

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of November 2007. There are no issues to report, everything is running smooth. The WPDES permit (wastewater discharge permit) for the NMSC still has not been issued. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve the operating report for the month of November 2007 and to place the report on file. Motion carried unanimously.

Manager Much updated the Commission on the Sludge-to-sludge heat exchanger pilot unit. The unit is operating and being monitored. The unit will be opened in a month or two and the tubes will be inspected for clogging or sludge buildup.

Manager Much updated the Commissioners on the status of the electric underground distribution replacement. The pre-bid meeting will be held on Monday. The bidding will be in January.

Manager Much updated the Commission on activity with the Biosolids Management Plan. Gizmo Farms was contacted to inquire if they would be interested in selling the building – they responded they would get back to us. The Oshkosh WWTP is in a similar situation; they may be interested in a joint effort.

Attorney Gunz presented and discussed NMSC Resolution 2007-2, a Resolution Regarding Transferring Ownership of Certain Interceptor Sewers Owned by NMSC to the City of Neenah. Attorney Gunz further explained the purpose of some of the "Whereas" statements and the items in the "resolves". After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to approve NEENAH-MENASHA SEWERAGE COMMISSION RESOLUTION 2007-2 REGARDING TRANSFERRING OWNERSHIP OF CERTAIN INTERCEPTOR SEWERS OWNED BY NMSC TO THE CITY OF NEENAH. Motion carried by unanimous roll call vote.

Manager Much presented a sewer extension request from Martenson & Eisele for Birling Court located in the City of Menasha, Waverly Sanitary District. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve the sewer extension request for Birling Court located in the City of Menasha, Waverly Sanitary District. Motion carried unanimously.

Old Business


Ordinance Contract incorporate revisions update. Attorney Gunz reported this is still a work in progress.

Sewer ownership update. There is no new information to report.

Vouchers

Motion made by Commissioner R. Zielinski, seconded by Commissioner W. Helein, to approve Operating and Payroll Fund Vouchers #130057 thru #130107 in the amount of \$249,830.62 for the month of November 2007. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:57 a.m.



President



Secretary

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| NEENAH-MENASHA SEWERAGE COMMISSION |
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Regular Meeting**Tuesday January 22, 2008**

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

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

Excused: Commissioners D. Youngquist, J. Jurgenson.

Also Present: Rob Franck, Paul Much (MCO), Mike Sambs (Waverly S.D.), Mark Radtke, Taryn Nall (City Menasha), Carl Verhagen (McMahon Associates).

Motion made by Commissioner R. Zielinski, seconded by Commissioner W. Helein to approve the minutes of the Regular Meeting of December 18, 2007. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. December 18, 2007 letter from Kristin Sewall, Menasha Deputy City Clerk to Mr. Ray Zielinski.
RE: Reappointment of Ray Zielinski to 3-year term on the NMSC.
- B. January 17, 2008 letter from Neenah Mayor George Scherck to Mr. John Jurgenson.
RE: Reappointment of John Jurgenson to 3-year term on the NMSC.

Budget, Finance, Personnel

Accountant Voigt reported to the Commission that based on the recommendation from Attorney Gunz, the renewal of the insurance policy for Employee Benefit Coverage did not occur. It was felt this coverage was not needed by the NMSC at this time. By not renewing this coverage, the NMSC insurance costs will decrease \$192.

Accountant Voigt presented to the Commission the unaudited financial statements for December 2007. Accountant Voigt pointed out to the Commission the year-to-date Operations net income is approximately \$50,000 more than budget. The auditors are expected to be in next week to begin the audit of the 2007 financial records. After discussion, moved by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to accept the unaudited financial statements for the month of December 2007 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #12323 in the amount of \$109,208.06 for the month of February 2008. Discussion followed; after discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner G. Cowling to approve MCO invoice #12323 in the amount of \$109,208.06 for the month of February 2008 and to pay the invoice after February 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of December, 2007. The interest rates on the money-market accounts and with the State Pool have continued to decrease. MCO generated \$2,900 in additional income for the Commission; restricted cash balances totaled \$2,200,000 at the end of December. A bond interest and principal payment was made in December affecting the cash balances. Commissioner K. Bauer requested to have a copy of the rate history for the State Pool Investment Account. Motion made by Commissioner R. Zielinski, seconded by Commissioner G. Cowling to accept the Accountants Report for the month of December 2007. Motion carried unanimously.

Accountant Voigt presented the following invoices from McMahon Associates for payment:

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|--------|--|-------------|
| #39169 | WWTF Electrical Distribution - Bidding | \$3,750.00. |
| #39199 | Sludge to Sludge Heat Exchanger - Design | \$ 47.00. |

Motion made by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to approve for payment invoices #39169 and #39199 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of December 2007. The plant is operating well; the gas engine is working. After discussion, motion made by Commissioner G. Cowling, seconded by Commissioner R. Zielinski to approve the operating report for the month of December 2007 and to place the report on file. Motion carried unanimously.

To accommodate those in attendance, Commission President W. Zielinski proceeded to agenda item 6.(D) – Primary Electric Underground Distribution Replacement.

Carl Verhagen addressed the Commission on the results of the bidding for the Electric Underground Distribution Replacement. Six bids were received; bids ranged from \$148,725 to \$247,500. The original estimate for the project was \$165,000. The low bid was from Elmstar Electric Corporation of Kaukauna. Inquiries were made to current clients of Elmstar Electric to verify their ability to perform and complete the job. Based on the contacts made, they checked out to be okay and it is recommended to award the contract to Elmstar Electric Corporation of Kaukauna. After discussion, motion made by Commissioner K. Bauer, seconded by Commissioner R. Zielinski to award the contract for the Electrical

Distribution System Improvements to Elmstar Electric Corporation. Motion unanimously carried on a roll call vote. The work for this project is tentatively set to begin in late June or early July.

Commission President W. Zelinski returned to the Agenda as published.

Taryn Nall, representing the City of Menasha, addressed the Commission to update them on the status of the City of Menasha SSES program. Phase 2 of the program is nearly complete, phase 3 started 2-3 years ago. Since the last report to the Commission, work in the system has been refined. Sewers in the 8-inch to 15-inch size are being lined, contracts have been awarded in November for lining manholes. The City waited until there was commitment of State funding before continuing on the project. The lining project has resulted in very little pavement disruption in the City streets. The project total is \$2.7M, clean water funding will be received. The sump pump program was City based and has 99% residence participation; the City is offering a funding program to assist homeowners. If the resident does not comply, there is a \$50 per month surcharge on their monthly utility bill. Manager Much said the City should be congratulated for their program; most communities won't enforce this type of program. The program is a very comprehensive, excellent program.

Manager Much updated the Commission on the Sludge-to-sludge heat exchanger pilot unit. The unit will be opened and the tubes will be inspected for clogging or sludge buildup.

Manager Much updated the Commission on activity with the Biosolids Management Plan. He talked with a representative with the Oshkosh WWTP; they have an agreement with Gizmo that they will be able to use the storage building for 15-years after contract termination. With previous problems encountered, they would be interested in looking at a regional building.

Old Business

Ordinance Contract incorporate revisions update. No new information to report.

Sewer ownership update. Mark Radtke reported the City is open to owning the interceptor sewers.

Other Business to Legally Come Before the Commission

Election of Officers. Motion made by Commissioner R. Zielinski, seconded by Commissioner G. Cowling to unanimously re-elect the current slate of officers. Motion carried unanimously on a roll call vote. The officers of the NMSC for the coming year are: President – William Zelinski, Vice President – Raymond Zielinski, Secretary – John Jurgenson, Treasurer – Kathy Bauer.

Vouchers

Motion made by Commissioner R. Zielinski, seconded by Commissioner G. Cowling, to approve Operating and Payroll Fund Vouchers #130108 thru #130154 in the amount of \$420,020.60 for the month of December 2007. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 8:56 a.m.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday February 26, 2008

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

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

Excused: Commissioner K. Bauer.

Also Present: Rob Franck, Paul Much (MCO), Mike Sambs (Waverly S.D.).

Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to approve the minutes of the Regular Meeting of January 22, 2008. Voting aye: Commissioners G. Cowling, W. Helein, J. Jurgenson, R. Zielinski. Abstaining: Commissioner D. Youngquist. Motion carried.

Correspondence

The following correspondence was discussed:

- C. Memo & letter received 1/29/2008 from the Town of Menasha Utility District.
RE: New businesses in Utility District requested to provide grease trap cleaning records.

