

# GREEN BAY METROPOLITAN SEWERAGE DISTRICT

## PROCEEDINGS OF THE COMMISSION

The regular meeting of the Commission was held in person and via Zoom videoconference on February 26, 2025.

**PRESENT:** Commissioners Hasselblad, Mainz, Tumpach, Danen, and Herrman.

**ALSO PRESENT:** N. Qualls, B. Clausen, L. Sarau, J. Smudde, E. Tietzen, P. Wescott, G. Ashauer, S. Bartlett, J. Becken, T. Biese, R. Brown, T. Garrison, E. Houghton, B. Oldenburg, P. Smits, J. Tancock, S. Thieszen, B. Thompson, K. Verbeten, J. Valenta, B. Young, A. Henningsen – Nicolet National Bank, A. Tasso – Michels Trenchless, Inc., J. Smies – Legal Counsel

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

### 1) **Safety Moment.**

N. Qualls gave a safety update on heart health.

### 2) **Approval of minutes of Commission meeting held January 22, 2025.**

#### **Motion #25-015**

It was moved by Mainz, seconded by Herrman, and unanimously agreed to approve the January 22, 2025, meeting minutes as distributed.

### 3) **Adopt Retirement Resolution for employee, Todd Robbins.**

G. Ashauer talked about Todd's career after nearly 15 years at NEW Water. K. Hasselblad read the Retirement Resolution.

#### **Motion #25-016**

It was moved by Herrman, seconded by Mainz, and unanimously agreed to adopt the retirement resolution for Todd Robbins (Resolution #25-003 is on file at the NEW Water Office).

### 4) **Introduction of new employee, Jamia Tancock.**

J. Becken introduced new employee, J. Tancock. The Commission welcomed her to NEW Water.

### 5) **Nicolet Bank Investment Update.**

Adam Henningsen of Nicolet National Bank provided the Commissioners with information on NEW Water's Investment Portfolio and an Economic & Financial update.

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- 6) **Request Commission approval to award the construction contract for the Green Bay Facility Administration Building Air Handling Unit Replacement Project #220016-CO to Hurckman Mechanical Industries, Inc. for a total amount of \$1,675,600.**

R. Brown reported that this project started with concern regarding the condition of the Data Center air handling unit in the Green Bay Administration Building. A limited project to replace that unit was met with minimal contractor interest, and NEW Water rejected the only bid received for the work early in 2024. A redesign effort broadened the project scope to incorporate other Administration HVAC systems that weren't addressed in previous work, as well as pressing issues in other areas at the Green Bay Facility. The redesign included a base bid and three alternates.

R. Brown reported that this project attracted four contractor bids. While cost for bid alternates were consistent between contractors, the base bid price from Hurckman Mechanical Industries, Inc. appeared unusually low. NEW Water followed up with the contractor to see if anything was missing. Hurckman Mechanical Industries, Inc. stands behind its numbers. NEW Water knows Hurckman Mechanical is familiar with our expectations. For those reasons, we are comfortable selecting Hurckman Mechanical Industries, Inc.

#### **Motion #25-017**

It was moved by Mainz, seconded by Herrman, and unanimously agreed to award the construction contract for the Green Bay Facility Administration Building Air Handling Unit Replacement Project 220016-CO to Hurckman Mechanical Industries, Inc. in the amount of \$1,523,300 with a 10% contingency of \$152,300 under the authority of the Executive Director for a total amount of \$1,675,600.

- 7) **Request Commission approval to enter into an agreement with Strand Associates to provide engineering services during the construction of the Green Bay Facility Administration Building Air Handling Unit Replacement Project for a total amount of \$107,000.**

R. Brown reported that this request is for the Strand Associates effort to oversee and administer the Hurckman construction contract. Strand completed all the design work for the project over the past couple of years. This project will be managed like most recent HVAC projects, including limited on-site supervision by the engineer. Slightly more consultant effort may be required due to the specifics of this job, so staff felt that a 15% contingency would be appropriate.

#### **Motion #25-018**

It was moved by Herrman, seconded by Mainz, and unanimously agreed to enter into an agreement with Strand Associates to provide professional services for the Administration Building Air Handling Unit Replacement Project for \$93,100 with a 15% contingency of \$13,900 under the authority of the Executive Director for a total authorized amount of \$107,000.

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**8) Request Commission approval for the Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing for the East River Interceptor Renewal Project.**

L. Sarau reported that the resolution is intended to declare reimbursement to NEW Water for capital project expenditures made before issuance of Clean Water Fund Program tax exempt bonds for the East River Interceptor Renewal Project.

