

The Commissioners further discussed hiring an independent firm to review our policies and to recommend insurance levels and deductible levels the Commission should carry. After discussion, moved by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to have an independent evaluation of the Commission property and liability insurance to review and recommend levels of coverage that should be carried by the Commission. This review should be completed by mid-year 2003. Motion carried unanimously.

Teri Marx from Diversified Insurance Services mentioned to the Commission that President Bush signed the Terrorism Reform Act and the Commission should be aware of any consequences that this will have on our insurance policies regarding the coverage of terrorist activities.

Manager Much presented and discussed with the Commission the letter from MCO regarding the contract increase for 2003. This was previously discussed at the November Commission meeting. After discussion, moved by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to approve the contract increase with MCO as requested. Motion carried unanimously.

Accountant Voigt presented MCO invoice #8194 in the amount of \$62,768.77 for the month of January 2003. Moved by Commissioner R. Zielinski, seconded by Commissioner W. Helein to approve MCO invoice #8194 in the amount of \$62,768.77 for the month of January 2003 and to pay the invoice after January 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of November 2002. The interest rates earned at the State Investment Pool and on the Certificate of Deposits have dropped slightly. Commissioner D. Siebers suggested talking with the investment department at Prospera Credit Union to see what they could suggest to help improve the return on the Commission investments. Moved by Commissioner R. Handevit, seconded by Commissioner J. Jurgenson to accept the Accountants Report for the month of November 2002. Motion carried unanimously.

Accountant Voigt presented the payback check for income generated to the NMSC by MCO.

Accountant Voigt presented and discussed his memo regarding the need to approve the changes to the NMSC Section 125 Cafeteria Plan. Federal regulations have changed and the changes that are in the Section 125 Cafeteria Plan need to be approved for the plan to remain current and to meet current laws for Section 125 Cafeteria Plans. This plan is required under the labor agreement and is used for withholding employee wages as tax exempt from federal income taxes to pay for the employee's portion toward their health insurance premiums. After discussion, moved by Commissioner R. Zielinski, seconded by Commissioner D. Siebers to approve Resolution 2002-2 authorizing the amendment and restatement of the NMSC Section 125 Cafeteria Plan effective January 1, 2002 as presented. Motion carried unanimously.

The Commission discussed the NMSC unfunded actuarial accrued liability with the State of Wisconsin Retirement Plan. The current liability is \$139,009 and will increase to over \$800,000 by the year 2029. Manager Much reported that he talked with Commission Attorney Gunz on this issue. Attorney Gunz talked with former Neenah Finance Director Ted Bauer regarding this issue and he did not see the state taking any actions in the near future in removing this liability. After discussion, moved by Commissioner J. Jurgenson, seconded by Commissioner R. Handevit to use funds in the Depreciation Fund to pay off the balance of the unfunded actuarial accrued liability with the State of Wisconsin Retirement Fund before January 31, 2003. Motion carried unanimously.

Accountant Voigt reported that he talked with Mr. Raymond Osness regarding the refinancing of the Commission bonds. Mr. Osness reported that everything is currently on schedule and the rates have not fluctuated from what was reported in November. The Commission requested to keep this item on the agenda for January.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of November. Currently the plant is operating well. Commissioner D. Siebers pointed out that he noticed that the influent flows have been reducing. Moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve the operating report for the month of November 2002 and to place the report on file. Motion carried unanimously.

Manager Much presented a sewer extension request for Woodland Hills Subdivision located in the City of Menasha, Waverly Sanitary District. Moved by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to approve the sewer extension request for Woodland Hills Subdivision located in the City of Menasha, Waverly Sanitary District. Motion carried unanimously.

Manager Much reported to the Commission that he received the results from the City of Menasha and their monitoring of the NMSC 9th Street metering station. The results from the City of Menasha were 30% - 50% higher in BOD and Suspended Solids loadings and 5% - 8% higher in flows. The BOD and solids loadings may be attributed to the difference in the placement of the collection tube in the

interceptor. Manager Much is to contact Mayor Laux to discuss the discrepancies and work out how this issue should be resolved. This item is also to be put back on the agenda for the January meeting.

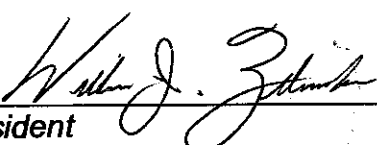
Old Business

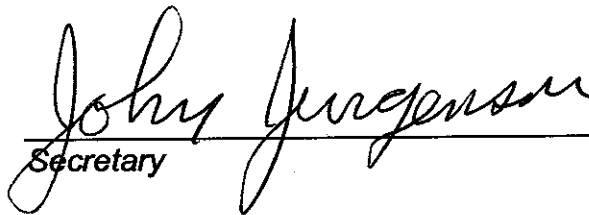
Manager Much reported that currently there is approximately 5,000 gallons per day of high strength waste being delivered from two sources – Galloway Company and Anchor Foods. The Commission requested to have a report presented monthly showing who is bringing in high strength wastes and what kind of methane gas production is being attained from the waste.

Manager Much reported that there has been one more contact via email with Sonoco. We are now waiting for further contact from them in continuing the contract negotiations.

Moved by Commissioner R. Zielinski, seconded by Commissioner W. Helein, to approve Operating Fund Vouchers #124703 thru #124763 in the amount of \$183,934.15 and Payroll Vouchers #20143 thru #20152 in the amount of \$8,236.68 for the month of November 2002. Motion carried unanimously.

Moved by Commissioner R. Handevitd, seconded by Commissioner D. Siebers to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:20 a.m.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting **Tuesday January 28, 2003**

Meeting called to order by Commission President W. Zielinski at 8:00 a.m.

Present: Commissioners R. Zielinski, J. Jurgenson, R. Handevitd, W. Zielinski, W. Helein, D. Siebers; Manager Much, Attorney Gunz, Accountant Voigt.

Absent: Commissioner G. Cowling.

Also Present: Raymond Osness (GKS&T), Jim Peichl (MCO), Paul Much (MCO), Ron Bunkert and Richard Panke (NMSC employees, AFSCME Local 1541).

Moved by Commissioner J. Jurgenson, seconded by Commissioner D. Siebers to approve the minutes of the Regular Meeting of December 17, 2002. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. January 22, 2003 e-mail received from Moody's Investors Service to Roger Voigt, NMSC Accountant.
RE: Commission Bond rating remains unchanged at A3.
- B. City of Menasha Common Council minutes of January 6, 2003 (page 3).
RE: Re-appointment of Dale Siebers as Commissioner to the NMSC.

Budget, Finance, Personnel

Commission President W. Zielinski proceeded to agenda item B. Refinancing of 1993 Bonds to accommodate those in attendance.

Mr. Raymond Osness from Griffin, Kubik, Stephen & Thompson (GKS&T) addressed the Commission regarding the refinancing of the 1993 Refunding Bond Issue. Moody's issued a rating of A3 to the Commission; in addition, the Commission will be purchasing bond insurance. At the November 26, 2002 meeting, it was calculated that the Commission would save \$55,181 by refinancing. The rates have remained favorable and have slightly decreased from November. The Commission will now be refinancing the bonds with a savings of \$68,456. By approving the two resolutions today to proceed with the bond refinancing, the rates on the bonds will be locked in and the closing will be on February 11, 2003. The Commission was presented a report showing the source and application of funds for the bond refinancing, as well as the new debt service schedule with the annual savings. Commissioner R. Handevitd requested further explanation as to what makes up the issuance expenses. Mr. Osness proceeded in explaining the costs that were incurred.

Mr. Osness discussed the purpose of Resolution 2003-1. This resolution is needed to amend the resolution adopted in 2000 which set the level of bonding allowed for the Commission. This resolution will increase the level of bonds to be issued by the Commission to \$8,500,000. After discussion, moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve Resolution 2003-1, a "RESOLUTION AMENDING RESOLUTION NO. 2000-3 TO INCREASE THE AMOUNT OF SEWERAGE SYSTEM REVENUE BONDS AUTHORIZED THEREUNDER AND MAKING RELATED CHANGES". Motion carried unanimously on a roll call vote.

Mr. Osness discussed Resolution 2003-2. This resolution authorizes the issuance and sale of the revenue bonds needed to refinance the 1993 Bonds. After discussion, moved by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to approve Resolution 2003-1, a "RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF \$2,800,000 SEWERAGE SYSTEM REVENUE BONDS, SERIES 2003A". Motion carried unanimously on a roll call vote.

Mr. Osness addressed the Commission regarding one more item for their future consideration. The Commission currently has a bond anticipation note that will come due in December 2004. After August of this year, the Commission can advance refund this issue. The current philosophy that has been followed by the Commission in its borrowing is to maintain a fairly consistent level of debt service to its users. By continuing this way, the bonds to be issued in advance refunding of the bond anticipation notes will mature in the year 2015. If the Commission would issue bonds that would mature in the year 2016, the annual debt service would decrease about \$70,000 per year. These debt service schedules are based on the current rates that are available today. This data is provided for informational purposes to the Commission for their future consideration later this year.

Commission President W. Zielinski proceeded to agenda item 6-D. - AFSCME Local 1541 grievance No. 2003-1 to accommodate those in attendance.

NMSC employees Richard Panke and Ron Bunkert addressed the Commission concerning the grievance related to performing lab testing on weekends. Attorney Gunz questioned why there is a grievance when we have a signed agreement between the Commission and AFSCME Local 1541 stating that no grievance would be filed during the first 90 days. This agreement was signed on December 2, 2002. The NMSC employees indicated that they were not aware of this agreement. Manager Much indicated that in the previous discharge permits, multiple lab tests were required to be completed on the weekends, now, with the new discharge permit, only one testing procedure is required for the weekend. This was a determining factor in why union personnel were not asked to perform lab testing prior to this. The required testing is the BOD test that involves setting up and reading out the samples. There are approximately 18 setups and anywhere from 30 - 50 readouts. Richard Panke pointed out that about one-half of the readouts were for contract labor, private lab tests for MCO. After discussion, Attorney Gunz recommended that the Commission should deny the grievance. Motion by Commissioner J. Jurgenson, seconded by Commissioner D. Siebers to deny the grievance 2003-1 from NMSC AFSCME Local 1541. Motion carried unanimously.

The Commission returned to the agenda items as published.

Accountant Voigt presented to the Commission the unaudited financial statements for December 2002. The auditors will be in on Wednesday January 29 to begin the annual audit. Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to accept the unaudited financial statements for the month of December 2002 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #8259 in the amount of \$62,983.90 for the month of February 2003. Moved by Commissioner J. Jurgenson, seconded by Commissioner D. Siebers to approve MCO invoice #8259 in the amount of \$62,983.90 for the month of February 2003 and to pay the invoice after February 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of December 2002. The interest rates earned at the State Investment Pool and on the Certificate of Deposits have dropped slightly. Moved by Commissioner R. Zielinski, seconded by Commissioner R. Handevitd to accept the Accountants Report for the month of December 2002. Motion carried unanimously.

Accountant Voigt presented the payback check for income generated to the NMSC by MCO.

Accountant Voigt informed the Commission of discussions he has had with Mr. Peter Davidson from Babbitt-Sholund Insurance Agency. Mr. Davidson's name was given to him by the Chief Financial Officer from McMahon Associates as someone who has experience in government sector insurance and who may be willing to review the Commission's insurance policies to recommend any changes or enhancements. Mr. Davidson would be willing to perform this service for the Commission unless the Commission would have any objections.

Accountant Voigt reported to the Commission that the unfunded actuarial accrued liability with the State of Wisconsin Retirement Plan has been paid off. The payoff balance was \$136,836.47.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of December. The loadings from the Town of Menasha have increased. Commissioner R. Handevitd informed the Commission that the Town of Menasha is able to monitor 17 businesses on the west side and 11 businesses on the east side of the Town. He questioned why the City of Menasha is not able to monitor the industries in the City. Manager Much reported the City is in the process of completing this. The Commission has approved changes for some industries to modify their sampling stations. Manager Much also discussed the metering calibration, collection, and testing at the 9th Street metering station. Currently we are splitting samples from this station with the City of Menasha consultant. Moved by Commissioner R. Handevitd, seconded by Commissioner W. Helein to approve the operating report for the month of December 2002 and to place the report on file. Motion carried unanimously.

Commissioner J. Jurgenson reported he needed to be excused at 9:20 from the meeting for another commitment. Commission President W. Zelinski requested to proceed to agenda item 12 – Election of Officers prior to Commissioner J. Jurgenson leaving the meeting.

Motion made by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to unanimously re-elect the current slate of officers. Motion carried unanimously. The officers of the NMSC for the coming year are: President – William Zelinski, Vice President – Dale Siebers, Secretary – John Jurgenson, Treasurer – Raymond Zielinski.

Commission President W. Zelinski returned to agenda as published.

Manager Much presented a sewer extension request for Drum Corp Drive located in the City of Menasha, Town of Menasha Utility District. Moved by Commissioner W. Helein, seconded by Commissioner R. Handevitd to approve the sewer extension request for Drum Corp Drive located in the City of Menasha, Town of Menasha Utility District. Motion carried unanimously.

Old Business

Manager Much presented a report updating the Commission as to the quantity of high strength waste being delivered, who it has been coming from, the cubic feet of gas produced, and the percent of carbon dioxide generated in the methane gas.

Manager Much reported that there is no new information to report on the progress of a new industrial user contract with Sonoco/US Mills.

Commissioner J. Jurgenson was excused from the meeting.

