



Milwaukee Metropolitan Sewerage District Meeting Proceedings Commission

*Timothy Seider, Chair, Dennis Grzezinski, Vice Chair
Jeannette Bell, Robert C. Brunner, Pedro Colon, David Cullen, Preston D.
Cole, Michael S. D'Amato, Candice Owley, Dale J. Richards, Wallace White*

Monday, January 24, 2005

MMSD Headquarters Building, Room 121

CALL TO ORDER

The meeting was called to order at approximately 9:10 a.m.

RECORD ROLL

Present: Timothy Seider, Dennis Grzezinski, Jeannette Bell, Robert C. Brunner, Pedro Colon, David Cullen, Michael S. D'Amato, Dale Richards, Wallace White

Excused: Preston D. Cole, Candice Owley

Approval of Proceedings of Regular Commission Meeting held December 13, 2004

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

OPERATIONS COMMITTEE MEETING REPORT

- 1 Operations and Maintenance Report for December 2004

05-001-1

The Commission received a presentation from John Jankowski, Manager of Contract Compliance and John Cheslik, United Water Services on the following:

Treatment Plant Performance; Wastewater Treatment Plant Effluent Quality; Wastewater Treatment Plant Influent; MMSD Jones Island and South Shore Effluent History; 2004 Waste Treatment Plant Performance, Conveyance System Performance; 2004 Precipitation; Inline Storage System Events in 2004; Overflows Related to ISS Operations; 2004 Overflows (SSO 10% and CSO 90%); Biosolids (December and In 2004); District Biosolids Reuse/Disposal: 1998-2004; Maintenance Backlog PM and CM Workorders open over 90 days; 2004 Maintenance Highlights; and Maintenance Organization Changes.

Received

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

Items 2a., 4 and 6 were taken as a block.

- 2a** Regarding Moving Project C06006, 6th/7th Street MIS Rehabilitation, Transfer of Funds Into This Project, and Award of Contract C06006C01

05-002-1

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

- 2b** Award of Contract Nos. J06015P04, J06015P05 and S06005P02, Annual Review of United Water Services Requested Projects for 2004

05-003-1

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

Yes: 8 - Seider, Grzezinski, Bell, Brunner, Colon, Cullen, D'Amato, White

No: 1 - Richards

Present: 0

Excused: 2 - Cole, Owley

- 3** Approval to Amend Commission Policy # 1-77.4, "Educational Reimbursement for Management and Non-Represented Employees"

05-004-1

Commissioner Richards moved an amendment to include language in the amended Commission Policy #1-77.4, to reflect that Management and Non-Represented Employees who voluntarily resign from the District prior to two years after receiving Educational Reimbursement must repay the District 100% of the costs they received. Commissioner Brunner seconded.

The amendment passed 5-4 by the following roll call vote: Commissioners Brunner, Colon, Cullen, Richards and Seider voted yes. Commissioners Grzezinski, Bell, D'Amato, and White voted no.

Staff will bring the amended policy with the language changes to the Commission for review at a future Commission meeting.

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

Yes: 8 - Seider, Grzezinski, Bell, Brunner, Colon, Cullen, Richards, White

No: 1 - D'Amato

Present: 0

Excused: 2 - Cole, Owley

- 4** Approval of an Increase in Health Insurance Contributions for Non-Represented/Management Employees and Commissioners

05-005-1

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

- 5 Authorizing the Establishment of a Merit Pool and Discretionary Fund for Non-Represented/Management Employees

05-006-1

This item will be addressed at the February 28, 2005 full Commission Meeting.

Held

- 6 Authorizing the Executive Director to Enter Into Negotiations With the City of Milwaukee for an Easement at the City of Milwaukee Fleet Services Site at 3921 West Lincoln Avenue for a Third Permanent Household Hazardous Waste Facility, Opening Spring 2005, and to Extend the Contract With Onyx Environmental Services, L.L.C. Until the Year 2007

05-007-1

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

- 7 Authorizing the Executive Director to Enter Into an Agreement for Provision of the Workforce Development Training and Placement (WDTP) Program

05-008-1

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

Yes: 8 - Seider, Grzezinski, Bell, Brunner, Colon, Cullen, D'Amato, Richards

No: 1 - White

Present: 0

Excused: 2 - Cole, Owley

ORGANIZATION & ADMINISTRATION

EXECUTIVE DIRECTOR'S REPORT

- A. Agency Services Report
- B. SWMBE Monitoring Update
- C. Staffing Efforts and Affirmative Action Update
- D. Alterra Presentation on MMSD Flushing Station

05-014-1

- A. The Agency Services hard-copy report was provided to Commissioners.*
- B. The Commission received an update on the SWMBE Monitoring from Jeff Spence, Agency Services Manager, and Geoffrey Hurtado and Ray Ellingen from Hurtado Consulting.*
- C. The Commission received an update on Staffing Efforts and Affirmative Action from Steve Kreklow, Manager of Budget and Human Resources, and Trina DeLeon-Simpson, Human Resources Generalist.*
- D. The Commission received a presentation from Lincoln Fowler of Alterra regarding the MMSD Flushing Station.*

Received

CLOSED SESSION

PURSUANT TO SECTION 19.85(1) (c), (e), (f), and (g) Wisconsin Statutes, the Commission will go into Closed Session for consideration of employment, promotion, compensation or performance evaluation data of any public employee over whom the Commission has jurisdiction; regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session; for consideration involving financial, medical, social or personal histories of specific persons which would have a substantial adverse effect on the reputation of any person if made public; and to confer with Legal Counsel when it appears the matter may involve the District in litigation.

- CS1** Deliberations and/or Negotiations on Labor Contracts Which for Bargaining Reasons Require a Closed Session **05-009-1**
Not Discussed
- CS2** DNR - MMSD Stipulation **05-010-1**
Heard in Closed Session
- CS3** DNR - June 2004 Notices of Violations **05-011-1**
Heard in Closed Session
- CS4** Negotiations on MMSD Flushing Station Lease **05-012-1**
Not Discussed
- CS5** Friends of Milwaukee's Rivers and Lake Michigan Federation v. MMSD **05-013-1**
Heard in Closed Session
- CS6** Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session **05-015-1**
Milorganite
Heard in Closed Session

ADJOURNMENT

As there was no further business, the meeting adjourned in Closed Session at approximately 1:00 p.m.

**Marjorie Stahl, Commission Secretary,
Milwaukee Metropolitan Sewerage District**

Milwaukee Metropolitan Sewerage District Meeting Proceedings Commission

*Timothy Seider, Chair, Dennis Grzezinski, Vice Chair
Jeannette Bell, Robert C. Brunner, Pedro Colon, David Cullen, Preston D.
Cole, Michael S. D'Amato, Candice Owley, Dale J. Richards, Wallace White*

Monday, February 28, 2005

MMSD Headquarters Building, Room 121

CALL TO ORDER

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

RECORD ROLL

Present: Timothy Seider, Dennis Grzezinski, Jeannette Bell, Robert C. Brunner, Pedro Colon, David Cullen, Michael S. D'Amato, Candice Owley, Wallace White

Excused: Preston D. Cole, Dale Richards

Approval of Proceedings of Regular Commission Meeting held January 24, 2005

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

OPERATIONS COMMITTEE MEETING REPORT

Items 1-3 were taken as a block.

- 1 Approval of Revised Indian Creek Flood Management Plan, Project W13001
05-016-2

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

- 2 Declaration of Excess Lands and Approval of Real Estate Purchase Agreement Between Southeast Wisconsin Professional Baseball Park District and the Milwaukee Metropolitan Sewerage District
05-017-2

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

- 3 Authorizing the Executive Director to Enter into an Agreement for Temperature Control and Mechanical Services for MMSD Headquarters and Laboratory Facilities
05-018-2

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

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT**CONTRACT ACTIONS**

Items 4, 5, and 6 were taken as a block.

- 4** Madison Park Stream Stabilization and Flood Management Project
Intergovernmental Cooperation Agreement

05-019-2

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

- 5** Award of Three (3) Intergovernmental Cooperation Agreements (ICAs) to Two (2) Partners for 2005 Infiltration and Inflow (I/I) Demonstration Partnerships (M03024P01)

05-020-2

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

- 6** Approval of Real Estate Purchase and Relocation Expenses for Parcels 7 and 10 for the Western Milwaukee Flood Management Plan, Project ID W20017

05-021-2

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

OTHER ACTIONS

- 7** Amending the Adopted 2005 Capital and Operation & Maintenance Budget to Reflect Carryover of Unexpended Budget Authority

05-022-2

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

Yes: 9 - Seider, Grzezinski, Bell, Brunner, Colon, Cullen, D'Amato, Owley, White

No: 0

Present: 0

Excused: 2 - Cole, Richards

8 Proposed 2005 MMSD Bradford Beach Water Quality Demonstration Project**05-023-2**

Commissioner White moved an amendment to request that the Milwaukee County Executive and the Milwaukee County Board aid in protecting Lake Michigan water quality by providing funds as soon as possible to correct the storm water pollution issues resulting from outfalls and parking lots onto Bradford & McKinley Beaches. Commissioner Brunner seconded.

Commissioner D'Amato moved a friendly amendment to include with Commissioner White's amendment that staff send a letter to the enforcement body that's responsible for this (Wisconsin DNR) and request that they enforce this item with Milwaukee County immediately.

Commissioners White and Brunner concurred with adding the friendly amendment to their amendment.

The amendment carried 9-0 by the following roll call vote: Commissioners Bell, Brunner, Colon, Cullen, D'Amato, Grzezinski, Owley, White and Seider voted aye. Commissioners Cole and Richards were excused.

For clarification, the Executive Director noted that the one-year project was authorized, and staff will send a letter to the DNR and the County reflecting the amendments.

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

Yes: 8 - Seider, Grzezinski, Bell, Brunner, Cullen, D'Amato, Owley, White

No: 1 - Colon

Present: 0

Excused: 2 - Cole, Richards

UNFINISHED BUSINESS**10 Authorizing the Establishment of a Merit Pool for Non-Represented/Management Employees****05-006-1**

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

NEW BUSINESS

- 11 Initial Resolution Authorizing the Issuance and Sale of Not to Exceed \$70,000,000 General Obligation Refunding Bonds and Providing Other Details With Respect Thereto

05-024-2

The Commission received a presentation from Mark Kaminski, Acting Controller, and Vincent Lyles, Robert W. Baird & Company representative.

The Commission received an amended resolution with the following verbiage changes:

Deleted in the last sentence of the fourth "Whereas" paragraph of the Resolution:

"has indicated that the estimated net present value savings for the refunding currently exceeds 2% but fluctuates daily"

Replaced by:

"recently indicated that the estimated net present value savings for the refunding exceeded 2% but fluctuates daily"

Deleted in the last sentences of Section 1 and Section 3 of the Resolution:

"2% of the principal amount of the refunded debt"

Replaced by:

\$750,000.