Manager Much discussed there is a problem with oil and grease being received at the treatment plant. The grease trap program the Town of Menasha Utility District has implemented and maintains is a very good program. Manager Much reminded the Commissioners that we have requested all the communities to establish and maintain their own grease trap program. He is not aware how well the other communities are running their programs. Commissioner R. Zielinski inquired if it would be possible to issue fines to the communities for their failure for not notifying us in their efforts to enforce their grease trap ordinances. Manager Much will talk to Attorney Gunz for his input on this matter.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for January 2008. Accountant Voigt pointed out the income generated in January and February was less than the budget, the March income will be close to the amount budgeted. Commissioner D. Youngquist questioned the difference between the Replacement Fund Expense and the Depreciation Fund Expense. He also questioned if there have been any adjustments in the replacement and depreciation rates over the years. It was reported the rates have not been changed over the years. Commissioner D. Youngquist suggested it may be something to consider implementing having these rates increased in small increments as we go along instead of waiting and then having one large increase later. After discussion, moved by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the unaudited financial statements for the month of January 2008 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #12396 in the amount of \$107,235.99 for the month of March 2008. Discussion followed; after discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to approve MCO invoice #12396 in the amount of \$107,235.99 for the month of March 2008 and to pay the invoice after March 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of January 2008. The interest rates on the money-market accounts and with the State Pool have substantially dropped from the previous month. The major cause of this is from the Federal government lowering interest rates twice. Associated Bank had quoted to renew a maturing CD for 90-days, but when the final safekeeping receipt was received it was for only 30-days. The vice-president handling our account said there was a mistake in reading his handwriting. Associated Bank would not stand behind their quoted rate. When the CD matured in early February the funds were removed from Associated Bank and deposited with First National Bank. Two \$100,000 CD's were purchased at First National Bank with maturities of six months and nine months to coincide with the anticipated payments that will be made towards upcoming projects. As requested by Commissioner K. Bauer, a rate history sheet was provided to show the history of rates with the Local Government Investment Pool. MCO generated \$2,500 in additional income for the Commission; restricted cash balances totaled \$2,260,000 at the end of January. Motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of January 2008. Motion carried unanimously.

Accountant Voigt presented the following invoices from McMahon Associates for payment:

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| #39526 | WWTF Electrical Distribution - Bidding | \$1,250.00. |
| #39483 | Sludge to Sludge Heat Exchanger - Design | \$ 145.50. |

Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to approve for payment invoices #39526 and #39483 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of January 2008. There are no operational issues. Manager Much brought to the attention of the Commission three issues that will be forthcoming: 1) Litigation of PCB's, 2) Ammonia Limits, and 3) Total Daily Maximum Load limits. With the possible litigation of PCB's, if any of the Commissioners have a personal computer and you use it for Commission business, it may be subject to subpoena to

review your computer and records stored on your computer as it relates to the Fox River matter. The issue of ammonia limits will deal with our ability to meet the limits that we may receive. To be able to remove ammonia from waste, you need adequate oxygen, retention time, temperature, and biological bugs. In the first meeting with DNR staff they were indicating the ammonia limits would possibly be variable with a minimum limit of 4.5 mg/l. At a second meeting with DNR staff they now reported a limit of 3.5 mg/l with a mass (pound) limit. The addition of a mass limit is what will create a problem for the NMSC and the other municipalities along the Fox River. With a mass limit, this could lead to an expensive building project to be able to meet the new proposed ammonia limit. One item of issue is the proposed ammonia limits are not based on code requirements to determine what the ammonia limits should be. The issue with the Total Maximum Daily Load (TMDL) will also create additional operating costs as well as the possibility of a building project to be able to meet the limits created under this program. Manager Much reported he will be meeting with an attorney to discuss the impact the TMDL will have on the communities along the Fox River. Manager Much also pointed out the Commission may want to consider retaining an attorney with environmental background to help in dealing with the ammonia limits and TMDL issues. Commissioner R. Zielinski questioned if the DNR will have the last say in these issues. Manager Much responded that if we dispute the limits, we can have a judge settle the dispute. Manager Much further informed the Commission that ammonia is a toxic that will kill water fleas in the immediate area of the effluent discharge until the ammonia is sufficiently diluted by the surrounding river water downstream. A motion was made by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to retain an attorney to assist and represent the NMSC in the issues of Ammonia Limits and Total Maximum Daily Load. Motion carried unanimously. Motion made by Commissioner R. Zielinski, seconded by Commissioner W. Helein to approve the operating report for the month of January 2008 and to place the report on file. Motion carried unanimously.

Manager Much updated the Commission on the Sludge-to-sludge heat exchanger pilot unit. The unit had some grease buildup but was maintaining decent heat transfer. The unit was cleaned; some piping changes were made to redirect some of the sludge that could be the cause of the grease. The pilot unit will be run longer to see if the piping changes helped to reduce the amount of grease buildup in the unit.

Rob Franck updated the Commission on the Primary Electric Underground Distribution Replacement. A pre-construction meeting was held with the contractor. They presented a preliminary timetable, they will be ordering equipment, and reviewing the plans again. With the weather permitting, they are planning to begin early to mid June and to be completed by the end of September or in October.

Manager Much updated the Commission on activity with the Biosolids Management Plan. He reminded the Commission that at the last meeting he met with individuals from Oshkosh to see if they would want to look at a regional building. Permission was granted for the Oshkosh WWTP to proceed with looking at a regional facility. We will now meet with Winnebago County to discuss constructing an on-site storage building at the County Landfill.

Old Business

Ordinance Contract incorporate revisions update. No new information to report.

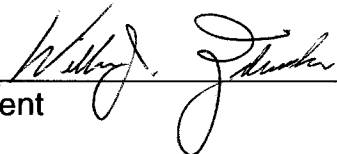
Sewer ownership update. The Neenah Council voted for approval of ownership of the interceptor. No written confirmation has been received.

Vouchers

Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski, to approve Operating and Payroll Fund Vouchers #130155 thru #130209 in the amount of \$273,280.85 for the month of January 2008. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 8:55 a.m.

President



Secretary



NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday March 25, 2008

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

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

Excused: Commissioner K. Bauer.

Also Present: Rob Franck, Paul Much (MCO); Mike Sambs (Waverly S.D.); Chad Olsen (McMahon Associates).

Motion made by Commissioner D. Youngquist, seconded by Commissioner G. Cowling to approve the minutes of the Regular Meeting of February 26, 2008. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- D. March 4, 2008 letter from David Webb, DNR to Randall Much, NMSC.
RE: Revision to ch. NR149, Wis. Administrative Code governing lab certification.
- E. March 20, 2008 letter from Neenah City Attorney James Godlewski to Randall Much, NMSC.
RE: Neenah acceptance of ownership of NMSC Interceptor sewers serving the City of Neenah.
- F. March 17, 2008 letter from Lower Fox River Dischargers to Mr. Jeffrey Haack, DNR.
RE: Ammonia Limits for Dischargers to the Lower Fox River.

Manager Much reported this letter is the joint effort between consultants, attorneys, and wastewater treatment plant managers expressing concerns to the DNR over the allocation methods used for effluent ammonia proposed limits.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for February 2008. Accountant Voigt pointed out the income generated in February and April was less than the budget, the March income will be close to the amount budgeted. At this point rates for the 3rd quarter 2008 may need to be increased. After discussion, moved by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to accept the unaudited financial statements for the month of February 2008 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #12468 in the amount of \$107,236.49 for the month of April 2008. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve MCO invoice #12468 in the amount of \$107,236.49 for the month of April 2008 and to pay the invoice after April 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of February 2008. The interest rates on the money-market accounts and with the State Pool have continued to drop from the previous month. MCO generated \$2,800 in additional income for the Commission; restricted cash balances totaled \$2,364,000 at the end of February. Motion made by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to accept the Accountants Report for the month of February 2008. Motion carried unanimously.

Accountant Voigt presented the following invoices from McMahon Associates for payment:

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| #39915 | WWTF Electrical Distribution - Bidding | \$900.00. |
| #39908 | Sludge to Sludge Heat Exchanger - Design | \$301.00. |

Motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve for payment invoices #39915 and #39908 to McMahon Associates. Motion carried unanimously.

Accountant Voigt reported he anticipates the 2007 Financial Audit should be completed for the April meeting.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of February 2008. The plant is running well. After discussion, motion made by Commissioner J.

Jurgenson, seconded by Commissioner R. Zielinski to approve the operating report for the month of February 2008 and to place the report on file. Motion carried unanimously.

Manager Much presented Amendment Number 2 to the Power Purchase Agreement dated February 26, 2002 between WPPI and the NMSC. This agreement updates the new expiration date of this agreement and it also updates the current equipment used for the production of the Renewable Energy specified in this agreement. After discussion, motion was made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve Amendment Number 2 to the Power Purchase Agreement subject to the agreement being corrected to reflect the current date the agreement is being approved on. Motion carried unanimously.

