

**WINNEBAGO COUNTY BOARD OF SUPERVISORS
MARCH 9, 1999
INFORMATIONAL MEETING**

Chairman Joseph Maehl called the meeting to order at 6:00 p.m. in the Fourth Floor County Board Room, Winnebago County Courthouse, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll call: 34 present: Kollath, Barker, Griesbach, O'Brien, Maehl, Koziczowski, Klitzke, Widener, Lauson, Albrecht, Pech, Leschke, Schwartz, Montgomery, Sundquist, Wingren, Wagner, Warnke, Footit, Troxell, Payne, Lawson, Kramer, Schaidler, Finch, Sievert, Arne, Diakoff, Rankin, Rengstorf, Bertrand, Crowley, Hue, and Savas.
Excused: 4 – Robl, Brennand, Egan and Metzsig.

Motion by Supervisor Schwartz and seconded to adopt the agenda. CARRIED BY UNANIMOUS VOICE VOTE.

COMMUNICATION, PETITION, ETC.

There were no communications.

COMMITTEE REPORT

Supervisor Arne reported on a subcommittee meeting on airports he and Supervisor Albrecht attended at the recent NACo Convention held in Washington. He indicated they were influential in getting a resolution drafted to get more monies to our airport.

Supervisor Rengstorf reported that the Judiciary and Public Safety Committee had approved the purchase of a Federal Tower on Highway 45 and Fairview. Four years ago they had been told they could get this property free of charge, however, now they are asking \$65,000. This includes $\frac{3}{4}$'s of an acre and a building, which if kept, would need approximately \$12,000 in repair. The property is needed because we are losing contact with the north-northwest part of the county. This is a perfect place because it is the highest point in Winnebago County. Even though this is a great deal of money, it would cost \$90,000 to build a new tower. This will be on the agenda for March 16, 1999.

Supervisor Wagner asked Chairman Maehl if the gentlemen from WCA were going to be attending the next Board meeting. He indicated they were. She suggested the Board think of questions to ask them.

Supervisor Griesbach reported both the Director of Emergency Management, Bill Fahrenkrug and his new secretary, Sue are doing a fine job. Although both are new to the job and finding it difficult at times to figure out what is going on, they are determining things they must do, including getting caught up on grants. Mr. Fahrenkrug hopes to hold more meetings in the future.

Supervisor Finch thanked the County Board for allowing the awards program. He also thanked the committee comprised of Supervisors Griesbach, Klitzke, Wingren, and Bertrand. A brochure with the requirements of the essay contest along with a complementary copy of the Sesquicentennial book "In This Century" will be personally delivered to each high school. Dean Perry and faculty from UW Fox Valley will be doing judging at no cost to the county.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Maehl reported on a cover picture and story in the Oshkosh Northwestern talking about the University of Wisconsin-Fox Valley inaugurating a four-year course in conjunction with Oshkosh.

Chairman Maehl reported on things the Board's predecessors voted on in March. They paid the chimney sweep \$5.00 and also purchased a new flue to eliminate this horrendous cost. They paid the janitor \$1.50 for washing towels and also felt they needed a new washing machine. They decided, by resolution, that the Mayor of Oshkosh was not automatically a member of the County Board of Supervisors. In 1886 a resolution was passed that to speak you must apply in writing to the Chair. If approved, the person must rise to speak. Chairman Maehl read a newspaper article titled "Menasha Press Perpetrates Slander on Neenah".

Chairman Maehl indicated tonight's meeting is not a Special Orders of Business meeting, but an Informational Meeting. An informational meeting is educational. At the end of the presentations, if there are any questions, they can be asked.

WINNEBAGO SYSTEM SHORELINE HAZARDS ASSESSMENT PETE VAN AIRSDALE-DIRECTOR OF LAND AND WATER CONSERVATION TONY GABRIEL, DEPT OF GEORGRAPH, UW-OSHKOSH

