

BARRY COUNTY SOLID WASTE OVERSIGHT COMMITTEE

Tyden Center Conference Room
121 South Church Street, Hastings, MI

Approved Meeting Minutes October 14th, 2022

Call to Order

Chairman Frank Fiala called the meeting of the Barry County Solid Waste Oversight Committee to order at 9:00 a.m.

Members Present:

Frank Fiala
Jay VanStee
Sarah Nelson
Jim Brown
Matt Rosser
Sarah Moyer-Cale
Jodi Pessell

Members Absent:

Dave Jackson
Bill Sweeney
Tom Rook
Vivian Conner

Members of the Public:

Jerrie Fiala
Rachel Frantz

Approval of Agenda

Per Chairman Fiala, we will proceed with agenda as presented.

Approval of Minutes

Motion to approve the August 12th, 2022 meeting minutes as presented made by Sarah Nelson, seconded by Jay VanStee and the minutes were approved by a unanimous vote.

Motion to approve the September 9th, 2022 meeting minutes as presented made by Sarah Nelson, seconded by Jay VanStee and the minutes were approved by a unanimous vote.

Public Comment

None.

Recycling Coordinator Report (Rachel Frantz)

See Recycling Coordinator September 2022 Report (report was emailed to committee on 10/10/22).

Treasurer's Report

See Treasurer's Report August 2022 (report was emailed to committee on 10/10/22).

Old Business: Materials Management County Engagement (MMCE) Grant, Household Hazardous Waste (HHW) Collection & Kent County Recycling & Education Center Tour

MMCE Grant

See MMCE Grant documents that were provided/emailed to the committee back in August/September as well as the September 2022 Recycling Coordinator Report and the Hastings 4th (fourth) Quarter Annual EGLE Capacity Report that Matt Rosser emailed to the committee on 10/11/22. The questions that Rachel Frantz handed out at the last meeting are directly related to the final report that we will be submitting for this grant, so at this time she would like to go through and answer/discuss each of these (see handout "Questions For

Old Business: Materials Management County Engagement (MMCE) Grant, Household Hazardous Waste (HHW) Collection & Kent County Recycling & Education Center Tour (Continued)

MMCE Grant (Continued)

October SWOC Meeting"). Discussion was had amongst the committee members regarding these questions and answers were recorded by Recycling Coordinator, Rachel Frantz; she will compile these into a rough draft and will bring back to the committee next month so any changes can be made (if needed).

Household Hazardous Waste Collection

Jodi Pessell confirmed that everything went really well again this time, but the only suggestion she has for the next event is to see if Drug & Laboratory can provide us with a dumpster for cardboard since there is a lot of this that just seems to be getting thrown in the trash. Rachel Frantz suggested she could check with Wes's because they are the ones that usually bring the dumpsters out to the fairgrounds anyway. Jodi also expressed that she tried to watch Drug & Laboratory as best as she could; she did see that they were taking the batteries out of the cell phones and just keeping the batteries, but she wasn't sure what they were doing with the cell phones themselves; so now, we have a little box for them to put the cell phones in so that they can then be taken over to the electronics recycling station.

Rachel Frantz said she finished up the HHW summary yesterday; she did notice a discrepancy between what the Barry County Substance Abuse Task Force was reporting for pharmaceutical liquids and what Drug & Laboratory reported. Drug & Laboratory reported 104lbs of pharmaceutical liquids and the Barry County Substance Abuse Task Force reported 136lbs, so for the report she went with Drug & Laboratory's number as we were only charged for 104 lbs. The Drug & Laboratory invoice was just over \$17,700.00, which, is about \$2,000.00 less than the invoice from the spring collection, so that's great news. The Padnos invoice was \$1,566.00 and we took in \$1,559.00 from televisions, so \$7.00 is what we will have to pay out of our budget for the electronics collection. We seem to have "hit the nail on the head" with our donation requests so we can't ask for much better than that. However, we might want to look at adjusting the TV fees as the TVs cost a little bit over \$2,000.00 and we took in a little over \$1,500.00, so there is a little bit of gap there, but since Padnos pays us for the other things, she doesn't think we want to come out with a profit. She feels this is perfect and maybe later on if we have to adjust the TV fees we can do it at that time.