Chad Olsen (McMahon Associates) updated the Commission on the Sludge-to-sludge heat exchanger pilot unit. Mr. Olsen distributed pictures taken of the grease coating in the raw piping line as well as graphs depicting the Thermo Sludge Heat Transfer Results. The transfer results initially provided a 10 degree rise in temperature in the raw sludge which was anticipated. When the pipe was cleaned in January, grease was inside the piping. The high strength waste material was re-routed to see if this was a cause of the grease in the piping. On February 8 the piping was cleaned and grease was still evident in the raw line thus indicating the high strength waste is not the major source of the grease. The graphs show there is a decline in the heat transfer after a two week period and then another decline in heat transfer after another two week period. The next item is to look to see if it would be possible to add a flushing connection to aid in the cleaning of the piping. Manager Much reported to the Commission that the grease is in the primary sludge, indicating this is a reflection of the communities not maintaining or enforcing a grease trap ordinance. Manager Much also reported that this grease is also a source of odors in the plant. Manager Much offered a suggestion to help remedy this situation which is for the NMSC to modify the pretreatment rules to include oil and grease in this program. This would allow the NMSC to attempt to get this issue under control and be able to manage the oil and grease in the system. The pilot heat transfer unit initially provides a 10 degree increase in the raw waste; a full scale unit is designed to provide a 25 degree increase from the heat transfer. Commissioner R. Zielinski questioned what the NMSC needs to do to get the communities to implement their grease trap ordinances? Manager Much reported that it would take a couple of years to accomplish if the NMSC would add this to the pretreatment program. By adding this into the pretreatment program, the NMSC would be responsible to inspect and control the commercial establishments.

Chad Olsen updated the Commission on the Primary Electric Underground Distribution Replacement. The shop drawing have been submitted and reviewed; the equipment should have been ordered.

Manager Much updated the Commission on activity with the Biosolids Management Plan. Paul Much and Chad Olsen met with Winnebago County officials as well as with City of Oshkosh representatives. Winnebago County is interested in looking further into this option. They are also interested in touring a treatment facility and sludge storage building. It was reported the landfill would be closing in 3 ½ years; a concern of this option is odors. The management of a joint facility would be under the NMSC and Oshkosh control; the site of the facility would be in the City of Oshkosh.

Old Business

Ordinance Contract incorporate revisions update. No new information to report.

Sewer ownership update. The City of Neenah has approved, the City of Menasha is reportedly talking with the Town of Menasha.

Vouchers

Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski, to approve Operating and Payroll Fund Vouchers #130210 thru #130254 in the amount of \$259,235.06 for the month of February 2008. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 8:35 a.m.

President

Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday April 22, 2008

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

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

Excused: Commissioner K. Bauer.

Also Present: Rob Franck, Paul Much (MCO); Mike Sambs (Waverly S.D.); David Maccoux (Schenck SC); students from Fox Valley Lutheran H.S.

Motion made by Commissioner R. Zielinski, seconded by Commissioner W. Helein to approve the minutes of the Regular Meeting of March 25, 2008. 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 2008. Accountant Voigt pointed out the income generated for March and May will be close to what is budgeted. The rainfall and loadings in April should provide income higher than budget for the month of June. After discussion, moved by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the unaudited financial statements for the month of March 2008 and place them on file. Motion carried unanimously.

David Maccoux (Schenck SC) presented and discussed the 2007 financial audit of the NMSC. Mr. Maccoux reviewed with the Commission the Annual Financial Report and the Management Letter with Other Comments and Observations. Plant operations for 2007 will result in \$71,725 being returned to the contract users. It was reported to the Commissioners of new auditing standards for 2007 which required additional time in completing the audit. As in previous years, the report of internal control over financial reporting reported a deficiency in the lack of segregation of duties. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to approve the 2007 Financial Audit as presented. Voting aye: Commissioners R. Zielinski, G. Cowling, W. Helein, J. Jurgenson; abstaining: Commissioner D. Youngquist. Motion carried.

Accountant Voigt presented MCO invoice #12540 in the amount of \$107,236.49 for the month of May 2008. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve MCO invoice #12540 in the amount of \$107,236.49 for the month of May 2008 and to pay the invoice after May 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of March 2008. The interest rates on the money-market accounts and with the State Pool have continued to drop from the previous month. MCO generated \$2,700 in additional income for the Commission; restricted cash balances totaled \$2,447,000 at the end of March. Motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of March 2008. Motion carried unanimously.

Accountant Voigt presented the following invoices from McMahon Associates for payment:

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|--------|--|-------------|
| #40433 | Biosolids Management Plan | \$1,250.00. |
| #40432 | Sludge to Sludge Heat Exchanger - Design | \$ 795.00. |

Motion made by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to approve for payment invoices #40433 and #40432 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of March 2008. Everything is working well. With the rainfall received in April, the Neenah-Menasha WWTP has seen the highest level of flows in 10 years. The Neenah flume recorder has been off the chart for 3-days. The work being done in Menasha is paying off in reducing I/I to the plant. The Town of Neenah Sanitary District is televising their system. In past years, we would have seen plant flows over 100 MGD; we received only around 60 MGD. After discussion, motion made by Commissioner R.

Zielinski, seconded by Commissioner D. Youngquist to approve the operating report for the month of March 2008 and to place the report on file. Motion carried unanimously.

Chad Olsen (McMahon Associates) updated the Commission on the Sludge-to-sludge heat exchanger pilot unit. On March 31st the unit was cleaned. Grease was found in the raw sludge tubing; a piping loop was installed to allow the higher temperature thermophilic digester sludge to be re-circulated into the raw sludge line to hopefully melt and clean grease from the raw sludge tubing. The raw sludge heat transfer has remained constant at around 8 degrees F; the heat transfer on the thermophilic side has been sporadic. Primary sludge has significantly more grease than secondary grease. Manager Much pointed out that a source of the grease is due the lack of enforced grease trap ordinances by the contract users.

Chad Olsen updated the Commission on the Primary Electric Underground Distribution Replacement. The contractor is purchasing cable from Menasha Utilities; box pads are shipping May 16th with the remainder of the electrical equipment shipping May 20th. If the ground is dry enough, the contractor would like to begin installing cable in June.

Chad Olsen updated the Commission on activity with the Biosolids Management Plan. We are waiting for topographical site maps from the County. The County will be contacted to see what the status is for these maps. It was questioned about the County seeing our current sludge storage facility and if it would be possible for the Commission to see the facility also. Randy Much will arrange for the Commission to view the facility after the next meeting in May.

Old Business

Ordinance Contract incorporate revisions update. Attorney Gunz promised to have this at the meeting in May or June.

Sewer ownership update. The City of Neenah has approved, Attorney Gunz suggested he should re-approach the City of Menasha on this issue with the new mayor.

Other Business to Legally Come Before the Commission

Commissioner G. Cowling announced this will be the last meeting he will be serving as Commissioner for the NMSC. He has sold his house and will be moving into the City of Neenah. President W. Zielinski publicly thanked George for his years of service on the Commission and he will be missed.

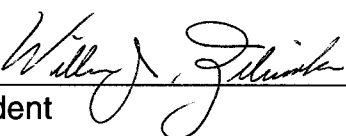
Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to convene into closed session under Section 19.85(1)(g) and 19.85 (1)(e) of the Wisconsin Statutes to confer with legal counsel concerning strategy to be adopted by the NMSC with respect to their joint defense with the Cities of Neenah and Menasha in connection with potential liability arising from the Lower Fox River/Green Bay Natural Resource Damage Assessment, Lower Fox River and Green Bay remediation issues, and related potential litigation and to discuss strategies for negotiations with representatives of the United States of America and the State of Wisconsin on compromise settlement of potential CERCLA liability, indemnification, contribution protection and municipal entities infrastructure concerns with respect to the Lower Fox River/Green Bay. Motion carried unanimously. Closed Session meeting began at 8:35 am.

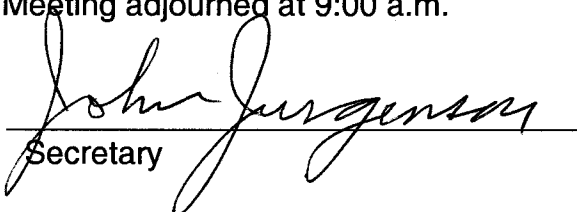
Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to adjourn the Closed Session and re-open into Regular Open Session. Motion carried unanimously. Closed Session adjourned and re-opened into Regular Session at 8:58 am.

Vouchers

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson, to approve Operating and Payroll Fund Vouchers #130255 thru #130308 in the amount of \$234,754.61 for the month of March 2008. Motion carried unanimously.

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


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Closed Session

Tuesday April 22, 2008

Commissioner R. Zielinski made a motion to convene into closed session under Section 19.85(1)(g) and 19.85(1)(e) of the Wisconsin Statutes to confer with legal counsel concerning strategy to be adopted by the NMSC with respect to their joint defense with the Cities of Neenah and Menasha in connection with potential liability arising from the Lower Fox River/Green Bay Natural Resource Damage Assessment, Lower Fox River and Green Bay remediation issues, and related potential litigation and to discuss strategies for negotiations with representatives of the United States of America on compromise settlement of potential CERCLA liability, indemnification, contribution protection and municipal entities infrastructure concerns with respect to the Lower Fox River/Green Bay; motion seconded by Commissioner D. Youngquist. Motion carried unanimously. Meeting convened into closed session at 8:35 am.

The Closed Session was called to order by Commission President W. Zielinski at 8:35 a.m.

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

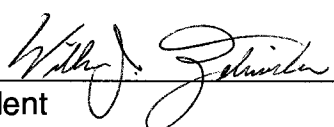
Excused: Commissioner K. Bauer.

