

**MINUTES OF THE  
MANITOWOC PUBLIC UTILITIES COMMISSION MEETING  
MONDAY, APRIL 9, 2018**

The scheduled meeting of the Manitowoc Public Utilities Commission was called to order by President Hornung at 4:00 p.m. on Monday, April 9, 2018. In attendance were Commissioners Allie, Diedrich, Luckow, Nickels, Seidl, and Sitkiewitz. Also present were Mark Leonhard - Citizen; Nilaksh Kothari – CEO & General Manager; and Attorney Andrew Steimle – Steimle Birschbach, LLC.

**GROW IT FORWARD APPROVAL:** Ms. Amber Daug, CEO & founder of Grow It Forward, Inc., approached MPU to discuss utilizing any available land that MPU may have for Community Gardens. The local organization's mission is to grow, teach, feed and connect our local food community. MPU identified availability of approximately 2.5 acres at the Northwest water tower subject to any County objection for such land use. Discussion ensued on the lease conditions with a consensus of a \$1.00 annual lease fee as this is a not for profit organization.

**MOTION:** A Motion was made by Commissioner Luckow and seconded by Commissioner Seidl to enter into an Agreement with Grow It Forward for an initial period of two years subject to County approval. Motion carried unanimously.

**2017 KEY PERFORMANCE INDICATORS - ACCEPTANCE:** The 2017 key performance indicators of MPU were presented and compared to 2015 and 2016. These Performance Indicators are a representation of items supporting MPU's Strategic Plan. A brief discussion ensued.

**MOTION:** A Motion was made by Commissioner Seidl and seconded by Commissioner Sitkiewitz to accept the 2017 Key Performance Indicators. Motion carried unanimously.

**ADMINISTRATIVE SAFEGUARD POLICIES FOR IT:** The Administrative Safeguards policy addresses the selection, development, implementation, and maintenance of security measures to protect electronic information. This policy also addresses the expected conduct of end users of the IT systems in their responsibility for protecting sensitive information. The biggest initial impact to end users will be password management. This will require end users to use strong passwords and change them every 180 days. To aid in the implementation of the Administrative Safeguards policy 21 action items have been assembled which includes a proposed timeline for the completion of each item between now and December of this year. The Policy will be reviewed annually for updates and/or approval by Commission. A brief discussion ensued.

**MOTION:** A Motion was made by Commissioner Diedrich and seconded by Commissioner Seidl to approve the Administrative Safeguards Policies for IT. Motion carried unanimously.

**APPA 2017 ACCOMPLISHMENTS:** The APPA's Year in Review report was previously distributed for review. The report addresses seven key concerns of public power utilities and APPA's available resources for each of the key concerns.

**MPU POLICY STATEMENT ON MISO OPERATIONS:** This Policy requires MPU comply with all the MISO Tariff requirements as a market participant and to safeguard interest of MPU rate payers. The primary interactions with MISO are capacity; energy; virtual transactions; auction revenue rights; financial transmission rights; managing generation resources; fees and charges of MISO; and credit requirements. Commission will be provided with an annual report in July/August on summary of MISO activities. A brief discussion ensued on the status of the Operations Procedure Manuals (OPM's).

**MOTION:** A Motion was made by Commissioner Diedrich and seconded by Commissioner Sitkiewitz to approve the MPU Policy Statement on MISO Operations. Motion carried unanimously.

**MEUW ANNUAL CONFERENCE APPROVAL:** The 2018 MEUW Annual Conference is being held in La Crosse from May 16-18, 2018. The approximate cost is \$585 per person.

**MOTION:** A Motion was made by Commissioner Allie and seconded by Commissioner Sitkiewitz to approve attendance by Commissioners. Motion carried unanimously.

