

Meeting

Brown Deer Water Commission
Thursday, November 14, 2013
Village Hall, Room 101 **4:00 P.M.**



PLEASE TAKE NOTICE that a meeting of the Brown Deer Water Commission will be held at the Village Hall of the Village of Brown Deer, 4800 West Green Brook Drive, Brown Deer, Wisconsin at which time and place the following items of business will be discussed and possibly acted upon:

- I. Roll Call
- II. Persons Desiring To Be Heard
- III. Consideration of minutes:
 - A) Ratify August 29, 2013 Minutes
- IV. Old Business
 - A) None
- V. New Business
 - A) Election of Water Commission officers
 - B) Review and discuss 2014 Budget, if appropriate, approve publishing budget for public hearing
 - C) Approve Badger Beta Test Agreement
- VI. Staff Report
 - A) PSC Rate Case – Public Hearing December 6th, 10 am
 - B) 2013 Water Accountability
 - C) 2014 Water Main Relays
- VII. Treasurer's Report
 - A) Ratify Vouchers for September, 2013 and October, 2013
 - B) September 30, 2013 Balance Sheet and Income Statement
- VIII. Adjournment

Michael Hall, Village Manager
November 8, 2013

PERSONS REQUIRING SPECIAL ACCOMMODATIONS FOR ATTENDANCE AT THE MEETING SHOULD CONTACT THE VILLAGE CLERK AT LEAST ONE BUSINESS DAY PRIOR TO THE MEETING.

**MINUTES OF THE MEETING OF THE BROWN DEER WATER UTILITY
HELD AT THE BROWN DEER VILLAGE HALL- 4800 WEST GREEN BROOK DRIVE**

The meeting was called to order at 4:00 p.m.

| <u>I.</u> | <u>Roll Call</u> | <u>Present</u> | <u>Absent</u> |
|-----------|-------------------------|---------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| | Walter Baehr, President | X | |
| | Tim Schilz, Secretary | X | |
| | Ken Harmon | X | |
| | Gerald Anderson | X | |
| | Zach Beanland | | X (arrived 6:00 pm) |
| | | <hr style="width: 100%; border: 0; border-top: 1px solid black; margin: 0;"/> 4 | <hr style="width: 100%; border: 0; border-top: 1px solid black; margin: 0;"/> 1 |

Also Present:

Michael Hall, Village Manager
 John Fuchs, Village Attorney
 Don Esche, Accountant
 Mike Rau, Water Utility Manager
 Tom Nennig, Utility Engineer

II. **Persons Desiring To Be Heard**
 None

III. **Consideration of Minutes:**

A) June 13, 2013 Meeting

*Commissioner Schilz moved to ratify the minutes from the June 13, 2013 meeting as previously distributed. Commissioner Harmon seconded the motion. **Motion passed.***

IV. **Old Business:**
 None

V. **New Business:**

A) Review Draft Capital Improvement Plan 2014 - 2018

Manager Rau explained that as part of the Village capital planning process the Water Utility needs to provide input at this time for capital needs in the next 5 years. Then the Village can help the Utility when it needs capital for things such as water main relays. Then Rau led the discussion on specific planned items in the next 5 years. Accountant Esche explained that current Utility cash position is good and should carry us through 2014. Village Manager Hall estimates that the next Village borrowing will come in first quarter 2014 so the Utility will need to let the Village know by January 2014 of borrowing need. There was much discussion of the current Utility uncertainty of capital need for 60th Street water main rehabilitation or replacement to match 2015 road work by DOT and the Village.

*Commissioner Harmon moved to approve the 5 year Capital Plan in concept to the Village Board. Commissioner Anderson seconded the motion. **Motion passed.***

B) Review Draft 2014 Budget

Manager Rau reviewed a 2014 Budget Highlights summary sheet. A detailed budget will be provided and reviewed at the next Water Commission meeting.

C) Review and Approve City Water LLC Contract for Management and Operations

Approximately 90 minutes of discussion was held on the history of Brown Deer Water Utility's staffing and management as a review for this contract. Village Manager Hall explained that it was a formalization of the current arrangements with City Water and these arrangements had saved the Water Utility money while providing increased depth of service.

*Commissioner Harmon moved to recommend approval of the proposed contract with City Water LLC to the Village Board. Commissioner Anderson seconded the Motion. **Motion passed with 3 in favor and Commissioner Baehr voting "present".***

VI.**STAFF REPORT****A) PSC Rate Application**

Accountant Esche explained that PSC was still in the process of review of our application and much information needed to be provided for public fire protection charges. PSC also was reviewing depreciation rates. Next steps are rate design and scheduling a public hearing. An increase of 4 to 4.5% is still anticipated.

