Judicature Act of 1961, M.C.L. 600.101 *et seq.* Notwithstanding the existence or pursuit of any other remedy, the County may maintain an action in a court of competent jurisdiction for monetary damages and may request an injunction or other relief against a Person to restrain or prevent violations of this Ordinance. Fines levied and paid pursuant to legal action undertaken by the County Enforcing Agency shall be deposited with the County and shall be used for enforcement of this Ordinance or implementation of the County's Solid Waste Management Plan.

## **Article 9. Severability**

If any article, section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

## **Article 10. Effective Date**

This Ordinance shall take effect 30 days following its acceptance by the Kent County Board of Commissioners and shall be published in a newspaper of general circulation in Kent County. The licensing requirement shall not take effect until the date set forth in section 5.1.

## Example - Licensed Waste Hauler Surcharge Schedule

Effective \_\_\_\_\_ to \_\_\_\_\_

### Residential Charge:

\$\_\_\_\_\_ **per residence** if charged to customer on a monthly basis.

\$\_\_\_\_\_ **per residence** if charged to customer on a quarterly basis.

\$\_\_\_\_\_ **per residence** if charged to customer on an annual basis.

### Commercial Calculation:

\$ \_\_\_\_\_ **per container yard for each time the container is tipped or hauled.** For example, if the Licensed Waste Hauler charges the customer on a monthly basis and the customer's 10 yard container was emptied by the Hauler four times during that month, the surcharge equals \$ \_\_\_\_\_ (\$\_\_\_ x 10 x 4).

**Kent County  
Solid Waste Ordinance**

Questions and Responses:

- 1. Question: Should some communities, for example the 6-cities use the WTE, facility pay less than those not using the WTE?**

**Response for Discussion:** No, the legacy costs for closed landfills were prior to the operation of the WTE. Certainly going forward those communities have reduced their landfill liability. Staff will explain this concept at the meeting using a graph.

- 2. Question: How does the ordinance apply to one-time pick-up accounts?**

**Response for Discussion:** The licensing provision and surcharge should apply to one time pick-up accounts. In this category are included construction and demolition debris, site clean-up, for example. Typically, these accounts (accounts is a key word suggesting that the project was contracted by a person) have or use containers for collection of the solid waste.

- 3. Question: Does the ordinance apply to small collection vehicles, e.g. pick up trucks with side panels that collect and haul for a "Person"?**

**Response for Discussion:** All of the largest six cities in the County have Solid Waste Management Ordinances and license waste haulers. All of the definitions in these ordinances do not define the size of the collection vehicle nor exempt a collection vehicle based on its size. These vehicles should be licensed as a "Waste Hauler". The proposed ordinance defines "Licensed Hauler" but perhaps this should be revised to reflect the common definition found in the city ordinances.

- 4. Question: Does the ordinance apply to city pick-up trucks that are used for solid waste collection sometimes but are used for other public works type projects for other times?**

**Response for Discussion:** Certain older cities have alleys and small spaces not accessible by the standard solid waste collection truck. In this instance, the ordinance could license them but at a lower vehicle fee. This approach would be consistent with the requirement that a pick-up truck with side panels be licensed. Otherwise, if they are exempt it seems certain that those using pick-up trucks with side panels will as for exemption, as well.

- 5. How can the ordinance take into consideration "pay-as-you-throw" customers?**

**Response for Discussion:** Residential customers, including those that recycle, have different size containers. The surcharge portion of the ordinance presently does not contemplate making a distinction for container size. As written all residential customers will have the same surcharge. The ordinance could propose a tiered surcharge based on size of container however this adds to the administrative burden. If a tiered approach were implemented in the ordinance the same amount of funds would still have to be collected to reach the desired amount for the restricted surcharge fund.

**6. Question: How often are fees (license fees and surcharge) reviewed and adjusted?**

**Response for Discussion:** It is proposed that the surcharge be reviewed every two years and be adjusted accordingly based on advice and recommendation from the Solid Waste Plan Committee. The license fee itself would probably be reviewed at the same time but presently the ordinance does not address it.

**7. Question: Should residential customers pay less than commercial and industrial account customers?**

**Response for Discussion:** On average disposal tonnage from residential customers compared to commercial industrial customers is approximately 50/50. The surcharge will be calculated to find this balance, too. It may be argued that industrial and some commercial customers were primarily responsible for landfill contamination which seems difficult to prove. The intention was to be fair in recognizing that the County has legacy expenses and each "Person" should pay their fair amount.

**8. Question: How will the residential surcharge apply when accounts change during a quarter?**

**Response for Discussion:** It is recognized and understood that during a three month period customers will be increase and decrease. It is assumed customers will be billed according to the time period they contract with a waste hauler or quit a waste hauler. For example, a customer moves from their residence after one month into the quarter the customer would pay the surcharge for that month only. And the waste company would be expected to pay the County for that partial quarter amount or one month. When reporting and submitting the surcharge to the County, the waste Company can provide information on customer increases and decreases.

Likewise, it is expected commercial and industrial customers will be gained and lost during the three month period. Additionally, some companies may decrease the number of containers during a month. This would be recorded accordingly when the surcharge is submitted.

**9. Question: Should the surcharge be identified on the invoice to the resident or commercial or industrial customer?**

**Response for Discussion:** The ordinance does not address this issue. However, I would expect that an invoice for reporting purposes would clearly state "Kent County Disposal Surcharge" or something of this nature. The Committee and legal staff can discuss the need to have this language requirement in the ordinance.

**10. Question: If a waste company has an uncollectable account will they still be required to submit the surcharge to the County?**

**Response for Discussion:** If bad debt is uncollectable for whatever reason the surcharge would not have to be submitted to the County. If the waste company elects to take legal action to collect bad debt and is successful then the surcharge would be remitted to the County? At the time the Committee and County reviews the surcharge amount they should take into consideration bad or uncollectable debt.

**11. Question: What happens if a waste company does not submit the surcharge as required by the ordinance?**

**Response for Discussion:** Non-submittal of the surcharge as required by the ordinance would be considered an ordinance violation and places the license at risk.

**12. Question: How will split use properties, i.e. part commercial part residential be treated?**

**Response for Discussion:** Typically these properties have containers for collection to serve both residential and commercial. So it would fall into the size of container for the customer.

**13. Question: Is the surcharge for commercial/industrial container accounts charged by the month or by the month and number of tips?**

**Response for Discussion:** The objective is to keep the administrative bookkeeping as simple as possible. To accomplish this objective it is proposed to have a monthly surcharge for each solid waste container on site.

**14. Question: What role do the Solid Waste Plan Committee have in endorsing a new ordinance to the Board of Commissioners?**

**Response for Discussion:** The concept of a solid waste ordinance serving as an “enforcement mechanism” was recommended by the SWPC and the Board of Public Works and finally approved by the Board of Commissioners and the Michigan Department of Environmental Quality. During this process Department of Public Works staff indicated to the SWPC that they will be involved in the drafting and development of the ordinance in an advisory capacity. In this role the SWPC is not required to recommend the ordinance. The recommendation step would come from the Department to the Board of Public Works then to the Board of Commissioners.

**15. Question: If the Board of Commissions adopts the solid waste ordinance that includes the surcharge how much of the money is there in the existing fund will be transferred to the fund for legacy expenses and household hazardous waste programs?**

**Response for Discussion:** Staff will explain the current closed landfill legacy accounts and funds and funds needed to move forward. The funds for household hazardous waste management are annual, that is, the year budgeted each year and the cost of the program comes from the revenues collected at the South Kent Landfill. Staff will present that annual budget for review.

**6. Question: How often are fees (license fees and surcharge) reviewed and adjusted?**

**Response for Discussion:** It is proposed that the surcharge be reviewed every two years and be adjusted accordingly based on advice and recommendation from the Solid Waste Plan Committee. The license fee itself would probably be reviewed at the same time but presently the ordinance does not address it.

**7. Question: Should residential customers pay less than commercial and industrial account customers?**

**Response for Discussion:** On average disposal tonnage from residential customers compared to commercial industrial customers is approximately 50/50. The surcharge will be calculated to find this balance, too. It may be argued that industrial and some commercial customers were primarily responsible for landfill contamination which seems difficult to prove. The intention was to be fair in recognizing that the County has legacy expenses and each "Person" should pay their fair amount.

**8. Question: How will the residential surcharge apply when accounts change during a quarter?**

**Response for Discussion:** It is recognized and understood that during a three month period customers will be increase and decrease. It is assumed customers will be billed according to the time period they contract with a waste hauler or quit a waste hauler. For example, a customer moves from their residence after one month into the quarter the customer would pay the surcharge for that month only. And the waste company would be expected to pay the County for that partial quarter amount or one month. When reporting and submitting the surcharge to the County, the waste Company can provide information on customer increases and decreases.

Likewise, it is expected commercial and industrial customers will be gained and lost during the three month period. Additionally, some companies may decrease the number of containers during a month. This would be recorded accordingly when the surcharge is submitted.

**9. Question: Should the surcharge be identified on the invoice to the resident or commercial or industrial customer?**

**Response for Discussion:** The ordinance does not address this issue. However, I would expect that an invoice for reporting purposes would clearly state "Kent County Disposal Surcharge" or something of this nature. The Committee and legal staff can discuss the need to have this language requirement in the ordinance.

**10. Question: If a waste company has an uncollectable account will they still be required to submit the surcharge to the County?**

**Response for Discussion:** If bad debt is uncollectable for whatever reason the surcharge would not have to be submitted to the County. If the waste company elects to take legal action to collect bad debt and is successful then the surcharge would be remitted to the County? At the time the Committee and County reviews the surcharge amount they should take into consideration bad or uncollectable debt.

**11. Question: What happens if a waste company does not submit the surcharge as required by the ordinance?**

**Response for Discussion:** Non-submittal of the surcharge as required by the ordinance would be considered an ordinance violation and places the license at risk.

**12. Question: How will split use properties, i.e. part commercial part residential be treated?**

**Response for Discussion:** Typically these properties have containers for collection to serve both residential and commercial. So it would fall into the size of container for the customer.

**13. Question: Is the surcharge for commercial/industrial container accounts charged by the month or by the month and number of tips?**

**Response for Discussion:** The objective is to keep the administrative bookkeeping as simple as possible. To accomplish this objective it is proposed to have a monthly surcharge for each solid waste container on site.

**14. Question: What role do the Solid Waste Plan Committee have in endorsing a new ordinance to the Board of Commissioners?**

**Response for Discussion:** The concept of a solid waste ordinance serving as an “enforcement mechanism” was recommended by the SWPC and the Board of Public Works and finally approved by the Board of Commissioners and the Michigan Department of Environmental Quality. During this process Department of Public Works staff indicated to the SWPC that they will be involved in the drafting and development of the ordinance in an advisory capacity. In this role the SWPC is not required to recommend the ordinance. The recommendation step would come from the Department to the Board of Public Works then to the Board of Commissioners.