Pete Van Airsdale referred to the copy of the "Winnebago County Land and Water Resource Management Plan" which had been given to each Board member previously. The unique document is being used by several counties in this part of the state. It is also unique because it encompasses new approaches to solve a number of natural resource problems found in Winnebago County. One of the approaches is the Water Quality Program lead by the Land Conservation Committee with advice from citizens of Winnebago County, approved by the County Board. This program is in great demand with the Land Conservation Department processing applications for 36 landowners. Another technique is the use of the "Landowner Opinion Survey". The survey was conducted in 1998 under the direction of Tony Gabriel, Assistance Professor of Geography at UW-Oshkosh. The purpose was to learn more about property owners perceptions of hazards associated with their properties that are adjacent to rivers that make up the Winnebago Pool, which include Lake Winnebago, big Lake Butte des Morts, Lake Winneconne, Lake Poygan, and the Fox and Wolf Rivers. This survey will allow the Land Conservation and the DNR to do a better and more effective job in delivering services. Pete showed a few slides showing what is going on in the system including a bog floating in big Lake Butte des Morts. He also

showed a slide of Shangri La Marsh, owned by Winnebago County and cared for by the Winnebago County Park Department. The organic soil at the edge of the marsh has receded 10 to 15 feet over the last 10 years.

Tony Gabriel gave a slide presentation on the survey. The coastal hazards Pete talked about are not found exclusively on the Great Lake. The research objectives were:

1. Conduct a survey of residential property owners along the Winnebago system to determine their experience, perceptions and adjustments in regards to a variety of coastal hazards as well as their attitudes and preferences regarding fluctuating water levels;
2. Combine survey results with the Winnebago County responses of a 1997 study of Lake Winnebago shoreline residents;
3. Determine if there are statistically significant differences between incidences and types of property damage resulting from flooding, erosion, ice shove, and fluctuating water levels and erosion;
4. Determine where there are statistically significant variations between geographical location.

Over 600 surveys of 12 pages each were sent out. There was a 70% response rate. The survey asked why people live on the water. The responses were beauty of the location, proximity to water, and recreation opportunities. 76% of those surveyed were happy with their property. 97% of those surveyed had buildings on the property, with 88% having single family dwelling, of which 45% owned the property for over 20 years. 72% had already installed some form of shoreline protection. 50% –57% of those surveyed had experienced either inconveniences or damages due to either high or low water. 46% had experienced damage due to erosion, 26% due to flooding and 40% due to ice shoves.

The types of damage most prevalent in erosion hazard are shore protection, lawn and garden, trees, river bank and aquatic vegetation. The ice shove hazard damages shore protection, piers, lawn and garden and trees. High water hazard damages docks, loss of beach and shore protection. Low water hazard damages boat facilities out of the water, increase aquatic vegetation damage and boat damage. The primary agents for erosion are storms and high water levels. The primary reason given for the cause of flooding is the rise of the water table due to rain.

The major way most surveyed had adjusted to the shoreline hazards were by reinforcing the shoreline, adjusting dock height and bringing in fill as other options. Reasons given for making the adjustments were high water, erosion and ice shoves. Reasons for making no adjustments ranged from previous adjustments had been adequate, couldn't afford to fix it, action wouldn't work and a small number felt it was the governments' responsibility.

When asked what they thought the Government should do, the most preferred answered was regulate the water levels. Most were in favor of regulating water levels, emergency actions during extreme water levels and construct shore protection.

When asked how many knew of programs that were already in place regarding hazard management, 59% were aware of shoreline land restrictions, zoning; 48% were aware flood insurance was available, but only 27% were aware of technical assistance for building shoreline protection could be provided. Only 4.5% sought advice and only

1% actually received any financial assistance. When asked who they felt was responsible for dealing with the hazards, 31% felt the state should be responsible, 21% the federal government, 20% county government and 15% felt the government should not be involved at all.

Supervisor Pech asked why the question of who should pay wasn't on the survey. Pete said most owners are not looking for financial help, but for technical assistance. He stated he is going after a \$160,000 grant to help with services need in the Land and Water Resource Plan.

COMMUNITY PROGRAMS KEITH LAUX AND KEN STOFFEL

Supervisor Schwartz, Chair of the Community Programs Board, introduced Keith Laux, Director of Community Programs and Ken Stoffel, Developmental Disabilities Coordinator.

Keith Laux stated Winnebago County is one of three counties to participate in a pilot program regarding people with developmental disabilities. These are very significant new ways of doing things differently. These are substantial and innovative program changes. Ken is sharing this information by giving presentations throughout the state as well as other states.

The Department of Community Programs (DCP) supports 900 individuals or families with developmental disabilities. A developmental disability is life long; something that is acquired during birth or shortly after. This can include mental retardation, cerebral palsy, epilepsy and autism. They receive approximately 150 referrals a year to the early intervention program, which supports children birth to three years of age. They also support approximately 300 persons who are living in group homes or supportive living, no longer able to live with parents. The goal is not to cure, but to reach their maximum independence and potential.