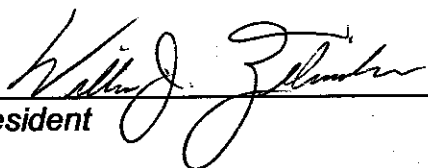
Motion made by Commissioner R. Handevitd, seconded by Commissioner W. Helein to convene into Executive Closed Session pursuant to Wisconsin Statutes Section 19.85 (1)(g) for the purposes of discussing with legal counsel the Fox River Cleanup Plan. Motion carried unanimously.

Motion made by Commissioner R. Handevitd, seconded by Commissioner R. Zielinski to adjourn the Executive Closed Session and return into open session. Motion carried unanimously.

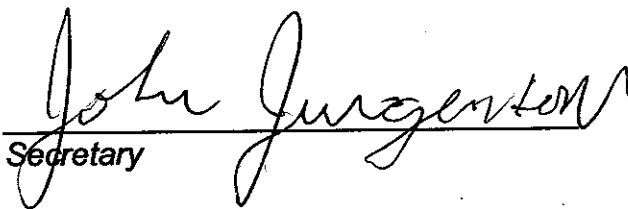
Moved by Commissioner D. Siebers, seconded by Commissioner W. Helein, to approve Operating Fund Vouchers #124764 thru #124817 in the amount of \$141,924.76 and Payroll Vouchers #20153 thru #20167 in the amount of \$8,019.52 for the month of December 2002. Motion carried unanimously.

Moved by Commissioner D. Siebers, seconded by Commissioner R. Zielinski to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 10:00 a.m.

President



Secretary



NEENAH-MENASHA SEWERAGE COMMISSION

Executive Session
Tuesday January 28, 2003

Motion made by Commissioner R. Handevidt, seconded by Commissioner W. Helein to convene into Executive Closed Session pursuant to Wisconsin Statutes Section 19.85 (1)(g) for the purposes of discussing with legal counsel the Fox River Cleanup Plan. Motion carried unanimously.

Executive closed session called to order by Commission President W. Zelinski at 9:40 a.m.

Present: Commissioners R. Zielinski, W. Zelinski, W. Helein, R. Handevidt; Attorney Gunz, Manager Much, Accountant Voigt.

Attorney Gunz addressed the Commission regarding the recent Record of Decision (ROD) issued by the DNR and EPA relating to the cleanup of the Fox River PCB's.

Attorney reminded the Commission that they are in a joint defense group and the main goal was to not be named as a responsible party. At this time they are not named as a responsible party, but an appendix in the ROD indicates that they can still be named a responsible party. The ROD does not mean other parties cannot sue the Commission. With the laws today, there is a potential for insurance coverage from the Cities of Neenah and Menasha and also from the Commission from their insurance carriers from the 1950's to the 1980's.

Attorney Gunz anticipates the agencies will be looking for municipal cooperation in treating the leachate waste and/or use of city properties (i.e. parks near or along the river). The possible alternative for not cooperating could result in being named a responsible party.

There will be a meeting in March with the technical people from the agencies. This meeting has not yet been set, so there is no further information to be provided as to the date, time, or place for the meeting. Attorney Gunz reminded the Commission that it was footnoted in the ROD that at any time, they could still be named a responsible party. The ROD lists dredging at the most likely method for the cleanup, capping of the PCB's is still an option, as well as burning is still an option. Attorney Gunz indicated the Commission is in better legal standing at this point because of the joint defense group.

Motion made by Commissioner R. Handevidt, seconded by Commissioner R. Zielinski to adjourn the Executive Closed Session and return into open session. Motion carried unanimously.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting
Tuesday February 25, 2003

Meeting called to order by Commission President W. Zelinski at 8:00 a.m.

Present: Commissioners R. Zielinski, J. Jurgenson, R. Handevidt, W. Zelinski, W. Helein, G. Cowling; Manager Much, Accountant Voigt.

Absent: Commissioner D. Siebers.

Also Present: Jim Peichl, Paul Much (MCO); Ron Bunkert, Richard Panke, Rick Badger (NMSC employees, AFSCME Local 1541); David Maccoux, Brian Lamers (Schenck S.C.).

Moved by Commissioner R. Zielinski, seconded by Commissioner W. Helein to approve the minutes of the Regular Meeting of January 28, 2003 and for the Executive Closed Session of January 28, 2003. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. January 28, 2003 letter from the Town of Neenah to Mr. George Cowling.
RE: Re-appointment of George Cowling as Commissioner to the NMSC.
- B. City of Neenah Common Council minutes of February 5, 2003 (page 1).
RE: Re-appointment of William Zielinski as Commissioner to the NMSC.
- C. February 11, 2003 letter from Mr. Randall Much, NMSC to Mr. Tod Galloway, Galloway Company.
RE: Approval of sewer piping plans for expansion of loading dock area.

Commission President W. Zielinski proceeded to agenda item 6-C. AFSCME Local 1541 grievance dated February 1, 2002 to accommodate those in attendance.

Mr. Rick Badger, legal representative for Local 1541, addressed the Commission concerning this grievance. Mr. Badger indicated he felt there was an agreement that with the employees working weekends, requests for vacations on the weekends would be honored, and now they are being mandated to make voluntary trades to be able to take these days off. It was also their impression that MCO was their relief and they would be the relief to fill in for the days off. Mr. Badger also indicated that he was unable to attend the Commission meeting in January, but he felt Attorney Gunz gave you incorrect advice relating to the grievance heard at the meeting. Mr. Badger indicated the 90-day period referred to by Mr. Gunz was the time period that the employees needed to submit any grievances, and not after, as was reported to the Commission. Ronald Bunkert (commission employee) also addressed the Commission referencing the extensive number of years of employment of its employees. Mr. Bunkert also reported that in 2002 they had only taken off 2 or 3 weekends. After further discussion, moved by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to deny the grievance and refer the issue back to Attorney Gunz. Motion carried unanimously.

President W. Zielinski returned to the agenda as published.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for January 2003. Moved by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to accept the unaudited financial statements for the month of January 2003 and place them on file. Motion carried unanimously.

Accountant Voigt introduced Mr. David Maccoux and Mr. Brian Lamers from Schenck S.C. who discussed with the Commission the recently completed audit of the financial records for calendar year 2002. After discussion of the financial report and the report on compliance and internal control, motion by Commissioner R. Zielinski, seconded by Commissioner R. Handevitd to approve the annual Financial Report and the Report on Compliance and Internal Control for December 31, 2002 as presented. Motion carried unanimously.

Accountant Voigt presented MCO invoice #8319 in the amount of \$62,595.36 for the month of March 2003. Moved by Commissioner G. Cowling, seconded by Commissioner J. Jurgenson to approve MCO invoice #8319 in the amount of \$62,595.36 for the month of March 2003 and to pay the invoice after March 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of January 2003. The interest rates earned at the State Investment Pool and on the Certificate of Deposits have dropped slightly. Moved by Commissioner R. Handevitd, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of January 2003. Motion carried unanimously.

Accountant Voigt presented the payback check for income generated to the NMSC by MCO.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of January 2003. The loadings from the Town of Menasha are still up, the City of Neenah BOD loadings are up slightly. Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to approve the operating report for the month of January 2003 and to place the report on file. Motion carried unanimously.

Manager Much presented the 2002 Compliance Maintenance Annual Report (CMAR). In 2002 the Commission experienced one situation that resulted in generating points on this report. The treatment plant has snails growing in the aeration tanks and some of these were collected in some effluent testing which was the cause for a violation. Steps will need to be taken this year in removing the snails from the aeration tanks. One possibly is using our sludge hauler to liquid haul this material and land apply it. After discussion, moved by Commissioner R. Handevitd, seconded by Commissioner W. Helein to approve the CMAR and to approve the Compliance Maintenance Resolution, NMSC Resolution 2003-3. Motion carried unanimously.

Old Business

Manager Much updated the Commission on the status of the high strength waste being delivered. Currently we are receiving 2-loads per day from McCain Foods (formerly Anchor).


Manager Much reported that Attorney Gunz has been trying to get Sonoco/US Mills to the table to discuss the new industrial user contract with Sonoco/US Mills.

Manager Much reported the evaluation on the 9th Street metering station is completed. The testing lab pulled samples from different levels in the waste stream and the results came back comparable. Samples were also split with the testing lab, NMSC lab testing reported higher BOD values than those reported by the testing lab.

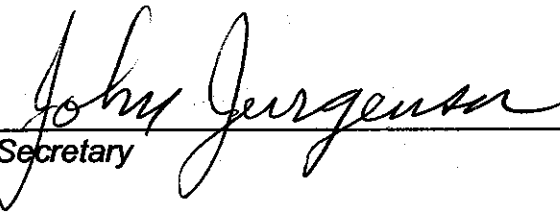
Manager Much reported that Local 1541 will start proceedings to have grievance 2003-1 go to mediation/arbitration. The Commission discussed being better informed on these grievances prior to hearing them for the first time when they are brought to the Commission by the Union. The Commissioners also requested to receive copies of the current labor agreement.

Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski, to approve Operating Fund Vouchers #124818 thru #124870 in the amount of \$304,657.95 and Payroll Vouchers #20167 thru #20179 in the amount of \$12,488.81 for the month of January 2003. Motion carried unanimously.

Moved by Commissioner R. Zielinski, seconded by Commissioner W. Helein to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:00 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting
Tuesday March 25, 2003

Meeting called to order by Commission President W. Zielinski at 8:00 a.m.

Present: Commissioners R. Zielinski, J. Jurgenson, W. Zielinski, W. Helein, G. Cowling; Manager Much, Accountant Voigt.

Absent: Commissioners D. Siebers, R. Handevitd.

Also Present: Paul Much (MCO).

Moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve the minutes of the Regular Meeting of February 25, 2003. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. February 20, 2003 letter from Mr. Daniel Roder, McMahon Associates to Mr. Randall Much, NMSC.
RE: Town of Menasha Utility District Lift Station #2 replacement.
- B. February 26, 2003 letter from Mr. Randall Much, NMSC to Mr. Daniel Roder, McMahon Associates.
RE: Proposed Lift Station #2 replacement acceptable to NMSC.
- C. February 27, 2003 letter from Mr. Steven Laabs, Town of Menasha Utility District to Mr. Randall Much, NMSC.
RE: Example of letters sent to east side business that did not supply cleaning records.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for February 2003. Moved by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to accept the unaudited financial statements for the month of February 2003 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #8390 in the amount of \$62,958.53 for the month of April 2003. Moved by Commissioner W. Helein, seconded by Commissioner G. Cowling to approve MCO invoice #8390 in the amount of \$62,958.53 for the month of April 2003 and to pay the invoice after April 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of February 2003. The interest rates at the NMSC financial institution have increased slightly and the interest earned at the State Investment Pool and on the Certificate of Deposits has dropped slightly. Moved by Commissioner W. Helein, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of February 2003. Motion carried unanimously.

Accountant Voigt presented the payback check for income generated to the NMSC by MCO.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of February 2003. The loadings from the Town of Menasha are still up. Currently we are having difficulty in dewatering the sludge due to having a higher level of oil content in the sludge. This has been a problem about this time of the year for the last couple of years. Testing of the oil has indicated it is a light machine oil or cutting oil. Attempts to identify which community the oil has been coming from has not been successful. Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to approve the operating report for the month of February 2003 and to place the report on file. Motion carried unanimously.

Manager Much reported that Mayor Laux had requested to be on the agenda for discussing sampling and testing issues. Manager Much discussed with the Commission recent sampling and the results from the 9th Street metering station. The latest testing consisted of 17 samples collected from two different collection points. This testing also checked to see if there was any difference in the tested sample between having a short draw from the collection point to the sampler versus having a longer draw as currently set-up with the NMSC sampler. From this testing, the NMSC collected suspended solids results were generally higher than what was collected in the two other testing sample points from the monitoring laboratory. This could be partly explained in that the NMSC sampler was collecting a sample every 7 – 8 minutes, while the testing laboratory sampler was collecting a sample about every 15 minutes. In the BOD testing, NMSC lab staff seeded the samples to see if that would affect the testing results. Based on seeding the samples, there was no difference in the testing results versus how the tests were normally performed. Steps taken after this sampling run included moving the NMSC sampler closer to the interceptor to reduce the draw on the sample, and to move the collection tube eight inches to be closer to the center of the interceptor pipe. After discussion, motion by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to approve the operating report as presented. Motion carried unanimously.

Old Business

Manager Much updated the Commission on the status of the high strength waste being delivered. One more load per day is being delivered and the affect of this additional waste is being monitored. Based on the results of additional waste loads being received, it will probably be this summer before a decision will be made to add the second tank for receiving the high strength wastes.

Manager Much reported that the attorneys for the NMSC and Sonoco have been exchanging emails regarding updating the contract with Sonoco. So far no additional face-to-face meetings have yet been set.

Manager Much reported an arbitration date would be held on April 1 for grievances from 2000 and 2001. Discussion followed, the Commission would like to meet with Attorney Gunz prior to the arbitration. If Attorney Gunz is available, this meeting should be set for Friday March 28 in the afternoon.

New Business

Commissioner W. Helein reported that some members in the Waverly Sanitary District have petitioned to get out of the district. They currently are not hooked up to the system.

Moved by Commissioner R. Zielinski, seconded by Commissioner W. Helein, to approve Operating Fund Vouchers #124871 thru #124934 in the amount of \$191,400.39 and Payroll Vouchers #20180 thru #20187 in the amount of \$7,838.04 for the month of February 2003. Motion carried unanimously.

Moved by Commissioner R. Zielinski, seconded by Commissioner G. Cowling to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:15 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Executive Closed Session **Friday March 28, 2003**

Meeting called to order by Commission President W. Zielinski at 1:00 p.m.

