

**GREEN BAY METROPOLITAN SEWERAGE DISTRICT**  
**PROCEEDINGS OF THE COMMISSION**

Regular meeting of the Commission held May 25, 2011.

**PRESENT:** Commissioners Alesch, Hasselblad, and Mainz

**EXCUSED:** Commissioners Blumreich and Carpenter

**ALSO PRESENT:** T. Sigmund, P. McCarthy, P. Kaster, P. Wescott, M. Diaz, M. Pierner, W. Angoli, J. Czynski, J. Kennedy, L. Evenson, J. Christ, B. Vander Loop, D. Cawley, M. Erschnig, G. Gomand, C. Thompson, L. Frisch, J. Nicks-Legal Counsel; M. Heckenlaible-City of Green Bay; C. Berndt-Village of Allouez; R. Kopish-Chamber of Commerce

Commission President Alesch called the meeting to order at 8:30 a.m.

**1) Approval of minutes of Commission meeting held April 27, 2011.**

**Motion #11-029**

It was moved by Hasselblad, seconded by Mainz, and unanimously agreed to approve the April 27, 2011 minutes as distributed.

**2) April financials.**

M. Diaz reported the overall operating revenues for April were favorable to budget by \$249,000 due to user fees and other revenues including \$50,000 received from Hartford Insurance for the deductible on last year's electrical fault. The operating expenses for April were favorable to budget by \$195,000 due to contracted services, chemicals, and salaries – benefits. The operating expenses were unfavorable to budget due to natural gas and fuel oil and solid waste disposal. She reported the total operating expenses were \$845,000 favorable to budget due to actual expenditures less than budgeted expenses from contracted services, power, and salaries – benefits. Net income for April was \$640,000 as a result of operating income.

Commissioner Alesch asked if the unfavorable revenue is over and above the \$50,000 deductible received from Hartford Insurance. M. Diaz replied no.

Commissioner Mainz asked if any revenue has been received for the Fox River PCB sediment issues and if not, does staff expect any income. J. Nicks explained the pending appeal has been resolved and they are close to an agreement.

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**3) Adopt retirement resolution for Roger Timm.**

Commissioner Alesch read the retirement resolution. He extended the Commission's deepest gratitude to Mr. Timm. T. Sigmund stated that Mr. Timm has done a good job for GBMSD and he will be missed.

**Motion #11-030**

It was moved by Hasselblad, seconded by Mainz, and unanimously agreed to adopt the retirement resolution for Roger Timm. (Resolution #11-006 is on file at the GBMSD offices).

**4) Introduce new Maintenance Utility Worker, Gary Gomand.**

M. Erschnig introduced Gary Gomand, Maintenance Utility Worker.

G. Gomand stated that he worked at the McCormick Memorial Home for 25 years in Maintenance and looks forward to working here.

The Commission welcomed him.

**5) Request Commission approval to enter into a Lease Agreement between the United States Coast Guard and the Green Bay Metropolitan Sewerage District.**

P. Kaster stated that in January he brought this matter to the Commission; however, it was tabled to allow staff to create a lease in accordance with other leased property of GBMSD. The United States Coast Guard and T. Sigmund signed the Lease prior to Commission approval.

**Motion #11-031**

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to enter into a Ground Lease Agreement between the Green Bay Metropolitan Sewerage District and the United States Coast Guard.

**6) Request Commission approval to close out the construction contract for Phase 2 Rehabilitation of the Ninth Street and Ashwaubenon Creek Interceptors Project 2008-03 and issue final payment to Insituform Technologies USA, Inc.**

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M. Pierner reported the contract work has been completed and the contract is ready for close out and final payment. He stated the project included rehabilitation of existing interceptor sewer pipe with cured-in-place liner due to the deterioration of the pipe walls. The project also included rehabilitation of manhole structures and installation of new manhole castings.

**Motion #11-032**

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to close out the construction contract for Phase 2 Rehabilitation of the Ninth Street and Ashwaubenon Creek Interceptors Project 2008-003 and issue final payment to Insituform Technologies USA, Inc. in the amount of \$265,938.98.

**7) Request Commission approval to increase the contingency amount for the Electrical Generation Facility contract.**

W. Angoli reported that after the contract was awarded, unforeseen issues have arisen that were not anticipated, including unstable soil conditions, electrical modifications in the primary substation, fuel oil modifications, instrumentation and control changes, and incorporation of the Davis Bacon wage rate requirements into the Clean Water Fund. He is requesting additional funds for back charge of wages and additional administrative work.

**Motion #11-033**

It was moved by Hasselblad, seconded by Mainz, and unanimously agreed to increase the contingency amount for the Electrical Generation Facility contract in the amount of \$35,000.

**8) In-District Sustainability strategic investment update.**

L. Evenson reported that GBMSD received a \$2,500 grant from Focus on Energy to hire an intern to assist with implementing the In-District Sustainability plan. The grant will pay for half of the student's summer wages. The intern has been hired and will start working with departments to collect and enter data into a database.

Commissioner Alesch asked if sustainability has been defined. L. Evenson replied yes.

Commissioner Hasselblad suggested researching Walmart's sustainability plan. Commissioner Hasselblad will provide L. Evenson with an email for Walmart's Public Relations contact.

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T. Sigmund reported the anoxic zone mixers at the De Pere and Green Bay Facility were replaced resulting in significant energy savings.