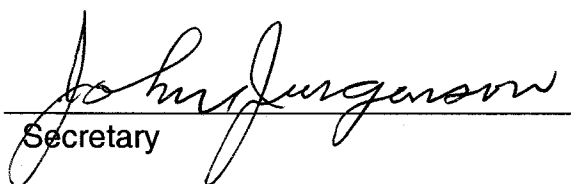
Also Present: Paul Much (MCO).

Attorney Gunz discussed with the Commissioners a letter received from Appleton Papers Inc. / NCR Corporation requesting the NMSC to begin serious, good-faith negotiations. Attorney Gunz indicated the NMSC environmental lawyers have responded to this letter. It is anticipated that we will be sitting down with NCR to talk about responsibilities. Attorney Gunz indicated there are lawsuits going on in Green Bay right now and that Appleton Papers is suing 10 other industries. It was questioned if the other industries could also begin suits against the municipalities; Attorney Gunz responded absolutely. The Commissioners were informed that cleanup costs are related to the availability of cleanup sites. Municipalities can get contribution protection. The Commissioners were also informed about the possibility of providing in-kind contributions which would require the NMSC to provide services over the next 20 or so years; this cost may be something that could be added to our operations budget.

Commissioner R. Zielinski questioned if he should discuss this letter with the new Menasha Mayor. Attorney Gunz indicated that this should be handled by Menasha City Attorney Jeff Brandt. Attorney Gunz also reported that several discussions have been had with the insurance companies because of this letter.

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to reconvene into Regular open session. Motion carried unanimously. Meeting returned to Regular open session at 8:58 am.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday May 27, 2008

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

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

Excused: Commissioner K. Bauer.

Also Present: Rob Franck, Paul Much (MCO); Menasha Mayor Donald Merkes.

Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to approve the minutes of the Regular Meeting of April 22, 2008 and the minutes of the Closed Session of April 22, 2008. Motion carried unanimously.

Correspondence

There following correspondence was discussed:

- A. May 10, 2008 letter from George Cowling to William Zelinski, NMSC President.
RE: George Cowling resignation as Commissioner on the NMSC.

Motion made by Commissioner D. Youngquist, seconded by Commissioner W. Helein to accept the resignation, with regrets, from George Cowling. Motion carried unanimously.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for April 2008. Accountant Voigt pointed out the income generated for June will be higher than budget. The June income should also bring the year-to-date income close to what the budget amount is. Checks will be issued in June to refund to the Contract Users the overpayment of 2007 operations. After discussion, moved by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to accept the unaudited financial statements for the month of April 2008 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #12615 in the amount of \$107,236.49 for the month of June 2008. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to approve MCO invoice #12615 in the amount of \$107,236.49 for the month of June 2008 and to pay the invoice after June 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of April 2008. The interest rates on the money-market accounts and with the State Pool have continued to drop from the previous month; the rates should begin stabilizing. A matured CD was reinvested for 24 months with a yield of 3.15%. MCO generated \$2,700 in additional income for the Commission; restricted cash balances totaled \$2,726,000 at the end of April. Motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of April 2008. Motion carried unanimously.

A semi-annual bond interest payment will be made on June 2 in the amount of \$95,058.13.

Accountant Voigt presented the following invoices from McMahon Associates for payment:

| | | |
|--------|--|-----------|
| #40645 | WWTF Electric Distr.-Constr. Basic | \$600.00. |
| #40666 | Sludge to Sludge Heat Exchanger - Design | \$ 97.00. |

Motion made by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to approve for payment invoices #40645 and #40666 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of April 2008. The plant is operating well. No additional information has been received from the DNR in regards to the Ammonia permit limit issue. A big impact on the wastewater treatment plant is the ability to reduce flows to the plant; the City of Menasha program has been effective. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to approve the operating report for the month of April 2008 and to place the report on file. Motion carried unanimously.

Manager Much updated the Commission on the Sludge-to-sludge heat exchanger pilot unit. The pilot unit is still running. Piping changes have been made and we are using hot sludge to clean the grease from the lower temperature pipe; this seems to be effective.

Manager Much discussed amending the NMSC Pretreatment Program responsibilities to also include Fats/oils/grease. The Cities don't have the expertise in sewer treatment; the NMSC should look at taking control to remove oil and grease from the sewer systems since we have the expertise and vested interest in having the oil and grease removed from the sewer system. It is recommended to have an individual oversee the NMSC pretreatment, mercury reduction, and oil & grease programs for the NMSC. The NMSC would need to modify its pretreatment ordinance and the five contract users would be monitored. Mercury reduction efforts will be needed because the NMSC may be looking at mercury limits of 1.3 parts per trillion. The expanded pretreatment program would have permit fees for the various businesses that would now fall under the proposed oil and grease requirements. These fees would offset the additional costs for the additional employee needed to monitor this program. Manager Much suggests authorizing both Attorney Gunz and himself to meet with the contracted users to explain to them the need for the change in the pretreatment permit program. After discussion, motion made by

Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to authorize Attorney Gunz and Manager Much to meet with the NMSC contract users to explain the recommended changes in the Pretreatment Permit program.

Manager Much discussed with the Commission the email receive from Chad Olsen on the update for the Primary Electric Underground Distribution Replacement. The contractor is looking to start the project in early June.

Manager Much and Chad Olsen met with the Manager at the Winnebago County Landfill. There are some sites that would be ideal for a sludge storage building; the sites have plenty of room and they also have the set-back required. We have permission to travel to the site today to view the location with the Commission. Following the tour of the sludge storage building at Gizmo Farms, the group will drive by the County Landfill to point out areas that could be used for a new storage building.

Old Business

Ordinance Contract incorporate revisions update. Will be presented at the next meeting.

Sewer ownership update. Menasha Mayor Merkes reported they need to put together an equitable agreement with the Town of Menasha.


Vouchers

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson, to approve Operating and Payroll Fund Vouchers #130309 thru #130351 in the amount of \$238,348.86 for the month of April 2008. Motion carried unanimously.

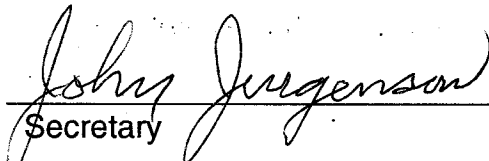
Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to adjourn the meeting at the offices of the NMSC. All present voting aye; nays, none. Meeting adjourned at the NMSC offices at 8:36 a.m.

Reconvene at Sludge Storage Building located across from Gizmo Farms, Inc.

Commissioners W. Zelinski, D. Youngquist, and W. Helein traveled to the sludge storage building with Randy Much and Paul Much to meet with Bob Potratz and James Potratz and to tour the facilities. At approximately 10:15 am the tour concluded and the group returned to the NMSC office.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday June 24, 2008

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

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

Excused: Commissioner K. Bauer.

Also Present: Mike Sambs (Waverly) Rob Franck, Jim Peichl (MCO); Chad Olsen (McMahon).

Motion made by Commissioner R. Zielinski, seconded by Commissioner W. Helein to approve the minutes of the Regular Meeting of May 27, 2008. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. June 12, 2008 letter from Carita Williams, Town of Neenah to NMSC.
RE: Appointment of Gordon Falck to fill the unexpired term of George Cowling.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for May 2008. After discussion, moved by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to accept the unaudited financial statements for the month of May 2008 and place them on file. Motion carried unanimously.

Accountant Voigt presented proposed rates for the 3rd quarter Operations, Replacement, and Depreciation. The proposed rates would decrease the flow charges and would increase the B.O.D. and Suspended Solids charges. The proposed changes are based on currently seen loadings at the treatment plant. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to approve the proposed rates for the 3rd quarter 2008 as presented. Motion carried unanimously. The rates beginning in the 3rd quarter will be: Flow \$180.85/MG, BOD \$0.2606/pound, Suspended Solids \$0.1284/pound.

Accountant Voigt presented MCO invoice #12695 in the amount of \$107,236.49 for the month of July 2008. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to approve MCO invoice #12695 in the amount of \$107,236.49 for the month of July 2008 and to pay the invoice after July 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of May 2008. The interest rates on the money-market accounts and with the State Pool have continued to drop from the previous month. MCO generated \$2,784 in additional income for the Commission; restricted cash balances totaled \$2,829,000 at the end of May. Motion made by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to accept the Accountants Report for the month of May 2008. Motion carried unanimously.

Accountant Voigt reported a correction needed to be made in the audit report. Attorney Gunz noticed an error in Note C pertaining to Contingent Liabilities. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to approve the correction to Note C – Contingent Liabilities as recommended by Attorney Gunz. Voting aye: Commissioners W. Helein, J. Jurgenson, R. Zielinski, G. Falck. Abstaining: Commissioner D. Youngquist. Motion carried.

Accountant Voigt presented the following invoice from McMahon Associates for payment:

-#41281 Sludge to Sludge Heat Exchanger - Design \$48.50.

