

Moved by Commissioner Jurgenson, seconded by Commissioner Siebers to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 4:25 PM.

\_\_\_\_\_  
President



\_\_\_\_\_  
Secretary



NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday, December 16, 1997

Meeting called to order by Commission President Zelinski at 4:00 PM.

Present: Commissioners Gross, Helein, Zielinski, Jurgenson, Cowling, Zelinski, Siebers;  
Manager Much, Accountant Voigt

Absent: None

Moved by Commissioner Helein, seconded by Commissioner Siebers to approve the minutes of the meeting of November 25, 1997 and place them on file. Motion carried unanimously.

The following correspondence was discussed:

No correspondence was received.

No action taken on correspondence.

**Budget, Finance, Personnel**

Manager Much presented and discussed the 1998 contract renewal with Midwest Contract Operations, Inc. Motion by Commissioner Siebers, seconded by Commissioner Jurgenson to approve the MCO contract as presented by Manager Much which includes a 2.2% increase over the 1997 contract. Motion carried unanimously.

MCO invoice #4712, in the amount of \$47,274.59 for January 1998 was presented. Moved by Commissioner Jurgenson, seconded by Commissioner Cowling to approve and pay MCO invoice #4712 for January 1998, in the amount of \$47,274.59 on January 1, 1998. Motion carried unanimously.

Accountant Voigt presented and discussed the Accountants Report for November 1997. Moved by Commissioner Helein, seconded by Commissioner Zielinski to accept the Accountants Report for November 1997 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented and discussed the 1st quarter rates for Operations, Maintenance, Replacement, and Depreciation for 1998. The rates are based on the 1998 budget. Moved by Commissioner Siebers, seconded by Commissioner Gross to accept the 1st quarter rates for 1998 as presented. Motion carried unanimously. The 1st quarter rates will be: Flow - \$126.10 per Million Gallons, BOD - \$0.1679 per pound, SS - \$0.0848 per pound.

**Operations, Engineering, Planning**

Manager Much presented and discussed the Operating Report for November 1997. Some discussion was held concerning the history of loadings received from the City of Menasha and S.D. #4 from 1986 - 1997. Moved by Commissioner Jurgenson, seconded by Commissioner Cowling to accept the Operating Report for November 1997 and place it on file. Motion carried unanimously.

Manager Much updated the Commissioners on the status of the Digester Conversion. We are currently waiting for the heat exchangers to be delivered. The estimated delivery date will be in February. Manager Much also reported that the Digesters are operating at normal temperatures.

Manager Much discussed the progress of obtaining approvals for exempting Menasha Utilities from contractual commitment with the NMSC.


**Old Business**

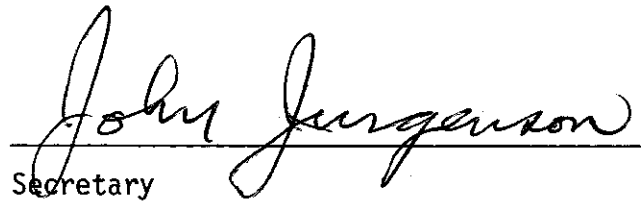
Manager Much reported to the Commission that the Commission still has not received the signed agreement from Mr. Gary Layendecker for the easement encroachment.

**Other Business**

Moved by Commissioner Gross, seconded by Commissioner Jurgenson to approve Operating Fund Vouchers #118606 thru #118665 in the amount of \$208,674.25 and Payroll Vouchers #19106 thru #19115 in the amount of \$7,880.64. Motion carried unanimously.

Moved by Commissioner Siebers, seconded by Commissioner Cowling to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 4:40 PM.

  
 \_\_\_\_\_  
 President

  
 \_\_\_\_\_  
 Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday, January 27, 1998

Meeting called to order by Commission President Zielinski at 4:00PM.

Present: Commissioners Gross, Helein, Zielinski, Cowling, Jurgenson, Zielinski; Manager Much, Accountant Voigt, Secretary Mancheski

Moved by Commissioner Gross, seconded by Commissioner Cowling to approve the minutes of the meeting of December 16, 1997 and place them on file. Motion carried unanimously.

The following correspondence was discussed:

No correspondence was received.

No action taken on correspondence.

**Budget, Finance, Personnel**

McMahon invoice #32804, in the amount of \$252.00 for the Construction Phase Assistance of the Two Stage Thermo/Meso Digester and McMahon invoice #32803, in the amount of \$180.00 for the Bidding Phase of the Two Stage Thermo/Meso Digester Conversion were presented. Moved by Commissioner Jurgenson, seconded by Commissioner Helein to approve and pay McMahon invoice #32804, in the amount of \$252.00 and McMahon invoice #32803, in the amount of \$180.00. Motion carried unanimously.

Action Electric invoice #7349, in the amount of \$22,572.39 for electrical wiring in the blower building and the digester building for the Thermo/Meso Digester Conversion was presented. Moved by Commissioner Helein, seconded by Commissioner Jurgenson to approve and pay Action Electric invoice #7349, in the amount of \$22,572.39. Motion carried unanimously.

MCO invoice #4753, in the amount of \$47,103.88 for February 1998 was presented. Moved by Commissioner Jurgenson, seconded by Commissioner Cowling to approve and pay MCO invoice #4753 for February 1998, in the amount of \$47,103.88 on February 1, 1998. Motion carried unanimously.

Accountant Voigt presented and discussed the Financial Statements for November 1997 and December 1997. Moved by Commissioner Jurgenson, seconded by Commissioner Helein to accept the Financial Statements for November 1997 and December 1997 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented the MCO payback check for November and December.

Accountant Voigt presented and discussed the Accountants Report for December 1997 and the Investment Report for December 1997. Moved by Commissioner Jurgenson, seconded by Commissioner Gross to accept the Accountants Report for December 1997 and the Investment Report for December 1997 and ordered the report to be placed on file. Motion carried unanimously.

**Operations, Engineering, Planning**

Manager Much presented and discussed the Operating Report for December 1997. Moved by Commissioner Jurgenson, seconded by Commissioner Zielinski to accept the Operating Report for December 1997 and place it on file. Motion carried unanimously.

Manager Much updated the Commissioners on the status of the Digester Conversion. The heat exchangers were delivered today, installation will begin. Installation is expected to be completed by the end of February. Any results from operating the converted digesters will not be seen for three (3) to four (4) months after start-up.

Manager Much discussed that our two attorneys who currently work for Boardman, Suhr, Curry and Field are resigning as of February 1, 1998. They are going to work for the firm Davis & Kuelthau, S.C. and requesting that we transfer our files for the Fox River cleanup over to the

new law firm so that we can retain the same attorneys. Moved by Commissioner Jurgenson, seconded by Commissioner Helein to authorize the transfer of files concerning the Fox River cleanup as of February 1, 1998 from Boardman, Suhr, Curry and Field to Davis & Kuelthau, S.C. Motion carried unanimously.

Manager Much discussed approval of ordinance/contract language change exempting governmental bodies from contracting industrial status. Moved by Commissioner Gross, seconded by Commissioner Jurgenson to approve the proposed changes to the language of the ordinance/contract. Motion carried unanimously.

Commissioner Siebers entered the meeting.

Manager Much discussed problems with BOD being extremely high in the plant loadings. There was a lot of discussion on this item along with the pros and cons of getting only one proposal for a facility plan amendment. Motion moved by Commissioner Jurgenson, seconded by Commissioner Gross to solicit a proposal from McMahon Associates for a facility plan amendment. Motion carried unanimously.

#### Other Business

Manager Much requested that two commissioners attend a PCB meeting on February 19, 1998 at 7:30 p.m. at the Neenah Council Chambers. Commissioner Zielinski & Commissioner Jurgenson agreed to attend the meeting.

Moved by Commissioner Gross, seconded by Commissioner Siebers to approve Operating Fund Vouchers #118666 thru #118709 in the amount of \$174,419.07 and Payroll Vouchers #19116 thru #19133 in the amount of \$8,221.08. Motion carried unanimously.

Moved by Commissioner Zielinski, seconded by Commissioner Jurgenson to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 5:05 PM.

  
President

  
Secretary

#### NEENAH-MENASHA SEWERAGE COMMISSION

#### Regular Meeting

Tuesday, February 24, 1998

Meeting called to order by Commission Vice President Siebers at 4:00 p.m.

Present: Commissioners Gross, Helein, Jurgenson, Siebers, Zielinski; Manager Much, Accountant Voigt, Secretary Mancheski

Absent: Commissioners Cowling and Zielinski

Also Present: Mr. Tom Vik, McMahon Associates and Mr. Jim Peichl, NMSC Maintenance Manager

Moved by Commissioner Jurgenson, seconded by Commissioner Zielinski to approve the minutes of the meeting of January 27, 1998, and place them on file. Motion carried unanimously.

The following correspondence was discussed:

- A. February 2, 1998, letter from Manager Much and John Wilke, City of Neenah to Tom Baudhuin, Minergy Co.  
RE: Wastewater discharge to the Interceptor Sewer
- B. January 29, 1998, letter from Paula J. Pagel, Town of Menasha Sanitary District No. 4 to Mr. Randy Much  
RE: Re-appointment of Mr. Robert Gross
- C. February 12, 1998, letter from Cathy M. Girdley, Waverly Sanitary District to Neenah-Menasha Sewerage Commission  
RE: Re-appointment of William C. Helein

- D. February 18, 1998, letter from Frank Kuehl to Neenah-Menasha Sewerage Commission  
RE: Questions regarding future plans for the Neenah-Menasha Wastewater Treatment Plant.

No action taken on correspondence.

#### Budget, Finance, Personnel

Walker Process Equipment invoice #WM5192, in the amount of \$47,500.00 for two (2) heat exchangers and a hot water circulation pump for the Two Stage Thermo/Meso Digester Conversion was presented. Moved by Commissioner Jurgenson, seconded by Commissioner Gross to approve and pay Walker Process Equipment invoice #WM5192, in the amount of \$47,500.00. Motion carried unanimously.

McMahon Associates invoice #32979, in the amount of \$242.02 for the Bidding Phase of the Two Stage Thermo/Meso Digester Conversion was presented. Moved by Commissioner Jurgenson, seconded by Commissioner Gross to approve and pay McMahon invoice #32979, in the amount of \$242.02. Motion carried unanimously.

MCO invoice #4786, in the amount of \$49,109.02 for March 1998 was presented. Moved by Commissioner Jurgenson, seconded by Commissioner Helein to approve and pay MCO invoice #4786 for March 1998, in the amount of \$49,109.02 on March 1, 1998. Motion carried unanimously.

Accountant Voigt presented and discussed the Financial Statements for December 1997 (final) and January 1998.

Accountant Voigt presented and discussed the year-end O & M adjustment.

Accountant Voigt presented and discussed the Accountants Report for January 1998.

