

GREEN BAY METROPOLITAN SEWERAGE DISTRICT
PROCEEDINGS OF THE COMMISSION

Regular meeting of the Commission held via Zoom videoconference on December 2, 2020.

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

ALSO PRESENT: T. Sigmund, P. Wescott, N. Qualls, B. Vander Loop, J. Smudde, T. Brown, B. Bartel, J. Fugiasco, C. Beekman, B. Weller-Titus, L. Sarau, P. Mentink, B. Angoli, B. Oldenburg, T. Garrison, E. Houghton, P. Smits, J. Van Sistine, J. Smies–Legal Counsel; B. Lange, C. Sampson, and S. Gehin–Village of Allouez

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

1) Safety moment.

T. Sigmund provided safety tips on safe winter driving. Remember the three P's of safe winter driving: prepare for the trip, protect yourself, and prevent crashes on the road.

2) Budget hearing.

T. Sigmund reviewed the revisions to the 2021 budget from what was published in the newspaper. In mid-November the Village of Allouez requested a revision to the flows and loads, and NEW Water, the brand of the Green Bay Metropolitan Sewerage District, made the revision to the budget. He presented the differences between the two budgets, which were quite small:

- 2021 Proposed Expenses
- 2021 Operations & Maintenance Expenses
- 2021 Budget Changes Since October Workshop
- 2021 Revenue
- Municipal Rate Comparison
- 2021 Budget Summary
- Next Steps

T. Sigmund stated that if the Commission approves the revised budget, NEW Water will publish the adopted budget on its website and send out an email to its customers stating the budget was revised slightly. Staff received one request from the Village of Allouez to present NEW Water's budget to its Board, which was done on October 6, 2020. NEW Water did not receive any written comments or questions on the 2021 budget. There are three individuals from the Village of Allouez present that would like to address the Commission.

Commissioner Hasselblad asked if the Commission had any questions.

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Commissioner Tumpach stated that it is important to publish the revised budget summary in the newspaper. T. Sigmund replied that NEW Water will publish it in the newspaper.

Commissioner Hasselblad asked if all municipal officials will be advised of the revised budget should the Commission approve it. T. Sigmund replied most municipalities have already approved their budgets on the projections from September/October. The changes are minimal and NEW Water will provide the adopted 2021 budget to the municipalities.

Commissioner Mainz stated that the Department of Natural Resources (DNR) adjusts its costs relative to the WPDES permit for BOD, suspended solids, phosphorus, and total nitrogen. Is there a significant increase this year? J. Smudde replied NEW Water has not seen a significant change, and staff does not see those numbers until mid-winter. Commissioner Mainz asked about percentages year over year. T. Sigmund replied that it is probably less than 2% – 3%.

Commissioner Hasselblad asked if the Commission had any other questions. Hearing none, she opened up the budget hearing for public comments.

C. Sampson, Village of Allouez Trustee, expressed his appreciation for the adjustment made in calculating the Village of Allouez's assessment.

S. Gehin, Director of Public Works for the Village of Allouez, stated every year mid-summer Allouez receives the projected flows and loads from NEW Water. NEW Water's costs increase due to inflow & infiltration. The Village of Allouez for the most part is built out and the projections by NEW Water appear to be low based on the trend for rainfall. Allouez used higher projection units and hoped the other communities would do the same so theoretically, everyone would see a lower rate. After looking at the budget, Allouez realized by doing so it would incur additional fixed charges. He then asked Tom Sigmund a couple weeks ago to adjust Allouez's flows to what NEW Water had suggested this past summer. He is thankful that NEW Water was willing to make the change and with the adjustment, Allouez will see about a \$30,000 savings in fixed charges.

C. Sampson, Village of Allouez Trustee, stated that when he first ran for the Board, he went door to door asking what the primary interest was for residents and overwhelming, the response was their sewer and water bills are too high in Allouez. Allouez is concerned about infiltration issues because older neighborhoods have to deal with replacing aging pipe and higher charges due to the volume of liquid going into the system, which he knows is only a percentage of NEW Water's formula. He thought the Public Service Commission had a say in wastewater treatment, but apparently that is not part of their mission. He realizes there is not community by community representation on NEW Water's Board and there is probably a great advantage on having a Board focused strictly on the science and the technical end of it, but he is strongly interested in having taxpayer input. He hopes to be involved more in the future.

