

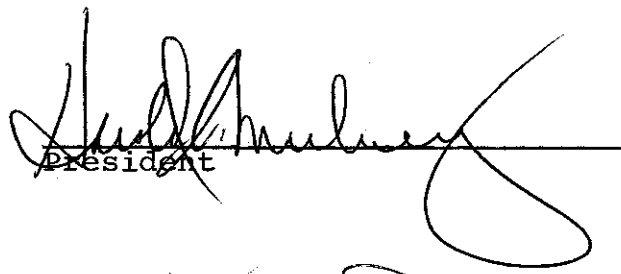
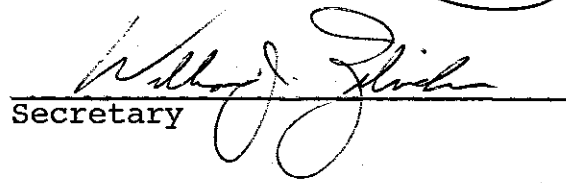
Special Meeting
December 27, 1983

conducted as a Closed Session pursuant to Wis. Stats. Sec. 19.85 (1) (g). A regular meeting will follow at 7:00 P.M. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Bemke to extend the present sludge hauling contract with Gizmo Farms, Inc. until the 1984 contract is executed. Voting aye; Commissioners Zelinski, Gross, LeCompte, Bemke, Haber, Siebers and Mulvey. Nays, none. Motion carried.

Commissioner Gross discussed the Industrial User Contracts. Final drafts are ready for signing but one industry wants its home office to study the contract before they execute it. Moved by Commissioner Gross, seconded by Commissioner Siebers to approve the Industrial User Contracts, in principle, with execution to take place after approval by the industries. Voting aye; Commissioners Zelinski, Gross, LeCompte, Bemke, Haber, Siebers and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Bemke to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 4:30 P.M.


President

Secretary

NEENAH-MENASHA SEWERAGE COMMISSION
Executive Session & Regular Meeting
January 10, 1984

Meeting called to order by Commission President Mulvey at 6:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, LeCompte, Bemke, Haber and Siebers. Attorney Goggin; Manager Windau; Superintendent Schuelke,

Absent: None

Meeting convened in Executive Session to discuss 1984 Sludge Hauling Contract per Wis. Stats., Sec. 19.85 (1) (g). Meeting recessed at 6:25 P.M.

Regular Open Meeting was called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, LeCompte, Bemke, Haber and Siebers; Attorney Goggin; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Alderman Knaack (Neenah); LeRoy Goldbeck (Town of Neenah); Tom Probst (McMahon); George & Jim Potratz (Gizmo Farms, Inc.); Jim Meyer (News Record)

Absent: None

Moved by Commissioner Zelinski, seconded by Commissioner Haber to accept the minutes of the Special Meeting of December 27, 1983 and place them on file. All present voting aye; Nays, none. Motion carried.

The following communications were discussed:

1. 12/23/83 letter to Wis. Employment Relations Comm. from Union Rep., Greg Spring; re: Petition for Mediation-Arbitration.
2. 12/22/83 letter to Manager Windau from ECWRPC; re: Neenah-Menasha Sewer Service Area Informational Meeting to discuss five year update.
3. 12/29/83 cover letter from Virchow Krause & Co., re: Accounting System.

January 10, 1984 cont...

Attorney Goggin reported on the Industrial User Contracts. He stated that the Industries have signed the contracts and they are ready for signing by the Commission. Moved by Commissioner Siebers, seconded by Commissioner Bemke to authorize the officers of the NMSC to execute the Industrial User Contracts with Gilbert Paper Company and U. S. Paper Mills Corp. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Attorney Goggin discussed the 1984 Sludge Hauling Contract. He recommended that the Commission enter into a written contract with Gizmo Farms, Inc., for two years. Moved by Commissioner Haber, seconded by Commissioner Bemke to authorize the officers of the NMSC to execute the 1984 Sludge Hauling Contract between the NMSC and Gizmo Farms, Inc., for two years. Voting aye; Commissioners Zelinski, Gross, LeCompte, Bemke, Haber, Siebers and Mulvey. Nays, none. Motion carried.

Attorney Goggin left the meeting.

Manager Windau reported on the Operations, Engineering and Planning of the plant.

1. Plans and specs for the wastewater treatment facilities and interceptor sewer for the NMSC have been submitted to DNR for review.
2. A letter has been received from DNR stating that they received the plans and specs and will complete review of them as soon as possible.
3. A letter has been sent to DNR describing innovative and alternative items such as: Fine Bubble Aeration With Gas Cleaning; Anaerobic Digestion Including Heat Recovery System; Gravity Belt Thickening; Flocculating Clarifiers; Sludge Loader.
4. A letter has been received from McMahon Assoc. containing information, requested by the NMSC, on the Galloway Company. Manager Windau was authorized to meet with Tom Probst (McMahon), Galloway Company and the City of Neenah on this.

Commissioner Siebers reported on the progress of the Union Negotiations. He stated that a petition for Mediation-Arbitration has been submitted, by the Union.

Election of Officers was held. Moved by Commissioner Gross, seconded by Commissioner Bemke to elect the following officers for 1984:

President	Harold Mulvey
Vice President	Dale Siebers
Secretary	William Zelinski

Manager Windau was authorized to contact Attorney Goggin to find out if future elections can be deferred until February due to language in the Ordinance-Contract-

Tom Probst (McMahon) gave a project progress report.

DNR has plans and specs for the project and anticipates review later in January.

DNR will approve bulkhead drawings by letter this week.

A project schedule has been developed as to how work should proceed from now until the contracts are awarded.

Submit grant applications to DNR	2/1/84
Submit user charge system to DNR	2/1/84
NMSC staff complete document preliminary review	2/1/84
Final drawings and presentation to NMSC	4/1/84
DNR certification of Grant Application to EPA	4/1/84
Advertise for bids	4/9/84
EPA grant award	4/30/84
Receive bids	5/23/84
Submit bids to DNR	5/29/84
Award contracts	8/1/84

McMahon Assoc. Inc. was authorized to commence the preparation of a single grant application to meet the above schedule.

Moved by Commissioner Gross, seconded by Commissioner Haber that the NMSC accept the Resolution for Authorization of Official Representatives, as prepared

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January 10, 1984
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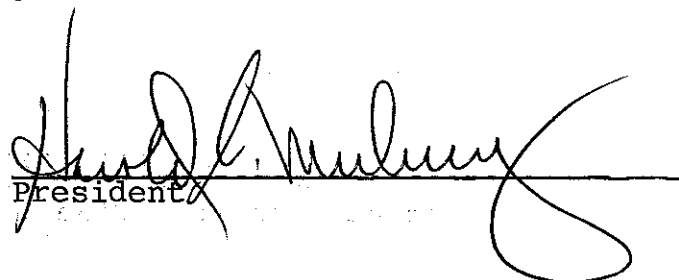
by McMahon Assoc. Inc. Voting aye; Commissioners Zelinski, Gross, LeCompte, Bemke, Haber, Siebers and Mulvey. Nays, none. Motion carried.

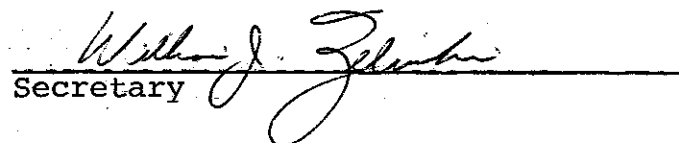
Moved by Commissioner Bemke, seconded by Commissioner Haber to appoint Harold C. Mulvey as the NMSC liason officer in connection with the Federal Grant-in-Aid Application. Voting aye; Commissioners Zelinski, Gross, LeCompte, Bemke, Haber, Siebers and Mulvey. Nays, none. Motion carried.

A meeting of the Operations, Engineering & Planning Committee was scheduled for January 19, 1984 - 3:00 P.M. at McMahon's office to discuss the Interceptor, Blower Issues and Sludge Weighing Facilities.

Moved by Commissioner Gross, seconded by Commissioner Haber that the NMSC B.A.N.s be reinvested in a Repo Account as they come due. Voting aye; Commissioners Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey; Nays, none. Commissioner Siebers abstained. Motion carried.

Moved by Commissioner Bemke, seconded by Commissioner Haber to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 8:00 P.M.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

January 24, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, Bemke, Haber and Siebers; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Tom Vik (McMahon); LeRoy Goldbeck (Town of Neenah); Alderman Knaack (Neenah); Robert Lennert and Ron Nuernberg (NMSC Employees)

Absent: Commissioner LeCompte

Robert Lennert and Ron Nuernberg discussed problems employees have been having with the present health insurance carrier. Employees are to bring any bills they have, which have not yet been paid by our health insurance carrier, to the office to have copies made. A meeting will then be scheduled with a representative from NBC (National Benefit Consultants) to seek a solution to our problems. Members of the Budget, Finance and Personnel Committee will be present.

Moved by Commissioner Zelinski, seconded by Commissioner Bemke to accept the minutes of the Regular Meeting of January 10, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Bemke to accept the minutes of the Operations, Engineering and Planning Committee Meeting of January 19, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

The following communications were discussed:

1. 1/10/84 letter to Manager Windau from Gary Rosenbeck (McMahon); re: Waverly Sanitary District North Shore/KC Area.
2. Request from Accountant Voigt; re: Reimbursement for class at U.W. Extension.
3. 1/20/84 letter to Wisconsin Tissue Mills from Manager Windau; re: Requesting Wisconsin Tissue Mills to pay McMahon Assoc. for study on Lakeshore Interceptor Abandonment.

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January 24, 1984 cont...

4. 1/23/84 memo from Manager Windau; re: Telephone Call to Joe Cuny, City Engineer, Los Angeles - Jets vs. Fine Bubble Diffusers.
5. 1/20/84 letter to Mark Williams (DNR) from McMahon Assoc.; re: NMSC Value Engineering.
6. 1/12/84 letter to Manager Windau from DNR; re: Approval of bulkhead plans and specs.

Commissioner Haber reported on the Operations, Engineering and Planning Committee Meeting of January 19, 1984.

- A. Discussion was held on recommendations on the Blower arrangement. The VE Team suggested adding two new positive displacement blowers at 5000 CFM each connected to methane engines with the existing centrifugal blowers remaining as backup. McMahon introduced a new alternative whereby two new centrifugal blowers would be added rather than positive displacement, each connected to a constant speed methane engine and electric motor with throttling of the air inlet valve.
- B. Discussion was held on truck scales and conveyor scales. Commissioner Bemke cited problems with hooking and unhooking trailers. McMahon will further investigate conveyor scales, short truck scales and purchase of truck trailers for sludge storage and hauling.

A meeting of the Operations, Engineering and Planning Committee has been scheduled for January 31, 1984 - 10:00 A.M. - at McMahons to further discuss the Blower Arrangement and the Sludge Management Plan.

Tom Vik (McMahon) presented a Project Progress Report.

- A. User Charge Study
Cost allocation procedures are being reviewed with Manager Windau. Overall revenue requirements are being reviewed with Ray Osness of Clayton Brown Assoc. A draft report will be submitted to the Commission next week, with submission to the DNR shortly thereafter.
- B. Status of Grant Application
A legal opinion as to the status of easement acquisition is required. Federal land acquisition policies apply to the easements needed. The items will be referred to Attorney Goggin. Other grant application items are being developed by McMahons and will be submitted for Commission review next week.

Staff comments on the plans and specs will be reviewed by McMahon in early February. Final plans will be submitted in April.

Commissioner Siebers gave a Budget, Finance and Personnel Committee Report.

- A. Union Negotiations
A closed, Mediation Meeting, has been scheduled for February 7, 1984 at 4:00 P.M. at the NMSC Office.

A Budget, Finance and Personnel Committee Meeting will be scheduled for sometime in February to discuss the Health Insurance; Request from Accountant Voigt; and January 13, 1984 Memo from Manager Windau.

Manager Windau discussed the Industrial Pretreatment Program. Moved by Commissioner Zelinski, seconded by Commissioner Gross to authorize Manager Windau to schedule and publicize a public informational meeting for February 23, 1984 - 3:00 P.M. at the Menasha Library where industries will learn about the Industrial Pretreatment Program and how it will affect them. All present voting aye; Nays, none. Motion carried.

Commissioner Haber praised the Budget, Finance and Personnel Committee for the work done on the Industrial User Contracts.

Commissioner Gross credited Attorney Goggin for the time and effort spent in negotiating the Industrial User Contracts. They are designed with future Commissions in mind and with the opportunity to pick-up other industries.

Manager Windau discussed the 1983 Budget Apportionment calculated at end-of-year. Moved by Commissioner Haber, seconded by Commissioner Zelinski to approve the 1983 budget split of Neenah 35% and Menasha 65% with such information to be submitted to Schenck & Assoc. (NMSC auditing firm). Voting aye; Commissioners Zelinski, Gross, Bemke, Haber, Siebers and Mulvey. Nays, none. Motion carried.

January 24, 1984 cont...

Manager Windau discussed the Projection of the 1984 Budget Apportionment. Moved by Commissioner Siebers, seconded by Commissioner Gross that bills sent in 1984 to Neenah, Menasha and Industries be based on 1984 projections until further information is available. Voting aye; Commissioners Siebers, Haber, Bemke, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Capital payments by industry will be reviewed.

Moved by Commissioner Siebers, seconded by Commissioner Haber to approve Operating Fund Vouchers #6930 thru #7020 in the amount of \$151,379.71 and Payroll Vouchers #13280 thru #13363 in the amount of \$65,839.73 for the month of December, 1983. Voting aye; Commissioners Siebers, Haber, Bemke, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Haber to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 8:35 P.M.

André Mulvey

President

William J. Zelinski

Secretary

NEENAH-MENASHA SEWERAGE COMMISSION
Committee of the Whole
February 7, 1984 - 4:00 P.M.

Meeting called to order by Commission President Mulvey at 4:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, LeCompte, Bemke, Haber and Siebers; Manager Windau; Secretary Stevenson; Tom Vik, Tom Probst and Dave Wagner (McMahon)

Tom Probst (McMahon) presented a Summary of Project Costs for the NMSC.

<u>Step II</u>		
Engineering and Flow Monitoring Costs		\$ 700,000
<u>Step III</u>		
Construction Cost Estimate		
Treatment Facility	\$13,900,000	
Interceptor	2,800,000	
Subtotal		16,700,000
Contingencies 10%		1,670,000
Engineering Proposal		
Basic Services	\$ 293,000	
Resident Engineer(s)	412,000	
Startup Services	73,000	
O&M Manual	60,000	
Subtotal		838,000
Total Step III Estimated Cost		\$19,208,000
<u>Grants (E.P.A.)</u>		
Step II Allowance (5.2% of \$18,000,000 X 75%)		\$ 702,000
Step III (Est. \$19,000,000 X 75%)		\$14,250,000
Total Grants		\$14,952,000
<u>Net Local Cost</u>		\$ 4,956,000

Probst stated that this does not include interest during construction of financing costs. The Commission and its financial consultant must decide whether to pay these expenses out of current revenues or long-term financing.

February 7, 1984

Tom Probst (McMahon) presented a Breakdown of Proposed Step III fees.

Type of Fee	Fee Element	Target Cost	Upper Cost Limit	Average per DNR curves	
				(with 10% contingency)	(without 10% Contingency)
Treatment Facilities					
Lump Sum Cost Plus Fixed Fee	Basic Fees	\$231,000	\$231,000	N/A	N/A
	Resident Serv.	298,000	318,000	\$370,000	\$340,000
	Startup Serv.	63,000	73,000	56,000	51,000
	O&M Manual	50,000	60,000	55,000	52,000
	Subtotal	\$642,000	\$682,000	\$700,000	\$680,000
Interceptor					
Lump Sum Cost Plus Fixed Fee	Basic Fees	\$ 62,000	\$ 62,000	N/A	N/A
	Resident Serv.	94,000	94,000	\$130,000	\$120,000
	Subtotal	\$156,000	\$156,000	\$230,000	\$210,000
TOTALS		\$798,000	\$838,000	\$930,000	\$890,000

McMahon Associates will prepare a draft engineering contract but it will not be executed until after the Step III Application is approved by DNR.

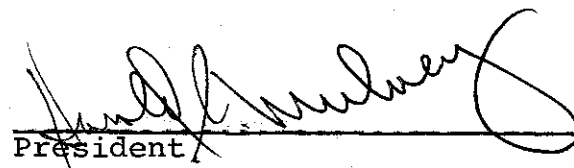
McMahon will have copies of the Step III Application, including the draft engineering contract, at the Regular NMSC Meeting on February 14, 1984.

Discussion was held on approval of plant cost estimates by the NMSC and notification to City of Neenah regarding payment. Final acceptance of the cost estimates can't be made until after DNR approval of the plans and specs.

A meeting of the Operations, Engineering and Planning Committee will be held on February 13, 1984 - 1:00 P.M. at the NMSC Office, to discuss Sludge Hauling Procedures. Representatives from Gizmo Farms, Inc. will attend.

Manager Windau distributed copies of Sewer Inspection Specifications (60" Interceptor) prepared by the City of Neenah. Subject will be discussed at Regular Meeting of NMSC on February 14, 1984.

Moved by Commissioner Zelinski, seconded by Commissioner LeCompte to adjourn the meeting. All present voting aye; Meeting adjourned at 5:15 P.M.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting
February 14, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, LeCompte, Bemke, Haber and Siebers; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Accountant Voigt; Mayor Carpenter (Neenah); Alderman Knaack (Neenah); LeRoy Goldbeck (Town of Neenah); Tom Vik and Dave Wagner (McMahon)

Absent: None

Moved by Commissioner Haber, seconded by Commissioner Bemke to accept the minutes of the Regular Meeting of January 24, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Zelinski to accept the minutes of the Operations, Engineering & Planning Committee Meeting of January 31, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Haber to accept the minutes of the Committee of the Whole Meeting of February 7, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

The following communications were discussed:

1. 1/19/84 letter to Attorney Goggin from Manager Windau; re: request for legal opinion on legality of deferring election of officers from January to February.
2. 1/25/84 letter to Manager Windau from Attorney Goggin; re: Legal opinion requested 1/19/84. Election of new officers for NMSC may be held in February by unanimous vote of Commission (7 members)
3. 1/25/84 letter to Manager Windau from James Austin (Menasha Electric & Water Utilities); re: Copy of letter to URS regarding proposed electric service layout for Sewerage Plant rebuild.
4. 1/30/84 letter to Manager Windau from DNR; re: Final acceptance of Value Engineering Study.
5. 2/8/84 letter to Attorney Goggin from Dave Wagner (McMahon); re: list of property easements the Commission must obtain.

Tom Vik (McMahon) presented Dave Wagner (McMahon) who gave a project progress report. He presented and reviewed copies of the Step III grant application which will be sent to DNR. The important target dates are: Bid Advertisement - 5/1/84; Contract Award - 9/1/84; Construction Completion - 12/31/86; Occupancy - 8/1/86. The calculation of the Federal Grant is as follows:

Architectural engineering basic fees	\$ 293,000
Other architectural engineering fees	133,000
Project inspection fees	412,000
Construction and project improvement	16,700,000
Net project amount	<u>\$17,538,000</u>
Contingencies	1,670,000
Total Project Amount	<u>\$19,208,000</u>
Federal Share requested	\$14,406,000
Total Federal Grant requested	\$14,406,000
Grantee Share	\$ 4,802,000
Total Project	\$19,208,000

Moved by Commissioner Haber, seconded by Commissioner Siebers to accept and approve the Step III application, to be forwarded to DNR, and authorized Commission President Mulvey to execute same. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Dave Wagner distributed copies of the proposed Agreement Between Neenah-Menasha Sewerage Commission and McMahon Associates, Inc. for Professional Services In Connection With The Bidding & Construction of the Wastewater Treatment Facilities & Interceptor (Step III) which will be included in the grant application. Commission will note in application that the cost and price appear acceptable. Contract to be on agenda for Regular Meeting of NMSC on February 28, 1984.

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February 14, 1984 cont...

Dave Wagner distributed copies of a Procurement System Checklist.

Commissioner Haber presented a report on the Operations, Engineering & Planning Committee Meeting held on February 13, 1984. The Committee discussed the purchase of two trailers with Gizmo to provide one trailer and two tractors. Moved by Commissioner Haber, seconded by Commissioner Gross that the NMSC purchase two trailers and Gizmo Farms, Inc. provide two tractors and a spare trailer and contract for service work on the trailers, in connection with the sludge hauling procedures at the NMSC plant. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Bemke to authorize McMahon Assoc. to prepare specifications and amend the grant application to include two trailers. Voting aye: Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey; Nays, none. Motion carried.

Commissioner Siebers gave a Budget, Finance & Personnel Committee Report. The next meeting with the Union will be held on March 6, 1984 - 4:00 P.M. A meeting has been scheduled for February 17, 1984 - 2:00 P.M. with representatives from National Benefit Consultants, to discuss problems employees are having with the Health Insurance Program.

Accountant Voigt discussed the new accounting system. He distributed copies of a Preliminary Budget Sheet which will be prepared each month.

The 1983 NMSC Audit, prepared by Schenck & Assoc., should be finalized and submitted to the NMSC by 2/20 or 2/21/84 with action to be taken on it at the Regular Meeting of the NMSC on 2/28/84.

A Budget, Finance and Personnel Committee Meeting will be held on 2/22/84 - 4:00 P.M. to discuss the User Charge System.

Discussion was held on the City of Neenah Sewer Inspection Specs. Moved by Commissioner Gross, seconded by Commissioner Zelinski to approve the City of Neenah Sewer Inspection Specs with the NMSC to receive a final report upon completion. All present voting aye; Nays, none. Motion carried.

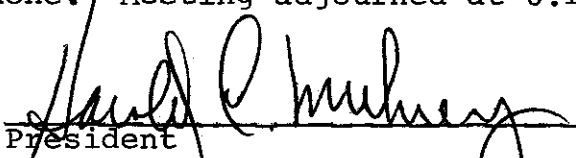
Discussion was held on the 2/14/84 Memo from Manager Windau; re: Apportionment of the 1984 Capital Projects Budget between contracting municipal and industrial users. The new capital projects budget split is as follows:

City of Neenah	\$34,194	(36.10%)
City of Menasha	\$33,107	(34.95%)
Sanitary Dist. #4	\$15,027	(15.86%)
Town of Neenah S.D.	\$ 1,446	(1.53%)
Waverly San. District	\$ 831	(0.88%)
Gilbert Paper	\$ 7,062	(7.46%)
U.S. Paper	\$ 3,058	(3.23%)

Moved by Commissioner Bemke, seconded by Commissioner Haber to accept the 1984 Capital Cost Splits and authorized billing the five municipalities and contracting industries. Voting aye; Commissioners Zelinski, Gross, LeCompte, Bemke, Haber, Siebers and Mulvey; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Gross to approve Operating Fund Vouchers #7021 thru #7042 in the amount of \$25,797.43 and Payroll and Closing Vouchers #13364 thru #13420 in the amount of \$40,092.95 for the month of January, 1984. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey; Nays, none. Motion carried.

