

## Solid Waste Board Minutes

Park County, Montana

February 17, 2012

**Attendance:** Solid Waste Board (SWB) members Allen Carter, Robert Currie, Dennis Dodge (via telephone), Dick Juhnke and Ernie McCracken. Also present were Marty Malone and Randy Taylor, commissioners; Clint Tinsley, city of Livingston; Mark Westenskow, CTA; Ed Janney, DOWL HKM; Dave Ericson and Pat Thompson, WET; Courtney Lawellin, PCCC attorney; Ed Schilling and John Payne (via telephone), citizens; and John Mueller, minutes clerk.

**Call to Order:** @1:06:47 p.m., Vice-Chairman Allen Carter called a meeting to order in the Commission Chambers of the City/County Complex.

**Review of Minutes:** The board reviewed minutes from the October 21, 2011, and January 20, 2012, meetings. *Dick Juhnke moved to accept the minutes for October 21, 2011, and January 20, 2012. Robert Currie seconded the motion. Motion passed.*

**Comments from Citizens/Guests:** Mary Anne Keyes, MSU Extension, provided the board with information for a county board workshop training offered by MSU Extension. Keyes said the training covers basic board governance, the Montana Sunshine Law and parliamentary procedure. Commissioner Malone said it is a good training and the Commission is encouraging all county board members to attend. Allen Carter said he will coordinate an effort for all board members to participate in the training.

### Old Business

A. Decision on Citizen Request to Refund Home-Based Business Refuse Assessment: Citizen Ed Schilling said he is asking for a \$370 refund, which is for a one-year time period, as he feels such equates to a one-year amount he is being overcharged for refuse for his home-based business. Juhnke said refunding assessments for one business will result in every other business requesting the same reduction. *Robert Currie moved to table the discussion and include it in master plan and fee service discussions in upcoming meetings. Dick Juhnke seconded the motion. Motion passed.*

B. Decision on Citizen Request to Refund Multi-Purpose, Commercial Buildings Refuse Assessments: Citizen John Payne said he would like to offer solutions for his refuse situation as either the county providing green box disposal boxes onsite at business properties or contract with a company out of Bozeman so he does not have to pay that bill. Payne said a health and human safety issue exists with a business tenant having to cross Highway 89 after midnight to dispose of refuse after the business closes. Payne said he does not want the liability created by such a situation.

Carter read into the record a statement from the county attorney's office stating businesses must pay for refuse district services if they are located within a refuse district.

Currie said the SWB is reassessing its refuse assessment structure, but such will not be completed for some time. Juhnke said he thinks Payne's assessments sound high, but the county must meet parameters of a lawsuit settlement before it can adjust assessments. Carter said the county will open Pandora's Box and cannot afford to provide drop boxes at individual county businesses.

*Robert Currie moved to send the county attorney's memo to Payne and table the motion to a future work session. Dick Juhnke seconded the motion. Motion passed.*

## **New Business**

A. Review/Take Action on Citizen Refuse Assessment Requests: The board reviewed a written request from Citizen Virginia McCann to reduce a refuse assessment on a mobile home with Parcel# M006198 she said is lived in. *Ernie McCracken moved to deny the request. Dick Juhnke seconded the motion. Motion passed.*

Carter read into the record a letter from Vicky Holland of the State Assessor's Office stating a mobile home with Parcel #M008226 has been reassessed by the Assessor's Office as an unlivable structure. *Dick Juhnke moved to remove the refuse assessment from the tax rolls. Ernie McCracken seconded the motion. Motion passed.*

B. Discussion of Landfill Downsizing and Post-Closure Options with DOWL HKM Engineering: Ed Janney, DOWL HKM, said he has worked with the Park County landfill since 1994, and the landfill has outlived its usefulness since the county's incinerator is gone. Janney said he recommends the county close up to 90 percent of the landfill to reduce the amount of the post-closure cost. He said he will attend the SWB working session on March 2 at 1 p.m., and have answers to board member questions.