VII.**TREASURER'S REPORT****A) Ratify Vouchers for June and July 2013**

*Commissioner Schilz made a motion to ratify the vouchers for June and July 2013 as previously distributed. The motion was seconded by Commissioner Harmon. **Motion passed.***

B) Approve Vouchers for August 2013

*Commissioner Schilz made a motion to ratify the vouchers for June and July 2013 as previously distributed. The motion was seconded by Commissioner Beanland. **Motion passed.***

VIII.**ADJOURNMENT**

Motion: *Commissioner Schilz moved and Commissioner Anderson seconded to adjourn the meeting 6:05 p.m. **Motion Passed.***

Mike Rau, Water Superintendent

BADGER METER, INC.

BETA SITE AGREEMENT



Name of Product(s): ORION SE / ReadCenter Analytics/Other Products and Systems to be Determined

Introduction

This Beta Site Agreement is an update to the existing agreement between the Village of Brown Deer and Badger Meter relating to the ORION SE meter endpoints, the ORION Gateways, and ReadCenter. The new agreement covers two major areas: the existing products mentioned above, and new products yet to be released. Separately, the Non-Disclosure Agreement that was signed July, 2012 continues until Jul, 2014. This agreement is intended to be general in nature with the intent to establish an ongoing relationship that may involve multiple products and systems over time.

Term

Given the broad scope of this agreement, it is suggested the term be for one year but renewable indefinitely if both party's desire.

New Products

It is the intent of Badger Meter to continue to work with the Village to test and evaluate new products as they become available. We appreciate the long standing relationship and the advantage of close proximity of the Village to Badger Meter. New products might include metering products, AMI/AMR hardware and software systems. It is our intent to propose to the Village evaluation and use whenever the situation warrants. The Village can choose to accept or reject each proposal as they see fit. While there may be specific conditions related to each situation, those would be spelled out in a separate addendum to this overall agreement.

Existing Products

Regarding the current products noted above, it is the intent of Badger Meter to provide the following within the next several weeks:

1. Access to the ORION SE endpoint data presently being captured by the three ORION Gateways. A version of ReadCenter will be provided that will contain these readings and the normal reporting and alert functionality. A discussion between Badger Meter personnel and appropriate staff from Brown Deer will determine exactly what hardware and software will be involved.
2. Training at the Village for use of the ReadCenter software.

In return, Badger would continue to own and manage the three gateways (installed at the water tower, the Middle School, and at Badger Meter). At various times, there may be software updates or hardware maintenance that may be required that Badger Meter would implement once a suitable date has been agreed to by the Village (to insure billing schedules and other situations aren't compromised). Also, the Village would grant Badger Meter access to viewing the data base in order continue monitoring the ORION SE endpoint and gateway performance.

Other

- a. The primary point of contact from the Village will be Tom Nenning, and, at Badger Meter, Dan Merritt
- b. The Village of Brown Deer agrees to provide feedback to Badger Meter on the various unreleased products being evaluated as well as released products in use.
- c. Village of Brown Deer agrees to act as a Badger Meter customer reference site for potential customers to visit, if utility management is satisfied with the performance of the system or product in question. Generally, this would only occur if the product has been released for sale to the market. All visits must be pre-approved and arranged at the convenience of the Village.
- d. Village of Brown Deer agrees to be a reference for the product and would accept a limited number of phone calls from potential Badger Meter customers.
- e. At a time that is mutually agreeable to both Badger Meter and the Village, full ownership of piloted equipment will transfer to the Village, along with responsibility for any maintenance agreement fees and communication charges.

(Badger Meter, Inc. Representative Signature)

(Date)

VILLAGE OF BROWN DEER, WI agrees to become a beta test site with the understanding that the product is not ready for general release for sale. **VILLAGE OF BROWN DEER, WI** hereby releases Badger Meter, Inc. from all liability except that which is specifically set forth in its warranty, and waives all claims other than those specifically delineated in the above referenced warranty, including but not limited to any claims for consequential damages. **VILLAGE OF BROWN DEER, WI** agrees to allow Badger Meter, Inc. access to the site, at any reasonable time after reasonable notice, to inspect the product under field conditions, to modify or repair the product, or to substitute new product for the product, which is the subject of beta site testing. **VILLAGE OF BROWN DEER, WI** also agrees to keep all matters relating to the beta testing confidential for a period of five (5) years after the testing is concluded, including, but not limited to the fact that the beta testing is occurring and the nature of the testing which is occurring except to the extent that such matters become public through methods other than as a breach of this agreement.

VILLAGE OF BROWN DEER, WI agrees to the above restrictions and hereby consents to be a beta test site.

(Customer Representative Signature)

(Date)