

**MEETING NOTICE**  
**PARTNERSHIP ON WASTE AND ENERGY BOARD**

**Date:** Wednesday, October 11, 2023

**Time:** 3:00-4:30 p.m.

**Commissioners, Key staff, Presenters:**

Ramsey County Environmental Health | 2785 White Bear Ave N. | 2<sup>nd</sup> Floor Conference Room  
Maplewood, MN 55109 | [Map](#)

**Public:** Members of the public are encouraged to participate remotely or may attend at the Maplewood address.  
[Microsoft TEAMS](#) | Phone Conference ID: 801 111 431# | Call In (audio only): 1-323-792-6297

**AGENDA**

**1. Call to Order, Introductions**

<b>2. Approval of Agenda</b>	Action	Page 1
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<b>3. Approval of Minutes – June 15, 2023</b>	Action	Page 2
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**4. Business**

a. 2023 Budget Update	Information	Page 5
b. Renewal of Agreement with Fryberger Law Firm	Action	Page 7
c. 2024 Proposed Budget	Information	Page 13
d. Legislative Session Preview	Policy Discussion	Page 15

**5. Other**

**6. Adjourn**

**NEXT MEETING**

Thursday, November 30, 2023 | 1:00-2:30 p.m. | Hennepin Energy Recovery Center (HERC) - Minneapolis

**THURSDAY, JUNE 15, 2023**  
**PARTNERSHIP ON WASTE AND ENERGY BOARD**

A meeting of the Partnership on Waste and Energy Board (PWE) was held at 2:30 p.m. on Thursday, June 15, 2023. Commissioners and staff participants met at the Ramsey County Environmental Health Office, 2785 White Bear Avenue North, Maplewood, Minnesota. Other participants and the public joined remotely.

**MEMBERS PRESENT**

Commissioner Debbie Goettel – Hennepin County  
Commissioner Victoria Reinhardt – Ramsey County  
Commissioner Fran Miron – Washington County

**ATTENDING AT RAMSEY ENVIRONMENTAL HEALTH, MAPLEWOOD**

Mallory Anderson, Leigh Behrens, Max Dalton, Dan Donkers, Rae Eden Frank, Jamie Giesen, Dave McNary, Shannon Mitchell, Michael Reed, Sam Richie, John Ristad, Jody Tharp, Rob Vanasek

**ATTENDING REMOTELY**

Shannon Conk, Sam Ferguson, Filsan Ibrahim, John Jaimez, Juna Ly, Jennifer Nguyễn Moore, Jim Redmond, Uriel RosalesTlatenchi, John Springman, Mary T’Kach, Sam Walseth, Caleb Werth, Joua Yang

**CALL TO ORDER AND COMMISSIONER ROLL CALL**

Chair Goettel called the meeting to order at 2:31 p.m. Introductions of attendees in Maplewood were made.

**APPROVAL OF AGENDA**

Commissioner Reinhardt moved, seconded by Miron, to approve the agenda as presented. Motion passed 3-0. Ayes: Goettel, Miron, Reinhardt; Nays: none.

**APPROVAL OF MINUTES**

Chair Goettel presented an amendment to the minutes of February 9, 2023, changing reference to EAB in paragraph six to EPR. Commissioner Miron moved, seconded by Reinhardt, to approve the amended minutes. Motion passed 3-0. Ayes: Goettel, Miron, Reinhardt; Nays: none.

**BUSINESS**

**Alternate to the Partnership Board**

Commissioner Miron explained a change made by the R&E Board in naming the Washington County alternate to PWE, now Commissioner Karla Bigham, for a two-year term.

**Changes to Board Meeting Schedule**

Michael Reed, Ramsey County and R&E Joint Leadership Team (JLT), presented an amended meeting schedule, which reflects changes needed due to commissioner schedule conflicts.

Commissioner Reinhardt moved, seconded by Miron, to approve Resolution PWE-2023-01, Changes to Board Meeting Schedule. The PWE Board approves the amended 2023 Partnership Board meeting schedule. Motion passed 3-0. Ayes: Goettel, Miron, Reinhardt; Nays: none.

