

Old Business

Interceptor ownership. Manager Much reported that he has no new information to report at this time. It was questioned as to what can be done to move this along. It was responded that the City of Menasha has indicated they do not have the time to work out the issues. It was further questioned if our attorney should meet with the new Menasha attorney.

Biosolids Management. Manager Much reported there is a meeting on January 5 with Winnebago County to discuss this issue further. Manager Much reported the Landfill Board meeting in early December was positive in pursuing this issue. It was also reported that another hauler in the Greenville area looks to be a promising prospect.

Sludge Heat Transfer. The unit is up and running. It needs some debugging.

Town of Neenah S.D. #2. Manager Much reported he was unable to attend the last Sanitary District meeting. He will plan on attending the next meeting to further discuss the issue at hand.

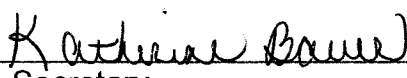
Vouchers

The paid invoice for Gregory Kleinheinz and the need for his continuing services were questioned. His services are for monitoring the odor control system to insure proper conditions are maintained in the system to achieve optimum odor removal. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve operating and payroll fund vouchers #131361 through #131406 in the amount of \$341,962.24 for the month of November. Motion carried unanimously.

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:22 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting**Tuesday January 26, 2010**

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

Present: Commissioners Gordon Falck, William Helein, Raymond Zielinski, Dale Youngquist, Tim Hamblin, Kathy Bauer, William Zielinski; Manager Randall Much, Accountant Roger Voigt.

Also Present: Paul Much, Rob Franck (MCO); Mike Sambs (Waverly); Chad Olsen (McMahon); Carol Wirth (WPFP); Robert Potratz, James Potratz (Gizmo Farms).

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve the minutes of the Regular Meeting of December 22, 2009. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

7. January 12, 2010 letter from Catherine Girdley, Waverly Sanitary District to Roger Voigt, NMSC.
RE: William Helein reappointed as Commissioner to the NMSC.

Budget, Finance, Personnel

Accountant Voigt presented the preliminary financial statements for the month of December 2009. It was questioned which depreciation and replacement budgeted projects were not expended. Projects budgeted and not performed included aeration diffusers, micro turbines were budgeted but the project went with the purchase of the used gas engine, and gas scrubber for the micro turbines were some of the items. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the preliminary financial statements for the month of December and place it on file. Motion carried unanimously.

Carol Wirth of Wisconsin Public Finance Professionals, LLC (WPFP) addressed the Commission. The Commission was presented with an introduction booklet providing further information on WPFP. Carol

Wirth also discussed changes in bond disclosure reporting and the new EMMA system; also discussed were changes in the market since our last issue and impacts this will have on our rates. The largest impact on future borrowing regardless if it is through a bond issue or borrowing from the state clean water fund is the need to fund our loan payments at a rate of 1.25 (bonding) or 1.10 (clean water fund) coverage. It was also pointed out that we need to be proactive for any future borrowings to be able to obtain favorable ratings from a bond rating agency. Since it has been several years since our last rating, it was suggested we should obtain a confidential rating from a rating agency. This would also benefit us in planning for total costs of a project by giving us an idea as to what type of rates we could receive on a bond issue. Carol was asked to check with Moody's, who performed our last rating to see if they could perform blind rating of a municipal client. Carol also indicated she would contact Accountant Roger Voigt to go over the calculation used to determine the 1.25 and 1.10 coverage requirements.

NMSC Attorney John Thiel entered the meeting.

Commission President William Zelinski moved to agenda item 6.B. – Gizmo Farms to accommodate those in attendance for this agenda item.

Bob Potratz addressed the Commission and expressed interest in extending the current hauling contract for 3 – 5 years. Bob indicated their willingness to continue with the handling and disposal of the Commission sludge. Bob was informed that the Commission is still looking at all its options for sludge disposal and should have a better idea in 2 – 3 months on how they would like to proceed.

The Commission returned to the Agenda as published.

Accountant Voigt presented MCO Invoices #14205, #14229, and #14227 in the amounts of \$120,117.17, \$700.42 and \$191.17. After discussion, motion by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve for payment MCO Invoices #14205, #14229, and #14227 and to pay the invoices after February 1, 2010. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of December. MCO generated \$2,638 in income to the Commission in December; for 2009 the total income generated was \$35,800, compared to \$31,900 in 2008. After discussion; motion by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the Accountants Report for the month of December 2009. Motion carried unanimously.

Accountant Voigt presented for payment McMAHON invoices #49231, #49232 and #49194 in the amounts of \$1,115.00, \$1,917.50 and \$4,875.00. After discussion, motion by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve for payment invoices #49231, #49232 and #49194. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of December 2009. The plant is running well; there are no issues at this time. After discussion, motion by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to accept the operating report for the month of December 2009. Motion carried unanimously.

Manager Much reported to the Commission on the 230kW Biogas engine. The protection relay is installed and set. The unit ran power into the grid for 45-minutes. We will now need to adjust the engine for optimum performance.

Manager Much discussed the preliminary TMDL limit. Currently we are looking at 0.2 mg/l for a limit; the current limit 1.0 mg/l. If this number is final, we will be looking at a compliance schedule for 5 – 6 years to be able to meet the limit. Worst case, we would be looking at additional treatment to obtain the limit. This issue is being pushed by the EPA to the state.

McMahon Projects. Chad Olsen reviewed with the Commission the memos regarding the wastewater treatment facility capacity and performance evaluation and SCADA Controls. SCADA – More information and updates will be ready for the February meeting. Heat Exchanger & Plant Evaluations – The Commission was updated on the process of getting to where we are with the sludge-to-sludge heat exchanger and the operating results of the unit. The Commission was further updated on the biogas conditioning equipment, sludge loadings, aeration system, and biosolids dewatering. Chad further explained cell lysing and linear electro dewatering to the Commission.

Chad Olsen reviewed with the Commission the updated Preliminary Project List. The list now includes costs for a sludge storage building. In January or February there should be better cost estimates developed for the various projects.

Old Business

Interceptor ownership. Manager Much reported that he has no new information to report at this time.

Biosolids Management. Manager Much reported there is a meeting on Friday with Winnebago County to discuss this issue further. Manager Much also reported they will be meeting with Veolia and Waldvogel Trucking next week.

Town of Neenah S.D. #2. Manager Much reported he attended a Sanitary District meeting. He has no additional information to report.


Motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to convene into closed session pursuant to Wis. Stats. 19.95(1)(g) to confer and review written and or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, William Helein, Kathy Bauer, Gordon Falck, William Zelinski, Tim Hamblin. Meeting entered into closed session at 9:56 am.

Motion made by Commissioner Tim Hamblin, seconded by Commissioner Raymond Zielinski to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners William Helein, Raymond Zielinski, Tim Hamblin, William Zelinski, Gordon Falck, Dale Youngquist, Kathy Bauer. The Commission returned to Regular open session at 10:12 am.

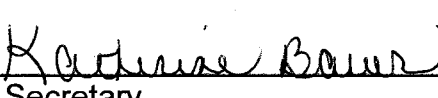
Vouchers

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve operating and payroll fund vouchers #131407 through #131459 in the amount of \$324,469.18 for the month of December. Motion carried unanimously.

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner William Helein to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 10:14 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Closed Session

Tuesday January 26, 2010

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to convene into closed session pursuant to Wis. Stats. 19.95(1)(g) to confer and review written and or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, William Helein, Kathy Bauer, Gordon Falck, William Zelinski, Tim Hamblin. Meeting entered into closed session at 9:56 am.

The Closed Session was called to order by Commission President William Zelinski at 9:56 a.m.


Present: Commissioners Raymond Zielinski, Tim Hamblin, Gordon Falck, Kathy Bauer, William Helein, Dale Youngquist, William Zelinski; Manager Randall Much, Attorney John Thiel, Accountant Roger Voigt.

Also Present: Paul Much (MCO).

Fox River Litigation – Attorney John Thiel updated the Commissioners on activity since the decision by Judge Griesbach in December. It is possible for this matter to keep going for some time yet.

Additional information and discussion ensued on insurance proceeds that have been sent to Davis & Kuelthau by insurance companies and are now in a trust account with Davis & Kuelthau until a decision is made on how and when the money should be dispersed.

After discussions, motion made by Commissioner Tim Hamblin, seconded by Commissioner Raymond Zielinski to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners William Helein, Raymond Zielinski, Tim Hamblin, William Zelinski, Gordon Falck, Dale Youngquist, Kathy Bauer. The Commission returned to Regular open session at 10:12 am.



President

Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday February 23, 2010

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

Present: Commissioners Gordon Falck, William Helein, Raymond Zielinski, Dale Youngquist, Tim Hamblin, Kathy Bauer, William Zelinski; Manager Randall Much, Attorney John Thiel, Accountant Roger Voigt.

Also Present: Paul Much, Rob Franck (MCO); Mike Sambs (Waverly); Chad Olsen, Tom Kispert, Sam Pociask (McMahon).

Minutes of the meeting from January 26, 2010. President William Zelinski indicated there was an incorrect date on the minutes of the Regular Meeting in the heading that should read January 26, 2010. Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Tim Hamblin to approve the minutes of the Regular Meeting of January 26, 2010 as corrected and the minutes for the Closed Session of January 26, 2010. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

8. January 11, 2010 Town of Menasha Resolution 100111-1:UD.
RE: Dale Youngquist reappointed as Commissioner to the NMSC.

Budget, Finance, Personnel

Accountant Voigt presented the financial statements for the month of January 2010. Also presented was a worksheet showing calculations for year-end operations & maintenance balances for the users. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the financial statements for the month of January and place it on file. Motion carried unanimously.

Accountant Voigt presented MCO Invoices #14272, #14306, and #14304 in the amounts of \$117,215.65, \$478.25 and \$35.87. After discussion, motion by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve for payment MCO Invoices #14272, #14306, and #14304 and to pay the invoices after March 1, 2010. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of January. A CD matured in January and was reinvested for 2-years with the option to be able to transfer the funds at 6-month intervals to a higher rate CD. MCO generated \$2,327 in income to the Commission in January. After discussion; motion by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the Accountants Report for the month of January 2010. Motion carried unanimously.

Accountant Voigt presented for payment McMAHON invoices #49622, #49623 and #49559 in the amounts of \$978.00, \$4,320.24 and \$4,875.00. After discussion, motion by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve for payment invoices #49622, #49623 and #49559. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of January 2010. The plant is running well. Manager Much reported the NMSC is hosting a WWOA regional meeting tomorrow; there will be plant tours in the afternoon. President William Zelinski questioned the increase in the Town of Menasha suspended solids loads in January; he indicated he noticed a similar increase last year and questioned if anyone had an explanation for the increase. Commissioner Dale Youngquist indicated he would check with staff in the Town. Manager Much reported on quotes received to rebuild and repaint the screw pumps. The costs were \$520,000 to rebuild and \$120,000 to repaint. After discussion, motion by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to accept the operating report for the month of January 2010. Motion carried unanimously.

Manager Much introduced Sam Pociask from McMahon who was in attendance to make a presentation on GIS to the Commission. Sam presented a slideshow on what GIS is and what it can do and further discussed with the Commission how GIS could be used as an electronic format for an Operations Manual.

Manager Much introduced Tom Kispert from McMahon who discussed with the Commission the need to look at putting together a Facilities Plan. Manager Much reported that we started with discreet projects and the more we get into these projects they are becoming more and more intertwined; Manager Much further discussed issues that are being encountered. Tom Kispert further discussed these issues and reviewed with the Commission the process needed to meet requirements of the DNR. After discussion on the issues, it was questioned what is the next step? McMahon would need to bring in a proposal. Commissioner Dale Youngquist questioned if the communities should be notified that we are looking at the possibility of making some large dollar expenditures. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to proceed with the planning process and for McMahon to bring back a scope of services and fee for preparing a Facilities Plan at the next meeting. Motion carried unanimously.

Manager Much reported to the Commission on the 230kW Biogas engine. On Friday final tune-up adjustments will be made to the engine.

McMahon Projects. Chad Olsen reviewed with the Commission the memos and report regarding the wastewater treatment facility capacity and performance evaluation and SCADA Controls.

Old Business

Interceptor ownership. Manager Much reported that he has no new information to report at this time.

Biosolids Management. There was a meeting with Landfill members and Oshkosh staff. Part of this meeting involved touring the current storage buildings used by the NMSC and Oshkosh WWTP. Further discussions have also been held with a potential hauler located west of Neenah.

Town of Neenah S.D. #2. Commissioner Gordon Falck reported the Sanitary District will be proceeding in pursuing the circumstance of claim against the Commission.

Other Business to Legally Come Before the Commission

Election of Officers. Motion made by Commissioner Raymond Zielinski, seconded by Commissioner William Helein to re-elect the present slate of officers. Motion carried unanimously. The officers for the coming year are: President: William Zielinski; Vice-President: Raymond Zielinski; Secretary-Treasurer: Kathy Bauer.

