

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

PROCEEDINGS OF THE COMMISSION

Regular meeting of the Commission held August 22, 2018.

PRESENT: Commissioners Hasselblad, Blumreich, Mainz, Tumpach, and Hoffmann

ALSO PRESENT: T. Sigmund, N. Qualls, B. Hafs, B. Vander Loop, B. Angoli, L. Sarau, B. Brown, M. Diaz, P. Smits, J. Czynski, S. Thieszen, J. Maas, J. Smudde, J. Valenta, B. Oldenburg, T Garrison, J. Van Sistine, J. Smies–Legal Counsel; M. Heckenlaible–City of Green Bay

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

1) **Safety moment.**

T. Sigmund distributed a handout on how to extinguish kitchen grease and oven fires. He stated components of a fire are ignition source/heat, fuel, and oxygen. If one is removed, the fire will go out.

2) **2019 Budget workshop.**

T. Sigmund stated the draft 2019 budget is 85 – 90% complete. NEW Water, the brand of the Green Bay Metropolitan Sewerage District, has no information yet on health insurance and market adjustment. Staff hopes to have the draft budget at 100% complete for the second budget workshop. NEW Water will send this information out to its customers, and staff will review the budget at the customer meeting on September 6, 2018. He stated there is a 2.4% decrease in total budgeted expenses over the 2018 budget. He reviewed the proposed 2019 budget, as following:

- NEW Water Vision: Protecting Our Most Valuable Resource, Water
- 2019 Priorities
- 2018 Budget Update (through June)
- Resource Recovery and Electrical Energy Project (R2E2) Rate Stabilization Reserve
- Proposed 2019 Budget
- Flows and Loads
- 2019 Proposed Expenses
- 2019 Operations & Maintenance (O&M) Expenses
- 2019 O&M Expense Distribution
- NEW Water O&M Expenses
- 2019 Salaries & Benefits
- 2019 Contracted Services
- 2019 Major Capital Projects
- 2019 Annual Capital
- Proposed Long-Term Capital Projects
- Capital Projects for 2020-2023
- 2019 Revenue

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- 2019 Revenue Sources
- 2019 Revenue Breakdown by Customer
- Municipal Rate Comparison
- 2019 Budget Summary
- Next Steps

Commissioner Mainz asked what the Appleton Wastewater Treatment Plant charges for solid waste disposal. T. Sigmund replied that he did not know. Staff will follow up and report back to the Commission.

Commissioner Mainz asked if employees' salaries are included in capital projects. T. Sigmund replied it depends on the size of the project and the amount of employees' time dedicated to the project.

Commissioner Mainz asked staff at some point to explain to him why it is not beneficial to capture employees' salaries in true capital projects. T. Sigmund replied depending on the industry, it may be beneficial for tax purposes or recovery of rates. For NEW Water, it is all coming from its customers.

T. Sigmund asked the Commissioners to let him know if they have any questions or comments regarding the draft budget.

Commissioner Mainz asked staff to provide the Commission with staff's training costs.

- 3) **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) (c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility:**
- Discussion of negotiation strategy concerning a potential industrial customer**
 - Executive Director national professional society leadership**

Motion #18-059

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 under State Statute 19.85 (1) (c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

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4) Reconvene in open session.

Motion #18-060

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

Following closed session, agenda items were taken out of sequence based on staff's presence for reporting.

5) Approval of minutes of Commission meeting held July 18, 2018.

Motion #18-061

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to approve the July 18, 2018 minutes as distributed.

7) Financial reserves update.

