

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

PROCEEDINGS OF THE COMMISSION

Regular meeting of the Commission held July 24, 2019.

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

ALSO PRESENT: T. Sigmund, P. Wescott, N. Qualls, B. Vander Loop, J. Smudde, T. Brown, B. Clausen, B. Brown, B. Angoli, P. Mentink, S. Thieszen, E. Houghton, B. Oldenburg, B. Bartel, S. Xiong, P. Smits, J. Czipinski, T. Garrison, J. Maas, J. Van Sistine, N. Agamaite, A. Kowalzek-Adrians, J. Valenta, J. Smies-Legal Counsel; G. Dionne, M. Rosteutcher, & L. Wesdrich-American Engineer Testing Inc.; M. Walter & C. Blan-Brown County Port & Resource Recovery

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

1) **Safety moment.**

T. Sigmund provided safety tips and proper safety protection to be worn when using a chainsaw. STIHL has informative videos on how to safely handle a chainsaw. He stated with the power outages due to the severe weather this past weekend, it is recommended to turn off appliances to prevent a possible fire when the electricity is turned back on.

2) **Brown County Hazardous Material Recovery Program update.**

J. Maas introduced Mark Walter, Business Development Manager, and Chris Blan, Resource Recovery Technician from Brown County Port & Resource Recovery. The Brown County Hazardous Material Recovery (HMR) Facility manages hazardous materials properly and has been a great partner to NEW Water, the brand of the Green Bay Metropolitan Sewerage District.

M. Walter gave an update on the HMR Program, as follows:

- History
- Wisconsin's Recycling Law
- What's Hazardous Waste
- Flammable
- Corrosives
- Toxics
- Reactives
- Unknowns
- HMR
- HMR Program Summary
- 2018-2019 HMR Operations & Maintenance Budget Summary
- What Else Do We Accept
- Problem Materials

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- Recent Problems
- What Do We Do With It All
- Disposal Charges
- Questions

Commissioner Hasselblad stated that environmental protection is what the HMR Facility is all about. M. Walter agreed.

Commissioner Hasselblad asked if Brown County has looked at the Europeans and if we are behind the curve. M. Walter replied the United States has a long way to go.

3) Adopt retirement resolution for Bob Zepnick.

S. Thieszen stated that Bob Zepnick worked at NEW Water for 35 years fulltime, plus previous years of seasonal employment beginning in June 1980. He accepted a full-time position in maintenance at NEW Water on July 16, 1984, and later became a Field Services Technician, where he worked until retirement. He provided great service, was always helpful, and willing to share his knowledge. She stated that his knowledge and expertise is invaluable and will be missed. The Commission expressed its appreciation for his years of service.

Motion #19-058

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to adopt retirement resolution for Bob Zepnick (Resolution #19-008 is on file at the NEW Water offices)

4) Introduce new Wastewater Treatment Plant Operator-in-Training, Sonny Xiong.

B. Bartel introduced Sonny Xiong, who started his employment at NEW Water as a Treatment intern and was promoted to Operator-in-Training.

S. Xiong stated that he was born and raised in La Crosse and moved to Green Bay to attend Northeast Wisconsin Technical College. He has one year of school remaining and will graduate with an Associate's Degree in Environmental Engineering – Waste and Water Treatment Technology. He is excited to be a part of NEW Water. The Commission welcomed him.

5) 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:

- a) Discuss negotiation strategy concerning a potential industrial customer

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Motion #19-059

It was moved by Mainz, seconded by Blumreich, 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.

6) **Reconvene in open session.**

Motion #19-060

It was moved by Mainz, seconded by Hoffmann, 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.

7) **Approval of minutes of Commission meeting held June 26, 2019.**

Motion #19-061

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

9) **Request Commission approval to dissolve the Extended Disability Bank 2 paid benefit leave plan by the end of 2019 to reduce risk of tax implications to NEW Water and its employees.**

T. Brown provided some history on the implementation of the Extended Disability Bank (EDB) 2. Human Resources staff met with legal counsel earlier this year to review NEW Water's wage and hour practices, as well as review its paid benefit programs to ensure compliance with federal and state labor and tax laws. Legal counsel advised staff to eliminate the EDB2 leave program to reduce tax risk to NEW Water and its employees. Nineteen employees have transferred about 1,000 hours into EDB2. She requested Commission approval to dissolve the EDB2 paid benefit leave plan by the end of 2019.