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Tim Hamblin to convene into closed session pursuant to Wis. Stats. 19.85(1)(g) to confer and review written and or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, William Helein, Kathy Bauer, Gordon Falck, William Zielinski, Tim Hamblin. Meeting entered into closed session at 9:27 am.

Motion made by Commissioner Dale Youngquist, seconded by Commissioner William Helein to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners William Helein, Raymond Zielinski, Tim Hamblin, William Zielinski, Gordon Falck, Dale Youngquist, Kathy Bauer. The Commission returned to Regular open session at 10:19 am.

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to authorized legal counsel to pursue settlement discussions with the Federal Government with the condition that settlement payments are anticipated to be paid by insurance carriers and any actual settlement be subject to presentation to the Commission for consideration and a vote to accept or reject a final settlement. Motion carried unanimously by Commissioners William Helein, Raymond Zielinski, Kathy Bauer, Gordon Falck, Tim Hamblin, Dale Youngquist, William Zielinski.

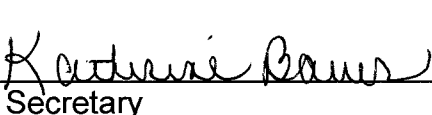
Vouchers

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve operating and payroll fund vouchers #131460 through #131501 in the amount of \$351,141.57 for the month of January. Motion carried unanimously.

Motion made by Commissioner Tim Hamblin, seconded by Commissioner William Helein to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 10:23 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Closed Session

Tuesday February 23, 2010

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner William Helein to convene into closed session pursuant to Wis. Stats. 19.85(1)(g) to confer and review written and or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, William Helein, Kathy Bauer, Gordon Falck, William Zelinski, Tim Hamblin. Meeting entered into closed session at 9:27 am.

The Closed Session was called to order by Commission President William Zelinski at 9:27 a.m.

Present: Commissioners Raymond Zielinski, Tim Hamblin, Gordon Falck, Kathy Bauer, William Helein, Dale Youngquist, William Zelinski; Manager Randall Much, Attorney John Thiel, Accountant Roger Voigt.

Also Present: Paul Much (MCO).

Fox River Litigation – Attorney John Thiel informed and discussed the status and activity of the Fox River case following the December 16, 2009 Order by Judge Griesbach. It was further explained to them the difference between an Order and a judgment. Timeframes for communication to Judge Griesbach were discussed as well as requests to extend the current deadline before a judgment is entered by Judge Griesbach.

The Commission was further updated on the status of the insurance proceeds received by Davis & Kuelthau for legal counsel.

The Commission was informed about an appeal that is occurring on a companion case to the Fox River litigation.

Attorney Thiel informed and discussed recent developments on a settlement proposal. The Commission was informed it may be necessary to have a special meeting before the next Regular meeting to discuss or approve settlement options.

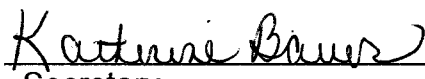
Attorney Thiel requested Commission input on recent activity on a proposed stipulation to stay the timelines for the federal government to bring independent claims against any of the parties. It was the consensus of the Commission that legal counsel should exercise their best judgment to enter into a stay with the federal government.

Attorney Thiel informed the Commission on the need to make a decision on how to proceed with a settlement option. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to authorized legal counsel to pursue settlement discussions with the Federal Government with the condition that settlement payments are anticipated to be paid by insurance carriers and any actual settlement be subject to presentation to the Commission for consideration and a vote to accept or reject a final settlement. Motion carried unanimously by Commissioners William Helein, Raymond Zielinski, Kathy Bauer, Gordon Falck, Tim Hamblin, Dale Youngquist, William Zelinski.

After discussions, motion made by Commissioner Dale Youngquist, seconded by Commissioner William Helein to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners William Helein, Raymond Zielinski, Tim Hamblin, William Zelinski, Gordon Falck, Dale Youngquist, Kathy Bauer. The Commission returned to Regular open session at 10:19 am.



President



Secretary

Regular Meeting**Tuesday March 23, 2010**

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

Present: Commissioners Gordon Falck, William Helein, Raymond Zielinski, Dale Youngquist, Tim Hamblin, Kathy Bauer, William Zelinski; Manager Randall Much, Attorney John Thiel, Accountant Roger Voigt.

Also Present: Paul Much (MCO); Mike Sambs (Waverly); Chad Olsen, Tom Kispert (McMahon).

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Tim Hamblin to approve the minutes of the Regular Meeting of February 23, 2010 and the minutes for the Closed Session of February 23, 2010. Motion carried unanimously.

Correspondence

There was no correspondence to be discussed.

Budget, Finance, Personnel

Accountant Voigt presented the financial statements for the month of February 2010. Operating Fund income is under budget; operating expenses are also under budget. The 2009 audit should be completed and ready for the April meeting. Commissioner Dale Youngquist questioned the amortization of contributions. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the financial statements for the month of February and place it on file. Motion carried unanimously.

Accountant Voigt presented MCO Invoices #14349, #14378, and #14376 in the amounts of \$119,150.00, \$576.25 and \$21.18. After discussion, motion by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve for payment MCO Invoices #14349, #14378, and #14376 and to pay the invoices after April 1, 2010. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of February. MCO generated \$2,711 in income to the Commission in February. After discussion; motion by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to accept the Accountants Report for the month of February 2010. Motion carried unanimously.

Accountant Voigt presented for payment McMAHON invoices #50886 and #50887 in the amounts of \$550.50 and \$5,708.75. After discussion, motion by Commissioner Raymond Zielinski, seconded by Commissioner Gordon Falck to approve for payment invoices #50886 and #50887. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of February 2010. The facility is operating well. Staff has begun a phosphorous removal study; current effluent limits are at 1.0 mg/l while proposed limits will change to 0.2 mg/l. In the first two weeks of the trial, we have been able to achieve results slightly below the proposed phosphorous limit. In past years, the effluent phosphorous during the late summer months is higher than current levels. It is not known if the proposed limit can be met during this higher phosphorous discharge period. Commissioner Dale Youngquist reported to the Commission he looked into the issue of higher suspended solids in the Town of Menasha that was discussed in the February meeting. Town staff had no explanation for the increase; they will begin sampling to try to locate the reason for the increase. After discussion, motion by Commissioner Raymond Zielinski, seconded by Commissioner Tim Hamblin to accept the operating report for the month of February 2010. Motion carried unanimously.

Manager Much presented and discussed the Agreement for Professional Services from McMahon to perform a GIS Assessment/Pilot Study for a fee of \$3,500. This service would be a pilot study on the implementation of a GIS system for one piece of equipment or unit process at the NMSC. This pilot study would also be used to develop the model which would be used by the Commission and would also aid in the pricing and the developing of future layout plans. After discussion, motion made by Commissioner Tim Hamblin, seconded by Commissioner Kathy Bauer to approve the Agreement for Professional Services with McMahon to provide a GIS Assessment/Pilot Study at a fee not to exceed \$3,500. Motion carried unanimously.

Tom Kispert from McMahon discussed with the Commission the Proposal Agreement for Professional Services for Wastewater Treatment Facilities Facility Planning. At the February meeting a preliminary

outline for facility planning was presented to the Commission. McMahon has now formalized the preliminary outline and has presented it into a Proposal Agreement. Commissioner Tim Hamblin questioned the method to be used to present this to the contract users and to the public. It was also suggested a letter should be sent out today to the contract users explaining why the process is occurring and the timetable for the process. The letter to be sent out should be signed by the Commission President. The contract users will be needed to help provide information to complete the planning; letters will be sent out and required public hearings will be held. The schedule needed to complete the process consists of: completing the facility plan and submitting to the DNR for approval; completing the design phase and submitting to the DNR for approval; and then the construction phase. The goal is to wrap up the planning phase by September; the DNR requires 90-days to review. This would put the facility planning to be completed by the end of this year. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve and authorize the Commission President to execute the Proposal Agreement for Professional Engineering Services for Wastewater Treatment Facilities Facility Planning with McMahon at a time and expense fee not to exceed \$98,000. Motion carried unanimously.

Manager Much reported to the Commission on the 230kW Biogas engine. The engine is running smooth; there is a problem with one heat exchanger. There will be a HVAC person coming to solve the problem.

McMahon Projects. Chad Olsen reported there is no new information to report on the plant evaluation and control system design; these items can be removed from the agenda now with the approval of the Facilities Planning Agreement.

Old Business

Interceptor ownership. Manager Much reported that he has no new information to report at this time.

Biosolids Management. Chad Olsen reported an individual is raising issues about the possibility of a storage building being built on landfill property. We are looking to be pro-active in this situation and sending a letter to this individual. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve sending a joint letter with the City of Oshkosh WWTP addressing the concerns of this individual. Motion carried unanimously. Chad also reported meeting with a hauler west of Neenah and we will be meeting with them again later this week. The Winnebago County solid waste board has expressed interest in what type of financial gain they could be seeing if the storage buildings would be located on the landfill site.

Town of Neenah S.D. #2. There is no new information to report.

Other Business to Legally Come Before the Commission

Commissioner Tim Hamblin questioned if anyone was aware of Senate Bill 442. Chad Olsen and Attorney John Thiel would look further into this Senate Bill.

Motion made by Commissioner Gordon Falck, seconded by Commissioner Raymond Zielinski to convene into closed session pursuant to Wis. Stats. 19.85(1)(g) to confer and review written and or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and pursuant to Wis. Stats 19.85(1)(e) to deliberate concerning negotiation strategy for the purchase of services, real estate or facilities for sludge disposal which may involve the purchasing of public property and competition exists among potential vendors and bargaining reasons require a closed session to best serve the public interest. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, William Helein, Kathy Bauer, Gordon Falck, William Zelinski, Tim Hamblin. Meeting entered into closed session at 9:27 am.

After discussions, motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners William Helein, Raymond Zielinski, Tim Hamblin, William Zelinski, Gordon Falck, Dale Youngquist, Kathy Bauer. The Commission returned to Regular open session at 10:06 am.

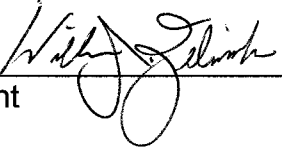
Motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to authorize Davis & Kuelthau to release \$450,710.62 from its trust account and return that amount to the Commission and authorize Davis & Kuelthau to move \$159,359.50 out of its trust account and apply the same to outstanding legal bills. Motion carried unanimously.

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to authorize Davis & Kuelthau to take all necessary actions to collect from the insurance carriers as to its outstanding billings and authorize the Commission's legal counsel to assist Davis & Kuelthau as needed. Motion carried unanimously.

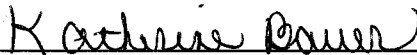
Vouchers

Commissioner Gordon Falck questioned who a couple of vendors were that were paid in February. After discussion, motion made by Commissioner Gordon Falck, seconded by Commissioner Dale Youngquist to approve operating and payroll fund vouchers #131502 through #131554 in the amount of \$286,417.95 for the month of February. Motion carried unanimously.

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Gordon Falck to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 10:11 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Closed Session
Tuesday March 23, 2010

Motion made by Commissioner Gordon Falck, seconded by Commissioner Raymond Zielinski to convene into closed session pursuant to Wis. Stats. 19.85(1)(g) to confer and review written and or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and pursuant to Wis. Stats 19.85(1)(e) to deliberate concerning negotiation strategy for the purchase of services, real estate or facilities for sludge disposal which may involve the purchasing of public property and competition exists among potential vendors and bargaining reasons require a closed session to best serve the public interest. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, William Helein, Kathy Bauer, Gordon Falck, William Zelinski, Tim Hamblin. Meeting entered into closed session at 9:27 am.

The Closed Session was called to order by Commission President William Zelinski at 9:18 a.m.

Present: Commissioners Raymond Zielinski, Tim Hamblin, Gordon Falck, Kathy Bauer, William Helein, Dale Youngquist, William Zelinski; Manager Randall Much, Attorney John Thiel, Accountant Roger Voigt.

Also Present: Paul Much (MCO).

Fox River Litigation:

Money in escrow with Davis & Kuelthau – Attorney John Thiel informed and discussed the status of money in escrow with Davis & Kuelthau. In January the Commissioners discussed a split of the money in this escrow account with Davis & Kuelthau. With more information currently available, Davis & Kuelthau has recommended a split for dispersing these funds. Additional discussion ensued on the insurance company payments and items disputed by the insurance companies in the Davis & Kuelthau billings. Options were discussed on how to proceed in settling the insurance company disputed items and to receive payment for these items as well.

Litigation – Attorney John Thiel informed, discussed, and updated the Commissioners on the status and activity of the Fox River case following the December 16, 2009 Order by Judge Griesbach. Items discussed included a stay agreement and the appeal process of NCR and Appleton Paper.

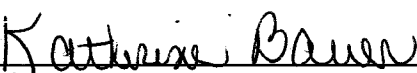
Sludge Disposal:

Manager Much discussed extending the current hauling contract with Gizmo Farms as well as what time frame we could be looking at. Additional discussions were held regarding potential contracts with other haulers, land issues, and future rights to land.