**15. Question: If the Board of Commissions adopts the solid waste ordinance that includes the surcharge how much of the money is there in the existing fund will be transferred to the fund for legacy expenses and household hazardous waste programs?**

**Response for Discussion:** Staff will explain the current closed landfill legacy accounts and funds and funds needed to move forward. The funds for household hazardous waste management are annual, that is, the year budgeted each year and the cost of the program comes from the revenues collected at the South Kent Landfill. Staff will present that annual budget for review.

**Kent County  
Solid Waste Ordinance**

Questions and Responses:

**1. Question: Should some communities, for example the 6-cities use the WTE, facility pay less than those not using the WTE?**

**Response for Discussion:** No, the legacy costs for closed landfills were prior to the operation of the WTE. Certainly going forward those communities have reduced their landfill liability. Staff will explain this concept at the meeting using a graph.

**2. Question: How does the ordinance apply to one-time pick-up accounts?**

**Response for Discussion:** The licensing provision and surcharge should apply to one time pick-up accounts. In this category are included construction and demolition debris, site clean-up, for example. Typically, these accounts (accounts is a key word suggesting that the project was contracted by a person) have or use containers for collection of the solid waste.

**3. Question: Does the ordinance apply to small collection vehicles, e.g. pick up trucks with side panels that collect and haul for a "Person"?**

**Response for Discussion:** All of the largest six cities in the County have Solid Waste Management Ordinances and license waste haulers. All of the definitions in these ordinances do not define the size of the collection vehicle nor exempt a collection vehicle based on its size. These vehicles should be licensed as a "Waste Hauler". The proposed ordinance defines "Licensed Hauler" but perhaps this should be revised to reflect the common definition found in the city ordinances.

**4. Question: Does the ordinance apply to city pick-up trucks that are used for solid waste collection sometimes but are used for other public works type projects for other times?**

**Response for Discussion:** Certain older cities have alleys and small spaces not accessible by the standard solid waste collection truck. In this instance, the ordinance could license them but at a lower vehicle fee. This approach would be consistent with the requirement that a pick-up truck with side panels be licensed. Otherwise, if they are exempt it seems certain that those using pick-up trucks with side panels will as for exemption, as well.

**5. How can the ordinance take into consideration "pay-as-you-throw" customers?**

**Response for Discussion:** Residential customers, including those that recycle, have different size containers. The surcharge portion of the ordinance presently does not contemplate making a distinction for container size. As written all residential customers will have the same surcharge. The ordinance could propose a tiered surcharge based on size of container however this adds to the administrative burden. If a tiered approach were implemented in the ordinance the same amount of funds would still have to be collected to reach the desired amount for the restricted surcharge fund.

MEETING DATE: **August 7, 2014**

AGENDA ITEM#: VI – A



**BOARD OF  
PUBLIC WORKS  
ACTION REQUEST**

SUBJECT: Recycling Center forklift

DIVISION: Solid Waste Operations

PREPARED BY: Kristen Wieland

**ACTION REQUESTED:**

Review and approval of the purchase of a new forklift for use at the Recycling Center

**SUMMARY OF REQUEST:**

Bids for a new forklift were solicited on July 9, 2014 by the Purchasing Department. Three bids were received and evaluated.

The Department has an approved 2014 Capital Improvement Project for the purchase of a new forklift for the Recycling Center. Staff prepared bid specifications and Purchasing issued a Request for Bids. Three bids were received and evaluated and staff recommend approval of a contract with Alta Equipment Company (low bid) in the amount of \$36,400 for a Yale Veracitor Pneumatic Tire Forklift Model GP070VX. The tabulation sheet is attached.

Because of the lifting requirements at the Recycling Center, the bid was for a forklift with a greater lifting capacity (7,000 pounds instead of the 5,000 pounds previously specified.)

**SUGGESTED MOTION:**

It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ to approve the purchase of a Yale Veracitor Pneumatic Tire Forklift Model GP070VX from Alta Equipment in the amount of \$36,400.

**ATTACHMENTS:**

Tabulation Sheet

**GOVERNING/ADVISORY BOARD APPROVAL DATE:** August 7, 2014

**DEPARTMENT DIRECTOR:** *Douglas L. Wood*

## ***Kent County Purchasing Division***

***Bid/RFP/RFQ:*** 1349 Tabulation Sheet

***Description:*** Pneumatic Tire Lift Truck

***Date:*** 7/9/2014

<b><i>Respondent</i></b>	<b><i>Amount*</i></b>	<b><i>Alternate</i></b>
Alta Equipment Company	\$36,400.00	<input type="checkbox"/>
Morrison Industrial Equipment Co.	\$37,737.00	<input type="checkbox"/>
Hull Lift Truck	\$49,887.00	<input type="checkbox"/>

---

*\*Note: This document shall not be construed as a comment on the responsiveness and is subject to change. This information is not an indicator of award.*

***Wednesday, July 09, 2014***

***Page 1 of 1***

MEETING DATE: **August 7, 2014**

AGENDA ITEM#: VII – A



**BOARD OF  
PUBLIC WORKS  
ACTION REQUEST**

SUBJECT: Financial Reserves

DIVISION: Administration

PREPARED BY: Daniel M. Kendall

**ACTION REQUESTED:**

Review Only – No Action Required

**SUMMARY OF REQUEST:**

Enclosed for your review is a copy of the internal year-end report of the Department of Public Works for 2013.

In addition to that report are separate Balance Sheets for the Waste-to-Energy and the remaining Solid Waste Operations. They are marked and referenced with Cash and Retained Earnings that are reserved and/or set aside for specific purposes.

This is done to show assets, such as cash, that has been “spoken for”. It also indicates assets that will be using up current retained earnings as they are used, e.g., fixed assets and cell inventories.

On the Waste-to-Energy Balance Sheet, in the Assets section, there are Restricted Assets, made up of cash, that are Restricted in the Retained Earnings section for a like amount. They amount to reserves of cash to meet upcoming needs: Operating Reserve, Capital Improvement Reserve, Insurance Deductible Reserve and Bad Debt Reserve. In addition, the Retained Earnings that are not reserved are offset by Net Fixed Assets. This means they are not spendable Retained Earnings.

The remaining Solid Waste Funds has similar reserves plus GASB 18 Reserve, Kentwood Landfill, and various perpetual care reserves. These fund liabilities or are Restricted Retained Earnings.

Staff will be available to offer additional explanation and answer any questions.

**ATTACHMENTS:**

2013 Annual Report  
Department Balance Sheet

**GOVERNING/ADVISORY BOARD APPROVAL DATE: August 7, 2014**

**DEPARTMENT DIRECTOR:**



**COUNTY OF KENT  
DEPARTMENT OF PUBLIC WORKS  
SOLID WASTE DIVISION FUND  
WASTE TO ENERGY OPERATIONS  
COMBINED BALANCE SHEET  
(Unaudited)**

	2013	2012
<b>ASSETS</b>		
<b>Current Assets:</b>		
Cash	\$8,876,430	\$7,043,885
Accounts Receivable less allowance	1,919,247	1,863,627
Prepaid Expenses	61,062	55,694
	<u>10,856,739</u>	<u>8,963,207</u>
<b>Total Current Assets</b>	<b>10,856,739</b>	<b>8,963,207</b>
<b>Restricted Assets:</b>		
Operating Reserve (25% of Budget)	(1) 5,685,531	6,558,961
Capital Improvements	(1) 2,911,742	3,363,219
Other (Insurance Deductible and Bad Debt Res)	(1) 272,000	272,000
	<u>8,869,273</u>	<u>10,194,180</u>
<b>Total Restricted Assets</b>	<b>8,869,273</b>	<b>10,194,180</b>
<b>Fixed Assets:</b>		
Land & Improvements	4,225,751	2,852,711
Buildings, Machinery & Equipment	77,193,638	76,390,996
Office Equipment	46,523	46,523
Vehicles	16,306	16,306
Construction in Progress	0	642,955
	<u>81,482,218</u>	<u>79,949,492</u>
Total Fixed Assets	81,482,218	79,949,492
Less Accumulated Depreciation	<u>(48,199,396)</u>	<u>(45,884,190)</u>
	<u>33,282,821</u>	<u>34,065,301</u>
<b>Net Fixed Assets</b>	<b>(2) 33,282,821</b>	<b>34,065,301</b>
<b>Total Assets</b>	<b><u><u>\$53,008,834</u></u></b>	<b><u><u>\$53,222,688</u></u></b>

(1) Restriction of Retained Earnings

(2) Offset with Retained Earnings

**COUNTY OF KENT  
DEPARTMENT OF PUBLIC WORKS  
SOLID WASTE DIVISION FUND  
WASTE TO ENERGY OPERATIONS  
COMBINED BALANCE SHEET  
As of December 31  
(Unaudited)**

	<b>2013</b>	<b>2012</b>
<b>LIABILITIES AND RETAINED EARNINGS</b>		
<b>Current Liabilities:</b>		
Accounts Payable	\$1,280,071	\$1,980,640
Due To State - Sales Tax	0	0
Due to Other Funds	0	0
Accrued Expenses	53,005	61,769
Other Liabilities	<u>0</u>	<u>0</u>
<b>Total Current Liabilities</b>	<b><u>1,333,076</u></b>	<b><u>2,042,409</u></b>
<b>Retained Earnings(Deficit):</b>		
Restricted:		
Operating Reserve	(1) 5,685,531	6,558,961
Capital Improvements	(1) 2,911,742	3,363,219
Insurance	(1) 250,000	250,000
Other	(1) <u>22,000</u>	<u>22,000</u>
<b>Total Restricted</b>	<b><u>8,869,273</u></b>	<b><u>10,194,180</u></b>
<b>Unrestricted:</b>		
At Beginning of Year	40,986,099	40,765,266
Year-to-Date Earnings(Loss)	495,478	477,691
Change in Restricted Reserves	<u>1,324,907</u>	<u>(256,858)</u>
<b>Total Unrestricted</b>	(2) <b><u>42,806,484</u></b>	<b><u>40,986,099</u></b>
<b>Total Retained Earnings</b>	<b><u>51,675,758</u></b>	<b><u>51,180,279</u></b>
<b>Total Liabilities and Retained Earnings</b>	<b><u>\$53,008,834</u></b>	<b><u>\$53,222,688</u></b>

