



Milwaukee Metropolitan Sewerage District

Meeting Proceedings

Commission

260 West
Seeboth Street
Milwaukee, WI
53204

Preston D. Cole, Chair
Robert C. Brunner, Vice Chair
Lyle A. Balistreri, David Cullen, Pedro Colon,
Theresa M. Estness, Dennis Grzezinski, Ashanti Hamilton,
Ronald G. Hayward, Dale J. Richards, Wallace White

Monday, January 14, 2008

9:45 AM

MMSD Headquarters Building, Room 121

SPECIAL COMMISSION MEETING

CALL TO ORDER

Commission Chair Preston D. Cole called the meeting to order at approximately 10:52 a.m.

RECORD ROLL

Present: Preston D. Cole, Robert C. Brunner, Lyle A. Balistreri, Dennis Grzezinski, David Cullen, Theresa M. Estness, Ashanti Hamilton, Dale Richards, Wallace White, Ronald G. Hayward
Excused: Pedro Colon

POLICY, FINANCE & PERSONNEL COMMITTEE REPORT

5 08-006-1 Natural Gas Commodity Procurement

A motion was made by Commissioner Grzezinski, seconded by Commissioner Balistreri, that this matter be Adopted by a Voice Vote. The motion carried.
Commissioner Brunner abstained from the vote.

ADJOURNMENT

As there was no further business, the Commission adjourned the meeting at approximately 10:55 a.m.

Marjorie Stahl, Commission Secretary
Milwaukee Metropolitan Sewerage District



Milwaukee Metropolitan Sewerage District

Meeting Proceedings

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Lyle A. Balistreri, David Cullen, Pedro Colon,
Theresa M. Estness, Dennis Grzezinski, Ashanti Hamilton,
Ronald G. Hayward, Dale J. Richards, Wallace White

Monday, January 28, 2008

9:00 AM

MMSD Headquarters Building, Room 121

CALL TO ORDER

The Commission Chair, Preston D. Cole, called the meeting to order at approximately 9:00 a.m.

RECORD ROLL

Present: Preston D. Cole, Pedro Colon, Robert C. Brunner, Lyle A. Balistreri, Dennis Grzezinski, David Cullen, Ashanti Hamilton, Dale Richards, Wallace White, Ronald G. Hayward

Excused: Theresa M. Estness

Approval of Proceedings of Special Commission Meetings held December 3, 2007 and Regular Commission Meeting held December 17, 2007

A motion was made by Commissioner White, seconded by Commissioner Richards, to approve the Proceedings. The motion carried.

NEW BUSINESS

08-015-1 Operations and Maintenance Report for December 2007

The Commission received a Power Point presentation on the Operations and Maintenance Report from John Jankowski, Manager of Contract Compliance, and John Cheslik, UWS General Manager.

The Commission also received a Power Point presentation on the Transition Report (Asset Management, Operations, Administration) from John Jankowski, Manager of Contract Compliance, and Scott Royer, Veolia General Manager.

Commissioner Balistreri requested a laundry list of payroll transition problems of confidential employee information requested and suggested a document be prepared which spelled out the process for employees to obtain the information needed.

Commissioner Richards set a target date to have these issues resolved by the next Operations Committee meeting on February 11, 2008, and report to the Committee at that time.

Received

OPERATIONS COMMITTEE MEETING REPORT

A motion was made by Commissioner Richards, seconded by Commissioner Colon, to approve Items 1-3.

Commissioner Cullen requested consideration that Item 3 be addressed separately and a roll call vote be taken on that Item.

Commissioner Richards and Colon consented.

- 1 **08-001-1** Award of Contract J06025D01, Jones Island Wet Well Relining Project
- A motion was made by Commissioner Richards, seconded by Commissioner Colon, that this matter be Adopted by a Voice Vote. The motion carried.**
- 2 **08-002-1** Award of Contract C07018C01, Emmer Lane Siphon Project
- A motion was made by Commissioner Richards, seconded by Commissioner Colon, that this matter be Adopted by a Voice Vote. The motion carried.**
- 3 **08-003-1** Award of Contracts for On-Call Engineering and Support Services
- A motion was made by Commissioner Richards, seconded by Commissioner Colon, that this matter be Adopted by a Roll Call Vote. The motion carried by the following vote:**
- Yes:** 8 - Cole, Brunner, Balistreri, Grzezinski, Hamilton, Richards, White, Hayward
- No:** 2 - Colon, Cullen
- Present:** 0 -
- Excused:** 1 - Estness

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

- 4 **08-005-1** Contract Amendments for Benefit Plans to Include Benefit Coverage for Affected Employees to be Employed by Veolia
- A motion was made by Vice Chair Brunner, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.**

ORGANIZATION & ADMINISTRATION

08-016-1

EXECUTIVE DIRECTOR'S REPORT

- A. I&C Upgrades at Jones Island and South Shore Treatment Plants Monthly Update
- B. Agency Services Quarterly Reports
- C. Educational Outreach Activities Quarterly Report
- D. 2007 Year in Review
- E. Menomonee River Monitoring Partnership
- F. Industrial Pretreatment Permit Issue
- G. PCB Update

The Executive Director reported the following:

A. *I & C Upgrades at Jones Island and South Shore Treatment Plants Monthly Update
(Presentation from Bill Farmer)*

B. *Agency Services Quarterly Reports
(Hard copy of the reports distributed to Commissioners)*

C. *Educational Outreach Activities Quarterly Report
(Hard copy of the report distributed to Commissioners - Presentation from Cora Lee-Palmer, Community Affairs Coordinator, on the highlights of the last quarter and year)*

D. *2007 Year in Review
(Power Point Presentation by Kevin Shafer)*

E. *Menomonee River Monitoring Partnership
The District has entered in to an ICA with 8 Communities (including Wauwatosa and West Milwaukee) that discharge stormwater to the Menomonee River. The District will collect and analyze samples of the Menomonee River and these results will be used by the Communities to fulfill their reporting requirements to the DNR under their Stormwater Permits. Most importantly, this partnership focuses on the water quality of the Menomonee River as a Watershed and not only on segmented reaches impacted by individual communities. The District's Stormwater Monitoring Program will further support this partnership by identifying point sources of pollution (illicit connections/cross-connections from the sanitary to the storm sewer) in areas where test results indicate that the water quality of the Menomonee River is being compromised.*

The DNR has been an active participant in this partnership and has approved the Monitoring Plan developed by the District. The 8 Communities will pay the District a total of \$30,000 to provide sample collection and analytical services over a 3 year period.

The 8 Partner Communities:

*Brookfield Butler
Elm Grove Germantown
Greenfield Menomonee Falls
Wauwatosa West Milwaukee*

F. *Industrial Pretreatment Permit Issue
(Presentation by Pete Topczewski - Fontarome Chemical in St. Francis)*

G. *PCB Update*

(Related to the status of the PCB Related Insurance Claims)

- *Insurance carriers with the indicated coverages were notified (on or about July 20, 2007) of the PCB loss:*

Chubb Insurance Group - Construction Contractor's Pollution Liability

Liberty Mutual - Construction Contractor's General Liability

Zurich Insurance Companies - Construction Contractor's Builder's Risk

Local Government Property Insurance Fund (LGPIF) - District Property, including Business Interruption and Extra Expense (for Milorganite Sales)

- *Business Interruption and Extra Expense Coverage.*

The LGPIF denied the claim for lost Milorganite sales under the policy's exclusion endorsement which is not a "covered peril" under the policy.

- *The District has received a "reservation of rights letter" from the other three carriers which in effect denies coverage pending. The District has notified carriers that "any and all rights of the MMSD are likewise hereby reserved, including, but not limited to the right to amend, modify or alter this correspondence to assert additional claims or arguments for coverage which may exist now or in the future."*

A discussion of each remaining coverage area follows:

- *Contractor's Pollution Liability. This claim is not being pursued because the District construction contractor and City of Milwaukee sewer maintenance crews were cleaning sewers in the same area, there has been no clear indication of the extent to which either party was at fault, and any claim made would expose the City to a subrogation action by the insurance carrier.*

- *Contractor's General Liability. Although the District itself is self-insured for third party general liability claims, under the Owner Controlled Insurance Program the District purchases general liability for its construction contractors. Milwaukee Public Schools has made a claim associated with the PCB incident for approximately \$25,000. The deductible under the contractor's general liability policy is \$100,000. The District will continue to monitor the cost of third party claims in order to seek reimbursement from the insurance carrier if total third party claims costs exceed the deductible.*

- *Builder's Risk. Although notice was given to the builder's risk carrier, no claim is expected at this time as there was no damage to property at the construction site.*

- *Actions being undertaken by the District to mitigate future losses:*

1. More frequent testing of PCB laboratory samples.

2. PCB Map Program: municipalities cleaning their sewers requests maps through the District website. Municipalities are expected to use and conduct due diligence review using this website as an awareness tool.

3. Finalize file close-out to be submitted to Risk Management, including costs and supporting invoices to ensure documentation is retained for possible future claim submittal.

4. Review and analyses of District's environmental insurance coverage for both the District and its contractors including potential district exposures, coverage and alternative methods for risk financing.

Received

A motion was made by Commissioner Grzezinski, seconded by Commissioner Richards, to go into Closed Session in accordance with state statute and for the purposes as stated on the published notice and agenda.

The motion carried.

CLOSED SESSION

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission convened in Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- | | | |
|------------|-----------------|--|
| CS1 | 08-008-1 | Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session

Not Discussed in Closed Session |
| CS2 | 08-009-1 | Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session
- Milorganite
- Veolia, Operations and Maintenance Agreement
- J06014, Jones Island Instrumentation and Controls Upgrade Project
- S06004, South Shore Instrumentation and Controls Upgrade Project
- Contract J06014C02 with Rockwell Automation

Heard in Closed Session |
| CS3 | 08-010-1 | WPDES Permit Reissuance

Not Discussed in Closed Session |
| CS4 | 08-011-1 | Oak Creek Landfill

Not Discussed in Closed Session |
| CS5 | 08-012-1 | State of Wisconsin vs. MMSD et. al. (2005)

Heard in Closed Session |
| CS6 | 08-013-1 | Friends of Milwaukee's Rivers and Lake Michigan Federation vs. MMSD

Heard in Closed Session |
| CS7 | 08-014-1 | E-L Enterprises Inc. v. MMSD, et. al.

Not Discussed in Closed Session |

CS8 08-017-1 Operations and Maintenance Contract - UWS

Heard in Closed Session

ADJOURNMENT

As there was no further business, the Commission adjourned in Closed Session without reconvening in Open Session at approximately 11:50 a.m.