After discussions, motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners William Helein, Raymond Zielinski, Tim Hamblin, William Zelinski, Gordon Falck, Dale Youngquist, Kathy Bauer. The Commission returned to Regular open session at 10:06 am.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday April 27, 2010

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

Present: Commissioners Gordon Falck, William Helein, Raymond Zielinski, Dale Youngquist, Kathy Bauer, William Zelinski; Manager Randall Much, Accountant Roger Voigt.

Excused: Commissioner Tim Hamblin.

Also Present: Rob Franck (MCO); Mike Sambs (Waverly); Tom Kispert (McMahon), David Maccoux (Schenck sc).

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve the minutes of the Regular Meeting of March 23, 2010 and the minutes for the Closed Session of March 23, 2010. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

1. March 23, 2010 letter from William Zelinski, NMSC President, to Sewerage Commission Contract Users.
RE: Notify contract users of NMSC beginning Facility Planning process.
2. March 24, 2010 letter from Attorney Tara Mathison, Davis & Kuelthau, to Roger Voigt, NMSC.
RE: Check issued from Davis & Kuelthau Trust Account to the NMSC.
3. March 26, 2010 letter from Dan Olson, DNR, to William Zelinski, NMSC President.
RE: DNR received Clean Water Fund Intent to Apply and Priority Evaluation Form.
4. April 20, 2010 memo from Carol Wirth, WFPF, to Roger Voigt, NMSC.
RE: Moody's recalibrated muni bond issues, NMSC upgraded from A3 to A1.

No additional action was taken on correspondence.

Budget, Finance, Personnel

Accountant Voigt presented the financial statements for the month of March 2010. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the financial statements for the month of March and place it on file. Motion carried unanimously.

Accountant Voigt introduced David Maccoux from Schenck sc to present the 2009 Financial Audit of the NMSC. David Maccoux reviewed the Annual Financial Report and report of Other Comments and Observations with the Commission. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Kathy Bauer to approve and accept the 2009 audit report from Schenck sc. Voting aye: Commissioners William Helein, Raymond Zielinski, Kathy Bauer, Gordon Falck. Commissioner Dale Youngquist abstained. Motion carried.

Accountant Voigt presented MCO Invoices #14420, #14458, and #14461 in the amounts of \$119,150.00, \$90.13 and \$573.04. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve for payment MCO Invoices #14420, #14458, and #14461 and to pay the invoices after May 1, 2010. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of March. A portion of the CDARS investment will be maturing later this week. The funds will be reinvested based on projected needs of the Replacement and Depreciation Funds. MCO generated \$2,744 in income to the Commission in March. After discussion; motion by Commissioner Dale Youngquist, seconded by Commissioner William Helein to accept the Accountants Report for the month of March 2010. Motion carried unanimously.

Accountant Voigt presented for payment McMAHON invoices #40329 and #40150 in the amounts of \$2,012.50 and \$1,158.00. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve for payment invoices #40329 and #40150. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of March 2010. The plant is operating well. The engine generator is running. A new column has been added to the operating report to report kilowatt hours and income received from burning the methane gas. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to accept the operating report for the month of March 2010. Motion carried unanimously.

Tom Kispert from McMahon presented a verbal report to the Commission on the status of the Facility Plan process. A kick-off meeting was held with staff, background information has been obtained, customers have been contacted regarding I/I progress – information from Neenah and Sanitary District #2 can be obtained in-house at McMahon's; contacts have been made to Menasha and Waverly. Pilot studies will be scheduled in June for sludge dewatering. Another centrifuge unit will be brought in at no cost to the Commission and then a cake drying unit for use after the belt press or centrifuge unit will be tested. This additional unit will have a cost associated with the pilot test of this unit; if this unit is eventually purchased, the pilot test cost will be deducted from the purchase price. They are in the process of reviewing proposals for the repair or replacement of the screw pumps. Current estimated costs put the replacement of the screws at \$1.2 million verses \$650,000 to rebuild.

Old Business

Senate Bill 442. At the March meeting, Commissioner Tim Hamblin questioned if anyone was aware of this bill. A copy of the analysis by the legislative reference bureau was provided to the Commissioners for their information about this bill.

Interceptor ownership. Manager Much reported that he has no new information to report at this time.

Biosolids Management. Manager Much reported on a meeting with the Town of Greenville. There are currently no issues with a building if it is farmer owned; it is expected some type of mutual agreement can be worked out. We have also been contacted by another hauler that has a farmer in the Town of Winchester who may be interested and is willing to sell the land for a building as well as provide land for land application. This will be checked out further. Veolia is still interested; they were given a timeframe to bring in a proposal for our review.

Commissioner Raymond Zielinski was excused from the meeting to attend to personal matters.

Town of Neenah S.D. #2 claim. Manager Much reported that the lawsuit has been filed and NMSC Attorney John Thiel has accepted and received the papers. Attorney John Thiel will be in contact with staff to prepare a response.

Other Business to Legally Come Before the Commission

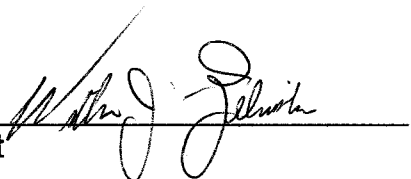
There is no information to be discussed in closed session.

Vouchers

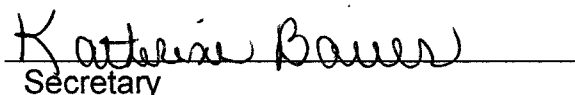
After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to approve operating and payroll fund vouchers #131555 through #131610 in the amount of \$714,134.00 for the month of March. Motion carried unanimously.

Motion made by Commissioner Dale Youngquist, seconded by Commissioner William Helein to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:00 a.m.

President



Secretary



NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday May 25, 2010

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

Present: Commissioners Gordon Falck, Tim Hamblin, William Helein, Raymond Zielinski, Dale Youngquist, Kathy Bauer, William Zelinski; Manager Randall Much, Accountant Roger Voigt.

Also Present: Rob Franck, Paul Much (MCO); Mike Sambs (Waverly); Tom Kispert, Chad Olsen (McMahon), Jeff Waldvogel & son (Waldvogel Trucking).

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Kathy Bauer to approve the minutes of the Regular Meeting of April 27, 2010. Motion carried unanimously.

Correspondence

There was no correspondence to be discussed.

Budget, Finance, Personnel

Accountant Voigt presented the financial statements for the month of April 2010. Commissioner Dale Youngquist questioned the dollar amount reported for Unamortized Refinancing Loss. Accountant Voigt he will check into the account balance. Accountant Voigt reported the semi-annual bond interest payment will be made on June 1st. The payment is about \$75,000. Commissioner Dale Youngquist pointed out and questioned the NMSC generally running a low or negative operating cash balance and suggested the NMSC should look at creating an operations fund reserve to be funded over a three to five year period. The subject will be discussed further during the budget preparation process. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the financial statements for the month of April and place it on file. Motion carried unanimously.

Accountant Voigt presented MCO Invoices #14493, #14530, and #14527 in the amounts of \$119,149.99, \$499.73 and \$750.12. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Gordon Falck to approve for payment MCO Invoices #14493, #14530, and #14527 and to pay the invoices after June 1, 2010. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of April. A CD matured on Friday at Prospera Credit Union. These funds are for the Bond Reserve. The money from this CD will be transferred to First National Bank – Fox Valley and invested in the CDARS account. The money will be deposited for a three year period at 2.02%. MCO generated \$2,968 in income to the Commission in April. After discussion; motion by Commissioner Dale Youngquist, seconded by Commissioner William Helein to accept the Accountants Report for the month of April 2010. Motion carried unanimously.

Accountant Voigt presented for payment McMAHON invoices #40674 and #40504 in the amounts of \$622.00 and \$4,728.93. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve for payment invoices #40674 and #40504. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of April 2010. The plant is operating well. The engine generator continues to run. Rob Franck reported the engine is running at 95% capacity during the day and is running at 60% capacity in the evenings to insure sufficient methane gas levels to keep the sludge digester boilers operating. With warmer evenings approaching, the methane gas levels will be watched closer to see if we can run at a higher capacity in the evenings. Additional discussion ensued on the electric charges and the offset from burning the methane gas as well as the power cost adjustment amount on the electric bill. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Tim Hamblin to accept the operating report for the month of April 2010. Motion carried unanimously.

Facility Plan Process - Tom Kispert from McMahon discussed with the Commission graphs created showing three years of values on plant influent loadings. Flow data indicate the current plant sizing seems to look okay for future planning. BOD data shows the current plant capacity also looks to be okay. Suspended Solids data has maximum loadings that are of concern, but the plant is handling the capacity – the primary clarifiers are removing most of the solids. Tom Kispert also discussed the review of the screw pumps and costs to refurbish, rebuild or replace the units. The projected cost to refurbish the screw pumps is \$694,229 – the cost to rebuild the motors is significantly cheaper than buying new. The projected cost to do a complete rebuild, except for the gear box, is \$1,084,000. Tom pointed out to the Commissioners that only one screw was checked for wear. Some wear was noted but it is still within recommended tolerances. The assumption is that the results would be similar with the remaining screws. To replace the current screws with new units are projected to cost \$1,525,000. The cost to replace the current screws with another pump station system is projected to be \$1,905,000. The dollar numbers were provided by Crane Engineering Sales. Late Monday new quote options were received by Tom. These quotes had minor adjustments in them that could reduce the projected project cost to refurbish the screw pumps by \$1,900 to \$3,900. The costs are based on refurbishing one screw pump at a time. Commissioners Dale Youngquist and Kathy Bauer indicated they would like to see the

different plant processes that are being discussed to help provide them with more meaning of what is being discussed and how this ties together. Setting up a time for a plant tour to see these items is suggested. The best days for holding a tour in the evenings would be on either a Monday or Thursday. The Commissioners will be notified when a date for a tour is set. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to approve in proceeding with the screw pump refurbishing at a cost not to exceed \$695,000. Motion carried unanimously.

Old Business

Interceptor ownership. Manager Much reported that he has no new information to report at this time.

Biosolids Management. Chad Olsen distributed and discussed a report on the Biosolids Handling & Storage Options Update. Chad discussed the background information and the options looked at to date. The requirements for a storage building were discussed; farmers are now looking at granting access for land application during the fall season. This will result in a building being sized to handle one year of storage compared to the DNR required 180-day storage. The building needs to be sized at 65,000 square feet. Current building cost estimates are at \$55 - \$60 per square foot. The location for the building sites were also discussed including estimated costs for hauling and building costs. All cost figures are based on the Commission sludge dewatering to improve from the current 15%-16% solids to 25% solids. Chad will be requesting to put a plan together to obtain pricing from construction firms for building costs.

Town of Neenah S.D. #2 claim. Accountant Voigt reported the Commission has until June 10 to issue a response. This is being handled by the NMSC Attorney John Thiel.

New Business

President William Zelinski received a request to move the date of the June Commission meeting. The Commission discussed moving the meeting date to either June 15th or June 29th. After discussion, it was decided June 29th would be the better date. Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Kathy Bauer to move the date of the Regular Meeting to June 29th, 2010 at 8:00 am. Motion carried unanimously.

Other Business to Legally Come Before the Commission

There is no information to be discussed in closed session.

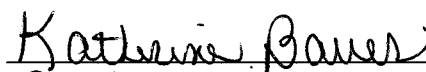
Vouchers

After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve operating and payroll fund vouchers #131611 through #131661 in the amount of \$282,255.04 for the month of April. Motion carried unanimously.

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner William Helein to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:45 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday June 29, 2010

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

Present: Commissioners Gordon Falck, Tim Hamblin, William Helein, Raymond Zielinski, Dale Youngquist, Kathy Bauer, William Zelinski; Manager Randall Much, Accountant Roger Voigt, Attorney John Thiel.

Also Present: Rob Franck, Paul Much (MCO); Mike Sambs (Waverly); Tom Kispert, Chad Olsen (McMahon), Jeff Waldvogel (Waldvogel Trucking), Mike King (Post Crescent).

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve the minutes of the Regular Meeting of May 25, 2010. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

5. June 2, 2010 letter from Mr. Dan Olsen, DNR to William Zielinski, NMSC President.
RE: Clean Water Fund Program Project Priority Score – 98.479 (#12 on funding list).

Budget, Finance, Personnel

Accountant Voigt presented the financial statements for the month of May 2010. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to accept the financial statements for the month of May and place it on file. Motion carried unanimously.

Accountant Voigt requested Commissioner input prior to beginning the budget process for the 2011 NMSC budget. Commissioners discussed the replacement fund, depreciation fund, debt financing, and creating an operating fund surplus account. It was a general feeling that the replacement and depreciation funds should be increased around 5% and an operating fund surplus account should be established and funded over a 5 year period.

Accountant Voigt presented proposed rates for Flow, B.O.D., and Suspended Solids for the 3rd quarter 2010. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve the 3rd quarter 2010 rates for Flow, B.O.D. and Suspended Solids as proposed. Motion carried unanimously. The 3rd quarter rates are: Flow - \$225.11/million gallons, BOD - \$0.2802/pound, S.S. - \$0.1400/pound.

