

HOVMSD names new district director

Brian Helminger has been hired by the Heart of the Valley Metropolitan Sewerage District as its new district director.

He succeeds Glen Geurts, retiring following a 33-year career at the HOVMSD. He served as district director the past two years after being plant superintendent for 13 years and laboratory director and lead man prior to that.

Helminger comes to the HOVMSD after having been the water treatment plant superintendent for the City of Manitowoc since 2004.

He is also an adjunct instructor at

Moraine Park Technical College in Fond du Lac and holds a Bachelor of Science degree in water resources from UW-Stevens Point.

The district's commission selected Helminger from a highly qualified field of applicants who expressed interest in the job.

Helminger assumes his new duties Jan. 1.

The mission of the Heart of the Valley Metropolitan Sewerage District is to provide cost-effective

wastewater conveyance and treatment for its member communities

while protecting public health, safety and the quality of the environment. The district provides high quality services through continuous improvement of facilities, infrastructure and its employees.

The district handles sewage for the City of Kaukauna, villages of Little Chute, Kimberly and Combined Locks, and the Darboy Sanitary District.



Brian Helminger

Compliance Maintenance Annual Report

Heart Of Valley Msd Ww Trtmnt Fac

Last Updated: Reporting For:
6/15/2016 2015

DNR Response to Resolution or Owner's Statement

Name of Governing Body or Owner:	<input type="text" value="Heart of the Valley Metropolitan Sewerage District"/>
Date of Resolution or Action Taken:	<input type="text" value="2016-06-14"/>
Resolution Number:	<input type="text" value="170"/>
Date of Submittal:	6/15/2016

ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO SPECIFIC CMAR SECTIONS (Optional for grade A or B. Required for grade C, D, or F):

Influent Flow and Loadings: Grade = A

Permittee Response:

DNR Response:

Effluent Quality: BOD: Grade = A

Permittee Response:

DNR Response:

Effluent Quality: TSS: Grade = A

Permittee Response:

DNR Response:

Effluent Quality: Ammonia: Grade = A

Permittee Response:

DNR Response:

Effluent Quality: Phosphorus: Grade = A

Permittee Response:

DNR Response:

Biosolids Quality and Management: Grade = B

Permittee Response:

DNR Response:

Staffing: Grade = A

Permittee Response:

DNR Response:

Compliance Maintenance Annual Report

Heart Of Valley Msd Ww Trtmnt Fac

Last Updated: Reporting For:
6/15/2016 2015

Operator Certification: Grade = A
Permittee Response:

DNR Response:

Financial Management: Grade = A
Permittee Response:

DNR Response:

Collection Systems: Grade = A
(Regardless of grade, response required for Collection Systems if SSOs were reported)
Permittee Response:

DNR Response:

ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO THE OVERALL GRADE POINT AVERAGE AND ANY GENERAL COMMENTS

(Optional for G.P.A. greater than or equal to 3.00, required for G.P.A. less than 3.00)

G.P.A. = 3.86

Permittee Response:

DNR G.P.A. Response:

DNR CMAR Overall Response:

Hello Glen, David, Bruce and Commissioners! I appreciate the submittal of the 2015 electronic Compliance Maintenance Annual Report(eCMAR) for the Heart of the Valley Metro wastewater treatment facility. Congratulations to the entire HOV staff for the Report's repeat, perfect 4.0 grade-point-average(GPA)! Keep up the terrific job! Mark K. Corbett,P.E.-Engineer.

DNR Reviewer:Corbett, Mark

Phone:(920) 424-4403

Address: 625 E County Road Y, Suite 700, Oshkosh, WI 54901

Date: 11/15/2016

Glen Geurts

From: David Casper <DCasper@Badgerlabs.com>
Sent: Thursday, December 01, 2016 8:28 AM
To: Glen Geurts
Subject: RE: Interceptor Televising Project

Hi Glen:

My thought was to have them take a look at the report/images to see if any significant deterioration has occurred relative to the condition last time. If there are any areas of concern we should react. If we have the time and person to do a review then let's do it in house. Your call.

Dave

From: Glen Geurts [<mailto:glen.geurts@hvmsd.org>]
Sent: Thursday, December 01, 2016 8:22 AM
To: David Casper
Subject: Interceptor Televising Project

Dave,

We have received the report from Great Lakes TV & Seal on HOV's interceptor televising project. Earlier this year, at a commission meeting, you indicated that we should have SMS – Scott Schramm review the report and tapes once received. What specifically are we asking Scott to perform? Are we looking for a complete review with recommendations, or something less?

