

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

DATE: December 16, 2020
TIME: 9:02 a.m.
LOCATION: Virtual Meeting by Zoom and Phone Call-In

PRESENT BY ZOOM
OR SPEAKER PHONE: Pat O'Brien, Chairman
David Albrecht, Vice Chairman
Paul Eisen, Secretary
Thomas Borchart
Mike Easker
Gerry Konrad
Kevin Konrad
Susan Locke
Doug Nelson

ALSO PRESENT BY
ZOOM OR SPEAKER
PHONE: Cassie Stadtmueller, Administrative Associate
Kurt Pernsteiner, Operations Manager
Kathy Hutter, Recycling Program Manager
Zach Moureau, Environmental Manager
Chris Anderson, Foth Infrastructure & Environment (9:02 a.m. – 10:12 a.m.)
Sara Beine, Foth Infrastructure & Environment (9:02 a.m. – 10:12 a.m.)
Dan Michiels, Foth Infrastructure & Environment (9:02 a.m. – 10:00 a.m.)
Jessie Fink, SmithGroup (9:02 a.m. – 10:12 a.m.)
Jake Jenkins, SmithGroup (9:02 a.m. – 10:12 a.m.)

1. Call to Order: P. O'Brien called the meeting to order at 9:02 a.m.
2. Approve Agenda: Motion to approve the December 16, 2020 agenda, made by D. Albrecht and seconded by G. Konrad. Motion carried 9-0.
3. Public Comments on Agenda Items: None.
4. Announcements/Communications: P. Eisen thanked the Solid Waste Staff for distributing the 2019 Annual Report to the Solid Waste Management Board (SWMB). P. Eisen stated the 2019 Annual Report was very impressive and a reflection of the work that is done by the Solid Waste Staff and the oversight of the SWMB.

5. Approval of Minutes – November 18, 2020 Open Session: Motion to approve the November 18, 2020 open session minutes, made by G. Konrad and seconded by T. Borchart. Motion carried 9-0.
6. Discussion/Action – Sunnyview Landfill Park Master Plan Report: C. Anderson explained to the SWMB that the Solid Waste Staff, Foth Infrastructure & Environment (Foth) and SmithGroup worked together to create the Sunnyview Landfill Park Master Plan Report.

S. Beine (Foth) presented the site investigation report to the SWMB as follows:

- Site survey
- Drone flyover
- Pond investigation
 - bathymetric survey
 - sediment and water sampling
 - ~30-35 ft. deep
 - Steep slopes around the sides of pond
 - Minimal sediments in pond; north end has more sediment
 - No concerns with water samples
 - fish survey
 - wetland delineation
 - large wetland on northern side of park area

J. Fink (SmithGroup) presented the conceptual site plan to the SWMB as follows:

- Existing features
 - pond
 - reshape edge of pond and plant wetland vegetation
 - wetland
 - berms
 - oak grove on north end of site

J. Jenkins (SmithGroup) presented opportunities to the SWMB as follows:

- Entry from Highway 76
- Entry from County Road Y
- Rest area by oak grove
- Picnic pavilion
- Kayak rack

J. Jenkins presented the conceptual site plan to the SWMB as follows:

- Park entry along Jackson Street – Parking area with drive aligning with Expo Center
- Entry area: park sign and restroom
- Enhanced wetland
- Fishing docks (2)
- Reshaped landform with short loop and lookout point
- Stepped stone edge
- Picnic shelter and kayak launch

- Boardwalk
- Council ring

T. Borchart asked if the restricted use area on the diagram is in relation to the SVP 980 that is housed at 851 W. County Road Y. J. Jenkins confirmed that is the radius from the SVP 980 housing and the park would be outside that radius. T. Borchart asked if the park design is something we should discuss with someone at the County to confirm we are outside the proper distance of that housing. P. O'Brien stated that the SWMB needs to decide what direction they will take with the Sunnyview Park Design and then bring it to someone at the County.

