

GREEN BAY METROPOLITAN SEWERAGE DISTRICT
PROCEEDINGS OF THE COMMISSION

Regular meeting of the Commission held via Zoom videoconference on February 24, 2021.

PRESENT: Commissioners Hasselblad, Mainz, Tumpach, and Hoffmann

EXCUSED: Commissioner Blumreich

ALSO PRESENT: T. Sigmund, P. Wescott, N. Qualls, B. Vander Loop, J. Smudde, T. Brown, B. Bartel, B. Weller-Titus, B. Angoli, B. Oldenburg, T. Garrison, E. Houghton, P. Smits, J. Van Sistine, R. Krause, S. Thieszen, J. Czypinski, J. Smies–Legal Counsel; M. Steppe–Nicolet Bank

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

1) Safety moment.

T. Sigmund provided safety tips on workplace eye wellness.

2) Nicolet National Bank economic and financial market update.

B. Vander Loop introduced Mike Steppe from Nicolet Bank.

M. Steppe provided an economic and financial market update, and reviewed NEW Water's, the brand of the Green Bay Metropolitan Sewerage District, investment portfolio structure. He stated that treasury rates have been artificially low and that a curve has been steepening between economic growth and inflation pressures. He has spent a lot of time laddering NEW Water's portfolio, and he anticipates its performance to do well even within the current market environment.

Commissioner Hasselblad asked if there would be any trigger points anticipated to move away from a ladder portfolio. M. Steppe replied that he does not envision that.

The Commission thanked him for the update.

3) 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**
- d) **Potential litigation resulting from erroneous readings of biochemical oxygen demand (BOD) analyzer**

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Motion #21-010

It was moved by Meinz, seconded by Hoffmann, 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.

4) Reconvene in open session.

Motion #21-011

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

5) Request Commission approval of the proposed settlement of claims resulting from erroneous readings of biochemical oxygen demand (BOD).

J. Smies from Godfrey & Kahn requested Commission approval of the proposed settlement regarding the readings of BOD between NEW Water and MANTECH.

Commissioner Meinz asked if this settlement covers the current issue only. J. Smies replied yes.

Motion #21-012

It was moved by Meinz, seconded by Hoffmann, and unanimously agreed to approve the proposed settlement agreement of claims resulting from erroneous readings of BOD and authorize the Executive Director to sign the settlement agreement with MANTECH.

6) Approval of minutes of Commission meeting held January 27, 2021.

Motion #21-013

It was moved by Meinz, seconded by Tumpach, and unanimously agreed to approve the January 27, 2021 minutes as distributed.

7) Preliminary December financials.

B. Weller-Titus reported the December financials are preliminary until the audit is completed in March. Year to date December operating revenues were favorable to budget by \$552,000 or 17% due to additional BOD loadings. Year to date total operating revenues were favorable to budget by \$3M or 7% from additional flow volume due to more precipitation received and additional BOD loadings.

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B. Weller-Titus reported December's operating expenses were unfavorable to budget by (\$557,000) or (29%) from more expenditures than budgeted in salary/benefits, interceptor maintenance, and plant maintenance. December's operating expenses with favorable results had less expenditures in power, solid waste disposal, and contracted services. Year to date total operating expenses were unfavorable to budget by (\$816,000) or (4%) from more expenditures than budgeted in plant maintenance, chemicals, power, salary/benefits, and solid waste disposal. Year to date operating expenses with favorable results had less expenditures in contracted services, employee development, and travel/meetings. Net income for the month of December was \$370,000, and year to date was \$4.7M.

Commissioner Mainz asked if NEW Water was reimbursed for COVID-19 related paid leave. B. Weller-Titus replied yes through grants, and will provide the amount of reimbursed funds to the Commission.

Commissioner Hasselblad stated that she was surprised by the preliminary low employee development expense totals. T. Sigmund replied that staff were encouraged to attend online or virtual development opportunities, and that NEW Water has an internal travel ban through the end of June 2021.

8) Request Commission approval of Contract 35 Solids Building 300 Demolition Work Change Directive No. 12 amount from \$200,000 to \$275,000.

B. Angoli stated that at the June 24, 2020 meeting, the Commission approved the purchase of two new thickened sludge pumps for \$101,570 plus a 3% contingency. Pump layout, piping and electrical modifications drawings were completed by the engineer and was used under Contract 35 proposed Work Change Directive (WCD) No. 12 by the contractor for equipment installation. At the August 26, 2020 Commission meeting, the Commission approved WCD No. 12 at an estimated cost of \$200,000. WCD No. 12 work is being performed on a time and materials basis. The engineer has been keeping track of the time for this work and has been requesting material costs from the contractor. He stated that material costs recently received from the contractor were higher than previous material costs from other projects used for this estimate. The increased costs are due to the following:

- Instrumentation and control subcontractor costs for providing drives, instruments, and startup services have increased.
- Mechanical subcontractor material costs for pipe and ancillary material costs were higher than the original cost estimate basis, which was based on previous project invoices.
- The original project approach included supporting the piping from the existing pipe support structure. After further review, it was determined to be very difficult to verify support system connections and loading; therefore, pipe support was changed to wall hangers. This pipe support system change will add approximately \$20,000 to the project.

