

PROCEEDINGS OF THE CENTRAL BROWN COUNTY WATER AUTHORITY

Pursuant to Section 19.84 Wis. Stats., regular meeting of the **Central Brown County Water Authority** was held on Wednesday, December 10, 2008, at the DePere City Hall, 2nd Floor – 335 South Broadway, DePere, WI

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

Also

Present: Dave Vaclavik – Public Management Partners
Gary Rosenbeck – McMahon
Craig Berndt - Allouez

The meeting was called to order by President Delo at 3:15 p.m.

Roll Call:

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

Approval of Agenda:

Approve Agenda

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

Approval of Minutes:

Approve Minutes: November 12, 2008

**Motion made by Allouez and seconded by Howard to approve the minutes.
MOTION APPROVED UNANIMOUSLY**

Appearances:

1. None Scheduled

Administrative Committee Recommendations:

Mr. Oppenheimer highlighted discussion from the meeting held this date.

1. **Recommendation of Banking and Investment Services Provider:**
After review of comments from the interviewing team, the Administrative Committee chose Wells Fargo for future banking and investment services. Associated Bank and Johnson Bank were also considered and will be informed of the choice of Wells Fargo. President Delo pointed out that Wells Fargo has promoted a transition period and Mr. Vaclavik agreed to contact them to discuss this.

**Motion made by Allouez and seconded by Ledgeview to accept the recommendation of the Administrative Committee and approve Wells Fargo as the provider of Banking and Investment Services for the CBCWA.
MOTION APPROVED UNANIMOUSLY**

- 2. Proposed Contract Extension with Public Management Partners, LLP:**
Changes to the proposed contract were reviewed relative to fee, payment basis, and term. Additional discussion resulted in the recommendation to change the written notice of termination from either party to 90 days, rather than 60.

Motion made by Bellevue and seconded by Ledgeview to accept the recommendation of the Administrative Committee and approve the proposed contract extension with Public Management Partners with amendments as noted. MOTION APPROVED UNANIMOUSLY

- 3. Financial Reports:**

Motion made by Bellevue and seconded by Ledgeview to accept the recommendation of the Administrative Committee to approve Financial Reports. MOTION APPROVED UNANIMOUSLY

- 4. Pay Authorizations: Vouchers:**

Motion made by Bellevue and seconded by Lawrence to accept the recommendation of the Administrative Committee to approve pay authorizations/vouchers with the following changes:

- Delete \$3,000 payment to Manitowoc County Highway Commission (Project #121008-10)
- Approve payment to Jossart Brothers in the amounts of \$28,305, and \$89,751.25 for work related to connection stations and air release vault modifications.

MOTION APPROVED UNANIMOUSLY

- 5. 2008 Audit:**

Mr. Vaclavik informed the Administrative Committee that he has received preliminary information from Virchow Krause relative to the 2008 audit.

Technical Committee Recommendations:

Highlights of the meeting held on December 8, 2008 were reported by Dave Vaclavik and Craig Berndt as follows:

- 1. Recommend Approval of Change Order Extending Completion Time for the Jossart Brothers Air Release Valve Contract until December 26, 2008 at no Change in Cost:**

Mr. Vaclavik explained this change order is to extend completion time for Jossart Brothers air release valve contract until 12/26/08. There is no cost involved.

Motion made by Ledgeview and seconded by Howard to accept the recommendation of the Technical Committee to approve the Change Order extending completion time for the Jossart Brothers for air release valve contract until 12/26/08 at no change in cost.

MOTION APPROVED UNANIMOUSLY

2. **Recommend that McMahon be retained to prepare plans and specifications, seek construction bids and perform inspection services for the CBWA 2009 Air Relief Valve Repair Program at a cost not to exceed \$47,000:**

Craig Berndt of the Village of Allouez explained this request is for McMahon to begin Phase II for maintenance and repairs to air relief and surge protection valves. The next phase will be done in Spring 2009 with completion in 2010. McMahon will prepare plans and specifications, seek construction bids, and perform inspection services.

Ray Kopish asked if there were proposals entertained from other firms. Mr. Berndt explained there were not, that it is a continuation of the initial work commissioned to McMahon.

Motion made by Lawrence and seconded by DePere to accept the recommendation of the Technical Committee and approve that McMahon be retained to prepare plans and specifications, seek construction bids, and perform inspection services for the CBCWA 2009 Air Relief Valve Repair Program at a cost not to exceed \$47,000.