## **UPDATES AND REPORTS**

### **Legislative Session Update**

Dave McNary, Hennepin County and PWE lead staff, presented an overview of the goals for PWE going into the 2023 legislative session. PWE partnered with many organizations during the session and submitted more than 30 letters of support.

Sam Richie, Fryberger Law, provided an update on legislation for energy-related issues. There were several unique things about this session due to the decision to leave a large amount of 2022 surplus funding for use during the 2023 session. The 100% carbon-free energy bill passed in early February and was signed into law. The bill requires energy producers to move to 100% carbon-free by 2040. The Hennepin Energy Recovery Center (HERC) was targeted as no longer eligible to be considered a renewable energy source to help utilities meet renewable energy goals, an action that could deny it the ability to secure renewable energy credits. A Department of Commerce State Competitiveness Fund of \$115 million was established to assist eligible Minnesota entities seeking federal grant awards for energy projects under the federal Inflation Reduction Act and the Infrastructure Investments and Jobs Act.

Emerald ash borer (EAB) funding was included in the only joint session held by the House and Senate. During an omnibus session, \$35 million was requested for District Energy. The House allocated \$28 million; the final compromise bill came in at \$16.562 million.

The ReLeaf Community Forestry Grants program was allocated \$16 million to treat or replace ash trees affected by EAB, although funding is nowhere near what was allocated for the Dutch elm crisis.

A goal going into session was to put clean transportation standards into law; however, the approach was scaled back to establish a working group. Great Plains Institute will be leading that issue going forward.

Rob Vanasek, Capitol Hill Associates, provided an overview of legislation on waste issues. As opposed to 2022, 26 bills were well positioned for the 2023 session, most of which were not enacted into law. However, many issues PWE worked heavily on were enacted into law. SCORE funds for counties received \$14.7 million in new money (Hennepin will receive over \$700k, Ramsey will receive \$300k and Washington will receive \$150k in new state money each year going forward, and those amounts will grow annually). PWE worked in conjunction with others to successfully get over \$16 million for the District Energy operation. The Digital Fair Repair Act was enacted into law, although farm machinery and tractors, motor vehicles, medical devices, landscaping equipment and tools and video game consoles were exempted.

### **2022 Partnership Annual Report**

Leigh Behrens, R&E planning and projects manager, provided an overview of the PWE Annual Report. 2022 marked the fifth full year of the PWE collaboration. The Joint Powers Agreement (JPA) was executed in November 2017, the first PWE Board meeting was held in December 2017 and the first approved budget was for the fiscal year 2018. Annual reports for 2022 and prior years are available on the [PWE website](#).

Product stewardship efforts are a policy approach to hold producers responsible for management of their products and packaging for the materials' full life cycle to minimize the environmental and social impacts. 2022 highlights include:

- Continued partnership with Solid Waste Administrators Association (SWAA) Product Stewardship Committee

- Collaboration with the Product Stewardship Institute (PSI) to develop legislation for extended producer responsibility (EPR) for packaging
- Continued tracking of opportunities for products like carpet, mattresses, batteries and electronics

Wood waste concerns continue regarding the increasing amount of wood waste from trees infected by EAB. This decade, 1.67M+ tons of wood waste in the seven-county metro area will need an outlet for wood waste management. 2022 PWE efforts include:

- A pilot project conducted to increase the use of discarded ash tree waste into products like furniture
- Commissioning a study by Cambium Carbon to understand wood waste flow in the wood waste management industry; the Twin Cities Metro Area Emerald Ash Borer Wood Waste Study report is available on the [PWE website](#).

Anaerobic digestion (AD) technology captures biogas from organic wastes, reduces greenhouse gas emissions, creates renewable natural gas (displacing fossil fuels) and makes valuable soil amendment products from digestate. 2022 PWE efforts include:

- Hennepin & Ramsey/Washington both progressed on developing AD infrastructure
- Continued advocacy for a Future Fuels Act/Clean Transportation Standard
- Participation in Minnesota Public Utilities Commission (MNPUC) rulemaking for a Natural Gas Innovation Act

#### **ADJOURN**

Chair Goettel declared the meeting adjourned at 3:30 p.m.