B. Angoli stated that staff estimates an additional \$75,000 will be required to complete the WCD No. 12 work.

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Commissioner Mainz asked which engineering firm was responsible for the design of the project. B. Angoli replied Jacob Engineering.

Commissioner Mainz asked why the increase of additional funds was almost as high as a third of the total project cost. B. Angoli replied that due to the size of the project and the lower quantities of piping materials a discount for volume of materials was not given, which drove up the cost of the materials and was not planned for in the project cost estimate.

Motion #21-014

It was moved by Mainz, seconded by Hoffmann, and unanimously agreed to approve Contract 35 Solids Building 300 Demolition WCD No. 12 amount from \$200,000 to \$275,000.

9) Sewer plan approvals:

a) Town of Lawrence Project #L0017-9-20-00292; GBMSD Request #2021-03

B. Angoli reported the Town of Lawrence is requesting Commission approval of some sanitary sewers. Flow would be tributary to the Ninth Street Interceptor.

b) Town of Lawrence Project #L0017-9-20-00292; GBMSD Request #2021-04

B. Angoli reported the Town of Lawrence is requesting Commission approval of its sanitary sewer plan. Flow would be tributary to the Ninth Street Interceptor. The Town of Lawrence is currently finalizing technical details of the sewer plan and the updated plans will be submitted for NEW Water staff's technical review.

c) 2021 City of De Pere Sanitary Sewer Projects; GBMSD Request #2021-07

B. Angoli reported the City of De Pere is seeking administrative approval of its anticipated 2021 projects. Detailed plans will be submitted later in the year for NEW Water staff's technical review. Any sewer extensions not shown or covered within this approval will require individual Commission approval.

d) Town of Lawrence Project #L0017-9-21-00127; GBMSD Request #2021-08

B. Angoli reported the Town of Lawrence is requesting Commission approval of some sanitary sewers. Flow would be tributary to Ashwaubenon Creek Interceptor.

Staff recommends Commission approval of the Town of Lawrence plans for the proposed sewers to serve land located within NEW Water subject to favorable approval recommendations from Brown County Planning and final approval by the Wisconsin Department of Natural Resources (WDNR).

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B. Angoli stated approval of the City of De Pere 2021 projects and Town of Lawrence Request #2021-04 would also be subject to staff's technical review.

Motion #21-015

It was moved by Hoffmann, seconded by Mainz, and unanimously agreed to approve the Town of Lawrence #L0017-9-20-00292 and #L0017-9-21-00127, GBMSD Requests #2021-03 and #2021-08, sewer plans subject to favorable approval recommendations from Brown County Planning and final approval by the WDNR.

Motion #21-016

It was moved by Mainz, seconded by Hoffmann, and unanimously agreed to approve the Town of Lawrence #L0017-9-20-00292, GBMSD Request #2021-04, and City of De Pere sewer plans subject to technical review by NEW Water staff and favorable approval recommendations from Brown County Planning and final approval by the WDNR.

10) Wisconsin Pollution Discharge Elimination System permit renewal update.

P. Wescott stated NEW Water is operating under the requirements of a Wisconsin Pollution Discharge Elimination System (WPDES) permit, which expired on June 30, 2019. On February 1, 2021 NEW Water staff received a preliminary draft WPDES permit from the WDNR. The draft permit was sent as a quality control check, allowing NEW Water staff an opportunity to review the permit information and submit corrections to any factual errors. An internal group reviewed the draft permit and provided comments back to the WDNR by its deadline of February 17, 2021. He reviewed the new limits and requirements in the draft permit.

J. Smudde stated that the overall proposed reduction requirements are in line; however, there are some questions on the firmness of the language used in the permit. He added that Adaptive Management language is present in this draft permit as well, dictating both total phosphorus and total suspended solids reduction requirements from Ashwaubenon Creek and Dutchman Creek during the first permit term and each subsequent permit term. A series of new reporting requirements for monthly and annual information reporting is also included. As a result of selecting Adaptive Management, NEW Water received interim effluent total phosphorus and total suspended solids limits at both facilities during this permit term and for the next three consecutive permit terms.

Commissioner Hasselblad asked if NEW Water had thermal data. P. Wescott replied yes, NEW Water tracks effluent thermal data and intends to begin a dissipative cooling study in six to nine months to provide additional information to the WDNR regarding the need for thermal limits.

