

TOWN OF GREEN BAY
BROWN COUNTY, WI
Tuesday, November 10th, 2020

Minutes for the regular monthly meeting which immediately followed the Annual Budget Meeting which began at 7:00 pm. Present Chairman Cary Dequaine, Supervisor Ryan DeBroux, Supervisor Matt Bosman, Clerk Debbie Mercier, Treasurer Lori Geniesse, Constable Jeff DuBois, and Zoning Administrator Gary Jonet

8 present

1. Call to Order

Chairman Dequaine called the meeting to order at 7: 30 pm and opened with reciting the Pledge of Allegiance.

2. Review and Take Action on October meeting minutes

Motion made by Sup DeBroux to accept the minutes dated October 13, 2020 with a second by Supervisor Bosman. Voice vote 3-0 Motion Carried.

3. Review Planning Commission minutes - there was no meeting held

4. Review Board of Appeals minutes

Motion made by Sup Bosman to accept the Board of Appeals minutes dated October 22, 2020. Second by Sup DeBroux. Voice vote 3-0 Motion Carried.

5. Review Zoning Administrator Report and Building Inspector Report

Motion to accept the Zoning Administrator report dated 10/13/20 to 11/10/20 as presented. Second by Sup Bosman. Voice vote 3-0 Motion Carried. There was not a Building Inspector report received.

6. Consideration of an Initial Resolution Regarding Tax-Exempt and Taxable Solid Waste Disposal Revenue Bond Financing for WI RNG Hub North LLC Project. Information with respect to the job impact of the project will be available at the time of consideration of the Initial Resolution.

Motion made by Sup Bosman to open the floor to discuss item #6. Second by Sup DeBroux. Voice vote 3-0 Motion Carried. Atty Lynda Templen, bond council who is based out of Milwaukee was present for the meeting. She explained the reason they have come to the Town of Green Bay is because the project has a component part which is Dairyland located in the Town of Green Bay; in order to spend any of the bond proceeds produced by the Town of Gillett. She explained the Town of Green Bay has no liability.

She further stated this would be Conduit bonds, tax exempt bonds. **The municipality has to issue the bond, but the town is simply a conduit and assisting the conduit, the Town of Gillett.** Any expenses are paid by the borrower at the time this is closed. There will be intergovernmental agreement between The Town of Green Bay and the Town of Gillett. These bonds are one of the few things that one of the town's, cities, and villages can do that someone is expanding within the municipality and it comes at no expense to the municipality. Chairman Dequaine stated he had discussed an issuer's fee, she stated you aren't the issuer, but it's not unusual to have some type of a fee. She gave an example of \$1,500. It is totally within the town's discretion of what the fee will be. It was discussed the December meeting will be on the 8th. Supervisor DeBroux stated his question, he was under the understanding there would be one more meeting. She explained the only way they would come back if there would be bond proceeds. She explained the bond issued is sizable, most of the proceeds will be tax exempt bond will be spent in the town of Gillett. They are asking for one resolution. Taxable and equity....will be spent in the town of Green Bay. They are hoping to close in December. Approximately they will be spending \$10 million only approximately 3 million will come from the bond offering. She explained this project will create jobs and will increase the tax base. Some will be real property, some will be equipment.

Nick Boyle stated the Hub farm is Zahn farms in Gillett. What they are building is a spoke operation at Dairyland, will truck approx. 4 ½ trucks a day to the anaerobic digester, turn into a renewable natural gas, inject into the pipe line and **sell to BP which is the largest purchaser.** Dairyland will receive some of the profits. He explained by cleaning up the manure, it will clean up the methane and smell. Cleaning up the waste and turning into money. Beneficial for the animals. Chairman Dequaine asked about the truckload. He explained 62 to

65,000 pounds fully loaded. 4 ½ trucks. If there is road repair needed, they are happy to enter into an agreement for road repair. Sup DeBroux stated there is a current smell, he stated the hopper area there always has an odor. Nick explained they are addressing that. Sup DeBroux stated there is a raw order when the manure is getting churned. Nick explained they will be continuously moving the manure into the digester as fast as they can. Sup DeBroux there is a spot, a pit area, that is constantly churning when it comes out of the barn before it goes into the tanks, can it go straight from the barn to the digester? Nick explained each barn will have a pit and will be pumped right into the digester. Sup DeBroux stated the roads are very vulnerable end of February, March, April, there will be peak issues; he feels the board has to address the road repair and the timing. The board stated the 4 way intersection is proposed to be repaired, so timing is important. Sup DeBroux questioned if there will be noise. Nick explained there would not be a noise. Sup Bosman stated there was going to be a tax base and they turned to tax exempt. The Sup Bosman asked if there will be an increase in tax base. Sup DeBroux stated ownership switched over to the farmer and it became a tax exempt entity. He explained there is 100% odor, the town went from an enormous project with money to the town, and it became tax exempt with nothing to the town. Attorney stated, this is part of the solution. Sup Bosman questioned if there is ownership change? Nick stated yes there will be an ownership change, and an agreement could be entered into regarding the tax base, they will address the odor and stated the odor will go away. Sup DeBroux stated the board has to do their due diligence. **Sup DeBroux explained they had been getting continuous fire calls.** He explained the problem is they are not handling it properly at this time. Another representative along with Nick stated this is a completely different program; they stated it is an emergency flare, the gas is the revenue. Sup DeBroux questioned the subsidized energy is cut-off, it was all put on by government money and it all ended. **Why would it pay to spend 30 million when gas is cheap right now?** He explained what he is worried about that this company comes in and doesn't defunk.

