



**KENT COUNTY BOARD OF PUBLIC WORKS**

**October 7, 2021**

**8:30 AM**

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

**MEMBERS PRESENT:** Commissioner Brieve, Janes, Skaggs, Yonker, Bulkowski, Greene

**MEMBERS ABSENT:** Commissioner Ponstein

**OTHERS PRESENT:** Darwin Baas, Director; Kimberly Williams, Finance Division Director; Alisha Barber, Office Manager; Paul Smith, WTE Operations Manager; Nic VanderVinne, Resource Recovery and Recycling Manager; Dan Rose, Solid Waste Operations Manager; Molly Sherwood, Environmental Compliance Manager; Kristen Wieland, Marketing & Communications Manager; Isaac Thaler, Recycling Facility Supervisor; Katelyn Kikstra, Resource Recovery Specialist; Lauren Westerman, Resource Recovery Specialist; Stuart Velarde, Resource Recovery Specialist; Calvin Brinks, Purchasing/Fleet Services Manager; Craig Paull, Indigent Defense Administrator/Attorney Administrator/Controller; John Van Tholen, Van Tholen & Associates; Russ Boersma, Arrowwaste; Tom Mahoney, Republic Services; Bobby Stewart, Republic Services; James Hurt, City of Grand Rapids; James Gorney, City of Grand Rapids; Patrick Nicol, Anaergia; Steve Faber, Byrum & Fisk Advocacy Communications; Rick Chapla, RC Consulting; Diane Druckenmiller, Arrowwaste; Charles Hauser, Granger Waste Services; Isaac Moolenaar, Granger Waste Services; Mayor Rosalynn Bliss, City of Grand Rapids; Mayor Stephen Kepley, City of Kentwood; Josh Lunger, Grand Rapids Area Chamber of Commerce; Kate DeVries, The WinMatt Group; Tim Mroz, The Right Place

**I. Call to Order**

Meeting called to order at 8:31 a.m. by Chair Emily Brieve.

## II. Consent Agenda

- A. Review and Approval of Minutes
- B. Approval of Monetary Outlays

### Motion

It was moved by Commissioner Greene and seconded by Commissioner Janes to approve the Consent Agenda.

The Consent Agenda was approved by the following vote:

**YEAS:** Commissioners Brieve, Janes, Bulkowski, Greene, Skaggs

**ABSENT:** Commissioner Yonker, Ponstein

**NAYS:** None

Commissioner Yonker joined at 8:32 a.m.

## III. Administration

- A. SWMP Letter of Consistency – AR

Director Baas reviewed the action request. Heritage – Crystal Clean, LLC (HCC) is a licensed Liquid Industrial by Product transporter and operates a treatment facility located in Wyoming, Michigan. HCC is planning to supplement its treatment capacity for nonhazardous liquid byproducts that will generate additional solid waste for disposal.

As part of the application process to the Michigan Department of Environmental, Great Lakes and Energy (EGLE), HCC is required to submit an Application for Determination of Consistency with the Kent County Solid Waste Management Plan.

Staff reviewed the HCC application dated September 9, 2021 and determined it is consistent with the Kent County Solid Waste Management Plan.

### Motion

It was moved by Commissioner Janes and seconded by Commissioner Greene that the Heritage – Crystal Clean, LLC application for consistency, dated September 9, 2021 is consistent with the Kent County Solid Waste Management Plan.

The Action Request was approved by the following vote:

**YEAS:** Commissioners Brieve, Skaggs, Yonker, Greene, Janes, Bulkowski, Ponstein

**ABSENT:** Commissioner Ponstein

**NAYS:** None

B. SBP Anchor Tenant PDA – AR

Director Bass reviewed the action request. In September 2021, the SBP Review Team recommended Continuous Materials & Anergia (CM+A) to the Board of Public Works for consideration for anchor tenant at the Sustainable Business Park as the outcome from RFP4041 and SRFP4041.

A Project Development Agreement (PDA) defines the respective roles and responsibilities under which Kent County DPW and CM+A would jointly continue to develop, design, permit, equip and maintain the proposed facility and related infrastructure including schedule, development of the site plan, project capital costs and financing, and contain provisions for default, termination and termination payment should either party choose to terminate the PDA.

The aforementioned PDA scope of work and outcomes will be used by both parties to negotiate a final project Service Agreement.

A PDA is required for grant application to state and federal economic and community development grant programs.

**Motion**

It was moved by Commissioner Skaggs and seconded by Commissioner Bulkowski to authorize the Director to negotiate terms of a Project Development Agreement with Continuous Materials & Anergia as anchor tenant for the Sustainable Business Park for Board of Public Works review and approval.

