

**GREEN BAY METROPOLITAN SEWERAGE DISTRICT**  
**PROCEEDINGS OF THE COMMISSION**

Regular meeting of the Commission held June 28, 2010.

**PRESENT:** Commissioners Alesch, Hasselblad, Mainz, and Scheberle

**EXCUSED:** Commissioner Zabel

**ALSO PRESENT:** T. Sigmund, P. McCarthy, P. Kaster, D. Busch, W. Angoli, M. Pierner, J. Czapinski, T. Robbins, J. Kennedy, L. Evenson, B. Vander Loop, W. Oldenburg, D. Lefebvre, D. Cawley, M. Diaz, L. Frisch, T. Lealou, T. Feldhausen and J. Nicks (via telephone)–Legal Counsel; Ken Pabich–City of De Pere; Ben Meeuwsen–Fourinox

Commission President Alesch called the meeting to order at 8:33 a.m.

**1) Approval of minutes of Commission meeting held May 24, 2010.**

**Motion #10-047**

It was moved by Hasselblad, seconded by Mainz, and unanimously agreed to approve the May 24, 2010 minutes as distributed.

**2) Amend April 26, 2010 Commission minutes.**

Commissioner Mainz asked why staff is requesting to amend the minutes. T. Sigmund replied the item verbiage from the agenda was used in the minutes, which did not provide the actual amounts approved by the Commission.

**Motion #10-048**

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to approve the amended April 26, 2010 minutes.

**5) Introduce the new Systems Administrator – Process Control Systems, Todd Robbins.**

J. Czapinski introduced Todd Robbins, who began his employment with GBMSD on June 2 as Systems Administrator – Process Control Systems. He stated Mr. Robbins has a lot of experience with automation.

T. Robbins stated that he has lived in Green Bay most of his life, has served in the Air Force, and has degrees in Instrumentation and Manufacturing Technology. He stated that he appreciates the environment at GBMSD.

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The Commission welcomed him.

#### 3) **May financials.**

M. Diaz reported the total operating revenues for May were unfavorable from budget by 7% and year to date by 3%. She reported the operating expenses were unfavorable to budget by 2% and year to date were favorable by 4%. She stated May's net income was unfavorable due to missing operating income.

Commissioner Hasselblad commented that the financial reports continue to improve, are easy to read, and well prepared.

Commissioner Alesch inquired about the loss in operating income. B. Vander Loop replied the loss of income was due to decreased industrial flows and loads from the City of Green Bay and Village of Howard.

Commissioner Alesch asked B. Vander Loop to contact both communities to see if the decline is recessionary or pretreatment related.

#### 6) **Approve Resolution for acceptance of the Compliance Maintenance Annual Report for 2009 for the Green Bay Facility.**

#### 7) **Approve Resolution for acceptance of the Compliance Maintenance Annual Report for 2009 for the De Pere Facility.**

D. Cawley reported both the Green Bay and De Pere Facilities generated a grade point average of 4.00.

Commissioner Hasselblad congratulated staff.

#### **Motion #10-049**

It was moved by Hasselblad, seconded by Scheberle, and unanimously agreed to approve Resolutions for acceptance of the Compliance Maintenance Annual Report for 2009 for the Green Bay and De Pere Facilities (Resolutions #10-007 and 10-008 are on file at the GBMSD offices).

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**8) Request Commission approval to change the long-term disability insurance carrier from Mutual of Omaha to Reliance Standard Insurance Company.**

T. Sigmund reported the long-term disability (LTD) insurance is up for renewal on July 1. The renewal rate is a 10.6% increase over the current premium of \$0.85. A request for proposal (RFP) was sent by Aon Consulting to five firms. Of the proposals received, only Mutual of Omaha and Reliance Standard Insurance Company met the standards set in the RFP. Reliance Standard Insurance Company most closely matched the current LTD coverage level and is guaranteed for three years. Mutual of Omaha is not guaranteed past June 2011.

**Motion #10-050**

It was moved by Scheberle, seconded by Hasselblad, and unanimously agreed to approve the selection of Reliance Standard Insurance Company as the long-term disability insurance carrier at a premium of \$.72 per \$100 of covered payroll effective July 1, 2010.

