

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

PROCEEDINGS OF THE COMMISSION

Regular meeting of the Commission held October 23, 2019.

PRESENT: Commissioners Hasselblad, Blumreich, Hoffmann, Tumpach; and Mainz (via telephone)

ALSO PRESENT: T. Sigmund, P. Wescott, N. Qualls, B. Vander Loop, J. Smudde, T. Brown, B. Clausen, S. Georgel, S. Thompson, J. Becken, B. Brown, B. Angoli, P. Mentink, L. Sarau, E. Houghton, B. Oldenburg, B. Bartel, J. Czynski, T. Garrison, J. Maas, S. Thieszen, J. Van Sistine, J. Valenta, J. Smies & J. Nicks–Legal Counsel; C. Wydeven RMR–Bay Reporting Services, Inc.

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

1) **Safety moment.**

T. Sigmund stated that cell phone use while driving is against the law, and no mobile devices should be used while behind the wheel. With Halloween approaching, everyone should take extra caution against distracted driving.

2) **Public hearing on Sewer Use Ordinance.**

Commissioner Hasselblad stated the next agenda item is a public hearing on proposed revisions to the Green Bay Metropolitan Sewerage District's (GBMSD) Sewer Use Ordinance. GBMSD has a Sewer Use Ordinance which contains the rules adopted by its Commission about how GBMSD is governed. Whenever staff revises or adds to the Sewer Use Ordinance, a hearing is held to listen to input from the public. This is required by Sections 200.11 and 200.45 of the Wisconsin Statutes. The procedure GBMSD follows is described by Section 227.18 of the Wisconsin Administrative Code. It requires that GBMSD explain the purpose of the hearing, present a summary of the factual information on which the proposed rule or rule change is based, allow interested persons to express their opinions about the rule change, and keep a record of what GBMSD is doing. Therefore, there is a court reporter here, Christie Wydeven of Bay Reporting, who is going to be making a record of this hearing.

Attorney Jon Smies reported that the procedural requirements have been met. The notice of the public hearing published in the Green Bay Press-Gazette, the summary of the proposed modifications to the Sewer Use Ordinance that was published in the Press-Gazette, and the Affidavit of Mailing were given to the court reporter as Exhibits 1 -3 to be made part of a record of these proceedings.

Sara Georgel, Pretreatment Program Coordinator, provided some factual background and reviewed the proposed changes to the Sewer Use Ordinance.

Commissioner Hasselblad asked three times if there is anyone here who wishes to comment about the proposed revisions to the Sewer Use Ordinance.

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

10/23/19

Cont'd

PROCEEDINGS OF THE COMMISSION

J. Smies added a written comment submitted and written response to the comment as Exhibit 4 to the record of the hearing.

Commissioner Hasselblad stated seeing no one else wants to offer any additional comments, she declared the hearing closed at 8:39 a.m.

3) Request Commission approval of the proposed language changes to the Green Bay Metropolitan Sewerage District Sewer Use Ordinance.

Motion #19-082

It was moved by Blumreich, seconded by Tumpach, and unanimously agreed to approve the proposed language changes to the GBMSD Sewer Use Ordinance. (See Commission File #19-005)

4) 2020 Budget workshop.

T. Sigmund stated revisions have been made to the 2020 budget since the September meeting, as follows:

- 2020 Proposed Expenses
- 2020 Budget Changes Since September Workshop
- 2020 O&M Expenses
- 2020 Revenue
- Municipal Rate Comparison
- 2020 Budget Summary
- Next Steps

Commissioner Hasselblad asked how reducing the employee development budget will not hinder NEW Water, the brand of the GBMSD, in the future. T. Sigmund replied that after reviewing the importance of activities and events, the budget is appropriate for NEW Water's current needs.

Commissioner Tumpach asked for expansion on the natural gas and fuel oil budget. P. Wescott replied that the 2019 budget was based off of design calculations, and not real life experience. NEW Water is burning more natural gas and fuel oil than originally calculated. The incinerator is being worked on to try to minimize the natural gas usage.

T. Sigmund stated while reviewing the proposed 2020 budget, the Village of Allouez requested that NEW Water hold a Commission meeting in the evening, which would allow more people to attend outside of work hours.

