

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

PROCEEDINGS OF THE COMMISSION

Regular meeting of the Commission held via Zoom videoconference on December 8, 2021.

PRESENT: Commissioners Hasselblad, Mainz, Blumreich, Tumpach, and Hoffmann

ALSO PRESENT: T. Sigmund, P. Wescott, N. Qualls, B. Vander Loop, J. Smudde, T. Brown, B. Bartel, R. Bocik, L. Sarau, B. Weller-Titus, B. Angoli, B. Brown, E. Houghton, P. Smits, S. Thieszen, J. Czapinski, B. Oldenburg, T. Garrison, J. Van Sistine, J. Valenta; J. Smies–Legal Counsel

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

- 1) **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) **Litigation involving Bayview Interceptor**
 - b) **Potential litigation resulting from the failure of the granulated activated carbon system of the fluidized bed incinerator**
 - c) **Potential litigation resulting from wastewater spillage during construction of the Dutchman Creek Interceptor stream crossings**

Motion #21-085

It was moved by Mainz, seconded by Tumpach, 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.

- 2) **Reconvene in open session.**

Motion #21-086

It was moved by Blumreich, seconded by Hoffmann, and unanimously agreed to reconvene in open session.

- 3) **Safety moment.**

T. Sigmund provided tips on snow blower safety.

Agenda items were taken out of sequence based on staff's presence for reporting.

- 5) **Budget hearing.**

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T. Sigmund reviewed the revisions to the 2022 budget which included the following:

- Changes from the October 25 Presentation
- 2022 Budgeted Expenses
- 2022 Budgeted Revenue
- Municipal Rate Comparison
- 2022 Budget Summary
- Next Steps

Commissioner Hasselblad asked if the budget increases due to phosphorus and suspended solids will continue into 2023. T. Sigmund replied that it will not, this is a one year increase.

Commissioner Mainz asked if there was any push back from the municipal customers. T. Sigmund replied that there was no push back after addressing the causes for the increase during the municipal customer meetings.

6) **Budget adoption.**

T. Sigmund requested Commission approval of the budget as presented.

Motion #21-087

It was moved by Blumreich, seconded by Hoffmann, and unanimously agreed to adopt the 2022 Budget.

4) **Adopt retirement resolution for Robert Bocik.**

R. Bocik thanked NEW Water, the brand of the Green Bay Metropolitan Sewerage District, for his 27 years of service. He stated that NEW Water has been a great place to work. The Commission expressed its appreciation for his years of service.

B. Bartel stated that Rob Bocik started his career with NEW Water in 1990 as a Treatment Operator limited term employee, moving into a janitorial position, then into a permanent Treatment Operator position.

Motion #21-088

It was moved by Blumreich, seconded by Mainz, and unanimously agreed to adopt retirement resolution for Robert Bocik (Resolution #21-010 is on file at the NEW Water offices).

7) **Approval of minutes of Commission meetings held October 27 and November 9, 2021.**

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Motion #21-089

It was moved by Meinz, seconded by Hoffmann, and unanimously agreed to approve the October 27 and November 9, 2021 minutes as distributed.

8) Request Commission approval of extension of temporary modifications to NEW Water's paid leave policies.

T. Brown reviewed the COVID-19 pay practices that are set to expire December 31. These practices include employees having immediate access to their extended disability bank (EDB) for COVID-19 related absences, by waiving the 24 hour requirement of utilization of other paid leave benefits. In addition, for the small number of employees that have insufficient EDB balances and for newer employees not yet eligible for EDB, 25% of lost base wages are paid by NEW Water. Staff is recommending that the temporary modifications to NEW Water's paid leave policies be extended through the first quarter of 2022.

Motion #21-090

It was moved by Blumreich, seconded by Tumpach, and unanimously agreed to approve the extension of temporary pay practices through March 31, 2022, that allows eligible employees immediate access to their EDB, waiving the 24 hour contiguous hours of PTO or vacation, for COVID-19 related reasons, with a maximum length of leave of 80 hours when absence is for employee or child quarantine or childcare closure, with pro-rated benefits for part-time employees. In addition, approval is requested for NEW Water to continue to provide 25% of lost base wages for employees that do not have sufficient EDB hours or are not eligible for EDB accrual.

9) Request Commission approval of the agreement for construction of extension of the Ninth Street Interceptor – De Pere with the City of De Pere.

L. Sarau stated the City of De Pere was asked to extend American Boulevard to the municipal border between De Pere and Lawrence. NEW Water currently has agreements with the Town of Lawrence and the City of De Pere related to the interceptor extension; however, since De Pere will be constructing the interceptor, a new agreement was needed. This agreement has been reviewed and approved by the City of De Pere. Staff recommends Commission approval to authorize the Executive Director to enter into the Agreement for Construction of Extension of the Ninth Street Interceptor.