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

Yes: 8 - Seider, Grzezinski, Bell, Brunner, Cullen, D'Amato, Owley, White

No: 1 - Colon

Present: 0

Excused: 2 - Cole, Richards

ORGANIZATION & ADMINISTRATION

EXECUTIVE DIRECTOR'S REPORT

- A. 2003 Comprehensive Annual Financial Report
- B. 35th Street Sewer Update

05-014-1

The Executive Director reported on the following:

- A. *Letter dated January 26, 2005 to Mark Kaminski, Acting Controller, from the Government Finance Officers Association (GFOA) was distributed to the Commission and indicated:*

The Certificate of Achievement for Excellence in Financial Reporting has been awarded to Milwaukee Metropolitan Sewerage District by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement (AFRA) was also enclosed with the letter and presented to Mark Kaminski, the designated individual at MMSD responsible for preparing this award-winning CAFR.

- B. *Letter dated February 24, 2005 related to the Emergency Project Update at North 31st Street Relief Sewer was distributed to the Commission and discussed .*

- C. *The success of the Second Annual Watershed Planning Conference held on February 23, 2005 .*

- D. *Discussion on the 2006 Budget Process.*

Received

Commissioner Grzezinski moved to go into Closed Session pursuant to statutory authority and for the purposes as set forth on the published notice and agenda. Commissioner Brunner seconded.

The motion carried unanimously by a voice vote.

CLOSED SESSION

- CS1 *Deliberations and/or Negotiations on Labor Contracts Which for Bargaining Reasons Require a Closed Session*

05-009-1

Heard in Closed Session

- CS2 *DNR - MMSD Stipulation*

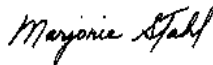
05-010-1

Heard in Closed Session

- CS3** DNR - June 2004 Notices of Violations
05-011-1
Heard in Closed Session
- CS4** Negotiations on MMSD Flushing Station Lease
05-012-1
Not Discussed in Closed Session
- CS5** Friends of Milwaukee's Rivers and Lake Michigan Federation v. MMSD
05-013-1
Heard in Closed Session
- CS6** Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session
Milorganite
05-015-1
Not Discussed in Closed Session
- CS7** Contracts C05036C01 and J02001C04 (Advance Mechanical Contractors)
05-025-2
A motion was made by Vice Chair Grzezinski, seconded by Commissioner White, that this matter be Heard in Closed Session. The motion carried unanimously.
- CS8** Contracts C07006C01, C05024C01, W003GX024, W003GX031 (James Cape & Sons Co.)
05-026-2
A motion was made by Vice Chair Grzezinski, seconded by Commissioner Bell, that this matter be Heard in Closed Session. The motion carried unanimously.

ADJOURNMENT

As there was no further business, the meeting adjourned in Closed Session at approximately 12 noon.



**Marjorie Stahl, Commission Secretary,
Milwaukee Metropolitan Sewerage District**



Milwaukee Metropolitan Sewerage District Meeting Proceedings Commission

*Timothy Seider, Chair, Dennis Grzezinski, Vice Chair
Jeannette Bell, Robert C. Brunner, Pedro Colon, David Cullen, Preston D.
Cole, Michael S. D'Amato, Candice Owley, Dale J. Richards, Wallace White*

Monday, March 21, 2005

MMSD Headquarters Building, Room 121

CALL TO ORDER

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

RECORD ROLL

Present: Timothy Seider, Dennis Grzezinski, Jeannette Bell, Robert C. Brunner, Pedro Colon, David Cullen, Preston D. Cole, Michael S. D'Amato, Candice Owley, Dale Richards, Wallace White

Approval of Proceedings of Project Status Report Meeting held February 14, 2005 and Regular Commission Meeting held February 28, 2005

A motion was made by Commissioner Brunner, seconded by Commissioner Owley, to approve the Proceedings. The motion carried unanimously.

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

CONTRACT ACTIONS

The agenda was taken out of sequence.

Items 1, 2 and 5 were taken as a block.

- 1 Approval of Amendment No. 2, Contract C05020D01, Providence Avenue Metropolitan Interceptor Sewer (MIS) Replacement

05-027-3

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

- 2 Award of Contract K01003C01, Pump Station Variable Speed Drive Replacement

05-028-3

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

- 5 Approval of Contract Modification No. 2, Contract W13001C02, Port Washington Road Detention Basin

05-031-3

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

Item 6 was addressed separately.

- 6** Award of a Professional Services Contract for Development of a Telecommunications Master Plan

05-032-3

A motion was made by Commissioner Owley, seconded by Vice Chair Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried by the following vote:

Yes: 8 - Seider, Grzezinski, Bell, Brunner, Cullen, Cole, D'Amato, Owley

No: 3 - Colon, Richards, White

Present: 0

Items 3 and 4 were taken as a block.

- 3** Approval of Amendment No. 1, Contract C05013D01, Port Washington Relief Sewer

05-029-3

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

- 4** Approval of Amendment No. 1, to Contract C03006D01, West Wisconsin Avenue Relief Sewer

05-030-3

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

OTHER ACTIONS

- 7** Award of a Contract for a User Charge Rate and Cost Allocation Study

05-033-3

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

NEW BUSINESS

- 12** A Resolution Authorizing and Providing for the Sale and Issuance of \$_____ General Obligation Sewerage System Refunding Bonds, Series 2005A, and all Related Details

05-037-3

This item will be addressed at a Special Commission Meeting scheduled for Wednesday, March 23, 2005 at 9:00 AM.

ORGANIZATION & ADMINISTRATION

EXECUTIVE DIRECTOR'S REPORT

05-014-1

The Executive reported on the following:

A. Update on the General Obligation Refunding Bonds

Mark Kaminski, Acting Controller, provided the Commission with an update on this issue.

B. AMSA 2005 National Environmental Achievement Award to Dennis Grzezinski

The Executive Director reported to the Commission on this item and all applauded Commissioner Grzezinski for being the recipient of this award. The award will be presented to Commissioner Grzezinski on May 2, 2005 in Washington DC at the AMSA Annual National Conference.

CLOSED SESSION

As there was no further Open Session business, Commissioner Grzezinski moved to go into Closed Session pursuant to state statutes and for the purposes as published on the meeting notice and agenda. Commissioner Bell seconded.

The motion carried unanimously by a voice vote.

- CS1** Deliberations and/or Negotiations on Labor Contracts Which for Bargaining Reasons Require a Closed Session

05-009-1

Heard in Closed Session

- CS2** DNR - MMSD Stipulation

05-010-1

Heard in Closed Session

- CS3** DNR - June 2004 Notices of Violations

05-011-1

Heard in Closed Session

- CS4** Negotiations on MMSD Flushing Station Lease

05-012-1

Not Discussed

- CS5** Friends of Milwaukee's Rivers and Lake Michigan Federation v. MMSD

05-013-1

Not Discussed

- CS6** Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session

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05-015-1

Not Discussed

ADJOURNMENT

As there was no further business, the meeting was adjourned in Closed Session at approximately 10:30 a.m.

Marjorie Stahl

**Marjorie Stahl, Commission Secretary,
Milwaukee Metropolitan Sewerage District**

Milwaukee Metropolitan Sewerage District Meeting Proceedings Commission

*Timothy Seider, Chair, Dennis Grzezinski, Vice Chair
Jeannette Bell, Robert C. Brunner, Pedro Colon, David Cullen, Preston D.
Cole, Michael S. D'Amato, Candice Owley, Dale J. Richards, Wallace White*

Wednesday, March 23, 2005

MMSD Headquarters Building, Room 121

SPECIAL COMMISSION MEETING

CALL TO ORDER

The Chair called the meeting to order at approximately 9:05 a.m.

RECORD ROLL

Present: Timothy Seider, Dennis Grzezinski, Jeannette Bell, Robert C. Brunner, David Cullen, Michael S. D'Amato, Candice Owley, Dale Richards
Excused: Pedro Colon, Preston D. Cole, Wallace White

UNFINISHED BUSINESS

- 12** A Resolution Authorizing and Providing for the Sale and Issuance of \$57,115,000 General Obligation Sewerage System Refunding Bonds, Series 2005A, and all Related Details

05-037-3

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

Yes: 8 - Seider, Grzezinski, Bell, Brunner, Cullen, D'Amato, Owley, Richards
No: 0
Present: 0
Excused: 3 - Colon, Cole, White

ADJOURNMENT

*As there was no further business, Commissioner Grzezinski moved to adjourn.
Commissioner Bell seconded.*

The motion carried unanimously by a voice vote.

The meeting adjourned at approximately 9:10 a.m.

Marjorie Stahl

**Marjorie Stahl, Commission Secretary,
Milwaukee Metropolitan Sewerage District**

Milwaukee Metropolitan Sewerage District Meeting Proceedings Commission

*Timothy Seider, Chair, Dennis Grzezinski, Vice Chair
Jeannette Bell, Robert C. Brunner, Pedro Colon, David Cullen, Preston D.
Cole, Michael S. D'Amato, Candice Owley, Dale J. Richards, Wallace White*

Monday, April 25, 2005

MMSD Headquarters Building, Room 121

CALL TO ORDER

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

RECORD ROLL

Present: Timothy Seider, Dennis Grzezinski, Jeannette Bell, Robert C. Brunner, Pedro Colon, David Cullen, Preston D. Cole, Michael S. D'Amato, Candice Owley, Dale Richards, Wallace White

Approval of Proceedings of Regular Commission Meeting held March 21, 2005 and Special Commission Meeting held March 23, 2005

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

OPERATIONS COMMITTEE MEETING REPORT

Commissioner Bell moved to adopt Items 1 and 2 as a block. Commissioner Cole seconded.

Commissioner White requested and the Commission concurred to take the items separately.

- 1** Approval of the Ecological Restoration Plan for the Milwaukee County Grounds, Authorization for Acquisition of a Conservation Easement at Milwaukee County Grounds, and Execution of Previously Approved County Grounds ICAs

05-038-4

A motion was made by Commissioner Bell, seconded by Commissioner Cole, that this matter be Adopted by a Voice Vote. The motion carried unanimously.

- 2 Expanding the Conservation Plan and Greenseams Programs to Include Stormwater Tree Properties

05-039-4

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

Yes: 6 - Seider, Grzezinski, Bell, Cullen, Owley, White

No: 2 - Brunner, Richards

Present: 0

Out of Room: 3 - Colon, Cole, D'Amato

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

CONTRACT ACTIONS

Commissioner Owley moved to adopt Items 3-8 as a block. Commissioner Cullen seconded.

Commissioner White requested and the Commission concurred to take Items 5, 6 and 7 separately.

Items 3,4,and 8 were taken as a block.

