

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

DATE: January 22, 2014

TIME: 9:00 a.m.

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

PRESENT: Ken Robl, Vice Chairman
Paul Eisen, Secretary
David Albrecht
Pat Brennand
Mike Easker (9:01 a.m. - 10:40 a.m.)
Gerry Konrad
Doug Nelson

EXCUSED: Pat O'Brien, Chairman
Jerry Finch

ALSO PRESENT: John Rabe, Director of Solid Waste
Kathy Hutter, Confidential Secretary
Kurt Pernsteiner, Facility Manager
Jennifer Semrau, Recycling Specialist
John Fink, County Executive Assistant

1. Call to Order: K. Robl called the meeting to order at 9:00 a.m.
2. Approve Agenda: Motion to approve the January 22, 2014 agenda, made by G. Konrad and seconded by P. Brennand. Motion carried 6-0.
3. Public Comments on Agenda Items: None.
4. Announcement/Communications: J. Rabe reminded the Solid Waste Management Board (SWMB) of the upcoming Wisconsin Integrated Resource Management Conference (WIRMC), scheduled February 26-28, 2014 at the Hyatt Regency/KI Convention Center in Green Bay. SWMB Members interested in attending should notify K. Hutter of their meal choices and dates of attendance.
5. Approval of Minutes – January 8, 2014 Open and Closed Session: Motion to approve the January 8, 2014 open and closed session minutes made by P. Brennand and seconded by D. Albrecht. Motion carried 7-0.

6. Discussion – Legislative Update: J. Semrau presented the SWMB with the following Legislative Update.

Assembly Bill (AB) 444/Senate Bill (SB) 355 Pertaining to Fees Imposed on Solid Waste

- Legislation seeks to exempt certain materials from the \$13/ton in State surcharges assessed on each ton of solid waste disposed of in a Landfill.
- There are 3 main areas of exemption:
 - Residual from Material Recovery Facilities (MRFs), including Construction & Demolition (C&D) and traditional MRFs
 - Brownfields and remediation soil
 - Bad debt
- SWMB provided support of legislation in November 2013; J. Semrau also presented to the Winnebago County (WC) Legislation Committee who voted in support of legislation on November 25, 2013.
- Public hearing on AB 444 held on October 29, 2013.
- Public hearing on SB 355 held on October 31, 2013.
- On November 7, 2013, SB 355 passed out of the Natural Resources Committee.
- On November 11, 2013, SB 355 was referred to the Joint Finance Committee (due to fiscal impact).
- No further action on AB 444/SB 355 since November 11, 2013.
- Floor periods for the bills have been scheduled in January 2014.

P. Brennand noted that the County Board voted in support of this legislation at the January 21, 2014 meeting.

AB 448/SB 351

- Bi-partisan legislation introduced on October 18, 2013 by Representative Nygren with 58 other co-sponsors, with 3 other bills (AB 445, 446, 447), all pertaining to prescription drugs and controlled substances.
- AB 445/446/447 do not affect Solid Waste/drug disposal programs
 - AB 445 pertains to identification at pharmacies and drug monitoring
 - AB 446 pertains to the use of naloxone, administered when someone has experienced a drug overdose
 - AB 447 grants immunity from certain criminal prosecutions for people who call for help for overdose victim
- AB 448 outlines new requirements for drug disposal programs.
 - Programs must be operated by a political subdivision or authorized by political subdivision, federal law or state Department of Justice (DOJ).
 - Programs must adopt written policies and procedures that:
 1. Describe in detail the manner in which the program operates.
 2. List 24-hour contact information for at least one person in the state responsible for operating the program.
 3. Ensure compliance with various application state statutes and federal law.