**Solid Waste Operations  
Refuse Disposal System  
Balance Sheet  
As Of December 31,  
Unaudited**

<b>Assets</b>	<b>2013</b>	<b>2012</b>
<b>Current Assets</b>		
Cash	7,796,675	6,677,442
Accounts Receivable, Due From, net of Allow for Bad Debt	900,100	678,195
Inventory, Supplies, Cells, Containers (3)	5,035,105	3,920,668
<b>Total Current Assets</b>	<b>13,731,880</b>	<b>11,276,305</b>
 <b>Property and Equipment</b>		
Material Recycling Facility Assets(Net)	9,631,843	10,458,242
Landfills:		
Sparta(Net)	1	1
North Kent(Net)	1	1
South Kent (Net) (includes \$4 million for landfill expansion)	4,275,637	4,003,295
Gas to Energy (Net)	692,950	740,638
Transfer Station NK(Net)	50,462	57,229
Work In Progress	153,217	153,217
Buildings		
Household Hazardous Drop Site(Net)	10,474	20,778
North Kent Transfer Station(Net)	245,253	291,895
Gas to Energy (Net)	1,132,818	1,207,101
South Kent(Net)	40,609	48,782
Machinery and Equipment		
Heavy and Light(Net)	2,025,533	1,251,881
Vehicles (Net)	122,342	1,736
Office Equipment(Net)	995	995
<b>Total Property and Equipment</b> (3)	<b>18,382,135</b>	<b>18,235,791</b>
 <b>Restricted Asset - Kentwood</b>		
Cash - Kentwood Landfill	7,036,396	6,961,848
Long Term Contract Receivable(Kentwood)	1,759,099	1,740,462
<b>Total Kentwood Accrual</b> (1a)	<b>8,795,495</b>	<b>8,702,310</b>
 <b>Restricted Assets - Cash</b>		
Reserved for Future Closed Landfill Cost (Sparta & NKL)	9,468,417	9,468,417
Perpetual Care (2a)	3,445,059	3,421,338
Perpetual Care Trust with State of Michigan (2b)	2,079,789	2,046,297
Reserved for CIP (2a)	(814,336)	586,632
Cash - SKL GASB 18 (1b)	11,969,000	11,197,000
<b>Total Restricted Assets - Cash</b>	<b>26,147,929</b>	<b>26,719,684</b>
<b>Total Assets</b>	<b>\$ 67,057,439</b>	<b>\$ 64,934,090</b>

(1) Offset by Liability

(2) Reserved in Retained Earnings

(3) Offset with Retained Earnings

**Kent County Department of Public Works  
Solid Waste Division Fund  
Refuse Disposal System  
Balance Sheet  
As Of December 31, (Unaudited)**

<b>Liabilities</b>	<b>2013</b>	<b>2012</b>
<b>Current Liabilities</b>		
Accounts Payable and Due To	\$465,218	\$399,640
Customer Deposits	9,300	4,800
Accrued Interest, Bond Premium	183,034	192,403
Current Portion-Long Term Debt	475,000	460,000
Other Accrued Liabilities	<u>257,825</u>	<u>257,383</u>
<b>Total Current Liabilities</b>	<b><u>1,390,377</u></b>	<b><u>1,314,226</u></b>
<b>Liabilities Payable from Restricted Assets</b>		
Closure/Post Closure - GASB 18 (1b)	11,969,000	11,197,000
Kentwood Landfill (1a)	<u>8,795,495</u>	<u>8,702,310</u>
<b>Total Liabilities Payable from Restricted Assets</b>	<b><u>20,764,495</u></b>	<b><u>19,899,310</u></b>
<b>Long Term Liabilities</b>		
Bonds Payable, less Current Portion	9,715,000	10,190,000
<b>Total Long Term Liabilities</b>	<b><u>9,715,000</u></b>	<b><u>10,190,000</u></b>
<b>Revenue Sharing Total Contribution</b>	<b><u>88,455</u></b>	<b><u>88,455</u></b>
<b>Retained Earnings</b>		
Restricted Reserves (2a)	2,630,719	4,007,969
Restricted - Perpetual Care Trust with State of Michigan (2b)	2,079,789	2,046,297
Year To Date Earnings	1,657,012	337,339
Retained Earnings (3)	<u>28,731,592</u>	<u>27,050,494</u>
<b>Total Retained Earnings</b>	<b><u>35,099,112</u></b>	<b><u>33,442,099</u></b>
<b>Total Liabilities, Contributions and Retained Earnings</b>	<b><u>\$ 67,057,439</u></b>	<b><u>\$ 64,934,090</u></b>

KENT COUNTY  
DEPARTMENT OF PUBLIC WORKS

FINANCIAL REPORT ON ALL OPERATIONS

FOR CALENDAR YEAR ENDING, DECEMBER 31, 2013  
(UNAUDITED)

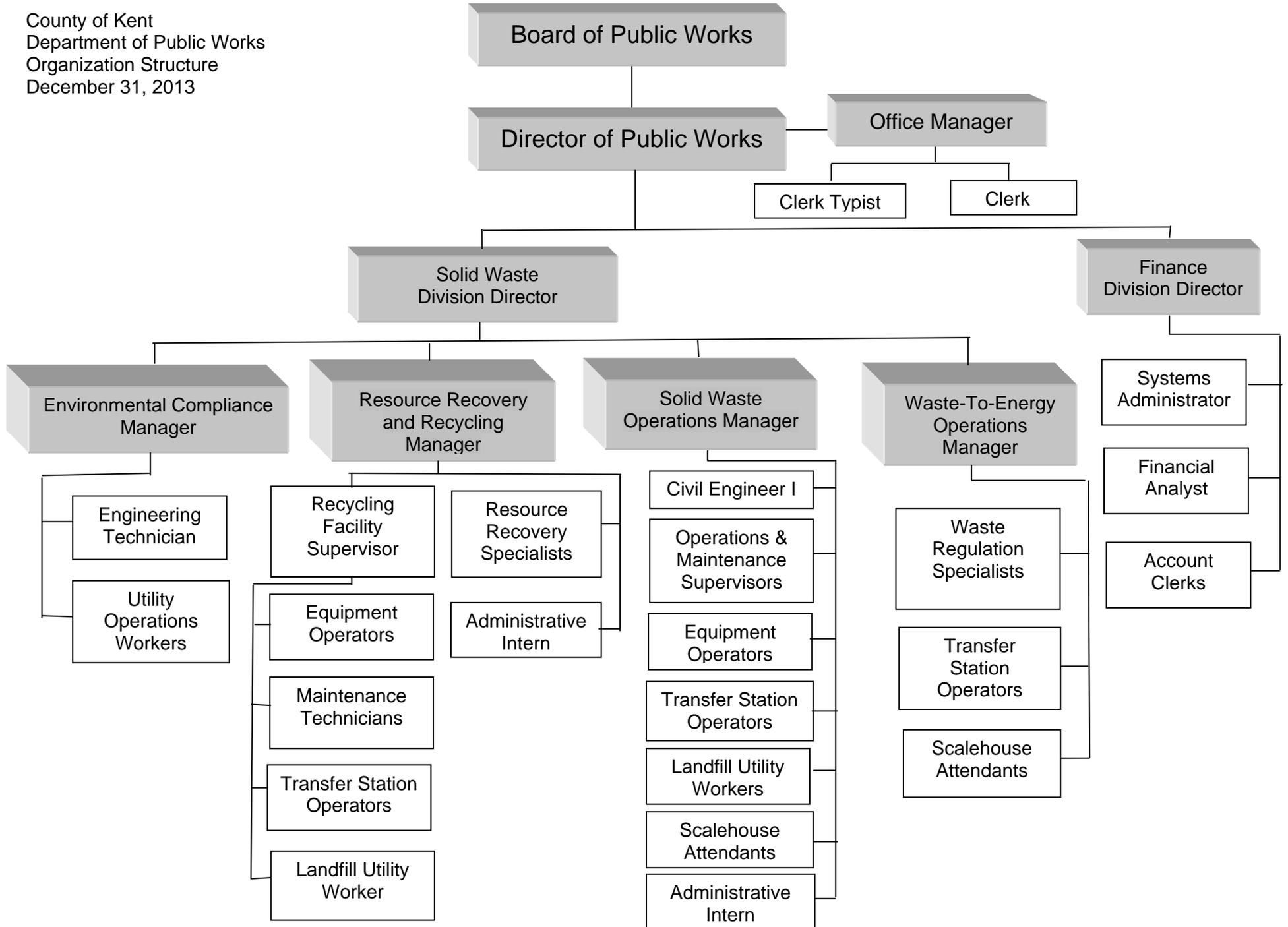


Prepared and Submitted by Department of Public Works  
Daniel M. Kendall, Finance Director  
Becky Dyer, Financial Analyst

