

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

DATE: November 7, 2018

TIME: 9:01 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
Mike Easker
Jerry Finch
Gerry Konrad
Susan Locke
Doug Nelson

ALSO PRESENT: John Rabe, Director of Solid Waste
Cassie Stadtmueller, Administrative Associate
Kurt Pernsteiner, Operations Manager
Kathy Hutter, Recycling Program Manager
John Fink, County Executive Assistant

1. Call to Order: P. O'Brien called the meeting to order at 9:01 a.m.
2. Approve Agenda: Motion to approve the November 7, 2018 agenda, made by K. Robl and seconded by J. Finch. Motion carried 9-0.
3. Public Comments on Agenda Items: None.
4. Announcements/Communications: J. Rabe informed the Solid Waste Management Board (SWMB) that Corporation Counsel and Finance confirmed that Solid Waste does not have to follow Purchasing Policy for Professional Services and can proceed with award to Martin Riley. J. Rabe also explained that a budget adjustment is not necessary – Engineer Architect expenses will be capitalized under the current \$150,000 2018 budget amount.

P. Eisen informed the SWMB that on October 17, 2018 he talked to Mary Anne Mueller, Corporation Counsel and explained to her how the SWMB differs from other County Departments/Committees.

J. Rabe informed the SWMB that the Wisconsin Integrated Resource Management Conference will be held in Stevens Point, WI from February 27 - March 1, 2019. Supervisor Conference Registration needs to go through the Clerk's office, C. Stadtmueller will handle Conference Registration for the rest, and Hotel reservations need to be done on your own.

J. Rabe informed the SWMB that County Board approved the 2019 Budget on October 30, 2018.

Discussion ensued amongst the SWMB.

5. Approval of Minutes – October 17, 2018 Open Session: Motion to approve the October 17, 2018 open session minutes, made by J. Finch and seconded by D. Albrecht. Motion carried 9-0.
6. Discussion/Action – Updated Pollution Liability Insurance Options: J. Rabe presented the Updated Pollution Liability Insurance Options to the SWMB as follows:
 - Environmental Pollution Liability – current policy term ends December 1, 2018
 - Current Policy is through ACE/Chubb underwritten by Illinois Union Ins. Co.: \$20 Million, \$250,000 Retainer, 5-year Term (policy cost of \$200,355 or \$40,071/year)
 - New Policy Option – Chubb/Illinois Union Ins. Co:
 - \$20 Million, \$250,000 Retainer, 3-year Term (policy cost of \$150,033 or \$50,011/year)
 - \$20 Million, \$500,000 Retainer, 3-year Term (policy cost of \$133,326 or \$44,442/year)

Staff recommends the \$250,000 retainer policy option to the SWMB.

Discussion ensued amongst the SWMB.

Motion made by D. Albrecht and seconded by K. Robl to accept the \$20 Million, \$250,000 Retainer, 3-year Term (policy cost of \$150,033 or \$50,011/year) as presented by SWMB Staff. Motion carried 9-0.

7. Discussion/Action – Proposed Changes to Deer Carcass Acceptance Policy: D. Nelson explained to the SWMB that in efforts to help prevent the spread of Chronic Wasting Disease (CWD) the WI Department of Natural Resources (WDNR) has an adopt a CWD kiosk or dumpster program. D. Nelson emphasized the importance of having a dumpster available for deer carcass disposal for Winnebago County residents. D. Nelson proposes that the Solid Waste Department accept deer carcasses for disposal at no charge.

K. Pernsteiner explained to the SWMB that there is currently a separate dumpster for deer carcass at the Sunnyview Landfill drop-off site. K. Pernsteiner further explained that customers are currently charged the minimum tipping fee of \$15.00 to dispose of a deer carcass.

Discussion ensued amongst the SWMB.

Motion made by M. Easker and seconded by D. Albrecht to accept deer carcasses from Winnebago County residents for disposal as a trial, effective November 7, 2018 through December 31, 2018 at no charge. Motion carried 8-1. J. Finch nay.

8. Discussion– Municipal Recycling Agreement Update: K. Hutter presented the SWMB with the following Municipal Recycling Agreement Update:

- Current Municipal Recycling Agreement expires on December 31, 2019.
- Renewal is automatic for successive 5-year term, either party can give notices of non-renewal as long as it is given at least 180-days prior to the end of the term (July 3, 2019).
- Staff would like to take this opportunity to revisit the contract terms to develop an agreement that is more representative of the current Tri-County Recycling Program.