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B. Lange, Village of Allouez Administrator, thanked the Commission for allowing Allouez to provide input today. He also thanked Tom Sigmund for all of the years that he has been attending a Village Board meeting because the Board appreciates the updates.

Commissioner Mainz stated as a Commissioner and having a utility background, he can assure the folks from Allouez that the issue of rates, doing things within a budget, and developing a budget are very high on his mind, as well as making sure that NEW Water does things in the lowest cost possible that meets the requirements of the environmental standards by the Environmental Protection Agency and State of Wisconsin. He stated that anyone is always welcome to attend the NEW Water Commission meetings.

Commissioner Tumpach stated NEW Water's Commissioners are nominated by the Brown County Executive and approved by the Brown County Board of Supervisors, so he believes there is a taxpayer accountability in place and the County Board does see the minutes of the NEW Water meetings and reviews them.

Commissioner Hasselblad stated as a single purpose utility with taxing authority under the Wisconsin Statutes, every Commissioner on this Commission is very much aware of the power that it gives them and the responsibility. Those two things always have to be tied and the Commission takes them to heart at every meeting. After every major project there is a wrap up of what might have been done better and what were the lessons learned. Staff and the engineer discuss the rationale, background, and detail on what it is going to cost, why the firm was chosen, etc., before the project is brought to the Commission. This is truly an outstanding organization. She thanked the Village of Allouez staff for being here today and sharing their comments, and the Commission will continue to work closely with them.

C. Sampson stated that he appreciates the Commissioners' comments and if NEW Water had a clean slate to design the perfect system, NEW Water may very well come out with what is in place today. He thinks it is important and is disappointing that NEW Water does not hear from more municipalities or citizens. This is also an indication that NEW Water is doing a good job and people are pleased with its service. He feels it is important that Tom Sigmund comes to an Allouez Board meeting to touch base, and that Allouez took the opportunity today to provide comments.

3) Budget adoption.

T. Sigmund requested Commission approval of the revised budget that was presented today, and not the budget that was duly published in the newspaper.

J. Smies from Godfrey & Kahn recommended the Commission motion approval of an alteration to the budget as noticed, and that is reflected in the revised budget that was provided with the agenda.

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Commissioner Mainz asked if the other communities are aware of the alteration to the budget. T. Sigmund replied no, the impact is relatively minor.

Commissioner Mainz asked if this is kosher that other NEW Water customers were not informed of the change prior to approving the revised budget. J. Smies replied the State Statute requires that there is a hearing on the budget and NEW Water customers received notice of the hearing and the proposed budget, and the statute does contemplate that the Commission has the authority to make an alteration pursuant to the hearing when it is properly noticed. There is a notice of the hearing and the Commission has the authority by motion to alter the budget as proposed and approve that altered budget.

T. Sigmund will send an email to NEW Water customers letting them know a revised budget has been approved. The budget will be posted on NEW Water's website, and a notice will be published in the Green Bay Press Gazette.

Motion #20-093

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to approve an alteration to the budget as noticed and approved the revised 2021 budget.

- 4) **Introduce new Wastewater Treatment Plant Operator-in-Training:**
- a) **Jake Fugiasco**
 - b) **Codey Beekman**

B. Bartel introduced Jake Fugiasco, who began his employment at NEW Water on October 12, 2020, and Codey Beekman, who started on October 5, 2020. Staff has been conducting training a little differently than in the past due to COVID-19, and both employees are doing well.

J. Fugiasco stated that he is originally from the Milwaukee suburbs. He graduated from the University of Wisconsin-Stevens Point last spring with a major in Waste Management. He had an internship at the Milwaukee County Zoo for solid waste, and an internship at Waukesha Clean Water Plant, where he started to really enjoy working with wastewater. He is very happy to be working at NEW Water and is enjoying his time here.

C. Beekman stated that he has lived in Green Bay all of his life. He attended the University of Wisconsin-Green Bay and graduated with a Bachelor's Degree in Environmental Science. He had an internship at Brown County Household Hazardous Waste and also worked on the landfill. For the last three years he worked at Sanimax as a Wastewater Operator. He also enjoys working with wastewater. He has worked at NEW Water for almost two months and is happy to be here.

The Commission welcomed them.

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The Commission moved agenda item number 10 up on the agenda due to staff's availability for reporting.

