PROCEEDINGS OF THE COMMISSION

Regular meeting of the Commission held October 24, 2018.

PRESENT: Commissioners Hasselblad, Meinz, Tumpach, and Hoffmann

EXCUSED: Commissioner Blumreich

ALSO PRESENT: T. Sigmund, N. Qualls, P. Wescott, B. Hafs, B. Vander Loop, B. Angoli, L. Sarau, P. Mentink, J. Czypinski, B. Bartel, S. Thieszen, P. Smits, B. Oldenburg, J. Smudde, T Garrison, J. Van Sistine, J. Nicks & J. Smies–Legal Counsel; M. Steppe & P. Hoeft–Nicolet National Bank; L. Gerold–Brown and Caldwell; M. Heckenlaible–City of Green Bay

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

1) Safety moment.

T. Sigmund provided safety tips on driving from the National Safety Council. He stated 50% of traffic deaths happen at night.

2) Nicolet National Bank investment overview

B. Vander Loop introduced Mike Steppe and Peter Hoeft from Nicolet National Bank, who are here to give the Commission a six-month overview of NEW Water's, the brand of the Green Bay Metropolitan Sewerage District, investments.

M. Steppe reviewed the following:

- Economic Dynamics
- Fixed Income Markets
- Portfolio Holdings
- Portfolio Performance

Commissioner Hasselblad stated if NEW Water continues its investments through Nicolet National Bank, will the bank provide the Commission with historical data. M. Steppe replied yes.

Commissioner Meinz asked what NEW Water's limitations are. M. Steppe replied the state has limits, and NEW Water can only purchase Aa and Aaa rated securities and duration limits are seven years or less. T. Sigmund added NEW Water's policy mirrors the state of Wisconsin's investment policy.

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3) 2019 Budget update.

T. Sigmund distributed a handout on the 2019 Proposed Expenses and reviewed changes to Operations & Maintenance, Debt Service and Annual Capital, and Total Expenses since the September 26, 2018 budget workshop. He attended the Village of Allouez Board meeting on Tuesday, October 25, 2018, to discuss NEW Water's draft 2019 budget. The Allouez Board appreciated the update.

- 4) Convene in closed session under State Statute 19.85 (1) (e) for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and 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) Discussion of negotiation strategy concerning a potential industrial customer
 - b) Negotiation of struvite recovery offtake agreement
 - c) Litigation involving industrial and interplant forcemains

Motion #18-081

It was moved by Meinz, seconded by Hoffmann, and unanimously agreed to convene in closed session under State Statute 19.85 (1) (e) for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and 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.

Commissioner Hasselblad departed at 9:22 a.m.

5) Reconvene in open session.

Motion #18-082

It was moved by Hoffmann, seconded by Tumpach, and unanimously agreed to reconvene in open session.

6) Approval of minutes of Commission meeting held September 26, 2018.

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Motion #18-083

It was moved by Tumpach, seconded by Hoffmann, and unanimously agreed to approve the September 26, 2018 minutes as distributed.

7) September financials.

B. Vander Loop reported total operating revenues for the month of September were favorable to budget by \$416,000 or 14% due to more precipitation received. Year to date total operating revenues were favorable to budget by \$2,100,000 or 7% from the following areas: \$272,000 from flow volume related to additional precipitation and snow melt received to date; \$320,000 from additional BOD revenue; \$594,000 from additional TSS revenue; and \$868,000 from other revenues, primarily related to hauled waste. Year to date hauled waste revenues represent 42% of the total favorable operating revenues.

B. Vander Loop reported total operating expenses for the month of September were unfavorable to budget by (\$220,000) due to more expenditures in power, contracted services, natural gas & fuel oil, maintenance interceptors, and other related expenses. Year to date total operating expenses were favorable to budget by \$1,100,000 or 6% from less expenditures in contracted services from projects not yet started, maintenance – plant and interceptor due to timing of projects, and salaries & benefits from two unfilled positions as of September and several unfilled positions from the prior months. Favorable results were offset by additional expenses from natural gas & fuel oil and more power utilization due to the Resource Recovery and Electrical Energy (R2E2) Project.

Commissioner Meinz asked what the rest of the year looks like. B. Vander Loop replied revenues should hold steady, and hauled waste continues to go down. Operating expenses at year-end could be approximately 97 - 98% of budget. T. Sigmund stated operating expenses could be 100% at year-end if the projects get caught up and the R2E2 Project gets back on its planned schedule for natural gas.

Commissioner Tumpach asked how NEW Water forecasts its investments. T. Sigmund replied staff looks at what historical returns have been, talks to Nicolet National Bank on the mix, and estimates a conservative amount.