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

10/23/19

Cont'd

PROCEEDINGS OF THE COMMISSION

Commissioner Hoffmann asked for clarification on if the new positions are included in the 2020 budget numbers. T. Sigmund confirmed that they are already included.

Agenda items were taken out of sequence based on Commissioner and staff availability.

- 6) **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) **Discuss negotiation strategy concerning a potential industrial customer**
 - b) **Litigation involving industrial forcemain**
 - c) **Litigation involving Bayview Interceptor**

Motion #19-083

It was moved by Mainz, 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.

- 7) **Reconvene in open session.**

Motion #19-084

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

- 8) **Consider approval of Release and Settlement Agreement on the industrial forcemain litigation.**

Motion #19-085

It was moved by Blumreich, seconded by Tumpach, and unanimously agreed to approve the Release and Settlement Agreement on the industrial forcemain litigation.

Commissioner Mainz disconnected at 9:32 a.m.

- 9) **Approval of minutes of Commission meeting held September 26, 2019.**

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

10/23/19
Cont'd

PROCEEDINGS OF THE COMMISSION

Motion #19-086

It was moved by Blumreich, seconded by Tumpach, and unanimously agreed to approve the September 26, 2019 minutes as distributed.

11) **Request Commission approval to temporarily increase the Treatment Department total approved head count from 22 employees to 24 employees.**

P. Wescott stated that the training process to become a proficient Operator can take between 1 – 3 years depending upon the individual. Trained Operators have highly transferable skills and abilities for internal job transfers. Operators work a rotating around the clock schedule that includes weekends and holidays. Work/life changes and opportunities to work a more standard weekday schedule are very appealing. As a result, there is a higher turnover rate in the Operator position. Because of this, a temporary increase from 22 to 24 employees is being requested.

Commissioner Hasselblad asked what the length of time for the increase would be. P. Wescott replied that there is no set time period, but the staffing needs will continue to be reviewed several times per year.

Motion #19-087

It was moved by Hoffmann, seconded by Blumreich, and unanimously agreed to temporarily increase the Treatment Department total approved head count from 22 employees to 24 employees. (See Commission File #19-006)

5) **NEW Water History Initiative update.**

T. Garrison introduced Scott Thompson, who is currently working on the NEW Water History Initiative with the Public Affairs & Education Department.

S. Thompson stated that one year ago T. Sigmund asked staff to begin to compile NEW Water's history. S. Thompson presented a summary of information collected and curated to date, as follows:

- Resources
- GBMSD Began in the 1930s
- Contextual Clues
- Timeline vs. Themes
- Alternate Plan
- Quick Look Ahead into the 1940s

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

10/23/19
Cont'd

PROCEEDINGS OF THE COMMISSION

Commissioner Blumreich asked if the material found on the Green Bay Water Utility is separated out as it is researched for future use by the company, if requested. S. Thompson replied yes, the information is separated and categorized.

10) September financials.

B. Clausen reported total operating revenues for the month of September were favorable to budget by \$528,000 or 18% and year to date were favorable to budget by \$2,100,000 or 7% due to additional municipal TSS loadings and additional flow volume due to more precipitation received. Total operating expenses for the month of September were favorable to budget by \$46,000 or 3% from less expenditures in maintenance – interceptors, contracted services, and salaries/benefits. Year to date total operating expenses were unfavorable to budget by (\$1,300,000) or (8%) from more expenditures than budgeted from maintenance – interceptor and contractor expenses related to the Bayview Interceptor, Interplant and Industrial Forcemain repairs, more power utilization due to higher influent flows at both facilities, and more natural gas/fuel due to use of more heating/thermal oil than expected. Net income for the month of September was \$274,000.

12) Request Commission approval to convert one Laboratory Analyst I position to a Laboratory Analyst II position in the Laboratory & Research Department.

B. Oldenburg stated that over the past few years there have been dramatic changes happening in the Laboratory and Research Department. The increase in work load, specifically with the new equipment and increased sampling, has caused a need for a Laboratory Analyst I position to transition to a Laboratory Analyst II position.

