

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, June 11, 2008, at the DePere City Hall – 2nd Floor - 335 South Broadway, DePere, Wisconsin

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

Also

Present: Dave Vaclavik/Barbara Grant – Public Management Partners
Gary Rosenbeck-McMahon Associates
Scott Thoresen – Chair, Technical Committee

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

Roll Call:

Call the roll for attendance.

Roll call was taken as noted above.

Approval of Agenda:

Approve Agenda

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

Approval of Minutes:

Approve Minutes – May 14, 2008

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

Appearances:

None: Vicki Hellenbrand from Virchow Krause will be unable to attend as previously planned. An audit report will be given at the July meeting.

Administrative Committee Recommendations:

1. Audit Report by Virchow Krause:

Moved to July meeting.

2. 2007 True-Up Charge – Final:

Motion made by DePere and seconded by Bellevue to accept the recommendation of the Administrative Committee and approve 2007

True-Up Charges with the caveat that DePere may have an adjustment.

MOTION APPROVED UNANIMOUSLY

3. 2008 Budget Line Item Revisions:

President Delo reported that Ms. Grant identified possible line changes for the 2008 budget, which will be added to the 2009 proposed budget after comments from Virchow Krause. If recommended, they will come before the Board for approval.

4. Resolution 2008-001 Designating Associated Bank N.A. as Designated Depository and Designating Authorized Signers:

Ms. Grant explained that Associated Bank was designated as the depository by the water authority committee before it became the Commission. By-Laws require that two, the President, Secretary/Treasurer, or Manager serve as authorized signers.

Motion made by DePere and seconded by Bellevue to accept the recommendation of the Administrative Committee and approve Resolution 2008-001. MOTION APPROVED UNANIMOUSLY

5. Chair and Vice-Chair Recommendations to Board:

Motion made by DePere and seconded by Howard to accept the recommendation of the Administrative Committee and approve Aaron Oppenheimer as Chairman, and Randy Trembl as Vice-Chairman of the Administrative Committee. MOTION APPROVED UNANIMOUSLY

Ray Kopish arrived 3:13 p.m.

6. Financial Reports:

Reports were distributed and highlighted by Ms. Grant.

Motion made by Ledgeview and seconded by Lawrence to accept the recommendation of the Administrative Committee to accept financial reports. MOTION APPROVED UNANIMOUSLY

7. Pay Authorizations: Vouchers

Motion made by DePere and seconded by Bellevue to accept the recommendation of the Administrative Committee to approve pay authorizations/vouchers. MOTION APPROVED UNANIMOUSLY

Technical Committee Recommendations:

Mr. Thoresen highlighted discussion from the meeting held on 6/9/08.

1. Recommendations for Chair (Scott Thoresen) and Vice-Chair (Craig Berndt) to be considered by Board:

Motion made by Lawrence and seconded by Bellevue to accept the recommendation of the Technical Committee to approve Scott Thoresen as Chairman and Craig Berndt as Vice-Chairman of the Technical Committee. MOTION APPROVED UNANIMOUSLY

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

No Action

3. Replacement of Fiber Optic Section Damaged by Contractor:

The contractor for WPS damaged fiber optic and has been informed it is their responsibility to replace and fix at their cost. No Action

4. System Modeling Proposal from Advantica:

No Action

5. Hobart Booster Station:

a. **Generator Slab:**

b. **Sidewalks:**

c. **ATS Replacement:**

What needs to be done to address these issues is under discussion. No Action

6. Updated Meter Test Results for Member Communities:

Meters have been retested and are being modified. At this time all appear to be operating within acceptable range. No Action

7. 2009 Minimum Water Use for Budget:

Mr. Vaclavik distributed paperwork for review and discussion calculating the estimated annual water requirement for 2009 as per the Water Purchase Agreement. He indicated that figures are based on a three year average. Another table was also presented showing water use based on trend projection. A minimum water multiplier was used to determine the minimum water requirement. He explained this system is based on communities overpaying during the year and receiving a rebate at year end. Discussion with Attorney Kobza regarding this system resulted in a recommendation to change the agreement document, allowing the Authority to set multipliers per each individual community. If there is interest in making such a change, community approval would be required. At this time 80% of the revenue comes from true-up charges, causing a burden to some communities. A language amendment would improve cash flow in member communities. Vaclavik suggested any change be done in the fall before rates are adopted. He was asked to bring back a recommendation for a language amendment at the next meeting.

8. Locks at Master Meter Station:

Waiting for proposals at this time. In the range of approximately \$1,000 is expected. No action.

9. Contract Extension with McMahon Associates for Close Out Services be extended 90 days and increased \$20,000):

The contract with McMahon expired on June 5th. Ongoing activities were highlighted and a recommendation made by the Technical Committee to extend the contract with McMahon for an additional 90 days, not to exceed \$20,000. (See Engineer's Report below for details.)