We collected exactly 2,000 tires and she just submitted the final report for the Scrap Tire Grant. However, she is still waiting for the proof of payment, so we won't get reimbursed until we get the proof of payment (we already missed the end of their fiscal year anyway so it probably won't be until December). As far as for the entire year, we actually paid \$2,700.00 less for everything than last year, which is impressive given that we added electronics to this year's collections. Our Drug & Laboratory expenses also decreased as well and she wasn't sure if maybe that is because we are taking some of the electronics that they would possibly have ended up with. Also, due to the electronics, the weight went up 30,000lbs compared to last year.

Per Chairman Fiala, there are a couple of things that are frustrating to him that he would like to discuss at this time: (1) committee member, Tom Rook, handles all the oil and he made six (6) trips back-and-forth, but he didn't ask for anything in return for doing that (even with the price of gas these days) and we didn't offer him any sort of compensation for this; (2) we got an "Invoice" that was handwritten on a piece of paper from the Pharmacist and she also sent a follow up email inquiring about where she should send the medical bill she received from when she was stuck with a needle while working at our event. So, he wants to sit down with Sarah Nelson, Michael Brown, Ben Geiger and maybe a couple others to discuss these things and what our concerns are; what if one of "our people" does something wrong and someone gets hurt as a result, what is our liability? Sarah Moyer-Cale expressed that there is a difference between volunteers and workers as workers would be covered by

Old Business: Materials Management County Engagement (MMCE) Grant, Household Hazardous Waste (HHW) Collection & Kent County Recycling & Education Center Tour (Continued)

Household Hazardous Waste Collection (Continued)

worker's compensation, but that is not the case with individuals who attend (volunteer); at the very least there should be a common understanding of what it is that they are agreeing to and probably a basic waiver of liability form would be beneficial. Sarah Nelson indicated that she thinks it's not only appropriate to have that, but also necessary that we formalize our process for this as she thinks we should have two (2) basic groups of people who are at the event. First (1st) you have contracted organizations, which should be a formal contract because as wonderful as it is that you understand and take that on that liability, but let's say hypothetically that someone was seriously injured at the HHW event and at that point in time whoever the contracted organization is, if there isn't something formally in writing stating that they are accepting all of that liability then it might become an issue of where they try to not take all that on because they decide that we were being reckless at the event and it was our fault. She specified that we absolutely should have a formal contract for any organization that is going to provide workers for an event. Then second (2nd) you have volunteers, which is very clear that they are not being paid by the Solid Waste Oversight Committee, and that they are volunteers & accept all liability. She feels both of these types of documents need to be formalized and approved by the County Lawyer and then as far as Tom Rook, that is a whole different situation because he is on the committee. Chairman Fiala would like for himself, Jay VanStee, Dave Jackson and Sarah Nelson to sit down with Michael Brown to discuss these issues/concerns we have regarding liability at the HHW collections and how we move forward. From an Administrative point of view, Michael Brown should take the lead on this so Chairman Fiala will get a meeting set up as quickly as he can.

Chairman Fiala also expressed that Dave Jackson has been on this committee for a little while now and it looks like he has some potential to be very active at the County Commission responsibility level and he has indicated to Frank personally that the Friday meetings do not work for him with everything else he has going on. If people are going to be on this committee we just want them to roll up their sleeves & help with the kind of things like what we are doing this morning, and if they are not going to do that then they should resign so we don't have difficulty with a quorum like we almost had this morning. However, in the past they have changed the meeting date & time on a couple of different occasions to accommodate a County Commissioner that sat on the committee, but even after this was done the member's attendance did not get any better so with that being said he is hesitant to do this again.

