

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

PROCEEDINGS OF THE COMMISSION

Regular meeting of the Commission held via Zoom videoconference on March 27, 2024.

PRESENT: Commissioners Mainz, Danen and Tumpach.

ABSENT: Commissioners Hasselblad and Blumreich.

ALSO PRESENT: T. Sigmund, P. Wescott, J. Smudde, E. Tietzen, B. Oldenburg, K. Verbeten, P. Smits, G. Ashauer, B. Angoli, B. Oldenburg, C. Mueller, S. Georgel, T. Garrison, S. Thiesen, J. Valenta, R. Bach, J. Becken, E. Houghton, and J. Smies—Legal Counsel.

Commission Vice President Mainz called the meeting to order at 8:29 a.m.

1) **Safety Moment.**

T. Sigmund gave a safety update for Distracted Driving Awareness Month.

2) **Approval of minutes of Commission meeting held February 28, 2024.**

Motion #24-018

It was moved by Tumpach, seconded by Danen, and unanimously agreed to approve the February 28, 2024 meeting minutes as distributed.

3) **Adopt Retirement Resolution for employee, Trisha Brown.**

T. Sigmund highlighted Trisha Brown's career as Human Resources Manager for NEW Water, the brand of the Green Bay Metropolitan Sewerage District. He acknowledged her contributions with navigating the COVID-19 pandemic for staff and her impacts on NEW Water's culture. E. Tietzen thanked Trisha Brown for her 10 years of service and wished her well in the future.

Motion #24-019

It was moved by Danen, seconded by Tumpach, and unanimously agreed to adopt the retirement resolution for Trisha Brown (Resolution #24-004 is on file at the NEW Water offices)

4) **Request Commission approval of De Pere Facility Pumping and Headworks Project contingency increase for project design changes to procure equipment for Clean Water Fund Loan.**

B. Angoli stated in February 2024, the Wisconsin Department of Natural Resources' Clean Water Fund Program (CWFP) notified potential borrowers that the CWFP would not be able to fund all projects in state fiscal year (SFY) 2024. As a result, the De Pere Facility Pumping & Headworks Project in its

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entirety will not be funded in SFY 2024 as originally planned. Staff reviewed multiple alternatives but ultimately concluded that project phasing would be the best alternative to avoid project delays and alternative financing costs. When staff was made aware of the funding issue, they began negotiating an amendment with the consultant for additional project design elements. Staff requested an increase in contingency to incorporate the phasing of this project into the design. Due to time constraints, staff also recommended that the Commission authorize the Executive Director to complete the design agreement amendment negotiations and execute the amendment.

Motion #24-020

It was moved by Tumpach, seconded by Danen, and unanimously agreed to increase the contingency for the De Pere Facility Pump Station and Headworks Project by \$200,000 for a total authorized contingency of \$282,000 to be administered under the authority of the Executive Director and to authorize the Executive Director to conclude negotiations of and execute the design amendment(s) up to the approved contingency amount.

- 5) **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 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 environmental testing by significant industrial user.**
 - c) **Potential transfer of certain interceptor segments pursuant to Section 5.05 of the Sewer Use Ordinance to a municipality.**

Motion #24-021

It was moved by Tumpach, seconded by Danen, 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 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 #24-022

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

7) Update of Projects:

a) DPF Tertiary Filtration and Service Water Improvements Updates.

B. Angoli stated results from laboratory testing indicated silica may be causing the plugging problem on the filter media. NEW Water is working with the recommended lab on a solution for using chemicals to remove it. Manufacturer, contractor, engineer, and NEW Water continue working towards project closeout while working to resolve the filter media plugging issue.

8) 2023 Adaptive Management Program Update.

E. Houghton provided an update on the Adaptive Management Program as follows:

- Actively farmed Oneida Nation land
- Silver, Dutchman, and Ashwaubenon Creek
- NEW Water's Adaptive Management Compliance Strategy
- NEW Watershed Program Goals
- Core Program Collaborations
- ACDC Water Quality & Biological Monitoring
- Agricultural Conservation Practices
- 2023 Updates: Ashwaubenon & Dutchman Creeks
- Two-Stage Ditches with Harvestable Buffers
- 2023 Updates: Grant Projects
- ACDC Implementations Cost & Reductions
- NEW Water Grant Funding
- Next Steps in NEW Watershed Program

9) 2023 Industrial Pretreatment Program Enforcement Summary.

S. Georgel reported on the industries that were in significant noncompliance for 2023. NEW Water is required to publish all Significant Industrial Users (SIUs) for being in Significant Noncompliance annually.

10) 2023 Industrial Achievement Award.

S. Georgel stated this is the 13th year NEW Water has administered the Industrial Achievement Awards. Out of the 44 eligible SIUs, 20 of them received either gold, silver, or platinum awards depending on the length of time they have met the requirements.

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11) PFAS Monitoring Update.

S. Thieszen provided an update on PFAS Monitoring as follows:

- What are PFAS?
- Regulatory Status
- 2023 Monitoring Plan
- 2023 Green Bay Facility Results
- 2023 De Pere Facility Results
- 2024 Monitoring Goals/Purpose
- 2024 Monitoring Plan
- Next Steps
- Questions

12) Executive Director Update

E. Tietyen stated the Commission was provided with draft materials that highlighted the role of Executive Director for feedback. E. Tietyen also requested feedback on the recommendation of adding a residency requirement of living in the NEW Water service area as a condition for the role.

13) January and February 2024 Financials

C. Mueller reported January and February's operating revenues were unfavorable to budget due to Mill revenue being below budget. Year to date, total operating revenues were unfavorable to budget due to Mill revenue being below budget.

January's operating expenses were favorable to budget due to less expenditures than budget in Maintenance interceptors and Contracted Services. February's operating expenses were favorable to budget due to less expenditures than budgeted in contracted services and solid waste disposal. Year to date, operating expenses were favorable to budget from more less expenditures than budgeted in contracted services.

14) February 2024 Operations Report.

P. Wescott reported both facilities were in full compliance with all effluent limits in the month of February. The Green Bay Facility was in compliance with air quality limits for the month of February.

For the month of February, the solids processing facility generated 1,359 MWH of electricity. Total bio-gas volume recovered was 161,946 CCF. This is just over 90% of the total volume produced. The remaining volume was sent through the waste gas flare. NEW Water received 486,334 gallons of high strength waste in February.

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15) Executive Director's Report:

a) **April Commission Meeting.**

The next meeting will be held April 24, 2024, at 8:30 a.m. via hybrid meeting.

b) **Ethan Wandersee Promoted to Operations Trainer.**

E. Wandersee was promoted from Operator III to Operations Trainer.

c) **2024 NEW Watershed Champion Award & UWGB Symposium.**

NEW Water honored Lynn Terrien with the 2024 NEW Watershed Champion Award at the 2024 annual Watershed Symposium at University of Wisconsin-Green Bay.

d) **NEW Water Policies.**

The Radiation Safety Policy and Safety Shoe and Safety Glasses Policy, which are both Executive Director approved policies, were reviewed and transitioned onto the new policy template and provided to the Commission for review.

There being no further business to come before the Commission, the meeting adjourned at 9:52 a.m.

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Secretary