

AMENDMENT I AND EXTENSION III
OF
1993 COUNTY/MUNICIPAL RECYCLING AGREEMENT

THIS AMENDMENT AND EXTENSION to the County/Municipal Recycling Agreement described below, is made effective July 1, 2009.

WHEREAS, Winnebago County (the "County") and the Town/Village/City (strike two) of _____ (insert in name of municipality) (the "Signing Municipality") entered into that certain County/Municipal Recycling Agreement on the ____ day of _____ 1993 (the "Agreement"); and

WHEREAS, the County, by virtue of that certain Assignment of 1993 County/Municipal Agreements executed December 13, 2007, has assigned all of its right title and interest in and to the Agreement to the Winnebago County Solid Waste Management Board (the "Solid Waste Board"); and

WHEREAS, the Solid Waste Board and the Signing Municipality are collectively called "the Parties" herein; and

WHEREAS, the Solid Waste Board, in keeping with its responsibilities, strives and will continue to strive to control operating costs and minimize charges to the Signing Municipalities for recycling services; and

WHEREAS, the Parties found it desirable to extend such Agreement for one (1) year through December 31, 2008 and for six (6) months through June 30, 2009 while the Solid Waste Board concluded evaluation, approval attainment and implementation of a single stream recycling processing system; and

WHEREAS, it now appears desirable to further amend and extend such Agreement to reflect recognized recyclables collection and processing methods; and

WHEREAS, the Agreement in **ARTICLE III, TERM AND RENEWAL**, Section C. Renewal stated, "Renewal of this Agreement shall be by mutual written consent of each party after December 31, 2007."

NOW, THEREFORE, in consideration of the above premises and the mutual covenants of the Parties, the Signing Municipality and the Solid Waste Board, as assignee of the County, do agree as set forth below:

1. **ARTICLE III, TERM AND RENEWAL**, is further amended by adding the following language:

The term of this Agreement is extended from July 1, 2009 through December 31, 2019. The term of this Agreement shall automatically renew for successive five (5) year terms, unless either party, at least 180 days prior to the end of the term or any renewal term, gives written notice to the other party of said party's determination not to further renew this Agreement. This language does not supersede the term language of the 2003 LOCAL GOVERNMENT SUPPORT OF WINNEBAGO COUNTY SOLID WASTE MANAGEMENT SYSTEM – AGREEMENT.

2. **Article VI, DUTIES AND RESPONSIBILITIES OF THE COUNTY** was incorrectly identified as **ARTICLE VI** on page 4 of the Agreement. The heading of that article is amended to be:

ARTICLE IV, DUTIES AND RESPONSIBILITIES OF THE COUNTY.

3. **ARTICLE V, DUTIES OF THE SIGNING MUNICIPALITIES**, Section E.

The original Agreement states “Upon implementation of the recycling program, the Signing Municipality agrees to direct all recyclables for which they are responsible and which are covered under this Agreement to the County MRF or a County-approved alternative. This shall be done in such a manner that collection and delivery facilities (sic) effective processing of said recyclable material.”

ARTICLE V, Section E is amended by revising the last sentence to read:

This shall be done in such a manner that collection and delivery facilitate effective processing of said recyclable material.

ARTICLE V, Section E is further amended by adding the following language at the end of the section:

As of January 1, 2010, the utilization of plastic bags for recyclables will no longer be an acceptable collection method because bags will not facilitate effective processing of recyclable material. Acceptable collection methods will include: Paper recyclable materials may be placed in a paper bag, small cardboard box or reusable container (also referred to as a bin); Commingled recyclable materials (recyclable plastic, glass, metal and other designated materials) may be placed in reusable containers/bins; Paper and Commingled recyclable materials may be mixed together (referred to as single stream) and placed in reusable containers/bins or wheeled carts; Plastic bags should not be used to line reusable containers/bins or carts intended for recyclables collection and should not be collected.

4. **ARTICLE VI FUNDING**, Section A is amended by adding the following language at the end of Section A:

The Solid Waste Board will assist the Signing Municipalities on an annual basis with the development and coordination of an eligible project to qualify for the Wisconsin Department of Natural Resources (WDNR) Recycling Efficiency Incentive Grant program during years the State Legislature appropriates funding. Assistance shall include the identification and selection of an eligible, suitable project, writing of a cooperative agreement, distribution of cooperative agreement to Signing Municipality for signature, distribution of complete set of signed cooperative agreements to each Signing Municipality, guidance on completing the WDNR Recycling Efficiency Incentive Grant application and conducting identified qualifying activity. This assistance shall continue until such time that the WDNR or the State of Wisconsin suspends funding or eliminates the Recycling Efficiency Incentive Grant program.

5. All other terms and conditions of the Agreement not inconsistent herewith remain in full force and effect.

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IN WITNESS WHEREOF, the Solid Waste Board and the Signing Municipality have executed this Amendment and Extension as of July 1, 2009.

**WINNEBAGO COUNTY SOLID WASTE
MANAGEMENT BOARD**

Date: _____

By: _____
Patrick O'Brien, Chairman

Date: _____

By: _____
John M. Rabe, Director of Solid Waste

TOWN/VILLAGE/CITY OF _____

Date: _____

By: _____

(Print Name)
Town Chairman/Village President/Mayor

Date: _____

By: _____

(Print Name)
Town/Village/City Clerk

LANDFILL/ADMINISTRATION
(920) 232-1800
FOX CITIES
(920) 727-2884
FAX (920) 424-1189



SOLID WASTE/RECYCLING
TRANSFER STATION
(920) 232-1850
FOX CITIES
(920) 727-2896
FAX (920) 424-4955

100 W. COUNTY RD. Y
OSHKOSH, WI 54901
www.co.winnebago.wi.us

Winnebago County

Solid Waste Management Board

The Wave of the Future

LANDFILL GAS FACILITY
(920) 232-1800
FAX (920) 424-7761

DATE: June 18, 2009
TO: Contracted Responsible Units
FROM: Jennifer Semrau - Recycling Specialist
RE: May 2009 Scale Tickets & Tonnage Report

Enclosed are your recycling scale tickets for the month of May 2009. Check your tickets carefully for any errors and omissions. ***We need to be notified immediately of errors found or missing tickets so that we can correct the records.***

Your tonnage report is also enclosed. Review your ratios, pounds per person and how you compare to other units of similar size.