- Legal counsel for political subdivision or DOJ must review and either approve or disapprove the policies/procedures.
- DOJ may authorize a program not administered by a political subdivision provided it submits the above and it is approved.
- Programs provided by political subdivisions may only accept medications in person by a person who lawfully possesses the item.
- Currently, only the prescription holder or licensed pharmacist or other practitioner may deliver, receive or possess certain drugs (legally).
- The bill authorizes a prescription holder or person's guardian, trustee or personal representative to grant written authorization to certain other persons to destroy the prescription drug (i.e. possess to deliver to a take-back program).
- Authorization needs to describe prescriptions with reasonable specificity and authorization, and declare that the drugs were obtained without payment of money or something of value.
- On January 8, 2014, Assembly Amendment 1 was offered by Representative Nygren to correct/clarify several issues identified by Wisconsin Department of Natural Resources (WDNR):
 - Applies to "household" pharmaceuticals only
 - Household pharmaceutical items include pet medications
 - Defines household pharmaceutical consistently with WDNR pharmaceutical disposal definitions/regulations (i.e. certain care facilities qualify if resident manages his/her own medications versus facility managed)
 - Excludes chemotherapy and mercury containing items
 - Exempts sharps collection stations operated in compliance with WDNR rules
 - Collection stations must provide notification of drug disposal information to WDNR
- On January 8, 2014, Assembly Amendment 2 was offered by Representative Nygren to change the implementation date from the 1st day of the 4th month following publication, to July 1, 2015.
- On January 9, 2014, a public hearing was held on the suite of drug bills.
- On January 9, 2014, AB 448 with Amendments 1 and 2 (and other drug bills) passed out of the Criminal Justice Committee.
- On January 14, 2014, a full Assembly voted 96-0 in favor of the legislation; bills messaged to the Senate Health and Human Services Committee.
- Senate has yet to take any action on these bills.
- Impact on WC Drug Drop Collection Program:
 - 3 drug disposal boxes would require written policies and procedures to comply with legislation
 - Need person identified for each box willing to be a 24/7 contact
 - When the federal drug disposal regulation is released (perhaps March 2014) it will supersede state legislation.

Discussion ensued amongst the SWMB members.

7. Discussion – 2014 Clean Sweep Report: J. Semrau presented the 2014 Clean Sweep Report to the SWMB as follows:

2013 Clean Sweep Results (Household Hazardous Waste [HHW], Agricultural and Very Small Quantity Generators [VSQGs])

2013 Collection Locations:

- Friday, April 19, 2013, 9 a.m. - 11 a.m. at the Town of Clayton Public Works Facility, 8348 County Rd T, Larsen
- Friday, April 19, 2013, 3 p.m. - 6 p.m. at the Town of Menasha Fire Station, 1000 Valley Rd, Menasha
- Saturday, April 20, 2013, 8 a.m. - 11 a.m. at the Town of Harrison Town Hall, W5298 Hwy 114, Menasha

2013 Collection Participation:

- 483 participants over the 2 day event (significant increase from 2012)
- 7 farmers (included in above total; down from 2012)
- In 2013, Clean Sweep accepted electronics for recycling; if those who only brought electronics are excluded, 305 participants attended (slight decrease from 2012)
- Approximately 25% of participants were from WC (down from 2012 with the addition of the Town of Harrison location).
- 20% from Town of Harrison, 13% from Appleton, 12% from Town of Menasha, 11% from Village of Sherwood, 10% from Village of Harrison, 5% from Town of Clayton, 5% from Village of Hilbert, 4% from City of Menasha, 3% from City of Neenah, 17% other.
- 58% had never participated in a Clean Sweep before (up from 2012).

2013 Materials Collected:

- 14,222 lbs. of materials were collected from households (down from 2012)
- 6,734 lbs. of materials were collected from farmers (up from 2012)
- In addition, a large amount of chemical waste was discovered in an abandoned warehouse in Calumet County (CC); Department of Agriculture, Trade and Consumer Protection (DATCP) authorized its disposal expense as grant reimbursable; total was 7,344 lbs.
- Businesses (VSQGs) were also eligible to participate, but needed to pay disposal costs; five businesses participated, disposing of 2,056 lbs.
- Therefore, the total weight of all materials collected above was 30,356 lbs.
- In addition, 41,243 lbs. of electronics were recycled; nearly 80% from the Town of Harrison location.

2013 Program Expenses:

- Department of Agriculture, Trade and Consumer Protection (DATCP) grant (HHW and Agricultural) total = \$38,161.10
- Veolia Environmental Services expenses total = \$37,312.29 (State authorized disposal contractor)
- Balance of \$848.81 applied to Local Expenses (electronics recycling, dumpsters, advertising/promotion, etc.)

- In the past 2 years, DATCP grant has not covered program costs, with resulting overage shared amongst the Counties based on percent of participation. WC's share has been \$3,000 - \$4,000 annually.