Motion #19-088

It was moved by Blumreich, seconded by Hoffmann, and unanimously agreed to convert one Laboratory Analyst I position to a Laboratory Analyst II position in the Laboratory and Research Department. (See Commission File #19-007)

13) Request Commission approval to issue payment of \$123,532 for wetland mitigation credits as required by the Wisconsin Department of Natural Resources and the U.S. Army Corps of Engineers for impacts associated with the Dutchman Creek Interceptor Rehabilitation Project 13-024-CO2.

B. Brown stated that the Dutchman Creek rehabilitation planning has been lengthy because of the project complexity. The paperwork is nearly complete, and the project will go out for bid within the next month. One issue standing in the way is in the permitting process. The Wisconsin Department of Natural Resources (WDNR) and the U.S. Army Corps of Engineers have a requirement to mitigate any wetland impacts when doing significant construction work.

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

10/23/19
Cont'd

PROCEEDINGS OF THE COMMISSION

Commissioner Hasselblad asked how long the mitigation credits have been available. T. Sigmund replied that the process has been around for years. N. Qualls added that in the past, NEW Water projects have not had a big enough negative impact to require mitigation.

Motion #19-089

It was moved by Blumreich, seconded by Hoffmann, and unanimously agreed to issue payment of \$123,532 for wetland mitigation credits as required by the WDNR and the U.S. Army Corps of Engineers for impacts associated with the Dutchman Creek Interceptor Rehabilitation Project 13-024-CO2.

- 14) Request Commission approval of the intergovernmental agreement with the Town of Lawrence and Village of Hobart and to authorize the Executive Director to sign the agreement.**

L. Sarau stated the 5th Addition to Hemlock Creek Subdivision is a proposed development on the west side of the surface area. A majority of the development resides in the Town of Lawrence, but 13 acres of the development is located within the Village of Hobart municipal boundary. The development is planned to be served through a series of sewers owned by the Town of Lawrence and the Ashwaubenon Creek Interceptor. NEW Water has an existing agreement with the Town of Lawrence that allows NEW Water to purchase the Town of Lawrence sewers. Because the amount of flow originating from the Village of Hobart is minimal and Hobart was unwilling to make a long-term commitment to development of the served area, NEW Water staff recommended an intergovernmental agreement to serve the 13 acre area. This allows the wastewater originating from the 13 acre area within the Village of Hobart to be considered as part of the Town of Lawrence's allocated interceptor capacity. The agreement has been reviewed by NEW Water legal counsel. Execution of the agreement will be contingent upon the approval by the municipalities' Boards.

Motion #19-090

It was moved by Tumpach, seconded by Blumreich, and unanimously agreed to approve the intergovernmental agreement with the Town of Lawrence and Village of Hobart and to authorize the Executive Director to sign the agreement.

- 15) Request Commission approval to close out Project 18-02 Charles Street Reconstruction and Utility Relay #17-022-CO and issue final payment of \$17,531.68 to De Groot, Inc.**

L. Sarau stated that all work has been completed for Project 18-02 Charles Street Reconstruction and Utility Relay, which was a joint project with the City of De Pere. There is an outstanding issue related to the missed lateral at the Notre Dame Elementary School. The issue is currently under review with the insurance companies. NEW Water's legal counsel determined that the final payment can be made independent from the insurance claim. The final contracted amount for the project is \$534,702.51.

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

10/23/19
Cont'd

PROCEEDINGS OF THE COMMISSION

Commissioner Hasselblad asked what the total amount possible could be for the insurance claim. L. Sarau replied approximately \$26,000.

Motion #19-091

It was moved by Hoffmann, seconded by Blumreich, and unanimously agreed to close out Project 18-02 Charles Street Reconstruction and Utility Relay #17-022-CO and issue final payment of \$17,531.68 to De Groot, Inc.

- 16) **Request Commission approval to increase the cost for Work Change Director 272 – Solids Building 300 Divider Wall and Utility Work additional costs from \$925,000 to \$946,433.66 and approval of Resource Recovery and Electrical Energy Project Change Order No. 52 Solids Building 300 Divider Wall and Utility Work in the amount of \$214,392.72.**

B. Angoli stated that in May 2019, the Commission approved the increase of the total amount authorized for this Work Change Directive from \$750,000 to \$925,000. Unanticipated costs have occurred, and an additional \$21,433.66 is being requested. The total cost to complete the work increased the Work Change Directive from \$925,000 to \$946,433.66.