**9) Request Commission approval of modifications to the Human Resources and Benefits Manual.**

T. Sigmund reviewed the current policy for non-exempt employees related to overtime on Sundays. He stated the Management Team is requesting revisions to the current policies related to Travel, Employee Development, and Overtime on Sunday.

D. Busch stated the proposed changes mostly affect the employees in the Operations Division. He explained how travel time on Sundays is compensated.

**Motion #10-051**

It was moved by Scheberle, seconded by Hasselblad, and unanimously agreed to approve modifications to the Human Resources and Benefits Manual. (See Commission File #10-002)

**23) Convene in closed session 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) Discussion on appeal of significant noncompliance by Fourinox Inc.**

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**Motion #10-052**

It was moved by Meinz, seconded by Hasselblad, and unanimously agreed to convene in closed session 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.

- 24) Reconvene in open session.**

**Motion #10-053**

It was moved by Hasselblad, seconded by Meinz, and unanimously agreed to reconvene in open session.

- 25) Decision on the appeal by Fourinox Inc. on the determination of significant noncompliance.**

A Commission quorum was not present for this issue necessitating a reschedule of this agenda item.

- 4) Approve vacating the Special Order regarding Eco Fibre, Inc.**

P. McCarthy stated if staff utilizes all pretreatment enforcement measures, discharge can be allowed. He stated that staff believes with appropriate Bioxide dosing, the discharge will not cause a detrimental effect.

Commissioner Alesch suggested staff include permit requirements.

**Motion #10-054**

It was moved by Meinz, seconded by Hasselblad, and unanimously agreed to approve vacating the Special Order issued on September 22, 2008 to Eco Fibre, Inc.

- 10) Request Commission approval of revisions to authorization levels of capital projects and operating expenditures.**

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T. Sigmund stated the Commission approved authorization levels for capital projects and operating expenditures at its meeting in January 2001. Staff has reviewed the authorization levels and proposes to increase the Executive Director's authority level so he can approve budgeted items already approved by the Commission. The current approval level is \$10,000.

Commissioner Alesch commented that this would be an opportunity to improve the budgeting process.

Commissioner Mainz recommended that projects go through a bidding process and asked staff to refine current procedures to clarify when projects should or should not be bid.

T. Sigmund explained the current approval process with construction change orders.

Commissioner Alesch asked staff to develop Standard Operating Procedures.

#### **Motion #10-055**

It was moved by Hasselblad, seconded by Mainz, and unanimously agreed to approve the revised GBMSD Administrative Policy "Authorization Levels of Capital Projects and Operating Expenditures" subject to review by legal counsel. (See Commission File #10-003)

- 11) **Request Commission approval to increase the contingency amount of the amendment to the agreement with SVA Consulting, LLC.**

P. Kaster requested Commission approval of additional support from Dawn Schwarz of SVA Consulting, LLC to provide additional training in dynamics software due to change in personnel and software upgrades.

#### **Motion #10-056**

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to increase the contingency amount of the amendment to the agreement with SVA Consulting, LLC by \$12,000 for a total authorized amount of \$49,037.

- 12) **Request Commission approval of Amendment No. 2 to Task Order No. 6 to perform additional on-call interceptor sulfide modeling services.**

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B. Vander Loop requested an additional \$10,000 for Task Order No. 6 with CH2M Hill to help GBMSD with modeling various flow streams between the Green Bay and De Pere facilities.

Commissioner Meinz questioned why GBMSD isn't charging the two De Pere mills for the modeling. T. Sigmund replied that GBMSD is monitoring the air space condition in the West Side Interceptor as part of the consolidation with De Pere.

**Motion #10-057**

It was moved by Meinz, seconded by Hasselblad, and unanimously agreed to approve Amendment No. 2 to Task Order No. 6 to perform additional on-call interceptor sulfide modeling services in the amount of \$10,000 for a total authorized amount of Task Order 6 of \$55,300.

**13) Request Commission approval to close out the Meter Station #4 Rehabilitation - Project #2006-05.**

B. Vander Loop reported the project along Marine Street is complete. He stated the project was completed at the original bid price and the contractor met the substantial completion date of December 24, 2009 and the final completion date of June 1, 2010 under approved Change Order #1.

**Motion #10-058**

It was moved by Scheberle, seconded by Meinz, and unanimously agreed to approve close out of Meter Station #4 Rehabilitation – Project #2006-05 and authorize final payment to PTS Contractors in the amount of \$11,500.

