

RESOLUTION #R-01-23

**Resolution to Direct Staff to Acquire Landfill Gas Rights**

WHEREAS, Marathon County and the Marathon County Solid Waste Management Board operate a landfill under Wis. Stat. § 59.70; and

WHEREAS, the Marathon County landfill facilities generate certain landfill gas resources that the County is interested in utilizing for a public purpose; and

WHEREAS, in 1996, Marathon County transferred its landfill gas rights to a third-party entity; and

WHEREAS, Marathon County is interested in acquiring the landfill gas rights for use by the County; and

WHEREAS, on January 3, 2023, the Environmental Resources Committee and Solid Waste Management Board recommended that the County Board of Supervisors direct County Staff to take all necessary actions relative to acquiring the County’s landfill gas rights; and

WHEREAS, the Human Resources, Finance and Property Committee recommended the use of up to \$3.2 million from the Bluebird Ridge Closure Fund and \$2 million from Pollution Liability Fund for the purpose of completing a Stock Purchase Agreement with Viridi Energy for the acquisition of landfill gas rights or for the purpose of pursuing litigation to exercise the County’s Right of First Refusal to acquire landfill gas rights.

NOW, THEREFORE, BE IT RESOLVED by the Marathon County Board of Supervisors directs all necessary County staff to take all necessary actions to acquire Marathon County’s landfill gas rights.

BE IT FURTHER RESOLVED the Marathon County Board of authorizes the use of up to \$3.2 million from the Bluebird Ridge Closure Fund and \$2 million from Pollution Liability Fund for the purpose of completing a Stock Purchase Agreement with Viridi Energy for the acquisition of landfill gas rights or for the purpose of pursuing litigation to exercise the County’s Right of First Refusal to acquire landfill gas right.

Dated this 6<sup>th</sup> day of January, 2023

**Fiscal Note:**

This Resolution directs up to \$5.2 million for the acquisition of landfill gas rights or to pursue litigation to acquire landfill gas rights.

Solid Waste Management Board

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Environmental Resources Committee

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Human Resources, Finance and Property Committee

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