

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, October 21, 2009, at the DePere City Hall, 2nd Floor – 335 South Broadway, DePere, WI

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

Also

Present: Dave Vaclavik – Manager, CBCWA
Gary Rosenbeck – McMahon Inc
Craig Berndt – Village of Allouez

The meeting was called to order by Vice-President Oppenheimer at 3:01 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 Allouez to approve the agenda.

MOTION APPROVED UNANIMOUSLY

Approval of Minutes:

Approve Minutes: September 16, 2009:

Motion made by Allouez and seconded by Lawrence to approve the minutes.

MOTION APPROVED UNANIMOUSLY

Appearances:

1. **Public Hearing on 2010 CBCWA Budget & Water Rates:**

Hearing was opened to the public. No comments made.

Mr. Vaclavik highlighted aspects of the 2010 budget as presented to the Administrative Committee, stating that 2008/09 were challenging years for the Authority. He has made presentations before all member communities. The net result is a budget increase of approximately 0.3% over 2009. The Authority is helped in this effort by a projected rate from Manitowoc Public Utilities equivalent to the 2009 rate.

Modifications to the Authority's agreement with members are proposed to eliminate the variances to member water rates that occurred in 2008 due to the proscribed "true-up" procedure used to equalize rates at year-end. The proposed revisions will ensure that rates paid by all members remain equal.

Motion made by Howard and seconded by Lawrence to approve the 2010 CBCWA Budget & Water Rates as presented. MOTION APPROVED UNANIMOUSLY

AGENDA:

Administrative Committee Recommendations:

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

1. **Resolution Amending Water Purchase & Sales Agreement:**

As the resolution is being reviewed by Attorney Kobza, there was no action taken.

2. **Development of "Customer Class" Water Rates:**

Vaclavik reported that MPU has indicated a willingness to participate in a joint effort to develop a new customer class. Mr. Berndt indicated that Denmark has strongly expressed interest and would like some numbers by the end of the month. Mr. Vaclavik agreed to put numbers together and call a special meeting.

3. **CBCWA Budget Review:**

Refer to #1 above.

4. **Contract with Baker Tilly for Audit Services for 2009-2011 at a cost of \$11,700 per year:**

The CBCW Board agreed to support the recommendation of the Administrative Committee to move forward with audit services for three years with Baker Tilly at a cost of \$11,700 per year.

Motion made by Bellevue and seconded by Allouez to accept the recommendations of the Administrative Committee and approve the contract with Baker Tilly for audit services for 2009-2011 at a cost of \$11,700 per year.

MOTION APPROVED UNANIMOUSLY

5. **CBCWA Manager Contract Renewal Process:**

As his contract will expire 12/31/09, Mr. Vaclavik was directed to meet with President Delo to negotiate a contract for 2010.

6. **Designation of Agent/Alternative for Wisconsin Retirement System:**

Motion made by Bellevue and seconded by Howard to accept the recommendation of the Administrative Committee and designate Dave Vaclavik as the Agent, and Randy Trembl as the Alternative to the Wisconsin Retirement System.

MOTION APPROVED UNANIMOUSLY

7. **Financial Reports:**

Held for next meeting.

8. **Pay Authorizations/Vouchers:**

Motion made by Bellevue and seconded by Lawrence to accept the recommendation of the Administrative Committee and approve payment of pay authorizations/vouchers.

MOTION APPROVED UNANIMOUSLY

Technical Committee Recommendations:

Scott Thoresen highlighted discussion at the meeting held on October 19, 2009:

1. **Consideration of repairs to Nowack property at 11810 CTH R. The Technical Committee recommended working with Manitowoc County to establish alternatives and costs for resolving the drainage problems at the Nowack property.**

Brian Nowack was present at the 10/19/09 Technical Committee meeting to explain water drainage problems on his property which occurred since the construction of the pipeline. Although Manitowoc County Highway Department repaved his driveway, this has not eliminated the water problem as he is in a low spot. Options were discussed and Mr. Rosenberg was directed to discuss a solution with Manitowoc County.

2. **Repairs to road at Grant Street and Sand Acres in the Town of Lawrence be approved in an amount not to exceed \$7,000:**

As reported by Greg Little at the Technical Committee meeting, this road is in very bad need of repair. Northeast Asphalt was asked for a quote, which came in at \$6,000 to \$7,000. The Board previously okayed the repairs, subject to cost.

Motion made by DePere and seconded by Lawrence to accept the recommendation of the Technical Committee to approve road repairs in the Town of Lawrence not to exceed \$7,000. MOTION APPROVED UNANIMOUSLY

3. **Final payment to Jossart Brothers, Inc. in the amount of \$3,145.00 for construction of connection stations:**

Motion made by DePere and seconded by Ledgerview to accept the recommendation of the Technical committee and approve final payment to Jossart Brothers, Inc. in the amount of \$3,145 for construction of connection stations. MOTION APPROVED UNANIMOUSLY

PROJECT UPDATE AND STATUS REPORTS

1. **Engineer's Report:**

Mr. Rosenberg distributed his Engineer's Report, updating the Board on project close-out as follows:

- Warranty inspection for Contract A has two remaining issues awaiting resolution by the contractor.
- Outstanding non-warranty issues are to be completed by the Brown and Manitowoc County Highway Departments with agreements being negotiated.
- Identified air release valve connection leak to be repaired by MPU.
- System documentation is being provided in support of CDM study.
- Nowack driveway resolution coordination with Manitowoc County Highway.
- Cost proposals are being obtained to change out chlorine residual analyzers.

Projects in Progress:

- Phase III air release valve corrective work is 80% complete.
- Chlorination system evaluation final report was submitted to the DNR on 10/8/09. Final recommendations will be implemented after DNR approval.
- ATS enclosure issue at the Howard Booster Station has been completed.

2. **Manager's Report:**

Mr. Vaclavik reported that in addition to budget preparation and presentations, he has been involved in litigation related activities. A hearing with SJ Lewis is scheduled for the week of 11/16/09.

Old Business:

1. None

New Business:

1. Approval of 2010 Budget and Water Rates:
Refer to #1 under Appearances for action on 2010 Budget

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.

**Motion made by DePere and seconded by Lawrence to enter into closed session at 3:30 p.m.
Roll Call: All Present. MOTION APPROVED UNANIMOUSLY**

**Motion made by Howard and seconded by Ledgeview return to regular order of business.
Roll Call: All Present. MOTION APPROVED UNANIMOUSLY**

Recording Secretary excused 3:30 p.m.

1. **Recommendations resulting from closed session, if any:**

Next Meeting:

1. **Suggested Agenda Items:**
2. **Meeting now scheduled for November 18, 2009:**
Because of conflict with litigation hearings; the next meeting will be held on

**Wednesday, November 11th, 2009 at 3:00 p.m.
DePere City Hall**

**Motion made by Ledgeview and seconded by De Pere to adjourn at 4:32 p.m.
MOTION APPROVED UNANIMOUSLY**

Respectfully Submitted,

Rae G. Knippel
Recording Secretary