- 3 Hart Park Flood Management Project, Intergovernmental Cooperation Agreement with the City of Wauwatosa

05-040-4

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

- 4 Award of Contract C05039D01, Design of Basin E MIS Rehabilitation Project

05-041-4

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

OTHER ACTIONS

- 5 Amendments to Chapter 11, MMSD Rules, Regarding Discharge Prohibitions and Limits

05-042-4

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

- 6 Revising Commission Policy 1-73.17, Investment Policy

05-043-4

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

- 7 Approval of the District's Affirmative Action Plan

05-044-4

A motion was made by Commissioner Owley, seconded by Commissioner Brunner, that this matter be Adopted by a Voice Vote. The motion carried by the following vote:

Yes: 10 - Seider, Grzezinski, Bell, Brunner, Colon, Cullen, Cole, D'Amato, Owley,
Richards
No: 1 - White
Present: 0

- 8 Authorizing the Transfer of Funds in the 2004 Operation & Maintenance Budget

05-045-4

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

- 10 Revising Commission Policy 1-15.02, Capital Budget

05-047-4

Pulled from Agenda

UNFINISHED BUSINESS

NEW BUSINESS

- 17 Authorization to Enter Into Takeover Agreements to Complete Contracts C07006C01 (Menomonee Special, West), C05024C01 (Clybourn West MIS Relocation), C05036C01 (Villard Avenue Pump Station Improvements) and J02001C04 (Jones Island Permanent Baffle Installation)

05-055-4

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

ORGANIZATION & ADMINISTRATION

EXECUTIVE DIRECTOR'S REPORT

05-014-1

1. 2006 Capital Budget Discussion

The Committee received a presentation from Steve Kreklow, Manager of Budgets and Human Resources.

2. Annual Performance Report for 2004

The Committee received a presentation from Jill Jacoby, Budget and Evaluation Specialist.

3. Status Report of 2004 High-Priority Projects

The Committee received a presentation from Pete Topczewski, Water Quality Protection Manager, and Mike Martin, Director of Technical Services.

Commissioner White moved to create a Budget Alternative Review Committee comprised of 2-3 Commission members with an interest or expertise in this area to look at budget considerations.

There was no second.

The Commission Chair indicated that he will work with the Executive Director and the PF&P Committee Chair related to Commission discussion concerning the creation of a subcommittee, working committee or holding a Special PF&P Committee meeting for review of related budget considerations and alternatives.

Commissioner Grzezinski moved to go into Closed Session according to state statutes and for the purposes as stated on the published notice and agenda. Commissioner Bell seconded.

The motion carried unanimously by a voice vote.

CLOSED SESSION

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission will go into Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session, deliberating or negotiating the purchasing of public properties, and conferring with Legal Counsel when it appears the matter may involve the District in litigation.

- | | | |
|------------|--|-----------------|
| CS1 | Deliberations and/or Negotiations on Labor Contracts Which for Bargaining Reasons Require a Closed Session | 05-009-1 |
| | Not Discussed in Closed Session | |
| CS2 | DNR - MMSD Stipulation | 05-010-1 |
| | Heard in Closed Session | |
| CS3 | DNR - June 2004 Notices of Violations | 05-011-1 |
| | Heard in Closed Session | |
| CS4 | Negotiations on MMSD Flushing Station Lease | 05-012-1 |
| | Heard in Closed Session | |
| CS5 | Friends of Milwaukee's Rivers and Lake Michigan Federation v. MMSD | 05-013-1 |
| | Not Discussed in Closed Session | |

CS6 Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session
Milorganite

05-015-1

Not Discussed in Closed Session

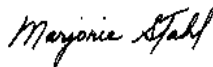
CS7 Sale of Property in Oak Creek

05-054-4

Heard in Closed Session

ADJOURNMENT

As there was no further business, the Commission adjourned in Closed Session at approximately 12 noon.



**Marjorie Stahl, Commission Secretary,
Milwaukee Metropolitan Sewerage District**



Milwaukee Metropolitan Sewerage District Meeting Proceedings Commission

*Timothy Seider, Chair, Dennis Grzezinski, Vice Chair
Jeannette Bell, Robert C. Brunner, Pedro Colon, David Cullen, Preston D.
Cole, Michael S. D'Amato, Candice Owley, Dale J. Richards, Wallace White*

Monday, May 23, 2005

MMSD Headquarters Building, Room 121

CALL TO ORDER

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

RECORD ROLL

Present: Timothy Seider, Dennis Grzezinski, Jeannette Bell, Robert C. Brunner, David Cullen, Preston D. Cole, Michael S. D'Amato, Candice Owley, Dale Richards, Wallace White
Excused: Pedro Colon

Approval of Proceedings of Regular Commission Meeting held April 25, 2005

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

OPERATIONS COMMITTEE MEETING REPORT

- 1 Authorizing the Executive Director to Reject all Bids for Contract P-2438, Furnish and Deliver Packaging Supplies for the Bagging of Milorganite Brand Products
05-056-5

A motion was made by Commissioner Bell, seconded by Commissioner Cole, that this matter be Adopted by a Voice Vote. The motion carried unanimously.

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

- 2 Revising Commission Policy 1-15.02, Capital Budget
05-047-4

By consensus, this item will be addressed at the June Commission meeting.

- 3 Revising Commission Policy 1-15.04, Carryover of Unexpended Funds
05-057-5

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

- 4 Creating Commission Policy 1-15.09, Amending the Proposed Operations and Maintenance or Capital Budget

05-058-5

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

- 5 Authorizing and Providing for the Sale and Issuance of Three Series of General Obligation Sewerage System Promissory Notes, and all Related Details

05-059-5

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

Yes: 9 - Seider, Grzezinski, Bell, Brunner, Cullen, Cole, Owley, Richards, White

No: 0

Present: 0

Excused: 1 - Colon

Out of Room: 1 - D'Amato

CONTRACT ACTIONS

Items 6 through 9 and 11 were taken as a block.

- 6 Regarding Project W30003, Root River Sediment Transport Planning Study, Transfer of Funds Into This Project, and Award of Contract W30003E01

05-060-5

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

- 7 Approval of Amendment No. 3, Contract W20004D01, Milwaukee County Grounds Final Design

05-061-5

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

- 8 Approval of Amendment No. 1, Contract No. J06021D01, Inline Storage System (ISS) Head Tank Replacement Project

05-062-5

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

- 9 Award and Amendment of Various Contracts for the South Shore Wastewater Treatment Plant Instrumentation and Control Upgrades

05-063-5

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

- 10** Award of Contract P-2435, Small, Women & Minority Business Enterprise and
Apprentice Utilization Monitoring

05-064-5

*Commissioner Grzezinski moved an amendment to award the contract to Chamness Consulting with the Commission's option to extend beyond that first year.
Commissioner Cole seconded.*

After further discussion Commissioner Grzezinski withdrew the amendment.

By consensus, staff will rework this item and provide the Commission with more information.

This item was referred back to Committee.

Referred back to Committee

- 11** Authorizing the Executive Director to Amend the Agreement to Provide Packaging
Materials for Milorganite

05-065-5

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

The agenda was taken out of sequence, and Item F. Flow Monitoring Update under the Executive Director's Report was addressed.

UNFINISHED BUSINESS

NEW BUSINESS

- 14** Amending the Adopted 2005 Capital Budget

05-068-5

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

The Executive Director commended Steve Kreklow, Manager of Budget and Human Resources, on his last day at the MMSD for his fine work at the District and wished him well in his future endeavors.

The Commission thanked Mr. Kreklow as well, and all applauded.

- 15** Authorizing District Employees to Donate Earned Vacation Leave for the Purpose of
Making Additional Paid Sick Leave Available to Mr. Don Hutton

05-069-5

A motion was made by Commissioner Owley, seconded by Commissioner Bell, that this matter be Adopted by a Voice Vote. The motion carried unanimously.

ORGANIZATION & ADMINISTRATION

EXECUTIVE DIRECTOR'S REPORT

- A. 2006 O&M Budget Discussion
- B. 2006 Capital Budget Discussion
- C. GFOA Award
- D. United Way Award
- E. Governor's Special Minority Business Award
- F. Flow Monitoring Update

05-014-1

The Executive Director reported on the following:

A. 2006 O&M Budget Discussion

The Commission received a presentation from Steve Kreklow, Manager of Budget and Human Resources, Mickie Pearsall, Lead Budget and Management Analyst, and Peter Coffaro, Budget and Evaluation Specialist.

B. Capital Budget Discussion

Not discussed.

C. GFOA Award

The Government Finance Officers Association (GFOA) awarded MMSD the Distinguished Budget Presentation Award for the 2005 budget document with special recognition for our use of performance measures in the budget. This was the 5th consecutive budget presentation award from the GFOA to MMSD.

D. United Way Award

MMSD won the Bronze Award for the 2004 Combined Giving Campaign for achieving 45% participation with an average contribution of \$25.

E. Governor's Special Minority Business Award

MMSD received this award for 19.05% of purchases with certified minority firms for fiscal year 2004. MMSD will have a representative receive the award at a presentation on May 27, 2005 in Madison, WI.

F. Flow Monitoring System

The Commission received a presentation from Kevin Shafer, Executive Director, and Ed Manning, President, Triad Engineering, also addressed the Commission.

Received

As there was no further open session business, Commissioner Grzezinski moved to go into Closed Session pursuant to Section 19.85 of the State Statutes for the purposes as stated on the published notice and agenda. Commissioner Bell seconded.

The motion carried unanimously by a voice vote.

The Commission convened in Closed Session at approximately 11:10 a.m..

CLOSED SESSION

PURSUANT TO SECTION 19.85(1)(e)and (g), Wisconsin Statutes, the Commission will go into Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session, deliberating or negotiating the purchasing of public properties, and conferring with Legal Counsel when it appears the matter may involve the District in litigation.

- | | | |
|------------|--|-----------------|
| CS1 | Deliberations and/or Negotiations on Labor Contracts Which for Bargaining Reasons Require a Closed Session | 05-009-1 |
| | Not Discussed in Closed Session | |
| CS2 | DNR - MMSD Stipulation | 05-010-1 |
| | Heard in Closed Session | |
| CS3 | DNR - June 2004 Notices of Violations | 05-011-1 |
| | Heard in Closed Session | |
| CS4 | Negotiations on MMSD Flushing Station Lease | 05-012-1 |
| | Not Discussed in Closed Session | |
| CS5 | Friends of Milwaukee's Rivers and Lake Michigan Federation v. MMSD | 05-013-1 |
| | Heard in Closed Session | |
| CS6 | Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session
Milorganite | 05-015-1 |
| | Not Discussed in Closed Session | |
| CS7 | Sale of Property in Oak Creek | 05-054-4 |
| | Not Discussed in Closed Session | |

ADJOURNMENT

As there was no further business, the Commission adjourned in Closed Session at approximately 11:40 a.m.

Marjorie Stahl

**Marjorie Stahl, Commission Secretary,
Milwaukee Metropolitan Sewerage District**

Milwaukee Metropolitan Sewerage District Meeting Proceedings Commission

*Timothy Seider, Chair, Dennis Grzezinski, Vice Chair
Jeannette Bell, Robert C. Brunner, Pedro Colon, David Cullen, Preston D.
Cole, Michael S. D'Amato, Candice Owley, Dale J. Richards, Wallace White*

Monday, June 27, 2005

MMSD Headquarters Building, Room 121

CALL TO ORDER

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

RECORD ROLL

Present: Timothy Seider, Dennis Grzezinski, Jeannette Bell, Robert C. Brunner, Pedro Colon, David Cullen, Preston D. Cole, Michael S. D'Amato, Candice Owley, Dale Richards, Wallace White

The Chair welcomed Commissioner-Elect Theresa M. Estness who was in attendance to observe the meeting. He indicated that she was elected to the Commissioner position on June 13, 2005 by the ICC Executive Council.