Accountant Voigt presented MCO Invoices #14574, #14610, and #14606 in the amounts of \$119,150.00, \$353.84 and \$111.12. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve for payment MCO Invoices #14574, #14610, and #14606 and to pay the invoices after July 1, 2010. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of May. MCO generated \$6,257 in income to the Commission in May. After discussion; motion by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to accept the Accountants Report for the month of May 2010. Motion carried unanimously.

Accountant Voigt presented for payment McMAHON invoices #41154, #40903 and #40904 in the amounts of \$2,210.07, \$14,330.76 and \$71.15. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to approve for payment invoices #41154, #40903 and #40904. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of May 2010. The plant is operating well. The engine generator is down due to an issue with a transformer. Routine oil analysis that was performed indicated increased acetylene levels in the oil which indicates a possible issue with the unit. The transformer will be further inspected to try to identify the possible cause; a replacement transformer is expected to cost between \$18,000 to \$22,000. Accountant Voigt reported further information on how the power cost adjustment is calculated. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to accept the operating report for the month of May 2010. Motion carried unanimously.

Manager Much discussed the 2009 Compliance Maintenance Annual Report (CMAR). The wastewater treatment facility received a grade "A" on all categories in this report. As part of this report, the Commission will need to approve the included Compliance Maintenance Resolution, NMSC Resolution 2010-1. No additional action is required of the Commission regarding any items in the CMAR. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve Compliance Maintenance Resolution, NMSC Resolution 2010-1. Motion carried unanimously.

Facility Plan Process – Pilot Testing – Testing was performed on the centrifuge sludge and belt press sludge with the Cinetik Linear Electro-Dewatering equipment. There will be an open house later this morning to demonstrate the unit. The Commissioners are invited to the demonstration. Screw Pumps – Hydrogen sulfide has opened up cracks in the screw bay concrete. There are a couple of methods to repair these cracks. The cracks can be repaired with an epoxy injection. This method is used for structural repairs; it is a long term fix and is the most expensive at \$98,500. The cracks in the cement are not structural issues. A second method to repair the cracks is to route the cracks and apply an epoxy in the joint. This type of repair is used for non-structural cracks. Pricing was received from Norcon Corporation and Crane Engineering. Norcon Corporation's price to repair the cracks in this manner is \$27,674. The price from Crane Engineering would be to only fill the cracks and apply a

sealer for \$14,000. Additional costs will also be incurred to paint the troughs in the screw bays and the sidewalls using a 2 part coating system. The price received for painting the troughs and sidewalls totaled \$88,000. After discussion, motion by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to approve and proceed with the quote from Norcon Corporation to route the cracks and apply epoxy to the joints at a cost not to exceed \$30,000 and to approve the blasting and two part coating of the screw pump troughs and sidewalls at a cost not to exceed \$90,000. Motion carried unanimously.

Manager Much and Attorney John Thiel discussed a homeowner request at 808 Milwaukee Street, Menasha, for a variance to build a garage or car port that would encroach on NMSC property. Discussion ensued; it is recommended that the Commission should not approve this request since it is a request to build on Commission owned property. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Tim Hamblin to deny the request of the property owner at 808 Milwaukee Street, Menasha, for a variance to build on Commission owned property. Motion carried unanimously.

Old Business

Interceptor ownership. Manager Much reported that he has no new information to report at this time.

Biosolids Management. Chad Olsen presented and discussed his written report with the Commission. Items discussed included Gizmo Farms and leasing building and Gizmo Farms interest in extending current contract; property in the Town of Black Creek for a building site and spreading sites; revised costs estimates for building a storage building. Other items discussed included the site at the landfill and meeting with the farmer in the Town of Greenville and the Greenville Town Board.

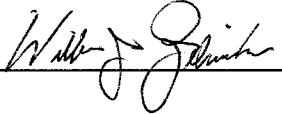
Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and a separate and distinct matter involving a Notice of Claim received by the Commission from the Town of Neenah Sanitary District No. 2 which requests reimbursement of funds. Motion carried unanimously by Commissioners William Helein, Raymond Zielinski, Kathy Bauer, Gordon Falck, Tim Hamblin, Dale Youngquist. Meeting convened into closed session at 9:38 am.

After discussions, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners William Helein, Raymond Zielinski, Tim Hamblin, Gordon Falck, Dale Youngquist, Kathy Bauer. The Commission returned to Regular open session at 9:50 am.

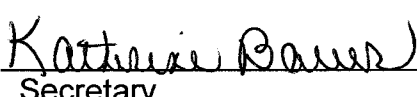
Vouchers

After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve operating and payroll fund vouchers #131662 through #131721 in the amount of \$774,182.79 for the month of May. Motion carried unanimously.

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Tim Hamblin to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:52 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Closed Session
Tuesday June 29, 2010

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and a separate and distinct matter involving a Notice of Claim received by the Commission from the Town of Neenah Sanitary District No. 2 which requests reimbursement of funds. Motion carried unanimously by Commissioners William Helein, Raymond Zielinski, Kathy Bauer, Gordon Falck, Tim Hamblin, Dale Youngquist. Meeting convened into closed session at 9:38 am.

The Closed Session was called to order by Commission President William Zelinski at 9:38 a.m.

Present: Commissioners Raymond Zielinski, Tim Hamblin, Gordon Falck, Kathy Bauer, William Helein, Dale Youngquist, William Zelinski; Manager Randall Much, Attorney John Thiel, Accountant Roger Voigt.

Also Present: Paul Much (MCO).

Fox River Litigation:

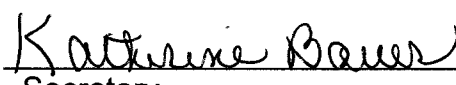
Attorney John Thiel reported that Attorney William Mulligan (Davis & Kuelthau) submitted financial reports of the NMSC to the federal government. This information was requested by the Federal Government. Attorney John Thiel discussed items pertaining to 107, Department of Justice, NCR/Appleton Paper appealing the settlement, and Wisconsin Court of Appeals affirming a court decision that insurance coverage is available.

Town of Neenah S.D. 2

Attorney John Thiel reported an answer was filed on 7 counts received. On June 24th the first set of discovery was received.

After discussions, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners William Helein, Raymond Zielinski, Tim Hamblin, Gordon Falck, Dale Youngquist, Kathy Bauer. The Commission returned to Regular open session at 9:50 am.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday July 27, 2010

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

Present: Commissioners Gordon Falck, Tim Hamblin, Raymond Zielinski, Dale Youngquist, William Zelinski; Manager Randall Much, Accountant Roger Voigt, Attorney John Thiel.

Excused: Commissioners William Helein, Kathy Bauer

Also Present: Paul Much (MCO); Mike Sambs (Waverly); Tom Kispert, Chad Olsen (McMahon), Mike King (Post Crescent).

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve the minutes of the Regular Meeting of June 29, 2010 and the minutes of the Closed Session Meeting of June 29, 2010. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

6. July 20, 2010 letter from Attorney John Thiel, NMSC to Mr. Justin Farrell, 808 Milwaukee St, Menasha.
RE: NMSC response to request for variance on NMSC property.

Budget, Finance, Personnel

Accountant Voigt presented the financial statements for the month of June 2010. Commissioners questioned general ledger account items for Professional Fees and Electricity charges. Accountant Voigt reported on the continued wet weather and higher loadings not normally experienced this time of the year resulting in higher than anticipated income. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Tim Hamblin to accept the financial statements for the month of June and place it on file. Motion carried unanimously.

Accountant Voigt presented MCO Invoices #14694, #14704, and #14698 in the amounts of \$119,150.00, \$529.55 and \$572.59. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve for payment MCO Invoices #14694, #14704, and #14698 and to pay the invoices after August 1, 2010. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of June. Accountant Voigt reported on the reinvestment of maturing CDARS; replacement fund monies in the CDARS account are being invested short term in anticipation of bills coming in for the refurbishing of the screws in the headworks building, depreciation fund money is invested in 2 – 6 month terms to fill gaps in the current short term maturities and maturities that are set up in 2011. MCO generated \$7,962 in income to the Commission in June; lab testing reimbursement has increased due to an MCO client who is requesting additional lab testing services. It was questioned on the procedure for MCO reimbursement to the NMSC, Manager Much reported on the contract between the Commission and MCO for this purpose. After discussion; motion by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the Accountants Report for the month of June 2010. Motion carried unanimously.

Accountant Voigt presented for payment McMAHON invoices #41411 and #41285 in the amounts of \$2,497.60 and \$6,589.26. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve for payment invoices #41411 and #41285. Motion carried unanimously.

Commissioners discussed the budget for 2011, the facility plan and the funding for the facility plan and planned plant updates. Accountant Voigt informed the Commissioners that at the current Clean Water Fund interest rate of 2.4% the loan payment amount would be about \$5,300 per month per million dollars borrowed. If the Commission is looking at borrowing \$10 million this would mean there would be a monthly budget amount of about \$53,000 per month. Tom Kispert (McMAHON) also discussed information on the Clean Water Fund. After discussion, it was the consensus of the Commission to increase the Depreciation Fund an additional 10% to begin preparing for the costs associated with the plant updates.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of June 2010. The rain has given us some issues; work on the screws needed to stop for one week. One screw and screw bay has been completed. The plant did overflow a little on Friday July 24. Manager Much also reported on the gas engine and the transformer issue. We were not able to pinpoint the problem with the transformer; a new transformer has been ordered. Delivery and installation is expected to occur in 1 – 2 months. Manager Much also reported that test information is being inputted by McMAHON into the GIS system. Further information with the GIS should be available in 1 – 2 months. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Gordon Falck to accept the operating report for the month of June 2010. Motion carried unanimously.

Facility Plan Process – Tom Kispert distributed copies of Appendix III for the Facility Plan. Tom discussed the inflow/infiltration (I/I) work performed by the communities. The communities have been active in their I/I programs. Also discussed are the design criteria included in Appendix III. The design criteria are current including all updates made at the NMSC treatment plant over the years. Also discussed were the population projections and the calculations needed for the design flows and waste loadings. It was questioned on the status of the testing being performed for reducing phosphorus. Manager Much reported there has been some success, but the success has not been with consistent results. It was also questioned if the facility plan will include plans to accommodate for phosphorus removal. Tom indicated designs will include the ability for phosphorus removal without needing to remove structures. Last month Cinetek was here with their pilot unit to test sludge dewatering. Their draft report just came out; the final report is anticipated to be available for the next Commission meeting in August.

Old Business

Interceptor ownership. Manager Much reported that he has no new information to report at this time.

Biosolids Management. Chad Olsen presented and discussed his written report with the Commission. Items discussed included: update on property in the Town of Black Creek, meeting with Steinacher Farms and members of the Town of Greenville board, Thermogen use of dried sludge as fuel source, a meeting with Green Bay Metropolitan Sewerage District representatives and their interest in the NMSC being a part of a regional biosolids handling facility, and building costs to build a storage building.

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Gordon Falck to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and a separate and distinct matter involving a Notice of Claim received by the Commission from the Town of Neenah Sanitary District No. 2 which requests reimbursement of funds. Motion carried unanimously by Commissioners Raymond Zielinski, Gordon Falck, Tim Hamblin, Dale Youngquist. Meeting convened into closed session at 9:24 am.

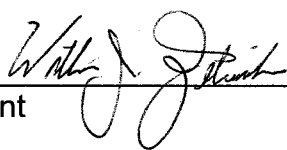
After discussions, motion made by Commissioner Dale Youngquist, seconded by Commissioner Gordon Falck to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners Raymond Zielinski, Tim Hamblin, Gordon Falck, Dale Youngquist. The Commission returned to Regular open session at 10:22 am.

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to authorize Commission Attorney John Thiel to pursue settlement options with the Town of Neenah Sanitary District #2 with a settlement amount not to exceed the dollar amount discussed in Closed Session. Voting aye: Commissioners Dale Youngquist, Raymond Zielinski. Voting nay: Commissioners Tim Hamblin, Gordon Falck. Commission President William Zelinski voting aye to break the tie vote. Motion carried on a vote of 3 – 2.

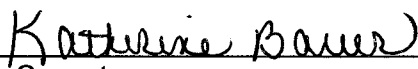
Vouchers

Questions were asked regarding certain invoices listed for approval. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve operating and payroll fund vouchers #131722 through #131786 in the amount of \$364,266.98 for the month of June. Motion carried unanimously.

Motion made by Commissioner Tim Hamblin, seconded by Commissioner Raymond Zielinski to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 10:27 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Closed Session Tuesday July 27, 2010

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Gordon Falck to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and a separate and distinct matter involving a Notice of Claim received by the Commission from the Town of Neenah Sanitary District No. 2 which requests reimbursement of funds. Motion carried unanimously by Commissioners Raymond Zielinski, Gordon Falck, Tim Hamblin, Dale Youngquist. Meeting convened into closed session at 9:24 am.