**14) Request Commission approval to close out Contract 2007-003 RAS/WAS System Improvements Project and issue final payment to J.F. Ahern Co.**

W. Angoli reported all work is complete and everything is working fine. He stated GBMSD received a check from Wisconsin Focus on Energy in the amount of \$37,800 due to reduced energy costs.

**Motion #10-059**

It was moved by Meinz, seconded by Hasselblad, and unanimously agreed to approve closure of Contract No. 2007-003 RAS/WAS System Improvements and issue final payment of \$25,000 to J.F. Ahern Co.

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- 15) Request Commission approval of Amendment No. 1 to Task Order No. 2009-009 Ferric Chloride Feed System Rehabilitation - Construction Related Services for Donohue and Associates.**

W. Angoli reported the additional engineering costs are related to the control of hydrogen sulfide from the De Pere Facility to the Green Bay Facility.

Commissioner Alesch asked if this provided savings. D. Busch replied yes and stated examples of reduced costs in natural gas and labor.

**Motion #10-060**

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to approve Amendment No. 1 to Task Order No. 2009-009 Ferric Chloride Feed System Rehabilitation – Construction Related Services to increase the contract amount by \$1,618 for additional engineering services by Donohue and Associates for a total authorized contract amount of \$60,263.

- 16) Request Commission approval of revision to Amendment No. 3 to Task Order No. 2005-004-02 Pump Station Monitoring and Control Improvements - Construction Related Services for Donohue and Associates.**

W. Angoli reported additional time, expense, and electrical work were required due to unforeseen problems, such as equipment failures, bad relays, old drawings, and technical issues with the existing wiring.

Commissioner Mainz asked why a Preventive Maintenance program would not catch dirty relays, worn out contacts, etc. D. Busch stated the equipment and technology is very old. He stated that it would be beneficial to have vibration sensors on the pumps to identify problems that are developing.

**Motion #10-061**

It was moved by Scheberle, seconded by Hasselblad, and unanimously agreed to approve revision to Amendment No. 3 to Task Order No. 2005-004-02 Pump Station Monitoring and Control Improvements – Construction Related Services to increase the contract amount by \$5,940 for additional engineering services by Donohue and Associates for a total authorized contract amount of \$52,240.

- 17) Request Commission approval of funding for easements required for interceptor sewer relocation work associated with reconstruction of U.S.H. 29 and U.S.H. 41.**

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M Pierner stated in order to stay on schedule to award a construction contract later this year staff is seeking approval of funding to allow easement acquisition work to proceed. GBMSD will be reimbursed 90% of the net cost incurred for relocation from the Wisconsin Department of Transportation.

#### **Motion #10-062**

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to approve funding for easement acquisitions for Phase I of interceptor relocations associated with reconstruction of U.S.H. 29 and U.S.H. 41 in the amount of \$732,000 to be administered under the authority of the Executive Director.

#### **18) Sewer plan approval:**

##### **a) Village of Bellevue D-10; GBMSD Request 2010-12**

M Pierner reported the Village of Bellevue is requesting 1,525 ft. of 8-inch sewer to serve 34 residential acres off Ontario Road.

#### **Motion #10-063**

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to approve the Village of Bellevue D-10 sewer plan subject to favorable approval recommendations from Brown County Planning and final approval by the Wisconsin Department of Natural Resources (WDNR).

#### **19) Update on GBMSD Ambient Water Quality Monitoring Program expansion plans for 2010.**

John Kennedy reported on proposed changes to GBMSD's Ambient Water Quality Monitoring Program (AWQMP). The purchase of the new workboat will allow GBMSD to extend its range and expand its capabilities, including the ability to assist other researchers while recovering its costs. In order to better understand the water quality changes that occur between GBMSD's current monitoring stations and the middle Bay staff is planning to add stations in that region. The formal request for modification to the existing AWQMP will occur during the 2011 budget process. In addition to the expansion of GBMSD's program, staff also learned that grants for two projects which included GBMSD as a collaborator for work on Green Bay were approved. The first is for a four-year study, led by Dr. Val Klump of the University of Wisconsin - Milwaukee, to evaluate oxygen hypoxia in Green Bay. The second is for a Great Lakes Restoration Initiative project. This project has not been formally awarded yet, but was selected as a finalist for submittal of a full proposal. GBMSD is identified in both projects as a source of water quality data and a provider of a work platform.