**Motion #25-019**

It was moved by Meinz, seconded by Herrman, and unanimously agreed to approve of the Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing for the East River Interceptor Renewal Project in the amount of \$15,000,000 (Resolution #25-004 is on file at the NEW Water Office).

**9) Request Commission approval to award the construction contract for the East River Interceptor Renewal Project to Michels Trenchless, Inc. for the amount of \$13,037,148.**

L. Sarau reported that due to the deterioration of the concrete pipe and manholes, NEW Water is pursuing a renewal project.

L. Sarau reported that NEW Water received three bids from pre-qualified prime contractors. There was a large difference in the bids and the engineer's estimates on this project. Brown and Caldwell and NEW Water staff worked to understand the disparity. When reviewing the bids, it was apparent that the largest difference between the Engineer's Estimate and the bids received was the temporary conveyance of wastewater.

L. Sarau reported that Brown and Caldwell contacted the bidders to discuss the temporary conveyance bid items. The bidders indicated that their prices were higher due to certain restrictions.

L. Sarau reported that NEW Water staff believe that the lowest bid for this project is indicative of the construction cost to build this project, even though it's higher than the Engineer's estimate. After reviewing all the bids, it was determined that Michels Trenchless, Inc. is the lowest cost, responsive, responsible bidder.

L. Sarau reported that due to the capacity limitations of the Clean Water Fund Loan, the Wisconsin Department of Natural Resources did not allocate funding to NEW Water's ERI Renewal Project. NEW Water staff have been evaluating different options to fund the project with the Interceptor Cost Recovery Reserve and interim financing until the Clean Water Fund Program loan funds become available. NEW Water staff have reviewed the Interceptor Cost Recovery Reserve excess funds available, and they are adequate to self-fund the project until a financing option has been secured.

A discussion was had on the project funding.

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#### **Motion #25-020**

It was moved by Herrman, seconded by Mainz, and unanimously agreed to award the construction contract for the ERI Renewal Project #230003-CO to Michels Trenchless Inc. in the amount of \$11,851,948, with a 10% contingency of \$1,185,200 for a total project amount of \$13,037,148 to be administered under the authority of the Executive Director.

- 10) **Request Commission approval to enter into an agreement with Brown and Caldwell to provide engineering services during the construction of the East River Interceptor Renewal Project in the total amount of \$860,550.**

L. Sarau requested approval for construction-related services to be contracted with Brown and Caldwell, who are the design engineers for the East River Interceptor Renewal Project. The scope for the construction-related services includes shop drawings, construction observation, and contract administration. Brown and Caldwell understand the details of this project due to their previous experience. The agreement, scope, and related costs were reviewed and found to be appropriate for the work required.

A discussion was had regarding the \$5,000,000 professional liability insurance policy.

#### **Motion #25-021**

It was moved by Mainz, seconded by Herrman, and unanimously agreed to enter into an agreement with Brown and Caldwell to provide engineering services during construction for the ERI Renewal Project in the amount of \$782,318, with a 10% contingency of \$78,232 to be administered under the authority of the Executive Director, for a total amount of \$860,550.

- 11) **Sewer plan approvals:**

- a) **City of De Pere, 2025 Projects, GBMSD Request #2025-06.**
- b) **City of Green Bay, 2025 Projects, GBMSD Request #2025-07.**
- c) **Town of Ledgeview/Ledgeview Sanitary District #2, Contract A-2025, GBMSD Request #2025-08.**

L. Sarau requested feedback from the Commission regarding sewer plan approval materials in the future. The Commission discussed and proposed a few items to consider going forward.

#### **Motion #25-022**

It was moved by Mainz, seconded by Herrman, and unanimously agreed to approve the City of De Pere, City of Green Bay, and Town of Ledgeview plans for the proposed sewers to serve land located within NEW Water's service area. This approval is subject to favorable approval recommendations

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from Brown County Planning and final approval by the WDNR, with the City of Green Bay and City of De Pere's approval subject to staff's technical review.

Commissioner Danen abstained from item c.

- 12) **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) **Potential litigation resulting from environmental testing by significant industrial user.**
  - b) **Potential transfer of certain interceptor segments pursuant to Section 5.05 of the Sewer Use Ordinance to a municipality.**

#### Motion #25-023

It was moved by Mainz, seconded by Herrman, 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.

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

#### Motion #25-024

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

- 14) **Update of Projects:**

- a) **GBF North Plant Clarifier Rehabilitation Project.**

R. Brown stated the project has been quiet recently. The mechanical, electrical, painting, and finishing work for Primary Clarifier #3 and Final Clarifier #5 were completed earlier in the reporting period. Both units were engaged for performance testing but quickly shut down due to scum removal performance concerns, which could impact the schedule.