Marjorie Stahl, Commission Secretary
Milwaukee Metropolitan Sewerage District



Milwaukee Metropolitan Sewerage District

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Theresa M. Estness, Dennis Grzezinski, Ashanti Hamilton,
Ronald G. Hayward, Dale J. Richards, Wallace White

Monday, February 25, 2008

9:00 AM

MMSD Headquarters Building, Room 121

CALL TO ORDER

Commission Vice Chair Brunner called the meeting to order at approximately 9:00 a.m.

RECORD ROLL

Present: Pedro Colon, Robert C. Brunner, Lyle A. Balistreri, Dennis Grzezinski, David Cullen, Theresa M. Estness, Ashanti Hamilton, Dale Richards, Wallace White, Ronald G. Hayward

Excused: Preston D. Cole

Approval of Proceedings of Special Commission Meeting held on January 14, 2008 and Regular Commission Meeting held January 28, 2008

A motion was made by Commissioner White, seconded by Commissioner Grzezinski, to approve the Proceedings. The motion carried.

NEW BUSINESS

08-015-1 Operations and Maintenance Report for January 2008

The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and John Cheslik, General Manager, UWS.

On behalf of United Water, Suez, and himself, John Cheslik indicated that it was a pleasure to serve the citizens, the MMSD Board of Commissioners and MMSD staff for the last ten years and thanked all. Commission Vice Chair Brunner responded that he appreciated all his fine work not only as General Manager of United Water, but him personally.

The Commission also received a Power Point presentation on the Transition Report (Asset Management, Operations, Administration) from John Jankowski, Manager of Contract Compliance and Scott Royer, Veolia General Manager

Commissioner White requested, and Scott Royer, Veolia General Manager, agreed to provide the Commission at future meetings with progress reports on contracted activity.

Received

OPERATIONS COMMITTEE MEETING REPORT

Items 1-7 were taken as a block.

- 1 **08-018-2** Award of Contract J04013D01, Jones Island Dewatering and Drying Variable Frequency Drive System Upgrade Project
A motion was made by Commissioner White, seconded by Commissioner Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried.

- 2 **08-019-2** Award of Contract C07008C01, Barclay / 4th / Chase Metropolitan Interceptor Sewer Replacement
A motion was made by Commissioner White, seconded by Commissioner Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried.

- 3 **08-020-2** Award of Contract J06031C01, Jones Island Turbine Control Upgrade
A motion was made by Commissioner White, seconded by Commissioner Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried.

- 4 **08-021-2** Authorize the Executive Director to Award a Contract to Great Lakes Underground Equipment Company, Inc. for a Replacement Vacuum Jetter Truck
A motion was made by Commissioner White, seconded by Commissioner Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried.

- 5 **08-022-2** Approval of Contract Modification No. 12, Contract J06014C01 Jones Island Instrumentation and Control Upgrades
A motion was made by Commissioner White, seconded by Commissioner Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried.

- 6 **08-023-2** Approval of Amendment No. 6, Contract J06014D01, Final Design, Applications Engineering and Engineering Services During Construction for Jones Island and South Shore Instrumentation and Control Upgrades and Restore the Executive Director's Original Delegated Authority
A motion was made by Commissioner White, seconded by Commissioner Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried.

- 7 **08-024-2** Approval of Amendment No. 2, Contract S06004C02, Support Services for Instrumentation and Control Upgrades
A motion was made by Commissioner White, seconded by Commissioner Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried.

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

- 8 **08-025-2** Authorizing the Executive Director to Approve Computer-Related Purchases from the State Bid List
A motion was made by Commissioner Cullen, seconded by Commissioner Hamilton, that this matter be Adopted by a Voice Vote. The motion carried.

ORGANIZATION & ADMINISTRATION

- 08-016-1** EXECUTIVE DIRECTOR'S REPORT
- A. I&C Upgrades at Jones Island and South Shore Treatment Plants Monthly Update
- B. GIS Update
- A. *The Commission received a Power Point Presentation from Bill Farmer, Project Manager.*
- B. *The Commission received a Power Point Presentation from Don Nehmer, Capital Program Business Manager, and Sara Hackbarth, Facilities Information Supervisor.*

Received

Commission Vice Chair Brunner indicated that the Commission had no need to convene in Closed Session, however, the following individual requested to address the Commission related to Closed Session Items CS2 and CS8.

Richard Stencel, President Local 366
 Representing: UWS/MMSD Workers
 3648 S. Iowa Avenue
 St. Francis, WI 53235
 (414) 482-3863

The Commission received comments from Mr. Stencel related to the transition between United Water Services and Veolia which he stated directly impacts his workforce.

CLOSED SESSION

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission did not convene in Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- CS1 08-008-1** Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session

Did Not Convene In Closed Session

- CS2 08-009-1** Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session
- Milorganite
 - Veolia, Operations and Maintenance Agreement
 - J06014, Jones Island Instrumentation and Controls Upgrade Project
 - S06004, South Shore Instrumentation and Controls Upgrade Project
 - Contract J06014C02 with Rockwell Automation

Did Not Convene In Closed Session

- CS3 08-010-1** WPDES Permit Reissuance
Did Not Convene In Closed Session
- CS4 08-011-1** Oak Creek Landfill
Did Not Convene In Closed Session
- CS5 08-012-1** State of Wisconsin vs. MMSD et. al. (2005)
Did Not Convene In Closed Session
- CS6 08-013-1** Friends of Milwaukee's Rivers and Lake Michigan Federation vs. MMSD
Did Not Convene In Closed Session
- CS7 08-014-1** E-L Enterprises Inc. v. MMSD, et. al.
Did Not Convene In Closed Session
- CS8 08-017-1** Operations and Maintenance Contract - UWS
Did Not Convene In Closed Session

ADJOURNMENT

As there was no further business, the Commission adjourned in Open Session without going into Closed Session at approximately 9:50 a.m.

Marjorie Stahl, Commission Secretary
Milwaukee Metropolitan Sewerage District



Milwaukee Metropolitan Sewerage District

Meeting Proceedings

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Theresa M. Estness, Dennis Grzezinski, Ashanti Hamilton,
Ronald G. Hayward, Dale J. Richards, Wallace White

Monday, March 17, 2008

9:00 AM

MMSD Headquarters Building, Room 121

CALL TO ORDER

The Chair called the meeting to order at approximately 9:00 a.m.

RECORD ROLL

Present: Preston D. Cole, Pedro Colon, Robert C. Brunner, Lyle A. Balistreri, Dennis Grzezinski, David Cullen, Theresa M. Estness, Ashanti Hamilton, Dale Richards, Ronald G. Hayward

Excused: Wallace White

Approval of Proceedings of Regular Commission Meeting held February 25, 2008

A motion was made by Commissioner Grzezinski, seconded by Vice Chair Brunner, to approve the Proceedings. The motion carried.

NEW BUSINESS

08-015-1 Operations & Maintenance Report for February 2008

The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and John Cheslik, General Manager, UWS.

Commission Chair Cole entertained heartfelt applause for John Cheslik, UWS General Manager, for his 10 years of service to the District in which \$140 million was saved for the rate payers and for John's commitment to and professional relationship with the District. John Cheslik thanked all for the last 10 years from him and on behalf of United Water, Suez.

The Commission also received a Power Point presentation on the Transition Report from Scott Royer, Veolia General Manager. Joyce Harms, Veolia Communication Manager, was introduced to the Commission and staff.

Received

OPERATIONS COMMITTEE MEETING REPORT

1 08-026-3 Award of Contract TS-2464, Jones Island and South Shore Capacity Analysis

A motion was made by Commissioner Richards, seconded by Commissioner Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried.

- 2 **08-027-3** Award of Contracts for the Geographic Information System Vision Implementation, Phase II Project

Commissioners Cullen and Brunner voted no on this item.

A motion was made by Commissioner Grzezinski, seconded by Commissioner Estness, that this matter be Adopted by a Voice Vote. The motion carried.

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

- 3 **08-028-3** Replacement of Enterprise Computer Backup and Restore System

A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.

ORGANIZATION & ADMINISTRATION

08-016-1 EXECUTIVE DIRECTOR'S REPORT

A. I&C Upgrades at Jones Island and South Shore Reclamation Facilities Monthly Update

B. Update on Modifications to TMDL Contract

The Executive Director reported on the following:

A. The Commission received a Power Point presentation on the status of the I&C Upgrades at Jones Island and South Shore from Bill Farmer, Contract Engineer.

The Commission received a Power Point presentation on the Emergency Slope Failure at 37th and Canal Streets from Tom Zimmerman, Engineering Design and Construction Manager.

B. The Commission received a Power Point presentation on the Modifications to TMDL Contract from Kevin L. Shafer, P.E., Executive Director.

Commissioner Colon requested that the Great Lakes Compact be placed as an agenda item for the April Commission meeting cycle.

Received

Commission Chair Cole announced that the Wisconsin Department of Natural Resources will hold meetings here at the District on May 27 and May 28, 2008 in the Commission Conference Room. He indicated that the meetings will be in Open Session and NR 151 will be on the agenda. He invited all to attend.

A motion was made by Commissioner Grzezinski, seconded by Commissioner Brunner, to go into Closed Session in accordance with state statutes and for the purposes as stated on the published notice and agenda.

The motion carried.

CLOSED SESSION

PURSUANT TO SECTION 19.85(1)(c), (e) and (g), Wisconsin Statutes, the Commission convened in Closed Session for considering employment compensation and performance evaluation data of public employees over whom the Commission has jurisdiction, regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

CS1 08-008-1 Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session

Not Discussed in Closed Session

CS2 08-009-1 Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session
- Milorganite
- Veolia, Operations and Maintenance Agreement
- J06014, Jones Island Instrumentation and Controls Upgrade Project
- S06004, South Shore Instrumentation and Controls Upgrade Project
- Contract J06014C02 with Rockwell Automation

Not Discussed in Closed Session

CS3 08-010-1 WPDES Permit Reissuance

Heard in Closed Session

CS4 08-011-1 Oak Creek Landfill

Not Discussed in Closed Session

CS5 08-012-1 State of Wisconsin vs. MMSD et. al. (2005)

Heard in Closed Session

CS6 08-013-1 Friends of Milwaukee's Rivers and Lake Michigan Federation vs. MMSD

Not Discussed in Closed Session

CS7 08-0007-1 E-L Enterprises Inc. v. MMSD, et. al.

Not Discussed in Closed Session

CS8 08-017-1 Operations and Maintenance Contract - UWS

Heard in Closed Session

CS9 08-030-3 United Water - Claims

Not Discussed in Closed Session

CS10 08-031-3 Dryer Building Damage Investigation
Heard in Closed Session

ADJOURNMENT

As there was no further business, the Commission adjourned in Closed Session without reconvening in Open Session at approximately 10:50 a.m.