Approval of Proceedings of Regular Commission Meeting held May 23, 2005

A motion was made by Commissioner Owley, seconded by Commissioner Brunner, to approve the Proceedings. The motion carried unanimously.

OPERATIONS COMMITTEE MEETING REPORT

Items 1 through 4 were taken as a block.

- 1 Declaration of the Public Necessity and Approval of the Revised Acquisition Plat (Relocation Order) for the Harbor Siphons Sewer Project C07010

05-070-6

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

- 2 Review of the 2004 Wisconsin Department of Natural Resources Compliance Maintenance Annual Reports for the Jones Island and South Shore Wastewater Treatment Plants

05-071-6

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

- 3** Authorizing the Executive Director to Enter Into an Intergovernmental Cooperation Agreement with the City of Franklin Concerning an Addition to the District's Sanitary Sewerage Service Area Within the City of Franklin (Nisenbaum Property, 7140 South Woelfel Road)

05-072-6

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

- 4** Approval of Revised Sanitary Sewer Service Area for the City of Muskego

05-073-6

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

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

CONTRACT ACTIONS

Items 6, 7, 10 and 12 were taken as a block.

- 5** Award of Contract W20003C01, Hart Park Flood Management Project

05-074-6

The Commission received a presentation from Mike Martin, Director of Technical Services and Tom Chapman, Section Manager.

The Commission concurred with staff to amend the resolution for this item to include the following language that the contract be awarded contingent upon:

" final execution of an Intergovernmental Cooperation Agreement between the City of Wauwatosa and the Milwaukee Metropolitan Sewerage District concerning Design and Construction Activities for the Hart Park Project; and

'final execution of an Intergovernmental Cooperation Agreement between Milwaukee County and the Milwaukee Metropolitan Sewerage District concerning Construction of the Hart Park Project."

A motion was made by Commissioner Owley, seconded by Commissioner White, that this matter be Adopted as Amended. The motion carried unanimously.

- 6** Accelerate Project C07012, Basin F Intercepting Structures Improvement Project and Project C07013, Basin G Intercepting Structures Improvement Project, Transfer of Funds Into This Project, and Award of Contract C07012D01
05-075-6
Commissioner Richards commended staff related to the information in the June 22, 2005 memorandum provided to the Commission concerning this item.
By a consensus of the Commission, the Request for Proposal process concerning due dates for receipt of proposals will be brought back as an item to the September Commission cycle.
A motion was made by Commissioner Owley, seconded by Commissioner Cullen, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 7** Award of Contract S02004D01, South Shore Wastewater Treatment Plant Blower System Upgrade
05-076-6
A motion was made by Commissioner Owley, seconded by Commissioner Cullen, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 8** Conservation Plan Land Acquisition - Contract W97001P03 - Approval to Purchase 29-acre Babiasz Property in Mequon, Wisconsin
05-077-6
The Commission received a presentation from Steve McCarthy, Project Manager, and Peg Kohring, Conservation Fund.
A motion was made by Commissioner Owley, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried by the following vote:
Yes: 10 - Seider, Grzezinski, Bell, Colon, Cullen, Cole, D'Amato, Owley, Richards, White
No: 1 - Brunner
Present: 0
- 9** Approval of Amendment No. 1, Contract W13001D01, Indian Creek Watercourse Flood Management Plan Advance Planning Analysis, Design Services and Engineering Services During Construction
05-078-6
A motion was made by Commissioner Owley, seconded by Vice Chair Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried by the following vote:
Yes: 10 - Seider, Grzezinski, Bell, Brunner, Colon, Cole, D'Amato, Owley, Richards, White
No: 1 - Cullen
Present: 0
- 10** Award of Contract C07022D01 for Design of the Canal Street Wet Weather Relief Sewer
05-079-6
A motion was made by Commissioner Owley, seconded by Commissioner Cullen, that this matter be Adopted by a Voice Vote. The motion carried unanimously.

11 Award of Contracts for Professional Real Estate Services**05-080-6**

The Commission received a presentation from Mike Martin, Director of Technical Services, and Don Nehmer, Capital Program Business Manager.

Commissioner Brunner moved to amend the contract from three years to a one- year contract with four one-year options. Commissioner Richards seconded.

After discussion, Commissioner Richards withdrew his second.

The motion died due to lack of a second.

By a consensus of the Commission, the benefit of in-house real estate services will be looked at during the budget process.

A motion was made by Commissioner Owley, seconded by Vice Chair Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried by the following vote:

Yes: 9 - Seider, Grzezinski, Bell, Brunner, Cole, D'Amato, Owley, Richards, White

No: 2 - Colon, Cullen

Present: 0

12 Approval of Amendment No. 5, C020DE001 (C97001), Project Management for the Central Metropolitan Interceptor Sewer Improvement Project**05-081-6**

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

OTHER ACTIONS**13** Approval of the Creation of a Human Resources Generalist in Human Resources**05-082-6**

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

18 Authorizing the Executive Director to Enter Into a No-Cost Agreement With The City of Milwaukee For Use of Land at The City of Milwaukee Lincoln Self-Help Center at 3879 West Lincoln Avenue for the Construction of a Household Hazardous Waste Facility**05-087-6**

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

UNFINISHED BUSINESS

16 Revising Commission Policy 1-15.02, Capital Budget**05-047-4**

Commissioner Richards moved to amend Policy 1-78.02 per Commissioner Brunner's direction to reduce amounts of authorization for the Executive Director in the policy. Commissioner Colon seconded.

Since Policy 1-78.02 was included for information only as an attachment to this item, the motion was withdrawn.

Commissioner Richards moved to table this item. Commissioner Colon seconded.

The motion to table failed 9-2 by the following roll call vote:

Yes: Commissioners Brunner and Richards.

No: Commissioners Bell, Cole, Colon, Cullen, D'Amato, Grzezinski, Owley, White, and Seider.

A motion was made by Commissioner Cole, seconded by Commissioner Owley, that this matter be Adopted by a Voice Vote. The motion carried by the following vote:

Yes: 9 - Seider, Grzezinski, Bell, Colon, Cullen, Cole, D'Amato, Owley, White

No: 2 - Brunner, Richards

Present: 0

NEW BUSINESS

The Chair passed the gavel to the Vice Chair.

17 Resolution Commending Timothy T. Seider for Meritorious Service and Leadership as a Commissioner for the Milwaukee Metropolitan Sewerage District**05-086-6**

Commission Vice Chair Grzezinski read the resolution and commended Commission Chair Seider for his meritorious service and leadership as a Commissioner for the Milwaukee Metropolitan Sewerage District.

All in attendance applauded Commissioner Seider.

Commissioner Seider thanked all and indicated it was a pleasure serving on the Commission.

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

The Vice Chair returned the gavel back to the Chair.

ORGANIZATION & ADMINISTRATION

EXECUTIVE DIRECTOR'S REPORT

A. 2006 BUDGET DISCUSSION

B. RIVER HERO AWARD

C. OWNER CONTROLLED INSURANCE PROGRAM UPDATE

D. NACWA PEAK PERFORMANCE AWARDS

E. REPORT FROM DICK WANTA, WISCONSIN UNDERGROUND
CONTRACTORS ASSOCIATION, ON UPWARD TRENDS IN
CONSTRUCTION BIDS

F. OPERATIONS AND MAINTENANCE REPORT FOR MAY 2005

G. 2020 PLANNING AREA ISSUE

05-014-1

The Executive Director reported that there were no issues over the weekend despite the amount of rain that fell in the area.

The report was taken out of order starting with the Operations and Maintenance Report for May 2005.

A. 2006 Budget Discussion

The Commission received a presentation from Mickie Pearsall, Lead Budget and Management Analyst, Pete Coffaro, Budget and Evaluation Specialist, and Mark Kaminski, Acting Controller.

B. River Hero Award

The Executive Director congratulated David Fowler, Environmental Engineer, for his outstanding work for which he received the River Hero Award at a banquet on May 20 at the River Network's River Rally in Keystone, Colorado. The plaque was passed for viewing to Commissioners.

C. Owner Controlled Insurance Program (OCIP) Update

The Commission received a report on the benefits to MMSD related to this program from the Executive Director. Based on the calculations of MMSD's Broker for OCIP, the result is an approximate return of premium of \$2.6 million. The Hartford will also pay an additional 4% return to MMSD, as originally negotiated in the Master Agreement. Additionally, it is estimated that approximately \$3.8 million in construction costs has been saved through MMSD purchasing the OCIP coverage. The Executive Director commended Glinda Loving for her diligent work on this project.

D. NACWA Peak Performance Award

The Executive Director reported to the Commission that both Jones Island and South Shore Wastewater Treatment Plants have received the National Association of Clean Water Agencies Peak Performance Gold Award. These Gold Awards are presented to member agency facilities that achieve 100% compliance with their National Pollutant Discharge Elimination System (NPDES) permits for an entire year.

E. The Commission received a report from Dick Wanta, Executive Director, Wisconsin Underground Contractors Association, on upward trends in construction bids. Mr. Wanta distributed information to Commissioners.

F. Operations and Maintenance Report for May 2005

The Commission received a presentation from John Jankowski, Contract Compliance Manager, and John Cheslik, United Water Services.

G. 2020 Planning Area Issue

The Commission received a presentation from Tim Bate, Engineering Planning Manager.

The Executive Director, on behalf of staff, expressed appreciation to Commission Chair Seider for his guidance and leadership during his tenure and wished him the very best in his future endeavors.

As there was no further Open Session business, Commissioner Grzezinski moved to go into Closed Session pursuant to state statutes and for the purposes as stated on the published notice and agenda. Commissioner Cole seconded.

The motion carried unanimously by a voice vote.

The Commission convened in Closed Session at approximately 12:10 p.m.

CLOSED SESSION

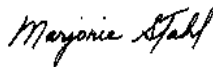
PURSUANT TO SECTION 19.85(1)(c), (e), and (g), Wisconsin Statutes, the Commission convened in Closed Session for consideration of employment, promotion, compensation or performance evaluation data of any public employee over whom the Commission has jurisdiction; regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session; deliberating or negotiating the purchasing of public properties; and conferring with Legal Counsel when it appears the matter may involve the District in litigation.

- | | | |
|------------|--|-----------------|
| CS1 | Deliberations and/or Negotiations on Labor Contracts Which for Bargaining Reasons Require a Closed Session | 05-009-1 |
| | Not Discussed in Closed Session | |
| CS2 | DNR - MMSD Stipulation | 05-010-1 |
| | Not Discussed in Closed Session | |
| CS3 | DNR - June 2004 Notices of Violations | 05-011-1 |
| | Not Discussed in Closed Session | |
| CS4 | Negotiations on MMSD Flushing Station Lease | 05-012-1 |
| | Not Discussed in Closed Session | |
| CS5 | Friends of Milwaukee's Rivers and Lake Michigan Federation v. MMSD | 05-013-1 |
| | Not Discussed in Closed Session | |

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- | | | |
|------------|--|-----------------|
| CS6 | Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session
Milorganite | 05-015-1 |
| | Not Discussed in Closed Session | |
| CS7 | Sale of Property in Oak Creek | 05-054-4 |
| | Not Discussed in Closed Session | |
| CS8 | 2004 Performance Evaluation and Proposed 2005 Accountabilities for the Executive Director | 05-084-6 |
| | Heard in Closed Session and Filed | |
| CS9 | 2004 Performance Evaluation and Proposed 2005 Accountabilities for the Director of Legal Services | 05-085-6 |
| | Heard in Closed Session and Filed | |

ADJOURNMENT

As there was no further business, the Commission adjourned in Closed Session at approximately 12:40 p.m.