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

T. Brown stated that staff is looking for approval of temporary modifications to paid leave practices for COVID-19 related absences. Staff continues to keep an eye on what works best with staff and keeping them safe during this pandemic. NEW Water has been following temporary pay practices since March, including a couple revisions and extensions. What NEW Water has in place are based on the requirements with the Families First Coronavirus Response Act (FFCRA), which is expiring December 31, 2020. At this point there is no indication that the FFCRA will be extended.

T. Brown stated the recommendation today uses components of the FFCRA, and will now be referred to as NEW Water COVID paid leave. Full time employees will be eligible for 80 hours of paid leave, and after the 80 hours are used, employees will be required to supplement one-third of their pay from their accrued paid leave banks for COVID-19 related absences. Employees' banks will be restored in 2021 to 80 hours for those employees that have utilized some or all of their COVID-19 related paid leave in 2020. Staff is also recommending the continuation of base wages for employees that are directed to stay home. Staff will do their best to continue to provide remote work. She requested Commission approval of new temporary pay practices that will go in effect January 1 through March 31, 2021.

Motion #20-094

It was moved by Blumreich, seconded by Meinz, and unanimously agreed to approve temporary pay practices during the time period of January 1 through March 31, 2021 that would provide up to 80 hours of paid leave at 100% of base wages for COVID-19 qualifying reasons and once exhausted, to provide additional paid leave at two-thirds of usual rate of pay with the remaining one-third of pay to be supplemented by employee use of accrued paid leave banks. In addition, approval is requested to continue wages for the same time period for employees excluded from on-site work as directed by NEW Water.

- 5) 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**

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Motion #20-095

It was moved by Blumreich, seconded by Mainz, 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.

6) **Reconvene in open session.**

Motion #20-096

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

7) **Request Commission approval of the insurance settlement for the damage to the granulated activated carbon system.**

Motion #20-097

It was moved by Hoffmann, seconded by Blumreich, and unanimously agreed to approve the insurance settlement for the damage to the granulated activated carbon system.

8) **Approval of minutes of Commission meetings held October 28 and November 18, 2020.**

Motion #20-098

It was moved by Tumpach, seconded by Blumreich, and unanimously agreed to approve the October 28 and November 18, 2020 minutes as distributed.

9) **October financials.**

B. Weller-Titus reported October's operating revenues were favorable to budget by \$252,000 or 7% from additional BOD and TSS loadings. Year to date total operating revenues were favorable to budget by \$2,100,000 or 6% from additional flow volume and BOD loadings. October's operating expenses were unfavorable to budget by (\$416,000) or (24%) due to additional expenditures in solid waste disposal, chemicals, contracted services, and plant and maintenance. October's operating expenses with favorable results had less expenditures in interceptor maintenance and travel/meetings. Year to date total operating expenses were unfavorable to budget by (\$163,000) or (0.87%) from more expenditures in plant maintenance and solid waste disposal. Year to date operating expenses with favorable results had less expenditures in contracted services, interceptor maintenance, employee benefits, and employee development.

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B. Weller-Titus reported the net income for the month of October was \$146,000, and year to date was \$4,100,000. Staff anticipates a net loss at the end of the year due to a substantial amount of disposals this year. Projects for the Green Bay and De Pere facilities solid disposals will be disposed of and true-up in December. Staff will prepare a tutorial on how this is done. Depreciation and disposal of assets will show as a loss on the income statement.

T. Sigmund stated solid waste disposal and chemicals are probably a timing issue. B. Weller-Titus agreed.

11) Request Commission approval to enter into the Agreement for Purchase of Capacity in Bayview Interceptor Sewer – Howard and to authorize the Executive Director to sign the agreement.

L. Sarau reported the Village of Howard has been reviewing development plans with connections into the Bayview Interceptor. The flow amounts and proposed connection points have varied from the original planning that was completed back in 1992. Certain development areas are entering the interceptor further upstream than was originally planned. Because of this, the Village of Howard has requested additional capacity in certain segments of the Bayview Interceptor. Staff has reviewed the request and the Bayview Interceptor has the capacity available to provide the Village of Howard with the additional allocation requested.

L. Sarau stated the Agreement for Purchase of Capacity in Bayview Interceptor Sewer – Howard defines the terms and conditions of the sale of the additional allocated capacity to the Village of Howard. The agreement was drafted by NEW Water legal counsel and reviewed and approved by the Howard Village Board. Staff requests Commission approval to enter into the Agreement for Purchase of Capacity in Bayview Interceptor Sewer – Howard and to authorize the Executive Director to sign the agreement.

