

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

DATE: April 6, 2011

TIME: 9:00 a.m.

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

PRESENT: Pat O'Brien, Chairman
Paul Eisen, Secretary
Jerry Finch
Doug Nelson
Pat Brennand (9:00 a.m. – 10:15 a.m.)
Ken Robl, Vice Chairman (9:00 a.m. – 10:24 a.m.)
Mike Easker (9:01 a.m. – 10:32 a.m.)
David Albrecht (9:03 a.m. – 10:32 a.m.)

EXCUSED: Gerald Konrad

ALSO PRESENT: John Rabe, Director of Solid Waste
Adrienna Kumbier, Solid Waste Secretary
Kurt Pernsteiner, Financial Analyst
Jim Morris, Landfill Manager
John Fink, County Executive Assistant
Jennifer Semrau, Recycling Specialist (9:00 a.m. – 10:10 a.m.)

1. Call to Order: P. O'Brien called the meeting to order at 9:00 a.m.
2. Approve Agenda: Motion to approve the April 6, 2011 agenda, made by K. Robl and seconded by J. Finch. Motion carried 6-0.
3. Public Comments on Agenda Items: None.
4. Announcements/Communications: None.
5. Approval of Minutes – March 16, 2011 Open Session: Motion to approve the March 16, 2011 open session minutes, made by K. Robl and seconded by P. Brennand. Motion carried 7-0.
6. Discussion/Action – Proposed Governor's Budget (AB-40/SB-27) Update: J. Semrau updated the Solid Waste Management Board (SWMB) on what has transpired with the Governor's proposed budget since the March 16, 2011 SWMB meeting as follows:

- Since the last SWMB meeting, the four (4) Statewide recycling/solid waste organizations (Associated Recyclers of Wisconsin {AROW}, Solid Waste Association of North America {SWANA}, Wisconsin Counties Solid Waste Management Association {WCSWMA} and Council on Recycling {COR}) issued a press release announcing that over 150 governments, businesses/trade associations and non-profits (including Winnebago County {WC}) signed onto its letter opposing the elimination of mandated municipal recycling and elimination of the financial assistance program (March 24, 2011).
- Press release picked up by local, state and national media.
- The Resolution passed by the SWMB at the March 16, 2011 meeting has been distributed to all mentioned groups and posted on the Solid Waste webpage with the above sign-on letter.
- In addition, WC's Resolution as well as an offer of assistance and support was made to the members of the Joint Finance Committee (JFC) by P. O'Brien and J. Semrau on April 1, 2011.
- JFC has scheduled public hearings on the budget bill on the following dates:

Thursday, April 7 (10:00 am – 6:00 pm**)

University of Wisconsin –Stevens Point Lee S. Dreyfus University Center Melvin R. Laird Room (Room 230)
1015 Reserve Street
Stevens Point, WI 54481

Friday, April 8 (10:00 am – 5:00 pm **)

Northwood School The Richard's Auditorium
N14463 Highway 53
Minong, WI 54859

Monday, April 11 (10:00 am – 6:00 pm**)

Wisconsin State Fair Park Expo Center, Hall A
8200 W. Greenfield Ave.
West Allis, WI 53214
(Enter Gate 4 for Parking)

Wednesday, April 13 (10:00 am – 6:00 pm**)

Arcadia High School Auditorium
756 Raider Drive
Arcadia, WI 54612

** The Committee will conclude testimony at the time specified.

- Outagamie County's (OC) lobbyist Mark Wadium advised their Solid Waste Director Phil Stecker to not drive and spend a day away from the office to attend any of the public hearings to speak in person for the allotted 2 minutes, but to instead submit written