**Marjorie Stahl, Commission Secretary,
Milwaukee Metropolitan Sewerage District**



Milwaukee Metropolitan Sewerage District Meeting Proceedings Commission

*Dennis Grzezinski, Vice Chair
Jeannette Bell, Robert C. Brunner, Pedro Colon, David Cullen, Preston D.
Cole, Michael S. D'Amato, Theresa M. Estness, Candice Owley, Dale J.
Richards, Wallace White*

Monday, July 25, 2005

MMSD Headquarters Building, Room 121

CALL TO ORDER

Commissioner Grzezinski, Acting Chair, called the meeting to order at approximately 9:10 a.m.

RECORD ROLL

Present: Dennis Grzezinski, Jeannette Bell, Robert C. Brunner, Pedro Colon, David Cullen, Preston D. Cole, Theresa M. Estness, Dale Richards, Wallace White

Excused: Michael S. D'Amato, Candice Owley

Approval of Proceedings of Regular Commission Meeting held June 27, 2005

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

OPERATIONS COMMITTEE MEETING REPORT

- 1 Declaration of the Public Necessity and Approval of the Acquisition Plat (Relocation Order) for the Warnimont Avenue Relief Sewer Project C06007

05-088-7

A motion was made by Commissioner Bell, seconded by Commissioner Cole, that this matter be Adopted by a Voice Vote. The motion carried unanimously.

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

CONTRACT ACTIONS

Items 2, 3, 4, 6 and 8 were taken as a block.

- 2 Authorizing the Executive Director to Complete Negotiations and Execute Contract J06020C02, Jones Island Wastewater Treatment Plant (JIWWTP) Fire Protection System Upgrade - Metasys Upgrade

05-089-7

The Commission received a report on standardized systems from Mike Martin, Director of Technical Services.

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

- 3 Approval of Amendment No. 2, Contract M03022P01, Technology Evaluation and Preliminary Engineering for High-Rate Treatment of Wet-Weather Flows

05-090-7

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

- 4 Authorizing the Executive Director to enter into a Memorandum of Understanding between the Milwaukee Metropolitan Sewerage District and the Wisconsin Department of Transportation for Stormwater Management from Portions of the Marquette Interchange

05-091-7

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

OTHER ACTIONS

- 5 Authorizing the Executive Director to reimburse Onyx Environmental Services, L.L.C. for the Cost of Construction of a Permanent Household Hazardous Waste Facility at the City of Milwaukee Lincoln Self-Help Center at 3879 West Lincoln Avenue

05-092-7

This item was forwarded to the September meeting cycle by the PF&P Committee at their meeting on July 11, 2005.

- 6 Authorizing the Executive Director to Enter Into a Contract With the Firm of Williams Mullen Clark & Dobbins for Legal Services

05-093-7

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

- 7 Transfer of Accrued Leave to Employees for FMLA Medical Related Absences
05-094-7

*Commissioner Cullen moved to amend the policy to include a provision that the Executive Director notify the Commission when this policy is being used by staff.
Commissioner Cole seconded*

The amendment motion carried by a voice vote.

A motion was made by Commissioner White, seconded by Commissioner Brunner, that this matter be Adopted as Amended by a Voice Vote. The motion carried by the following vote:

Yes: 7 - Grzezinski, Bell, Brunner, Cullen, Cole, Richards, White

No: 1 - Estness

Present: 1 - Colon

Excused: 2 - D'Amato, Owley

- 8 Insurance Coverage Renewal for General Operations
05-095-7

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

NEW BUSINESS

- 11 Election of the Commission Chair for the Remaining 2005 Year
05-097-7

*Commissioner Cole moved to nominate Commissioner Jeannette Bell.
Commissioner Cullen Seconded.*

*Commissioner Richards moved to nominate Commissioner Robert C. Brunner.
Commissioner Brunner seconded.*

The vote was taken by secret ballot.

Commissioner Jeannette Bell was elected to serve as Commission Chair for the remainder of 2005 by a vote of 7-2.

A motion was made by Commissioner Cole, seconded by Commissioner Cullen, that this matter be Adopted by Secret Ballot. The motion carried unanimously.

Commissioner Grzezinski passed the gavel to newly elected Commission Chair Jeannette Bell.

ORGANIZATION & ADMINISTRATION

EXECUTIVE DIRECTOR'S REPORT

- A. KPMG Report on the 2004 Financial Audit
- B. Interim Report on 2005 Workforce Development and Training Program
- C. 2006 Budget Discussion
- D. Status Report on Jones Island Turbine Generator Emergency Project

05-014-1

A. The Commission received a presentation from Mark Kaminski, Acting Controller, and the following members of the KPMG Assurance Team: Terri Desris, Partner, and Jeff Markert, Independent Reviewing Partner; Kate Thompson, Supervising Senior was also in attendance at the meeting.

B. The Commission received a presentation from Pete Coffaro, Budget & Evaluation Specialist and Geoffrey Hurtado of Hurtado Consulting; Dyann Benson was also in attendance at the meeting.

C. The Commission received a presentation from Mickie Pearsall, Lead Management & Budget Analyst, and Mike Martin, Director of Technical Services.

D. The Commission received a presentation from John Jankowski, Manager of Contract Compliance.

Received

Commissioner Grzezinski moved to go into Closed Session pursuant to state statute 19.85 (1)(e) and (g) as published on the notice and agenda. Commissioner Estness seconded.

The motion carried by a voice vote.

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 conferring with Legal Counsel when it appears the matter may involve the District in litigation.

- CS1** Deliberations and/or Negotiations on Labor Contracts Which for Bargaining Reasons Require a Closed Session

05-009-1

Not Discussed in Closed Session

- CS2** DNR - MMSD Stipulation

05-010-1

Heard in Closed Session

- CS3** DNR - June 2004 Notices of Violations

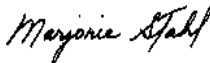
05-011-1

Heard in Closed Session

- CS4** Negotiations on MMSD Flushing Station Lease
05-012-1
Not Discussed
- CS5** Friends of Milwaukee's Rivers and Lake Michigan Federation v. MMSD
05-013-1
Heard in Closed Session
- CS6** Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session
Milorganite
05-015-1
Not Discussed
- CS7** Deliberations on Future Privatization Contracts Which for Competitive and Bargaining Reasons Require a Closed Session
05-098-7
Heard in Closed Session

ADJOURNMENT

As there was no further business, the Commission adjourned in Closed Session without returning to Open Session at approximately 11:55 a.m.



**Marjorie Stahl, Commission Secretary,
Milwaukee Metropolitan Sewerage District**

Milwaukee Metropolitan Sewerage District Meeting Proceedings Commission

*Jeannette Bell, Chair, Dennis Grzezinski, Vice Chair
Robert C. Brunner, Pedro Colon, David Cullen,
Preston D. Cole, Theresa M. Estness, Ashanti Hamilton,
Candice Owley, Dale J. Richards, Wallace White*

Monday, September 26, 2005

MMSD Headquarters Building, Room 121

CALL TO ORDER

The Chair called the meeting to order at approximately 9:05 a.m.

RECORD ROLL

Present: Dennis Grzezinski, Jeannette Bell, Robert C. Brunner, Pedro Colon, David Cullen, Preston D. Cole, Theresa M. Estness, Candice Owley, Dale Richards, Wallace White
Excused: Ashanti Hamilton

NEW BUSINESS

Operations and Maintenance Report for September 2005

05-001-1

The Commission received the following:

Kevin Shafer, Executive Director, reported on the rain event of 9/25/05.

John Jankowski, Contract Compliance Manager, and John Cheslik, UWS, gave a presentation on the Operation and Maintenance Report, July and August 2005.

Received

Approval of Proceedings of Regular Commission Meeting held July 25, 2005

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

OPERATIONS COMMITTEE MEETING REPORT

Items 1, 3, 4, 5, 6, 7 and 8 were taken as a block; Commissioner Brunner requested and the Commission concurred that Item 2 be acted upon separately.

- 1** Approval of Amendment No. 1 Contract M03002P05, Bacteria Source, Transport, and Fate Study - Phase II
05-099-9
A motion was made by Commissioner Cole, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 2** Approval of Amendment No.1, Contract M03002P15, Water Quality Management Options to Control Cladophora Growth in the Milwaukee Region of Lake Michigan - Phase II
05-100-9
A motion was made by Commissioner Cole, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried by the following vote:
Yes: 8 - Grzezinski, Bell, Cullen, Cole, Estness, Owley, Richards, White
No: 2 - Brunner, Colon
Present: 0
Excused: 1 - Hamilton
- 3** Award of Contract M03023E01, MMSD Expanded Storm Water Monitoring Program Data Analysis
05-101-9
A motion was made by Commissioner Cole, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 4** Authorizing the Executive Director to Reject all Bids for Contract C98040C01, Diversion Structure and Siphon Sluice Gate Replacements
05-102-9
A motion was made by Commissioner Cole, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 5** Award of Contract C07008D01, Design of Barclay/4th/Chase Metropolitan Interceptor Sewer (MIS) Replacement Project
05-103-9
A motion was made by Commissioner Cole, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 6** Approval of Amendment No. 2, Contract M03004P01, Design Services for Phase 2 Geotechnical Cores/Boring Log Data Project
05-104-9
A motion was made by Commissioner Cole, seconded by Commissioner Richards, that this matter be Adopted as Amended by a Voice Vote. The motion carried unanimously.
- 7** Approval of Amendment No. 1, Contract C06007D01, Warnimont Avenue Relay Sewer Design
05-105-9
A motion was made by Commissioner Cole, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried unanimously.

- 8 Authorize the Executive Director to Negotiate and Enter into an Intergovernmental Cooperation Agreement (ICA) with Milwaukee County for Services Performed by Milwaukee County in their Limited Sanitary Sewer Evaluation Survey (LSSES) and their Capacity, Management, Operations and Maintenance (CMOM) Activities and to Amend a Contract to Undertake a Satellite Municipality CMOM Readiness Review and Compliance Plan Development

05-106-9

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

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

UNFINISHED BUSINESS

- 9 Authorizing the Executive Director to Reimburse Onyx Environmental Services, L.L.C. for the Cost of Construction of a Permanent Household Hazardous Waste Facility at the City of Milwaukee Lincoln Self-Help Center at 3879 West Lincoln Avenue

05-092-7

This item will be addressed at the 10/24/05 Commission meeting.

A motion was made by Commissioner Owley, seconded by Vice Chair Grzezinski, that this matter be Forwarded without Recommendation. The motion carried unanimously.

