

Town of Trenton

DRAFT OF UNOFFICIAL Minutes from the Town of Trenton Annual Meeting of Electors

Date and Time: Tuesday, April 16, 2024, 6:30 PM

Location: Town of Trenton Town Hall, 1071 Highway 33 East, West Bend, WI 53095

Elected and Appointed Officials Present:

Town Board Chairman Mike Lipscomb, Town Board Supervisors Ed Doerr and Barbara Davies, Administrator Cindy Komro, Treasurer Nicole Cozzuli-Meer, Director of Public Works Charles Schmidt, Police Chief Andrew Mammen, Police Officer Steve Swiertz (all are Town residents except for Treasurer Nicole Cozzuli-Meer, Police Chief Andrew Mammen, and Police Officer Steve Swiertz).

Other Town Residents Present:

Tammy Albrecht	Judith Alexander	Robert Banaszak	Robert Baran	Joan Baumgartner
Linda Baumgartner	David Berth	Gloria Berth	David Berth Jr	Alvin Brinkman
Adam Brown	Angela Brown	Brian Buckmann	Don Buckmann	Brian Bunzel
Inga Bunzel	Dan Burgard	Deborah Burgard	Heather Carrier	Lee Carter
Norbert Carter	Paul DeChant	Susan DeChant	David Denow	Diane Denow
Cory DeRuyter	Heidi Dohmen	John Dohmen	Eugenio Dominguez	Marie Dominguez
Barbara Eckert	Ed Eckert	James Eurich	Alfred Falk	Barbara Falk
Jane Falk	John Falk	Robert Falk	Sarah Falkowski	Sharon Filar
Tom Filar	Sarah Follett	Paul Forgach	Vickie Forgach	Deborah Fugenschuh
Marcus Gee	Jessica Gesicki	Ken Giese	Jon Glass	Lori Glass
Joseph Gonnering	Dean Groth	Evan Groth	Greg Groth	Joel Groth
Kris Groth	Pat Groth	Scott Groth	Hunter Grulke	Roland Gutknecht
Greg Haas	Korie Hall	Jeff Halverson	Daniel Haug	Dirk Hausmann
Terry Hausmann	Mark Haznaw	Douglas Hein	Brandon Heinzl	Bill Herbel
Deborah Herther	Jerad Herther	Eric Hetebrueg	March Hinchey	Kari Holland
Steve Holland	Jim Ivanoski	Jed Jablonski	Elizabeth James-Lipscomb	Sam Jansen
Val Jansen	Daniel Jensema	Robert Jordan	Jaden Kahn	Cindy Kawiecki
Mike Kawiecki	Emily Kearns	Lee Kidney	Jim Knutson	Tyler Koch
Jay Koenitzer	Michael Komro	Kaye Kovacs	Tom Kovacs	Gary Krafcheck
Judi Krafcheck	Gary Lauters	Kathy Lauters	Joseph Lee	Gary Leibold
Kristi Leipold	Steve Lloyd	Ryan Lucka	Diane Mayer	Jack Mayer
Carol Meagher	Fred Meyer	Mary Nelesen	Thomas Nelesen	Alan Oppermann
Gwen Pasbrig	Jon Pasbrig	Kim Peters	Paige Presley	Gavin Priegel
Billie Rathke	Bryan Rathke	Jordan Rathke	Sam Rathke	Kari Reckner
Richard Reeck	Robert Reischel	Mike Ripple	Bob Roden	Cindy Roden
Rick Roden	Lynette Ronchetto	Robert Ronchetto	Pat Ryan	Tom Saleska
Rebecca Salomon	Mark Schaefer	Mark Schaefer	David Scherr	Katrina Schmidt
Alan Schoenbeck	Sue Schoenbeck	Bob Schroeder	Gail Schroeder	Lois Schroeder
Craig Seidel	Robin Seidel	Philip Sipusic	Claire Slagle	Michael Slagle
George Spaeth	Daniel Stangl	Erin Stangl	Frank Stangl	Amy Stark
Randy Stark	Jim Stefaniak	Greg Steinmetz	Jeff Stockhausen	Deborah Stone
George Stone	Julie Sueoka	Luke Terlinden	Carissa Tesch	Kevin Tesch
Ellen Trummer	John Trummer	Paul Tuchscherer	Mark Uhlig	Mikayla Uhlig
Rudy Vorwerk	Kristen Waller	Eric Weckwerth	Dave Weigand	Mary Weigand
Craig Weinand	Mitchell Weir	Jeff Wiedmeyer	Kim Wilhelm	Richard Wilhelm
Patricia Wilhelme	Glenn Williams	Joseph Wirkus	Andrea Wolff	Travis Wollner
John Yarmark	Linda Yarmark	Sheila Zeckmeister	Darryl Zellmer	Kelly Zellmer