ATTESTED TO:

Approved: \_\_\_\_\_  
Debbie Goettel, Chair  
October 11, 2023

Approved: \_\_\_\_\_  
October 11, 2023

<b>PARTNERSHIP BOARD MEETING DATE:</b>	October 11, 2023	<b>AGENDA ITEM:</b>	4.a
<b>SUBJECT:</b>	2023 Budget Update		
<b>TYPE OF ITEM:</b>	<input checked="" type="checkbox"/> INFORMATION	<input type="checkbox"/> POLICY DISCUSSION	<input type="checkbox"/> ACTION
<b>SUBMITTED BY:</b>	Partnership Lead Staff		

**BOARD ACTION REQUESTED:**

For information only.

**EXECUTIVE SUMMARY:**




The Partnership on Waste and Energy Board approved the 2023 budget at the October 2022 meeting. Staff will provide a budget status report.

**ATTACHMENTS:**

1. 2023 Year-End Projection Report as of July 31, 2023

**FINANCIAL IMPLICATIONS:**

None.

AUTHORIZED SIGNATURES		DATE
Hennepin County		9/18/23
Recycling & Energy		9/18/23
		9/19/23

**Partnership on Waste and Energy  
2023 Year-End Budget Projection Report  
As of July 31, 2023**

	<b>2023 Approved Budget</b>	<b>Year-end Spending Projection</b>	<b>Variance</b>
<b>Staffing and Administration</b>			
Planning Staff	9,900	9,900	-
Accounting Manager	7,200	7,200	-
Contract Manager	5,400	5,400	-
Communications Staff	5,200	5,200	-
<b>Subtotal Staffing and Administration</b>	<b>27,700</b>	<b>27,700</b>	<b>-</b>
<b>Contracts</b>			
Insurance, MCIT	1,600	1,600	-
Platform and Annual Report Design	10,000	10,000	-
Lobby Contract - Waste	75,000	75,000	-
Lobby Contract - Energy	25,000	25,000	-
Wood Waste Management	25,000	-	25,000
Product Stewardship	8,000	8,000	-
Legislation Tracking Contract	6,000	-	6,000
Zero Waste Challenges	14,000	12,000	2,000
Contingency Funds	25,000	6,620	18,380
<b>Subtotal Contracts</b>	<b>189,600</b>	<b>138,220</b>	<b>51,380</b>
<b>Grand Total</b>	<b>217,300</b>	<b>165,920</b>	<b>51,380</b>

PARTNERSHIP BOARD MEETING DATE:			October 11, 2023		AGENDA ITEM:		4.b		
SUBJECT:		Renewal of Agreement with Fryberger Law Firm							
TYPE OF ITEM:		<input type="checkbox"/>	INFORMATION		<input type="checkbox"/>	POLICY DISCUSSION		<input checked="" type="checkbox"/>	ACTION
SUBMITTED BY:		Partnership Lead Staff							

**BOARD ACTION REQUESTED:**

1. Authorize Partnership Lead Staff to execute the renewal amendment, in a form approved by Partnership attorneys, to the Agreement with Fryberger Law Firm for the period of January 1, 2024, through December 31, 2025.
2. Authorize Partnership Lead Staff to enter into any further amendments or change orders thereto so long as they are within the project budget and approved as to form by Partnership attorneys.

**EXECUTIVE SUMMARY:**

Fryberger, Buchanan, Smith & Frederick, P.A., (Fryberger Law Firm) has provided contract lobbying services for the Partnership on Waste and Energy (Partnership) since 2018. The current contract term started on January 1, 2021, after approval by the Partnership Board on December 10, 2020 (Resolution PWE-2020-07), and currently runs through December 31, 2023. The agreement allows for up to two years of renewal for a full potential contract term of five years. Partnership lead staff have reviewed the work performed by Fryberger Law Firm, and, based on the excellent lobbying services provided during the first three-year term, recommend renewing the current agreement for the final two available years now instead of doing two separate one-year renewals. Fryberger Law Firm has also agreed to continue providing services at the same rates outlined in the initial term for the final two available contract years.