#### Operations, Engineering, Planning

Manager Much presented and discussed the Operating Report for January 1998. Moved by Commissioner Jurgenson, seconded by Commissioner Zielinski to accept the Operating Report for January 1998 and place it on file. Motion carried unanimously.

Manager Much discussed that Menasha BOD has taken a large jump again. Manager Much was going to have a meeting with Mayor Laux at the City of Menasha at 10:30 a.m. on Wednesday, February 25, 1998.

Manager Much discussed Mayor Laux's request for permission to enter the NMSC Interceptor Sewer System to install meters in the interceptor. Moved by Commissioner Jurgenson, seconded by Commissioner Zielinski to allow permission for consultants to monitor the interceptor provided that they sign our standard safety handbook. Motion carried unanimously.

Manager Much updated the Commissioners on the status of the Digester Conversion. There was a gas leak into the tunnel, but the ventilation systems kept the gas below explosive levels. Thursday, February 26, 1998, we will be firing up the heat exchangers and the temperature will reach the appropriate level in about a week.

Mr. Tom Vik, McMahon Associates presented a proposal for a Wastewater Facility Plan. Mr. Vik explained that they will work on a time and expense basis and estimates the price of the plan through December 31, 1998, could reach \$42,500.00. Moved by Commissioner Jurgenson, seconded by Commissioner Gross to approve the proposal for a Wastewater Facility Plan with a ceiling price to not exceed \$42,500.00.

Manager Much presented and discussed the 1997 Compliance Maintenance Annual Report. Moved by Commissioner Gross, seconded by Commissioner Jurgenson to adopt Compliance Maintenance Resolution 98-1. Motion carried unanimously.

Manager Much presented the Sturgeon Bay Biosolids Reuse Strategy article that Commissioner Zielinski requested from the meeting on January 27, 1998.

#### New Business

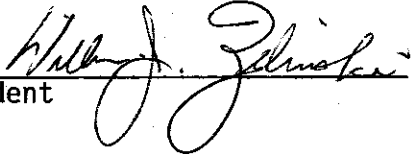
Election of Officers. Moved by Commissioner Zielinski, seconded by Commissioner Helein that the present slate of officers be unanimously re-elected for 1998. Motion carried unanimously on a roll call vote.

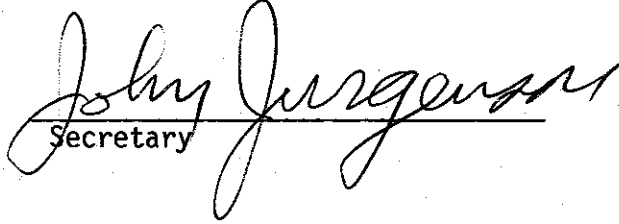
Officers for 1998 are: President - William J. Zielinski  
Vice President - Dale Siebers  
Secretary - John Jurgenson  
Treasurer - Robert Gross

Other Business

Moved by Commissioner Jurgenson, seconded by Commissioner Helein to approve Operating Fund Vouchers #118710 thru #118773 in the amount of \$221,749.17 and Payroll Vouchers #19134 thru #19145 in the amount of \$8,684.29. Motion carried unanimously.

Moved by Commissioner Jurgenson, seconded by Commissioner Gross to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 5:00 p.m.

  
President

  
Secretary

## NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting  
Tuesday, March 24, 1998

Meeting called to order by Commission President Zelinski at 4:00 p.m.

Present: Commissioners Cowling, Gross, Helein, Jurgenson, Zelinski, Zielinski;  
Manager Much, Accountant Voigt, Secretary Mancheski

Excused: Commissioner Siebers

Also Present: Mr. Dave Maccoux and Mr. Mike Konecny of Jonet and Fountain and Mr. Jim Peichl, NMSC Maintenance Manager

Moved by Commissioner Jurgenson, seconded by Commissioner Gross to approve the minutes of the meeting of February 24, 1998, and place them on file. Motion carried unanimously.

The following correspondence was discussed:

- A. February 25, 1998, letter from Manager Much to Mayor Joe Laux  
RE: Request for flow monitoring and sampling activities to the NMSC interceptor sewer system.
- B. March 10, 1998, letters from Mr. Thomas E. Vik, McMahon Associates to Mr. Keith Mutchler, U.S. Paper Mills Corp. and Mr. Terry Hauptert, Gilbert Paper Corp.  
RE: NMSC Facility Planning
- C. March 16, 1998, letters from Mr. Thomas E. Vik, McMahon Associates to Mr. Steve Laabs, Town of Menasha Sanitary District #4, Mr. Tim Hamblin, City of Neenah, Mr. Mark Radtke, City of Menasha, Ms. Cathy Girdley, Waverly Sanitary District, Mr. Jim Savinski, Wisconsin Department of Natural Resources, and Mr. Don Verbrick, Town of Neenah Sanitary District #2  
RE: NMSC Facility Planning
- D. March 19, 1998, letter from Manager Much and Mr. John Wilke, City of Neenah to Mr. Jeff Bahn, Fort James Corporation  
RE: Clean-up of flexo-graphic printing press

No action taken on correspondence.

Budget, Finance, Personnel

Mr. Dave Maccoux and Mr. Mike Konecny of Jonet and Fountain presented the 1997 Audit. Moved by Commissioner Jurgenson, seconded by Commissioner Gross to accept the 1997 Audit as presented by Jonet and Fountain. Motion carried unanimously.

Action Electric invoice #7705, in the amount of \$34,140.41 for the electrical wiring of the Two Stage Thermo/Meso Digester Conversion was presented. Moved by Commissioner Helein, seconded by Commissioner Zielinski to approve and pay Action Electric invoice #7705, in the amount of \$34,140.41. Motion carried unanimously.

Lee's Welding invoice #5352, in the amount of \$64,592.91 for labor and materials for the Two Stage Thermo/Meso Digester Conversion was presented. Moved by Commissioner Jurgenson, seconded by Commissioner Gross to approve and pay Lee's Welding invoice #5352, in the amount of \$64,592.91. Motion carried unanimously.

Walker Process Equipment invoice #WM5302, in the amount of \$2,500.00 for the final payment due for two (2) heat exchangers and a hot water circulation pump for the Two Stage Thermo/Meso Digester Conversion was presented. Moved by Commissioner Jurgenson, seconded by Commissioner Gross to approve and pay Walker Process Equipment invoice #WM5302, in the amount of \$2,500.00. Motion carried unanimously.

MCO invoice #4831, in the amount of \$51,960.02 for April 1998 was presented. Moved by Commissioner Jurgenson, seconded by Commissioner Helein to approve and pay MCO invoice #4831 for April 1998, in the amount of \$51,960.02 on April 1, 1998. Motion carried unanimously.

Accountant Voigt presented and discussed the Financial Statements for January 1998 and February 1998. Moved by Commissioner Jurgenson, seconded by Commissioner Gross to accept the Financial Statements for January 1998 and February 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented the MCO payback checks for January 1998 and February 1998.

Accountant Voigt presented and discussed the Accountants Report for January 1998 and February 1998. Moved by Commissioner Zielinski, seconded by Commissioner Helein to approve the Accountants Report for January 1998 and February 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented the Amendment of Management, Supervision, Operations and Maintenance Contract for adding Arthur Selbach as an MCO employee. Moved by Commissioner Jurgenson, seconded by Commissioner Gross to approve the Amendment of Management, Supervision, Operations and Maintenance Contract for adding Arthur Selbach as an MCO employee. Motion carried unanimously on a roll call vote.

Accountant Voigt presented and discussed changes in the Health Insurance Program for MCO employees.

#### **Operations, Engineering, Planning**

Manager Much presented and discussed the Operating Report for February 1998. Menasha BOD as well as Neenah BOD continues to be high. Menasha has Badger Labs out testing to locate the source. Moved by Commissioner Jurgenson, seconded by Commissioner Gross to accept the Operating Report for February 1998 and place it on file. Motion carried unanimously.

Manager Much updated the Commissioners on the status of the Digester Conversion. The Anaerobic Digester is up to the appropriate temperature and is currently in the second stage of the process to get the digester up and running. We are waiting for bacterial methogens to grow. We should see this within the next day or two and we will then increase sludge feed until we have reached the appropriate levels. This will take approximately one (1) to two (2) weeks to be 100% active.

Manager Much presented retirement letter from Arthur Selbach.

Manager Much presented the effectiveness of Borresol BSP in the treatment of Anaerobic Digesters at the NMSC Treatment Plant. Use of the Borresol BSP did not show any significant effectiveness in the treatment of the Anaerobic Digester.

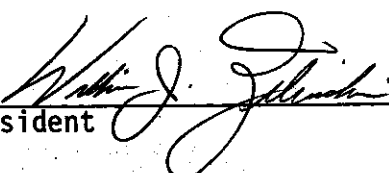
Manager Much discussed a leak in a water line that runs from the digester building to the blower building. This line needs to be replaced and will cost approximately \$17,280.00 for the digging, piping, insulation and installation. Moved by Commissioner Jurgenson, seconded by Commissioner Helein to proceed with replacement of the water line that runs from the digester building to the blower building. Motion carried unanimously.

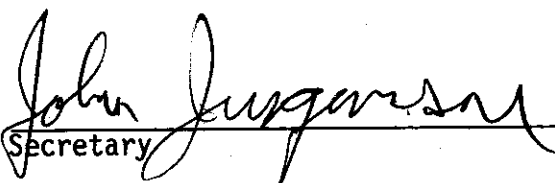
Manager Much discussed a request from Mr. John Wilke, City of Neenah to build a receiving station to dump sewer cleaning solids. Moved by Commissioner Gross, seconded by Commissioner Cowling to express that the Commission has no interest in developing a facility.

#### **Other Business**

Moved by Commissioner Jurgenson, seconded by Commissioner Zielinski to approve Operating Fund Vouchers #11874 thru #118823 in the amount of \$129,886.45 and Payroll Vouchers #19146 thru #19168 in the amount of \$7,760.35. Motion carried unanimously.

Moved by Commissioner Jurgenson, seconded by Commissioner Zielinski to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 5:15 p.m.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

## NEENAH-MENASHA SEWERAGE COMMISSION

## Regular Meeting

Tuesday, April 28, 1998

Meeting called to order by Commission President Zelinski at 4:00 p.m.

Present: Commissioners Cowling, Gross, Helein, Jurgenson, Siebers, Zelinski, Zielinski;  
Manager Much, Accountant Voigt, Secretary Mancheski

Absent: None

Also Present: Attorney Dan Goggin of Goggin and Goggin, Mr. Tom Vik of McMahon Associates, and  
Mr. Jim Peichl, NMSC Maintenance Manager

Moved by Commissioner Jurgenson, seconded by Commissioner Helein to approve the minutes of the meeting of March 28, 1998, and place them on file. Motion carried unanimously.