Total qualified electors of the Town present at the beginning of the Annual Meeting: 190

1. Call to Order:

Mike Lipscomb called the annual town meeting of electors to order at 6:43 p.m. Lipscomb explained that the qualified electors present are responsible for the business taking place at the Annual Meeting, by presenting and voting on the motions. Elected officials are present to hear reports, answer questions, and help facilitate the meeting.

2. Verification of Public Notice:

Lipscomb verified that the annual meeting notice was properly posted on the town hall bulletin Board and the town official website.

3. Pledge of Allegiance:

Mike Lipscomb asked those in attendance to join in reciting the Pledge of Allegiance.

4. Agenda Presentation:
Mike Lipscomb presented the agenda.
5. Approve Minutes of April 18, 2023 Annual Meeting:
Bob Reischel moved, and Lee Kidney seconded to approve the Minutes of the April 18, 2023 Annual Meeting. Motion carried.
6. Approve Minutes of November 7, 2023 Special Town Meeting:
Lee Kidney moved, and Jane Falk seconded to approve the Minutes of the November 7, 2023 Special Town Meeting. Motion carried.
7. Set Time and Date for 2025 Annual Town Meeting:
Cindy Komro explained that Wisconsin Statutes require the annual town meeting to take place on the third Tuesday in April, unless the town residents choose an alternate date. Mike Komro moved, and Deborah Fugenschuh seconded to set the 2025 annual town meeting to April 15, 2025 at 6:30 p.m. Motion carried.
8. Fiscal Year 2023 Town Budget Report:
Cindy Komro presented the Town's 2023 Budget and Financial Report. Joan Baumgartner asked about the expenses in "Recreation" and Komro indicated that it includes costs of maintaining the town parks. Komro further commented that all the reports presented tonight are on the town website.
9. Set Compensation for Elected Town Officials, 2025-2027 Term of Office:
Cindy Komro moved to set the compensation for the elected town officials for the 2025-2027 term to \$12,500 for the Chair and \$7,500 for the Supervisors (just over 10% adjustment). Komro explained the duties of the town supervisors and explained that the increase would amount to a total effect on the 2025 budget of about \$3,000 and reviewed the historical adjustments. Bob Reischel recommended that the increase in compensation for the elected supervisors be held to the inflation rate. Marie Dominguez asked where the money would come from to cover the increase in salaries. Komro responded that the town Board recently increased several fees including zoning actions, police fines, and alcohol beverage licenses. Town Chairman Mike Lipscomb commented that he meets with the staff regularly to review the budget and analyze spending. A resident Bob Reischel moved, and Brian Bunzel seconded to amend the motion to increase compensation for the elected officials by 5%. Discussion followed. Motion failed. Dan Burgard moved, and Lee Kidney seconded to set the compensation for the elected town officials for the 2025-2027 term to \$12,500 for the Chair and \$7,500 for the Supervisors. Discussion followed. Joy Schroeder commented that she does not feel that the town supervisors are listening to the residents enough to justify a 10% salary increase. Motion carried.
10. Fiscal Year 2023 Town Building Report:
Building Inspector Walt Grotelueschen was unable to attend the meeting. Mike Lipscomb presented the Fiscal Year 2023 Town Building Report.
11. Fiscal Year 2023 Town Zoning Report
Town Administrator Cindy Komro presented the Fiscal Year 2023 Town Zoning Report.
12. Fiscal Year 2023 Town Equipment, Roads, Snowplowing Report:
Public Works Director Charlie Schmidt presented the Fiscal Year 2023 Department of Public Works report, including equipment, roads, and snowplowing activities.
13. Fiscal Year 2023 Town Refuse & Recycling Report:
Cindy Komro presented the Fiscal Year 2023 Town Refuse & Recycling Report.
14. Fiscal Year 2023 Town Police Department Report:
Police Chief Andrew Mammen presented the Fiscal Year 2023 Town Police Department Report.
15. Fiscal Year 2023 Town Emergency Government Report:
Mike Lipscomb presented the Fiscal Year 2023 Town Emergency Government Report.
16. Fiscal Year 2023 Fire Department Report:
Fire Chief Mark Chesak presented the Fiscal year 2023 Newburg Fire Department Report, including Town of Trenton calls. Chesak announced the dates of the Fireman's annual picnic (May 31 – June 2). George Spaeth asked about the maintenance of a hydrant near Wallace Lake. Chesak responded that he is unsure who maintains it but speculates that it is the Town of Farmington. Deb Fugenschuh thanked the Fire Department for the speedy response when she was injured late in 2023.