Motion #21-091

It was moved by Meinz, seconded by Blumreich, and unanimously agreed to enter into the Agreement for Construction of Extension of the Ninth Street Interceptor – De Pere with the City of De Pere, and to authorize the Executive Director to sign the agreement.

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10) Request Commission approval to award the Green Bay Facility Sodium Bisulfite Storage Expansion Project.

L. Sarau stated pending changes to NEW Water's WPDES permit will require meeting Escherichia coli (E. coli) limits instead of existing fecal coliform limits for disinfection. Additional chemical is necessary to meet these proposed limits. As a result of the increased chemical feed rate, the Treatment team found that the existing storage volume of sodium bisulfate was not sufficient to provide the desired level of comfort needed to reliably operate the disinfection process. With the help of Strand Associates, Inc. a construction project was developed. Staff and the consultant have reviewed the two bids that were received and determined that August Winter & Sons, Inc. is the lowest responsive, responsible bidder. Staff recommends awarding the Green Bay Facility Sodium Bisulfite Storage Expansion Contract to August Winter & Sons, Inc. in the amount of \$206,475, with a 10% contingency of \$20,650 under the authority of the Executive Director for a total amount of \$227,125.

Motion #21-092

It was moved by Hoffmann, seconded by Blumreich, and unanimously agreed to award the Green Bay Facility Sodium Bisulfite Storage Expansion Contract to August Winter & Sons, Inc. in the amount of \$206,475 with a 10% contingency of \$20,650 under the authority of the Executive Director for a total amount of \$227,125.

11) Request Commission approval to award the construction contract for the Green Bay Facility Air Compressor Replacement Project #200016-CO to J.F. Ahern Company in the amount of \$658,000.

B. Brown stated that two bids were received in November 2021 for the proposed work. NEW Water staff and design engineer have reviewed the bids. Staff recommends Commission approval to award the Green Bay Facility Air Compressor Replacement Project #200016-CO construction contract to J. F. Ahern Company in the amount of \$598,000. A 10% contingency of \$60,000 to be administered under the authority of the Executive Director is also recommended.

Motion #21-093

It was moved by Hoffmann, seconded by Blumreich, and unanimously agreed to award the construction contract for the Green Bay Facility Air Compressor Replacement Project #200016-CO to J. F. Ahern Company in the amount of \$598,000 with a 10% contingency of \$60,000 under the authority of the Executive Director for a total amount of \$658,000.

12) Request Commission approval to close out the Effluent Reuse Pump Station and Force Main contract and issue final payment of \$30,000 to C.D. Smith Construction, Inc.

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B. Angoli stated that all work, except for the final testing, has been completed and the project is ready for close out and final payment. Due to the final testing being repeatedly delayed, staff is recommending Commission approval to close out the Effluent Reuse Pump Station and Force Main construction contract and issue final payment to C.D. Smith Construction, Inc. in the amount of \$30,000 under the authority of the Executive Director upon acceptance of final pump testing.

Commissioner Hasselblad questioned if because there is no final testing, will NEW Water be in jeopardy with the Wisconsin Department of Natural Resources (WDNR). B. Angoli replied that he does not see there being any problems with the WDNR.

Commissioner Mainz asked why testing is part of the contract. B. Angoli replied with pumps and supplementary equipment being involved, testing equipment is preferred to make sure everything is working correctly.

B. Angoli stated with initial pump and supplementary testing was completed during the startup of the system, and the pumps running properly for the past six months, the project is ready to be closed out. He also stated since the final performance testing has been delayed for so long, charges could be brought forward from the contractor.

T. Sigmund stated Green Bay Packaging's system has not been able to reliably run for NEW Water to schedule and execute performance testing.

N. Qualls added that no value will be added to the project by keeping the project open, but costs could be taken on by the contractor. There is no reason to believe there are any issues with the pumps.

Motion #21-093

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to close out the Effluent Reuse Pump Station and Force Main contract and issue final payment of \$30,000 to C.D. Smith Construction, Inc. under the authority of the Executive Director.

Commissioner Mainz departed the meeting at 9:17 a.m.

13) Request Commission approval to close out the Effluent Reuse Pump Station Pump Procurement contract and issue final payment of \$5,000 to L. W. Allen.

B. Angoli stated in discussion with Green Bay Packaging to reduce cost, it was requested that one pump be removed from the Effluent Reuse Pump Station Procurement contract. The pump was deducted, and the project is ready to be closed out. Staff recommends Commission approval to close out the Effluent Reuse Pump Station Pump Procurement contract and issue final payment to L. W. Allen in the amount of \$5,000 under the authority of the Executive Director upon acceptance of final pump testing.