Your direction is appreciated.

Glen

Glen Geurts

District Director
Heart of the Valley – MSD
801 Thilmany Road
Kaukauna, WI 54130
920-766-5731
glen.geurts@hvmsd.org

Glen Geurts

From: Glen Geurts <Glen.Geurts@hvmsd.org>
Sent: Monday, November 14, 2016 10:16 AM
To: 'Timothy D. Fenner'
Cc: 'David Casper'
Subject: FOG Program Issues

Good morning Tim;

The District would like your direction regarding some issues which have developed with compliance to the Districts Fats, Oils, and Grease (FOG) program.

The FOG program requires food service facilities to install grease traps to remove FOG before it enters the sewer system. Existing and new establishments are given a time frame in which to have the units installed. Some establishments have not met these deadlines. The District has a \$50.00 per day penalty available to assess these establishments. What options / means does the District have to assess and collect these penalties? What notifications are necessary? What procedure should the District follow? Is small claims court the appropriate venue for collection, or would you recommend an alternative? Who should collect, and receive the funds collected. (The Communities pay the contractor fees for program administration)

The second issue involves establishment who have installed the grease trap units, but fail to submit the required reporting documentation for their periodic trap cleaning activity. Some establishments frequently, or on occasion, fail to submit required reporting documentation for cleaning activities, as required. The District Communities then incur costs from its contractor who must chase down the required reporting. Can you suggest options to deal with this situation.

Your direction is greatly appreciated.

Glen

Glen Geurts

District Director
Heart of the Valley – MSD
801 Thilmany Road
Kaukauna, WI 54130
920-766-5731
glen.geurts@hvmsd.org

Glen Geurts

From: Timothy D. Fenner <TFenner@axley.com>
Sent: Monday, November 21, 2016 1:46 PM
To: Micheal D. Hahn; 'Glen Geurts'
Subject: RE: FOG Program Issues

Glenn,

I just would like to supplement what Mike has said. If you need assistance in preparing the appropriate notices, please advise and we will give you a draft of the notices that you could then put on your letterhead and send out to the appropriate parties.

From: Micheal D. Hahn
Sent: Monday, November 21, 2016 1:40 PM
To: 'Glen Geurts'
Cc: Timothy D. Fenner
Subject: RE: FOG Program Issues

Glen,

Tim asked me to look into the questions that you posed below.

Any violators of the FOG Program must be sent a written notification of the violation per Sec. 15.02 of the Ordinance, and given a reasonable time to comply with the Program. If the businesses fail to comply with the applicable Ordinance sections, then they should be issued a citation with the appropriate fine, as set forth in the Ordinance. The only way to get the attention of these non-complying businesses is to impose significant fines and be consistent in your enforcement.

For those businesses that have not yet installed the traps, the notice should include reference to Sec. 5.10 of the Ordinance and the FOG Program and set a deadline for installation. If the business fails to do so, then for each day after the deadline, they will be assessed a penalty for their non-compliance pursuant to the applicable fine in Sec. 15.04(4).

For those businesses that have installed the necessary traps, but have failed to provide the required cleaning reports, the District should send out a notice of violation per Sec. 15.02 and again provide a deadline by which the reports must be submitted. This type of violation seems to fall squarely within the fines imposed by Sec. 15.04(4)(e), which sets out a schedule of fines depending on how late the report is. Our recommendation is to include a citation for the appropriate fine with the notice of violation.

As for collecting the fines, there are two options: (1) the small claims procedure in circuit court; and (2) adding any delinquent charges to the tax bill as a delinquent special charge. The difficulty with the second option is that many of these businesses likely rent their locations and therefore would not receive the tax bill.

Please let us know if you have any questions regarding this issue.

