

GREEN BAY METROPOLITAN SEWERAGE DISTRICT
PROCEEDINGS OF THE COMMISSION

Regular meeting of the Commission held March 28, 2012.

PRESENT: Commissioners Alesch, Mainz, Blumreich, and Tumpach

EXCUSED: Commissioner Hasselblad

ALSO PRESENT: T. Sigmund, P. Wescott, M. Diaz, M. Pierner, N. Qualls, W. Oldenburg, R. Krause, L. Evenson, J. Czypinski, J. Kennedy, B. Vander Loop, J. Christ, M. Erschnig, J. Van Sistine, J. Nicks–Legal Counsel (via conference call); M. Heckenlaible–City of Green Bay

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

1) Approval of minutes of Commission meeting held February 22, 2012.

Motion #12-016

It was moved by Blumreich, seconded by Tumpach, and unanimously agreed to approve the February 22, 2012 minutes as distributed.

2) February financials.

M. Diaz reported total operating revenues for February were unfavorable to budget by \$195,000 due to less precipitation, BOD, and solids than anticipated. Year to date operating revenues were unfavorable to budget by \$319,000. Operating expenses for the month were favorable to budget by \$267,000. Year to date operating revenues were favorable to budget by \$381,000 due to less electrical power usage, decreased use of natural gas, and no solid waste disposal hauled to landfill. She reported the net income for the month of February was \$347,000 due to operating income.

Commissioner Alesch asked if the reduced BOD is from a single source. B. Vander Loop replied a few significant industrial users have been shut down for approximately 20 days to date. He stated Procter & Gamble is 1,000,000 gallons a day below its projected daily average flow.

3) Adopt retirement resolutions:

Commissioner Alesch read the two retirement resolutions.

a) Debra Cawley

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T. Sigmund stated Debra Cawley started in 1977 as a Lab Technician, was promoted to Laboratory Services Manager in 2002, and has worked her entire career at GBMSD. Ms. Cawley has been active on many committees, both internal and external. Ms. Cawley has been a leader in lowering GBMSD's detection levels and she is the direct result of GBMSD's higher level of analytical service. She will be missed.

b) Dean Gaffaney

P. Wescott stated Dean Gaffaney has been with GBMSD for 35 years as a Treatment Operator on A crew. Mr. Gaffaney is very conscientious and quiet, and performs his work at a high level. He is well liked, respected, and his easy going style and attention to detail has made him an excellent trainer. Mr. Gaffaney was vice chair of the Safety Committee and the safety representative for A crew. GBMSD will miss him.

Commissioner Alesch stated that he is extremely proud of the dedication and skills of our employees.

Motion #12-017

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to adopt retirement resolutions for Debra Cawley and Dean Gaffaney (Commission Resolutions #12-002 and #12-003 are on file at the GBMSD offices).

4) Adopt Reimbursement Resolution for the De Pere Eastside Interceptor Rehabilitation, Project 11-038.

M. Pierner reported one of the requirements of a Clean Water Fund loan application is approval of a reimbursement resolution to allow GBMSD to request reimbursement for internal funds expended prior to loan closing.

Commissioner Mainz asked what the interest rate is for Clean Water Fund financing. M. Pierner replied GBMSD receives a subsidized rate of 75% of the market rate, which is currently at 4%.

Commissioner Mainz asked what the interest rate would be for a local loan. T. Sigmund replied for a tax exempt bond, the rate would be approximately 3.5 – 4%, which is subject to the length and amount of the loan. He stated staff will look into a bond rate.

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T. Sigmund stated Project 11-038 has a parallel cost ratio of 100% and Project 11-056 has a parallel cost ratio between 80% and 90%. He stated the parallel cost ratio is used to determine the percent of project costs eligible for the subsidized rate of 75% from the Clean Water Fund.

Commissioner Mainz asked if the two projects could be combined and have periodic draws. T. Sigmund replied it is possible to combine projects funded from a common borrowing, but reimbursement must match the rate of spending on each project.

Commissioner Blumreich clarified that staff is not asking for financing approval today, but for payment of debt down the road. He stated staff will come back to the Commission for approval of borrowing. T. Sigmund replied yes.

5) Adopt Reimbursement Resolution for the HVAC System Improvements, Project 11-056.

Motion #12-018

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to adopt Reimbursement Resolutions for the De Pere Eastside Interceptor Rehabilitation, Project 11-038 and HVAC System Improvements, Project 11-056. (Resolutions #12-004 and #12-005 are on file at the GBMSD offices).

6) Pretreatment update and significant noncompliance review.

W. Oldenburg reported three facilities covering four violations were in significant noncompliance for 2011 and GBMSD is required to publish the significant industrial users in the Green Bay Press-Gazette. He stated the facility that failed to perform self-monitoring as required by its Industrial Wastewater Discharge Permit has challenged the determination and GBMSD's Executive Director has responded to the appeal. He reported one facility received a notice of violation and one facility received a notice of noncompliance. He stated the facility in noncompliance did not know it needed a permit. He stated that he is working with the industries to get them back in compliance.

Commissioner Tumpach asked if there are any financial consequences for these industries. W. Oldenburg replied no.