- testimony of two, to no more than three, pages. Mark offered to review OC's written testimony and make suggestions to assisting in selling our ideas to the legislators.
- Marathon County Director of Solid Waste Meleesa Johnson plans to attend the hearing in Stevens Point and hopes to register and speak, however thousands are forecasted to attend (and the meeting location moved to a larger campus venue).
 - If the SWMB requests J. Semrau to attend a JFC hearing on behalf of WC, the hearing on Wednesday, April 13, 2011 in Arcadia works best with her schedule.
 - More Republicans have split from Governor Walker on this issue including Senator Luther Olsen (R-Ripon) and Senator Sheila Harsdorf (R-River Falls), members of the JFC and local Legislators, Senator Michael Ellis (R-Neenah) and Senator Robert Cowles (R-Green Bay).
 - The four (4) state recycling/solid waste organizations continue to meet weekly (Wednesdays at 10:00 a.m.) to strategize and continue messaging on this issue. Today former Representative Spencer Black is joining us to offer his insight as a former legislator. He will offer his advice on who the key people are that we need to reach out to and how exactly to work with them, what is effective or helpful versus what are any pitfalls to avoid, and what or who are we missing from our strategy.
 - WDNR has offered to meet with the four (4) organizations and discuss the budget as it relates to recycling. J. Semrau (as AROW's President), Chad Doverspike (Brown County, as SWANA's President), Meleesa Johnson (Marathon County, as WCSWMA's Chair) and Rick Meyers (City of Milwaukee, as Chair of COR) will meet with WDNR Deputy Secretary Matt Moroney, Air and Waste Division Administrator Pat Stevens, Bureau of Waste and Materials Management (W&MM) Director Ann Coakley on Friday, April 8, 2011 in Madison.
 - Disappointingly, WDNR Secretary Cathy Stepp testified before the JFC on Monday, April 4, 2011 beginning with this written statement before taking questions:

Recycling can and should stand on its own. For 20 years, our Wisconsin businesses have paid a surcharge to fund grants to local communities to institutionalize recycling programs. At this trying time in our economy, Governor Walker believes it's now more critical to re-direct that surcharge back into Wisconsin businesses. The Economic Development Fund that is proposed in the Governor's budget will do exactly that, and I believe many of the businesses that will benefit from that fund will be related to recycling.

To be sure, Wisconsin DNR will remain a committed and active partner to continue our state's great tradition of recycling. We will concentrate on sharing the models and strategies that will help community recycling projects support themselves ... models like Waukesha County, where 22 communities have banded together to create a recycling program that can turn a profit without state government grants.

Our staff will focus their efforts on growing recycling markets and community programs by helping to establish successful programs to establish successful recycling programs like that of Waukesha County.

- Former Chair of the COR and Dane County Recycling Manager John Reindl (now retired) attended this hearing and reported that he contacted staff in the Bureau of W&MM as well as Waukesha Solid Waste Supervisor Karen Fiedler and neither knew where this information came from. A spreadsheet of costs from WDNR also showed for the 25 communities in Waukesha County, the net costs were \$4.8 million, so it is not clear how the Secretary came up with a net profit.
- Also of interest is that no mention is made of the funding for recycling which comes from the landfill surcharge.
- Secretary Stepp did receive comments from several legislators that they do not support the recycling proposals in the state budget. In addition to those which we had heard from before, Senator Harsdorf also came out against the current proposal.
- Senator Grothman was the only legislator to favor elimination of the state cost sharing, saying that these aids were only to be temporary.

The four (4) state recycling/solid waste organizations have also put together a basic recycling flow chart and a one-page recycling factsheet, as we've found a lack of general understanding of how recycling works exists amongst the legislators, media, etc (copies provided to the SWMB).

K. Robl informed J. Semrau that the April 13, 2011 meeting has been cancelled.

Discussion ensued amongst the SWMB.

7. Discussion – Review of Annual RUG Recycling Meeting Reports: J. Semrau and K. Pernsteiner presented the SWMB with the annual 2010 RUG recycling financial report.

K. Pernsteiner reviewed the 2010 budget versus actual for revenues and expenses, and summarized the financial breakdown between the signing municipalities and the SWMB (County) in accordance with the recycling agreement. The bottom line for the signing municipalities is a \$330,887 surplus for 2010. The SWMB (County) portion yielded a deficit of \$221,493 for the program. This is due to the single stream recycling debt service (\$285,363) that is not being passed along to the signing municipalities.

Discussion ensued amongst the SWMB.

M. Easker asked if all surpluses prior to 2010 have been distributed to the municipalities. J. Semrau confirmed.

J. Rabe presented the SWMB with a draft timeline of transition from regional landfill operations to transfer station operations. The draft timeline showed WC's municipalities continuing to bring their trash to WC's landfill until the site is closed in late 2012.