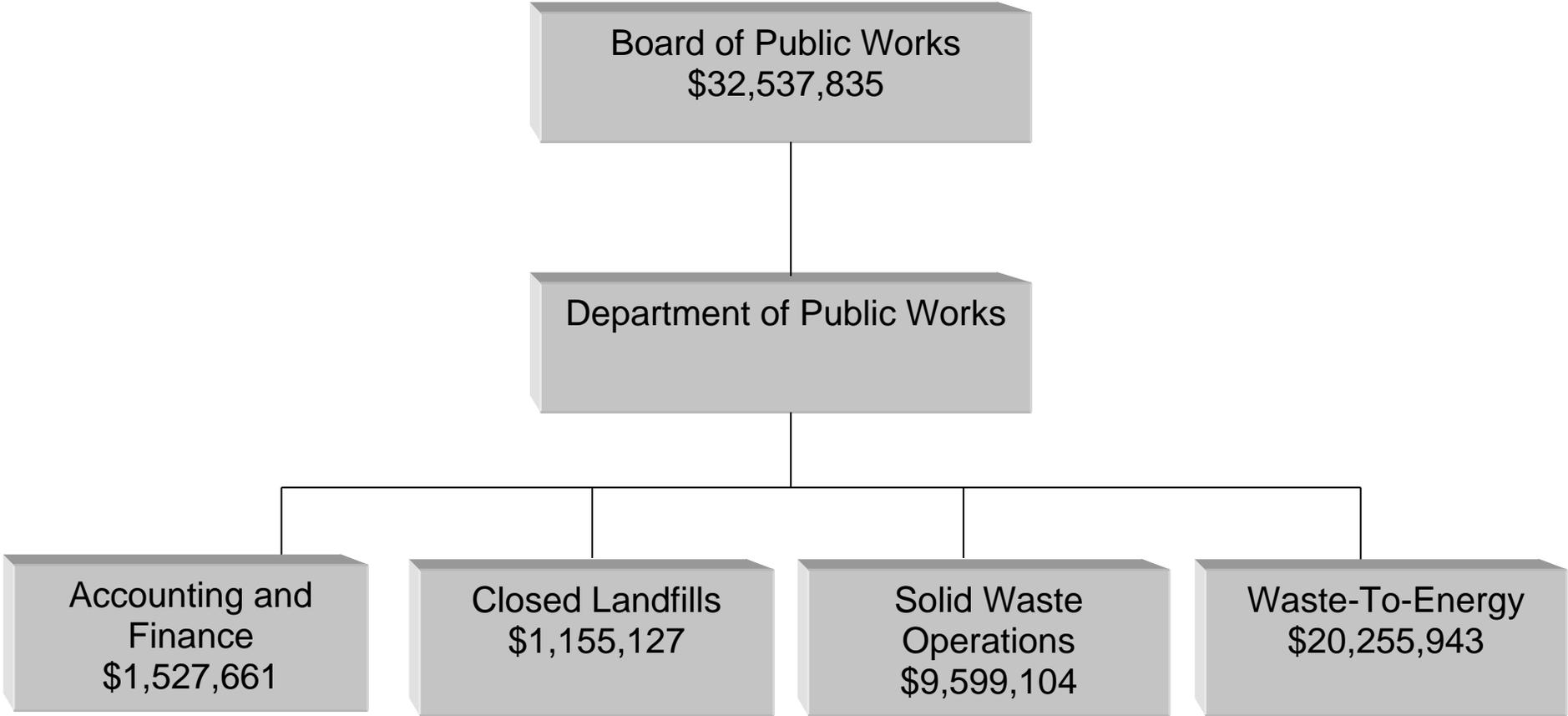
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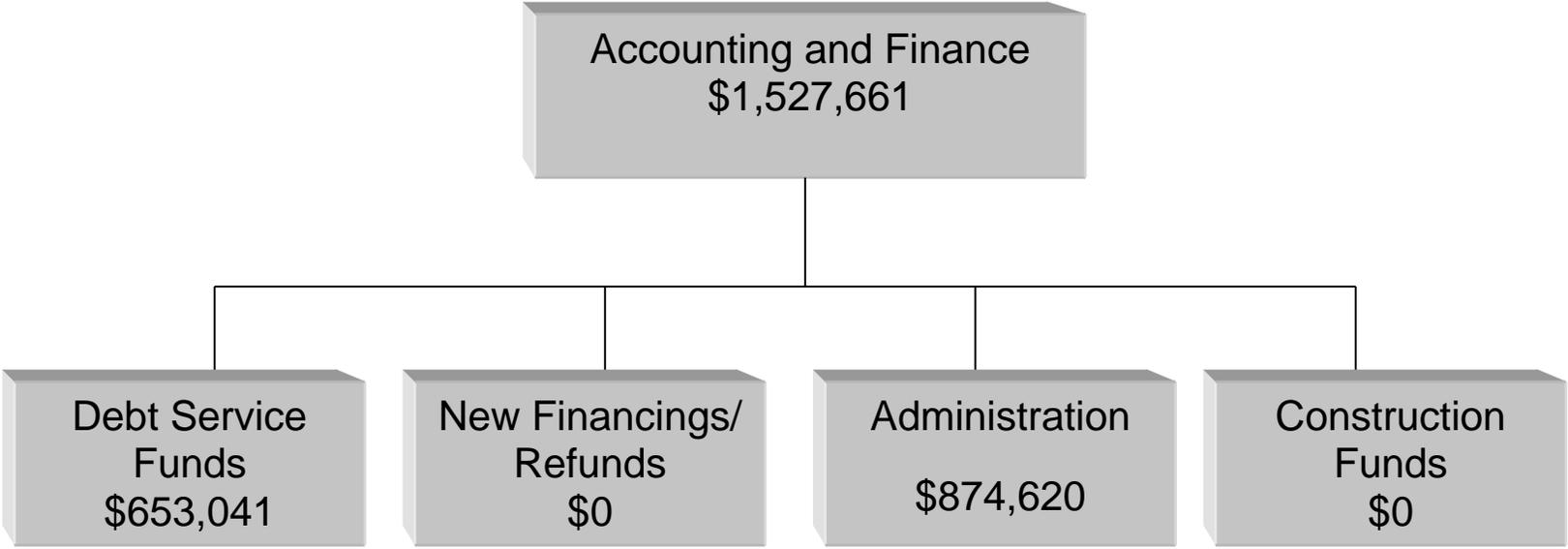
DEPARTMENT OF PUBLIC WORKS



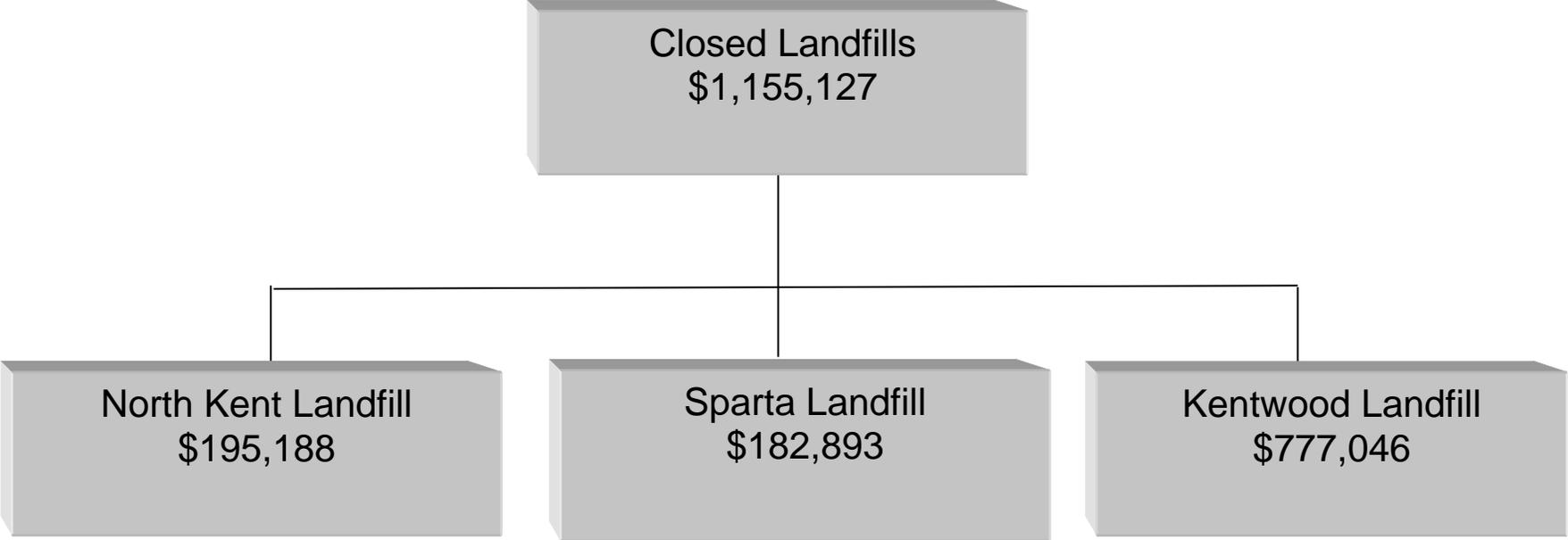
Kent County  
Department of Public Works  
Expenses for Fiscal Year 2013



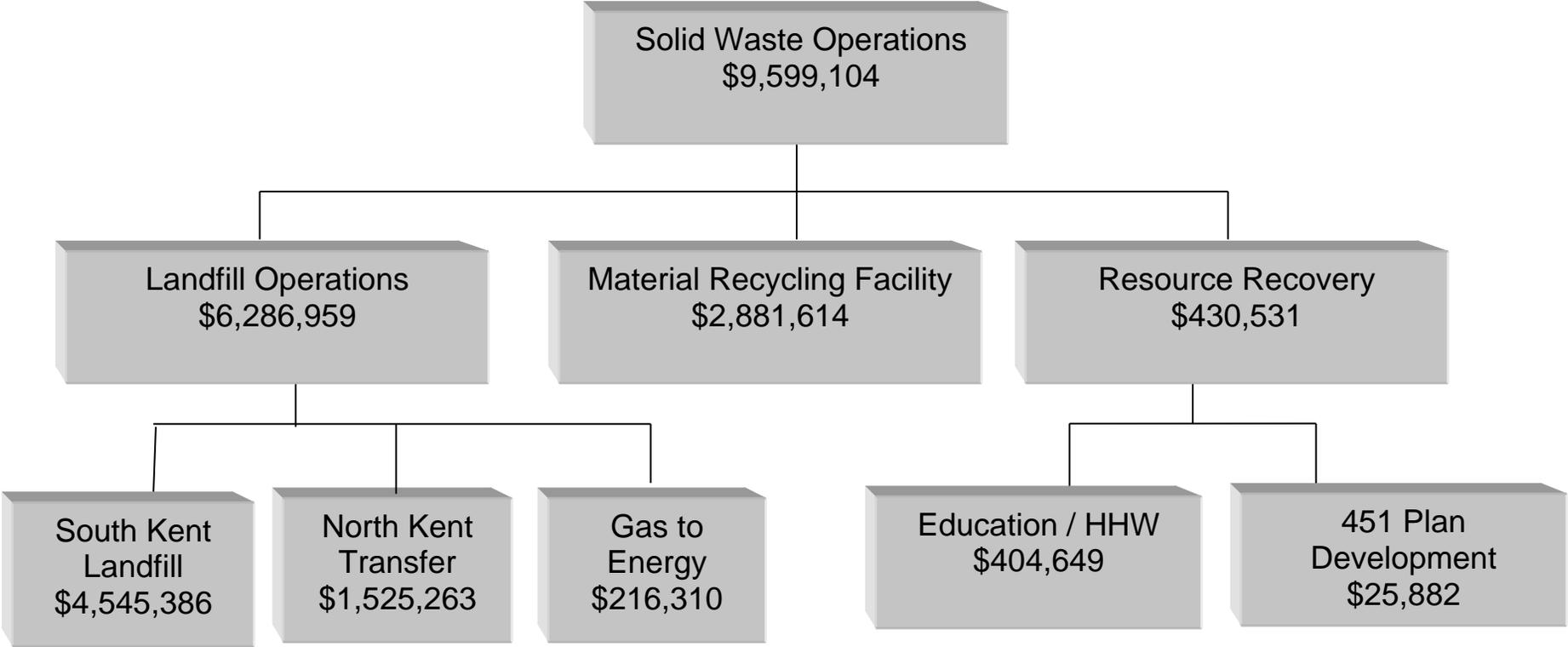
Kent County  
Department of Public Works  
Expenses for Fiscal Year 2013



Kent County  
Department of Public Works  
Expenses for Fiscal Year 2013



Kent County  
Department of Public Works  
Expenses for Fiscal Year 2013



Kent County  
Department of Public Works  
Expenses for Fiscal Year 2013

Waste-To-Energy Division  
\$20,255,943

**COUNTY OF KENT  
DEPARTMENT OF PUBLIC WORKS  
ACCOUNTING & FINANCE DIVISION  
ADMINISTRATIVE FUND  
SUMMARY OVERVIEW  
2013**

This fund accounts for the general administrative functions for the Department of Public Works as they relate to the Department as a whole and as they relate to our support functions for the Earl G. Woodworth Building. The operating costs of this fund are charged to other departmental entities based on their estimated expenses. At the close of the 2013 fiscal year, eight (8) persons were employed.