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Delivery of the new workboat to Green Bay is now estimated to occur in mid August.

**20) Update of projects:**

**a) Consolidation Projects – Treatment plants construction phase**

W. Angoli explained that the mill waste and WAS systems have been pumping through their force mains to the Green Bay Facility since May 2010. The wastewater pumping system from the De Pere Facility has been tested and is available for pumping wastewater to the Green Bay Facility.

**b) Consolidation Projects – Conveyance facilities**

M. Pierner reported the fiber optic system is now in use. He stated work on the Chemical Feed Building should be completed this month. The final paperwork for contract closeout of the Mill Waste Conveyance System needs to be completed and submitted by MP NexLevel.

**c) Air permit update**

Commissioner Alesch asked if issues related to the recent Letter of Noncompliance (LON) have been resolved. J. Kennedy responded that a constructive meeting was held recently with the DNR, during which our proposed corrective actions were accepted verbally by the DNR representatives. A formal letter of closure has not yet been received, but is expected soon.

**21) Operation report:**

**a) Effluent quality for May**

D. Busch reported both facilities were in full compliance with effluent limits for May.

**b) Air quality for May**

D. Busch reported the Green Bay Facility was in full compliance with air quality limits and guidelines for May.

**22) Executive Director's report:**

**a) July Commission meeting**

The next Commission meeting is scheduled for July 26 at 8:30 a.m. Commissioner Mainz will not be available for this meeting.

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#### **b) Update on phosphorus rules**

The Natural Resources Board met last Wednesday. T. Sigmund gave a presentation in support of the rules. The DNR has reached agreement with the agriculture groups on NR 151. A five-foot tillage setback along water bodies will be adopted. It is estimated that 80% of the farms in Brown County meet a phosphorus index of six.

Commissioner Alesch asked if the letter to the DNR dated June 18 was sent. T. Sigmund responded it was sent and presented at the Natural Resources Board meeting. Commissioner Alesch stated that he did not agree with the regulation and does not want the DNR to interpret GBMSD's comments as completely supporting the proposed rule changes. Commissioner Hasselblad suggested staff schedule a special meeting to discuss this topic further.

#### **c) NACWA service charge index update**

T. Sigmund reported the average cost of wastewater services for a single family residence increased by 8.5% in 2009. The average single family residence paid an annual cost of \$346 for those services. GBMSD's rates are approximately \$175.

Commissioner Alesch stated that staff has done a great job and is pleased with their work.

#### **d) TMDL update**

The draft Total Maximum Daily Load (TMDL) plan was released by the DNR on June 25, 2010. A public hearing on the plan will be held in Grand Chute on July 12, 2010. The expectation is that GBMSD will submit written comments by the July 26, 2010 deadline. Significant elements of the plan include ambient water quality standards for all tributaries and the main stem of the Fox River and proposed reduction goals for phosphorus and suspended solids from both point and nonpoint sources. However, it was noted that the TMDL itself does not include details regarding implementation, which needs to occur via separate action by the regulatory agencies. It was further noted that at the Natural Resources Board meeting on June 23, two resolutions were passed directing DNR staff to integrate the flexibility of proposed NR 217 rule changes into approved TMDLs and to work towards developing pollutant trading guidelines by July 1, 2011.

#### **e) Proposed EPA changes to biosolids incineration regulation**

GBMSD staff is working with NACWA and has retained Art Harrington of Godfrey & Kahn to review implications and provide appropriate comments on this rule change. The comment period closes August 4.

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**f) 2010 NACWA Summer Conference**

The NACWA Summer Conference will be held July 20-23 in San Francisco. T. Sigmund will be attending along with Commissioners Hasselblad and Scheberle.

L. Evenson stated a celebration is planned on August 25 from 11:30 a.m. – 1 p.m. at the KI Convention Center. She plans to invite customers, staff, and stakeholders for consolidation.

T. Mainz asked if it's a good idea to be celebrating considering the tough economic times that other businesses are going through. He is concerned about the perception.

There being no further business to come before the Commission, the meeting adjourned at 10:44 a.m.

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Secretary