

GREEN BAY METROPOLITAN SEWERAGE DISTRICT
PROCEEDINGS OF THE COMMISSION

Regular meeting of the Commission held September 28, 2009.

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

ALSO PRESENT: T. Sigmund, P. McCarthy, P. Kaster, D. Busch, T. Woodworth, W. Angoli, M. Pierner, J. Kennedy, J. Christ, W. Oldenburg, L. Evenson, B. Vander Loop, D. Cawley, J. Czypinski, M. Kersten, D. Lefebvre, J. Van Sistine, J. Nicks–Legal Counsel; E. Rothstein–Galardi Rothstein Group; R. Kopish–Green Bay Area Chamber of Commerce

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

- 1) **Approval of minutes of Commission meetings held August 24, September 4, and 14, 2009.**

Motion #09-109

It was moved by Hasselblad, seconded by Zabel, and unanimously agreed to approve the August 24, September 4, and 14, 2009 minutes as distributed.

- 2) **August financials.**

T. Woodworth reviewed the August financials. He reported through the first eight months revenues were \$266,000 over budget due to additional BOD loadings from Georgia-Pacific and additional suspended solids loadings from Procter & Gamble. He reported operating expenses were \$740,000 under budget and investment income was \$300,000 under budget. He projected through year-end positive variances of \$300,000 in revenues and \$500,000 in operating expenses.

Commissioner Hasselblad asked if there is anything staff can do with investment income. T. Woodworth replied that Paul Kaster has been working with Ken Kewatt at Wells Fargo on future investment options.

Commissioner Hasselblad stated that she would like to see ratio charts that set GBMSD against other industries.

- 3) **Commission consideration of abatement of taxes for 2010.**

T. Woodworth stated that GBMSD has the authority to finance its capital projects through the use of an ad valorem tax. GBMSD has been abating taxes since 1977.

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Motion #09-110

It was moved by Hasselblad, seconded by Scheberle, and unanimously agreed to abate the tax levy for 2010.

12) GBMSD Sewer Use Ordinance update.

W. Oldenburg reported that staff has made some proposed modifications to GBMSD's Sewer Use Ordinance. He reported sixty-two changes are proposed and some changes are very minor and some changes are considered significant. Once the DNR gives GBMSD its preliminary approval, the proposed ordinance changes will be published in the Green Bay Press-Gazette and a 30-day written comment period will begin. He reported that the De Pere Facility had its own local limits so GBMSD hired CH2M Hill to do a local limits study. The DNR is reviewing one set of local limits for the entire service area, and mass base would be eliminated.

Commissioner Alesch asked staff to annotate the changes.

Commissioner Mainz asked if these proposed changes are GBMSD's decision or the DNR. W. Oldenburg responded GBMSD's decision.

Commissioner Mainz asked why the DNR is reviewing the proposed changes. W. Oldenburg replied the DNR must review all pretreatment changes. He stated the DNR will review all proposed changes, but is particularly interested in the pretreatment related changes. Commissioner Mainz asked if staff receives comments back from the DNR. W. Oldenburg stated the DNR reviews the changes to ensure they meet the requirements of a sewer use ordinance and the pretreatment program. Copies of comments received from GBMSD customers, pretreatment industries, and waste haulers will be distributed to the Commission and DNR.

Commissioner Hasselblad asked staff to highlight the significant changes and rationale for them.

T. Sigmund stated the mass base limit will be changing to a concentration base limit. Commissioner Hasselblad stated the process sounds good.

Commissioner Mainz asked if the industries agree with the proposed changes. W. Oldenburg stated that some industries disagree with some of the changes.

Commissioner Hasselblad asked how the proposed changes will affect industries. T. Sigmund stated the mass base limits give some industries a lot of relief. He stated the mass base limits have changed through the Environmental Protection Agency (EPA).

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W. Oldenburg stated that small dischargers can benefit from a mass base limit and now they need to figure out how to get the concentration down. T. Sigmund stated dischargers need to allocate uniformly by concentration.