17. Fiscal Year 2023 Washington County Sheriff's Department Report:

The Washington County Sheriff's Department was not represented at the meeting.

18. Fiscal Year 2023 Mid-Moraine Municipal Court Report:

Cindy Komro presented the Fiscal Year 2023 Mid-Moraine Municipal Court (MMMC) Report.

19. Fiscal Year 2023 Washington County Board Report:

County Supervisor Tony Thoma was unable to attend the meeting.

20. Any Matter that May Come Before the Annual Meeting:

Mike Lipscomb explained that early in 2023 a large family-run farm approached the town and requested permission to expand their existing farm to accommodate 1,500 dairy cattle. Following this request, the town engaged in extensive conversations with the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP), the Wisconsin Department of Natural Resources (DNR), and legal counsel, to assist the town in complying with the stringent state requirements regarding expanding livestock operations. As the community learned about the request, inaccurate information was spread. Specifically, a claim that 10,000 cows were moving into Trenton caused much fear and alarm in the ensuing months. As the farmer's zoning map amendment petition proceeded, a petition was circulated, urging the town Board to deny the application. Lipscomb commented that he personally reviewed the petition and every signature, and he assured the town residents that the town Board shares the same values for the Town of Trenton. Since the zoning map amendment application was submitted, the farmer combined the parcels within the petition in a way that renders the application moot. The parcels at issue will remain in the Exclusive Agricultural District. The town Board will be moving forward with a review of the town's agricultural zoning districts and the related rules and regulations, to make the long-term plan for the town's farmland. Lipscomb made clear that he respects the rural heritage and future of town farming, and he will uphold his commitment to serve the best interests of the town and all residents. As part of the process, he has invited experts in the field of regulation and oversight of Wisconsin farming laws to educate both the Board and the Plan Commission. He further asked the town residents for patience and faith during the process. The Town of Trenton Comprehensive Plan:2050 was established 15 years ago to guide the town into the future. The Comprehensive Plan was carefully constructed from input from the public, the Board, and the Plan Commission, and includes specific mapping for farming and development. The town will continue to operate in accordance with this plan and Lipscomb assured the residents that large factory farms will not be populating and moving into Trenton. No single group's interest will be placed above the greater well-being of the town. As a long-standing resident of the Town, Lipscomb said he is dedicated to the relentless pursuit of the preservation and continued success of the Town of Trenton. Lipscomb commented that the Board is collaborating with 22 other municipalities in the County and will continue to spend hours looking into roads, fire and safety, zoning and elections. He urged everyone to believe that this isn't a competition, or an "us versus them" discussion. Everyone should have a voice, and no one should feel intimidated or threatened. Lipscomb gave specific examples of the Board's transparency and receptiveness of public input during the past year, including countless meetings with residents, DATCP representative Tim Jackson, DNR representatives, County representatives, legal counsel, as well as visits to the farm at issue to learn about current farming practices. Lipscomb continues to visit town residents to learn their perspectives and to share the Board's perspective. The Board also continues to research the topic and has been very open to receiving feedback and suggestions of where to find new information. Lipscomb went on to talk about the truck traffic on town and County roads. He has ensured that the Town Police Department is aware of the issues of speeding, especially with respect to the manure hauling traffic. He also commented that much of the manure hauling traffic originates from farms outside of Trenton. Recently, he met with the Washington County Highway Department to talk about options for limiting the effects of the traffic on Highway Y residents, such as a turn lane into the Orchard Knoll subdivision. Lipscomb addressed the two resolutions that will be presented by the Friends of Trenton group, encouraging the town Board to create study commissions for two separate but related purposes. He asked the residents to not support the resolutions because he doesn't feel that management by committee is efficient. He believes that the town Board does not need a committee to help it do what the Board is already doing. He suggests that the residents allow the Board to do their jobs and have some faith in the process.

