

GREEN BAY METROPOLITAN SEWERAGE DISTRICT

PROCEEDINGS OF THE COMMISSION

The regular meeting of the Commission was held in person and via Zoom videoconference on March 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, R. Bach, J. Becken, R. Brown, T. Garrison, S. Georgel, C. Mueller, B. Oldenburg, P. Smits, S. Thieszen, B. Thompson, J. Valenta, J. Smies – Legal Counsel.

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

1) Safety Moment.

N. Qualls gave a safety update on National Ladder Safety Month.

2) Approval of minutes of Commission meetings held February 13, 2025, and February 26, 2025.

Motion #25-025

It was moved by Mainz, seconded by Danen, and unanimously agreed to approve the February 13, 2025, and February 26, 2025, meeting minutes as distributed.

3) Request Commission approval to award the construction contract for the Downtown Interceptor Renewal Project to Engineering & Construction Innovations, Inc. for the amount of \$18,032,287.

L. Sarau reported that the East Fox River Interceptor and the Fox River Crossing Interceptor's were identified for renewal or rehabilitation as part of the Interceptor Master Plan due to the deterioration the concrete pipes and manholes.

NEW Water staff have been working with Brown and Caldwell to review alternatives for rehabilitation. Bids were open for this project on February 13, 2025. There was a large difference between the Engineer's estimate and the two bids that NEW Water received. Brown and Caldwell and NEW Water staff conversed to determine why the differences occurred. The largest difference between the Engineer's estimate and the received bids related to the spiral wound liner.

This project requires \$20M of liability insurance, and \$5M each for Contractor's Pollution Liability and Professional Liability Policy.

L. Sarau stated that NEW Water staff intend to fund the Downtown Interceptor Renewal Project using general obligation bonds and plans to bring a resolution to Commission in April.

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NEW Water staff and the design engineer have reviewed the bids for this project and have determined that Engineering & Construction Innovations, Inc. is the lowest cost, responsive, responsible bidder.

Motion #25-026

It was moved by Mainz, seconded by Danen, and unanimously agreed to award the construction contract for the Downtown Interceptors Renewal Project to Engineering & Construction Innovations, Inc. in the amount of \$16,392,987.00, with a 10% contingency of \$1,639,300 to be administered under the authority of the Executive Director, for a total amount of \$18,032,287.

- 4) **Request Commission approval to enter into an agreement with Brown and Caldwell to provide engineering services during the construction of the Downtown Interceptor Renewal Project in the amount of \$1,131,490.**

L. Sarau reported that this project will run concurrently with the East River Interceptor Renewal Project. Brown and Caldwell intend to send one inspector to oversee both projects. The purpose of the agreement is to provide contract administration of the construction project, review shop drawings and submittals, and construction observation.

L. Sarau reported that NEW Water is using the design engineer due to the detailed knowledge of this project. NEW Water staff have reviewed the agreement, scope, and related costs for the work required. The agreement requires a \$5M professional liability insurance policy.

Motion #25-027

It was moved by Mainz, seconded by Danen, and unanimously agreed to enter into an agreement with Brown and Caldwell to provide engineering services during construction for the Downtown Interceptor Renewal Project in the amount of \$1,028,627, with a 10% contingency of \$102,863 to be administered under the authority of the Executive Director, for a total amount of \$1,131,490.

- 5) **Sewer plan approvals:**
a) **Town of Lawrence, Project #M0402-09-23-00656, GBMSD Request #2025-11.**

Motion #25-028

It was moved by Danen, seconded by Tumpach, and unanimously agreed to approve the Town of Lawrence sewer plans for the proposed sewer to serve the land located within NEW Water. This approval is subject to favorable approval recommendations from Brown County Planning and final approval by the WDNR.

- 6) **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**

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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 #25-029

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.

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

Motion #25-030

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

- 8) **Update of Projects:**

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

R. Brown stated that a few items have changed since the project report last month. Change Order #1 was processed, and the contract value was reduced by nearly \$2 million. Last month, a problem was identified which prevented performance testing on the two completed clarifiers. Design revisions were made to Final Clarifier #5 to get the skimmer and scum trough working better under normal operating conditions and everything seemed to be working well.

Before similar modifications could be made to Primary Clarifier #3, the clarifier mechanism suffered a structural failure indicative of bigger problems. The Equipment Manufacturer is currently investigating to determine the root cause of the problem.

R. Brown stated that the Equipment Manufacturer is taking responsibility and has been very supportive to date.

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Prior to the discovery of the problem, Final Clarifier #1 was removed from service and demolition work was completed.

9) 2024 Pretreatment Program Enforcement Summary.

S. Georgel reported on the industries that were in noncompliance for 2024. NEW Water is required to annually publish all Significant Industrial Users (SIUs) that are in Significant Noncompliance.

10) 2024 Industrial Achievement Awards.

S. Georgel stated that this is the 14th year NEW Water has administered the Industrial Achievement Awards. Out of the 44 eligible SIUs, 25 of them received either gold, silver, or platinum awards, depending on the length of time they have met the requirements.

11) January and February 2025 Financials.

C. Mueller reported that January and February's operating revenues were unfavorable to budget. Year to date, total operating revenues were unfavorable to budget.

January's operating expenses were favorable to budget due to fewer expenditures than budgeted in chemicals, contracted services, and natural gas & fuel oil. February's operating expenses were favorable to budget due to fewer expenditures than budgeted in contracted services, plant maintenance, and salaries & benefits. Year to date, operating expenses were favorable to budget due to fewer expenditures than budgeted in contracted services, plant maintenance, and salaries and benefits.

Commissioner Herrman requested a quarterly capital expenditure report update.

12) February 2025 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 February.

For the month, the solids processing facility generated 1,273 MWH of electricity. The total bio-gas volume recovered was 167,591 CCF. NEW Water received 731,616 gallons of high strength waste in February.

Incinerator stack testing and the WDNR Air Compliance Audit were successfully completed in early March. Details will be shared in the Operations Report during the April Commission meeting.

13) Executive Director's Report:

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a) April Commission Meeting.

The next meeting will be held on April 23, 2025, at 8:30 a.m. via hybrid meeting.

b) Executive Director Approved Agreements.

A document summarizing the agreements that have been approved since the last reporting period was provided.

c) Jon Milheiser Promotion.

J. Milheiser was promoted from Operator II to Operator III. Congratulations, Jon!

d) Wisconsin Senator Wimberger Visit.

On March 3, 2025, Wisconsin Senator Eric Wimberger visited NEW Water to discuss various topics with staff.

There being no further business to come before the Commission, the meeting adjourned at 9:50 a.m.

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Secretary