

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

DATE: November 20, 2013

TIME: 9:00 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
Doug Nelson

EXCUSED: Pat Brennand

ALSO PRESENT: John Rabe, Director of Solid Waste
Kathy Hutter, Confidential Secretary
Kurt Pernsteiner, Facility Manager
Jennifer Semrau, Recycling Specialist
John Fink, County Executive Assistant

1. Call to Order: P. O'Brien called the meeting to order at 9:00 a.m.
2. Approve Agenda: Motion to approve the November 20, 2013 agenda, made by K. Robl and seconded by J. Finch. Motion carried 8-0.
3. Public Comments on Agenda Items: None.
4. Announcement/Communications: None.
5. Approval of Minutes – November 6, 2013 Open and Closed Sessions: Motion to approve the November 6, 2013 open and closed session minutes made by D. Nelson and seconded by G. Konrad. Motion carried 8-0.

6. Discussion – Container Program Report: J. Semrau presented the Container Program Report to the Solid Waste Management Board (SWMB) as follows:
- The container program progress report includes data from January - October 2013.
 - Container rental activity (placements, finals, resets and relocates) increased in 2013 and has already surpassed total container rental activity in 2012.
 - Container revenue collected by transfer station staff and through invoicing has also increased in 2013, already surpassing the total container revenue collected in 2012.
 - Container Program customer surveys reveal an overall positive experience, competitive pricing, and growing use of the internet for container rental research.

Discussion ensued amongst the SWMB members.

7. Discussion/Action – Landfill Gas Operations Update: J. Rabe updated the SWMB on the landfill gas operations, WPS revenues, Air Permit and projects as follows:

Landfill Gas Operations – November 19, 2013		
Engine #1	Running at 987 KW	
Engine #2	Running at 987 KW	
Engine #3	Down waiting on parts	Camshaft issue
Engine #4	Running at 1060 KW	
Engine #5	Running at 1426 KW	
Sunnyview Compressor	Compressors A & B running at 47%. Pipeline outflow 1411 scfm.	
Sunnyview Flare	Flare – On; Flow – 1092 scfm; Vacuum = -49’’ wc; Blowers 103/104/105 running at 80%	
Sunnyview Gas Field	CH4 = 55.4% O2 = 0.2%	
Snell Rd Flare	Flare – On; Flow – 92 scfm; Vacuum = -11.7’’ wc	
Snell Rd Gas Field	CH4 = 32.8% O2 = 2.0%	

- Operations Summary – Problem with Engine #3 (camshaft issue noted in cylinder 1 when making valve adjustments); waiting on costs/advise from Inland on recommended repairs; at 30,000 hours so a rebuild may be the best option.
- WPS/Highway Revenues – \$266,758 for October 2013 (Revenue estimate ~\$3 Million for 2013, depending on Engine #3 repairs).
- Air Permit – Wisconsin Department of Natural Resources (WDNR) air inspection on October 17, 2013 and inspection report issued on October 29, 2013 recommended no action be taken for exceeding Formaldehyde emissions standards. A phone call from Randy Matty, WDNR Air Management Engineer, on November 11, 2013 indicated that contrary to his inspection report recommendation, a Notice of Violation would be issued for exceeding Formaldehyde emissions standards (same as what was issued to Dane County). J. Rabe is still waiting for the official document.
- Q4 SEM – scheduled for December 2, 2013 through December 6, 2013.

- BACT Analysis – still not complete based on latest WDNR comments. WDNR has set the p-BACT applicability at less than \$0.08/kwh so this will not work for SWMB (rough calculation shows SWMB is closer to \$0.085/kwh). SWMB Staff will need to prepare a site specific BACT by January 17, 2014 per WDNR air inspection report (90 day deadline).

Discussion ensued amongst the SWMB members.