Marie Dominguez commented that the town meeting minutes are sparse and do not include sufficient information. As an example, when the Board is approving a resolution, the text of the resolution is not included in the minutes on the website. Lipscomb thanked Dominguez for her feedback and assured her that this will be reviewed.

Joan Baumgartner explained that she is on the Plan Commission and asked for clarification on the AE Agricultural Enterprise Zoning District. Town Administrator Cindy Komro explained that the State of Wisconsin requires the town to have a zoning district that allows for unlimited Animal Units, and the AE Zoning District satisfies that requirement. There are no applications currently on file asking for a zoning map amendment to AE Zoning. The Plan Commission has begun the process of reviewing all town zoning ordinances related to agricultural zoning. Komro intends to distribute a questionnaire to the Plan Commission members to get feedback on the types of rules they are interested in seeing in the agricultural zoning ordinances.

Emily Kearns thanked the Board for taking the time to listen to the residents and the Friends of Trenton group. Kearns appreciates that the Board has realized that changes are needed in the agricultural zoning district. She further encouraged town residents to do their own research. The Roden Farm does have a permit application on file with the DNR and anyone can view all the information related to that application.

Sarah Follett agreed with 50% of what Chairman Lipscomb said. Follett presented two referendums to the town residents (attached to the end of these minutes). One encourages the town Board to appoint a small panel of residents and one Town Supervisor to discuss creating an Operations Ordinance, designed to protect the town from the effects of large-scale farming, such as water safety, fire safety, air pollution, carcass disposal and traffic issues. Follett is interested in a more transparent dialogue between residents and officials, with the intention to design the plans required by a farmer to explain how they will manage these factors. The second resolution encourages the Town Board to put a moratorium on Biodigesters and set up a commission to study the effects of biogas on the environment.

Cindy Komro explained that the resolutions presented are advisory in nature. The town residents can vote to encourage the Town Board to follow these recommendations. The resolution on the Operations Ordinance will be referred to as "Resolution 1" and the resolution regarding Biodigesters will be referred to as "Resolution 2." Regardless of the outcome, it is likely that the Town Board will discuss them at their next meeting in May.

John Falk, a farmer in the Town of Trenton, commented that there are six farms in the entire town. The number of cows in the town hasn't changed in 50 years, but the number of farms has changed so that there are more cows on each farm. Falk continued to say that the days of 40-cow farms are gone because there are fewer farmers. He also reminded residents that farmers are needed to provide the food that we all find in the grocery stores. He further pointed out that everyone seems to be focused on manure disposal, when the other issue is the land needed to provide feed for the animals. The land is limited for both feed production and manure spreading, and the town cannot support 10,000 cows because the land is not available.

Diane Mayer, 7030 N Poplar Rd, believes that Chairman Lipscomb and Administrator Komro hesitate to give quick answers to questions because they want to do further research and give informed and accurate information. She doesn't believe that there will be a lot of CAFOs moving into the town. Mayer further commented that the survey that was distributed seems to be focused on spreading fear rather than presenting real facts. She rents her land to a farmer and is proud of the working relationship they have. In addition, she encouraged everyone to visit the Roden Farm, as they are educators, not just farmers.