Best,
-Mike

MICHEAL D. HAHN
ATTORNEY
Phone: 608.260.2483

Email: MHahn@axley.com | <http://www.axley.com>

Axley Brynelson, LLP | 2 E. Mifflin St. Ste 200 | Madison, WI 53703

Unless otherwise indicated or obvious from the nature of this transmittal, the information in this transmission is confidential and protected from disclosure by the attorney-client privilege, attorney work-product doctrine, privacy laws, or by its proprietary nature. This transmission is intended for the exclusive use of the named recipient. If you are not the named recipient or responsible to deliver it to the named recipient, you are notified that any use, copying, disclosure, dissemination, or other distribution of the information is strictly prohibited and you may be subject to legal restrictions or sanctions. If you have received this communication in error or are not sure whether it is confidential, please immediately notify us by return email or telephone at (608) 257-5661 and destroy all copies. To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

From: Timothy D. Fenner
Sent: Monday, November 14, 2016 7:42 PM
To: Micheal D. Hahn
Subject: Fwd: FOG Program Issues

Sent from my iPad

TIMOTHY D. FENNER
ATTORNEY

Phone: 608.283.6733 | Mobile: 608.219.8169

Office: 800.368.5661

Email: TFenner@axley.com | <http://www.axley.com>

Axley Brynelson, LLP | 2 E. Mifflin St. Ste 200 | Madison, WI 53703

Begin forwarded message:

From: Glen Geurts <glen.geurts@hvmsd.org>
Date: November 14, 2016 at 10:16:05 AM CST
To: "Timothy D. Fenner" <TFenner@axley.com>
Cc: "David Casper" <DCasper@Badgerlabs.com>
Subject: FOG Program Issues

Good morning Tim;

The District would like your direction regarding some issues which have developed with compliance to the Districts Fats, Oils, and Grease (FOG) program.

The FOG program requires food service facilities to install grease traps to remove FOG before it enters the sewer system. Existing and new establishments are given a time frame in which to have the units installed.

Some establishments have not met these deadlines. The District has a \$50.00 per day penalty available to assess these establishments. What options / means does the District have to assess and collect these penalties?

What notifications are necessary? What procedure should the District follow? Is small claims court the appropriate venue for collection, or would you recommend an alternative? Who should collect, and receive the funds collected. (The Communities pay the contractor fees for program administration)

The second issue involves establishment who have installed the grease trap units, but fail to submit the required reporting documentation for their periodic trap cleaning activity. Some establishments frequently, or on occasion, fail to submit required reporting documentation for cleaning activities, as required. The District Communities then incur costs from its contractor who must chase down the required reporting. Can you suggest options to deal with this situation.

Your direction is greatly appreciated.

Glen

Glen Geurts

District Director
Heart of the Valley – MSD
801 Thilmany Road
Kaukauna, WI 54130
920-766-5731
glen.geurts@hvmsd.org

Glen Geurts

From: Timothy D. Fenner <TFenner@axley.com>
Sent: Wednesday, November 30, 2016 11:37 AM
To: Nicole M. Stine
Cc: Nicole M. Stine; Micheal D. Hahn; 'William S. Cole - Work'; Lori M. Lubinsky; Robert C. Procter; Michelle E. Martin; Patricia M. Gibeault
Subject: Announcement of New Addition to Axley Municipal Law Team
Attachments: Municipal Attorney William Cole to Join Axley.oft

Dear Friends and Acquaintances:

Over a year and a half ago, I announced my retirement. Notwithstanding the announcement, I continued to practice law in various limited areas, one of them being municipal law. I have now decided to cut back even further. As a result, there will be some changes at Axley. Please see the attached announcement. Rest be assured, that the Axley attorneys will be available to assist you in all of your municipal needs; and I will be available to work with the Axley attorneys as the transition of municipal work occurs. It has been a pleasure working with all of you; and I hope your relationship with Axley continues. Thank you.