C. Landfill Monitoring Report from Water and Environmental Technologies, Inc. (WET): Dave Ericson, WET, said WET conducts long-term water quality monitoring for Park County's landfill as required by the state of Montana. Ericson said the focus of a lawsuit against Burlington Northern was to remediate BN contamination in the landfill through aeration. He said the aeration system in place will continue to operate after the landfill closes and contamination comes within acceptable levels. Ericson said there will be 30 years of post-closure monitoring, and remediation efforts continue today at the \$35,000 per year cost he quoted in 1998.

D. Review Board Bylaws: The board discussed its bylaws and said it would like to continue with its informal work sessions on Friday afternoons.

E. Discuss Chico Green Box Site Options: Carter said the Commission is asking the SWB to enable the county to use the Chico green box site as an experimental site with z walls. Currie asked if the county can do the same with the Clyde Park with Chico sites.

*Robert Currie moved to use the Chico site for experimental purposes to put in at least two roll off boxes at a grade determined by Westenskow (CTA Engineering), the*

*experiment go on for a period of time with supervision and observation by a county employee, a backhoe is provided for use as needed to compact refuse, issues of weight, personnel, safety and blowable are assessed, and the experiment last for a time enabling determination of a design of a permanent facility of its kind. Dick Juhnke seconded the motion. Motion passed.*

F. Discuss Gardiner Compactor Site Visit with CTA Engineering: Mark Westenskow, CTA Engineering, said he and SWB members viewed a couple of sites in Gardiner for possible installation of an enclosed refuse compactor site. Westenskow said one site is located just south of the Gardiner Airport with two residential lots side by side and adjacent to a motel and cabins. He said the other site is located three miles north of the current green box site. Westenskow provided pros and cons of each site and said each site would require land acquisition. Commissioner Malone asked why the county does not use a roll off box at the Gardiner green box site with a lid that closes to keep out wildlife. He asked why the county needs to have a compactor site in Gardiner.

G. Discussion of Roll-Off Box at Gardiner, Clyde Park, Wilsall and Ken's Diesel Repair Tire Businesses: Carter said there was discussion about asking tire companies in the county to telephone the refuse department when they need a box to dispose of tires instead of the businesses dumping the tires in county green boxes. The board tabled the discussion.

H. Report on Resident's Process of Gaining Approval from Montana DEQ as a Tire Disposal Site: There was discussion about a public meeting held on the issue in which Montana DEQ personnel were present.

I. Discussion of Tire Baler: Tabled

J. Commission Report on Bell and Associates Solid Waste Options Presentations: Commissioner Taylor said the Commission completed eight presentations of Bell and Associates solid waste options around the county. Taylor said citizen responses to presentation surveys show citizens prefer to stay with current operations and services or send county refuse to the city of Livingston. He said the Commission will schedule a public meeting to report on survey results, and the public comment session on the issue concludes on February 17.

Juhnke said he figured the county would only save about \$153,000 per year if it changes its services per the Bell report and not \$500,000 as the report states. The commissioners said they had to report on the Bell and Associates figures as presented in the report.

K. Correspondence: None

L. Other Discussion Items: Carter asked how many meetings board members can miss until they are dismissed from the board. He said the bylaws state members can be excused after missing three consecutive meetings, and the board needs an active member

to help the board with goings on. Taylor said Carter should talk to the civil deputy county attorney about procedures on the matter.

Juhke said David Mumford told him the Billings landfill will accept Park County's refuse for \$18 per ton, and he will get that quote in writing.

Clint Tinsley, city of Livingston, said he has not heard anything negative from the county or city regarding the trial refuse effort with the county, and there have been no hitches in the city's operations. He said the city has gone from three or four haul trailers a week to six trailers with the county refuse. Tinsley said the city is charging \$5 for tires, but the county is removing tires from the waste stream before they reach the city transfer station. He said he has not seen any reject refuse items that create additional costs to the county, and the city has hired no additional staff for the trial effort.

**Adjourn:** @3:50:54 p.m., the meeting adjourned.

Dennis Dodge  
Chair