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Commissioner Mainz stated that there was a study by the power plant done years ago that may be of good reference. P. Wescott stated that he will look into using the study as a reference.

11) **NEW Watershed Program Adaptive Management update.**

E. Houghton gave a PowerPoint presentation on the NEW Watershed Program, as follows:

- Today's Topics
- Environmental Trends Overtime
- Fox-Wolf Drainage Basin
- Lower Fox River Challenges – Future
- Best Management Practices
- Green Bay Precipitation
- Next Steps in Silver Creek
- NEW Watershed Program
- Full Scale Watershed Program
- Adaptive Management Timeline
- 2018-2019 ACDC Phosphorus
- 2018-2019 ACDC Suspended Solids
- 2020 Initial Implementation
- 2020 Grazing Project
- Next Steps in NEW Watershed Program
- Unique Opportunity
- Thank You

Commissioner Hasselblad thanked her for the presentation and asked if this presentation was being given externally. E. Houghton replied yes, this presentation was recently given to classes at the University of Wisconsin-Green Bay and NWTC.

12) **Update of projects:**

a) **Contract 35 Solids Building 300 Demolition**

B. Angoli stated the Contract 35 Solids Building 300 Demolition Project contractor continues to work on gravity thickener 3 and 4 pump and piping installation. An outstanding issue for the project is the engineer has received material costs for the gravity thickener work and the material prices are higher than previous costs from suppliers and a change within the work change directive on support of 14-inch ductile iron pipe has increased the overall project estimate for the work. This has resulted in staff requesting additional funds for material cost increases.

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b) Effluent Reuse Pump Station and Force Main

B. Angoli reported that NEW Water staff, the project engineer, and contractor have been working through system commissioning and coordinating with Green Bay Packaging (GBP) for the startup of its water treatment system. He explained that during the startup of the effluent pumping system, there was an issue with an existing pipe that had to be back flushed. The pipe is now back up and running and pumping back to GBP.

13) January 2021 Operations report.

P. Wescott reported the Green Bay and De Pere Facilities were in full compliance with all effluent limits for the month of January. He stated that January was a strong month for onsite electrical generation. For the month of January, the solids processing facility generated 2,846 MWH of electricity. Bio-gas from the digestion process was utilized for the on-site electrical generation. Total bio-gas volume recovered was 243,970 CCF, which is 88.3% of the total volume produced. The remaining volume was sent through the waste gas flare. NEW Water received 2,291,391 gallons of high strength waste in January.

14) Executive Director's report:

a) March Commission meeting

The March Commission meeting will be held on Wednesday, March 24, 2021, beginning at 8:30 a.m. via Zoom videoconference.

b) Executive Director approved agreements

A document summarizing the agreements the Executive Director approved since August 2020 was provided.

c) Scott Dequaine accepted the Lab Analyst II position

Scott Dequaine has accepted the Lab Analyst II position in the Laboratory and Research Department and began his new role effective January 31, 2021. He has been working at NEW Water as a Lab Analyst I since being hired in July 2010.

d) Colin Clark accepted the Lab Analyst I position

Colin Clark has accepted the Lab Analyst I position in the Laboratory and Research Department and began his new role on February 15, 2021. He began working at NEW Water in May 2015 as a Pretreatment Intern in the Field Services Department and transitioned to the Treatment Department as a limited term employee Wastewater Treatment Plant (WWTP) Operator in May 2016.

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In May 2017, he rejoined the Field Services Team as a Field Services Technician.

e) Billie Komorowski accepted the Wastewater Treatment Plant Operator position

Billie Komorowski was promoted to WWTP Operator effective February 7, 2021 after successfully completing the WWTP Operator-in-Training requirements. She began her employment with NEW Water in May 2017 as the Pretreatment Intern. In March 2019, she joined the Treatment Department as a Treatment Intern, and in December 2019 transitioned into a WWTP Operator-in-Training position.

f) COVID-19 paid leave statistics

NEW Water staff will be seeking Commission approval in March for a continuation deadline in eligible COVID-19 paid leave benefits.

g) COVID-19 update

Beginning March 1, 2021, NEW Water staff are anticipated to be eligible for the COVID-19 vaccination under Phase 1B, according to the Brown County Public Health Department.

h) NEW Water receives the NACWA 2021 National Environmental Achievement Award

NEW Water has received the NACWA 2021 National Environmental Achievement Award for a video on Adaptive Management.

i) PFAS update

NEW Water staff worked with the WDNR to avoid hard limit and low limit approaches to the pollution minimization plan. A survey was conducted with industrial dischargers regarding PFAS compounds in their productions and if product substitution is possible.

There being no further business to come before the Commission, the meeting adjourned at 10:19 a.m.

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Secretary