NEW BUSINESS

Items 10-15 were taken as a block.

- 10 Approval of the Transfer of Five Parcels of Land to the Milwaukee County Parks Department, and Authorize the Executive Director to Enter Into an Intergovernmental Cooperation Agreement to Transfer Ownership of the Parcels to the Milwaukee County Parks Department

05-107-9

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

- 11 Approval of the Transfer of 11 Parcels of Land to Various Municipal Partners, and Authorize the Executive Director to Enter into Intergovernmental Cooperation Agreements to Transfer Ownership of the Parcels to the Various Partners as Part of the Conservation Plan

05-108-9

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

- 12 Declaration of the Public Necessity and Approval of the Acquisition Plat (Relocation Order) for the 15 Intercepting Structures Improvement Project C07031

05-109-9

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

- 13** Declaration of the Public Necessity and Approval of the Acquisition Plat (Relocation Order) for the Second Power Source at Wet Weather Diversion Sites Project K01005

05-110-9

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

- 14** Conveyance of a Permanent Gas Distribution Easement to WE Energies by the Milwaukee Metropolitan Sewerage District Along 1000 Block of East Reservoir Avenue in the City of Milwaukee

05-111-9

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

- 15** Acceptance of a Permanent Sewer Easement Conveyance (In Lieu of Existing Prescriptive Easement Rights) by the Milwaukee Metropolitan Sewerage District from Various Owners Along the Milwaukee River in the City of Milwaukee

05-112-9

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

- 16** Greenseams Land Acquisition - Contract W97002E02 - Approval to Purchase 14.6-acre Weiland Property in Menomonee Falls, Wisconsin

05-113-9

A motion was made by Commissioner Owley, seconded by Vice Chair Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried by the following vote:

Yes: 8 - Grzezinski, Bell, Colon, Cullen, Cole, Estness, Owley, Richards

No: 1 - Brunner

Abstained: 1 - White

Present: 0

Excused: 1 - Hamilton

- 17** Greenseams Land Acquisition - Contract W97002E02 - Approval to Purchase a Conservation Easement on the 26-acre Spirit Life Church Property in the City of Mequon

05-114-9

A motion was made by Commissioner Owley, seconded by Vice Chair Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried by the following vote:

Yes: 8 - Grzezinski, Bell, Colon, Cullen, Cole, Estness, Owley, Richards

No: 1 - Brunner

Abstained: 1 - White

Present: 0

Excused: 1 - Hamilton

- 18 Acceptance of the MMSD Telecommunications Master Plan

05-115-9

A motion was made by Commissioner Owley, seconded by Commissioner Brunner, that this matter be Adopted by a Voice Vote. The motion carried by the following vote:

Yes: 9 - Grzezinski, Bell, Brunner, Colon, Cullen, Cole, Estness, Owley, White

No: 1 - Richards

Present: 0

Excused: 1 - Hamilton

- 19 Approval of Commission Policy on Environmental Sustainability

05-116-9

A motion was made by Commissioner Owley, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried by the following vote:

Yes: 8 - Grzezinski, Bell, Colon, Cullen, Cole, Estness, Owley, White

No: 2 - Brunner, Richards

Present: 0

Excused: 1 - Hamilton

- 20 Revising Commission Policy 1-78.02, Contract Modifications Authority

05-117-9

The Commission received comments from Dick Solomon, Senior Staff Attorney.

A motion was made by Commissioner Owley, seconded by Commissioner Richards, that this matter be Adopted as Amended. The motion carried unanimously.

- 21 Revising Commission Policy 1-15.08, Reserves

05-119-9

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

ORGANIZATION & ADMINISTRATION

Commission Chair Jeannette Bell commented that she found the Sample Monitoring Tour of five of the major sampling areas she attended on September 21, 2005 to be very informative. She requested that staff schedule more Sample Monitoring Tours for other Commissioners.

EXECUTIVE DIRECTOR'S REPORT

05-014-1

The Commission received presentations related to the proposed 2006 O&M and Capital Budgets from the following:

*Kevin L. Shafer, Executive Director
Mark Kaminski, Acting Controller
John Jankowski, Contract Compliance Manager
Jeff Spence, Agency Services Manager*

The Executive Director presented to the Commission an award received by MMSD from the American Society of Civil Engineers (ASCE) for the Miller Brewery rain garden.

Commissioner Grzezinski moved to go into Closed Session pursuant to Section 19.85(1)(e) and (g) for the purposes as stated on the published notice and agenda. Commissioner White seconded.

The motion carried unanimously by a voice vote.

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 conferring with Legal Counsel when it appears the matter may involve the District in litigation.

- | | | |
|------------|--|-----------------|
| CS1 | Deliberations and/or Negotiations on Labor Contracts Which for Bargaining Reasons Require a Closed Session | 05-009-1 |
| | Not Discussed in Closed Session | |
| CS2 | DNR - MMSD Stipulation | 05-010-1 |
| | Not Discussed in Closed Session | |
| CS3 | DNR - June 2004 Notices of Violations | 05-011-1 |
| | Heard in Closed Session | |
| CS4 | Negotiations on MMSD Flushing Station Lease | 05-012-1 |
| | Not Discussed in Closed Session | |
| CS5 | Friends of Milwaukee's Rivers and Lake Michigan Federation v. MMSD | 05-013-1 |
| | Heard in Closed Session | |

CS6 Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session
- Milorganite
- Acquisition Plat for Project C05013 (Item 5 from Open Session)

05-015-1

Heard in Closed Session

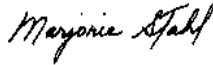
CS7 Winterthur International American Insurance Company v. MMSD

05-118-9

Heard in Closed Session

ADJOURNMENT

As there was no further business, the Commission adjourned in Closed Session without reconvening in Open Session at approximately 11:05 a.m.



**Marjorie Stahl, Commission Secretary,
Milwaukee Metropolitan Sewerage District**



Milwaukee Metropolitan Sewerage District Meeting Proceedings Commission

*Jeannette Bell, Chair, Dennis Grzezinski, Vice Chair
Robert C. Brunner, Pedro Colon, David Cullen,
Preston D. Cole, Theresa M. Estness, Ashanti Hamilton,
Candice Owley, Dale J. Richards, Wallace White*

Monday, October 24, 2005

MMSD Headquarters Building, Room 121

CALL TO ORDER

The Chair called the meeting to order at approximately 9:10 a.m.

RECORD ROLL

Present: Jeannette Bell, Dennis Grzezinski, Robert C. Brunner, Preston D. Cole, Pedro Colon, David Cullen, Ashanti Hamilton, Theresa M. Estness, Candice Owley, Dale Richards, Wallace White

Approval of Proceedings of Regular Commission Meeting held September 26, 2005

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

UNFINISHED BUSINESS

The agenda was taken out of sequence. Item 13 was addressed before Items 10, 11 and 12.

- 13** Authorizing the Executive Director to Reimburse Onyx Environmental Services, L.L.C. for the Cost of Construction of a Permanent Household Hazardous Waste Facility at the City of Milwaukee Lincoln Self-Help Center at 3879 West Lincoln Avenue

05-092-7

The Commission received a power point presentation from Sheila Charnon, Grants and Special Projects Administrator, and Pete Coffaro, Budget and Evaluation Specialist.

A motion was made by Commissioner Cole, seconded by Commissioner Richards, to approve Amendment 4 - Replace proposed third permanent site with pilot year-round temporary site at the Lincoln Self-Help Center and eliminate a minimum of two mobile sites to be determined by staff.

The motion carried unanimously by a voice vote.

A motion was made by Commissioner Cole, seconded by Commissioner Cullen, that this matter be Adopted as Amended by a Voice Vote. The motion carried unanimously.

NEW BUSINESS

Operations and Maintenance Report for September 2005

05-001-1

The Commission received a power point presentation from John Jankowski, Manager of Contract Compliance, and John Cheslik of United Water Services.

Received

- 15** Termination of Contract W13001C04 - Purchase and Relocation of Buildings from Indian Creek and Root River Watercourses

05-134-10

The Commission received comments from Devon Ellis, Project Manager.

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

OPERATIONS COMMITTEE MEETING REPORT

Items 1, 2, 3 and 14 were taken as a block.

- 1** Award of Contract J04008C01, Jones Island Wastewater Treatment Plant (JIWWTP) Silo Dust Control System Upgrade and Silo Discharge Valve Replacement

05-123-10

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

- 2** Amending the Agreement for Operations and Maintenance Services with United Water Services

05-124-10

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

- 3** Approval of an Amendment to the Contract for Analytical Laboratory Services
05-125-10
- A motion was made by Commissioner Cole, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 14** Award of Contract J04011C01, Jones Island and South Shore Wastewater Treatment Plant Variable Frequency Drive Replacement
05-133-10
- A motion was made by Commissioner Cole, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried unanimously.

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

Items 4, 5, 6, 7, 8 and 9 were taken by a block vote.

- 4** Approval of Revised Sanitary Sewer Service Area for the City of Muskego
05-126-10
- A motion was made by Commissioner Owley, seconded by Vice Chair Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 5** Declaration of the Public Necessity and Approval of the Acquisition Plat (Relocation Order) for the Port Washington Road Relief Sewer Project C05013
05-127-10
- A motion was made by Commissioner Owley, seconded by Vice Chair Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 6** Authorizing the Executive Director to Extend the Contract for Health Insurance for Post Medicare Retirees Effective February 1, 2006
05-128-10
- A motion was made by Commissioner Owley, seconded by Vice Chair Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 7** Authorizing the Executive Director to Enter Into a Contract for Life Insurance Benefits Effective January 1, 2006
05-129-10
- A motion was made by Commissioner Owley, seconded by Vice Chair Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 8** Authorizing the Executive Director to Enter Into a Contract for Dental Insurance Benefits Effective January 1, 2006
05-130-10
- A motion was made by Commissioner Owley, seconded by Vice Chair Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 9** Approval to Amend Commission Policy 1-77.35, Compensation Policy for Non-Represented Employees
05-131-10
- A motion was made by Commissioner Owley, seconded by Vice Chair Grzezinski, that this matter be Adopted by a Voice Vote. The motion carried unanimously.

The agenda was taken out of sequence. Item 11 was addressed before Item 10.

11 Adopting the Capital Budget for the 2006 Fiscal Year

05-121-9

A motion was made by Commissioner Owley to approve the Capital Budget as it was amended in Committee with Amendment #5 - adding two projects: W40006 KK Concrete Rehabilitation and W42002 - 43rd Street Ditch Floodplain Structure Demolition.

A motion was made by Commissioner Grzezinski, seconded by Commissioner White, to approve Amendment #1 - Revise the proposed annual tax levy increase in the annual financing plan to 4%, 4%, 0%, 4%, 4%, 4%. (2% to 4% in 2006).

The motion carried 7-4 by the following roll call vote: Commissioners Cole, Estness, Hamilton, Owley, Richards, White, and Grzezinski voted yes; Commissioners Brunner, Colon, Cullen, and Bell voted no.