The Closed Session was called to order by Commission President William Zelinski at 9:24 a.m.

Present: Commissioners Raymond Zielinski, Tim Hamblin, Gordon Falck, Dale Youngquist, William Zelinski; Manager Randall Much, Attorney John Thiel, Accountant Roger Voigt.

Also Present: Paul Much (MCO).

Fox River Litigation:

Attorney John Thiel reported there will be an in-person hearing on August 23 to entertain oral arguments. This is a step towards a decision in the Appleton Papers/NCR case.

Attorney John Thiel also reported on payments from the insurance carriers to Davis & Kuelthau have slowed. The history of insurance company payments and issues regarding the amount of insurance company payment were discussed. Davis & Kuelthau is looking to receive payments from the insurance carriers before the end of their fiscal year on September 30.


It was the consensus to have representatives from Neenah and Menasha present at the next Commission meeting.

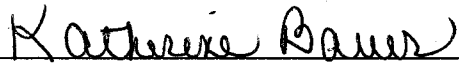
Town of Neenah S.D. 2

Attorney John Thiel reported we are now in the discovery phase and we are working on a discovery request. A September 8 conference is set. Documents and minutes have been reviewed for the discovery phase. Attorney John Thiel and Commission discussed litigation costs, potential costs, and settlement options. Motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to authorize Commission Attorney John Thiel to pursue settlement options with the Town of Neenah Sanitary District #2 with a settlement amount not to exceed the amount authorized by

the Commission. Discussion followed; further clarification was requested on what is meant by pursue. After discussion, Voting aye: Commissioners Dale Youngquist, Raymond Zielinski. Voting nay: Commissioners Tim Hamblin, Gordon Falck. Commission President William Zelinski voting aye to break the tie vote. Motion carried on a vote of 3 – 2.

After discussions, motion made by Commissioner Dale Youngquist, seconded by Commissioner Gordon Falck to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners Raymond Zielinski, Tim Hamblin, Gordon Falck, Dale Youngquist. The Commission returned to Regular open session at 10:22 am.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday August 24, 2010

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

Present: Commissioners Gordon Falck, Tim Hamblin, Raymond Zielinski, William Helein, Kathy Bauer, Dale Youngquist, William Zelinski; Manager Randall Much, Accountant Roger Voigt, Attorney John Thiel.

Also Present: Paul Much, Rob Franck (MCO); Mike Sambs (Waverly); Tom Kispert (McMahon); Jim Potratz (Gizmo Farms); Tom Stoffel, Attorney Pam Captain (Menasha); Attorney Jim Godlewski (Neenah).

Minutes of the Regular Meeting of July 27, 2010 were discussed. It was requested to have the date of July 24 inserted in the Operations Report to specify the date of a plant overflow. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve the minutes of the Regular Meeting of July 27, 2010 as corrected. Motion carried unanimously. Commissioner Gordon Falck requested to have the approval of the Closed Session minutes of July 27 deferred until later in the meeting.

Correspondence

The following correspondence was discussed:

7. August 9, 2010 letters (2) to William Zelinski, NMSC President from Bill Glatz.
RE: Open records requests for documents.

Accountant Voigt reported the request for the documents was filled and the requestor paid the associated fees relating to his request.

Budget, Finance, Personnel

Accountant Voigt presented the financial statements for the month of July 2010. Commissioners questioned the increased loadings from Sonoco. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the financial statements for the month of July and place it on file. Motion carried unanimously.

Manager Much presented the draft 2011 NMSC Budget. Commissioners questioned and discussed various expense items and calculations for projected income from the municipalities. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the draft 2011 NMSC Budget as presented and to schedule a Public Hearing on Tuesday September 28, 2010 at 8:00am prior to the scheduled Regular Meeting with action to be taken at the Regular Meeting for approval of the Budget as proposed. Motion carried unanimously.

Accountant Voigt presented MCO Invoices #14754, #14790, and #14785 in the amounts of \$119,149.99, \$617.29 and \$51.07. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Gordon Falck to approve for payment MCO Invoices #14754, #14790, and #14785 and to pay the invoices after September 1, 2010. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of July. Accountant Voigt reported on the reinvestment of maturing CDARS; replacement fund monies in the CDARS account will be invested short term in anticipation of bills coming in for the refurbishing of the screws in the headworks building. MCO generated \$12,732 in income to the Commission in July. Accountant Voigt presented a quote for a 3-year extension of auditing services by Schenck. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Kathy Bauer to accept the quote for the 3-year extension of auditing services by Schenck. Voting aye: Commissioners William Helein, Raymond Zielinski, Kathy Bauer, Gordon Falck, Timothy Hamblin; Abstaining: Commissioner Dale Youngquist. Motion carried. After discussion of the Accountants Report; motion by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the Accountants Report for the month of July 2010. Motion carried unanimously.

Accountant Voigt presented for payment McMAHON invoices #41723, #41712 and #41711 in the amounts of \$1,132.50, \$1,249.50, and \$5,588.50. After discussion, motion made by Commissioner Tim Hamblin, seconded by Commissioner Dale Youngquist to approve for payment invoices #41723, #41712 and #41711. Motion carried unanimously.

Accountant Voigt discussed information regarding the Clean Water Fund program. The Commission is not able to borrow directly from this program. We will need to rely on the member communities to borrow the funds from the Clean Water Fund. This could be comprised of at least one community taking on the whole debt, or it could be with multiple communities with each community taking a portion of the debt. The Commission would then need to have an agency agreement to deal with the construction management, administration, money handling, etc. Two draft resolutions were also presented for future consideration by the Commission in issues for receiving funding from the Clean Water Fund program. These resolutions will be brought to the September meeting.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of July 2010. The plant ran well, we had high loadings with some tank overflows occurring on July 13-14 and again on August 12. Commissioners questioned the screw pump operations with the current repairs being made. Manager Much reported we were able to keep 1 screw offline during this time period. The cracks are filled and the painting is still in progress in the screw bays. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Tim Hamblin to accept the operating report for the month of July 2010. Motion carried unanimously.

Facility Plan Process – Tom Kispert discussed current status of projects at the treatment plant. Screw Pumps – The 3rd screw is being coated; equipment for rebuilding the screws is being shipped with the rebuilding to begin the week of September 13. The Needs Review was completed last week. Tom discussed with the Commission the method of blending of increased flows during rain events; the EPA is having input on how blending is handled. Tom reported on possible issues with influent channel and primary clarifiers with unknown code changes.

GIS Assessment – Manager Much updated the Commission on the progress of using GIS for the O&M manual. Employees met with McMahon to review; it looks like it will work well.

Old Business

Interceptor ownership. Manager Much reported that he has no new information to report at this time.

Biosolids Management. Tom Kispert discussed the Biosolids Handling & Storage Options Update from Chad Olsen. There is a revised opinion of probable construction cost for the Biosolids building from \$4.1 Million to \$3.56 Million. Projected 20-years costs were provided with further numbers to be provided next month. Green Bay MSD is developing and rechecking costs for handling the NMSC biosolids. Costs should be available at the next meeting.

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and a separate and distinct matter involving a Notice of Claim received by the Commission from the Town of Neenah Sanitary District No. 2 which requests reimbursement of funds. Motion carried unanimously by Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Gordon Falck, Tim Hamblin, Dale Youngquist. Meeting convened into closed session at 9:05 am.


After discussions, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Tim Hamblin, Gordon Falck, Dale Youngquist. The Commission returned to Regular open session at 10:02 am.

Minutes of the July 27, 2010 Closed Session. Motion made by Commissioner Gordon Falck, seconded by Commissioner Kathy Bauer to approve the minutes of the Closed Session of July 27, 2010. Motion carried unanimously.

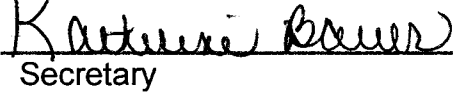
Vouchers

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner William Helein to approve operating and payroll fund vouchers #131787 through #131840 in the amount of \$331,261.90 for the month of July. Motion carried unanimously.

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Kathy Bauer to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 10:05 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Closed Session Tuesday August 24, 2010

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and a separate and distinct matter involving a Notice of Claim received by the Commission from the Town of Neenah Sanitary District No. 2 which requests reimbursement of funds. Motion carried unanimously by Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Gordon Falck, Tim Hamblin, Dale Youngquist. Meeting convened into closed session at 9:05 am.

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

Present: Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Tim Hamblin, Gordon Falck, Dale Youngquist, William Zelinski; Manager Randall Much, Attorney John Thiel, Accountant Roger Voigt.

Also Present: Paul Much (MCO); Attorney Tara Mathison (Davis & Kuelthau); Tom Stoffel, Attorney Pam Captain (Menasha); Mike Easker, Attorney Jim Godlewski (Neenah).

Fox River Litigation:

Attorney John Thiel reviewed why all were invited to attend the meeting and the history of payments for legal bills from Davis & Kuelthau. Attorney Tara Mathison updated the Commission on insurance company involvement and the history associated with their involvement. Tara further reported on positive developments in the last couple of days with the insurance companies. Discussion ensued on current unpaid invoices from Davis & Kuelthau and when the cities of Neenah and Menasha need to be contacted to provide information to their respective councils. Attorney Tara Mathison was excused from the meeting to allow the Commission and Cities to discuss this issue further. After discussion, Attorney Tara Mathison was invited to rejoin the Closed Session. Further discussion ensued between the Commission, Attorney Tara Mathison, and representatives from the cities of Neenah and Menasha.

After discussion, Attorney Tara Mathison and representatives from Neenah and Menasha were excused from the Closed Session.

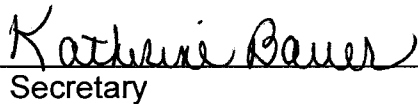
Town of Neenah S.D. 2

Attorney John Thiel reported Sanitary District #2 will meet on September 14 to discuss the settlement amount proposed to the Sanitary District.

After discussions, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Tim Hamblin, Gordon Falck, Dale Youngquist. The Commission returned to Regular open session at 10:02 am.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Public Hearing & Regular Meeting

Tuesday September 28, 2010

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

Present: Commissioners Gordon Falck, Tim Hamblin, Raymond Zielinski, William Helein, Kathy Bauer, Dale Youngquist, William Zelinski; Manager Randall Much, Accountant Roger Voigt, Attorney John Thiel.

Also Present: Paul Much, Rob Franck (MCO); Mike Sambs (Waverly); Tom Kispert, Chad Olsen, Amy Vaclavik, Sam Pociask, Brian Jensen (McMahon); Jim Potratz (Gizmo Farms); Mike King (Post-Crescent).

President William Zelinski opened the Public Hearing to receive comments on the proposed 2011 NMSC Budget.

Hearing no questions or comments on the proposed 2011 NMSC Budget, moved by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to adjourn the Public Hearing and reconvene into Regular Open Session. Motion carried unanimously. Public Hearing adjourned at 8:05 am.

To accommodate those in attendance President William Zelinski proceeded to Agenda items 8(C) – Treatment Plant Facility Planning, 8(D) – GIS Assessment, and 7(F) & (G) – NMSC Resolutions 2010-2 and 2010-3.

8(C) - Tom Kispert (McMAHON) discussed with the Commission updated information regarding the NMSC Plant Facility Planning. Items discussed included: looking at replacing diffusers and blowers to provide costs savings of about \$50,000 per year; it will be cost effective to replace current belt presses; cost savings calculated by using DNR mandated rate of 4 3/8%; current information shows the centrifuge to be the best option; plans to have final numbers wrapped up by the October meeting. Commissioners questioned the status of the Green Bay MSD proposal – waiting for final numbers from Green Bay MSD; Commissioners also questioned the percent solids data used for calculating the sludge pressing – the belt press is 18% solids, the centrifuge is 25% solids, the Cinetek unit is 40% solids.

8(D) – Sam Pociask (McMAHON) presented a PowerPoint presentation on the GIS program and its use for mapping plant equipment, work order management, and asset management. After the presentation and discussion, Manager Much reported the next step is to determine the cost for the program and how to proceed to begin implementation of the GIS program. The Commission questioned if the GIS program would be Clean Water Fund eligible – at this time it is unknown if this would qualify. The Clean Water Fund is designed for capital improvement items and it is not sure if this would fall under this category if it were packaged in with the plant upgrade. Sam Pociask will bring to the Commission a proposal for the implementation of the GIS program.

7(F)(G) - Amy Vaclavik (McMAHON) introduced herself to the Commissioners and explained her involvement working with the Clean Water Funding. Amy further explained and discussed some Clean Water Fund items such as the current rate of 2.40%; the NMSC cannot borrow directly from the Clean Water Fund; the need for the NMSC to approach the contract municipalities to have them borrow from the Clean Water Fund; the borrowing is for a 20-year term; the need to pass NMSC Resolutions 2010-2 and 2010-3. Additional discussion ensued on NMSC Resolution 2010-2 and the dollar amount in Section 2 – Declaration of Official Intent. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Tim Hamblin to amend and approve NMSC Resolution 2010-2, A Resolution Declaring Official Intent to Reimburse Expenditures From Proceeds of Borrowing, by amending Section 2. – Declaration of Official Intent to reflect a dollar amount “not expected to exceed \$20,000,000”. Motion carried unanimously on a roll call vote to approve NMSC Resolution 2010-2 as amended. Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Tim Hamblin to approve NMSC Resolution 2010-3, A Resolution Authorizing Representative to File Applications for Financial Assistance From State of Wisconsin Environmental Improvement Fund and further authorizing the NMSC President to be the designated representative for filing the applications. Motion carried unanimously on a roll call vote.