**ATTACHMENTS:**

1. Draft Resolution
2. Draft Amendment

**FINANCIAL IMPLICATIONS:**

Not to exceed \$24,975 per year. Funding for energy lobbying services is included in the approved Partnership budget.

**SUBJECT:** *Renewal of Agreement with Fryberger Law Firm*

AUTHORIZED SIGNATURES		DATE
Hennepin County		9/21/23
Recycling & Energy		9/27/23
		9/28/23
Washington County Attorney		9/26/23
Approved as to form:		9/26/23
Ramsey County Attorney		



**Draft Resolution PWE-2023-02  
Renewal of Agreement with Fryberger Firm**

WHEREAS, The Amended and Restated Joint Powers Agreement (“JPA”) of the Partnership on Waste and Energy (“Partnership”) between the Ramsey/Washington Recycling & Energy Board (“R&E Board”) and Hennepin County dated December 1, 2017, directs the Governing Board of the Partnership to develop an annual budget; and

WHEREAS, The JPA further specifies that the Governing Board may negotiate, enter, and enforce contracts necessary to accomplish the purposes set forth in the JPA; and

WHEREAS, The JPA identifies the R&E Board as the Administrative Agent for the Partnership, and that its procurement guidelines will be used for Partnership procurement; and

WHEREAS, The JPA further charges the Governing Board to develop a legislative and policy platform, and to contract with waste management and energy lobbyists; and

WHEREAS, The Governing Board of the Partnership approved an agreement with Fryberger, Buchanan, Smith & Frederick, P.A. (“Fryberger Law Firm”) to provide lobbying services with a term of January 1, 2021, through December 31, 2023 (Resolution PWE-2020-07); and

WHEREAS, That Agreement is renewable for up to two additional years, and Fryberger Law Firm is agreeable to renew the Agreement for two years at the current rates, and Partnership staff also recommends renewal. NOW, THEREFORE, BE IT

RESOLVED, The Governing Board hereby authorizes Partnership lead staff to execute the renewal amendment, in a form approved by Partnership attorneys, to the Agreement with Fryberger Law Firm for the period of January 1, 2024, through December 31, 2025; and BE IT FURTHER

RESOLVED, The Governing Board authorizes Partnership lead staff to enter into any further amendments or change orders thereto so long as they are within the project budget and approved as to form by Partnership attorneys.

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Commissioner Goettel, Board Chair  
October 11, 2023

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Commissioner Reinhardt, Vice Chair  
October 11, 2023



## **Partnership on Waste and Energy Board**

Contract Number: RESRC-1252 A1

Contractor Name: Fryberger, Buchanan, Smith & Frederick, P.A.  
Vendor ID: 213408  
CERT SBE SVN:

Department: PWE

Contract Authority/Resolution: Resolution  
Resolution #: PWE 2020-07

Good/Service Type: Professional Services

Contract Description: Lobbying Services

Contract Type: NTE

Not To Exceed Amount: \$24,975 per year

Funding Notes:

Original Contract Begin Date: 01/01/2021  
Contract End Date: 12/31/2025

Comments:

Sole source procurement terms are being used based on the following - continuation of previous or additional work that cannot be acquired easily or effectively from another contractor or individual due to patent or institutional knowledge gained performing the previous work.

Amendment 1 renews the Agreement through December 31, 2025 at the current rates.



## **1<sup>st</sup> Amendment to Agreement Between Partnership on Waste and Energy and Fryberger, Buchanan, Smith & Frederick, P.A.**

This is an amendment to the Agreement made and entered into by and between the Partnership on Waste and Energy, hereinafter referred to as the “Partnership”, and Fryberger, Buchanan, Smith & Frederick, P.A., with its principal place of business at 302 W Superior St., Suite 700, Duluth, MN 55802, hereinafter referred to as the “Contractor” or “Vendor”.

