

PORT & RESOURCE RECOVERY DEPARTMENT



2561 SOUTH BROADWAY
GREEN BAY, WI 54304

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DEAN R. HAEN
DIRECTOR

MINUTES OF THE BROWN COUNTY HARBOR COMMISSION

A meeting was held on **Monday, May 10, 2021**
at the Port Offices, 2561 S Broadway, Green Bay, WI 54304

1) Call to Order:

The meeting was officially called to order by President Tom Klimek at 10:31 am.

2) Roll Call:

Present: President Tom Klimek
 Vice President Bryan Hyska
 Commissioner Barb LaMue
 Commissioner Hank Wallace
 Commissioner Wes Kornowske
 Commissioner Mike Vizer
 Commissioner Ron Antonneau

Excused: Commissioner Tim Feldhausen
 Commissioner Pete Diemer

Also Present: Dean Haen, Brown County P&RR
 Chad Doverspike, Brown County P&RR
 Mark Walter, Brown County P&RR
 Claire Westlund, Brown County P&RR
 Kenneth D. Przybyla, GLC Minerals

3) Approval/Modification – Meeting Agenda

A motion to approve the Agenda was made by Ron Antonneau and seconded by Barb LaMue. Unanimously approved.

4) Approval/Modification – Minutes of March 8, 2021 Meeting

A motion to approve the minutes of the March 8, 2021 meeting was made by Ron Antonneau and seconded by Hank Wallace. Unanimously approved.

5) Announcements/Communications

Director Dean Haen thanked Commissioners Hank Wallace, Ron Antonneau, and Mike Vizer for their commitment to serve another term on the Harbor Commission. Mr. Haen stated that the Commissioners should have received a Conflict of Interest

form from the County Clerk and requested those be signed and returned to the County Clerk. These forms are to ensure that Commissioners are not voting on issues that would benefit their own interests. Wes Kornowske asked when these signed forms are due, to which Mike Vizer answered as soon as possible.

Mr. Haen discussed an article written by Ed Byrnes that was addressed to the Solid Waste Board about biochar and dredged material. As the article deals with dredged material Mr. Haen included this in the Harbor Commission agenda packet since the Commission has been working towards beneficial reuse.

6) Kenneth D. Przybyla, Vice President of Operations, GLC Minerals

Mr. Haen introduced Ken Przybyla, the Vice President of Operations at GLC Minerals to give an update on operations and the land acquisition request for the Pulliam Plant Property. Mr. Przybyla discussed the history of the company and the impact it has had on the Port.

GLC Minerals is currently servicing agriculture, industrial, and some construction markets. The sales force has doubled since 2018 and the markets are continually increasing. GLC Minerals also saw its best quarter in company history this past quarter, the first vessel was last Friday morning carrying 30,378 tons of limestone. There will also be another vessel at the end of the month carrying gypsum. Mr. Haen asked if this was synthetic gypsum? Mr. Przybyla answered that this will be raw gypsum.

Mr. Przybyla expressed the need for a larger footprint to meet market demands and better service their customers. GLC Minerals is looking to purchase the fourteen (14) acres that they are currently leasing from Wisconsin Public Service. Also being leased from the Port, 1331 Bylsby Ave in Green Bay was recently acquired for extra dry storage, such as gypsum. The current property is used to store the stockpiles and there is no room for expansion. GLC Minerals also stores materials at the transloaded facility, they do not own the actual materials. Barb LaMue asked Mr. Przybyla to speak more on the transload facility and the trade balance. Mr. Przybyla answered that the primary transloading product is canola.

Tom Klimek asked if GLC was building a celebration around the 150 years? Mr. Przybyla answered that invitations will be going out shortly to celebrate in early July.

Ms. LaMue stated that she had met with Wes from GLC Minerals last week to discuss economic impacts of GLC Minerals to the region.

Mr. Vizer questioned if it is the goal of GLC Minerals to have a second shipping channel on the additional property to accommodate additional vessels? Mr. Przybyla answered that the other shipping channel will most likely be filled in and if there was another dock installed, it would be along the river.

Regarding the 14 acres GLC Minerals is currently leasing from Wisconsin Public Service, Mr. Haen explained that if C. Reiss Coal would want to lease that property, GLC Minerals would be given nine (9) acres of the non-riverfront portion. The Port is still working on an MOU with GLC Minerals to express the intent to sell the property to GLC Minerals.

Mr. Kornowske stated that the Port should add a “right of first purchase” clause within the lease to ensure the property continues to be used for Port activities in the event of closure or other issue in the future. Mr. Haen responded that the MOU that is currently being drafted has a stipulation that GLC Minerals must create a specific number of Port jobs and economic impact otherwise the Port will buy the land back.

Mr. Vizer asked if the existing dock wall can receive vessels and if so, who would incur the cost for that? Mr. Haen explained that the current property is landlocked, they would need to transload it from the Fox River Slip to their north property.

7) American Tower Amendment

Mr. Haen explained that this is a third amendment for a cell phone tower that is on Port property where the Green Bay compost yard is located. American Tower requested an extension of time to secure other cell phone providers to use that tower. This lease considers the existing agreement and extends it to an additional 5 years with the same financial schedule.

Mr. Vizer asked how long is the total extension? Mr. Haen answered that this will extend the agreement out to 2061, an additional twenty (20) years. Every five (5) years the rate will go up on a schedule. If a new provider starts to use that tower, the Port will receive an additional \$200/month/user on the lease payment.