T. Borchart asked if we will turn this park over to the Winnebago County Park Department. P. O'Brien stated it is up to discussion of the SWMB to decide what the plans with the park would be.

P. Eisen stated he does not like the entrance off Highway 76. P. Eisen explained that the high speeds on Highway 76 is a cause of concern. P. Eisen would like the Solid Waste Department to purchase the Huber Facility property from the Winnebago County Facilities Department and have the entrance off County Road Y. S. Beine explained that we would need to get a DOT permit to gain access from Highway 76. S. Beine explained that she feels it is feasible to obtain this permit.

Discussion ensued amongst the SWMB.

M. Easker asked what is expected for usage of this park and how much money are we willing to allocate for this project?

Discussion ensued amongst the SWMB.

M. Easker asked what the time frame would be for this park. P. O'Brien stated it is up to the SWMB to decide if they would like to adjust the presented plan and move forward with it or hold off.

P. Eisen stated he feels this would be very beneficial to local residents and feels we need to pursue this opportunity to create this park.

J. Jenkins presented the potential design features to the SWMB as follows:

- Trails
- Boardwalk
- Drop-off area
- Restroom
- Picnic areas
- Picnic shelter
- Kayak launch
- Wetland plantings
- Fishing piers

- Stone access
- Habitat enhancements
- Shoreline enhancements
- Council ring

S. Beine presented the opinion of probable construction cost to the SWMB as follows:

Item No.	Description	Extension
1	Earthwork and Stormwater	\$400,200
2	Hiking Trail and Boardwalk	\$336,300
3	Pavement and Fencing	\$184,900
4	Land-Based Amenities	\$122,000
5	Pond-Based Amenities	\$365,000
6	Restoration and Plantings	<u>\$178,600</u>
	Subtotal =	\$1,587,000
	Engineering (12%) =	\$190,000
	Contingency (25%) =	<u>\$397,000</u>
	Total Estimated Construction Cost =	\$2,174,000

Discussion ensued amongst the SWMB.

M. Easker stated there should be an educational component included in the park.

D. Albrecht stated he would like dogs allowed at the park.

Discussion ensued amongst the SWMB.

Motion to accept the Sunnyview Landfill Park Master Plan Report as presented, made by D. Albrecht and seconded by T. Borchart. Motion carried 8-0. P. Eisen abstained.

7. Discussion/Action – Authorize 2021-2023 Landfill Gas Pipeline Compliance Services: Z. Moureau presented the 2021-2023 Landfill Gas Pipeline Compliance Services proposal to the SWMB as follows:

- Utility Safety & Design Inc (USDI) previously authorized for January through December 2020 landfill gas pipeline compliance services (\$2,400/month); USDI is highly knowledgeable in pipeline compliance and are quick to address any concerns from County personnel or the Public Service Commission. Personnel also have a good rapport with Public Service Commission personnel.
- \$30,000 included in 2021 Budget
- USDI provided a three-year term proposal – \$29,640 for 2021 (\$2,470 monthly), \$30,540 for 2022 (\$2,545 monthly), and \$31,680 for 2023 services (\$2,640 monthly). This is based on a 3% increase for 2021, 3% increase for 2022, and 4% increase for 2023.
- Request SWMB authorization for 3-yr agreement with USDI

Motion made by P. Eisen and seconded by M. Easker, to authorize a three (3) year agreement with USDI for \$91,860 for 2021-2023 services. Motion carried 9-0.

