

GREEN BAY METROPOLITAN SEWERAGE DISTRICT
PROCEEDINGS OF THE COMMISSION

Regular meeting of the Commission held August 24, 2009.

PRESENT: Commissioners Alesch, Hasselblad, Mainz, and Scheberle

EXCUSED: Commissioner Zabel

ALSO PRESENT: T. Sigmund, P. McCarthy, P. Kaster, D. Busch, T. Woodworth, W. Angoli, M. Pierner, J. Kennedy, L. Evenson, B. Vander Loop, D. Cawley, J. Christ, D. Lefebvre, J. Czypinski, M. Kersten, M. Erschnig, D. Hanson, J. Van Sistine, J. Nicks–Legal Counsel; J. Butt–Symbiont; S. Newenhouse–Madison Environmental Group, Inc.

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

T. Woodworth introduced Debby Hanson from Landmark Staffing, who will be working at GBMSD in accounting for the next 4 – 6 weeks. The Commission welcomed her.

1) Approval of minutes of Commission meeting held July 27, 2009.

Motion #09-083

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to approve the July 27, 2009 minutes as distributed.

2) July financials.

T. Woodworth reviewed the July financials. He reported through the first seven months revenues were \$300,000 over budget due to additional BOD loadings from the City of Green Bay and Georgia-Pacific, and additional suspended solids loadings from Procter & Gamble. He reported operating expenses were \$473,000 under budget.

T. Woodworth provided the Commission with line charts of the variances as requested. Commissioner Alesch stated that it would be useful to add an accumulative bar graph.

3) Request Commission approval to engage Baker Tilly Virchow Krause, LLP for the 2009 audit at a cost of \$25,725.

T. Woodworth requested Commission approval to engage Baker Tilly Virchow Krause, LLP for the 2009 audit. He stated that John Andres would be the partner in charge. He reported GBMSD plans to send out request for proposals next year for the 2010 audit.

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Motion #09-084

It was moved by Meinz, seconded by Scheberle, and unanimously agreed to engage Baker Tilly Virchow Krause, LLP for the 2009 audit at a cost of \$25,725.

4) Request Commission approval of the Strategic Plan.

T. Sigmund asked the Commission to provide staff with comments on the Strategic Plan. He stated that the Executive Staff has reviewed the document and once comments have been received from the Commission, the comments will be incorporated into the Strategic Plan document and distributed to staff, customers, and various other stakeholders.

Motion #09-085

It was moved by Hasselblad, seconded by Scheberle, and unanimously agreed to approve the Strategic Plan.

5) Teleconference with Paul Kent from Anderson & Kent regarding statewide phosphorus standards and Lower Fox River TMDL.

T. Sigmund stated that Paul Kent will be joining the meeting by telephone at 9:00 a.m. to update the Commission on statewide phosphorus rules.

P. Kent from Anderson & Kent stated that there was an Advisory Committee meeting last week and one more meeting will be scheduled in September. A hearing authorization will be held some time this fall, and the document will be finalized and a public hearing will be scheduled next spring.

P. Kent commented that good progress related to statewide phosphorus ambient water quality criteria has been made but is still undergoing change within the Department of Natural Resources (DNR). The Environmental Protection Agency will also need to complete its review. Significant issues include: 1) the average term for demonstrating compliance with future limits; 2) the need for extended compliance schedules for POTW's; and 3) ensuring that any approved TMDL will be utilized in permit development. He stated that just recently the DNR expressed interest to further evaluate cost issues related to the proposed rules. Information contained in the Strand Report will be revisited as part of the DNR review.

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P. Kent stated MEG will continue to be an active participant in the development of both the phosphorus rule and the Lower Fox TMDL. He further stated that the regulated community will continue to push for trading options within the TMDL process. In summary, the pace for these activities is intense and getting more so, and much can be expected to occur in the next couple of months.

- 6) Request Commission approval for Symbiont to provide consulting services for Phase I of 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 stated that sustainability is not just about a green project, but has economic and social aspects that impact the organization and workforce. She stated education is a critical component to get everyone on the same page. She stated that federal and state policies are changing that may require organizations to have a sustainability program and/or policies in place in order to qualify for grant funding.

Jon Butt from Symbiont stated that he is very excited for the opportunity to work on this project. He stated that his partner is Sonya Newenhouse, President of Madison Environmental Group, Inc. He stated Symbiont is a full service engineering and consulting firm that plans, builds, controls and improves environments, and has 75 professionals located in Wisconsin, Illinois, and Indiana.