Moved by Commissioner LeCompte, seconded by Commissioner Gross to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 8:15 P.M.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSIONRegular MeetingFebruary 28, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, LeCompte, Bemke, Haber, Siebers; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Alderman Knaack (Neenah); Bob Lennert (NMSC employee); Tom Vik and Dave Wagner (McMahon); John Gardener (Schenck & Assoc.); LeRoy Goldbeck (Town of Neenah)

Absent: None

Moved by Commissioner Haber, seconded by Commissioner Bemke to accept the minutes of the Regular Meeting of February 14, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Bemke to accept the minutes of the Operations, Engineering and Planning Committee Meeting of February 13, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Zelinski, seconded by Commissioner Gross to accept the minutes of the Budget, Finance & Personnel Committee Meeting of February 22, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

John Gardener (Schenck & Assoc.) discussed the NMSC 1983 Audit as prepared by Schenck & Assoc. and their 2/6/84 letter to the Commission. He commended the Commission for implementation of the new accounting system which will be used after the new treatment plant is fully operational and the municipalities are charged on a usage basis. He stated that, until the new treatment plant is completed, the new accounting system will require careful monitoring by the Commission. Mr. Gardener stated that a plant ledger be established and kept up-to-date using the physical inventory of fixed assets.

Moved by Commissioner Siebers, seconded by Commissioner Zelinski to accept the 1983 Financial Audit, as prepared by Schenck & Assoc., and place it on file with \$11,992.04 receivable from the City of Neenah and \$77,422.78 refunded to the City of Menasha. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none.

Commissioner Siebers recommended that Manager Windau be authorized to instruct the Accountant to keep-up the plant ledger.

Commissioner Siebers discussed the February 17, 1984 meeting with representatives from Blue Cross and NBC (National Benefit Consultants) and NMSC employees at which time mutual health insurance problems were discussed. Employee Bob Lennert stressed the fact that employees have bills from as far back as 5-6 months which haven't been paid and they are being forced to pay for them, themselves, or be faced with the bills being turned over to collection agencies. Commissioner Haber recommended that the NMSC pay any unpaid bills in two weeks if they aren't taken care of. Subject will be put on agenda for Regular Meeting on 3/13/84.

The following communications were discussed:

1. 2/20/84 letter to Mark Williams (DNR) from McMahon Assoc.; re: Wastewater Treatment Plant Design - construction sequencing of the secondary treatment system and request to discharge primary treated effluent for a limited period of time.
2. Memo from FVWQPA; re: Suggestions on Alternatives To Be Presented To The Public For Wasteload Allocation Revisions For Clusters I and II.
3. 2/21/85 letter to Manager Windau from Menasha Corp.; re: Request to allow discharge of ink waste to be treated at Neenah-Menasha Treatment Plant. It was recommended that Manager Windau study the subject and report back to the Commission at their next meeting on 3/13/84.

Tom Vik (McMahon) gave a plant progress report. The plans and specs are still being reviewed by DNR with comments anticipated within a week or so. McMahon is investigating the issue of renovating an existing fence or constructing a new one.

Commissioner Haber reported on the Broad Street Interceptor, allowing house laterals to hook directly into the interceptor rather than replacing local sanitary sewer. Moved by Commissioner Haber, seconded by Commissioner Bemke to approve the building of the interceptor down Broad Street eliminating the existing sanitary sewer and allowing house laterals on Broad Street to connect directly to the interceptor. All present voting aye; Nays, none. Motion carried. Notice to be sent to Ron Mueller (City of Menasha).

February 28, 1984 cont...

Commissioner Haber discussed the NMSC fence. Superintendent Schuelke stated that the existing fence requires constant maintenance. Tom Vik stated that they would complete their cost analysis of rehabilitating and maintaining the existing fence versus buying new fence.

Dave Wagner (McMahon) discussed the Sewer User Charge System. He stated that the study is required to obtain an EPA grant and is intended to meet their approval. The study describes the system of charges which will be required to construct, operate and maintain the new plant and interceptor (as well as the existing Commission interceptor). Mr. Wagner stated that Operation and Maintenance Charges are the only portion of the study subject to EPA approval. To these costs "Equipment replacement" costs must be added, per EPA guidelines. He also stated that Depreciation Charges are those charges required to provide adequate revenue to make the Commission's bonds marketable. Capital charges associated with the new facilities must be adequate to defray principal and interest on the Commission's bonds used to finance the new facilities. Moved by Commissioner Gross, seconded by Commissioner Siebers to authorize McMahon Associates to develop a final draft of the User Charge System and submit it to DNR and NMSC for review and approval. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Gross to approve payment of \$144.35, for tuition, to Accountant Voigt. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Manager Windau discussed the informational meeting, held on 2/23/84, on the Industrial Pretreatment Program. After DNR approval, a Public Hearing will be held to pass the Rules and Regulations.

Manager Windau discussed the Step III Engineering Contract. He stated that he and Attorney Goggin have gone over the contract and will discuss their comments with McMahon. They will report back to the Commission at the next meeting.

Manager Windau distributed copies of a Resolution of the Neenah-Menasha Sewerage Commission Relating To Final Cost Estimates For The Project Described Therein, as prepared by Ray Osness, (Clayton Brown). A meeting of the Budget, Finance and Personnel Committee will be held on 2/29/84 - 3:30 P.M. with Ray Osness.

Moved by Commissioner Haber, seconded by Commissioner Bemke to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 9:30 P.M.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

March 13, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, Siebers, Gross, LeCompte, Bemke, Haber; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Attorney Goggin; LeRoy Goldbeck (Town of Neenah); Tom Probst, Tom Vik, Dave Wagner (McMahon); Ray Osness (Clayton Brown); Bob Lennert

Absent: None

Moved by Commissioner Siebers, seconded by Commissioner Haber to accept the minutes of the Regular Meeting of February 28, 1984, as corrected and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Gross, seconded by Commissioner Zelinski to accept the minutes of the Budget, Finance and Personnel Committee Meeting of February 29, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

March 13, 1984 cont...

The following communications were discussed:

- 1. 2/7/84 report on City of Neenah Sanitary Sewer By-passing Control and Memo from Director of Community Development; re: Clean Water Separation Program.
- 2. 2/9/84 letter to Director of Public Works (Menasha) from Manager Windau; re: Informing the City that the NMSC approved construction of new Menasha Interceptor on Broad St - existing sanitary sewer removed and not replaced.
- 3. 3/8/83 letter to Tod Galloway (Galloway Co.) from Manager Windau; re: 30 consecutive day monitoring program.
- 4. 3/5/84 letter to Manager Windau from DNR; re: Notification of noncompliance of monitoring and reporting for wasteload allocation periods WPDES No. WI-0026085

Moved by Commissioner Haber, seconded by Commissioner Bemke to table any action regarding the Lower Fox River Dischargers' Association until a joint meeting is held with Grand Chute - Menasha West. All present voting aye; Nays, none. Motion carried. Commissioner Mulvey will contact John Stevens (Grand Chute-Menasha West) to set-up meeting.

Manager Windau was authorized to respond to the DNR stating such motion.

- 5. 3/9/84 letter to Tom Vik (McMahon) from DNR; re: 30 day extension for completion of review of plans and specs.

Moved by Commissioner Bemke, seconded by Commissioner Haber to authorize McMahon Assoc. to draw-up a joint letter approving the 30-day extension, as requested by DNR, and requesting concurrent review of the User Charge System and requesting review of the Step III application. All present voting aye; Nays, none. Motion carried.

Tom Probst (McMahon) gave a project progress report. He discussed the \$30,000 Value Engineering study. This study had the cost ceiling increased to \$59,000 while the Final Design cost ceiling was reduced. Since the actual VE study cost was \$30,491, he requested that the unused portion of \$24,090 (\$55,400 - \$30,491) be returned to Final Design. They are over-budget in Final Design. Moved by Commissioner Gross, seconded by Commissioner Zelinski to authorize McMahon to transfer monies from Value Engineering to Final Design. Voting aye; Commissioners Zelinski, Gross, LeCompte, Bemke, Haber, Siebers and Mulvey. Nays, none. Motion carried.

Tom Vik (McMahon) discussed the subject of new fencing versus reusing or renovating the existing fence. Moved by Commissioner Haber, seconded by Commissioner Bemke to accept McMahon's recommendation of installing new fencing with the contractor given the option to reuse the existing posts provided they are painted with a zinc base paint. All present voting aye; Nays, none. Motion carried.

Tom Probst distributed the draft copy of the Step III Engineering Agreement. The Agreement was referred to each committee for review.

Ray Osness (Clayton Brown) discussed A Resolution of the Neenah-Menasha Sewerage Commission Relating To Final Cost Estimates For The Project Described Therein as redrafted by Foley & Lardner on 3/7/84, regarding Neenah's prepayment issue. Dave Wagner (McMahon) distributed a new cost sheet. Commissioner Bemke questioned pre-payment by Waverly. Mr. Osness stated that the Resolution does not prevent Waverly from pre-paying. Moved by Commissioner Siebers, seconded by Commissioner Zelinski to adopt the Resolution of the Neenah-Menasha Sewerage Commission Relating To Final Cost Estimates For The Project Described Therein, as amended, and including the cost sheet figures from Dave Wagner. Mr. Osness will send the amended Resolution to NMSC by 3/15/84.

Commissioner Siebers commented on the Union Negotiation Meeting of 3/6/84.

Moved by Commissioner Siebers, seconded by Commissioner Zelinski to accept the minutes of the Union Negotiation Meeting of 3/6/84 and place them on file. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Zelinski and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Gross that the NMSC adopt the 1984 Labor Agreement between the NMSC and Employees Union Local 1541 AFSCME with Commission officers to execute same. Voting aye; Commissoenrs Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Discussion was held on Health Insurance. Bob Lennert (NMSC employee) presented a petition signed by employees requesting the Commission to cancel the present policy with NBC-Blue Cross & Blue Shield and subscribe to WPS. Moved by Commissioner Zelinski, seconded by Commissioner Haber to refer the petition to the Budget, Finance and Personnel Committee for study and action.

The request by Menasha Corp. to discharge ink waste was tabled at the request of Menasha Corp. Subject will be referred to the Operations, Engineering and Planning Committee.

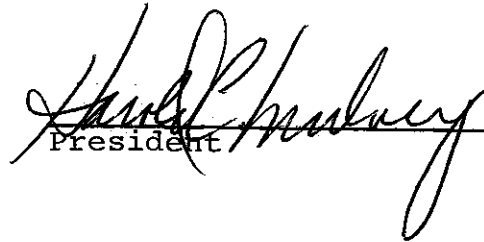
The bills, submitted by McMahon Assoc., will be referred to the Budget, Finance and Personnel Committee for study.

Moved by Commissioner Haber, seconded by Commissioner Bemke to approve Operating Fund Vouchers #7042 thru #7102 in the amount of \$83,012.40 and Payroll Vouchers #13421 thru #13478 in the amount of \$40,104.82 for the month of February, 1984. Voting aye; Commissioners Haber, Bemke, LeCompte, Gross, Zelinski, Siebers and Mulvey. Nays, none. Motion carried.

A Budget, Finance & Personnel Committee Meeting was scheduled for March 20, 1984 - 4:00 P.M.

Commissioner LeCompte requested minutes of staff meetings with McMahon.

Moved by Commissioner Bemke, seconded by Commissioner LeCompte to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 8:40 P.M.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

March 27, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Gross, Zelinski, Bemke, Haber and Siebers; Manager Windau; Superintendent Schuelke; Alderman Knaack (Neenah); LeRoy Goldbeck (Town of Neenah); Tom Probst & Tom Vik (McMahon)

Absent: Commissioner LeCompte

Motion made by Frank Bemke and seconded by Adam Haber to approve the minutes of the March 13, 1984 Regular Meeting. Motion carried unanimously.

Motion made by Dale Siebers and seconded by Bob Gross to approve the minutes of the March 20, 1984 Budget, Finance & Personnel Committee Meeting. Motion carried unanimously.

Tom Probst mentioned that there was a comment on WHBY radio implying that the project was stalled. Probst stated that we are still on schedule and then distributed two alternate schedules to guide the coming activities - "conventional" or "fast-track" schedules. The fast-track schedule starts the bidding process prior to DNR certification of our Step III Grant; but we risk spending about \$20,000 to \$30,000 on Step III Engineering services which would not be grant eligible due to the early start. Tom Probst recommended the fast-track schedule. Motion was made by Adam Haber and seconded by Frank Bemke to authorize the fast-track schedule. Motion carried unanimously on a roll call vote. Manager Windau will issue a press release drafted by McMahon regarding the fast-track schedule.

Motion was made by Adam Haber and seconded by Frank Bemke to authorize McMahon to begin preparation for a study of sludge storage facilities. Motion carried unanimously on a roll call vote.

March 27, 1984 cont...

Motion was made by Adam Haber and seconded by Frank Bemke to authorize McMahon to submit their response letter, dated March 27, 1984, to DNR's March 20, 1984 letter concerning review of plans and specifications. Motion carried unanimously.

Adam Haber stated that the Operations Committee decided to delay any action on the wasteload allocation issue until the Grand Chute/Menasha West Sewerage Commission met on April 5, 1984. The issue will be on the NMSC agenda for April 10.

Adam Haber stated that the Engineering Committee favors adopting the Step III Engineering Agreement.

Dale Siebers stated that the Personnel Committee is drafting a letter to the employees advising them that the present health insurance will be retained. but the health insurance will be evaluated this Fall.

Motion was made by Bob Gross and seconded by Bill Zelinski to authorize the proposed revisions to the accounting system as shown in Roger Voigt's March 20, 1984 budget revisions. Motion carried unanimously.

Motion was made by Adam Haber and seconded by Frank Bemke to approve the amended Step III Engineering Agreement with McMahon Associates, Inc. and authorize the signing of the Agreement by the officers. Motion carried unanimously on a roll call vote.

Dale Siebers reported on the discussion held with Fred Delie (Vertex) about computers. The treatment plant programmable controller should not be used to do accounting functions, but an accounting-type micro-processor should have the capability to receive data from the treatment plant computer. Motion was made by Dale Siebers and seconded by Frank Bemke to request McMahon to provide specifications for the programmable controller which can then be used to specify a micro-processor for compatibility and to assure linkage between the two computers. Motion carried unanimously.

Motion was made by Dale Siebers and seconded by Bob Gross to grant each salaried employee a 3% increase to his/her base salary effective January 1, 1984; and to grant each salaried employee an increase of \$460 to his/her base annual salary effective July 1, 1984. Motion carried unanimously on a roll call vote.

Motion was made by Bill Zelinski and seconded by Bob Gross that there be an additional \$700 progression to the accountant's annual salary effective January 1, 1984. Motion carried unanimously on a roll call vote.

Motion was made by Bill Zelinski and seconded by Bob Gross that each of the three foreman receive a one-time payout of \$250 for outstanding performance. Motion carried unanimously on a roll call vote.

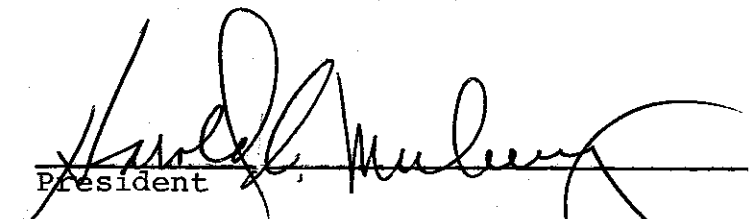

Motion was made by Bill Zelinski and seconded by Adam Haber to grant a second floating holiday to salaried employees to be used in such manner that no additional salary is paid on account of such use. Motion carried unanimously.

Manager Windau stated that each municipality received a resolution of final cost estimates on March 22, 1984. A municipality has 30 days from that date to inform the NMSC if they wish to prepay their capital costs. The City of Neenah will consider prepayment together with the NMSC's borrowing plan. The City of Neenah may wish to request a time extension beyond 30 days to announce their decision. Ray Osness is expected at the April 10 regular meeting to discuss financing options and he can return to the April 24 meeting when the NMSC may select a financing option. Motion was made by Bob Gross and seconded by Dale Siebers to extend the deadline for receipt of notice to prepay capital costs to 4:00 P.M. April 24, 1984. Motion carried unanimously.

The Town of Neenah Sanitary Districts would like to meet with the NMSC Committee-of-the-Whole to discuss issues of sewer system connection and transmission. The meeting was set for April 6, 1984, 4:00 P.M., at the NMSC offices.

Motion to adjourn was made by Adam Haber and seconded by Frank Bemke, Motion carried unanimously.

Meeting ended at 8:07 P.M.


President

Secretary

NEENAH-MENASHA SEWERAGE COMMISSIONRegular MeetingApril 10, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, Siebers, Gross, LeCompte, Bemke, Haber; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Attorney Goggin; Tom Probst, Tom Vik and Dave Wagner (McMahon); Ray Osness (Clayton Brown); Dr. Thomas Burrows (Waverly Sanitary District)

Absent: None

Moved by Commissioner Zelinski, seconded by Commissioner Bemke to accept the minutes of the Regular Meeting of March 27, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Gross, seconded by Commissioner Zelinski to accept the minutes of the Budget, Finance and Personnel Committee meeting of March 26, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Bemke to accept the minutes of the Operations, Engineering & Planning Committee meeting of March 27, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

The following communications were discussed:

1. 3/28/84 letter to Joanne Farnsworth (DNR) from McMahon; re: Draft User Charge System for the NMSC
2. 1984 Project Priority List
3. 3/27/84 Summary of billings from McMahon Assoc. - referred to Budget, Finance & Personnel Committee
4. "Old Man River" as prepared by Dick Billings
5. 3/30/84 bill from PRC Consoer Townsend, Inc. in amount of \$3,591.65 for Engineering Services performed on Phase II of an Industrial Pretreatment Program. - referred to Budget, Finance & Personnel Committee

Manager Windau reported on a call he received from Tod Galloway (Galloway Co.) regarding the 30-day monitoring program now taking place. Because the wash water used in cleaning equipment is carrying milk to the sewer, they are going to try a new process and request another 30 days. Commission sees no objection. Operations, Engineering & Planning Committee will be kept informed.

Manager Windau reported that a letter, drafted by McMahon, was distributed to residents along the interceptor route on Milwaukee Street. An informational meeting, with concerned residents, Manager Windau and representative from McMahons will be held April 12, 1984 - 7:00 P.M. at the NMSC offices.

Commissioner Siebers reported on the health insurance letter to employees. The Budget, Finance & Personnel Committee recommends sending the letter.

Tom Vik (McMahon) presented a project progress report. He distributed copies of a Project Implementation Schedule and Proposed Schedule for Sludge Storage Facilities. Moved by Commissioner Bemke, seconded by Commissioner Haber to approve the proposed schedules for project implementation and sludge storage facilities, as prepared by McMahon Assoc., and authorized McMahon to submit them to the DNR. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Tom Vik presented an amendment for Step 2 including the Sludge Storage Study - scope of work. Moved by Commissioner Haber, seconded by Commissioner Bemke to authorize McMahon Assoc. to proceed with the Sludge Storage Study at a cost not to exceed \$4,000. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Dave Wagner (McMahon) discussed a new EPA regulation capping a 5% increase on Step 3 grants, effective 2/17/84.

The Operations, Engineering & Planning Committee will meet on April 23, 1984 - 10:00 A.M. at McMahon's offices to further discuss Sludge Storage. Commissioner Haber stated that the committee favors the storage of liquid sludge because:

April 10, 1984 cont...

- 1. It can be transferred to tanks by pumping.
- 2. Closed containers would not be subject to odors.

Manager Windau reported on a 3/30/84 letter from DNR notifying a change in sludge spreading requirements. Sludge shall not be spread closer than 1,000 feet to a residence during winter months when sludge cannot be incorporated into the soil. Manager Windau stated that the Town of Rosendale has banned the spreading of NMSC sludge for one year.

Wasteload Allocation was discussed. Commissioner Gross presented a letter to Grand Chute/Menasha West from Dave Carlson. The issue has been referred to the State Judicial Board. GC/MW will meet on April 19, 1984 - 6:30 P.M. to further discuss the issue. Moved by Commissioner Haber, seconded by Commissioner Bemke that the Wasteload Allocation issue be tabled until action is taken by GC/MW. All present voting aye; Nays, none. Motion carried.

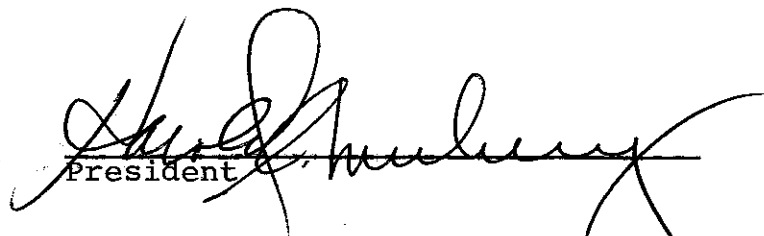
Ray Osness (Clayton Brown) discussed Project Financing Options. He has been in contact with the City of Neenah regarding prepayment. Osness stated that the lower the interest rate the more probably it is the Neenah will not prepay. Osness recommended that the Commission should not capitalize interest during construction and that interest be paid by contracting users. He also recommended that the Commission issue 5 year BAN's to pay the local capital costs with the idea of converting the BAN's to long-term revenue bonds at a more advantageous time (when interest rates are down). City of Neenah is to be informed that the NMSC is contemplating BAN's and that the interest paid during construction would be by the contracting users.

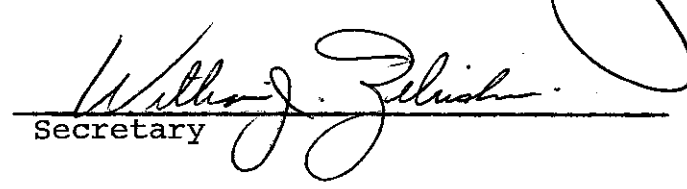
Dr. Burrows (Waverly Sanitary District) stated that Waverly wants to prepay. They would like to know how much and when. They will get their grant between July and October and could pay then. He also questioned how the Commission would handle the money and suggested an escrow account. These issues will be discussed further at a Budget, Finance & Personnel Committee Meeting scheduled for April 18, 1984 - 4:00 P.M.

A summer schedule for regular NMSC meetings was tabled until the next regular meeting on April 24, 1984.

Moved by Commissioner Haber, seconded by Commissioner LeCompte to approve Operating Fund Vouchers #7103 thru #7167 in the amount of \$147,232.39 and Payroll Vouchers #13479 thru #13537 in the amount of \$40,467.72 for the month of March, 1984. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Bemke to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 9:15 P.M.


