



RESOLUTION # 77-1/10

TO: HONORABLE MEMBERS OF THE LA CROSSE COUNTY BOARD OF SUPERVISORS

ITEM # 1/25

BOARD ACTION

Adopted:
For: 34
Against: 0
Abstain: 0
Abs/Excd: 1
Vote Req: MAJORITY
Other Action:

PUBLIC WORKS & INFRASTRUCTURE COMMITTEE ACTION

Adopted:
For: 6
Against:
Abstain:
Abs/Excd:

EXECUTIVE COMMITTEE ACTION

Adopted:
For: 9
Against:
Abstain:
Abs/Excd:

RE: APPROVAL OF AMENDMENT NO. 6 TO THE SOLID WASTE DISPOSAL AGREEMENT BETWEEN LA CROSSE COUNTY AND NORTHERN STATES POWER COMPANY

WHEREAS, La Crosse County and Northern States Power Company (NSP) entered into a Solid Waste Disposal Agreement on March 18, 1986 for the provision of solid waste processing and disposal services for La Crosse County, which has been amended time to time; and,

WHEREAS, NSP has requested that La Crosse County amend the Agreement to remove one of the Minnesota plants from the calculation of the fuel credit because the plant was converted from a coal plant to a gas plant in January, 2009; and,

WHEREAS, NSP has also requested the County to amend the Agreement to remove all references to the Federal Energy Regulatory Commission because the reporting directive has been changed to the Energy Information Administration; and,

WHEREAS, the original Agreement calculated fuel credit on NSP's base load coal facilities to make comparable energy adjustments for refuse derived fuel taken from the waste stream delivered to the RDF facility on French Island; and,

WHEREAS, failure to remove the plant will result in a fuel credit adjustment unfairly disproportionate to any change in the fuel adjustments in prior years; and,

WHEREAS, La Crosse County and NSP have also agreed to change the guaranteed annual tonnage from 73,000 tons to 70,000 tons for the year 2010 in exchange for granting NSP one additional maintenance shutdown day for 2010 due to the impact of the economy on waste tonnages.

NOW THEREFORE BE IT RESOLVED, that the La Crosse County Board hereby authorizes Amendment No 6 to remove Riverside as one of the Minnesota plants utilized to calculate the fuel credit and also to change the reporting directive to remove the Federal Energy Regulatory Commission and replace it with the Energy Information Administration.

BE IT FURTHER RESOLVED, that the County Board Chair and County Clerk are hereby authorized to execute such amendment, after approval of Corporation Counsel.

FISCAL NOTE: Change will result in an approximately reduction of \$3500/month in the fuel credit provided to La Crosse County for 2010 and for overpayment in 2009. The 2010 budget has already been adjusted in anticipation of this reduction.

Date: 1-7-10

[Signature]
PUBLIC WORKS & INFRASTRUCTURE COMMITTEE CHAIR

[Signature]
RECORDING CLERK

Date: 1-13-10

[Signature]
EXECUTIVE COMMITTEE CHAIR

[Signature]
RECORDING CLERK

	Reviewed Only	Recommended	Not Recommended
Co. Admin.	_____	<u>30</u>	_____
Fin. Director	_____	<u>6</u>	_____
Corp. Counsel	_____	<u>WAS</u>	_____
Board Chair	<u>SD/ma</u>	_____	_____

Requested By: Solid Waste Director
Date Requested: December 22, 2009
Drafted By: Corporation Counsel

Adopted by the La Crosse County Board this 21st Day of JANUARY, 2010

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STATE OF WISCONSIN
COUNTY OF LA CROSSE

I, Linda A. Stone, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original resolution required by law to be in my custody and which the County Board of Supervisors of La Crosse County adopted at a meeting held on the 21st day of January, 2010.

[Signature]
Linda A. Stone, La Crosse County Clerk