Marjorie Stahl, Commission Secretary
Milwaukee Metropolitan Sewerage District



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Ronald G. Hayward, Dale J. Richards, Wallace White

Monday, April 21, 2008

9:00 AM

MMSD Headquarters Building, Room 121

CALL TO ORDER

The Chair called the meeting to order at approximately 9:00 a.m.

RECORD ROLL

Present: Preston D. Cole, Pedro Colon, Robert C. Brunner, Lyle A. Balistreri, Dennis Grzezinski, David Cullen, Theresa M. Estness, Dale Richards, Wallace White, Ronald G. Hayward

Excused: Ashanti Hamilton

The agenda was taken out of sequence. The Commission immediately upon opening the meeting went into Closed Session, returned to Open Session, addressed the Executive Director's report, the Operations and Maintenance Report, Item 17, the Committee Reports, and finally Item 18.

A motion was made by Commissioner Grzezinski, seconded by Commissioner Estness, to go into Closed Session pursuant to statutory authority and for the purposes as stated on the published notice and agenda.

The motion carried.

The Commission convened in Closed Session at approximately 9:05 a.m.

The Commission reconvened in Open Session at approximately 9:30 a.m.

A motion was made by Commissioner Grzezinski, seconded by Commissioner Estness. The motion carried.

Approval of Proceedings of Regular Commission Meeting held March 17, 2008

A motion was made by Commissioner White, seconded by Commissioner Estness, to approve the Proceedings. The motion carried.

NEW BUSINESS

08-015-1 Operations & Maintenance Report for March 2008

The Commission received a Power Point Presentation from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water.

Received

17 08-050-4 Annual Performance Report for 2007

The Commission received a Power Point Presentation from Mickie Pearsall, Lead Management and Budget Analyst, with comments from Kevin L. Shafer, P.E., Executive Director, and Mark Kaminski, Acting Controller.

Commission Vice Chair Brunner requested that:

- 1. Projects removed from the stipulation should be mentioned in the report next year.*
- 2. Related to toxic chemicals, more current data comparison.*

Commission Chair Cole requested that when addressing flooding issues, a message should be incorporated related to protecting our children and keeping them away from rushing waters in rivers and lakes.

Commissioner Richards stressed the importance of:

- 1. Milwaukee Regional Partnership Program.*
- 2. Having a Second Medicine Collection and track progress in 2008.*
- 3. Improve on Toxic Chemical data --more current data and stretch in goals.*
- 4. Implementation this year of the security cameras at Jones Island.*

Commissioner White stressed the importance of:

- 1. Ongoing CMOM Program assessing sewers.*
- 2. SWMBE Goal of 20% to be met this year.*

Kevin L. Shafer, P.E., Executive Director, indicated that he would add these items to the Goals and Objectives report for next year.

Received

- 18 08-051-4 Resolution Commending Dennis M. Grzezinski for Meritorious Service and Leadership on the Commission of the Milwaukee Metropolitan Sewerage District
- Commissioner Grzezinski gave a speech on all that has been accomplished at the District during his 18 years and eloquently touched on the past challenges, present achievements and successes, and future goals of MMSD. He commended Kevin L. Shafer, P.E., as Executive Director, staff and all employees who are dedicated to their jobs and do them well.*
- Commission Chair Cole acknowledged former Commissioners present, James Kaminski, Sheila Payton, Tim Seider, Shirley Krug, and Richard Brundahl.*
- Commissioner Grzezinski was presented a commendation plaque for his leadership and meritorious service as a Milwaukee Metropolitan Sewerage District Commissioner, Committee Chair, and Commission Chair.*
- A motion was made by Commission Chair Cole, seconded by Commissioner Estness, in honor of Commissioner Dennis M. Grzezinski, to hereby rename the Commission meeting room to the "Dennis M. Grzezinski Conference Room," effective April 21, 2008.*
- The motion carried. Commissioner Grzezinski abstained.*
- Commission Chair Cole then unveiled a plaque indicating the "Dennis M. Grzezinski Conference Room." The plaque will be placed above the meeting room door.*
- A motion was made by Commissioner Estness, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**

OPERATIONS COMMITTEE MEETING REPORT

Commissioner Colon presented the April 7, 2008 Operations Committee Meeting Report and moved Items 1-3 as a block.

- 1 08-032-4 Contracts for the Basins A and D Intercepting Structures Improvement Project and Approve Changes in Total Project Costs
- A motion was made by Commissioner Colon, seconded by Commissioner Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried.**
- 2 08-033-4 Approval of Extension of Contract W97001P03, Greenseams Program Implementation for 2009
- A motion was made by Commissioner Colon, seconded by Commissioner Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried.**
- 3 08-034-4 Deliberating the Investment of Public Funds for Real Estate Negotiations for Project W97002
- A motion was made by Commissioner Colon, seconded by Commissioner Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried.**

Commissioner Cullen presented the April 7, 2008 Policy, Finance & Personnel Committee Meeting Report and moved Items 5-16 as a block. (Item 4 was denied in Committee.)

- 4 **08-035-4** Approval of Revised Sanitary Sewer Service Area for the City of Muskego (Open & Closed Session)
This item was denied in Committee.
- 5 **08-036-4** Declaration of the Public Necessity and Approval of the Revised Acquisition Plat (Relocation Order) for the Underwood Creek Rehabilitation and Flood Management Watercourse Improvements, Project W21005
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.
- 6 **08-037-4** Approval of Transfer of Three Parcels of Land to the Milwaukee County Parks Department
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.
- 7 **08-038-4** Support for a Federal Clean Water Trust Fund
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.
- 8 **08-039-4** Authorization to enter into a Memorandum of Understanding in Support of the Milwaukee Regional Partnership Initiative
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.
- 9 **08-040-4** Revising Policy 1-73.21, Reimbursement of Personal Expenses Incurred While Conducting District Business
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.
- 10 **08-041-4** Authorizing the Transfer of Funds in the 2007 Operations & Maintenance Budget
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.
- 11 **08-042-4** Amending the Adopted 2008 Operations & Maintenance Budget to Reflect Carryover of Unexpended Funds
This matter was Adopted by a Voice Vote. The motion carried.
- 13 **08-044-4** Approval to Amend Commission Policy 1-77.47, "Authorizing the Executive Director to Create Temporary Positions"
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.

- 14 **08-045-4** Approval of the 2008 Milwaukee Metropolitan Sewerage District (MMSD) Affirmative Action Plan
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.
- 15 **08-046-4** Amend the 2008 Capital Budget to Create Project M06010, Records Management Software Implementation and Approve Changes in Total Project Cost
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.
- 16 **08-047-4** Support for Adoption of the Great Lakes-St. Lawrence River Basin Water Resources Compact
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.

ORGANIZATION & ADMINISTRATION

- 08-016-1** EXECUTIVE DIRECTOR'S REPORT
- A. Presentation of the County Grounds Value Engineering Study Results
 - B. 2008 Goals and Objectives
 - C. Presentation on Project "Lead the Way" by Lauren Baker
- A. Power Point Presentation was given by Tom Chapman, Section Manager, and David Hamilton, VE Team Leader of Lewis and Zimmerman.*
- A motion was made by Commissioner White, seconded by Commissioner Richards, that staff take into consideration future commodity changes.*
- The motion carried by unanimous consent.*
- B. District Goals; 2008 Accountabilities and Measures Report distributed to Commissioners at the PF&P Committee meeting on April 7, 2008. Discussed further at the Commission meeting. Items addressed by Commissioners will be added to the District's 2008 goals and objectives.*
- Memos from Peter Topczewski re Mercury Reduction Program and Dental Office Compliance; and re Current Compliance Status -- Facilities Published for Significant Noncompliance were distributed to the Commission at the meeting.*
- C. Power Point Presentation on Project Lead the Way was given by Lauren Baker, Director of Career and Technical Education at Milwaukee Public Schools.*
- Received**

CLOSED SESSION

PURSUANT TO SECTION 19.85(1)(c), (e), and (g), Wisconsin Statutes, the Commission will go into Closed Session for considering employment compensation and performance evaluation data of public employees over whom the Commission has jurisdiction, regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- 4** **08-035-4** Approval of Revised Sanitary Sewer Service Area for the City of Muskego
(Open & Closed Session)
Not Discussed and Filed
- CS1** **08-008-1** Deliberations and/or Negotiations on Labor Contracts which for Bargaining
Reasons Require a Closed Session
Not Discussed in Closed Session
- CS2** **08-009-1** Deliberating the Investment of Public Funds for which Competitive and
Bargaining Reasons Require a Closed Session:
- Milorganite
- Veolia, Operations and Maintenance Agreement
- J06014, Jones Island Instrumentation and Controls Upgrade Project
- S06004, South Shore Instrumentation and Controls Upgrade Project
- Contract J06014C02 with Rockwell Automation
- Acquisition Plat for Project W20017, Flood Management Plan - Western
Milwaukee
- Real Estate Negotiations for Project W97002, the Greenseams Program
- Alterra Flushing Station Lease
Heard in Closed Session
- CS3** **08-010-1** WPDES Permit Reissuance
Not Discussed in Closed Session
- CS4** **08-011-1** Oak Creek Landfill
Heard in Closed Session
- CS5** **08-012-1** State of Wisconsin vs. MMSD et. al. (2005)
Not Discussed in Closed Session
- CS6** **08-013-1** Friends of Milwaukee's Rivers and Lake Michigan Federation vs. MMSD
Not Discussed in Closed Session
- CS7** **08-014-1** E-L Enterprises Inc. v. MMSD, et. al.
Not Discussed in Closed Session

- CS8 08-017-1** Operations and Maintenance Contract - UWS
Not Discussed in Closed Session
- CS9 08-030-3** United Water - Claims
Not Discussed in Closed Session
- CS10 08-031-3** Dryer Building Damage Investigation
Not Discussed in Closed Session
- CS11 08-048-4** 2007 Performance Evaluation and Proposed 2008 Accountabilities for the Executive Director
Heard in Closed Session and Filed
- CS12 08-049-4** 2007 Performance Evaluation and Proposed 2008 Accountabilities for the Director of Legal Services
Heard in Closed Session and Filed
- CS13 08-052-4** PCB Presence in the MMSD System
Heard in Closed Session

ADJOURNMENT

As there was no further business, the Commission adjourned in Open Session at approximately 11:25 a.m.