The Action Request was approved by the following vote:

**YEAS:** Commissioners Brieve, Skaggs, Yonker, Greene, Bulkowski

**ABSENT:** Commissioner Ponstein

**NAYS:** Commissioner Janes abstaining for reasons of conflict of interest.

**IV. Accounting & Finance**

A. 2022 WTE Rate Increase – Public Hearing

It was moved by Commissioner Greene and seconded by Commissioner Janes to enter a Public Hearing.

No comment was made during this time.

It was moved by Commissioner Janes and seconded by Commissioner Greene to end the Public Hearing.

The open and closed Public Hearing was approved by the following vote:

**YEAS:** Commissioners Brieve, Janes, Skaggs, Yonker, Greene, Bulkowski

**ABSENT:** Commissioner Ponstein

**NAYS:** None

B. 2022 WTE Disposal Rate – AR

Director Baas reviewed the action request. The Waste-to-Energy (WTE) Facility – General Refuse disposal fee has an increase of %5 per ton for operations & maintenance and \$20/ton to fund the Phase I, 5-year capital improvement project (CIP), refurbishment schedule to replace equipment at the end of its service life. The increase sets the 2022 WTE rate at \$80.00 per ton.

The Approved Special Burns Rate, consisting of a minimum fee of \$90.00 for up to the first 2,000 pounds of material and prorated at \$90.00 per ton for additional material remains unchanged from the 2021 rate.

Staff recommends approval of the 2022 Waste-to-Energy General Refuse Waste Description and Rate Schedule.

**Motion**

It was moved by Commissioner Janes and seconded by Commissioner Skaggs to approve the 2022 Waste-to-Energy Facility General Refuse and Special Waste disposal rates.

It was moved by Commissioner Janes and seconded by Commissioner Skaggs to amend the motion by substituting the Waste-to-Energy tipping fee of \$80.00 per ton with \$74.00 per ton.

The action request was approved by the following vote:

**YEAS:** Commissioners Brieve, Janes, Skaggs, Yonker, Greene

**ABSENT:** Commissioner Ponstein

**NAYS:** Commissioner Bulkowski

C. 2022 SWO Disposal Rates – AR

Director Baas reviewed the action request. The rates for North Kent Transfer Station and South Kent Landfill remain unchanged from 2021 rates. Rates for the Recycling and Education Center have increased \$5.00 per ton for each category.

The Environmental and Safety Fee, Michigan Surcharge and County Surcharge are included in load rates for the minimum charge customers.

Staff Recommends approval of the 2022 Rates Schedule and Waste Descriptions.

**Motion**

It was moved by Commissioner Skaggs and seconded by Commissioner Yonker to approve the 2022 Rates Schedule and Waste Description for the North Kent Transfer Station, South Kent Landfill and the Recycling and Education Center.

It was moved by Commissioner Janes and seconded by Commissioner Bulkowski to amend the motion by substituting the \$41.60 ton tipping fee at the North Kent Transfer Station and South Kent Landfill with a rate of \$46.60 for both North Kent and South Kent with the added \$5.00 per ton in revenue to fund the Waste-to-Energy capital improvement project budget for Phase I Capital Improvement Projects.

The action request was approved by the following vote:

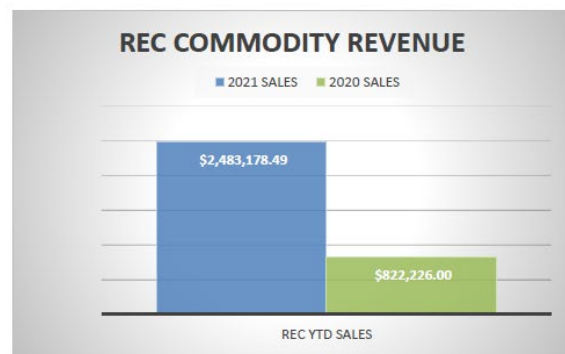
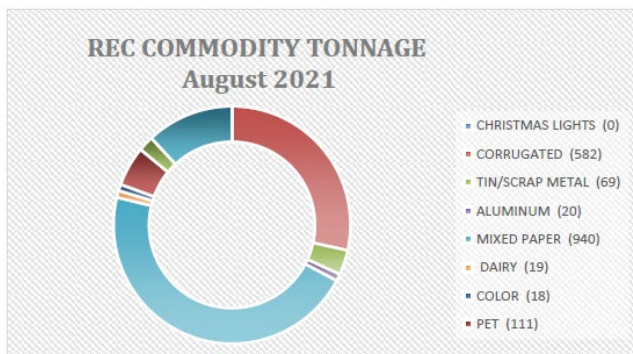
**YEAS:** Commissioners Brieve, Janes, Skaggs, Yonker, Greene, Bulkowski