They are able to help in several types of situations, including a family with an infant with physical therapy or respite or someone with downs syndrome with job development or coaching to get a job after high school. Most recently, brain injury has been added to the list of developmental disabilities.

The entire budget for the Department of Community Programs is \$21 million. 62% is received from community aids, 6% from client and public fees and 32% from the tax levy. 50% of the entire budget supports persons and families with developmental disabilities.

The Robert Wood Johnson Foundation is the largest health care foundation in the world. They give away tens of millions of dollars each year to encourage self-promotion. They have been watching HMO's over the last ten years and have seen negatives in terms of lack of choice, control and quality. They are looking at self-determination to see if it can be used as a form of managed care to contain costs and maintain quality. They are working in 29 states. In Wisconsin, Dane La Crosse and Winnebago Counties have been chosen to develop this program. Winnebago County is in its third year of developing the program.

Self-determination is a person or guardian identify the help the person needs after which a determination can be made as to what funding level is needed. The

person then prioritizes the services while staying within the budget. The person, along with DCP, puts together a plan and reviews it quarterly. In the past, the county has done this through contracts and has had total control.

Managed care is coming. Self-determination will save money. With the person in control, they can prioritize needs, use less expensive alternatives, use natural supports (other family and friends), negotiate prices and not pay for things that are not meeting their needs. The Foundation found the more control a person has, the more responsible they are.

Since giving money to the individuals, more family and friends have assisted with respite. Some staff have started their own small business causing more competitiveness and less cost. In the past, through contracts, agencies used to purchase homes and DCP would be responsible for all of those room and board expenses. The responsibility has now been given back to the person, where do they want to live.

Self-determination changes everything and will mean change for family, individuals, providers and the County. This process will need trust, hard work, innovation and patience. People can have as much choice and control as they wish. If there is no one to take care of the person, the county will have control. Supervisor Schaidler asked what will motivate people to spend less. Right now there is nothing in place in Winnebago County, but they are looking at allowing people to bank a percentage of the money they save. Dane County is working with incentives such as allowing 10% of everything the person saves as theirs.

The past two years have been preparing providers and families. This is the year they hope to implement. By the 2001 budget they hope to see an impact.

COMPREHENSIVE LAND REPORT SUPERVISOR SCHAIDLER AND MIKE KOLES

Supervisor Schaidler introduced Mike Koles, Community Resource Development Education at UW Extension. Mike passed out a packet to each Supervisor with a cover sheet and a survey. The cover page had a time line for the survey. The survey was developed in December, 1998, January and part of February, 1999. On February 11, 1999, the survey was mailed to 600 systematically selected individuals who own 35 or more acres. One day later another survey was mailed to 1200 systematically selected citizens. The second survey is a general public survey to identify what the county is thinking as a group/community. The first survey was sent to a very biased group to identify what the group is thinking to form consensus. One March 8, 1999 1200 postcard reminders were mailed. To date, 36% of the first survey responded and 33% of the second survey responded. The response is phenomenal. Mike hopes the response will reach 50%. After getting the raw data, it will be sent to UW-River Falls where they will compile the data. Mike is hoping the report will be available by the June Special Orders meeting. The actual survey had a cover letter and highlighted four purposes:

1. Community Visioning;
2. Growth Management Planning;
3. Farmland Preservation;

4. Demographics

Mike encouraged the Board to look through the survey to see what they think their constituents would think of it; or better yet, fill it out and see how it compares to the actual answers that will be found in the report.

Mike also shared a brochure titled "Growth Management and the Farming Industry". He invited any supervisor interested in attending to contact him. The dated is Friday, March 19, 1999 at the J.P. Coughlin Center.

SOLID WASTE MANGEMENT BOARD REPORT SUPERVISOR PATRICK O'BRIEN AND LEN LEVERENCE

Supervisor O'Brien and Len Leverence, Director of Solid Waste, gave a presentation on services and disposal of Fox River sediment in the Sunnyview Landfill. The purpose of the report is informational.

HISTORY

In 1975 the Winnebago County Board established the Solid Waste Management Board in response to the major municipalities requests to provide solid waste management services in Winnebago County. The program provides solid waste management services to all communities, businesses and industry in Winnebago County.