**GLU FINANCIAL RISK MANAGEMENT POLICY REQUIREMENTS FOR MPU APPROVAL:** In accordance with the Great Lakes Utilities Financial Risk Management Policy the following documents are needed from each power supply member to complete the 2017 review: audited financial statements as documentation of the Member's ability to produce sufficient revenues to support its commitments to GLU and an Affidavit attesting to member's maintenance of adequate levels of cash at all times during the previous year to meet the Operating Reserve Requirement under the LTPSC's and the operating reserve requirement under the Other Project Agreements, as applicable.

**MOTION:** A Motion was made by Commissioner Seidl and seconded by Commissioner Sitkiewitz to authorize President Dan Hornung to execute the Affidavit as required by the GLU Financial Risk Management Policy. Motion carried unanimously.

**STEIMLE-BIRSCHBACH OUTSIDE COUNSEL FIXED RATE PROPOSAL APPROVAL:** Steimle Birschbach submitted a proposal to MPU regarding a new monthly fixed-rate Outside General Counsel program (OGC) being offered to certain clients of the firm. Following discussions stemming from the original proposal provided in January 2018, a fixed monthly payment and services to be included and excluded were agreed upon by MPU and Steimle Birschbach. The primary benefits of the OGC program are to enhance general counsel services by removing any hesitation by MPU to engage an attorney for various legal matters, and better budgeting capability. MPU is able to terminate the agreement at any time in MPU's sole discretion with a 30-day notice.

**MOTION:** A Motion was made by Commissioner Diedrich and seconded by Commissioner Seidl to approve entering into the new OGC Program with Steimle Birschbach for a three-year term effective April 1, 2018 through March 31, 2021. Motion carried unanimously.

**GENERAL MANAGER'S REPORT:** N. Kothari updated the Commission on the following: MISO called and requested Turbine 9 off-line on April 1 at 10:00 a.m.; the Wisconsin Pollution Discharge Elimination System Permit has been issued with an effective date of April 1, 2018 through March 31, 2023; RENEW Wisconsin has been granted full party access to our Parallel Generation Tariff update docket; discussions were held with City for the field house and U.S. Army Reserve in Silver Creek Park on relocating the water service from South 10<sup>th</sup> Street rather than repairing the 24-inch watermain from abandoned Collector 'B'; press release sent out to notify customers of the end of the moratorium on disconnections in middle of April; and an agreement is being drafted for use of Boiler 9 roof for placing of antennas by City along with annual user fee. Discussion ensued on 24-inch watermain in Silver Creek and decision-making process for installing antennas on the roof of the Power Plant.

**MINUTES:** The Minutes from the Regular Session Meetings on March 26, 2018 were presented for approval. An amendment was made to include acceptance of the audit report.

**MOTION:** A Motion was made by Commissioner Diedrich and seconded by Commissioner Luckow to approve the amended Regular Session Minutes from March 26, 2018. Motion carried unanimously.

**APPROVAL OF CLAIMS:** Claims List dated April 10, 2018; and Wire Transfers dated through April 5, 2018 were presented for approval.

**MOTION:** A Motion was made by Commissioner Diedrich and seconded by Commissioner Luckow to approve the Claims List dated April 10, 2018 check nos. 83836 through 83941 totaling \$863,423.17; and Wire Transfers dated through April 5, 2018 totaling \$1,127,974.87.

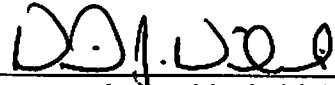
**QUOTATIONS/BIDS:** Dewey Street Watermain Replacement – \$549,019.32 – Vinton Construction Company; Asbestos Removal at Power Plant - \$444,300.00 – Holian Environmental Cleaning Corp.

**MOTION:** A Motion was made by Commissioner Seidl and seconded by Commissioner Luckow to approve the presented quotations/bids. Motion carried unanimously.

**NEXT MEETING:** May 7, 2018 at 4:00 p.m.

**ADJOURN:** A Motion was made to adjourn the meeting by Commissioner Luckow and seconded by Commissioner Allie. Meeting adjourned at 4:43 p.m.

  
Approved: Nilaksh Kothari, CEO & General Manager

  
Approved: David Diedrich, Secretary