

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

PROCEEDINGS OF THE COMMISSION

Regular meeting of the Commission held via Zoom videoconference on October 25, 2023.

PRESENT: Commissioners Hasselblad, Mainz, Tumpach, and Danen

ALSO PRESENT: T. Sigmund, N. Qualls, P. Wescott, J. Smudde, E. Tietyen, P. Smits, B. Bartel, B. Oldenburg, C. Mueller, B. Angoli, T. Garrison, S. Thieszen, L. Sarau, E. Houghton, B. Thompson, R. Bach, J. Smies—Legal Counsel,

ABSENT: Commissioner Blumreich

Commission President Hasselblad called the meeting to order at 8:29 a.m.

1) **Safety Moment.**

T. Sigmund provided information on carbon monoxide.

2) **Approval of minutes of Commission meeting held September 27, 2023.**

Motion #23-076

It was moved by Mainz, seconded by Danen, and unanimously agreed to approve the September 27, 2023 meeting minutes as distributed.

3) **Request Commission approval of the 2024 Merit Budget.**

T. Sigmund prefaced the presentation by highlighting the importance of performance management at NEW Water (the brand of the Green Bay Metropolitan District) when it comes to creating its motivated, high performing, dedicated team, that delivers value and quality for its customers.

E. Tietyen provided the Commission with information on NEW Water's Merit and pay system, its application, and financial details of the proposed budget. The presentation contained the following information:

- Our Compensation Philosophy
- Terms we use
- Market Analysis
- Hiring and Performance Management
- Merit System
- Merit Statistics – 2022
- Thoughts from Matt Shefchik
- Impacts of Merit Increases

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The Commission requested that they receive the annual merit statistics from the following year annually.

At this time, the Commission decided that this presentation would be for informational purposes only, and the request of the approval of the 2024 Merit Budget would be motioned within the 2024 Budget hearing at the December 6, 2023 Commission meeting.

4) Request Commission approval to renew the five-year agreement with Brown County Hazardous Material Recovery Facility under the authority of the Executive Director.

K. Verbeten stated NEW Water has partnered with Brown County Hazardous Material Recovery Facility (HMR) (formerly known as the Household Hazardous Waste Facility) since 1994. This partnership has mutually benefited both parties along with Brown County Port & Rescue Recovery. In addition to reducing the amount of household chemicals that could potentially reach our facility or the environment through improper disposal, this relationship positively impacts NEW Water's Water Pollution Discharge Elimination System (WPDES) permit compliance, along with its Mercury Pollutant Minimization Program (PMP).

A five-year agreement that NEW Water entered with HMR in January of 2020 is set to expire on December 31, 2024, and will automatically renew for another consecutive five-year term, unless one party determines the agreement is no longer necessary. The notification to terminate the agreement is January 2024.

Motion #23-077

It was moved by Mainz, seconded by Danen, and unanimously agreed to approve to continue the five-year agreement with Brown County to support the Hazardous Material Recovery Facility under the authority of the Executive Director. Under the agreement, the next payment to Brown County for the 2024-2025 would be approximately \$122,054. The contribution each subsequent year would be equal to the previous year's contribution adjusted to reflect an annual increase in the June Consumer Price Index for all Urban Wage Earners and Clerical Workers (CPI-W), Midwest Urban Area, not to exceed three percent in any given year.

5) Request Commission approval to of Resolution Declaring Official Intent to Reimburse Expenditures from Borrowing for the East River Lift Station and Force Main Improvements Project in the amount of \$10,000,000.

L. Sarau stated the resolution is intended to declare reimbursement to NEW Water for capital project expenditures made before issuance of the Clean Water Fund Program tax exempt bonds for the East River Lift Station and Force Main Improvements Project.

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Motion #23-078

It was moved by Mainz, seconded by Tumpach, and unanimously agreed to the approve the Resolution Declaring Official Intent to Reimburse Expenditures form the Proceeds of Borrowing for the East River lift Station and Force Main Improvements Project in the amount of \$10,000,000.

- 6) **Request Commission approval to increase the contingency of the East Fox River Interceptor, and Fox River Crossing Interceptor Renewal Project by \$55,384, for a grand total of \$132,734.**

L. Sarau stated on December 7, 2022, Commission approved the East Fox River Interceptor, and the Fox Crossing Interceptor Renewal Project in the amount of \$529,011 with an approved contingency of \$79,350. During the design of this project, both NEW Water and Brown and Caldwell requested additional scope items to better the design of this project.

At this time staff is aware of an additional scope item that will need to be addressed in a future amendment that wasn't included in the scope of the original project. Staff anticipates this scope item will exceed the remaining contingency for the project, and asks for an approval to increase the contingency to not further delay the project.

Motion #23-079

It was moved by Danen, seconded by Mainz, and unanimously agreed to the approval to increase the contingency for the East River Interceptor, East Fox River Interceptor, and the Fox River Crossing Interceptor Renewal Project by the amount of \$53,384 for a total authorized contingency of \$132,734 to be administered under the authority of the Executive Director.

- 7) **Sewer plan approvals:**
a. **Village of Ashwaubenon – Project #M0599 09-23-00548, GBMSD Request #2023-23**
b. **Village of Howard –Project #24012, GBMSD Request #2023-24**

Motion #23-080

It was moved by Mainz, seconded by Tumpach, and unanimously agreed to approve the Village of Ashwaubenon and Village of Howard's sewer plans.