B. Angoli stated Change Order No. 50 was previously approved and executed to provide partial payment of \$732,040.94 to the contractor. Change Order No. 52 is required to adjust the contract amount to reflect the final amount of Work Change Directive No. 272.

Motion #19-092

It was moved by Blumreich, seconded by Hoffmann, and unanimously agreed to increase the cost for Work Change Directive 272 – Solids Building 300 Divider Wall and Utility Work additional costs from \$925,000 to \$946,433.66.

Motion #19-093

It was moved by Blumreich, seconded by Hoffmann, and unanimously agreed to approve the Resource Recovery and Electrical Energy Project Change Order No. 52 Solids Building 300 Divider Wall and Utility Work in the amount of \$214,392.72.

- 17) **Request Commission approval of Amendment No. 1 NEW Water Green Bay Facility Effluent Reuse Pump Station and Force Main in the amount of \$181,768 and to retain the full approved contingency amount of \$37,000.**

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

10/23/19
Cont'd

PROCEEDINGS OF THE COMMISSION

B. Angoli stated that at the August 2019 Commission meeting, the Reclaimed Water System Design was approved in the amount of \$373,539. Since then, changes have been made that will require additional work to complete the design.

B. Angoli reported the additional scope of work includes: project definition site investigations, pump redesign, evaluation of north plant cross-connection, pump pre-purchase specifications, relocate pump station to Solids Building basement, bid phase services for pre-purchased pumps and drives, project management, and quality management.

Motion #19-094

It was moved by Blumreich, seconded by Hoffmann, and unanimously agreed to approve Amendment No. 1 NEW Water Green Bay Facility Effluent Reuse Pump Station and Force Main in the amount of \$181,768 and to retain the full approved contingency amount of \$37,000.

18) Sewer plan approval:

a) Town of Ledgeview/Ledgeview Sanitary District No. 2/Contract "D-2019" Red Hawk Subdivision; GBMSD Request #2019-25

B. Angoli stated that the Town of Ledgeview/Ledgeview Sanitary District No. 2 has submitted a request for approval for an additional extension for the Red Hawk Subdivision. The request includes 232 feet of 12-inch PVC sanitary sewer in the proposed right-of-way of Brayden Lane, 1,428 feet of 10-inch PVC sanitary pipe in the proposed right-of-way of Brayden Lane to Bower Creek Road, 1,379 feet of 8-inch PVC sanitary sewer in the proposed right-of-way of Hawk Ledge Circle, 1,037 feet of 8-inch PVC sanitary sewer in the proposed right-of-way of Rustic Ledge Way to Brayden Lane, 231 feet of 8-inch PVC sanitary sewer in the proposed right-of-way of Rustic Ledge Ct. to Rustic Ledge Way, and 1,039 feet of 8-inch PVC sanitary sewer in a proposed right-of-way of Bower Creek Road. Flow will be tributary to the Swan Road interceptor.

Motion #19-095

It was moved by Hoffmann, seconded by Blumreich, and unanimously agreed to approve the Town of Ledgeview/Ledgeview Sanitary District sewer plan subject to favorable approval recommendations from Brown County Planning and final approval by the WDNR.

19) Update of projects:

a) Project updates summary

N. Qualls reviewed the quarterly Project Updates Summary.

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

10/23/19
Cont'd

PROCEEDINGS OF THE COMMISSION

b) Contract 34 Digestion and Solids Facility

B. Angoli stated that the project is coming to an end, but there are a few items that still need to be resolved. These items include: sludge reversing screw conveyor solids handling capacity, thermal oil waste heat exchanger repair costs, bio-filter tank cracks and deflection, biogas generator continuing equipment breakdowns, and sand in the incinerator windbox. NEW Water is currently working with the contractor to get these issues resolved. The Commission will be kept informed on these outstanding items.

c) Contract 35 Solids Building 300 Demolition

B. Angoli stated Contract 35 Solids Building 300 Demolition Project is moving along. All universal waste is now offsite, and preparation for the demolition has begun. The main issue that is being dealt with is the asbestos that was found in multiple places.