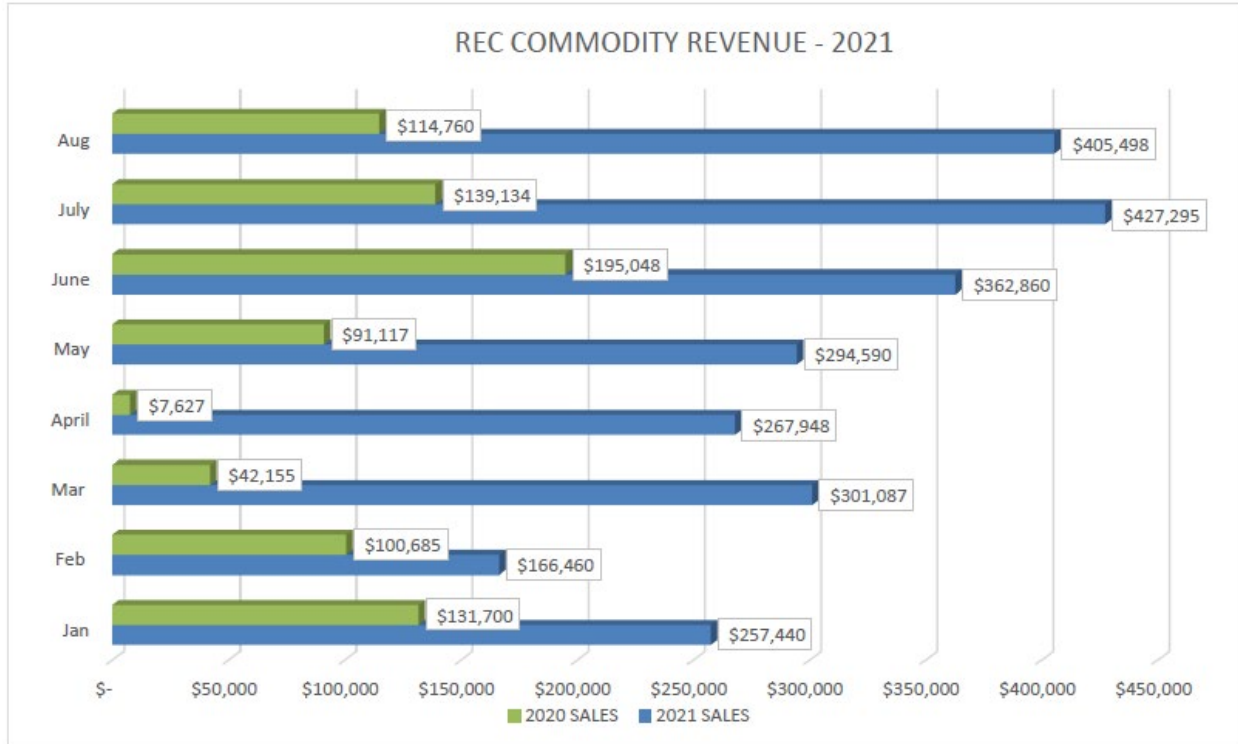
**ABSENT:** Commissioner Ponstein

**NAYS:** None

**V. Director’s Report**

A. DPW at a Glance – August 2021





**B. BOC Work Session Memorandum**

Director Baas discussed the Board of Commissioners Work Session from a month ago. The handout from Gershman, Brickner & Bratton, Inc. was provided, and it provides an analysis of the Sustainable Business Park RFP – DPW Bonded Debt.

**VI. Public Comment/Miscellaneous**

Kentwood Mayor Stephen Kepley discussed a letter sent on behalf of the mayors of the cities of East Grand Rapids, Grand Rapids, Grandville, Kentwood, Walker and Wyoming. He believes the contents of that letter, which outlines concerns about the costs of refurbishing the Waste-to-Energy facility and how those costs are to be shared, were not adequately addressed based on the decisions taken during the BPW meeting.

Josh Lunger from the Grand Rapids Chamber of Commerce said that in order to facilitate the Chamber’s role in helping area businesses understand the impact of decisions taken by the BPW the information presented needs to be integrated as a package rather than delivered in its current segmented fashion.

Grand Rapids Mayor Rosalyn Bliss discussed the active discussions that have taken place over the years between the Department of Public Works and the six core cities, stressing the sense of partnership and working together to find solutions.

Commissioner Skaggs discussed building a better county and mentioned specific language from the contract between the DPW and the six cities regarding how maintenance costs are to be handled.

Commissioner Yonker responded to the comments of Kentwood Mayor Kepley and mentioned his concerns about the long-term implications of continuing to bury solid waste.

VII. Adjournment

The meeting was adjourned at 9:52 a.m.