
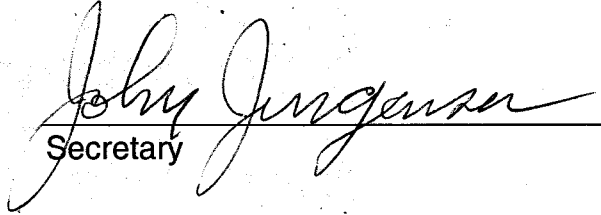


year period. This language is in Section 113(c). Attorney Gunz feels this contract represents a reasonable compromise of terms and recommends the Commission should adopt this agreement.

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



 President



 Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday January 27, 2004

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

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

Excused: Commissioner D. Siebers.

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

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

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

Correspondence

The following correspondence was discussed:

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

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

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

changed, meter readings should be taken to record the change in flows to the different community. The Commission expressed their concern that these valves could be changed and no readings are taken. After further discussion, it was the consensus of the Commission to have Attorney Gunz draft a liability waiver agreement between the NMSC and the City of Menasha, Town of Menasha Utility District and Waverly Sanitary District to remove any liability from the NMSC for billing errors associated with changes in the valves downstream of the metering stations and to have the communities involved determine any billing corrections between themselves.

Commission President W. Zelinski moved to agenda item 6(c) – Siloxane removal system.

Mr. Chad Olsen (McMahon Associates) addressed the Commission regarding activities to date for Siloxane. The two companies we were dealing with, Applied Filter Technologies and Unison Solutions merged. Unison is the firm we are dealing with as the fabricator of the pilot units. 2 pilot units are available for free to use, they are located at the Saukville landfill. It will be the responsibility of the Commission to have the units delivered here, for their installation, and for the cost of the filter media. It is estimated the filter media for these particular vessels will last 30-days before needing to be replaced. The filter media is a granular carbon. Unison is requesting hold harmless verbiage in the agreement that allows the NMSC to use the pilot units. After further discussion, the Commission wants to be kept informed on the performance of these units. Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to proceed with obtaining the pilot units and having them installed. Motion carried unanimously.

The Commission returned to the agenda as published.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for December 2003. The Commission is looking at an operating shortfall at the end of the year of about \$110,000. The auditors will be in later this week to begin the annual audit of the financial records. Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to accept the unaudited financial statements for the month of December 2003 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #9041 in the amount of \$72,345.66 for the month of February 2004. Motion made by Commissioner R. Zielinski, seconded by Commissioner W. Helein to approve MCO invoice #9041 in the amount of \$72,345.66 for the month of February 2004 and to pay the invoice after February 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report and Investment Report for the month of December 2003. The rates earned are remaining fairly steady. The Commission felt more money should be moved from the State Investment Pool and deposited into our local institution which is paying higher interest. Accountant Voigt pointed out the limits of insurance on our funds is \$100,000 by the FDIC and \$400,000 with the state. Accountant Voigt will look at short-term CD's of less than 1 year to see what those rates are. Motion made by Commissioner R. Handevitd seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of November 2003. Motion carried unanimously.

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

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of December 2003. The Menasha loadings are up starting the last 2-weeks of December. This is a seasonal increase that we have seen in the past. We have also started to see oil show up again in our aeration tanks. Last year an effort was made to identify the type of oil and from where it was coming. Testing indicated it was a type of cutting oil. Monitoring and sampling of the influent were not able to detect from which community this oil was coming from. In 2004, staff will be visiting all industries in the sewer service area for inspections. This is a scheduled event and efforts will be made to specifically look for this type of product during the inspections. Motion made by Commissioner R. Handevitd, seconded by Commissioner R. Zielinski to approve the operating report for the month of December 2003 and to place the report on file. Motion carried unanimously.

Manager Much presented a written request for the City of Appleton Water Treatment Plant to haul wastewater to the NMSC. This wastewater will be from cleaning out the wet well at the water treatment plant intake station on South Oneida Street. Manager Much reported this material is an algae waste similar to what the City of Menasha sends us and it should not cause any problems in accepting the waste. Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to accept the request from the City of Appleton water plant. Motion carried unanimously.