8) Request Commission approval of the 2019 dental insurance plans and premium sharing.

T. Sigmund reported the dental renewals came in late this year. Lincoln Financial Preferred Provider Organization (PPO) has been the preferred provider since 2015, and the renewal rate for 2019 increased by 7.0% over 2018. CarePlus Dental Health Maintenance Organization (DHMO) offers better benefits at a lower cost, but service is limited to a few facilities and the 2019 rate remains the same as 2018. NEW Water offers a dual choice in dental insurance, and 18% of employees are enrolled with CarePlus and the remainder of employees are with Lincoln Financial.

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T. Sigmund stated the net budgeted increase for NEW Water for 2019 is 5%, which would maintain an 80% employer and 20% employee cost share. Staff's recommendation is to renew one-year agreements with CarePlus and Lincoln Financial, and to continue to provide dual choice dental insurance coverage for all eligible employees. Premium share for eligible employees would be \$31.60 per month for a single plan and \$99.35 for a family plan with Lincoln Financial, and \$21.53 per month for a single plan and \$67.72 for a family plan with CarePlus.

Motion #18-084

It was moved by Hoffmann, seconded by Tumpach, and unanimously agreed to contract for NEW Water's dental insurance with Lincoln Financial PPO for a one-year period with 2019 premium sharing for eligible employees at \$31.60 per month for single plan coverage and \$99.35 for family plan coverage, and to provide dual choice dental insurance coverage with CarePlus DHMO with 2019 premium sharing for eligible employees at \$21.53 for a single plan coverage and \$67.72 per month for family plan coverage.

9) Request Commission approval to enter into an agreement with Donohue & Associates for an Evaluation of the East River Interceptor and Ninth Street Interceptor Project in the amount of \$239,597.

L. Sarau stated the Interceptor System Master Plan had recommended a couple of rehabilitation projects for the East River Interceptor (ERI) and a portion of the Ninth Street Interceptor (NSI). Staff would like to conduct a more targeted evaluation of these two systems to verify that the correct project is being constructed. Request for proposals were sent out to six consulting firms, and two proposals were received. An internal team reviewed the proposals using a qualification based selection tool. Staff is recommending Donohue & Associates because Donohue provided a fair price with a project approach that the selection team was confident in.

L. Sarau stated there are several unknowns with this project related to the ERI. Legacy sediment testing will be done as part of the project, and a historic site evaluation needs to be completed first to determine if additional testing is required. The increased contingency is due to the unknowns with this project, and the scope may change due to the results of the testing. A sewer was left in place along the East River and was never filled or grouted. NEW Water would like to abandon that sewer properly. In order to do that, an investigation needs to be done. NEW Water may ask Donohue & Associates to hire an evacuation contractor instead of hiring a contractor through NEW Water. She requested Commission approval to enter into an agreement with Donohue & Associates for an evaluation of the ERI and NSI Project in the amount of \$208,345 and a contingency of \$31,252 under the authority of the Executive Director for a total authorized amount of \$239,597.

Commissioner Meinz stated the contingency amount is normally 10%, but with this project staff is requesting 15%. L. Sarau replied yes.

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Commissioner Meinz asked staff to keep the Commission up to date on this project and to provide the Commission with a map of these interceptors. L. Sarau will provide updates and a map of the interceptors.

Motion #18-085

It was moved by Hoffmann, seconded by Tumpach, and unanimously agreed to enter into an agreement with Donohue & Associates for an Evaluation of the ERI and NSI Project in the amount of \$208,345 and a contingency of \$31,252 under the authority of the Executive Director for a total authorized amount of \$239,597.

10) Request Commission approval to award the De Pere Facility Electrical Distribution and Emergency Generator Project to C.D. Smith Construction, Inc. in the amount of \$13,624,000.

P. Mentink stated three bids were received on October 4, 2018 from C.D. Smith Construction, Northern Electric, and Miron Construction. The bids received were substantially higher than the engineer's estimate. He stated inflation, availability of labor, and trade concerns have impacted the bids. All three bids were competitive and there was only a 5% difference between the high and low bid. The apparent low bid was submitted by C.D. Smith Construction in the amount of \$12,974,000. He requested Commission approval to award the project to C.D. Smith Construction in the amount of \$12,974,000 and a 5% contingency of \$650,000 under the authority of the Executive Director for a total project amount of \$13,624,000.

Motion #18-086

It was moved by Hoffmann, seconded by Tumpach, and unanimously agreed to award the DPF Electrical Distribution and Emergency Generator Project to C.D. Smith Construction, Inc. in the amount of \$12,974,000 and a 5% contingency of \$650,000 under the authority of the Executive Director for a total project amount of \$13,624,000.