- 8) **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 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:**

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- a) **Litigation involving Bayview Interceptor.**
- b) **Potential litigation resulting from environmental testing by significant industrial user.**
- c) **Potential transfer of certain interceptor segments pursuant to Section 5.05 of the Sewer Use Ordinance to a municipality.**

Motion #23-081

It was moved by Mainz, seconded by Tumpach, 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 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.

9) Reconvene in open session.

Motion #23-082

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

10) 2024 Budget workshop

B. Clausen gave an overview of the 2024 Draft Budget. This presentation contained the following information:

- Changes to 2024 Budget from September 27, 2023 Presentation
- 2024 Proposed Expenses
- 2024 Revenue
- Municipal Rate Comparison
- 2024 Budget Summary
- Next Steps

11) Update on Executive Director Recruitment.

E. Tietyen provided a brief update on the Executive Director Recruitment Process. It was determined that this will be discussed further at the Commission meeting held on November 14.

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12) Update of Projects:

a) Quarterly Project Updates.

N. Qualls reviewed the Project Update Summary spreadsheet and highlighted delays with the Thickening Improvements Project and the Influent Pumping and Headworks Project due to delays in design.

The Ninth Street Interceptor Relocation Project is required because the construction of a new interchange will leave a manhole in a roundabout, which goes against WisDOT best practices. The Ninth Street Interceptor will need to be relocated and staff has begun evaluating alternatives. This will be a quick paced project due to tight timelines with the interchange schedule.

b) DPF Tertiary Filtration and Service Water Improvements Updates.

B. Angoli stated the manufacturer came onsite and pressure washed the filter media in basin 1, but is looking for other options besides pressure washing due to cost, labor, and time.

c) South Plant Mixing Enhancement Project

N. Qualls stated construction is underway. Staff will learn a great deal about the future of our aeration systems, how to mix and aerate the basins, and uncovering future electrical savings through this project.

d) GBF Service Water Replacement Project.

B. Brown stated there has been standard planning and preparation, but the only onsite work that has been completed was the evaluation and abatement of lead-based paint. Delivery and general excavation will begin next week, but there may be a need to extend timelines due to equipment delivery timing.

e) GBF 2022 HVAC Improvements Project.

B. Brown stated this project experienced extended delays related to delivery of equipment, but all construction associated with HVAC has been completed in the Boiler Room, Blower Room, and Administrative Basement. Staff has been trained on the operation and maintenance of this equipment. Final closeout of this project should happen at the next Commission meeting.

13) September Financials.

C. Mueller reported September's operating revenues were unfavorable to budget due to less flow volume from lower precipitation. Year to date operating revenues were favorable to budget due to

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additional BOD from Green Bay Packaging and Packerland Whey, and TKN from elevated loads from Packerland Whey.

September operating expenses were favorable due to less expenditures than budgeted in contracted services and solid waste disposal. Year to date were favorable due to less expenditures than budgeted in contracted services and salary and benefits, and solid waste disposal; offset by chemicals, interceptor maintenance, power, plant maintenance, and natural gas & fuel oil.

14) September 2023 Operations Report.

P. Wescott provided an Operations Report. Both facilities were in full compliance with all effluent limits for the month of September 2023. The Green Bay Facility was in compliance with air quality limits for the month. The solids processing facility generated 1,446 MWH of electricity. Total bio-gas volume recovered was 160,130 CCF.

NEW Water staff submitted a follow up letter to the Wisconsin Department of Natural Resources (WDNR) providing updates and corrective actions related to permit exceedances for Lead emissions on September 14, 2023. The follow up letter is in response to a Notice of Violation (NOV) received from the WDNR in March of 2023. The WDNR reviewed NEW Water's response letter, and on October 6, 2023 issued a NOV Closeout letter that stated they will not be taking any further action on the violations alleged in the NOV. WDNR recommended NEW Water conduct annual stack tests for the next two years. Staff is committed to meeting the compliance requirements and will follow the WDNR request.

15) Executive Director's Report:

a) December Commission Meeting.

The next meeting will be held December 6, 2023, at 8:30 a.m. via hybrid meeting.

b) November Commission Meeting.

There will be a Commission meeting held November 14, 2023, at 9:00 a.m. via Zoom videoconference for the purpose of the performance evaluation of the Executive Director.

c) 2023 Triennial Laboratory Certification Audit.

On September 12-13, 2023, the Wisconsin Department of Natural Resources conducted an on-site compliance audit of the NEW Water Laboratory to evaluate compliance with Chapter NR 149, Laboratory Certification and Registration.

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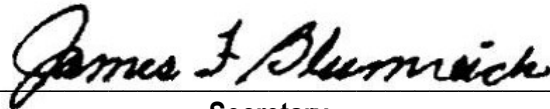
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d) **Pollution Prevention & Fall Fest**

On October 7, NEW Water hosted a pollution prevention educational booth at the annual Fall Fest on Broadway, at Leicht Memorial Park in downtown Green Bay.

There being no further business to come before the Commission, the meeting adjourned at 10:27 a.m.

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A handwritten signature in black ink, reading "James J. Blumreich". The signature is written in a cursive style and is positioned above a horizontal line.

Secretary