TIMOTHY D. FENNER

ATTORNEY

Phone: 608.283.6733 | **Mobile:** 608.219.8169

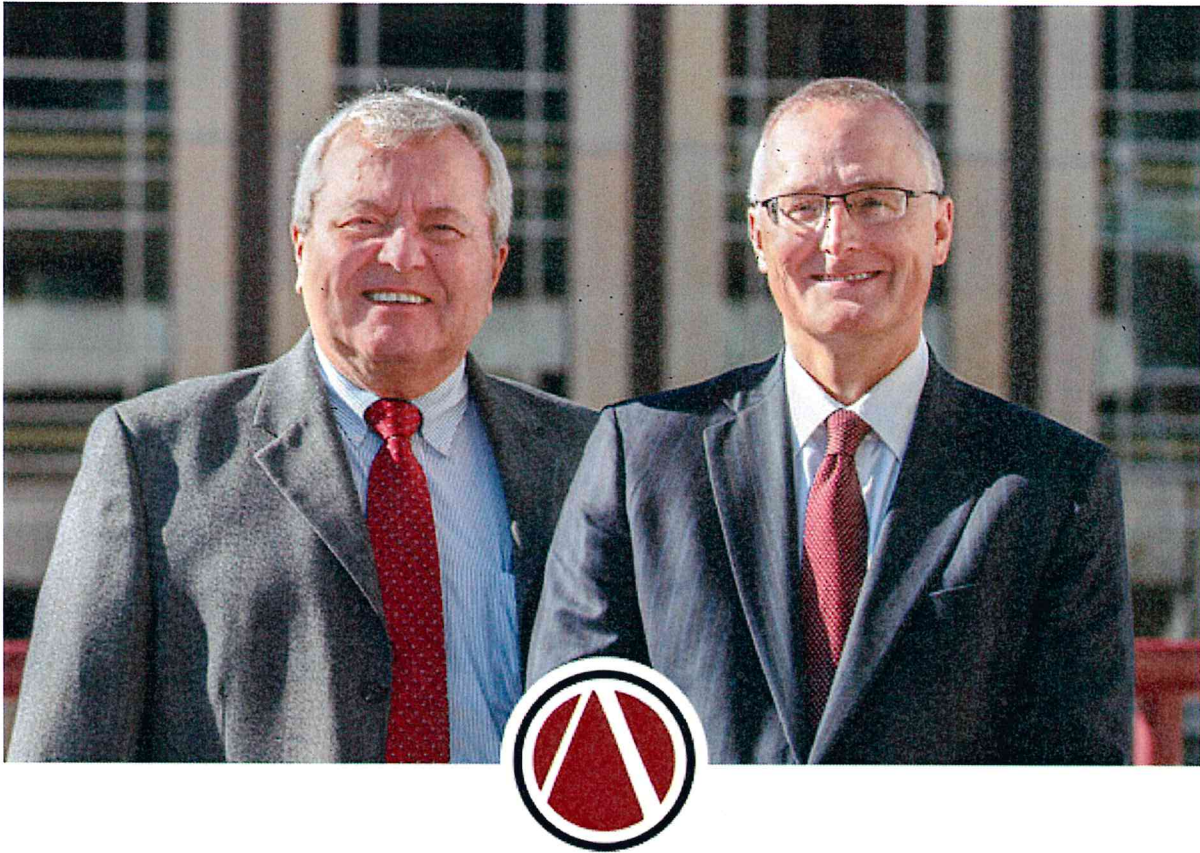
Office: 800.368.5661

Email: TFenner@axley.com | <http://www.axley.com>

Axley Brynelson, LLP | 2 E. Mifflin St. Ste 200 | Madison, WI 53703

Unless otherwise indicated or obvious from the nature of this transmittal, the information in this transmission is confidential and protected from disclosure by the attorney-client privilege, attorney work-product doctrine, privacy laws, or by its proprietary nature. This transmission is intended for the exclusive use of the named recipient. If you are not the named recipient or responsible to deliver it to the named recipient, you are notified that any use, copying, disclosure, dissemination, or other distribution of the information is strictly prohibited and you may be subject to legal restrictions or sanctions. If you have received this communication in error or are not sure whether it is confidential, please immediately notify us by return email or telephone at (608) 257-5661 and destroy all copies. To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

Sent: Thursday, June 02, 2016 10:40 AM
Subject: Municipal Attorney William Cole to Join Axley



Municipal Attorney William Cole to Join Axley

Attorney Tim Fenner to Transition Municipal Practice

Effective January 1, 2017, William Cole will join Axley as a partner managing the firm's municipal group. Cole brings over 25 years of experience in municipal law, real estate law and civil litigation to the firm. He currently serves as the city attorney for the City of Monona, and village attorney for the villages of Black Earth and Arena. Additionally, he represents municipalities on an as needed basis for specific matters. Cole brings particular expertise in the areas of tax incremental financing, condemnation, public bidding, and liquor licensing matters.

Upon Cole's arrival, Axley Municipal Attorney Tim Fenner will begin to transition his clientele to Cole. Although retiring at year-end, Fenner will continue on in a limited capacity to ensure a seamless transition. Fenner will remain available to clients for discussions and tasks during the entirety of 2017.

"I have full confidence Bill will provide exceptional service to the firm's current and future municipal clients," said Attorney Fenner.

To learn more about the firm's existing municipal attorneys, please see bios for Lori

Lubinsky, Ena Seiler, Robert Procter, and Mike Hahn on the firm [website](#).