**COUNTY OF KENT**  
**DEPARTMENT OF PUBLIC WORKS**  
**ACCOUNTING & FINANCE DIVISION**  
**ADMINISTRATIVE FUND**  
**BALANCE SHEET**  
**As of December 31**  
**Unaudited**

	<b>2013</b>	<b>2012</b>
<b>Assets</b>		
Current Assets:		
Cash	\$ 3,631,396	\$ 2,592,628
Receivables	-	2,720
<b>Total Current Assets</b>	3,631,396	2,595,348
Fixed Assets:		
Office Equipment - net	6,948	11,407
Vehicles - net	1,857	9,287
<b>Total Fixed Assets</b>	8,805	20,694
<b>Total Assets</b>	\$ 3,640,200	\$ 2,616,042
 <b>Liabilities and Retained Earnings</b>		
Current Liabilities:		
Accounts Payable	\$ 10,090	\$ 55,090
Accrued Expenses	84,490	60,952
<b>Total Current Liabilities</b>	94,581	116,042
Retained Earnings - beginning of year	3,545,620	2,500,000
Current Earnings	-	-
<b>Total Retained Earnings</b>	3,545,620	2,500,000
<b>Total Liabilities and Retained Earnings</b>	\$ 3,640,200	\$ 2,616,042

\* Retained Earnings changed 1/1/2013 - Utility Services retained earnings rolled into Administration.  
 (Utility Services closed in 2012.)

**COUNTY OF KENT  
DEPARTMENT OF PUBLIC WORKS  
ACCOUNTING & FINANCE DIVISION  
ADMINISTRATIVE FUND  
OPERATING STATEMENT  
Year Ending December 31  
Unaudited**

	2013 Actual	2013 Budget	Over/(Under) Budget	2012 Actual
<b>Operating Revenues:</b>				
Intra County Sales:	\$ 859,507	\$ 862,200	\$ (2,693)	\$ 687,935
<b>Total Operating Revenue</b>	<b><u>859,507</u></b>	<b><u>862,200</u></b>	<b><u>(2,693)</u></b>	<b><u>687,935</u></b>
<b>Operating Expenses:</b>				
Salaries and Wages	511,472	470,000	41,472	452,529
Fringe Benefits	148,208	142,900	5,308	128,903
Office Supplies, Postage, Printing	19,507	17,500	2,007	11,085
Professional Fees	23,020	7,500	15,520	4,165
Memberships & Subscriptions:	2,317	3,000	(683)	2,318
Telephone	11,434	11,000	434	12,828
Travel, Gas, Oil, Grease	9,487	17,000	(7,513)	9,776
Insurance and Bonds:	6,853	6,000	853	2,409
Vehicle Repair and Maintenance	229	3,000	(2,771)	162
Office Equipment Repair and Maintenance	1,706	9,200	(7,494)	2,065
Building Repair and Maintenance	-	200	(200)	-
Building Renta	103,284	97,000	6,284	67,862
Depreciation	11,889	16,000	(4,111)	14,729
Books, Employee Training, Miscellaneous	(386)	1,900	(2,286)	1,549
Contingency	-	25,000	(25,000)	-
Central Services Fee	25,601	45,000	(19,399)	-
<b>Total Operating Expenses</b>	<b><u>874,620</u></b>	<b><u>872,200</u></b>	<b><u>\$ 2,420</u></b>	<b><u>710,380</u></b>
<b>Other Income (Expense) :</b>				
Gain/(Loss) on Sale of Assets:	1,575	-	1,575	-
Reimbursements	-	-	-	10,435
Miscellaneous	365	-	365	-
Interest Income ( Expense)	13,172	10,000	3,172	12,010
<b>Net Income</b>	<b><u><u>0</u></u></b>	<b><u><u>0</u></u></b>	<b><u><u>0</u></u></b>	<b><u><u>0</u></u></b>

There was not any construction activity to report on in 2013.

KENT COUNTY DEPARTMENT OF PUBLIC WORKS  
DEBT SERVICE FUND

SUMMARY 2013

(Unaudited)

FUND NAME	BAL.	DEPOSITS	DISBURSEMENTS	BALANCE
365-90560 LAKE MICHIGAN TRANSFER LINE	5,099.49	653,007.45	(653,040.75)	5,066.19
	<u>\$ 5,099.49</u>	<u>\$ 653,007.45</u>	<u>\$ (653,040.75)</u>	<u>\$ 5,066.19</u>

**COUNTY OF KENT, MICHIGAN  
DEPARTMENT OF PUBLIC WORKS  
DEBT SERVICE FINANCIAL STATEMENT**

Year Ending  
December 31, 2013  
1995 LAKE MICHIGAN WATER TRANSFER LINE 365-1560  
Unaudited

Beginning Cash Balance 1/1/13	\$	5,099.49
Deposits		652,741.58
Interest earned thru 12/31/13		265.87
Capital Payments - Principal		(580,000.00)
Capital Payments - Interest		(72,800.00)
Fees		(240.75)
Other Audit Fee, Insurance, Central Service, etc.		-
Cash Balance 12/31/13	\$	5,066.19

**COUNTY OF KENT  
DEPARTMENT OF PUBLIC WORKS  
SOLID WASTE DIVISION FUND  
WASTE-TO-ENERGY OPERATIONS  
OPERATIONAL REVIEW  
2013**

**WASTE-TO-ENERGY FACILITY**

The WTE Facility had a good operational year in 2013. Facility boiler availability was 93.4 percent compared to 91.3 percent in 2012 and to 91.5 percent in 2011. Prior to 2009, Covanta Kent, Inc. had a minimum availability guarantee of 85 percent. Under the Revised Service Agreement, Covanta is paid based on actual tons of waste processed and on kWh of electricity sold. This provides a built in incentive for the Company to continue to operate the Facility at a high rate of availability.

The WTE had a total of 235,375 tons delivered in 2013, an increase from 226,056 tons in 2012 and an increase from 229,827 tons in 2011. The increase in waste deliveries is most likely an indication of an upturn in the economy. The 2013 Budget was based on annual waste deliveries of 222,500 tons. Tons transferred and reject waste totaled 45,390 tons (a 9.2 percent increase) in 2013.

The average heating value of waste combusted during 2013 was 5,484 Btu/lb. The WTE Facility was designed to burn 625 tons of waste per day at an average heating value of 4,800 Btu/lb. Actual tons processed were 189,321 tons compared to 183,849 tons in 2012. Reference tons processed (corrected to 4,800 BTU/lb) totaled 216,299 tons for the year compared to 214,897 tons in 2012. This means the plant produces more energy per ton of waste burned, but burns fewer tons per year. Electricity sold to Consumers Power Company totaled 104,900,042 kWh for the year.

The WTE met all of its environmental guarantees for 2013. Air emissions, as documented through annual testing and by the Facility's continuous emissions monitoring equipment remain well below permitted levels.

Ferrous metal recovered and sold in 2013 totaled 3,133 tons compared to 2,669 tons in 2012. Revenue per ton of scrap averaged \$166.07 per long ton compared to \$183.45 in 2012. The County receives 100 percent of ferrous revenues under provisions of the Revised Service Agreement.

The Department's Household Battery Collection and Recycling Program completed its 22nd year of operation in 2013. This program is funded through the WTE Facility's operating budget. Some household batteries from toys, watches, computers, hearing aids, etc. contain heavy metals such as mercury, lead, zinc, cadmium, copper and lithium. Keeping these batteries out of the WTE contributes to lower air emissions and reduced concentration of metals in the ash. During the year the program collected, sorted and recycled 10,700 pounds of non-alkaline batteries, compared to 8,370 pounds for 2012.

The Department's program for the collection and destruction of confidential documents from other County Departments completed its 17th year of operation in 2013. During the year 5,080 pounds of documents were collected and destroyed at the WTE Facility compared to 4,280 pounds in 2012. Customers for this service were the Kent County Clerk's Office and the Kent County Circuit Court Clerk's Office.

Secure destruction of drugs, evidence, confidential documents, medical records and pharmaceuticals is a growing service provided by the WTE Facility. During 2013 243,680 pounds of these materials were destroyed from 50 local, State and Federal government agencies. This is a decrease of 9% from 2012, in which the WTE destroyed 266,860 pounds.

**COUNTY OF KENT  
DEPARTMENT OF PUBLIC WORKS  
SOLID WASTE DIVISION FUND  
WASTE TO ENERGY OPERATIONS  
COMBINED BALANCE SHEET  
(Unaudited)**

	2013	2012
<b>ASSETS</b>		
<b>Current Assets:</b>		
Cash	\$8,876,430	\$7,043,885
Accounts Receivable less allowance	1,919,247	1,863,627
Prepaid Expenses	<u>61,062</u>	<u>55,694</u>
<b>Total Current Assets</b>	<b><u>10,856,739</u></b>	<b><u>8,963,207</u></b>
<b>Restricted Assets:</b>		
Operating Reserve	5,685,531	6,558,961
Capital Improvements	2,911,742	3,363,219
Other	<u>272,000</u>	<u>272,000</u>
<b>Total Restricted Assets</b>	<b><u>8,869,273</u></b>	<b><u>10,194,180</u></b>
<b>Fixed Assets:</b>		
Land & Improvements	4,225,751	2,852,711
Buildings, Machinery & Equipment	77,193,638	76,390,996
Office Equipment	46,523	46,523
Vehicles	16,306	16,306
Construction in Progress	<u>0</u>	<u>642,955</u>
Total Fixed Assets	81,482,218	79,949,492
Less Accumulated Depreciation	<u>(48,199,396)</u>	<u>(45,884,190)</u>
<b>Net Fixed Assets</b>	<b><u>33,282,821</u></b>	<b><u>34,065,301</u></b>
<b>Total Assets</b>	<b><u><u>\$53,008,834</u></u></b>	<b><u><u>\$53,222,688</u></u></b>

**COUNTY OF KENT**  
**DEPARTMENT OF PUBLIC WORKS**  
**SOLID WASTE DIVISION FUND**  
**WASTE TO ENERGY OPERATIONS**  
**COMBINED BALANCE SHEET**  
 As of December 31  
 (Unaudited)

	<b>2013</b>	<b>2012</b>
<b>LIABILITIES AND RETAINED EARNINGS</b>		
<b>Current Liabilities:</b>		
Accounts Payable	\$1,280,071	\$1,980,640
Accrued Expenses	<u>53,005</u>	<u>61,769</u>
<b>Total Current Liabilities</b>	<b><u>1,333,076</u></b>	<b><u>2,042,409</u></b>
<b>Retained Earnings(Deficit):</b>		
Restricted:		
Operating Reserve	5,685,531	6,558,961
Capital Improvements	2,911,742	3,363,219
Insurance	250,000	250,000
Other	<u>22,000</u>	<u>22,000</u>
<b>Total Restricted</b>	<b><u>8,869,273</u></b>	<b><u>10,194,180</u></b>
<b>Unrestricted:</b>		
At Beginning of Year	40,986,099	40,765,266
Year-to-Date Earnings(Loss)	495,478	477,691
Change in Restricted Reserves	<u>1,324,907</u>	<u>(256,858)</u>
<b>Total Unrestricted</b>	<b><u>42,806,484</u></b>	<b><u>40,986,099</u></b>
<b>Total Retained Earnings</b>	<b><u>51,675,758</u></b>	<b><u>51,180,279</u></b>
<b>Total Liabilities and Retained Earnings</b>	<b><u>\$53,008,834</u></b>	<b><u>\$53,222,688</u></b>