Motion made by Commissioner D. Youngquist, seconded by Commissioner W. Helein to approve for payment invoice #41281 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of May 2008. Everything ran well; during the last two weeks rain caused plant overflows. The work done by the communities has been effective but more work needs to be done. A pipe on a primary clarifier broke; an exterior repair has been made and an interior repair will be completed this week on the pipe. The methane gas engine blew; a piston punched a hole on both sides of the block. We are now flaring off the methane gas. We will need to re-look at our past engineering study and options available for use of the methane gas. Discussion was held on installing a micro-turbine and looking at units in Duluth and Sheboygan. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve the operating report for the month of May 2008 and to place the report on file. Motion carried unanimously.

Manager Much presented a request from Gizmo Farms for an increase in the sludge hauling rate due to increased fuel costs experienced this year. Discussion on Gizmo Farms services, the possibility of building a new storage site at the county landfill, and CPI cost increases ensued. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to deny the request from Gizmo Farms, Inc. for an increase in the contracted rate for hauling and disposing of Commission sludge. Motion carried unanimously.

Chad Olsen (McMahon Associates) updated the Commission on the Sludge-to-sludge heat exchanger pilot unit. The pilot unit is still running. Using hot sludge to clean grease from cooler exchange piping seems to help maintain the level of heat exchange at about 8 degrees. There may be an issue with air pockets in the line; we are looking at installing air release valves. Copies of pictures taken last Friday were distributed. The pictures showed grease and scum in the raw piping before the heat exchanger. Manager Much indicated this is a problem due to a lot of grease and oil coming into the plant. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to approve the installation of air release valves on the heat exchanger piping. Motion carried unanimously.

Chad Olsen updated the Commission on the status for the Primary Electric Underground Distribution Replacement. Parts have been delivered and are on site, work should begin soon.

Chad Olsen distributed a photocopy of a map indicating the possible location of a sludge storage building to be located at the Winnebago County Landfill.

Manager Much discussed and explained the Compliance Maintenance Annual Report (CMAR). All categories received a grade of A except for the rating towards the Collection System. This grade is a D. Once the interceptors are completely turned over to the Cities, we will no longer have this as part of our responsibility and we would not be graded for this particular item. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to approve NMSC Resolution 2008-1. Voting aye: Commissioners W. Helein, R. Zielinski, D. Youngquist, J. Jurgenson. Abstaining: Commissioner G. Falck. Motion carried.

Old Business

Ordinance Contract incorporate revisions update. Attorney Gunz brought in the completed document on Monday.

Sewer ownership update. Items of discussion between Menasha and the Town of Menasha Utility District are being worked out.

Amend NMSC Pretreatment Program. The issues with the heat exchanger piping further indicate the need to make the change to have the NMSC involved in removing oil and grease from the waste coming into the plant. A proposal will be brought in at the next meeting to add an additional employee to the contract between MCO and the NMSC.

Other Business to Legally Come Before the Commission

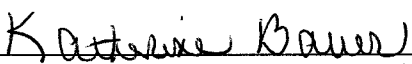
Commissioner D. Youngquist questioned the status of the ammonia limits that were proposed for our discharge permit. Manager Much reported the DNR is still reviewing this issue and have not yet responded.

Vouchers

Motion made by Commissioner R. Zielinski, seconded by Commissioner W. Helein, to approve Operating and Payroll Fund Vouchers #130352 thru #130406 in the amount of \$235,608.81 for the month of May 2008. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:10 a.m.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday July 22, 2008

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

Present: Commissioners R. Zielinski, W. Helein, D. Youngquist, J. Jurgenson, W. Zielinski, K. Bauer; Manager Much, Accountant Voigt.

Excused: Commissioner G. Falck.

Also Present: Mike Sambs (Waverly) Rob Franck (MCO).

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to approve the minutes of the Regular Meeting of June 24, 2008. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- B. June 26, 2008 letter from Randall Much, NMSC to Mr. Jim Savinski, DNR.
RE: Plant overflow due to rain event on June 12, 2008.

- C. June 27, 2008 letter from Randall Much, NMSC to Mr. Robert Potratz, Gizmo Farms.
RE: Denied request for increase in sludge hauling rate.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for June 2008. After discussion, moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to accept the unaudited financial statements for the month of June 2008 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #12767 in the amount of \$107,236.49 for the month of August 2008. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve MCO invoice #12767 in the amount of \$107,236.49 for the month of August 2008 and to pay the invoice after August 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of June 2008. The interest rates on the money-market accounts and with the State Pool have continued to drop from the previous month. MCO generated \$2,631 in additional income for the Commission; restricted cash balances totaled \$2,758,000 at the end of June. Motion made by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to accept the Accountants Report for the month of June 2008. Motion carried unanimously.

Accountant Voigt presented Certificate for Payment #1 from Elmstar Electric in the amount of \$109,665.88 for work associated with the Primary Electric Underground Distribution Replacement. The 2.5% retainage in the pay request is based on contract language and state law for municipal contracts. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve for payment Certificate for Payment #1 from Elmstar Electric in the amount of \$109,665.88. Motion carried unanimously.

Accountant Voigt presented the following invoices from McMahon Associates for payment:

| | | |
|--------|--|-------------|
| #41618 | Sludge to Sludge Heat Exchanger - Design | \$1,009.40. |
| #41619 | Biosolids Management Plan | \$1,250.00. |

Motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve for payment invoices #41618 and #41619 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of June 2008. Everything is working well; Lee's Contracting is in the process of rebuilding the last 2 final clarifiers. Micro turbines – We have not been granted access yet to view micro turbines; we may need to look to travel to another community who has long term use of these units to view this technology. Discussion ensued on issues with methane gas and the need to properly clean the methane gas for use in engines. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve the operating report for the month of June 2008 and to place the report on file. Motion carried unanimously.

Manager Much discussed with the Commission adding an additional employee to the contract with Midwest Contract Operations to handle the added responsibilities associated with the pretreatment program; in particular the oversight of the oil and grease program and the added responsibilities for mercury reduction. The cost for the additional employee would be an increase of \$88,000 per annum. It was felt a large portion of this cost could be recovered in additional income from pretreatment fees. Revisions and corrections in the Pretreatment Ordinance will need to be made. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to approve the contract amendment with Midwest Contract Operations, Inc. to add an additional employee responsible for the pretreatment program at a cost of \$88,000 effective beginning August 1, 2008. Motion carried unanimously.

Manager Much reported there is no new information on the sludge to sludge heat exchanger.

Manager Much discussed the construction progress update report received from McMahon Associates on the Primary Electric Distribution System Upgrade. The box pads are installed, trenching and cable installation are currently being performed.

Manager Much reported that Attorney Gunz has been contacting Neenah-Menasha members on the county landfill board to inform them of the NMSC request for building a storage building on the landfill site. A meeting with Oshkosh representatives will occur to further discuss this process. It was questioned when would be the earliest that construction could begin; it was answered probably next summer.

Old Business

Ordinance Contract incorporate revisions update. Attorney Gunz completed the document. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner D. Youngquist to authorize distributing the completed document to the municipalities for their reference. Motion carried unanimously.

Sewer ownership update. Discussions between the communities are still occurring.

Amend NMSC Pretreatment Program. Updates to the Pretreatment Program will begin. We will look at using the EPA model ordinance and then add any unique items relevant to our needs. The revised program will be submitted to the DNR for approval.

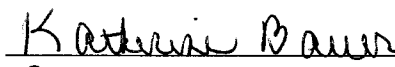
Vouchers

Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist, to approve Operating and Payroll Fund Vouchers #130407 thru #130468 in the amount of \$427,200.72 for the month of June 2008. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 8:55 a.m.



President



Secretary

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| NEENAH-MENASHA SEWERAGE COMMISSION |
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Regular Meeting**Tuesday August 26, 2008**

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

Present: Commissioners R. Zielinski, W. Helein, D. Youngquist, J. Jurgenson, G. Falck, W. Zielinski, K. Bauer; Manager Much, Attorney Gunz, Accountant Voigt.

Also Present: Chad Olsen (McMahon); Mike Sambs (Waverly); Rob Franck, Paul Much, Jim Peichl (MCO); Taryn Nall (Kaempfer & Associates).

Motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve the minutes of the Regular Meeting of July 22, 2008. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- D. August 13, 2008 notice of business merger.
RE: McMahon Associates, Inc and Miller Wagner Coenen McMahon will be consolidating as one firm, named McMAHON.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for July 2008. It was reported the August and September operating incomes will be higher than budget. After discussion, moved by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the unaudited financial statements for the month of July 2008 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #12839 in the amount of \$121,903.16 for the month of September 2008. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to approve MCO invoice #12839 in the amount of \$121,903.16 for the month of September 2008 and to pay the invoice after September 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of July 2008. The interest rates on the money-market accounts and with the State Pool have remained somewhat steady. A CD matured on the 23rd and has not yet been reinvested. There is a 10-day grace period after which the CD will be re-invested. MCO generated \$2,462 in additional income for the Commission; restricted cash balances

totaled \$2,717,000 at the end of July. Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to accept the Accountants Report for the month of July 2008. Motion carried unanimously.