Motion #20-099

It was moved by Blumreich, seconded by Hoffmann, and unanimously agreed to enter into the Agreement for Purchase of Capacity in Bayview Interceptor Sewer – Howard and to authorize the Executive Director to sign the agreement.

12) Request Commission approval to increase the contingency of the Evaluation of the East River Interceptor and the Ninth Street Interceptor Project by \$18,650 to be administered under the authority of the Executive Director.

L. Sarau stated that NEW Water has been working with Donohue & Associates for facility planning services associated with the East River Interceptor and the Ninth Street Interceptor since it was approved by the Commission in October 2018.

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L. Sarau stated during the evaluation of the East River Interceptor, hydraulic modeling has suggested capacity issues in the interceptor that have resulted in recommendations for significant infrastructure improvements. In March 2020, staff requested an increase to the contingency to allow for an additional study of the Quincy Street Interceptor and the Green Bay Facility. Staff reviewed the study results and questioned the projected flows. NEW Water staff requested that Donohue & Associates review the connection points for the customer collection system to determine if the flow from the model exceeded the capacity of the customer pipe at that location. Donohue & Associates was able to highlight six customer connections where the model indicated more flow than the pipe was capable of delivering.

Staff is recommending additional work with the hydraulic model to better understand how these limitations impact the flows to the NEW Water Interceptor and to help staff right-size any recommended infrastructure improvements. L. Sarau reviewed the remaining contingency budget and the costs for additional model efforts and meetings. Staff requested Commission approval to increase the contingency of the evaluation of the East River Interceptor and Ninth Street Interceptor Project by \$18,650 to be administered under the authority of the Executive Director.

Motion #20-100

It was moved by Blumreich, seconded by Hoffmann, and unanimously agreed to increase the contingency of the Evaluation of the East River Interceptor and the Ninth Street Interceptor Project by \$18,650 to be administered under the authority of the Executive Director.

13) Request Commission approval to select the disk filter equipment manufacturer Aqua-Aerobics Systems, Inc. as the basis of design for the upgrades to the tertiary filtration facilities at the De Pere Facility.

P. Mentink stated there are several manufacturers of the disk filter equipment that will meet the performance requirements, but are different in the configuration and layout. The design team, NEW Water staff, and Donohue & Associates developed a request for proposal and sent it to two equipment manufacturers, and two proposals were received. A set of scoring metrics were also developed to evaluate each proposal received. The team reviewed monetary costs and non-monetary factors. Although the disk filter equipment as proposed by Kruger has slightly lower costs, the equipment as manufactured by Aqua-Aerobics has several important non-monetary advantages that result in the higher overall composite ranking. He reviewed Aqua-Aerobics non-monetary advantages.

P. Mentink stated by preselecting this equipment, it will allow staff to complete the design in detail so the contractor has an accurate set of documents in which to prepare its bid for construction, and also guarantees the price of the equipment, which will be sold to the contractor. Based on the evaluation and overall composite ranking, the team feels Aqua-Aerobics would be in the best interest of NEW Water to select as the basis of design, and would like to proceed with that approval.

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Motion #20-101

It was moved by Hoffmann, seconded by Tumpach, and unanimously agreed to select the disk filter equipment manufacturer Aqua-Aerobics Systems, Inc. as the basis of design for the upgrades to the tertiary filtration facilities at the De Pere Facility.

- 14) **Request Commission approval to close out the Resource Recovery and Electrical Energy Contract 34 Digestion and Solids Facility construction contract and issue final payment of \$243,137.91 to C.D. Smith Construction Co., Inc.**

B. Angoli reported the Commission approved closeout and issued final payment on Contract 34 on February 26, 2020. In closing out the project, staff encountered some problems with the reversing screw conveyor plugging and bearing seal failure. NEW Water staff and the contractor resolved the seal failure issue, but the modifications to the screw conveyor resulted in a misalignment of the conveyor. In order to close out the project, the contractor and staff agreed to a (\$27,000) credit to purchase a new reversing screw conveyor for this project. Change Order 55 also includes a contract extension date to November 30, 2020. He requested Commission approval to close out the Resource Recovery and Electrical Energy Project and issue final payment to C.D. Smith in the amount of \$243,137.91.