Motion made by Howard and seconded by DePere to accept the recommendation of the Technical Committee to extend the contract with McMahon Associates for 90 days, not to exceed \$20,000.

MOTION APPROVED UNANIMOUSLY

10. Best Western Parking Lot Repair:

Mr. Vaclavik explained that he has met with the City of Manitowoc who indicated it is not their responsibility to repair this parking lot, that it is that of Best Western.

A proposal to seal coat the lot, re-stripe it, and do some patch work came in over \$8,000. The Water Authority did authorize Michels Construction to work on this site. Further discussion will be held.

11. MPU Monthly Report:

No report/No Action

12. Corrpro Status Report:

No report/No Action

13. River Valley Testing Status Report:

Testing is in process and a report is expected in July.

14. Air Release/Manhole Project Schedule and Status:

Bids are scheduled to be opened on July 3rd at 10 a.m. at the Allouez Village Hall. Project estimate is \$250,000.

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

a. **Recommendations Based on Closed Session:** None

Project Update & Status Reports:

1. Engineer's Report:

Gary Rosenbeck of McMahon distributed a list of current and active tasks, highlighting the various items being addressed, the first being liquidated damages and excess engineering estimates for eight contracts. Additional tasks include:

- Corrpro – A final report has not yet been received. He continues to attempt to contact them.
- Investigation of the SJ Louis claim for \$139,000 (Contract H)
- Address coordination issues with Advance Construction/EFI with MPU staff.
- Address warranty issues with Advance Construction relative to concrete walk/stoop issue; Howard generator slab settlement; Howard Booster Station Transfer Switch; and landscaping.
- Monitor remediation work by St. Norbert's contractor relating to cover problems over fiber optic cable.
- Respond/address MPU's concerns related to pipe locating; O&M manual issues; water main pressure test reports.
- Coordination with River Valley Testing related to pavement settlement issues in City of Manitowoc, ditch settlement issues, and soils investigation

- Conduct investigation regarding impact of hydraulic surges in system. Obtain proposal from Advantica for modeling proposal.
- Investigate with MPU the chlorination system operational status
- Document close-out status and outstanding issues on Contracts A,B,D, & E
- Contract Resolution
- Pre-Warranty Inspections – all contracts
- Pipeline Technical Expert
- Complete record drawings

Proposed resolution dates run from June through mid August. Mr. Rosenbeck will update this report on a monthly basis.

2. Manager's Report:

Mr. Vaclavik distributed a written report, highlighting activities during the last reporting period:

- Boardman Law Firm – Working on issues of contract amendments and resolutions (MPU agreement); water purchase agreement requirements (water multiplier); retention of design engineer (Malcolm Pirnie); and litigation support.
- Communications – Working with Leonard & Finco (Cole Buergi) on a revised web site.
- Manitowoc County Highway Claims – Working with the County to resolve a claim for road repair costs on Contract H. Have begun receiving invoices from the County for damage associated with trench settlement and repair.
- Contracts – Air relief and vacuum valve project is scheduled to be awarded at the Board meeting in July; River Valley Testing has started testing of settlement areas, with a final report expected mid-July; EFI has completed work on contract issues and will be completing Change Order #3 items.
- Operational Issues with MPU – locating services for fiber optic; fiber optic repair and maintenance; SCADA issues; and management services.

Mr. Vaclavik reported that discussions regarding the 2009 budget project a water rate of 84 cents per 1000 gallons, up from 81 cents in 2008.

The Water Authority is still under consideration with the Village of Hobart, although Green Bay has also made them an offer. Mr. Vaclavik will attend the next meeting of the Hobart Water & Utility Committee.

Pharmaceutical testing has been completed. Results are expected within the next couple of weeks.

Mr. Trembl asked the status of sink holes in the Cooperstown area and Mr. Vaclavik indicated that he was informed by a representative of the Soil & Water Conservation Department that a meeting will be held on June 17th to discuss issues there. Mr. Kopish added that he received a call from the Town Constable in Cooperstown asking for history of the Water Authority. The call was referred to Public Management Partners.

Old Business - none

New Business - none

Future Agenda Items:

Next Meeting: Wednesday, July 9th, 2008 – 3 p.m., DePere City Hall

August Meeting - Mr. Oppenheimer invited the Board to have their August 13th meeting at the new Bellevue Public Safety Building.

Sara Burdette of Ledgeview asked the status of the various community rate cases and if they have been submitted to the PSC. Mr. Oppenheimer indicated that Bellevue has completed theirs. DePere will have a Public Hearing on June 26th. Allouez, Howard, and Lawrence are in progress.

Public Comment: None

Adjournment:

Motion made by Bellevue and seconded by Howard to adjourn at 4:15 p.m. MOTION APPROVED UNANIMOUSLY

Respectfully Submitted,

Rae G. Knippel
Recording Secretary