B. Vander Loop gave an update on NEW Water's financial reserves, as follows:

- NEW Water Reserves Balance
- General Reserve Requirements
- General Reserve
- Debt Service Reserve Requirements
- Debt Service Reserve
- Plant and Equipment Replacement Fund (PERF) Requirements
- PERF Reserve
- Interceptor Cost Recovery (ICR) Reserve Requirements
- ICR Reserve
- R2E2 Rate Stabilization Reserve
- Future Reserve Considerations

Commissioner Blumreich asked if NEW Water's policies state what to do with the excess reserve balances. B. Vander Loop replied no. T. Sigmund added that it will cost about \$4,000,000 to repair the industrial forcemain and interplant forcemain. NEW Water hopes to recover most of the cost through litigation; however, payment must be made before litigation is completed. Georgia-Pacific's settlement was put into the reserves and the remaining debt is paid monthly from the reserves. The Bayview Interceptor cost will be approximately \$6,000,000, which will be paid from the reserves and NEW Water anticipates to recover the cost through litigation. These are examples of why there are excess funds in the reserves.

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Commissioner Blumreich stated next year when staff reviews the financial reserves, he would like staff to make a recommendation on what to do with the excess reserve balances.

8) Request Commission approval of the following Financial Policies:

- a) **Debt Service Reserve Policy**
- b) **General Reserve Policy**
- c) **Interceptor Cost Recovery Reserve Policy**
- d) **Investment Interest Use Policy**
- e) **Plant and Equipment Replacement Fund Reserve Policy**

B. Vander Loop stated that last year in August the financial policies were updated, including standardizing the format. Staff reviews the policies yearly, and made some minor edits this year noted in track changes. Staff is recommending approval of the Debt Service Reserve, General Reserve, Interceptor Cost Recovery Reserve, Investment Interest Use, and Plant and Equipment Replacement Fund Reserve Policies.

Motion #18-062

It was moved by Mainz, seconded by Hoffmann, and unanimously agreed to approve the Debt Service Reserve, General Reserve, Interceptor Cost Recovery Reserve, Investment Interest Use, and Plant and Equipment Replacement Fund Reserve Financial Policies. (See Commission File #18-002)

6) June and July financials.

M. Diaz reported total operating revenues for the month of June were favorable to budget by 6%. Mid-year total operating revenues were favorable to budget by \$1,400,000 or 7% primarily due to other revenues from hauled waste from the three cheese facilities and more precipitation received from rain events and snow melts earlier in the year. Total operating expenses for the month of June were favorable to budget by \$219,000 or 12% due to less expenditures from contracted services, maintenance – plant, and chemicals. Mid-year total operating expenses were favorable to budget by \$1,200,000 or 10% due to less expenditures from contracted services, maintenance – plant, and salaries & benefits. There was some offset by unfavorable expenses from natural gas and fuel oil, power, and solids waste disposal due to R2E2 and the solids building not being completed. Net income for the month of June was \$296,000.

M. Diaz reported total operating revenues for the month of July were favorable to budget by 2%. Year to date total operating revenues were favorable to budget by 6%. Leading the favorable results were other revenues from hauled waste from the three cheese facilities and more precipitation received from rain events and snow melts earlier in the year. Total operating expenses for the month of July were favorable to budget by 6%. Year to date total operating expenses were favorable to budget by \$1,300,000 or 10%.

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Leading the favorable results were less expenditures than budgeted from contracted services, maintenance – plant, and salaries & benefits. Net income for the month of July was \$19,000.

9) Request Commission approval to enter into an agreement with CH2M HILL Engineers, Inc. to provide engineering design services for the Reclaimed Water System in the amount of \$410,539.

N. Qualls reported that Green Bay Packaging (GBP) will be constructing a new paper mill on Quincy Street. GBP is planning to use NEW Water's treated effluent as its water source. NEW Water needs to construct a pumping facility to GBP's facility for the Reclaimed Water System. This agreement would move this into design phase. He stated there is a relatively aggressive timeline that GBP has established to have this system up and running. Reimbursement for the capital associated with the Reclaimed Water System has yet to be finalized with Brown County and GBP.

The Commission expressed its concern about the cost of the Reclaimed Water System if GBP elects not to use NEW Water's treated effluent as its water source. N. Qualls stated that staff will be very careful on proceeding with design and its costs until a final decision has been made by GBP.

