

GREEN BAY METROPOLITAN SEWERAGE DISTRICT
PROCEEDINGS OF THE COMMISSION

Regular meeting of the Commission held January 26, 2009.

PRESENT: Commissioners Alesch, Hasselblad, Zabel, Scheberle, and Mainz (via telephone)

ALSO PRESENT: T. Sigmund, P. McCarthy, D. Busch, P. Kaster, J. Christ, M. Pierner, W. Angoli, J. Kennedy, L. Evenson, D. Cawley, M. Kersten, J. Czypinski, D. Lefebvre, T. Valenta, J. Van Sistine, J. Nicks–Legal Counsel

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

1) Approval of minutes of Commission meeting held December 22, 2008.

Motion #09-001

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to approve the December 22, 2008 minutes as distributed.

2) Request Commission approval of Revised Change Order No. 2 for Interceptor Rehabilitation Project 2008 - 002 Contract B to correct the contract increase amount to \$29,846.52.

M. Pierner reported that last month the Commission approved Change Order No. 2 in the amount of \$37,261. Since that time, some calculation errors were discovered by the contractor and the amount has been corrected. Staff recommends approval of Change Order No. 2 in the corrected amount of \$29,846.52.

Motion #09-002

It was moved by Hasselblad, seconded by Zabel, and unanimously agreed to approve the Revised Change Order No. 2 for Interceptor Rehabilitation Project 2008 - 002 Contract B to correct the contract increase amount to \$29,846.52.

3) Request Commission approval of Change Order No. 2 for Interceptor Rehabilitation Project 2008 - 002 Contract A to grant a time extension and increase the contract amount by \$3,635.

M. Pierner reported a project delay was encountered when differences were found in the field versus what was shown on the record drawings. The project is now at substantial completion, but the change order includes a time extension to allow the contractor to complete the restoration work in the spring. The cost increase of \$3,635 is for compensation of one extra bypass point required to handle flow from a connecting sewer not shown on the record plans.

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Motion #09-003

It was moved by Hasselblad, seconded by Mainz, and unanimously agreed to approve Change Order No. 2 for Interceptor Rehabilitation Project 2008 - 002 Contract A to grant a time extension and increase the contract amount by \$3,635.

- 4) **Request Commission approval to award contract to MetalCraft Marine, Inc. for purchase of a 36 ft. workboat in an amount of \$583,745 and a 5% contingency for a total amount of \$612,945.**

Commissioner Alesch reported that staff contacted three additional builders in Wisconsin since the last meeting but the effort did not generate any viable alternatives. The financial impact of approving the proposed workboat would equate to 1/5 of a penny on the rate over a 20-year amortization.

Commissioner Mainz stated that he would prefer to delay the purchase of a workboat to better economic times. He stated that staff should get signed contracts for support of the program before the Commission makes a decision to go forward.

Commissioner Hasselblad stated that she has a slightly different perspective on this issue. She stated as the economy changes, this area will have to address new industries, tourists, etc. She stated we need to take an active role in developing the science that will ensure that future regulations will be fair and balanced. She feels moving forward would protect the industries and economy of this area.

Commissioner Zabel stated the opportunity is outstanding and he respects the efforts done to hold this agenda item over to the January meeting for additional discussion. However, he has concerns with the timing.

Commissioner Scheberle stated that she also had concerns about the timing, but sees the workboat as an opportunity to get contracts to support the monitoring program and promote relationships.

Motion #09-003

It was moved by Hasselblad, seconded by Scheberle, with Mainz and Zabel voting nay, and agreed to award a contract to MetalCraft Marine, Inc. for purchase of a 36 ft. workboat in an amount of \$583,745 and a 5% contingency for a total amount of \$612,945.

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- 5) **Request Commission approval to revise AFF Research contract cost ceiling from \$85,150 to \$72,356, and a \$6,000 contingency for a total amount of \$78,356.**

P. McCarthy reported AFF Research successfully provided services on the Solids Processing Facilities Upgrade to assure good faith efforts were achieved in encouraging MBE and WBE involvement in the construction phase. GBMSD contracted with AFF Research at a cost of \$85,150 to assist contractors with DBE participation in four projects. The MBE/WBE participation in the RAS/WAS project was quite disappointing, so staff met with the contractor to discuss ways to increase MBE/WBE involvement. Staff also met with AFF Research to reallocate the contracted amount to support the consolidation projects at a savings of \$6,794.

Motion #09-004

It was moved by Hasselblad, seconded by Scheberle, and unanimously agreed to revise the AFF Research contract cost ceiling from \$85,150 to \$72,356, and a \$6,000 contingency for a total amount of \$78,356.

Commissioner Mainz disconnected at 9:10 a.m.

- 6) **Sewer plan approval:**
a) **Town of Scott A-09; GBMSD request 2009-01**

M. Pierner reported the Town of Scott is requesting 2,327 ft. of 8-inch sewer to serve 42 acres of land. Staff recommends approval subject to favorable review by Brown County Planning and the Wisconsin Department of Natural Resources (WDNR).

Motion #09-005

It was moved by Zabel, seconded by Scheberle, and unanimously agreed to approve the Town of Scott A-09 sewer plan subject to favorable review by Brown County Planning and final approval by the WDNR.

- 7) **Update of projects:**
a) **Consolidation Projects – General**

P. McCarthy reported a draft Tripartite Agreement between Fox River Fiber, City of De Pere, and GBMSD is under staff review. The design of the mill waste force main is nearing completion. Staff will notify Eco Fibre that the cut off date for them to join the mill waste force main will be the date GBMSD advertises for bid on the project, which is currently scheduled in March 2009.

