

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, November 11, 2009, at the DePere City Hall, 2nd Floor – 335 South Broadway, DePere, WI

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

Also

Present: Dave Vaclavik – Manager, CBCWA
Gary Rosenbeck – McMahon Inc

The meeting was called to order by Vice-President Oppenheimer at 3:25 p.m.

Roll Call:

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

Approval of Agenda:

Approve Agenda

Motion made by Howard and seconded by Lawrence to approve the agenda.

MOTION APPROVED UNANIMOUSLY

APPOINTMENT OF ALTERNATE:

1. **Appointment of Mayor Walsh as Alternate Board Representative for the City of DePere:**

Motion made by Allouez and seconded by Ledgeview to approve the appointment of Mike Walsh as an Alternate Board Representative for the City of DePere on the CBCWA.

MOTION APPROVED UNANIMOUSLY

Mayor Walsh explained the appointment would be for this meeting only as both Mr. Delo and Mr. Thoresen were unavailable. When asked if it would be appropriate to have Mr. Walsh serve as a second alternate, Mr. Vaclavik agreed to review.

Approval of Minutes:

Approve Minutes: October 21, 2009

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

MOTION APPROVED UNANIMOUSLY

Appearances:

1. None

Administrative Committee Recommendations:

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

1. **Resolution Amending Water Purchase & Sales Agreement:**
The Boardman Law Firm will be issuing an opinion as it relates to a change in the language of the Water Purchase & Sales Agreement. This change in the form of a Resolution will come before the Board on their 12/16/09 agenda. Elected officials and community leaders will be invited to attend.
2. **Development of "Customer Class" Water Rates:**
The consensus of the Administrative Committee was to move forward with the development of language related to a new "customer class". Mr. Vaclavik will meet with President Delo to discuss any concerns.
3. **Emergency Service Connection to the Village of Hobart:**
A possible two-way connection for emergency services will be discussed with both the Village of Hobart and the Village of Howard. Mr. Vaclavik will report back.
4. **Marketing Policy Development:**
It was suggested by the Board that data be gathered to determine a marketing plan. There were concerns with the impact of this action on the CBCWA and other communities. The idea will be discussed with MPU at a meeting scheduled in the near future.
5. **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
5. **Pay Authorizations/Vouchers:**

Motion made by Bellevue and seconded by Ledgeview to accept the recommendation of the Administrative Committee to approve pay authorizations/vouchers, except for check #3158 to the Brown County Highway Commission which is being held for further information. MOTION APPROVED UNANIMOUSLY

Technical Committee Recommendations:

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

1. **Approve PRV Repair Proposal from Midwest Water Group and PJ Kortens in the total amount of \$32,489 subject to available funding:**

Mr. Rosenbeck explained that because of the failure of a valve at the Pressure Reducing Station (PRS) in August, MPU has determined that if there had been position indicators, they would have known immediately of the problem. Because of this they have contacted Midwest Water Group for a quote to make modifications for monitoring and control of the three valves at the PRS. A quotation for the controls portion was also requested from PJ Kortens.

A cost of \$51,564 was received using EFI controls, or \$32,489 using PJ Kortens controls. MPU has recommended going with the second proposal with Midwest Water Group/PJ Kortens.

Although the motion by the Technical Committee was made for approval subject to available funding, Mr. Vaclavik indicated that he has since determined there is money available for this purpose.

Motion made by Howard and seconded by Lawrence to approve PRV repair proposal from Midwest Water Group and PJ Kortens in the amount of \$32,489, subject to available funding. MOTION APPROVED UNANIMOUSLY

PROJECT UPDATE AND STATUS REPORTS

1. Engineer's Report:

Gary Rosenbeck of McMahon highlighted issues related to Project Close-Out as follows:

- 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.
- Nowack Driveway resolution coordination is being discussed with the Manitowoc County Highway Department.
- Resolution of Manitowoc County Highway Department claims for Goodwin Road repairs and CTH 'R' gravel shoulder repairs are being negotiated. A cost of \$175,000 has been sent back for further justification and breakdown.

Projects which are in progress and under contract include:

- Phase III Air Release Valve Corrective Work due to corrosion is 95% complete.
- Chlorination System Evaluation Final Report has been submitted to the DNR and are awaiting recommendations.

Rosenbeck responded to MPU's list related to Attachment G, stating that:

- Contract D discrepancies exist
- No record drawings for fiber optic
- Pressure test results are incomplete
- All warranties have expired
- 48-inch valve issues pending resolution

Also distributed for review was a detailed contract status report summary, specifically related to Michels Pipeline Construction, Dorner-Joski Joint Venture, SJ Louis Construction, and Dorner Inc.

2. Manager's Report:

Mr. Vaclavik stated that the majority of his time has been spent with the Boardman Law Firm and Attorney Kobza in litigation related matters, which will be discussed during closed session.

Old Business:

1. None

New Business:

1. None

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 Lawrence and seconded by Ledgeview to enter into closed session at 3:43 p.m.
Roll Call: All Present. MOTION APPROVED UNANIMOUSLY**

Recording Secretary excused 3:45 p.m.

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

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

Next Meeting:

1. **Suggested Agenda Items:**

2. **Special Closed Session Meeting – 3 p.m., Tuesday, December 1, 2009**

**Regular Meeting scheduled for December 16, 2009
3:00 p.m. - DePere City Hall**

**Motion made by Ledgeview and seconded by Allouez to adjourn at 4:05 p.m.
MOTION APPROVED UNANIMOUSLY**

Respectfully Submitted,

Rae G. Knippel
Recording Secretary