Sonya Newenhouse stated that she has a Business Degree and is the Founder and President of the Madison Environmental Group, Inc., which is an interdisciplinary consulting firm that assists clients and communities to build green and live green. She stated that she has more than 10 years experience in qualitative method development, waste management and recycling, and community outreach.

Commissioner Hasselblad asked how you effect behavior change. S. Newenhouse replied that it is very hard and energy is the hardest. She stated that she provides in-depth awareness and education, and participatory engagement is the key.

Commissioner Mainz asked when dealing with change, how do you prevent staff from going back to the old ways. S. Newenhouse stated there is a lot of thought that goes into how to begin and sustain change. She stated it should start from the top down and use a grass roots approach. She stated that we need to provide the recipes and tools and suggested bringing on a sustainability coordinator.

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Motion #09-086

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to approve Symbiont to provide consulting services for Phase I of the Sustainability Study in the amount of \$59,920 and a 5% contingency for a total amount of \$62,910 and a funds transfer.

- 7) **Request Commission approval for AECOM to provide engineering services during construction for the North Basin Complex Gate Replacement Project in the amount of \$168,920 and a 5% contingency for a total amount of \$177,320.**
- 8) **Request Commission approval for AECOM to provide engineering services during construction for the Pump Station Bar Screen Replacement Project in the amount of \$153,050 and a 5% contingency for a total amount of \$160,650.**

T. Sigmund stated that agenda items 7 and 8 require agreements in place for eligibility of stimulus money.

D. Busch stated the original bar screens are over 30 years old.

W. Angoli stated the bar screen will be replaced in-kind and staff is reviewing costs of stainless steel for construction. He reported AECOM will provide assistance in reviewing shop drawings, payment applications, record drawings, and onsite inspections.

Motion #09-087

It was moved by Mainz, seconded by Scheberle, and unanimously agreed to approve AECOM to provide engineering services during construction for the North Basin Complex Gate Replacement Project in the amount of \$168,920 and a 5% contingency for a total amount of \$177,320 and AECOM to provide engineering services during construction for the Pump Station Bar Screen Replacement Project in the amount of \$153,050 and a 5% contingency for a total amount of \$160,650.

- 9) **Request Commission approval of CH2M Hill Task Order 6, Amendment 1 to include a sulfide Monitoring and Mitigation Study for the West Side Interceptor in the amount of \$16,700.**

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P. McCarthy reported that during work on the river crossing, the Jason Consultants Group examined a manhole and discovered a lot of sulfide in the sewer. GBMSD installed Odalogs along the West Side Interceptor and one tributary, discovering a peak concentration of 600 ppm in the West Side Interceptor. He stated not much migration was noted in the tributary. GBMSD conducted a door to door survey, which revealed no odor complaints.

Staff is working with CH2M Hill to recalibrate a sulfide model. Two De Pere mills appear to be the source of the problem. Staff has determined the West De Pere High School and St. Norbert College had no impact. GBMSD is gathering additional data, and the next step is to develop mediation measures with the mills and schedule a meeting with De Pere and the mills.

Commissioner Hasselblad asked what responsibility does GBMSD bear. P. McCarthy stated that GBMSD has informed the City of De Pere, which completed the first step in resolving the situation. Staff is gathering the information needed to present the case to the mills.

Commissioner Mainz asked if staff is continuously monitoring the situation and keeping the relevant data in-house. P. McCarthy replied yes.

Commissioner Alesch stated his concerns about the possibility of high H₂S in sewer systems for other municipalities that have paper mills discharging to them and asked staff to contact the DNR to see if this is happening elsewhere across the state.

J. Nicks stated this situation is more complex than the Ninth Street Interceptor because the West Side Interceptor belongs to De Pere. He suggested that staff follow provisions in GBMSD's Sewer Use Ordinance.

Motion #09-088

It was moved by Hasselblad, seconded by Scheberle, and unanimously agreed to approve CH2M Hill Task Order 6, Amendment 1 to include a sulfide Monitoring and Mitigation Study for the West Side Interceptor in the amount of \$16,700.

- 10) **Request Commission approval to close out the Ninth Street Interceptor Project 2008-02 and authorize final payment to Visu-Sewer, Inc. in the amount of \$51,225.73.**

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B. Vander Loop requested Commission approval to close out the Ninth Street Interceptor Project and issue payment of \$51,225.73 to Visu-Sewer, Inc. He stated all necessary paperwork has been received and punch list items have been reviewed. He reported rehabilitation of the West Side Interceptor sewer segment was removed from Contract A and added to Contract B because it was more cost effective.