Marjorie Stahl, Commission Secretary
Milwaukee Metropolitan Sewerage District



Milwaukee Metropolitan Sewerage District

Meeting Proceedings

Commission

260 West
Seeboth Street
Milwaukee, WI
53204

Preston D. Cole, Chair
Robert C. Brunner, Vice Chair
Lyle A. Balistreri, David Cullen, Pedro Colon,
Theresa M. Estness, Ashanti Hamilton,
Ronald G. Hayward, Dale J. Richards, Wallace White

Monday, May 19, 2008

9:00 AM

MMSD Headquarters Building, Room 121

CALL TO ORDER

The Chair called the meeting to order at approximately 9:00 a.m.

RECORD ROLL

Present: Preston D. Cole, Robert C. Brunner, Lyle A. Balistreri, David Cullen, Theresa M. Estness, Ashanti Hamilton, Dale Richards, Wallace White, Ronald G. Hayward

Excused: Pedro Colon

The agenda was taken out of sequence. The Commission immediately upon opening the meeting went into Closed Session.

A motion was made by Commission Brunner, seconded by Commission Richards, to go into Closed Session pursuant to statutory authority and for the purposes as stated on the published notice and agenda.

The motion carried.

The Commission convened in Closed Session at approximately 9:05 a.m.

The Commission reconvened in Open Session at approximately 9:20 a.m.

The Commission received the following statement from Executive Director Kevin L. Shafer, P.E.:

"I would like to start off today's meeting by continuing the discussion that we just had in closed session involving our proposed settlement with the State of Wisconsin.

As you know, in May 2004 the Milwaukee metropolitan area experienced a storm event that SEWRPC said was between a 10 and 100 year storm. during this event we filled the deep tunnel system twice in 19 days, resulting in combined sewer overflows and separate sewer overflows from the tunnel system.

At the time of the event, the MMSD was in the process of expanding the sewerage system. That expansion consists of a number of projects agreed to in a 2002 Stipulation with the State of Wisconsin. In today's proposed settlement, both parties acknowledge that those projects will result in the realistic prospect of an end to alleged discharge permit violations due to the underlying causes addressed by the 2002 Stipulation. That expansion is nearly complete and when finished, the system will be capable of containing the separate sewer flows from a storm of the magnitude of the May 2004 storm.

Subsequent to these overflows the previous Attorney General brought a lawsuit in 2005 against MMSD and our communities. The communities settled with the State of Wisconsin that same year. The MMSD continues to maintain that it did not violate its State issued discharge permit.

However, settling this lawsuit now is in the best interest of our taxpayers. Litigation is very expensive, and it is simply more cost effective to settle this now than to try this lawsuit. This is why we are agreeing to the settlement.

Specifics of the Settlement Agreement

Penalties	\$ 70,000
State's Legal Fees	\$175,000
	\$245,000

Additionally, MMSD has agreed to spend \$255,000 in Supplemental Environmental Projects (SEP's) that will reduce the amount of polluted stormwater entering our local waterways and help our communities meet their future regulatory requirements under NR 151. Specifically, the MMSD will deposit the \$255,000 into a fund to be used to retrofit parking lots to minimize the stormwater runoff from their surface and to help trap sediments.

At this time I would ask the Commission to approve this proposed settlement with the State of Wisconsin."

The Commission voted on Closed Session Item CS5. State of Wisconsin vs. MMSD et. al (2005) as follows:

A motion was made by Commissioner Brunner, seconded by Commissioner White to approve the proposed settlement with the State of Wisconsin. The motion carried.

Approval of Proceedings of Regular Commission Meeting held April 21, 2008

A motion was made by Commissioner Cullen, seconded by Commissioner Hamilton, to approve the Proceedings. The motion carried.

NEW BUSINESS

08-015-1 Operations and Maintenance Report for April 2008

The Commission received a Power Point Presentation from Michael Martin, Director of Technical Services, and Scott Royer, General Manager, Veolia Water.

Received

OPERATIONS COMMITTEE MEETING REPORT

Commissioner Richards presented the May 5, 2008 Operations Committee Meeting Report and moved Items 1-3 as a block.

- 1 **08-053-5** Award of Contract TS-2470, Honey Creek Drop Structure Repair
A motion was made by Commissioner Richards, seconded by Commissioner Estness, that this matter be Adopted by a Voice Vote. The motion carried.

- 2 **08-054-5** Approval of Contract Modification No. 2, Contract J02004C01, Jones Island Water Reclamation Facility Process Air Compressor Switchgear Upgrade, and Restore Executive Director's Original Delegated Authority
A motion was made by Commissioner Richards, seconded by Commissioner Estness, that this matter be Adopted by a Voice Vote. The motion carried.

- 3 **08-055-5** Approval of Amendment No. 5, Contract W20004D01, Milwaukee County Grounds Final Design
A motion was made by Commissioner Richards, seconded by Commissioner Estness, that this matter be Adopted by a Voice Vote. The motion carried.

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

Commissioner Cullen presented the May 5, 2008 Policy, Finance & Personnel Committee Report and moved Items 4, 5, and 7 as a block, Item 6 was voted on separately,

- 4 **08-056-5** Approval of Revised Sanitary Sewer Service Area for the City of Mequon
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.

- 5 **08-057-5** Authorizing and Providing for the Sale and Issuance of Five Series of General Obligation Sewerage System Promissory Notes, and all Related Details
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.

- 6 **08-058-5** Purchase of Builder's Risk Insurance for Construction of Barclay/4th/Chase MIS Replacement Contract C07008C01
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.

- 7 **08-059-5** Approval of the Elimination of one Engineering Aide IV Limited Term Employment Position and the Creation of one Survey Technician Position
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.

- 8 **08-060-5** Approval of Funding for Project Lead The Way at the Carson Academy of Science

This item was pulled from the agenda at the May 5, 2008 Committee Meeting.

Pulled from Agenda

ORGANIZATION & ADMINISTRATION

- 08-016-1** EXECUTIVE DIRECTOR'S REPORT
- A. I&C Upgrades at Jones Island and South Shore Water Reclamation Facilities Monthly Update
 - B. Educational Outreach Activities Quarterly Report
 - C. Status of Natural Gas Prices
 - D. WSDC Award of Excellence
 - E. Preliminary 2009 Long Range Financial Plan

The Executive Director reported on the following:

A. The Commission received a Power Point presentation on the status of the I&C Upgrades at Jones Island and South Shore from Bill Farmer, Contract Engineer.

B. The Commission received the Quarterly Outreach Report from Cora Lee Palmer, Community Affairs Coordinator.

C. The Commission received a Power Point presentation related to the Status of Natural Gas Prices from Mark Kaminski, Acting Comptroller, and Scott Royer, General Manager, Veolia Water.

D. Kevin L. Shafer P.E., Executive Director, presented to the Commission the Award of Excellence from the Wisconsin Supplier Development Council that was received on April 22, 2008 at the Partners for Profit Trade Fair in Green Bay, WI.

E. The Commission received a presentation on the Preliminary 2009 Long Range Financial Plan from Mark Kaminski, Acting Comptroller.

Received

CLOSED SESSION

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission convened in Closed Session at the beginning of the meeting regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- CS1** **08-008-1** Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session

Not Discussed in Closed Session

- CS2 08-009-1** Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session:
- Milorganite
- Veolia, Operations and Maintenance Agreement
- J06014, Jones Island Instrumentation and Controls Upgrade Project
- S06004, South Shore Instrumentation and Controls Upgrade Project
- Contract J06014C02 with Rockwell Automation
- Alterra Flushing Station Lease
Not Discussed in Closed Session
- CS3 08-010-1** WPDES Permit Reissuance
Not Discussed in Closed Session
- CS4 08-011-1** Oak Creek Landfill
Not Discussed in Closed Session
- CS5 08-012-1** State of Wisconsin vs. MMSD et. al. (2005)
Heard in Closed Session and Filed
- CS6 08-013-1** Friends of Milwaukee's Rivers and Lake Michigan Federation vs. MMSD
Not Discussed in Closed Session
- CS7 08-014-1** E-L Enterprises Inc. v. MMSD, et. al.
Not Discussed in Closed Session
- CS8 08-017-1** Operations and Maintenance Contract - UWS
Not Discussed in Closed Session
- CS9 08-030-3** United Water - Claims
Not Discussed in Closed Session
- CS10 08-031-3** Dryer Building Damage Investigation
Not Discussed in Closed Session
- CS11 08-052-4** PCB Presence in the MMSD System
Not Discussed in Closed Session

CS12 08-061-5 Industrial User Charge Billings

Not Discussed in Closed Session

ADJOURNMENT

A motion was made by Commissioner Brunner, seconded by Commissioner Hamilton, to adjourn the meeting. The motion carried.

As there was no further business, the Commission adjourned in Open Session at approximately 10:50 a.m.

Marjorie Stahl, Commission Secretary
Milwaukee Metropolitan Sewerage District



Milwaukee Metropolitan Sewerage District

Meeting Proceedings

Commission

260 West
Seeboth Street
Milwaukee, WI
53204

Preston D. Cole, Chair
Robert C. Brunner, Vice Chair
Lyle A. Balistreri, David Cullen, Pedro Colon,
Theresa M. Estness, Ashanti Hamilton,
Ronald G. Hayward, Dale J. Richards, Wallace White

Monday, June 23, 2008

9:00 AM

MMSD Headquarters Building, Room 121

CALL TO ORDER

The Chair called the meeting to order at approximately 9:00 a.m.

RECORD ROLL

Present: Preston D. Cole, Pedro Colon, Robert C. Brunner, Lyle A. Balistreri, David Cullen, Theresa M. Estness, Ashanti Hamilton, Dale Richards, Ronald G. Hayward

Excused: Wallace White

Approval of Proceedings of Regular Commission Meeting held May 19, 2008

A motion was made by Commissioner Estness, seconded by Commissioner Richards, to approve the Proceedings. The motion carried.

NEW BUSINESS

08-015-1 Operations and Maintenance Report for May 2008

The Commission received a Power Point presentation on the O&M Report for May from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee, LLC,

The Commission also received a report on the June 6-9, 2008 rain event from John Jankowski and Scott Royer with comments from Kevin L. Shafer, P.E., Executive Director, and Mike Martin, Director of Technical Services.

Staff will provide a report to Commissioners with detailed data related to this rain event, i.e., amounts of rain, records set, and other pertinent information.

Received

- 9 **08-070-6** Resolution Commending Theresa M. Estness for Meritorious Service on the Commission of the Milwaukee Metropolitan Sewerage District
Commission Chair Cole presented a plaque to Commissioner Estness and commended her for her meritorious service on the Commission.
- Commissioner Estness thanked all, and indicated it was an honor to serve on the Commission. She commended Executive Director Shafer for leading the District to a higher standard for the common good and was honored to be a part of this premier entity.*
- A motion was made by Vice Chair Brunner, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.**

OPERATIONS COMMITTEE MEETING REPORT

Commissioner Colon presented the Operations Committee Report. Items 1 through 3 were taken as a block.

