

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

DATE: June 7, 2023

TIME: 9:01 a.m.

LOCATION: Solid Waste Administration Office  
100 W. County Road Y  
Oshkosh, WI

PRESENT: Pat O'Brien, Chairman  
Doug Nelson, Vice Chairman  
Jim Wise, Secretary  
Paul Eisen  
Kevin Konrad  
Howard Miller  
Shanah Zastera

EXCUSED: Mike Easker  
Jerry Konrad

ALSO PRESENT: John Rabe, Director of Solid Waste  
Cassie Stadtmueller, Office Supervisor  
Mary Anne Mueller, Corporation Counsel (9:01 a.m. – 10:38 a.m.)

ALSO PRESENT  
BY ZOOM: Ron Ragatz, Dewitt Law (9:01 a.m. – 9:46 a.m.)  
Chris Anderson, Foth Infrastructure & Environment (9:01 a.m. – 9:46 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 June 7, 2023 agenda, made by K. Konrad and seconded by H. Miller. Motion carried 7-0.
3. Public Comments on Agenda Items: None.
4. Communications Shared by Solid Waste Management Board Members: P. O'Brien informed the Solid Waste Management Board (SWMB) that he and J. Rabe sent a letter to Senator Baldwin in support of the eRIN legislation. P. O'Brien explained that it was sent to J. Doemel to have him review and sign but he was on vacation for the week. P. O'Brien further explained that this letter was time sensitive and was sent on behalf of J. Rabe and O'Brien since J. Doemel was unable to sign.

Discussion ensued amongst the SWMB.

M. Mueller explained that the County Executive deals with day to day operations of the County and it is normal to go to him with a support letter. M. Mueller further explained that J. Doemel is the supervisor to all department heads.

J. Rabe explained that the letter to Senator Baldwin needed to be sent in a timely matter and could not wait to be distributed, so that is why J. Doemel's name/title was removed. J. Rabe explained that Senator Baldwin's office acknowledged they received the letter and thanked the SWMB.

Discussion ensued amongst the SWMB.

P. Eisen informed the SWMB that in the June 1, 2023 issue of the *Oshkosh Northwestern*, there was an article about the near miss transfer station fire due to a battery.

Discussion ensued amongst the SWMB.

5. Approval of Minutes – May 17, 2023, Open Session: Motion to approve the May 17, 2023 Open Session, made by P. Eisen and seconded by K. Konrad. Motion carried 7-0.
6. Closed Session:
  - a. Pursuant to Section 19.85(1)(g), Wisconsin Statutes, at this point in the meeting the Board shall consider a motion to convene into closed session 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 as it relates to Snell Road Landfill Notice of Claim for Groundwater Drawdown Event.

Motion made by D. Nelson and seconded by P. Eisen at 9:14 a.m. to convene into closed session. Motion carried 7-0 by roll call vote.
7. Return to Open Session and Resume Regular Business: Motion to return to open session at 9:41 a.m. made by D. Nelson and seconded by S. Zastera. Motion carried 7-0 by roll call vote.
8. Discussion/Action – Snell Road Landfill Notice of Claim for Groundwater Drawdown Event: Motion made by D. Nelson and seconded by K. Konrad, to accept the May 16, 2023 offer made by AECOM to resolve the claim for the 2016 drawdown event, subject to acceptable final documentation and County Board approval. Motion carried 7-0 by roll call vote.
9. Discussion/Action – Recommended Changes Being Considered by the Ad Hoc Structure Review Task Force: P. O'Brien explained that he and J. Rabe have been reviewing the Ad Hoc Structure Review Task Force meetings and minutes.

P. Eisen explained to the SWMB that when the County Board was alerted that half of the County Board Supervisors were not going to run again, a memorandum was issued from administrative staff stating that in order to assist the new supervisors to acclimate, they needed to consolidate committees to allow for an easy transition. P Eisen further explained that S. Zastera introduced a resolution to create a task force to review the committee structures earlier

this year. P. Eisen stated he perceives this is an effort from administration and he agreed committee structure needed to be re-evaluated since it hasn't been reviewed since 2006.