MISSION OF SOLID WASTE BOARD

Unlike private landfill companies that have a business motive driven by profit margins to increase disposal of solid waste into their landfill, Winnebago County's motive is driven by a non-profit enterprise system providing innovative, environmentally sensitive, cost effective solutions to solid waste management.

PROGRAM SERVICES

The comprehensive integrated Solid Waste Management Program consists of:

- Sunnyview Landfill Facility, which provides Winnebago County residents disposal of non-hazardous industrial, commercial and residential waste;
- Sunnyview Material Recovery Facility processes and markets recyclable materials;
- Landfill Gas Electric Generation Facility-methane gas is collected from Snell and Sunnyview landfill and converted to electrical energy and sold to Wisconsin Public Service. The County receives approximately \$400,000 annually;
- Household and Agricultural Hazardous Waste Facility-provides drop-off collection and off-site processing and disposal of residential and agricultural hazardous waste materials. Construction was completed in October and the opening is planned for mid to late April;
- Industrial Waste Beneficial Utilization-provides \$800,000 per year savings to industrial waste generators by using wastes such as foundry sand from Neenah Foundry for landfill operations;
- Yard Waste Beneficial Utilization Program-converts yard waste which is otherwise prohibited by State law to be disposed of in landfills, into a useful mulch material which is then used beneficially as daily cover material on the landfill;

- Planning and Development Initiatives-promoted Minergy Corporation in development of a 45 million-dollar paper mill sludge recycling facility that manufactures glass aggregate material. This facility in addition to creating 25 new jobs also reduced 66% of all solid waste materials generated in Winnebago County and disposed in landfills. The SWMB was instrumental in getting Request For Proposals world wide to look at solid waste problems in Winnebago County;
- Solid Waste Management Education Program-provides education and information to local government, schools, institutions and civic groups;
- Industrial Development Loan Program-provides three million dollars in revolving fund for low interest loans to local communities in Winnebago County. Two millions dollars of this fund was innovatively derived from the Solid Waste Management Board's contingency fund, which were otherwise invested in non-local investment securities.

FINANCIAL ORGANIZATIONAL STRUCTURE

The Winnebago County Solid Waste Management Program is an enterprise fund with an annual operating budget of 6.0 million dollars and total assets of 37 million dollars of which 12 million dollars are specifically reserved for future program liabilities and expenses. The SWMB puts money up front rather than bonding. An exhibit was shown with a breakdown of accounts including:

- Designated Emergency Fund such as regulatory compliance as required by governmental agencies, remediation to clean up possible onsite and offsite contamination, litigation for unforeseen legal expense, interim construction temporary funding for construction projects, operational, capital outlay and rate stabilization to maintain consistent fees.
- Alternate waste studies allowing for planning for new technologies.
- Cell construction allowing for funding of new cells. Bidding for a new cell will be done this summer and should take three years.
- New site engineering and new site allows for funding of engineering services and purchase for a new landfill. The current landfill is expenses to last another 17 years, but a search for a new landfill site is underway. It takes 5 to 7 years to site a new landfill.

Revenues are derived from user fees from the Landfill, Recycling Facility and the Snell Road Landfill Gas Electric Generation Facility. The landfill business is becoming very competitive. To this end, the tipping fee has been reduced from \$29/ton to \$18.50/ton effective June 1, 1997. The 1999 rate will be reduced to \$17.50/ton to customers who participate in the landfill rebate credit program. In comparison, Fond du Lac without a municipal landfill has tipping fee of \$40/ton.

PCB'S AND LANDFILLS

Municipal Solid Waste Landfills currently accept PCB's from residential fluorescent light fixtures, electrical motors and from industrial sources such as "shredder fluff" (shredded automobile textiles). Snell and Sunnyview Landfills currently contain approximately 16,000 pounds each of PCB's. PCB's are hydrophobic and are attracted on million times stronger to solid material than a water molecule. PCB's have never been detected in the leachate or ground water of Snell or Sunnyview Landfills.

