

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

Regular meeting of the Commission held January 23, 2019.

**PRESENT:** Commissioners Tumpach; Hasselblad, Mainz and Hoffmann (via telephone)

**EXCUSED:** Commissioner Blumreich

**ALSO PRESENT:** T. Sigmund, N. Qualls, P. Wescott, B. Vander Loop, T. Brown, B. Angoli, L. Sarau, B. Brown, J. Czypinski, P. Smits, B. Oldenburg, S. Thieszen, E. Houghton, J. Maas, T. Garrison, B. Bartel, J. Van Sistine, B. Hafs, J. Smies–Legal Counsel; L. Gerold–Brown and Caldwell

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

**1) Safety moment.**

T. Sigmund provided safety tips on preventing slips and falls in winter weather.

**2) Adopt retirement resolutions:**

**a) Patrick Linssen**

P. Smits stated that Pat Linssen worked in the Maintenance Utility Department for the past 26 years doing a variety of tasks with buildings and grounds.

Commissioner Hasselblad read the retirement resolution.

**b) Bill Hafs**

Commissioner Hasselblad read the retirement resolution.

T. Sigmund stated Bill Hafs has been with NEW Water, the brand of the Green Bay Metropolitan Sewerage District, for almost six years. He previously worked for Brown County, and he has been instrumental in the development of the Environmental Programs Division, as well as Adaptive Management. He has been a huge asset to NEW Water and he will be sorely missed.

Commissioner Hasselblad stated that it seems that Bill Hafs has been at NEW Water longer with all of his contributions. It is going to be a different world out there not to see him as NEW Water moves forward with environmental programs, particularly with phosphorus loadings. She thanked him for all his work.

B. Hafs stated the Commission took a chance and was very visionary on how to save some money and also attack water quality. He congratulated the Commission on its vision. It has been a pleasure to work with Tom Sigmund, Executive Team, Management Team, and staff. It was a great place to work. Thank you.

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Commissioner Hasselblad stated that Bill Hafs created the vision and helped the Commission move forward. The community owes him a debt of gratitude as well.

Commissioner Tumpach presented the retirement resolution to Bill Hafs.

#### **Motion #19-003**

It was moved by Mainz, seconded by Tumpach, and unanimously agreed to adopt retirement resolutions for Patrick Linssen and Bill Hafs (Resolutions #19-001 and 19-002 are on file at the NEW Water offices).

#### **3) Adopt resolution of faithful service for Joseph Nicks.**

This item was deferred to a future meeting.

- 4) Convene in closed session under State Statute 19.85 (1) (e) for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and 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) Discussion of negotiation strategy concerning a potential industrial customer**
  - b) Litigation involving industrial and interplant forcemains**

#### **Motion #19-004**

It was moved by Tumpach, seconded by Mainz, and unanimously agreed to convene in closed session under State Statute 19.85 (1) (e) for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and 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.

#### **5) Reconvene in open session.**

#### **Motion #19-005**

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

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**6) Approval of minutes of Commission meetings held December 5, 2018 and January 15, 2019.**

**Motion #19-006**

It was moved by Hoffmann, seconded by Mainz, and unanimously agreed to approve the December 5, 2018 and January 15, 2019 minutes as distributed.

**7) November financials.**

B. Vander Loop reported total operating revenues for the month of November were favorable to budget by \$283,000 or 10% due to additional TSS loadings and hauled waste from the three cheese facilities. Year to date total operating revenues were favorable to budget by \$2,900,000 or 8%. Leading the favorable results were additional flow volume due to more precipitation received, additional municipal and mill waste loads, and other revenues primarily related to hauled waste, specifically the three cheese facilities.