- 1 **08-062-6** Award of Contract W21005C01 Underwood Creek Rehabilitation and Flood Management Phase 1
A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.
- 2 **08-063-6** Award of Contract K01009P01, Real Time Control Setpoint Project
A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.
- 3 **08-064-6** Review of the 2007 Wisconsin Department of Natural Resources Compliance Maintenance Annual Reports for the Jones Island and South Shore Water Reclamation Facilities
A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

Commissioner Cullen presented the Policy, Finance & Personnel Committee Report. Items 4 through 8 were taken as a block.

- 4 **08-065-6** Approval of 2008 Stormwater Best Management Practices Partnership, 2020 FP - Stormwater BMPs
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.
- 5 **08-066-6** Authorizing the Executive Director to Enter Into a Contract for Long-Term Disability Insurance Benefits Effective August 1, 2008
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.

- 6 **08-067-6** Authorizing the Executive Director to Terminate the Contract with the District's Current Pharmacy Benefit Management Services Provider and Enter Into a New Contract for Pharmacy Benefit Management Services Effective January 1, 2009
- A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**
- 7 **08-068-6** Amend the 2008 Capital Budget to Create Project M01008, Headquarters Chiller Replacement, and Approve Changes in Total Project
- A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**
- 8 **08-069-6** Approval of Revised Sanitary Sewer Service Area for the City of Muskego
- A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**

ORGANIZATION & ADMINISTRATION

08-016-1 EXECUTIVE DIRECTOR'S REPORT

- A. Monthly Reports
- B. Status of the 2020 Facilities Plan West of Sub-Continental Divide
- C. Status Report on Underwood Relief Sewer
- D. Update on 27th Street Tunnel Project
- E. 2009 Capital and O&M Budget Update
- F. GFOA Distinguished Budget Award
- G. Energy Update

The Executive Director reported the following:

- A. *Reports distributed to Commissioners.*
- B. *Discussed at the PF&P Committee meeting on June 9, 2008.*
- C. *Held to discuss in Closed Session.*
- D. *The Commission received a Power Point presentation from Tom Zimmerman, Engineering Design and Construction Manager. Communication with neighbors related to construction projects were discussed; and Commissioner Colon requested signs with the MMSD web site link be posted at construction sites.*
- E. *The Commission received handouts related to Capital Budget and Long Range Financing Plans and a Power Point presentation from Mark Kaminski, Acting Controller, and Mickie Pearsall, Lead Management and Budget Analyst.*
- F. *The eighth consecutive year that the District received the GFOA Distinguished Budget Award; and the Executive Director congratulated Mark Kaminski, Acting Controller, Mickie Pearsall, Lead Management and Budget Analyst, and the entire budget staff for this accomplishment.*
- G. *The Commission received a Power Point presentation from John Jankowski, Contract Compliance Manager, and Mark Kaminski, Acting Controller, with comments from Jeff Spence, Agency Services Manager, and Mike Martin, Director of Technical Services.*

Received

A motion was made by Commissioner Estness, seconded by Commissioner Hamilton, to go into Closed Session pursuant to statutory authority and for the purposes as set forth on the published notice and agenda. The motion carried.

CLOSED SESSION

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission convened into Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- | | | |
|------------|-----------------|---|
| CS1 | 08-008-1 | Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session

Not Discussed in Closed Session |
| CS2 | 08-009-1 | Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session:
- Milorganite
- Veolia, Operations and Maintenance Agreement
- J06014, Jones Island Instrumentation and Controls Upgrade Project
- S06004, South Shore Instrumentation and Controls Upgrade Project
- Contract J06014C02 with Rockwell Automation
- Alterra Flushing Station Lease
- Contract C03005C01, Underwood Creek Relief Sewer

Heard in Closed Session |
| CS3 | 08-010-1 | WPDES Permit Reissuance

Heard in Closed Session |
| CS4 | 08-011-1 | Oak Creek Landfill

Heard in Closed Session |
| CS5 | 08-013-1 | Friends of Milwaukee's Rivers and Lake Michigan Federation vs. MMSD

Not Discussed in Closed Session |
| CS6 | 08-014-1 | E-L Enterprises Inc. v. MMSD, et. al.

Not Discussed in Closed Session |
| CS7 | 08-017-1 | Operations and Maintenance Contract - UWS

Not Discussed in Closed Session |

- CS8 08-030-3** United Water - Claims
Not Discussed in Closed Session
- CS9 08-031-3** Dryer Building Damage Investigation
Not Discussed in Closed Session
- CS10 08-052-4** PCB Presence in the MMSD System
Not Discussed in Closed Session
- CS11 08-061-5** Industrial User Charge Billings
Not Discussed in Closed Session
- CS12 08-071-6** Claims Arising from June 6-9, 2008 Storm Event
Heard in Closed Session

ADJOURNMENT

As there was no further business, the Commission adjourned in Closed Session without reconvening into Open Session at approximately 11:35 a.m.

Marjorie Stahl, Commission Secretary
Milwaukee Metropolitan Sewerage District



Milwaukee Metropolitan Sewerage District

Meeting Proceedings

Commission

260 West
Seeboth Street
Milwaukee, WI
53204

Preston D. Cole, Chair
Robert C. Brunner, Vice Chair
Lyle A. Balistreri, David Cullen, Pedro Colon,
Ashanti Hamilton, Ronald G. Hayward,
Dale J. Richards, Wallace White

Monday, July 28, 2008

9:00 AM

MMSD Headquarters Building, Room 121

CALL TO ORDER

Commission Chair, Preston D. Cole, called the meeting to order at approximately 9:00 a.m.

RECORD ROLL

Present: Preston D. Cole, Robert C. Brunner, Pedro Colon, Lyle A. Balistreri, David Cullen, Ronald G. Hayward, Ben Gramling, Dale Richards, Wallace White
Excused: Ashanti Hamilton

Commission Chair Cole welcomed new Commissioner Ben Gramling to the Commission and introduced him to the Commission and staff.

Commissioner Gramling indicated he was honored to serve on the Commission.

Executive Director Kevin L. Shafer, P.E., indicated there were eight college and five high school interns in the audience to observe the Commission meeting.

The agenda was taken out of sequence.

Approval of Proceedings of Regular Commission Meeting held June 23, 2008

A motion was made by Commissioner White, seconded by Vice Chair Brunner, to approve the Proceedings. The motion carried.

NEW BUSINESS

08-015-1 Operations and Maintenance Report for June 2008

The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee, LLC.

Received

- 9 **08-081-7** A Resolution Authorizing and Providing for the Sale and Issuance of \$70,000,000 General Obligation Sewerage System Bonds, Series 2008F, and all Related Details

A motion was made by Commissioner White, seconded by Vice Chair Brunner, that this matter be Adopted by a Roll Call Vote. The motion carried by the following vote:

Yes: 8 - Cole, Brunner, Balistreri, Cullen, Gramling, Hayward, Richards, White

No: 1 - Colon

Present: 0 -

Excused: 1 - Hamilton

OPERATIONS COMMITTEE MEETING REPORT

Commissioner Colon, Operations Committee Chair, presented the Operations Report. Items 1 and 3 were acted on separately; and Items 2,4,5,7 and 8 were taken as a block.

- 1 **08-072-7** Project W20004, Milwaukee County Grounds-Canadian Pacific Railway Agreement

A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.
Commissioners Balistreri, Colon, and White voted no on this item.

- 2 **08-073-7** Award of Contract S02006C01, South Shore Acid Tank Replacement

The Commission received comments from the following member of the public related to this item:

*Steve Hinshaw, Vice President (spoke to provide information)
Mechanical Incorporated
2238 E W. Bluemound Rd.
Waukesha, WI 53186
(262) 798-8003*

A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.

- 3 **08-074-7** Award of Contract W20017C03, Western Milwaukee Building Demolition #2 - Former Sears and Ashland Properties
- The Commission received comments from the following members of the public:*
- Kevin Thompson, President (spoke for approval of this item)*
Walters Wrecking
1300 S. Barker Road
Brookfield, WI 53045
(262) 784-8660
- Chris Olig, Marketing Representative (spoke against approval of this item)*
Great Lakes Regional Organizing Committee
4633 Liuna Way
Deforest, WI 53532
(920) 979-8832
- A motion was made by Commissioner Balistreri, seconded by Commissioner White, that this matter be Held in Commission. The motion carried by the following vote:**
- Yes:** 9 - Cole, Brunner, Balistreri, Colon, Cullen, Gramling, Hayward, Richards, White
- No:** 0 -
- Present:** 0 -
- Excused:** 1 - Hamilton
- 4 **08-075-7** Approval of Contract Modification No. 3, Contract S02004C01, South Shore Water Reclamation Facility Blower and Engine-Generator System Upgrade, and Restore Executive Director's Original Delegated Authority
- A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.**
- 5 **08-076-7** Award of Contract J06030C01, Jones Island and South Shore Security Upgrade
- A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.**
- 6 **08-077-7** Landfill Gas Pipeline Project P02001
- This item will be forwarded to the September Commission meeting cycle.*
- Held in Commission**
- 7 **08-078-7** Award of Contract J04023C01, Furnish and Deliver for Purchase One Railcar Mover
- A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.**

- 8 **08-079-7** Approval of Contract Modification No. 2 and a Request to Restore the Executive Director's Original Delegated Authority for Contract J01006C03, Jones Island Water Reclamation Facility Screw Pump Inspection and Rehabilitation
- A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.**

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

Commissioner Cullen, PF&P Committee Chair, presented the PF&P Committee Report. He indicated that there were no action items at the PF&P Committee meeting on July 14, 2008; only the Executive Director Report in which the Committee received presentations on the following:

Virchow Krause & Company Report on the 2007 Financial Audit; and
Update on General Obligation Sewerage System Bonds Issuance.

ORGANIZATION & ADMINISTRATION

- 08-016-1** EXECUTIVE DIRECTOR'S REPORT
- A. Educational Outreach Activities Quarterly Report
 - B. 2009 Capital & O&M Budget Update
 - C. 2007 Final Report on the Workforce Development Training & Placement Program
- A. The Commission received a Power Point presentation from Cora Lee-Palmer, Community Affairs Coordinator.*
- B. The Commission received a Power Point presentation from Mickie Pearsall, Lead Budget Management Analyst.*
- C. The Commission received a Power Point presentation from Pete Coffaro, Procurement Supervisor, and Edmund Henschel, Manager, State & Government Consulting Team, Virchow Krause & Company.*

Received

A motion was made by Commissioner Hayward, seconded by Commissioner Balistreri, to go into Closed Session in accordance with statutory authority and for the purposes as stated on the published notice and agenda. The motion carried.

