

## **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, July 15, 2009, at the DePere City Hall, 2<sup>nd</sup> Floor – 335 South Broadway, DePere, WI

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**Present:** Allouez – Berndt/Kopish, Bellevue - Oppenheimer, Lawrence -Trembl, Ledgeview – Burdette  
**Excused:** DePere, Howard  
**Also Present:** Dave Vaclavik – Public Management Partners  
Gary Rosenbeck – McMahon Inc

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The meeting was called to order by Vice-President Oppenheimer at 3:06 p.m.

### **Roll Call:**

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

### **Approval of Agenda:**

Approve Agenda

**Motion made by Allouez and seconded by Lawrence to approve the agenda.**

**MOTION APPROVED UNANIMOUSLY**

### **Approval of Minutes:**

Approve Minutes: June 17 & 29, 2009

**Motion made by Ledgeview and seconded by Allouez to approve the minutes.**

**MOTION APPROVED UNANIMOUSLY**

### **Appearances:**

1. None

### **AGENDA:**

#### **Administrative Committee Recommendations:**

Aaron Oppenheimer highlighted discussion from the committee meeting held this date:

1. **Resolution Amending Agreement with Manitowoc Public Utilities:**  
Amendments to the Service Agreement with MPU have been finalized and updates made which reflect changes in cost and committed capacity, PSC involvement in rate review, along with numerous minor language modifications.

**Motion made by Bellevue and seconded by Allouez to accept the recommendation of the Administrative Committee and approve the Resolution amending the Agreement with Manitowoc Public Utilities. MOTION APPROVED UNANIMOUSLY**

2. **Mid-Year Water Use Report 2010 Member Consumption Forecast:**  
Water consumption continues to decline from 2008. Budget and 2009 water rates are based on an assumed volume and at this time are approximately 5-10% below budget. Projections for 2010 are being discussed with Baker Tilly and will be forwarded to each member community for review when completed. Three factors seem to have the greatest impact on this declined usage, those being reduction in industrial use, member efforts to reduce system leakage, and the economic impact on development and existing system users. No Action.
3. **V.A.L.U.E. Cooperative Purchasing program of Southeastern Wisconsin:**  
At the request of Board member, Ray Kopish, the V.A.L.U.E (Cooperative Purchasing Program of Southeastern Wisconsin) was investigated. It was determined that the program does not appear to work as well for smaller, low volume purchasers like the CBCWA. When comparing purchase of such items as copy paper or printer cartridges to what can be purchased locally, prices were found to be equivalent, or even higher with V.A.L.U.E. At this time because of volume, it appears there would be limited benefit to joining. Mr. Delo did request that Mr. Vaclavik check out prices for the purchase of chlorine. No Action.
4. **CBCWA Purchasing Policy Amendments:**  
Amendments to the Purchasing Policy have been submitted for attorney review. Once received, they will be forwarded to Baker Tilley for their comments. A final draft will come before the Board at the August meeting. No Action.
5. **Draft – CBCWA Budget and Water Rate Policy Manual (not for action):**  
Work has begun on the budget and water rates policy manual. A draft will be sent to Board members and the Technical Committee within the next week for review.
6. **Financial Reports:**  
  
**Motion made by Bellevue and seconded by Lawrence to accept the recommendation of the Administrative Committee and approve Financial Reports.**  
**MOTION APPROVED UNANIMOUSLY**
7. **Pay Authorizations/Vouchers:**  
  
**Motion made by Bellevue and seconded by Allouez to accept the recommendation of the Administrative Committee and approve pay authorizations/vouchers.**  
**MOTION APPROVED UNANIMOUSLY**

**Technical Committee Recommendations:**

Dave Vaclavik highlighted discussion at the meeting held on July 13, 2009:

1. **Change Order #1 in the amount of \$83,200 to Jossart Brothers Phase II A/R Valve Contract to include Phase III Work:**  
  
In response to a request for a proposal from Jossart to include Phase III work in this year's Phase II contract, a Change Order was presented in the amount of \$83,200. Phase II work was bid at \$78,700 for a total contract value of \$161,900. Vaclavik stated this compares to the 2009 budget amount of \$300,000.

When asked by Mr. Trembl if this amount includes additional engineering charges, Gary Rosenbeck indicated that cost is yet to be added.

**Motion made by Allouez and seconded by Ledgeview to accept the recommendation of the Technical Committee and approve Change Order #1 in the amount of \$83,200 to Jossart Brothers Phase II A/R Valve Contract to include Phase III Work.**

**MOTION APPROVED UNANIMOUSLY**

2. **Final Payment to Corrpro for Continuity Investigation in the amount of \$5,000:**

Corrpro has completed their work investigating electrical discontinuity on Contract E. Areas remain areas where they were unable to demonstrate continuity, but which cannot be further defined without substantial additional investment. At this time, the Technical recommends that final payment in the amount of \$5,000 be approved.

When asked by Mr. Trembl if they are satisfied with the work done by Corrpro, Mr. Vaclavik explained that Corrpro came to a deadend. Although there is still a discontinuity issue on two 500 foot sections, it will not create any significant problems with location of pipes. Mr. Berndt added that the addition of corrosion protection can be provided in the future at a nominal cost.

**Motion made by Allouez and seconded by Bellevue to accept the recommendation of the Technical Committee and approve final payment to Corrpro for continuity investigation in the amount of \$5,000. MOTION APPROVED UNANIMOUSLY**

3. **Contract "E" Final Payment to Jossart Brothers in the amount of \$20,994.37:**

Vaclavik explained that although there remain areas of discontinuity on the project, information shows that the contractor complied with the requirements to install bonding straps. Further discontinuity investigation would require excavating numerous pipe joints at Authority expense. The Technical Committee has recommended final payment to Jossart Brothers in the amount of \$20,994.37.