Motion #09-089

It was moved by Mainz, seconded by Scheberle, and unanimously agreed to close out the Ninth Street Interceptor Project 2008-02 and authorize final payment to Visu-Sewer, Inc. in the amount of \$51,225.73.

11) Presentation of Operations Division 2010 Staffing Plan.

- a) Treatment Section**
- b) Maintenance Section**

D. Busch requested Commission approval to change one Operator-in-Training position to an Operator position in the Treatment Section. He stated the additional operator would assume the normal day shift operator responsibilities at the De Pere Facility once the day shift staff is not available. He reported that staff evaluated four staffing alternatives and determined this to be the best alternative.

Commissioner Alesch asked about security measures at the De Pere Facility. D. Busch replied the entrance gate and building doors are locked, security cameras are in place, and improvements are currently being made to the fence.

D. Busch reported on the future needs of the Maintenance Section. He reported the solids handling process will be shut down at the De Pere Facility and sludge will be conveyed to the Green Bay Facility in June 2010. Staff plans to retain two De Pere Facility mechanical staff up to the end of 2010 to work on decommissioning the solids handling process. He requested Commission approval to add an E & I Technician position in the Maintenance Section to meet the increasing E & I needs at both facilities in the future. He stated the Operations Division staffing plan would be effective January 1, 2010.

Motion #09-090

It was moved by Mainz, seconded by Scheberle, and unanimously agreed to approve the Operations Division 2010 Staffing Plan and modify the organization chart. (See Commission File #09-003 for the revised Operations organization chart)

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12) Present Solids Management Plan evaluation criteria.

W. Angoli stated that four stakeholder groups were commissioned to recommend objectives and criteria that would be used in an evaluation process to narrow down the list of 17 process alternatives. Staff has developed a list of objectives, criteria, performance scales, and weighting for the evaluation process to ultimately select a recommended alternative for implementation. He asked the Commission if the weighting is acceptable to proceed. The Commission advised staff to proceed with the weighting of the alternatives.

13) Sewer plan approvals:

- a) **City of De Pere Glory Road; GBMSD Request 2009-16**
- b) **Village of Hobart 09-04; GBMSD Request 2009-17**

M. Pierner reported the Village of Hobart is requesting sewer for the first phase of Centennial Centre. The first phase includes sewer service for 354 acres along Hwy 29, and the entire Centre will ultimately serve 1,159 acres.

Motion #09-091

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to approve the City of De Pere Glory Road and Village of Hobart 09-04 sewer plans subject to favorable review by Brown County Planning and final approval by the WDNR.

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**

Motion #09-092

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.

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Commissioner Meinz departed at 10:40 a.m.

19) Reconvene in open session.

Motion #09-093

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

14) Update of projects:

- a) Consolidation Projects – General**
- b) Consolidation Projects – Treatment plants construction phase**
- c) Consolidation Projects – Conveyance facilities construction**
- d) RAS/WAS System Improvements Project**
- e) Project management assignments and capacity**

P. McCarthy provided the Commission with a construction project list and the assigned project manager. He stated that staff feels the project load is manageable, but will reassess the situation weekly. He stated that if needed, staff may consider contracting temporary services from a retired consultant who understands project management.

15) Operation report:

a) Effluent quality for July

D. Busch reported both facilities have met effluent compliance for July.

b) Air quality for July

D. Busch reported both facilities have met air quality compliance for July. He stated that last Thursday he met with a representative from the South Bay Marina concerning an odor complaint. He stated ambient air conditions were out of the ordinary due to high humidity, south/southwest wind, ozone alert, and the RAS/WAS project flushing septic solids from an empty tank. He stated that GBMSD is taking necessary steps to mitigate the odor.

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16) Legal Counsel report:

a) **None**

17) Executive Director's report:

a) **September Commission meetings**

The September 14 Commission agenda will include six construction projects currently out for bid and draft financial policies.

Agenda items for the September 28 Commission meeting will include health insurance costs, recommendation for salary market adjustment, and Eric Rothstein will be presenting a financial planning projection model.

The first budget workshop is scheduled for October 5 at 8:30 a.m.

b) **Account of legal fees and expenditures**

Staff reviewed the disposition of legal fees for the PCB settlement payments and determined it will remain as an expense item in the Legal Services account of the financial statements.

c) **2008 NACWA Financial Survey Summary**

Selected GBMSD performance measures compared favorably to results of the NACWA 2008 Financial Survey. The Green Bay Facility received its second NACWA Platinum Award for six straight years of 100% compliance with its discharger permit, and the De Pere Facility received its first NACWA Gold Award for one year of 100% compliance with its discharge permit.

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

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Secretary