

## **PROCEEDINGS OF THE CENTRAL BROWN COUNTY WATER AUTHORITY**

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the **Central Brown County Water Authority** was held on Wednesday, May 14, 2008, at the DePere City Hall – 2<sup>nd</sup> Floor - 335 South Broadway, DePere, Wisconsin

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**Present:** Allouez, Kopish; Bellevue-Oppenheimer; DePere-Delo; Howard – Bartelt/McIntyre; Lawrence-Treml; Ledgeview-Burdette

**Also**

**Present:** Dave Vaclavik/Barbara Grant – Public Management Partners  
Gary Rosenbeck-McMahon Associates  
Bob Bartelt/Burt McIntyre – Howard  
Craig Berndt – Allouez  
Susan Finco – Leonard & Finco

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The meeting was called to order by Vice-Chairman Larry Delo at 3:05 p.m.

**Roll Call:**

Call the roll for attendance.  
Roll call was taken as noted above.

Representatives of Howard, Bob Bartelt and Burt McIntyre, came forward after action on Administrative Committee #1 regarding committee membership.

**Approval of Agenda:**

Approve Agenda

**Motion made by Lawrence and seconded by Bellevue to approve the agenda. MOTION APPROVED UNANIMOUSLY**

**Appearances:** None Scheduled

**Administrative Committee Recommendations:**

**1. By-Laws Section 7.D regarding Committee Membership and Chairmanships:**

Recommendations from the Administrative Committee for Board membership are as follows:

Howard – Bob Bartelt as member of the Board

Burt McIntyre as alternate

Bellevue – Aaron Oppenheimer as member of the Board

Glen Simonson as alternate

Mr. Delo was elected as Chairman of the Administrative Committee at their meeting held prior to this one.

**Motion made by DePere and seconded by Allouez to approve appointments to the Central Brown County Authority Board of Directors.  
MOTION APPROVED UNANIMOUSLY**

**Approval of Minutes:**

Approve Minutes – April 9, 2008

**Motion made by DePere and seconded by Ledgeview to approve the minutes. MOTION APPROVED UNANIMOUSLY**

**2. Financial Reports:**

**Motion made by DePere and seconded by Lawrence to accept the recommendation of the Administrative Committee to receive and place on file. MOTION APPROVED UNANIMOUSLY**

**3. 2007 True-Up Charge – Interim Payment Pending Meter Test Results:**

**Motion made by DePere and seconded by Bellevue to accept the recommendation of the Administrative Committee and approve true-up refunds as follows:**

**Allouez - \$251,909**

**Bellevue - \$122,064**

**Howard - \$69,459**

**DePere, Lawrence, and Ledgeview will be approved pending meter test results.**

**MOTION APPROVED UNANIMOUSLY**

**4. Financial Policies: Pay and Report:**

Mr. Delo explained that a recommendation from Public Management Partners to establish a policy which will allow pre-payment without Board approval for utility bills, ongoing water payments to MPU, in addition to bond transfers, and automatic transfers to bank accounts related to principal and interest was recommended for approval. Two signatures will be required.

**Motion made by Bellevue and seconded by Lawrence to accept the recommendation of the Administrative Committee to approve the Pay and Report Financial Policy allowing pre-payment of utility bills, water payments to MPU, bond transfers, and automatic transfers into bank accounts. MOTION APPROVED UNANIMOUSLY**

**5. Pay Authorizations: Vouchers**

Vouchers totaling \$280,026.89 were recommended for approval.

**Motion made by DePere and seconded by Howard to accept the recommendation of the Administrative Committee to approve the vouchers.**

**MOTION APPROVED UNANIMOUSLY**

**Technical Committee Recommendations:**

Mr. Vaclavik highlighted discussion at the Technical Committee held on May 5, 2008:

**1. CBCWA Potential Utility Conflict with WDOT Grant Street/USH41:**

This conflict involves approximately 400' of fiber optic which needs to be relocated. MPU is acquiring exact elevations and will report back.