A motion was made by Commissioner Owley, seconded by Commissioner Grzezinski, to approve the Capital Budget as amended with Amendments # 1 revising the annual tax levy increase in the annual financing plan to 4%, 4%, 0%, 4%, 4%, 4% (2% to 4% in 2006), and Amendment #5, approved at Committee, adding two projects: W40006 KK Concrete Rehabilitation and W42002 - 43rd Street Ditch Floodplain Structure Demolition.

The motion carried 7-4 by the following roll call vote: Commissioners Cole, Estness, Hamilton, Owley, Richards, White, and Grzezinski voted yes; Commissioners Brunner, Colon, Cullen, and Bell voted no.

The Commission addressed Item 10, the O&M Budget.

A motion was made by Commissioner Richards, seconded by Commissioner Grzezinski, to Reconsider the adoption of the Capital Budget as amended.

The motion carried unanimously by a voice vote.

A motion was made by Commissioner Richards, seconded by Commissioner Brunner, to approve Amendment #2 - Reduce Greenseams expenditures to include only 50% of planned acquisition costs.

The motion failed 9-2 by the following roll call vote: Commissioners Cole, Colon, Cullen, Estness, Hamilton, Owley, White, Grzezinski, and Bell voted no; Commissioners Brunner and Richards voted yes.

A motion was made by Commissioner Richards, seconded by Commissioner Brunner, to approve Amendment #6 - to include the Ryan Creek Interceptor Project (design) in the 2006 Capital Budget.

The motion failed 8-2 by the following roll call vote: Commissioners Cole, Colon, Cullen, Estness, Hamilton, Owley, Grzezinski, and Bell voted no; Commissioners Brunner and Richards voted yes. Commissioner White abstained.

A motion was made by Commissioner Owley, seconded by Vice Chair Grzezinski, that this matter be Adopted as Amended. The motion carried by the following vote:

Yes: 7 - Grzezinski, Cole, Hamilton, Estness, Owley, Richards, White

No: 4 - Bell, Brunner, Colon, Cullen

Present: 0

10 Adopting the Operations and Maintenance Budget for the 2006 Fiscal Year

05-120-9

A motion was made by Commissioner Owley, seconded by Commissioner Hamilton to approve the O&M Budget.

A motion was made by Commissioner Owley, seconded by Commissioner Bell, to approve Amendment #1 - User charge billings change from 3.25% to 2% with associated expenditure reductions.

The motion carried unanimously by a voice vote.

A motion was made by Commissioner Owley, seconded by Commissioner Grzezinski, to approve Amendment #7 - Replace proposed third permanent site with pilot year-round site at the Lincoln Self-Help Center and eliminate two mobile sites to be determined by staff.

The motion carried unanimously by a voice vote.

A motion was made by Commissioner Owley, seconded by Commissioner Hamilton, that this matter be Adopted as Amended by a Roll Call Vote. The motion carried by the following vote:

Yes: 11 - Bell, Grzezinski, Brunner, Cole, Colon, Cullen, Hamilton, Estness, Owley, Richards, White

No: 0

Present: 0

Commissioner White read the following statement into the record relative to his position regarding the budget:

"Neither this Commission nor the communities it serves can continue to afford the projected increases in cost and decreasing revenues that will impact us in the coming years. I believe that this budget before us today does not take into consideration, the full measure of those impacts. We are facing the closing of Red Star Yeast and perhaps other wet industries. We have increased costs of outsourcing the operations and maintenance, whether it goes to United Water or any other firm. We have continuing state unfunded mandates that are impacting us. We have costs that are arising from settlement of pending litigation with the state and environmental groups; and we have, of course, the annual inflation adjustments for operations.

Of course, we will continue to meet our current statutory responsibilities, but I believe this Commission has a responsibility to the tax payers and the rate payers to assure them that we have taken the most prudent route in managing their dollars.

So therefore, prior to the initiation of next year's budget cycle, I'm requesting that the staff provide the Commission with a planning review that examines and considers all of the potential costs and how we will meet them in the future. In addition to raising taxes or rates, I think this review should consider alternative remedies, including any modifications to existing Commission policies and also any modifications to state law if necessary.

In addition, I am also recommending that the Commission appoint a subcommittee to work with the staff in conducting this work. I don't believe we can continue doing business effectively without such a comprehensive review of where we are going forward, as far as resource management is concerned.

So that is not a motion, but it is something that I certainly want to follow up with, with the staff, turn that into a resolution possibly at the next Commission Meeting.

So, I'm sort of putting everybody on notice as far as where I am in terms with the overall budget process. We don't have enough time, I don't think, and that is one of the reasons that I voted for the budget today, enough time to go through this exercise that we need to go through on a comprehensive basis. But we certainly need to do that prior to next years' budget cycle.

Thank you."

- 12 Levying of Taxes for the Milwaukee Metropolitan Sewerage District Capital Purposes for the 2006 Fiscal Year

05-132-10

A motion was made by Commissioner Owley, seconded by Commissioner Grzezinski, to approve this matter.

The roll call vote was 7-4 as follows: Commissioners Grzezinski, Cole, Hamilton, Estness, Owley, Richards, White voted yes. Commissioners Bell, Brunner, Colon, Cullen voted no.

Mike, McCabe, Director of Legal Services, indicated that this matter may require a two-thirds vote, which needs eight (8) "yes" votes to pass.

By unanimous consent and without objection, Commissioner Bell changed her "no" vote to "yes."

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

Yes: 8 - Bell, Grzezinski, Cole, Hamilton, Estness, Owley, Richards, White
No: 3 - Brunner, Colon, Cullen
Present: 0

ORGANIZATION & ADMINISTRATION

EXECUTIVE DIRECTOR'S REPORT

- A. Quarterly Agency Services Reports
- B. Quarterly Update on 2020 Facilities Plan (Moved to November)
- C. Quarterly Update on Educational Outreach Activities
- D. 2005 Natural Gas Analysis
- E. Location of Future Commission Meeting

05-014-1

- A. The Commission received the Quarterly Agency Services Reports.*
- B. The Quarterly Update on 2020 Facilities Plan - no report. This matter will be addressed at the November meeting cycle.*
- C. The Commission received the Quarterly Update on Educational Outreach Activities from Cora Lee-Palmer, Community Affairs Coordinator.*
- D. The Commission received a presentation on 2005 Natural Gas Analysis from Mark Kaminski, Acting Controller.*
- E. The Executive Director reported to the Commission that a future Commission meeting may be held at the Brookfield City Council Chambers which was requested by Brookfield Mayor Jeff Speaker.*

A motion was made by Commissioner Grzezinski, seconded by Commissioner Hamilton, to go into Closed Session pursuant to statute authority and for the purposes set forth on the published notice and agenda.

The Commission convened in Closed Session at approximately 11:40 a.m.

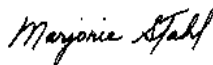
CLOSED SESSION

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission will go 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 | Deliberations and/or Negotiations on Labor Contracts Which for Bargaining Reasons Require a Closed Session | 05-009-1 |
| | Not Discussed in Closed Session | |
| CS2 | DNR - MMSD Stipulation | 05-010-1 |
| | Not Discussed in Closed Session | |
| CS3 | DNR - June 2004 Notices of Violations | 05-011-1 |
| | Heard in Closed Session | |
| CS4 | Negotiations on MMSD Flushing Station Lease | 05-012-1 |
| | Not Discussed in Closed Session | |
| CS5 | Friends of Milwaukee's Rivers and Lake Michigan Federation v. MMSD | 05-013-1 |
| | Not Discussed in Closed Session | |
| | Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session | |
| | - Milorganite | |
| | - Acquisition Plat for Project C05013 (Item 5 from Open Session) | 05-015-1 |
| | Heard in Closed Session | |

ADJOURNMENT

As there was no further business, the Commission adjourned in Closed Session at approximately 12:10 p.m.



**Marjorie Stahl, Commission Secretary,
Milwaukee Metropolitan Sewerage District**



Milwaukee Metropolitan Sewerage District Meeting Proceedings Commission

*Jeannette Bell, Chair, Dennis Grzezinski, Vice Chair
Robert C. Brunner, Pedro Colon, David Cullen,
Preston D. Cole, Theresa M. Estness, Ashanti Hamilton,
Candice Owley, Dale J. Richards, Wallace White*

Monday, November 14, 2005

MMSD Headquarters Building, Room 121

CALL TO ORDER

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

RECORD ROLL

Present: Jeannette Bell, Dennis Grzezinski, Robert C. Brunner, Preston D. Cole, Pedro Colon, David Cullen, Ashanti Hamilton, Dale Richards, Wallace White
Excused: Theresa M. Estness, Candice Owley

Approval of Proceedings of Regular Commission Meeting held on October 24, 2005.

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

NEW BUSINESS

OPERATIONS AND MAINTENANCE REPORT FOR OCTOBER 2005

05-001-1

The Commission received a power point presentation from John Jankowski, Manager of Contract Compliance, and John Cheslik of United Water Services.

Received

- 9** Adoption of the 2006 Committee/Commission Meeting Calendar

05-143-11

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

OPERATIONS COMMITTEE REPORT

- 1 Authorization to Negotiate and Execute an Intergovernmental Cooperation Agreement (ICA), Contract No. W10001E01, with the Southeastern Wisconsin Regional Planning Commission (SEWRPC) for the Preparation of a Milwaukee River Planning Study

05-135-11

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

- 2 Award of Contract C07019C01, Basin G/H Cast Iron Sewer Rehabilitation and Approve Changes in Total Projects Costs

05-136-11

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

- 3 Award of Contract TS-2429, Roadway Cover Replacements at Four Locations

05-137-11

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

- 4 Approval of Modification No. 4, Contract J06014C01, Jones Island Wastewater Treatment Plant Instrumentation and Controls Upgrades and Restore the Executive Director's Original Delegated Authority

05-138-11

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

- 5 Authorizing the Executive Director to Award a Contract for Consulting Services to Perform an Analysis of Options for the Operation and Maintenance of District Treatment and Conveyance Facilities and Assistance in Implementing the Preferred Option

05-139-11

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

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

- 6 Authorizing 2006 Capital Charges to Non-Member Communities

05-140-11

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

- 7 Update of Cost Recovery Procedures Manual, Including 2006 User Charge Rates

05-141-11

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

- 8** Authorizing and Providing for the Sale and Issuance of Six Series of General Obligation Sewerage System Promissory Notes, and all Related Details

05-142-11

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

Yes: 9 - Bell, Grzezinski, Brunner, Cole, Colon, Cullen, Hamilton, Richards, White

No: 0

Present: 0

Excused: 2 - Estness, Owley

- 10** Creation of a Commission Subcommittee for Future Financial Planning

05-144-11

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

ORGANIZATION & ADMINISTRATION

EXECUTIVE DIRECTOR'S REPORT

- A. Quarterly Update on 2020 Facilities Plan
- B. Ryan Creek Interceptor Update

05-014-1

A. The Commission received a power point presentation on the quarterly update for the 2020 Facilities Plan from Tim Bate, Engineering Planning Manager, and Karen Sands, Watershed Planning Manager.

B. The Commission received an update on the Ryan Creek Interceptor and how it is related to the 2020 Plan from Tim Bate, Engineering Planning Manager.

