



## KENT COUNTY BOARD OF PUBLIC WORKS

May 7, 2015

8:30 AM

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

- MEMBERS PRESENT:** Commissioners Vonk, Shroll, VanderMolen, Byl, Bulkowski, Groenleer
- MEMBERS ABSENT:** Commissioner Morgan
- OTHERS PRESENT:** Darwin Baas, Director; Elissa Soto, Office Manager; Kimberly Williams, Finance Division Director; Molly Sherwood, Environmental Compliance Manager; Chris Robinson, WTE Operations Manager; Dan Rose, Solid Waste Operations Manager; Cal Brinks, Purchasing Division; Kimberly Alexander, DPW Accounting; Becky Dyer, DPW Accounting; Elizabeth Porczynski, DPW Accounting; Mary Swanson, Kent County Administration; Linda Howell, Kent County Corporate Counsel; Dan Dewitt, Warner, Norcross & Judd; Don Vande Heide, Bob's Disposal; Tim Bradshaw, City of Kentwood; Gary Pitsch, Pitsch Sanitary Landfill; Ed Dryfhaut, Green Valley Disposal; Russ Boersma, Arrowwaste; Tom Horton, Waste Management; John VanTholen, Green Valley Disposal

### I. Call to Order

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

### II. Public Comment

Bob's Disposal stated that waste hauling companies should have the flexibility on how to bill or account for the added surcharge costs and the County should not dictate how the industry charges for the added cost.

Gary Pitsch, Pitsch Sanitary Landfill, stated the he too was opposed to the Ordinance Surcharge. He stated that as a landfill they too have legacy costs which they absorb. He

believes that the MRF should instead charge a tipping, particularly because out of county business also utilize the facility at no cost. Mr. Pitsch stated that his landfill also collects a large amount of construction debris and from his perspective, would have a cost associated to it if the surcharge is approved. He feels he would have a competitive disadvantage if the Ordinance is approved.

John VanTholen, Green Valley Disposal stated that he appreciated the foresight of the DPW in addressing the legacy costs issues at the closed landfills and the opportunity to work with the County on these issues. He too disagree with the method proposed to fund legacy costs. He expressed two concerns 1) the legal responsibility of collecting payments, remitting those payments and then reconciling accounts for said payments and potentially being submitted to an audit 2) the commitment to enforcement by the County thinking that it may not be sufficient to avoid violations.

### **III. Consent Agenda**

#### **A. Review and Approval of Minutes**

Review and approval of the April 2, 2015 minutes.

#### **B. Corwin Verbeek Property Lease SKL – Action Request**

Approval of Property Maintenance Agreement with Corwin Verbeek authorizing the Director to execute the Agreement.

#### **C. Service Truck Purchase KWL – Action Request**

Review and approval to purchase a new GMC Pickup Truck with plow and lift-gate for the Kentwood Landfill site at a cost of \$33,193.50.

#### **D. Approval of Monetary Outlays**

Approval of the monetary outlays for May 2015.

### **MOTION**

It was moved by Commissioner Groenleer and supported by Commissioner VanderMolen to approve the consent agenda.

Motion carried unanimously.

### **IV. Administration**

#### **A. Solid Waste Management Ordinance - Action Request**

Staff requested the approval and recommendation 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 the household hazardous waste program.

- 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 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.
- On August 7, 2014 the BPW approved and recommended a Solid Waste Management Ordinance to the Kent County Board of Commissioners. At its December 9 meeting, the Legislative & Human Resources committee deferred action on the ordinance until 2015.
- Subsequently the DPW met with waste industry representatives and reviewed with the Solid Waste Management Plan Committee changes to the ordinance to provide for an annual report of how funds use, a true up provision, administrative fees for collecting and tracking, and remittance of the surcharge through a weight fee charged at disposal facilities.
- The surcharge will provide a projected \$1.45 million annually and is expected to provide necessary funding through 2038, as proposed, to be reevaluated at least every two years.

Commissioner VanderMolen stated that if approved by the Board of Public Works the Ordinance would then go to the County Legislative Committee for approval and then to the full County Board of Commissioners.

Commissioner VanderMolen asked staff to review how the surcharge would be charged and if there were any other fees besides the surcharge. Mr. Baas explained that after various meetings with the hauler industry, they determined that the best way to collect the surcharge was at the disposal site by way of a weight payment. Haulers would be charged a licensing fee and a decal fee to be renewed annually.