Manager Much presented the proposed 2009 NMSC budget. Major increases in the budget are seen in Contract Management due to an additional employee and in the anticipated Electricity expense in 2009. The 2008 income reported for the Town of Neenah S.D. 2 is incorrect, this will be corrected. Commissioner D. Youngquist discussed the need for increasing the Replacement Fund and Depreciation Fund accounts. After discussion, a motion was made by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to hold a Public Hearing on the proposed 2009 NMSC Budget on September 23, 2008 at 8:00 am just prior to the Regular Meeting scheduled for September 23, 2008. Motion carried unanimously.

Accountant Voigt presented Certificate for Payment #2 from Elmstar Electric in the amount of \$9,702.00 for work associated with the Primary Electric Underground Distribution Replacement. Commissioner D. Youngquist questioned how the retainage percentage was derived. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to approve for payment Certificate for Payment #2 from Elmstar Electric in the amount of \$9,702.00. Motion carried unanimously.

Accountant Voigt presented the following invoices from McMahon Associates for payment:

| | | |
|--------|--|-------------|
| #42066 | Sludge to Sludge Heat Exchanger - Design | \$ 48.50. |
| #42067 | Electrical Distribution - Construction | \$3,000.00. |

Motion made by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to approve for payment invoices #42066 and #42067 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Taryn Nall addressed the Commission and reported on the status of the City of Menasha I/I program. Lining of sewers should be completed in September; 80% of the total project is complete; \$1.6 million has been paid out to date on the I/I program.

Manager Much presented and discussed the operating report for the month of July 2008. The plant is working well; Lee's Contracting has finished the first clarifier with start-up scheduled for today. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner G. Falck to approve the operating report for the month of July 2008 and to place the report on file. Motion carried unanimously.

Chad Olsen reported there is no new information on the sludge to sludge heat exchanger. Different chemicals are currently being looked into to help clean grease in the piping; air bleed valves are installed, one valve seems to be continuously releasing gas.

Rob Franck discussed the written construction progress update report received from McMahon Associates on the Primary Electric Distribution System Upgrade. Testing of the cables will be performed today; 2 switches are set; after completion of the testing, the project is about 70% complete.

Chad Olsen addressed the Commission on information obtained on micro-turbines. Ingersol-Rand installed units in the 70's in Duluth; Ingersol-Rand is not marketing units at this time; their 250's are not being sold anymore. Capstone has a 65kW unit available in a skid system. The system includes 4 turbines, Siloxane filter, gas compression, drying, moisture removal. The cost for the skid system is \$653,000; this does not include installation, electrical, and building modifications. The history of past issues were discussed that have brought us to the issue of why micro-turbines are being looked at. The repair cost for the current engine used to run on methane gas is \$63,000; it costs \$71,000 for a new engine. There would be several weeks of lead time for either the repair or replacement of the current engine. Commissioner D. Youngquist questioned the cost of the micro-turbines versus the cost of the current engine used. The consensus of the Commission is to continue looking further at micro-turbines, the costs, and technologies available.

Manager Much updated the Commission on the progress on the biosolids management. Discussions with Oshkosh have been occurring for the storage building; Gizmo Farms presented an option for burning the sludge generated by the Treatment Plant.

Manager Much presented a sewer extension request received from Davel Engineering for Castle Oak III located in the City of Neenah. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to approve the sewer extension request for Castle Oak III located in the City of Neenah. Motion carried unanimously.

Old Business

Sewer ownership update. No new information to report.

Amend NMSC Pretreatment Program update. Talks have been occurring with the DNR about changes; the Federal Government has made changes, but the state of Wisconsin has not made these changes. We will need to check with the DNR to see how far out they see these changes being approved. Attorney Gunz is reviewing to see if we need to make modifications to the pretreatment ordinance for the oil and grease program. A general permit is planned for issuance for grease and oil. Manager Much and Attorney Gunz will review to see if an amendment to the pretreatment ordinance is needed.

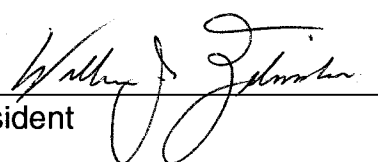
Motion made by Commissioner D. Youngquist to convene into closed session under Section 19.85(1)(g) and 19.85 (1)(e) of the Wisconsin Statutes to confer with legal counsel concerning strategy to be adopted by the NMSC with respect to their joint defense with the Cities of Neenah and Menasha in connection with potential liability arising from the Lower Fox River/Green Bay Natural Resource Damage Assessment, Lower Fox River and Green Bay remediation issues, and related potential litigation and to discuss strategies for negotiations with representatives of the United States of America and the State of Wisconsin on compromise settlement of potential CERCLA liability, indemnification, contribution protection and municipal entities infrastructure concerns with respect to the Lower Fox River/Green Bay; seconded by Commissioner J. Jurgenson. Motion carried unanimously. Closed Session meeting began at 9:05 am.

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to adjourn the Closed Session and re-open into Regular Open Session. Motion carried unanimously. Closed Session adjourned and re-opened into Regular Session at 9:28 am.

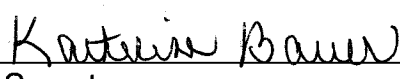
Vouchers

Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist, to approve Operating and Payroll Fund Vouchers #130469 thru #130512 in the amount of \$265,940.42 for the month of July 2008. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:30 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Closed Session Tuesday August 26, 2008

Commissioner D. Youngquist made a motion to convene into closed session under Section 19.85(1)(g) and 19.85(1)(e) of the Wisconsin Statutes to confer with legal counsel concerning strategy to be adopted by the NMSC with respect to their joint defense with the Cities of Neenah and Menasha in connection with potential liability arising from the Lower Fox River/Green Bay Natural Resource Damage Assessment, Lower Fox River and Green Bay remediation issues, and related potential litigation and to discuss strategies for negotiations with representatives of the United States of America on compromise settlement of potential CERCLA liability, indemnification, contribution protection and municipal entities infrastructure concerns with respect to the Lower Fox River/Green Bay; motion seconded by Commissioner J. Jurgenson. Motion carried unanimously. Meeting convened into closed session at 9:05 am.

The Closed Session was called to order by Commission President W. Zielinski at 9:05 a.m.

Present: Commissioners R. Zielinski, J. Jurgenson, G. Falck, K. Bauer, W. Helein, D. Youngquist, W. Zielinski; Manager Much, Attorney Gunz, Accountant Voigt.

Also Present: Paul Much (MCO).


Attorney Gunz discussed with the Commissioners the current status on the litigation with Appleton Papers/NCR. The lawsuit pending between Appleton Papers/NCR and the municipalities and other industries currently is in excess of 20 defendants; there is a seven page list of attorneys involved which totals around 300 lawyers. Appleton Papers/NCR is claiming in excess of \$1 Billion to cleanup the Fox River. The NMSC is being brought in as an indirect contributor. From 1950's to 1984 the NMSC treated wastes with PCB's. The defense costs will be enormous. The Federal Government can give the Commission protection based on "in-kind" contributions. The Federal Government is not involved in the current lawsuit by Appleton Papers/NCR. We will be meeting with the Justice Department the

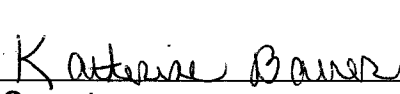
second week of September and we will be requesting a 6-week stay in the current lawsuit to give us time to negotiate with the Federal Government. Two of the Commission insurance companies have agreed they have some potential liability. With the NMSC being a part of the joint defense group, this has reduced the amount of complications between the municipalities. Any "in-kind" contributions may have a budget impact on the Commission for the next 20-30 years. Hopefully we will have indications from the Federal Government in the next 60-days. Of note, the NMSC was sued by Appleton Papers/NCR but not the Cities of Neenah and Menasha.

Commissioner W. Helein excused from the meeting to attend to other business.

There probably won't be any activity for another 6-9 months. If our request for a stay is denied, then a scheduling order will be issued.

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to reconvene into Regular open session. Motion carried unanimously. Meeting returned to Regular open session at 9:28 am.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday September 23, 2008

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

Present: Commissioners R. Zielinski, D. Youngquist, J. Jurgenson, G. Falck, W. Zielinski, K. Bauer; Manager Much, Attorney Gunz, Accountant Voigt.

Excused: Commissioner W. Helein.

Also Present: Chad Olsen, Jeff Kellner (McMahon); Mike Sambs (Waverly); Jim Peichl (MCO).

President W. Zielinski opened the Public Hearing to receive comments on the proposed 2009 NMSC Budget.

Hearing no questions or comments on the proposed 2009 NMSC Budget, moved by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to adjourn the Public Hearing and reconvene into Regular Open Session. Motion carried unanimously. Public Hearing adjourned at 8:05 am.