 Steve Mulvey
 President


 Wilho J. Zelinski
 Secretary

NEENAH-MENASHA SEWERAGE COMMISSIONRegular MeetingApril 24, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, Bemke, Haber and Siebers;
Manager Windau; Superintendent Schuelke; Secretary Stevenson;
Attorney Goggin; Alderman Knaack (Neenah); LeRoy Goldbeck (Town of
Neenah); Tom Vik (McMahon)

Absent: Commissioner LeCompte

Moved by Commissioner Siebers, seconded by Commissioner Zelinski to accept the minutes of the Regular Meeting of April 10, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Zelinski, seconded by Commissioner Bemke to accept the minutes of the Committee-of-the-Whole meeting of April 6, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Bemke to accept the minutes of the Operations, Engineering & Planning Committee meeting of April 9, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Gross to accept the minutes of the Budget, Finance & Personnel Committee meeting of April 18, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

The following communications were discussed:

1. 4/16/84 letter to Mark Williams (DNR) from Tom Bik (McMahon); re: 14 day extension granted for P & S approval to May 3, 1984.
2. 4/12/84 letter to Tod Galloway (Galloway Co.) from Manager Windau; re: Continue wastewater monitoring program for an additional 30 days. Manager Windau was authorized to check on program from time to time.
3. 4/10/84 letter to Manager Windau from Clerk, Town of Rosendale; re: Town of Rosendale has banned the spreading of sludge for one year - effective April 9, 1984.
4. 4/18/84 memo from Dave Wagner (McMahon); re: NMSC User Charge

Tom Bik (McMahon) presented a plant progress report.

Sludge Storage Study

A summary of the sludge storage study was distributed. The most cost effective sludge disposal technique is to have private contractors haul dewatered sludge to agricultural land. DNR is concerned over the lack of sludge storage facilities in the project design. Sludge storage needs were therefore evaluated by McMahon. McMahon recommends on-site liquid sludge storage in Aquastore or concrete tanks. Moved by Commissioner Haber, seconded by Commissioner Bemke to authorize McMahon Assoc. to submit the Sludge Storage Study to DNR on 4/30/84 for approval. All present voting aye; Nays, none. Motion carried.

Bidding Schedule

Tom Vik presented the following Bidding Schedule:

Receive Corp. of Engineer's Comments (received by phone 4/24)	4/24
Submit plans and specs to DIHLR (Bldg., Plumbing, Elec.)	4/25
Respond to Corp. comments	4/27
Final plans and specs to DNR	4/27
DNR plan approval	5/3
Final review with NMSC	5/7
Receive authority to advertise from NMSC	5/8
Place ads in papers	5/9 - 5/11
Bid Date	6/22

April 24, 1984 cont...

Interceptor

Railroad reply to easement requests due in McMahon's office 4/25/84.

User Charge System & Grant Application

Both have been submitted to DNR

Manager Windau reported on the meeting with Milwaukee Street residents held on 4/12/84. John Pinion (McMahon) gave a slide presentation explaining location, etc. of interceptor. The citizens present showed concern for their basements and properties.

Discussion was held on the Waste Load Allocation Issue. Commissioner Mulvey stated that the Grand Chute/Menasha West Commission is applying for membership in the LFRDA. Moved by Commissioner Bemke, seconded by Commissioner Siebers that the NMSC join the LFRDA for one year. Voting aye; Commissioners Siebers, Bemke, Gross, Zelinski and Mulvey. Nays, Commissioner Haber. Motion carried.

Manager Windau discussed a draft letter to William Elman (FWWOPA) requesting Alternate 2 be selected for "Revisions to the Wasteload Allocation Policy." Moved by Commissioner Zelinski, seconded by Commissioner Gross to authorize Manager Windau to send the letter to Elman. Voting aye; Commissioners Zelinski, Gross, Bemke, Siebers and Mulvey. Nays, Commissioner Haber. Motion carried.

Moved by Commissioner Zelinski, seconded by Commissioner Gross to authorize payment to McMahon Assoc., Inc. of \$45,843.35 for an adjusted invoice for engineering services. Voting aye; Commissioners Zelinski, Gross, Bemke, Haber, Siebers and Mulvey. Nays, none. Motion carried.

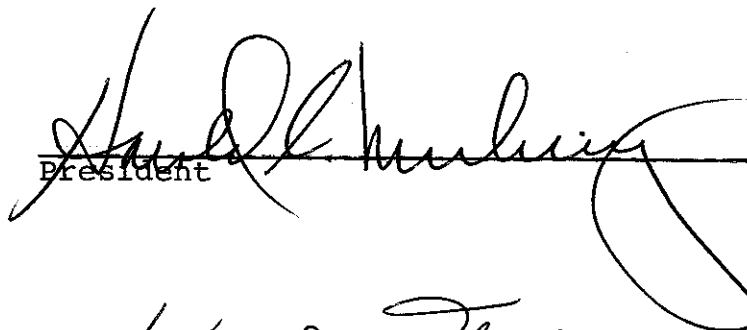
Moved by Commissioner Zelinski, seconded by Commissioner Gross to authorize payment of Invoice #42841 in the amount of \$3,591.65 minus 10% to PRC Consoer Townsend for Engineering Services performed on Phase II of an Industrial Pretreatment Program In Accordance With Agreement For Engineering Services dated June 2, 1982. Voting aye; Commissioners Zelinski, Gross, Bemke, Haber, Siebers and Mulvey. Nays, none. Motion carried.

Discussion was held on project financing options. Letters were received from the Town of Neenah regarding their decision to prepay. Moved by Commissioner Zelinski, seconded by Commissioner Gross that the NMSC go on record favoring BAN financing, for capital charges for the new treatment plant, for 5 years callable after 3 years and using the "start-up" percentages to determine initial payments. Voting aye; Commissioners Zelinski, Gross, Bemke, Haber, Siebers and Mulvey. Nays, none. Motion carried.

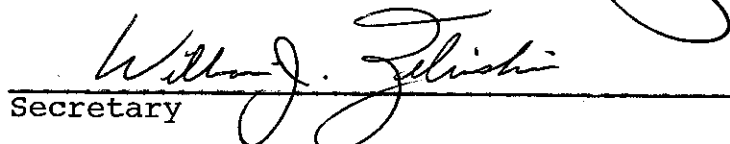
Moved by Commissioner Bemke, seconded by Commissioner Haber that the NMSC purchase a \$100 Bond for Bruce Page to be presented upon his retirement 4/27/84. Voting aye; Commissioners Bemke, Haber, Siebers, Zelinski, Gross and Mulvey. Nays, none. Motion carried.

Discussion was held on a summer meeting schedule for the NMSC. Moved by Commissioner Zelinski, seconded by Commissioner Haber that the NMSC meet at 7:00 P.M. on the second Tuesday and at 4:00 P.M. on the fourth Tuesday during the months of June, July and August. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Bemke to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 8:15 P.M.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSIONRegular MeetingMay 8, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, LeCompte, Bemke, Haber and Siebers; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Attorney Goggin; Tom Vik, Dave Wagner & Dennis Lamers (McMahon); LeRoy Goldbeck, Fred DeBoer, Dick Howman & Attorney Jeffrey Snyder (Town of Neenah); Mayor Ciske and Tom Stoffel (Menasha); Ray Osness (Clayton Brown); Ann Del Ponte (Post Crescent)

Absent: None

Moved by Commissioner Bemke, seconded by Commissioner Zelinski to accept the minutes of the Regular Meeting of April 24, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Bemke to accept the minutes of the Operations, Engineering & Planning Committee Meeting of April 23, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

The following communications were discussed:

1. 4/24/84 letter to Dave Wagner (McMahon) from DNR; re: Interpretation of User Charge Requirements for Municipalities and Sanitary Districts - Step 2.
2. 4/25/84 letter to Mark Williams (DNR) from Tom Vik (McMahon); re: Additional information and justification for innovative/alternative funding for the flocculating clarifiers and in place gas cleaning system for the aeration system.
3. Calculation by Dave Wagner of what to expect in Step 2 grant.

Discussion was held on the project financing and the prepayment issue. The Waverly Sanitary District requested permission to prepay their capital cost share via letter dated April 4, 1984. The Town of Neenah Sanitary Commission notified the NMSC of their intention to prepay capital costs via letter dated April 24, 1984. Checks totaling \$95,590 from the Town of Neenah Sanitary Commission were delivered to the NMSC office on 4/26/84. A May 4, 1984 letter from Ted Bauer stated that the City of Neenah decided not to prepay. A May 7, 1984 letter from City of Neenah Attorney James Gunz, with attachments, argued that only the City of Neenah could prepay, and other contracting municipalities could not prepay.

Attorney Goggin reviewed the Ordinance-Contract negotiations, between the five participants, where special language was added allowing the City of Neenah to prepay. It referred only to the City of Neenah. Attorney Goggin stated that if the subject of prepayment is not prohibited, by the language in the Ordinance-Contract, it can be allowed. He stated that, because of this, prepayment may be made by any of the other Municipalities and Sanitary Districts if approved by the NMSC. Mayor Ciske felt that additional legal review should be made of the checks from the Town of Neenah. Commissioner LeCompte discussed and questioned the Town of Neenah's desire to lock-in their Sanitary District boundaries by prepaying. Moved by Commissioner Bemke, seconded by Commissioner Gross to accept the prepayment from the Town of Neenah. Voting aye; Commissioners Bemke, Haber, Siebers, Zelinski, Gross and Mulvey. Nays, Commissioner LeCompte. Motion carried.

Ray Osness (Clayton Brown) reported on the following Financial Timetable.

May 8, 1984	A. Decision on capitalizing interest B. Decision on BAN's VS Bonds C. Authorize advertising for construction bids
May 22, 1984 (done May 8)	Decision on prepayment (Waverly S.D. & Town of Neenah)
June 20, 1984	Construction Bid Opening
June 20-July 10, 1984	Final sizing of financing.
July 1-Aug. 14, 1984	Prepare Official Statement; apply for rating; marketing of notes with award of financing no later than 8/14/84
August 1-20, 1984	Closing and receipt of funds
August 20, 1984	Award of construction bids

May 8, 1984 cont...

Moved by Commissioner Siebers, seconded by Commissioner Zelinski not to capitalize interest payments. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Ray Osness discussed the advantages of purchasing BAN's rather than Bonds. Moved by Commissioner Zelinski, seconded by Commissioner Haber that the NMSC purchase BAN's for financing Step II & III. Voting aye; Commissioners Zelinski, Gross, LeCompte, Bemke, Haber, Siebers and Mulvey. Nays, none. Motion carried.

Ray Osness suggested the Town of Neenah prepayment be put in U.S. Treasury bills until August 1, 1984.

Tom Vik (McMahon) gave a project progress report.

1. Verbal approval of the plans and specs has been given by DNR with a letter to follow in the mail.
2. The Sludge Storage Facilities study has been sent to DNR with a review to commence 5/21.
3. DNR has begun review of the Step III Grant Application and User Charge Study.

Moved by Commissioner Haber, seconded by Commissioner Bemke to authorize McMahon Assoc. Inc. to advertise for bids for remodeling the NMSC wastewater treatment plant commencing on May 9, 1984 with receipt of bids until 2:00 P.M. June 20, 1984 at the Neenah City Hall Council Chambers and bid opening at 3:00 P.M. All present voting aye; Nays, none. Motion carried. Notice will be published in both county newspapers.

Moved by Commissioner Haber, seconded by Commissioner Bemke to approve Amendment No. 1 to Agreement for Professional Services (Construction Phase) and Amendment No. 3 to Agreement for Professional Services (Design Phase) after review and approval by Attorney Goggin. Voting aye; Commissioners Haber, Bemke, LeCompte, Gross, Zelinski, Siebers and Mulvey. Nays, none. Motion carried.

Discussion was held on Lower Fox River Dischargers Association. Moved by Commissioner Zelinski, seconded by Commissioner Siebers that the NMSC file the application for membership in the LFRDA and send check for \$2700. Voting aye; Commissioners Zelinski, Gross, LeCompte, Bemke, Siebers and Mulvey. Nays, Commissioner Haber. Motion carried.

Moved by Commissioner Bemke, seconded by Commissioner Siebers that Commissioner Haber be the designated director to the LFRDA. All present voting aye; Nays, none. Motion carried.

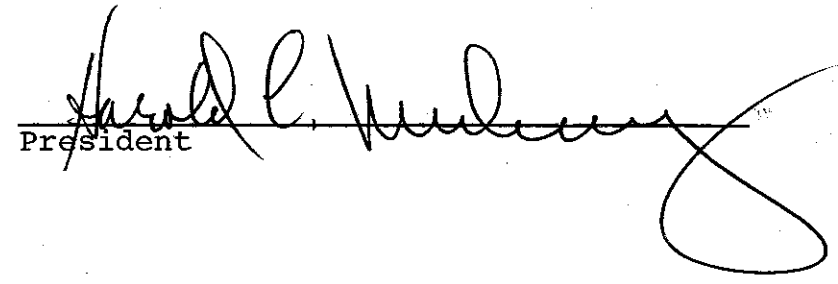
Discussion was held on setting a nominal easement value for the Interceptor work. Moved by Commissioner Zelinski, seconded by Commissioner Haber to negotiate an easement value not to exceed \$250 per easement. Voting aye; Commissioners Zelinski, Gross, LeCompte, Bemke, Haber, Siebers and Mulvey. Nays, none. Motion carried.

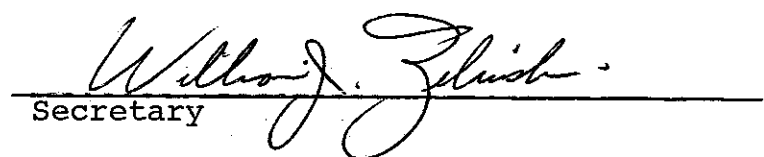
Discussion was held on the railroad property survey needed for the Interceptor work. Moved by Commissioner Gross, seconded by Commissioner Haber to authorize McMahon Assoc. to proceed with the railroad property survey. Voting aye; Commissioners Gross, LeCompte, Bemke, Haber, Siebers, Zelinski and Mulvey. Nays, none. Motion carried.

Discussion was held on the Resolution of Relocation Order. Moved by Commissioner Siebers, seconded by Commissioner Bemke that George Rehbein (Appraisal Associates, Inc.) and Reginald Draheim (Draheim Co.) be hired to negotiate easements and prepare necessary appraisals needed for the interceptor. All present voting aye; Nays, none. Motion carried. Attorney Goggin will obtain the necessary property titles from the Abstract Co. to determine the legal owners of the properties and who holds the liens.

Moved by Commissioner Siebers, seconded by Commissioner Gross to approve Operating Fund Vouchers #7168 thru #7220 in the amount of \$93,285.52 and Payroll Vouchers #13538 thru #13623 in the amount of \$47,131.90 for the month of April, 1984. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Bemke to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 9:10 P.M.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSIONRegular MeetingMay 22, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, LeCompte, Haber, Siebets; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Attorney Goggin; Mayor Carpenter (Neenah); Bill Book and LeRoy Goldbeck (Town of Neenah); Tom Probst and Tom Vik (McMahon); Jim Meyer and Andy Thompson (Post Crescent)

Absent: Commissioner Bemke

Moved by Commissioner Siebers, seconded by Commissioner Gross to accept the minutes of the Regular Meeting of May 8, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Zelinski to accept the minutes of the Budget, Finance & Personnel Committee Meeting of May 14, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

The following communications were discussed:

1. 5/11/84 letter to Tom Vik (McMahon) from Manager Windau; re: Authorization to proceed with a land survey of railroad property to be used for interceptor routing.
2. 5/15/84 letter to Greg Hill (DNR) from Manager Windau; re: Comments on draft chapter NR 204 "Municipal Sludge Management."

Discussion was held on May 7, 1984 letter to President Mulvey from JoAnne Farnsworth (DNR) recommending the contingent approval of the Commission's User Charge System if the following requirements are met:

1. An amendment to the Ordinance-Contract to include the establishment of a replacement fund and an adequate financial management system to account for the deposits and expenditures for replacement items.
2. The development of a model sewer use ordinance which includes user charge provisions in accordance with 40CFR Part 35, for each contracting municipality to accept.

Attorney Goggin prepared and distributed a Resolution Establishing Equipment Replacement Fund and Financial Management System. Moved by Commissioner Gross, seconded by Commissioner Siebers to adopt the Resolution Establishing Equipment Replacement Fund and Financial Management System. Voting aye; Commissioners Gross, LeCompte, Haber, Siebers, Zelinski and Mulvey. Nays, none. Motion carried.

Discussion was held on proposed revisions to NMSC Ordinance-Exhibit D, as prepared by Dave Wagner (McMahon). Wagner wanted authority to send model sewer use charges to DNR but Commissioner Siebers suggested waiting until Attorney Goggin makes the final draft and it is accepted by the NMSC.

Moved by Commissioner Haber, seconded by Commissioner Zelinski to authorize payment of the April 30, 1984 Summary of Billings in the amount of \$56,895.31 to McMahon Associates, Inc. for Engineering Services. Voting aye; Commissioners Haber, Siebers, Zelinski, Gross, LeCompte and Mulvey. Nays, none. Motion carried.

Tom Vik (McMahon) presented a plant project report. The legal description for the railroad property is completed. There have been 55 requests so far, for project plans and specs. Step III is still being reviewed by DNR.

Tom Vik (McMahon) stated that Vertex Co. would like to bid on the instrumentation/Control system but this may be considered a conflict of interest because they are an affiliate of McMahon. Attorney Goggin suggested that Vertex send a letter to the NMSC explaining their situation and why they do not consider it a conflict of interest and that a copy of the letter be forwarded to DNR.

Attorney Goggin presented and discussed the Resolution on Relocation Order needed for the purpose of acquiring either fee simple title or a right-of-way easement for the location of an interceptor sanitary sewer. Moved by Commissioner Siebers, seconded by Commissioner Haber to adopt the Relocation Order Issued In Accordance With Wis. Stats. Secs. 32.05 and 32.07 (2), Of The Neenah-Meansha Sewerage Commission, a Sewerage Commission Jointly Created By Five Governmental Entities Pursuant To Wis. Stats., Section 66.30. Voting aye; Commissioners Siebers, Zelinski, Gross, LeCompte, Haber and Mulvey. Nays, none. Motion carried.

May 22, 1984 cont...

Moved by Commissioner Siebers, seconded by Commissioner Zelinski that copies of the Relocation Order be sent to the City of Menasha and Town of Menasha requesting their approval. All present voting aye; Nays, none. Motion carried.

Attorney Goggin presented and discussed a draft Sanitary Sewer Interceptor Easement to be used in approaching private property owners, a lis pendens and jurisdiction offer. Attorney Goggin recommended the NMSC purchase title insurance for the treatment plant site properties at a minimum value. Moved by Commissioner Haber, seconded by Commissioner Gross to authorize the Commission Attorney to purchase title insurance for the NMSC at a minimum value. Voting aye; Commissioners Haber, Siebers, Zelinski, Gross, LeCompte and Mulvey. Nays, none. Motion carried.

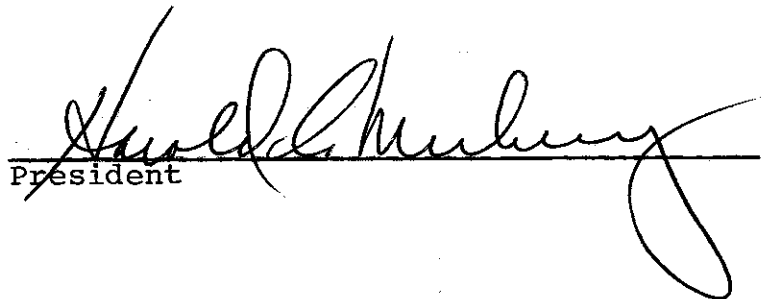
A Budget, Finance & Personnel Committee Meeting is scheduled for May 30, 1984 - 4:00 P.M. to discuss the following:

1. Additional funds needed for Step II.
2. What to do with interest generated by investing Town of Neenah's prepayment.
3. Segregation of Step II Interceptor costs.
4. Basis of Capital cost splits.
5. System for comparing capital payments based on actual use versus prepayments

Manager Windau stated that the Town of Waverly does not intend to prepay now. He will request a letter to that effect.

Mayor Carpenter requested the Capital Charge Resolution, directed to Neenah, be amended to put requirements on the municipalities who intend to prepay. Attorney Goggin suggested it be referred to Foley & Lardner.

Moved by Commissioner Haber, seconded by Commissioner Siebers to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 8:00 P.M.



 President



 Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

June 12, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Gross, LeCompte, Haber, Bemke, Siebers; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Tom Probst (McMahon); Andy Thompson (Post-Crescent); LeRoy Goldbeck (Town of Neenah)

Absent: Commissioner Zelinski

Moved by Commissioner Gross, seconded by Commissioner Bemke to accept the minutes of the Regular Meeting of May 22, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Gross to accept the minutes of the Budget, Finance & Personnel Committee Meeting of May 30, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Gross, seconded by Commissioner Haber to accept the minutes of the Executive Session of the Full Commission and Open Meeting of the Budget, Finance & Personnel Committee of June 5, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

June 12, 1984

The following communications were discussed:

1. 5/24/84 letter to Manager Windau from DNR; re: DNR acceptance and approval of Preliminary Plan of Operation for Regional Wastewater Treatment Facilities.
2. 6/1/84 letter to Manager Windau from DNR; re: Treatment Works Grant Step 2 - C550861- 02 Eligibility Review
3. Acceptance of NMSC and Grand Chute Menasha West Sewerage Commission in Lower Fox River Dischargers Association, Inc.
4. 6/6/84 letter to Manager Winday from EPA; re: Selection of Neenah-Menasha Wastewater Plant by U.S. EPA Region V for evaluating the impact of the detergent phosphorus ban on the plant's operation.

Discussion was held on Budget, Finance & Personnel Committee meetings of May 30, 1984 and June 5, 1984. The following subjects were discussed:

1. Additional funds needed for Step 2.

Accountant Voigt estimates that the NMSC will be \$50,000 - \$60,000 short on Step II Project Costs; an estimated \$10,000 to cover legal fees, etc. and \$45,000 for design of the sludge storage facility. It was suggested that the payment of the \$45,000 bill (when received), could be delayed until the Project BAN's are issued. Other costs of smaller amounts could be paid from funds temporarily borrowed from the O&M Fund. Such a loan from the O&M Fund would be paid back upon issuance of the Project BAN.

2. Interest earned on Town of Neenah's prepayment.

Committee stated that the prepayment and interest earned now belongs to the NMSC and the interest would not be used solely to cover Town of Neenah's share of costs.

3. Segregation of Step II interceptor costs.

It was the consensus of the committee that the entire balance of the Step II debt following receipt of the Step II grant, be incorporated into Step III BAN including any 1984 Capital Budget expenditures. Each contracting user will be reimbursed any capital payments made in 1984 from money raised in the issuance of Project BAN. Any inequities in cost splits between contracting users for payments on the Step II treatment plant costs versus interceptor costs will be erased and new equitable cost splits will be established and all contracting users will begin debt payment from a base of zero.

4. Basis of Capital Cost Splits and System For Comparing Capital Payments based on actual use versus prepayments. Draft Resolutions were prepared by Manager Windau and will be discussed at a later date.