In this Amendment, deleted terms will be struck out and added terms will be underlined and bolded, except where described otherwise.

The parties agree to amend the Agreement as follows:

### **1. Term**

1. The term of the Agreement shall be January 1, 2021 through December 31, **2025, payable according to the existing rate schedule outlined in Section 3.** ~~2023 with the option of two, one-year renewals upon mutual written agreement of the parties.~~

Except as modified herein, the terms of the Agreement shall remain in full force and effect.

**SUBJECT:** *Renewal of Agreement with Fryberger Law Firm*

IN WITNESS WHEREOF the parties have executed this Agreement as of the dates below.

**Fryberger, Buchanan, Smith & Frederick, P.A.**

**RAMSEY/WASHINGTON RECYCLING & ENERGY BOARD:**

**By:** \_\_\_\_\_

**By:** \_\_\_\_\_

Partnership Chair

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Recommended for Approval By:**

**By:** \_\_\_\_\_

Michael Reed, Ramsey County

**Date:** \_\_\_\_\_

**By:** \_\_\_\_\_

David Brummel, Washington County

**Date:** \_\_\_\_\_

**By:** \_\_\_\_\_

David McNary, Hennepin County

**Date:** \_\_\_\_\_

**Approved As To Form:**

**By:** \_\_\_\_\_

Assistant County Attorney

**Date:** \_\_\_\_\_

Reviewed by: \_\_\_\_\_

PARTNERSHIP BOARD MEETING DATE:		October 11, 2023		AGENDA ITEM:		4.c	
SUBJECT:		2024 Proposed Budget					
TYPE OF ITEM:		<input checked="" type="checkbox"/>	INFORMATION	<input type="checkbox"/>	POLICY DISCUSSION	<input type="checkbox"/>	ACTION
SUBMITTED BY:		Partnership Lead Staff					

**BOARD ACTION REQUESTED:**

For information only.

**EXECUTIVE SUMMARY:**

Section 5.2.4. of the Joint Powers Agreement that creates the Partnership on Waste and Energy (PWE) provides direction on an annual budget:

- 5.2.4. The Governing Board shall develop and approve an annual budget (for the calendar year January 1 to December 31) at its first official meeting, and at a fall meeting in subsequent years.
- 5.2.4.1. The budget shall specify contributions by the Parties, which shall be allocated in equal parts to the Parties.
- 5.2.4.2. The Parties shall make their contributions to the Administrative Agent by February 28th of each year.




Staff have prepared a draft 2024 budget for board members to review and discuss. Staff will bring a revised budget back to the November 30, 2023, board meeting for final approval.

**ATTACHMENTS:**

1. Proposed 2024 Partnership Budget

**FINANCIAL IMPLICATIONS:**

None. Upon final approval, the financial implications will be explicit in the approved budget.

AUTHORIZED SIGNATURES		DATE
Hennepin County		10/2/23
Recycling & Energy		10/2/23
		10/2/23

**2024 Partnership on Waste and Energy Budget**

	<b>2023 Approved Budget</b>	<b>2024 Proposed Budget</b>
<b>APPROPRIATIONS:</b>		
<b>Staffing and Administration</b>		
Planning Staff	9,900	10,200
Accounting Manager	7,200	7,500
Contract Manager	5,400	5,600
Communications Staff	5,200	5,400
<b>Total Staffing and Administration</b>	<b>27,700</b>	<b>28,700</b>
<b>Contracts</b>		
Insurance, MCIT	1,600	1,600
Platform and Annual Report Design	10,000	10,000
Lobby Contract - Waste	75,000	78,000
Lobby Contract - Energy	25,000	25,000
Wood Waste Management	25,000	45,000
Product Stewardship	8,000	2,500
Recycling Measurement Study	-	25,000
Haz. Waste Online Training	-	10,000
Legislation Tracking Contract	6,000	-
Zero Waste Challenges	14,000	24,000
Contingency Funds	25,000	4,175
<b>Total Contracts</b>	<b>189,600</b>	<b>225,275</b>
<b>Total Appropriations</b>	<b>217,300</b>	<b>253,975</b>
<b>REVENUE:</b>		
Carryover Funds	15,000	51,675
Recycling and Energy Board	101,150	101,150
Hennepin County	101,150	101,150
<b>Total Revenue</b>	<b>217,300</b>	<b>253,975</b>