Discussion ensued amongst the SWMB.

8. Discussion/Action – Consider Award of 2011 Sequence C-3 Final Cover Construction Project (SW03-11): J. Rabe informed the SWMB that there was a pre-bid meeting for the Sequence C-3 Final Cover Construction Project on March 23, 2011. The project involves the construction of 11.4 acres of final cover over portion of the east & south slopes of the Sunnyview Landfill Co-Disposal site as follows:

- 6” grading layer
- 2’ compacted clay cap
- 40 mil LLDPE geomembrane
- 1’ sand drainage layer (alternate - geocomposite drainage layer)
- 1.5’ rooting zone layer (alternate - 2.5’ rooting zone layer; and contractor supplied)
- 6” topsoil layer

The bids were opened on Tuesday, April 5, 2011 – six (6) bids were received. J. Rabe presented a bid tally as follows:

<u>Bidders</u>	<u>Total Option 1</u>	<u>Alternate Bid Item 5A</u>	<u>Total-Option 2</u>	<u>Alternate Bid Item 5A</u>
Buteyn-Peterson Construction	\$1,385,774	\$397,600	\$1,286,374	\$581,490
Hoffman Construction	\$1,328,650	\$323,050	\$1,229,250	\$521,850
Integrity Grading and Excavating	\$1,393,672	\$253,470	\$1,306,522	\$402,570
Mueller Excavating	\$1,087,360	No Bid	\$943,360	No Bid
Relyco, Inc.	\$1,447,275	\$328,020	\$1,360,300	\$472,150
River View Construction	\$1,366,445	\$263,410	\$1,187,525	\$283,290

J. Rabe informed the SWMB that the bids need to be reviewed/evaluated more thoroughly and will be brought back to the SWMB for an award at the April 20, 2011 meeting. J. Rabe stated that a 2-week delay should not affect the tentative May 16, 2011 start date.

M. Easker asked how much was budgeted for this project. J. Rabe stated that this is a closure item but \$1.5 million is budgeted for this project in 2011.

8. Discussion – Engine/Generator #5 Operations Update: J. Morris updated the SWMB on engine/generator #5 operations as follows:

- On March 25, 2011, engine/generator #5 shut down at approximately 7:45 a.m. due to a knocking failure on cylinder #6. Further investigation showed a broken piston/cylinder liner/spark plug; a catastrophic failure (engine/generator #5 only had 6,336 engine hours with 11 months of operation).

- Inland Power Group (Inland) personnel inspected damage to engine/generator #5 on March 31, 2011 and informed SWMB staff that the warranty had expired. Further investigation by Inland revealed that a complete block replacement was required at an estimated cost of \$250,000 for both parts and labor.
- The warranty coverage that Inland provided to SWMB staff on April 4, 2011 stated 12-months or 8,000 engine hours or 18-months from the shipping date from Austria (whichever is less). Unfortunately, the engine/generator #5 is over the 18-month shipping date from Austria. SWMB staff was unaware of the 18-month clause as the original quote from Inland (used for the Purchase Order) only stated a standard one (1) year warranty. SWMB staff assumed that to mean one (1) year from the commissioning date.
- Inland will ask GE Jenbacher to cover repairs but said there is no guarantee that they will.
- On April 5, 2011, J. Morris received a call from GE representative Graham Matthews who is currently working with Jenbacher in Austria to resolve this issue.

Discussion ensued amongst the SWMB.

J. Morris stated that he will keep the SWMB updated as this issue progresses.

9. Future Agenda Items: J. Rabe informed the SWMB that Applied Ecological Services will be at the April 20, 2011 SWMB meeting to discuss Landfill End Use Plans.
10. Set Next Meeting Date: The next meeting date will be April 20, 2011 at 9:00 a.m.
11. Adjournment: Motion to adjourn made by D. Albrecht and seconded by D. Nelson. Motion carried 6-0. Meeting was adjourned at 10:32 a.m.

Respectfully Submitted,

Adrienna Kumbier
Solid Waste Secretary

Approved by SWMB – April 20, 2011