Motion #18-063

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to enter into an agreement with CH2M HILL Engineers, Inc. to provide engineering design services for the Reclaimed Water System in the amount of \$373,539 and a 10% contingency of \$37,000 under the authority of the Executive Director for a total amount of \$410,539.

10) Request Commission approval to award the construction contract for Meter Stations 6, 8, and 9 Rehabilitation Project #17-031-CO to Zeise Construction Co., Inc. in the amount of \$808,445.

B. Brown stated that last year NEW Water engaged Donohue and Associates to evaluate Meter Stations 6, 8, and 9. The goal was to ensure adequate flume capacity and infrastructure condition to provide reliable service for the next 20 plus years. Through the evaluation and design, Donohue verified capacity and identified concerns in the three stations. There was moisture degradation to electrical equipment and some components, and also some safety and structural issues with all three stations. The plans centered primarily on improving ventilation and containing the moisture within the flume channels. NEW Water received and opened two bids on August 1, 2018. The low bid was from Zeise Construction Co., despite the fact that the bid price was significantly above the engineer's estimate. He requested Commission approval to award the construction contract for the Meter Stations to Zeise Construction in the amount of \$734,950 and a 10% contingency for a total amount of \$808,445.

Commissioner Blumreich asked if staff was surprised that NEW Water only received two bids. B. Brown replied it was not surprising due to current contractor workloads and the nature of this work. There was a third plan holder that chose to bid as a sub to the two prime bidders.

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Commissioner Mainz asked what the engineer's estimate was. B. Brown replied \$546,390.

Commissioner Hasselblad asked what is happening in the market because the bids have been over the engineer's estimate for about six to ninth months. B. Brown replied it is due to the environment, material prices going up, and a tight labor pool.

Motion #18-064

It was moved by Blumreich, seconded by Hoffmann, and unanimously agreed to award the construction contract for Meter Stations 6, 8, and 9 Rehabilitation Project 17-031-CO to Zeise Construction Co., Inc. in the amount of \$734,950 and a 10% contingency of \$73,495 under the authority of the Executive Director for a total amount of \$808,445.

- 11) **Request Commission approval of Amendment No. 2 for the Resource Recovery and Electrical Energy Project – Contract 34 Digestion and Solids Facility with CH2M HILL Engineers, Inc. for additional construction related services in the amount of \$189,649.39.**

B. Angoli stated this request is for additional work outside of the scope of services within the R2E2 construction services budget. In April 2017 NEW Water found out that West Boise Wastewater Treatment Plant made some modifications to its nutrient recovery system, which increased performance of the nutrient recovery system and reduced chemical costs. The cost to design changes to the nutrient extraction system was \$78,727.02. The Commission approved Work Change Directive No. 107 at its June 28, 2017 meeting. The existing sludge lagoon was to be used for excess fill from Contract 34. This site was considered a wetland during permit fill review. Extensive meetings between the Department of Natural Resources (DNR), engineer, and staff resulted in removing the wetland designation. Total cost for this work was \$45,039.44.

B. Angoli reported Suez, the fluid bed incinerator manufacturer, notified NEW Water that some of the granular activated carbon systems for mercury emission removal had experienced thermal excursions. A hazardous operation review was completed and design changes were made to the granulated carbon adsorption to monitor and control thermal excursions. Total cost for this work was \$37,002.64. Revisions were also made to the solids building third floor layout to better accommodate staffing operational needs for plant operations. Total cost for this work was \$28,880.29. He requested Commission approval of \$189,649.39 to be taken out of the Services During Construction contingency budget.

Motion #18-065

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to approve Amendment No. 2 for the R2E2 Project – Contract 34 Digestion and Solids Facility with CH2M HILL Engineers, Inc. for additional construction related services in the amount of \$189,649.39.