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Motion #21-094

It was moved by Blumreich, seconded by Hoffmann, and unanimously agreed to close out the Effluent Reuse Pump Station Pump Procurement contract and issue final payment of \$5,000 to L.W. Allen under the authority of the Executive Director upon acceptance of final pump testing.

14) **October financials.**

B. Weller-Titus stated the income statement was favorable for revenues for October and year to date, mainly BOD with majority due to Sustana Fiber pretreatment system being down. Expenses were unfavorable for the month due to plant maintenance, which included a centrifuge main drive rebuild. Contracted services were favorable and will continue to be throughout year-end.

15) **Update of projects:**

a) De Pere Facility Tertiary Filtration and Service Water Improvements

B. Angoli stated the contractor has been onsite and work is moving forward. Contractor is disputing demolition work within the existing filter tanks was not clearly defined and is requesting additional compensation. Engineer has denied the request. Contractor is continuing work, but is reserving the right for additional claim.

Commissioner Hasselblad asked how much money the contractor is requesting. B. Angoli replied the contractor is requesting around \$75,000.

b) Green Bay Facility Pumping Station HVAC Rehabilitation

B. Brown stated the construction process has been and will continue to be slow due to the lack of available parts and equipment. The predicted project close out date will be pushed forward.

c) Regional I&I Reduction Program

L. Sarau stated Brown and Caldwell is working on a technical memorandum to provide different alternatives for a regional Inflow & Infiltration (I&I) Reduction Program. After the memo is reviewed and revisions are made, it will be provided to the Stakeholder Advisory Group in advance of the next meeting.

16) **October 2021 Operations report.**

P. Wescott reported both Green Bay and De Pere Facilities were in full compliance with all effluent limits for the month of October. The De Pere Facility tied performance records for Total Suspended Solids and Ammonia for average daily concentration, average pounds discharged per day, and for total pounds discharged per month.

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The Green Bay Facility tied performance records for Ammonia for average daily concentration, average pounds discharged per day, and for total pounds discharged per month. The Green Bay Facility was in compliance with air quality limits for the month of October. For resource recovery for the month of October, the solids processing facility generated 1,360 MWH of electricity. Total bio-gas volume recovered was 182,867 CCF; this is 97.5% of the total volume produced. NEW Water received 1,676,613 gallons of high strength waste in October.

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

a) **January Commission meeting**

The January Commission meeting will be held Wednesday, January 26, 2022, beginning at 8:30 a.m. via Zoom videoconference.

b) **Draft 2022 Commission meeting schedule**

A schedule for the 2022 Commission meetings was included in the Commission packet.

c) **Disclosure of Related Party Transactions form**

Commissioners are required to sign the Disclosure of Related Party Transactions form every year. Electronic signatures can be used.

d) **Officer nominations**

An item on the January 26 Commission agenda will be election of NEW Water Commission officers for 2022. Commissioners should forward any nominations for President and Secretary to Tom Sigmund, and the Commission will elect the President and Secretary at the January meeting.

e) **COVID-19 paid leave statistics**

An update on the COVID-19 paid leave statistics was given.

f) **COVID-19 update**

NEW Water continues to follow guidelines from trusted sources and continues masking requirement at all NEW Water facilities and properties. To date, there have been 19 positive cases amongst staff.

g) **Chris Sarns promoted to Operator III**

Chris Sarns has been promoted to Operator III.

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h) Alex Moon promoted to Operator III

Alex Moon has been promoted to Operator III.

i) Hauled waste receiving stations in the City of De Pere and Town of Ledgeview

NEW Water plans to provide Brown County with two places to discharge trucked in Leachate. NEW Water staff is in the final stages of reviewing the De Pere receiving station, and will then review the Ledgeview receiving station. Letters of approval will be issued upon completion of construction and review by NEW Water staff.

Commissioner Hasselblad asked if there will be ongoing testing of the Leachate. N. Qualls replied that there will be testing done at the landfill.

j) Educational outreach with Wisconsin State Legislators

NEW Water produced a newsletter on adaptive management and distributed it to state senators and representatives within the service area.

k) NEW Water's billing video

NEW Water created a video on how customer bills are calculated. The video has been posted to the NEW Water website.

l) Partnering for water with Green Bay Austin Straubel International Airport

NEW Water is partnering with municipal customers on public service announcements.

m) Green Bay Packaging Water Reuse System announcement and celebration

NEW Water received recognition for its partnership with Green Bay Packaging.

There being no further business to come before the Commission, the meeting adjourned at 9:40 a.m.

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Secretary