President William Zelinski returned to the Agenda items as published.

Minutes of the Regular Meeting and Closed Session of August 24, 2010 were discussed. Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve the minutes of the Regular Meeting and the Closed Session of August 24, 2010. Motion carried unanimously.

Correspondence

There was no correspondence to be discussed.

Budget, Finance, Personnel

Accountant Voigt presented the financial statements for the month of August 2010. With the rain and increased loadings received at the treatment plant, the plant operations are currently operating with an income surplus. Revenues will be monitored and recommendations may be made to have a billing adjustment on the December billing. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the financial statements for the month of August and place it on file. Motion carried unanimously.

Manager Much presented the Proposed 2011 NMSC Budget to the Commission. Motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to approve the Proposed 2011 NMSC Budget. Motion carried unanimously.

Accountant Voigt presented MCO Invoices #14833, #14872, and #14868 in the amounts of \$119,150.00, \$362.25 and \$2,383.76. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve for payment MCO Invoices #14833, #14872, and #14868 and to pay the invoices after October 1, 2010. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of August. Accountant Voigt reported on the reinvestment of maturing CDARS. MCO generated \$10,800 in income to the Commission in August. After discussion of the Accountants Report; motion by Commissioner Dale Youngquist, seconded by Commissioner Tim Hamblin to accept the Accountants Report for the month of August 2010. Motion carried unanimously.

Accountant Voigt presented for payment McMAHON invoices #42129, #42093 and #42094 in the amounts of \$225.50, \$14,582.41, and \$650.00. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve for payment invoices #42129, #42093 and #42094. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of August 2010. The plant ran well with no issues. The screws are painted and we are now waiting for the parts to arrive for rebuilding. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Gordon Falck to accept the operating report for the month of August 2010. Motion carried unanimously.

Manager Much presented a sanitary sewer extension request for South Coop Road north from Wilz Court located in the Waverly Sanitary District. After discussion, motion made by Commissioner William Helein, seconded by Commissioner Raymond Zielinski to approve the sanitary sewer extension request for South Coop Road north from Wilz Court located in the Waverly Sanitary District. Motion carried unanimously.

Old Business

Interceptor ownership. Manager Much reported that he has no new information to report at this time.

Biosolids Management. Chad Olsen discussed with the Commission the biosolids handling and sludge storage options. Options reported on and discussed consisted of: continuing with land application of the sludge and the options available for sludge haulers and building locations; landfill disposal; Green Bay Metropolitan Sewerage District (GBMSD) upgrade; haul to Thermogen. Thermogen and GBMSD still need to provide additional information to be able to provide us with more information if they are viable sources for sludge disposal.

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and the Town of Neenah Sanitary #2 lawsuit and pursuant to Wis. Stats. § 19.85(1)(e) to discuss contracts affecting portions of the sewerage treatment process which involves the investment and spending of public funds and competitive and bargaining reasons require a closed session to discuss contract clauses to be submitted to vendors to best serve the public interest. Motion carried unanimously by Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Gordon Falck, Tim Hamblin, Dale Youngquist. Meeting convened into closed session at 9:28 am.


After discussions, motion made by Commissioner Raymond Zielinski, seconded by Commissioner William Helein to adjourn the closed session and return in regular open session. Motion carried

unanimously by Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Tim Hamblin, Gordon Falck, Dale Youngquist. The Commission returned to Regular open session at 10:00 am.

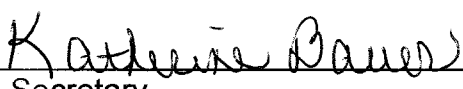
Vouchers

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve operating and payroll fund vouchers #131841 through #131889 in the amount of \$391,176.59 for the month of August. Motion carried unanimously.

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 10:03 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Closed Session

Tuesday September 28, 2010

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and the Town of Neenah Sanitary #2 lawsuit and pursuant to Wis. Stats. § 19.85(1)(e) to discuss contracts affecting portions of the sewerage treatment process which involves the investment and spending of public funds and competitive and bargaining reasons require a closed session to discuss contract clauses to be submitted to vendors to best serve the public interest. Motion carried unanimously by Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Gordon Falck, Tim Hamblin, Dale Youngquist. Meeting convened into closed session at 9:28 am.

The Closed Session was called to order by Commission President William Zelinski at 9:28 a.m.

Present: Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Tim Hamblin, Gordon Falck, Dale Youngquist, William Zelinski; Manager Randall Much, Attorney John Thiel, Accountant Roger Voigt.

Also Present: Paul Much (MCO); Chad Olsen (McMAHON).

Contracts / Contract Clauses

Manager Much discussed hauling issues and the potential of extending sludge hauling to the current contracted hauler. Chad Olsen (McMAHON) distributed and discussed his update on biosolids handling and sludge storage. After discussion, Chad Olsen was excused from the closed session.

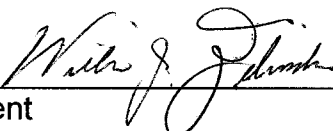
Fox River Litigation:

Attorney John Thiel provided an update on the status of billing payments from insurance carriers. Litigation issue – Attorney John Thiel reported the Fox River litigation will not be completed by October as he had previously hoped would happen.

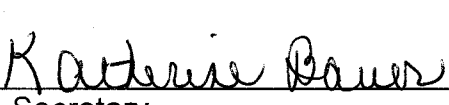
Town of Neenah S.D. 2

Attorney John Thiel reported the S.D. #2 rejected the settlement offer made and they did not make a counter offer. The Commission has a discovery response due in October. S.D. #2 is looking at having a jury trial.

After discussions, motion made by Commissioner Raymond Zielinski, seconded by Commissioner William Helein to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Tim Hamblin, Gordon Falck, Dale Youngquist. The Commission returned to Regular open session at 10:00 am.



President



Secretary

Regular MeetingTuesday October 26, 2010

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

Present: Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Dale Youngquist, William Zelinski; Manager Randall Much, Accountant Roger Voigt, Attorney John Thiel.

Excused: Commissioners Tim Hamblin, Gordon Falck.

Also Present: Paul Much, Rob Franck (MCO); Mike Sambs (Waverly); Tom Kispert, Chad Olsen (McMahon); Mike King (Post-Crescent).

Minutes of the Regular Meeting and Closed Session of September 28, 2010 were discussed. Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Kathy Bauer to approve the minutes of the Regular Meeting and the Closed Session of September 28, 2010. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. October 11, 2010 letter from Randall Much, NMSC to Mayor George Scherck, City of Neenah.
RE: Financing NMSC wastewater treatment plant upgrade.

Budget, Finance, Personnel

Accountant Voigt presented the financial statements for the month of September 2010. The plant operations are currently operating with an income surplus. A recommendation will be made to have a billing adjustment on the December billing. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the financial statements for the month of September and place it on file. Motion carried unanimously.

Accountant Voigt discussed the request to make a billing adjustment on the December billing to the contract users. Sufficient revenues have been received relating to the operating portion of the budget that would allow the NMSC not to include this portion on the billings for December. The contract users would still be billed for the Capital, Replacement, and Depreciation portion of the December billing. After discussion, motion by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve making an adjustment to the December billing and reduce the billing for any charges related to operations. Motion carried unanimously.

Manager Much discussed with the Commission a request by MCO to install a MCO phone line at the wastewater treatment facility. All costs for this phone line and costs to install this line would be paid by MCO. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to approve the request by MCO to install a phone line at the wastewater treatment facility with MCO responsible for all costs associated with this phone line. Motion carried unanimously.

Accountant Voigt presented MCO Invoices #14907, #14960, and #14957 in the amounts of \$119,150.00, \$902.84 and \$172.96. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve for payment MCO Invoices #14907, #14960, and #14957 and to pay the invoices after November 1, 2010. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of September. Accountant Voigt reported on the reinvestment of maturing CDARS. MCO generated \$9,500 in income to the Commission in September. After discussion of the Accountants Report; motion by Commissioner Dale Youngquist, seconded by Commissioner William Helein to accept the Accountants Report for the month of September 2010. Motion carried unanimously.

Accountant Voigt presented for payment McMAHON invoices #42465 and #42466 in the amounts of \$11,676.25 and \$1,056.25. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve for payment invoices #42465 and #42466. Motion carried unanimously.

Accountant Voigt reported our insurance agent has received interest from other insurance companies to quote on our insurance business so she has marketed our account to multiple insurance carriers in the insurance market. The renewal of the business insurance will be scheduled for the November meeting.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of September 2010. Everything is running well with no issues. The rebuilding of the screw pumps started yesterday, October 25. The contractor is planning on 1 ½ weeks to rebuild each screw pump. The new transformer has been installed; the startup of the generator was planned for today but is being postponed until the weather improves. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the operating report for the month of September 2010. Motion carried unanimously.

Tom Kispert distributed and discussed the Wastewater Facilities Plan report. Discussion ensued on various items such as: primary clarifiers and blending issues when flows exceed 43 mgd; activated sludge and replacing blowers; disinfection and continuing to use a sodium hypochlorite generation system; the cost effective analysis of various components; and the opinion of probable construction costs. Commissioners also questioned and discussed the potential of upcoming phosphorous regulations and how it will fit into the facility plan.

Old Business

Interceptor ownership. Manager Much reported that he has no new information to report at this time.

Biosolids Management. Chad Olsen reported that numbers have been refined on the present worth analysis and will be discussed further in the closed session.


Motion made by Commissioner Dale Youngquist, seconded by Commissioner William Helein to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and the Town of Neenah Sanitary #2 lawsuit and pursuant to Wis. Stats. § 19.85(1)(e) to discuss contracts affecting portions of the sewerage treatment process which involves the investment and spending of public funds and competitive and bargaining reasons require a closed session to discuss contract clauses to be submitted to vendors to best serve the public interest. Motion carried unanimously by Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Dale Youngquist. Meeting convened into closed session at 9:08 am.

After discussions, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Dale Youngquist. The Commission returned to Regular open session at 10:02 am.

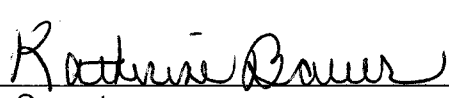
Vouchers

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve operating and payroll fund vouchers #131890 through #131967 in the amount of \$708,322.11 for the month of September. Motion carried unanimously.

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 10:04 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Closed Session**Tuesday October 26, 2010**

Motion made by Commissioner Dale Youngquist, seconded by Commissioner William Helein to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and the Town of Neenah Sanitary #2 lawsuit and pursuant to Wis. Stats. § 19.85(1)(e) to discuss contracts affecting portions of the sewerage treatment process which involves the investment and spending of public funds and competitive and bargaining reasons require a closed session to discuss contract clauses to be submitted to vendors to best serve the public interest. Motion carried unanimously by Commissioners

Raymond Zielinski, William Helein, Kathy Bauer, Dale Youngquist. Meeting convened into closed session at 9:08 am.

The Closed Session was called to order by Commission President William Zelinski at 9:08 a.m.

Present: Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Dale Youngquist, William Zelinski; Manager Randall Much, Accountant Roger Voigt.

Also Present: Paul Much (MCO); Chad Olsen (McMAHON).

Contracts / Contract Clauses

Chad Olsen discussed his updated memo to the Commission regarding the biosolids handling and storage options. Each of the various options were discussed as to the pros and cons of each option. The options involving building a storage building had the building sized for one year storage capacity. President William Zelinski requested alternative pricing for these options with a smaller sized storage building and then use land filling of the sludge as a backup option if the storage building is filled to capacity. Chad Olsen indicated he will redo the numbers with the option of a storage building for the minimum DNR required storage capacity of 180 days. Commissioner Raymond Zielinski requested to eliminate the options that no longer appear to be viable options for the Commission as sludge handling options. After discussion, the Commission agreed upon three of the alternatives to no longer be considered as viable options.

Fox River Litigation:

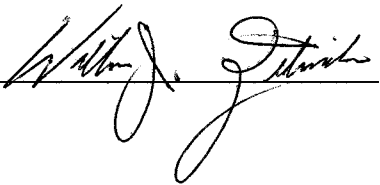
No new information reported.

Town of Neenah S.D. 2

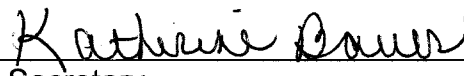
No new information reported.

After discussions, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Dale Youngquist. The Commission returned to Regular open session at 10:02 am.

President



Secretary



NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday November 23, 2010

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

Present: Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Dale Youngquist, Gordon Falck, Tim Hamblin; Manager Randall Much, Accountant Roger Voigt.