**Motion made by Allouez and seconded by Ledgeview to accept the recommendation of the Technical Committee and approve final payment to Jossart Brothers in the amount of \$20,994.37. MOTION APPROVED UNANIMOUSLY**

4. **Contract "F" Final Payment to Advance Construction in the amount of \$28,746.07:**

Vaclavik explained that Contract F was held up for continuity issues. A letter has been received from CTE stating that, in contrast to contract language, the contractor was not required to install bonding straps. Therefore, the Technical Committee has recommended that final payment be made.

**Motion made by Allouez and seconded by Ledgeview to accept the recommendation of the Technical Committee and approve final payment to Advance Construction on Contract F in the amount of \$28,746.07. MOTION APPROVED UNANIMOUSLY**

5. **City of Manitowoc Payment in the amount of \$36,706 damage to pavement at Johnston & Magnolia – subject to attorney review of agreement language:**

There has been significant trench settlement at the Johnston and Magnolia intersection resulting in damage to the concrete roadway. As it is expected to continue to settle, the City of Manitowoc has proposed that the Water Authority make a cash settlement, thus eliminating the

Authority from any future claims. Vinton Construction has proposed a cost of \$36,706, plus 25% for engineering and contingencies. Given the circumstances associated with the trench, Vaclavik explained that the Technical Committee has recommended making the payment, subject to agreement language by legal counsel.

Mr. Berndt added that the Advance proposal is \$47 per sq yd for removal and reinstall. Allouez recently received quotes in the \$55 to \$65 per yd range for similar work. It is his opinion Advance has submitted a reasonable quote.

**Motion made by Allouez and seconded by Ledgerview to accept the recommendation of the Technical Committee and approve payment to the City of Manitowoc for damage to pavement at Johnson & Magnolia in the amount of \$36,706, subject to attorney review.  
MOTION APPROVED UNANIMOUSLY**

## **PROJECT UPDATE AND STATUS REPORTS**

### **1. Engineer's Report:**

A written report from Engineer, Gary Rosenbeck, was distributed and highlighted as follows:

#### **Status of Project Closeout:**

- Contract E and Contract F close-out and final payment recommended by Technical Committee
- Resolution proposal with the City of Manitowoc regarding concrete pavement issues at the Magnolia and Johnson intersection was approved by the Technical Committee
- Warranty inspections for Contracts A and D have three remaining issues under resolution by contractors.

#### **Status Report for Projects in Progress**

- Replacement of ATS and additional site work at the Howard Booster station has been installed and operational. A leak in the genset fuel tank has been repaired.
- Phase I Air Release valve work completed, Phase II is in progress, and Phase III cost proposal was accepted by the Technical Committee as a Change Order to Phase II contract
- Chlorination System Evaluation Report to be submitted to DNR on 7/15/09
- Continuity Station project close-out final restoration completed
- Dorner ditch restoration project final restoration inspection/issues being resolved
- Work on manhole adjustments for Denmark paving project is being coordinated with Denmark.

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

Dave Vaclavik highlighted items from his written report as follows:

- A meeting was held on July 9<sup>th</sup> with the Technical Committee and CDM regarding a system study. Requirements and project expectations were discussed. CDM submitted a draft contract and scope of work for review. The contract has been sent to Attorney Kobza for evaluation and will be returned to CDM for revision.
- An RFQ has been prepared and issued for general engineering services, with proposals due on July 23<sup>rd</sup>. A special Technical Committee meeting will be held at 1:30 p.m. on July 29<sup>th</sup> at the Allouez Village Hall to review proposals
- Liberty Mutual, has been contacted regarding worker's compensation coverage. The premium of \$381 per year was approved on the voucher list.
- Certificates of Deposits - \$8,000,000 has been invested in CD's. Details were provided in the written report.

- Management of Fiber Optic by MPU is under discussion. A further report will be made at the next meeting.

Discussion continues with Vicki Hellenbrand of Baker Tilly in regard to audit contract extension, MPU audit, monthly financial reports, purchasing policy, and water rates, and with the Boardman Law Firm relating to MPU agreement language, purchasing policy, CDM agreement, and air relief valve contracts.

Vaclavik reported that discovery is continuing related to litigation and Boardman has come to an agreement with CTE's attorneys regarding access to documents and sub-consultant records.

Proposed budget and water rates for 2010 will be on the next Board agenda.

A meeting was held with Mayor Nickels of the City of Manitowoc to discuss CBCWA-MPU-Manitowoc relations.

**Old Business:**

1. None

**New Business:**

1. **Brick Repair at Hobart Pump Station. Authorize Brice Masonry to perform work at their quoted price of \$1,970.00:**

Mr. Vaclavik explained when electrical work was done at the Hobart Pump Station, cement blocks were used instead of brick. A price to replace with brick has been received from Brice Masonry in the amount of \$1,970.

**Motion made by Lawrence and seconded by Allouez to authorize Brice Masonry to perform brick repair at the Hobart Pump Station at their quoted price of \$1,970.**

**MOTION APPROVED UNANIMOUSLY**

**Future Agenda Items:**

1. **Next Meeting – Wednesday, August 19, 2009**
  - a. **2010 Proposed Budget and Water Rates:**

Vaclavik stated that public hearings will be required and he will be available to speak at the various member communities if wanted.
  - b. **Resolution Amending Water Purchase & Sale Agreement:**

**Public Comment:** None

**Adjournment:**

**Motion made by Allouez and seconded by Ledgeview to adjourn at 3:35 p.m.**

**MOTION APPROVED UNANIMOUSLY**

Respectfully Submitted,

Rae G. Knippel

Central Brown County Water Authority  
July 15, 2009

Recording Secretary