**2. System Modeling Proposal from Advantica:**

Discussion on a proposal received from Advantica was held until the next Technical Committee meeting.

Mr. Vaclavik explained that a model of the current system does not exist as it is based on design criteria. This study would act as a model for operating conditions, including shut-downs, valve closures, etc.

**3. Transfer of CBCWA Water Main Segment to the Village of Bellevue:**

Turning a section of water main over to Bellevue was recommended to happen when the project is final.

**4. Meter Test Results for Member Communities:**

Three of the community meters have tested out of range, two in DePere, and one in Allouez. EFI has re-tested the meters and a report is expected within a few days.

**5. Status of Locks at Master Meter Stations:**

A proposal received from Martin Security for an electronic key lock system came in at approximately \$40,000. The consensus of the committee was to refuse this proposal and request that one be received for a hierarchy key lock system. The new proposal will be discussed at the next committee meeting.

**6. MPU Monthly Report:**

No discussion.

**7. Corrpro Status Report:**

See Engineer's Report below.

**8. S J Lewis Claim:**

This claim is unresolved.

**9. Manitowoc County Highway Department Claim:**

Claim unresolved.

**10. Howard Booster Station Electrical Status:**

See Engineer's Report below.

**11. Meter Station Sidewalk Status:**

Mr. Vaclavik will be drafting a letter to CTE regarding the design and status of meter station sidewalks.

**12. Contract Status Reports:**

See Engineer's Report below.

**13. Contract G warranty Issue in City of Manitowoc (Johnston & Magnolia):**

Manitowoc has expressed concern with settlement in the area of Johnston & Magnolia. This warranty issue will be referred to contractors.

**14. Contract C Warranty Issue in City of Manitowoc (parking lot):**

This issue involves a parking lot at the former Maritime Inn. Although it was not in the best repair to begin with, estimates are being sought from contractors for repair.

**15. Michels Claim Response:**

A response letter was sent to Michels.

**16. Proposed Contract with River Valley Testing Corp:**

A request for proposal from River Valley Testing Corporation has been received in the range of \$19,500 to \$22,500 to investigate an issue related to unusual settling in certain areas of the pipeline. Test results will determine if there should be a claim against the contractor or if it is a design/warranty issue.

Gary Rosenbeck distributed photos of the areas which have been pointed out as areas of concern with the County Highway Department along County R. The City of Manitowoc has also expressed concerns, specifically in the area of Magnolia and Johnston. The intent is to determine whether this is a contractor issue or a design issue. A preliminary report is expected within one month from River Valley Testing.

**Motion made by Howard and seconded by DePere to accept the recommendation of the Technical Committee and approve the proposed contract with River Valley Testing Corp in the range of \$19,500 to \$22,500. MOTION APPROVED UNANIMOUSLY**

**17. Amendment to McMahon Contract in the amount of \$3,400:**

Mr. Vaclavik explained this amendment relates to work done on meter test pits for the master meter station and for the Village of Bellevue, which were above and beyond the scope of the original contract.

**Motion made by DePere and seconded by Ledgeview to approve the amendment to the McMahon Contract in the amount of \$3,400. MOTION APPROVED UNANIMOUSLY**

**18. Contractor and Vendor Change Order Requests:**

- a. **Change Orders for any or all contracts may be presented at the meeting if ready for consideration and action: None**

**Closed Session: The Board may go into closed session to discuss pending litigation, contractor claims and contract negotiations for water service pursuant to Wisconsin State Statute 18=9.85 (1)(g) conferring with legal counsel for the government body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved or to discuss the implementation of liquidated damages, excess engineering charges, change order negotiations and/or negotiation of contract agreements for water service, claims and contract time extension pursuant to Wisconsin State Statute 19.85 (1)(e), deliberating or negotiating the purchase of properties, the investing of public funds, or conducting other specified business, whenever competitive or bargaining reasons require a closed session. The committee will then reconvene back into open session.**

None

**Project Update & Status Reports:**

**1. Engineer's Report:**

Mr. Rosenbeck highlighted activities during the last reporting period:

- Corpro – Have finished discontinuity work and a written report is expected shortly.