- b) **GBF Service Water Replacement Project.**

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R. Brown stated the Service Water Project has been stuck, despite nearly all the construction work being finished. When the north side was started up a few months ago, a problem was identified with solids in the Service Water stream. The south side strainer needs to run in order to investigate the north side, and a severe water hammer issue is preventing operation of the south strainer. These issues will need to be resolved before an accurate adjustment to project completion dates can be determined.

#### 15) 2024 Watershed Monitoring Program Update.

B. Young provided an update on the 2024 Watershed Monitoring Program (WMP), Year in Review as follows:

- WMP Monitoring Map Location
- 2024 Rainfall
- 2024 Watershed Sampling
- Silver Creek Pilot Project
- Baseline Total Phosphorus concentration(s)
- Silver, Ashwaubenon, and Dutchman Creek(s) Total Phosphorus Loading. January 1, 2024, to September 30, 2024
- 2025 Temperature and Precipitation Outlook

#### 16) 2024 Aquatic Monitoring Program Presentation.

S. Bartlett provided an update on the 2024 Aquatic Monitoring Program as follows:

- 39<sup>th</sup> Year of Water Quality Monitoring
- NEW Water Sample Locations
- Total Phosphorus Annual Median
- Total Suspended Solids Annual Median
- How does 2024 compare to last year?
- Harmful Algal Bloom Awareness Campaign

K. Hasselblad requested a brief update once a decision has been announced regarding a swimmable beach at Bay Beach in Green Bay.

Commissioner Danen left the meeting at 9:58 a.m.

#### 17) PFAS Monitoring Update.

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

- What are PFAS?
- Regulatory Status

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- 2024 Monitoring Plan
- 2023 & 2024 Green Bay Facility Results
- 2023 & 2024 De Pere Facility Results
- 2024 Collection System Results
- Next Steps

#### 18) December 2024 Preliminary Financials.

B. Clausen reported December's operating revenues were favorable to budget. Year to date, total operating revenues were favorable to budget.

B. Clausen reported December's operating expenses were unfavorable to budget due to more expenditures than budgeted in contracted services, salaries and benefits, and chemicals. Year to date, operating expenses were favorable to budget from fewer expenditures than budgeted in contracted services, salaries and benefits, and plant maintenance.

The 2024 Financial Audit is scheduled for March 2025.

#### 19) January 2025 Operations Report.

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

For the month, the solids processing facility generated 1,366 MWH of electricity. Total bio-gas volume recovered was 189,076 CCF. The remaining volume was sent through the waste gas flare.

#### 20) Executive Director's Report:

N. Qualls reported on the following topics:

##### a) **March Commission Meeting.**

The next meeting will be held on March 26, 2025, at 8:30 a.m. via hybrid meeting.

##### b) **Lisa Sarau promoted from Staff Engineer to Director of Technical Services.**

L. Sarau was promoted to Director of Technical Services. Congratulations, Lisa!

##### c) **Emma Smith promoted from Operator II to Operator III.**

E. Smith was promoted to Operator III. Congratulations, Emma!

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**d) NACWA National Environmental Achievement Award.**

The National Association of Clean Water Agencies (NACWA) has recognized NEW Water with a National Environmental Achievement Award for Public Information & Education for its video “Critical Assets: Protecting Your Health, Every Day”.

**e) Summary of EPA’s Draft Sewage Sludge Risk Assessment for PFOA and PFOS.**

The EPA completed a Draft Risk Assessment as part of its authority under Clean Water Act Section 405. The EPA evaluated the following scenarios: Land Application, Surface Disposal, and Incineration.

**f) Summary of NACWA 2025 Winter Conference.**

The NACWA 2025 Winter Conference was held January 28-31 in Rancho Mirage, California. The conference included the following:

- Presentation summarizing the EPA’s released DRAFT Sewage Sludge Risk Assessment for PFOA and PFOS.
- Several discussions regarding the uncertainty on the federal landscape including impacts of the federal funding freeze.
- Presentations from LA County Sanitation District and City of Los Angeles Sanitation and Environment focused on the recent wildfires and the challenges faced by those utilities.

**g) 2025 Annual WET Testing Results.**

Green Bay and De Pere Facilities are required to complete WET (Whole Effluent Toxicity) Testing on an annual rotating quarterly schedule. Both facilities were tested the week of January 12-17, 2025, and both facilities have passed. Congratulations!

**h) Clean Water Fund Bonding Authority Limit.**

NEW Water has joined a state-wide effort to address the Clean Water Fund’s bonding authority limit to help reduce the financial burden of Northeast Wisconsin residents for critical wastewater and water services.

There being no further business to come before the Commission, the meeting adjourned at 10:24 a.m.

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Secretary