The following correspondence was discussed:

- A. March 31, 1998, letter from Manager Much to Mr. Shane Waterman, Omni Associates Inc.  
RE: Request to discharge fuel oil contaminated groundwater from St. Mary's Parish.
- B. March 31, 1998, letter from Manager Much to Mr. James Savinski, Wisconsin Department of Natural Resources  
RE: Notification of unscheduled bypass from the Neenah-Menasha Wastewater Treatment Plant.
- C. April 7, 1998, letter from Manager Much to Mr. James Savinski, Wisconsin Department of Natural Resources  
RE: Correction to March 31, 1998, letter regarding notification of unscheduled bypass from the Neenah-Menasha Wastewater Treatment Plant.
- D. April 20, 1998, letter from Ken Kirk, AMSA to Manager Much  
RE: Invitation to become a member of AMSA (Association of Metropolitan Sewerage Agencies)
- E. March 23, 1998, letter from Mr. James L. Savinski, Wisconsin Department of Natural Resources  
RE: Compliance Maintenance Annual Report for 1997.

No action taken on correspondence.

The Commission skipped to agenda item #6 D - Interceptor Sewer User Charges.

Discussion occurred regarding sewer user charges relating to use of NMSC's interceptor sewer system. Attorney Goggin summarized provisions for such charges in NMSC's ordinance contract and industrial user contracts.

Attorney Goggin left the meeting.

The Commission skipped to agenda item #6 C - Facilities Plan Update.

Mr. Tom Vik, McMahon Associates met with the Commission to discuss the Wastewater Facility Plan. He will attend the next meeting to give the Commission a chance to look over the plan and address any concerns that they may have.

Mr. Tom Vik left the meeting.

#### Budget, Finance, Personnel

McMahon Associates invoice #33455, in the amount of \$219.30 for the construction phase assistance of the Two Stage Thermo/Meso Digester was presented. Moved by Commission Siebers, seconded by Commissioner Jurgenson to approve and pay McMahon Associates invoice #33455, in the amount of \$219.30. Motion carried unanimously.

MCO invoice #4884, in the amount of \$61,162.13 for May 1998 was presented. Moved by Commissioner Siebers, seconded by Commissioner Gross to approve and pay MCO invoice #4884 for May 1998, in the amount of \$61,162.13 on May 1, 1998. Motion carried unanimously.

Accountant Voigt presented and discussed the costs associated with the digester modifications that the Commission had requested at the March 29, 1998 meeting. These figures are not final, but it appears that the cost of the modifications to the digester will be below budget.

Accountant Voigt presented and discussed the Financial Statements for March 1998. Moved by Commissioner Zielinski, seconded by Commissioner Helein to accept the Financial Statements for March 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented the MCO payback check for March 1998.

Accountant Voigt presented and discussed the **Accountants Report and Investment Report** for March 1998. Moved by Commissioner Jurgenson, seconded by Commissioner Helein to approve the Accountants Report and Investment Report for March 1998 and ordered the reports to be placed on file. Motion carried unanimously.

#### Operations, Engineering, Planning

Manager Much presented and discussed the Operating Report for March 1998. Flows and loadings are still high. Moved by Commissioner Jurgenson, seconded by Commissioner Cowling to accept the Operating Report for March 1998 and place it on file. Motion carried unanimously.

Manager Much updated the Commissioners on the status of the Digester Conversion. The Anaerobic Digester is up to the appropriate temperature. It will be two (2) to two and one-half (2 1/2) months before we will be able to see the results.

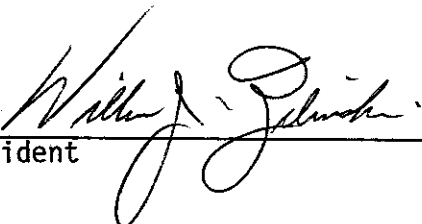
Manager Much discussed a sewer extension request from Cottonwood Creek III. Moved by Commissioner Helein, seconded by Commissioner Zielinski to table this request because part of the area to be served is outside the sewer service area. The Commission will review the request at their next meeting.

Manager Much discussed a sewer extension request from Valley Court. Moved by Commissioner Jurgenson, seconded by Commissioner Siebers to approve the sewer extension for Valley Court. Motion carried unanimously.

#### Other Business

Moved by Commissioner Gross, seconded by Commissioner Siebers to approve Operating Fund Vouchers #118824 thru #118920 in the amount of \$156,703.40 and Payroll Vouchers #19169 thru #19187 in the amount of \$15,155.72. Motion carried unanimously.

Moved by Commissioner Gross, seconded by Commissioner Siebers to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 5:30 p.m.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

#### NEENAH-MENASHA SEWERAGE COMMISSION

##### MINUTES OF NEENAH-MENASHA SEWERAGE COMMISSION MEETING CONDUCTED ON MAY 20, 1998 AT THE COMMISSION OFFICES LOCATED AT 101 GARFIELD AVENUE, MENASHA, WISCONSIN, UPON NOTICE OF PUBLIC MEETING AND OF EXECUTIVE (CLOSED) SESSION PREVIOUSLY GIVEN.

Following public notice of meeting and of a motion contemplated at such meeting to reconvene in closed session, which were provided according to NMSC rules, a meeting was called to order by NMSC President Bill Zielinski on Wednesday, May 20, 1998, at approximately 3:30 P.M., at the NMSC offices in the City of Menasha.

A roll call followed opening of the meeting and all commissioners were present, except Commission Siebers who arrived shortly thereafter.

Pursuant to the notice of meeting, President Zielinski asked for a discussion of any preliminary matters suggested by members; there being none, President Zielinski, pursuant to notice of the meeting, invited a motion to reconvene in closed session under the provisions of 19.85(1)(g) of the Wisconsin statutes to confer with legal counsel concerning strategy to be adopted by the NMSC with respect to certain interceptor user charges and potential legal liability and related potential litigation arising therefrom.

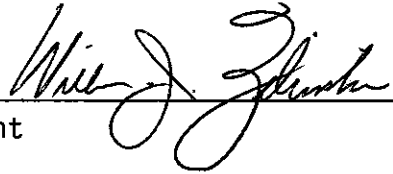
Accordingly, a motion was made and unanimously adopted to reconvene in closed session as suggested, and for the purpose cited, by President Zielinski.

Following reconvening in closed session, a lengthy full discussion followed among the Commission, its manager and its counsel concerning strategy to be adopted by the NMSC with certain interceptor user charges and potential legal liability and related potential litigation arising therefrom. Engaging in the discussion in addition to the Commissioners were three invited guests: Mayor Joseph Laux, City of Menasha; Menasha City Attorney Jeffrey Brandt; and Menasha Finance Director Thomas Stoffel.



Following the lengthy discussion, it was moved and unanimously voted to reconvene in open session. There being no further business to conduct, a motion was made and unanimously carried to adjourn. Commissioner George Cowling was excused by President Zelinski from the meeting, at his request, approximately 20 to 30 minutes before its conclusion.

Submitted by: Daniel R. Goggin, Commission counsel

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday, May 26, 1998

Meeting called to order by Commission President Zelinski at 4:00 p.m.

Present: Commissioners Helein, Jurgenson, Siebers, Zelinski, Zielinski; Manager Much, Accountant Voigt, Secretary Mancheski

Excused: Commissioner Cowling

Absent: Commissioner Gross

Also Present: Attorney Dan Goggin of Goggin and Goggin, Mr. Tom Vik of McMahon Associates, and Mr. Mike King of Appleton Post Crescent

Moved by Commissioner Jurgenson, seconded by Commissioner Zielinski to approve the minutes of the meeting of April 28, 1998, and place them on file. Motion carried unanimously.

The following correspondence was discussed:

- A. April 29, 1998, letter from Manager Much to Mr. Matthew A. Clementi, Excel Engineering Inc.  
RE: Approval of sewer extension for the Valley View Condominiums.
- B. April 29, 1998, letter from Manager Much to Mr. Lee Reibold, McMahon Associates, Inc.  
RE: Request for sewer extension for Cottonwood Creek III.
- C. May, 4, 1998, letter from Manager Much to Mr. Brian Wayner, Omni Associates, Inc.  
RE: Request to discharge petroleum contaminated groundwater.
- D. May 20, 1998, letter from Mr. James G. Spaay, P.E., City of Menasha  
RE: Request for a copy of Exhibit "C" of the Wastewater Treatment Service Contract

Manager Much discussed with the Commissioners about drafting a document that shows all the connections points to the contracting users and once it's been approved to draw up an ordinance to add an Exhibit "C" to the Wastewater Treatment Service Contract. Moved by Commissioner Jurgenson, seconded by Commissioner Siebers to prepare Exhibit "C" for the connection points to be submitted to the contracting users for approval. Motion carried unanimously.

Manager Much also discussed with the Commissioners regarding if the Commission has any maps with easements on them. The Commission's easements are not currently mapped. If we need to locate a particular easement, we locate the easement on the Assessor's maps at City Hall. The Commission indicated Manager Much should not pursue mapping of the Commission's easements.

Attorney Goggin left the meeting.

The Commission skipped to agenda item #6 C - Facilities Plan Update.

Mr. Tom Vik of McMahon Associates met with the Commission to discuss the Wastewater Facility Plan. The next steps to the process are to begin the review process by the DNR, start laying out costs and how they would be allocated, and then set up appointments to meet with the contract users. Moved by Commissioner Jurgenson, seconded by Commissioner Helein to endorse the plan and authorize submittal of the plan to the DNR.

The Commission and Mr. Tom Vik will schedule a meeting with the municipal and industrial users on June 24, 1998 at 3:30 p.m.

Tom Vik and Mr. Mike King left the meeting.

Budget, Finance, Personnel

Lee's Welding invoice #5486, in the amount of \$23,611.35 for work in the Digester Building, Headworks Building, and Service Building was presented. Moved by Commissioner Jurgenson, seconded by Commissioner Helein to approve and pay invoice #5486, in the amount of \$23,611.35. Motion carried unanimously.

McMahon Associates invoice #33725, in the amount of \$437.96 for the construction phase assistance of the Two Stage Thermo/Meso Digester was presented. Moved by Commissioner Jurgenson, seconded by Commissioner Helein to approve and pay McMahon Associates invoice #33725, in the amount of \$437.96. Motion carried unanimously.

McMahon Associates invoice #33746, in the amount of \$7,889.50 and invoice #33982, in the amount of \$5,110.80 for the Facility Plan Update were presented. Moved by Commissioner Siebers, seconded by Commissioner Helein to approve and pay McMahon Associates #33746, in the amount of \$7,889.50 and invoice #33982, in the amount of \$5,110.80. Motion carried unanimously.

MCO invoice #4927, in the amount of \$54,096.30 for June 1998 was presented. Moved by Commissioner Siebers, seconded by Commissioner Jurgenson to approve and pay MCO invoice #4927 for June 1998, in the amount of \$54,096.30 on June 1, 1998. Motion carried unanimously.

Accountant Voigt presented and discussed the third quarter OMR rates which proposes to keep the rates the same as the first and second quarter. Moved by Commissioner Helein, seconded by Commissioner Jurgenson to set the third quarter rates for OMR as proposed.