Manager Much presented a sewer extension request from Omni Associates, Inc. for Nature Trail Subdivision, Phase 3 located in the City of Neenah. Motion made by Commissioner J. Jurgenson,

seconded by Commissioner W. Helein to approve the sewer extension request for Nature Trail Subdivision, Phase 3 located in the City of Neenah. Motion carried unanimously.

Manager Much presented a sewer extension request from McMahon Associates, Inc. for Castle Oak Subdivision located in the City of Neenah. Motion made by Commissioner R. Zielinski, seconded by Commissioner R. Handevitd to approve the sewer extension request for Castle Oak Subdivision located in the City of Neenah. Motion carried unanimously.

Old Business

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

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

Manager Much reported the next step for the truck turnaround is to receive drawings and easement for the project.

New Business

No word was received regarding the appointment of a Commissioner from the Town of Menasha Utility District to the NMSC. Commissioner R. Handevitd is unsure as to the status if he will be reappointed.

Other Business to Legally Come before the Commission

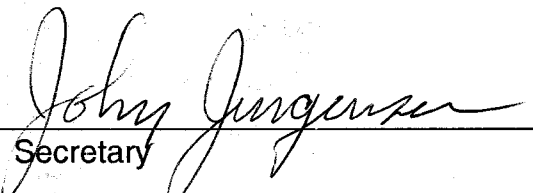
Motion made by Commissioner W. Helein, seconded by Commissioner R. Handevitd to unanimously re-elect the current slate of officers. Motion carried unanimously. The officers of the NMSC for the coming year are: President – William Zelinski, Vice President – Dale Siebers, Secretary – John Jurgenson, Treasurer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

Motion made by Commissioner R. Zielinski, seconded by Commissioner R. Handevitd, to approve Operating Fund Vouchers #125452 thru #125514 in the amount of \$194,661.38 for the month of December 2003 and Payroll Vouchers #20288 thru #20306 in the amount of \$10,600.96 for the month of December 2003. Motion carried unanimously.

Motion made by Commissioner R. Handevitd, seconded by Commissioner R. Zielinski to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 8:50 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday February 24, 2004

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

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

Excused: Commissioner D. Siebers.

Also Present: Paul Much (MCO).

Motion made by Commissioner R. Zielinski, seconded by Commissioner W. Helein to approve the minutes of the Regular Meeting of January 27, 2004. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- J. January 27, 2004 letter from Mr. Randall Much, NMSC to Mr. Donald Voogt, McMahon Associates.
RE: Conditional approval of accepting clean-out waste from Appleton Water Plant Lake Intake.
- K. January 27, 2004 letter from Mr. Randall Much, NMSC to Mr. Roger Arnold, Omni Associates.
RE: Approval of Sewer Extension request for Nature Trails Subdivision Phase 3.
- L. January 27, 2004 letter from Mr. Randall Much, NMSC to Mr. Matt Greely, McMahon Associates.
RE: Approval of Sewer Extension request for Castle Oaks Subdivision Phase 1.
- M. January 30, 2004 letter from Mr. Randall Much, NMSC to Mr. Jim Savinski, Oshkosh Area DNR.
RE: Missing sample data on DMR reports.
- N. February 9, 2004 Resolution from the Town of Menasha Utility District.
RE: Appointment of Commissioner #4 to serve as commissioner on the NMSC.

Attorney Gunz discussed with the Commission the implications and problems associated with the Commissioner appointment from the Town of Menasha in this manner. After discussion of this issue, the Commission requested Attorney Gunz to contact the attorney for the Town of Menasha Utility District to discuss this issue.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited income statement for January 2004. After completion of the audit, the Balance Sheet will again be included as part of the monthly financial statements – the computer program does not provide meaningful Balance Sheet values until the audit is completed and the year is closed out. The auditors are almost complete with the year end audit. For 2003, the NMSC will be looking at a shortfall of around \$90,000 for O&M. Moved by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to accept the unaudited financial statements for the month of January 2004 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #9100 in the amount of \$72,360.16 for the month of March 2004. Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitdt to approve MCO invoice #9100 in the amount of \$72,360.16 for the month of March 2004 and to pay the invoice after March 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of January 2004. The rates earned are remaining fairly steady. Accountant Voigt reported he has talked with an investment person at Prospera Credit Union and provided him with a list of available funds and the NMSC cash needs. An investment plan will be put together for review of what we could do with the funds available. Motion made by Commissioner J. Jurgenson seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of January 2004. Motion carried unanimously.