CLOSED SESSION

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission convened in Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- CS1** **08-008-1** Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session
- Not Discussed in Closed Session**

- CS2 08-009-1** Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session:
- Milorganite
- J06014, Jones Island Instrumentation and Controls Upgrade Project
- S06004, South Shore Instrumentation and Controls Upgrade Project
- Contract J06014C02 with Rockwell Automation
- Alterra Flushing Station Lease
- Project W97002, the Greenseams Program
Heard in Closed Session
- CS3 08-010-1** WPDES Permit Reissuance
Heard in Closed Session
- CS4 08-011-1** Oak Creek Landfill
Not Discussed in Closed Session
- CS5 08-013-1** Friends of Milwaukee's Rivers and Lake Michigan Federation vs. MMSD
Not Discussed in Closed Session
- CS6 08-071-6** Potential Claims Arising from June 6-9, 2008 Storm Event
Heard in Closed Session
- CS7 08-080-7** Negotiations - Methane Pipeline
Not Discussed in Closed Session
- CS8 08-082-7** MMSD Notice of Prohibited PCB Discharge, Order to Disconnect Plumbing and Bulkhead Connections to the Sewerage System to Owners of Former Milwaukee Die Casting Property
Heard in Closed Session

ADJOURNMENT

As there was no further business, the Commission adjourned in Closed Session without reconvening in Open Session at approximately 12:20 p.m.

Marjorie Stahl, Commission Secretary
Milwaukee Metropolitan Sewerage District



Milwaukee Metropolitan Sewerage District

Meeting Proceedings

Operations Committee

260 West
Seeboth Street
Milwaukee, WI
53204

*Pedro Colon, Chair, Dale J. Richards, Vice Chair
Ben Gramling, Ashanti Hamilton, Michael A. West
Preston D. Cole, Ex-Officio*

Monday, September 8, 2008

9:00 AM

MMSD Headquarters Building, Room 121

CALL TO ORDER

The Chair called the meeting to order at approximately 9:00 a.m.

RECORD ROLL

Present: Pedro Colon, Dale Richards, Ben Gramling, Michael A. West, Preston D. Cole

Excused: Ashanti Hamilton

*Other Commissioners Present: Robert C. Brunner, David Cullen, Ronald Hayward,
Wallace White*

Approval of Proceedings of Regular Committee Meeting held July 14, 2008

A motion was made by Chair Colon, seconded by Vice Chair Richards, to approve the Proceedings. The motion carried.

Commissioners Gramling and West Abstained.

NEW BUSINESS

Item 1 was taken separately, and Items 3 and 4 were taken as a block.

- 1 Award of Contract W40002D01, Kinnickinnic River Flood Management South Sixth Street to South Chase Avenue
The Committee received a Power Point Presentation from Michael Martin, Director of Technical Services, with comments from Mickie Pearsall, Lead Management and Budget Analyst.
A motion was made by Vice Chair Richards, seconded by Chair Colon, that this matter be Approved by a Voice Vote. The motion carried.
Commissioner Gramling abstained.
- 2 Award of Contract C06003C01, Basins B and C Intercepting Structures Improvement Project
Pulled from Agenda
- 3 Approval of Amendment No. 1, Contract S06013D01, South Shore Plant Effluent Pumping, Facility Building Heating, Ventilation, and Air Conditioning, and Sluice Gate Improvements
A motion was made by Chair Colon, seconded by Ex-Officio Cole, that this matter be Approved by a Voice Vote. The motion carried.

- 4 Joint Funding Agreement with the United States Geological Survey for Real-Time Water Quality Monitoring Stations in the Menomonee River Watershed

A motion was made by Chair Colon, seconded by Ex-Officio Cole, that this matter be Approved by a Voice Vote. The motion carried.

ORGANIZATION & ADMINISTRATION

EXECUTIVE DIRECTOR'S REPORT

A. Monthly Reports

No Report.

ADJOURNMENT

A motion was made by Commissioner Gramling, seconded by Chair Colon, to adjourn. The motion carried.

As there was no further business, the Committee adjourned at approximately 9:15 a.m

Marjorie Stahl, Commission Secretary
Milwaukee Metropolitan Sewerage District



Milwaukee Metropolitan Sewerage District

Meeting Proceedings

Commission

260 West
Seeboth Street
Milwaukee, WI
53204

Preston D. Cole, Chair
Robert C. Brunner, Vice Chair
Lyle A. Balistreri, David Cullen, Pedro Colon,
Ben Gramling, Ashanti Hamilton, Ronald G. Hayward,
Dale J. Richards, Michael A. West, Wallace White

Monday, September 22, 2008

9:00 AM

MMSD Headquarters Building, Room 121

CALL TO ORDER

The Chair called the meeting to order at approximately 9:00 a.m.

RECORD ROLL

Present: Preston D. Cole, Robert C. Brunner, Pedro Colon, Lyle A. Balistreri, David Cullen, Ashanti Hamilton, Ronald G. Hayward, Ben Gramling, Dale Richards, Wallace White, Michael A. West

Approval of Proceedings of Regular Commission Meeting held July 28, 2008

A motion was made by Vice Chair Brunner, seconded by Commissioner Hayward, to approve the Proceedings. The motion carried.

Commissioner West abstained.

NEW BUSINESS

08-015-1 Operations & Maintenance Report for July & August 2008

The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee, LLC.

Received

UNFINISHED BUSINESS

The following Item 13 was addressed after Item C. on the Executive Director's report. After action was taken on the item, the Commission returned to the Executive Director's report, Item D.

- 13 **08-074-7** Award of Contract W20017C03, Western Milwaukee Building Demolition #2 - Former Sears and Ashland Properties
- The Commission received a presentation from Mike Martin, Director of Technical Services, with comments from Kevin L. Shafer, P.E., Executive Director, Katharine Lazarski, Senior Staff Attorney, and Pete Coffaro, Procurement & Business Development Manager.*
- A motion was made by Commissioner Richards, seconded by Commissioner Hayward, that this matter be Adopted by a Roll Call Vote. The motion carried by the following vote:**
- Yes:** 6 - Brunner, Gramling, Hayward, Hamilton, West, Richards
- No:** 5 - Cole, Balistreri, Colon, Cullen, White
- Present:** 0 -

OPERATIONS COMMITTEE MEETING REPORT

At the request of the Commission Chair, Item 1 was addressed separately. Items 3 and 4 were taken on as a block.

- 1 **08-083-9** Award of Contract W40002D01, Kinnickinnic River Flood Management South Sixth Street to South Chase Avenue
- Commissioner Gramling abstained, and Commissioner Richards voted no.*
- A motion was made by Commissioner Richards, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.**
- 2 **08-084-9** Award of Contract C06003C01, Basins B and C Intercepting Structures Improvement Project
- This Item was pulled from the agenda.*
- Pulled from Agenda**
- 3 **08-085-9** Approval of Amendment No. 1, Contract S06013D01, South Shore Plant Effluent Pumping, Facility Building Heating, Ventilation, and Air Conditioning, and Sluice Gate Improvements
- A motion was made by Commissioner Richards, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.**
- 4 **08-086-9** Joint Funding Agreement with the United States Geological Survey for Real-Time Water Quality Monitoring Stations in the Menomonee River Watershed
- A motion was made by Commissioner Richards, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.**

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

Items 5-12 were taken as a block.

- 5 **08-087-9** Approval of the Updated Kinnickinnic River Watercourse Management Plan
A motion was made by Vice Chair Brunner, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.
- 6 **08-088-9** Declaration of the Public Necessity and Approval of the Acquisition Plat (Relocation Order) for the Metropolitan Interceptor Sewer Basin D Sewer Rehabilitation, Project C07011
A motion was made by Vice Chair Brunner, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.
- 7 **08-089-9** Declaration of the Public Necessity and Approval of the Acquisition Plat (Relocation Order) for Basins A and D Intercepting Structures Improvements, Project C07005
A motion was made by Vice Chair Brunner, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.
- 8 **08-090-9** Conveyance of a Permanent Electric Distribution Easement to We Energies at 2737 West Mill Road
A motion was made by Vice Chair Brunner, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.
- 9 **08-091-9** Authorizing and Providing for the Sale and Issuance of General Obligation Sewerage System Promissory Notes, and all Related Details
A motion was made by Vice Chair Brunner, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.
- 10 **08-092-9** Providing Additional Money in a Debt Service Fund
A motion was made by Vice Chair Brunner, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.
- 11 **08-093-9** Insurance Coverage Renewal for General Operations
A motion was made by Vice Chair Brunner, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.
- 12 **08-094-9** Approval of an Amendment to Contract P-2461, Purchase of Analytical Laboratory Services
A motion was made by Vice Chair Brunner, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.

ORGANIZATION & ADMINISTRATION

08-016-1

EXECUTIVE DIRECTOR'S REPORT

- A. Milwaukee Area Workforce Investment Board Recognition Award
- B. Status of Watercourse Project Improvements

The Executive Director reported the following:

A. The Commission received a Power Point presentation from Mark Kaminski, Acting Controller, with comments from Mike Martin, Director of Technical Services, and Mickie Pearsall, Lead Budget Management Analyst.

B. The Commission received a Power Point presentation from Kevin L. Shafer, P.E., Executive Director.

C. The Commission received a Power Point presentation from Tim Bate, Engineering Planning Manager, and Pete Topczewski, Water Protection Manager. The Commission requested that this Power Point presentation be posted to the Commissioners' MMSD web site page.

(The Commission returned to the beginning of the agenda and addressed Unfinished Business, Item 13. Then after action was taken on Item 13, the Commission returned to the Executive Director's report, Item D.)

D. The Commission received a status report from Kevin L. Shafer, P.E., Executive Director.

E. The Commission received a list of upcoming water conferences, and received a brief update on the conferences from Kevin L. Shafer, P.E., Executive Director.

F. The Commission received a status report from Kevin L. Shafer, P.E., Executive Director.

G. The Commission received a presentation from Kevin L. Shafer, P.E., Executive Director.

Received

A motion was made by Commissioner Hamilton, seconded by Commissioner Cullen, to go into Closed Session in accordance with statutory authority and for the purposes as stated on the published notice and agenda. The motion carried.