Accountant Voigt presented and discussed the Financial Statements for April 1998. Moved by Commissioner Jurgenson, seconded by Commissioner Zielinski to accept the Financial Statements for April 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented and discussed the Accountants Report for April 1998. Moved by Commissioner Zielinski, seconded by Commissioner Helein to approve the Accountants Report for April 1998 and ordered the report to be placed on file. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the Operating Report for April 1998. Menasha loadings have dropped once again. Moved by Commissioner Siebers, seconded by Commissioner Jurgenson to accept the Operating Report for April 1998 and place it on file. Motion carried unanimously.

Manager Much updated the Commissioners on the status of the Digester Conversion. The Anaerobic Digester is up to the appropriate temperature. Everything is stable and appears okay. In about two (2) months when we start pressing the sludge we will start seeing the results. We will probably need to change the polymers that we are using due to the significant changes in the sludge.

Old Business

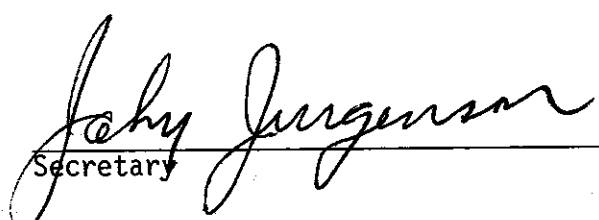
Manager Much discussed a sewer extension for Cottonwood Creek III. Motion by Commissioner Jurgenson, seconded by Commissioner Siebers to approve the sewer extension for Cottonwood Creek III. Motion carried unanimously.

Other Business

Moved by Commissioner Jurgenson, seconded by Commissioner Zielinski to approve Operating Fund Vouchers #118921 thru #118992 in the amount of \$193,256.45 and Payroll Vouchers #19188 thru #19212 in the amount of \$11,386.01. Motion carried unanimously.

Moved by Commissioner Jurgenson, seconded by Commissioner Siebers to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 5:10 p.m.

  
President

  
Secretary

## NEENAH-MENASHA SEWERAGE COMMISSION

## Regular Meeting

Tuesday, June 23, 1998

Meeting called to order by Commission President Zelinski at 4:00 p.m.

Present: Commissioners Cowling, Gross, Helein, Jurgenson, Siebers, Zelinski, Zielinski;  
Manager Much, Accountant Voigt, Secretary Mancheski

Absent: None

Also Present: Attorney Dan Goggin of Goggin and Goggin

The following people were also present during the open session only.

Mr. Mike King of Appleton Post Crescent, Mr. David Goza of Coastal Power Company,  
and Mr. Jim Peichl, NMSC Maintenance Manager

Moved by Commissioner Siebers, seconded by Commissioner Helein to convene in closed session, under Section 19.85(1)(g) of the Wisconsin Statutes to confer with legal counsel concerning strategy to be adopted by the NMSC with respect to certain interceptor user charges and potential legal liability and related potential litigation arising therefrom. Motion carried unanimously.

A lengthy full discussion followed among the Commission, its manager and its counsel concerning strategy to be adopted by the NMSC with respect to certain interceptor user charges and potential legal liability and related potential litigation arising therefrom.

Following the lengthy discussion, it was moved by Commissioner Jurgenson, seconded by Commissioner Cowling to reconvene in open session. Motion carried unanimously.

Attorney Goggin left the meeting.

Moved by Commissioner Jurgenson, seconded by Commissioner Helein to approve the minutes of the May 20, 1998 Executive Session and May 26, 1998 Regular Meeting and place them on file. Motion carried unanimously.

The following correspondence was discussed:

- A. May 28, 1998, letter from Manager Much to Mr. James Spaay, City of Menasha  
RE: Response to May 20, 1998, letter requesting a copy of exhibit "C" of the Wastewater Treatment Service Contract
- B. May 29, 1998, letter from Manager Much to Mr. John Wilke, City of Neenah  
RE: Quality control procedures at the Neenah-Menasha Wastewater Treatment Plant
- C. May 29, 1998, letter from Steven Laabs, Sanitary District #4 to Earl Litho Printing Company  
RE: Installing a sampling manhole
- D. June 5, 1998, letter from Manager Much to Mr. Bert Arfstrom, American National Can  
RE: Request to discharge the liquid portion of wastes generated by the cleaning of the sewers within American National Can.
- E. June 11, 1998, letter from Randall Wirtz, Strand Associates to Manager Much  
RE: City of Chilton Wastewater Treatment Plant Biosolids Disposal Alternatives
- F. June 16, 1998, letter from Randall Much to Mr. David Goza, Coastal Power Company  
RE: Coastal Power Company request for NMSC effluent data.
- G. June 17, 1998, letter from Randall Much to NMSC Contracting Entities  
RE: Special NMSC meeting on June 25, 1998 @ 3:00 p.m.

No action taken on the above correspondence.

**Budget, Finance, Personnel**

Accountant Voigt presented Jonet & Fountain LLP proposal to provide consulting and analytical services in regard to arbitrage rebate on the August 1, 1988 bond issue. Moved by Commissioner Jurgenson, seconded by Commissioner Siebers to allow Jonet & Fountain to provide consulting and analytical services in regard to arbitrage rebate on the August 1, 1998 bond issue. Motion carried unanimously.

MCO invoice #4974, in the amount of \$54,096.30 for July 1998 was presented. Moved by Commissioner Jurgenson, seconded by Commissioner Gross to approve and pay MCO invoice #4974 for July 1998, in the amount of \$54,096.30 on July 1, 1998. Motion carried unanimously.

Accountant Voigt presented and discussed the Financial Statements for May 1998. Moved by Commissioner Jurgenson, seconded by Commissioner Zielinski to accept the Financial Statements for May 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented the payback checks for April and May 1998.

Accountant Voigt presented and discussed the Accountants Report for May 1998. Moved by Commissioner Zielinski, seconded by Commissioner Helein to approve the Accountants Report for May 1998 and ordered the report to be placed on file. Motion carried unanimously.

### Operations, Engineering, Planning

Manager Much presented and discussed the Operating Report for May 1998. Neenah BOD is up due to Minergy. Neenah is in contact with Minergy and has started sampling to get this under control. Moved by Commissioner Jurgenson, seconded by Commissioner Gross to accept the Operating Report for May 1998 and place it on file. Motion carried unanimously.

Manager Much updated the Commissioners on the status of the Digester Conversion. The sludge coming off the press is Class A for pathogen reduction. We now need to find a better polymer to handle the significant changes in the sludge. By the next commission meeting we should have a better idea of what the cake will look like.

Manager Much discussed with the Commission that they need to schedule a meeting for the Facility Plan Update. The meeting will be scheduled for July 14, 1998 at 4:00 p.m.

Manager Much discussed the U.S. Fish and Wildlife Service request for information under Section 104(e) of CERCLA, 42 U.S.C 9604(e). No action necessary.

Manager Much presented Fox River PCB Cleanup Resolution 98-2 a resolution for the "Joint Local Government Resolution Supporting Fox River PCB Cleanup Settlement". Moved by Commissioner Zielinski, seconded by Commissioner Helein to pass Fox River PCB Cleanup Resolution 98-2. Motion carried unanimously on a roll call vote.

The Commission went back to item 7F. Mr. David Goza from Coastal Power Company met with the Commission solely as an information gathering with the possibility of obtaining water from our outfall at the Neenah-Menasha Treatment Facility for cooling water for their proposed Electric Power Plant.

Mr. Mike King of Appleton Post Crescent and Mr. David Goza of Coastal Power Company left the meeting.

Manager Much discussed a sewer extension request for Briarwood Cottages. Motion by Commissioner Jurgenson, seconded by Commissioner Zielinski to approve the sewer extension for Briarwood Cottages. Motion carried unanimously.

Manager Much discussed a sewer extension request for Lake Park Road Utility Construction. Moved by Commissioner Jurgenson, seconded by Commissioner Helein to approve the sewer extension for Lake Park Road Utility Construction contingent upon approval of Waverly Sanitary District. Motion carried unanimously.

Manager Much discussed a sewer extension request for Crocus Estates. Moved by Commissioner Jurgenson, seconded by Commissioner Cowling to approve the sewer extension request for Crocus Estates. Motion carried unanimously.


### New Business

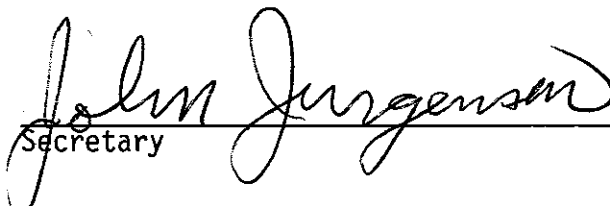
Commissioner Siebers expressed his concerns regarding the year 2000 compliance with computer equipment. Accountant Voigt stated that we would begin looking into new software that supports the year 2000.

### Other Business

Moved by Commissioner Jurgenson, seconded by Commissioner Zielinski to approve Operating Fund Vouchers #118993 thru #119062 in the amount of \$170,576.66 and Payroll Vouchers #19213 thru #19221 in the amount of \$6,641.07. Motion carried unanimously.

Moved by Commissioner Jurgenson, seconded by Commissioner Zielinski to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 5:45 p.m.

  
President

  
Secretary

## NEENAH-MENASHA SEWERAGE COMMISSION

## Special Meeting

Thursday, June 25, 1998

Meeting called to order by Commission President Zelinski at 3:00 p.m.


Present: Commissioners Cowling, Helein, Jurgenson, Zelinski, Zielinski; Manager Much, Accountant Voigt

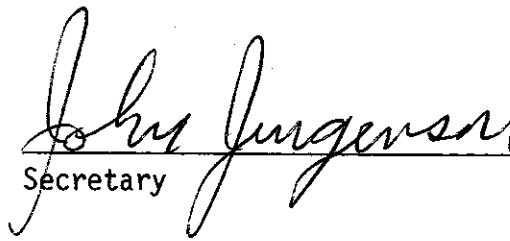
Excused: Commissioners Gross, Siebers

Also Present: Tom Vik (McMahon Associates), Don Doule (Waverly Sanitary District), and Mayor Joe Laux (City of Menasha)

Commission President Zelinski gave an opening statement explaining why the Neenah-Menasha Sewerage Commission is looking at the need to expand portions of the Wastewater Treatment Facility.

Mr. Tom Vik distributed copies of the Facility Plan and a copy of an Executive Summary to all who were in attendance. Mr. Vik made his presentation on the reasons for the proposed plant expansion and what the recommended improvements to the plant should be. Recent history of the plant showed a continuous increase in the BOD loadings received at the plant. These increases were the result of both industry expansion and population increases. The planned plant expansion

  
 \_\_\_\_\_  
 President

  
 \_\_\_\_\_  
 Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday, July 28, 1998

Meeting called to order by Commission President Zelinski at 4:00 p.m.