Commissioner Mainz asked if all employees who contributed will be made whole at the end of this process. T. Brown will provide the Commission with an example on the impact to employees. Commissioner Mainz stated that this was NEW Water's mistake, and he wants to make sure the impacted employees are made whole.

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Motion #19-062

It was moved by Blumreich, seconded by Hoffmann, and unanimously agreed to dissolve the EDB2 paid benefit leave plan by the end of 2019 to reduce tax implications to NEW Water and its employees.

10) Request Commission approval to adopt the Existing Employer Update Resolution for the Wisconsin Public Employers' Group Health Insurance Program.

T. Brown stated that the Wisconsin Public Employers' Group Health Insurance Program (WPE-GHIP) has created a new manual, which use to be various manuals. In 2003, the Commission adopted a resolution to join the WPE-GHIP. The Employee Trust Fund is requiring a new resolution be adopted to participate in the WPE-GHIP. The signing of this agreement does not bind the Commission into any new or substantially revised provisions that have not already been communicated or implemented. She requested Commission approval to adopt the Existing Employer Update Resolution for the Wisconsin Public Employers' Group Health Insurance Program.

Motion #19-063

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to adopt the Existing Employer Update Resolution for the Wisconsin Public Employers' Group Health Insurance Program. (Resolution #19-009 is on file at the NEW Water offices)

8) June financials

B. Clausen reported total operating revenues for the month of June were favorable to budget by \$175,000 or 6% due to additional municipal TSS loadings. Year to date total operating revenues were favorable to budget by \$1,100,000 or 5% due to additional municipal TSS loadings and additional flow volume due to more precipitation received. Total operating expenses for the month of June were favorable to budget by \$62,000 or 3% from less expenditures in maintenance – plant, chemicals, and contracted services. Year to date total operating expenses were unfavorable to budget by (\$1,100,000) or (11%) from more expenditures than budgeted from maintenance – interceptor and more power utilization. Operating income for the month of June was \$1,300,000 and operating income year to date was \$10,000,000. Net income for the month of June was \$290,000 and net income year to date was \$808,000.

11) Request Commission approval of a Professional Services Agreement for Adaptive Management Program Assistance in the amount of \$769,848.

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E. Houghton stated that in March 2018, NEW Water issued a request for qualifications (RFQ) seeking professional services to assist with developing and implementing an Adaptive Management Program. Jacobs Engineering Group was the only consultant to submit a Statement of Qualifications. Jacobs has supported NEW Water for the selection of the Ashwaubenon Creek and Dutchman Creek area program under a separate 2014 contract through the Silver Creek Pilot Project. This proposal is a new contract, under the March 2018 RFQ selection, to provide Program assistance into implementation. The consultant Program tasks will support NEW Water's leadership of the Program and leverage tools, workflows, stakeholder and partner relationships, implementation approaches, data management, and work initiated through the Pilot Project and the development of the Adaptive Management Plan.

E. Houghton stated Jacobs will provide the required permit reporting to the Wisconsin Department of Natural Resources (WDNR). Jacobs and NEW Water will provide reports to the Commission throughout the duration of the Professional Services Agreement. The work included in this proposal is based on deliverables and the execution of project tasks, and is not tied to a specific calendar year like prior work in Silver Creek. Most of the Scope of Work will be completed by the end of 2021. A contract end date of December 31, 2022 will provide flexibility and not require an amendment if some tasks extend into the third year. This cost will be budgeted internally and there will be no extra cost to NEW Water. She requested Commission approval of a Professional Services Agreement for Adaptive Management Program Assistance in the amount of \$699,861 and a contingency of \$69,987 under the authority of the Executive Director for a total authorization of \$769,848.

Commissioner Mainz asked if staff reviews Jacob's hourly rate. E. Houghton replied that staff monitors it, looks at it every year during budgeting, and also when itemized invoices are received.

Commissioner Hoffmann asked if Jacobs report against the budget. E. Houghton replied yes, the hours are noted on each invoice.

Commissioner Hoffmann asked why no one else responded to the RFQ. E. Houghton replied other consultants do not have the technical staff, and some consultants are committed to other projects.

Commissioner Hasselblad asked if NEW Water is still a leader in the industry and if that was the cause of the lack of submittals. E. Houghton replied that NEW Water is still a leader and some companies do not have enough experience to give NEW Water the help it is looking for.