MOTION APPROVED UNANIMOUSLY

3. **Recommend that McMahon be retained to prepare a Water System Study including an Analysis of Storage Options, System Pressure Management, Service Capacity, Pumping and System Optimization:**

Mr. Berndt explained that a design report prepared by CTE contained a recommendation for water storage. As there may be Federal infrastructure funding available (#4 below), Mr. Rosenbeck has brought ideas before the Technical Committee related to system operation to be considered. It is suggested that the system design be updated with today's criteria, and that options on how the operation may be changed to reduce operating costs as part of the opportunity for special funding be researched.

Because the scope has changed, it was questioned why McMahon would automatically be retained without getting competitive quotes. Mr. Rosenbeck explained that he has always billed his work for the Authority under a discounted rate. From the standpoint of work scope there is a significant amount of information and knowledge about the system that he has built on and would not have to come up to speed on as someone else would need to do.

Rosenbeck explained that if the Authority is interested in applying for funding for potential storage, there is a deadline of 12/31/08. The study would determine details of the project and what it would cost. Although concerns were expressed with "rushing" with a deadline date of 12/31/08 and the likelihood of receiving funding, Mr. Berndt pointed out that the grant may provide 30% funding and also noted that in last year's state funding program for safe drinking water there were not enough projects. It may be an opportunity to capture funding for improvements to the system, provide a storage facility, and include lowering system operating pressure. By using additional booster stations on some of the legs of the system, Berndt stated that pressure could be raised to an optimum

level in Bellevue and at other sites, meaning a significant reduction in operating horse power.

Motion made by Allouez and seconded by Howard to refer back to the Technical Committee to develop a Request for Proposal (RFP).

President Delo asked if a different firm is hired, is it probable they will need more time to come up to speed on the project than McMahon who already has the background. Rosenbeck estimated that going out for proposals would typically take 3 to 4 months (April 2009).

Further discussion resulted in a request that Manager Dave Vaclavik develop the RFP to include scope, design criteria, etc. In the meantime, Mr. Berndt explained that if the Water Authority is going to protect their position to capture possible money, the application needs to be filed by 12/31/08. He is presently filling out application forms for the Village of Allouez. The consensus was to move forward with the application, while taking time to develop the design criteria.

Motion amended by Allouez and seconded by Howard to authorize Manager Dave Vaclavik, Public Management Partners, to prepare a Request for Proposal (RFP) for Technical Committee recommendation relative to a water system study including an analysis of storage options, system pressure management, service capacity, and pumping and system optimization. MOTION APPROVED UNANIMOUSLY

4. Recommend that McMahon prepare and submit application for funding for potential storage and pumping project:

The recommendation of the Technical Committee was to prepare and submit an application for funding for a potential storage and pumping project. Mr. Rosenbeck explained that any financial assistance program coming from Washington requires working within their framework. Discussion with Ehlers resulted in the suggestion that the application be supported by each municipality representing the CBCWA. Rosenbeck presented a document, with Ehlers advice, to be signed by the President of the Water Authority, and co-signed by the individual members. President Delo suggested that prior to the actual awards attempts be made to change existing legislation which requires each member to co-sign the application. Mr. Vaclavik was directed to draft a letter to be sent to area legislators requesting them to introduce legislation in this regard.

Motion made by DePere and seconded by Ledgeview to accept the recommendation of the Technical Committee and authorize McMahon to prepare and submit an application for funding for the potential storage and pumping project. MOTION APPROVED UNANIMOUSLY

5. PRV Site Restoration – Hold until Spring, but initiate discussion with Board regarding ultimate use of site:

This item related to a Water Authority owned lot located in the Village of Ledgeview was addressed. The original intent was to sell the lot for residential development, however, Mr. Vaclavik noted that although elevation and drainage

work has been done, at this time the lot is not sellable in its present condition. The Technical Committee has suggested that in the Spring a price be sought to bring it to sellable condition. President Delo noted that another option may to sell it as is.

6. **Proposals:**

- a. **Corrpro – Additional continuity testing for Contract E be approved at a cost not to exceed \$5,000:**

Because the Technical Committee believes that additional stations will better pinpoint areas of discontinuity, they have recommended that Corrpro be retained to identify these sites at a cost not to exceed \$5,000. Although this is warranty work for Jossart, Mr. Rosenbeck explained that because of poor contract language Jossart was only required to install bonding straps with no mechanism for tracking. The original contract was drafted by CTE.