Present: Commissioners Cowling, Gross, Helein, Jurgenson, Zelinski, Zielinski;  
 Manager Much, Accountant Voigt, Secretary Mancheski

Excused: Commission Siebers

Also Present: Attorney Dan Goggin of Goggin and Goggin, Mayor Joseph Laux of City of  
 Menasha, Mr. Tom Vik of McMahon Associates, and Mr. Jim Peichl, NMSC  
 Maintenance Manager

Moved by Commissioner Jurgenson, seconded by Commissioner Helein to approve the minutes of the  
 June 23, 1998 Regular Meeting, June 25, 1998 Special Meeting, and July 14, 1998 Executive  
 Session and place them on file. Motion carried unanimously.

The following correspondence was discussed:

- A. June 24, 1998, letter from Mr. John Wilke, City of Neenah to Mr. Jim Fitzpatrick,  
 Minergy Corporation.  
 RE: Wastewater discharge quantity and quality from Minergy's glass aggregate  
 plant.
- B. July 2, 1998, letter from Manager Much to Mr. Jeff Brandt, City of Menasha  
 RE: Article A of the City of Menasha's proposed Sewer Use Ordinance
- C. July 10, 1998, letter from Manager Much to Mr. Dennis Rydzewski, Menasha Utilities  
 RE: Amendment to NMSC's Ordinance Contract
- D. July 14, 1998, letter from Manager Much to Solomon Abel, Iowa State University  
 RE: Sludge samples from the digesters at the Neenah-Menasha Wastewater Treatment  
 Plant.
- E. July 16, 1998, letter from Manager Much to Mr. Jeff Brandt, City of Menasha  
 RE: City of Menasha's Ordinance, Article B - Industrial Pretreatment
- F. July 24, 1998, letter from Manager Much to Mr. Jeff Foust, Foust Excavating  
 RE: Approval to discharge petroleum contaminated groundwater to the Neenah-  
 Menasha Wastewater Treatment Plant.
- G. July 28, 1998, letter from Mr. Eric Fowle, East Central Wisconsin Regional Planning  
 Commission to Mr. Thomas E. Vik, McMahon Associates  
 RE: Clearinghouse review comments for the Neenah-Menasha Wastewater Facility  
 Plan
- H. July 23, 1998, letter from Mr. Steven Laabs, Town of Menasha Sanitary District  
 No. 4 to V & L Stripping  
 RE: Sampling concerns regarding high BOD and suspended solids
- I. July 24, 1998, letter from Mr. Steven Laabs, Town of Menasha Sanitary District  
 No. 4 to Mr. Stephen Smith, Department of Natural Resources  
 RE: Bypass on March 31, 1998 and April 1, 1998.

Moved by Commissioner Jurgenson, seconded by Commissioner Cowling to forward the letter from  
 President Zelinski to Mr. Terry Hauptert, Gilbert Paper and Ms. Dori Hietala, U.S. Paper Mills  
 Corp. which requests a meeting to discuss the Industrial User Contract. Motion carried unanimously.

Action taken on correspondence. See above.

The commission skipped to Operations, Engineering, and Planning, Item D - Exhibit C, Ordinance  
 Contract.

Moved by Commissioner Jurgenson, seconded by Commissioner Cowling to approve Exhibit C to  
 the Ordinance Contract. Motion carried unanimously.

Attorney Goggin left the meeting.

**Budget, Finance, Personnel**

Mco invoice #5021, in the amount of \$54,120.30 for August 1998 was presented. Moved by Commissioner Jurgenson, seconded by Commissioner Gross to approve and pay MCO invoice #5021 for August 1998, in the amount of \$54,120.30 on August 1, 1998. Motion carried unanimously.

McMahon invoice #34331, in the amount of \$771.03 and invoice #34718, in the amount of \$2,242.58 for the Facility Plan was presented. Moved by Commissioner Cowling, seconded by Commissioner Zielinski to approve and pay McMahon invoice #34331, in the amount of \$771.03 and invoice #34718 in the amount of \$2,242.58. Motion carried unanimously.

Accountant Voigt presented and discussed the Financial Statements for June 1998. Moved by Commissioner Jurgenson, seconded by Commissioner Cowling to accept the Financial Statements for June 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented the payback check for June 1998.

Accountant Voigt presented and discussed the Accountants Report and Investment Report for June 1998. Moved by Commissioner Jurgenson, seconded by Commissioner Zielinski to approve the Accountants Report & Investment Report for June 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented information regarding the Neenah-Menasha Sewerage Commission's computers and software being year 2000 compliant. Moved by Commissioner Jurgenson, seconded by Commissioner Gross to proceed with getting pricing information for computers and software to be year 2000 compliant. Motion carried unanimously.

Accountant Voigt presented final costs and income associated with the digester modification. Moved by Commissioner Jurgenson, seconded by Commissioner Gross to stop collection of future payments on the digester modification effective September 1998. Motion carried unanimously.

Accountant Voigt presented a proposal from Jonet & Fountain to assist in completing a Request For Proposal (RFP) for obtaining a Financial Consultant for the Facility upgrade. Moved by Commissioner Zielinski, seconded by Commissioner Helein to have Jonet & Fountain provide us with completing an RFP for obtaining a Financial Consultant for the Facility upgrade. Motion carried unanimously.

**Operations, Engineering, Planning**

Manager Much presented and discussed the Operating Report for June 1998. Neenah BOD is still high due to Minergy. Moved by Commissioner Zielinski, seconded by Commissioner Jurgenson to accept the Operating Report for June 1998 and place it on file. Motion carried unanimously.

Manager Much updated the Commissioners on the status of the Digester Conversion. We are currently testing different polymers in the lab and should know what the cake will look like by the next meeting.

The Commission discussed the option of sending out RFP's for Consultants for the Design Phase of the plant modifications.

Mayor Joseph Laux expressed his concern about not getting RFP's from other engineers for the design phase of the plant modifications.

After a lengthy discussion, a motion was made by Commissioner Jurgenson, seconded by Commissioner Gross to appoint three commission members to negotiate a proposal with McMahon Associates for the cost for engineering services for the Facility Plan. Motion carried by a majority on a roll call vote. Voting aye: Cowling, Gross, Helein, Jurgenson. Voting nay: Zielinski.

Commissioner Cowling, Gross and Zielinski were appointed to the committee.

Manager Much discussed with the Commission regarding the Sewer Use Ordinances for Contracting Municipal Users. Moved by Commissioner Zielinski, seconded by Commissioner Jurgenson to have all Contracting Municipal Users provide their Sewer Use Ordinances so that the Commission can review the ordinances to verify conformity. Motion carried unanimously.

**New Business**

Manager Much discussed with the Commission about repairing blacktop in the parking lot. Moved by Commissioner Gross, seconded by Commissioner Cowling to have Northeast Asphalt make the necessary repairs for a bid of \$8,060.00. Motion carried unanimously.

Commissioner Zielinski requested to have the August 25, 1998 meeting moved to August 18, 1998. Moved by Commissioner Helein, seconded by Commissioner Zielinski to move the next Commission Meeting to August 18, 1998 at 4:00 p.m. Motion carried unanimously.

Other Business

Moved by Commissioner Jurgenson, seconded by Commissioner Gross to approve Operating Fund Vouchers #119063 thru #119133 in the amount of \$204,312.73 and Payroll Vouchers #19222 thru #19232 in the amount of \$7,584.30. Motion carried unanimously.

Moved by Commissioner Zielinski, seconded by Commissioner Cowling to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 5:30 p.m.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

## NEENAH-MENASHA SEWERAGE COMMISSION

## Regular Meeting

Tuesday, August 18, 1998

Meeting called to order by Commission President Zielinski at 4:00 p.m.

Present: Commissioners Cowling, Gross, Helein, Jurgenson, Siebers, Zielinski, Zielinski;  
Manager Much, Accountant Voigt, Secretary Mancheski

Also Present: Mr. Tom Vik of McMahon Associates

Moved by Commissioner Jurgenson, seconded by Commissioner Helein to approve the minutes of the July 28, 1998 Regular Meeting and place them on file. Motion carried unanimously.

The following correspondence was discussed:

- A. August 12, 1998, letter from Accountant Voigt to various Financial Consultants  
RE: RFP for Debt Financing and Consulting Services for the Facility upgrade.
- B. August 13, 1998, letter from Mayor Laux, City of Menasha to the Neenah-Menasha Sewerage Commission  
RE: Consultant for Engineering Services of Plant Modifications.

No action taken on correspondence.

The commission decided to skip to Operations, Engineering, and Planning, item 6B - Consultant for Design Phase and Engineering Services of Plant Modifications to discuss.

At the last meeting, Commissioner Gross, Cowling, and Zielinski were appointed to a special committee to review the Design Phase and Engineering Services of the plant modifications to negotiate a price for the work. The meeting was held on August 4, 1998. McMahon gave a proposal of \$623,500. Discussion followed on the breakdown of the engineering fees. An agreement was reached that the fees would be on a time and expense basis not to exceed \$623,500.

Moved by Commissioner Jurgenson, seconded by Commissioner Cowling to approve the McMahon proposal on a time and expense basis not to exceed \$623,500. Motion carried on a majority vote. Voting aye: Cowling, Gross, Helein, Jurgenson, Siebers. Voting nay: Zielinski.

Budget, Finance, Personnel

MCO invoice #5064, in the amount of \$54,096.30 for September 1998 was presented. Moved by Commissioner Gross, seconded by Commissioner Cowling to approve and pay MCO invoice #5064 for September 1998, in the amount of \$54,096.30 on September 1, 1998. Motion carried unanimously.

Accountant Voigt presented and discussed the Financial Statements for July 1998. Moved by Commissioner Jurgenson, seconded by Commissioner Gross to accept the Financial Statements for July 1998 and ordered the report to be placed on file. Motion carried unanimously.



Accountant Voigt presented the payback check for July 1998.

Accountant Voigt presented and discussed the Accountants Report for July 1998. Moved by Commissioner Zielinski, seconded by Commissioner Helein to approve the Accountants Report for July 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented information regarding costs associated with being Year 2000 compliant. The amount needed was added to the proposed budget for 1999 and will need to be addressed during approval of the budget for 1999.

Accountant Voigt presented the proposed budget for 1999. Moved by Commissioner Jurgenson, seconded by Commissioner Helein to set a Public Hearing on September 22, 1998 to discuss the 1999 budget. Motion carried unanimously.

### Operations, Engineering, Planning

Manager Much presented and discussed the Operating Report for July 1998. Neenah BOD is still high due to Minergy. Neenah is in contact with Minergy, but Minergy isn't being very responsive. Minergy is having a shutdown in August and will attempt to locate the source of the high loading. Moved by Commissioner Cowling, seconded by Commissioner Siebers to accept the Operating Report for July 1998 and place it on file. Motion carried unanimously.