B. Vander Loop reported total operating expenses for the month of November were unfavorable to budget by (\$752,000) or 45% from more expenditures in contracted services, power, maintenance – interceptors, and natural gas & fuel oil. Contracted services represents \$651,000 or 87% of the total unfavorable operating expenses. He stated \$726,000 was related to R2E2 facility planning expenses that were incurred in 2008 – 2012 that were paid, held in construction in progress, but not expensed. NEW Water's auditor, Schenck, advised NEW Water to expense those expenses in 2018. Year to date total operating expenses were unfavorable to budget by (\$216,000) or 1% from more expenditures in power utilization related to R2E2, natural gas & fuel oil from heating both solids buildings, and maintenance – interceptors for unexpected forcemain repairs. Year to date total operating expenses were offset by less expenses from contracted services for projects not yet started, maintenance – plant due to projects not yet started and timing of billing, and salaries & benefits from two unfilled positions. Net loss for the month of November was (\$44,000).

Commissioner Mainz commented on the disparity between the budget and actual line graph. Once the books are closed he asked staff to provide costs associated with this and to explain why the Commission should not expect to see that again in 2019. T. Sigmund replied operating revenues track close to budget every year. Two major factors impacting operating expenses for 2018 were the engineering and construction services for the repairs to the industrial and interplant forcemains, which are being expensed so NEW Water can determine reimbursement needs associated with litigation, and the R2E2 facilities plan work expensed in November 2018. NEW Water also had to run both the old and new solids facilities, and did not generate electricity and heat during that time. These were things that NEW Water did not plan for. Staff will provide the Commission with more information at the February meeting.

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- 8) **Request Commission approval to award the construction contract for the De Pere Facility Administration Building HVAC Rehabilitation Project #18-028-CO to Hurckman Mechanical Industries, Inc. in the amount of \$406,500.**

B. Brown stated that some of the equipment at the De Pere and Green Bay Facilities are operating past their useful life. In addition to the excessive maintenance and difficulty of getting parts, the system at the De Pere Facility was designed for different needs than what is needed now. The equipment prioritizes the lab, which is lightly used at the expense of a data system critical to NEW Water's operation. He stated keeping the temperature in the data center down has been an issue. Last summer the IT staff made some modifications to try to keep things running. Staff has worked with Strand Associates to develop a more comprehensive rehabilitation of the entire building. NEW Water bid the work in November and received one bid from Hurckman Mechanical Industries. Staff reviewed the bid and it was in line with the engineer's estimate. Hurckman has performed work for NEW Water at both plants in the past. He requested Commission approval to award the construction contract for the De Pere Facility Administration Building to Hurckman Mechanical Industries in the amount of \$369,500 with a 10% contingency for a total amount of \$406,500.

#### **Motion #19-007**

It was moved by Mainz, seconded by Tumpach, and unanimously agreed to award the construction contract for the De Pere Facility Administration Building HVAC Rehabilitation Project 18-028-CO to Hurckman Mechanical Industries, Inc. in the amount of \$369,500 and a 10% contingency of \$37,000 under the authority of the Executive Director for a total amount of \$406,500.

- 9) **Request Commission approval of Amendment No. 4 Additional Construction Related Services for Contract 34 Digestion and Solids Facility with CH2M HILL Engineers, Inc. in the amount of \$754,321.**

B. Angoli stated this amendment is for additional construction related services that were not included in the original services during construction costs. At this time additional costs for some of the items are being presented to the Commission. From 2015 – 2018 the contractor worked extended hours on many weekdays and weekends to meet the milestone requirements in the contract. The original contract was based on a 40-hour work week for inspection services. During these extended hours the engineer provided inspection of the work being performed by the contractor. This resulted in \$108,049 of additional costs.

As discussed in previous reports, during startup of the thickening centrifuge the system would shut down from overload of solids to the system. Staff, engineer, and manufacturer looked at various options to provide a constant solids feed rate to the centrifuge. Significant additional effort was expended as various changes to the primary sludge and sludge solids concentration meters resulted in a lot of changes to the system. This work resulted in an additional \$20,940 of costs.

