LAND INFORMATION DEPARTMENT

John Lefebvre
Director

Greg Cleereman
Conservationist

Tina Barnes
Property Lister

AGENDA
MAR-OCO LANDFILL COMMITTEE

DATE: **Friday – October 18th, 2013**

TIME: **9:00 a.m.**

PLACE: **Mar-Oco Landfill Scalehouse – N7785 Shaffer Road, Crivitz WI**

1. Call meeting to order
2. Approve agenda
3. Approve minutes of September 12th 2013 meeting. Action, if any.
4. Public Comment - Any person desirous of addressing the Committee on any subject under the Committee's jurisdiction shall first obtain permission from the Committee Chairperson. All such addresses shall be limited to 5 minutes unless otherwise extended by the Committee Chairperson.
5. Correspondence. Action, if any. (Any correspondence unless specifically listed below will be for information only)
   - WDNR E-mail Regarding Longterm Care
6. Discuss/consider third quarter landfill reports (Saturday Summary, Tonnage Report, Account Aging, Expenditures vs. Appropriations, Actual vs. Estimated Revenue, Balance Sheet). Action, if any.
7. Update landfill operations.
8. Review schedule of invoices and/or budget account transfers for September 2013.
9. Schedule next meeting.
10. Tour of Landfill
11. Adjourn

Alfred Sauld	Louis Winkler	K. Pytleski, Oconto County Clerk
Joe Policello	Robert Reinhart	L. Rymer
Clancy Whiting	Jim Lacourciere	Kathy Brandt, Marinette County Clerk

NOTE: Agenda items may not be considered and acted upon in the order listed
If you are an individual with a disability and need a special accommodation while attending this meeting, as required by the Americans with Disabilities Act, please notify the County Clerk, Marinette County Courthouse (715-732-7406) at least 24 hours prior to the meeting in order to make suitable arrangements. Thank you. (TDD #715-732-7760)

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Mar-Oco Landfill Committee
September 12, 2013
Minutes

1. The meeting was called to order by Chairperson Lacourciere at 10:00 a.m. in the land Information Department Meeting room of the Marinette County Courthouse.

Members present:	Jim Lacourciere Louis Winkler Clancy Whiting	Joe Policello Alfred Sauld
Member absent/excused:	Bob Reinhart	
Others present:	John Lefebvre, Director Andy Smith, Attorney PB phillipsborowski, s.c.	

2. AGENDA
Motion (Winkler/Sauld) to approve the amended agenda as posted by both County Clerks. Motion carried. No negative votes.

3. MINUTES
Motion (Whiting/Sauld) to approve the minutes of the August 15th 2013 meeting as printed and distributed. Motion carried, no negative votes.

4. CLOSED SESSION
Motion (Winkler/Policello) to enter into closed session under Wisconsin Statute 19.85 (1) (g) to confer with legal counsel 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; to-wit: DeSmidt Lawsuit. Motion carried, roll call vote: Lacourciere – Yes; Pollicello – Yes; Whiting – Yes; Sauld – Yes

5. OPEN SESSION
Motion (Whiting/Winkler) to return to open session (10:50 a.m.). Motion carried, No negative votes.

6. SETTLEMENT AGREEMENT DESMIDT LAWSUIT
Motion (Winkler/Policello) to refer the proposed settlement agreement to the respective County Boards for consideration. Motion carried. Sauld - Opposed.

7. PUBLIC COMMENT
No public comment

8. CORRESPONDENCE
No correspondence

9. LANDFILL OPERATIONS
Lefebvre informed the Committee that every thing is going well at the landfill. Recently a thermo coupling in the flame arrestor on the flare failed and the part was replaced. The leachate lines were cleaned and televised last week as required by the WDNR. Landfill Compactor will be one year old in mid October.

10. INVOICES
Lefebvre presented a list of paid invoices for August ($19,429.41) for Committee review.

Mar-Oco Landfill Committee
September 12, 2013
Minutes

11. NEXT MEETING
    Next meeting is scheduled for October 18th, 2013, at 9:00 a.m. in the Scalehouse Mar-Oco Landfill.

12. ADJOURN
    Motion (Sauld/Policello) to adjourn. Motion carried, no negative votes. (Meeting adjourned at 11:00 a.m.)