8. Discussion/Action – WDNR Recycling Program Audit Summary: K. Hutter presented the WI Department of Natural Resources (WDNR) Recycling Program Audit Summary to the SWMB as follows:

- Audit of state recycling program was requested by the Joint Legislative Audit Committee in September 2019.
- Publish Date: November 2020 (Distributed to Responsible Units (RU) on file at WDNR)
- Full report available at: <https://legis.wisconsin.gov/lab>
- State Recycling Programs Audit covered:
 - Administration of the state recycling program by WDNR
 - RU Recycling Grant Program
 - E-Cycle Wisconsin Program
 - Clean Sweep Grant Program and Administration by DATCP
- Auditors considered:
 - Recent changes in demand for exported recycled material feedstocks and impact on domestic values
 - WDNR Program Staff reductions/vacancies from 2014-2019
 - Outdated Recycling Grant award definitions
 - Recycling Grant funds vs. RU Recycling Program costs
 - Clean Sweep Grant funds vs. hazardous waste collection costs
 - Opinions gathered from RU Surveys
 - Other States' Recycling Programs and use of grant funds
- Auditors developed six recommendations for administrative improvement and one issue for potential Legislative consideration. WDNR must report to the Joint Legislative Audit Committee by April 1, 2021, on its efforts to implement the recommendations.

State Recycling Program Audit Findings:

- Expenditures and Staffing:
 - The amount of time that WDNR staff spent administering its three recycling programs declined from fiscal year (FY) 2014-15 (17.1 FTE) through FY 2018-19 (10.3 FTE).
 - WDNR did not comply with statutes because it spent funds appropriated for recycling administration on activities related to recycling but not allowed by statutes.
 - From FY 2015-16 through FY 2018-19, WDNR spent at least \$807,400 on programs authorized under ch. 289 Wis. Stats., including the beneficial reuse of industrial byproducts program.
 - Recommendation: Comply with statutes by spending all funds appropriated through s. 20.370(4)(hq) Wis. Stats., on administering ch. 287, subchapter II, Wis. Stats.

- Recycling Grants:
 - Statutes require WDNR to annually award recycling grants in amounts that are determined according to 1999 Wisconsin Act 9, the 1999-2001 Biennial Budget Act.
 - Grants reflect the proportions of total available grant funding that RUs received in 1999, which were determined, in part, by the population or eligible expenditures of RUs in 1999.
 - RU populations and expenditures have changed since 1999; the proportion of grant funding available and method of award hasn't kept up with increases in RU program costs.
 - Recommendation: Legislature could consider modifying the statutorily required method for awarding recycling grants to RUs.
- Reviews of Recycling Programs:
 - Statutes require WDNR to annually review the recycling programs of at least 5% of the RUs that are awarded grant funds.
 - WDNR reviewed fewer recycling programs that was statutorily required from 2016-2018.
 - Recommendation: Consistently comply with statutes by annually reviewing the recycling programs of at least 5% of RUs that were awarded grant funds.
 - WDNR did not analyze the results of its recycling program reviews in order to provide all RUs with additional guidance or address RU concerns.
 - WDNR completed phone interviews of 73 RUs in 2019, found four primary areas of concern where RUs had not complied with program requirements (ranging from 17.8% - 41.1% of interviewed RUs in non-compliance, depending on area of concern).
 - Recommendation: Annually analyze the results of WDNR reviews in order to provide guidance to all responsible units on addressing common concerns.
- Reviews of Annual Reports:
 - WDNR did not establish written policies for reviewing annual reports of RUs or document its reviews of these annual reports.
 - Administrative rules require WDNR to review all annual reports in order to ensure that the programs comply with legal requirements.
 - Recommendation: Establish written policies for reviewing the annual reports submitted by RUs and document WDNR reviews of the annual reports submitted by responsible units.
- Administrative Rules:
 - WDNR did not fully comply with its administrative rules pertaining to effective recycling programs.
 - WDNR did not require RUs to report the amounts of each of the required recyclables materials that were collected (by category, per individual living in their geographic area), but instead required them to report on the total amount of all material collected (potentially including non-recyclable materials and/or Material Recovery Facility (MRF) processing data).