CLOSED SESSION

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission convened in Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

CS1

08-008-1

Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session

Not Discussed in Closed Session

- CS2 08-009-1** Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session:
- Milorganite
- Project W97002, the Greenseams Program
Heard in Closed Session
- CS3 08-010-1** WPDES Permit Reissuance
Heard in Closed Session
- CS4 08-011-1** Oak Creek Landfill
Heard in Closed Session and Filed
- CS5 08-013-1** Friends of Milwaukee's Rivers and Lake Michigan Federation vs. MMSD
Not Discussed in Closed Session
- CS6 08-071-6** Potential Claims Arising from June 6-9, 2008 Storm Event
Not Discussed in Closed Session
- CS7 08-080-7** Negotiations - Methane Pipeline
Heard in Closed Session

ADJOURNMENT

As there was no further business, the Commission adjourned in Closed Session without reconvening in Open Session at approximately 11:30 a.m.

Marjorie Stahl, Commission Secretary
Milwaukee Metropolitan Sewerage District



Milwaukee Metropolitan Sewerage District

Meeting Proceedings

Commission

260 West
Seeboth Street
Milwaukee, WI
53204

Preston D. Cole, Chair
Robert C. Brunner, Vice Chair
Lyle A. Balistreri, David Cullen, Pedro Colon,
Ben Gramling, Ashanti Hamilton, Ronald G. Hayward,
Dale J. Richards, Michael A. West, Wallace White

Monday, October 27, 2008

9:00 AM

MMSD Headquarters Building, Room 121

CALL TO ORDER

The Chair called the meeting to order at approximately 9:00 a.m.

RECORD ROLL

Present: Preston D. Cole, Robert C. Brunner, Pedro Colon, Lyle A. Balistreri, David Cullen, Ashanti Hamilton, Ronald G. Hayward, Ben Gramling, Dale Richards, Michael A. West

Excused: Wallace White

Approval of Proceedings of Special Commission Meeting held September 8, 2008 and Regular Commission Meeting held September 22, 2008

A motion was made by Commissioner Colon, seconded by Commissioner Richards, to approve the Proceedings. The motion carried.

NEW BUSINESS

08-015-1 Operations and Maintenance Report for September 2008

The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee, LLC.

Received

OPERATIONS COMMITTEE MEETING REPORT

Items 1-7 were taken as a block. Commissioner Gramling abstained on Item 7.

1 08-096-10 Award of Contract J01009D01, Design of Inline Storage System Pump Station Upgrade Project

A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.

2 08-097-10 Award of Contract J02002C01, Jones Island Water Reclamation Facility Phase 2 Wet Weather Capacity Improvement Project

A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.

- 3 **08-098-10** Award of Contract C06003C01, Basins B and C Intercepting Structures Improvement Project
A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.
- 4 **08-099-10** Award of Contract C07019C02, Basin G Metropolitan Interceptor Sewer Rehabilitation
A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.
- 5 **08-100-10** Award of Contract C05007C01, Basins E and H Intercepting Structures Improvement Project
A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.
- 6 **08-101-10** Amend the 2008 Capital Budget by Creating Project P01004 and Award of Contract P01004C01, Replacement of Variable Frequency Drives at the Jones Island Water Reclamation Facility
A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.
- 7 **08-102-10** Award of Contract W40002E03, Kinnickinnic River Corridor Neighborhood Plan Development
A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.
Commissioner Gramling abstained.

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

Items 8 and 9 were taken as a block. Items 12, 13, and 14 were voted on separately.

- 8 **08-103-10** Endorsement of the Regional Water Quality Management Plan Update for the Greater Milwaukee Watersheds
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.
- 9 **08-104-10** Declaration of the Public Necessity and Approval of the Acquisition Plat (Relocation Order) for the Metropolitan Interceptor Sewer System Conveyance Pump Stations Improvements - Phase II Project C98041
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.
- 11 **08-106-10** Purchase of an Owner's Excess Professional Indemnity Insurance Policy for the District's Capital Improvements Program (PULLED FROM THE AGENDA)
Pulled from Agenda

- 12 **08-107-10** Adopting the Operations and Maintenance Budget for the 2009 Fiscal Year
The Commission received a Power Point presentation from Mark Kaminski, Acting Controller, and Mickie Pearsall, Lead Management & Budget Analyst.
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.
- 13 **08-108-10** Adopting the Capital Budget for the 2009 Fiscal Year
The Commission received a Power Point presentation from Mark Kaminski, Acting Controller, and Mickie Pearsall, Lead Management & Budget Analyst.

A motion was made by Commissioner Cullen, seconded by Commissioner Brunner, to amend the resolution by adding verbiage in the last paragraph to read as follows:

"The Annual Capital Budget is hereby adopted, and the Total Project Costs and Six-Year Long-Range Financing Plan are approved subject to the action of future Commissions, and that ..."

The motion to amend the resolution carried by a voice vote.
A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted as Amended by a Voice Vote. The motion carried.
- 14 **08-109-10** Levying of Taxes for the Milwaukee Metropolitan Sewerage District Capital Purposes for the 2009 Fiscal Year
A motion was made by Commissioner Hamilton, seconded by Commissioner Balistreri, that this matter be Adopted by a Voice Vote. The motion carried.
Commissioner Cullen thanked the entire Commission, particularly Commissioners Brunner and Colon who consistently worked hard with staff to find places to hold the line on the budget, and thanked staff for working with the Commission to come up with a good budget for the taxpayers of the District.

Commission Chair Cole thanked Commissioner Cullen for being a constant voice to hold the budget increase to 2%; and he indicated that the Commission, who has the fiduciary responsibility and oversight, and its staff, understand the culture, what is going on in the economy around us, and that this is a responsible budget.

Executive Director Kevin L. Shafer, P.E. noted that there were two public hearings held on the budgets to obtain public comments; one on Monday, October 13, 2008 at 6:00 p.m. and one this morning, October 27, 2008 at 8:30 a.m. prior to this Commission meeting.

ORGANIZATION & ADMINISTRATION

- 08-016-1** EXECUTIVE DIRECTOR'S REPORT
- A. Milwaukee Area Workforce Investment Board Recognition Award
 - B. Status of Watercourse Project Improvements
 - C. Educational Outreach Activities Quarterly Report
 - D. Financial Status Report
 - E. Every Drop Counts Public Service Announcement
- A. The Recognition Award was passed for viewing to the Commission.*
 - B. The Commission received a presentation from Executive Director Kevin L. Shafer, P.E., related to a table which was distributed titled, Technical Services Division, Structures in the MMSD Floodplain.*
 - C. The Commission received a hard copy report titled, 3rd Quarterly Update on Educational Outreach Activities.*
 - D. The Commission received a presentation from Mark Kaminski, Acting Controller.*
 - E. This item will be placed on a future Commission agenda.*

Received

A motion was made by Commissioner Cullen, seconded by Commissioner Brunner, to go into Closed Session in accordance with state statutes and for the purposes as stated on the published notice and agenda.

The motion carried by a voice vote.

CLOSED SESSION

PURSUANT TO SECTION 19.85(1)(c), (e) and (g), Wisconsin Statutes, the Commission convened in Closed Session for considering employment compensation and performance evaluation data of public employees over whom the Commission has jurisdiction, regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- CS1 08-008-1** Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session
Not Discussed in Closed Session
- CS2 08-009-1** Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session:
- Milorganite
- Contract C05041C01 CMIS-Auer to Hampton Phase II
Heard in Closed Session
- CS3 08-010-1** WPDES Permit Reissuance
Heard in Closed Session
- CS4 08-013-1** Friends of Milwaukee's Rivers and Lake Michigan Federation vs. MMSD
Not Discussed in Closed Session

- CS5** **08-071-6** Potential Claims Arising from June 6-9, 2008 Storm Event
Heard in Closed Session
- CS6** **08-080-7** Negotiations - Methane Pipeline
Not Discussed in Closed Session
- CS7** **08-111-10** Considering Employment Evaluation Data of a Public Employee Over Whom
the Commission has Jurisdiction
Heard in Closed Session

ADJOURNMENT

As there was no further business, the Commission adjourned in Closed Session without reconvening into Open Session at approximately 11:00 a.m.

Marjorie Stahl, Commission Secretary
Milwaukee Metropolitan Sewerage District



Milwaukee Metropolitan Sewerage District

Meeting Proceedings

Commission

260 West
Seeboth Street
Milwaukee, WI
53204

Preston D. Cole, Chair
Robert C. Brunner, Vice Chair
Lyle A. Balistreri, David Cullen, Pedro Colon,
Ben Gramling, Ashanti Hamilton, Ronald G. Hayward,
Dale J. Richards, Michael A. West, Wallace White

Monday, November 17, 2008

9:00 AM

MMSD Headquarters Building, Room 121

CALL TO ORDER

The Chair called the meeting to order at approximately 9:00 a.m.

RECORD ROLL

Present: Preston D. Cole, Robert C. Brunner, Pedro Colon, Lyle A. Balistreri, David Cullen, Ashanti Hamilton, Ben Gramling, Dale Richards, Wallace White, Michael A. West

Excused: Ronald G. Hayward

Approval of Proceedings of Regular Commission Meeting held October 27, 2008

A motion was made by Commissioner White, seconded by Commissioner Colon, to approve the Proceedings. The motion carried.

NEW BUSINESS

08-015-1 Operations and Maintenance Report for October 2008

The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee, LLC.

Received

11 08-122-11 Adoption of the 2009 Committee/Commission Meeting Calendar

A motion was made by Commissioner White, seconded by Commissioner Colon, that this matter be Adopted by a Voice Vote. The motion carried.

OPERATIONS COMMITTEE MEETING REPORT

Operations Committee Chair Pedro Colon presented the Committee report, and Items 1 and 2 were voted on as a block.

- 1 08-112-11 Award of Contract W20017C01, Western Milwaukee Flood Management Project - Phase 1
The Commission received a Power Point presentation from Mike Martin, Director of Technical Services, related to Commissioner White's request at the Committee meeting on November 3, for an updated comparative cost analysis, contracted vs. in-house, for resident inspection and resident engineering staff.
A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.
- 2 08-113-11 Authorize the Executive Director to Execute a Joint Funding Agreement with Marquette University for the Anaerobic Co-Digestion of High Strength Waste for Increased Renewable Energy and Reduction in Greenhouse Gas Emissions Study
A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

PF&P Committee Chair David Cullen presented the Committee report. Items 3,4,6,7,8, and 10 were voted on as a block.