Related to this topic, he has some ideas about himself, Sarah Nelson and Sarah Moyer-Cale sitting down with Michael Brown and the County Commissioners to put together some sort of guidelines concerning background, availability, tasks/expectations etc. regarding the type of people that should be appointed to this committee. Chairman Fiala asked that any questions/concerns/feedback regarding this be email directly to him. After further discussion amongst the committee members, it was decided that it makes sense to go about it saying "this is what we want to do, how do we do it in line with County policies."

Jodi Pessell shared that we do not have any dates for the HHW collections for next year yet and she also wasn't sure if we wanted to go with Drug & Laboratory again or look into other companies. We need to set the dates by the end of December, otherwise we won't be able to get on anyone's schedule for next year. Chairman Fiala said that his gut feel is that we stay with Drug & Laboratory until we find more time to look into other options and Rachel Frantz replied that when she spoke with EGLE there really isn't many other options other than Drug & Laboratory (if she remembers correctly there was actually only one (1) other option besides Drug & Laboratory). Jodi Pessell shared that she also tries to get it on the schedule for around the same weekend every year so that people know that towards the beginning of May and end of September is when we usually have our events. Jodi Pessell will contact Drug & Laboratory to see if we can get on their schedule for around the two (2) same dates for next year.

Old Business: Materials Management County Engagement (MMCE) Grant, Household Hazardous Waste (HHW) Collection & Kent County Recycling & Education Center Tour (Continued)

Kent County Recycling & Education Center Tour October 20th, 2022

Rachel Frantz wanted to remind everyone that the Kent County Recycling and Education Center Tour is scheduled for October 20, 2022 from 10:00 am – 12:00 pm (this is the time that we will be at the facility). She did speak with Barry County Transit about possibly providing transportation for this, but it doesn't sound like they can cover us to do that especially because out of our two (2) commissioners one (1) responded no and the other responded maybe, so without a Commissioner being present they didn't feel comfortable doing this. Only two (2) people confirmed that they would be attending this tour, so it turns out we didn't need a bus anyway. Rachel Frantz said that she will be going and she asked that everyone just make sure to update their RSVP as to whether they can or cannot attend and she will just plan on meeting anyone else that is going there at the facility or you can get with her about carpooling.

New Business: 2023 EGLE Scrap Tire Grant Application & EGLE Rural Electronics Recycling Grant

2023 EGLE Scrap Tire Grant Application

See 2023 Scrap Tire Grant Application (application was emailed to committee on 10/10/22). Morgan Feldpausch did reach out to Rachel Frantz a couple of days ago to say that they will agree to be our fiduciary for this grant, so that will relieve a lot of time for her not having to do those grant reporting things as Eaton County will take care of everything. Everything would be just the same as always, we just wouldn't have to go through the County to have them handle the money; Eaton County will get the bill, they would pay the bill and they would get reimbursed and we wouldn't have to do anything but show up and coordinate with them as far as dates go (which she can do). Jay VanStee and everyone else on the committee agreed that this seems like a "no brainer;" the committee also agreed to get three (3) trailers for both the spring and fall events.

EGLE Rural Electronics Recycling Grant

Rachel Frantz stated that we were awarded the Rural Electronics Recycling Grant (\$16,000.00), but she has yet to receive a contract. We can move the timeline since we already passed the fall event which was written into the grant so it would just be then instead of ending after the spring event in 2024, it will end after the fall event in 2024.

Public Comment

None.

Chairman Comments

None.

Member Comments

Jay VanStee – just a reminder that next month's meeting is going to be held a week early on November 4th, (which is just three (3) weeks from now), since the 11th is Veterans Day.

Sarah Nelson – expressed that she is really proud of the meeting we had today as we were very productive

Jim Brown – regarding this liability thing, it should be taken care of as that could come back to haunt us; nothing really terrible has happened, but that could change at any time.

Matt Rosser – None (had to leave meeting early).

Member Comments (Continued)

Sarah Moyer-Cale – None.

Jodi Pessell – agreed with Jim Brown’s comment.

Adjournment

The meeting was adjourned by Chairman Frank Fiala at 10:51 a.m.

Approved at the 11-04-2022 meeting