Excused: Commission President William Zelinski.

Also Present: Paul Much (MCO); Mike Sambs (Waverly); Tom Kispert, Chad Olsen, Sam Pociask (McMahon); Teri Stecker (Johnson Insurance); Fred Hegeman (DNR); Mike King (Post-Crescent).

Vice President Raymond Zielinski deviated from the printed meeting Agenda to accommodate those in attendance.

Wisconsin DNR Residuals Coordinator Fred Hegeman was in attendance per invitation from Chad Olsen to speak to the Commissioners regarding the future of land application of sludge. Mr. Hegeman distributed and discussed the August 2010-Draft "2009 Wisconsin Septage, Biosolids, and Industrial Land Application Facts". It was pointed out that less than six percent of harvested cropland is used for solids applications. Also discussed were phosphorous limits.

Wastewater discharge limits for phosphorous are currently being implemented; the next step will be to follow this up with phosphorous limits on land application of biosolids. A possible effect of these limits would be application sites may only be used once every four years, requiring the need for more land for land application of biosolids. Many communities are going to Class A or Exceptional Quality standards for their biosolids; currently thirteen facilities have Class A biosolids. Land application of biosolids is not

seen to be phased out. Currently unknown are the effects of growth hormones and other chemicals that can be found in the biosolids. Heavy handed regulation changes are not expected to be seen in the next twenty years; but we may experience several smaller changes over the years. It was questioned how the Class A or Exceptional Quality biosolids is achieved. This was further explained and discussed. Hearing no further questions or comments Mr. Hegeman was thanked for attending the meeting and sharing this information with the Commission

Agenda Item 2) Minutes of the Regular Meeting and Closed Session of October 26, 2010 were discussed. Motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to approve the minutes of the Regular Meeting and the Closed Session of October 26, 2010. Motion carried unanimously.

Agenda Item 5A) Commercial Insurance Proposal for Renewal. Teri Stecker (Johnson Insurance) introduced herself and explained the change that occurred changing her employment from Diversified Insurance Services to Johnson Insurance. The Commission insurance was marketed to several different firms. The current insurance carriers of Travelers and Accident Fund were the low price for the 2011 renewal. The renewal rates are \$284 higher than the 2010 rates. This is attributable to changes in property values and sludge storage building values. The Commission was reminded that Terrorism coverage is optional but has been purchased in the past. Six out of the eight different insurance packages are minimum premiums. Travelers Insurance is a leading insurance carrier for public entities and they include specialty endorsements for the public entities. It was questioned what the umbrella limit is; the limit is \$2,000,000 over the base \$1,000,000 liability coverage providing a total of \$3,000,000. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to accept the 2011 business insurance renewal as presented. Motion carried unanimously.

Agenda Item 6C) GIS Assessment and Proposal. Sam Pociask (McMAHON) presented and discussed the Proposal Agreement for Development of GIS Web-Based Operations and Maintenance Manual and Work Order Management System. This will be a web based application. It will be up to the operators and managers to maintain and update the program. The Commission questioned if this project would qualify under the clean water fund. This will be included in the application and they will try to have it included in the clean water funding. It was also questioned what is the role of the company GeoDesign. This company will be doing the web based application portion of the project. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to accept the Proposal Agreement for Development of GIS Web-Based Operations and Maintenance Manual and Work Order Management System at a cost not to exceed \$319,500. Motion carried unanimously.

Agenda Item 6B) Treatment Plant Facility Planning. Tom Kispert discussed the facilities planning and reported there is a section on controls in the plan. A draft report has been put together to install a new upgradeable system; this report is being reviewed. Tom also reported that to complete the Facilities Plan a decision needs to be made on which method of sludge biosolids disposal should be included in the Facilities Plan. Tom further reported that the Commission would not be required to use the method included in the Facilities Plan but an amendment can be submitted if the Commission changes their decision on how to handle the biosolids disposal. After discussion, it was the consensus of the Commission to include the option of building our own storage building and continuing with land application of the biosolids in the Facilities Plan. Tom indicated they will have a design proposal at the December meeting.

Correspondence

The following correspondence was distributed at the meeting and discussed:

- B. November 19, 2010 letter from Beth Osowski, Curtis Law Office to NMSC President William Zelinski.
RE: Gizmo Farms, Inc. written confirmation they have no intent to renew the Sludge Removal and Disposal Contract past its termination date of October 31, 2011.

Budget, Finance, Personnel

Accountant Voigt presented the financial statements for the month of October 2010. Accountant Voigt reported the December billing for operations was adjusted as discussed at the October meeting. Commissioner Dale Youngquist questioned a difference in the AP Vendor aging report and the balance reported on the Balance Sheet; Accountant Voigt will check further into the discrepancy and report back. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to accept the financial statements for the month of October and place it on file. Motion carried unanimously.

Accountant Voigt discussed the renewal of the Snow Plowing and Removal Contract. The plowing rates in the contract did not change from last year. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner William Helein to approve the Snow Plowing and Removal Contract as presented. Motion carried unanimously.

Accountant Voigt presented MCO Invoices #14987, #15036, and #15035 in the amounts of \$119,149.99, \$483.51 and \$617.26. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to approve for payment MCO Invoices #14987, #15036, and #15035 and to pay the invoices after December 1, 2010. Motion carried unanimously.

Manager Much presented and discussed the MCO request for contract increase in 2011. MCO is requesting the CPI-U amount of 1.1% as allowed by contract. Manager Much reminded the Commissioners there was no contract increase last year. After discussion, motion made by Commissioner Tim Hamblin, seconded by Commissioner Kathy Bauer to approve the 2011 contract increase of 1.1% to MCO as requested. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of October. Accountant Voigt reported on the reinvestment of maturing CDARS. The funds in the CDARS account from the Replacement Fund will not be reinvested but rather deposited into the checking account to be used towards the payment on the rebuilding of the screw pumps. The funds in the CDARS account from the Depreciation Fund will be reinvested for a 4-week term. MCO generated \$7,975 in income to the Commission in October. After discussion of the Accountants Report; motion by Commissioner Dale Youngquist, seconded by Commissioner Tim Hamblin to accept the Accountants Report for the month of October 2010. Motion carried unanimously.

Accountant Voigt presented for payment McMAHON invoices #42884, #42541 and #42996 in the amounts of \$14,090.42, \$1,917.60 and \$1,841.50. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to approve for payment invoices #42884, #42541 and #42996. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of October 2010. Everything is running well with no issues. Manager Much requested permission to send someone to a Water Environment Federation Conference on nutrient recovery & management. The 3-day conference is being held in Miami from January 9 – 12, 2011. The conference cost is \$735, plus \$165 per night for lodging as well as airfare and meals. After discussion, motion made by Commissioner Gordon Falck, seconded by Commissioner Dale Youngquist to pay the first \$1,000 in costs for MCO staff to attend this conference. Motion carried unanimously. Reported values for Waverly and the Town of Neenah in the written report were questioned. Accountant Voigt concurred one of the communities was reported incorrectly and will be corrected on the next month report. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the operating report subject to correction for the month of October 2010. Motion carried unanimously.

Old Business

Interceptor ownership. Manager Much reported that he has no new information to report at this time.

Biosolids Management. Chad Olsen reported that items will be discussed further in the closed session.

Motion made by Commissioner Gordon Falck, seconded by Commissioner Dale Youngquist to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and the Town of Neenah Sanitary #2 lawsuit and pursuant to Wis. Stats. § 19.85(1)(e) to discuss contracts affecting portions of the sewerage treatment process which involves the investment and spending of public funds and competitive and bargaining reasons require a closed session to discuss contract clauses to be submitted to vendors to best serve the public interest. Motion carried unanimously by Commissioners William Helein, Kathy Bauer, Dale Youngquist, Gordon Falck, Tim Hamblin. Meeting convened into closed session at 9:30 am.

After discussions, motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners William Helein, Kathy Bauer, Dale Youngquist, Gordon Falck, Tim Hamblin. The Commission returned to Regular open session at 10:14 am.

Vouchers

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to approve operating and payroll fund vouchers #131969 through #132015 in the amount of \$371,636.38 for the month of October. Motion carried unanimously.

Motion made by Commissioner Tim Hamblin, seconded by Commissioner Dale Youngquist to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 10:16 a.m.

President

Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Closed Session

Tuesday November 23, 2010

Motion made by Commissioner Gordon Falck, seconded by Commissioner Dale Youngquist to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and the Town of Neenah Sanitary #2 lawsuit and pursuant to Wis. Stats. § 19.85(1)(e) to discuss contracts affecting portions of the sewerage treatment process which involves the investment and spending of public funds and competitive and bargaining reasons require a closed session to discuss contract clauses to be submitted to vendors to best serve the public interest. Motion carried unanimously by Commissioners William Helein, Kathy Bauer, Dale Youngquist, Gordon Falck, Tim Hamblin. Meeting convened into closed session at 9:30 am.

The Closed Session was called to order by Commission Vice-President Raymond Zielinski at 9:36 a.m.

Present: Commissioners Raymond Zielinski, William Helein, Kathy Bauer, Dale Youngquist, Gordon Falck, Tim Hamblin; Manager Randall Much, Accountant Roger Voigt.

Also Present: Paul Much (MCO); Chad Olsen (McMAHON).

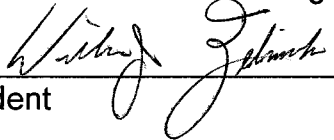
Contracts / Contract Clauses

Chad Olsen discussed his updated report based on decisions made at the last meeting. Chad further discussed the information presented during the Regular Meeting by DNR representative Fred Hegeman concerning phosphorus regulations, land application of sludge, and sludge incineration. The Commissioners further discussed the possible future of sludge land application and the options of land filling and the use of sludge as an incinerator fuel. Commissioners Dale Youngquist and Raymond Zielinski expressed their interest in meeting with Green Bay MSD Commissioners. Chad Olsen indicated he will attempt to arrange a meeting between the NMSC and Green Bay MSD Commissions to further discuss the use of sludge as an incinerator fuel. Chad reminded the Commissioners of two timeframes the Commission needs to keep in mind: 1) Current sludge hauling contract expires October 31, 2011, and 2) Submittal of the Facilities Plan to the DNR. A decision needs to be made as to what option will be included in the Facilities Plan for handling of the sludge. Any option put in the Facilities Plan can be changed at a later date with a Facilities Plan Amendment. After further discussion it was the consensus of the Commissioners to include the option of land application with the Commission building their own building on purchased property.

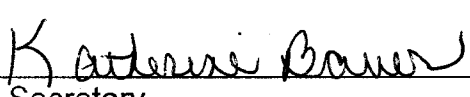
Fox River Litigation and Town of Neenah S.D. 2:

No new information reported.

After discussions, motion made by Commissioner Dale Youngquist, seconded by Commissioner Kathy Bauer to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners William Helein, Kathy Bauer, Dale Youngquist, Gordon Falck, Tim Hamblin. The Commission returned to Regular open session at 10:14 am.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday December 28, 2010

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

Present: Commissioners Raymond Zielinski, Dale Youngquist, Gordon Falck, Tim Hamblin, William Zelinski; Manager Randall Much, Accountant Roger Voigt.

Excused: Commissioners Kathy Bauer, William Helein.

Also Present: Paul Much (MCO); Mike Sambs (Waverly); Tom Kispert, Chad Olsen, Amy Vaclavik (McMAHON).

Minutes of the Regular Meeting and Closed Session of November 23, 2010 were discussed. The Closed Session minutes incorrectly report having the meeting called to order by William Zielinski; they should be corrected to have the meeting called to order by Raymond Zielinski. Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve the minutes of the Regular Meeting and the minutes of the Closed Session as corrected from November 23, 2010. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- C. December 2, 2010 letter from Mayor George Scherck, City of Neenah to NMSC Commissioner Tim Hamblin.
RE: Re-appointment as Commissioner to the NMSC.

- D. December 8, 2010 letter from James Savinski, DNR to Randy Much, NMSC General Manager.
RE: Notice of noncompliance, exceedance of wasteload allocation limit in August.

Manager Much reported another notice of noncompliance was received this week relating to effluent mercury. Further discussion ensued regarding the mercury reduction program currently in place.

- E. December 13, 2010 fax from Marilyn Potratz, Gizmo Farms to NMSC.
RE: Annual CPI-U increase on sludge hauling of 1.3%

- F. December 14, 2010 letter from Roger Voigt, NMSC Accountant to Marilyn Potratz, Gizmo Farms.
RE: Annual price increase not allowed per contract terms – decrease in previous year not negated by increase.

Budget, Finance, Personnel

Accountant Voigt presented the financial statements for the month of November 2010. Accountant Voigt reminded the Commissioners the December Financial Statements will reflect no income for operations based on the billing adjustment provided to the contract users. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the financial statements for the month of November and place it on file. Motion carried unanimously.

