

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

DATE: October 16, 2013

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
Pat Brennand (9:00 a.m. - 10:07 a.m.)
Jerry Finch (9:00 a.m. - 10:12 a.m.)
Gerry Konrad

EXCUSED: David Albrecht
Mike Easker
Doug Nelson

ALSO PRESENT: John Rabe, Director of Solid Waste
Kathy Hutter, Confidential Secretary
Kurt Pernsteiner, Facility Manager
Jennifer Semrau, Recycling Specialist (9:00 a.m. - 9:39 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 October 16, 2013 agenda, made by J. Finch and seconded by K. Robl. Motion carried 6-0.
3. Public Comments on Agenda Items: None.
4. Announcement/Communications: J. Rabe updated the Solid Waste Management Board (SWMB) with his findings in reference to a request made by P. Eisen at the September 18, 2013 SWMB meeting. At this meeting P. Eisen asked J. Rabe to look into the possibility of the SWMB loaning the Winnebago County (WC) Parks Department ~\$2.1 million to fund a recently approved Capital Project. J. Rabe inquired with Winnebago County Finance Director, C. Orenstein about the feasibility of P. Eisen's suggestion. C. Orenstein's analysis yielded that the negatives outweighed the positives so he would not recommend Winnebago County Executive, M. Harris to consider a SWMB funding option.

5. Approval of Minutes – October 1, 2013 Open Session: Motion to approve the October 1, 2013 open session minutes made by K. Robl and seconded by J. Finch. Motion carried 6-0.
6. Discussion/Action - LRB-2983/1 and LRB-3246/1 Pertaining to Fees Imposed on Disposal of Solid Waste: J. Semrau presented the Legislative Reference Bureau (LRB)-2983/1 and LRB-3246/1 summary to the SWMB as follows:
 - LRB-2983/1 and LRB-3246/1 seek to exempt certain materials from the \$13/ton in State surcharges assessed on each ton of solid waste disposed of in a Landfill.
 - Currently summarized as a Bill that “eliminates state-imposed landfill taxes on certain waste streams in order to save money for Wisconsin municipalities and businesses while encouraging recycling and brownfields redevelopment.”
 - Identical to Assembly Bill 643, introduced in 2012.
 - There are 3 main areas of exemption:

Residual from Recycling Facilities

- Currently trash that people mistakenly recycle, as well as recyclables that a Recycling Facility is unable to capture (together called residual or residue), are subject to the State surcharges.
- Exempting residual recyclables would reduce the cost of recycling and benefit the Brown, Outagamie and Winnebago Counties’ (BOW) Material Recovery Facility (MRF).
- Precedent: Change would be comparable to partial tax exemptions already extended to papermills and certain non-profit groups.
- Exemption would also apply to residual from a Construction and Demolition (C&D) Recycling Facility.
- The Bill encourages C&D recycling. Currently C&D Landfills are exempt from surcharges.
- Exemptions are capped at 10% of total throughput for ‘traditional’ MRFs and 30% of total throughput for C&D Recycling Facility’s to ensure the Bill does not encourage poor processing.

Brownfields/Remediation Soils

- Contaminated soils from brownfield site would be eligible for an exemption after Wisconsin Department of Natural Resources (WDNR) assigns a project activity number.
- The Bill reduces the cost of remediation and allows State brownfields grant money to be used for remediation rather than State fees.
- Precedent: PCB-contaminated sediment from the Fox River cleanup is exempt from \$7/ton State recycling tax.

Bad Debt

- Currently, landfills are required to submit and pay the \$13/ton in State surcharges on each ton of solid waste. Occasionally, especially during poor economic times, customers with Landfill credit accounts may fail to make invoice payments.

- The Bill would protect a Landfill from some of the costs incurred when a customer fails to pay for service. Landfills would be allowed to seek a waiver for accounts that are at least 120 days past due.
- Precedent: Retailers are not required to remit sales tax on behalf of non-paying customers, and distributors of tobacco products are not required to pay tobacco taxes for accounts that default.

- In 2012, the combined impact of the legislation for the 3 main areas of exemption noted above was estimated to be ~\$1.5 million/year decrease in surcharge revenue (per Department of Administration (DOA) Fiscal Estimate prepared by WDNR).
- In 2013 the fiscal impact is “less than \$1.8 million annually.”
- The 2012 Bill version did not exit the Natural Resources Committee prior to the last legislative floorperiod session ending in March, 2012.
- The 2013 Bill version was drafted by Senator Robert Cowles (R-Green Bay) and Representative John Murtha (R-Baldwin) who are still seeking co-sponsors (deadline was October 11, 2013); the Bill has yet to be introduced/assigned a Bill number.
- A facility tour at Landfill Reduction and Recycling, Inc. in Appleton, WI with a discussion of the Bill is planned for Monday, October 21, 2013 at 10:00 a.m. Members of the statewide recycling/solid waste organizations (SWANA, AROW, WCSWMA, etc.) are expected to attend, as well as Representative Penny Bernard Schaber, Representative Jim Steinke and Senator Cowles.

P. Eisen requested that LRB-2983/1 and LRB-3246/1 be forwarded to the WC Legislative Committee for review and recommendation after it is assigned Assembly and Senate Bill numbers.

Discussion ensued amongst the SWMB members.

Motion made by J. Finch for the SWMB to support the principles of LRB-2983/1 and LRB-3246/1 and to advise the WC Legislative Committee of the SWMB’s intent and support of the legislation. Motion seconded by P. Eisen. Motion carried 6-0.

7. Discussion – Tonnages and Landfill/Transfer Station Operations Report: K. Pernsteiner presented the following Tonnages and Landfill/Transfer Station Operations Report to the SWMB.