Joint Finance Committee Proposes Increasing Landfill Surcharges by \$7.10/ton!

During a marathon session over Memorial Day weekend, the Joint Finance Committee (JFC) considered motions related to solid waste and recycling programs. Unfortunately, the results propose to increase landfill tipping fee surcharges even higher than proposed in Governor's budget (and reported to you in the March letter). The JFC has proposed increasing the recycling tip fee surcharge to \$7.00/ton and the environmental repair fee to \$5.70/ton. Currently, these surcharges are \$4.00/ton and \$1.60/ton, respectively and apply to each ton of solid waste disposed of in Wisconsin (except high volume industrial by-products). Also these increases would go into effect in the middle of a budget year, with the recycling tip fee surcharge going into effect on October 1, 2009 and the environmental repair fee as soon as July 1, 2009. The JFC also considered solid waste and recycling grant programs and proposed the following: increase Recycling Grants by \$1 million in second year of biennium; directed DNR to request additional increases in Recycling Grants appropriation if revenues exceed estimates; restored statutory authority for the Recycling Efficiency Incentive Grant program, Waste Reduction and Demonstration Grant program, and Business Waste Reduction and Recycling Assistance program, but made no appropriation in this biennium; restored funding of \$750,000/year for Clean Sweep Program and transferred program from Dept. of Agriculture, Trade and Consumer Protection to DNR. State and local papers have been reporting on the fee increases proposed; for your information, enclosed is a copy of such an article from the Oshkosh Northwestern. If you have any questions on this proposal or how it will impact your community, please feel free to contact me at (920) 232-1853 or jsemrau@co.winnebago.wi.us.

Winnebago County Assists with Cart Procurement Process

Winnebago County, on behalf of interested communities in Brown, Outagamie and Winnebago Counties, wrote, issued, evaluated and awarded a Request for Proposals (RFP) for recycling/solid waste carts. A group made up of staff from Winnebago County and its communities drafted the RFP in March-April. Proposals were due on May 1, 2009. Seven companies submitted proposals. An evaluation team met

several times over the course of May to review and evaluate the proposals and cart samples provided. On Monday, June 8 the team formally awarded the RFP to Toter, Inc. based on quality and construction of the cart, price and references which deemed it to be the best value by the group. For those who are interested, the tally sheet is available at the Winnebago County website at: <http://www.co.winnebago.wi.us/finance/Purchasing/purchasing.htm> and I am happy to email the RFP so interested parties can review our specifications and options (in order to correspond with the tally sheet online). In addition, copies of proposals can be attained by request from the Winnebago County Purchasing Dept (again see link), and cart samples can be viewed at the Winnebago County Transfer Station by request. Any interested community in Winnebago County is welcome to take advantage of the 'bulk' pricing we achieved by pooling community needs together. If you have any questions on the cart procurement process, please feel free to contact me.

Single Stream Recycling Processing Facility Plans Grand Opening and Public Open House

Brown, Outagamie and Winnebago County are planning a Grand Opening Event at our new Single Stream Recycling Processing Facility. The Grand Opening will be by invitation only and each of you, our contracted communities, will be receiving an invitation. The Grand Opening will be held on Monday, July 13, beginning at 9:00 a.m. At this event, you will have the opportunity to view the largest publicly owned and operated facility of its kind in Wisconsin. Please save the date and watch for a personal invitation near the end of June. RSVPs will be required. In addition, we are planning an Open House for the public from 1:00-7:00 p.m. on Wednesday, July 15. Anyone unable to attend on July 13 is welcome on July 15 as well. Again, please feel free to contact me with any questions.

Single Stream Recycling Education

Winnebago County is committed to assisting our municipalities with their recycling educational needs, especially with those transitioning to single stream recycling. It will be challenging for Winnebago County to offer comprehensive recycling information beginning July 1st, as some communities transition to single stream this summer, others this fall, others January 1 and others intending to maintain dual stream recycling. However, Winnebago County is producing a Single Stream Recycling Guide which will discuss single stream in generic terms, allowing municipalities to focus on the collection requirements, and we will provide you with as many copies as requested. I am also happy to write articles for your community newsletters that can be tailored to the individual municipality.

Electronics Recycling Legislation Passes Senate

Senate Bill 107, introduced by Senator Mark Miller on March 10, seeks to establish a statewide collection and recycling system for certain electronic devices and bans landfilling of these items as of September 1, 2010. The bill advanced through the Senate with a bi-partisan vote of 23-7 on June 9, 2009. Winnebago County will continue to track this legislation and provide updates as they occur.

County/Municipal Recycling Agreement

Enclosed you will find an Amendment/Extension to our County/Municipal Recycling Agreement. This Amendment/Extension will address the changes needed for single stream recycling/ plastic bags and extends the Agreement through December 31, 2019. We appreciate your support of the Winnebago County Solid Waste program and work hard to offer you a comprehensive, cost-efficient recycling program. If you have any questions on the Amendment/Extension, please feel free to contact me.

Reminder: Surplus Commodity Revenue Ballots Due June 15