Motion #19-064

It was moved by Mainz, seconded by Tumpach, and unanimously agreed upon to approve the Professional Services Agreement for Adaptive Management Program Assistance in the amount of \$699,861 and a contingency of \$69,987 under the authority of the Executive Director for a total authorization of \$769,848.

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- 12) **Request Commission approval of Amendment No. 6 for the Dutchman Creek and Scott-Bayshore Interceptor Rehabilitation Project #13-024-DS with Donohue & Associates for additional engineering services in the amount of \$35,735.**

B. Brown gave some history on the original Scott Bayshore and Dutchman Creek Interceptors and renovation design. He requested Commission approval of Amendment No. 6 for the Dutchman Creek and Scott-Bayshore Interceptor Rehabilitation Project #13-024-DS with Donohue & Associates for additional engineering services in the amount of \$35,735.

Commissioner Hasselblad asked if there were any problems with the easements. B. Brown replied that it is too early in the process to know, but one owner has been unresponsive to date.

Motion #19-065

It was moved by Blumreich, seconded by Hoffmann, and unanimously agreed to approve Amendment No. 6 for the Dutchman Creek and Scott-Bayshore Interceptor Rehabilitation Project #13-024-DS with Donohue & Associates for additional engineering services in the amount of \$35,735.

- 13) **Request Commission approval of Contract 34 Digestion and Solids Facility Change Order No. 51 in the amount of \$430,901.13.**

B. Angoli stated that the contractor and engineer are working on finalizing the existing work change directives for payment. This has resulted in 30 work change directives closed and completed for payment. Through Change Order No. 51 there is a total of \$3,782,567.80 in change orders, which would bring Contract 34 contract amount to \$134,682,567.80. Engineer and staff have reviewed and estimated the remaining work change directives for payment, which totals about \$570,000. This will be incorporated into two or three more change orders to close out the R2E2 Contract 34. He requested Commission approval of Contract 34 Digestion and Solids Facility Change Order No. 51 in the amount of \$430,901.13.

Motion #19-066

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to approve Contract 34 Digestion and Solids Facility Change Order No. 51 in the amount of \$430,901.13.

- 14) **Sewer plan approvals:**

- a) **Village of Bellevue Project #5448; GBMSD Request #2019-22**
- b) **Village of Bellevue Contract F-19; GBMSD Request #2019-23**

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Motion #19-067

It was moved by Mainz, seconded by Tumpach, and unanimously agreed to approve the Village of Bellevue sewer plans subject to favorable approval recommendations from Brown County Planning and final approval by the WDNR.

15) Update of projects:

a) Project Updates Summary

N. Qualls stated the Engineering staff provides regular updates to the Commission on the status of individual projects as projects move through the project delivery process, especially once construction has started. The Commission is not, however, regularly updated on the status of all projects at all phases. He asked how often the Commission would like an update in this format. Commissioner Hasselblad replied on a quarterly basis, and to add a baseline cost and current estimate cost column to future graphs.

b) Contract 34 Digestion and Solids Facility

B. Angoli stated that the project is winding down, and the only major work remaining is finishing the installation of the HVAC system. There had been a hold up because the sheet metal workers union that is doing the install had been on strike. The sheet metal workers are back to work now and is expected to be finished by the end of July. The contractor is demobilizing from the site because the only remaining work includes completing punch list items and closing out work change directives. The engineer is reviewing contractor as-built drawings and finalizing costs for completed work change directives.

c) 2018 Interplant Forcemain Fitting Repair

N. Qualls stated that De Groot Construction has remobilized and resumed work on July 10, 2019 on the Interplant Forcemain Fitting Repair Project, and has completed 3 of the 16 remaining locations. De Groot severed the fiber optic line that runs parallel to the interplant forcemains, and is taking responsibility for the cost and a third party has repaired the line.

Commissioner Blumreich asked what should have been done to prevent the fiber optic line from being severed. N. Qualls replied everything was properly marked as it should have been.

d) Green Bay Facility Administration Building Office Renovation

B. Brown stated that phase one of the project is now finished and we are in phase two, which is Information Technology and Laboratory areas. Phase two is scheduled to take about seven weeks to complete, so there will be no update next month.