History

- Original agreement developed in 1993. Intent was to join together to form an intergovernmental recycling program for the collection, transportation and processing of recyclable materials to fulfill the requirements of 1989 WI Act 335, relating to disposal, recycling and reduction of solid waste. Agreement termination date was set at December 31, 2007 and required written mutual agreement to renew.
- Agreement was renewed for 1 year in the January 2008 Extension #1 for evaluation of a regional single-stream system. Extension included renumbered WI State Statutes with no changes to terms and conditions.
- Agreement was renewed for 6 months in the January 2009 Extension #2 for completion of the Tri-County Single Stream Recycling Facility. No changes were made to terms and conditions.
- Agreement was renewed in the July 2009 Amendment #1 and Extension #3. The following terms and conditions were included:
 - Agreement extended through December 31, 2019.
 - Automatic renewal for successive 5-year terms.
 - 180 day written notification required for non-renewal.
 - Minor grammar/spelling corrections.
 - Plastic bags no longer accepted after 2010.
 - Winnebago County (WC) will carry out annual Consolidated Recycling Grant Project and coordinate Responsible Unit (RU) agreements. Consolidated RU Grant Program currently disperses an additional ~\$40,000 per year to WC RUs (not including Oshkosh and Neenah, which qualify for the grant on their own).
 - All other conditions/terms remained unchanged.

Outdated terms that remained unchanged from 1993-2019

- WDNR defined landfill banned materials and recyclable materials (1991-1995) named specifically in the agreement, and that the county has the responsibility to process and market those materials.
 - Banned e-waste is not included in the agreement. We would like to include this.
 - Tri-County Recycling handles processing and marketing of single stream recyclables. We would like to recognize the existence of the Tri-County Recycling Facility and update WC's partner role in the Tri-County Recycling Program.

- Funding, tip fees and base fee terms were established to accommodate a dual stream, WC Material Recovery Facility (MRF) system. The current agreement is geared toward WC MRF processing costs and does not include a method to recover WC level transfer station service and program costs.
 - We would like to recognize the change in WC facility operations from a MRF to transfer station operations and set a tip fee formula based on WC level single-stream transfer and program costs.
- MRF material sale net revenues are rebated to signing municipality at 100%, based on the tonnage received from each community. Refunding 100% of signing municipality net revenues does not allow for recovery of WC's "partner share" of MRF processing costs.
 - We would like to evaluate the revenue share method for signing municipal materials which will continue to support their programs during profitable years and during those same profitable years, allow WC to recover a portion of Municipal material processing costs to reinvest in the Tri-County MRF.
- Other minor changes in terms:
 - Elimination of differential fees for communities that choose to exempt certain recyclable materials from the processing stream. (No longer relevant due to transition to Single Stream Recycling).
 - Review the financial reporting requirements (i.e. timeframe) to ensure that it is still relevant.
 - Financial reports to include Municipal single stream tons, revenues and costs only. Current financial reports include non-single stream costs and revenues (i.e. universal waste programs which are covered through landfill tip fees).
 - Eliminate language for pro-rated fixed capital fees to be assessed to Municipalities for early termination of the agreement. (No longer relevant)

In summary, rather than renew the 1993 agreement and amendments for 5 more years, staff would like to develop and present Municipalities with a new agreement that represents a more accurate picture of the current single-stream recycling program, processes and markets. This effort will include:

- Updates to outdated language and processing methods.
- A transfer station tip fee formula based on WC level single-stream transfer and program costs.
- A year-end revenue share method that includes opportunity to pay Municipalities and recover current MRF processing costs during profitable years.

Discussion ensued amongst the SWMB.

Motion to have the SWMB Staff reformulate the Municipal Recycling Agreement and present to SWMB at a later date, made by D. Nelson and seconded by J. Finch. Motion carried 9-0.

9. Future Agenda Items: None at this time.

10. Set Next Meeting Date: The next SWMB meeting date is scheduled for November 21, 2018 at 9:00 a.m.

11. Adjournment: Motion to adjourn made by D. Nelson and seconded by J. Finch. Motion carried 9-0. Meeting was adjourned at 10:33 a.m.

Respectfully Submitted,

Cassie Stadtmueller
Administrative Associate

Approved by SWMB – November 21, 2018