Minutes Prepared by: _____ Date Approved or Corrected: _____
John Lefebvre
Landfill Director

John Lefebvre

From: Gawronski, Dennis J - DNR [Dennis.Gawronski@wisconsin.gov]
Sent: Tuesday, October 01, 2013 3:29 PM
To: John Lefebvre
Subject: RE: Financial Assurance

Hi John,
Thanks for following up with me on this. To process the transfer of the deposit account into an escrow account, please submit a written request to Colleen Storck - WA/5, Wisconsin Department of Natural Resources, P.O. Box 7921, Madison, WI 53707. If you have any questions regarding the release, Colleen can be reached at (608) 267-7515.

As for the statements, it is required, as stated in the escrow agreements, it is necessary as proof to the people of the State of Wisconsin that you are providing proof of financial responsibility. Please forward statements from the banks showing current balances. Going forward we request that all statements be sent to us within 60 days of the beginning of the year. If they all have a December 31st balance it will help to facilitate tracking.

The long-term care estimate table shows the required balance for Long-Term Care of the landfill at the end 2013 is $1,886,413.00.

We will need new escrow agreements signed with Citizens Bank, after we receive the agreements from Citizens Bank we will release the agreements from F & M Bank. (I realize they are the same bank, but it will clarify financial assurance going forward).

I am including the link to the escrow agreements on our website:

http://dnr.wi.gov/files/PDF/forms/4400/4400-071.pdf

I look forward to working with you in the future.
Thanks,
Dennis

-----Original Message-----
From: John Lefebvre [mailto:JLefebvre@MARINETTECOUNTY.com]
Sent: Tuesday, October 01, 2013 2:57 PM
To: Gawronski, Dennis J - DNR
Subject: RE: Financial Assurance

Dennis, I'm familiar with the code section that you cited below. This is not the first time this was brought to my attention. The WDNR in the past did not make us change but if the WDNR now wants us to change to one form of financial assurance just send me a check for the amount we have invested with the WDNR and I will invest it with the current lending institutions that we have Escrow agreements with and/or we may find a couple of new lending institutions to invest the funds with.

If you need something more formal from me to release the funds just let me know and I'll send it.

As for not getting any statements from the bank I don't get any either. About the only time I see a statement is when we reinvest the funds. As for the escrow agreements for citizens bank the previous bank name was F & M Bank not to be confused with Farmers and Merchants bank who we also have funds invested with.

I can send you an updated spreadsheet with the account balances in each of the banks. If you can tell me how I can get the funds from the WDNR that would be appreciated.

Thanks,
John

-----Original Message-----
From: Gawronski, Dennis J - DNR [mailto:Dennis.Gawronski@wisconsin.gov]
Sent: Tuesday, October 01, 2013 9:21 AM
To: John Lefebvre
Subject: RE: Financial Assurance

Hello John,

I am going thru the files for financial responsibility of landfills, and see that we have not been updated as to amounts of financial assurance in the escrow accounts for Mar-Oco landfill. I also see that you use several different types of financial assurance for long-term care, including a deposit account with the Department and CD's and escrow accounts. I am attaching some NR Code language which may help clarify some of the responsibilities of landfill owners.

NR 520.06 Methods of providing proof of financial responsibility. Financial assurances for closure, long-term care and remedial actions where required, shall be established separately. The owner shall specify, as part of the plan of operation submittal, which method of providing proof of financial responsibility will be used for closure and for long-term care. To provide proof of financial responsibility, the applicant shall use only one of the following methods for each account:

As you can see from the final sentence in NR 520.06 Wis. Adm. Code, it is necessary to use one form of financial responsibility for the long-term care of the landfill.

In Section 6 of the escrow agreement it requires the Escrow Agent to render to the Owner and the DNR a written annual statement showing the correct amount of income and disbursements during the preceding year, with a description and statement of value of the escrow account.

I have not received an update on the amount of long-term care for the Mar-Oco landfill since you e-mailed me the balances in June of 2011. In the table e-mailed to me on June 14, 2011, there was mention of two CD's with Citizens Bank, but I am unable to locate the escrow agreements for those CD's.

I look forward to working with you, and hope you will contact me to fill in some of the gaps in the file.

Thanks,

P Dennis J Gawronski
Owner Financial Responsibility Coordinator Business Support and Information Technology Section Bureau of Waste and Materials Management Wisconsin Department of Natural Resources
(() phone: (608) 266-1486
(() fax: (608) 267-2768
(() e-mail: dennis.gawronski@wisconsin.gov Find us on Facebook: www.facebook.com/WIDNR We are committed to service excellence. Click here to evaluate how I did.