CLOSED SESSION

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

The Commission convened in Closed Session at approximately 10:30 a.m.

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

05-009-1

Not Discussed

- CS2** DNR - MMSD Stipulation

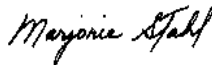
05-010-1

Heard in Closed Session

- CS3** DNR - June 2004 Notices of Violations
05-011-1
Heard in Closed Session
- CS4** Negotiations on MMSD Flushing Station Lease
05-012-1
Not Discussed
- CS5** Friends of Milwaukee's Rivers and Lake Michigan Federation v. MMSD
05-013-1
Heard in Closed Session
- CS6** Deliberating the Investment of Public Funds for Which Competitive and Bargaining
Reasons Require a Closed Session
- Milorganite
05-015-1
Heard in Closed Session

ADJOURNMENT

As there was no further business, the Commission meeting adjourned in Closed Session without reconvening in Open Session at approximately 11:40 a.m.



**Marjorie Stahl, Commission Secretary,
Milwaukee Metropolitan Sewerage District**

Milwaukee Metropolitan Sewerage District Meeting Proceedings Commission

*Jeannette Bell, Chair, Dennis Grzezinski, Vice Chair
Robert C. Brunner, Pedro Colon, David Cullen,
Preston D. Cole, Theresa M. Estness, Ashanti Hamilton,
Candice Owley, Dale J. Richards, Wallace White*

Monday, December 12, 2005

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, Jeannette Bell, Dennis Grzezinski, Robert C. Brunner, Preston D. Cole, David Cullen, Ashanti Hamilton, Dale Richards, Wallace White
Excused: Theresa M. Estness, Candice Owley

Approval of Proceedings of Special Commission Meeting held on November 7, 2005 and Regular Commission Meeting held on November 14, 2005.

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

The Executive Director's Report was addressed after approval of the Proceedings.

NEW BUSINESS

OPERATIONS AND MAINTENANCE REPORT FOR NOVEMBER 2005

05-001-1

The Commission received a power point presentation from John Jankowski, Manager of Contract Compliance, and John Cheslik of United Water Services.

Received

- 20** Election of the Commission Chair for the Year 2006

05-167-12

Commissioner White nominated Commissioner Pedro Colon. Commissioner Cullen seconded.

Commissioner Richards nominated Commissioner Jeannette Bell. Commissioner Brunner seconded.

The vote was taken by secret ballot.

Commissioner Pedro Colon was elected to serve as Commission Chair for the year 2006 by a vote of 6-3.

A motion was made by Commissioner White, seconded by Commissioner Cullen, that this matter be Adopted by Secret Ballot. The motion carried unanimously.

- 21** Election of the Commission Vice Chair for the Year 2006

05-168-12

Commissioner Grzezinski nominated Commissioner Jeannette Bell for Vice Chair. Commission White seconded.

A motion was made by Commissioner Richards, Seconded by Commissioner Grzezinski, to close the nominations.

The motion carried unanimously by a voice vote.

Commissioner Jeannette Bell was elected to serve as Commission Vice Chair for the year 2006.

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

OPERATIONS COMMITTEE REPORT

Items 1-7 and 9 were taken as a block.

- 1** Authorizing the Executive Director to Execute a Joint Funding Agreement with the U.S. Geological Survey, United States Department of the Interior, for Professional Services Associated with the Watercourse Corridor Study - Phase III

05-148-12

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

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- 2 Authorization to Negotiate and Execute an Intergovernmental Cooperation Agreement (ICA), Project No. W42002, with the Village of West Milwaukee (Village) for the Demolition of a Flood-prone Structure Adjacent to the 43rd Street Ditch, a Tributary to the Kinnickinnic River
- 05-149-12**
- A motion was made by Commissioner Cole, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 3 Award of Contract C06003D01, Design of Basins B and C Intercepting Structures Improvement Project
- 05-150-12**
- A motion was made by Commissioner Cole, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 4 Award of Contract for Air Quality Engineering Services
- 05-151-12**
- A motion was made by Commissioner Cole, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 5 Approval of Amendment No. 2, Contract C05035D01, Design of Port Washington Road Pump Station Upgrade
- 05-152-12**
- A motion was made by Commissioner Cole, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 6 Approval of Modification No. 2, Contract C98039C01, Conveyance Pump Station Improvements
- 05-153-12**
- A motion was made by Commissioner Cole, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 7 Approval of Amendment No. 6, Contract C030DE002, Design of the Northwest Side Relief Sewer
- 05-154-12**
- A motion was made by Commissioner Cole, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 8 Approval to Amend Existing Contracts for Capital Program Support
- 05-155-12**
- This item was pulled from the agenda.*
- Pulled from Agenda**
- 9 Authorization for Approval to Award Contract C05042C01, Range Line Road Relief Sewer and Contract C07031C01, 15 Intercepting Structures Improvement Project and Approve Changes in Total Project Costs
- 05-156-12**
- A motion was made by Commissioner Cole, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried unanimously.

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

Items 10, 12, 15, 16, 17, and 19 were taken as a block and adopted by a voice vote.

Items 11, 13, and 14 were taken as a block and adopted by a roll call vote.

- 10** Greenseams Program - Declaration of Weiland Property in Menomonee Falls, Wisconsin as Excess and Authorization to Transfer to the Waukesha Land Conservancy

05-157-12

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

- 11** Approval of Extension of Contract W97001P03, Greenseams Program Implementation - 2006

05-158-12

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

Yes: 6 - Colon, Bell, Grzezinski, Cole, Cullen, Hamilton

No: 2 - Brunner, Richards

Abstained: 1 - White

Present: 0

Excused: 2 - Estness, Owley

- 12** Conservation Plan Land Acquisition - Contract W97001P03 - Approval to Purchase 14-acre Vanselow Property in Oak Creek, Wisconsin

05-159-12

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

- 13** Approval to Enter into Partnership Agreements with the Village of Germantown and the City of Mequon and Ozaukee-Washington Land Trust

05-160-12

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

Yes: 6 - Colon, Bell, Grzezinski, Cole, Cullen, Hamilton

No: 2 - Brunner, Richards

Abstained: 1 - White

Present: 0

Excused: 2 - Estness, Owley

- 14** Approval to Acquire Greenseams Program Sites Within the Milwaukee River Watershed

05-161-12

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

Yes: 6 - Colon, Bell, Grzezinski, Cole, Cullen, Hamilton

No: 2 - Brunner, Richards

Abstained: 1 - White

Present: 0

Excused: 2 - Estness, Owley

- 15** Authorizing the Executive Director to Approve Computer Related Purchases from the State Bid List
05-162-12
A motion was made by Commissioner Brunner, seconded by Commissioner Cullen, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 16** Authorizing the Executive Director to Enter Into a Contract for Stop Loss Insurance for District Group Health Insurance Benefits
05-163-12
A motion was made by Commissioner Brunner, seconded by Commissioner Cullen, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 17** Authorizing the Executive Director to Extend Agreements for Provision of the Workforce Development Training and Placement Program for One Additional Year
05-164-12
A motion was made by Commissioner Brunner, seconded by Commissioner Cullen, that this matter be Adopted by a Voice Vote. The motion carried unanimously.
- 19** Approval of Revised Sanitary Sewer Service Area for the City of New Berlin
05-166-12
A motion was made by Commissioner Brunner, seconded by Commissioner Cullen, that this matter be Adopted by a Voice Vote. The motion carried unanimously.

ORGANIZATION AND ADMINISTRATION

EXECUTIVE DIRECTOR'S REPORT

- A. Student Support of High Rate Treatment Pilot Study
- B. WEF's George Bradley Gascoigne Medal
- C. State Revisions to Equipment Replacement Fund
- D. American Academy of Environmental Engineers Certification

05-014-1

The Commission received the following report from the Executive Director:

A. Student Support of High Rate Treatment Pilot Program

The Executive Director read a letter from CH2M Hill and reported that each of the co-op students provided valuable support during the High Rate Treatment pilot study.

B. WEF's George Bradley Gascoigne Medal

The George Bradley Gascoigne Medal is awarded to the author(s) of an article that presents the solution to an important and complicated operation problem in a full-scale, appropriately staffed, operating wastewater treatment plant.

John Hung, Jeffery Schilling, and Dennis Dineen (co-authoring with William Marten, Stephen Nutt, and H. David Stensel) won for their article, "Double Take," which was published in the August, 2004 issue of Water Environment and Technology. It describes how the staff at the Jones Island Wastewater Treatment Plant developed a method for handling peak flows without relying on significant capital improvements to the plant. Their efforts are expected to significantly decrease wet-weather-induced collection system overflows.

C. State Revisions to Equipment Replacement Fund

The Department of Natural Resources (DNR) has recently revised the minimum percentage requirement for the equipment replacement fund (ERF). The ERF minimum percentage requirement has been 10%. The new minimum percentage requirement is 5% for entities with machinery and equipment over \$30,000,000 and design life of greater than 10 years and up to and including a service life of 20 years.

The District's projected ERF balance at December 31, 2006 is \$32,870,000. At December 31, 2004 the District had \$172,144,000 in machinery and equipment with asset lives of 10 to 20 years. For the sake of this analysis lets assume that the additions to machinery and equipment increase the \$172,144,000 to \$200,000,000 by December 31, 2006. Under the new requirements, the District would have excess funding of \$22,870,000 at December 31, 2006.

D. American Academy of Environmental Engineers Certifications

In November, Michael Martin, Director of Technical Services, obtained specialty certification in water and wastewater from the American Academy of Environmental Engineers. This qualifies him as a "Diplomat in Environmental Engineering." Specialty certification from the Academy is a recognized mechanism providing independent testimony to the expertise possessed by individuals.

Those certified by the American Academy of Environmental Engineers have proven that they possess specific expertise in one or more of the environmental engineering specialties recognized by the Academy. These individuals possess, at minimum, an appropriate university 4-year degree or higher, a professional engineer's license, and at least 8 years of post-college environmental engineering experience. They also have successfully completed the Academy's written and oral examinations in the

specialty in which they are certified and annually complete a prescribed amount of continuing education.

Received and Filed

A motion was made by Commissioner Grzezinski, seconded by Commissioner Cullen, 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 unanimously by a voice vote.

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

05-009-1

Heard in Closed Session

CS2 DNR - MMSD Stipulation

05-010-1

Not Discussed in Closed Session

CS3 DNR - June 2004 Notices of Violations

05-011-1

Not Discussed in Closed Session

CS4 Negotiations on MMSD Flushing Station Lease

05-012-1

Heard in Closed Session

CS5 Friends of Milwaukee's Rivers and Lake Michigan Federation v. MMSD

05-013-1

Not Discussed in Closed Session

CS6 Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session
- Purchase of Western Milwaukee Real Estate - Central Ready Mix

05-015-1

Heard in Closed Session

ADJOURNMENT

As there was no further business, the Commission adjourned at approximately 10:40 a.m. in Closed Session without returning to Open Session.

Marjorie Stahl

**Marjorie Stahl, Commission Secretary,
Milwaukee Metropolitan Sewerage District**