Present: Commissioners R. Zielinski, J. Jurgenson, R. Handevitdt, W. Zielinski, W. Helein, G. Cowling; Manager Much, Accountant Voigt.

Absent: Commissioners D. Siebers.

Also Present: NMSC Attorney Jim Gunz, Jim Peichl (MCO).

Motion made by Commissioner R. Handevitdt, seconded by Commissioner W. Helein to convene into executive closed session pursuant to Wisconsin State Statute Section 19.85 (1)(c) for the purpose of discussing with legal counsel the union contract and grievances. Motion carried unanimously.

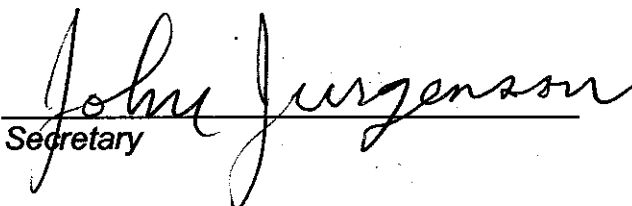
Attorney Gunz discussed with the Commission the grievances scheduled for arbitration/mediation on Tuesday April 1, 2003. These grievances related to an overtime issue, use of sick leave/emergency leave, and possibly also to be discussed is working in the laboratory on weekends. Manager Much briefly discussed the incidents that led to the filing of the grievances. Further discussion centered on the union staff and the method to resolve these issues. It was the consensus of the Commission to allow Attorney Gunz and Manager Much to deal with these grievances in the best interest of the Commission.

Motion made by Commissioner R. Handevitdt, seconded by Commissioner J. Jurgenson to adjourn the closed session and reconvene into open session. Motion carried unanimously.

Moved by Commissioner R. Handevitdt, seconded by Commissioner J. Jurgenson to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 1:40 p.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting
Tuesday April 22, 2003

Meeting called to order by Commission President W. Zelinski at 8:00 a.m.

Present: Commissioners R. Zielinski, J. Jurgenson, W. Zelinski, W. Helein, G. Cowling; Manager Much, Accountant Voigt.

Absent: Commissioners D. Siebers.

Also Present: Paul Much (MCO).

Moved by Commissioner G. Cowling, seconded by Commissioner R. Handevitd to approve the minutes of the Regular Meeting of March 25, 2003. Motion carried unanimously.

Moved by Commissioner G. Cowling, seconded by Commissioner R. Handevitd to approve the minutes of the Executive Closed Meeting of March 28, 2003. Motion carried unanimously.

Correspondence

There was no correspondence to be discussed:

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for March 2003. Moved by Commissioner R. Handevitd, seconded by Commissioner W. Helein to accept the unaudited financial statements for the month of March 2003 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #8452 in the amount of \$62,446.02 for the month of May 2003. Moved by Commissioner R. Zielinski, seconded by Commissioner R. Handevitd to approve MCO invoice #8452 in the amount of \$62,446.02 for the month of May 2003 and to pay the invoice after May 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report and Investment Report for the month of March 2003. Moved by Commissioner R. Zielinski, seconded by Commissioner W. Helein to accept the Accountants Report and Investment Report for the month of March 2003. Motion carried unanimously.

Accountant Voigt presented the payback check for income generated to the NMSC by MCO.

Accountant Voigt informed the Commissioners that the review of the Commission insurance policies is scheduled to be completed and presented to the Commission at the May Commission meeting.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of March 2003. The loadings from the Town of Menasha have dropped. Commissioner R. Handevitd reported the Town is monitoring the 11 industries that discharge to the NMSC facility. Manager Much reported the second methane engine should be running in a couple of weeks. Moved by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to approve the operating report for the month of March 2003 and to place the report on file. Motion carried unanimously.

Manager Much presented a sewer extension request from the City of Neenah for County Highway JJ and Babcock Street. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve the sewer extension request for County Highway JJ and Babcock Street located in the City of Neenah. Motion carried unanimously.

Manager Much presented a sewer extension request from McMahon Associates, Inc. for South Park Estates located in the Town of Neenah S.D. #2. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve the sewer extension request for South Park Estates located in the Town of Neenah S. D. #2. Motion carried unanimously.

Manager Much presented to the Commission a letter from NMSC employee Ronald Geiger informing the Commission of his retirement. Mr. Geiger was employed by the Commission for forty-one years. Mr. Geiger's last day of employment will be Friday April 25, 2003. Manager Much discussed with the Commission the replacement for Mr. Geiger and the requirements needed in the new person to fill his position. Discussion concerning wages for a new employee, replacing Mr. Geiger with an MCO

employee, and MCO's costs for hiring a new employee with the needed knowledge to replace Mr. Geiger ensued. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to proceed with MCO hiring the new employee to replace the retiring NMSC employee and providing a contract amendment to be approved at the next Commission meeting. Motion carried unanimously.

Manager Much reported to the Commission a request received from Menasha Mayor Joe Laux for the Commission to consider a modification to the Contract-Ordinance that would give the Commission the responsibility to monitor the flows and loadings from the industries. Currently the Commission monitors approximately 20 industries for pretreatment purposes. Depending on the number of industries that would be involved, this may require hiring additional help for performing the additional lab testing and sampling requirements. Manager Much discussed with the Commissioners the benefits of monitoring the industries and also the disadvantages with being responsible for the monitoring of the industries. Discussion followed concerning the testing, whether Mayor Laux should attend the next meeting to discuss his request, and if other communities should be invited to discuss this request. After discussion, it was the consensus of the Commission to have Mayor Laux attend the next Commission meeting to discuss with the Commissioners his request for the amendment to the Contract-Ordinance.

Old Business

Manager Much reported that we are continuing to receive the high strength waste and the results of the methane production are continually being monitored.

Manager Much reported that Attorney Gunz had sent an email to Sonoco notifying them that if negotiations don't commence on modifying the contract, the non-aggression agreement will cease. More information will be provided at the next meeting.


Manager Much reported that all grievance issues have been settled. With the overtime issue, the employee must take all of the second shift (8-hours) and not only a part of it. The funeral leave issue was settled to allow one day as sick leave and one day as vacation time.

New Business

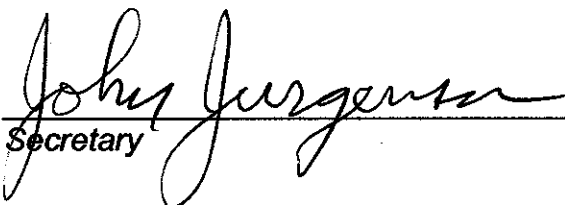
Manager Much reported that on Tuesday April 29, he would be attending a meeting with the EPA in Chicago to discuss the Fox River PCB cleanup. Also attending will be Attorney Gunz, and the attorneys from Neenah and Menasha. Currently, dredging is planned to begin in 2004.

Moved by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson, to approve Operating Fund Vouchers #124935 thru #124987 in the amount of \$188,422.06 and Payroll Vouchers #20188 thru #20202 in the amount of \$8,562.48 for the month of March 2003. Motion carried unanimously.

Moved by Commissioner R. Handevitd, seconded by Commissioner R. Zielinski to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:00 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting
Wednesday May 28, 2003

Meeting called to order by Commission President W. Zielinski at 7:30 a.m.

Present: Commissioners R. Zielinski, J. Jurgenson, D. Siebers, W. Zielinski, W. Helein, G. Cowling;
Manager Much, Attorney Gunz, Accountant Voigt.

Absent: Commissioner R. Handevitd.

Also Present: Mayor Joe Laux (City of Menasha).

Mayor Laux addressed the Commission concerning sampling issues with the NMSC 9th Street metering station. It was the Mayor's belief that when decreases in loadings are recorded at this metering station for the Town of Menasha, this then shifts an additional \$60,000 in charges to the City of Menasha because of this decrease. The city hired Badger Laboratories to review the 9th Street sampling station, and changes were recommended to be made to the sampling station. The Mayor indicated he still believes that this sampling station still under reads the collected sample more than it over reads. When the treatment plant gets spikes, the NMSC can track it so far and then they need to turn it over to the respective community to finish tracking the source. Mayor Laux proposes that the NMSC should monitor all the industries, and he believes this will reduce the conflicts between the NMSC and the City of Menasha and the Town of Menasha. Commissioner J. Jurgenson questioned if there is a more accurate way for metering, testing, and set-up of metering stations that could be used by the commission to obtain better data. It was felt the only improvements that could be made would be to get better mixing of the waste sample in the sewer system as it is collected. In addition to the 9th Street metering station and industrial monitoring, the Mayor proposed that the NMSC should see if the user charge could be changed to bill based on flow parameters only. The Mayor suggested possibly sampling for flow, BOD, and Suspended Solids at the treatment plant, subtracting out the industrial monitoring, then billing the community on a flow basis. It was pointed out that any changes to the user charge would need to maintain the fair and equitable calculation and it would also need DNR approval. Motion by Commissioner R. Zielinski, seconded by Commissioner D. Siebers to obtain pricing for a study to explore alternatives to the current monitoring and billing that is performed now that would meet DNR criteria. Motion carried unanimously.

Motion made by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to convene into Executive Closed Session pursuant to Wisconsin Statutes Section 19.85 (1)(e) and (g) for the purposes of discussing with legal counsel industrial user contracts. Motion carried unanimously. The Regular Open meeting convened into closed session at 8:15 am.

Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to adjourn the Executive Closed Session and return into open session. Motion carried unanimously. The Executive Closed Session returned in open session at 8:40 am.

Moved by Commissioner R. Zielinski, seconded by Commissioner W. Helein to approve the minutes of the Regular Meeting of April 22, 2003. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. April 22, 2003 letter from Mr. Randall Much, NMSC, to Mr. Tim Hamblin, City of Neenah.
RE: Approval for sewer extension request on CTH JJ and Babcock Street.
- B. April 22, 2003 letter from Mr. Randall Much, NMSC, to Mr. Brad Werner, McMahon Associates, Inc.
RE: Approval for sewer extension request for South Park Estates.
- C. April 18, 2003 letter from Mr. Scott MacPherson, CNA Insurance, to Mr. Roger Voigt, NMSC.
RE: Report on risk control visit of April 15, 2003.
- D. May 8, 2003 letter from Mr. Roger Voigt, NMSC, to Mr. Scott MacPherson, CNA Insurance.
RE: Response to risk control visit recommendations.

Accountant Voigt will check with Attorney Gunz if certificates of insurance for auto coverage should be obtained from the Commissioners.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for April 2003. Moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to accept the unaudited financial statements for the month of April 2003 and place them on file. Motion carried unanimously.

Accountant Voigt discussed the insurance review of the NMSC insurance policies that was performed by Mr. Peter Davidson. A copy was forwarded to the Commission's agent for his review and action on noted items.

Accountant Voigt presented MCO invoice #8520 in the amount of \$63,424.37 for the month of June 2003. This invoice does not include charges for the additional employee to be added with the proposed contract amendment. Moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve MCO invoice #8520 in the amount of \$63,424.37 for the month of June 2003 and to pay the invoice after June 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of April 2003. Moved by Commissioner J. Jurgenson, seconded by Commissioner D. Siebers to accept the Accountants Report for the month of April 2003. Motion carried unanimously.

Accountant Voigt presented the payback check for income generated to the NMSC by MCO.

Accountant Voigt presented and discussed the proposed rates for the 3rd quarter 2003. The loadings received have been less than budgeted resulting in the need to increase the rates to offset the shortage in income received. Motion made by Commissioner D. Siebers, seconded by Commissioner G. Cowling to accept the rates as proposed for Operations, Maintenance, Replacement, and Depreciation costs for the 3rd quarter 2003. Motion carried unanimously. The rates for the 3rd quarter 2003 will be: Flow - \$147.57/MG, BOD - \$0.1941/lb, SS - \$0.0906/lb.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of April 2003. Further discussion ensued pertaining to sampling procedures. Manager Much was instructed to draft a letter for commission review at the next meeting. This letter is to be sent to the communities requesting notification on new commercial and industrial firms moving into the area or process changes made by current industries that would affect loadings sent to the treatment plant. Manager Much reported on the sludge dewatering. Ferric Chloride has been added to the sludge to improve the dewatering process. Moved by Commissioner G. Cowling, seconded by Commissioner J. Jurgenson to approve the operating report for the month of April 2003 and to place the report on file. Motion carried unanimously.

Manager Much presented and discussed the amendment to the MCO contract to add additional staff to replace the NMSC employee who retired. The increase will be \$88,500 per year. The individual hired is familiar with the Neenah-Menasha treatment plant because he was working here as an employee of an electrical contractor hired by the NMSC for electrical work. Motion made by Commission D. Siebers, seconded by Commissioner J. Jurgenson to approve the "Amendment of Management, Supervision, Operations, and Maintenance Contract" as presented. Motion carried unanimously.

Manager Much discussed with the Commission the need to have a painting specification put together for obtaining quotes for repainting portions of the treatment plant. This spec would specify specific procedures for surface preparation based on the surface to be painted, and also the type of paint to be applied. McMahon Associates would put this spec together for less than \$1,000. Motion made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to authorize McMahon Associates to prepare a painting specification for repainting to be completed at the treatment plant. Motion carried unanimously.

The proposal received for the WWTP fault and coordination study will be deferred until the next commission meeting in June.

Manager Much presented a sewer extension request from McMahon Associates for White Tail Run plat, located in the Town of Neenah Sanitary District 1-1. After discussion, motion made by Commissioner D. Siebers, seconded by Commissioner R. Zielinski to approve the sewer extension request for White Tail Run plat located in the Town of Neenah Sanitary District 1-1 contingent on approval by the Town of Neenah S.D. 1-1. Motion carried unanimously.