-----Original Message-----
From: John Lefebvre [mailto:JLefebvre@MARINETTECOUNTY.com]
Sent: Tuesday, June 14, 2011 11:23 AM
To: Gawronski, Dennis J - DNR
Subject: RE: Financial Assurance

Dennis, attached is a printout of the Mar-Oco Landfill Longterm Care Investments. The investment amounts shown include interest reported to the County through May 2011. Therefore the actual account values may be slightly more than shown on the attached sheet. Fro example the balance shown in the WDNR account is for period ending December 31, 2010.

Please let me know if you have any questions or are in need of any additional information.

Thanks,
John

-----Original Message-----
From: Gawronski, Dennis J - DNR [mailto:Dennis.Gawronski@wisconsin.gov]
Sent: Tuesday, June 14, 2011 11:03 AM
To: John Lefebvre
Subject: Financial Assurance

Hello John,

I am Dennis Gawronski, I took over the Owner Financial Responsibility Coordinator position when Amalendu Bagchi retired. Could you give us an update on the account balances for long-term care for the Mar-Oco Landfill, license #3095? It looks like we haven't had an update since your July 11, 2007 letter. If you have any questions feel free to contact me, my info is below.

Thanks,

* Dennis J Gawronski
Owner Financial Responsibility Coordinator Business Support and Information Technology Section Bureau of Waste and Materials Management Wisconsin Department of Natural Resources
(*) phone: (608) 266-1486
(*) fax: (608) 267-2768
(*) e-mail: dennis.gawronski@dnr.state.wi.us

REF NBR	CHECK NBR	VOUCH NBR	DATE PAID	PO NBR	VENDOR NBR	PAYEE	DESCRIPTION	ACCOUNT NUMBER	SUB-TOTAL	TOTALS
00000	155062	08043	09/19/13	00000	05541	DEPT OF NATURAL RESOURCES				
00000	155062	08043	09/19/13	00000	05541	DEPT OF NATURAL RESOURCES	SW DISP OPER CERT EXAM TTAYLOR	602-57-53631-424-000		200.00
00000	155031	08036	09/19/13	00000	00196	GREEN BAY METROPOLITAN				
00000	155031	08036	09/19/13	00000	00196	GREEN BAY METROPOLITAN	I#110730 AUG SEPTAGE/TRUCK FEE	602-57-53631-291-000		1,373.11
00000	000000	07782	09/18/13	00000	02371	JP MORGAN CHASE	BROOKS TRACTOR INC			
00000	000000	07782	09/18/13	00000	02371	JP MORGAN CHASE	INV 369990 2000 HOUR MAINT	602-57-53631-468-000	2,852.98	
00000	000000	07783	09/18/13	00000	02371	JP MORGAN CHASE	EPG COMPANIES INC			
00000	000000	07783	09/18/13	00000	02371	JP MORGAN CHASE	INV 39876 LEVEL SENSOR	602-57-53631-468-000	896.29	
00000	000000	07573	09/05/13	00000	02371	JP MORGAN CHASE	JOHN ZINK COMPANY, LLC			
00000	000000	07573	09/05/13	00000	02371	JP MORGAN CHASE	GAS CHARTS	602-57-53630-410-000	285.00	
00000	000000	07654	09/05/13	00000	02371	JP MORGAN CHASE	NEW-CELL, INC.			
00000	000000	07654	09/05/13	00000	02371	JP MORGAN CHASE	CELL PHONE INV 183538	602-57-53630-225-000	62.38	
00000	000000	07953	09/25/13	00000	02371	JP MORGAN CHASE	QUICK SIGNS INC			
00000	000000	07953	09/25/13	00000	02371	JP MORGAN CHASE	STICKERS FOR MONITORING POINTS	602-57-53631-291-000	100.87	4,197.52
00000	155052	08026	09/19/13	00000	02593	PETER'S CONCRETE				
00000	155052	08026	09/19/13	00000	02593	PETER'S CONCRETE	19-0261.80 LANDFILL CLOSURE	602-00-18400-000-000		32,676.33
00000	154700	07903	09/13/13	00000	00096	UNITED MAILING SERVICES INC	I#112160 C#MARINET001			
00000	154700	07903	09/13/13	00000	00096	UNITED MAILING SERVICES INC	POSTAGE 8/5 - 8/30/13	602-57-53630-411-000		17.83
								REPORT TOTALS		38,464.79

ACH PAYMENTS
ELECTRONIC PAYMENTS
DISBURSEMENTS

NOTE: AN ASTERISK (*) FOLLOWING THE ACCOUNT NUMBER INDICATES THE ACCOUNT IS TO BE APPLIED TO THE PRIOR YEAR.