Commissioner Mainz asked Ray Kopish of the Chamber of Commerce how many industries it represents. Mr. Kopish stated there are 20 industries in the De Pere, Green Bay, and Ashwaubenon area that are concerned about the limits change.

W. Oldenburg stated the proposed limits would allocate based on flow per EPA guidelines.

4) Presentation by Eric Rothstein of Galardi Rothstein Group on the financial planning projection model.

E. Rothstein from the Galardi Rothstein Group gave a PowerPoint presentation on the financial planning projection model. The main topics presented were:

- Financial planning issues
- Financial policies
- Strategic financial planning
- Future directions

Commissioner Hasselblad asked to include emerging technologies.

5) Request Commission approval to modify the Business Services organization chart.

P. Kaster requested modification to the Business Services organization chart as it currently stands. He stated the Executive Assistant, Administrative Assistant, and Receptionist currently report to the Director of Business Services. He stated that it makes sense to have the Administrative Assistant, Receptionist, and dotted line to the Accounting Clerk for support staff duties report directly to the Executive Assistant. He stated that with Jean Van Sistine's experience, knowledge of the organization, and work ethic, it is makes good sense to have the Support Staff report directly to her.

Motion #09-111

It was moved by Hasselblad, seconded by Scheberle, and unanimously agreed to modify the Business Services organization chart. (See Commission File #09-005 for the revised organization chart)

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- 6) Request Commission approval of the 2010 Health Insurance Program and premium sharing.**

J. Christ reported the health insurance dual choice enrollment period designated by the State of Wisconsin is October 5 – 23, 2009. She requested Commission approval to maintain GBMSD's contribution at 95% of the lowest cost plan, which would be less than a 2% increase on the health insurance budget. She reported UnitedHealthcare premiums increased overall by 18%.

Motion #09-112

It was moved by Hasselblad, seconded by Mainz, and unanimously agreed to approve GBMSD's share of the 2010 premium at 95% of the lowest cost plan. (See Commission File #09-006)

- 7) Request Commission approval to award the Meter Station #4 Rehabilitation contract to PTS Contractors in the amount of \$115,000 and a 5% contingency for a total amount of \$120,750.**

B. Vander Loop stated the flow tube and sewers immediately upstream and downstream of Meter Station #4 are deteriorated and requested award of the rehabilitation contract to PTS Contractors.

- 8) Request Commission approval to award a construction services contract for Meter Station #4 Rehabilitation to AECOM in the amount of \$11,200 and a 5% contingency for a total amount of \$11,760.**

Motion #09-113

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to award the Meter Station #4 Rehabilitation contract to PTS Contractors in the amount of \$115,000 and a 5% contingency for a total amount of \$120,750 and award a construction services contract for Meter Station #4 Rehabilitation to AECOM in the amount of \$11,200 and a 5% contingency for a total amount of \$11,760.

- 9) Request Commission approval to award the GBMSD Electrical Generation Facility contract to The Selmer Co. in the amount of \$1,166,000 and a 5% contingency for a total project amount of \$1,224,300.**

W. Angoli reported the building and electrical equipment are included in the cost.

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Motion #09-114

It was moved by Mainz, seconded by Hasselblad, and unanimously agreed to award the GBMSD Electrical Generation Facility contract to The Selmer Co. in the amount of \$1,166,000 and a 5% contingency for a total project amount of \$1,224,300.

- 10) Request Commission approval for SEH to provide engineering services during construction for the GBMSD Electrical Generation Facility Contract in the amount of \$99,910 and a 5% contingency for a total project amount of \$104,910.**

W. Angoli requested approval for services during construction for the Electrical Generation Facility Contract.

Motion #09-115

It was moved by Mainz, seconded by Zabel, and unanimously agreed to approve SEH to provide engineering services during construction for the GBMSD Electrical Generation Facility Contract in the amount of \$99,910 and a 5% contingency for a total project amount of \$104,910.