Manager Much presented a sewer extension request from Martenson & Eisele, Inc for Northshore Woods and North Shore Road located in the Town of Harrison, Waverly Sanitary District. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner D. Siebers to approve the sewer extension request for Northshore Woods and North Shore Road located in the Town of Harrison, Waverly Sanitary District contingent upon approval being granted by the Waverly S.D. Motion carried unanimously.

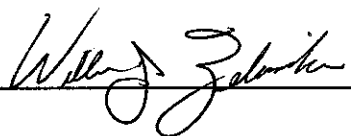
Old Business

The High Strength Waste report log was reviewed and discussed.

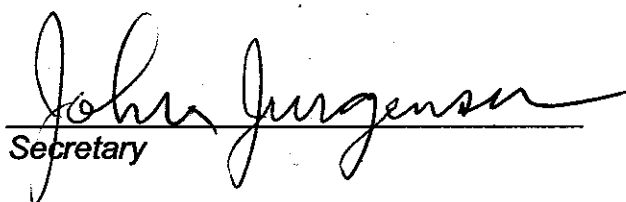
Moved by Commissioner R. Zielinski, seconded by Commissioner W. Helein, to approve Operating Fund Vouchers #124988 thru #125039 in the amount of \$176,628.26 and Payroll Vouchers #20203 thru #20210 in the amount of \$8,960.31 for the month of April 2003. Motion carried unanimously.

Moved by Commissioner D. Siebers, seconded by Commissioner R. Zielinski to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 10:00 a.m.

President



Secretary



NEENAH-MENASHA SEWERAGE COMMISSION

Executive Session
Wednesday May 28, 2003

Motion made by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to convene into Executive Closed Session pursuant to Wisconsin Statutes Section 19.85 (1)(e) and (g) for the purposes of discussing with legal counsel industrial user contracts. Motion carried unanimously. The Regular Open meeting convened into closed session at 8:15 am.

Executive closed session called to order by Commission President W. Zelinski at 8:15 a.m.

Present: Commissioners R. Zielinski, W. Zelinski, W. Helein, D. Siebers, G. Cowling, J. Jurgenson; Attorney Gunz, Manager Much, Accountant Voigt.

Attorney Gunz discussed with the Commission the attempt to revise the current contract with Sonoco. At one time we thought we were close to agreement, now it appears we are nowhere near to having a new agreement. Manager Much and Accountant Voigt met with new representatives from Sonoco to discuss this issue and to bring them up to date with the process. The three options of the commission are: 1) Do nothing and continue discussions until 2008 until current contract expires and then let them become an industry to be monitored and billed by the City of Menasha; 2) Enforce the Pretreatment Regulations, Sonoco has been trying to reduce their loadings; 3) Enforce the contract and Pretreatment Regulations, which would result in a major battle. Attorney Gunz further reported he has not been receiving any responses from the Sonoco attorney. He is not sure if he is being ignored, or if this attorney is no longer representing Sonoco. It is the recommendation of Attorney Gunz that a meeting should be set up as soon as possible with Sonoco to see what they want, and to report back to the Commission at the next meeting with the results. Sonoco representatives were informed the Commission was starting to lose their patience in attempting to redo the contract with them and their apparent continued stalling game. Sonoco did question the back charges, if they are to be paid or if special arrangements could be made to pay them over time. Commissioner D. Siebers indicated if a new contract would be agreed to, then he would like to see a three-year period where Sonoco could pay the back charges. Attorney Gunz indicated he should be involved at the next meeting that is set up with Sonoco representatives.

Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to adjourn the Executive Closed Session and return into open session. Motion carried unanimously. The Executive Closed Session returned in open session at 8:40 am.

Walter J. Zielinski

President

John Jurgenson

Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting
Tuesday June 24, 2003

Meeting called to order by Commission President W. Zelinski at 8:00 a.m.

Present: Commissioners R. Zielinski, J. Jurgenson, D. Siebers, W. Zelinski, W. Helein, G. Cowling, R. Handevitd; Manager Much, Accountant Voigt.

Also Present: Dan Kools (Martenson & Eisele); Paul Much, Jim Peichl (MCO).

Moved by Commissioner G. Cowling, seconded by Commissioner J. Jurgenson to approve the minutes of the Regular Meeting of May 28, 2003. Motion carried unanimously.

Moved by Commissioner G. Cowling, seconded by Commissioner J. Jurgenson to approve the minutes of the Executive Closed Session of May 28, 2003. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. June 4, 2003 letter from Mr. Jake Oelke, WPPI, to Mr. Paul Helgeson, PSC of Wisconsin.
RE: Wisconsin Renewable Facility Registration Report for second bio-gas engine-generator.
- B. May 28, 2003 letter from Mr. Chris Reichelt, McClone Agency, to Mr. Roger Voigt, NMSC.
RE: Response to insurance review performed by Mr. Peter Davidson.

The following correspondence was presented to the Commission at the meeting:

- C. June 24, 2003 draft letter from Mr. William Zelinski, NMSC President, to contracting municipal users of the Commission.
RE: Request for notification when industries move into service area or make significant process changes.

Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to authorize Commission President W. Zelinski to mail the letters to the contracting municipal users as drafted for requesting the notification of industries that move into the NMSC sewer service area or if current industries make significant process changes. Motion carried unanimously.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for May 2003. Moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to accept the unaudited financial statements for the month of May 2003 and place them on file. Motion carried unanimously.

Mr. Raymond Osness from Griffin, Kubik, Stephens & Thompson, Inc. (GKS&T) presented to the Commission a Financing Report for the \$5,750,000 Revenue Bond Anticipation Notes. At this time, the bond market is at its lowest point in over 40 years. This report presented three (3) options for the Commission to consider for the refinancing of the 2000 BAN's. For comparison purposes, the Commission currently has an annual debt service of approximately \$873,000. Under Option I, the annual debt service would be approximately \$750,000 per year with the final year of debt to be in year 2014. With this option, most of the Surplus Fund and Depreciation Fund monies would be used to reduce the total borrowing to \$4,560,000. Under Option II, the annual debt service would be approximately \$784,000 per year with the final year of debt to be in year 2014. With this option, only the Surplus Fund monies would be used to reduce the total borrowing to \$4,825,000. Under Option III, the annual debt service would be approximately \$809,000 per year with the final year of debt to be in year 2014. With this option, none of the Depreciation Fund and Surplus Fund monies would be used. The total borrowing would be \$5,060,000. In each of the three options, the total borrowing is based on interest rates in effect today, and will change if the interest rates change between now and the Commission meeting date in July. In discussions with the Commission, Mr. Osness offered an additional modification to Option III. By changing the final year of debt from 2014 to 2015, this would change the annual debt service from \$809,000 to approximately \$745,000. Commissioner J. Jurgenson felt the NMSC should keep the Depreciation Fund and Surplus Fund money on hand. After discussion, motion by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to proceed with refinancing the 2000 BAN's using Option III and to change the final year of this borrowing to be 2015. Motion carried unanimously.

President W. Zelinski moved to Agenda Item 6-C, Relocation of NMSC Interceptor Sewer for Menasha Marina development to accommodate those in attendance.

Mr. Dan Kools (Martenson & Eisele) discussed with the Commission the proposed change needed for moving the current NMSC Interceptor Sewer for the Marina development project. Mr. Kools presented a map showing the current location of the sewer and the proposed relocation of the Interceptor. During the discussion, the Commission suggested the possibility of looking into tying into the Interceptor that currently lies beneath the parking lot for the Banta building to eliminate some of the 90-degree turns that would occur with the current planned relocation. Mr. Kools indicated he would look into this as an option. The Commission indicated that they would expect the relocation and the easement for access and repair, which would include an indemnification clause for damage, of the Interceptor would be to be completed at no cost to the Commission. After discussion, motion made by Commissioner D. Siebers, seconded by Commissioner R. Handevitd to accept the proposed movement of the NMSC Interceptor Sewer, and to have an easement for repairs and maintenance of the Interceptor drawn up to include an indemnification clause for damages to structures and landscaping at no cost to the Commission. Motion carried unanimously.

The Commission returned to the Agenda as published.

Accountant Voigt presented MCO invoice #8584 in the amount of \$81,578.99 for the month of July 2003. This invoice includes charges for the additional employee to be added with the proposed

contract amendment. Moved by Commissioner R. Handevidt, seconded by Commissioner J. Jurgenson to approve MCO invoice #8584 in the amount of \$81,578.99 for the month of July 2003 and to pay the invoice after July 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of May 2003. Moved by Commissioner R. Handevidt, seconded by Commissioner W. Helein to accept the Accountants Report for the month of May 2003. Motion carried unanimously.

Accountant Voigt presented the payback check for income generated to the NMSC by MCO.

Accountant Voigt reported back to the Commissioners concerning their request if they should provide a certificate of insurance pertaining to their auto coverage. At this time Attorney Gunz indicated they would not need to provide it.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of May 2003. Jim Peichl reported on problems being encountered with the gas engines. We are starting to have upper cylinder problems with the engines that have not previously occurred with the engines. Currently one engine dropped a valve and we have a broken cylinder. Manager Much reported that new chemicals are added to shampoo and hairspray (siloxane) and this chemical is being found in the methane gas that is produced. Manager Much also reported that this is becoming a common problem with other facilities that use methane gas. A representative from McMahon Associates will be invited to the next Commission meeting to discuss this problem and to offer suggestions for dealing with this chemical. Moved by Commissioner R. Handevidt, seconded by Commissioner J. Jurgenson to approve the operating report for the month of May 2003 and to place the report on file. Motion carried unanimously.

Manager Much reported to the Commission that he has received a proposal from Kaempfer & Associates for looking at alternatives to the current monitoring and billing of contract users of the Commission. The proposal was to do the work on a time and expense basis with an estimated cost of \$26,500. Manager Much reported that this appears to be a reasonable amount based on the services they would be providing. After discussion, motion made by Commissioner R. Handevidt, seconded by Commissioner J. Jurgenson to let the City of Menasha know that the Commission would proceed with the review of alternatives for monitoring and billing of contract users of the Commission as proposed by Kaempfer & Associates with the costs to be at the City of Menasha expense and the report of the findings from Kaempfer & Associates to be given to the NMSC. Motion carried unanimously.

Manager Much discussed with the Commission the need to have a painting specification put together for obtaining quotes for repainting portions of the treatment plant. This spec would specify specific procedures for surface preparation based on the surface to be painted, and also the type of paint to be applied. McMahon Associates would put this spec together for less than \$1,000. Motion made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to authorize McMahon Associates to prepare a painting specification for repainting to be completed at the treatment plant. Motion carried unanimously.

Jim Peichl discussed the proposal received for the WWTP fault and coordination study from McMahon Associates. This study would identify possible problems with staff to provide the on-site repairs needed. Commissioner R. Handevidt expressed his concerns that these coordination studies should be completed every time additional equipment is added or changes are made to the facility and this should be a part of the fee that we pay the engineers when they design this work. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to proceed with the WWTP fault and coordination study as presented. Voting aye: Commissioners J. Jurgenson, G. Cowling, W. Helein, D. Siebers; voting nay: Commissioners R. Handevidt, R. Zielinski. Motion carried by majority vote (4 aye - 2 nay).

Manager Much presented a sewer extension request from Martenson & Eisele, Inc for North Shore Estates III located in the Town of Harrison, Waverly Sanitary District. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevidt to approve the sewer extension request for North Shore Estates III located in the Town of Harrison, Waverly Sanitary District. Motion carried unanimously.

Old Business

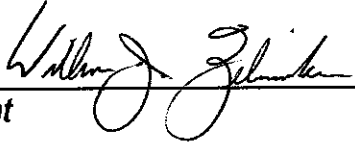
The High Strength Waste report log was presented.

Manager Much reported that a tentative date of July 11 is set for a meeting with representatives from Sonoco to discuss their contract with the Commission.

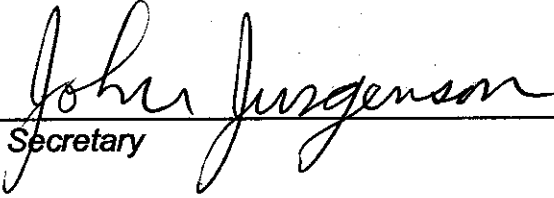
Moved by Commissioner R. Zielinski, seconded by Commissioner D. Siebers, to approve Operating Fund Vouchers #125040 thru #125112 in the amount of \$192,939.55 and Payroll Vouchers #20211 thru #20220 in the amount of \$20,827.40 for the month of May 2003. Motion carried unanimously.

Moved by Commissioner R. Handevitd, seconded by Commissioner R. Zielinski to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:20 a.m.

President



Secretary



NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting Tuesday July 22, 2003

Meeting called to order by Commission President W. Zielinski at 8:00 a.m.

Present: Commissioners R. Zielinski, J. Jurgenson, D. Siebers, W. Zielinski, W. Helein, G. Cowling; Manager Much, Attorney Gunz, Accountant Voigt.

Absent: Commissioner R. Handevitd.

Also Present: Paul Much, Jim Peichl (MCO); Chad Olson (McMahon Associates); Raymond Osness (Griffin, Kubik, Stephen & Thompson).

Motion made by Commissioner D. Siebers, seconded by Commissioner R. Zielinski to convene into Executive Closed Session pursuant to Wisconsin Statutes Section 19.85 (1)(g) for the purposes of discussing with legal counsel the Fox River Cleanup Plan. Motion carried unanimously. The Regular Open meeting convened into closed session at 8:05 am.

Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to adjourn the Executive Closed Session and return into open session. Motion carried unanimously. The Executive Closed Session returned in open session at 8:15 am.

Moved by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to approve the minutes of the Regular Meeting of June 24, 2003. Motion carried unanimously.

To accommodate those in attendance, President W. Zielinski proceeded to Agenda item 8.(B) – Treatment Options for Siloxane in NMSC WWTP produced methane gas.

Mr. Chad Olson (McMahon Associates) addressed the Commission pertaining to what Siloxane is and where it comes from. He indicated this could be the cause of the problems the Commission is experiencing with their boilers and methane gas engines. By heating siloxane, it creates silicone dioxide which then forms a deposit on the engine or boiler surfaces reducing performance. These deposits then break off and get into the engine components and increase the wear of these parts. The solution being used is to install activated carbon or graphite carbon filters to remove the siloxane from the methane gas. The carbon would need to be replaced after so many months of use after it loses its ability to remove the impurities from the methane gas. In order to determine if there is siloxane in the methane gas, and if there is, what type of system to install and what size of system to install, the Commission will need to purchase a test kit to test their methane gas. Based on the results from testing the methane gas, Mr. Olson indicated they would then be able to obtain pricing for installing the filter unit based on the Commission needs. Until he knows this information, he is unable to provide pricing options for filter units. The test kit sells for \$1,295 and the kit for performing the additional analysis needed costs \$915 for a total cost of \$2,180 to test the methane gas. Commissioner J. Jurgenson indicated we should test the gas to determine if it is siloxane causing the problems with our equipment, and then we would also know what it would cost to correct the problem if it is siloxane. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to proceed with purchasing the test kit and the additional analysis kit as discussed. Motion carried unanimously.

President W. Zielinski proceeded to Agenda item 7.(B) – Refinancing of the 2000 Sewerage System Revenue Bond Anticipation Notes.

Mr. Raymond Osness (Griffin, Kubik, Stephens & Thompson) distributed an interest rate comparison and discussed with the Commission the development of bond rates over the last several weeks. At the last meeting (June 24) the average bond rate if we were closing the sale of the bonds at that time was 3.369%. On Monday June 21 the rates were locked in at an average rate of 3.666%. Based on this increase, the Commission will be paying approximately \$10,000 more per year in interest costs. If the

rates would have been locked in today (June 22) the rates have increased approximately another 0.10% over yesterday's rate. It appears the bond rates are on the increase and the Commission looks like they made the sale for its bond issue at a good time. After further discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to adopt NMSC Resolution 2003-4, a "RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF \$5,025,000 SEWERAGE SYSTEM REVENUE BONDS, SERIES 2003B". Motion carried unanimously.

President W. Zelinski returned to the Agenda as published.

Correspondence

The following correspondence was discussed:

- A. June 44, 2003 letter from Mr. Randall Much, NMSC, to Menasha Mayor Joe Laux.
RE: City of Menasha to pay for flow monitoring and user charge study.

Manager Much reported that no response has been received from this letter.

- B. June 24, 2003 letter from Mr. Randall Much, NMSC, to Mr. Dan Kools, Martenson & Eisele.
RE: Conditions for approval of moving interceptor sewer for redevelopment project.
- C. July 10, 2003 letter from Ms. Mary Scoon, AFSCME Council 40, to NMSC President.
RE: Local 1541 intent to open negotiations for successor labor agreement.
- D. July 16, 2003 e-mail from Moody's Investor Services to Mr. Roger Voigt, NMSC.
RE: Moody's rating of A3 for Sewerage System Revenue Bonds Series 2003B.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for June 2003. Moved by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to accept the unaudited financial statements for the month of June 2003 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #8650 in the amount of \$69,788.40 for the month of August 2003. Moved by Commissioner D. Siebers, seconded by Commissioner R. Zielinski to approve MCO invoice #8650 in the amount of \$69,788.40 for the month of August 2003 and to pay the invoice after August 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report and Investment Report for the month of June 2003. \$500,000 has been moved out of the State Pool account and will be invested into Certificates of Deposits today for terms of 24 months, 30 months and 36 months. The rates will be 2.03% for the 24 month C.D. and 2.50% for the 30 month and 36 month C.D.'s. Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to accept the Accountants Report and Investment Report for the month of June 2003. Motion carried unanimously.

Accountant Voigt presented the payback check for income generated to the NMSC by MCO.

For discussion purposes, Accountant Voigt asked the Commission if they had any input regarding the 2004 Budget. This process will be starting shortly. The only item of concern would be to include the cost for carbon if new carbon filters are installed for cleaning the methane gas of siloxane.

Accountant Voigt reported the process for obtaining quotes for insurance for 2004 is also about to begin and it was asked if the Commission would be interested in obtaining competing quotes from other agents. Attorney Gunz reported that normally you should wait two to three years between obtaining competing quotes otherwise you run the risk of not having anyone interested in quoting for your business. It was also suggested that the Commission should look at creating a committee to sit in on the process of setting our insurance limits and coverages. This would eliminate the agent from rehashing and re-justifying all the information gathered in the process of setting our coverage limits and why what was decided was decided. This could be a report from the committee to the rest of the Commission. The Commission felt that setting up a committee would be a good idea. The Commissioners felt that Commissioner R. Handevitd would be someone that would be good to serve on this committee. Commission President W. Zelinski also volunteered to serve with Commissioner R. Handevitd on this committee.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of June 2003. The loadings from the City of Menasha have begun to increase as they normally do in the summer months. This is expected to continue through September as the water plant removes the algae from the drinking water. The new electric rates have now taken effect. The Commission was informed of this increase about a year ago from Menasha Utilities. Moved by Commissioner W. Helein,

seconded by Commissioner R. Zielinski to approve the operating report for the month of June 2003 and to place the report on file. Motion carried unanimously.

Attorney Gunz discussed the proposed Access Agreement with WTM I. After discussion, motion made by Commissioner D. Siebers, seconded by Commissioner W. Helein to approve the Access Agreement with WTM I as presented. Motion carried unanimously.

Old Business

The High Strength Waste report log was presented.

Manager Much reported that a meeting with representatives from Sonoco to discuss their contract with the Commission was held. The meeting was very positive and it was felt that we would have something completed very soon. The local Sonoco representatives appeared to want to have this agreement completed.

Manager Much reported no word has been heard on the decision if Menasha would pay for the study to explore the options of the current monitoring and billing method.

It was asked if it was known when the Redevelopment Project in Menasha would be occurring for the relocation of the NMSC interceptor sewer. Manager Much reported that we have not heard anything further on this issue.

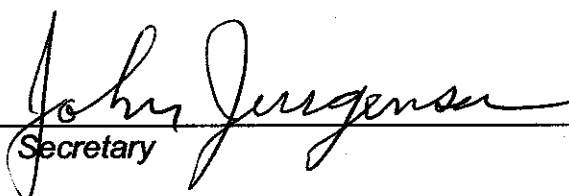
Manager Much reported the WWTP Power Distribution Fault Coordination Study is in process.

Moved by Commissioner D. Siebers, seconded by Commissioner R. Zielinski, to approve Operating Fund Vouchers #125113 thru #125170 in the amount of \$249,644.47 and Payroll Vouchers #20221 thru #20235 in the amount of \$8,172.85 for the month of June 2003. Motion carried unanimously.

Moved by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:40 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Executive Closed Session

Tuesday July 22, 2003

Motion made by Commissioner D. Siebers, seconded by Commissioner R. Zielinski to convene into Executive Closed Session pursuant to Wisconsin Statutes Section 19.85 (1)(g) for the purposes of discussing with legal counsel the Fox River Cleanup Plan. Motion carried unanimously. The Regular Open meeting convened into closed session at 8:05 am.

Executive closed session called to order by Commission President W. Zielinski at 8:05 a.m.

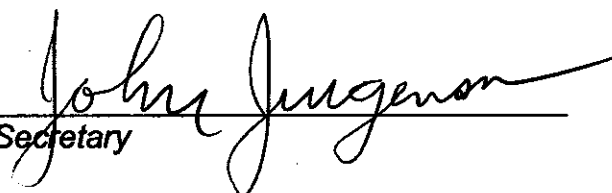
Present: Commissioners R. Zielinski, W. Zielinski, W. Helein, D. Siebers, G. Cowling, J. Jurgenson; Attorney Gunz, Manager Much, Accountant Voigt.

Attorney Gunz discussed with the Commission the proposed Access Agreement between WTM I and the NMSC. The Access Agreement is for WTM I to use a portion of NMSC property for testing purposes, WTM I will be coring and mapping Little Lake Butte des Morts. A similar agreement is being presented in the City of Neenah for additional use of property in the City of Neenah. Attorney Gunz indicated this agreement protects the NMSC, there will be no liability on the NMSC, and it will provide goodwill in dealing with the DNR and EPA. This agreement also provides value that can be given or used for use of the property if it is needed in the future.

Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to adjourn the Executive Closed Session and return into open session. Motion carried unanimously. The Executive Closed Session returned in open session at 8:15 am.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting Tuesday August 26, 2003

Meeting called to order by Commission President W. Zelinski at 8:00 a.m.

Present: Commissioners R. Zielinski, J. Jurgenson, D. Siebers, W. Zelinski, W. Helein, R. Handevidt, G. Cowling; Manager Much, Accountant Voigt.

Also Present: Paul Much, Jim Peichl (MCO)

Moved by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to approve the minutes of the Regular Meeting of July 22, 2003. Motion carried unanimously.

Moved by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to approve the minutes of the Executive Closed Session of July 22, 2003. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. July 31, 2003 letter from Mr. Randall Much, NMSC, to Mr. Jim Savinski, DNR.
RE: Plant overflow from excess flows exceeding plant hydraulic capacity.
- B. July 31, 2003 letter from Mr. Douglas Hahn, McCain Foods USA to Mr. Randall Much, NMSC.
RE: Thank you for meeting to view receiving station and sludge handling process.

The following correspondence was presented and discussed with the Commission at the meeting:

- C. August 18, 2003 letter from Mr. Jim Spaay, City of Menasha Engineer, to Mr. Randall Much, NMSC, with copies individually sent to each NMSC Commissioner.
RE: Status report of city industrial discharge regulatory program.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for July 2003. Moved by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to accept the unaudited financial statements for the month of July 2003 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #8715 in the amount of \$69,634.51 for the month of September 2003. Moved by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to approve MCO invoice #8715 in the amount of \$69,634.51 for the month of September 2003 and to pay the invoice after September 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of July 2003. Short term rates have continued to decline. Moved by Commissioner R. Handevidt, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of July 2003. Motion carried unanimously.

Accountant Voigt presented the payback check for income generated to the NMSC by MCO.

Accountant Voigt presented to the Commission a copy of the billing to be sent to Sonoco for charges related to the principal and interest for 2002 related to the recent plant expansion. The charges are based on the percent of use of the plant for 2002. The total calculated bill to Sonoco is \$93,089.

Accountant Voigt presented the draft copy of the 2004 NMSC Budget to the Commission. Discussion ensued with questions being asked about various budget items. Large increases in electricity and natural gas are anticipated until the problems in burning the methane gas can be taken care of. A new chemical account will be added for filtering media for cleaning the methane gas prior to burning. At this time the chemical media is expected to be some type of carbon material. We are looking to use money from the Depreciation Fund for the installation of a unit for cleaning the methane gas prior to burning in the engines and boilers. Without having the test results for the chemical composition of the methane gas, it is not possible to have an accurate budget amount for this unit. The costs could range anywhere between \$100,000 - \$300,000. Following the discussion, it was decided that some minor changes

should be made to a couple accounts. The Labor Negotiator account should be increased and the Attorney Fees should be decreased by the same amounts. Workers Compensation should be recalculated to verify accuracy with the recent reduction in labor of an NMSC employee. Following the discussions, motion made by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to approved the draft 2004 NMSC budget as amended by discussion. Motion carried unanimously.

The Commission discussed holding the Public Hearing for the 2004 NMSC Budget. Following discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner W. Helein to hold a Public Hearing to receive public comment on the proposed 2004 NMSC Budget on Tuesday September 23, 2003 at 8:00 am prior to the Regular Meeting of the NMSC and for the Commission to take action on the proposed 2004 NMSC Budget during the Regular Meeting which is scheduled to follow the Public Hearing. Motion carried unanimously.

President W. Zielinski reported that the Insurance Committee will schedule meetings to meet individually with the two insurance agents to receive their opinions on what changes they feel should be made to the NMSC insurance policies.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of July 2003. Heavy rains have flushed the sewers with a resulting increase in loadings during this time period. Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to approve the operating report for the month of July 2003 and to place the report on file. Motion carried unanimously.

Manager Much reported to the Commission that the City of Menasha requested that the NMSC re-open the area in front of the treatment plant for a truck turnaround area. The City of Menasha would pay for any modifications needed to make this area a reasonable turnaround for the semi truck traffic.

Jim Peichl reported to the Commission as to the status of the flow meters located in one of the Waverly Sanitary District's metering stations. The meters have not been operating for several months; the factory representative from ISCO will be here on either September 9 or 10 to look at the equipment and to try to make them operational.

Jim Peichl reported to the Commission that methane gas was collected and sent in for testing on Monday to determine the amount of Siloxane in the methane gas for properly designing the unit for removal of the Siloxane from the methane gas. The results are expected to be back next month.

Manager Much presented to the Commission a request for a sewer extension from Davel Engineering for a proposed warehouse located in the City of Menasha, Town of Menasha Utility District. After discussion, motion made by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to approve the sewer extension request contingent upon approval from the Town of Menasha Utility District. Motion carried unanimously.