**COUNTY OF KENT  
DEPARTMENT OF PUBLIC WORKS  
WASTE TO ENERGY DIVISION  
OPERATING STATEMENT  
Year Ending December 31  
(Unaudited)**

	<b>2013 Actual</b>	<b>2013 Budget</b>	<b>Over/Under Budget</b>	<b>2012 Actual</b>
<b>Revenues</b>				
Tipping Fee	10,603,071	10,013,139	589,932	10,182,002
Electric	9,553,655	8,481,407	1,072,248	8,799,977
Interest	66,364	127,225	(60,861)	81,440
Scrap, REC's, Other	528,331	330,000	198,331	528,142
<b>Total Revenues</b>	<b><u>20,751,421</u></b>	<b><u>18,951,771</u></b>	<b><u>1,799,650</u></b>	<b><u>19,591,561</u></b>
<b>Expenses</b>				
Salaries and Wages	441,846	470,500	(28,654)	474,089
Fringe Benefits	167,456	184,150	(16,694)	176,465
Covanta Fees:				
Processing Fee	7,326,723	7,350,794	(24,071)	6,912,835
Energy Fee	5,961,469	5,947,722	13,747	5,339,463
Professional Fees:				
Legal	1,460	21,000	(19,540)	15,671
Audit	0	0	0	9,080
Consultants	29,747	50,000	(20,253)	31,753
Other	300	32,500	(32,200)	0
Disposal Costs:				
Transfer Waste	1,728,264	1,454,115	274,149	1,926,098
Ash	576,144	574,600	1,544	463,158
Fuel, Repair And Maintenance	181,557	183,500	(1,943)	118,943
General And Administration	638,417	602,400	36,017	511,521
Gas And Other Utilities	280,776	416,000	(135,224)	358,408
Depreciation	2,358,956	0	2,358,956	2,235,039
Resource Recovery Program	202,500	202,500	0	208,000
Insurance	360,328	401,000	(40,672)	333,347
<b>Total Expenses</b>	<b><u>20,255,943</u></b>	<b><u>17,890,781</u></b>	<b><u>2,365,162</u></b>	<b><u>19,113,870</u></b>
<b>Operating Income (Loss)</b>	<b><u>495,478</u></b>	<b><u>1,060,990</u></b>	<b><u>(565,512)</u></b>	<b><u>477,691</u></b>
<b>Rate Study Adjustments:</b>				
Capital Improvements	(425,000)	(425,000)	0	(1,281,950)
Depreciation	2,358,956	0	2,358,956	2,235,039
Reserve Drawdown	(635,990)	(635,990)	0	0
<b>Total Rate Study Adjustments</b>	<b><u>1,297,966</u></b>	<b><u>(1,060,990)</u></b>	<b><u>2,358,956</u></b>	<b><u>953,089</u></b>
<b>Net Operating Income (Loss) Per Rate Study</b>	<b><u><u>1,793,444</u></u></b>	<b><u><u>0</u></u></b>	<b><u><u>1,793,444</u></u></b>	<b><u><u>1,430,780</u></u></b>

**COUNTY OF KENT  
DEPARTMENT OF PUBLIC WORKS  
SOLID WASTE DIVISION  
OPERATIONAL REVIEW  
2013**

**SOUTH KENT LANDFILL**

South Kent Landfill disposed of 225,424 tons of municipal solid waste and 42,905 tons of WTE ash in 2013 (total of 268,329 tons). Approximately 10,020,100 gallons of leachate was discharged directly to the Wyoming wastewater treatment plant at a cost of \$67,933. In addition, approximately 4,475,019 gallons of leachate was disposed by truck (the cost associated with that is in the WTE portion). Operational costs for the entire year were \$4,151,950. This was approximately a 5% decrease from 2012. Total sales for the year were \$5,682,100.

The landfill continued to use community service court workers to maintain litter control within the landfill as well as the surrounding areas outside the landfill. This service also maintains and monitors the tire program the landfill implemented in 2006. Approximately 8,000 tires were collected and sent for recycling.

Cell construction for cell 35 was completed and licensed by April 2014. Excavation continued on cells 37 and 55 in preparation for lining in the future.

The methane gas to electricity generating plant continued to operate and generates approximately 3.2 megawatts of electricity which is sold to Consumers Energy. The facility produced for the Department \$322,153 in electric sales, \$22,822 in renewable energy credits and \$90,888 in carbon credits.

In addition to parcels of property were purchased in Allegan County for future landfill expansion at a cost of \$348,452.

Several operational tasks were completed as in past years: 1) leachate collection pipes cleaned and videoed; 2) areas hydro-seeded; 3) erosion control maintenance; 4) ditches cleaned; 5) onsite roads maintained; 6) quarterly groundwater monitoring; 7) methane gas monitoring; 8) paved the north perimeter road; 9) extended the west and east up roads within the fill area; and 10) extended four gas extraction wells.

**COUNTY OF KENT  
DEPARTMENT OF PUBLIC WORKS  
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OPERATIONAL REVIEW  
2013**

**NORTH KENT TRANSFER STATION**

The North Kent Transfer Station was built in 1992 and was expanded in 2001 to add a new compactor and double the size of the existing facility. The facility has continued to experience growth over the past years of operation. The waste disposed of at the North Kent transfer station increased by 4,574 tons in 2013 (7%). Customer usage increased by 2,225 transactions over 2012 (also a 7% increase). Tonnage through the transfer station was a record since opening in 1992.

Below is a table summarizing the waste received at the transfer station.

<b>Year</b>	<b>Customers/Transactions</b>	<b>Tons</b>
1992	2,739	2,878
1993	13,200	13,852
1994	16,326	18,717
1995	18,078	20,546
1996	20,592	22,015
1997	20,987	21,442
1998	24,572	19,465
1999	28,535	30,585
2000	29,588	30,564
2001	32,379	34,933
2002	35,452	41,235
2003	36,752	54,506
2004	35,078	53,366
2005	32,727	50,350
2006	33,677	54,800
2007	32,846	57,997
2008	31,206	57,799
2009	30,181	57,383
2010	30,937	62,131
2011	29,798	60,228
2012	29,887	61,474
2013	32,112	66,048

The cost of operation for the transfer station in 2013 was \$1,525,263 (an increase of 1% over 2012). Total sales for the year were \$2,481,146 (8% increase over 2012). The solid waste swap agreement with Republic Waste Systems worked well for the transfer station as it has in the past ten years. The swap agreement was extended for five more years lasting through 2016.

The recycle drop off station continued to see significant use and growth throughout the year. Approximately 1,500 tons of recyclable materials were brought to the Material Recovery Facility for processing. Residents also continued to bring in their electronic waste. Nearly 40 tons of e-waste was brought into the transfer station in 2013. This facility continues to be a valuable waste diversion option for residents in northern Kent County.

**COUNTY OF KENT  
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**SPARTA LANDFILL**

In 2013, groundwater monitoring continued in accordance with the 2002 U.S. EPA Administrative Order on Consent (AOC). Monitoring was conducted on a quarterly basis, as modified in December of 2005.

Quarterly landfill gas monitoring was initiated in 2004 and continued quarterly through 2013. Although the landfill gas vents have been very successful at reducing the migration of landfill gas beyond the landfill fence line, some pockets of gas still remain.

Operational tasks completed in 2013 include: 1) site inspections; 2) measurement of groundwater levels; and, 3) sampling and analysis of groundwater, surface water and landfill gas.

The DPW purchased one residential parcel immediately west of the landfill. The house and one outbuilding on the property were demolished. One potable well at the property was abandoned.

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**NORTH KENT LANDFILL**

Operational tasks completed were as follows: 1) leachate extraction pumps removed, repaired and replaced; 2) aerators in a pond cleaned and repaired as necessary; 3) erosion control and mowing; 4) ground water wells repaired or replaced as necessary; 5) quarterly groundwater monitoring; and center under drain pond cleaned.

A pilot study was conducted to test the addition of an air stripper for treatment of contaminated groundwater from monitoring well MW-62. The pilot study showed the air stripper was successful at treating MW-62 groundwater, and permanent installation of the air stripper was planned for 2014

During 2013, a total of 6.02 million gallons of leachate was discharged to the North Kent Sewer Authority's wastewater treatment plant.

The West Michigan Sports Commission opened a premier baseball facility constructed on the old borrow area to the east of the landfill. The West Michigan Sports Commission purchased the property in early 2013.

**COUNTY OF KENT  
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**KENTWOOD LANDFILL**

The Pretreatment System at the Kentwood Landfill completed its 18<sup>th</sup> full year of operation in 2013. During 2013, a total of 8,643,808 gallons of leachate and groundwater were successfully extracted, treated, and discharged to the City of Wyoming's clean water plant. The total cost for leachate disposal during 2013 was \$42,712.

On January 9, 2014, the 2013 Annual Project Status Report was submitted to the U.S. EPA and U.S. District Court pursuant to the Consent Decree. Also Semi-Annual Progress Reports were submitted to the U.S. EPA and MDEQ on February 1 and September 19, 2013

Quarterly, semi-annual and annual environmental monitoring proceeded on schedule throughout 2013. Plant and site operations and maintenance also continued on schedule. Daily activities included the repair and replacement of pumps, maintenance of the landfill cap and access roads, Pretreatment Plant activities included tank cleaning, maintenance of plant processes and chemistry, and site security.

Discussions have continued with MDEQ and U.S. EPA on design of a landfill gas collection system to control methane in the vicinity of the Kentwood Library, and on a reconstruction plan for the Consumers Energy ravine.

The Kentwood Landfill operating budget was reviewed in 2013. Staff continues to find ways to reduce normal operating expenses and maintain the appropriate financial accrual. In 2013, a pilot study was proposed to eliminate pretreatment and discharge leachate directly to the sanitary sewer. Shutdown of the pretreatment plant would reduce operating expenses.

**COUNTY OF KENT  
DEPARTMENT OF PUBLIC WORKS  
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**MATERIAL RECOVERY FACILITY (MRF)**

The Department of Public Works has been involved in recycling since February of 1990. 2013 was the twenty third year for the countywide recycling program. The new Kent County Recycling & Education Center opened in the summer of 2010 and replaced an aging and outdated system for sorting recyclables. The new single stream system is capable of sorting considerably more material in a shorter period of time than the old system. Using a combination of people and technology, machinery is able to sort all recyclables mixed together instead of requiring segregated bins for residents to keep paper separate from all plastic bottles, metal cans and glass jars. The new center was built following LEED certification guidelines which minimize the negative environmental impacts buildings can have on the environment.

The new facility enables Kent County to sort up to 18 tons of recyclables per hour (compared to 4-6 tons per hour at the old facility). The new facility offers a safe overhead viewing platform for tours and a 5,000 square foot education area that provides public meeting and classroom space.