Tom Probst (McMahon) presented a Project Progress Report. He stated that the response to the advertisement for bids has been good. June 13, 1984 is the supplier deadline for prequalification statements. Work is still being done on the grants along with the acquisition of easements along the interceptor route. The Bid Opening Date has been extended to June 27, 1984.

Discussion was held on the 6/1/84 letter to Manager Windau from John Hario (DNR) and 6/7/84 reply from Tom Vik (McMahon).

1. DNR stated that the installation and procurement of carpets are not grant eligible. Vik stated that the funding agency should consider funding the difference between carpeting cost and another suitable grant eligible floor finish.
2. DNR stated that the fifth screw pump to be installed in the headworks building apparently is not necessary for operation for the 20-year design life of the treatment works but is for future expansion. Therefore, it is not grant eligible. Vik stated that space should be allowed for the fifth pump and this space should be grant eligible.
3. DNR stated that the observation platform is not grant eligible. Vik stated that observation deck is the only place one can observe the operation of all the screw pumps at the same time and should be grant eligible.

June 12, 1984

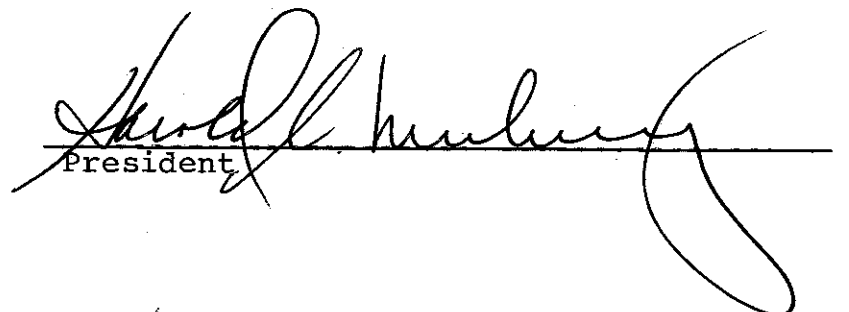
- 4. DNR stated that demolition, of some manholes not necessary to accomplish the eligible construction, is not grant eligible. Vik stated that complete abandonment of certain manholes should be grant eligible. Field inspection of these manholes has shown them to be in a badly deteriorated condition which could cause problems to nearby structures or roads which are grant eligible. The cost to abandon the manholes during construction of the interceptor will be much less than to repair the damage caused at a later date.
- 5. DNR stated that unallowable costs include the cost of furnishings. Vik stated that office furnishings as specified in Division 12, can be readily broken out of the contract after bidding.
- 6. DNR stated that the weed trimmer, snowblower, high pressure cleaner and sludge loader are not grant eligible. Vik stated that the weed trimmer, snow blower and high pressure cleaner have been deleted from the project in Addendum 1. However, the sludge loader is solely intended for use specifically for the sludge management program and should be grant eligible.
- 7. DNR stated that the flagpole and plaque are not grant eligible. Vik concurred.

Discussion was held on 6/4/84 letter to McMahon Associates, Inc. from Vertex confirming their interest in bidding on the Instrumentation and Controls portion of the Neenah-Menasha Regional Wastewater Facilities. Moved by Commissioner Bemke, seconded by Commissioner Haber to allow Vertex to bid on the Instrumentation and Controls portion of the Neenah-Menasha Regional Wastewater Facilities subject to approval by the Commission Counsel. All present voting aye; Nays, none. Motion carried.

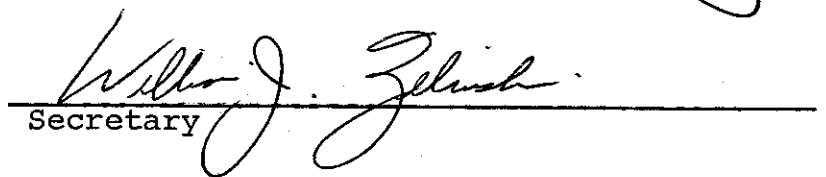
Discussion was held on Resolution 84-3 of the NMSC Approving The Proposed Waverly Sanitary District Sewer System, Metering Station and Connection Point. Moved by Commissioner Haber, seconded by Commissioner Siebers to table Resolution 84-3 until the next Regular Meeting on June 26, 1984. Voting aye; Commissioners Haber, Siebers, LeCompte, Gross and Mulvey. Nays, Commissioner Bemke. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Haber to approve Operating Fund Vouchers #7221 thru #7292 in the amount of \$93,812.22 and Payroll Vouchers #13624 thru #13710 in the amount of \$63,399.08 for the month of May, 1984. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Gross to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 8:15 P.M.



 President



 Secretary

NEENAH-MENASHA SEWERAGE COMMISSIONRegular MeetingJune 26, 1984

Meeting called to order by Commission President Mulvey at 4:05 P.M.

Present: Commissioners Mulvey, Gross, LeCompte, Haber and Siebers; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Attorney Goggin; Ted Bauer and Alderman Knaack (Neenah); LeRoy Goldbeck (Town of Neenah); Robert Lennert and William Draeger (Local 1541); Tom Vik, Dave Wagner and Dennis Lamers (McMahon); Andy Thompson (Post Crescent)

Absent: Commissioners Bemke and Zelinski

Moved by Commissioner Siebers, seconded by Commissioner Haber to accept the minutes of the Regular Meeting of June 12, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner LeCompte to accept the minutes of the Committee-of-the-Whole Meeting of June 19, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

The following communications were discussed:

1. 6/7/84 letter to Tod Galloway from Manager Windau; re: Results of Metering at Galloway Co. during two month test.
2. 6/20/84 letter to Manager Windau from Tom Burrows (Waverly Sanitary District); re: Request to Commission to leave prepayment option open until 8/1/84.
3. 6/21/84 letter to NMSC from McMahon Assoc.; re: Small, Womens and Minority Business Utilization under EPA Grant C550861-03.
4. 6/19/84 Summary of Billings from McMahon Assoc. in the amount of \$14,320.00 for the Sludge Storage Facility Design. Subject referred to Budget, Finance & Personnel Committee.
5. 6/19/84 Summary of Billings from McMahon Assoc. in the amount of \$16,531.00 for Bidding Work. Subject referred to Budget, Finance and Personnel Committee.
6. 6/21/84 letter to Bob Lennert (President Local 1541) from Manager Windau; re: Hiring of temporary employee. Subject referred to Budget, Finance & Personnel Committee.

Dave Wagner (McMahon) presented the following Grant Status Report on the project:

1. Revisions to grant application (Sludge Storage Facilities) were sent to DNR. A mid-July certification of the grant is likely.
2. Revised Plan of Operation calls for award of contracts August 31, 1984. Issues which could delay the project are:
 - A. WBE/MBD requirements (no guidelines from EPA)
 - B. DNR review of Sludge Storage Facilities plans and specs.
 - C. Documentation that Commission has properly acquired the use of easements prior to contract award.

If contracts are not awarded prior to October 26, 1984, bids may be withdrawn.

Tom Vik (McMahon) requested a Special Meeting of the NMSC before July 4 to award contracts to the low bidders so various costs can be determined.

Attorney Goggin requested passage of an amended Relocation Order. Moved by Commissioner Haber, seconded by Commissioner LeCompte to schedule a Special Meeting of the NMSC for July 2, 1984 - 4:00 P.M. for the purpose of analyzing the bids and taking action on the amended Relocation Order. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Siebers that the Bid Opening on June 27, 1984 be considered as an official NMSC meeting. Voting aye; Commissioners Haber, Gross, Siebers and Mulvey. Nays, Commissioner LeCompte. Motion carried.

Regular Meeting
June 26, 1984

Dennis Lamers (McMahon) discussed the Bid Opening for June 27, 1984.

- 1. 1:00 P.M. Log-in bids by contract
- 2. 2:00 P.M. Close receipt of bids
- 3. 3:00 P.M. Open bids

Copies of the Bid Tabulation will be sent out June 28, 1984.

Manager Windau discussed the receipt of a license for the NMSC from the Chicago & Northwestern Railroad to construct, maintain and use a 48" sanitary interceptor upon the property and under the track of the railroad. Attorney Goggin was authorized to contact the Railroad regarding changes to the license and report back to the Commission at the Special Meeting on July 2, 1984.

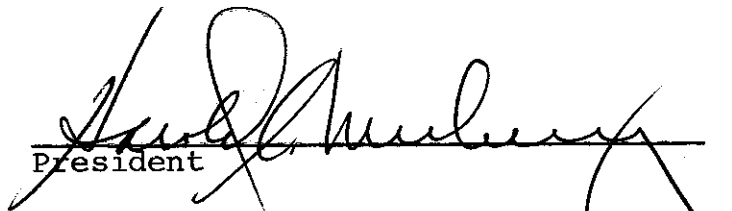
Discussion was held on the subject of Vertex bidding on the Instrumentation and Controls portion of the N-M Regional Wastewater Facilities. Attorney Goggin reviewed the subject and voiced his objection to the NMSC allowing Vertex to bid because of a conflict of interest in their being 51% owned by McMahon Assoc. Moved by Commissioner Haber to revise the Step III Engineering Contract with McMahon Assoc. so that portions of the Engineering Contract concerning the Electrical and Instrumentation and Control Contract can be transferred from McMahon to a direct contract between the NMSC and URS. Commissioner Haber withdrew his motion due to lack of a second.

Moved by Commissioner Gross, seconded by Commissioner LeCompte that Vertex not be allowed to bid the project based on the opinion from Commission Counsel. Voting aye; Commissioners Gross, LeCompte and Siebers; Nays; Commissioners Haber and Mulvey. Motion carried.


The Resolution Approving The Proposed Waverly Sanitary District Sewer System, Metering Station and Connection Point was tabled until the next Regular Meeting on July 10, 1984.

A Budget, Finance and Personnel Committee Meeting was scheduled for July 2, 1984 - 7:00 P.M. to discuss financing cost splits, health insurance bids and a union matter.

Moved by Commissioner Siebers, seconded by Commissioner LeCompte to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 5:45 P.M.



 President



 Secretary

NEENAH-MENASHA SEWERAGE COMMISSION
Special Meeting
July 2, 1984 - 4:00 P.M.

Meeting called to order by Commission President Mulvey at 4:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, LeCompte, Bemke, Haber and Siebers; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Attorney Goggin; Tom Vik, Dennis Lamers, and Dave Wagner (McMahon); LeRoy Goldbeck (Town of Neenah); Jim Tyler, Leonard Nalson and Mike Robinson (Nelson Construction); Chuck Green (Charles Green, Inc.); Ted Bauer (Neenah); John Moriarity (Post Crescent)

Absent: None

Attorney Goggin reported on the bid process. He stated that, since inquiries have been made as to the bid process and the time extension, an Executive Session of the NMSC should be scheduled as soon as possible to discuss these issues. Moved by Commissioner Bemke, seconded by Commissioner Siebers to schedule an Executive Session of the NMSC for July 5, 1984 - 4:00 P.M. to discuss competitive bidding and the bid opening process. The meeting will be held in accordance with Wis.

Special Meeting
July 2, 1984 cont...

Stats. 19.84 (1)(e) and (g). Voting aye; Commissioners Bemke, Haber, Siebers, Zelinski, Gross, LeCompte and Mulvey. Nays, none. Motion carried.

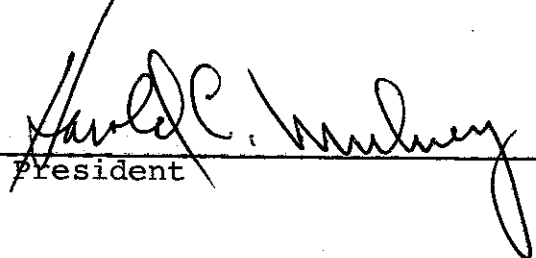
Attorney Goggin discussed the original Relocation Order and the need for revision due to a change in the interceptor route around St. Mary's Cemetery. Moved by Commissioner Siebers, seconded by Commissioner Haber to approve the Amended Relocation Order and file it in the Winnebago County Clerk's Office. All present voting aye; Nays, none. Motion carried.

Discussion was held on the Railroad License with the Chicago and Northwestern Railroad to construct, maintain and use a 48" sanitary interceptor upon the property and under the track of the railroad. Attorney Goggin has written to the railroad regarding changes and is waiting for a reply.

Moved by Commissioner Haber, seconded by Commissioner Bemke that Management write a monthly report to the Commission stating what has transpired at the plant during the month. All present voting aye; Nays, none. Motion carried.

Tom Vik (McMahon) suggested the Commission schedule a meeting of the Engineering Committee to discuss the Sludge Storage Facility. Meeting scheduled for July 10, 1984 - 11:00 A.M. at McMahon Offices.

Moved by Commissioner Bemke, seconded by Commissioner Haber to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 4:30 P.M.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Executive Session

July 5, 1984

The Executive Session was called to order by Commission President Mulvey at 4:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, LeCompte, Bemke, Haber and Siebers; Manager Windau; Superintendent Schuelke; Attorney Goggin; Tom Vik, Tom Probst, John Pinion (McMahon)

The Executive Session was held pursuant to Wis. Stats., Sec. 19.85 (1)(e) and (g) to discuss matters concerning receipt of bids.

Attorney Goggin reviewed three letters from legal firms concerning the bids received for Contract A (General and Mechanical). Attorney Goggin stated that he needed more time to review federal case law concerning the subject.

Attorney Goggin discussed the fact that conditional bids are irregular bids and should be rejected. Any attempt to remove the conditions after bid opening is also not permissible.

Motion was made by Commissioner Siebers, and seconded by Commissioner Bemke to adjourn. Motion carried unanimously. Meeting adjourned at 5:02 P.M.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSIONRegular MeetingJuly 10, 1984

Meeting was called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, LeCompte, Bemke, Haber and Siebers; Manager Windau; Superintendent Schuelke; Attorney Goggin; Andy Thompson (Post Crescent); Tom Vik, Tom Probst & John Pinion (McMahon); Dan Hartstern (Neenah Finance Dept.); Mark Van Wiele (Crexof Water & Sewer Supply); Chuck Green (Charles O. Green, Inc.); J.P. Nolan (F. Hurlbut Co.)

Absent: Commissioner Gross; Secretary Stevenson

Moved by Commissioner Bemke, seconded by Commissioner Zelinski to accept the minutes of the Regular Meeting of June 26, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Bemke to accept the minutes of the Special Meeting of June 27, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Zelinski, seconded by Commissioner Siebers to accept the minutes of the Budget, Finance & Personnel Committee Meeting of July 2, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Bemke to accept the minutes of the Executive Session of July 5, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Motion was made by Commissioner Siebers and seconded by Commissioner Zelinski to approve two bills submitted by McMahon Associates, on June 19, 1984 in the amounts of \$14,320.25 and \$16,531.89 with payment to be made after August 1, 1984. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Zelinski and Mulvey. Nays, none. Motion carried.

Manager Windau reviewed a letter to Thomas Burrows, Waverly S.D., advising him that Waverly could have until August 2 to inform the NMSC whether Waverly would prepay or not. Commissioner Bemke requested that Dr. Burrows be invited to the next Finance Committee Meeting. (The Finance Committee has not scheduled a meeting prior to the regular NMSC meeting of July 24.)

Motion was made by Commissioner Bemke and seconded by Commissioner Haber that the Neenah-Menasha Sewerage Commission uphold the recommendation of the Budget, Finance and Personnel Committee to maintain the temporary employe wage rate at \$5 per hour. Motion carried unanimously.

Tom Vik reported that the Engineering Committee had reviewed the plans and specifications of the sludge storage facility. There will be another session to review the proposed changes and additions. There was a discussion on setting July 24 as a target date at which time the NMSC could authorize advertising for bids for the sludge storage facility.

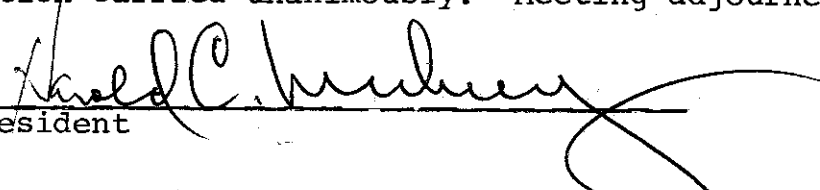
Motion was made by Commissioner Haber and seconded by Commissioner Siebers to approve the draft "Resolution of the Neenah-Menasha Sewerage Commission Approving the Proposed Waverly Sanitary District Sewer System, Metering Station and Connection Point" in its entirety. Motion carried unanimously.

Attorney Goggin reviewed his July 10 memo regarding bid protests. A lengthy discussion ensued on the bids and the bid selection options.

Motion was made by Commissioner Bemke and seconded by Commissioner Haber to reject the bids submitted by Nelson Contractors on account of the bids being conditional upon each other. Motion carried unanimously.

Tom Probst distributed a draft Resolution 84-3 which contains wording to the effect that the NMSC accept and will award bids to contractors referenced on an attached Schedule A. Copies of the draft resolution and the Schedule A distributed by Mr. Probst are attached to these minutes. Motion was made by Commissioner Haber and seconded by Commissioner Bemke to adopt and approve Resolution 84-3, including Schedule A, as drafted by McMahon Associates, Inc. Voting aye; Commissioners Haber, Bemke, LeCompte, Zelinski, Siebers and Mulvey. Nays, none. Motion carried.

Motion was made by Commissioner Haber and seconded by Commissioner Bemke to adjourn. Motion carried unanimously. Meeting adjourned at 8:20 P.M.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

RESOLUTION 84-3

WHEREAS THE COMMISSION HAS RECEIVED BIDS ON THE WASTEWATER TREATMENT FACILITIES AND SANITARY SEWER INTERCEPTOR ON JUNE 27, 1984;

AND WHEREAS THE COMMISSION HAS REVIEWED THE TABULATION OF BIDS AND COMMISSION'S ATTORNEY AND ENGINEER'S RECOMMENDATIONS THEREON:

NOW THEREFORE BE IT HEREBY RESOLVED BY THE COMMISSION THAT THE COMMISSION ACCEPTS AND WILL AWARD THE CONTRACTORS' BIDS AS SHOWN ON SCHEDULE A ATTACHED HERETO, CONTINGENT ON THE FOLLOWING:

- A. REVIEW AND APPROVAL OF BID AND BID DOCUMENTATION OF ALL ACCEPTED BIDS AND DOCUMENTATION THEREOF BY THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES AND/OR THE U.S. EPA (AS APPLICABLE).
- B. RECEIPT BY THE COMMISSION OF A UNITED STATES ENVIRONMENTAL PROTECTION AGENCY GRANT OFFER.

RESOLUTION INTRODUCED AND ITS ADOPTION MOVED BY

COMMISSIONER Adam Haber; SECONDED BY

COMMISSIONER Frank Bemke.

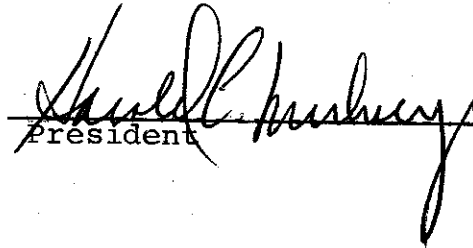
UPON A CALL OF THE VOTE THEREON, THE RESULT WAS AS FOLLOWS:

6 VOTES CAST

6 VOTES AYE

0 VOTES NAY

THE PRESIDENT OF THE COMMISSION DECLARED RESOLUTION ADOPTED, APPROVED, AND SIGNED THIS 10TH DAY OF JULY, 1984.


 President

SCHEDULE "A"

<u>Contract Number</u>	<u>Contract Description</u>	<u>Contractor</u>	<u>Amount</u>
N08-82605-A	General and Mechanical Work	C.D. Smith Construction, Inc.	\$14,488,000.00
N08-82605-B	Plumbing Work	August Winter & Sons, Inc.	155,900.00
N08-82605-C	Heating and Ventilating Work	Vanasten Heating & Sheet Metal	447,000.00
N08-82605-D	Electrical Work	Reigel Electric Corp.	1,544,795.00
N08-82605-E *	Regional Sanitary Interceptor Sewer	Super Excavators, Inc.	760,632.64
N08-82605-F *	Regional Sanitary Interceptor Sewer	Super Excavators, Inc.	1,022,127.85
N08-82605-G *	Regional Sanitary Interceptor Sewer	Super Excavators, Inc.	525,375.06
N08-82605-H	Regional Sanitary Interceptor Sewer	Charles O. Green, Inc.	506,075.00
N08-82605-I *	Relining Sanitary Sewer	Super Excavators, Inc.	343,422.38

* Includes 2% Deduct for Combined Bids

NEENAH-MENASHA SEWERAGE COMMISSIONRegular MeetingJuly 24, 1984

Meeting called to order by Commission President Mulvey at 4:03 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, LeCompte, Bemke, Haber and Siebers; Manager Windau; Secretary Stevenson; Attorney Goggin; Mayor Carpenter, Ted Bauer and Alderman Knaack (Neenah); Tom Vik and John Pinion (McMahon); Ray Osness (Clayton Brown); Dr. Tom Burrows (Waverly S.D.); Andy Thompson (Post Crescent)

Absent: Superintendent Schuelke

Moved by Commissioner Zelinski, seconded by Commissioner Siebers to accept the minutes of the Regular Meeting of July 10, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Bemke to accept the minutes of the Operations, Engineering and Planning Committee meeting of July 10, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

The following communications were discussed:

1. 7/1/84 letter from Manager Windau to Robert Lennert (Local 1541); re: Grievance filed by Union.
2. 7/12/84 letter from Manager Windau to Robert Lennert (Local 1541); re: Right of Management to set wages for temporary employees.
3. 7/9/84 letter from Wickwire, Gavin & Gibbs, Attorneys for Fluor Bros. Construction Company, to Manager Windau; re: Fluor Bros. Reply to C.D. Smith's July 3, 1984 Memorandum of Law.
4. 7/11/84 letter from Attorney Goggin to Attorneys Wickwire, Gavin & Gibbs and Nelson Constructors; re: Award of contracts A through I.
5. 7/12/84 letter from Boldt Construction Co. to Manager Windau; re: Protest bid award to C.D. Smith Construction Co.
6. 7/18/84 letter from Attorney Goggin to Manager Windau; re: Two letters from Attorneys Wickwire, Gavin & Gibbs indicating Fluor Bros. intention to continue to pursue its protest appeal.
7. 7/12/84 letter from Attorneys Wickwire, Gavin & Gibbs to U.S. EPA; re: Protest Appeal of Fluor Brothers.
8. 7/13/84 letter from Attorneys Wickwire, Gavin & Gibbs to U.S. EPA; re: Protest Appeal of Fluor Brothers.
9. 7/18/84 letter from Attorneys Colwin, Fortune, Colwin & Pomeroy, representing C.D. Smith to U.S. EPA; re: Protest Appeal of Fluor Bros. Construction Co.
10. 7/19/84 letter from Attorney Goggin to U.S. EPA; re: Protest of Procurement Procedures and Objection to Prospective Award of Contract -- Protest Appeal of Fluor Bros. Construction Co.
11. 7/12/84 letter from DNR to President Mulvey; re: Review and approval of preliminary User Charge System and Sewer Use Ordinance.
12. 7/9/84 Invoice from Foley & Lardner referred to Ray Osness (Clayton Brown); and Budget, Finance & Personnel Committee for review.
13. Resolution 84-1A from Foley & Lardner, Relating To Final Cost Estimates For The Project Described Therein & Cost Shares For Those Contracting Municipalities Who Wish To Prepay Their Capital Cost, referred to Budget, Finance & Personnel Committee for review.
14. Memo from Dave Wagner (McMahon); re: Notes on telephone conversation with Marty Payne (MBE Coordinator-Wis. DNR)
15. 7/18/84 letter from DNR to Manager Windau; re: Things to do within 90 days to complete Industrial Pretreatment Program.
16. 7/18/84 letter from Attorney Goggin to Manager Windau; re: Title Insurance for plant site.