Old Business

The High Strength Waste report log was presented. It was reported to the Commission that charges will be sent out to the trucking firm hauling the high strength waste from McCain foods when we receive more than two shipments a day of this high strength waste. The charges will be \$0.02 per gallon for the excess amount received.

Manager Much reported that a draft contract was received from Sonoco.

Manager Much reported he received a phone response from Mayor Laux that the City of Menasha would explore the alternatives to the current monitoring and billing to the users. Manager Much requested the Mayor to follow this up with a written response.

Manager Much reported the project for relocating the NMSC Interceptor will be starting soon.

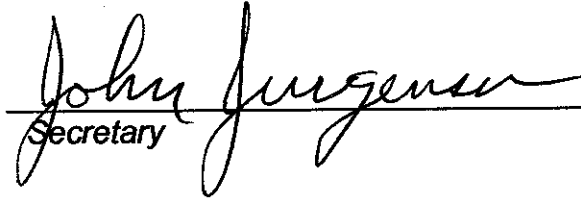
Jim Peichl reported on the results from the WWTP power distribution fault and coordination study. There were some improperly sized breakers and other minor issues to be taken care of. Current staff can complete all the work.

Manager Much presented the following report on the access agreement with WTM I. They will be bringing in a trailer on Thursday, a dock will be installed, and a dumpster will also be brought on site. We will need to run a line for electricity to the trailer, and also a line for water.

Moved by Commissioner R. Zielinski, seconded by Commissioner G. Cowling, to approve Operating Fund Vouchers #125171 thru #125225 in the amount of \$176,138.73 and Payroll Vouchers #20236 thru #20247 in the amount of \$10,232.71 for the month of July 2003. Motion carried unanimously.

Moved by Commissioner D. Siebers, seconded by Commissioner R. Handevitd to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:12 a.m.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Public Hearing & Regular Meeting Tuesday September 23, 2003

Meeting called to order by Commission President W. Zielinski at 8:00 a.m.

Present: Commissioners R. Zielinski, J. Jurgenson, D. Siebers, W. Zielinski, W. Helein, R. Handevitd, G. Cowling; Manager Much, Accountant Voigt.

Also Present: Paul Much, Jim Peichl (MCO)

President W. Zielinski opened the Public Hearing to receive comments on the proposed 2004 NMSC Budget.

Hearing no questions or comments on the proposed 2004 NMSC Budget, moved by Commissioner D. Siebers, seconded by Commissioner W. Helein to adjourn the Public Hearing. Motion carried unanimously. Public Hearing adjourned at 8:06 am.

Moved by Commissioner D. Siebers, seconded by Commissioner W. Helein to reconvene into Regular Open Session. Motion carried unanimously.

Moved by Commissioner R. Zielinski, seconded by Commissioner R. Handevitd to approve the minutes of the Regular Meeting of August 26, 2003. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. August 25, 2003 letter to Mr. Mulazim Nasir, DNR, from Mr. Daniel Kools, Martenson & Eisele.
RE: Sanitary Sewer relay and Sanitary Sewer extension request for Menasha Marina Redevelopment.
- B. August 27, 2003 letter to Mr. William Zielinski, NMSC President, from Mr. Mulazim Nasir, DNR.
RE: DNR Plan approval for Sanitary Sewer Relay in Marina Place.
- C. August 27, 2003 letter to Mr. John Davel, Davel Engineering, from Mr. Randy Much, NMSC.
RE: Conditional approval of Sewer Extension request for Drum Corps Drive.
- D. August 27, 2003 letter to Mr. Randall Much, NMSC from Mr. William Helein, Waverly Sanitary District.
RE: District force main connection to City of Menasha gravity sewer at Melissa Street.

Questions and discussion ensued on how and where this connection will occur. Manager Much pointed out that this would result in another subtraction from the City of Menasha bill. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to approve the addition of a connection point for Waverly Sanitary District into the City of Menasha system. Voting aye: Commissioners W. Helein, D. Siebers, G. Cowling, J. Jurgenson, R. Handevitd. Commissioner R. Zielinski abstained. Motion carried.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for August 2003. Moved by Commissioner R. Handevitd, seconded by Commissioner W. Helein to accept the unaudited financial statements for the month of August 2003 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #8773 in the amount of \$69,679.51 for the month of October 2003. Moved by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to approve MCO invoice #8773 in the amount of \$69,679.51 for the month of October 2003 and to pay the invoice after October 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of August 2003. The funds received on September 3 from the bond sale have been invested in a Certificate of Deposit with Associated Bank. This Certificate will mature on December 1 and the proceeds will be used to pay off the Bond Anticipation Note. The rate on the 89-day Certificate is 1.51%. Moved by Commissioner R. Zielinski, seconded by Commissioner R. Handevitd to accept the Accountants Report for the month of August 2003. Motion carried unanimously.

Accountant Voigt presented the payback check for income generated to the NMSC by MCO.

Accountant Voigt presented the Proposed 2004 NMSC Budget to the Commission. Motion made by Commissioner D. Siebers, seconded by Commissioner R. Handevitd to approved the Proposed 2004 NMSC Budget. Motion carried unanimously on a roll call vote.

President W. Zielinski reported that the Insurance Committee met with the two insurance agents. The Committee will meet after the meeting today to discuss some final issues regarding insurance coverages and deductible limits.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of August 2003. Menasha loadings have not yet decreased. Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to approve the operating report for the month of August 2003 and to place the report on file. Motion carried unanimously.

Manager Much discussed with the Commission the request from the Wisconsin DNR for permission to place a survey monument on NMSC property to use as a reference point as part of the Fox River cleanup. Attorney Gunz reviewed the document and he has no problems with it. Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to approve the Access Permission Form granting permission to the Wisconsin DNR to place and maintain a survey monument on NMSC property. Motion carried unanimously.

Manager Much presented to the Commission a request for a sewer extension from the City of Neenah for Breezewood Lane. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to approve the sewer extension request for Breezewood Lane located in the City of Neenah. Motion carried unanimously.

Old Business

The High Strength Waste report log was presented. The gas engines are still down. The only equipment burning methane are the boilers.

Manager Much reported that Attorney Simpson representing Sonoco is again involved in discussing the new contract and activity has slowed down in the negotiations.

Manager Much reported he has not received written authorization from Menasha Mayor Laux to proceed with the study to explore alternative billing and monitoring. Attorney Gunz has also been in contact with the Mayor making the same request to provide us with written authorization.

Manager Much has not received any information as to when the project for relocating the NMSC Interceptor will be starting.

Manager Much reported that Attorney Gunz has been communicating with Menasha Mayor Laux for making improvements for a truck turnaround on NMSC property. Attorney Gunz informed the Mayor that the City should be responsible for making the improvements for the turnaround for the truck traffic. The Commission asked if a deadline was set for this to be completed. No deadline was set. The Commission indicated we should obtain a timeline from the City giving us a timeline for completion of this project.

Manager Much reported there are no changes to report from last month regarding the access agreement with WTM I. They have made additional requests to use the NMSC lab to perform treatability tests and to have the NMSC provide some disposal of material. These requests were not approved and Attorney Gunz indicated this may be part of the agreement they have with the City of Neenah.

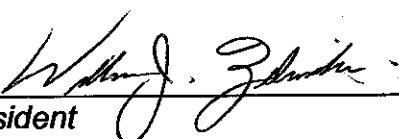
Jim Peichl reported the metering equipment at Waverly Sanitary District is now working properly. A valve was found open which was causing some of the problems. Jim also reported that a draw down test needs to be performed.

Jim Peichl reported that no test results have been received regarding the Siloxane in the methane gas. We have received the bill for about \$2,600 for these tests. The Commission indicated the bill should not be paid until we have received the test results.

Jim Peichl reported problems being encountered with the chlorine generation system. Two of the three storage tanks are failing; they are starting to split. These tanks are made from linear polyethylene. The manufacturer is not going to stand behind their product. They offered a one-year warranty on the tanks and the tanks are now about 3-4 years old. It is recommended that the tanks should be replaced with cross-link polyethylene tanks, which would prevent the splitting problem currently encountered with the linear polyethylene tanks. It will cost about \$18,000 to replace the three storage tanks. There is a supplier in Menasha for the new tanks and they would also have a use for the old tanks. The replacement for these tanks would be through the Replacement Fund.

Moved by Commissioner D. Siebers, seconded by Commissioner R. Handevitd, to approve Operating Fund Vouchers #125226 thru #125285 in the amount of \$189,932.70 and Payroll Vouchers #20248 thru #20256 in the amount of \$7,703.20 for the month of August 2003. Discussion followed, Commissioner J. Jurgenson inquired about some of the vendors and what was being purchased from them. Commissioner R. Handevitd questioned why these bills are being approved after the fact since the money is already spent. It was requested that a list of the invoices to be signed at the October meeting should also be included with the packets. Motion carried unanimously.

Moved by Commissioner R. Zielinski, seconded by Commissioner D. Siebers to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:20 a.m.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Public Hearing & Regular Meeting Tuesday September 23, 2003

Meeting called to order by Commission President W. Zielinski at 8:00 a.m.

Present: Commissioners R. Zielinski, J. Jurgenson, D. Siebers, W. Zielinski, W. Helein, R. Handevitd, G. Cowling; Manager Much, Accountant Voigt.

Also Present: Paul Much, Jim Peichl (MCO)

President W. Zielinski opened the Public Hearing to receive comments on the proposed 2004 NMSC Budget.

Hearing no questions or comments on the proposed 2004 NMSC Budget, moved by Commissioner D. Siebers, seconded by Commissioner W. Helein to adjourn the Public Hearing. Motion carried unanimously. Public Hearing adjourned at 8:06 am.

Moved by Commissioner D. Siebers, seconded by Commissioner W. Helein to reconvene into Regular Open Session. Motion carried unanimously.

Moved by Commissioner R. Zielinski, seconded by Commissioner R. Handevitd to approve the minutes of the Regular Meeting of August 26, 2003. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. August 25, 2003 letter to Mr. Mulazim Nasir, DNR, from Mr. Daniel Kools, Martenson & Eisele.

RE: Sanitary Sewer relay and Sanitary Sewer extension request for Menasha Marina Redevelopment.

- B. August 27, 2003 letter to Mr. William Zelinski, NMSC President, from Mr. Mulazim Nasir, DNR.
RE: DNR Plan approval for Sanitary Sewer Relay in Marina Place.
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RE: Conditional approval of Sewer Extension request for Drum Corps Drive.
- D. August 27, 2003 letter to Mr. Randall Much, NMSC from Mr. William Helein, Waverly Sanitary District.
RE: District force main connection to City of Menasha gravity sewer at Melissa Street.

Questions and discussion ensued on how and where this connection will occur. Manager Much pointed out that this would result in another subtraction from the City of Menasha bill. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to approve the addition of a connection point for Waverly Sanitary District into the City of Menasha system. Voting aye: Commissioners W. Helein, D. Siebers, G. Cowling, J. Jurgenson, R. Handevitd. Commissioner R. Zielinski abstained. Motion carried.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for August 2003. Moved by Commissioner R. Handevitd, seconded by Commissioner W. Helein to accept the unaudited financial statements for the month of August 2003 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #8773 in the amount of \$69,679.51 for the month of October 2003. Moved by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to approve MCO invoice #8773 in the amount of \$69,679.51 for the month of October 2003 and to pay the invoice after October 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of August 2003. The funds received on September 3 from the bond sale have been invested in a Certificate of Deposit with Associated Bank. This Certificate will mature on December 1 and the proceeds will be used to pay off the Bond Anticipation Note. The rate on the 89-day Certificate is 1.51%. Moved by Commissioner R. Zielinski, seconded by Commissioner R. Handevitd to accept the Accountants Report for the month of August 2003. Motion carried unanimously.

Accountant Voigt presented the payback check for income generated to the NMSC by MCO.

Accountant Voigt presented the Proposed 2004 NMSC Budget to the Commission. Motion made by Commissioner D. Siebers, seconded by Commissioner R. Handevitd to approved the Proposed 2004 NMSC Budget. Motion carried unanimously on a roll call vote.

President W. Zelinski reported that the Insurance Committee met with the two insurance agents. The Committee will meet after the meeting today to discuss some final issues regarding insurance coverages and deductible limits.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of August 2003. Menasha loadings have not yet decreased. Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to approve the operating report for the month of August 2003 and to place the report on file. Motion carried unanimously.

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Manager Much presented to the Commission a request for a sewer extension from the City of Neenah for Breezewood Lane. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to approve the sewer extension request for Breezewood Lane located in the City of Neenah. Motion carried unanimously.

Old Business

The High Strength Waste report log was presented. The gas engines are still down. The only equipment burning methane are the boilers.

Manager Much reported that Attorney Simpson representing Sonoco is again involved in discussing the new contract and activity has slowed down in the negotiations.

Manager Much reported he has not received written authorization from Menasha Mayor Laux to proceed with the study to explore alternative billing and monitoring. Attorney Gunz has also been in contact with the Mayor making the same request to provide us with written authorization.

Manager Much has not received any information as to when the project for relocating the NMSC Interceptor will be starting.

Manager Much reported that Attorney Gunz has been communicating with Menasha Mayor Laux for making improvements for a truck turnaround on NMSC property. Attorney Gunz informed the Mayor that the City should be responsible for making the improvements for the turnaround for the truck traffic. The Commission asked if a deadline was set for this to be completed. No deadline was set. The Commission indicated we should obtain a timeline from the City giving us a timeline for completion of this project.