Mike Lipscomb mentioned that State Representative Rick Gundrum will be visiting the Town of Trenton on Tuesday, April 23 at 9:30 a.m. and everyone is welcome to join the conversation. Lipscomb also explained that the survey that was recently distributed was not sponsored by the town.

Joy Schroeder explained her fears of water pollution, air pollution, loss of property value, damage to town roads and mistreatment of animals. She believes that residents working together with the town officials would be a positive thing.

Doug Hein, 5536 Whispering Pines, grew up on a farm and is very familiar with farming operations all over the State of Wisconsin. He commented that Trenton is very fortunate with the quality of farm operations in the town. Hein explained that the picture on the "No CAFOs" sign demonstrates an archaic method of spreading manure, and that the current method of spreading manure is similar to the way small farms used to spread manure. He also reminded everyone that in the 1940s, 1950s and 1960s, the cows were locked up in stalls all winter and he believes that the current housing of animals is much improved. In addition, the cows on pasture during that time were walking through the creeks

and near the Milwaukee River, with their manure running directly into the waterways. Nowadays, the state has supported farmers to assist them in putting systems and manure pits in place to avoid the snow melt and manure runoff into the creeks and rivers. Hein is particularly impressed with the Roden Farm, as he shared an anecdote of a visit to the farm when there were about 500 head of cattle in the barn, and when he returned home, his wife was unaware of his visit to a farm because she did not experience any odor on his clothing. Hein finds little credibility in the Friends of Trenton group's mission because they have not visited the Roden Farm. He is suspicious of their intent and does not necessarily believe they intend to support a balanced committee for their discussions.

Rudy Vorwerk, 748 Wallace Lake Rd, agreed with the minimal odor at the Roden Farm. He believes that farmers are interested in protecting the water because they drink the water, their kids drink the water, their cows drink the water and they have a vested interest in protecting their wells too.

Supervisor Barbara Davies asked the residents for their support of the Town Board, whom they elected to represent the town.

Inga Bunzel commented that the farm across the street from her house has significant odor and she wants to protect her land and air from the effects of manure.

Jay Koenitzer believes that the issue the town is currently facing is completely different and more important than anything the town has ever dealt with and is concerned that it has divided the town residents. He is hopeful that the right people are in place to make good decisions, but he is also cautious because he knows that in 2011 some residents' wells were contaminated and he wants assurance that if that were to happen again, someone would be held accountable. Koenitzer is interested in fair treatment of all residents. He concluded with his concern about increased truck traffic on the roads.

Rick Roden, the dairy farmer who is the subject of this discussion, welcomed everyone to visit the farm to learn how they manage the cows and milking facility. Roden explained that ten years ago the State of Wisconsin had double the 5,700 dairy farms that exist today. Regarding a biodigester, a farm would need a minimum of 2,000 cows and our farm can handle up to 1,500 someday. Roden went on to explain that an Animal Unit is equal to 1,000 pounds; a mature cow is equivalent to 1.4 animal units and a baby calf is 0.3 animal units. Their parlor can milk a maximum of 1,500 cows; therefore, having 1,500 cows (multiplied by 1.4), a couple baby calves, and a couple spring heifers would equate to 1,500 animal units that could potentially be on the farm someday. Roden explained that the manure storage facility must be able to accommodate six months' worth of manure produced by 2,500 animal units because manure cannot be spread during certain times (February, March, whenever the ground is frozen or snow-covered). The farm must be able to accommodate that much storage before the DNR permit would be granted, based on the potential animal units proposed in the application. In answer to moving manure from one farm site to another, Roden explained that the storage facility at Hwy Y was nearing capacity so some manure was transported to another storage facility until proper spreading could be accomplished. Roden continued to explain that the manure trucks use as many County roads as possible to limit damage to town roads, his drivers are trained to maintain the speed limits, and law enforcement is available to take care of violations.

