

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

Regular meeting of the Commission held July 27, 2009.

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

**ALSO PRESENT:** T. Sigmund, P. McCarthy, P. Kaster, D. Busch, M. Pierner, J. Kennedy, L. Evenson, B. Vander Loop, D. Cawley, J. Christ, D. Lefebvre, J. Czynski, M. Kersten, 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 meetings held July 7, 10, and 20, 2009.**

**Motion #09-073**

It was moved by Mainz, seconded by Zabel, and unanimously agreed to approve the July 7, 10, and 20, 2009 minutes as distributed.

**2) June financials.**

P. Kaster reviewed the June financials. He reported revenues were up \$250,000 in municipal waste due to Packerland Packing's pretreatment digester being shut down. He reported in other revenues Procter & Gamble is under budget by \$98,000 and Georgia-Pacific is over budget by \$180,000.

Commissioner Alesch asked why benefit expenses are currently 9% under budget. P. Kaster replied that there have been some delays in filling vacant positions.

**3) Approve Resolution Authorizing the Borrowing of \$20,000,000; and Providing for the Issuance and Sale of Bond Anticipation Notes Therefor.**

P. Kaster stated the Executive Director reported at the July 7 meeting that staff was securing a line of credit for capital projects until State Revolving Fund loans from the Department of Natural Resources (DNR) were received. The line of credit proposals for interim financing from local banks were set up for private entities and since GBMSD is a government entity, GBMSD must follow the confines of the Wisconsin Statutes with respect to borrowings. Staff is requesting Commission approval of a Resolution authorizing the issuance of \$20,000,000 in bond anticipation notes (BAN). The BAN is a nine-month note with an interest rate of 1% and a prepayment option at six months.

Commissioner Alesch asked if nine months is adequate. P. Kaster replied nine months is anticipated to be more than adequate, but provisions have been set up to extend the loan period of needed.

**GREEN BAY METROPOLITAN SEWERAGE DISTRICT**

07/27/09

Cont'd

**PROCEEDINGS OF THE COMMISSION**

**Motion #09-074**

It was moved by Mainz, seconded by Zabel, and unanimously agreed to approve the Resolution Authorizing the Borrowing of \$20,000,000; and Providing for the Issuance and Sale of Bond Anticipation Notes Therefor. (Resolution #09-015 is on file at the GBMSD offices)

**4) Request Commission approval of the Joint Fiber Optic Agreement with the City of Green Bay and Brown County.**

M. Pierner reported the Joint Fiber Optic Agreement is for a five-year term, renewable annually. He reported the fiber optic network will assist GBMSD's Green Bay Facility with remote control and monitoring of treatment processes at the De Pere Facility. He stated the conduit is shared between the parties, but each party owns its own fiber. Brown County will be the lead administrative agency for the fiber optic network. He stated a dispute resolution was incorporated in the agreement.

**Motion #09-075**

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to approve the Joint Fiber Optic Agreement with the City of Green Bay and Brown County.

**5) Request Commission approval to collaborate with UWGB in development of an NSF grant application for the purchase of a Liquid Chromatograph/Mass Spectrometer.**

J. Kennedy stated this opportunity allows GBMSD to collaborate with UWGB to improve the quality and expand the scope of research and research training in science and engineering, and this information will also help GBMSD consider future monitoring needs. He stated UWGB is pursuing a grant through the National Science Foundation Major Research Instrumentation Program, which is partially funded with federal stimulus money. He stated GBMSD must sign the attached letter to participate as a collaborator.

Commissioner Scheberle stated this application could also reference an in-kind partnership with GBMSD's Ambient Water Quality Monitoring Program.

Commissioner Hasselblad stated the Green Bay Water Authority may be interested in the results of the testing.

**GREEN BAY METROPOLITAN SEWERAGE DISTRICT**

07/27/09

Cont'd

**PROCEEDINGS OF THE COMMISSION**

**Motion #09-076**

It was moved by Hasselblad, seconded by Zabel, with Scheberle recusing herself, and agreed to collaborate with UWGB in development of an NSF grant application for the purchase of a Liquid Chromatograph/Mass Spectrometer.

- 6) **Request Commission approval of CH2M Hill Task Order 4, Amendment 1 for effluent phosphorus trading in the amount of \$13,200.**

P. McCarthy reported that GBMSD responded to a DNR request for comments on phosphorus reduction cost estimates, utilizing CH2M Hill to assist under Task Order 4. He requested Commission approval for \$3,200 to complete the original scope of Task Order 4 and an additional \$10,000 to address emerging phosphorus issues. He stated the statewide phosphorus rulemaking is now in draft form and on a fast-track schedule for promulgation in mid-2010. He stated staff is staying very close to this issue.

J. Nicks stated Paul Kent of Anderson & Kent is very knowledgeable on this issue and recommended staff contact him for participation by phone in a future Commission meeting.

**Motion #09-077**

It was moved by Hasselblad, seconded by Mainz, and unanimously agreed to approve CH2M Hill Task Order 4, Amendment 1 for effluent phosphorus trading in the amount of \$13,200.