The Commission encouraged staff to work with the municipalities to notify GBMSD when a new industry has been issued a permit.

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Commissioner Blumreich asked if any of these industries were on the list last year. W. Oldenburg stated one of the industries received a notice of violation in 2010.

7) **Industrial Achievement Awards Program.**

W. Oldenburg acknowledged Paula Olig and Rita Krause for their work in developing the Industrial Achievement Awards Program. He stated GBMSD is required to publish industries in significant noncompliance, but would also like to recognize industries that stay in full compliance with federal, state, and local wastewater operation and discharge standards and requirements.

W. Oldenburg stated GBMSD would like to present industries with a certificate in honor of their achievement and publish each year's winners in the Green Bay Press-Gazette and post on GBMSD's website.

Commissioner Alesch stated that he admires the initiative.

8) **Sewer plan approvals:**

a) **Village of Howard - 10018; GBMSD Request 2012-04**

M. Pierner reported the Village of Howard is requesting 1,430 ft. of 8-inch sewer to serve a new residential subdivision. He stated Brown County Planning has reviewed and approved the sewer plan.

b) **City of Green Bay - 2012 projects; GBMSD Request 2012-05**

M. Pierner stated the City of Green Bay is requesting administrative approval and to delegate technical review to GBMSD staff.

Motion #12-019

It was moved by Blumreich, seconded by Tumpach, and unanimously agreed to approve the Village of Howard 10018 and the City of Green Bay 2012 projects subject to favorable review by Brown County Planning and final approval by the Wisconsin Department of Natural Resources (WDNR).

9) **Review GBMSD Commission web page.**

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J. Van Sistine reported that a secure web page has been developed strictly for the Commission on GBMSD's website. The web page will provide a variety of information that was formerly provided in two three-ring binders. Some of the information on the web page has been linked to other websites to provide the most current information.

R. Krause reviewed the information available on the web page.

Commissioner Mainz asked about security with the third party administrator. Staff will follow up.

10) **Update of projects:**

a) **Resource Recovery and Electrical Energy (R2E2)**

L. Evenson reported GBMSD received two comments at the public hearing and no other comments have been received on the R2E2 Project. She stated the comments and responses are posted on GBMSD's website. The R2E2 Project external stakeholders committee met on March 6 and will continue to meet quarterly throughout the project. Two individuals from the committee will sit in on the interview process and provide comments, but will not be involved in the decision. She stated March 30 is the deadline to submit proposals.

Commissioner Alesch asked if this is a two step project. T. Sigmund replied the team will review the technical aspect of the proposal first, and those qualified will be looked at further on the level of effort price.

T. Sigmund reported that all of the information has been submitted to the DNR for the facilities plan. He stated the DNR will advertise in the Green Bay Press-Gazette expressing its intent to approve the facilities plan and accept comments.

Commissioner Alesch suggested that staff compare the cost of treating and disposing of the solids along with the cost of gas and electricity to see if it makes financial sense to go through the recovery process.

11) **Operation report:**

a) **Effluent quality for February**

P. Wescott reported both facilities were in full compliance with all effluent limits for February. He stated it was a stable month at both plants.

b) **Air quality for February**

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P. Wescott reported the Green Bay Facility was in compliance with air quality limits for February. He stated there were no environmental issues with the incineration process and there were no incidents requiring WDNR deviation notification.

Commissioner Alesch asked about the De Pere Facility (DPF) disinfection system. P. Wescott replied new pumps and piping have been installed at the DPF and functional testing of the system began yesterday.

Commissioner Alesch asked whether GBMSD is looking beyond the new phosphorus regulations at such things as nitrogen, viruses, and pharmaceuticals. T. Sigmund stated that GBMSD is keeping aware of regulatory movement in these areas, and has participated in several data collection studies commissioned by the Water Environment Research Foundation and other agencies. Even though these initiatives may take decades to find their way into state rules, GBMSD's philosophy has been to keep up with current research to avoid future surprises.

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

a) **April Commission meeting**

The April Commission meeting will be held on April 25 beginning at 8:30 a.m. and Pete McCarthy will be acting on the Executive Director's behalf.

b) **Economic development task force**

The Brown County Executive has formed an economic development task force that is designed around four development committees. The public-private task force will be coordinated through Advance, which is part of the Green Bay Area Chamber of Commerce. T. Sigmund stated the Phosphorus Committee will be meeting on Friday and he will be part of the committee.

c) **NACWA's National Environmental Policy Forum**

The NACWA Summer Conference will be held in Philadelphia on July 15 – 18 and the topic will be "Transforming Leadership....Changing the Game for the Next 40 Years of Clean Water." The WEFTEC Conference will be held in New Orleans on September 29 – October 3. The WEFTEC Conference is more of a technical conference, but it will include some information on public utilities and elected officials. More information will be provided to the Commission.

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- 13) 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) Georgia-Pacific billing issues
 - b) Employment agreement

Motion #12-020

It was moved by Meinz, seconded by Blumreich, 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.

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

Motion #12-021

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

There being no further business to come before the Commission, the meeting adjourned at 10:22 a.m.

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Secretary