### Old Business

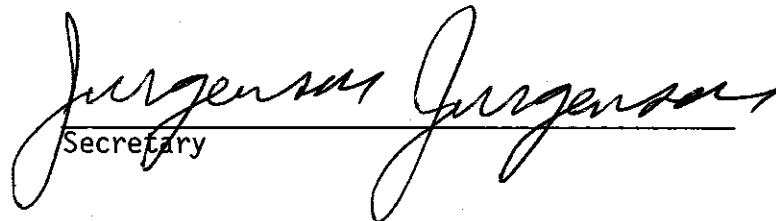
Three Sewer Use Ordinances have been received to date. Waverly, Town of Neenah Sanitary District #2, and Sanitary District #4 do not comply with the Ordinance that is established.

We have not received any responses on Exhibit C to date.

Moved by Commissioner Jurgenson, seconded by Commissioner Gross to approve Operating Fund Vouchers #119134 thru #119197 in the amount of \$200,498.42 and Payroll Vouchers #19233 thru #19249 in the amount of \$8,638.35. Motion carried unanimously.

Moved by Commissioner Siebers, seconded by Commissioner Zielinski to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 5:15 p.m.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

### NEENAH-MENASHA SEWERAGE COMMISSION

#### Public Hearing and Regular Meeting

Tuesday, September 22, 1998

Meeting called to order by Commission President Zielinski at 4:00 p.m.

Present: Commissioners Cowling, Helein, Siebers, Zielinski, Zielinski; Manager Much, Accountant Voigt, Secretary Mancheski

Excused: Commissioner Gross and Commissioner Jurgenson

Also Present: Mr. Mike King of the Appleton Post Crescent

Public Hearing was held on the 1999 NMSC Budget. Since there wasn't anyone at the Public Hearing to discuss the 1999 NMSC Budget, the Commission decided to Adjourn the Public Hearing and Reconvene for the Regular Meeting.

Moved by Commissioner Siebers, seconded by Commissioner Zielinski to approve the minutes of the August 18, 1998 Regular Meeting and place them on file. Motion carried unanimously.

Mr. Mike King of the Appleton Post Crescent entered the meeting.

The following correspondence was discussed:

- A. August 20, 1998, letter from Gary Rosenbeck, McMahon Associates, to Neenah-Menasha Sewerage Commission  
RE: Appleton Water Treatment Facility
- B. August 31, 1998, letter from Jeff Brandt, City of Menasha to Manager Much  
RE: Demand for a copy of the July 22, 1998 Memorandum to U.S. Paper and Gilbert Paper
- C. September 9, 1998, letter from Manager Much to Jeff Brandt, City of Menasha  
RE: August 31, 1998 Public Records Demand

No action taken on correspondence.

### Budget, Finance, Personnel

MCO invoice #5107, in the amount of \$54,096.30 for October 1998 was presented. Moved by Commissioner Siebers, seconded by Commissioner Cowling to approve and pay MCO invoice #5107 for October 1998, in the amount of \$54,096.30 on October 1, 1998. Motion carried unanimously.

McMahon invoice #35120, in the amount of \$2,454.85 for professional services for the Facility Plan was presented. Moved by Commissioner Siebers, seconded by Commissioner Cowling to approve and pay McMahon invoice #35120, in the amount of \$2,454.85. Motion carried unanimously.

Accountant Voigt presented the Snow Plowing Contract for the 1998-1999 season. There were no changes in the contract from the 1997-1998 season. Moved by Commissioner Helein, seconded by Commissioner Zielinski to approve the Snow Plowing Contract for the 1998-1999 season as presented. Motion carried unanimously.

Accountant Voigt presented and discussed the Financial Statements for August 1998. Moved by Commissioner Cowling, seconded by Commissioner Siebers to accept the Financial Statements for August 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented the payback check for August 1998.

Accountant Voigt presented and discussed the Accountants Report for August 1998. Moved by Commissioner Siebers, seconded by Commissioner Zielinski to approve the Accountants Report for August 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented the proposed budget for 1999. Moved by Commissioner Siebers, seconded by Commissioner Helein to approve the proposed budget for 1999. Motion carried unanimously on a roll call vote.

Accountant Voigt presented the responses to the RFP for NMSC Financial Consultant. After a lengthy discussion, the commission decided to invite three of the Financial Consultants to give a presentation and address the bond limitation. The appointment is set for 3:00 p.m. on October 6, 1998. The following are the Financial Consultants which will be asked to attend the meeting:

Griffin, Kublik, Stephens, & Thompson, Inc.  
Speer Financial  
Ehlers & Associates, Inc.

### Operations, Engineering, Planning

Manager Much presented and discussed the Operating Report for August 1998. The dry weather has dropped the flows to the plant. In the last two weeks, the plant has twice received discharges of a toxic substance which has upset the plant. We have managed to avoid violation of the WPDES permit. However, if this problem persists we will need to commence testing to identify the toxic compound and a sampling program to locate the source. Moved by Commissioner Helein, seconded by Commissioner Zielinski to accept the Operating Report for August 1998 and place it on file. Motion carried unanimously.

Manager Much discussed the status of the sewer use ordinances. There are a total of four sewer use ordinances that have not been passed in the form required by the ordinance contract. Three out of the four are complying and are in the process of passing such an ordinance. The City of Menasha feels that their current ordinance meets the requirements of the ordinance contract. Manager Much expressed his concerns that the City of Menasha's ordinance does not comply with the ordinance contract. The Commission requested that Manager Much send a letter requesting that Attorney Jeff Brandt from the City of Menasha attend the next commission meeting so that the Commission as a whole can discuss the item with the City of Menasha.

Manager Much presented Amendment No. 1 to the Agreement for Professional Services for the Facility Plan. The Commission would like a copy of the full contract, Amendment No. 1 and a letter from Attorney Goggin indicating his review and approval to sign the contract.

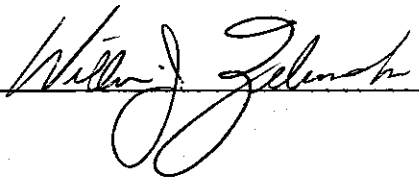
Manager Much presented a proposal from STS for soil works for the wastewater treatment plant expansion. Moved by Commissioner Zielinski, seconded by Commissioner Helein to approve and proceed with the proposal from STS for soil works for the wastewater treatment plant expansion.

Manager Much presented the letter regarding Local 1541 Contract Negotiations. There are some proposed changes that the commission would like for the next contract and Manager Much will try and meet with the union employees to come to an agreement without having to obtain an attorney for negotiations. Manager Much will advise the Commission at the next meeting regarding the results of his discussions.

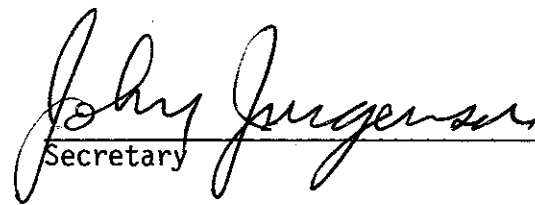
Moved by Commissioner Cowling, seconded by Commissioner Siebers to approve Operating Fund Vouchers #119198 thru #119250 in the amount of \$132,990.19 and Payroll Vouchers #19250 thru #19259 in the amount of \$7,214.81. Motion carried unanimously.

Moved by Commissioner Siebers, seconded by Commissioner Zielinski to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 5:30 p.m.

\_\_\_\_\_  
President



\_\_\_\_\_  
Secretary



NEENAH-MENASHA SEWERAGE COMMISSION

Special Meeting

Tuesday, October 6, 1998

Meeting called to order by Commission President Zelinski at 3:00 p.m.

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

Absent: None

Commission started its interview process for consideration of a financial advisor/consultant. The first firm to be interviewed is Ehlers & Associates, Inc.

Mr. Dave Wagner and Mr. Mike Harrigan were in attendance to represent Ehlers & Associates, Inc. Their firm is headquartered in Minneapolis, Minnesota and the local office is in Brookfield, Wisconsin. They are an independent financial advisor and have no vested interest in the sale of bonds which they feel removes any conflict of interest associated with being a financial advisor and a broker for the sale of bonds. They discussed the Commission's current \$6,500,000 limitation of issuing new bonds in parity with their current bonds. They felt the Commission could advance refund all but 12.5% of the 1993 Bonds. They also felt this would probably be the best option for the Commission. Other options the Commission could consider would be Bond Anticipation Notes (BAN), or Junior Lien Bonds. Questioning followed the presentation by Ehlers & Associates, Inc.

The second firm to be interviewed is Griffin, Kubik, Stephens & Thompson, Inc. (GKS&T)

Mr. Raymond Osness represented GKS&T. GKS&T is an Investment Banking Firm located in Chicago, Illinois. The local office is located in Milwaukee, Wisconsin. In 1994 GKS&T purchased the Milwaukee office of Clayton, Brown & Associates. GKS&T is also a firm that does bond underwriting. Mr. Osness reminded the Commissioners that he is very familiar with the Commission and its type of government creation. He was involved with the Commission's original financing of the Treatment Plant in 1984 and 1988. With the Commission's uniqueness, he believes the Commission has a "story to tell" because he is familiar with the Commission, he feels their firm would best be able to tell that story to potential buyers. GKS&T discussed the Commission's current \$6,500,000 debt limit of issuing new bonds in parity with their current bonds. GKS&T felt that one option to be considered would be the sale of 2nd Lien Mortgage Revenue Bonds. Mr. Osness also pointed out that 75% of Bonds sold are sold in a negotiated method. Questioning followed the presentation by GKS&T.

The third firm to be interviewed is Speer Financial, INC.

Mr. Kevin McCanna represented the firm of Speer Financial, Inc. Speer Financial, Inc. is an employee owned firm located in Chicago, Illinois. Speer Financial, Inc. is strictly a financial consulting firm. They do not underwrite, sell, or purchase bonds. They are not affiliated with any bank or underwriter and are able to provide financial advise to clients without bias or conflict of interest. Speer Financial, Inc. also does about 100 competitive sales a year. Speer Financial, Inc. discussed the Commission's current \$6,500,000 debt limit of issuing new bonds in parity with their current bonds. Mr. McCanna indicated he did not think the Commission could advance refund the 1993 Refunding Bond Issue with a new tax exempt issue. If the Commission would again advance

- A. September 23, 1998, letter from Manager Much to Mr. Gary Rosenbeck, McMahon Associates  
RE: Lime sludge waste transported to the City of Appleton
- B. September 23, 1998, letter from Manager Much to Mr. Jeff Brandt, City of Menasha  
RE: Request for City of Menasha to attend the October 27, 1998 meeting to discuss Menasha's Sewer Use Ordinance
- C. September 23, 1998, letter from Manager Much to Mr. Don Verbrick, Town of Neenah Sanitary District #2  
RE: Sewer service extension on Muttart Road
- D. September 28, 1998, letter from Manager Much to Mr. Don Verbrick, Town of Neenah Sanitary District #2  
RE: Sewer service extension on Muttart Road
- E. September 28, 1998, letter from Steven Laabs, Town of Menasha Sanitary District #4 to Earl Litho Printing Company  
RE: Quarterly sampling by Badger Laboratories
- F. October 5, 1998, letter from Terry Hauptert, Gilbert Paper to Mayor Joseph Laux, City of Menasha  
RE: Sewer user fee
- G. October 7, 1998, letter from Jeff Brandt, City of Menasha to Manager Much  
RE: October 27, 1998 Commission Meeting
- H. October 16, 1998, letter from Catherine Girdley, Waverly Sanitary District to Attorney Dan Goggin, Goggin & Goggin  
RE: Ordinance adoption at October 14, 1998 meeting
- I. October 26, 1998, letter from Manager Much to Robert J. Harley, Environmental Compliance Consultants  
RE: Discharge request of remediation wastewater from Captain's Korner Barber Shop

No action taken on correspondence.