Carbon credits are the legislation, **in his opinion Larry Dufek in 10 years will have 2 very good digesters.** He stated there are no guarantees in the world. He stated he has been in the energy business for 35 years, this is the best he has seen. The other gentleman said, the carbon markets are evolving, coal generations are going to die. The renewable natural gas is another carbon friendly green energy that is highly desirable. The purpose is to move away from fossil fuels to renewable fuels. The farms are emitting methane, when they clean up a dairy farm, it has 5 times the benefit of wind and solar. They believe this will grow. Chairman Dequaine asked what they are looking for from the Board tonight? The attorney stated, this is investor money, They could instruct the trustee not to satisfy the agreement. She explained December is critical for a lot of reasons as the funding of the money will allow them to start the work and beat part of winter. She appreciates that the board has concerns and would be happy to satisfy the board's concerns. Sup Bosman read the letter from the town's Attorney. Sup DeBroux made mention of all of his concerns: The odor, the road repair, will be a significant \$, a mile of road, fire department concerns, 250,000 psi. He will be stated they utilize a low pressure truck. Similar to a propane truck, nothing on the line anymore they are not interested in electricity production.

Sup DeBroux again stated, the odor, the roads, and the fire department. Nick stated they will have proper insurance and this will be built to code. Should be put into an agreement with the borrower as a possible use agreement. Jeff DuBois questioned if there is another farm if another farmer wants to transport to the digester. Nick explained it does not make economic sense for them. Dawn Goodman questioned if there will be more water. They explained they will be getting more water off the manure, they will be reusing and cleaning the water up. There is a water advantage as well. Attorney stated tomorrow, could send a summary of what she has proposed. She will send an email to both the Clerk and to Atty Steffek. This will give her time to check with Baird. (4 issues)

Motion to close the floor made by Sup DeBroux. Second by Sup Bosman. Voice vote 3-0

Sup DeBroux made a motion that we execute the initial resolution with WI NRB HUB North group with the understanding that the 4 issues being, 1. property taxes, 2. fire dept issues, 3. ongoing road maintenance, and 4. Smell/odor; all of which will be contingent upon our intergovernmental agreement. The Attny stated it won't be an intergovernmental but there will be an agreement. Atty stated the resolution does address some of the issues. Second by Sup Bosman. The signing of the resolution with WI RNG HUB north group LLC with the understanding that the intergovernmental agreement will not be executed unless or until the 4 items, smell,

taxes, road, and fire have been addressed by and between the borrower and the town. Voice vote 3-0 Motion Carried. Resolution 2020-2 *See Exhibit A Initial Resolution Regarding Tax-Exempt and Taxable Solid Waste Disposal Revenue Bond Financing For WI RNG HUB NORTH LLC PROJECT (Resolution No. 2020-2) and Exhibit B Action By Town of Green Bay on 11/10/2020 and Additional Steps for WI RNG HUB NORTH LLC PROJECT.

7. Old Business

A. Grant Opportunities

The Board explained the items which will be put on the grant program are central air with an air purifying system, New Franken Fire Dept labor/payroll for emergency response, New Franken Fire Dept purchase of computer equipment 1/3 cost, election drop box purchase cost and labor, and purchase of projector and additional computers to handle remote access and ease with meetings. The Town of Green Bay will be executing approximately 2/3 of their money. Dawn stated the air purifier may have ongoing maintenance. Sup DeBroux stated they had looked into it and they purchased a system that does not require ongoing maintenance.

8. Constable Report

Jeff stated he made contact with the Brown County Sheriff's Dept regarding garbage dumped on Sunset Bluff Dr as there was a file cabinet full of tax returns; the Sheriff's Dept had come and picked up the items stated. The Clerk contacted Brown County Highway Commission to pick up and dispose of the remaining garbage which had been dumped there also. Jeff also stated Brown Cty had contacted him to pick up a lost dog and at the time he went to pick the dog up, the owner was out looking for the dog; it has since been taken back by the owner.

9. Correspondence Received

Clerk explained the town is offered one free user agreement with the Brown County Register of Deeds to utilize the on-line Laredo system. Sup Bosman stated he got the bill for chipping the tree, Sup DeBroux got a road complaint about County Line Rd he couldn't find anything, location: first house north of K on County Line road drainage issue. Sup Bosman received a phone call from a guy on Bay Meadow Trl NE corner, culvert was plugged. Sup Bosman stated he and Mark Joski spoke with Gary Jonet regarding the possible road easement on the north side of Joski's property on Gravel Pit Rd as Joski would like to put a second driveway in on his property. Clerk to research. It was also mentioned that Dan Gilson notified the town that a roadside chapel was constructed on his property. The party who had constructed was notified and will move the chapel. Clerk will contact the town's association attorney regarding the adjacent land owner's to the public access on Trouble Lane.

10. Clerk and Treasurer Reports

Treasurer read the August and September reports. August, 2020 expenses - \$40,900.59. Income - \$110,831.21. Total monies on hand as of 8/31/2020 equals \$388,739.37. September, 2020 expenses - \$166,629.41. Income - \$746.66. Total monies on hand as of 9/30/2020 equals \$222,679.26. Clerk balances agree for the month of August and the month of September. Motion made by Sup Bosman to accept the clerk and treasurer reports as presented. Second by Sup DeBroux. Voice vote 3-0 Motion Carried.

11. Review Vouchers and Pay Bills

Motion made by Sup Bosman to review the vouchers and pay the bills. Second by Sup DeBroux. Voice vote 3-0 Motion Carried. (checks paid #15445 - #15483)

12. Next Meeting Dates/Adjourn

Motion made by Sup Bosman to adjourn the meeting with a second by Sup DeBroux. Voice vote 3-0 Motion Carried. Meeting adjourned at 10:00 pm.

Submitted by: Debbie Mercier, Clerk