- 7) **Request Commission approval for Symbiont to provide consulting services for the Sustainability Study in the amount of \$59,920 and a 5% contingency for a total amount of \$62,910 and a funds transfer.**

<u>From</u>	<u>To</u>	<u>Amount</u>
Operating Contingency	Sustainability Study	\$43,000

L. Evenson reported GBMSD has recently completed its Strategic Plan, which identified and evaluated 14 strategic investments. She reported In-District Sustainability was ranked high on the list of strategic investments. Staff is recommending a phased approach in developing a sustainability program to allow staff to develop a more specific scope of work items directly applicable to GBMSD initiatives. A selection team developed a request for proposal (RFP) for a sustainability study. The team reviewed each proposal, held interviews with the top two consultants, and determined Symbiont provided the most knowledgeable, experienced team.

## GREEN BAY METROPOLITAN SEWERAGE DISTRICT

07/27/09

Cont'd

### PROCEEDINGS OF THE COMMISSION

The Commission tabled this item until the next meeting. Staff will provide the Commission with additional information and request Symbiont to attend the meeting to address the Commission.

- 8) **Request Commission approval for CH2M Hill to provide engineering services during construction for the Sludge Loading and Chemical Addition Systems Project in the amount of \$337,300 and a 5% contingency for a total project amount of \$354,100.**

P. McCarthy stated the consolidation project is eligible for stimulus grant funding. Staff is working on the necessary requirements for ensuring eligibility of the additional six projects for stimulus grant funding through the DNR. He stated this item is necessary for construction management of the subject project.

T. Sigmund stated that agenda items 8, 9, and 10 require agreements in place for eligibility of funding through the DNR.

- 9) **Request Commission approval for Donohue and Associates to provide engineering services during construction for the Ferric Chloride Feed System Project in the amount of \$55,845 and a 5% contingency for a total project amount of \$58,645.**
- 10) **Request Commission approval for Donohue and Associates to provide engineering services during construction for monitoring and control improvements for the WAS Thickening Project in the amount of \$38,444 and a 5% contingency for a total amount of \$40,344.**

#### **Motion #09-078**

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to approve CH2M Hill to provide engineering services during construction for the Sludge Loading and Chemical Addition Systems Project in the amount of \$337,300 and a 5% contingency for a total project amount of \$354,100; Donohue and Associates to provide engineering services during construction for the Ferric Chloride Feed System Project in the amount of \$55,845 and a 5% contingency for a total project amount of \$58,645; and Donohue and Associates to provide engineering services during construction for monitoring and control improvements for the WAS Thickening Project in the amount of \$38,444 and a 5% contingency for a total amount of \$40,344.

- 11) **Request Commission approval of agreement with Kelly and Weaver for funding and regulatory issues in the amount of \$48,000.**

**GREEN BAY METROPOLITAN SEWERAGE DISTRICT**

07/27/09

Cont'd

**PROCEEDINGS OF THE COMMISSION**

**Motion #09-079**

It was moved by Meinz, seconded by Hasselblad, and unanimously agreed to approve the agreement with Kelly and Weaver for funding and regulatory issues in the amount of \$48,000.

**12) Request Commission approval to increase the Field Services Technician group from six to seven positions.**

B. Vander Loop stated GBMSD has operated with six Field Services Technicians for the last ten years. He stated with acquiring De Pere, an additional 12 miles of interceptor and 55 structures have been added to the Field Services Technicians' work schedule.

**Motion #09-080**

It was moved by Scheberle, seconded by Hasselblad, and unanimously agreed to increase the Field Services Technician group from six to seven positions. (See Commission File #09-002 for the revised organizational structure)

**13) Discuss Unreasonable Endangerment Surcharge provision.**

P. McCarthy stated this item is informational and for discussion and direction purposes only. He reviewed several components of GBMSD's billing system. He then reviewed the current Unreasonable Endangerment Surcharge (UES) provision in GBMSD's Sewer Use Ordinance and the history in administering this provision. He discussed past practice of UES reimbursement and the proposed addition to the UES provision to formalize the process for reimbursement.

Commissioner Meinz questioned why a customer should be reimbursed who exceeds its total allocated capacity. P. McCarthy replied that UES reimbursement has been an incentive to customers to make corrections to their collectors and that only completed corrective construction to the customer's collection system should qualify for reimbursement. Commissioner Meinz disagreed. Staff will proceed with including a UES reimbursement provision in the ordinance revisions to be further reviewed during the ordinance approval process.

**14) Update of projects:**

**a) Consolidation Projects – General**

## GREEN BAY METROPOLITAN SEWERAGE DISTRICT

07/27/09

Cont'd

### PROCEEDINGS OF THE COMMISSION

P. McCarthy distributed a cost and schedule update on the consolidation project. He stated to receive stimulus grant funding, executed contracts must be approved by the end of September. A special Commission meeting will be scheduled in mid-September after the bidding process is completed for the six plant projects to approve the contracts.