- 11) Pretreatment update.**

W. Oldenburg reported four Notices of Violation and one Notice of Noncompliance have been issued for the first half of 2009. He stated two of the Notices of Violation require publication in March 2010. He reported that one industry is struggling to find out where the problem is and has come up with two solutions to resolve the situation. The industry in noncompliance has returned to full compliance.

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

P. McCarthy reported the applications and support documentation for the ARRA Stimulus Grant Funding and State Revolving Fund loan for six projects will be submitted to the DNR today.

P. McCarthy reported GBMSD staff has submitted a justification letter to the DNR regarding elimination of the cyanide local limit.

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P. McCarthy reported the hydrogen sulfide levels in the Ninth Street Interceptor are under control and will continue to be monitored. GBMSD staff will meet with De Pere staff on Friday to discuss sulfide levels in the West Side Interceptor. CH2M Hill has completed updating the West Side Interceptor model based on current conditions in the sewer.

P. McCarthy also reported a kick off meeting will be scheduled with Nautilus to locate vertical and horizontal location of the pipes under the Fox River Crossing.

b) Consolidation Projects – Treatment plants construction phase

W. Angoli reported the Influent Pump Station and Grit Building No. 2 will be constructed before winter.

c) Consolidation Projects – Conveyance facilities construction

M. Pierner reported that extra cost items have been encountered due to various utility conflicts found during construction of the Raw Wastewater and Waste Activated Sludge Interplant Pipelines. Some of the items encountered include: extra rock removal required under Dutchman Creek, additional pavement replacement required on Broadway, boulders encountered during casing pipe installation required removal, and a construction shaft near West Mason Street required modification because of conflicts with an existing 84-inch storm sewer.

d) RAS/WAS System Improvements Project

W. Angoli stated the RAS/WAS Project is moving along with no major issues.

e) Solids Management Plan

W. Angoli reported that staff completed a review of 16 alternatives and selected four alternatives for further evaluation in the Solids Management Facility Plan. He then reviewed the alternatives process flow diagrams.

The Commission asked if staff is happy with the outcome thus far. T. Sigmund replied yes. He stated the four highest ranked alternatives were not selected because staff looked for some diversity.

W. Angoli distributed a Sensitivity Analysis and Solids Management Plan Capital Cost document.

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14) Operation report:

a) Effluent quality for August

D. Busch reported both facilities have met effluent compliance for August. He reported ferric chloride was fed to the primary influent at the Green Bay Facility over the Labor Day weekend due to reduced BOD loads from the mills.

b) Air quality for August

D. Busch reported both facilities have met air quality compliance for August.

D. Busch stated Lisa Evenson will provide the Commission with new business identification cards.

15) Legal Counsel report:

a) None

16) Executive Director's report:

a) October Commission meetings

The budget workshop is scheduled for October 5 at 8:30 a.m. The regular meeting is scheduled for October 26 and second budget workshop will be held that day if needed.

b) Calendar of Commission action items

A calendar of recurring action items was included in the Commission packet.

c) Discussion of Special Order and Eco Fibre

Eco Fibre would like to restart its facility and has asked to modify the Special Order that takes effect in a couple days.

d) Recognition of 30 and 35-year service anniversaries

Dan Busch will be celebrating his 35-year service anniversary on September 30, and Mary Pischke, Laboratory Analyst will be celebrating her 30-year service anniversary on September 10.

The Commission extended its congratulations to both individuals and appreciates their many efforts.

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- 17) 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) Fox River PCB insurance coverage issues**
 - c) Status report on Rockland appeal of De Pere annexation**
 - d) Air emissions discussion**

Motion #09-116

It was moved by Mainz, seconded by Scheberle, 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.

- 18) Reconvene in open session.**

Motion #09-117

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

There being no further business to come before the Commission, the meeting adjourned at 10:51 a.m.

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

Secretary