2014 Clean Sweep Plans:

- Less grant money is available for 2014: \$35,508.89
- Electronics collection will be discontinued; under utilized and not cost effective at two of three 2013 locations (only heavily utilized in Town of Harrison, perhaps due to fewer known alternate electronic recycling locations versus the Fox Valley locations). CC will provide electronics collection day(s) throughout the County separate from Clean Sweep.
- Modified locations:
 - Friday, April 25, 2014, 9 a.m. - 11 a.m. at the City of Omro Fire Department, 520 W Huron St, Omro
 - Friday, April 25, 2014, 9 a.m. - 11 a.m. at the Outagamie County (OC) Shiocton Highway Garage, W7517 Hwy 54, Shiocton
 - Friday, April 25, 2014, 3 p.m. - 6 p.m. at the City of Menasha Public Works Garage, 455 Baldwin St, Menasha
 - Saturday, April 26, 2014, 9 a.m. - noon at the Town of Harrison Town Hall, W5298 Hwy 114, Menasha
- Exploring additional ways to schedule an appointment (besides calling)
- K. Hutter is redesigning the Clean Sweep brochure for 2014.

Discussion ensued amongst the SWMB.

8. Discussion – 2013 Tonnage and Hauling Report: K. Pernsteiner presented the 2013 Tonnage and Hauling Report to the SWMB as follows:
- WC Transfer Station (TS) operations have gone very smooth in 2013.
 - WC shipped 99,626 tons of municipal solid waste (MSW) and 12,383 tons of single stream recycling (SSR) to the OC Regional Landfill and MRF, respectively in 2013.
 - WC direct haul customers accounted for 37,803 tons of MSW and 1,273 tons of SSR delivered to OC in 2013.
 - WC directed a total of 137,429 tons of MSW and 13,656 tons of SSR to OC in 2013.
 - Kreilkamp Trucking (Kreilkamp) hauled 4,798 semi loads of MSW and 1,015 semi loads of SSR to OC in 2013, for a total of 5,813 loads.
 - The loads hauled by Kreilkamp for MSW averaged 19.65 tons and for SSR averaged 11.39 tons in 2013.
 - Kreilkamp hauled 142 semi loads of wood chips, totaling 2,976 tons to the OC Regional Landfill for beneficial reuse in 2013.
 - Van's Waste (Van's) hauled 602 tons of shingles from the WC TS to Badger Materials Recycling, LLC (BMR) for recycling in 2013.
 - Van's hauled 256 tons of shingles from the WC Container Rental Program to BMR for recycling in 2013.
 - Kreilkamp hauled a total of 99 loads of clean wood (961 tons) and C&D material (438 tons) from the WC TS to Landfill Reduction and Recycling (LRR) for recycling in 2013.

- Van’s hauled 114 tons of C&D material from the WC Container Rental Program to LRR for recycling in 2013.
- WC accounted for 137,429 tons of the total waste disposed of at the OC Regional Landfill in 2013 (includes TS and direct haul tonnages).
- Brown County (BC) accounted for over 208,400 tons of the total waste disposed of at the OC Regional Landfill in 2013. This total includes over 67,800 tons of papermill sludge, over 8,050 tons of papermill poly rejects and over 2,700 tons of contaminated soil.
- OC accounted for over 292,800 tons of the total waste disposed of at the OC Regional Landfill in 2013. This total includes over 56,200 tons contaminated soil, over 20,100 tons LRR C&D material and over 18,100 tons from LRR fines.
- Total tonnages of all waste from all counties disposed of at the OC Regional Landfill is 633,348 tons in 2013.
- WC accepted 9,659 tons of papermill sludge for disposal in the Sunnyview Landfill Sludge Site in 2013.
- WC directed 1,427 tons of papermill sludge to the OC Regional Landfill for beneficial reuse in 2013.

K. Pernsteiner presented the SWMB with the following tonnage summaries and comparisons.

**2013 WC Customer Tonnages
(Unaudited)**

	WC Transfer Tons	OC Direct Tons	2013 Total Tons
Landfill/Transfer Waste Type			
Construction*	19,231	1,193	20,424
Residential	36,193	6,104	42,297
Biosolids	95	6,822	6,916
Shredder Fluff	-	13,311	13,311
Commercial	22,460	7,961	30,422
Contaminated Soil	-	188	188
Foundry Sand	-	580	580
Papermill Sludge	-	1,427	1,427
Industrial	15,617	69	15,685
Boiler Ash	-	144	144
Wood/Yard Waste*	4,627	5	4,632
Shingles*	1,402	-	1,402
Total Landfill/Transfer	99,626	37,803	137,429
Recycling			
Single Stream	12,383	1,172	13,555
ADS RUG Single Stream	-	101	101
Total Recycling	12,383	1,273	13,656

	WC Transfer Tons	OC Direct Tons	2013 Total Tons
Tires			
Tires	57	-	57
Total Tires	57	-	57
Sludges			
Monofill Sludges	9,659	-	9,659
Total Sludge	9,659	-	9,659
Total Tons of All Material	121,724	39,076	160,801

* A portion of this tonnage was recycled or beneficially reused at various facilities and may not be included in the BOW totals.