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B. Angoli stated the engineer provided an analyses of unit process design factors, which are used in NEW Water's budget process to update the cost of service methodology to appropriately distribute expenses and capital costs. The rate consultant, with support from the engineer, provided a unit rate cost report to NEW Water. This resulted in \$7,020 of additional costs.

The extension of the project beyond the milestone dates and final completion date has resulted in additional time for inspection and contract administrative work. The work included additional work change directives, including major changes to sludge holding tank no. 1, potable water booster pumps, gravity thickener pumps, and lube ring booster pumps. The original services during construction contract was based on a substantial completion date of April 14, 2018 and final completion date of August 12, 2018. The extended services during construction is based upon completing work in April 2019 and final punch list and closeout activities being addressed in May and June 2019. The extended services during construction will increase the contracted amount by \$618,312.

Staff have reviewed the additional work and their related costs and find that they are appropriate and recommend amending the contract. Staff requested Commission approval of Amendment No. 4 Additional Construction Related Services for Contract 34 Digestion and Solids Facility in the amount of \$754,321.00, bringing the total authorized amount including contingency to \$13,698,673.40.

Commissioner Mainz asked if the rates charged are appropriate. B. Angoli replied yes, the rates are the same as what was used throughout the project.

Commissioner Hasselblad asked that at the end of the project, staff provide the Commission with a proforma of actual costs, what went well, what did not go well, and lessons learned. A separate meeting should be scheduled to review this.

Commissioner Hoffmann asked about the status of liquidated damages for the contractor extending the schedule. N. Qualls replied the contractor was not solely responsible for the schedule extension. There were also enhancements made to the project and changes in the scope due to process modifications. B. Angoli stated the contractor and NEW Water have agreed that the contractor will not submit any additional costs for extended services and NEW Water would not assess liquidated damages to keep the project moving forward.

#### **Motion #19-008**

It was moved by Mainz, seconded by Tumpach, and unanimously agreed to approve Amendment No. 4 Additional Construction Related Services for Contract 34 Digestion and Solids Facility with CH2M HILL Engineers, Inc. in the amount of \$754,321.00, bringing the total authorized amount including the \$524,400 contingency to \$13,698,673.40.

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10) Sewer plan approval:

a) City of Green Bay Project #L-2892; GBMSD Request #2019-01

B. Angoli stated the City of Green Bay is requesting 1,031 ft. of 8-inch PVC sanitary sewer within the future right-of-way of Donald Driver Way north of Kellogg Street, 429 feet of 8-inch PVC sanitary sewer within the future right-of-way of Bond Street east of N. Broadway, and 475 feet of 8-inch PVC sanitary sewer located within a future easement north end of the future Donald Driver Way and the intersection of McDonald and Mather Streets. Flow would be tributary to the Fox River Crossing Interceptor.

b) Village of Bellevue Contract B-19; GBMSD Request #2019-02

B. Angoli stated the Village of Bellevue is requesting replacement of 400 feet of 8-inch PVC sanitary sewer within the right-of-way of Allouez Avenue and Central Drive intersection, replacement of 510 feet of 8-inch sanitary sewer within the right-of-way of South Huron Road and Cottage Road intersection, and 175 feet of 15-inch PVC sanitary sewer within the right-of-way of Willow Road and South Huron Intersection. Flow would be tributary to the East River Bellevue Interceptor.

c) City of Green Bay Pavement 1-19; GBMSD Request #2019-03

B. Angoli stated the City of Green Bay is requesting 243 feet of 12-inch PVC sanitary sewer within easement east of Aldine Court, 165 feet of 12-inch PVC sanitary sewer within the right-of-way on future Monona Drive, 607 feet of 12-inch PVC sanitary sewer within the right-of-way of future Mendota Drive, 260 feet of 8-inch PVC sanitary sewer within the right-of-way of Spartan Road, and 169 feet of 8-inch sanitary sewer within the right-of-way on future Monona Drive. Flow would be tributary to East Tower Drive Interceptor.

