

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, November 16, 2011, at the DePere City Hall Board Chambers, 335 South Broadway, DePere, WI

Present: Allouez – Kopish, Bellevue - Oppenheimer, DePere-Delo, Howard-Farr,
Lawrence – Treml, Ledgeview-Burdette
Also Present: Dave Vaclavik – Manager
Scott Thoresen - DePere

The meeting was called to order by President Delo at 3:32 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 UNANIMOUSLY APPROVED

Approval of Minutes:

Approve Minutes: October 19, 2011

Motion made by DePere and seconded by Bellevue to approve the minutes.

MOTION UNANIMOUSLY APPROVED

Appearances: None

Administrative Actions & Reports:

1. **Wisconsin Public Service Commission letter regarding Purchased Water Adjustment Clause for Member Committees:**

The Manager reported that he was contacted by the PSC regarding the Purchased Water Adjustment Clause for member communities. They have suggested that it be eliminated for 2012 and that a new process be developed for 2013. The Manager indicated that he met with President Delo and Attorney Kobza and it was suggested that a new procedure be developed. At this time action will be deferred on the current Water Adjustment Clause until an alternative is developed.

2. **Proposed Amendment to Water Purchase Agreement related to Connection Station Agreements:**

The Manager explained the process for amending the CBCWA Purchase & Sales Contract as set forth in Article 16 of the contract between the Authority and members. Changes made by "Fifth Amendment" were distributed. A resolution has been drafted highlighting the following:

- Limits on Authority's Obligations

- Points of Delivery
- Points of Connection
- Backup Flows/Pressure
- Authority to Supply Equipment, Official Record
- Removal of Authority Meters
- Title to Potable Water

This resolution – The Fifth Amendment to the Central Brown County Water Authority Water Purchase and Sale Contract will be brought back for final approval.

3. **Settlement Claims:**

a. **Robert Langer**

The Manger indicated that Mr. Langer has refused to sign the waiver agreement and an alternative has been drafted for consideration.

b. **Jim Theyrl**

Mr. Theyrel also has refused to sign the waiver agreement and has asked for a warranty on the repair work. Attorney Kobza has suggested the claim be turned over to the insurance company for the Authority for resolution.

4. **Financial Reports:**

Balance Sheet reports were distributed for review. The Manager indicated that as of 12/1/11 a \$4,657,216 principal and/or interest payment is due for the bond issue. He informed the Board that he has met with Ehlers & Associates to discuss the current bond status and to review the possibility and timing for advance refunding.

**Motion made by Ledgeview and seconded by Allouez to accept the financial reports.
MOTION UNANIMOUSLY APPROVED**

5. **Pay Authorizations/Vouchers:**

Motion made by Lawrence and seconded by Bellevue to approve the pay authorizations/vouchers. MOTION UNANIMOUSLY APPROVED

Technical Committee Recommendations:

1. No Action Items

Project Update and Status Reports:

1. **Engineer's Report:**

Activities over the last reporting were highlighted and include:

- GIS Development – This project is 99.9% complete with final spot field locating of sections of pipeline where conflicts in data have been found. Project completion is estimated in two months.
- Optimization Study – On-site inspections of member communities existing facilities have been completed and a system operating computer model assembled. At this time operational optimization scenarios and water storage options are being developed with a December 9, 2011 workshop /presentation planned before the Technical Committee.
- Corrosion Assessment of 49-inch Pipeline – Corrosion Protection Management has provided a 3rd revised report which incorporates comments from legal counsel. The

Manager indicated that an RFQ is being prepared to pre-select contractors for a design/build proposal after final review and approval of the CPM report.

- Air Release Valve Replacement & Pressure Relief Valves – Final design documents for the installation of the pressure relief valves at BE-1 and LW-1, and the replacement of vacuum valves at five sites was reviewed by the Technical Committee at their November meeting. An RFQ has been submitted by invitation to five local area mechanical contractors with a December 7th opening scheduled.

2. Manager's Report:

The Manager highlighted items from his written report including:

- Meter Systems – The Appleton group is scheduling presentations from Sensus and Badger and will be moving forward with the development of an RFP.
- Pump Repair – The primary service pump at MPU suffered a catastrophic failure and has been sent out for repair.
- Joint Purchasing – Research continues regarding the possibility of collaborating on the joint purchasing of materials by members.
- 2012 Rate Case – The public hearing with PSC was held on November 7th. Results are expected within the next few weeks.

New Business:

1. None

Old Business:

1. None

CLOSED SESSION: (To be held in Riverview Conference Room)

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.

Moved by DePere, seconded by Bellevue to enter into Closed Session at 4 p.m.

MOTION UNANIMOUSLY APPROVED

(Recording Secretary excused 4:05 p.m.)

Moved by Bellevue, seconded by Allouez to return to regular order of business.

MOTION UNANIMOUSLY APPROVED

Next Meeting:

1. Suggested Agenda Items for Next Meeting December 21, 2011:

a) Note: Election of CBCWA Officer Positions will be on the next agenda. All current terms will expire at year-end.

Motion made by Bellevue, seconded by Allouez to adjourn at 4:40 p.m.

MOTION APPROVED UNANIMOUSLY

Central Brown County Water Authority
November 16, 2011

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Respectfully Submitted,

Rae G. Knippel
Recording Secretary