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- 12) **Request Commission approval of the Resource Recovery and Electrical Energy Project Work Change Directive 272 – Solids Building 300 Divider Wall and Utility Work at a cost not to exceed \$750,000.**

B. Angoli stated that this work was originally part of the Contract 35 demolition project. Staff and the engineer are concerned that there is intricate concrete work and separating facilities to delay this work. NEW Water has a good set of contractors' onsite that know the facility and work well with staff. There have also been a lot of changes since 1976 throughout the facility, which would be difficult and costly to define in contract documents. Staff and the engineer feel that the enclosure of the existing solids building before demolition would be a good Work Change Directive to utilize the contractor's knowledge of the facility. He stated a Work Change Directive would extend the R2E2 Project for approximately six months. This work would not start until all staff and systems are operating in the new solids building. Total estimated cost for this work is not to exceed \$750,000.

Commissioner Mainz asked if NEW Water will have accurate drawings once this work is completed. B. Angoli replied yes.

Motion #18-066

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to approve the R2E2 Project Work Change Directive 272 – Solids Building 300 Divider Wall and Utility Work at a cost not to exceed \$750,000.

- 13) **Request Commission approval of Amendment No. 3 for the Resource Recovery and Electrical Energy Project – Contract 34 Digestion and Solids Facility Design and Services During Construction with CH2M HILL Engineers, Inc. for Work Change Directive 272 Solids Building 300 Divider Wall and Utility Work in the amount of \$207,947.**

B. Angoli stated this request is for design work and construction services for modifications to enclose the existing solids building to remain before demolition. Staff and engineer need to finalize the draft Work Change Directive for the contractor to move forward. Record drawings will be provided on what has changed within the facility as part of the Work Change Directive.

Motion #18-067

It was moved by Blumreich, seconded by Hoffmann, and unanimously agreed to approve Amendment No. 3 for the R2E2 Project – Contract 34 Digestion and Solids Facility Design and Services During Construction with CH2M HILL Engineers, Inc. for Work Change Directive 272 Solids Building 300 Divider Wall and Utility Work in the amount of \$207,947.

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14) Sewer plan approvals:

a) Village of Pulaski Contract No. 5569-18-03; GBMSD Request #2018-23

B. Angoli reported the Village of Pulaski is requesting 377 ft. of 8-inch PVC sanitary sewer within the right of way of Sharon Lane, 548 ft. of 8-inch PVC sanitary sewer within utility easement east of Mountain Bay Drive north of Joeanna Way, and 333 ft. of 4-inch PVC force main within utility easement east of Mountain Bay Drive and north of Joeanna Way. Flow would be tributary to the Bayview Interceptor.

b) City of De Pere Project #18-14; GBMSD Request #2018-24

B. Angoli reported the City of De Pere is requesting 794 ft. of 8-inch PVC sanitary sewer on Diversity Drive between Ryan Roads and Scarlet Oak Trail, 1,983 ft. of 8-inch PVC sanitary sewer on Scarlet Oak Trail north and south of Diversity Trail, 1,206 ft. of 8-inch PVC sanitary sewer on Ryan Road north of Diversity Drive to Lift Station south of Diversity Drive, and 915 ft. of PVC force main on Ryan Road and Diversity Drive. Flow would be tributary to the Swan Road Interceptor.

Motion #18-068

It was moved by Meinz, seconded by Blumreich, and unanimously agreed to approve the Village of Pulaski and City of De Pere sewer plans subject to favorable review by Brown County Planning and final approval by the Wisconsin DNR.

15) Request Commission approval of the Joint Funding Agreement with the United States Department of the Interior – U.S. Geological Survey for the installation and operation of four streamgage monitoring stations on Dutchman and Ashwaubenon Creeks in the amount of \$120,730.