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

Accountant Voigt presented McMahon Associates invoice #17188 in the amount of \$213.73 and invoice #17515 in the amount of \$1,371.73 for the Siloxane Removal System Preliminary Design. Motion made by Commissioner R. Handevitdt, seconded by Commissioner J. Jurgenson to approve McMahon Associates invoice #17188 in the amount of \$213.73 and invoice #17515 in the amount of \$1,371.73 for the Siloxane Removal System Preliminary Design. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of January 2004. The Menasha loadings are up, communications between the NMSC/MCO staff and City of Menasha staff has improved. The mechanic who has been working on the CAT gas engines is recommending that we should consider replacing the engines. CAT is no longer supporting the engines and the repairs to the engines are coming more frequently. New engines are more efficient and designed to run on methane gas. New engines are estimated to cost around \$90,000. Manager Much

also discussed having the engineering firm do an evaluation of the different engines available, prepare plans and specifications, and to obtain and review bids with a recommendation to award a contract. The fee would be time and expense not to exceed \$3,500. Manager Much also reported that the Commission should also have the digester boiler system reviewed due to their age and additional maintenance required. This work could also be done by the engineer at the same time for an additional \$1,000. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to hire McMahon Associates to do the evaluation of the gas utilization system, evaluate replacement engines, prepare plans and specifications, obtain bids and recommend contract award based on time and expense not to exceed \$4,500. Motion carried unanimously. Motion made by Commissioner R. Handevitdt, seconded by Commissioner J. Jurgenson to approve the operating report for the month of January 2004 and to place the report on file. Motion carried unanimously.

Attorney Gunz discussed with the Commission the request for the Commission to accept pretreated wastewater from the Little Lake Butte des Morts PCB dredging operations. This request contains many potential problems that Attorney Gunz and Manager Much are trying to get answered. Most of the PCB's will tie-up in the dredged sludge, it is unknown how many PCB's will be in the dewatered water that would be discharged to the NMSC WWTP. Other concerns include: how will the PCB's effect our treatment operations, what if the plant overflows and the dewatered waste flows into the river, how will the PCB's in the sludge affect the sludge hauling and disposal, will the landfill take this sludge. Attorney Gunz and Manager Much will be talking later this morning with the NMSC environmental attorney regarding some of these issues.

Manager Much presented and discussed the Compliance Maintenance Annual Report (CMAR). The CMAR generated 13 points. Three points are due to plant age and ten points were due to an overflow event. Overall, the total points are low and the Commission does not need to take any action. Motion made by Commissioner R. Handevitdt, seconded by Commissioner R. Zielinski to approve the CMAR as presented and to pass NMSC Resolution 2004-1. Motion carried unanimously.

Manager Much reported that we will be sending Lee's Contracting and Fabricating to pick-up the carbon vessels that will be used for the pilot testing. The vessels are too large and heavy to be transported in an MCO vehicle.

Commissioner W. Helein reported the flow at the Waverly Lift Station on Fire Lane 2 is now diverted to the City of Menasha. Manager Much reported he has informed the City and the Town of the NMSC concerns with the valves in the sewer system and the billing problems that may occur.

Old Business


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

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

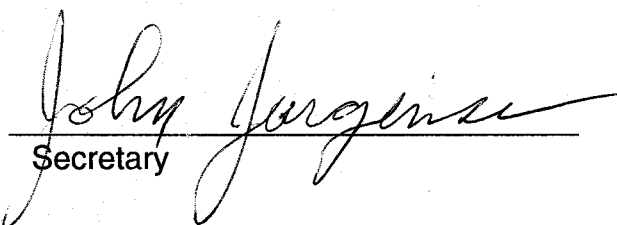
Manager Much reported the next step for the truck turnaround is to receive drawings and easement for the project. The City will need to be informed that this work will probably need to be done in stages to allow for continued sludge hauling operations.