Bryan Hyska requested clarification on the procedure of this Amendment and why it didn't come to the Harbor Commission before it was executed? Mr. Haen explained that it should have come to the Commission, however when it was sent to Corporation Council for review, they saw it was a third amendment to an existing agreement and sent it to Executive Streckenbach for approval.

Ron Antonneau commented that the 20-year agreement does seem very long for an updated agreement. Mr. Haen answered that they wanted a longer term to secure the known rates for future customers or tower users.

Ms. LaMue asked where the tower is physically located? Mr. Haen answered that it is located on the Bay Port property, which is on the intersection of North Military Avenue and Hurlbut Street.

Mr. Klimek questioned if the Commission needs to make a motion on this as it was already approved, to which Mr. Haen stated he would prefer the Commission make action on this in support of executing this agreement.

A motion to approve the American Tower Amendment was made by Mike Vizer and seconded by Ron Antonneau. Unanimously approved.

8) Idle Sites Development Grant Agreement

Mr. Haen explained that this Wisconsin Economic Development Corporation grant agreement is part of the \$2.7M property transaction with Wisconsin Public Service. The \$500,000 was provided by WEDC through an Idle Sites Development grant that was approved by the County Board with the Pulliam Plant acquisition. Mr. Haen stated he was unsure if a motion would need to be made on this issue as it was already approved by County Board.

A motion to approve Idle Sites Development Grant Agreement was made by Hank Wallace and seconded by Ron Antonneau. Unanimously approved.

9) Green Bay Truck “Re-Route” Study

This study was conducted in response to a resident who recently bought a house on North Broadway who was concerned about truck traffic. The homeowner consulted with the City Alderman and County Board Supervisor to execute a “re-route” of the trucks coming from the Port. The Port had previously worked with the City and County to create designated truck routes in and out of the port areas to accommodate the trucks. The proposed “re-route” would consist of four (4) turns that would not allow two (2) trucks to make the turns safely.

The Port recommended to maintain the existing route to avoid safety concerns for drivers and increased traffic through smaller streets. Mr. Vizer thanked Mr. Haen for his support for the existing truck route as it would affect the businesses, contractors, and customers. This “re-route” would have negatively affected many Port users.

10) Pulliam Plant Property

Mr. Haen explained there was an additional environmental sampling done at the Pulliam Plant property to assess the TCE level that was previously found in one location. The results of the testing showed there was no longer a presence of TCE in that sample location. Low levels of PCBs were found, but this is most likely from previous and routine flooding from sediment carrying PCBs from the Fox River and Bay of Green Bay.

Mr. Vizer asked what depth the PCB samples were taken? Mr. Haen responded that this was a composite test that took several samples from different locations and composited them into a sample. These were taken from the surface. The TCE was originally found at a deeper depth.

The purchase agreement is moving forward, planning to be finalized by the end of year. The Port is currently working on an MOU with GLC Minerals for the 9-acre property. Mark Walter stated that the Port will be applying for a Harbor Assistance Grant this month. The largest setback in applying for these grants has been the lack

of confirmed ownership of the property, which many grants require before applying. Mr. Walter stated that he is working on putting together a Marine Highway Project Designation application that will allow the Port to apply for larger Federal grants. Senator Tammy Baldwin's office reached out to Brown County to put together a letter of intent for the Pulliam Plant property for a possible earmark.

Mr. Antonneau added that in the past, Corporation Council would assist in agreements, grants, and leases. If this is still the case, this may be an option to be utilized short term.

Mr. Hyska questions if there was a way to build the need for administrative costs to the grant applications? Mr. Walter stated that it varies from grant to grant and federal grants often take a longer time to administer. Mr. Haen also added that any limited term employment options would require a change to the table of organization and would have to go through that entire process.

11) Bay Port Plan Modification and Beneficial Reuse

Recently, the Port has been working with GEI to reuse the dredged material that is brought to Bay Port in a sustainable way.

Mr. Haen spoke about proposed changes to PCB testing limits proposed by the DNR and EPA. Any dredged material removed from the Fox River that tests greater than 1ppm would be considered PCB remediation waste and cannot be reused. The Army Corps of Engineers dredge for navigational purposes only and will not dredge remediation material.

Mr. Haen stated that he has a meeting with Senator Cowles, Senator Jacque, Representative Kitchens and Representative Sortwell to discuss introducing a proposed bill for beneficial reuse. Mr. Klimek asked if Senator Wimberger could also be a part of this legislation process. Mr. Vizer added that Representative Behnke should also be contacted and offered to reach out to him.

12) Directors Report

Budget work for the Pulliam Plant has begun. The 217 Agreement with the Army Corps is still being negotiated. Additionally, Leonard and Finco provided a total of earned publicity for the Port of over \$1M in 2020.

13) Acknowledgement of Bills

A motion to acknowledge payment of the bills was made by Hank Wallace and seconded by Wes Kornowski. Unanimously approved.

14) Such Other Matters as Authorized by Law

The Commission thanked Mr. Przybyla for presenting and speaking at this meeting. Ms. LaMue requested that the Terminal Operators attend upcoming meetings. Mr.

Vizer stated that he will give an update on St. Marys Terminal during the June meeting.

15) Adjourn

A motion to adjourn the Harbor Commission meeting at 11:55 am was made by Hank Wallace and seconded by Wes Kornowske. Unanimously approved.

Tom Klimek, President
Harbor Commission

Dean R. Haen, Director
Port & Resource Recovery Department