

**OPEN SESSION MINUTES
WINNEBAGO COUNTY BOARD OF SUPERVISORS
SOLID WASTE MANAGEMENT BOARD**

DATE: October 20, 2010

TIME: 9:01 a.m.

LOCATION: Sunnyview Landfill
100 W. County Road Y
Oshkosh, WI

PRESENT: Pat O'Brien, Chairman
Ken Robl, Vice Chairman
Paul Eisen, Secretary
David Albrecht
Pat Brennand
Jerry Finch
Gerald Konrad

EXCUSED: Mike Easker

ALSO PRESENT: John Rabe, Director of Solid Waste
Adrienna Kumbier, Solid Waste Secretary
Kurt Pernsteiner, Financial Analyst
John Fink, County Executive Assistant
Jennifer Semrau, Recycling Specialist (9:01 a.m. – 9:41 a.m.)

1. Call to Order: P. O'Brien called the meeting to order at 9:01 a.m.
2. Approve Agenda: Motion to approve the October 20, 2010 agenda made by K. Robl and seconded by J. Finch. Motion carried 7-0.
3. Public Comments on Agenda Items: None.
4. Approval of Minutes – October 6, 2010 Open Session: Motion to approve the October 6, 2010 open session minutes made by P. Brennand and seconded by J. Finch. Motion carried 7-0.
5. Discussion – Fox Valley Energy Center Update: J. Rabe informed the Solid Waste Management Board (SWMB) that Fox Valley Energy Center (FVEC) made their \$100,000 payment on Friday, October 15, 2010. FVEC has two (2) payments remaining until the settlement agreement is complete and those payments are as follows:

<u>Date Due</u>	<u>Amount Due</u>
November 15, 2010	\$100,000
December 15, 2010	~\$41,988

J. Rabe stated that FVEC appears to continue to operate well. FVEC brought in small amounts of waste in September 2010, and paid their \$438.90 invoice on October 6, 2010 to replenish the \$15,000 security deposit in the required timeframe. J. Rabe stated that FVEC has been meeting all the requirements of the settlement agreement to date.

6. Discussion/Action – 2011 Clean Sweep Event Funding: J. Semrau updated the SWMB on the 2011 Clean Sweep Event Funding as follows:

- As reported in July 2010, Winnebago County (WC) intends to work with Calumet County (CC) and Outagamie County (OC) [hereinafter referred to as “Counties”] again for 8th consecutive Regional Clean Sweep.
- In July 2010, we discussed that the grant process from the Department of Agriculture, Trade and Consumer Protection (DATCP) for 2011 grants had changed to a ‘point’ system exclusively; the Counties could earn additional points by increasing the number of collection locations included in the Clean Sweep (from 2 to 4).
- In addition to the City of Appleton Municipal Building and the Town of Menasha Fire Station, the Counties proposed adding sites in OC and WC (Seymour and the Town of Clayton (Clayton)).
- Adding sites increases the expense of the program (hence we sought a larger grant in 2011 of \$20,000).
- The plan was to match with cash contribution from the Counties (\$5,000 from CC, \$7,500 from OC and \$7,500 from WC totaling \$20,000).
- The additional pledges from OC and WC stem from the additional sites being located in the respective Counties.
- In October 2010, the Counties received notification from DATCP that our grant request would be funded at 50%, or \$10,000.
- In the past, DATCP would only fund so many applications (at the requested amount) and then the rest of the applicants would get \$0; this year DATCP partially funded ALL applicants, hence no applicant will receive 100% of their request.
- DATCP asked each applicant if they wanted their lesser grant amount (or not), with a response required by October 15, 2010.
- The Counties met and decided to take the funding, but also modify the scope of the program with less grant funding and eliminate the satellite locations.
- OC will not be doing a satellite location in Seymour.
- SWMB needs to decide whether a Clean Sweep is held in Clayton (will be paid for 100% by the SWMB).
- Approximately \$1,000 worth of expenses are fixed (mobilization, labor); other expenses are variable (supplies, disposal expenses) based on the amount of material collected. Clayton could still be advertised with the other Clean Sweep locations, so that expense would be paid by the grant money. Total SWMB expenses for a Clayton Clean Sweep are estimated at \$3,000-\$5,000.

- Decision needed: does the SWMB hold a Clean Sweep in Clayton?
- Pro: Clayton is very interested in becoming a partner in this event, with the Town Board authorizing its inclusion in the 2011 Clean Sweep at their May 2010 meeting; in July 2010, the idea of Clayton providing a location in the Town was discussed with Susan Nester-Huebner, Clerk and they are interested and willing.
- Con: Clayton's location would be an expense of the SWMB and perhaps sets a precedent of offering Clean Sweeps without grant funding, which may then be requested by other communities.
- Alternative: invite and advertise to Clayton residents to participate in Clean Sweep, but not do a location in Clayton (residents would travel to Menasha or Appleton sites).
- Menasha/Appleton Events: actual funds expended are based on percentage of County population participating in the Clean Sweep and contribution of local expense match. For instance, for the 2010 Clean Sweep, WC pledged \$5,000 but expended only \$2,612.81 (including value of local expense match items, like promotion and trash dumpsters).

P. Eisen suggested explaining the grant situation to Clayton and if they are still interested ask them to pay for half of the cost of the event and the SWMB would pay the other half. J. Semrau stated that Menasha/Appleton have not been asked to pay for any portion of their events.

Discussion ensued amongst the SWMB of the possible locations for a satellite Clean Sweep site.

P. Brennand stated that the Clayton location (Public Works building located at 8348 County Road T, Larsen) is a very good location. Clayton's location will also be close for residents in the Town of Larsen and Town of Winchester.