11) Request Commission approval to enter into an agreement with Short Elliott Hendrickson Inc. to provide construction related services for the De Pere Facility Electrical Distribution and Emergency Generator Project in the amount of \$676,025.

P. Mentink stated NEW Water has entered into negotiations with Short Elliott Hendrickson Inc. (SEH) for the scope of services to oversee construction of the Electrical Distribution and Emergency Generator Project. SEH were the designers and will oversee the project and administer the contract with the contractor. He requested Commission approval to enter into an agreement with SEH to provide engineering construction related services in the amount of \$676,025, which includes a 10% contingency.

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Commissioner Hoffmann asked if this is a time and materials contract. P. Mentink replied yes. Commissioner Hoffmann asked what does NEW Water do to make sure the time and materials are submitted accurately. P. Mentink replied the billing must include supporting documentation. NEW Water can also request copies of itemized receipts and employees time sheets.

Motion #18-087

It was moved by Hoffmann, seconded by Tumpach, and unanimously agreed to enter into an agreement with SEH to provide construction related services for the DPF Electrical Distribution and Emergency Generator Project in the amount of \$614,575 and a 10% contingency of \$61,450 under the authority of the Executive Director for a total project amount of \$676,025.

12) Request Commission approval to amend the Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing for the De Pere Facility Electrical Distribution and Emergency Generator Project and revise the not-to-exceed amount from \$5,500,000 to \$14,700,000.

P. Mentink requested Commission approval of a resolution to reimburse capital project expenditures from the Clean Water Fund. A resolution was approved previously by the Commission, but the scope of the project has changed so the resolution amount needs to be revised.

Motion #18-088

It was moved by Hoffmann, seconded by Tumpach, and unanimously agreed to amend the Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing for the De Pere Facility Electrical Distribution and Emergency Generator Project and to revise the not-to-exceed amount from \$5,500,000 to \$14,700,000. (Resolution #18-008 is on file at the NEW Water offices)

13) Request Commission approval of the Resource Recovery and Electrical Energy Project Contract 34 Digestion and Solids Facility – Work Change Directive No. 286 Purchase of Two Gravity Thickener Sludge Pumps in the amount of \$115,334.31.

B. Angoli stated this is for the purchase of two gravity thickener sludge pumps. As part of the R2E2 Project, NEW Water installed a thickening centrifuge for primary sludge. Reasons for installing a thickening centrifuge was for odor control and for processing sludge consistently. The primary sludge going to the centrifuge varies throughout the day. During the design phase 24-hour primary sludge samples were collected and concentration measured between 0.3 to 0.7% solids, but now staff found that primary sludge can vary throughout the day with solids concentrations as high as 1.5%, which has caused failed seals and bearings within the centrifuge. The system needs to be modified in the interim until a long-term system is determined for processing sludge through the centrifuge.

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B. Angoli requested Commission approval to purchase two gravity thickener sludge pumps in the amount of \$115,334.31. There will be a separate work change directive for installation of the pumps.

Commissioner Meinz asked if the pumps will be replaced. B. Angoli replied yes, the current pumps are from the 1990s project and cannot overcome the digester head pressure. T. Sigmund added plans were to completely abandon the gravity thickeners under Contract 35. Two of the four gravity thickeners will be brought back into operation until a solution can be made on the varying sludge concentration.

Motion #18-089

It was moved by Hoffmann, seconded by Tumpach, and unanimously agreed to approve the R2E2 Project Contract 34 Digestion and Solids Facility – Work Change Directive No. 286 Purchase of Two Gravity Thickener Sludge Pumps in the amount of \$115,334.31.

14) Request Commission approval of Change Order No. 40 for final payment to the contractor for installation of piping, pumps, valves, electrical conduit and wiring work completed under Work Change Directive 107 Nutrient Recovery System Process Piping Modifications in the amount of \$103,069.99.

B. Angoli stated the Commission approved Change Order No. 26 partial payment for pumps and valves in January 2018 for approximately \$100,900. In June 2017 the Commission approved Work Change Directive 107 Nutrient Recovery System Process Piping Modifications. Change Order No. 40 is the final installation cost for this work. The original estimate was \$275,000, and the installation work that was done was \$103,069.99. Total cost of the project was \$203,948.58. He requested Commission approval for final payment to the contractor for this work.

Commissioner Hoffmann asked if there was a scope change that required this change order. T. Sigmund replied yes, there was a change from what was originally designed for the Nutrient Recovery System with Multiform Harvest for a more cost effective way of operating the system.