d) De Pere Facility Electrical Distribution and Emergency Generator

P. Mentink stated that the building structure is almost complete. The mechanical contractor is approximately 50% complete with installations. The utility company is onsite and will be completing the relocation and reconnection of the gas services. The electrical contractor is continuing to pull wire through ducts. The contractor indicated that construction is running behind the original schedule, and alternatives are being reviewed.

e) Bayview Interceptor Replacement

P. Mentink stated that the contractor has not resumed tunneling operations and is still in the process of evaluating the subsurface soil conditions. A preliminary round of subsurface exploration has been completed. A second round of soil sampling was requested to expand the area further, and NEW Water is waiting for the results.

f) NEW Water On-Site Generation update

P. Wescott and J. Becken presented the 2019 Electrical Generation update, as follows:

- Generation Locations and Capabilities
- New Equipment Installations
- Biogas Engine Modes of Operation
- Diesel/Biogas Engine Interconnection
- Engine Maintenance
- De Pere Facility Generation
- Questions

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

10/23/19
Cont'd

PROCEEDINGS OF THE COMMISSION

Commissioner Hasselblad questioned if there are any other critical projects that are a concern when it comes to the schedule or the budget, besides Contract 34. Qualls replied that it is too soon to tell, but the timing and importance of projects is being balanced.

Commissioner Hasselblad asked what the cost of the tunneling machines will be if they cannot get them working again. P. Mentink replied it is estimated that it would set the contractor back approximately \$2,000,000.

Commissioner Hasselblad asked if there was a black out, can the Green Bay Facility run on its back up equipment alone. J. Becken responded that NEW Water cannot 100% run on its own, outside portable power must be brought in. The Green Bay Facility is able to run all of its equipment, except for the process air compressor.

Commissioner Blumreich asked if there was ever a situation where backup gas generators were needed, would NEW Water still be air permit compliant. J. Maas replied that compliance would still be met, and the Green Bay and De Pere Facilities are on two separate permits.

20) September 2019 Operations report.

P. Wescott reported for the month of September, both facilities were in full compliance with effluent limits. The Green Bay Facility tied performance records for Ammonia for average daily concentration, average pounds discharged per day, and for total pounds discharged per month. Due to heavy precipitation, flow to the De Pere Facility peaked out at approximately 39,000,000 gallons on September 11. The average daily flow to the De Pere Facility is 8,000,000 gallons per day. This was a concern since we are still in disinfection season, and the UV bulbs could be in danger of being flooded out. As a result, a decision was made to divert some of the treated effluent around the UV system for approximately 600 minutes. The DNR was notified of this decision and a report was filed. The solids processing facility generated 1,537 megawatt hours of electricity and 198,043 CCF of biogas. Approximately 99.1% was used on site with the remaining being sent through the waste gas flare. NEW Water received 1,547,606 gallons of high strength waste in September.

21) Executive Director's report:

a) November and December Commission meetings

A special Commission meeting will be held on Tuesday, November 5, 2019, for the employment performance review of the Executive Director. The December Commission meeting will be held December 4, 2019 at 8:30 a.m. A closed session will be scheduled at the end of the December meeting for continuation of the Executive Director's performance evaluation.

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

10/23/19
Cont'd

PROCEEDINGS OF THE COMMISSION

b) Dental Renewal

T Brown is recommending that the dental insurance is handled like other insurances, which only need approval from the Executive Director, and the Commission is later notified of the decision. The dental insurance approval will stay in the hands of the Board of Commission.

c) Strategic Plan

The Strategic Plan was distributed to Commissioners. T. Sigmund thanked T. Garrison and her team for all their hard work.

d) Wisconsin Wastewater Operators Association Conference

Several NEW Water staff members attended and participated in the programs at the Wisconsin Wastewater Operators Association (WWOA) Conference this year. Jeff Smudde was named WWOA President, and Brian Vander Loop and Bill Oldenburg were honored for 25 years of membership and received Life Membership recognition. Two teams from NEW Water competed in this year's Operations Challenge, and earned 2nd and 3rd place. One of the teams was the first all-female team to compete in the Operations Challenge. Bruce Bartel was also honored with the Koby Crabtree Award for excellence in the industry. Congratulations to all!

There being no further business to come before the Commission, the meeting adjourned at 10:54 a.m.

GREEN BAY METROPOLITAN SEWERAGE DISTRICT


Secretary