Mr. Baas added that the DPW does not expect haulers to absorb this cost, but instead that they pass it through to their customers to keep a level playing field. The surcharge must be identified as a line item to clearly identify the purpose of the surcharge.

Dan Dewitt, Warner, Norcross & Judd added that the surcharge asks for people to pay for a program that they get the benefit for. The Department does not want haulers to absorb the surcharge for a period of time and use a lower rate as a competitive advantage. We are trying to create a level playing field. Mr. Dewitt also clarified that if a resident refuses to pay the surcharge amount the hauler in no way is responsible for this collection, the County will handle it. If haulers are not able to collect the surcharge from customers, since it was paid upfront at the landfill the DPW will reimburse haulers for that loss.

The point was made that the DPW is not regulating how haulers charge the surcharge. They have the liberty to charge the surcharge using whatever billing

system they currently use.

Commissioner Shroll wanted an explanation of how the administrative fees work. Mr. Dewitt explained that there is a provision that pays back a portion of the administrative fees to help cover their costs. The Department will be reviewing the process at every two years to determine whether any adjustments to fees need to be made.

## **MOTION**

It was moved by Commissioner Byl and seconded by Commissioner VanderMolen 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.

Motion carried unanimously.

### **B. Marketing Agency - Action Request**

Staff requested the review, approval and authorization for the Director to sign professional services agreement with Auxiliary Advertising & Design for logo, brand development and wayfarer signage development for Public Works at a cost not-to-exceed \$8,875 and develop ongoing marketing strategies in subsequent years.

Consistent with the Strategic Plan and Solid Waste Management Plan, the Department recognizes the need to improve its public image, clarify and update our mission and strategic vision; and with our stakeholders - providing leadership in economic development, sustainability and environmental planning to improve diversion, recycling, energy recovery for an integrated solid waste management system.

Public Works relies on the Kent County Seal as our logo that often blurs with the Health Department and other County department efforts. The public also mistakenly associates Public Works with traditional municipal infrastructure related work including road repair, water and sewer maintenance.

To differentiate and effectively communicate to stakeholders, residents and media the Department is considering developing a brand, logo and marketing framework as well as way finding signage that presently is dated or lacking at our facilities and service centers.

The Purchasing Division issued Request for Proposals 1538 for marketing & rebranding services and received nine (9) responses on March 6, 2015. The Purchasing Division and Department of Public staff interviewed three (3) finalists and recommend award of proposal to Auxiliary Advertising & Design at a cost not-to-exceed \$8,875.

Commissioner Shroll believes this is a great idea and it may be long overdue for the Department to rebrand. She wondered if this company has done work for governmental agencies in the past. Mr. Baas stated they had not but have had many large and well known clients.

## **MOTION**

It was moved by Commissioner VanderMolen and seconded by Commissioner Shroll to approve and authorize the Director to sign a professional services agreement with Auxiliary Advertising & Design for logomark, brand development and way finding signage development for Public Works at a cost not-to-exceed \$8,875 and develop ongoing marketing strategies in subsequent years.

Motion carried unanimously.

### **V. Accounting & Finance**

#### **A. 2014 Financial Performance Overview**

Kimberly Williams, Finance Division Director gave Board members a brief overview of the Department's 2014 performance.

Administrative expenses are divided across all the Department's organizations therefore, the administration budget reports no revenues.

The WTE showed \$1,183,106 in revenues after expenses.

Solid Waste Operations showed a revenue of \$1,889,154.

### **VI. Director's Report**

- A. Budget Work Session -** Board members were invited to a work session for the 2016 Budget on May 26, 2015 at 9:30 AM or immediately after LHR meeting.
- B. Grand Rapids Business Journal Article -** The Recycle and Education Center was once again featured in the Grand Rapids Business Journal.
- C. Electronics Recycling Update –** the draft bill likely will not solve the current funding and collection infrastructure problem given that electronics manufacturers will continue to meet goals not mandated collection levels and CRT's the most problematic material in the recycle stream is not banned from disposal while the rest of the materials will be banned.
- D. MDEQ Solid Waste and Sustainability Advisory Committee Update –** The Director continues to serve on the committee as a MAC representative.
- E. West Michigan Sustainable Business Forum -** the DPW as well as other disposal facility operators are conducting the waste audit in May and June.

### **VII. Miscellaneous**

None

### **VIII. Adjournment**

The meeting was adjourned at 9:36 a.m.