Motion #18-090

It was moved by Tumpach, seconded by Hoffmann, and unanimously agreed to approve Change Order No. 40 for final payment to the contractor for installation of piping, pumps, valves, electrical conduit and wiring work completed under Work Change Directive 107 Nutrient Recovery System Process Piping Modifications in the amount of \$103,069.99.

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15) Request Commission approval to enter into an agreement with Jacobs Engineering Group to provide engineering design services for the Resource Recovery and Electrical Energy Project Contract 35 Solids Building Demolition in the amount of \$373,282 and to be funded from the R2E2 Reserve Funds.

B. Angoli reported this is for the R2E2 Project Contract 35 design services for demolition of the former solids building. As reported at the last Commission meeting, the R2E2 design contract had exceeded its budget with cost overruns. Design staff and the engineer met to discuss the project costs, but did not come to any conclusions. The engineer continued with the project and completed the work without additional invoicing. This contract is for the design services for demolition of the solids building and work will include demolition of the building, modification of roof structures, tunnel areas, HVAC equipment, and final paving and landscaping around the site. He requested Commission approval of this work in the amount of \$339,382 and a 10% contingency of \$33,900 for a total of \$373,282.

Commissioner Hoffmann asked why there were no competitive bids. B. Angoli replied because it was part of the original scope of work and Jacobs Engineering Group has the best knowledge. Commissioner Hoffmann asked if it was a fair price. B. Angoli replied yes.

Motion #18-091

It was moved by Hoffmann, seconded by Tumpach, and unanimously agreed to enter into an agreement with Jacobs Engineering Group to provide engineering design services for the R2E2 Project Contract 35 Solids Building Demolition in the amount of \$339,382 and a 10% contingency of \$33,900 to be administered under the authority of the Executive Director for a total amount of \$373,282 and to be funded from the R2E2 Reserve Funds.

16) Sewer plan approval:

a) Town of Ledgeview/Ledgeview Sanitary District No. 2 Project #L-2595; GBMSD Request #2018-29

B. Angoli reported this is a unique request because the Village of Bellevue and the Town of Ledgeview/Ledgeview Sanitary District No. 2 have an inter-municipality agreement called Bower Creek Area Agreement where Ledgeview has agreed to provide water and sanitary sewer service within a limited area of Bellevue. The request is from the Town of Ledgeview, but it is within the Town of Bellevue. The request is for 237 ft. of 8-inch PVC sanitary sewer within the right of way of Paris Lane. Flow would be tributary to the Swan Road Interceptor. He requested Commission approval of the sewer plan subject to favorable approval recommendations from Brown County Planning and final approval by the Wisconsin Department of Natural Resources (WDNR).

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Motion #18-092

It was moved by Hoffmann, seconded by Tumpach, and unanimously agreed to approve the Town of Ledgeview/Ledgeview Sanitary District No. 2 sewer plan subject to favorable review by Brown County Planning and final approval by the WDNR.

17) Update of projects:

a) Contract 34 Digestion and Solids Facility

B. Angoli stated the R2E2 Project is moving along fairly well and is 97% complete. There are some issues with the performance of the thickening centrifuge. NEW Water is working with the contractor and manufacturer to get this resolved. He stated the air permitting testing was completed last week for the fluid bed incinerator and the initial results look positive. NEW Water should receive the test results by the end of the month. One issue with the incineration system is related to the sand in the fluid bed wind box area. The wind box area distributes the air to the diffusers for fluidizing the sand bed in the incinerator. Presently the air velocity through the diffusers is too low to prevent sand from falling through the air diffusers into the sand bed. The manufacturer is trying various changes to the system to increase air flow and stop the sand from entering the wind box.

Commissioner Hoffmann asked if the manufacturer is engaged and taking responsibility. B. Angoli replied yes.

B. Angoli stated the generator air permitting was completed on September 27, 2018. The contractor has completed seeding and landscaping of the construction site. There are outstanding issues with the thickening centrifuge performance and thickening capacity, fluid bed incinerator wind box, biogas generator instrumentation is offsite for calibration, and project completion schedule. He stated seeding of the second digester is scheduled for early November.

b) 2018 Industrial Forcemain Fitting Repair

L. Sarau reported Advance Construction is the contractor that was awarded the 2018 Industrial Forcemain Fitting Repair Project. Work started on September 24, 2018 on Ninth Street, between Grant Street and Main Street, and all four fitting repairs have been completed. Work has proceeded in areas that do not require appropriate bolts. There are some issues due to a longer than expected lead time on the hardware that was specified. The hardware was expected to arrive at the end of this month, but will not arrive until the middle of next month. NEW Water has received a damage complaint regarding some sidewalk and a porch, which is near resolution. The contractor is taking responsibility for that damage. NEW Water also received an injury complaint near Ninth Street and Park Street. Advance Construction was notified about this complaint. NEW Water received a claim in the amount of \$150 for damaged shoes and clothing that will be submitted to the contractor. NEW Water also notified its insurance carrier about the injury complaint.

