

PORT & RESOURCE RECOVERY DEPARTMENT



2561 SOUTH BROADWAY
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DEAN R. HAEN
DIRECTOR

MINUTES OF THE BROWN COUNTY HARBOR COMMISSION

A meeting was held on **Monday, January 8th, 2024**
at the Port Offices, 2561 S Broadway, Green Bay, WI 54304

1) Call to Order:

The meeting was officially called to order by Vice President Bryan Hyska at 10:30 am.

2) Roll Call:

Present: Vice President Bryan Hyska
Commissioner Mike Vizer
Commissioner Barb LaMue
Commissioner Hank Wallace
Commissioner Pete Diemer
Commissioner Wes Kornowske

Excused: President Tom Klimek
Commissioner Ron Antonneau
Commissioner Tim Feldhausen

Also Present: Dean Haen, Brown County P&RR
Mark Walter, Brown County P&RR
Chad Doverspike, Brown County P&RR
Katie Platten, Brown County P&RR
Chris Christenson, Leonard & Finco
Katie Flanigan, Leonard & Finco

3) Approval/Modification – Meeting Agenda

A motion to approve the agenda was made by Barb LaMue and seconded by Wes Kornowske Unanimously approved.

4) Approval/Modification – Minutes of November 13th, 2023 Meeting

A motion to approve the minutes of the November 13th meeting was made by Hank Wallace and seconded by Mike Vizer. Unanimously approved.

5) Announcements/Communications

Director Dean Haen wished the Commission a Happy New Year. Mr. Haen discussed and passed around an article in the Wisconsin Counties Association magazine regarding ports of Wisconsin.

There was a discussion about the Mason Street Bridge project by the Department of Transportation (DOT) that is scheduled for late 2026 or early 2027. Closure notification effective Dec.1 to March 1. Effectively the project will close navigation south of the Mason Street Bridge for terminal operations. Commissioner Mike Vizer commented that impeding cement shipping would have an impact on Holcim. Commissioner Barb LaMue asked if there would be an opportunity to provide comments or opinions on the project's impact on the areas underneath the bridge. Mr. Haen answered that he had already participated in a number of calls with the DOT regarding at grade vs elevated construction, but the bridge closure was not discussed. Bridge closure was found in the US Coast Guard bridge notice. The Port Department's comments were to reduce the amount of disruption to Port terminals as possible.

6) Engineering & Consulting Services Contract Extension

Mr. Haen briefly talked about the final year extension of the contract that the Port & Resource Recovery Department has with Foth for engineering work. An RFP process will be necessary to select an engineering firm to start in 2025. Commissioner Wes Kornowski asked for clarification on changes in the rate table presented to which Mr. Haen and Mark Walter answered that there were promotions applied in June and not all of the positions shown work on department projects.

7) Infrastructure Investment Survey of the Great Lakes and St. Lawrence Seaway

There was a conversation regarding a secondary survey that follows the recent economic impact study of the Great Lakes and St. Lawrence Seaway. The survey reflected vessel enhancements that were completed, infrastructure that was updated, and \$1.1 billion in projects planned. Vice President Bryan Hyska asked if this survey would be an opportunity to advance the discussion of a new Great Lakes ice breaking vessel, which Mr. Haen answered that the vessel has been authorized, the Coast Guard is in the process of planning and engineering, but the investment to build one is not appropriated.

8) 2024 Budget

Mr. Haen presented the Statement of Funds for the 2024 Budget which paints a financial picture of the department's resources.

Commissioner Pete Diemer asked for an update regarding long-term care and closure cost increases at the Bayport facility which was discussed in the previous Harbor Commission meeting. Mr. Haen explained that with the new calculations for Long-Term Care and Closure, there are enough funds to cover the LTC but due to additional PCB capping requirements a letter of credit is necessary to cover the new closure calculations. Eventually future dredging revenue will result in a fund balance to cover the closure calculations and eliminate the need for a letter of credit. Mr. Diemer asked if it was possible to request a grace period from the WDNR because of the short timeframe requiring the department to have the additional funds. Mr. Haen answered that the DNR has been flexible in conversations with the Department regarding the letter of credit but upon issuance, Brown County is obligated to meet the requirement.

Mr. Haen answered more questions regarding interest rates, investment limits, and comingled funds in the County. Mr. Haen suggested that Chuck Mahlik from the Brown County Treasurer's office address the Harbor Commission's questions about how Brown County is investing funds, and Mr. Hyska asked if it would warrant an agenda item at a future meeting. Mr. Haen agreed.

Mr. Kornowske asked why the expenses for Renard Island are expected to double, which Mr. Haen explained that it was an accounting change recognizing existing expenses previously recorded under the Port-General cost center.

Mr. Walter mentioned that bids are going out in the first quarter for managed grazing on Renard Island. If the cost is comparable to mowing, the project will be pursued.

9) Port Development Site

Mr. Haen and Mr. Walter shared updates for the Port Development Site project. Engineering design is at 60% and GEI Consultants have updated the project cost estimate resulting in a \$20 million gap in funding. The project cost estimate has increased by \$3M.

The 2024 Harbor Assistance Program (HAP) grant applied for in August 2023 did not receive any funding. Based on comments from the HAP review committee, the concern was that there had been no progress with previously awarded HAP grant funds as Brown County continues to wait for the PIDP grant agreement to be finalized.

MARAD previously approved 60% of engineering design work. It is proving more complicated than expected to get additional grant funds due to the grant agreement requirements. Commissioner Barb LaMue asked if intervention by political

representative staff would help in the process, to which Mr. Haen answered that the process is underway, but it is taking a considerable amount of time.

Mr. Walter explained the evaluations and permits that GEI Consultants and the Port have conducted and the approval process as a federal and state funded project. As part of the bipartisan infrastructure law, labor and steel must be from the USA, while in the past, foreign steel was used in dockwall construction. There was a conversation about what options are available for US steel.

Mr. Kornowske asked about how much time is available to spend the funding based on the grant agreements, which Mr. Haen and Mr. Walter answered. Using state granted monies there must be progress shown by the end of 2024, and the first construction will be creating an access road and fencing the property. There is a concern with phasing a project without the full amount of funding confirmed. Discussion occurred about pursuing state surplus money and other options for federal funding.

Mr. Kornowske discussed the merit in phasing or breaking up the project based on the scope of construction. Several commissioners discussed options given by GEI Consultants such as postponing dredging versus postponing landside improvements. A question of the County Executive's position on a phased approach was raised. Mr. Haen explained that how we proceed will need support from the County Executive and County Board. It was agreed by the Commissioners that making progress on the site and continuing to pursue funding opportunities is the main priority. A letter of intent from a private partner or MOU from the City of Green Bay would assist in the pursuit of grants.

There was a request for more information from GEI Consultants if an early contractor engagement can be conducted to get a closer estimate of cost.

10) Director's Report

Mr. Haen gave an update on the upcoming prospectus for Renard Island. Discover Green Bay is taking the lead to create the document, but Mr. Haen will be reaching out to several entities to add additional content and build support for Green Bay and Renard Island as the site for the NERR facility. There was a brief discussion regarding a potential collaboration with Sturgeon Bay as a satellite visitor center.

11) Tonnage Report

The November Tonnage Report was presented to the Harbor Commission. There were comments regarding the lack of ice allowing the shipping season to continue into January.

12) Such Other Matters as Authorized by Law

None.

13) Adjourn

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

Tom Klimek, President
Harbor Commission

Dean R. Haen, Director
Port & Resource Recovery Department