#### 9) **Solar panel installation at Meter Station 14.**

B. Vander Loop reported on the two solar panel tracking units installed at Meter Station 14 located on Scottwood Drive. He stated this is part of an In-District Sustainability Strategic Investment project involving the Field Services and Communication and Education departments. The units are capable of generating 10,000 kWh hours annually. The power generated from the solar panels will be sold back to Wisconsin Public Service (WPS) each year. The funding for this project was in part through a Focus on Energy grant and a WPS matching grant, totaling \$29,150. GBMSD's share of the project was \$21,850. The total project cost was \$51,000. The units will be fully operational by Friday, May 27, 2011. He stated the floor level heaters at the Meter Station are from 1970. The heaters will be replaced and a programmable thermostat will be installed.

Commissioner Mainz asked if the energy output will be metered. B. Vander Loop replied yes. WPS will be installing the meter soon.

#### 10) **Update of projects:**

##### a) **Consolidation Projects – Treatment plants construction phase**

W. Angoli reported that staff is working with the contractor on revising the final completion date for this project. A meeting was held between the contractor and subcontractor regarding the outstanding lien issue.

##### b) **Beaver Dam Creek Interceptor Relocation – Phase 1 work for Highway 41 expansion**

M. Pierner reported the installation of the remaining sewer pipe in the area that has poor soils continues. Project clean up and restoration will be done as work progresses and weather permits.

Commissioner Alesch asked if staff has a history of soil documents in this area. M. Pierner replied yes.

##### c) **Raw Wastewater Pump Station Bar Screen Replacement**

##### d) **North Basin Complex Gate Replacement**

##### e) **Electrical Generation Facility**

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#### f) Sludge Loading and Chemical Addition System

W. Angoli reported the Environmental Protection Agency's (EPA) recommendation to resolve the Buy American issue regarding the building panels is to provide a No Fault Noncompliance letter to GBMSD. This will allow the panels to remain in place without compromising grant dollars. He stated that he is waiting for a draft letter from the EPA.

#### 11) Operation report:

##### a) Effluent quality for April

P. Wescott reported both facilities were in full compliance with all effluent limits for the month of April. He also reported Total Metro pumping at the Green Bay Facility for April was the highest recorded monthly value since 1984.

##### b) Air quality for April

P. Wescott reported the Green Bay Facility was in compliance with the air quality limits for April with the exception of four occurrences. The incident on April 20, 2011 should be 65 duration minutes, not 185 minutes as shown in the report.

Commissioner Hasselblad asked if there will be any fines for these noncompliance events. J. Kennedy replied GBMSD will get a letter of notification from the DNR and staff will provide a formal response.

Commissioner Mainz asked what duration of noncompliance for April 20 was submitted to the DNR. P. Wescott replied the DNR received the correct information. He stated the information given to GBMSD staff was incorrect.

#### 12) Request Commission approval of Resolution Regarding Employee Contributions to the Green Bay Metropolitan Sewerage District Retirement Plan.

J. Nicks reported the Budget Repair Bill is in litigation. He recommended passing the Resolution effective when the 2011 Wisconsin Act 10 becomes law.

Commissioner Mainz asked why GBMSD should pass this Resolution. J. Nicks replied a resolution is required if an employer agrees to pick-up the employee contribution to allow the contribution by the employee to be deducted on a pre-tax basis.

T. Sigmund stated the employee contributions for IRS purposes will show as being picked-up by GBMSD and the employee's share will be on a pre-tax basis into the Wisconsin Retirement System.

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**Motion #11-034**

It was moved by Meinz, seconded by Hasselblad, and unanimously agreed to approve Resolution Regarding Employee Contributions to the Green Bay Metropolitan Sewerage District Retirement Plan.

**13) Executive Director's report:**

**a) June Commission meeting**

The June Commission meeting will be held on June 22 beginning at 8:30 a.m.

**b) NACWA 2011 Summer Conference**

The NACWA Summer Conference will focus on Utility Management and will be held July 19 - 22, 2011 in Chicago, IL.

**c) Update on communication with customers on Solids Management Plan**

Staff will meet with the customer working group in June to discuss progress on the Solids Management Plan.

Commissioner Alesch asked for an update on that meeting. T. Sigmund replied that he will give an update at the next meeting.

Staff will contact customers regarding the Solids Management Plan to keep communication going forward. Staff is also putting together a brochure on the Solids Management Plan.

A letter was sent to the Joint Finance Committee discouraging the reduction in subsidy for the Clean Water Fund loan interest rates from 40% to 20% compared to market rates.

A separate email was sent yesterday to the Joint Finance Committee asking to delay, but not abandon the phosphorus rules (NR 102 and NR 217).

**d) Agreement with Dettmann Consulting Associates, LLC to conduct a market survey**

GBMSD entered into an agreement with Dettmann Consulting Associates, LLC to conduct a market survey of benchmark GBMSD positions using a comparable survey with industries. A copy of the information compiled from the surveys will be sent to the participants.

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Commissioner Hasselblad recommended staff contact general and private firms as well as municipal wastewater utilities.

T. Sigmund stated local engineering firms were asked to participate in past surveys and they declined. He stated we will continue to ask.

Commissioner Mainz stated the Chamber of Commerce conducts surveys. R. Kopish stated they are working on one and he will get this information to GBMSD.

- 14) Convene in closed session under State Statute 19.85 (1) (g) for the purpose of conferring with legal counsel for the Commission who is rendering oral or written advice concerning strategy to be adopted by the Commission with respect to litigation in which it is or is likely to become involved:**
- a) Fox River PCB sediment issues**
  - b) Fox River PCB insurance settlement**

**Motion #11-035**

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to convene in closed session under State Statute 19.85 (1) (g) for the purpose of conferring with legal counsel for the Commission who is rendering oral or written advice concerning strategy to be adopted by the Commission with respect to litigation in which it is or is likely to become involved.

- 15) Reconvene in open session.**

**Motion #11-036**

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to reconvene in open session.

There being no further business to come before the Commission, the meeting adjourned at 9:55 a.m.

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Secretary