- Provisions in WDNR administrative rules are outdated (materials change, consumer habits changes, so it may be difficult for RUs to meet requirements for specific materials (i.e. newspaper no longer relevant).
- WDNR may also consider how best to determine if RUs have annually collected the amounts of materials specified in its rules (material collection data may also include materials that cannot actually be recycled (i.e. residuals).
- Recommendation: Update provision in WDNR administrative rules pertaining to effective recycling programs.
- WC provides two sets of material data to RUs - recycled materials scale ticket tonnage tonnages (which includes residuals) and MRF material percentages which is derived from actual commodities sorted, baled and sold and does not include residuals (i.e. trash or non-marketable materials). We anticipate additional guidance will come from WDNR as it works to resolve the issue. WC Staff will work with RUs as needed to meet administrative code requirements.
- E-Cycle Program
 - LAB found no concerns in its audit of this program.
- DATCP's Administration of the Clean Sweep Program
 - LAB found DATCP did not require grant recipients to submit documentation to verify all expenditures for which they requested reimbursement.
 - DATCP required receipts for hauling and collection of hazardous wastes and other materials covered under the grant but they did not require receipts for other activities such as advertising, printing, postage and supplies.
 - Recommendation: Require recipients of Clean Sweep program grants to submit documentation to verify all expenditures for which they request reimbursement.
 - Brown County (BC), Outagamie County (OC) and Winnebago County (WC) work collaboratively to acquire DATCP Clean Sweep grant funds for BOW programs. For the years included in this audit, the BOW Clean Sweep grant final report included copies of receipts for all grant eligible expenses and for matching fund expenses.
- Opinions of Responsible Units:
 - LAB sent surveys to all 1,077 RUs; 585 RUs responded, which represented 66.8% of Wisconsin's population.
 - Most RUs were satisfied with the recycling program related assistance that WDNR and DATCP provided them.
 - Almost 25% of respondents were dissatisfied with their grant amounts for recycling programs and ~31% were dissatisfied with Clean Sweep grant amounts.
 - Respondents also asked for: Statewide Recycling Education, Guidance on Contracting with Hauling Firms, More Training about Recycling Programs and Additional Types of Training.

LAB Best Practices for Local Recycling Programs

- Considered RU Survey responses and publications from WDNR, MN, IL, MI, U.S. EPA, The Recycling Partnership, SWANA and other recycling firms.
- Developed 15 Best Practices in 5 categories as follows:
 - Outreach/Education
 - Use multiple methods to deliver outreach/education (social media, web, email, mail) and use multiple languages
 - Attach warning tags to carts
 - Cooperate with local MRFs and haulers to develop consistent messaging
 - Provide outreach/education throughout the year
 - Containers
 - Provide large recycling containers
 - Label recycling containers with images and words of recyclable materials
 - Place recycling containers in public places and at public events
 - Purchase recycling containers for residences
 - Collection
 - Collect all recyclable materials in one container "single-stream"
 - Use automated collection to reduce costs
 - Drop-off Sites
 - Supervise drop-off sites
 - Strategically locate sites for user convenience/high traffic
 - Program Administration
 - Require haulers to identify non-recycling residences
 - Routinely inspect recycling containers to enforce ordinances
 - Incentivize recycling by providing rewards to individuals who recycle properly

November 17, 2020 - AROW/SWANA/WCSWMA News Release Responding to LAB Report – Revenue used to aid local RUs originates as the Recycling Fee imposed at landfills, amounting to a 35% state tax on landfill disposal. The funds have been diverted to the state's general fund to pay for non-recycling programs in recent years. This resulted in a 60% cut in aid to RUs. The remaining funds cover less percentage of costs overall because they are dispersed using a 21-year old formula. Equitable and sufficient recycling program funding is needed.

Discussion ensued amongst the SWMB.

Motion made by D. Albrecht and seconded by G. Konrad, to accept the WDNR Recycling Program Audit Summary as presented. Motion carried 9-0.

