

PORT AND SOLID WASTE DEPARTMENT

Brown County

APPROVED

6/11/07

2561 SOUTH BROADWAY  
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PORT AND SOLID WASTE DIRECTOR

**PROCEEDINGS OF THE BROWN COUNTY HARBOR COMMISSION**

A meeting was held on Monday, **May 14, 2007**, 11:30 A.M., at Holiday Inn – City Centre, Green Bay, WI. The meeting was officially called to order at 11:30 A.M.

1) Roll Call:

Present: President Neil McKloskey  
Vice-President Bill Martens  
Commissioner Ron Antonneau  
Commissioner John Gower (arrived at 11:40 A.M.)  
Commissioner Henry Wallace  
Commissioner Tom Van Drasek  
Commissioner John Hanitz  
Commissioner Joe Hollister  
Commissioner Craig Dickman

Also Present: Charles Larscheid, Brown County Port & Solid Waste Dept.  
Dean Haen, Brown County Port & Solid Waste Dept.  
Dave Nelson, Great Lakes Calcium



- 2) Approval/Modification – Meeting Agenda: **A motion to approve the agenda was made by Craig Dickman and seconded by Tom Van Drasek.** Unanimously approved.
- 3) Approval/Modification – March 12, 2007 Meeting Minutes: **A motion to approve the March 12, 2007 minutes was made by Henry Wallace and seconded by Tom Van Drasek.** Unanimously approved.
- 4) Bylsby Property Remedial Action: Manager Haen indicated Brown County has acquired the Bylsby Property and is working on closing it out through the Department of Commerce. A lease agreement has been negotiated with Great Lakes Calcium (GLC). Brown County will pave one acre of the property with asphalt for GLC. Brown County is requesting GLC takes responsibility for the asphalt and, therefore geotechnical work needs to be performed. Brown County also must submit the proper paperwork to the City of Green Bay in order to pave the property. Because of the amount of paperwork required by the City, Foth & Van Dyke has been hired at a cost of \$7,800. Originally, the estimated cost was for remediation of one acre, however the decision was made to pave a second acre for GLC. Assming approval is received today on the additional cost request, June 1<sup>st</sup> would be the closing date on the property and the rent would be prorated. Payback on this property will be seen in seven to ten years. Discussion on the lease agreement with GLC and the payback period were discussed. **A motion to approve the request for additional funds to obtain necessary documentation required by the City of Green Bay was made by Ron Antonneau and seconded by Craig Dickman** The motion was unanimously approved.

- 5) Bylsby Avenue Property Lease to Great lakes Calcium – Request for Approval: Manager Haen continued discussion on the Bylsby Property regarding the above-mentioned lease with GLC. The lease would require a payment of \$8000 in the first year; an additional \$20 per month for the first through fifth year; and an additional \$25 per month for years six through ten. Discussion ensued on renegotiating this lease in light of the additional costs Brown County will incur for the asphalt pavement. Dave Nelson from GLC was in attendance and provided GLC's viewpoint on the lease as well as responding to questions/suggestions from the Commission. GLC is open to discussing the lease agreement with Brown County and perhaps adjusting the cash stream with perhaps a larger front end monthly payment. It was noted the geotechnical study will benefit both parties. Stone & asphalt costs were the original basis of the lease and those specific costs have not changed. However, engineering costs (\$11,000) up front and the geo-grid (\$26,000) for under the asphalt are additional expenses Brown County had not anticipated. The lease has been approved by Brown County Corporation Counsel as well as GLC's legal counsel. Manager Haen requested direction from the Commission for discussion with GLC. The Commission would like to see Brown County recover a portion of the costs which were unknown months ago (synthetic geo-grid and the upfront engineering) If this additional expense is in order to make the property ready for Brown County to lease, then this expense should be covered by Brown County. However, if GLC is requiring improvements to accommodate their unique use, then that would be at their expense. The Commission stated Brown County should honor the lease agreement previously offered to GLC unless it is determined GLC is requesting something unique to their operation on the site. Manager Haen will further discuss the lease with GLC and bring it back to the Harbor Commission, or with President McKloskey's approval, the lease will then be brought before the Planning, Development and Transportation Committee for approval. **A motion to have Manager Haen negotiate with GLC on unbudgeted costs for preparation and move forward with McKloskey's approval was made by Ron Antonneau and seconded by Joe Hollister. Unanimously approved.**
- 6) USACE/Brown County Right-of-Entry Agreement – Request for Approval: This agreement, between the USACE and Brown County, is to allow the USACE access to the the Fox River Dock slip area which is owned by the County. The USACE will bring dredge material onshore and eventually to the Bay Port Facility. This agreement is identical to the agreement used for the past 5 years. Fox River Dock is aware and approves of the Agreement. **A motion to approve the agreement was made by Craig Dickman and seconded by Ron Antonneau. Unanimously approved.**
- 7) Georgia Pacific Grant Closeout – Update: The Georgia Pacific dockwall project is complete. Manager Haen stated he felt that Krech-Ojard did an admirable job on the design and in keeping costs down.. Haen noted there were less than \$100,000 change orders on a \$3M project.
- 8) U.S. Oil Company Dockwall Lease Assignment to SemFuels – Request for Approval: U.S. Oil is requesting transfer of their lease agreement for their east side facility to SemFuels. The assignment is similar to dockwall lease assignments done in the past with other terminals. **A motion to approve the lease assignment was made by Ron Antonneau and seconded by John Gower. Unanimously approved.**
- 9) American Great Lakes Ports Policy Position – Request for Approval: Manager Haen provided a summary and follow-up information on the AGLP policies. Harbor dredging,

federal legislation for aquatic species, short sea shipping harbor maintenance tax reform, funds for the Great Lakes Navigation Study, and Port Security are the issues supported by the Port of Green Bay. **A motion to approve the AGLP policy position was made by Ron Antonneau and seconded by John Gower.** Unanimously approved.

- 10) Director's Report: Director Larscheid discussed the 2008 budget and explained the process. Harbor Commission approval meeting will be scheduled for late July.

Election of officers will take place after the reappointments of Commissioners are completed.

The WDNR and the EPA will be putting out their Record of Decision (ROD) in the next few weeks. The ROD will address the issue of capping as well as the disposal of dredging sediments.

The analytical information on Renard Island was not available to bring to the meeting, however, Manager Haen indicated it is very similar to last month's data. The information shows that Brown County conservatively estimated their numbers and the actual numbers are 50% lower than those submitted in Brown County's closure plan.

Although Senator Kohl and Congressman Kagen indicated they would attempt to have the Cat Island project submitted under WRDA, no further information is available at this time.

- 11) Audit of Bills – Request for Approval: **A motion to approve the bills was made by Henry Wallace and seconded by Ron Antonneau.** Unanimously approved.
- 12) Tonnage Report: Manager Haen indicated that tonnage is down 42%; however no foreign imports have come in. Sanimax exported their first ship of tallow this year after several years of not exporting.
- 13) Such Other Matters as are Authorized by Law: No other matters.
- 14) Adjourn: **A motion to adjourn was made by Joe Hollister and seconded by Tom Van Drasek.** Meeting adjourned at 1:50PM.

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Neil McKloskey  
Harbor Commission

Charles Larscheid  
Port & Solid Waste Department