#### Budget, Finance, Personnel

MCO invoice #5151, in the amount of \$54,096.30 for November 1998 was presented. Moved by Commissioner R. Gross, seconded by Commissioner J. Jurgenson to approve and pay MCO invoice #5151 for November 1998, in the amount of \$54,096.30 on November 1, 1998. Motion carried unanimously.

Accountant Voigt presented and discussed the Financial Statements for September 1998. Moved by Commissioner W. Helein, seconded by Commissioner R. Zielinski to accept the Financial Statements for September 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented the payback check for September 1998.

Accountant Voigt presented and discussed the Accountants Report and Investment Report for September 1998. Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to approve the Accountants Report and Investment Report for September 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt discussed the arbitrage rebate from Jonet & Fountain. Jonet & Fountain informed him that there will be no charges that need to be paid to the IRS.

#### Operations, Engineering, Planning

Manager Much presented and discussed the Operating Report for September 1998. The loadings are coming down a little. Manager Much met with Minergy last week. Minergy has hired a consultant to help them get their BOD down. They will keep us informed. Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to accept the Operating Report for September 1998 and place it on file. Motion carried unanimously.

Manager Much discussed a name change in the Gizmo Farms Contract. Robert and James Potratz would like to reassign the contract from Gizmo Farms to Potratz-Potratz. Moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein that Goggin and Goggin review the contract with the name change and bring the item back to the Commission to approve at the next meeting. Motion carried unanimously.

Manager Much discussed with the Commission union negotiations. Manager Much feels that the Commission will be able to handle the negotiations without an attorney. Commissioner J. Jurgenson and Commissioner R. Zielinski have been appointed to handle the negotiations with the union employees.

Manager Much discussed with the Commission about the need to replace existing belt press feed


pumps. The cost for buying three new pumps will be approximately \$20,000 or under and this amount can be taken out of the replacement fund. Moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to proceed with obtained quotes for the new pumps that are needed for the presses. Motion carried unanimously.

Manager Much discussed with the Commission that Iowa State University has requested their patent fee. The fee will be under \$20,000. They will be calculating the fee and getting a bill to us within a week or two. We will have the bill to present at the next Commission meeting.

Manager Much discussed his meeting with Ray Osness on the financing for the Wastewater Treatment Plant Facility update. The PCB issue has to be spelled out. Having Foley and Lardner serve as bond counsel would appear to be a conflict of interest due to them representing the paper industries. Manager Much feels that Davis & Kuelthau may be the only ones that do not have a conflict of interest as they already represent NMSC. Manager Much will bring this item to the next meeting after further discussion with Ray Osness.

Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Gross to approve Operating Fund Vouchers #119251 thru #119341 in the amount of \$193,497.95 and Payroll Vouchers #19260 thru #19268 in the amount of \$6,692.91. Motion carried unanimously.

Moved by Commissioner R. Zielinski, seconded by Commissioner W. Helein to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 4:45 p.m.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

NEENAH-MENASHA SEWERAGE COMMISSION  
Regular Meeting  
Tuesday, November 24, 1998

Meeting called to order by Commission President Zielinski at 4:00 p.m.

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

Also Present: Attorney Jeffrey Brandt, Tom Vik, Jim Peichl

Moved by Commissioner W. Helein, seconded by Commissioner R. Zielinski to approve the minutes of the October 27, 1998 Regular Meeting and place them on file. Motion carried unanimously.

Agenda item #6 (C) (Operations, Engineering, Planning - Menasha Sewer Use Ordinance) discussed at this time. All users to the NMSC except the City of Menasha have approved and passed Exhibit D to the Ordinance Contract in a form acceptable to the NMSC, Menasha Attorney Jeffrey Brandt is present to discuss the City of Menasha's position on this item. Attorney Brandt discussed how the City engaged Zimmerman Engineering to locate dischargers in the City of Menasha and he also discussed other unresolved issues between the Commission and the City of Menasha. The City of Menasha has concerns of liability issues with the Pretreatment Program. The City of Menasha feels they are not adequately protected under the ordinance that the NMSC would like to be passed. Manager Much feels the intent of the Ordinance/Contract was to have the NMSC as the enforcer of Pretreatment requirements. Attorney Brandt announced that he would be willing to authorize the changes in the ordinance if the Commission would give its assurances that the NMSC would be the primary enforcer of the Pretreatment Program. Motion by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to have Manager Much draft a letter for the Commission indicating the Commission would be primarily responsible for the enforcement activities under the Pretreatment Program and the Ordinance/Contract. Motion carried unanimously.

Attorney Brandt left the meeting.

The following correspondence was discussed:

- A. November 9, 1998 letter from Thomas Baudhuin of Minergy to Manager Much  
RE: Minergy Glass Aggregate Plant Engineering Study
- B. November 16, 1998 letter from ABC (anaerobic biosystems corporation)  
RE: Licensing Agreement and Royalty Fees for the TPAD System installed by the Commission.

Manager Much reported the Licensing Agreement is being reviewed by Attorney Goggin.

Budget, Finance, Personnel

MCO invoice #5195, in the amount of \$54,198.83 for December 1998 was presented. Moved by

Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to approve and pay MCO invoice #5195 for December 1998, in the amount of \$54,198.83 on December 1, 1998. Motion carried unanimously.

Accountant Voigt presented and discussed the Financial Statements for October 1998. Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to accept the Financial Statements for October 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented the payback check for October 1998.

Accountant Voigt presented and discussed the Accountants Report October 1998. Moved by Commissioner G. Cowling, seconded by Commissioner R. Zielinski to approve the Accountants Report October 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt discussed the memorandum from Raymond Osness (Griffin, Kubik, Stephens & Thompson, Inc.) requesting permission to send out Request For Proposal's for Bond Counsel Services. Motion by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to authorize Griffin, Kubik, Stephens & Thompson, Inc. to request proposals from Bond Counsels with special attention to fees and potential conflict of interest relative to the Fox River contamination problem. Motion carried unanimously.

#### Operations, Engineering, Planning

Manager Much presented and discussed the Operating Report for October 1998. Moved by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to accept the Operating Report for October 1998 and place it on file. Motion carried unanimously.

Manager Much discussed the renewal of the Midwest Contract Operations Inc. Contract for 1999. The CPI-U has increased 1.5% and MCO has requested an increase based on the CPI-U. Motion by Commissioner R. Gross, seconded by Commissioner D. Siebers to approve the contract increase with Midwest Contract Operations, Inc. for 1999. Motion carried unanimously.

Manager Much discussed with the Commission the Sewer Main Extension request from Davel Engineering for the office development project for Spurlock Runyan & Miller in the City of Appleton, Sanitary District #4. Motion by Commissioner R. Gross, seconded by Commissioner G. Cowling to approve the sewer extension request contingent upon Sanitary District #4 also approving this request. Motion carried unanimously.

Tom Vik from McMahon Associates discussed the Wisconsin Administrative Code concerning the construction of Wastewater Treatment Facilities within 500 feet of residences. The Commission will need to inform the residents within 500 feet of the planned project. The Commission also needs to hold a Public Hearing on the proposed Facility Plan and they also need to notify all residences within 500 feet by certified mail of the Public Hearing and the proposed Facility Plan improvements. Motion by Commissioner R. Zielinski, seconded by Commissioner W. Helein to set a Public Hearing on January 26, 1999 at 3:00PM at the Commission offices to present the findings of the Facility Plan, discuss project costs and to obtain public input to the plan. Motion carried unanimously.

Tom Vik also reported that another comment letter was received from the DNR regarding Inflow/Infiltration at the Wastewater Treatment Plant from each community. The Commission needs to do an assessment of the I/I from each community. Motion by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to respond to the DNR with their concerns and to request from each community to develop an I/I reduction program that would be implemented over the next 5 years with the goal of reducing the peak I/I by 10%. Motion carried unanimously.

#### Old Business

Tom Vik presented the bid received for replacing the Belt Press Feed Pumps. Three requests were mailed out and only one bid was received. The bid received was from Moyno Industrial Products for Three (3) Moyno Model 1F065G1 CDQ ASA for a total price of \$18,058.00; and Fibre Deflectors for a total of \$2,370.00. Tom Vik recommended to the Commission to accept the bid and purchase the pumps and Fibre Deflectors from Moyno Industrial Products. The original estimate for the three pumps was \$33,000. Motion by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to accept the bid received from Moyno Industrial Products and place the order for Three (3) Moyno Model 1F065G1 CDQ ASA pumps with Fibre Deflectors for a total bid amount of \$20,428.00 per their quotation. Motion carried unanimously.

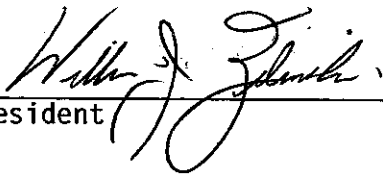
Manager Much reported that there has been no contact between Attorney Goggin and the Attorney for Gizmo Farms and Potratz/Potratz regarding the change requested at the last meeting for the sludge hauling contract. The Commission did receive in today's mail the changes in the contract for sludge hauling as prepared by Gizmo Farm's and Potratz/Potratz's attorney. This needs to be approved by Commission Attorney Goggin. Motion by Commissioner J. Jurgenson, seconded by Commissioner R. Gross to approve the name change for the sludge hauler in the Sludge Hauling Contract as prepared by the Attorney for Gizmo Farm's and Potratz/Potratz contingent on the approval by Commission Attorney Goggin. Motion carried unanimously.

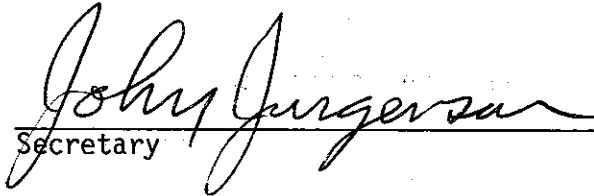
Manager Much discussed with the Commission union negotiations. Manager Much and the Commission

representatives have met with the union and have begun discussing the renewal of the labor agreement.