July 24, 1984
Page 2

Moved by Commissioner Siebers, seconded by Commissioner Zelinski to authorize Manager Windau to execute the affidavit for the title insurance for the N-M Sewerage Treatment Plant site. All present voting aye; Nays, none. Motion carried.

17. 7/18/84 letter from Attorneys Wickwire, Gavin & Gibbs to Secretary NMSC; re: Request for copies of documents.

Ray Osness (Clayton Brown) distributed and discussed a financial report. He stated that between 15-20 firms should be interested in buying bonds and that they can't be bought by commercial banks. The registrar for the NMSC is Chase Manhattan in New York. A special meeting may be needed on August 7, 1984 - 4:00 P.M. to approve the sale of notes but Osness will know by August 3 if one is needed.

Mr. Osness also presented the following Timetable:

July 18	Rating Application Filed
August 3	Rating Received (Anticipated Rating - Moody's "MIG-1" "MIG-2")
August 7	Sale of Notes
August 29-31	Pre-Close (Milwaukee)
September 4	Receipt of Funds

Tom Vik (McMahon) gave a plant project report.

1. Sludge Storage Facilities:

McMahon is responding to DNR review comments. He stated the need to set a bid date and a meeting of the Operations, Engineering and Planning Committee was scheduled for July 30, 1984 - 9:00 A.M. at McMahon's to review the plans and specs.

Moved by Commissioner Haber, seconded by Commissioner Bemke to authorize McMahon to advertise for bids for the Sludge Storage Facilities on August 1, 1984 with the Bid Opening to be September 5, 1984 - 3:00 P.M. in the Neenah Council Chambers, contingent on approval of the plans and specs by the Engineering Committee. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Siebers that the bid opening be considered an official NMSC meeting. All present voting aye; Nays, none. Motion carried.

2. Grant

McMahon is responding to DNR review comments.

3. User Charges

The proposed user charge system has been approved by DNR. McMahon has reviewed the effect of the bid prices on the estimated user charges and will report to the finance committee at its next meeting.

4. Contractor's Submittals

Contractors have been directed to prepare and submit WBE-MBE documentation and cost breakdowns.

5. Easements for Interceptor Route

Updated easements needed in order to construct NMSC regional interceptor beginning at the treatment plant site.

Tom Vik discussed the 7/23/84 letter to John Hario (DNR) from McMahon regarding comments received from DNR regarding ineligible costs which were bid, sludge storage facilities, project schedules, etc.

Dr. Tom Burrows (Waverly S.D.) expressed the desire by Waverly to prepay. They need to know how much and if a system can be devised for rebating what the Commission doesn't use. Subject will be discussed at a Budget, Finance & Personnel Committee meeting scheduled for July 31, 1984 - 4:00 P.M. at the NMSC offices.

Moved by Commissioner Siebers, seconded by Commissioner Bemke to schedule an Executive Session of the NMSC for July 27, 1984 - 4:00 P.M. at the NMSC office for the purpose of discussing the acquisition of properties and/or easements for the interceptor route. The meeting will be conducted as a closed session pursuant to Wis. Stats., Sec. 19.85 (1)(e). Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Haber to approve Operating Fund Vouchers #7293 thru #7341 in the amount of \$71,537.99 and Payroll Vouchers #13711 thru #13773 in the amount of \$45,419.27 for the month of June, 1984. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Bemke, seconded by Commissioner Zelinski to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 5:30 P.M.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION
Executive Session
July 27, 1984

Present: Commissioners Mulvey, Zelinski, Gross, LeCompte, Bemke, Haber, Siebers; Manager Windau; Attorney Goggin; George Rehbein (Appraiser); Reginald Draheim (Negotiator); John Pinion and Tom Probst (McMahon)

Meeting began at 4:07 P.M.

NMSC convened in Executive Session in accordance with 19.85 (1) (e) to discuss acquisition of properties and/or easements for the interceptor route.

Attorney Goggin discussed the need for easement acquisition through negotiation or condemnation. He introduced Mssrs. Rehbein and Draheim and explained their functions as appraiser and negotiator, respectively.

John Pinion discussed the interceptor route and easement needs. In regard to the Wisconsin Tissue Mills easement, George Rehbein stated that he would complete this appraisal by August 3.

There was a discussion on two easement resolutions drafted by Attorney Goggin.

Moved by Frank Bemke and seconded by Bill Zelinski to adopt the resolution which authorizes payment for easements of:

- \$600 Escamilla property
- \$300 Riviers property
- \$100 Strehlow property
- \$100 Whiting property
- \$ 1 City of Menasha property
- \$ 1 Winnebago County property
- \$ 1 Neenah & Menasha Water Power Co. property

Motion carried unanimously on a roll call vote.

Moved by Bill Zelinski and seconded by Bob Gross to adopt the resolution authorizing the Commission negotiator to offer to the property owners from whom the Commission requires easements a sum equal to the appraisal of damages as determined by Appraiser Rehbein. Motion carried unanimously on a roll call vote.

Both motions were approved conditional upon final approval being made at an open session.

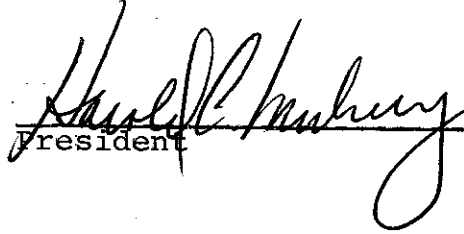
Attorney Goggin discussed the license agreements received from the railroad.

1. Chicago NW RR crossing agreements. Attorney Goggin sent a letter requesting changes, but there has been no return. Goggin suggests that NMSC sign agreement on 8/7, but that we request that they consider those changes.
2. Pinion says by 8/13 we should get letter from RR committing to sale of property.

July 27, 1984 cont...

There will be an update on easement acquisition progress at the August 7 Special Commission Meeting.

Moved by Bill Zelinski, seconded by Archie LeCompte to adjourn the meeting.
Meeting ended at 5:40 P.M.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Executive Session

August 7, 1984

Meeting began at 4:02 P.M.

NMSC convened in Executive Session in accordance with Wis. Stats., Sec. 19.85(1)(c) for the purpose of hearing a grievance presented by the Union - Local 1541 AFSCME.

Present: Commissioners Mulvey, Zelinski, Gross, Bemke, Haber and Siebers; Manager Windau; Superintendent Schuelke; Robert Lennert, William Draeger, Wayne Westenberger, Ron Geiger, Ron Nuernberg (Union member employees); Greg Spring (Union Representative)

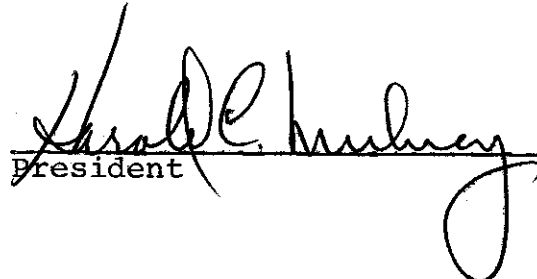
Greg Spring discussed the grievance issue which concerns the wage rate of \$5/hour for a temporary employee as opposed to the wage structure defined in the 1984 labor agreement. Mr. Spring noted George Brehm and Bill Draeger as past examples of temporary employees who received full labor agreement wages. He cited a June, 1975 arbitration decision (against NMSC) regarding award of sick leave to temporary employees.

Mr. Spring mentioned that if more time was needed to prepare the NMSC's written response, it could be arranged.


The Union personnel left the room at 4:20 P.M.

The NMSC discussed the matter. It was a concensus that the NMSC had the right to maintain a temporary employee's wage rate at less than the wage rates specified for permanent employees in the 1984 labor agreement.

Meeting ended at 5:00 P.M.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

SPECIAL MEETING

August 7, 1984

Meeting called to order by Commission President Mulvey at 5:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, Bemke, Haber, Siebers; Manager Windau; Superintendent Schuelke; Accountant Voigt; Secretary Stevenson; Attorney Goggin; Ray Osness (Clayton Brown); Tom Vik (McMahon); LeRoy Goldbeck (Town of Neenah); George Rehbein; Reggie Draheim

Absent: Commissioner LeCompte

Attorney Goggin discussed the need for a Treasurer of the Neenah-Menasha Sewerage Commission, as requested by Foley & Lardner. He stated that it was allowed by the Ordinance-Contract. Commission President Mulvey appointed Robert Gross as Treasurer of the NMSC for the remainder of the year. Moved by Commissioner Bemke, seconded by Commissioner Siebers to cast a unanimous vote for Robert Gross as Treasurer of the NMSC for the remainder of the year. All present voting aye; Nays, none. Motion carried.

Ray Osness (Clayton Brown) discussed the Resolution Providing For The Issuance & Sale of \$5,600,000 Sewer Revenue Bond Anticipation Notes of the Neenah-Menasha Sewerage Commission, Winnebago County, Wisconsin For The Purpose of Refunding Notes and Financing Expansion Of The System. He stated that the BANs would be sold as non-rated notes at an interest rate of 8.50%. The closing will be the first week in September. Moved by Commissioner Siebers, seconded by Commissioner Bamke to approve the Resolution Providing For The Issuance And Sale of \$5,600,000 Sewer Revenue Bond Anticipation Notes of the Neenah-Menasha Sewerage Commission, Winnebago County, Wisconsin For The Purpose of Refunding Notes and Financina Expansion Of The System. Voting aye; Commissioners Siebers, Haber, Bemke, Gross, Zelinski and Mulvey. Nays, none. Motion carried. Notice of such action is to be published in the Post Crescent and Northwestern with copies of affidavits to be received by the Commission from the papers.

Attorney Goggin discussed the Second Amendment of Relocation Order for the purpose of acquiring either fee simple title or a right-of-way easement for the location of an interceptor sanitary sewer which was necessary due to a routing change of the interceptor. Moved by Commissioner Siebers, seconded by Commissioner Gross to approve the Second Amendment of Relocation Order Issued In Accordance With Wis. Stats., Secs. 32.05 and 32.07 (2), of the Neenah-Menasha Sewerage Commission, A Sewerage Commission Jointly Created By Five Governmental Entities Pursuant To Wis. Stats., Section 66.30. All present voting aye; Nays, none. Motion carried.

Attorney Goggin discussed the three agreements with the railroads regarding necessary licenses for the interceptor route. He stated that there is some objectionable language in the agreements but told the Commission to execute them as they are now and send them to the railroads plus a check for \$3,500. Attorney Goggin will re-contact them at a later date regarding language changes. Moved by Commissioner Gross, seconded by Commissioner Zelinski to authorize the signing of all three railroad licenses and payment of \$3,500 to Milwaukee Road. Voting aye; Commissioners Gross, Zelinski, Siebers, Haber, Bemke and Mulvey. Nays, none. Motion carried.

Discussion was held regarding Resolution A authorizing specified payments to certain property owners for easement acquisition. Moved by Commissioner Siebers, seconded by Commissioner Haber to approve Resolution A authorizing specified payments to seven property owners for easement acquisition. Voting aye; Commissioners Siebers, Haber, Bemke, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Discussion was held on Resolution B offering property owners a sum equal to the appraisal of damages determined by the Commission appraiser. Moved by Commissioner Siebers, seconded by Commissioner Haber to approve Resolution B authorizing the Commission Negotiator to offer to property owners, from whom NMSC requires easements, a sum equal to appraisal of damages determined. Voting aye; Commissioners Siebers, Haber, Bemke, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Reggie Draheim (Draheim Co.) gave an up-date on negotiations with property owners affected by the interceptor route. Everything is going smoothly with the exception of one owner who does not want to be a part of it. The owner has hired his own attorney and Draheim stated that it could be 90 days before this could be settled. Tom Vik (McMahon) stated that we could get by without this parcel. Commissioner Haber requested a cost estimate from McMahon on going around the parcel.

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August 7, 1984 cont...

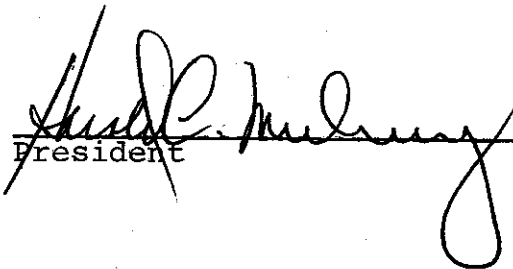
Capital Cost Allocations, developed by McMahon, and the cost split procedure for the interceptor project based on design flows were tabled until the Regular NMSC Meeting on August 14, 1984.

Commissioner Siebers discussed the possibility of hiring an accounting firm to develop a capital cost payment system which considers prepayments. Moved by Commissioner Siebers, seconded by Commissioner Zelinski to hire Virchow-Krause & Co. to develop a capital cost system which considers prepayments. Voting aye; Commissioners Siebers, Haber, Bemke, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

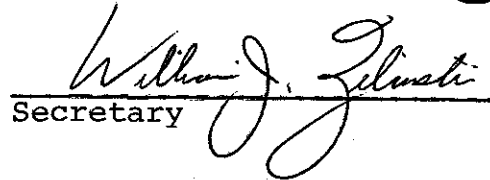
Due to a Wisconsin Wastewater Works Operators Conference (Lake Michigan District) meeting on August 28, 1984, the regularly scheduled NMSC meeting, on that date, will be held on August 21, 1984 - 4:00 P.M.

Moved by Commissioner Siebers, seconded by Commissioner Zelinski authorizing Manager Windau to draft a letter to the Union, executed by the Commission President, stating the Commission's position on the Union Grievance taken at the August 7, 1984 Executive Session. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Bemke, seconded by Commissioner Haber to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 6:00 P.M.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

August 14, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, LeCompte, Bemke, Haber and Siebers; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Alderman Knaack (Neenah); LeRoy Goldbeck (Town of Neenah); Tom Probst, Tom Vik and Dave Wagner (McMahon); Andy Thompson (Post Crescent)

Absent: None

Moved by Commissioner Bemke, seconded by Commissioner Zelinski to accept the minutes of the Regular Meeting of July 24, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Zelinski, seconded by Commissioner Gross to accept the minutes of the Executive Session of August 7, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Zelinski to accept the minutes of the Special Meeting of August 7, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

The following communications were discussed:

1. 8/2/84 letter from EPA to Attorneys Goggin, Naticis and Colwin; re: Bid Protest of Fluor Bros. Construction Co. Because no grant has been awarded, EPA has no jurisdiction to act on this at this time.
2. 8/8/84 letter from President Mulvey to Robert Lennert (President, Local 1541); re: Commission's decision following the grievance hearing.
3. 8/9/84 letter from Manager Windau to Mayor Carpenter (Neenah), Mayor Ciske (Menasha); Harold Clifford (S.D.#4), Thomas Burrows (Waverly S.D.), Walter Cloud (U.S. Paper Mills Corp.) and Preston Melton (Gilbert Paper Co.); re: Interest costs to be included in 1984 NMSC budget. A copy of this letter is to be sent to the Town of Neenah for informational purposes.

August 14, 1984 cont...

4. 1984 Mid-Year Correction of O&M Budget Splits Using January-June Data. This was tabled until the next Regular Meeting on August 21, 1984.
5. Letter from Nicolet Clinic regarding physicals for new NMSC employees. Manager Windau will request more information and report back at Regular Meeting on August 21, 1984.

Report was given on Budget, Finance and Personnel Committee meeting of August 14, 1984.

The July 9, 1984 invoice from Foley & Lardner will be resubmitted at a later date because some of the work was done with Clayton Brown & Assoc.

Moved by Commissioner Zelinski, seconded by Commissioner Gross to authorize payment of \$4,369.61 to McMahon Assoc. after September 1, 1984 for railroad surveying work. Voting aye; Commissioners Zelinski, Gross, LeCompte, Bemke, Haber, Siebers and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Zelinski to authorize payment of \$29,122.02 to McMahon Assoc., after September 1, 1984, for Sludge Storage Facilities Design Work. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Bemke, seconded by Commissioner Haber to authorize payment of \$18,468.11 to McMahon Assoc., after September 1, 1984 for Step III bidding work. Voting aye; Commissioners Bemke, Haber, Siebers, Zelinski, Gross, LeCompte and Mulvey. Nays, none. Motion carried.

Discussion was held on invoices from Appraisal Associates, Inc. and DC Draheim Company. Committee recommended tabling the invoices until work is completed and final invoices are received. Commission agreed to same.

Tom Probst (McMahon) stated that Dave Wagner (McMahon) had a telephone conversation with John Hario (DNR) on 8/14/84 and that Mr. Hario needs the following to complete his work on the grant:

1. Plan approval of Sludge Storage Facility.
2. Letter from attorney that NMSC has all necessary sites and easements to construct project. Any easements which cannot be obtained shortly and must be condemned will require an explanation, with assurances as to what specific steps will be taken to acquire them, by what date and what contracts are affected.
3. Letter assuring that federal property acquisition regulations were followed.

Probst stated that these items should be accomplished as soon as possible (preferably by 8/15/84) so DNR can certify the grant to EPA and EPA can have 45 days to award the grant. The grant must be awarded before October 1 otherwise the grant % drops to 55%.

Moved by Commissioner Haber, seconded by Commissioner Bemke to order Attorney Goggin to meet with McMahon Assoc. to prepare suitable correspondence to satisfy the demands of John Hario (DNR) and that the correspondence be hand-carried to Madison and that Attorney Goggin also be authorized to correspond with the attorney for Eldon Schultz. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Bemke, seconded by Commissioner Gross that Commissioner Haber be authorized to contact George Mueller, President, Wisconsin Tissue Mills, regarding the interceptor easement. All present voting aye; Nays, none. Motion carried.

Manager Windau will contact the NMSC on 8/15/84 and 8/16/84 as to the status of the easements.

Discussion was held on Resolution C - Capital Cost Split For The Interceptor. Moved by Commissioner Siebers, seconded by Commissioner Haber to approve Resolution C - Capital Cost Split For The Interceptor with copies sent to the contributing areas. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

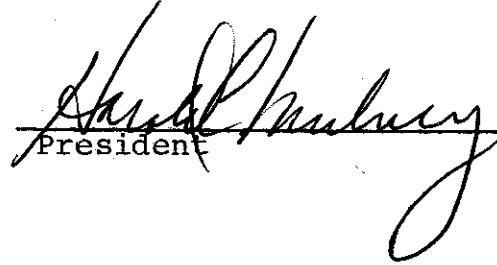
Manager Windau was authorized to check with Attorney Goggin on the proper condemnation procedures regarding the Schultz property.

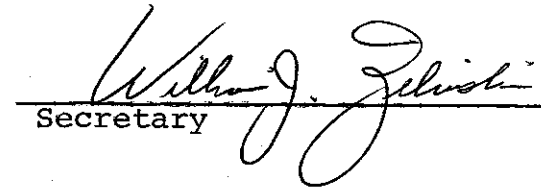
Moved by Commissioner Siebers, seconded by Commissioner Haber to approve Operating Vouchers #7342 thru #7393 in the amount of \$76,318.74 and Payroll Vouchers #13774 thru #13835 in the amount of \$45,389.87 for the month of July, 1984. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

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August 14, 1984 cont...

Moved by Commissioner Siebers, seconded by Commissioner Bemke to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 8:20 P.M.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

August 21, 1984

Meeting called to order by Commission Vice President Siebers at 4:00 P.M.

Present: Commissioners Siebers, Zelinski, Gross, Bemke, Haber; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Attorney Goggin; Tom Vik and John Pinion (McMahon); Alderman Knaack (Neenah); LeRoy Goldbeck (Town of Neenah) Andy Thompson (Post Crescent)

Absent: Commissioners Mulvey and LeCompte

Moved by Commissioner Bemke, seconded by Commissioner Haber to accept the minutes of the Regular Meeting of August 14, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Gross, seconded by Commissioner Zelinski to accept the minutes of the Budget, Finance & Personnel Committee Meeting of August 14, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

The following communications were discussed:

1. 8/17/84 letter to NMSC from employee, William Russell; re: Official notice of retirement 9/29/84. Moved by Commissioner Bemke, seconded by Commissioner Haber to recognize Mr. Russell for his years of meritorious service by presenting him with a \$100 bond upon his retirement. All Present voting aye; Nays, none. Motion carried.
2. Discussion was held on Union Grievance. Moved by Commissioner Bemke, seconded by Commissioner Zelinski that Jim Macy (Mulcahy & Wherry) be authorized to select an arbitrator to represent the Commission. All present voting aye; Nays, none. Motion carried.
3. 8/17/84 letter from Foley & Lardner: re: draft of a Fiscal Agency Agreement between the Chase Manhattan Bank and the Neenah-Menasha Sewerage Commission. Commissioner Siebers recommended that Attorney Goggin review the Fiscal Agency Agreement and render an opinion. Moved by Commissioner Gross, seconded by Commissioner Zelinski to authorize the Commission officers to execute the Fiscal Agency Agreement between the Chase Manhattan Bank and the NMSC subject to approval by Attorney Goggin. All present voting aye; Nays, none. Motion carried. If Attorney Goggin objects to the Agreement, a special meeting will be scheduled.
4. Attorney Goggin reported on the railroad agreements providing for part of the sanitary sewer interceptor route. The two party agreement between the NMSC and the Milwaukee Road has been executed by both parties and the three party agreement between the Commission, Milwaukee Road and Soo Line has been signed by the Commission and Milwaukee Road and sent to the Soo Line for execution.
5. Discussion was held on draft letter from Manager Windau to Mayor Ciske (Menasha); Harold Clifford (S.D.#4) and Dr. Thomas Burrows (Waverly S.D.); re: Resolution fixing percentages for capital cost splits for the interceptor sewer project between the three municipalities. Letter was discussed and approved with a minor change.

August 21, 1984 cont...

- 6. The final invoice from Appraisal Associates was referred to the Budget, Finance and Personnel Committee.
- 7. The Discussion on Rates, for industry, was tabled until the next Regular Meeting on September 11, 1984.
- 8. The Nicolet Clinic letter, regarding physicals for new NMSC employees, was tabled until the next Regular Meeting on September 11, 1984. Manager Windau was authorized to get more information.

Tom Vik (McMahon) presented a project progress report memo from Dave Wagner (McMahon). It stated that currently the DNR is processing the grant with a target date of August 24 for certification to the EPA.