Motion made by Commissioner R. Zielinski, seconded by Commissioner W. Helein, to approve Operating Fund Vouchers #125515 thru #125567 in the amount of \$235,432.08 for the month of January 2004 and Payroll Vouchers #20307 thru #20313 in the amount of \$7,111.74 for the month of January 2004. Motion carried unanimously.

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



 President



 Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday March 23, 2004

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

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

Excused: Commissioners D. Siebers, R. Handevitd.

Also Present: David Maccoux, Ed Karpus (Schenck); Paul Much (MCO).

Motion made by Commissioner R. Zielinski, seconded by Commissioner G. Cowling to approve the minutes of the Regular Meeting of February 24, 2004. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. March 9, 2004 letter from Mr. James Savinski, DNR to Mr. Randy Much, NMSC.
RE: DNR receipt of 2003 CMAR.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited income statements for January and February 2004. Moved by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to accept the unaudited financial statements for the months of January and February 2004 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #9161 in the amount of \$72,420.66 for the month of April 2004. Motion made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve MCO invoice #9161 in the amount of \$72,420.66 for the month of April 2004 and to pay the invoice after April 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of February 2004. The rates earned are remaining fairly steady. Accountant Voigt reported \$380,000 has been moved from the local investment pool into a 38 month certificate of deposit last week. We will be looking at trying to get additional money into other CD's also. Motion made by Commissioner J. Jurgenson seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of February 2004. Motion carried unanimously.

Mr. David Maccoux (Schenck S.C.) presented and discussed the completed 2003 audit report. Mr. Maccoux specifically reviewed the Report on Compliance and Internal Control and the Independent Auditors' Report on Financial Statements with the Commission. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to approve the 2003 audit and Report on Compliance and Internal Control as presented. Motion carried on unanimous roll call vote.

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

Accountant Voigt presented McMahon Associates invoice #17868 in the amount of \$265.66 for the Siloxane Removal System Pilot System Phase. Motion made by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to approve McMahon Associates invoice #17868 in the amount of \$265.66 for the Siloxane Removal System Pilot System Phase. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of February 2004. The Menasha loadings have decreased. Commissioner R. Zielinski discussed seeing the process of sample collection, lab testing, and plant process to become better acquainted with the activities at the plant and to help further understand the operations. Manager Much responded this can be done anytime at their convenience. Manager Much discussed the lack of being informed by the communities when new businesses start-up in our sewer service area. The Commissioners brought up the possibility that the NMSC should consider issuing permits for new businesses and industries. Other possibilities suggested working closer with building inspectors and community development directors. Motion made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve the operating report for the month of February 2004 and to place the report on file. Motion carried unanimously.

Manager Much presented a sewer extension request received from Martenson & Eisele for Eaglecrest Estates located in the City of Neenah. After discussion, motion made by Commissioner W. Helein, seconded by Commissioner J. Jurgenson to approve the sewer extension request for Eaglecrest Estates located in the City of Neenah. Motion carried unanimously.

Manager Much reported on the progress of the pilot unit for the Siloxane removal system. The tanks obtained for the pilot testing would not work as received and some modifications would need to be performed on the tanks. At first the manufacturer was reluctant to give approval to make the modifications, but after further discussion, approval was given. The tanks may be ready in a couple of weeks.

Manager Much reported on discussions held with Attorney Gunz regarding the sampling setup with the Waverly Sanitary District. Attorney Gunz suggests having a meeting with the three entities that would be involved (City of Menasha, Town of Menasha Utility District, and Waverly Sanitary District) to explain the situation of how the flow can be routed from one community to the other and the concerns this brings to the NMSC in billing the entities. Commissioner R. Zielinski reported that he would like to attend this meeting also.

Old Business

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

Manager Much reported that no information has been received from Menasha regarding the study to explore alternative billing methods and at this point doesn't think we will be receiving any further updates.