Eric Weckwerth explained that he grew up working on farms and he appreciates farmers. He acknowledged that one of the issues that society is facing is that farms cannot operate on a small set anymore because they won't survive if they don't grow. He further agreed that he doesn't like the smell either but that is part of the process and if the farms didn't exist, the State of Wisconsin would lose a lot of what it has in this respect. Weckwerth is skeptical of the DNR and government in general and he appreciates the community input regarding protecting the environment. He compliments Friends of Trenton for bringing awareness, the Town officials for their efforts in designing a balanced solution and the farmers who, he believes, value the soil, the air and their animals. Weckwerth believes that farmers and other residents have common concerns and rather than focusing on emotions, he hopes that open communication is vital. He concluded by praising the hard work that farmers are required to do in their occupation.

Marie Dominguez expressed curiosity about the Board's hesitation to form a commission made up of people with different opinions who would do additional research, share ideas and participate in open communication. She wonders why we would be afraid of a non-binding committee that would make recommendations to the town Board.

Mike Lipscomb commented that the Board is not afraid; rather, he explained that the Board is already doing this by asking opinions from organizations and individuals and creating a committee would be redundant.

Brian Bunzel moved, and Tammy Albrecht seconded to approve Resolution 1. Cindy Komro recited the final words of the resolution: "BE IT RESOLVED, that the Town of Trenton residents advise that the Township Board authorizes a panel of township residents and one Township Supervisor to create an Operations Ordinance Study Commission and present their findings and recommendations to the Township Board with one year from this date." Discussion followed regarding the method of choosing the members of the committee. Former Chairman Joe Gonnering commented that the members are appointed by the Chairman. Votes were submitted on paper to verify town elector status and counted by the Town Administrator. Voting in favor: 42. Opposed: 104. Abstained: 3. Not voted: 3.

Sarah Follett moved, and Marcus Gee seconded, to approve Resolution 2. Cindy Komro recited the final words of the resolution: "BE IT RESOLVED, That the Town of Trenton residents advise that the Township Board will pass a moratorium on new industrial biogas facilities and establish a Biogas/Biodigester Study Committee (BBSC) to study, review, consider, and determine if new ordinances or amendments to existing ordinances are required to protect the public health or safety, environment, public infrastructure, or property values of the Town of Trenton; and, BE IT FURTHER RESOLVED, The BBSC shall be comprised of a panel of township residents and one Township Supervisor; and, BE IT FINALLY RESOLVED, The BBSC will present their findings and recommendations to the Township Board within one year from the date the industrial biogas facility moratorium was passed." Votes were submitted on paper to verify town elector status and counted by the Town Administrator. Voting in favor: 42. Opposed: 103. Abstained: 3. Not voted: 3.

21. Announcements:

The Spring Town Crier should be sent to print this week.

Please inform Cindy Komro of any issues with the website.

State Representative Rick Gundrum will be visiting the Town on Tuesday, April 23 at 9:30 p.m. to hear the town's wishes for the State Government. Town residents are welcome to join the conversation.

The draft of the annual meeting minutes will be posted on the website.

22. Adjournment:

Mike Komro moved and Lee Kidney seconded to adjourn the Annual meeting at 9:14 p.m. Motion carried.

Respectfully submitted,



Cindy A. Komro

Town Administrator

Affidavit of Posting: These Minutes were posted on the Town of Trenton Town Hall Bulletin Board at 1071 STH 33 East, West Bend, WI on April 22, 2024. Cindy A. Komro, Town Administrator.

Subject to Approval: These Minutes will be considered for approval by the Town Residents at the 2025 Town Annual Meeting of Electors.

Resolution to be voted upon at the Town of Trenton Annual Meeting, April 16th, 2024:

RESOLUTION TITLE: Operations Ordinance Study Commission

WHEREAS, The Wisconsin state constitution grants ‘home rule’ authority to protect the health, safety and general welfare to towns that have adopted village powers through an adoption of a charter ordinance; and,

WHEREAS, Wisconsin Statute 61.34(1) grants the authority to manage and control property, finances, highways, streets, navigable waters and confers police power authority to protect the health, safety, welfare of the public to towns that have adopted village powers; and

WHEREAS, The citizens and property owners of the Town of Trenton expressed their concerns regarding possible public health issues associated with Concentrated Animal Feeding Operations (CAFO); and,

WHEREAS, Wisconsin Department of Natural Resources’ (DNR) regulatory authority is limited to water quality and does not address the air pollution, fire hazards, road damage, carcass disposal or decreasing property values related to CAFOs; and,

