

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

PROCEEDINGS OF THE COMMISSION

The regular meeting of the Commission was held via Zoom videoconference on October 23, 2024.

PRESENT: Commissioners Hasselblad, Blumreich, Mainz, Danen, and Tumpach.

ALSO PRESENT: T. Sigmund, B. Clausen, N. Qualls, E. Tietzen, P. Wescott, G. Ashauer, R. Bach, J. Becken, T. Biese, R. Brown, T. Garrison, C. Mueller, B. Oldenburg, L. Sarau, P. Smits, S. Thiesen, B. Thompson, J. Smies – Legal Counsel

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

1) Safety Moment.

T. Sigmund gave a safety update on Daylight Savings and Halloween safety.

2) Approval of minutes of Commission meeting held September 11, 2024 and September 25, 2024.

Motion #24-073

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to approve the September 11, 2024 and September 25, 2024, meeting minutes as distributed.

3) Request Commission Approval of the Resolution Authorizing the Issuance and Sale of up to \$26,980,051 General Obligation Sewerage System Promissory Notes, Series 2024A and Providing for Other Details and Covenants with Respect Thereto.

C. Mueller stated that on June 26, 2024, a contract was presented and approved by the Commission to award to August Winters and Sons Inc. a construction contract for the Green Bay Facility Thickening Improvement Project. Project funding was anticipated through a Clean Water Fund Loan. Staff is requesting Commission approval of the General Obligation Note to start the process of closing the Clean Water Fund Program loan for the Green Bay Facility Thickening Improvements Project in the amount of \$26,980,051. This note will be issued at the subsidized interest rate of 2.2% within the 20-year limitations. Upon approval, the State of Wisconsin has scheduled the note closing for November 13, 2024.

Motion #24-074

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to approve the Resolution Authorizing the Issuance and Sale of up to \$26,980,051 General Obligation Sewerage System Promissory Notes, Series 2024A and Providing the Other Details and Covenants with Respect Thereto. (Resolution #24-010 is on file at the NEW Water offices).

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- 4) **Request Commission Approval of the Resolution Authorizing the Issuance and Sale of up to \$2,853,185 General Obligation Sewerage System Promissory Notes, Series 2024B and Providing for Other Details and Covenants with Respect Thereto.**

C. Mueller stated that on June 26, 2024, contract requests were presented and approved by the Commission to award to LAI, LTD Influent Pumps Procurement and to award Headworks Inc. Screening Equipment Procurement to be installed under the De Pere Facility Pumping and Headworks Improvements Phase 1 Construction Contract. Project funding was anticipated through a Clean Water Fund Loan. Staff is requesting Commission approval of the General Obligation Note to start the process of closing the Clean Water Fund Program loan for the De Pere Facility Headworks Improvements Phase 1 in the amount of \$2,853,185. This note will be issued at the subsidized interest rate of 2.2% within the 20-year limitations. Upon approval, the State of Wisconsin has scheduled the note closing for November 13, 2024.

Motion #24-075

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to approve the Resolution Authorizing the Issuance and Sale of up to \$2,853,185 General Obligation Sewerage System Promissory Notes, Series 2024B and Providing for Other Details and Covenants with Respect Thereto. (Resolution #24-011 is on file at the NEW Water offices).

- 5) **Request Commission Approval to increase the contingency for the construction related services for the Interstate 41 – Ninth Street Interceptor Relocation project by \$39,910.**

L. Sarau stated that at the November 14, 2023, Commission Meeting, the Ninth Street Interceptor (NSI) Relocation Project for the South Bridge Connector was approved. At the February 28, 2024, Commission Meeting, staff requested additional funding to cover the cost of additional geotechnical work based on information provided by the Wisconsin Department of Transportation (WisDOT) that indicated a compressible soil layer that could cause significant settlement of the existing and new interceptor sewer.

Based on the enhanced geotechnical investigation, NEW Water separated the interceptor construction into three phases. The purpose of the phasing was to accommodate WisDOT construction while still mitigating risk by delaying the most at-risk section of the sewer until after the settlement had occurred.

Phasing the project has resulted in additional engineering costs for the project and Donohue has proposed Amendment #3 to the engineering services agreement in the amount of \$39,910.

Motion #24-076

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It was moved by Blumreich, seconded by Mainz, and unanimously agreed to increase the contingency for the Ninth Street Interceptor Relocation Project by an amount of \$39,910 for a total authorized contingency of \$67,880 to be administered under the authority of the Executive Director.

6) Request Commission Approval to issue Change Order No. 1 for the Green Bay Facility North Plant Clarifier Rehabilitation Project #18-020-CO for a net project cost reduction of \$1,907,400.

R. Brown stated that on July 26, 2023, the Commission awarded a construction contract for the Green Bay Facility North Plant Clarifier Rehabilitation Project to Lunda Construction Company. A 10% contingency was added to the contract amount to address unanticipated changes. Lunda has submitted the first change order for the project, which represents a net cost reduction of \$1,907,400. Project bid documents included unit price breakouts for removing and replacing approximately 3 inches of grout topping material in the primary and final clarifier tanks. Line items 5 and 6 were based on information contained in the 1971 GBMSD record drawings and the cumulative experience of multiple technical experts on the project design team. The need for Bid Items 5 and 6 was eliminated when it was determined that no grout topping actually exists in any of the clarifiers.

Motion #24-077

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to approve the Green Bay Facility North Plant Clarifier Rehabilitation Project Change Order No. 1 for a net reduction in contract value of \$1,907,400.

7) Sewer plan approvals:

- a) Town of Ledgeview/Ledgeview Sanitary District #2 - Contract "B-2024", GBMSD Request #2024-21.
- b) City of Green Bay, Pavement X-20 Southwest Woods – Hinkle St. Extension, GBMSD Request #2024-22.