Staff recommends approval of the City of Green Bay and Village of Bellevue sewer plans subject to favorable approval recommendations from Brown County Planning and final approval by the Wisconsin Department of Natural Resources (WDNR).

N. Qualls stated that in response to the Commission's concerns regarding the monthly sewer plan maps, staff has revised the maps to include GBMSD request numbers and surrounding streets. He asked for Commission feedback on the maps. The Commission appreciated the new layout.

**Motion #19-009**

It was moved by Mainz, seconded by Hoffmann, and unanimously agreed to approve the City of Green Bay and Village of Bellevue sewer plans subject to favorable review by Brown County Planning and final approval by the WDNR.

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#### 11) Update of projects:

##### a) Contract 34 Digestion and Solids Facility

B. Angoli reported the nutrient recovery manufacturer was onsite in December to check out its equipment and system operation. Some issues were found with leaks in piping connections, chemical pumping problems, and software programming of the equipment that needed to be corrected before startup of the system. The manufacturer is coming back onsite the end of January/beginning of February to start up the system to get this process moving forward. The solids building wall construction has been moving forward with demolition of the existing conduit, wiring, equipment, and piping. Testing for asbestos and lead paint was done and there was no asbestos found. Some of the piping was found to have lead paint. Cost of lead paint removal will be included in the work change directive because it was not part of the original cost estimate. The original work only included temporary lighting for the wall construction by the contractor. The electrical contractor is running temporary power to lighting panels for additional lighting inside the building and freight elevator for use by the contractor to bring in forms and remove forms for the project. This work was done and was not part of the original cost. Total work expensed to date is \$126,511.38 out of \$750,000 approved for the wall construction.

##### b) 2018 Interplant Forcemain Fitting Repair

L. Sarau reported the interplant forcemain repair work started in December 2018 due to the delay of the hardware delivery. The contractor started work at Broadway and Prairie Streets, and have been progressing south to Howard and Pearl Streets. The contractor has been making good progress on this project. A second crew has started up and the contractor plans to continue progressing south along the route.

##### c) 2018 Industrial Forcemain Fitting Repair

L. Sarau reported there was a longer delay on the Industrial Forcemain Fitting Repair Project due to the different size bolts needed and the contractor only received one of the sizes necessary to do the work. The contractor received the larger size bolts on December 27, 2018, and after the New Year started working on some of the repairs that required the larger bolts. The contractor started at the De Pere Facility and is working towards the south. The contractor completed the work near the Fairgrounds and is currently in the right-of-way near Cedar and Eighth Streets. She reported NEW Water is working with the consultant and contractor to collect bolts for testing on both of the forcemain projects. NEW Water has also contacted Wiss, Janney, Elstner Associates to set up testing on the new hardware.

Commissioner Hasselblad asked staff to keep the Commission informed on the results.

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Commissioner Mainz asked who is doing the inspections, and if NEW Water is checking up on any of the inspections. L. Sarau replied Short Elliott Hendrickson (SEH) is conducting the inspections. SEH has provided NEW Water with qualified individuals to do this kind of work, and NEW Water has been pleased with the services SEH has provided to date. Chad Amenson, one of NEW Water's Engineering Technicians, has been out on the project site a significant portion of each work day checking both contractors and inspectors as the project moves forward.

#### **d) Meter Stations 6, 8, and 9 Rehabilitation**

B. Brown reported work is continuing on the Meter Stations Rehabilitation Project. The project includes various tasks scattered across three different structures. The flume channel coating, channel cover installation, and bypass pumping was completed for Meter Stations 8 and 9. Staff is currently discussing options for Meter Station 6 with a pretty high probability the bypass pumping and flume channel coating will not be done. Most of the demo work of the HVAC equipment has been completed. Electrical installation is ongoing. He stated the project is on schedule and within budget.