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c) Reclaimed Water System

N. Qualls reported NEW Water is investigating what it will take to provide water to Green Bay Packaging (GBP) for its new paper mill. A kick-off meeting was held with the engineer and GBP to refine the pipeline route and construction cost estimates. Staff anticipates that GBP will evaluate the new costs to determine if the reclaimed water still makes sense. He stated the timeline for NEW Water to provide the reclaimed water is later than originally anticipated.

Commissioner Meinz asked who the design consultant is. N. Qualls replied Jacobs Engineering Group and the subconsultant is Robert E. Lee. Commissioner Meinz asked if the consultants have insurance coverage. N. Qualls replied Jacobs Engineering Group has insurance and he will follow up on the subconsultant.

18) Operation report:

a) Effluent quality for September

P. Wescott reported both facilities were in compliance with effluent limits for the month of September. The Green Bay Facility (GBF) set new performance records for Carbonaceous Biochemical Oxygen Demand for average daily concentration, average pounds discharged per day, and for total pounds discharged per month. The GBF also tied performance records for Ammonia for average daily concentration, average pounds discharged per day, and for total pounds discharged per month.

P. Wescott reported on two power related issues at the De Pere Facility (DPF). The DPF lost plant power to both feeds on September 5, 2018. Wisconsin Public Service (WPS) was notified. Staff diverted approximately 1.86 mg of effluent flow around the UV disinfection system. Another power related issue occurred on September 20, 2018 around 10:45 p.m. WPS was again notified. The incoming power feed was tripped again on both incoming lines. Everything was inspected and reenergized. At about 12:09 a.m. power was lost again to one feed. NEW Water has followed up with a local contractor who does a lot of high voltage work. The contractor has gone through the electrical switchgear at the plant and identified six lightning arresters that tested badly. These events occurred during heavy rainfall and staff does not know if the rainfall and outages are related. Ultrasonic testing was conducted on some electrical panels yesterday. NEW Water has a backup generator on site, and staff continues to look for what is causing the power issues.

Commissioner Meinz asked if NEW Water has dual feed coming into the plant from two WPS substations. P. Wescott replied yes, Oak Street and Ashland Avenue.

Commissioner Hoffmann asked if agenda items 10 and 11 that the Commission approved earlier will be replacing some of this equipment. P. Wescott replied yes, all of the electrical gear that staff have been inspecting will be replaced and the DPF will have onsite generation.

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b) Air quality for September

P. Wescott reported with the R2E2 Project the GBF is transitioning to a fluid bed incinerator, so the air quality report will be modified. Staff will provide updates on the fluid bed incinerator system once it is fully functional.

19) Executive Director's report:

a) December Commission meeting

The December Commission meeting will be held Wednesday, December 5, 2018, beginning at 8:30 a.m. A budget hearing and budget adoption will be on the agenda.

b) Resource Recovery and Electrical Energy dedication ceremony

There was a dedication ceremony last week on the R2E2 Project. Honored speakers included Congressman Mike Gallagher, Brown County Executive Troy Streckenbach, Kurt Hellermann, Commissioner Tom Meinz, and Tom Sigmund. Tours were also provided.

c) Renard Island End-Use Plan

NEW Water provided comments on the Renard Island End-Use Plan and shared that information with its customers. NEW Water encouraged its customers to share their comments as well.

d) Craig Lawniczak received the Wisconsin Wastewater Operators Association – Lake Michigan Region Operator of the Year Award

Craig Lawniczak, Treatment Leader and Construction Coordinator for the R2E2 Project, received the Wisconsin Wastewater Operators Association (WWOA) – Lake Michigan Region Operator of the Year Award at the WWOA Conference last week. He will be retiring in the near future after more than 42 years of service.

e) Ashwaubenon, Dutchman, and Silver Creek watersheds

At a recent Commission meeting the Commission asked for a map to define the Ashwaubenon, Dutchman and Silver Creek watersheds. T. Sigmund stated that NEW Water will be meeting with its customers next Tuesday on the project.

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There being no further business to come before the Commission, the meeting adjourned at 10:21 a.m.

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

James J Blumick Secretary