Accountant Voigt presented MCO Invoices #15092, #15114, and #15111 in the amounts of \$120,217.66, \$347.49 and \$32.22. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Tim Hamblin to approve for payment MCO Invoices #15092, #15114, and #15111 and to pay the invoices after January 1, 2011. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of November. Accountant Voigt reported on the reinvestment of maturing CDARS. MCO generated \$8,425 in income to the Commission in November. After discussion of the Accountants Report; motion by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the Accountants Report for the month of November 2010. Motion carried unanimously.

Accountant Voigt presented for payment McMAHON invoices #43268, #43315 and #43485 in the amounts of \$12,477.71, \$1,457.26 and \$473.10. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve for payment invoices #43268, #43315 and #43485. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of November 2010. Manager Much reported both he and Paul Much attended a meeting on new phosphorous regulations that had DNR, municipal, and industrial representatives attending. The DNR is trying to establish ways to control phosphorous without requiring municipalities to build additional structures. One method is to collect funds from the municipalities to pursue eliminating run-off type issues. At this meeting it was learned that there may be better agricultural land that needs additional phosphorous to the west of our location and not to the north. Manager Much indicated the phosphorous regulations were rushed through; they are not sure how to implement them. The Commission questioned the methane generated value on the printed report. This will be looked into further. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the operating report for the month of November 2010. Motion carried unanimously.

Tom Kispert discussed the Facilities Plan and the Report on Control Systems Upgrade. The Facilities Plan includes the option for pressing sludge with a storage building located in the Black Creek area. The Facilities Plan also includes the Control Systems Upgrade information. Tom Kispert also discussed the Engineering agreement for the wastewater treatment facility improvement design and the Engineering agreement for the Controls and SCADA upgrade. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Tim Hamblin to accept and submit the Facilities Plan to the DNR; to authorize President William Zelinski to sign the Engineering Services Agreements for the Wastewater Treatment Facility Improvements and Controls & SCADA Upgrade; and to submit to the Clean Water Fund the Intent to Apply and Priority Evaluation forms for a total of \$20,080,000. Discussion followed. The Commission further discussed the Controls System and the purpose and needs. We would be able to view system operations online; no control system changes would be allowed to be performed online. After discussion, motion carried unanimously on a roll call vote.

Old Business

Interceptor ownership. Manager Much reported that he has no new information to report at this time.

Attorney John Thiel entered the meeting.

Biosolids Management. Chad Olsen distributed maps for areas located in the Town of Menasha and the Town of Clayton. The Commission further discussed the locations on these maps. The Commission discussed meeting with representatives from Green Bay MSD in January. Chad reported the property owner in the Black Creek area is still willing to sell his land but we may need to renegotiate a price after January 1. Commissioners further questioned the Town of Clayton site; Manager Much reported he will be meeting later this morning with the land owner to further discuss this site. Commissioners Gordon Falck and Dale Youngquist reported they would be willing to attend a meeting with the Green Bay MSD.

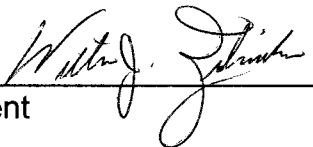
Motion made by Commissioner Tim Hamblin, seconded by Commissioner Dale Youngquist to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and the Town of Neenah Sanitary #2 lawsuit and pursuant to Wis. Stats. § 19.85(1)(e) to discuss contracts affecting portions of the sewerage treatment process which involves the investment and spending of public funds and competitive and bargaining reasons require a closed session to discuss contract clauses to be submitted to vendors to best serve the public interest. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, Gordon Falck, Tim Hamblin. Meeting convened into closed session at 9:06 am.

After discussions, motion made by Commissioner Gordon Falck, seconded by Commissioner Raymond Zielinski to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, Gordon Falck, Tim Hamblin. The Commission returned to Regular open session at 10:45 am.

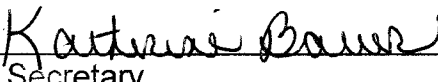
Vouchers

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Tim Hamblin to approve operating and payroll fund vouchers #132016 through #132062 in the amount of \$634,379.64 for the month of November. Motion carried unanimously.

Motion made by Commissioner Tim Hamblin, seconded by Commissioner Dale Youngquist to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 10:47 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Closed Session

Tuesday December 28, 2010

Motion made by Commissioner Tim Hamblin, seconded by Commissioner Dale Youngquist to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and the Town of Neenah Sanitary #2 lawsuit

and pursuant to Wis. Stats. § 19.85(1)(e) to discuss contracts affecting portions of the sewerage treatment process which involves the investment and spending of public funds and competitive and bargaining reasons require a closed session to discuss contract clauses to be submitted to vendors to best serve the public interest. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, Gordon Falck, Tim Hamblin. Meeting convened into closed session at 9:06 am.

The Closed Session was called to order by Commission President William Zelinski at 9:06 a.m.

Present: Commissioners Raymond Zielinski, Dale Youngquist, Gordon Falck, Tim Hamblin, William Zelinski; Manager Randall Much, Accountant Roger Voigt, Attorney John Thiel.

Also Present: Paul Much (MCO).

United States & State of Wisconsin suit

Attorney John Thiel discussed the answer and counterclaim submitted regarding this lawsuit. There is a new joint defense agreement started on this lawsuit. Outside counsel is looking to hire an outside consultant whose specialty is in economics. The consultant is from the Madison area. This suit could take a couple of years before it is settled.

Town of Neenah S.D. 2:

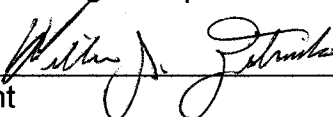
Attorney John Thiel displayed to the Commissioners the paperwork already gathered in response to this claim. Attorney John Thiel also mentioned the witnesses on the Town of Neenah S.D. 2 list of witnesses.

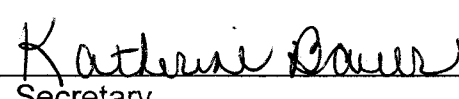
Attorney Fees

Attorney John Thiel discussed with the Commissioners the current and the proposed rates for legal services received from Davis & Kuelthau. The City of Neenah attorney indicated they deserve an increase. Attorney John Thiel presented rates he feels we should see from Davis & Kuelthau. It was the consensus of the Commission they support a fee increase from Davis & Kuelthau and the rates proposed by Attorney John Thiel are reasonable.

Attorney John Thiel discussed the information provided concerning what was published in the Federal Register.

After discussions, motion made by Commissioner Gordon Falck, seconded by Commissioner Raymond Zielinski to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, Gordon Falck, Tim Hamblin. The Commission returned to Regular open session at 10:45 am.


President


Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday January 25, 2011

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

Present: Commissioners Raymond Zielinski, Dale Youngquist, Gordon Falck, Tim Hamblin, Kathy Bauer, William Helein, William Zelinski; Manager Randall Much, Accountant Roger Voigt.

Also Present: Paul Much, Rob Franck (MCO); Mike Sambs (Waverly); Tom Kispert, Chad Olsen (McMAHON); Loren Steinacher, Michelle Steinacher, Jeff Steinacher (Steinacher Farms).

Minutes of the Regular Meeting and Closed Session of December 28, 2010 were discussed. Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve the minutes of the Regular Meeting and the minutes of the Closed Session from December 28, 2010. Motion carried unanimously.

Sludge Storage & Spreading. Jeff Steinacher (Steinacher Farms) discussed with the Commission some of the concerns regarding land spreading and building ownership. An aerial map of the area around Greenville was inspected to show the Steinacher property and where a proposed storage building would be located. It was felt an agreement could be structured to have Steinacher Farms own the land with a future availability for the Commission to purchase the land after a couple of years of operations.

Correspondence

The following correspondence was discussed:

- G. December 22, 2010 letter from Kristin Sewall, Menasha Deputy City Clerk to Ray Zielinski.
RE: Re-appointment as Commissioner to the NMSC.
- H. January 5, 2011 letter from Gerry Novotny, Wisconsin DNR to William Zielinski, NMSC President.
RE: Receipt of plan submittal & request for department approval.
- I. January 11, 2011 letter from Dan Olsen, Wisconsin DNR to William Zielinski, NMSC President.
RE: Receipt of Intent to Apply and Priority Evaluation & Ranking forms.

The Commission questioned when the list would be coming out. Tom Kispert reported he thought the list probably comes out in April or May.

- J. January 11, 2011 letter from Randall Much, NMSC Manager to James Savinski, Wisconsin DNR.
RE: Response to notice of noncompliance for mercury exceedance of daily max limit.

Manager Much further discussed mercury limits and the testing being performed in the sewer system will be going to a weekly testing to try to obtain better information on where the mercury is coming from. Manager Much also reported the new DNR representative to the Sewerage Commission will be Mark Stanek who is replacing Jim Savinski who has now retired.

Budget, Finance, Personnel

Accountant Voigt presented the financial statements for the month of December 2010. Accountant Voigt reminded the Commissioners the December Financial Statements reflects no income for operations based on the billing adjustment provided to the contract users. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to accept the financial statements for the month of December and place it on file. Motion carried unanimously.

Accountant Voigt presented MCO Invoices #15175, #15205, and #15201 in the amounts of \$121,978.82, \$541.85 and \$294.92. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve for payment MCO Invoices #15175, #15205, and #15201 and to pay the invoices after February 1, 2011. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of December. Accountant Voigt reported on the reinvestment of maturing CDARS. MCO generated \$7,833 in income to the Commission in December. After discussion of the Accountants Report; motion by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the Accountants Report for the month of December 2010. Motion carried unanimously.

Attorney John Thiel entered the meeting.

Accountant Voigt presented for payment McMAHON invoices #43646 and #43680 in the amounts of \$9,166.50 and \$2,352.00. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Tim Hamblin to approve for payment invoices #43646 and #43680. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of December 2010. The cold weather is causing some problems in using the biogas in the digester. The digester needs to be supplemented with natural gas. This issue will be discussed with staff later this week. The chlorine generation unit normally produces at 0.8% solution; it is currently producing at 0.4%. Systems are being looked at to replace the current unit. The search has been narrowed down to 3 – 4 systems that cost \$200,000 - \$300,000. The next step is to talk directly with people who operate these systems to get their real experiences. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Tim Hamblin to accept the operating report for the month of December 2010. Motion carried unanimously.

Facility Plan. Tom Kispert reported the clean water fund application was sent to the DNR; East Central Regional Planning Commission has the facility plan and is reviewing; will be meeting with staff on Friday (1/28) to discuss the boiler and chlorination system; in addition, on Friday they will also discuss the equipment being replaced.

Controls. We are using the firm of Automation Direct to assist.

GIS. A kick-off meeting was last week. Information was gathered to begin the basic design. The next meeting will be to look at a demonstration; we will use the chlorine system as first item to input and to use as a template.

Old Business

Interceptor ownership. Manager Much reported that he has no new information to report at this time.

Biosolids Management. Chad Olsen reported a meeting was held with the owner of the land located in the Town of Clayton. The property owner expressed an interest in selling the land. Chad also reported on a meeting with the Green Bay MSD. We received a generic terms and conditions from them. We are hoping to receive costs or breakdown of cost; we still have only received a price range of where the costs might be.

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and the Town of Neenah Sanitary #2 lawsuit and pursuant to Wis. Stats. § 19.85(1)(e) to discuss contracts affecting portions of the sewerage treatment process which involves the investment and spending of public funds and competitive and bargaining reasons require a closed session to discuss contract clauses to be submitted to vendors to best serve the public interest. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, Gordon Falck, Tim Hamblin, Kathy Bauer, William Helein. Meeting convened into closed session at 9:14 am.

After discussions, motion made by Commissioner Dale Youngquist, seconded by Commissioner Tim Hamblin to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, Gordon Falck, Tim Hamblin, Kathy Bauer, William Helein. The Commission returned to Regular open session at 10:04 am.


Election of Officers

Motion made by Commissioner Dale Youngquist, seconded by Commissioner William Helein to re-appoint William Zelinski as Commission President. Discussion followed, after discussion Commissioner William Helein withdrew his second, Commissioner Dale Youngquist withdrew his motion. Motion made by Commissioner Dale Youngquist, seconded by Commissioner Gordon Falck to re-elect the current slate of officers. Motion carried unanimously. The officers are: President – William Zelinski, Vice President – Raymond Zielinski, Secretary/Treasurer – Kathy Bauer.

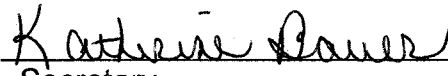
Vouchers

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve operating and payroll fund vouchers #132063 through #132139 in the amount of \$374,786.61 for the month of December. Motion carried unanimously.

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 10:15 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Closed Session**Tuesday January 25, 2011**

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and the Town of Neenah Sanitary #2 lawsuit and pursuant to Wis. Stats. § 19.85(1)(e) to discuss contracts affecting portions of the sewerage treatment process which involves the investment and spending of public funds and competitive and bargaining reasons require a closed session to discuss contract clauses to be submitted to vendors to best serve the public interest. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, Gordon Falck, Tim Hamblin, Kathy Bauer, William Helein. Meeting convened into closed session at 9:14 am.

The Closed Session was called to order by Commission President William Zelinski at 9:16 a.m.