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P. McCarthy reported on safety concerns regarding GBMSD's staff providing services for the City of De Pere at the Better Brite facility.

P. McCarthy reported on the progress of updating the pretreatment local limits.

b) Consolidation Projects – Treatment plants design phase

W. Angoli reported a pre-bid meeting was held on January 22 and tours of both facilities were provided to the contractors after the meeting. The pre-bid meeting had 15 contractors and 13 suppliers/manufacturers in attendance. Bid opening is scheduled for February 12.

c) Consolidation Projects – Conveyance facilities design and construction phases

M. Pierner reported staff has made little progress in obtaining the required right-of-way from CN Railroad on the Waste Activated Sludge Interplant Pipelines Project.

M. Pierner also reported discussions continue on development of a partnership agreement with Brown County, City of Green Bay, and GBMSD on the Fiber Optic Communication Link Project.

d) RAS/WAS System Improvements Project

W. Angoli reported the aeration channel and basins out of service for RAS piping replacement and channel lining on the north complex will be completed by the end of February as scheduled.

e) Stack testing results

J. Kennedy reported the December 2008 stack test results showed that both facilities were well within their respective guidelines.

f) Mercury management update

J. Kennedy gave an update on GBMSD's Mercury Pollutant Minimization Plan annual progress report for 2008.

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J. Kennedy reported the amalgam separator rebate program has been a success. Out of a total of 66 dentists within the Green Bay and De Pere service area, 52 rebate checks were issued. Area dentists were required to have their separators installed by December 31, 2008 to qualify for the rebate.

J. Kennedy also reported a Memorandum of Understanding was signed by the Environmental Protection Agency, the American Dental Association, and the National Association of Clean Water Agencies (NACWA) to establish and monitor the effectiveness of a Voluntary Dental Amalgam Discharge Reduction Program.

- 8) **Request Commission approval for Galardi Rothstein Group to provide consulting services for the Solids Processing and Disposal Facilities Plan in an amount not to exceed \$19,300.**

W. Angoli reported the Galardi Rothstein Group will participate in project workshops to offer perspectives on alignment with GBMSD's strategic planning, utility finance implications, alternative screening and analysis, and stakeholder engagement initiatives.

Motion #09-006

It was moved by Hasselblad, seconded by Zabel, and unanimously agreed to approve the Galardi Rothstein Group to provide consulting services for the Solids Processing and Disposal Facilities Plan in an amount not to exceed \$19,300.

- 9) **Operation report:**
a) **Effluent quality for December**

D. Busch reported both facilities have met effluent compliance for December. He reported the Green Bay Facility is eligible for a six year Platinum Award, and the De Pere Facility is eligible for a Gold Award from NACWA based on 100% compliance at both facilities during 2008.

The Commission suggested having an air report included under the monthly Operation report.

- 10) **Legal Counsel report:**
a) **Hearing on objection to Eco Fibre Special Order**

J. Nicks reported that he will schedule a hearing on the Special Order regarding Eco Fibre in February.

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11) Executive Director's report:

a) February Commission meeting

The next regular meeting is scheduled for February 23 at 8:30 a.m.

The Management Team will meet on February 13 to outline and provide recommendations for the next strategic planning workshop with the Commission that will be scheduled in early March.

Commissioner Alesch commended a couple employees for things they have done to save GBMSD money. He stated it is significant and very gratifying. Thank you.

b) Mailing list for external newsletter

L. Evenson reported an external newsletter will be distributed to GBMSD customers and various organizations twice a year.

c) Eco Fibre

The City of De Pere reinstated sewer service to Eco Fibre on January 7.

d) Economic stimulus bill

Under a draft economic stimulus bill, it is anticipated that \$160 million will be available in Wisconsin for wastewater projects under the Clean Water Fund Loan program. Staff will continue to stay in contact with DNR and elected officials regarding GBMSD's capital projects to be included under this bill.

e) Commissioners as employees

A memo was included in the Commission packet on the IRS perspective of Commissioners as employees.

f) Expense Policy

g) Brown County Waste Transformation Initiative

Future activities for the Brown County Waste Transformation Initiative will include a market analysis and field trials.

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h) Call for nominations

Elections for the positions of Commission President and Secretary will be held at the February meeting.

- 12) 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, and under 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:**
- a) DNR air issues**
 - b) Fox River PCB settlement**
 - c) Fox River PCB insurance coverage issues**
 - d) Status report on Rockland appeal of De Pere annexation**
 - e) Personnel**

Motion #09-007

It was moved by Zabel, 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, and under 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.

Commissioner Scheberle departed at 10:52 a.m.

- 13) Reconvene in open session.**

Motion #09-008

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

- 14) Approve GBMSD Fox River PCB settlement.**

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Motion #09-009

It was moved by Hasselblad, seconded by Zabel, and unanimously agreed to approve the GBMSD Fox River PCB settlement.

Motion #09-010

It was moved by Hasselblad, seconded by Zabel, and unanimously agreed to authorize a 2.76% step increase for the Director of Operations, a 3% step increase for the Director of Business Services, and lump sum performance-based pay of \$2,500 to the Director of Technical Services and \$3,000 to the Executive Director.

There being no further business to come before the Commission, the meeting adjourned at 11:00 a.m.

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Secretary