- Howard Booster Station – A letter has been drafted to the contractor requesting that he repair the transfer switch as a warranty item as it was not installed properly.

Two written reports were distributed, the first related to contract status, which highlighted the contract amount, the amount invoiced to date, and the status. A second report outlined work tasks that are in progress by McMahon Associates. Mr. Rosenbeck indicated that several tasks have been added related to such items as MPU concerns, pavement settlement issues in the City of Manitowoc, ditch settlement issues in Manitowoc County, coordination of soils investigation with River Valley Testing, etc. Discussion related to a deadline to complete these issues was discussed, and Mr. Vaclavik agreed to work on a proposed date and report back.

## **2. Manager's Report:**

Mr. Vaclavik highlighted activities during the last reporting period:

- Chlorine Control System – EFI has been working on this issue.
- Hobart – The Village is in the process of evaluating three alternatives for emergency service, i.e. service with the CBCWA, a possible well, or service with the City of Green Bay who has made them an offer. Follow-up with Hobart will continue.
- HDR has withdrawn provision of engineering service related to the valve/bolt issue as they do not have a local office. Suggestions for another firm will be followed-up.
- Budget process is underway with MPU. The current rate may rise from 81 to 83 cents in 2009.

**Old Business** - none

## **New Business**

### **1, Committee and Board Appointments:**

#### **President:**

**Motion made by Bellevue and seconded by Allouez to nominate**

**LARRY DELO as President of the Central Brown County Authority.**

**No other nominations were made. Motion made by Lawrence and seconded by Bellevue to close nominations.**

**LARRY DELO elected as PRESIDENT by unanimous ballot.**

#### **Vice-President:**

**Motion made by Allouez and seconded by Lawrence to nominate**

**AARON OPPENHEIMER as Vice-President of the Central Brown County Water Authority. No other nominations were made. Motion made by Lawrence and seconded by Ledgeview to close nominations.**

**AARON OPPENHEIMER elected as Vice-President by unanimous ballot.**

#### **Technical Committee:**

Appointment of a Chair of the Technical Committee will go to committee for a recommendation.

**Motion made by DePere and seconded by Bellevue to approve the appointment of Geoff Farr as the representative from Howard on the Technical Committee. MOTION APPROVED UNANIMOUSLY**

#### **Administrative Committee:**

Because Mr. Delo cannot serve as Chairman of the Administrative Committee because he was elected President of the Authority, this appointment will go back to committee.

**Motion made by DePere and seconded by Lawrence to approve the appointment of Aaron Oppenheimer as the representative from Bellevue on the Administrative Committee. MOTION APPROVED UNANIMOUSLY**

**2. Election of Officers:**

See Above.

**3. Well Contamination in Cooperstown:**

Because of recent well contamination issues in the Town of Cooperstown related to waste management practices, Mr. Vaclavik pointed out that the CBCWA could be part of a possible solution. Cooperstown did install a T when the water pipeline went through and at this time would need to decide if they want to be part of a municipal water system, or find another solution.

Susan Finco of Leonard & Finco was present for the discussion. She suggested that members of the Water Authority refer any questions they are asked to Manager Dave Vaclavik, pointing out that the CBCWA is willing to cooperate fully with Cooperstown in finding a solution.

**Future Agenda Items:**

**Next Meeting: Wednesday, June 11, 200 – 3 p.m., DePere City Hall**

**Public Comment:** None

**Adjournment:**

**Motion made by DePere and seconded by Bellevue to adjourn at 3:25 p.m. MOTION APPROVED UNANIMOUSLY**

Respectfully Submitted,

Rae G. Knippel  
Recording Secretary