2013 was the third full year of operation for the new single stream recycling facility. The program again experienced an increase in terms of processing materials for the year. A total of 31,646 tons were processed for the year, a 6,279 ton increase over 2012 figures (24.7% increase). Trash generated from the processing of recyclables was 3,350 tons (an average of 11% for the year). National averages for single stream recycle facilities average between 10-15%. Gross revenues decreased by .4 percent from the previous year. The decrease in revenues was mainly due to a two-week shut-down due to a baler malfunction. Market prices for commodities sold remained steady compared to 2012. The following sections will provide an outline of tonnage processed, revenue and operating expenses for the MRF for 2013.

The net loss for 2013 was \$356,980. The net loss for 2012 was \$58,000. The increased loss for 2013 is the result of mechanical issues with the baler causing a two-week facility shut-down in the month of June.

The facility sold 25,045 tons of recyclable material in 2013 (1,951 tons more than in 2012). This is an increase of approximately 8.4% over 2012. The increase is attributed to the increase in tonnage from participating haulers, additional haulers utilizing the facility and a general increase in participation in recycling in the region.

The majority of product processed was paper fiber (newspapers, corrugated cardboard, magazines and brown bags). The remaining commingled portion consists of glass, ferrous metal, aluminum and various types of plastics as well as electronic equipment and batteries.

The following tables are a breakdown of material processed at the facility over the past twenty one years.

**1993 through 2000**

<b>Material Type</b>	<b>1993</b>	<b>1994</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>
Clear glass	940	384	357	418	343	491	507	455
Ferrous cans	615	520	466	404	405	398	421	433
Aluminum	17	13	11	3	17	9	16	14
Corrugated	118	86	243	264	447	593	717	491
Magazines	-	75	88	107	227	378	319	340
Kraft	-	-	73	19	-	-	-	-
Newspaper	12,556	8,920	3,246	2,898	4,980	6,264	7,656	8,399
Plastic	356	366	395	384	399	376	546	540
Electronics	-	-	-	-	-	-	-	-
<b>Totals</b>	<b>14,602</b>	<b>10,364</b>	<b>4,879</b>	<b>4,497</b>	<b>6,818</b>	<b>8,509</b>	<b>10,182</b>	<b>10,672</b>

**Note: All figures are in tons**

**2001 through 2008**

<b>Material Type</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Glass	600	609	501	435	178	752	1,107	754
Ferrous	463	482	451	427	373	398	434	501
Aluminum	-	42	10	9	13	7	16	12
OCC	507	797	694	720	798	961	1,109	1,454
Magazines	360	331	354	304	275	295	291	145
News	9,354	9,829	10,180	10,299	9,646	9,659	9,505	8,521
Plastic	640	639	669	615	638	894	945	1,111
Electronics	50	189	204	253	315	206	279	288
Batteries	-	-	-	-	29	31	26	29
<b>Totals</b>	<b>11,974</b>	<b>12,918</b>	<b>13,063</b>	<b>13,062</b>	<b>12,265</b>	<b>13,203</b>	<b>13,712</b>	<b>12,815</b>

**Note: All figures are in tons**

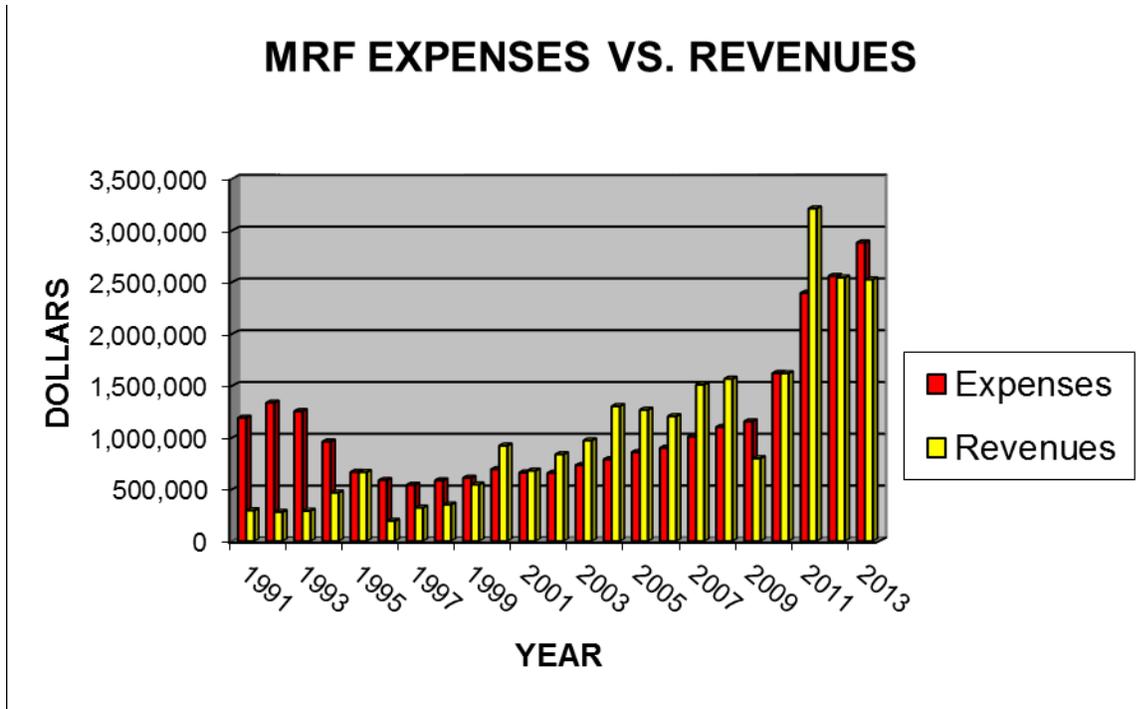
**2009 through 2013**

<b>Material Type</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
Glass	-	1,040	2,785	3,343	3,865
Ferrous	560	599	748	848	950
Aluminum	15	16	37	53	57
OCC	1,676	2,056	3,038	3,312	3,926
News	8,515	9,396	11,706	12,561	13,147
Plastic	1,304	1,586	2,334	2,622	2,845
Electronics	378	326	358	302	208
Batteries	27	37	52	53	47
<b>Totals</b>	<b>12,475</b>	<b>15,056</b>	<b>21,058</b>	<b>23,094</b>	<b>25,045</b>

**Note: All figures are in tons**

Market prices fluctuate on a weekly basis for products sold. Newspaper prices ranged from \$38 to \$86 per ton throughout the industry. OCC (cardboard) ranged from \$50 to \$123 per ton. Plastic prices remained steady throughout the year. Prices ranged from 1 cent to 38.5 cents per pound depending on the type of plastic. Metal prices fell slightly from the previous year. Aluminum was selling for 37 to 43 cents per pound while tin sold for between \$205 and \$320 per ton (less than in 2012).

The overall operating expenses for the facilities were \$2,881,614, an increase of 11.5 percent from 2012. The main reason for the increase was the staffing costs (from Goodwill and Kent County courts) associated with the addition of a night shift.



The MRF relies heavily on labor supplied by community service programs. Following is a breakdown of the labor force utilized at the recycle facility during 2013.

### **SALARY AND WAGE**

<b>AGENCY</b>	<b>HOURS</b>	<b>COST \$</b>
Goodwill	22,145	264,420
61st District Court #1	28,760	99,603
Community Service	5,464	0
17th Circuit Court	37,050	56,129
DPW Personnel	14,560	463,444
<b>TOTALS</b>	<b>107,979</b>	<b>883,569</b>

Aside from the 14,560 hours provided by seven full-time DPW employees, the MRF benefited from 93,419 hours from a pool of outside agencies. This is equivalent to 44 full-time workers at approximately \$4.49 per hour. Total cost for these services was \$420,152. Supplying and maintaining these alternative work forces is essential to providing adequate and cost efficient service for the recycling program.

**COUNTY OF KENT  
DEPARTMENT OF PUBLIC WORKS  
SOLID WASTE DIVISION  
OPERATIONAL REVIEW  
2013**

**RESOURCE RECOVERY PROGRAM (including education/outreach, Household Hazardous Waste Disposal, Electronics Recycling, West MI Take Back Meds Program):** The Resource Recovery Program functions as the education and outreach arm of the DPW.

In 2013 the Resource Recovery Program conducted 147 tours for 4,521 people at the Recycling & Education Center and the South Kent Landfill. 98 different schools, churches and community groups visited our facilities. Do-it-yourself kits (paper making, steel-can lantern making and crayon recycling) were also loaned out to thirteen educators to use in classrooms and small group activities.

The following is a summary of special events staff hosted or participated in for the year:  
**Community Expos** – Staff attended the Rockford Community Expo and distributed information on DPW programs and services.

**Party for the Planet at John Ball Zoo, West Michigan Academy of Environmental Sciences Family Night, Kent ISD Teacher In-service (2):** Hosted a booth to distribute information & educate visitors on DPW programs & services.

**West MI Home & Garden Show:** Staffed a booth for the 4-day show at DeVos Place. Staff educated visitors about the Household Hazardous Waste Program, the West Michigan Take Back Meds program and recycling services.

**Scouts Spring Break Recycling Program:** In partnership with the Kent County Parks Department, scouts were invited to tour the MRF during Spring Break and participate in an earth-friendly activity with the Parks Department. Close to 50 Girl Scouts & Boy Scouts participated in this event.

**Maranda's Park Parties:** Staff brought recycling education to Lamar Park in Wyoming for Maranda's Park Party in June. The free event drew thousands of people. The DPW also provided a rolloff container to the Park Party to help vendors recycle cardboard and plastic water bottles.

The **special event recycling bin loan program** continued its success with bins being loaned to, Buttermilk Jamboree, Grand Rapids Symphony Picnic Pops Series, Barry County Fair, Walk to End Alzheimer's, Juvenile Diabetes Research Foundation Walk to Cure, and East Grand Rapids Summer Concerts.

A **car seat recycling program** began in the fall of 2011 in partnership with Safe Kids Greater Grand Rapids at Helen DeVos Children's Hospital. 1,094 child car seats were recycled in 2013, more than double the amount collected in 2012, at the Kent County Recycling & Education Center instead of being unsafely reused or disposed of in the trash.

**Groups & organizations staff participated in:** Resource Recovery Educators of Michigan, Local Emergency Planning Committee, Lower Grand River Watershed Stormwater Education Committee, Michigan Recycling Coalition (helped plan & attended conference), as well as a state-wide roundtable group for Household Hazardous Waste programs.

**Advertising:**

To help the public clarify the difference between recycling and household hazardous waste programs, most recycling information was transferred over to the recyclekent.org website. This site is easier to access by the public than the Kent County website (accesskent.com). The recycleKent.org logo is used on all outreach materials relating to recycling. Staff continues to utilize the accesskent.com website to inform residents of household hazardous waste and solid waste disposal site information.