Manager Much reported there are no changes to report from last month regarding the access agreement with WTM I. They have made additional requests to use the NMSC lab to perform treatability tests and to have the NMSC provide some disposal of material. These requests were not approved and Attorney Gunz indicated this may be part of the agreement they have with the City of Neenah.

Jim Peichl reported the metering equipment at Waverly Sanitary District is now working properly. A valve was found open which was causing some of the problems. Jim also reported that a draw down test needs to be performed.

Jim Peichl reported that no test results have been received regarding the Siloxane in the methane gas. We have received the bill for about \$2,600 for these tests. The Commission indicated the bill should not be paid until we have received the test results.

Jim Peichl reported problems being encountered with the chlorine generation system. Two of the three storage tanks are failing; they are starting to split. These tanks are made from linear polyethylene. The manufacturer is not going to stand behind their product. They offered a one-year warranty on the tanks and the tanks are now about 3-4 years old. It is recommended that the tanks should be replaced with cross-link polyethylene tanks, which would prevent the splitting problem currently encountered with the linear polyethylene tanks. It will cost about \$18,000 to replace the three storage tanks. There is a supplier in Menasha for the new tanks and they would also have a use for the old tanks. The replacement for these tanks would be through the Replacement Fund.

Moved by Commissioner D. Siebers, seconded by Commissioner R. Handevitd, to approve Operating Fund Vouchers #125226 thru #125285 in the amount of \$189,932.70 and Payroll Vouchers #20248 thru #20256 in the amount of \$7,703.20 for the month of August 2003. Discussion followed, Commissioner J. Jurgenson inquired about some of the vendors and what was being purchased from them. Commissioner R. Handevitd questioned why these bills are being approved after the fact since the money is already spent. It was requested that a list of the invoices to be signed at the October meeting should also be included with the packets. Motion carried unanimously.

Moved by Commissioner R. Zielinski, seconded by Commissioner D. Siebers to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:20 a.m.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting
Tuesday October 28, 2003

Meeting called to order by Commission President W. Zielinski at 8:00 a.m.

Present: Commissioners R. Zielinski, J. Jurgenson, D. Siebers, W. Zielinski, R. Handevitd, G. Cowling; Manager Much, Accountant Voigt.

Excused: Commissioner W. Helein

Also Present: Chad Olsen (McMahon Associates); Paul Much, Jim Peichl (MCO).

Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to approve the minutes of the Public Hearing & Regular Meeting of September 23, 2003. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- D. September 23, 2003 letter from Mr. Randall Much, NMSC to Mr. William Helein, Waverly Sanitary District President.
RE: NMSC contingent approval of Waverly Sanitary District connection point.
- E. September 23, 2003 letter from Mr. Randall Much, NMSC to Mr. Tim Hamblin, City of Neenah Director of Public Works.
RE: NMSC approval of 21-inch sanitary sewer on Breezewood Lane, City of Neenah.
- F. October 1, 2003 letter from Ms. Judith Lamers, GKS&T, to The Depository Trust Company.
RE: Notice of Call for Redemption of NMSC May 1, 2000 Bond Anticipation Note.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for September 2003. Moved by Commissioner J. Jurgenson, seconded by Commissioner D. Siebers to accept the unaudited financial statements for the month of September 2003 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #8841 in the amount of \$72,505.84 for the month of November 2003. Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to approve MCO invoice #8841 in the amount of \$72,505.84 for the month of November 2003 and to pay the invoice after November 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report & Investment Report for the month of September 2003. The rates earned have remained fairly steady. Moved by Commissioner R. Handevitd, seconded by Commissioner R. Zielinski to accept the Accountants Report & Investment Report for the month of September 2003. Motion carried unanimously.

Accountant Voigt presented the payback check for income generated to the NMSC by MCO.

Accountant Voigt discussed his memo to the Commission regarding hiring a new snowplowing contractor for 2003 – 2004. Rates were obtained from two contractors; Levenhagen Corp. and Automotive Top & Trim. After discussion, motion made by Commissioner R. Handevitd, seconded by Commissioner W. Zielinski to approve a contract for snowplowing services with Levenhagen Corporation. Motion carried unanimously.

Accountant Voigt presented and discussed with the Commission a letter received by the Commission auditors, Schenck SC. This letter pointed out the Commission procedure of authorizing two Commissioners to review and approve the invoices and to sign checks. At the Commission meeting, the Commissioners then formally approve and accept the checks that were previously approved by the two who signed the checks. This is an acceptable method since responsibilities are segregated to ensure adequate internal control. Commissioners discussed this issue versus having the invoices approved by the Commission as a whole prior to having checks issued. Commissioner R. Handevitd indicated he felt it would be better if more than two Commissioners would be involved in approval of invoices to be paid. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to maintain the current procedure for check signing and invoice approval. Voting aye: Commissioners D. Siebers, R. Zielinski, G. Cowling, and J. Jurgenson. Abstaining: Commissioner R. Handevitd.

Accountant Voigt discussed the letter mailed to the two insurance agents who will be quoting the Commission insurance coverages. This letter gave instructions to the agents detailing when the quotes are to be received and listed changes and quoting options the insurance committee would like to see. The quotes are to be received by November 17 and the insurance committee will meet to review the quotes prior to the Commission meeting on November 25, 2003.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of September 2003. There is nothing unusual to report to the Commission. We are still burning off the methane gas while the gas engines are being repaired and until a decision is made for installing a siloxane removal system. Moved by Commissioner J. Jurgenson, seconded by Commissioner G.

Cowling to approve the operating report for the month of September 2003 and to place the report on file. Motion carried unanimously.

Old Business

The High Strength Waste report log was presented. The gas engines are still down. The only equipment burning methane are the boilers.

Manager Much reported that he was informed by Attorney Gunz that a Sonoco corporate Vice President is now on board to work on the contract approval.

Manager Much reported there are have been no additional contacts received from Mayor Laux regarding the City of Menasha approval to explore alternative billing and monitoring.

Manager Much has not received any information as to when the project for relocating the NMSC Interceptor will be starting.

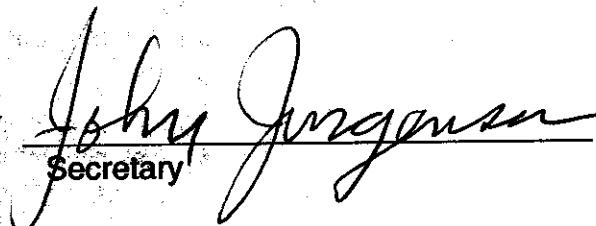
Manager Much reported that there has been no further contact from Menasha Mayor Laux for making improvements for a truck turnaround on NMSC property. Commissioner R. Zielinski indicated that someone should be invited to the meeting to explain what is going on to deal with this issue and the request to explore alternative billing and monitoring. The Commission indicated that both Mayor Laux and Attorney Gunz should be invited to attend the next Commission meeting to provide answers to the Commissioners questions.

Mr. Chad Olsen from McMahon Associates addressed the Commission regarding the test results received from the methane gas. The reason for the test was because it was thought that siloxane was in the methane gas causing the current problems the NMSC was having with its equipment that burns the methane gas. The NMSC purchased a test kit to have the methane tested; the tests indicate that siloxane is in the methane gas. It was determined that siloxane D4 and D5 are present at a mixture of 2.2 parts per million (ppm). At this level, it is normal for the NMSC to experience the problems that are occurring. The tests also revealed that levels of hydrogen sulfide at 2,300 ppm. The methane gas is at 60%, and has 610 BTU/cu ft., which indicates it is a good burning gas. Some of the negatives with the gas are high moisture content, the siloxane, the hydrogen sulfide, and the higher temperature of the gas; all of which could cause some possible problems with the equipment and burning the methane. Mr. Chad Olsen indicated he would like to further test the residue on the combustion engines to see if the siloxane is silicone based or from another product. Two firms have provided input for the equipment to be used to remove the siloxane. Applied Filter Technology, who the NMSC contracted with to provide the lab testing of the methane gas, recommends installing a hydrogen sulfide removal system and a siloxane removal system. With the engineering costs, installation costs, building costs and equipment costs, it is estimated that the total cost for their system would be \$379,000. The second firm, Unison Solutions, recommends installing a refrigerated gas dryer and the siloxane removal system. The estimated total costs for this setup would be \$299,000. Unison Solutions uses the same filter media that Applied Filter Technology developed. In addition, Unison Solution builds the refrigerated gas dryers in Appleton. Mr. Chad Olsen recommends the Commission to proceed with a pilot testing of the siloxane removal system for the generators with the equipment to be obtained from Unison Solutions. If the pilot testing is successful, the same tanks used for the pilot testing would be used for the final removal system installation. McMahon Associates would provide the required engineering for this project on a time and expense basis with an estimated total engineering cost of \$23,000. After discussion, motion made by Commissioner R. Handevitd, seconded by Commissioner G. Cowling to proceed with the pilot testing system from Unison Solutions and to approve the contract with McMahon Associates, Inc. for the engineering services. Motion carried unanimously.

Moved by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson, to approve Operating Fund Vouchers #125285 thru #125345 in the amount of \$194,820.45 and Payroll Vouchers #20257 thru #20271 in the amount of \$7,770.55 for the month of September 2003 and Operating Fund Vouchers #125346 thru #125369 in the amount of \$121,095.57 for the period from October 1, 2003 thru October 23, 2003. Motion carried unanimously.

Moved by Commissioner R. Handevitd, seconded by Commissioner R. Zielinski to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:03 a.m.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting
Tuesday November 25, 2003

Meeting called to order by Commission President W. Zelinski at 8:00 a.m.

Present: Commissioners R. Zielinski, J. Jurgenson, W. Helein, D. Siebers, W. Zelinski, R. Handevidt, G. Cowling; Manager Much, Attorney J. Gunz, Accountant Voigt.

Also Present: Menasha Mayor Joe Laux, Paul Much (MCO).

Moved by Commissioner R. Zielinski, seconded by Commissioner W. Helein to approve the minutes of the Regular Meeting of October 28, 2003. Motion carried unanimously.

To accommodate those in attendance, Commission President W. Zelinski moved to agenda item 7 - Old Business (C) & (D).

Mayor Laux addressed the Commission concerning the study to explore alternatives to the current monitoring and billing to NMSC users. Mayor Laux indicated this item will be brought to the City Council Monday night. He expects the Council to ask him if the City will be paying for the entire study concerning this issue and this then brings up two additional questions. Will the Commission implement what is recommended in the study? And, if another user saves money in changing methods, why didn't this user pay also? Manager Much indicated that treating for BOD and suspended solids are such a major portion of our costs that he does not feel they can find another method to base our bills on. Mayor Laux reported that he is trying to eliminate conflicts that now exist and he does not feel the errors in the current method of sample collection and testing are equally positive and negative over the course of time for the City of Menasha. The Mayor feels the long-term results are geared negatively to the City and this is why we should try to establish a flow rate billing to the communities for domestic flows and the Commission should monitor and bill industries. The issue creating the conflict is the methodology of how Menasha is billed with subtractions being taken off the gross amount recorded at the Treatment Plant. The question was asked regarding the amount of the proposed study; Manager Much reported it was for time and expense with an estimated cost to be \$26,500. Commissioner R. Handevidt disagreed with Mayor Laux that the impact is strictly negative to the City. Unless the City can justify its claim, Commissioner R. Handevidt feels that the inaccuracies do balance out over the year in the long run. The question being discussed is, who should pay for the study, Menasha or the Commission? Commissioner R. Zielinski asked, if Menasha pays for the study, brings it to the Commission, and the Commission accepts the study, what happens then? President W. Zelinski responded he could see the Commission then paying for the study.

Mayor Laux addressed the Commission regarding a truck turnaround on Commission property. The start of this problem began several years ago when the City of Neenah closed Clybourn Street to truck traffic, since then the trucks have come down here. One thought of a possibility is the former JK Drum Company building which will be torn down. This could be a potential turnaround site but it has contaminated soil that needs remediation and will not likely be a possible site for at least another 20 years. The Commission is asking for the City to pay the costs to have this designed and constructed. Mayor Laux reported he would bring this to the Council on Monday night. The City should have a template to show how the Commission property will be impacted and the City should submit drawings to the Commission.

The Commission returned to the agenda as published.

Correspondence

There was no correspondence to be discussed.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for October 2003. Moved by Commissioner R. Handevidt, seconded by Commissioner W. Helein to accept the unaudited financial statements for the month of October 2003 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #8907 in the amount of \$68,140.49 for the month of December 2003. Moved by Commissioner D. Siebers, seconded by Commissioner G. Cowling to approve MCO invoice #8907 in the amount of \$68,140.49 for the month of December 2003 and to pay the invoice after December 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of October 2003. The rates earned have remained fairly steady. Moved by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to accept the Accountants Report for the month of October 2003. Motion carried unanimously.

Accountant Voigt presented the payback check for income generated to the NMSC by MCO.

Accountant Voigt discussed with the Commission the quotes received from the two insurance agents for insurance coverages for 2004. Items recommended to the Commission include: raising the deductible from the quoted \$5,000 to \$10,000, and switching coverages to St. Paul. In increasing the deductible will save an addition \$2,700 with St. Paul. The Commission has had only 1 claim over the past 20 years and this was with our Boiler/Machinery Policy. The track record of our claims should put us money ahead in the long run. By switching policy coverage to St. Paul, all liability and property coverages will be with one carrier offering higher limits of coverage and reducing the possibility of insurance companies denying responsibility claiming it should be covered under another policy. Diversified Insurance Services quoted coverage with St. Paul, while McClone Agency provided quotes with our current carriers. McClone Agency is also able to write the insurance coverage with St. Paul. One difference in the quoted coverages is by Diversified Insurance Services; they are able to obtain Workers Compensation Insurance from another carrier that has a record of paying dividends to companies that insure with them. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to accept the insurance quotes received from St. Paul and to have Diversified Insurance Services serve as our agent of record for Commission insurance policies. Motion carried unanimously.

