

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

DATE: August 2, 2023

TIME: 9:00 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  
Mike Easker  
Paul Eisen  
Jerry Konrad  
Kevin Konrad  
Howard Miller  
Shanah Zastera

ALSO PRESENT: John Rabe, Director of Solid Waste  
Cassie Stadtmueller, Office Supervisor  
Mary Anne Mueller, Corporation Counsel (9:00 a.m. – 9:37 a.m.)

ALSO PRESENT  
BY ZOOM: Ron Ragatz, Dewitt Law (9:00 a.m. – 9:37 a.m.)  
Paul Kaiser, Finance Department (9:33 a.m. – 10:01 a.m.)  
Carol Blackmore, Finance Department (9:33 a.m. – 10:01 a.m.)  
Amber Drewieske, CLA (9:33 a.m. – 10:01 a.m.)

1. Call to Order: P. O'Brien called the meeting to order at 9:00 a.m.
2. Approve Agenda: Motion to approve the August 2, 2023 agenda, made by K. Konrad and seconded by D. Nelson. Motion carried 9-0.
3. Public Comments on Agenda Items: None.
4. Communications Shared by Solid Waste Management Board Members: None.
5. Approval of Minutes – July 19, 2023, Open Session: Motion to approve the July 19, 2023 Open Session, made by M. Easker and seconded by G. Konrad. Motion carried 9-0.

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 Claim for Groundwater Drawdown Event.

Motion made by D. Nelson and seconded by S. Zastera at 9:01 a.m. to convene into closed session. Motion carried 9-0 by roll call vote.

7. Return to Open Session and Resume Regular Business: Motion to return to open session at 9:33 a.m. made by M. Easker and seconded by D. Nelson. Motion carried 9-0 by roll call vote.

8. Discussion/Action – Snell Road Landfill Claim for Groundwater Drawdown Event: Motion made by M. Easker and seconded by J. Konrad to approve the resolution as presented (resolution will be presented to the Winnebago County Board of Supervisors) to resolve claims arising from a 2016 drawdown event at the Snell Road Landfill and authorize agents to finalize negotiations and terms of a final settlement and settlement amount with the concurrence of the Winnebago County Solid Waste Management Board. Motion carried 9-0 by roll call vote.

9. Discussion/Action – 2022 Financial Reports: J. Rabe explained to the Solid Waste Management Board (SWMB) that he invited P. Kaiser and C. Blackmore from Finance and A. Drewieske from CLA to present the 2022 Financial Reports that were prepared as part of the 2022 Annual Comprehensive Financial Report (ACFR).

C. Blackmore reviewed the Solid Waste Fund, Financial Highlights Bi-Annual 2022 Report (Year End Final) with the SWMB which included the following:

- 2022 Budget versus Actuals of Revenues and Expenses, and the December 31, 2022 Net Position = \$39,441,949 (decrease of \$3,819,892)
- Solid Waste Fund cash and investment balance as of December 31, 2022 = \$36,278,439
- WDNR Long-term Care (LTC) Escrow account balances as of December 31, 2022 = Approximately \$10.4 Million
- Bottom line is that Retained Earnings balance decreased by \$2,083,570 (Total = \$31,082,006 as of December 31, 2022) due to investment market adjustments and the Provision for LTC calculations.

Discussion ensued amongst the SWMB.

No action taken by the SWMB.

10. Discussion/Action – 2023 Retained Earnings Allocation Changes: J. Rabe reviewed the 2023 Retained Earnings Fund Allocations with the SWMB as follows:

WINNEBAGO COUNTY SOLID WASTE MANAGEMENT BOARD  
RETAINED EARNINGS RESERVATION

<u>Future Project Item</u>		<u>2023 Amount</u>
Future Landfill Siting/Development/Technology	\$	10,000,000
Landfill Gas Utilization System Upgrades/Renewables	\$	2,000,000
New Waste/Recycling Transfer Station & Resource Recovery Park	\$	6,000,000
Tri-County Single Stream Recycling Facility Upgrade	\$	1,000,000
Operational Cash Flow/Capital Outlay	\$	3,000,000
Closed Landfill Long-Term Care/Beyond WDNR Escrow	\$	5,000,000
PFAS Impacts to Leachate/Groundwater/Surface Water	\$	4,000,000
Total Reservation	\$	31,000,000
12/31/2022 Balance (Audited)	\$	31,082,006
Surplus/(Deficit)	\$	82,006

J. Rabe presented recommended changes for 2023 based on the preliminary 2022 ACFR balance to the SWMB as follows:

- Preliminary 2022 ACFR balance = \$31,082,006 (\$3,268,571 decrease)
- Reduce Landfill Gas Utilization System Upgrades/Renewables to \$2,000,000 (\$1,000,000 decrease)
- Reduce Tri-County Single Stream Recycling Facility Upgrade to \$1,000,000 (\$1,000,000 decrease)
- Reduce PFAS Impacts to Leachate/Groundwater/Surface Water to \$4,000,000 (\$1,000,000 decrease)

Discussion ensued amongst the SWMB.

Motion to approve the 2023 Retained Earnings Allocation Changes as presented, made by D. Nelson and seconded by J. Konrad. Motion carried 9-0.

11. Future Agenda Items: J. Rabe informed the SWMB that there will be a draft 2024 Budget Workshop at the next SWMB meeting.

12. Set Next Meeting Date: The next SWMB meeting date is scheduled for August 16, 2023 at 9:00 a.m.

13. Adjournment: Motion to adjourn made by M. Easker and seconded by S. Zastera. Motion carried 9-0. Meeting was adjourned at 10:13 a.m.

Respectfully Submitted,

Cassie Stadtmueller  
Office Supervisor

**Approved by SWMB – August 16, 2023**