Motion made by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to approve the minutes of the Regular Meeting of August 26, 2008. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to approve the minutes of the Closed Session of August 26, 2008. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- E. August 26, 2008 notice of public hearing.
RE: NMSC notice of public hearing on proposed 2009 Budget.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for August 2008. It was reported the year to date operating income is higher than budget; the September and October operating income is under budget projections. After discussion, moved by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to accept the unaudited financial statements for the month of August 2008 and place them on file. Motion carried unanimously.

Manager Much presented the Proposed 2009 NMSC Budget to the Commission. Motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve the Proposed 2009 NMSC Budget. Motion carried unanimously.

Accountant Voigt presented MCO invoice #12925 in the amount of \$114,569.83 for the month of October 2008. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner K. Bauer to approve MCO invoice #12925 in the amount of \$114,569.83 for the month of October 2008 and to pay the invoice after October 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of August 2008. It was questioned if account balances exceeded insurance limits and what type of investments are used in the State Pool and if any audit is received from this fund. Accountant Voigt responded some of the account balances do exceed insurance limits. An audit was recently received on the State Pool program. MCO generated \$2,582 in additional income for the Commission; restricted cash balances totaled \$2,673,000 at the end of August. Motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of August 2008. Motion carried unanimously.

Accountant Voigt presented Certificate for Payment #3 from Elmstar Electric in the amount of \$8,320.00 for work associated with the Primary Electric Underground Distribution Replacement. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve for payment Certificate for Payment #3 from Elmstar Electric in the amount of \$8,320.00. Motion carried unanimously.

Accountant Voigt presented the following invoices from McMahon Associates for payment:

| | | |
|--------|--|-------------|
| #42639 | Sludge to Sludge Heat Exchanger - Design | \$ 97.00. |
| #42640 | Biosolids Management Plan | \$1,250.00. |

Motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve for payment invoices #42639 and #42640 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of August 2008. The plant is running well; the second final clarifier under rebuild should be completed in two weeks. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to approve the operating report for the month of August 2008 and to place the report on file. Motion carried unanimously.

Manager Much presented a written request from Martenson & Eisele on behalf of Waverly Sanitary District to have the Waverly Sanitary District replace the sampling equipment located at Lift Station #1. The request is due to issues with accuracy of the sampling station. Menasha would like the equipment replaced. Manager Much reported the equipment currently in the station is okay, but he is okay with the change if Waverly S.D. wants to replace it at their expense. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner K. Bauer to approve the request to replace the sampling equipment at Lift Station #1 at the expense of Waverly Sanitary District. Motion carried unanimously.

Manager Much reported he will be requesting a meeting with Sonoco staff to discuss providing safe access to the metering station and to move the sampler out of the current building it is in due to the conditions inside the building.

Chad Olsen reported the grease accumulating in the sludge-to-sludge heat exchanger line is a petroleum based product.

Chad Olsen presented a report of comparison between a micro turbine installation and a genset installation. Estimated installed costs for 4 micro turbines is \$1,248,375. The life expectancy of these units is unknown; the life of the core in the micro turbine is 5 years. The current cost to replace each core is \$43,000. The estimated installed price for a 335KW genset is \$1,455,000. Focus on Energy grants may be available; Chad will check further into the availability for a grant for the project study. Other set-ups of micro turbine equipment should be checked out for comparison with our situation. It was the consensus of the Commission to continue looking at micro turbines as an option for using methane gas generated at the NMSC. Chad will put together a grant application for submittal. Chad will also set up tours of facilities with 30 KW and 65 KW micro turbines. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner K. Bauer to proceed with the micro turbine project consisting of the grant application and preliminary engineering study. Motion carried unanimously.

Jeff Kellner updated the Commission on the Underground Electric Distribution Replacement. By the end of this week the installation should be completed. Restoration work will need to be completed. Jeff Kellner presented a change order in the amount of \$962.55 for extra time spent digging due to rubble and unknown underground piping. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve change order #1 in the amount of \$962.55 for extra time spent digging due to underground obstructions. Motion carried unanimously.

Manager Much reported there is no new information on the Biosolids plan from last month.

Old Business

Sewer ownership update. No new information to report.

Amend NMSC Pretreatment Program update. Manager Much and Attorney Gunz met with Neenah staff; they are okay with the NMSC doing the program. Manager Much reported that Attorney Gunz is reviewing if the NMSC needs to pass a resolution to add the oil and grease conditions to the pretreatment program. Manager Much and Attorney Gunz will be meeting with Menasha next week; the Town of Menasha still needs to be contacted.

Vouchers

Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski, to approve Operating and Payroll Fund Vouchers #130513 thru #130576 in the amount of \$458,338.35 for the month of August 2008. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:15 a.m.

President

Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday October 28, 2008

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

Present: Commissioners W. Helein, R. Zielinski, D. Youngquist, G. Falck, J. Jurgenson, K. Bauer, W. Zielinski; Manager Much.

Excused: Accountant R. Voigt

Also Present: Chad Olsen (McMahon); Tim Hamlin (Neenah); Mike Sambs (Waverly).

Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to approve the minutes of the Regular Meeting of September 23, 2008. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. September 24, 2008 letter from Mark Radtke, City of Menasha to Randall Much, NMSC.
RE: Waverly S.D. wastewater testing at Lift Station 1.

Budget, Finance, Personnel

W. Zielinski presented to the Commission the unaudited financial statements for September 2008.

W. Zielinski presented MCO Invoice #12994 in the amount of \$114,569.83. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to approve MCO Invoice #12994 in the amount of \$114,569.83 for the month of November 2008 and to pay the invoice after November 1. Motion carried unanimously.

Manager Much presented the Accountants Report. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of September 2008. Motion carried unanimously.

Manager Much presented Elmstar Electric payment request #4 in the amount of \$18,257.48.

After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve Elmstar Electric payment request #4 in the amount of \$18,257.48. Motion carried unanimously.

McMahon Invoices #42679, #43064, and #43037 were presented for payment. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to approve for payment McMahon Invoices #42679, #43064, and #43037. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of September 2008. The plant is running well. Lab audit completed by new Wisconsin DNR lab auditor. Auditor said 'great lab' however lab temps need to be better maintained. Chad Olsen worked with HVAC engineers at a different facility to design a HVAC system. Discussed cost of upgraded HVAC system. Estimated \$2,500 for an engineering study. Questioned if the HVAC upgrade could come out of replacement / depreciation fund? After discussion, motion by Commissioner W. Helein, seconded by Commissioner R. Zielinski to accept the operating report for the month of September 2008. Motion carried unanimously.

Chad Olsen made a presentation on Micro turbines. WPPI will pay \$0.08 / kilowatt hour,. Capstone would be supplier. Maintenance contract will be \$65,000 for 9-years, covers planned and incidental repairs. This would be per 65 kw unit. Maintenance plan covers only turbines themselves. After discussion, motion made by K. Bauer to run D&B check on Capstone. Chad still looking for grant money. More data regarding micro turbines will be submitted next month.

Biosolids Management Plan - Our sludge may be a possible fuel source for Utica Energy, Options are being looked at.

Methane Gas Engine - \$45,000 check from insurance company to be received for engine.

Sonoco / U.S. Mills Metering Station - Better accessibility to sampler.

Ammonia Limits - New permit coming. Manager Much believes we can make new ammonia limits.

Old Business


Attorney Gunz and Manager Much met with Menasha on interceptor ownership.

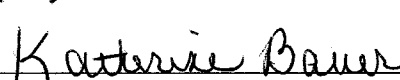
Grease Ordinance. Attorney Gunz and Manager Much discussed the NMSC assuming responsibility for grease control with Menasha..

Vouchers

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to approve operating and payroll fund vouchers #130577 through #130629 in the amount of \$361,724.14. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:55 a.m.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday November 25, 2008

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

Present: Commissioners R. Zielinski, D. Youngquist, G. Falck, T. Hamblin, K. Bauer, W. Zielinski; Manager Much, Accountant Voigt.

Excused: W. Helein

Also Present: Chad Olsen, Jeff Kellner (McMahon); Mike Sambs (Waverly); Rob Franck, Paul Much (MCO); Teri Stecker (Diversified Insurance Services).

Motion made by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to approve the minutes of the Regular Meeting of October 28, 2008. Motion carried unanimously.

Correspondence

There was no correspondence to be discussed.

Budget, Finance, Personnel

Financial Statements for the month of October will be available at the December meeting.

Teri Stecker from Diversified Insurance Services presented and discussed the renewal of the NMSC Commercial Insurance Package for 2009. Overall the Commission will be looking at about a 10 percent increase in premium over the 2008 rates. Of this increase, six percent is attributable to the increase in property values for the NMSC. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to accept the renewal of the Commercial Insurance Package as presented. Motion carried unanimously.

Accountant Voigt presented MCO Invoice #13077 in the amount of \$114,569.82. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve MCO Invoice #13077 in the amount of \$114,569.82 for the month of December 2008 and to pay the invoice after December 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report. The money market rates have gone down, the CD that matured in early November was not renewed but was instead deposited into the money market account with Prospera Credit Union to cover disbursements made from the Replacement Fund. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of October 2008. Motion carried unanimously.