Moved by Commissioner R. Gross, seconded by Commissioner R. Zielinski to approve Operating Fund Vouchers #119342 thru #119408 in the amount of \$163,650.58 and Payroll Vouchers #19269 thru #19290 in the amount of \$10,440.10. Motion carried unanimously.

Moved by Commissioner R. Gross, seconded by Commissioner R. Zielinski to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 5:35 p.m.

  
President

  
Secretary

NEENAH-MENASHA SEWERAGE COMMISSION  
Regular Meeting  
Tuesday, December 22, 1998

Meeting called to order by Commission President Zielinski at 4:00 p.m.

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

Also Present: Ray Osness

Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to approve the minutes of the November 24, 1998 Regular Meeting and place them on file. Motion carried unanimously.

The following correspondence was discussed:

- A. November 6, 1998 letter & lab testing results from Badger Laboratories to the City of Neenah  
RE: Request to accept salt brine wastewater from Waldvogel Trucking.
- B. December 8, 1998 letter from Manager Much to Mr. Joe Kramer, Badger Laboratories  
RE: Denial of request to haul salt brine wastewater from Waldvogel Trucking.
- C. December 1, 1998 letter from Attorney Dan Goggin to Attorney Joseph N. Bauer, attorney for Gizmo Farms, Inc./Potratz & Potratz  
RE: Request for additional information concerning assignment of sludge hauling contract.
- D. December 8, 1998 letter from Manager Much to Valley Health Services  
RE: Approval to dispose small quantities of Methadone to the wastewater treatment plant.
- E. December 14, 1998 letter from Tom Vik, McMahon Associates to Mulazim Nasir, DNR  
RE: Revised Unit Process Design Criteria

No further action taken on correspondence.

Budget, Finance, Personnel

MCO invoice #5264, in the amount of \$53,607.64 for January 1999 was presented. Moved by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to approve and pay MCO invoice #5264 for January 1999, in the amount of \$53,607.64 on January 1, 1999. Motion carried unanimously.

Accountant Voigt presented and discussed the Financial Statements for November 1998. Moved by Commissioner D. Siebers, seconded by Commissioner R. Zielinski to accept the Financial Statements for November 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented the payback check for November 1998.

Accountant Voigt presented and discussed the Accountants Report November 1998. Moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve the Accountants Report November 1998 and ordered the report to be placed on file. Motion carried unanimously.

Mr. Ray Osness discussed the Request for Proposal that was mailed out to eleven different firms. Out of the eleven requests, the Commission received five responses. Written responses were received from the following firms: Davis & Kuelthau; Foley & Lardner; Godfrey & Kahn; Michael, Best & Friedrich; Katten, Muchin & Zavis. The Commission also received one phone call from the firm of Quarles & Brady informing the Commission that they would not respond to the RFP because of the potential for a conflict of interest. Mr. Osness presented the Commission a written



summary of the five firms that responded to the RFP. Manager Much is to review and discuss if necessary with Attorney Dan Goggin and Attorney Jim Gunz the responses received. Mr. Osness will contact the firm of Godfrey & Kahn to get final information on firms that Godfrey & Kahn may have provided legal services to for any environmental matters.

Accountant Voigt presented to the Commission a premium summary for the renewal of the Commissions' property, liability and workers compensation policies for 1999. The total for the entire package has decreased by about \$900 from the 1998 rates. Moved by Commissioner J. Jurgenson, seconded by Commissioner D. Siebers to accept the new rates for 1999 as presented for the Commissions' property, liability and worker compensation policies. Motion carried unanimously.

Accountant Voigt presented to the Commission invoice #986668 from STS Consultants Ltd. In the amount of \$3,410.75 for the subsurface exploration for the proposed plant expansion. Moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve payment of Invoice #986668 from STS Consultants Ltd. in the amount of \$3,410.75. Motion carried unanimously.

Accountant Voigt presented to the Commission invoice #36037 from McMahon Associates, Inc in the amount of \$4,393.39 for Final Design of the wastewater treatment plant. Moved by Commissioner J. Jurgenson, seconded by Commissioner D. Siebers to approve payment of invoice #36037 from McMahon Associates, Inc. in the amount of \$4,393.39. Motion carried unanimously. Accountant Voigt was instructed to maintain a log of payments made to McMahon Associates for tracking the payments with the contract amount.

#### Operations, Engineering, Planning

Manager Much presented and discussed the Operating Report for November 1998. Moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to accept the Operating Report for November 1998 and place it on file. Motion carried unanimously.

Manager Much updated the Commission on the Facility Plan. Letters have been sent to the communities requesting them to develop an I/I reduction plan to be implemented over the next 5 years. A public hearing will also be held at 3:00 pm prior to the next Commission meeting on January 26, 1999.

Manager Much presented to the Commission a draft letter to Attorney Jeff Brandt related to the concerns of enforcement of the pretreatment program that were discussed at the December meeting. The Commission okayed the sending of the letter to Attorney Brandt.

Manager Much discussed with the Commission the Sewer Main Extension request from McMahon Associates, Inc. for the First Addition to Cedar Ridge Estates located in the Town of Harrison, Waverly Sanitary District. Motion by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve the sewer extension request contingent upon Waverly Sanitary District also approving this request. Motion carried unanimously.

Manager Much discussed with the Commission the proposed creation of the Town of Menasha Utility District to replace the current Sanitary District #4. Manager Much is to have Attorney Dan Goggin draft an agreement for the change in the ordinance/contract to have the Town of Menasha Utility District as the legal successor of the Sanitary District #4.

#### Old Business

Manager Much reported that revisions to the proposed licensing agreement for the TPAD System for the digester modifications are still being worked on.

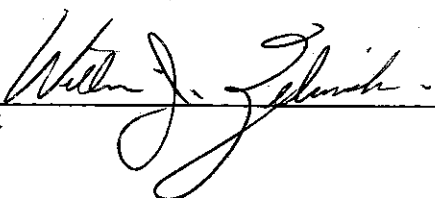
#### New Business

Commissioner D. Siebers expressed his concerns regarding the security at the wastewater treatment facility due to the recent problem at the Neenah Water Plant. The Commission was informed that the gates are closed when all office personal leave the facility and the orders for the security service at the wastewater treatment plant is to lock all outside doors and gates on their first round of the facility. The Commission suggested that the gates should be closed at all times and that possibly we should look at having the gates motorized and have them open by remote.

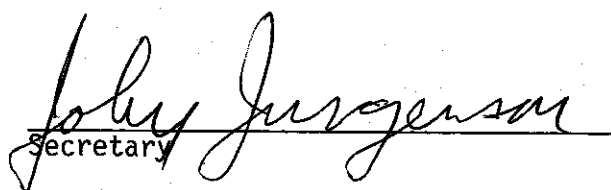
Moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve Operating Fund Vouchers #119409 thru #119472 in the amount of \$160,142.06 and Payroll Vouchers #19291 thru #19298 in the amount of \$6,330.19. Motion carried unanimously.

Moved by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 5:25 p.m.

President



Secretary



NEENAH-MENASHA SEWERAGE COMMISSION  
Public Hearing and Regular Meeting  
Tuesday, January 26, 1999

Meeting called to order by Commission President Zelinski at 3:00 p.m.

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

Excused: Commissioner Gross

Also Present: Commission Attorney Dan Goggin, Mike King (Post Crescent), Tom Vik (McMahon Associates), Mayor Joe Laux (City of Menasha), Steve Spanbauer and Don Verbrick (Town of Neenah), Jim Hennes (court reporter). Also in attendance were approximately 20 local residents (sign in sheet attached).

Commissioner Zelinski opened the Public Hearing with a brief statement to all in attendance. Anyone wishing to speak are required to stand, state their name and their address. Only one individual will be allowed to speak at a time. All information is being documented by a court reporter and the transcript from the hearing will be sent to the DNR as part of the record for the proposed upgrade and approval of the Facility Plan. The public hearing was turned over to Tom Vik of McMahon Associates who gave a presentation of the history, plant design, loadings, estimated expansion costs, estimated costs to residents, projected plant loading increase, and location of planned plant expansion. After the presentation, members in attendance were allowed to ask questions or make comments concerning the proposed expansion. Most questions and concerns were directed at the odors from the plant and what the Commission would do to alleviate the odors. Most of the homeowners/residents were generally opposed to any plant expansion because of their concern that it would also increase the amount of odor that would be generated. After all questions and comments were heard, the public hearing was closed (for a complete documentation of the entire public hearing, a transcript was recorded for DNR purposes).

Moved by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to approve the minutes of the December 22, 1998 Regular Meeting and place them on file. Motion carried unanimously.

The following correspondence was discussed:

- A. December 9, 1998 letter from Randy Much to Mr. Lee Reibold, McMahon Associates.  
RE: Approval of extension request contingent upon approval from Waverly S.D.
- B. December 30, 1998 Notice of Public Hearing and Meeting to follow.  
RE: To received public comment on Facility Plan to expand wastewater treatment plant.
- C. January 7, 1999 Oath of office from the City of Menasha  
RE: Reappointment of Mr. Raymond Zielinski to the Neenah-Menasha Sewerage Commission.

No further action taken on correspondence.

#### Budget, Finance, Personnel

MCO invoice #5319, in the amount of \$54,254.56 for February 1999 was presented. Moved by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to approve and pay MCO invoice #5319 for February 1999, in the amount of \$54,254.56 on February 1, 1999. Motion carried unanimously.

Accountant Voigt presented and discussed the Financial Statements for December 1998. Moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to accept the Financial Statements for December 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented and discussed the Accountants Report December 1998. Moved by Commissioner G. Cowling, seconded by Commissioner J. Jurgenson to approve the Accountants Report December 1998 and ordered the report to be placed on file. Motion carried unanimously.

Accountant Voigt presented the payback check for December 1998.

Manager Much reported to the Commission the status of the firms for serving as Bond Counsel for the NMSC. From the January meeting, only two (2) firms were remaining that did not have any knowledge of possible conflict of interest. Since the January meeting, more information was obtained from one firm and they also did/do environmental work for NCR and Appleton Papers. Since this could pose a possible conflict of interest, the remaining firm of Davis & Kuelthau, S.C. is the only firm that does not appear to have any possible conflict of interest in serving as the Commission Bond Counsel. Motion made by Commission J. Jurgenson, seconded by Commissioner W. Helein to hire the firm of Davis & Kuelthau, S.C. to serve as Bond Counsel for the Neenah-Menasha Sewerage Commission. Motion carried unanimously.

Accountant Voigt presented to the Commission invoice #36309 from McMahon Associates, Inc in the amount of \$1,878.22 for Facility Plan Update of the wastewater treatment plant. Moved by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to approve payment of invoice #36309 from McMahon Associates, Inc. in the amount of \$1,878.22. Motion carried unanimously.

Accountant Voigt presented to the Commission invoice #36335 from McMahon Associates, Inc in the