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e) De Pere Facility Electrical Distribution and Emergency Generator

P. Mentink stated that construction at the De Pere Facility is in full swing and making good progress. The major underground work is 75% complete. Within the past week, the building has started being built. So far there are no issues, and work is making steady progress. He reviewed some of the challenges during the underground work, such as placement of a new manhole. Staff has been locating with GPS and tracking all of the things encountered during this process for future knowledge and use.

f) Bayview Interceptor Replacement

P. Mentink stated that the tunneling process is at a standstill because of soil conditions. The contractor is working on getting tunneling machines working again. The contractor has submitted a soils conditions report, which Brown and Caldwell does not agree with. The contractor, engineer, and Department of Transportation are all working together to see what options there are and making sure things are in order before moving forward.

16) June 2019 Operations report.

P. Wescott reported for the month of June, both facilities were in full compliance with effluent limits and the Green Bay Facility was in full compliance with air quality limits. The De Pere facility tied an Ammonia performance record for average pounds discharged per day. The annual emissions testing was performed in May, and the results showed that emissions from the fluid bed incinerator was well below the limits for all pollutants tested. Emissions testing will be required again in May 2020.

The R2E2 facility generated 1,237 megawatt hours of electricity and 215,927 CCF of biogas. Approximately 92.8% of biogas was used on site with the remaining percentage being sent through the waste gas flare. Replacement of several cylinder heads on the biogas engines was completed under warranty. NEW Water received 1,452,782 gallons of high strength waste in June. The trial on high strength waste has been going well, so going forward NEW Water will increase the hauled waste received by 50%.

Commissioner Mainz asked if NEW Water has a contract with the haulers that are currently bringing in hauled waste. S. Thiesen replied that NEW Water does not have a contract. Staff feels comfortable proceeding with the current process.

17) Draft 2020 NEW Water budget review.

T. Sigmund gave a general overview of the 2020 budget for NEW Water. This overview included budgeted expenses for 2019, estimated expenses for 2020, and what the next steps in the process will be. There will be a detailed budget review workshop at the August Commission meeting.

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18) Executive Director's report:

a) August Commission meeting

The August Commission meeting will be held August 28, 2019 at 8:30 a.m.

b) Duane Fish was promoted to Field Services Team Leader

Duane Fish was promoted to Field Services Team Leader.

c) U.S. Environmental Protection Agency (EPA) Great Lakes Restoration Initiative grant

Environmental Programs submitted a \$338,438 federal grant application earlier this month to the U.S. Environmental Protection Agency Great Lakes Restoration Initiative program for protecting and doing work on the farmland near Ashwaubenon Creek and Dutchman Creek sub-watersheds.

d) Employee Appreciation Luncheon

NEW Water's Employee Appreciation luncheon will be held Wednesday, August 14, 2019, at 11:00 a.m. in the Maintenance garage.

e) NEW Water received a Platinum Excellence in Management Recognition Award from the National Association of Clean Water Agencies (NACWA)

NEW Water received a Platinum Excellence in Management Recognition Award from the National Association of Clean Water Agencies (NACWA). There were 10 areas to possibly excel in to receive the award. Only 9 of the 10 were needed, and NEW Water excelled in all 10. T. Sigmund will provide the Commission with more information on the NACWA Conference.

f) NEW Water received a Platinum 16 Peak Performance Award for the Green Bay Facility and a Platinum 7 Peak Performance Award for the De Pere Facility from NACWA

NEW Water received a Platinum 16 Peak Performance Award for the Green Bay Facility, and a Platinum 7 Peak Performance Award for the De Pere Facility from NACWA for 16 and 7 years respectively of 100% permit compliance.

g) NEW Water received a Clean Water Advocacy Recognition Award from NACWA

NEW Water received a Clean Water Advocacy Recognition Award from NACWA. NEW Water was nominated by its peers in the industry.

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h) EPA's Water Chief visits NEW Water

On June 23, 2019, David Ross, Assistant Administrator for the Office of Water at the U.S. Environmental Protection Agency (EPA) and Kurt Thiede, Chief of Staff at EPA Region 5, visited NEW Water. They toured the facility and learned about NEW Water's R2E2 and watershed programs.

i) EPA staff to visit NEW Water in August

On August 22, 2019 NEW Water will be hosting staff from the EPA Office of Water-Office of Science and Technology to learn more about NEW Water's struvite recovery system.

The Commission received copies of NEW Water's 2018 Annual Report.

T. Sigmund announced that he was elected as NACWA Secretary and will begin the four-year rotation to President.

There being no further business to come before the Commission, the meeting adjourned at 10:25 a.m.

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Secretary