Municipal Solid Waste (MSW)/Single Stream Recycling (SSR)

- SWMB Transfer Station operations are going smoothly. Kreilkamp Trucking (Kreilkamp) is providing enough trucks to move the waste out of the Transfer Station to Outagamie County (OC) in a timely manner.
- SWMB shipped over 73,533 tons of MSW and 8,654 tons of SSR to OC through September 30, 2013. During this time, SWMB direct haul customers accounted for an additional 29,400 tons of MSW and 900 tons of SSR shipped to OC.

- Kreilkamp hauled over 3,748 semi loads of MSW and 754 semi loads of SSR from the Transfer Station through September 30, 2013. During this time period, Kreilkamp averaged 19.62 tons per load for MSW and 11.48 tons per load for SSR.

Shingle Recycling

- Van's Waste, Inc. (Van's) hauled over 160 tons of recyclable shingles from the SWMB to Badger Materials Recycling (BMR), Appleton, in September 2013. September tonnage is up by 55 tons since the start of the shingle recycling efforts in August 2013.
- As of the end of September 2013, Van's hauled over 149 tons of recyclable shingles to BMR collected through the SWMB Container Rental Program.
- Plans are in place to start accepting more shingles for recycling.

Clean Wood/Construction and Demolition (C&D) Recycling

- Kreilkamp hauled over 900 tons of clean wood and 110 tons of C&D material to Landfill Reduction and Recycling, Inc. (LRR) through September 30, 2013.
- Van's hauled over 23 tons of C&D material collected through the SWMB Container Rental Program to LRR through September 30, 2013.
- SWMB Staff are developing plans to ship more C&D material to LRR in the future.

Waste and Sludge Disposal

- BOW combined total waste disposal at the Tri-County Regional Landfill (Regional Landfill) is over 483,700 tons as of September 30, 2013. WC's total contribution is 102,900 tons (including 29,400 tons direct hauled and 73,500 tons shipped through the Transfer Station). Brown County (BC) accounted for over 152,400 tons of the total waste. BC's portion includes 50,600 tons of papermill sludge. OC accounted for over 228,400 tons of the total waste. OC's portion includes over 51,000 tons of contaminated soils.
- Through September 30, 2013, the SWMB disposed of 8,231 tons of papermill sludge in the Sludge Site and direct hauled over 400 tons of papermill sludge to the OC Regional Landfill for use as alternate daily cover material.

Discussion ensued amongst the SWMB members.

8. Discussion/Action – Change Order Approval for Final Cover Construction Project: J. Rabe presented the following status report on the Change Order Approval for Final Cover Construction Project to the SWMB.

- Substantial Completion walkthrough completed on October 2, 2013 and the punchlist for Final Completion was prepared.
- Relyco completed all remaining punchlist items by October 11, 2013.
- Foth and Relyco are still working on pay quantities to determine the final change order amount.
- Final Contract amount will be less than the \$4,165,449 original amount.
- Relyco and seeding subcontractor will be required to return in the spring of 2014 for seeding touchup. SWMB will retain \$25,000 from payment until complete.

Discussion ensued amongst the SWMB members.

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

Landfill Gas Operations – October 15, 2013		
Engine #1	Running at 987 KW	
Engine #2	Running at 987 KW	
Engine #3	Running at 987 KW	
Engine #4	Running at 1060 KW	
Engine #5	Running at 1300 KW	Decoke to begin soon
Sunnyview Compressor	Compressors running at 57%. Pipeline outflow 1724 scfm.	
Sunnyview Flare	Flare – On; Flow – 944 scfm; Vacuum = -51’’ wc; Blowers at 89%	
Sunnyview Gas Field	CH4 = 54.7% O2 = 0.4%	
Snell Rd Flare	Flare – On; Flow – 175 scfm; Vacuum = -12.0’’ wc	
Snell Rd Gas Field	CH4 = 36.4% O2 = 2.6%	

J. Rabe updated the SWMB on WPS revenues, site odors and projects as follows:

- Landfill Gas (LFG) system part of the Final Cover Construction Project was completed on October 1, 2013 and fully connected to all of the wells. LFG flows back to ~2,700 cfm from Sunnyview Landfill.
- Odors – have been much improved once the entire LFG system returned to operation.
- Migration issues still exist at Snell Road Landfill: gas probe in watermain backfill still shows methane levels slightly above 5%. Adjustments have been made and the issue remains under evaluation.
- LFG Revenues – WPS and Highway for September 2013 was \$267,635; still on target to reach ~\$3.0 million in revenues for 2013.
- Q3 SEM – completed the last week in September 2013: all exceedance locations at Snell Road Landfill passed 10-day remonitoring so 30-day remonitoring is all that remains; Sunnyview Landfill still has 4 exceedance locations that have not passed 10-day or 20-day remonitoring – will attempt final fixes with Foth on Wednesday, October 16, 2013 or Thursday, October 17, 2013.
- HR/Administrative – the current lead Maintenance Technician interviewed for an Airport Maintenance position on October 15, 2013. HR has yet to report the outcome.
- Engine 4/5 WHR – Van Ert and Johnson Controls reprogramming in late September 2013 was done to improve WHR system operations during engine/generator start-up and shut-downs.

Discussion ensued amongst the SWMB members.

10. Future Agenda Items: Kreilkamp Damage Claims Procedure, Mattress Recycling Options, and Pollution Liability Insurance.
11. Set Next Meeting Date: The next SWMB meeting date will be November 6, 2013 at 9:00 a.m.
12. Adjournment: Meeting was adjourned at 10:12 a.m. due to loss of the quorum.

Respectfully Submitted,

Kathryn Hutter
Confidential Secretary

Approved by SWMB – November 6, 2013