9. Discussion – Operational Program Reports: K. Pernsteiner presented the Landfill/Transfer Station Operational Program Updates to the SWMB as follows:
 - Solid Waste Landfill/Transfer Station Operational Updates:

- Signage for the Transfer Station and City of Oshkosh planning non-approval e-mail.
- Cost for the Transfer Station Signage:
 - Small Sign cost installed is \$5,219.00
 - Large Sign cost installed is \$8,432.00
- Staff recommends proceeding with the small sign and not go to the City of Oshkosh Planning Board of Appeals.
- Solid Waste Landfill Office Renovation Project Update:
 - Appleton Sign will be installing the exterior signage next week on the administration building.
 - We are working on final punch list items with contractor.
- January - November Brown, Outagamie and Winnebago (BOW) County Tonnage Reports
- Solid Waste Financial Updates:
 - Routes to Recovery CARES Act Grant Reimbursement Submissions:

	<u>Requested</u>	<u>Reimbursed</u>
▪ 2nd Submission	\$5,358.00	\$5,743.00
▪ 3rd Submission	\$922.83	\$1,070.00

K. Hutter presented the Recycling/Diversion Program Update to the SWMB as follows:

- WC single stream recycling tonnage for the month of November 2020 is 1,227 tons, vs. 1,313 tons in November 2019.
- Tri-County Recycling Outreach & Education:
 - Seasonal drop-off collection of holiday light strings and power cords at each of the BOW drop-site locations. Free recycling program offered to keep these "tanglers" out of recycling carts and out of the MRF sorting equipment. Program runs December 1, 2020 - January 31, 2021.
 - Tri-County Recycling is rolling out a new waste/recycling search feature on their website.
 - The "Waste Wizard" is a searchable database that returns "How to dispose of/How to recycle" instructions for hundreds of commonly used materials.
 - For "drop-off" items, users are given a list of collection sites that take the material.
 - BOW Counties have their own facilities listed and Municipal collection sites (where applicable) are listed.
 - Roll-out of marketing materials will begin at the beginning of 2021 and will include: stickers, magnets, social media promotion, print ads, bill stuffers and newsletter promotions.
 - Eventually, the Search App will be added to WC and BC websites.
- Tire recycling tipping fee will increase by \$100/ton (to \$290/ton) on January 1, 2021 (to cover vendor's increase in fees under the new Purchase of Service Agreement). In early December, WC Staff contacted Municipalities who use WCSW to recycle tires for a last-call to bring as many tires in before rates go up.

Z. Moureau presented the Landfill Gas (LFG) and Long-term Care Update to the SWMB as follows:

- Energy revenue from November (\$148,339) decreased from October (\$159,271). Year to date revenue is \$1.74 million with an average monthly revenue of \$159,000. Based on the current revenue trend, we are on track to exceed our budgeted revenue by approximately \$100,000.
- In November, Engines #2R, #3, and #4 were running with schedule shutdown of Engine #2R overnight. We performed a decoke on Engine #5 and performed several maintenance tasks on Engine #2R. No LFG was used in the Highway Department boilers but they currently have one boiler set to use LFG.
- We currently have Engines #2R, #3, and #5 running with scheduled shutdown of Engine #2R overnight. Engine #4 is available as a backup. We will perform a decoke on Engine #2R early next month.
- November LFG Monitoring was performed the week of November 16, 2020. There was one deviation for oxygen that has been corrected. The December LFG Monitoring event is being performed this week.
- We have received results from the quarterly groundwater monitoring at the Snell Road Landfill. There was a detection of CVOCs in one of the new groundwater monitoring wells. We have notified the WDNR of the detection and plan to sample the monitoring well to confirm the detection and verify there was no cross-contamination from sampling equipment. The WDNR agrees that we should continue to monitor this well and determine the contaminant trend. It may be necessary to install another well nest downgradient of this well if CVOCs continue to be detected at this well.

Discussion ensued amongst the SWMB.

10. Future Agenda Items: None at this time.

11. Set Next Meeting Date: The next SWMB meeting date is tentatively scheduled for January 20, 2021 at 9:00 a.m.

12. Adjournment: Motion to adjourn made by D. Albrecht and seconded by G. Konrad. Motion carried 9-0. Meeting was adjourned at 11:10 a.m.

Respectfully Submitted,

Cassie Stadtmueller
Administrative Associate

Approved by SWMB – January 20, 2021