WHEREAS, the Wisconsin Manufacturers and Commerce (WMC) filed a lawsuit in Calumet County Circuit Court in May 2023 on behalf of the Wisconsin Dairy Alliance and Venture Dairy Cooperative challenging the little authority DNR has to regulate water quality issues and CAFOs; and,

WHEREAS, Calumet County Judge Reed ruled that the DNR has authority to regulate CAFOs in January 2024 and WMC appealed Judge Reed’s decision in March continuing to demand the removal of state regulations for CAFOs; and,

WHEREAS, the Town of Trenton regulations do not address the air pollution, fire hazards, road damage, carcass disposal or decreasing property values related to the operation of CAFOs; and,

WHEREAS, Three Wisconsin counties and six towns have passed Operations Ordinances and around a dozen more towns in multiple counties are considering Operations Ordinances; and,

WHEREAS, Operations Ordinances provide an open process in which CAFO owners can develop plans that address community concerns; and,

BE IT RESOLVED, That the Town of Trenton residents advise that the Township Board authorizes a panel of township residents and one Township Supervisor to create an Operations Ordinance Study Commission and present their findings and recommendations to the Township Board within one year from this date.

Resolution to be voted upon at the Town of Trenton Annual Meeting, April 16, 2024.

RESOLUTION TITLE: Biodigester Moratorium and Biogas/Biodigester Study Commission

WHEREAS, The Wisconsin state constitution grants ‘home rule’ authority to protect the health, safety and general welfare to towns that have adopted village powers through an adoption of a charter ordinance; and,

WHEREAS, Wisconsin Statute 61.34(1) grants the authority to manage and control property, finances, highways, streets, navigable waters and confers police power authority to protect the health, safety, welfare of the public to towns that have adopted village powers; and

WHEREAS, Research found that herd sizes at dairies with digesters grew 3.7% year-over-year, which is 24 times the growth rate for overall dairy herd sizes, driving increased GHG emissions from animal feed production, enteric fermentation, and manure.¹

WHEREAS, Manure biogas generates additional environmental and public health concerns for communities living near biogas facilities, including increased ammonia, hydrogen sulfide, and VOCs emissions during anaerobic digestion, higher concentration of nutrients in digestate that contribute to water pollution, and new pipelines and trucks to transport manure, industrial food waste, or biogas.²

WHEREAS, Wisconsin Department of Natural Resources’ (DNR) regulatory authority is limited to water and air quality and does not address fire hazards, road damage, public health impacts, or decreasing property values related to industrial biogas facilities; and,

WHEREAS, The Town of Trenton’s regulations do not address the air pollution, fire hazards, road damage, public health impacts, or decreasing property values related to the operation of industrial biogas facilities; and,

WHEREAS, The residents and property owners of the Town of Trenton have expressed their concerns about the impact of industrial biogas facilities on public health, quality of life, public infrastructure, environment, and property values; and,

WHEREAS, The residents and property owners of the Town of Trenton find that a moratorium is necessary to While we understand that the discussion and voting is only advisory in nature to the Town Board, we hope they will take today into moving forth as the topic continues to be reviewed allow Town residents, property owners, and other members of the public an opportunity to fully participate in the study of these impacts; and,

BE IT RESOLVED, That the Town of Trenton residents advise that the Township Board will pass a moratorium on new industrial biogas facilities and establish a Biogas/Biodigester Study Committee (BBSC) to study, review, consider, and determine if new ordinances or amendments to existing ordinances are required to protect the public health or safety, environment, public infrastructure, or property values of the Town of Trenton; and,

BE IT FURTHER RESOLVED, The BBSC shall be comprised of a panel of township residents and one Township Supervisor; and,

BE IT FINALLY RESOLVED, The BBSC will present their findings and recommendations to the Township Board within one year from the date the industrial biogas facility moratorium was passed.

¹ https://foe.org/wp-content/uploads/2024/03/Factory-Farm-Gas_fact-sheet-final.pdf

² https://foe.org/wp-content/uploads/2024/03/Factory-Farm-Gas_fact-sheet-final.pdf