J. Smudde stated this contract is for the Ashwaubenon/Dutchman Creeks. Staff has begun developing a monitoring plan to gather baseline water quality data, and having good baseline data is important for documentation of progress over the course of 20 plus years of Adaptive Management. Staff began collecting some grab sample locations in the stream already this spring. NEW Water is developing a contract with U.S. Geological Survey, similar to the gauging station in Silver Creek, to help staff document flow and loads through the stream. There will be two stations within each stream. The contract is written for the installation of four stations in 2018, and a component in 2019 is operation and maintenance. In this contract the U.S. Geological Survey will provide a 25% cost share that results in about a \$40,000 cost savings to NEW Water. There is a \$30,000 cost share for Plum Creek as well. NEW Water leveraged additional funding for additional work being done in Plum Creek, which contributes to the Lower Fox River Basin. This does not add any additional labor or cost to NEW Water.

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J. Smudde requested Commission approval for the Executive Director to enter into a contractual agreement with the United States Department of the Interior – U.S. Geological Survey for the installation and operation of four streamgauge monitoring stations on Dutchman and Ashwaubenon Creeks in the amount of \$120,730.

Commissioner Hasselblad asked staff at some point to provide the Commission with simple drawings of Dutchman Creek, Ashwaubenon Creek, and Silver Creek, and where these creeks flow and where they end up.

Motion #18-069

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to approve the Joint Funding Agreement with the United States Department of the Interior – U.S. Geological Survey for the installation and operation of four streamgauge monitoring stations on Dutchman and Ashwaubenon Creeks in the amount of \$120,730.

16) Request Commission approval for the addition of a Contract and Grant Specialist position to the Watershed Management Department and the associated revision to the organizational chart pending approval of the 2019 budget.

J. Smudde requested a change to the organizational chart to add a Contract and Grant Specialist position to the Watershed Management Department. The Silver Creek Pilot Project has been very successful, and has been informative on costs and work effort with the Adaptive Management approach. NEW Water is moving forward with Adaptive Management, and contracts are a big part of it. Grants have played an important role in watershed work and the Aquatic Monitoring Program. NEW Water has received a number of grants over the last five years totaling over \$2,000,000.

J. Smudde stated the role of this new position would be to execute and maintain contracts/professional services and cost share agreements, and manage all aspects of grants for the department. Another component is to seek grant opportunities, submit grant applications, and handle all reporting and funding needs. One of the reasons why this position is brought forward now is with the expanding watershed, timing and work load has exceeded the capacity of current staff. Work has been equivalent to four full-time positions. Planning efforts for Adaptive Management is underway. Partner agreements, grant applications, and funding will be crucial in 2019. Current staff do not have time to manage any more grants than NEW Water currently has. He requested Commission approval to add this additional staff member pending the 2019 budget approval.

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Motion #18-070

It was moved by Blumreich, seconded by Mainz, and unanimously agreed to approve the addition of the Contract and Grant Specialist position to the Watershed Management Department and the associated revision to the organizational chart pending approval of the 2019 Budget. (See Commission File #18-003)

17) Update of projects:

a) Contract 34 Digestion and Solids Facility

B. Angoli reported the R2E2 Project is moving along. There have been some issues with the new thickening centrifuge being used for primary sludge dewatering. It was determined that the scroll does not need to be replaced on the system, but improvements are needed for the seals and system venting. The whole rotating assembly was removed today and will be sent to Kenosha for repairs. Due to all the issues and concerns with the thickening system process, staff is looking at additional changes for the thickener system until the thickening system process is updated in the next few years. Staff plans to inform the Commission next month on the modifications.

B. Angoli stated there was another failure on the thermal oil system primary pump and inlet connection to the sludge dryer. The system is back up and operational again. The generators are ready for final testing later this month or early next month. The contractor has completed the roadwork and is working on the landscaping. The contractor is finalizing costs for the Work Change Directive on the nutrient recovery system. To date the non-American iron and steel used for the R2E2 Project is approximately \$227,000. Staff is working with the contractor on the construction schedule, and plan to finalize the date for Milestone No. 4 within the next couple of weeks. Staff will report back to the Commission on new dates at the September meeting.