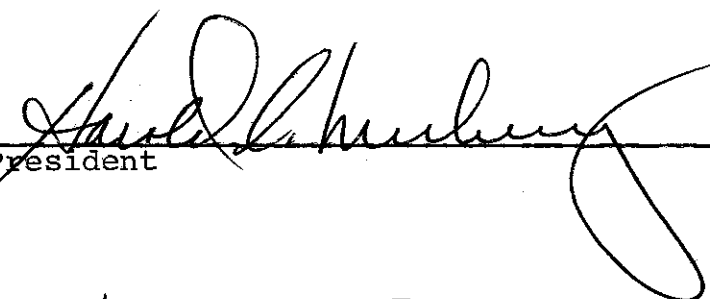
Commissioner Haber asked about starting to stockpile fill near the lake. McMahon will check this out.

Attorney Goggin discussed the easement on the Eldon Schultz property. He stated that Schultz will agree to the easement immediately with later negotiations on the \$ amount. If no agreement is arrived at on the \$ amount, the case will go to court. Moved by Commissioner Haber, seconded by Commissioner Bemke that the Commission accept the easement offer for Eldon and Ruth Schultz with no dollar value included at this time. All present voting aye; Nays, none. Motion carried.

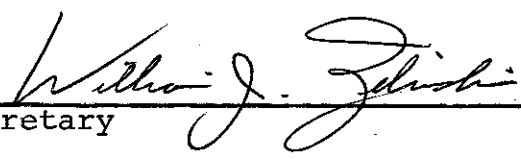
Checks are to be prepared for the easements as they are obtained.

A special meeting of the NMSC was scheduled for September 5, 1984 - 2:30 P.M. at the Neenah Council Chambers followed by the Sludge Storage Facility Bid Opening at 3:00 P.M.

Moved by Commissioner Haber, seconded by Commissioner Bemke to adjourn the meeting. All present voting aye; Nasy, none. Meeting adjourned at 5:00 P.M.



 President



 Secretary

NEENAH-MENASHA SEWERAGE COMMISSION
Special Meeting
September 5, 1984
Neenah City Council Chambers, City of Neenah

Meeting called to order by Commission President Mulvey at 2:30 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, Haber, Bemke, LeCompte; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Alderman Knaack (Neenah); Tom Vik, Dennis Lamers and Dan Roder (McMahon); LeRoy Goldbeck (Town of Neenah); Andy Thompson (Post Crescent)

Absent: Commissioner Siebers.

The communications, enclosed in the packets, were tabled until the Regular Meeting on September 11, 1984.

A Budget, Finance and Personnel Committee Meeting was scheduled for Thursday, September 13, 1984 - 4:00 P.M. at the NMSC offices to discuss the proposed 1985 NMSC Budget and other issues.

A Public Hearing on the 1985 NMSC Budget was scheduled for September 25, 1984 - 7:00 P.M. at the NMSC offices. Notice of Public Hearing will be published in local newspapers.

The sixth draft of the Industrial Pretreatment Rules and Regulations of the NMSC was distributed to the Commission. A Public Hearing on the Industrial Pretreatment

September 5, 1984 cont...

Rules and Regulations was scheduled for September 21, 1984 - 1:30 P.M. at the Menasha Council Chambers. Notice of Public Hearing will be published in local newspapers.

Attorney Goggin reported that all easement acquisitions have been received except the Milwaukee Road and Soo Line which has already been signed by the NMSC.

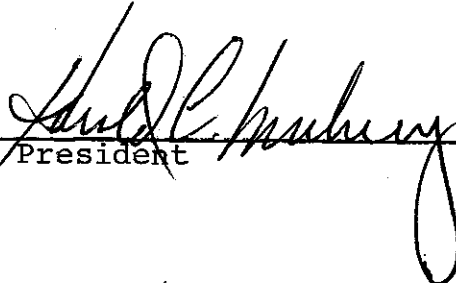
Meeting recessed until 3:00 P.M.

President Mulvey called the meeting back to order at 3:00 P.M. Receipt of the Sludge Storage Facility bids were declared closed and the bids were opened. The following is a tabulation of the bids received.


<u>C.R. Meyer</u> <u>Oshkosh, Wis.</u>	<u>Westra Construction</u> <u>Waupun, Wisconsin</u>	<u>C.D. Smith</u> <u>Fond du Lac, Wis.</u>	<u>P.G. Miron</u> <u>Appleton, Wis.</u>
\$1,275,600	\$1,298,395	\$1,298,000	\$1,254,700

The bids will be taken under advisement.

Moved by Commissioner Gross, seconded by Commissioner Bemke to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 3:15 P.M.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

September 11, 1984

Meeting called to order at 7:00 P.M. by Commission President Mulvey.

Present: Commissioners Mulvey, Zelinski, Gross, Bemke, Haber, LeCompte, Siebers; Manager Windau; Superintendent Schuelke; Tom Vik (McMahon) Dick Knaack (City of Neenah)

Absent: Secretary Stevenson

Moved by Commissioner Siebers, and seconded by Commissioner Zelinski to approve and record the minutes of the August 21, 1984 Regular Meeting as written. Motion carried unanimously.

Moved by Commissioner Haber and seconded by Commissioner Bemke to approve and record the minutes of the September 5, 1984 Special Meeting as written. Motion carried unanimously.

Communications were reviewed:

1. Letter dated 8/23/84 to DNR from McMahon; re: Minority Business Enterprises.
2. Letter dated 8/21/84 to Attorney Goggin from Chicago Northwestern Railroad transmitting signed license and suggested changes for a revised license.
3. Letter dated 8/24/84 to Chicago Northwestern Railroad from Attorney Goggin regarding modified changes for a revised license.
4. Letter dated 8/24/84 to Greg Spring (AFSCME) from James Macy (Mulcahy & Wherry) re: designation of James Nerenhausen to Arbitration Board. Note: Grievance procedure is presently stalled.
5. Letter dated 8/28/84 to Manager Windau from Tom Stoffel; re: Metering and sampling of Menasha Water Plant.

September 11, 1984 cont...

6. Letter dated 8/15/84 to Manager Windau from DNR approving sludge storage facilities plans and specifications.
7. Memo dated 8/30/84 from Ray Osness pairing blocks of dollars from B.A.N. with Certificates of Deposit of varying lengths of maturity; and issuance expense estimates. Attached was Roger Voigt's schedule of investments and interest rates.
8. Letter dated 8/29/84 to Manager Windau from Greg Spring; re: negotiations for 1985 labor agreement.
9. Copy of public notice for Public Hearing on Industrial Pretreatment Rules and Regulations for 9/21/84.
10. Letter dated 9/7/84 to Ron Geiger from Manager Windau agreeing to freeze grievance.
11. Letter dated 9/4/84 to EPA from DNR forwarding Step 3 grant application.

Moved by Commissioner Siebers and seconded by Commissioner Gross to retain the firm of Mulcahy & Wherry to assist the NMSC in negotiations for the 1985 labor agreement.

There was a discussion on the Step 3 Grant status. There was a consensus to contact Congreeman Petri's office to solicit help in any "time" problems, and to have McMahon ask contractors to hold their bid prices beyond the 90 days.

There was a brief discussion on the budget. Manager Windau had submitted a public notice to the Post Crescent for a 9/25 public hearing to consider revision of the 1984 Budget and consider the proposed 1985 Budget.

Tom Vik presented a report. Bids on the sludge storage facility have been tabulated and are under review, but McMahon has no recommendations yet. An Engineering Committee meeting will be needed soon.

There was a discussion on remuneration to Commissioners who attend conferences.

Moved by Commissioner LeCompte and seconded by Commissioner Haber to declare the Public Hearing on Industrial Pretreatment Rules and Regulations (September 21 at 1:30 P.M., Menasha City Hall) as a Special Meeting of the NMSC. Motion carried unanimously.

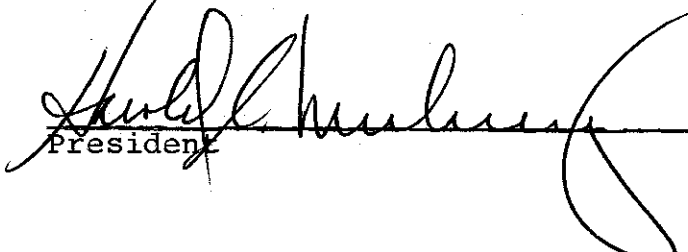
Commissioner Zelinski requested the copies of the October 5, 1982 minutes be made available.

Moved by Commissioner Siebers, and seconded by Commissioner Gross that in the future NMSC approval must be given prior to a Commissioner being eligible for remuneration for conferences and field trips. Motion carried unanimously.

Moved by Commissioner Haber and seconded by Commissioner Gross to pay the two Commissioners who attended the 8/23 WWPC meeting in Green Bay one half day remuneration (\$35) without such setting precedent. Those in favor: Commissioners Haber, Gross, Siebers, Bemke, Mulvey. Those opposed; Commissioners LeCompte, Zelinski. Motion carried.

Moved by Commissioner Zelinski and seconded by Commissioner Siebers to send \$75 to the Robert Lennert Memorial Fund. Motion carried unanimously on a roll call vote.

Moved by Commissioner Haber and seconded by Commissioner Bemke to adjourn. Motion carried unanimously. Meeting ended at 9:10 P.M.


 President


 Secretary

NEENAH-MENASHA SEWERAGE COMMISSION
Special Meeting & Public Hearing
Industrial Pretreatment Rules and Regulations
September 21, 1984
Menasha Council Chambers, Menasha, Wisconsin

Meeting called to order by Commission President Mulvey at 1:30 P.M.

Present: Commissioners Mulvey, Siebers, Gross, Haber, Bemke, LeCompte; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Attorney Goggin; Ron Hanseter (James River); Harland Shorey (Industrial Towel and Uniform); Jim Schmidt (U.S. Paper Mills); Frank Whiting & H. Gladys Swope (George Whiting Paper Company); David Bredendick (Eggers Industries); Thomas Ray (Menasha Corp.); Gary Gunderson (Gunderson Inc.)

Absent: Commissioner Zelinski

Manager Windau gave a briefing on the Rules and Regulations. (See Attached)

Comments and questions were received by the following:

1. Ron Hanseter (James River) - Confidential Information (page 32). He is involved in Research and Development at James River and, although certain information must be included in the Wastewater Discharge Permit, does it all have to be made public? Manager Windau stated that this could be worked out.
2. Frank Whiting (Geo. Whiting Paper Co.) - 4.02B - Sampling Charges. Whittings take a 24 hour composite sample out of their own sampler vs grab sample by the Commission. Should the charges be the same? Manager Windau stated that Whiting Paper is obligated to pay sufficient fees to cover the new program. However, the metering equipment cost could be excused due to Whiting's using their own equipment, but they must pay the administrative fee of \$225.
3. Jim Schmidt (U.S. Paper Mills) - Kinds and frequency of samples. Manager Windau stated that samples would be taken two to four times a year. They would not be tested for SS or BOD but other pollutants.

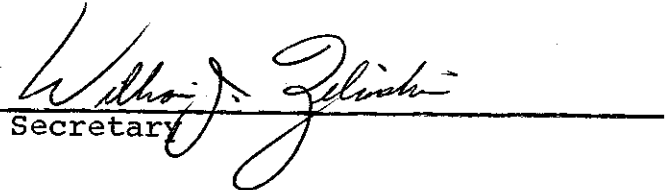
Mr. Schmidt was also concerned about the broadness of the wording in 3.01c because water has corrosive properties and he was concerned about the generalization of things in 3.01e which could refer to hydrogen sulfide. Manager Windau stated that the way these items are handled will depend on how they are viewed by the Commission and what they consider to be problems. With the language the way it is, it is not the Commission's intent to take action on every little thing.

4. Frank Whiting (Whiting Paper Co.) - 3.01H - Objectionable Color. Is color now used by Whiting Paper Co. considered objectionable? Manager Windau answered no.
5. Dave Bredendick (Eggers Industries) The current NR101 report contains definitions which could be parallel to the Wastewater Discharge Permit. Is it the intention of the Commission to perform duplicate surveys contained in NR101? Manager Windau stated that sampling done could suffice for NR101.

Moved by Commissioner Haber, seconded by Commissioner Bemke to adjourn the Public Hearing. All present voting aye; Nays, none. Public Hearing closed at 2:00 P.M.

Moved by Commissioner Haber, seconded by Commissioner Bemke to adjourn the Special Meeting. All present voting aye; Nays, none. Meeting adjourned at 2:01 P.M.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSIONSpecial MeetingOctober 2, 1984

Meeting called to order by Commission President Mulvey at 4:00 P.M.

Present: Commissioners Mulvey, Zelinski, Siebers, Gross, Haber and Bemke;
Manager Windau; Superintendent Schuelke; Secretary Stevenson

Absent: Commissioner LeCompte.

Discussion was held on American Can's request to infringe on the Interceptor easement. Commissioner Mulvey reported on a meeting held on 9/28 between Manager Windau, Superintendent Schuelke, Attorney Goggin and himself at which time McMahon Assoc. was hired to stake-out the route of the sewer so American Can is aware of the location. It was decided to clean and televise the sewer before and after the pilings are put down by American Can. Manager Windau reported that Rocket Sewer Cleaners and Televisors were hired to come in on 10/1 to do the televising and cleaning. The cleaning was done but the camera wouldn't work. Great Lakes (Green Bay) was then contacted to do the televising and the job was completed on 10/2. The interceptor is in very good shape. The City of Menasha will be billed for the survey work done by McMahon. Moved by Commissioner Bemke, seconded by Commissioner Gross to give written permission to American Can regarding their request to infringe on the NMSC Interceptor easement per their revised plans No. 1-9/24/84C with the interceptor to be televised before and after the pilings are put down, at American Can's expense. All present voting aye; Nays, none. Motion carried.

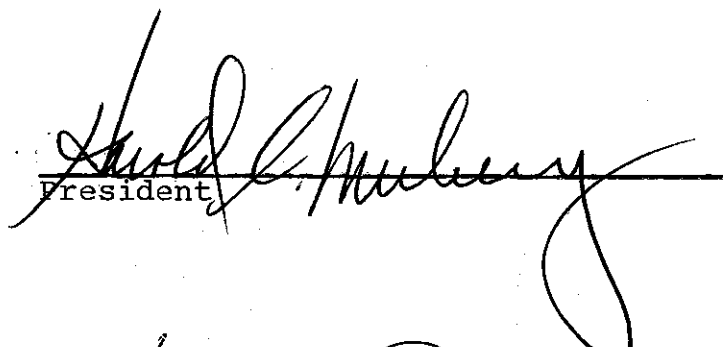
Moved by Commissioner Gross, seconded by Commissioner Zelinski to purchase title insurance for the railroad property. Voting aye; Commissioners Gross, Zelinski, Siebers, Haber, Bemke and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Gross, seconded by Commissioner Haber to authorize McMahon Assoc. to assemble railroad property encroachment descriptions and information. All present voting aye; Nays, none. Motion carried.

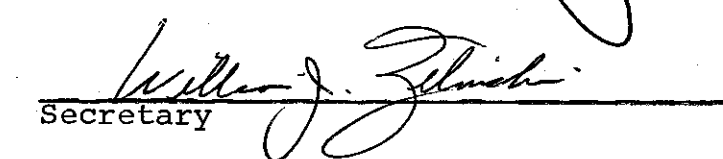
Moved by Commissioner Siebers, seconded by Commissioner Zelinski to schedule an Executive Session of the Budget, Finance & Personnel Committee for 4:00 P.M. on October 8, 1984 for the purpose of discussing labor contract negotiations pursuant to Wis. Stats. Section 19.85 (1) (c) with an open meeting to follow. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Zelinski, seconded by Commissioner Gross to authorize the Commission President to execute the October 2, 1984 cover letter to Margie Devereaux (DNR) enclosing the bidding documentation for DNR approval. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Bemke, seconded by Commissioner Zelinski to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 4:30 P.M.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSIONRegular MeetingSeptember 25, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, Siebers, Gross, LeCompte, Bemke, Haber;
Manager Windau; Superintendent Schuelke; Secretary Stevenson; Accountant
Voigt; Attorney Goggin; Dan Hartstern & Alderman Knaack (Neenah); LeRoy
Goldbeck (Town of Neenah); Tom Vik and Tom Probst (McMahon)

Absent: None

Public Hearing was held for Revision of 1984 NMSC Budget and Proposed 1985 NMSC Budget. Manager Windau stated that the Revision to 1984 Budget - Capital Projects would include \$142,800 in funds collected in October, November and December to cover the first interest payment on the B.A.N.s due 3/1/85. Manager Windau also stated that the 1985 Capital Projects Budget shows the Commission collecting \$47,600 during each of ten months in 1985 to cover interest due on the B.A.N.s. The O&M Budget estimated expense is \$1,630,480. Public comments were requested.

Commission President Mulvey declared the Public Hearing closed.

Regular Meeting convened.

Moved by Commissioner Haber, seconded by Commissioner Bemke to accept the minutes of the Regular Meeting of September 11, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Gross to accept the Budget, Finance & Personnel Committee meeting of September 13, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Bemke to accept the minutes of the Operations, Engineering & Planning Committee Meeting of September 18, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

The minutes of the Special Meeting of September 21, 1984 were tabled until the Regular Meeting of October 9, 1984.

The following communications were discussed:

1. Minutes of the Regular Meeting of October 5, 1982.
2. Article "Smelly Fields Breed Discontent" from 9/24/84 Milwaukee Journal.

Moved by Commissioner Siebers, seconded by Commissioner Haber that the revision to the 1984 Budget - Capital Projects to include \$142,800 in funds collected in October, November and December for the first interest payment on the B.A.N.s (\$238,000) due 3/1/85 be approved. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Zelinski to approve the 1985 Budget of the Neenah-Menasha Sewerage Commission. Voting aye; Commissioners Siebers, Haber, Bamke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Discussion was held on computer information. Moved by Commissioner Siebers, seconded by Commissioner Bemke to purchase an IBM PC Computer System from Central Computers at a quoted price of \$9,194.64. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

The following invoices were authorized paid by mid-October.

1. Moved by Commissioner Siebers, seconded by Commissioner Zelinski to authorize payment of \$3,370.18 to Appraisal Associates for services rendered. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.
2. Moved by Commissioner Siebers, seconded by Commissioner Zelinski to approve payment of \$1,600.24 to Relocation Assistance Services for services rendered. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.
3. Moved by Commissioner Siebers, seconded by Commissioner Zelinski to authorize payment of \$5,557.73 to McMahon Associates, withholding \$1,509.58 until the user charge system is complete, for services rendered. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.
4. Moved by Commissioner Siebers, seconded by Commissioner Zelinski to authorize payment of \$28,775 to Clayton Brown & Assoc. Inc. for services rendered. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.
5. Moved by Commissioner Siebers, seconded by Commissioner Gross to authorize payment of \$24,636.18 to Foley & Lardner for services rendered. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

September 25, 1984 cont...

- 6. Moved by Commissioner Siebers, seconded by Commissioner Zelinski to authorize payment of \$1,207.45 to Northern Bank Note Co. for services rendered. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.
- 7. Moved by Commissioner Siebers, seconded by Commissioner Gross to authorize payment of \$55.00 to Cusip Service Bureau for services rendered. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

The Virchow Krause report concerning equitable share of capital payments was tabled and referred to the Budget, Finance and Personnel Committee for further review. Tom Burrows (Waverly S.D.) would be invited to the next Commission meeting.

Bargaining Dates, for Labor Negotiations, were set-up.

October 8, 1984 - 4:00 P.M. - Meeting between NMSC bargaining team and Jim Macy (Mulcahy & Wherry)

October 23, 1984 - 6:00 P.M. - Initial exchange of proposals between the parties.

Discussion was held on the annual Wisconsin Wastewater Works Operators Conference to be held in Appleton, Wisconsin October 17, 18, 19, 1984. Moved by Commissioner Haber, seconded by Commissioner Zelinski that the NMSC pay the \$20 registration fee and for any banquet or meals for any Commissioner who wishes to attend. Voting aye; Commissioners Haber, Bemke, LeCompte, Gross, Zelinski, Siebers and Mulvey. Nays, none. Motion carried.

Tom Probst and Tom Vik (McMahon) gave a plant progress report. The EPA grant award letter has been received by the NMSC, in the amount of \$15,923,280. Moved by Commissioner Siebers, seconded by Commissioners Haber and Gross to accept the EPA grant award letter authorizing President Mulvey to execute the Grant Agreement with same to be sent back to DNR - certified mail. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Commissioner Haber reported on the Operations, Engineering & Planning Committee's recommendation to award the Sludge Storage Facility Contract to P.G. Miron Construction Co., Appleton, Wisconsin using fiberglass covers. Moved by Commissioner Haber, seconded by Commissioner Bemke to award the Sludge Storage Facility contract to P.G. Miron Construction Company. Voting aye; Commissioners Haber, Bemke, LeCompte, Gross, Zelinski, Siebers and Mulvey. Nays, none. Motion carried. McMahon will forward the bidding documents to the DNR for review.

The Quit Claim deed has been received from the Chicago Northwestern Railroad. Attorney Goggin will review it and, upon his approval, the Commission will execute it and send \$25,000 to the Chicago Northwestern Railroad.

Commissioner Siebers left the meeting.

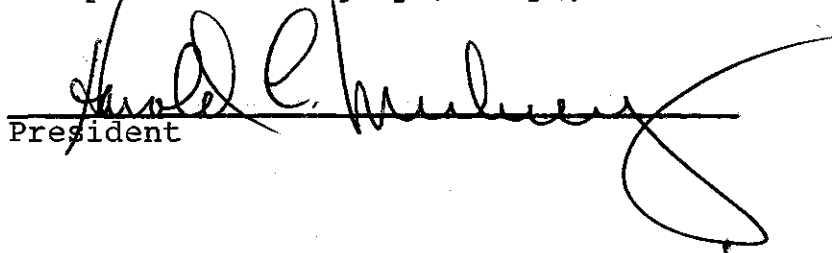
The NMSC will, on October 9, 1984, consider a proposed resolution establishing and creating Industrial Pretreatment Rules and Regulations, and will consider adoption of the Industrial Pretreatment Program.

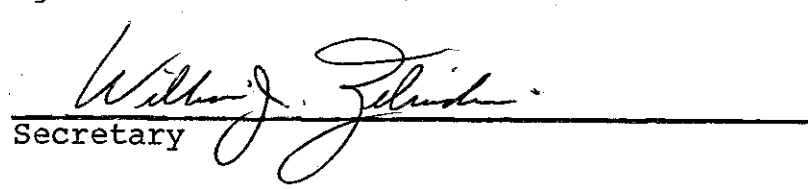
Commissioner Haber discussed a letter from Mayor Carpenter (Neenah). Neenah is requesting that the NMSC run two pumps continuously to relieve the 60" interceptor. DNR prefers partial treatment to raw discharge. Moved by Commissioner Haber, seconded by Commissioner Zelinski that the NMSC agree to run two pumps in the 60" interceptor on the basis of demand, 24 hours a day. All present voting aye; Nays, none. - Motion carried.