P. McCarthy reported GBMSD received a letter from Fox River Fiber stating it will continue to voluntarily add up to 250 gallons of Bioxide per day and that chemicals or other measures required to reduce or eliminate spike levels be addressed by GBMSD. He stated recent sulfide monitoring in the Westside Interceptor owned by the City of De Pere has produced high values during recent weeks and requires further investigation.

P. McCarthy reported Jason Consultants Group performed a site visit of the De Pere siphon system and conducted the project kick-off meeting. He stated approximately 130 ft. of the 30-inch pipe was televised and Jason Consultants Group discussed the pipe condition that was observed. Jason Consultants Group is developing the RFP and contractor distribution list for the necessary field work.

#### **b) Consolidation Projects – Treatment plants design phase**

P. McCarthy reported the contractor is working on finalizing the construction schedule and schedule of values.

#### **c) Consolidation Projects – Conveyance facilities construction**

M. Pierner reported pipe installation is underway by PTS Contractors on the Raw Wastewater Interplant and Waste Activated Sludge Interplant Project. One crew is working in the median strip of Ashland Avenue from Baeten Road heading north and the second crew is working on Broadway Street heading south. The Selmer Company has poured the building foundation at the Chemical Building site. Gabe's Construction has installed dual 10-inch waste activated sludge pipes along with two conduits for fiber optic under the Fox River.

M. Pierner reported the Ashwaubenon Creek Interceptor – Segment 3, West Side, Interceptor and Influent Force Main, and Ninth Street Interceptor Rehabilitation Projects are at substantial completion.

#### **d) RAS/WAS System Improvements Project**

P. McCarthy reported 53% of the project budget has been spent and 59% of the contract work has been completed.

## GREEN BAY METROPOLITAN SEWERAGE DISTRICT

07/27/09

Cont'd

### PROCEEDINGS OF THE COMMISSION

**e) Solids Management Plan**

P. McCarthy reported a multi-attribute table will be developed using the input from the external and internal stakeholders and the Commission workshop. The multi-attribute table will be used to categorize the 17 process alternatives analysis. Once completed, the table will be presented to the Commission for review and input. The consultant is completing the 17 alternative description write ups and preliminary cost estimates.

**f) Update on Construction Air Permit activities**

J. Kennedy reported staff submitted comments to the DNR on the draft air construction permit and completed an evaluation of hazardous air pollutants, air dispersion modeling, an evaluation of the need to submit a compliance assurance monitoring plan, and additional stack testing for carbon monoxide. The DNR intends to provide GBMSD with a second draft for review and comment within the next two to three weeks. The permit will then be public noticed by late August, and a final permit should be issued by the end of October.

**g) Progress report on new workboat construction**

J. Kennedy reported construction on the workboat should start this week. The sea trial is scheduled for the first week of December.

**15) Operation report:**

**a) Effluent quality for June**

D. Busch reported both facilities have met effluent compliance for June. A summary memo was included in the Commission packet on effluent and air quality. The Green Bay Facility had improved TSS and BOD removal and excellent effluent quality.

**b) Air quality for June**

D. Busch reported high incinerator temperatures favor the formation of clinkers and slag so corrective training on proper incinerator operation has been given. He stated emissions of carbon monoxide will be impacted by the pending construction air permit.

**16) Legal Counsel report:**

**a) None.**

**GREEN BAY METROPOLITAN SEWERAGE DISTRICT**

**07/27/09**

**Cont'd**

**PROCEEDINGS OF THE COMMISSION**

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

**a) August Commission meeting**

The August meeting will be held on August 24 beginning at 8:30 a.m.

**b) Mercury Refining Superfund Site**

In October 2005, GBMSD received notice from the EPA that a facility that received mercury waste from a number of generators, including GBMSD, has been determined to be a Superfund site. A de minimus settlement has been reached in the amount of \$3,525.22.

**c) NACWA Conference**

With new leadership at EPA and the shift in environmental focus in Washington, clean water policies are evolving and new regulations are certain to affect wastewater treatment agencies. Because of the current national focus on climate change, energy use, and proposed regulations, such as EPA's greenhouse gas reporting rule and cap-and-trade climate change legislation, it is important for utilities to understand and estimate their greenhouse gas emissions and consider generation of power on site using biogas. A good discussion was held on sustainable infrastructure solutions and contaminants of emerging concern.

A copy of the 2008 NACWA Financial Survey Summary will be provided at the August meeting.

Approval of the Strategic Plan will be requested at the August meeting.

**18) 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) Fox River PCB sediment issues**

**b) Status report on Rockland appeal of De Pere annexation and Rockland/De Pere border negotiations**

**c) Fox River PCB insurance coverage issues**

**d) Air emissions discussion**



**GREEN BAY METROPOLITAN SEWERAGE DISTRICT**

**07/27/09**

**Cont'd**

**PROCEEDINGS OF THE COMMISSION**

**Motion #09-081**

It was moved by Mainz, 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.

**19) Reconvene in open session.**

**Motion #09-082**

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

There being no further business to come before the Commission, the meeting adjourned at 11:31 a.m.

**GREEN BAY METROPOLITAN SEWERAGE DISTRICT**

---

Secretary