Commissioner Hoffmann asked if there has been any more dialogue on the liquidated damages. B. Angoli replied the contractor and engineer have had discussions. Everyone continues to work together to get things done.

b) Charles Street Interceptor Upgrades

L. Sarau reported the contractor resumed sewer construction from manhole CSI-017 the week of August 13, and expects to complete the sanitary interceptor work at the end of this week. She reported there was an issue on the project site during August. It was discovered that a sanitary sewer lateral was missed and not reconnected to the new interceptor, which resulted in a sanitary sewer back up into the basement of the Notre Dame Elementary School. At this time the school has been reconnected. The school hired a firm to do some restoration work inside the building for cleanup. NEW Water is working internally and with the engineer to determine responsibility for this issue and who should be paying for missing the lateral and cleaning up the school.

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L. Sarau stated the old lateral has been removed and NEW Water will test the soils because when the lateral was not reconnected, the school and a Montessori School Daycare that shares this lateral had continued to use the lateral not knowing it was not hooked up. This resulted in discharging sanitary sewage into a sewer trench. NEW Water talked to the DNR, did some restoration work, and will test the soils for proper disposal.

Commissioner Hasselblad asked if Notre Dame Elementary and Montessori Schools will be opening on time. L. Sarau replied yes.

Commissioner Mainz asked if NEW Water has a policy on making sure people are whole. T. Sigmund replied that he did not think NEW Water had such a policy. Staff is working with the engineer and contractor to find out what caused this and who's insurance will be notified. L. Sarau added it was missed during design and construction, and the lateral was not shown on De Pere's plan.

Commissioner Mainz was concerned about making sure the schools' restoration costs are covered. L. Sarau stated the Montessori School was not impacted.

Commissioner Hoffmann asked who paid for the restoration. L. Sarau replied the City of De Pere asked Notre Dame Elementary School to submit a bill. NEW Water has not seen the bill.

Commissioner Hoffmann asked who the engineer was. L. Sarau replied Donohue & Associates.

Commissioner Mainz asked staff to let the Commission know the final cost of restoration.

- 18) Operation report:**
- a) Effluent quality for July**
 - b) Air quality for July**

P. Smits reported both facilities were in full compliance with effluent limits for the month of July. There were no issues with incinerator emissions.

- 19) Executive Director's report:**
- a) September Commission meeting**

The September Commission meeting will be held Wednesday, September 26, 2018, beginning at 8:30 a.m.

- b) Executive Director approved agreements**

A list of agreements approved by the Executive Director was provided in the Commission packet.

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c) NACWA awards

At the NACWA 2018 Leadership Conference in July, NEW Water was recognized for a Platinum 15 award for 15 consecutive years of 100% permit compliance at the Green Bay Facility and a Platinum 6 award for six consecutive years of 100% permit compliance at the De Pere Facility.

d) R2E2 internal/external launch

The R2E2 celebration will be held at NEW Water on Thursday, September 13, 2018, from 2:00 – 6:00 p.m. Please let Jean Van Sistine know if you plan to attend.

e) STEM Superheroes Camp

The 3rd Annual STEM Superheroes Camp was held with the Boys & Girls Club of Greater Green Bay. There were some great activities and the kids enjoyed it. This is an investment NEW Water is making in the future for our community.

Commissioner Hasselblad asked if NEW Water is tracking these kids as they enter the high school years to know what they are doing. T. Garrison replied that she has not, but plans to start.

T. Sigmund distributed NEW Water's 2017 annual report, which reflects well of the entire organization and is available on-line. He acknowledged Tricia Garrison and the Management Team for their efforts in putting together this report.

Commissioner Hasselblad thanked staff for all their hard work.

There being no further business to come before the Commission, the meeting adjourned at 10:52 a.m.

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Secretary