- 3 08-114-11 Authorization to Negotiate and Execute an Intergovernmental Cooperation Agreement with the City of Milwaukee for Project C05041, Auer Avenue to Hampton Avenue Metropolitan Interceptor Sewer Rehabilitation - Phase II
A motion was made by Commissioner Cullen, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.
- 4 08-115-11 Authorizing the Executive Director to Extend the Contracts for Health Insurance for Post Medicare Retirees Effective January 1, 2009
A motion was made by Commissioner Cullen, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.
- 5 08-116-11 Creating Commission Policy 1-77.57, Paid Time Off (PTO) for Management/Non-Represented Employees Hired On or After January 1, 2009 and Revising Related Policies 1-77.01, 1-77.02, 1-77.03, and 1-77.20
This item will be addressed at the December Committee/Commission meeting cycle.
Referred back to Committee
- 6 08-117-11 Authorizing the Executive Director to Enter into a Memorandum of Understanding with the Milwaukee 7 Water Council regarding Use of MMSD Facilities as a Working Laboratory for New Wastewater Treatment Technologies
A motion was made by Commissioner Cullen, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.

- 7 08-118-11 Authorizing 2009 Capital Charges to Non-Member Communities
A motion was made by Commissioner Cullen, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.
- 8 08-119-11 Update of Cost Recovery Procedures Manual, Including 2009 User Charge Rates
A motion was made by Commissioner Cullen, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.
- 9 08-120-11 Authorizing and Providing for the Sale and Issuance of Three Series of General Obligation Sewerage System Promissory Notes, and all Related Details
A motion was made by Commissioner Cullen, seconded by Commissioner White, that this matter be Adopted by a Roll Call Vote. The motion carried by the following vote:
Yes: 10 - Cole, Brunner, Balistreri, Colon, Cullen, Gramling, Hamilton, West, Richards, White
No: 0 -
Present: 0 -
Excused: 1 - Hayward
- 10 08-121-11 Purchase of an Owner's Excess Professional Indemnity Insurance Policy for the District's Capital Improvements Program
A motion was made by Commissioner Cullen, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.

ORGANIZATION & ADMINISTRATION

- 08-016-1 EXECUTIVE DIRECTOR'S REPORT
A. Status Report on Workforce Preference Program
B. Every Drop Counts Public Service Announcement
A. The Commission received a Power Point presentation from Jeff Spence, Director of Agency Services, and Peter Coffaro, Procurement and Business Development Manager.
B. The Commission received a Power Point presentation from Bill Graffin, Public Information Manager.
Received

A motion was made by Commissioner Cullen, seconded by Commissioner Balistreri, to go into Closed Session in accordance with statutory authority and for the purposes as stated on the published notice and agenda. The motion carried.

CLOSED SESSION

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission convened in Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- CS1 08-008-1 Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session
Not Discussed in Closed Session
- CS2 08-009-1 Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session:
- Milorganite
- Alterra Flushing Station Lease
Not Discussed in Closed Session
- CS3 08-010-1 WPDES Permit Reissuance
Heard in Closed Session
- CS4 08-013-1 Friends of Milwaukee's Rivers and Lake Michigan Federation vs. MMSD
Not Discussed in Closed Session
- CS5 08-071-6 Potential Claims Arising from June 6-9, 2008 Storm Event
Heard in Closed Session
- CS6 08-080-7 Negotiations - Methane Pipeline
Not Discussed in Closed Session

ADJOURNMENT

As there was no further business, the Commission adjourned in Closed Session without reconvening into Open Session at approximately 10:05 a.m.

Marjorie Stahl, Commission Secretary
Milwaukee Metropolitan Sewerage District



Milwaukee Metropolitan Sewerage District

Meeting Proceedings

Commission

260 West
Seeboth Street
Milwaukee, WI
53204

Preston D. Cole, Chair
Robert C. Brunner, Vice Chair
Lyle A. Balistreri, David Cullen, Pedro Colon,
Ben Gramling, Ashanti Hamilton, Ronald G. Hayward,
Dale J. Richards, Michael A. West, Wallace White

Monday, December 1, 2008

9:15 AM

MMSD Headquarters Building, Room 121

SPECIAL COMMISSION MEETING

CALL TO ORDER

The Chair called the meeting to order at approximately 9:15 a.m.

RECORD ROLL

Present: Preston D. Cole, Robert C. Brunner, Pedro Colon, Lyle A. Balistreri, David Cullen, Ronald G. Hayward, Ben Gramling, Dale Richards, Wallace White, Michael A. West

Excused: Ashanti Hamilton

A motion was made by Commissioner Cullen, seconded by Commissioner Colon, to go into Closed Session in accordance with state statutes and for the purposes as stated on the published notice and agenda. The motion carried by a voice vote.

CLOSED SESSION

PURSUANT TO SECTION 19.85(1)(g), Wisconsin Statutes, the Commission convened in Closed Session for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

CS1 08-071-6 Potential Claims Arising from June 6-9, 2008 Storm Event

Heard in Closed Session

ADJOURNMENT

A motion was made by Commissioner Colon, seconded by Commissioner Gramling, to adjourn. The motion carried by a voice vote.

As there was no further business for the full Commission, the Commission adjourned in Closed Session at approximately 9:20 a.m.

Marjorie Stahl, Commission Secretary
Milwaukee Metropolitan Sewerage District



Milwaukee Metropolitan Sewerage District

Meeting Proceedings

Commission

260 West
Seeboth Street
Milwaukee, WI
53204

Preston D. Cole, Chair
Robert C. Brunner, Vice Chair
Lyle A. Balistreri, David Cullen, Pedro Colon,
Ben Gramling, Ashanti Hamilton, Ronald G. Hayward,
Dale J. Richards, Michael A. West, Wallace White

Monday, December 15, 2008

9:00 AM

MMSD Headquarters Building, Room 121

CALL TO ORDER

The Chair called the meeting to order at approximately 9:00 a.m.

RECORD ROLL

Present: Preston D. Cole, Robert C. Brunner, Lyle A. Balistreri, David Cullen, Ashanti Hamilton, Ronald G. Hayward, Ben Gramling, Dale Richards, Wallace White, Michael A. West

Excused: Pedro Colon

Approval of Proceedings of Regular Commission Meeting held November 17, 2008

A motion was made by Commissioner White, seconded by Commissioner Hayward, to approve the Proceedings.. The motion carried.

NEW BUSINESS

08-015-1 Operations and Maintenance Report for November 2008

The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee, LLC.

Received

5 **08-128-12** Election of the Commission Chair for the Year 2009

A motion was made by Commissioner Richards, seconded by Commissioner Hamilton, to nominate Commissioner Preston D. Cole to serve as Chair of the Commission for 2009.

A motion was made by Commissioner Richards, seconded by Commissioner Hamilton, that this matter be Adopted by a Voice Vote. The motion carried.

6 **08-129-12** Election of the Commission Vice Chair for the Year 2009

A motion was made by Commissioner Richards, seconded by Commission White, to nominate Commissioner Robert C. Brunner to serve as Vice Chair of the Commission for 2009

A motion was made by Commissioner Richards, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.

OPERATIONS COMMITTEE MEETING REPORT

Items 1, 2, 7, and 8 were taken as a block.

- 1 **08-123-12** Award of Contract S06011C01, Jones Island and South Shore Water Reclamation Facility Load Center Unit Substations and Polymer Panel Improvements
A motion was made by Commissioner Richards, seconded by Commissioner Hamilton, that this matter be Adopted by a Voice Vote. The motion carried.
- 2 **08-124-12** Milwaukee County Grounds Floodwater Management Facility
A motion was made by Commissioner Richards, seconded by Commissioner Hamilton, that this matter be Adopted by a Voice Vote. The motion carried.
- 7 **08-132-12** Approval of Contract Modification No. 3, Contract C06005C01, Basin B Wet Weather Flow Pressure Sewer, Approve Changes in Total Projects Costs and Restore the Executive Director's Original Delegated Authority
A motion was made by Commissioner Richards, seconded by Commissioner Hamilton, that this matter be Adopted by a Voice Vote. The motion carried.
- 8 **08-133-12** Authorizing the Executive Director to Reject all Bids for Contract C07011C01, Basin D Branch Sewers Rehabilitation Project
A motion was made by Commissioner Richards, seconded by Commissioner Hamilton, that this matter be Adopted by a Voice Vote. The motion carried.

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

- 4 **08-127-12** Authorizing the Executive Director to Enter Into a Contract for Stop Loss Insurance for the Milwaukee Metropolitan Sewerage District Group Health Insurance Benefits
A motion was made by Commissioner Cullen, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.

ORGANIZATION & ADMINISTRATION

- 08-016-1** EXECUTIVE DIRECTOR'S REPORT
 A. Status Report: 2008 O&M Budget
 B. GFOA Certificate of Achievement for Excellence in Financial Reporting

The Executive Director reported the following:

A. Status Report: 2008 O & M Budget

The Commission received a Power Point presentation from Mark Kaminski, Acting Controller, and Mickie Pearsall, Lead Budget Analyst, on the 2008 O & M Budget. Items covered were year end projections, variances, and forecasts.

B. GFOA Certificate of Achievement for Excellence in Financial Reporting

The Government Finance Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to MMSD for its comprehensive annual financial report for the fiscal year ended December 31, 2007. This is the 30th consecutive year that MMSD has received this prestigious award.

Congratulations to Mark Kaminski, Acting Controller, and the Budget Office Staff.

Received

CLOSED SESSION

A motion was made by Commission Cullen, seconded by Commissioner Brunner, to go into Closed Session in accordance with state statues and for the purposes as stated on the published notice and agenda. The motion carried.

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission convened in Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- CS1 08-008-1** Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session

Not Discussed in Closed Session

- CS2 08-009-1** Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session:
 - Milorganite
 - Alterra Flushing Station Lease
 - Real Estate Negotiations for Project W97002, the Greenseams Program

Heard in Closed Session and Filed

- CS3 08-010-1** WPDES Permit Reissuance

Not Discussed in Closed Session

- CS4 08-013-1** Friends of Milwaukee's Rivers and Lake Michigan Federation vs. MMSD

Not Discussed in Closed Session

- CS5** **08-071-6** Potential Claims Arising from June 6-9, 2008 Storm Event
Heard in Closed Session
- CS6** **08-080-7** Negotiations - Methane Pipeline
Not Discussed in Closed Session
- CS7** **08-125-12** Authorization to Negotiate and Execute an Intergovernmental Cooperation Agreement with the City of Milwaukee to Provide Maintenance of Railroad Line on Jones Island
Heard in Closed Session
- CS8** **08-131-12** Contract C03005C01, Underwood Creek Parkway Relief Sewer
Heard in Closed Session

ADJOURNMENT

As there was no further business, the Commission adjourned in Closed Session without reconvening in Open Session at approximately 10:20 a.m.

Marjorie Stahl, Commission Secretary
Milwaukee Metropolitan Sewerage District