2012 - 2013 WC Tonnage Summary
WC Solid Waste Customers Only
(Unaudited)

Waste Type	2012	2013
Residential/Municipal	50,819	42,297
Commercial	36,811	30,422
Industrial	28,923	15,685
Ash	199	144
C&D	45,742	21,827
Contaminated Soil	12,870	188
Yard Waste/All Wood	5,653	4,632
Cover Material	16,926	13,311
WWTP Sludge	6,966	6,916
Foundry Sand	16,403	580
Papermill Sludge	15,645	11,086
Total*	236,956	147,088

* Tires are not included in this total.

2012 - 2013 WC Landfill
Brown, Outagamie, Winnebago (BOW) Tonnage Comparison

County	2012	2013
Brown	54,334	-
Outagamie	14,685	-
Winnebago	116,797	-
Total*	185,816	-

**2012 - 2013 OC Landfill
BOW Tonnage Comparison**

County	2012	2013
Brown	185,934	208,466
Outagamie	193,354	292,818
Winnebago	105,035	132,064
Total*	484,323	633,348

2012 - 2013 Total BOW Tonnage Comparison

County	2012	2013
Brown	240,268	208,466
Outagamie	208,039	292,818
Winnebago	221,832	132,064
Total*	670,139	633,348

* A portion of construction & demolition waste, wood/yard waste and shingles were recycled or beneficially reused at various facilities and may not be included in the BOW totals.

Discussion ensued amongst the SWMB.

9. Discussion – Landfill Gas Operations Update: J. Rabe updated the SWMB on the landfill gas operations and WPS revenues as follows:

Landfill Gas Operations – January 21, 2014		
Engine #1	Running at 860 KW	
Engine #2	Running at 900 KW	
Engine #3	Off	Decoke Complete
Engine #4	Running at 1060 KW	
Engine #5	Running at 1200 KW	
Sunnyview Compressor	Compressors A – Off, B running at 90%. Pipeline outflow 1437 scfm.	
Sunnyview Flare	Flare – On; Flow – 949 scfm; Vacuum = -51’’ wc; Blowers 103/104/105 running at 82%	
Sunnyview Gas Field	CH4 = 51.0% O2 = 1.2%	
Snell Rd Flare	Flare – On; Flow – 74 scfm; Vacuum = -15.3’’ wc	
Snell Rd Gas Field	CH4 = 46.8% O2 = 1.7%	

- Engine #3 – determined short block rebuild needed to fix camshaft issue after meeting with Inland (Est. \$250,000 - \$300,000 for parts and Inland labor); 90 day lead time for short block delivery; repairs planned for May 2014.
- WPS/Highway Revenues – \$307,941 for December 2013 (Total of \$3.135 million for 2013)

Discussion ensued amongst the SWMB members.

10. 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 P. Brennand and seconded by M. Easker at 10:02 a.m. to convene into closed session. Motion carried 7-0 by roll call vote.

11. Return to Open Session to Resume Regular Business: Motion to return to open session at 10:37 a.m. made by D. Nelson and seconded by P. Brennand. Motion carried 7-0 by roll call vote.
12. Future Agenda Items: P. Eisen requested that a discussion of the Resolution to Disallow Claim of Attorney Scott D. Metz on Behalf of Mark Michelic, be added to the next meeting agenda. J. Rabe indicated that 2014 Project Carryover Requests would be discussed at the next meeting as well.
13. Set Next Meeting Date: The next SWMB meeting date will be February 5, 2014 at 9:00 a.m.
14. Adjournment: Motion to adjourn made by P. Brennand and seconded by D. Albrecht. Motion carried 7-0. Meeting was adjourned at 10:40 a.m.

Respectfully Submitted,

Kathryn Hutter
Confidential Secretary

Approved by SWMB – February 5, 2014