M. Mueller explained to the SWMB that M. Collard went to the Judiciary & Public Safety (JPS) Committee in February 2022 to discuss a committee consolidation report when County Board Supervisor Bill Wingren was the chairman, and Supervisor Wingren did not allow the presentation to move forward. M. Mueller further explained that when County Board Supervisor Stafford became chairman of the JPS Committee, and he invited Attorney Jake Curtis, Attolles Law to give a presentation on restructuring/rightsizing committees.

P. Eisen explained that according to the UW-Extension Office study, there are two reasons to restructure committees: if you downsize the County Board or if the County Board felt the committees were too strong versus their relationship with the County Board.

P. Eisen stated that the Ad Hoc Structure Review Task Force appears to want to combine the SWMB into a Public Works Committee. P. Eisen further explained that in order to do that, the SWMB would need to be dissolved which would be a terrible mistake. P. Eisen stated he feels that the SWMB is a target because the County Board does not have control of our Solid Waste funds.

M. Mueller explained that she was approached by the chairman of the Ad Hoc Structure Review Task Force (Supervisor Floam) and he will be putting together a report to submit to the JPS Committee. M. Mueller explained her office will bring a resolution to the JPS Committee meeting on July 10, 2023 and the resolution if passed would be brought to the County Board in August 2023. M. Mueller explained that the reasoning behind the restructure of committees is to improve efficiency.

Discussion ensued amongst the SWMB.

K. Konrad stated he agrees that committee structure plans should be periodically reviewed, however, if anyone wants to reduce the number of committees, they need to first reduce the size of the County Board. K. Konrad explained that Winnebago County Board is the second largest in the state due to its number of committees.

P. Eisen explained that it was universally opposed to reduce the Winnebago County Board size.

D. Nelson asked who the SWMB would be combined with. J. Rabe explained that the SWMB was planned to be combined with Facilities and Highway in a new Public Works Committee and Airport would remain as a stand-alone committee.

Discussion ensued amongst the SWMB.

J. Rabe explained that the comparables that the Ad Hoc Structure Review Task Force are looking at (Ozaukee and Fond du Lac Counties) don't have Solid Waste/Recycling Departments and also don't operate landfills, transfer stations, recycling facilities or landfill gas-to-energy systems.

S. Zastera explained that she authored the resolution and she did meet with M. Collard prior to submitting the resolution. S. Zastera further explained she was inspired to review the committees because she perceived a need to consolidate. S. Zastera further explained the idea to downsize committees was to improve efficiencies not water down the power of elected officials and/or departments.

J. Rabe stated that the report provided by the Fond du Lac County Executive about their process of consolidating to five standing committees was interesting. However, Fond du Lac County has numerous other appointed committees, commissions and boards, and some include citizen members for additional transparency which is a plus.

Discussion ensued amongst the SWMB.

M. Mueller stated she urges SWMB members to attend the Ad Hoc Structure Review Task Force meeting on June 12, 2023 to discuss concerns during the public comments portion of the meeting.

K. Konrad stated each of the committees suggested we combine with take up to two hours for their meetings, and if we combine into a Public Works Committee we would be looking at potentially four hour or longer meetings.

D. Nelson stated that the SWMB accomplishes a lot at our meetings and is not a political group. D. Nelson explained that he feels it would be a mistake to combine the SWMB with other committees.

H. Miller stated he is all for looking at committee structures, but it got pushed ahead of looking at each committee internally first and then determining if it is necessary. H. Miller stated he feels combining committees is premature.

Discussion ensued amongst the SWMB.

No action taken at this time.

10. Discussion/Action – Proposed Rulemaking Addressing PFAS in the environment as Passive Receivers: J. Rabe explained to the SWMB that a letter cosigned by 31 entities was sent to the EPA requesting that passive receivers of PFAS materials (Landfills, Wastewater Treatment Plants, etc.) be exempt from liability under CERCLA. J. Rabe further explained that we do not purchase or use of PFAS containing material, but it ends up at our facility because of disposal of products.

Discussion ensued amongst the SWMB.

No action taken at this time.

11. Future Agenda Items: None at this time.

12. Set Next Meeting Date: The next SWMB meeting date is scheduled for June 28, 2023 at 9:00 a.m.
13. Adjournment: Motion to adjourn made by D. Nelson and seconded by J. Wise. Motion carried 7-0. Meeting was adjourned at 10:45 a.m.

Respectfully Submitted,

Cassie Stadtmueller  
Office Supervisor

**Approved by SWMB – June 28, 2023**