Motion made by DePere and seconded by Howard to accept the recommendation of the Technical Committee to approve the proposal from Corrpro for additional continuity testing for Contract E not to exceed \$5,000. MOTION APPROVED UNANIMOUSLY

- b. **Advantica – Surge analysis proposal be accepted at a cost not to exceed \$29,000;**

Because of questions by the Water Authority and MPU related to what happens if pumps shut down or valves close due to power failure, etc., it has been recommended that Advantica perform a surge analysis. A proposal not to exceed \$29,000 has been received. Mr. Rosenbeck explained the analysis would be done in conjunction with other engineering services.

Mr. Berndt commented this has been a concern to the Village of Allouez for the past two years as they have experienced surges resulting in pipe damage. He stated that Allouez has, in fact, spent \$10,000 for surge protection on their side of the valve, however, this approval would provide protection on the Water Authority side of the valve.

Motion made by DePere and seconded by Allouez to accept the recommendation of the Technical Committee and accept the surge analysis proposal from Advantica not to exceed \$29,000 and that it be integrated as part of the engineering analysis to be done by RFP. MOTION APPROVED UNANIMOUSLY

- c. **McMahon – Contract Closeout Agreement be extended until July 1st at a cost not to exceed \$25,000:**

The Technical Committee is recommending that the contract closeout agreement with McMahon be extended until July 1st at a cost not to exceed \$25,000. This will cover miscellaneous/ engineering issues that are found necessary. When asked by Mr. Kopish who would authorize

the work, Mr. Berndt explained it would be done as in the past, by the Technical Committee and the Manager.

Motion made by DePere and seconded by Lawrence to accept the recommendation of the Technical Committee and approve the Contract Closeout Agreement with McMahon to 7/1/2009 not to exceed \$25,000.

Ayes: Bellevue, DePere, Hobart, Lawrence, Ledgeview

Nays: Allouez

MOTION APPROVED UNANIMOUSLY

PROJECT UPDATE & STATUS REPORTS:

1. **Engineer's Report:**

Mr. Rosenbeck highlighted items from a written report distributed to Board members including information related to:

- McMahon Contract Status
- Status/Financial Report for construction contracts
- Status report for tasks completed under close-out services agreement
- Dorner, Inc. – CTH 'R' Ditch Reconstruction Contract complete
- Jossart Bros – Air Release Valve Manhole Reconstruction Contract – Completion scheduled for 12/26/08
- Jossart Bros – Additional continuity stations – Completed except for restoration next year
- Howard Booster Station Issues – Re-design of electrical system
- Warranty Inspections – all contracts inspected for warranty corrections
- Record Drawings – Contracts C & F in progress and 95% complete

2. **Manager's Report:**

Mr. Vaclavik highlighted activities during the last reporting period:

- Preparation for litigation issues.
- Filing with CTE and contractors will take place next week. A synopsis of claims has been prepared and will be forwarded to Board members after comments from Attorney Kobza are received.
- Working with the DNR regarding chlorination system

When asked about the status of services to Hobart, Mr. Vaclavik stated that he is scheduled to be on the next agenda of their Water Advisory Board.

Closed Session: The Board may go into closed session to discuss pending litigation pursuant to Wisconsin State Statute 19.85 (1)(g) conferring with legal counsel for the governmental 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. The Board will then reconvene back into open session. No Closed Session

Old Business

1. **Amendment to Master Water Purchase Agreement:**

Final language regarding rebates and bonding implication is being drafted and will be forwarded to bond counsel.

New Business:

President Delo noted that DePere is offering a live broadcast on Channel 4 on Water Infrastructure through ICMA. It is a 1 ½ hour documentary done by Penn State regarding the condition of water, sewer, and stormwater systems. The DVD is available to anyone interested.

Future Agenda Items: None

Public Comment: None

Adjournment:

Next Meeting – Wednesday, January 14, 2008 – 1:30 p.m., DePere City Hall

**Motion made by Bellevue seconded by DePere to adjourn at 4:55 p.m.
MOTION APPROVED UNANIMOUSLY**

Respectfully Submitted,

Rae G. Knippel
Recording Secretary