Commissioner LeCompte discussed the request from American Can to encroach on the NMSC easement. New plans are being drawn up and, after approval by Manager Windau and an agreement has been drawn up by Attorney Goggin, a Special Meeting of the NMSC will be held on October 2, 1984 - 4:00 P.M. Commissioner Bemke recommended Manager Windau talk to Ron Mueller (Menasha) re: televising.

Moved by Commissioner Haber, seconded by Commissioner Gross to accept Operating Fund Vouchers #7394 thru #7453 in the amount of \$72,105.52 and Payroll Vouchers #13836 thru #13899 in the amount of \$44,351.79 for the month of August, 1984. Voting aye; Commissioners Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Gross, seconded by Commissioner LeCompte to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 8:34 P.M.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSIONRegular MeetingOctober 9, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, LeCompte, Bemke, Haber, Siebers; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Attorney Goggin; Tom Vik (McMahon); LeRoy Goldbeck (Town of Neenah); Dan Hartstern (Neenah); Andy Thompson (Post Crescent)

Absent: None

Moved by Commissioner Siebers, seconded by Commissioner Zelinski to accept the minutes of the Special Meeting of September 21, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Discussion was held on minutes of the Regular Meeting of September 25, 1984. President Mulvey requested inclusion of his post-script in his September 27, 1984 letter to Mayor Carpenter. Moved by Commissioner Siebers, seconded by Commissioner Zelinski to accept the minutes of the Regular Meeting of September 25, 1984, as amended. All present voting aye; Nays, none. Motion carried.

The following communications were discussed:

1. 9/27/84 letter from President Mulvey to Mayor Carpenter; re: Commission's action at meeting on 9/25/84.
2. 10/2/84 memo from Mayor Carpenter to John Wilke; re: request from NMSC to be kept informed if the City experiences any by-passing in the future.
3. 10/4/84 letter to President Mulvey from Mayor Carpenter; re: Appreciation for action taken by Commission on 9/25/84.
4. 10/1/84 letter to Chas. M. Boldt (Boldt Const. Co.) from Attorney Goggin; re: EPA status of protest filed by Fluor Bros. Construction Co. & Boldt Construction Co.
5. 9/25/84 letter to Attorneys, from EPA; re: NMSC EPA grant No. C550861-03 Bid Protest Appeal of Fluor Bros. Construction Co.
6. 10/2/84 letter to Marjorie Devereaux (DNR) from President Mulvey; re: Bidding documents for DNR approval.

Moved by Commissioner Haber, seconded by Commissioner Bemke that no correspondence leaves the NMSC office without the concurrence of the Commissioners. A discussion followed. Commissioner LeCompte amended the motion to read that all disclosures are made known to the Commissioners before being released to the public. More discussion followed. Commissioner Haber withdrew his motion with subject to be tabled until the next regular meeting on October 23, 1984. Commissioner Bemke withdrew his second. Commissioner LeCompte withdrew his amendment.

Budget Finance & Personnel Committee report was given.

1. Prepayment Resolution
Manager Windau reported that he is waiting for final figures from McMahon in order to revise the Resolution.
2. Capital Cost Split in 1984 and 1985
Manager Windau reported that more discussion will occur on the subject. The cost splits will be based on use for the municipalities and on the Industrial Contract for industry.
3. Virchow Krause Report
Commissioner Siebers reported that the Committee accepted the report and recommends approval of Alternate 1 (no consideration of interest). Moved by Commissioner Siebers, seconded by Commissioner Zelinski to approve and accept Alternate 1 of the Virchow Krause Report on the method of accounting for prepayment. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

October 9, 1984 cont...

4. Union Negotiations

Commissioner Siebers reported that the Committee met with Jim Macy (Mulcahy & Wherry) and discussed issues pertaining to the labor contract. Mr. Macy will draft language addressing those issues and mail them to the Committee members. Issues will be exchanged with the Union on October 23, 1984 - 6:00 P.M. at an open session of the Committee.

5. Bills

Moved by Commissioner Siebers, seconded by Commissioner Gross to authorize payment of the following bills:

Virchow Krause	\$750.00
Chase Manhattan Bank	\$906.00
Schmitt Abstract & Title Ct.	\$200.00

Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Tom Vik (McMahon) presented a plant project report. He stated that the bids are at DNR for review. The bids expire October 25, 1984 and McMahon requested permission to ask the bidders to extend their bids for 30 days. Moved by Commissioner Siebers, seconded by Commissioner Haber to authorize McMahon Assoc. to request a 30 day extension of the bid prices. All present voting aye; Nays, none. Motion carried.

McMahon is tabulating the contractor's submittals to summarize the grant eligible items and innovative alternate items. The local share may not increase from the previous estimate. The preliminary breakdowns will be reviewed by Manager Windau. Moved by Commissioner Zelinski, seconded by Commissioner Gross to authorize Manager Windau to review the cost summary and forward it to the DNR upon approval. All present voting aye; Nays, none. Motion carried.

McMahon has begun to re-allocate the costs for the municipalities and industries for the user charge study. Manager Windau will review these costs and discuss them with the Budget Committee.

Discussion was held on 9/28/84 letter to Manager Windau from McMahon Assoc. Moved by Commissioner Bemke, seconded by Commissioner Zelinski to authorize McMahon to seek approval, from EPA, of sub-contracting with WNTG (Wis. Native Technical Group). All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Zelinski to adopt Ordinance No. 84-6 adopting the Industrial Pretreatment Rules & Regulations. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

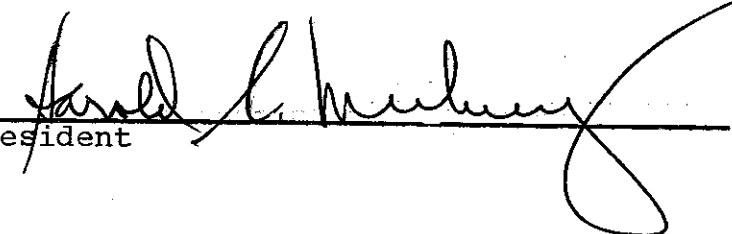
Moved by Commissioner Gross, seconded by Commissioner Siebers to adopt Resolution 84-7 endorsing the Industrial Wastewater Pretreatment Program. All present voting aye; Nays, none. Motion carried.

Discussion was held on the transmittal letter to DNR from President Mulvey. Moved by Commissioner Zelinski, seconded by Commissioner Gross to authorize the Commission President to sign the letter to Stanton Kleinert (DNR) transmitting the NMSC's request for final approval of its waste pretreatment program. All present voting aye; Nays, none. Motion carried.

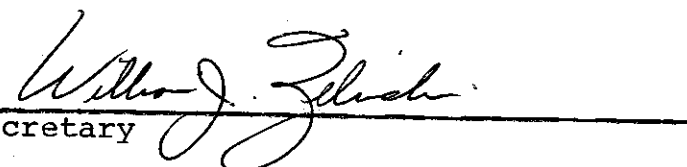
Attorney Goggin discussed the revised railroad license from the Chicago & Northwestern Transportation Co. to the NMSC. Moved by Commissioner Siebers, seconded by Commissioner Bemke to adopt Resolution 84-8 accepting a new railroad crossing license and cancelling an old license with the Chicago & Northwestern Transportation Co. and to send a check for \$100 to the railroad. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey; Nays, none. Motion carried.

Moved by Commissioner Gross, seconded by Commissioner Siebers to accept Operating Fund Vouchers #7454 thru #7519 in the amount of \$77,775.23 and Payroll Vouchers #13900 thru #13961 in the amount of \$47,476.84 for the month of September, 1984. Voting aye; Commissioners Gross, LeCompte, Bemke, Haber, Siebers, Zelinski and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Bemke, seconded by Commissioner Haber to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 8:15 P.M.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSIONRegular MeetingOctober 23, 1984

Meeting was called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, LeCompte, Bemke, Haber, Siebers; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Attorney Goggin; Tom Vik, Dave Wagner and Dave Schmalz (McMahon); LeRoy Goldbeck (Town of Neenah); Andy Thompson (News Record)

Absent: None

Moved by Commissioner Zelinski, seconded by Commissioner Gross to accept the minutes of the Regular Meeting of October 9, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Gross to accept the minutes of the Budget, Finance & Personnel Committee meeting of October 8, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

The following communications were discussed:

1. 10/5/84 letter to DNR from City of Neenah; re: Quarterly reports for 1984 - WPDES Permit No. 0026123 showing by-passing.
2. 10/11/84 letter to NMSC from PRC Consoer Townsend; re: Industrial Waste Pretreatment Program submittal.
3. 10/11/84 letter to NMSC from PRC Consoer Townsend; re: Fees for Industrial Waste Pretreatment Program. Letter will be referred to the Budget, Finance & Personnel Committee for review.
4. 10/11/84 letter and brief to NMSC from Attorneys representing C.D. Smith Co.; re: Protest filed by Fluor Bros. Attorney Goggin has read the brief submitted by the Attorneys for Fluor Bros. & C.D. Smith & has prepared a brief in the NMSC's defense. He stated that there are two questions to be answered:
 - A. Does the June 27, 1984 action of the NMSC, extending the time within which to file bids, violate applicable law?
 - B. What law controls, state or federal?

Attorney Goggin stated that a municipality or governmental body has broad discretion in discharging its responsibilities in letting bids. By Wis. law, the NMSC's exercise of its discretion by extending the filing time was patently valid.

Attorney Goggin also stated that state and local law is controlling in this matter because neither the EPA nor the federal government is a party to the contract.

Attorney Goggin also stated that a question had been raised as to whether the meeting held on 6/27/84 was properly noticed. The 6/27/84 meeting to receive and open bids had been advertised in both the Oshkosh Daily Northwestern and in the Twin City News Record on two or three occasions each. The NMSC action on June 26 to consider its meeting to be held on June 27 official was taken at a duly noticed public meeting attended by members of the public and a reporter from a local newspaper.

5. 10/12/84 letter from NMSC to Walter Cloud (U.S. Paper Mills); re: reminder of 1 yr. anniversary date of 1/10/85 when written notice must be given to the Commission confirming their initial share or adjusting of allotted share in any parameter (flow, BOD & SS). A similar letter was sent to Gilbert Paper Company.
6. 10/18/84 letter from Attorney Goggin to Chicago & Northwestern Transportation Co.; re: Enclosure of license concerning a sanitary sewer, Resolution 84-8 authorizing executing of the license and \$100 payable to the Chicago & Northwestern Transportation Co.
7. 10/18/84 letter to Attorney for Chicago, Milwaukee, St. Paul & Pacific railroad from Attorney Goggin; re: Request for full copies of orders 19 & 19A entered by the bankruptcy court on March 6, 1978 and December 7, 1981 authorizing the trustee to convey title to railroad property free and clear of any and all mortgages and liens. Attorney Goggin enclosed a copy of the Title Insurance Commitment for the

October 23, 1984 cont...

property being purchased. Upon receipt and acceptance of the requested orders, a check in the amount of \$25,000-will be forwarded to the railroad from the NMSC. Attorney Goggin also enclosed a list of the encroaching owners located between 6th St. & 9th St., City of Menasha, as prepared by Dave Schmalz (McMahon). Mr. Schmalz also presented a diagram sheet showing the location of each encroaching owner. Attorney Goggin presented a draft letter to each owner acknowledging the encroachment and requesting each owner to sign an agreement to this effect indicating that he or she will make no claim to title to the land which is encroached.

Moved by Commissioner Bemke, seconded by Commissioner LeCompte authorizing Attorney Goggin to send a letter to each encroaching owner acknowledging the encroachment and requesting each owner to sign an agreement to this effect indicating that no claim to title to the land which is encroached will be made. All present voting aye; Nays, none. Motion carried.

- 8. 10/16/84 letter to Manager Windau from Attorneys for Fluor Bros; re: Fluor Bros. consent to extend bid to December 31, 1984.
- 9. 10/19/84 letter to Chicago, Milwaukee, St. Paul & Pacific Railroad from McMahon Assoc.; re: Steel piping for interceptor is required by license. McMahon prefers concrete jacking pipe.
- 10. 10/22/84 letter to DNR from Manager Windau; re: Notification of NMSC by-passing done on October 18 & 19, 1984 due to rainstorm.
- 11. 10/19/84 letter to NMSC from C.D. Smith Construction Co.; re: Extension of bid to November 25, 1984.

Commissioner Siebers gave a Budget, Finance & Personnel Committee Report.

1. Union Contract Issues

The initial meeting to exchange issues between the NMSC and Local 1541 was held on October 23, 1984. Closed sessions of the Budget, Finance & Personnel Committee and Local 1541 have been scheduled for November 12, 1984 4:00 P.M. and November 26, 1984 - 4:00 P.M.

2. Prepayment Resolution

Moved by Commissioner Zelinski, seconded by Commissioner Gross to adopt the revision to Resolution 84-9 of the NMSC Relating To Costs For The Project Described Therein And Cost Shares For Those Contracting Municipalities Who Wish To Prepay Their Capital Costs.

3. Capital Cost Split in 1984 & 1985

A meeting of the Committee was scheduled for October 30, 1984 - 4:00 P.M. to discuss this issue.

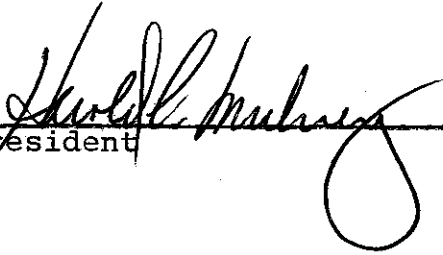
Tom Vik (McMahon) presented a plant progress report. He stated that all contractors have extended their bids for 30 days with the exception of Chas. O. Green & Reigel Electric. Aug. Winter & Sons agreed to extend their bid if they were allowed to place their orders for materials by the end of the year at 1984 costs. Mr. Vik stated that no contract has been signed yet with Aug. Winter & Sons. He will answer the letter to that effect.

Dave Wagner (McMahon) presented a report on the status of the grant. He stated that, because of the bid protest by Fluor Bros., no award can be made for Contract A. DNR cannot endorse Contracts B,C,D, or J because they are all integrally related to Contract A. They can endorse awarding Contracts E,F, & I with regard to the Interceptor. Contracts G & H cannot be endorsed until the property documentation is received by DNR. Moved by Commissioner Zelinski, seconded by Commissioner Gross to authorize Manager Windau to write a letter to DNR requesting their endorsement of Contracts E, F, & I, with letter to be signed by Commission President Mulvey and including the letter from Attorney Goggin stating the status of the property acquisition and the railroad. All present voting aye; Nays, none. Motion carried.

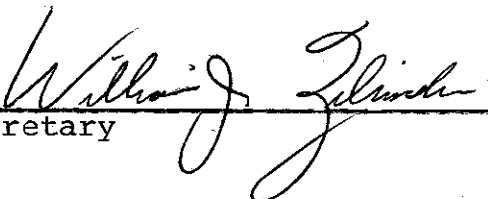
Commissioner Haber tabled the subject of disbursing correspondence from the Commission Office.

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Moved by Commissioner Bemke, seconded by Commissioner Gross to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 8:15 P.M.



 President



 Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

November 13, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Haber, Zelinski, Gross, Mulvey, LeCompte, Bemke; Manager Windau; Superintendent Schuelke; Attorney Goggin; LeRoy Goldbeck (Town of Neenah); Andy Thompson (PC); Tom Vik, Dave Schmalz (McMahon); four representatives from Milwaukee Street property owners.

Absent: Commissioner Siebers; Secretary Stevenson

Moved by Commissioner Bemke, seconded by Commissioner Zelinski to accept the minutes of the Regular Meeting of October 23, 1984 and place them on file. Motion carried unanimously.

Moved by Commissioner Gross, seconded by Commissioner Bemke to accept the minutes of the Budget, Finance & Personnel Committee meeting of October 23, 1984 and place them on file. Motion carried unanimously.

Moved by Commissioner Zelinski, seconded by Commissioner Gross to accept the minutes of the Budget, Finance & Personnel Committee of October 30, 1984 and place them on file. Motion carried unanimously.

The following communications were discussed:

1. Reply brief from legal firm representing C.D. Smith Construction (dated 10/23/84)
2. Reply brief from legal firm representing Fluor Bros. Construction (dated 10/23/84)
3. 10/18/84 letter from Reigel Electric to McMahon stating need to increase bid by \$58,600 with bid extension.
4. 10/24/84 letter from Tom Vik to August Winter & Sons stating NMSC cannot increase contract by \$2,680.
5. 10/31/84 letter from DNR to Mgr. Windau stating NMSC pretreatment program is complete.
6. 10/30/84 letter from Waverly stating intent to prepay capital cost. Payment was made on November 8.
7. 11/7/84 letter from Attorney Goggin to Milwaukee Road requesting final changes and information prior to purchase of property.
8. 11/7/84 letter from John Wilke to DNR re: bypassing by Neenah.

cont...

November 13, 1984 cont...

NMSC heard concerns from the four representatives of Milwaukee Street property owners. Giles Clark acted as spokesman for the group and distributed a list of written concerns. Attorney Goggin and Commissioners spoke to the concerns. Dave Schmalz reviewed the property resulting from his survey. He volunteered to stake the boundary between the NMSC property and the home owners property prior to construction. The property owners appeared to be relatively satisfied upon their departure.

Moved by Commissioner Zelinski, seconded by Commissioner Gross to approve the "Monthly Capital Cost Split" methodology and authorized Mgr. Windau to send it via letter to the seven contracting users. Roll call vote. Motion carried unanimously.

Mgr. Windau explained that the proposed monthly capital budget bills of \$47,600 in January and February, and \$39,667 in the remainder of the months will result in billings exceeding the 1985 Capital Projects budget (\$476,000) by \$15,870. The NMSC agreed to proceed with the billings with that understanding.

Moved by Commissioner Bemke, seconded by Commissioner Zelinski to pay the \$1,114.21 bill from the Post Crescent for publication of the industrial pretreatment rules and regulations. Roll call vote. Motion carried unanimously.

Moved by Commissioner Zelinski, seconded by Commissioner Gross to reject Consoer Townsend's request to increase the cost ceiling on the industrial pretreatment program contract and to have Mgr. Windau send a letter requesting a final bill. Motion carried unanimously.

Moved by Commissioner LeCompte, seconded by Commissioner Haber to approve and execute the contract with Super Excavators for Contracts E and I upon receipt of approval letter from DNR. Roll call vote. Motion carried unanimously.

Tom Vik announced a preconstruction conference for the interceptor project to be held on November 15, 1984 at 9:00 A.M. at McMahon offices.

Tom Vik requested that the Engineering Committee meet to establish a format for presenting information on construction progress, payment requests, etc. The meeting was scheduled for November 28, 1984 at 10:00 A.M. at McMahon offices.

Tom Vik noted that bid prices will expire on November 23 for all contracts (except Dec. 4 for sludge storage facility). We need to request another 30 day extension.

Moved by Commissioner Zelinski, seconded by Commissioner Gross to authorize McMahon to request all contractors to extend their bids for 30 days should the bid protest not be settled in a timely manner. Motion carried unanimously.

McMahon will respond to Riegler Electric request for bid price increase that the NMSC cannot authorize an increase.

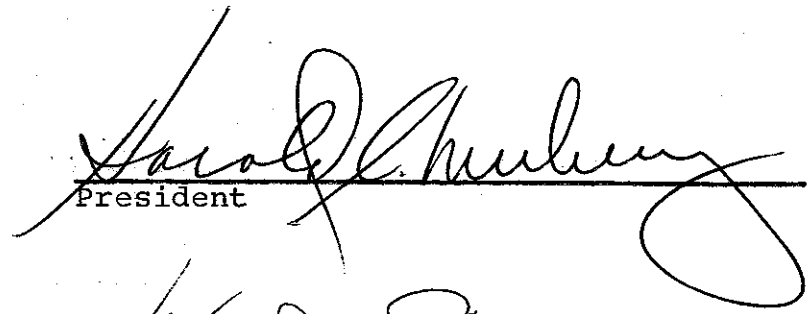
Moved by Commissioner Bemke, seconded by Commissioner Haber to authorize McMahon to study the issue of a stand-by generator to operate the raw sewage screw pumps, at a cost not to exceed \$1,000. Roll call vote. Motion carried unanimously.

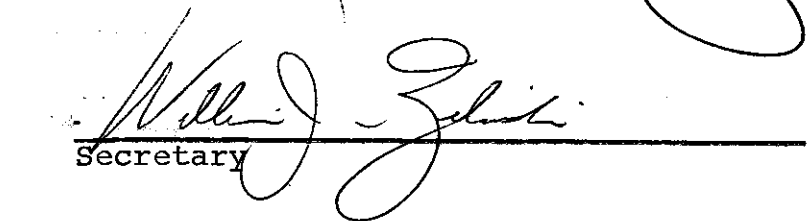
Commissioner Haber announced that he would be attending the annual Meeting of the Lower Fox River Dischargers Association on December 6, 1984. He asked if there were specific issues people wanted him to carry to the meeting.

Moved by Commissioner Zelinski, seconded by Commissioner Gross to authorize Mrg. Windau to proceed with joining Centrex Telephone system. Motion carried unanimously.

Moved by Commissioner Bemke, seconded by Commissioner Zelinski to adjourn. Motion carried unanimously.

Meeting adjourned at 8:45 P.M.



President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSIONRegular MeetingNovember 27, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, Bemke, Haber, Siebers;
Superintendent Schuelke; Secretary Stevenson; Tom Vik (McMahon);
LeRoy Goldbeck (Town of Neenah)

Absent: Commissioner LeCompte; Manager Windau

Moved by Commissioner Gross, seconded by Commissioner Zelinski to accept the minutes of the Regular Meeting of November 13, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

The following communications were discussed:

1. 11/20/84 letter to NMSC from C.D. Smith Construction Co.; re: Extension of bid to January 1, 1985.
2. 11/9/84 letter to R.R. Bruns (Milwaukee Road) from Giles Clark; re: Railroad right-of-way.
3. 11/12/84 letter to Attorney Goggin from Attorney Woodrow; re: NMSC Purchase of Railroad Right-of-Way and Steven A. Kallies.
4. 11/13/84 letter to Chicago, Milwaukee, St. Paul & Pacific Railroad Co. from Attorney Goggin; re: Railroad right-of-way.
5. 11/14/84 letter to Riegel Electric from Tom Vik (McMahon); re: Extension of electrical contract. Subject to be put on agenda for December 4, 1984 meeting.

Commissioner Siebers presented a Budget, Finance & Personnel Committee report. An agreement has been reached with employees union Local 1541 regarding the 1985 Labor Agreement. Issues will be presented upon ratification.

Operations, Engineering & Planning Committee report was presented.

Commissioner Mulvey discussed 11/8/84 letter to him from DNR, endorsing contracts E & I. These have been awarded to Super Excavators, Inc. and the work has begun.