Motion #20-102

It was moved by Blumreich, seconded by Hoffmann, and unanimously agreed to close out the Resource Recovery and Electrical Energy Contract 34 Digestion and Solids Facility construction contract and issue final payment of \$243,137.91 to C.D. Smith Construction Co., Inc.

- 15) **Sewer plan approvals:**
- a) **Town of Ledgeview/Ledgeview Sanitary District No. 2 Contract "E-2020"; GBMSD Request #2020-25**
 - b) **Village of Luxemburg Contract #6197-20-01; GBMSD Request #2020-26**
 - c) **Town of Ledgeview/Ledgeview Sanitary District No. 2 Contract "G-2020"; GBMSD Request #2020-27**
 - d) **City of Green Bay – Project #2020-0320.00; GBMSD Request #2020-28**

B. Angoli stated there are four sewer plan requests, two from the Town of Ledgeview/Ledgeview Sanitary District No. 2 and one from the Village of Luxemburg, for expansions of existing subdivisions, and the City of Green Bay is requesting to relocate an existing surge tank in the Lambeau Field parking lot. There are no issues with any of the sewer plan requests.

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Motion #20-103

It was moved by Mainz, seconded by Blumreich, and unanimously agreed to approve the Town of Ledgeview/Ledgeview Sanitary District No. 2, Village of Luxemburg, and City of Green Bay sewer plans subject to favorable approval recommendations from Brown County Planning and final approval by the WDNR.

16) Update of projects:

a) Contract 35 Solids Building 300 Demolition

B. Angoli stated the gravity thickener pumps have been delayed one to two weeks, and are currently in customs in Brazil. The pumps are scheduled to arrive December 14 or 21, 2020. Everything else is complete on the project and ready for close out.

b) Effluent Reuse Pump Station and Force Main

17) October 2020 Operations report.

P. Wescott reported both facilities were in compliance with all effluent limits for the month of October. The De Pere Facility tied a performance record for ammonia for average pounds discharged per day. The Green Bay Facility was in compliance with air quality limits.

P. Wescott reported the solids processing facility generated nearly 1,800 megawatt hours of electricity through digestion utilizing 97% of biogas. NEW Water received almost 2,000,000 gallons of high strength waste for October.

Commissioner Blumreich asked where NEW Water is getting the high strength waste. P. Wescott replied Milk Specialties is providing the bulk of it.

18) Executive Director's report:

a) January Commission meetings

The January Commission meeting will be held on Wednesday, January 27, 2021, beginning at 8:30 a.m. via Zoom videoconference. A special Commission meeting will be held tomorrow beginning at 9:00 a.m.

b) Draft 2021 Commission meeting schedule

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A schedule for the 2021 Commission meetings was included in the Commission packet. Please let staff know if you have any significant problems with the schedule. Once staff are able to get together in person, NEW Water will likely offer a virtual option for attending the meetings.

c) Disclosure of Related Party Transactions

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

d) COVID-19 paid leave statistics

An update on the utilization of the COVID-19 related leave was provided in the Commission packet.

e) COVID-19 update

f) ARMA Milwaukee Chapter received the Chapter Luminary Award

Rita Krause, Administrative Specialist, was elected to the ARMA Board of Directors for the Milwaukee Chapter for the July 2019 – June 2020 year term, and began serving her second term in July 2020. The ARMA Milwaukee Chapter received the Chapter Luminary Award by ARMA International for the 2019-2020 term year. Congratulations to Rita and the ARMA Milwaukee Chapter.

g) NEW Water congratulates Dr. John Katers from the University of Wisconsin-Green Bay

Dr. John Katers from the University of Wisconsin-Green Bay received the Bill Boyle Educator of the Year Award. Mr. Boyle was a Professor of Environmental Engineering at the University of Wisconsin-Madison, and it is a great honor to receive this award. Congratulations Dr. Katers.

h) NEW Water's community outreach efforts

NEW Water's community outreach efforts have been done through virtual programming.

i) Officer nominations

An item on the January 27 Commission agenda will be election of NEW Water Commission officers for 2021. 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.

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Commissioner Hasselblad stated that we are going into a season of joy, yet for those that have lost someone, it is deep sadness. We will enter the new year with a lot of hope for a healthy 2021. Be kind, be good, be healthy, be safe, and see you in the new year.

There being no further business to come before the Commission, the meeting adjourned at 10:47 a.m.

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Secretary