<b>PARTNERSHIP BOARD MEETING DATE:</b>	October 11, 2023	<b>AGENDA ITEM:</b>	4.d
<b>SUBJECT:</b>	Legislative Session Preview		
<b>TYPE OF ITEM:</b>	<input type="checkbox"/> INFORMATION	<input checked="" type="checkbox"/> POLICY DISCUSSION	<input type="checkbox"/> ACTION
<b>SUBMITTED BY:</b>	Partnership Lead Staff		

**BOARD ACTION REQUESTED:**

For policy discussion.

**EXECUTIVE SUMMARY:**

The 2024 Minnesota legislative session will convene on February 12, 2024. At the October 11, 2023, Partnership on Waste and Energy Board meeting, staff and lobbyists will provide an update on the development of the 2024 platform and present a preview of potential legislative considerations and other influences on platform development.






The Partnership Board will be requested to approve a 2024 platform at the November 30, 2023, meeting.

**ATTACHMENTS:**

1. 2023 Legislative Platform

**FINANCIAL IMPLICATIONS:**

None.

AUTHORIZED SIGNATURES		DATE
Hennepin County		10/4/23
Recycling & Energy		9/27/23
		9/28/23
Washington County Attorney		9/18/23
Approved as to form:		9/27/23

# 2023 State Legislative Platform

## Build on Waste Management Act goals

PWE supports policies that reach beyond current public health and environmental goals and advance equity and climate resilience.

PWE supports forward-looking policy and regulatory design to align energy and materials management strategies, encourage emerging technologies and support new markets for waste.

PWE supports stronger, innovative collaboration among state and local governments to maximize the benefits of waste, resource and energy initiatives.

## Enhance solid waste financing

PWE supports tax and finance policies that create effective incentives and distribute resources in alignment with policy goals.

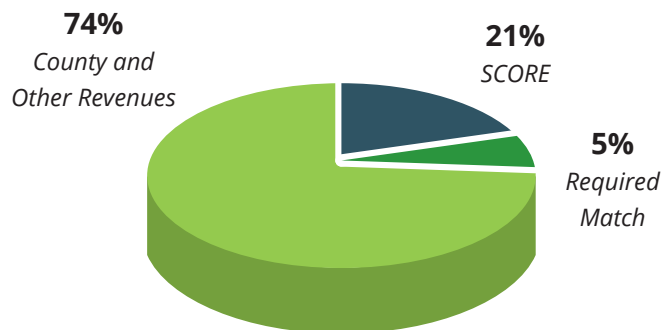
PWE supports robust state funding for local government to carry out statutory responsibilities.

## Create a more sustainable, climate resilient economy

PWE supports measures to design waste, toxicity and pollution out of the marketplace and keep products and resources in use for a more equitable circular economy.

PWE supports partnerships among private and public entities to prevent waste and use waste as a resource.

**County Recycling Spending and SCORE Grants, 2020**



*State grants cover only 1/5 of county spending for recycling.*

### Need more information?

**Rob Vanasek**  
Capitol Hill Associates  
612-964-4876  
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**Sam Richie**  
Fryberger, Buchanan, Smith & Frederick, P.A.  
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**The Partnership on Waste and Energy**—a collaboration between Hennepin, Ramsey, and Washington counties—seeks to end waste, promote renewable energy and enhance the health and resiliency of communities we serve while advancing equity and responding to the challenges of a changing climate.