Motion #24-078

It was moved by Mainz, seconded by Blumreich, and unanimously agreed of the Town of Ledgeview/Ledgeview Sanitary District #2 and City of Green Bay, plans for the proposed sewers to serve land located within NEW Water. This approval is subject to favorable approval recommendations from Brown County Planning and final approval by the WDNR.

Due to P. Danen's relation with the Town of Ledgeview, he recused himself from this item.

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

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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) 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 #24-079

It was moved by Blumreich, seconded by Mainz, 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 #24-080

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

10) Update of Projects:

a) Quarterly Project Update.

N. Qualls reviewed the Project Update Summary spreadsheet and highlighted projects and their statuses.

11) Upcoming Handbook Update Recommendations.

E. Tietyen provided a detailed summary of changes and updates that outlined the proposed revisions to call-in time, vacation accrual, and holidays to the NEW Water Employee Handbook. A formal revision of the handbook will be presented to the Commission on December 4, 2024.

12) Shift-Work Recruitment and Retention.

E. Tietyen provided a detailed summary of changes and updates that outlined the proposed revisions to our current shift differential rate and recommends a modification to the applicable hours of the shift

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differential to the NEW Water Employee Handbook. A formal revision of the handbook will be presented to the Commission on December 4, 2024.

13) 2025 Budget Workshop.

B. Clausen gave an overview of the 2025 Draft Budget. This presentation contained the following information:

- Changes to 2025 Budget from September 25, 2024 Presentation
- Proposed 2025 Budget
- Flows and Loads
- 2025 Proposed Expenses
- 2025 Revenue
- Municipal Rate Comparison
- 2025 DRAFT Budget Summary
- Customer Meetings (Budget Focus)
- Next Steps

A draft 2025 Budget was also provided. The budget hearing will be held on Wednesday, December 4, beginning at 8:30 a.m. via hybrid meeting.

14) Strategic Plan Update.

T. Sigmund gave an update on the 2023 – 2026 Strategic Plan. This presentation contained the following information:

- Strategic Plan Midpoint Planning
- Strategic Midpoint Biggest Wins
- Strategic Midpoint Greatest Challenges
- 2023 – 2026 Strategic Plan Additions

15) September 2024 Financials.

C. Mueller reported that September's operating revenues were unfavorable to budget due to less flow volume due to lower precipitation. Year to date, total operating revenues were favorable to budget due to mill revenue being below budget.

September's operating expenses were favorable to budget due to fewer expenditures than budgeted in solid waste disposal, salaries & benefits, and natural gas & fuel oil. Year to date, operating expenses were favorable to budget from fewer expenditures than budgeted in contracted services, salaries and benefits, and plant maintenance.

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16) September 2024 Operations report.

P. Wescott reported both facilities were in full compliance with all effluent limits in the month of September. The Green Bay Facility complied with air quality limits for the month of September. The De Pere Facility set performance records for Total Kjeldahl Nitrogen for average pounds discharged per day and for total pounds discharged per month. The memo submitted to the Commission noted that the performance record for Total Kjeldahl Nitrogen was tied. A new performance record was set for the facility as verbally communicated.

For the month of September, the solids processing facility generated 1,443 MWH of electricity. Staff completed the annual Fluid Bed Incinerator (FBI) shutdown. The FBI was cooled down, opened up, and thoroughly inspected. The FBI was shut down September 10th and was back on solid fuel on October 3rd. Overall plant purchased electricity was down as a result of the shutdown because of the reduction in electrical load. Total bio-gas volume recovered was 168,933 CCF. NEW Water received 408,193 gallons of high strength waste in September.

17) Executive Director's Report:

a) December Commission Meeting.

The next meeting will be held on December 4, 2024, at 8:30 a.m. via hybrid meeting.

b) November Commission Meeting.

There will be a Commission meeting held November 14, 2023, at 12:00 p.m. in-person in the Fox River Conference Room for the purpose of the performance evaluation of the Executive Director.

c) 2024 Permit Compliance Inspection.

On July 16, the Wisconsin Department of Natural Resources (WDNR) completed its biennial permit compliance inspection with Laura Gerold (Wastewater Engineer – Senior). The written report was received from the WDNR on September 26, 2024. The facilities were found to be in compliance with the effluent limits and all terms and conditions of the permit. No further follow-up is being recommended by the WDR. Congratulations to all of the staff that help ensure permit compliance. Your efforts were recognized by the WDNR during the inspection.

d) Draft 2025 Commission Schedule.

A schedule of the 2025 Commission meetings was included in the Commission packet.

e) Engaging the Community: Fall Fest 2024

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On October 5, NEW Water hosted a pollution prevention educational booth at the annual Fall Fest on Broadway, at Leicht Memorial Park in downtown Green Bay.

f) WDNR Field Visit for Adaptive Management.

On October 17, 2024, NEW Watershed Program staff took WPDES Permit regulator, Laura Gerold, and an additional WDNR staff member on a tour of best management practice (BMPs) requested for inspection. This will be an annual guided tour and an opportunity to answer WDNR staff questions related to what has been installed out in the watershed and how the NEW Water team is managing the program.

g) Partnership Launched with Greater Green Bay Habitat for Humanity.

NEW Water has launched a partnership with the Greater Green Bay Habitat for Humanity for homeowner education. This opportunity allows NEW Water to inform new homeowners what they should and shouldn't put down the toilet. NEW Water hosted the nonprofit organization for a tour on September 30.

There being no further business to come before the Commission, the meeting adjourned at 10:12 a.m.

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Vice President