8. Discussion/Action – Pollution Liability Insurance Options: J. Rabe reported that he had further information on the Pollution Liability Insurance Options last discussed at the November 6, 2013 SWMB meeting. J. Rabe presented the summary of revised quotes to the SWMB as follows:

Limits of Liability Each Incident/ Aggregate	Deductible	Premium for 3 Year Policy Term			Premium for 5 Year Policy Term		
		ACE	Chubb	XL	ACE	Chubb	XL
\$10MM/\$10MM	\$250,000	NQ	NQ	NQ	\$120,054	\$132,535	NQ
	\$500,000	NQ	NQ	NQ	\$110,823	\$112,645	NQ
\$10MM/\$20MM	\$250,000	NQ	NQ	NQ	\$141,891	\$159,942	NQ
	\$500,000	NQ	NQ	NQ	\$132,659	\$135,174	NQ
\$15MM/\$15MM	\$250,000	NQ	NQ	\$173,767	\$161,113	\$170,774	NQ
	\$500,000	NQ	NQ	\$156,803	\$151,790	\$145,146	NQ
\$20MM/\$20MM	\$250,000	NQ	NQ	\$222,404	\$200,335	\$206,406	NQ
	\$500,000	NQ	NQ	\$190,562	\$190,933	\$175,431	NQ
\$20MM/\$40MM	\$250,000	NQ	NQ	\$240,347	NQ	NQ	NQ
	\$500,000	NQ	NQ	\$211,032	NQ	NQ	NQ
\$25MM/\$25MM	\$250,000	NQ	NQ	\$241,269	\$237,997	NQ	NQ
	\$500,000	NQ	NQ	\$205,101	\$228,529	NQ	NQ

NQ= Not quoted

Note - AIG and Zurich declined to quote due to exposure reasons.

J.Rabe stated that he discussed the status of the WDNR’s PCB Indemnification with Stuart Herro, Dewitt Ross & Stevens. S. Herro reported that State-issued indemnification of this kind was not possible because the Attorney General’s opinion is that it was prohibited by the Constitution.

J. Rabe reported that the Willis Insurance Broker policy recommendation for the \$20MM/\$20MM limits, \$500,000 deductible and a 5-year term was Chubb based on price, higher rating/financial strength and a better track record for handling environmental claims.

M. Easker suggested that the SWMB consider the \$20MM/\$20MM policy with a \$250,000 deductible (5-year term). The additional \$25,000 premium price would offer the SWMB a large deductible savings (\$250,000) if a claim is necessary.

J.Rabe stated that if the SWMB wanted to consider this option, then ACE has the lowest policy cost \$20MM/\$20MM limits, \$500,000 deductible (5-year term) with a premium of \$200,335.

Discussion ensued amongst the SWMB members.

Motion to authorize the purchase of ACE Pollution Liability Insurance Policy with limits of \$20MM/\$20MM and \$250,000 deductible for a 5 year term made by K. Robl and seconded by M. Easker. Motion carried 8-0.

9. Closed Session – Pursuant to 19.85(1)(e), Wisconsin Statutes for the purpose of deliberating or negotiating the purchase of public property, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session.
 - a. 2014 Standard Rate Schedule
 - b. 2014 Container Rental & Lease Program Rates

Motion made by K. Robl and seconded by G. Konrad at 10:15 a.m. to convene into closed session. Motion carried 7-0 by roll call vote.

10. Return to Open Session to Resume Regular Business: Motion to return to open session at 10:40 a.m. made by D. Albrecht and seconded by J. Finch. Motion carried 8-0 by roll call vote.
11. Discussion/Action – 2014 Standard Rate Schedule: Motion to approve the 2014 Standard Rate Schedule as presented by SWMB Staff, made by D. Nelson and seconded by J. Finch. Motion carried 8-0.
12. Discussion/Action – 2014 Container Rental & Lease Program Rates: Motion to approve the 2014 Container Rental & Lease Program Rates as presented by SWMB Staff, made by J. Finch and seconded by D. Nelson. Motion carried 8-0.
13. Future Agenda Items: None.
14. Set Next Meeting Date: The next SWMB meeting date will be December 4, 2013 at 9:00 a.m.
15. Adjournment: Motion to adjourn made by D. Nelson and seconded by G. Konrad. Motion carried 8-0. Meeting was adjourned at 10:42 a.m.

Respectfully Submitted,

Kathryn Hutter
Confidential Secretary

Approved by SWMB – December 4, 2013