J. Rabe reminded the SWMB that in 2010 more operational days (including Saturdays) were added to the WC permanent Household Hazardous Waste Facility.

G. Konrad suggested using the \$3,000-\$5,000 on more advertising for the WC permanent Household Hazardous Waste Facility than an event in Clayton.

Motion to approve the Clean Sweep Event in the Town of Clayton for 2011 with expenses of approximately \$3,000 - \$5,000 being paid for by the SWMB made by J. Finch and seconded by P. Brennand. Motion carried 6-1 (K. Robl – nay).

7. Discussion/Action – 2010 Retained Earnings Reservation: J. Rabe presented the 2010 Retained Earnings Reservation to the SWMB. J. Rabe stated that the 2010 Retained Earnings Reservation was previously discussed with the SWMB at the June 15, 2010 meeting (Warren Shuros, Foth Infrastructure & Environment), but no action was taken by the SWMB. J. Rabe reminded the SWMB that the purpose of Retained Earnings Reservation is to set aside funds to provide long-term financial sustainability for the Solid Waste Department. J. Rabe discussed the proposed changes as follows:

Description	Authorized by SWMB	Foth Recommendations	SWMB Recommendations
	2009	2010	2010
Designated Emergency Funds			
Regulatory Compliance	1,000,000	1,250,000	1,000,000
Remediation	3,000,000	3,000,000	2,000,000
Litigation	200,000	200,000	200,000
Interim Construction	-	500,000	500,000
Operational	100,000	100,000	100,000
Capital Outlay	300,000	500,000	500,000
Rate Stabilization – Solid Waste	1,800,000	2,000,000	-
Rate Stabilization – Recycling	400,000	600,000	400,000
Surplus for Future Solid Waste Transportation	2,000,000	2,000,000	4,300,000
Research & Development Planning	200,000	750,000	500,000
Snell Road Landfill LTC >20 yrs	3,600,000	4,000,000	6,000,000
Sunnyview Landfill LTC >40 yrs	1,400,000	1,400,000	1,400,000
Snell Road Landfill Preventive Maintenance	1,000,000	1,000,000	1,000,000
Sunnyview Landfill Preventive Maintenance	1,000,000	1,000,000	1,000,000
Total	16,000,000	18,300,000	18,900,000
Balance as of December 31	17,159,588	17,159,588	17,159,588
Reserved	16,000,000	18,300,000	18,900,000
Current Surplus/(Deficit)	1,159,588	(1,140,412)	(1,740,412)

J. Rabe reviewed each Retained Earnings fund description in detail with the SWMB and the proposed changes (shaded) were discussed as follows:

- Remediation – decreased to \$2,000,000 as a result of current pollution liability insurance policy for possible on-site and off-site contamination (\$20M/\$20M/\$500,000 Deductable).
- Interim Construction – increased to \$500,000 to provide temporary funding (while awaiting bonding) for possible future upgrades to transfer station/compactors/etc.
- Capital Outlay – increased to \$500,000 for unanticipated repair or replacement of major operational equipment (compactor/dozer/landfill gas equipment/etc.).
- Rate Stabilization-Solid Waste – decreased to \$0, but funds moved to “Surplus for Future Solid Waste Transportation” allocation item.
- Surplus for Future Solid Waste Transportation – increased to \$4,300,000 to match 2010 Budget Surplus/Cash Flow estimate. Will be used to offset future transfer station hauling costs to Outagamie and Brown Counties (to avoid large tipping fee increases).
- Research & Development Planning – increased to \$500,000 for planning of possible waste conversion technologies and/or disposal options beyond 25 year regional agreement.
- Snell Road Landfill LTC >20 years – increase to \$6,000,000 for LTC expenses the SWMB will be responsible for after the 20 year LTC period ends in September 2011.

J. Rabe stated that the proposed 2010 Retained Earnings Reservation is now \$18.9 million. The December 31, 2009 balance is \$17,159,588, yielding a deficit of \$1,740,412. J. Rabe reminded the SWMB that the Retained Earnings Reservation is reviewed and modified annually.

Discussion ensued amongst the SWMB.

G. Konrad suggested combining “Snell Road/Sunnyview Landfill Preventative Maintenance” funds with their corresponding “Snell Road/Sunnyview LTC” funds. P. Eisen stated he would like to keep the same categories to make it easier to compare previous years. J. Rabe reminded the SWMB that many fund descriptions have been added, combined or eliminated over the years.

P. Brennand suggested changing the title of the “Remediation” fund to “Remediation/Liability”.

J. Rabe informed the SWMB that the Sunnyview Landfill LTC cost estimate has not been updated since 2002/2003. The WDNR is requesting that these costs be reviewed and adjusted (to current LTC requirements) before the landfill is closed. The Sunnyview Landfill LTC costs will increase, and will then involve increasing the funds in this escrow account. The WDNR will review and approve the revised Sunnyview Landfill LTC costs and determine the required escrow account balance. This will not effect the 2010 Retained Earnings Reservation, but will require the SWMB to direct additional funds into this WDNR escrow account to meet the new WDNR balance.

Discussion ensued amongst the SWMB.

Motion to approve the 2010 Retained Earnings Reservation amount of \$18,900,000 (as presented) made by D. Albrecht and seconded by J. Finch. Motion carried 7-0.

8. Future Agenda Items: None.
9. Set Next Meeting Date: The next meeting date will be November 3, 2010 at 9:00 a.m.
10. Adjournment: Motion to adjourn made by P. Brennand and seconded by D. Albrecht. Motion carried 7-0. Meeting was adjourned at 10:25 a.m.

Respectfully Submitted,

Adrienna Kumbier
Solid Waste Secretary

Approved by SWMB – November 3, 2010