



KENT COUNTY BOARD OF PUBLIC WORKS

January 10, 2019

8:30 AM

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

MEMBERS PRESENT: Commissioner Vonk, Brieve, Janes, Skaggs, Yonker

MEMBERS ABSENT: Commissioner Bulkowski, Antor

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; Craig Paull, Assistant Corporate Counsel II; Joni Laming, Purchasing Supervisor; John Van Tholen, Sales & Community Representative at Granger; Steve Faber, Byrum & Fisk; Tim Mroz, The Right Place; Pat Grieve, Waste Management

I. Call to Order

Director Baas called the meeting to order at 8:30 a.m.

II. Election of Officers

A. Election of Chairman (Resolution 1-19)

Commissioner Brieve moved the adoption of the following resolution which motion was supported by Commissioner Skaggs.

BE IT RESOLVED that Commissioner Vonk is elected Chairperson of the Kent County Board of Public Works for the calendar year 2019.

The resolution was adopted with the following vote:

YEAS: Commissioners Vonk, Brieve, Janes, Skaggs, Yonker

ABSENT: Commissioners Bulkowski, Antor

NAYS: None

Commissioner Vonk chaired the remainder of the meeting and opened the floor for nominations for Vice Chair.

B. Election of Vice Chairman (Resolution 2-19)

Commissioner Younker moved the adoption of the following resolution which motion was supported by Commissioner Janes.

BE IT RESOLVED that Commissioner Brieve is elected Vice Chairperson of the Kent County Board of Public Works for the calendar year 2019.

The resolution was adopted with the following vote:

YEAS: Commissioners Vonk, Brieve, Janes, Skaggs, Yonker

ABSENT: Commissioners Bulkowski, Antor

NAYS: None

C. Election of Secretary (Resolution 3-19)

Commissioner Brieve moved the adoption of the following resolution which motion was supported by Commissioner Janes.

BE IT RESOLVED that Commissioner Yonker is elected Secretary of the Kent County Board of Public Works for the calendar year 2019.

The resolution was adopted with the following vote:

YEAS: Commissioners Vonk, Brieve, Janes, Skaggs, Yonker

ABSENT: Commissioners Bulkowski, Antor

NAYS: None

D. Election of Deputy Secretary (Resolution 4-19)

Commissioner Brieve moved the adoption of the following resolution which motion was supported by Commissioner Skaggs.

BE IT RESOLVED that Darwin Baas is elected Deputy Secretary of the Kent County Board of Public Works for the calendar year 2019.

The resolution was adopted with the following vote:

YEAS: Commissioners Vonk, Brieve, Janes, Skaggs, Yonker

ABSENT: Commissioners Bulkowski, Antor

NAYS: None

III. Consent Agenda

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

Motion

It was moved by Commissioner Brieve and seconded by Commissioner Skaggs to approve the Consent Agenda.

Motion carried unanimously.

IV. Administration

- A. Closed Session for Purposes of Discussing Litigation Strategy Marion Property Acquisition

Motion

It was moved by Commissioner Brieve and seconded by Commissioner Janes to meet in closed session under section 8(e) of the Open Meetings Act to discuss litigation strategy regarding the Marion property acquisition.

Roll call vote, time in at 8:36 am.

YEAS: Commissioners Vonk, Brieve, Janes, Skaggs, Yonker

ABSENT: Commissioners Bulkowski, Antor

NAYS: None

Motion

It was moved by Commissioner Brieve and seconded by Commissioner Janes to end closed session and continue in open session.

Roll call vote, time out at 9:02 am.

YEAS: Commissioners Vonk, Brieve, Janes, Skaggs, Yonker

ABSENT: Commissioners Bulkowski, Antor

NAYS: None

B. Marion Property Acquisition Litigation – AR

Director Baas reviewed the Marion Property Acquisition Litigation Action Request (AR). On December 1, 2016, the Board of Public Works authorized the Director to acquire three parcels with property addresses of 336, 342 and 348 Marion Avenue SW in Grand Rapids. The planned use for the property is to relocate DPW administrative offices and provide a SafeChem service center. The DPW presently leases office space from the Kent County Road Commission, and in December 2018, the Road Commission publicly noticed a sale of the Central Complex property on Scribner with plans to move to its new location in 2021. Jakems Realty Company, DPW's agent, negotiated in good faith and on July 26, 2018, entered a Buy/Sell Agreement for the three properties. Subsequently, a closing was scheduled on November 18, 2018 and the DPW closed on the 342 and 348 Marion properties. However, two of the three parties who have equal shares as tenants in common for 336 Marion refused to close. We would prefer to avoid engaging in litigation, but other approaches to bring the matter to resolution have not been successful and we need to complete this property acquisition. The request authorizes the Director and Corporate Counsel to initiate litigation to enforce the terms of the Purchase Agreement for 336 Marion Avenue SW, Grand Rapids, MI 49504.

Motion

It was moved by Commissioner Brieve and seconded by Commissioner Janes to authorize the Director and Corporate Counsel to initiate litigation to enforce the terms of the Purchase Agreement for 336 Marion Ave SW, Grand Rapids, MI 49504.

Motion carried unanimously.

V. Solid Waste Operations

A. SKL – Compactor Purchase – AR

Director Baas reviewed the action request. The primary Tana E520 compactor currently in the DPW fleet will be refurbished and used as the secondary compactor and the smaller Al Jon 500, presently used as the backup, will be traded in. Staff recommends the purchase of the Tana Model E520 Eco, including the rail system, submitted by Humdinger Equipment of Lubbock, Texas in the amount of \$952,242.11 and exercising the trade-in option for the Al Jon 500 in the amount of \$125,000. The DPW has an approved Capital Improvement Program budget for the purchase.

Motion

It was moved by Commissioner Janes and supported by Commissioner Brieve to award the compactor purchase to Humdinger Equipment Ltd. Of Lubbock, Texas in the amount of \$952,242.11, trade-in the Al Jon 500 and authorize the Director to execute the Guaranteed Maintenance contract.

Motion carried unanimously.

V. Director's Report

A. Sustainable Business Park Update

Director Baas discussed the tentative Development Team for the Sustainable Business Park. The team consists of the following members:

The Right Place (Project Leader)

Tim Mroz
Rick Chapla

KCDPW

Dan Rose
Kristen Wieland
Dar Baas

FTCH

Ryan Musch

HDR (Sustainable Value Analysis)

Pam Yonkin
Lara Syrocki

GBB

Jennifer Porter

SRG

Bill Stough

Byrum & Fisk (Communications)

Steve Faber

B. SBP Presentation to the Board of Commissioners

Director Baas will be presenting a 10-minute presentation of the Sustainable Business Park Plan to the full Board of Commissioners on February 14, 2019.

C. Tana Compactor Settlement

Director Baas explained the Tana Compactor Settlement was discussed earlier during the SKL – Compactor Purchase Action Request.

D. WTE Expansion Study

Director Baas discussed the final stages of reviewing the WTE Expansion Study. Staff will share the study with the board in February.

E. Residential Recycling Work Group

Director Baas discussed the Residential Recycling Work Group that consisted of Waste Management, Granger, Republic, EverKept, Arrowaste and DPW Staff. The group discussed the challenges within residential recycling, industrial recycling and commercial recycling in Kent County.

VI. Public Comment/Miscellaneous

Tim Mroz from The Right Place discussed their support for the Sustainable Business Park Plan.

VII. Adjournment

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