#### **e) De Pere Facility Electrical Distribution and Emergency Generator**

N. Qualls reported the De Pere Facility Electrical Distribution and Emergency Generator Project has been approved, contracts have been executed, agreements signed, and insurance certificates submitted. Shop drawings are in process of being submitted. The contractor will mobilize to the site in February. He stated weather permitting work will start in late March/early April. The contractor is finalizing a detailed construction schedule.

#### **f) Bayview Interceptor Replacement**

N. Qualls reported this contract is to replace the failed pipe section under Highway 41 near Velp Avenue. The contractor has completed excavation of the launching and receiving pit for the boring machine that will be used to bore the pipe underneath Highway 41. The contractor is in the final checkout stage before proceeding with the boring as early as tomorrow, which could get pushed back due to the weather. He stated things are proceeding as designed and planned.

### **12) November and December 2018 Operations report**

P. Wescott stated that he revised the Operations report to include resource recovery. The multiple hearth furnaces have been decommissioned so there will no longer be bypass damper openings. He plans to report out monthly on effluent quality at both facilities, air quality, and provide some information on stack test reports and resource recovery items. Staff would like to get Commission feedback on the draft report that was provided in the Commission packet.

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P. Wescott reported effluent quality for both facilities were in full compliance with effluent limits for the months of November and December. In December 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. Stack testing on both of the biogas electrical generation units was completed on December 20 and 21, 2018. NEW Water's permit requires stack testing every 8,760 hours or three years, whichever happens first. NEW Water has not received the stack test results, but do not expect any issues. He reviewed the gas and electrical purchases, along with recovered gas volume and onsite electrical generation at both facilities. Almost 90% of the biogas generated onsite was reused onsite. The nutrient harvesting system and high strength waste program will be operational later this year. He suggested that at an upcoming Commission meeting a little more time can be spent on what information the Commission would like to receive on air quality and resource recovery updates.

Commissioner Hasselblad asked if NEW Water has goals set in resource recovery. P. Wescott replied that staff established high strength waste calculation goals during the project. In 2011 staff estimated to recover 50% of natural gas and electricity. A pie graph on energy purchased and recovered was included in the memo.

Discussion ensued on whether to include the De Pere Facility in resource recovery. T. Sigmund stated that staff appreciates the Commission's feedback and staff will continue to tweak the report until all the information the Commission is looking for is incorporated into the report.

#### 13) Executive Director's report:

##### a) February Commission meeting

The February Commission meeting will be held Wednesday, February 27, 2019, beginning at 8:30 a.m.

##### b) Erin Houghton promoted to Watershed Programs Manager

Erin Houghton was promoted from Watershed Specialist to Watershed Programs Manager. She will begin her role on Monday, January 28, 2019. NEW Water is in the process of recruiting for the Watershed Specialist position.

##### c) Ostara Nutrient Recovery Technologies, Inc. purchases Multiform Harvest

Ostara Nutrient Recovery Technologies announced on January 2, 2019 the closing of the purchase of all assets of Multiform Harvest on December 21, 2018. NEW Water is in the process of working with Ostara to develop an offtake agreement.

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**d) WPDES permit compliance submittals to Wisconsin Department of Natural Resources**

The WPDES permit renewal application was required by the end of December for NEW Water's permit that expires at the end of June 2019. Staff submitted the application and supporting information to the WDNR on December 21, 2018. There are no concerns at this point. NEW Water is also required to submit a final compliance alternatives plan. NEW Water submitted an Adaptive Management Plan, which was part of the application. NEW Water received confirmation that the WDNR received the information. NEW Water expects to receive comments from the WDNR by the middle of February.

Commissioner Hasselblad asked Tom Sigmund to bring the Commission up to speed on the major items discussed at the NACWA conference.

Commissioner Hasselblad stated the key attributes of NEW Water's culture should be driving the design of the strategic plan.

There being no further business to come before the Commission, the meeting adjourned at 10:08 a.m.

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Secretary