The primary method of printed outreach material, the **Household Waste Guide**, was distributed to nearly 100,000 residents of Kent County via the Grand Rapids Press in the April 21 Sunday edition of the Grand Rapids Press. Additional copies were distributed to municipal offices for a total printing of 110,000.

Additional advertising in Advance Newspapers helped distribute the Saturday Household Hazardous Waste collection dates.

The cost for the Resource Recovery Program was \$404,649 in 2013.

**HOUSEHOLD HAZARDOUS WASTE (HHW) PROGRAM**

The Household Hazardous Waste Program collects household chemicals from residents of Kent County for safe disposal. Examples of items people bring for disposal include paint thinner, motor oil, Fluorescent light bulbs, antifreeze, pesticides, mercury thermometers & thermostats, pool chemicals and other household items that are flammable, poisonous or chemically dangerous. In 2013, 3,202 participants brought 188,563 pounds (94.3 tons) of hazardous waste for safe disposal, a 1.6% increase from 2012. Each household participating in the program brought an average of 59 pounds of hazardous waste for proper disposal. Disposal costs, paid for by the Department of Public Works, were \$90,696.

Fluorescent bulbs disposed of through the HHW Program increased by 4% in 2013. There was an increase of 29% for Compact Fluorescent Bulbs (CFL's) and a decrease of 13.5% in collection of Fluorescent tubes. Overall nearly 10,000 bulbs (9,993) were collected at a cost of \$4,030, a decrease in cost of 4% from 2012.

**ELECTRONICS RECYCLING PROGRAM**

The consumer electronics recycling program collected 208 tons of computers and outdated electronics from residents and schools in 2013 from three Kent County locations (North Kent Transfer Station, Recycling & Education Center, South Kent Landfill). There were no disposal costs for the electronics program and the contractor compensated Kent County \$24,942 for the electronics.

## **WEST MICHIGAN TAKE BACK MEDS PROGRAM**

The West Michigan Take Back Meds Program started in December of 2010 and expanded in 2011 to include Allegan, Ottawa and Muskegon Counties. The program expanded again in 2012 to include Barry and Berrien Counties. The program collects unneeded and expired medications from residents to prevent the medications from being disposed of into the environment or being abused. There are sixty-five pharmacies and thirty-seven law enforcement agencies across six counties currently participate in the West Michigan Take Back Meds Program by hosting medication drop-off locations. In Kent County there are 38 pharmacies and 12 law enforcement drop boxes.

In 2013 there were 211 pick-ups of medications from pharmacies in Kent County by waste water treatment personnel totaling 6,102 pounds. This was a 1,100 pound increase over 2012. Nearly 25,000 pounds of expired and unwanted medications have been disposed of at Kent County's Waste to Energy facility through the program since its inception. Other communities are following our lead in establishing medication disposal services like the West Michigan Take Back Meds program. The Capitol Area medication collection program styled their program directly from the Kent County program.

**Kent County Department of Public Works  
Solid Waste Operations  
Refuse Disposal System  
Balance Sheet  
As Of December 31,  
Unaudited**

<b>Assets</b>	<b>2013</b>	<b>2012</b>
<b>Current Assets</b>		
Cash	7,796,675	6,677,442
Accounts Receivable, Due From, net of Allow for Bad Debt	900,100	678,195
Inventory, Supplies, Cells, Containers	5,035,105	3,920,668
	<hr/>	<hr/>
<b>Total Current Assets</b>	<b>13,731,880</b>	<b>11,276,305</b>
<b>Property and Equipment</b>		
Material Recycling Facility Assets(Net)	9,631,843	10,458,242
Landfills:		
Sparta(Net)	1	1
North Kent(Net)	1	1
South Kent (Net)	4,275,637	4,003,295
Gas to Energy (Net)	692,950	740,638
Transfer Station NK(Net)	50,462	57,229
Work In Progress	153,217	153,217
Buildings		
Household Hazardous Drop Site(Net)	10,474	20,778
North Kent Transfer Station(Net)	245,253	291,895
Gas to Energy (Net)	1,132,818	1,207,101
South Kent(Net)	40,609	48,782
Machinery and Equipment		
Heavy and Light(Net)	2,025,533	1,251,881
Vehicles (Net)	122,342	1,736
Office Equipment(Net)	995	995
	<hr/>	<hr/>
<b>Total Property and Equipment</b>	<b>18,382,135</b>	<b>18,235,791</b>
<b>Restricted Asset - Kentwood</b>		
Cash - Kentwood Landfill	7,036,396	6,961,848
Long Term Contract Receivable(Kentwood)	1,759,099	1,740,462
	<hr/>	<hr/>
<b>Total Kentwood Accrual</b>	<b>8,795,495</b>	<b>8,702,310</b>
<b>Restricted Assets - Cash</b>		
Reserved for Future Closed Landfill Cost (Sparta & NKL)	9,468,417	9,468,417
Perpetual Care	3,445,059	3,421,338
Perpetual Care Trust with State of Michigan	2,079,789	2,046,297
Reserved for CIP	(814,336)	586,632
Cash - SKL GASB 18	11,969,000	11,197,000
	<hr/>	<hr/>
<b>Total Restricted Assets - Cash</b>	<b>26,147,929</b>	<b>26,719,684</b>
<b>Total Assets</b>	<b>\$ 67,057,439</b>	<b>\$ 64,934,090</b>

**Kent County Department of Public Works  
Solid Waste Division Fund  
Refuse Disposal System  
Balance Sheet  
As Of December 31, (Unaudited)**

<b>Liabilities</b>	<b>2013</b>	<b>2012</b>
<b>Current Liabilities</b>		
Accounts Payable and Due To	\$465,218	\$399,640
Customer Deposits	9,300	4,800
Accrued Interest, Bond Premium	183,034	192,403
Current Portion-Long Term Debt	475,000	460,000
Other Accrued Liabilities	257,825	257,383
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<b>Total Current Liabilities</b>	<b>1,390,377</b>	<b>1,314,226</b>
	<hr/>	<hr/>
<b>Liabilities Payable from Restricted Assets</b>		
Closure/Post Closure - GASB 18	11,969,000	11,197,000
Kentwood Landfill	8,795,495	8,702,310
	<hr/>	<hr/>
<b>Total Liabilities Payable from Restricted Assets</b>	<b>20,764,495</b>	<b>19,899,310</b>
	<hr/>	<hr/>
<b>Long Term Liabilities</b>		
Bonds Payable, less Current Portion	9,715,000	10,190,000
	<hr/>	<hr/>
<b>Total Long Term Liabilities</b>	<b>9,715,000</b>	<b>10,190,000</b>
	<hr/>	<hr/>
<b>Revenue Sharing Total Contribution</b>	<b>88,455</b>	<b>88,455</b>
	<hr/>	<hr/>
<b>Retained Earnings</b>		
Restricted Reserves	2,630,719	4,007,969
Restricted - Perpetual Care Trust with State of Michigan	2,079,789	2,046,297
Year To Date Earnings	1,657,012	337,339
Retained Earnings	28,731,592	27,050,494
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<b>Total Retained Earnings</b>	<b>35,099,112</b>	<b>33,442,099</b>
	<hr/>	<hr/>
<b>Total Liabilities, Contributions and Retained Earnings</b>	<b>\$ 67,057,439</b>	<b>\$ 64,934,090</b>
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**Kent County Department Of Public Works  
Solid Waste Division Fund  
Refuse Disposal System  
Income Statement  
Year Ending December 31  
Unaudited**

	2013 Actual	2013 Budget	Over/(Under) Budget	2012 Actual
<b>Revenues</b>				
Landfill Fees	\$ 8,163,246	\$ 7,191,050	\$ 972,196	\$ 6,799,532
Gas to Energy	435,864	328,000	107,864	334,439
Material Handling Facility Sales	2,524,635	2,600,000	(75,365)	2,534,748
Less Revenue Restrictions:(PerpetualCare)	(281,782)	(254,125)	(27,657)	(229,956)
<b>Net Operating Revenues</b>	<b>10,841,963</b>	<b>9,864,925</b>	<b>977,038</b>	<b>9,438,763</b>
<b>Operating Expenses</b>				
Salaries and Wages	2,071,691	2,200,000	(128,309)	2,022,485
Fringe Benefits	791,358	902,460	(111,102)	791,271
Temporary & MRF Special Class	420,152	230,000	190,152	334,744
Other Administrative Costs	88,735	119,625	(30,890)	67,091
Professional Fees	-	-	-	5,202
Uniforms and Supplies	77,820	111,975	(34,155)	107,221
Other Contractual and Lab Fees	418,516	422,150	(3,634)	411,405
Freight and Landfill Fees	537,415	531,250	6,165	695,683
Bad Debts	691	5,000	(4,309)	45
Telephone	32,398	35,350	(2,952)	30,391
Gas, Oil, Grease, Travel	361,703	324,600	37,103	357,385
Utilities	231,187	218,500	12,687	235,844
Grounds Care and Maintenance	509,903	662,403	(152,500)	504,103
Repairs and Maintenance	671,790	459,600	212,190	444,477
Rental Expense	120,000	121,500	(1,500)	135,728
Insurance and Bonds	43,570	51,625	(8,055)	26,830
Advertising	29,077	31,050	(1,973)	27,610
Land Improvements	145,565	79,100	66,465	49,179
Land Acquisition	67,335	-	67,335	212,258
Closure Cost	798,539	905,000	(106,461)	707,108
Miscellaneous	4,280	243,890	(239,610)	3,873
Perpetual Care (Offset for KWL & SPL)	435,115	461,000	(25,885)	435,777
Allocations Central Service	123,009	250,000	(126,991)	159,932
Allocations Admin	276,474	287,650	(11,176)	213,885
<b>Total Operating Expenses</b>	<b>8,256,323</b>	<b>8,653,728</b>	<b>(397,405)</b>	<b>7,979,527</b>
<b>Operating Income(Loss)before Depr</b>	<b>2,585,640</b>	<b>1,211,197</b>	<b>1,374,443</b>	<b>1,459,236</b>
Depreciation and Amortization	2,066,846	2,269,900	(203,054)	2,074,355
<b>Net Operating Income(Loss)</b>	<b>518,794</b>	<b>(1,058,703)</b>	<b>1,577,497</b>	<b>(615,119)</b>
<b>Non-Operating Income</b>				
Interest	158,585	242,023	(83,438)	192,752
Cash Funding for Closed Sites	341,930	982,590	(640,660)	449,008
Other	786,985	272,290	514,695	523,295
<b>Total Non Operating Income</b>	<b>1,287,500</b>	<b>1,496,903</b>	<b>(209,403)</b>	<b>1,165,055</b>
<b>Non-Operating Expense</b>				
Interest	431,062	438,200	(7,138)	442,553
<b>Total Non-Operating Expense</b>	<b>431,062</b>	<b>438,200</b>	<b>(7,138)</b>	<b>442,553</b>
<b>Net Income(Loss)</b>	<b>\$ 1,375,232</b>	<b>\$ -</b>	<b>\$ 1,375,232</b>	<b>\$ 107,383</b>