Commissioner Mulvey distributed copies of the Preconstruction Conference minutes on the Regional Interceptor Sewer Project, held on November 15, 1984. Moved by Commissioner Haber, seconded by Commissioner Bemke that the monthly construction progress meetings be official meetings of the Operations, Engineering and Planning Committee. All present voting aye; Nays, none. Motion carried.

Tom Vik (McMahon) presented a construction progress report. Construction for Super Excavators began November 26, 1984. Contract E is the underground sewer from the wastewater treatment plant, across the river up to Broad and Lock St. As of November 27, 1984 the contractor has stripped the topsoil where the sewer will be laid in Sheppard Park and began excavation for special manhole No. 1. The first section of pipe has been laid. Super Excavators intends to complete the manhole on Mathewson St. and then begin laying pipe through the park. They also plan on moving equipment onto the island so that work can be started as soon as railroad approval is received. The river crossing is also anticipated to start within the next two weeks.

Discussion was held on invoice from McMahon Associates. Moved by Commissioner Siebers, seconded by Commissioner Gross to authorize payment of \$600 to McMahon Assoc. Inc. for professional services for Owners List, Encroachment Type and Encroachment Descriptions between 6yh and 9th Streets West of Milwaukee for Railroad Right-of-Way Purchase during October, 1984. Voting aye; Commissioners Siebers, Haber, Bemke, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Discussion was held on 11/14/84 from the Town of Neenah. Moved by Commissioner Zelinski, seconded by Commissioner Gross to refund \$4,848 to the Town of Neenah which was an overpayment on the plant project. All present voted aye on roll call vote.

Discussion was held on the November 19, 1984 letter from Outagamie Producers Cooperative regarding hauling a portion of their wastewater to the Neenah-Menasha Plant for treatment during periodic large loadings that may occur. Moved by Commissioner Siebers, seconded by Commissioner Haber to send a letter back to

November 27, 1984 cont..

Outagamie Producers Co-operative stating that the NMSC is not interested in accepting wastewater from the Outagamie Producers Co-operative at this time due to reconstruction at the plant. All present voting aye; Nays, none. Motion carried.

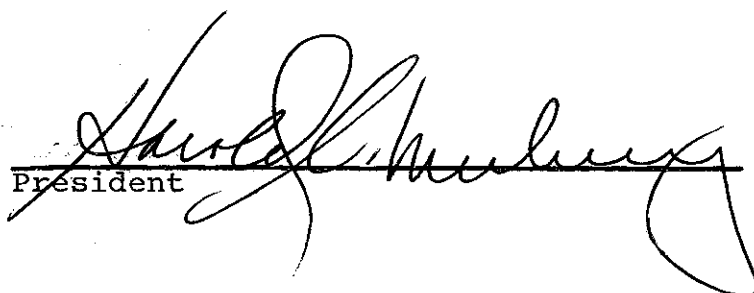
Discussion was held on letter from Attorney Goggin regarding release of \$25,000 draft to the Chicago, Milwaukee, St. Paul and Pacific Railroad Co. Moved by Commissioner Gross, seconded by Commissioner Haber to authorize release of \$25,000 to the Chicago, Milwaukee, St. Paul & Pacific Railroad Co. pending receipt of the affidavit from the railroad regarding the Kallie property. Voting aye; Commissioners Gross, Bemke, Haber, Siebers, Zelinski and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Siebers, seconded by Commissioner Zelinski to schedule the regular meetings of the NMSC for December 4 and December 18, 1984 - 7:00 P.M. All present voting aye; Nays, none. Motion carried.

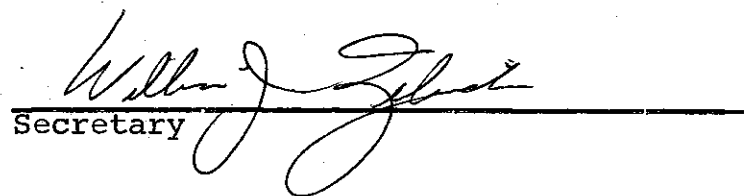
Moved by Commissioner Siebers, seconded by Commissioner Zelinski to schedule an Executive Session of the NMSC for November 30, 1984 - 4:00 P.M. for the purpose of discussing the purchase and acquisition of properties for the sewer interceptor route. The meeting will be conducted as a closed session pursuant to Wis. Stats., Sec. 19.85 (1)(e) and (g). All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Bemke to approve Operating Fund Vouchers #7520 thru #7592 in the amount of \$80,023.27 and Payroll Vouchers #13962 thru #14021 in the amount of \$48,999.73 for the month of October, 1984. Voting aye; Commissioners Haber, Bemke, Gross, Zelinski, Siebers and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Gross, seconded by Commissioner Bemke to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 8:00 P.M.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Executive Session

November 30, 1984

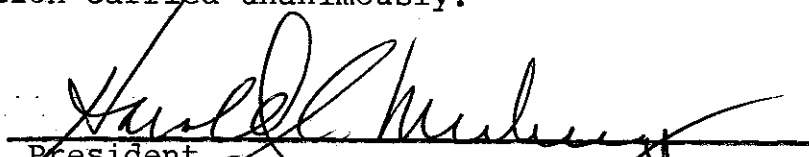
Meeting called to order by Commissioner President Mulvey at 4:00 P.M. The meeting was held as a closed session to discuss acquisition of property in accordance with S.S. 19.85 (1)(e) and (g).

Present: Commissioners Mulvey, Haber, Bemke, Gross, Zelinski, LeCompte, Siebers; Manager Windau; Attorney Goggin; John Pinion (McMahon)

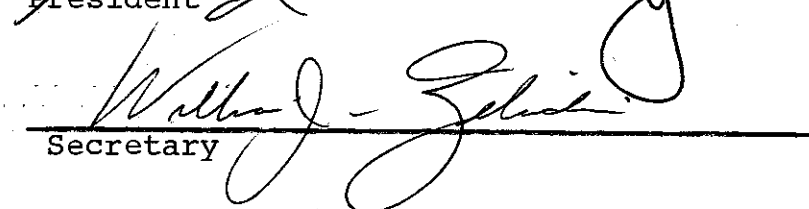
Commissioner Mulvey discussed a potential problem to getting clear title to the Milwaukee Road property. Attorney Goggin further discussed the matter.

Moved by Commissioner Haber, seconded by Commissioner Bemke to hire Paul Stevenson (Stevenson Appraisal Company) to appraise the value of an easement if Steve Kallies had possession of the railroad property. Motion carried unanimously.

Meeting ended at 4:37 P.M.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSIONRegular MeetingDecember 4, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, Bemke, Haber, Siebers;
Manager Windau; Secretary Stevenson; Attorney Goggin; LeRoy Goldbeck
(Town of Neenah); Dennis Lamers & Dave Wagner (McMahon)

Absent: Commissioner LeCompte; Superintendent Schuelke

Moved by Commissioner Zelinski, seconded by Commissioner Haber to accept the minutes of the Regular Meeting of November 27, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Bemke to accept the minutes of the Executive Session of November 30, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

The following communications were discussed:

1. 11/27/84 letter from Gilbert Paper Company to Thomas Windau; re: Revision of allotted shares of Flow, BOD and SS.
2. 11/27/84 invoice from Mulcahy & Wherry to NMSC; re: Professional services. Moved by Commissioner Gross, seconded by Commissioner Siebers to authorize payment of \$769.30 to Mulcahy & Wherry, S.C. for professional services rendered through 11/12/84. Voting aye; Commissioners Gross, Bemke, Haber, Siebers, Zelinski and Mulvey. Nays, none. Motion carried.
3. Memo from Tom Vik (McMahon) - Minutes from NMSC Engineering meeting held on 11/28/84. Acceptance of minutes was tabled until the next Regular Meeting of the NMSC on December 18, 1984.

Commissioner Siebers presented a Budget, Finance and Personnel Committee report. The Union is expected to ratify the Labor Agreement by 12/18/84 at which time it will be presented to the Commission for ratification.

Discussion was held on the Health Insurance carrier for 1985. Moved by Commissioner Siebers, seconded by Commissioner Gross that the NMSC contract with WPS-HMP for the year 1985 with the monthly premiums to be \$107.57 for a single plan and \$248.97 for a family plan. Voting aye; Commissioners Siebers, Haber, Bemke, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Dennis Lamers (McMahon) gave a progress report on the interceptor work being done by Super Excavators.

Dave Wagner (McMahon) reported on a discussion he had with John Hario (DNR) regarding the contracts, bid protest and bid extensions. The target date for a decision from EPA, on the protest, is 12/15/84. Discussion was held by the Commission as to whether or not a letter should be sent to DNR and EPA as to the Commission rebidding the project. This might force the issue. There also was discussion as to whether or not to award Contracts B, C, D, & J before Contract A. There is a risk in doing this without DNR approval of Contract A first. It was the consensus of the Commission, after much discussion, to wait until 12/17/84 to see if anything is heard from EPA on these matters. In the meantime, Dennis Lamers will contact Reigel Electric to see if they will hold their bid. A meeting will be held at 10:00 A.M. on 12/13/84 at McMahon offices with DNR personnel to discuss project management.

Discussion was held on change order procedures less than \$2000. Subject was tabled until 12/19/84.

Construction meetings between McMahon, contractors and one or two members of the Engineering Committee will be held on the first Wednesday of each month at 3:00 P.M. followed by a Committee-of-the-Whole meeting at 4:00 P.M. These meetings will be followed by a full NMSC meeting on the second Tuesday of each month at which time authorization will be made to pay any bills. The first construction meeting is scheduled for January 2, 1985.

Attorney Goggin reported on the status of the railroad property. He has reviewed the contract with the railroad and received the deed for the property. After receipt of the affidavit assuring that there are no outstanding property claims, the \$25,000 will be released to the Chicago, Milwaukee, St. Paul & Pacific Railroad Company.

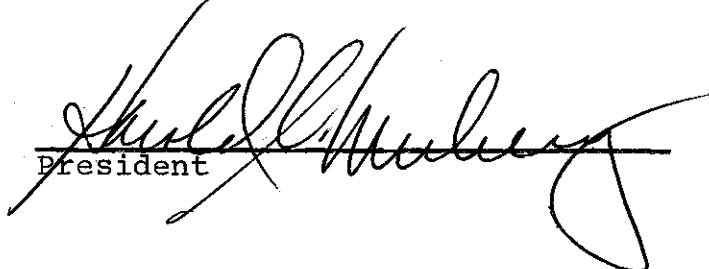
December 4, 1984 cont...

Moved by Commissioner Haber, seconded by Commissioner Zelinski to hire Stevenson Appraisal Company to appraise the value of the easement property as if Kallies had possession of the RR property. Voting aye; Commissioners Haber, Bemke, Gross, Zelinski, Siebers and Mulvey. Nays, none. Motion carried.

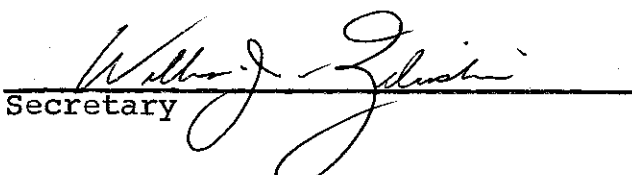
Moved by Commissioner Zelinski, seconded by Commissioner Haber to authorize Attorney Goggin to get property descriptions for all 27 properties abutting the RR property in Milwaukee Street, at \$5/property. Voting aye; Commissioners Zelinski, Gross, Bemke, Haber, Siebers and Mulvey. Nays, none. Motion carried.

Manager Windau was authorized to draft a request letter to John Hario (DNR) from President Mulvey, to approve Contracts F, G, & H.

Moved by Commissioner Bemke, seconded by Commissioner Siebers to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 8:45 P.M.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

December 18, 1984

Meeting called to order by Commission President Mulvey at 7:00 P.M.

Present: Commissioners Mulvey, Zelinski, Gross, LeCompte, Bemke, Haber and Siebers; Manager Windau; Superintendent Schuelke; Secretary Stevenson; Attorney Goggin; LeRoy Goldbeck (Town of Neenah); Paul Dingee (Virchow, Krause); Dennis Lamers and Dave Wagner (McMahon)

Absent: None

Moved by Commissioner Bemke, seconded by Commissioner Haber to accept the minutes of the Regular Meeting of December 4, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Zelinski to accept the minutes of the Operations, Engineering & Planning Committee meeting of November 28, 1984 and place them on file. All present voting aye; Nays, none. Motion carried.

The following communications were discussed:

1. Draft discharge permit from DNR to replace expired permit.
2. 11/20/84 letter to NMSC from C.D. Smith; re: Extend bid to January 1, 1985.
3. 11/21/84 letter to McMahon Assoc. from Super Excavators; re: Extend bid to 12/25/84
4. 11/26/84 letter to McMahon Assoc. from August Winter & Sons, Inc.; re: Additional amount required to extend contract to 12/25/85 would be \$868.00.
5. 11/23/84 letter to McMahon Assoc. from Chas. O. Green, Inc.; re: Extend bid a second 30 days.
6. 11/27/84 letter to McMahon Assoc. from Vanasten Heating & Sheet Metal, Inc.; Extend bid to a second 30 days.
7. 11/29/84 letter to McMahon Assoc. from P.G. Miron Construction Co.; re: Extend bid a second 30 days.
8. 11/28/84 letter to McMahon Assoc. from Reigel Electric Co.; Uncertain as to whether they can extend bid.

December 18, 1984 cont...

9. 12/5/84 letter to John Hario (DNR) from President Mulvey; re: Request for immediate approval of Contracts F, G, & H of project. Approval letter from DNR is on its way.
10. 12/5/84 letter to Chicago, Milwaukee, St. Paul & Pacific RR Co. from Attorney Goggin; re: \$25,000 check for approximately 3.36 acres of real estate purchased by NMSC from the railroad.
11. 12/5/84 letter to John Hario (DNR) from Attorney Goggin; re: Notice that NMSC has completed the purchase of approximately 3.36 acres of real estate from the railroad and requests DNR approval of Contracts F, G, and H.
12. 12/11/84 letter to John Hario from Manager Windau; re: Narrative of Real Property Acquisition Procedures.
13. 12/11/84 letter to Super Excavators from McMahon Assoc.; re: Billing procedures set-up by the Commission.

Commissioner Siebers presented a Budget, Finance and Personnel Committee report.

A. Labor Agreement

On December 10, 1984, Local 1541, AFSCME, AFL-CIO voted to ratify the Labor Agreement between the NMSC and Local 1541 for the years 1985 and 1986. Moved by Commissioner Zelinski, seconded by Commissioner Siebers to ratify the two year Labor Agreement between the NMSC and Local 1541 as spelled-out in the 11/29/84 letter from Mulcahy & Wherry. Voting aye; Commissioners Zelinski, Gross, Bemke, Haber, Siebers and Mulvey. Voting nay; Commissioner LeCompte. Motion carried.

B. Health Insurance Resolution 84-10.

Moved by Commissioner Bemke, seconded by Commissioner Zelinski to amend Resolution 84-10 to Allow Retired Employees of the NMSC to Remain Eligible for Group Health Insurance Coverage to also include Commissioners. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner Gross, seconded by Commissioner Siebers to approve Resolution 84-10, as amended, to read: A Resolution to Allow Retired Employees of the NMSC and Commissioners to Remain Eligible for Group Health Insurance Coverage. Voting aye; Commissioners Gross, LeCompte, Bemke, Haber, Siebers, Zelinski and Mulvey. Nays, none. Motion carried.

Dennis Lamers (McMahon) presented a plant progress report. Super Excavators are continuing work on Contract E. Boring under the tracks should begin about 12/20/84. The river and crossings will begin next spring. Construction meetings will be held at the NMSC offices instead of McMahon's. Vanasten will extend their bid 60 days. August Winter & Sons see no problem extending their bid. Riegel Electric is concerned about two of its suppliers - copper and instrumentation. Attorney Goggin has spoken to EPA and they will report soon on the awarding of Contract A. Moved by Commissioner Bemke, seconded by Commissioner Haber to authorize Attorney Goggin to contact the offices of Congressman Thomas Petri, Senator William Proxmire and Senator Robert Kasten, making them aware of the situation between the NMSC and EPA and asking for their help in the matter. All present voting aye; Nays, none. Motion carried.

Moved by Commissioner LeCompte, seconded by Commissioner Zelinski to authorize McMahon to draft a letter to the DNR requesting conditional approval of Contracts B, C, D, & J with approval not being granted until Contract A is resolved by EPA. Voting aye; Commissioners LeCompte, Bemke, Haber, Siebers, Zelinski, Gross and Mulvey; Nays, none. Motion carried.

Accountant Voigt entered the meeting.

A special meeting was tentatively scheduled for December 27, 1984 - 4:00 P.M. if EPA makes a decision on Contract A.

McMahon was authorized to request, in writing, the extension of all bids to January 9, 1985.

Manager Windau discussed the 12/6/84 letter from the Chicago, Milwaukee, St. Paul and Pacific RR Co. to the NMSC - okay to substitute concrete pipe for steel pipe in interceptor work beneath joint Soo Line - Milwaukee tracks.

A schedule for Contract E was presented.

December 18, 1984, cont...

Discussion was held on change order procedures less than \$2000. Moved by Commissioner Siebers, seconded by Commissioner Zelinski to authorize the President of the Commission and/or Chairman of the Engineering Committee to approve change orders less than \$2000. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Commissioner Haber reported on the annual meeting of the Lower Fox River Discharger's Association. He reported a balance of \$2,075 at the end of 1984.

Attorney Goggin reported on the easement property. The land purchased from the RR by the NMSC included 1.77 acres located south of Sixth Street which was leased by the Menasha Joint School District No. 1. The School District is interested in buying the property from the Commission, subject to the Commission retaining an easement. It was the consensus of the Commission to wait until the facility is constructed before negotiating with the property owners.

Discussion was held on analysis obtained from Paul Stevenson (Stevenson Appraisal Co.) regarding the value of an easement across the land purchased by the NMSC for the purpose of installing and maintaining a sanitary sewer and interceptor under the ground level. Moved by Commissioner Siebers, seconded by Commissioner Zelinski to authorize payment of \$140 to Stevenson Appraisal Company for analysis made on interceptor property. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Manager Windau discussed the O&M cost rates for 1985. Moved by Commissioner Zelinski seconded by Commissioner Gross to approve the 1985 O&M cost rates of:

Flow	\$0.063/1000 gals.
BOD	\$0.231/pound
SS	\$0.162/pound

Rates may be changed quarterly. Voting aye; Commissioners Zelinski, Gross, LeCompte, Bemke, Haber, Siebers and Mulvey. Nays, none. Motion carried.

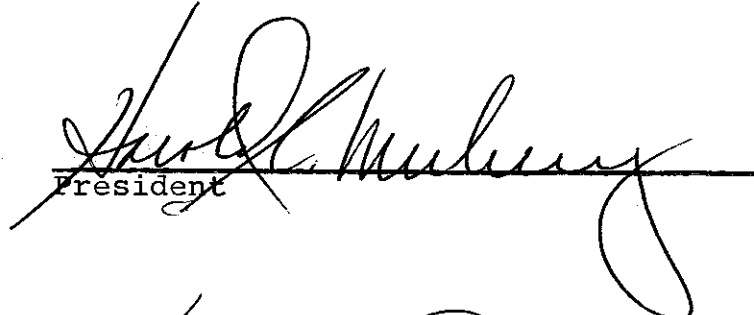
Discussion was held on 12/10/84 letter to NMSC from ECWRPC regarding a five year update on the Sewer Service Areas. Commission has 30 days to respond.


Discussion was held on the audit for 1984. Moved by Commissioner Zelinski, seconded by Commissioner Gross to execute the amended contract with Schenck & Assoc. for 1984 and refer the proposal from Virchow, Krause to the Finance Committee for future consideration. Voting aye; Commissioners Zelinski, Gross, LeCompte, Bemke, Haber, Siebers and Mulvey. Nays, none. Motion carried.

Manager Windau was authorized to check on insurance on the property purchased by the Commission, including easements.

Moved by Commissioner Siebers, seconded by Commissioner Haber to approve Operating Fund Vouchers #7593 thru #7653 in the amount of \$77,224.10 and Payroll Vouchers #14022 thru #14107 in the amount of \$64,584.56 for the month of November, 1984. Voting aye; Commissioners Siebers, Haber, Bemke, LeCompte, Gross, Zelinski and Mulvey. Nays, none. Motion carried.

Moved by Commissioner Bemke, seconded by Commissioner Haber to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 9:00 P.M.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSIONSpecial MeetingJanuary 2, 1985

Meeting called to order by Vice President Siebers at 4:00 P.M.

Present: Commissioners Siebers, Zelinski, LeCompte, Bemke, Haber; Manager Windau; Secretary Stevenson; Jeff Kellner and Dave Wagner (McMahon); Andy Thompson (News Record)

Absent: Commissioners Mulvey and Gross.

Discussion was held on EPA decision on Contract A. Attorney Goggin contacted Attorney Joh VanVranken (EPA) who stated that the order by the regional administrator has been signed and placed in the mail.

Commissioner Mulvey entered the meeting.

Discussion was held on 12/21/84 letter sent to President Mulvey from DNR regarding DNR's endorsement of Contracts F, G, and H. Moved by Commissioner Haber, seconded by Commissioner Bemke to approve awarding Contracts F & G (Interceptor Project) to Super Excavators with the Commission President and Secretary authorized to execute same and approved awarding and executing Contract H (Interceptor Project) to Chas. O. Green after execution by Green. Voting aye; Commissioners Haber, Siebers, Zelinski, LeCompte, Bemke and Mulvey. Nays, none. Motion carried.

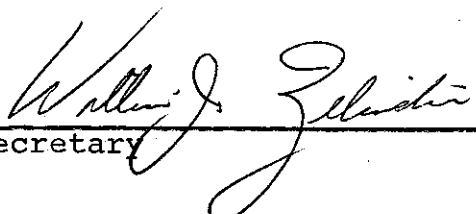
Engineering Committee Meeting to be held January 3, 1985 - 4:00 P.M. at the NMSC Offices.

Moved by Commissioner Haber, seconded by Commissioner Bemke to schedule an Executive Session of the NMSC for January 4, 1985 - 4:00 P.M. at the NMSC Offices for the purpose of receiving, discussing and considering the EPA bid protest decision on Contract A. If nothing is received from EPA by noon January 4, an alternate meeting will be held on January 7, 1985 - 4:00 P.M. If nothing is received from EPA by noon January 7, an alternate meeting will be held January 8, 1985 - 6:00 P.M. The meeting will be conducted as a closed session pursuant to Wis. Stats., Sec. 19.85 (1)(g). Voting aye; Commissioners Haber, Siebers, Zelinski, LeCompte, Bemke and Mulvey. Nays, none. Motion carried.

The labor agreement for 1985-86 between the NMSC and Local 1541 has been prepared and should be executed by both parties by January 9, 1985.

Moved by Commissioner Bemke, seconded by Commissioner LeCompte to adjourn the meeting. All present voting aye; Nays, none. Meeting adjourned at 4:40 P.M.


V- President


Secretary