

ACCEPTANCE OF FUNDS FROM CLEAN FUEL DANE LLC

Clean Fuel Dane, LLC is in Noncompliance with the phosphorus removal requirements identified in the Dane County, Clean Fuel Dane, LLC, Third Amendment to Ground Lease. Biannual monitoring reports submitted to the County on October 3, 2025 indicated that less than 60% of phosphorus was removed over the 6-month period from January 2025 through June 2025.

Per the terms of the *Phosphorus Management Plan*, if the Lessee (Clean Fuel Dane, LLC) fails to remove a minimum of 60% of the phosphorus from the liquid and solid manure stream delivered to the Lessee's anaerobic digester, then the Lessee shall pay the County a phosphorus penalty of \$75,000 with respect to each such failure.

THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby authorize acceptance of the \$75,000 penalty; and

BE IT FINALLY RESOLVED, that the expense account LWRADMIN 20648 Conferences and Training be increased by \$15,000, LWRWSMGT 10072 Limited Term Employees be increased by \$55,700 and that LWRWSMG 10108 Social Security be increased by \$4,300 and that these funds shall carry forward until expended.