Accountant Voigt presented the Snow Plowing and Removal contract with Levenhagen Oil. There are no changes from last year's contract. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to approve the Snow Plowing and Removal Contract with Levenhagen Oil. Motion carried unanimously.

Accountant Voigt presented Elmstar Electric payment request #5 (Final) in the amount of \$3,742.19. Jeff Kellner (McMahon Associates) reported there are still a couple of minor items to be completed. After discussion, motion by Commissioner G. Falck, seconded by Commissioner D. Youngquist to approve Elmstar Electric payment request #5 in the amount of \$3,742.19 with payment to be issued pending completion of the remaining items indicated. Motion carried unanimously.

McMahon Invoices #43498 and #43867 were presented for payment. Jeff Kellner reported that invoice #43867 exceeds the contract amount for these services. This was due to unforeseen site conditions and the additional trenching needed to be completed by Elmstar Electric. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve for payment McMahon Invoices #43498, and #43867. Motion carried unanimously.

Accountant Voigt reported there is a bond payment of principle and interest that will be made on Monday December 1.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of October 2008. The plant is running well. We have received the draft discharge permit; a copy was sent to the Attorney with the Dischargers Association for review. The phosphorus levels in the draft permit should be able to be met; the mercury limits in the draft permit will have problems meeting the limits. A variance for the mercury limit has been requested; however efforts to reduce the amount of mercury being discharged into the system need to continue. After discussion, motion by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to accept the operating report for the month of October 2008. Motion carried unanimously.

Chad Olsen reported on the trip with Manager Much to Rochester Minnesota to look at a 65kw micro turbine unit being used at a school. The unit is used to produce electricity and the heat generated by the unit is recaptured to heat water for the swimming pool. The unit has been in use for about 2 ½ years and they have had no issues. Capstone has a maintenance contract they offer on their units; 9 years coverage for \$65,000 per unit. Commissioner K. Bauer did a Dun & Bradstreet review of the company who makes the Capstone units; Capstone may be in the start of financial issues. They have been in business since 1998. Chad offered to bring in the Unison Solution representative at the next meeting to discuss Capstone financial issues and the ability to provide 9 years of a service contract. Chad Olsen presented the Commission with an Agreement for Professional Services for Preliminary

Engineering Services and Design Phase Services. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner K. Bauer to approve the Preliminary Engineering Services agreement with McMahon Associates. Motion carried unanimously.

Chad Olsen presented a preliminary copy of the Focus On Energy Feasibility Study Grant that has been prepared. The estimated cost of the study is \$14,580, if the grant is approved, the Focus On Energy portion would be \$7,290. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner G. Falck to submit the grant. Motion carried unanimously.

Biosolids Management Plan – Need to set-up a meeting with Oshkosh to discuss further. Will also need further discussions with Utica Energy for use of sludge as an energy source and to be able purchase land and building from Gizmo Farms. Will continue working on both options to review.

Old Business

Interceptor ownership. No new information to report.

Grease Ordinance. No new information to report.

Vouchers

Motion made by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to approve operating and payroll fund vouchers #130630 through #130672 in the amount of \$430,877.56. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner G. Falck to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:14 a.m.

President

Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday December 23, 2008

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

Present: Commissioners R. Zielinski, D. Youngquist, T. Hamblin, K. Bauer, W. Zielinski; Manager Much, Accountant Voigt.

Excused: W. Helein, G. Falck.

Also Present: Mike Sambs (Waverly); Mike Dillon.

Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to approve the minutes of the Regular Meeting of November 25, 2008. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. November 10, 2008 letter from John Jurgenson to the NMSC.
RE: Resignation as Commissioner on the NMSC.
- B. December 1, 2008 letter from Neenah Mayor Scherck to Tim Hamblin.
RE: Appointment as Commissioner to fill the unexpired term of John Jurgenson.
- C. December 4, 2008 letter from Neenah Mayor Scherck to William Zielinski.
RE: Re-appointment as Commissioner on the NMSC.
- D. December 16, 2008 letter from Menasha Deputy City Clerk Kristin Sewall to Kathy Bauer.
RE: Re-appointment as Commissioner on the NMSC.

Action on Correspondence

Appointment of Commission Secretary to fill open position. Commission President W. Zelinski asked Commissioner K. Bauer if she would be willing to fill the open position of Secretary until the elections of officers at the January meeting. Commissioner K. Bauer accepted the position as secretary.

Budget, Finance, Personnel

Accountant Voigt presented the financial statements for the months of October and November 2008. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the financial statements for the months of October and November and place them on file. Motion carried unanimously.

Manager Much presented and discussed the 2009 contract increase from MCO for contract operations. The CPI-U increased 4.9%, however MCO is requesting an increase of only 3.5%. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner K. Bauer to approve the contract increase of 3.5% to the contract with MCO. Motion carried unanimously.

Accountant Voigt presented MCO Invoice #13202 in the amount of \$120,451.17 for the month of January 2009. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve MCO Invoice #13202 in the amount of \$120,451.17 for the month of January 2009 and to pay the invoice after January 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Reports for the months of October and November. The money market rates have continued to go down; Bond interest and principal were paid on December 1. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the Accountants Reports for the months of October and November 2008. Motion carried unanimously.

McMahon Invoice #44092 was presented for payment. After discussion, motion by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to approve for payment McMahon Invoice #44092. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of November 2008. The plant is running well; and well within permit limits. The new sampler has been installed in the Waverly metering station. After discussion, motion by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to accept the operating report for the month of November 2008. Motion carried unanimously.

Manager Much reported on a meeting that was held with WPPI and Menasha Utilities to verify information on the NMSC electric billings. Based on the information that we see, there is a 7 year payback on the installation of the micro turbines. Information provided by Menasha Utilities changes the payback to 12 years on the installation of the micro turbines. Menasha Utilities and WPPI will work on obtaining grant money or other assistance to help in the funding of the micro turbine project. Manager Much reported that McMahon Associates has a dairy client with an engine/generator/gas clean unit available for sale. Discussion ensued; based on the discussion it is the consensus it would be worth looking further at this unit to see what it looks like. More information will be provided at the January meeting.

Manager Much reported a response has been received from the MEG Attorney after reviewing the draft discharge permit for the Commission.

Manager Much presented a proposal for a Lab Office HVAC Study. The laboratory is subject to temperature fluctuations and this needs to be corrected based on a lab audit performed by the DNR. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner T. Hamblin to approve the Lab Office HVAC Study at a fee of \$4,400. Motion carried unanimously.

Old Business

Interceptor ownership. A meeting will be held in January with the Town of Menasha.

Grease Ordinance. No new information to report.

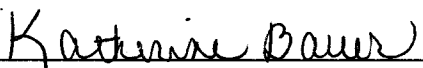
Biosolids Management. We are looking to set up a meeting with Gizmo Farms for further discussions.

Vouchers

Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to approve operating and payroll fund vouchers #130673 through #130733 in the amount of \$273,956.29. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:05 a.m.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday January 27, 2009

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

Present: Commissioners R. Zielinski, D. Youngquist, T. Hamblin, K. Bauer, W. Helein, G. Falck, W. Zielinski; Manager Much, Accountant Voigt.

Also Present: Mike Sambs (Waverly); Paul Much, Jim Peichl (MCO).

Minutes from the meeting of December 23, 2008; Commissioner G. Falck requested to amend the minutes under Correspondence, item D to add the word Menasha before Deputy Clerk to further clarify the community. Motion made by Commissioner R. Zielinski, seconded by Commissioner G. Falck to approve the minutes of the Regular Meeting of December 23, 2008 as amended. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- E. December 27, 2008 letter from Robin Coburn, Town of Neenah to the NMSC.
RE: Appointment of Gordon Falck as Commissioner on the NMSC.

Budget, Finance, Personnel

Accountant Voigt presented the preliminary financial statements for the month of December 2008. The auditors will be here February 9-10 to begin the financial audit of 2008. After discussion, motion made by Commission D. Youngquist, seconded by Commissioner R. Zielinski to accept the financial statement for the month of December and place it on file. Motion carried unanimously.

Accountant Voigt presented MCO Invoice #13263 in the amount of \$120,451.17 for the month of February 2009. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner G. Falck to approve MCO Invoice #13263 in the amount of \$120,451.17 for the month of February 2009 and to pay the invoice after February 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of December. The money market rates have continued to go down. Income generated for the Commission by MCO in December totaled \$3,700; for 2008 the total is \$31,900. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of December 2008. Motion carried unanimously.

McMahon Invoices #44583 and #44584 were presented for payment. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve for payment McMahon Invoices #44583 and #44584. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of December 2008. The plant is running well. Manager Much pointed out the graphs attached to the operating report. Commission President W. Zielinski questioned why there was an increase in BOD's in December for all communities. After discussion, motion by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to accept the operating report for the month of December 2008. Motion carried unanimously.

Manager Much presented and discussed NMSC Resolution 2009-1. There are some minor changes to be made to the document provided to the Commissioners. These changes will be made and the