SUNNYVIEW LANDFILL-FOX RIVER SEDIMENT FACTS

Sunnyview Landfill design is one of approximately 12 landfills in Wisconsin that meet or exceeds EPA and DNR design and operational criteria required to accept PCB contaminated river sediments. There is a lot of cost in designing the landfill. When the current landfill was opened, there was a total cost of 8 million dollars from the date the land was purchased to the opening. Len showed a landfill design diagram of Sunnyview Landfill to affirm that landfills are not “dumps” any more, they are very well constructed facilities. The Sunnyview Landfill has a double clay liner. Above that is a leachate drain, which is like a foundation drain you would have around your home. Leachate is the contaminated water that comes off the garbage. All leachate is disposed of with a direct hookup to the City of Oshkosh Sewer System. There is also a landfill gas collection system in both landfills. This generates electricity, which is sold to Wisconsin Public Service. Another critical component of the landfill is monitoring. Testing is done monthly for both methane gas and contaminated water.

Len next showed a cross-section of the landfill. In building a cell, a hole approximately 9 foot is excavated, then a secondary clay liner of three foot is installed in 6 inch compacted layers. Above the primary clay liner is a one foot sand and piping gradient control layer. At this point, the landfill is below the water table. The gradient control system intercepts any water coming into the landfill and monitors it monthly. If there is no contamination, the water is discharged into the surface water pond. Above that is the primary clay line made of 5 feet of clay. Above that is another one foot of sand and piping, which is the leachate collection system. Above that is the solid waste. There could be as much as 80 feet of garbage.

The next section is what was proposed for the collection of dredging materials from the river. For the more than higher than 50 ppm, two feet of compost or sand material would be put down. On top of that is a geotextile, which is a fabric material; then the dredge materials. Above that is a geomembrane, which is a plastic sheet. Above of that is the final cover system comprised of ½ foot of sand, 2 feet of clay, 1.5 rooting zone soil and ½ foot of top soil. All of the above is approved by both the DNR and EPA. Len then showed a diagram of the landfill liner.

The total Fox River demonstration project contains 100,000 tons of dredged sediment. There are two sights, Project N in Kimberly and Project 56 and 57 in Green Bay for the total tonnage. Of the total tonnage, 17,000 tons of sediment contains less than 50 ppm and contains approximately 300 to 1000 pounds of PCB's. 83,000 tons of sediments contains 50-500 ppm of PCB's and contains approximately 5,200 to 13,100 pounds of PCB's. With these facts in mind, even if our landfill took all of the PCB's, it would still be less than what is currently in the landfill. The Fox River demo project represents 1.4% of the total landfill capacity.

Len then discussed the meetings that were held regarding the Fox River Sediment Landfill Disposal including two County Executive meetings, nine SWMB closed session for competitive and bargaining issues and eight open public meetings.

WHY DID SWMB ACCEPT FOX RIVER SEDIMENT IN SUNNYVIEW LANDFILL

35% of the PCB's in the Fox River were generated from paper mill companies in Winnebago County. Winnebago County Sunnyview Landfill meets or exceeds federal and state requirements to accept Fox River sediment. SWMB can provide landfill disposal at approximately 1/3 of cost of out-of-state landfill disposal cost. Although

SWMB has sufficient environmental pollution liability insurance to cover the risk of landfilling PCB sediment, it also has a written commitment from Governor Tommy Thompson to introduce and support legislation that would indemnify SWMB and all municipal wastewater treatment facilities in Winnebago County for any and all financial risks associated with the remediation of the Fox River PCB contaminated sediment. A letter from Governor Tommy Thompson was presented.

Len thanked the County for providing leadership regarding this issue. He realized the major concern regarding disposal of sediments is future liability. He also stated that although both the EPA and DNR have given assurances of safety, area residents would not want any future liability for any potential damage to fall exclusively on the taxpayers of Winnebago County. He will seek legislation in the next session providing the State of Wisconsin assumes perpetual liability for pollution from the sediments provided the waste is disposed of in a manner approved by the DNR. He is sure the State will indemnify the county's landfill, SWMB, the County Board, all waste water treatment facilities in Winnebago County, and respective Board members, employees, agents, consultants and attorneys of each of the foregoing entities. The effective date will be no later than October 1, regardless of when the legislation is approved. He saw a copy of the Budget Bill, which includes the indemnification. Several questions ensued after the presentation.

Motion by Supervisor Schwartz and seconded to adjourn until Tuesday, March 16, 1999. The meeting was adjourned at 9:30 p.m.

Respectfully submitted,
Patricia Rabe, Deputy
Winnebago County Clerk

I, Patricia Rabe, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their adjourned meeting held March 9, 1999.

Patricia Rabe, Deputy
Winnebago County Clerk