Accountant Voigt presented McMahon Associates invoice #16442 in the amount of \$2,267.31 for Study and Analysis for the Digester Gas Treatment. Moved by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to approve McMahon Associates invoice #16442 in the amount of \$2,267.31 for Study and Analysis for the Digester Gas Treatment. Motion carried unanimously.

Accountant Voigt presented a letter to the Commission from Schenck s.c. Schenck s.c. performed the arbitrage interest rebate calculation for the Commission on the Sewerage Revenue Bonds. This calculation needs to be completed every five years. Based on their calculation, no interest rebate liability existed on the bond issue.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of October 2003. The two-inch rainfall received October 23-24 pushed the plant to its limit but no violations were incurred. Moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve the operating report for the month of October 2003 and to place the report on file. Motion carried unanimously.

Manager Much discussed with the Commission the status of the siloxane removal system. It will cost \$2,950 to build the pilot unit. Scrapings from the piston head were sent in for testing to identify what the material is, results indicate it is not siloxane and they do not know what material it is. We will have another sample collected from the boiler tubes and tested further to determine what the material may be. Manager Much recommends not installing the pilot unit until these next tests come back and the material is identified. It was questioned if the siloxane could be tested in the plant influent; the response is no because of the amount of dilution, but it can be tested in the methane gas where it is more concentrated.

Manager Much presented a sewer extension request from Omni Associates to serve a single residence on Manitowoc Road in the Town of Harrison Waverly Sanitary District. After discussion, motion made by Commissioner W. Helein, seconded by Commissioner R. Handevitd to approve the sewer extension request for Manitowoc Road in the Town of Harrison Waverly Sanitary District. Motion carried unanimously.

Old Business

The High Strength Waste report log was presented. The gas engines are still down. The only equipment burning methane are the boilers.


Attorney Gunz reported to the Commission regarding the status of the Sonoco contract. There is a meeting set for Monday December 1. Up to this point it seems that Sonoco changes the target, if no progress is made on Monday Attorney Gunz may recommend not renewing the current contract and

letting Sonoco go to the City of Menasha for payment of wastewater charges in 2008. When we meet with the local reps, the talks seem to move along and then slow down when it goes to the corporate offices. Before any more recommendations can be made we will wait to see what happens with the meeting on Monday December 1.

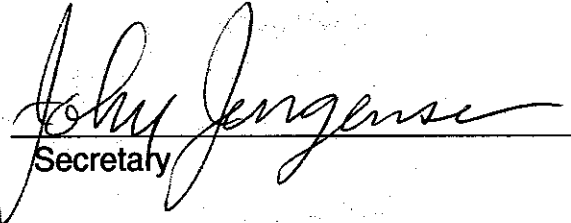
Manager Much reported to the Commission that the work in Menasha for the project by the marina has started, but he has not received any information as to when the NMSC Interceptor will be relocated.

Moved by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson, to approve Operating Fund Vouchers #125370 thru #125390 in the amount of \$57,469.69 for the period from October 24, 2003 to October 31, 2003 and Payroll Vouchers #20272 thru #20279 in the amount of \$6,477.02 for the month of October 2003. Motion carried unanimously.

Moved by Commissioner R. Handevitdt, seconded by Commissioner R. Zielinski to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:35 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday December 23, 2003

Meeting called to order by Commission President W. Zielinski at 8:00 a.m.

Present: Commissioners R. Zielinski, J. Jurgenson, W. Helein, D. Siebers, W. Zielinski, G. Cowling; Manager Much, Attorney J. Gunz, Accountant Voigt.

Absent: Commissioner R. Handevitdt.

Also Present: Chad Olsen (McMahon Assoc.); Tim Davis, Bret Armstrong (Sonoco-US Mills); Paul Much (MCO).

Motion made by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to convene into Executive Closed Session pursuant to Wisconsin Statutes Section 19.85 (1)(e) and (g) for the purposes of discussing with legal counsel industrial user contracts. Motion carried unanimously. The Regular Open meeting convened into closed session at 8:03 am.

Motion made by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to adjourn the Executive Closed Session and return into open session. Motion carried unanimously. The Executive Closed Session returned in open session at 8:18 am.

To accommodate those in attendance, Commission President W. Zielinski moved to agenda item 8(c) – Siloxane removal system.

Mr. Chad Olsen (McMahon Associates) addressed the Commission regarding activities to date regarding testing for Siloxane. Residue from the methane engine and boilers were sent in to be tested for Siloxane. The testing results came back showing no Siloxane. The lab retested the sample and found some Siloxane in the residue as well as residue that would come from fuel and oil additives. A second sample was collected from the boilers and this sample was sent to another lab for testing. These test results indicated 1% - 2% Siloxane and also high sulfur and iron content in the sample tested. Based on this information, Mr. Olsen recommends installing the pilot unit but having the unit geared more to removing the sulfur from the methane gas. The pilot unit would be able to treat enough methane gas to run one engine. Based on the high sulfur content, new pricing will be obtained for the unit and filter media to be geared toward removing the sulfur. Mr. Olsen recommends running the pilot

unit for several months to adequately test the unit. After further discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to proceed with the installation of the pilot unit. Motion carried unanimously.

Commission President W. Zelinski moved to agenda item 8(b) – Sonoco-US Mills proposed agreement.

Mr. Tim Davis (Sonoco) addressed the Commission and thanked them for their patience in dealing with Sonoco and the long process of coming to an agreement. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner D. Siebers to approve the "Industrial Wastewater Treatment Service Agreement" between the NMSC and Sonoco-U.S. Mills, Inc. Motion carried unanimously.

The Commission returned to the agenda as published.

Moved by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to approve the minutes of the Regular Meeting of November 25, 2003. Motion carried unanimously.

Correspondence

There was no correspondence to be discussed.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for November 2003. Moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to accept the unaudited financial statements for the month of November 2003 and place them on file. Motion carried unanimously.

Attorney Gunz presented and discussed with the Commission the tentative agreement reached for a successor labor agreement between the Commission and AFSCME Local 1541. The 3-year proposed agreement includes a 3% wage increase for each of the 3 years. There is also a special sick leave payout side agreement for 2005. Attorney Gunz recommends approving the agreement. After further discussion, motion made by Commissioner D. Siebers, seconded by Commissioner R. Zielinski to approve the labor agreement with AFSCME Local 1541 as presented. Motion carried unanimously.

Manager Much discussed with the Commission the proposed contract increase with MCO for 2004. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to approve the MCO contract increase for 2004 as presented. Motion carried unanimously.

Accountant Voigt presented MCO invoice #8980 in the amount of \$72,345.66 for the month of January 2004. Moved by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to approve MCO invoice #8980 in the amount of \$72,345.66 for the month of January 2004 and to pay the invoice after January 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of November 2003. The rates earned have increased slightly. Moved by Commissioner R. Zielinski, seconded by Commissioner W. Helein to accept the Accountants Report for the month of November 2003. Motion carried unanimously.

Accountant Voigt presented the payback check for income generated to the NMSC by MCO.

Accountant Voigt presented McMahon Associates invoice #16836 in the amount of \$596.23 for Siloxane Removal System Preliminary Design. Moved by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to approve McMahon Associates invoice #16836 in the amount of \$596.23 for Siloxane Removal System Preliminary Design. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of November 2003. Moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve the operating report for the month of November 2003 and to place the report on file. Motion carried unanimously.

Manager Much discussed with the Commission information obtained regarding the Waverly metering station and the new connection into the City of Menasha system. Valves are located after the metering station that can re-direct the flows to either the City of Menasha or the Town of Menasha Utility District. Manager Much stressed the importance of the Commission being notified when changes are made with these valves since the readings recorded from the metering station determine who gets the subtraction from their billing by the NMSC. Commissioner W. Helein reported he has talked to Waverly Sanitary District staff regarding this situation. Manager Much also reported the Commission has not yet received

copies of the agreement between Waverly and the City of Menasha and from the Town of Menasha Utility District and City. The Commission instructed to keep this item on the agenda.

Old Business

The High Strength Waste report log was presented. The gas engines are still down. The only equipment burning methane are the boilers.

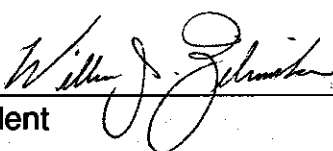
Manager Much reported that no information has been received from Menasha regarding the study to explore alternative billing methods.

Menasha Mayor Laux contacted the NMSC office to report that he will have on the agenda with the Council to approve the truck turnaround. He has informed us that two industries will pay for one-half of the cost and the City of Menasha will pay for one-half of the cost to make the improvements needed for a truck turnaround. We will be receiving copies of the proposed design for approval.

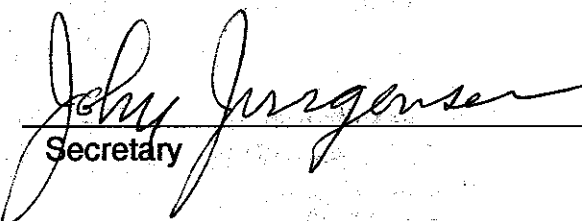
Manager Much reported to the Commission that the work in Menasha for the project by the marina has started, but he has not received any information on the relocated Interceptor.

Moved by Commissioner R. Zielinski, seconded by Commissioner D. Siebers, to approve Operating Fund Vouchers #125391 thru #125451 in the amount of \$183,502.43 for the month of November 2003 and Payroll Vouchers #20280 thru #20287 in the amount of \$6,280.62 for the month of November 2003. Motion carried unanimously.

Moved by Commissioner R. Zielinski, seconded by Commissioner D. Siebers to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 8:55 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Executive Session Tuesday December 23, 2003

Motion made by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to convene into Executive Closed Session pursuant to Wisconsin Statutes Section 19.85 (1)(e) and (g) for the purposes of discussing with legal counsel industrial user contracts. Motion carried unanimously. The Regular Open meeting convened into closed session at 8:03 am.

Executive closed session called to order by Commission President W. Zielinski at 8:03 a.m.

Present: Commissioners R. Zielinski, W. Zielinski, W. Helein, D. Siebers, G. Cowling, J. Jurgenson; Attorney Gunz, Manager Much, Accountant Voigt, Paul Much (MCO).

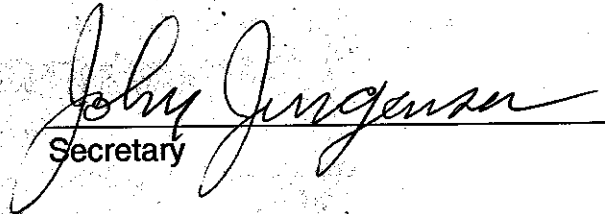
Attorney Gunz discussed with the Commission the progress made in reaching an agreement with Sonoco for a new contract. The main purpose of this agreement deals with Section 113 that supercedes the 1982 agreement. This agreement deals with the "Old Debt" (borrowing from 1988 and any refinancing of this debt), "New Debt" (2000 BAN and any refinancing of this debt), and "Future Debt". Sonoco has agreed to repay borrowing costs from 2000 – 2003 on the New Debt over a four-

year period. This language is in Section 113(c). Attorney Gunz feels this contract represents a reasonable compromise of terms and recommends the Commission should adopt this agreement.

After further discussion, motion made by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to adjourn the Executive Closed Session and return into open session. Motion carried unanimously. The Executive Closed Session returned in open session at 8:18 am.



 President



 Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday January 27, 2004

Meeting called to order by Commission President W. Zelinski at 8:00 a.m.

Present: Commissioners R. Zielinski, J. Jurgenson, W. Helein, W. Zelinski, G. Cowling R. Handevitd; Manager Much, Accountant Voigt.

Excused: Commissioner D. Siebers.

Also Present: Chad Olsen (McMahon Assoc.); Stan Martenson (Martenson & Eisele); Paul Much (MCO).

Motion made by Commissioner R. Zielinski, seconded by Commissioner G. Cowling to approve the minutes of the Regular Meeting of December 23, 2003. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner G. Cowling to approve the minutes of the Executive Closed Session of December 23, 2003. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- G. December 26, 2003 letter to Mr. Jim Prior, International Papers, from Mayor Joe Laux, City of Menasha.
RE: International Papers agreement to share costs in installing cul de sac on Garfield Avenue.
- H. December 26, 2003 letter to Mr. Bob Purdy, Graphic Packaging, from Mayor Joe Laux, City of Menasha.
RE: Graphic Packaging agreement to share costs in installing cul de sac on Garfield Avenue.
- I. January 16, 2004 letter to Mr. Roger Voigt, NMSC, from Catherine Girdley, Waverly S.D.
RE: Reappointment of William Helein as commissioner to the NMSC.

To accommodate those in attendance Commission President W. Zelinski moved to agenda item 6(d) – Waverly Metering Station.

Mr. Stan Martenson (Martenson & Eisele) addressed the Commission concerning the connections and valves located in the sanitary sewers that are downstream from the NMSC metering stations. Mr. Martenson presented the Commission with colored maps showing valve locations and normal open or closed positions. With these valves flow can be redirected to flow to either the Town of Menasha Utility District or to the City of Menasha. Manager Much indicated that if these valves are changed, the Commission will not be able to have accurate billings to the communities involved since these valves are located downstream from the metering stations. Mr. Martenson reported that when these valves are