

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

DATE: January 8, 2014

TIME: 9:00 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
Mike Easker
Jerry Finch
Doug Nelson

EXCUSED: Gerry Konrad

ALSO PRESENT: John Rabe, Director of Solid Waste
Kathy Hutter, Confidential Secretary
Kurt Pernsteiner, Facility Manager
Jennifer Semrau, Recycling Specialist (9:00 a.m. - 9:56 a.m.)
John Fink, County Executive Assistant

1. Call to Order: P. O'Brien called the meeting to order at 9:00 a.m.
2. Approve Agenda: Motion to approve the January 8, 2014 agenda, made by J. Finch and seconded by K. Robl. Motion carried 8-0.
3. Public Comments on Agenda Items: None.
4. Announcement/Communications: P. Eisen shared the article "State gives \$14M in bonuses, raises" published in Oshkosh *Northwestern* on December 31, 2013 with the Solid Waste Management Board (SWMB).
5. Approval of Minutes – December 18, 2013 Open and Closed Session: Motion to approve the December 18, 2013 open and closed session minutes made by J. Finch and seconded by P. Brennand. Motion carried 8-0.

6. Discussion – Solid Waste Department Report at January 7, 2014 County Board Meeting:
J. Rabe reported to the SWMB that the January 7, 2014 Winnebago County (WC) Board Meeting was canceled due to the weather. The meeting has yet to be re-scheduled.

7. Discussion/Action – Sequence C-4 Final Cover Construction Project Summary (SW02-13):
J. Rabe presented the Sequence C-4 Final Cover Construction Project Summary (SW02-13) to the SWMB as follows:
 - Sequence C-4 Final Cover Construction Project was one of the largest final cover projects constructed in one construction season in Wisconsin (35 acres) – successfully completed from May through October 2013.
 - Splitting the Final Cover project into two construction seasons would have cost considerably more money in duplication of both construction and engineering efforts – estimated \$250,000 savings.
 - Start Date: April 29, 2013
 - Final Completion: October 11, 2013 (Change Order #1 extended contract times by three weeks)
 - Original Contract: \$4,165,448.50
 - Change Order #1: (-\$53,566.50) [Included final quantities for unit price and time & materials items]
 - Final Amount: \$4,111,882.00
 - Retainage Held: \$15,419.56 (Landscaping touchup in 2014)
 - Documentation Report to Wisconsin Department of Natural Resources (WDNR): November 25, 2013
 - WDNR Request for Additional Information: December 18, 2013
 - Supplemental Information sent to WDNR: January 2, 2014
 - WDNR Approval Issued: January 6, 2014
 - Foth Construction Quality Assurance (CQA) Budget: \$276,200
 - Confirmation of Client's Request to Perform Services (CCRS) #1: \$40,272 (exceeded initial budget on Construction Project Management, Field Observation, Documentation Report)
 - Final CQA Amount: \$316,472
 - Contractor fell behind schedule which forced more things to be done concurrently, which required additional field personnel from Foth for CQA; and Change Order No. 1 extended the contract times by 3 weeks.

J. Rabe asked the SWMB to consider authorization of the Sequence C-4 Final Cover Construction Project and CQA expense amounts as presented.

Discussion ensued amongst the SWMB.

D. Nelson asked why Foth's final CQA costs exceeded the engineering estimate/budget. J. Rabe reiterated that the contractor got behind schedule which forced more things to be done concurrently, including more Saturday and Sunday work (OT). Foth was responsible for CQA which required them to provide additional personnel on-site when the contractor

worked the extended days/hours, in order to collect the necessary data for WDNR documentation report preparation. This was the main reason for the CQA overage.

J. Rabe reminded the SWMB that the end result was a successful one season construction project (saving an estimated \$250,000 in construction & engineering costs) that ended up coming in under the total construction and engineering cost estimate/budget.

Motion to approve the Sequence C-4 Final Cover Construction Project and CQA expense amounts as presented made by J. Finch and seconded by D. Nelson. Motion carried 8-0.

8. Closed Session: – Pursuant to 19.85(1)(e) and (g), Wisconsin Statutes for the purpose of deliberating or negotiating the purchase of public property, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; and for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.
 - a. Fox Valley Energy Center Disposal Agreement
 - b. Air Pollution Control Permit

Motion made by K. Robl and seconded by P. Brennand at 9:25 a.m. to convene into closed session. Motion carried 8-0 by roll call vote.

9. Return to Open Session to Resume Regular Business: Motion to return to open session at 10:25 a.m. made by K. Robl and seconded by J. Finch. Motion carried 8-0 by roll call vote.
10. Future Agenda Items: Fox Valley Energy Center Disposal Agreement and Air Pollution Control Permit.
11. Set Next Meeting Date: The next SWMB meeting date will be January 22, 2014 at 9:00 a.m.
12. Adjournment: Motion to adjourn made by M. Easker and seconded by J. Finch. Motion carried 8-0. Meeting was adjourned at 10:27 a.m.

Respectfully Submitted,

Kathryn Hutter
Confidential Secretary

Approved by SWMB – January 22, 2014