Manager Much discussed the need to work with the City of Menasha in planning the truck turnaround and scheduling the work to allow the NMSC sludge hauler to be able to continue hauling during this construction. We would need to keep 2 truck bays available for use at all times. Commissioner R. Zielinski requested to have the Commission meet with Mark Radtke from the City of Menasha and to include him in the discussion of this matter.

Motion made by Commissioner W. Helein, seconded by Commissioner J. Jurgenson, to approve Operating Fund Vouchers #125568 thru #125630 in the amount of \$202,676.68 for the month of February 2004 and Payroll Vouchers #20314 thru #20319 in the amount of \$6,764.91 for the month of February 2004. Motion carried unanimously.

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



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday April 27, 2004

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

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

Also Present: Chad Olsen (McMahon Associates)

Motion made by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to approve the minutes of the Regular Meeting of March 23, 2004. Voting aye: Commissioners R. Zielinski, J. Jurgenson, W. Helein, G. Cowling, D. Siebers. Commissioner R. Handevitd abstained. Motion carried.

Correspondence

The following correspondence was discussed:

- B. March 23, 2004 letter from Randall Much, NMSC to Mr. Daniel Kools, Martenson & Eisele.
RE: Approval of sewer extension request for Eaglecrest Estates.
- C. April 1, 2004 letter from Randall Much, NMSC to Mr. James Savinski, DNR.
RE: Response to March 30, 2004 visit to the NMSC.
- D. April 20-21, 2004 emails between Roger Voigt and Commission Attorney Jim Gunz.
RE: Gilbert property sold, MeadwestVaco requesting payout amount on debt owed.

Discussion ensued; following the discussion motion was made by Commissioner R. Zielinski, seconded by Commissioner R. Handevitd to invite Mr. Ray Osness of Griffin, Kubik, Stephen & Thompson to either a Special Meeting or the next Regular Meeting of the Commission to further discuss this issue. Motion carried unanimously.

- E. April 23, 2004 email from Attorney Jim Gunz, NMSC to Roger Voigt.
RE: Town of Menasha Utility District will pass new resolution specifically naming Russ Handevitd to serve as Commissioner on the NMSC.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited income statements for March 2004. Moved by Commissioner R. Handevitd, seconded by Commissioner D. Siebers to accept the unaudited financial statements for the month of March 2004 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #9230 in the amount of \$72,420.66 for the month of May 2004. Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to approve MCO invoice #9230 in the amount of \$72,420.66 for the month of May 2004 and to pay the invoice after May 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report and Investment Report for the month of March 2004. The rates earned are remaining fairly steady. Accountant Voigt reported \$380,000 has been moved from the local investment pool into a 38 month certificate of deposit. Motion made by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to accept the Accountants Report and Investment Report for the month of March 2004. Motion carried unanimously.

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

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of March 2004. It was reported the Siloxane removal pilot unit is ready to go except for a particulate filter which needs to be installed. This has been ordered and is expected to be received this week. Motion made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve the operating report for the month of March 2004 and to place the report on file. Motion carried unanimously.

Manager Much presented a sewer extension request received from McMahon Associates for the 2nd addition to Cedar Ridge located in the Town of Harrison, Waverly Sanitary District. Commissioner W. Helein reported this has not been approved by Waverly Sanitary District. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to approve the sewer extension request for the 2nd Addition to Cedar Ridge located in the Town of Harrison, Waverly Sanitary District. Voting aye: Commissioners W. Helein, D. Siebers, G. Cowling, J. Jurgenson, R. Handevitd. Voting nay: Commissioner R. Zielinski. Motion carried.

Chad Olson (McMahon Associates) discussed with the Commission the status of the Siloxane removal pilot unit. The particulate filter is to prevent particles of the filtering media to clean the Siloxane from entering the gas stream and damaging the engines. Chad also reported he has been contacted by Focus on Energy. If the pilot test is successful they are willing to help with the costs for the installation of the larger full Siloxane removal project.

Manager Much reported a meeting has been set for Friday April 30th at 9:00 am with the City of Menasha, Town of Menasha Utility District, and Waverly Sanitary District to discuss NMSC's billing concerns with respect to the potential of loadings that are recorded at the metering station could be re-directed to a different community.

Old Business

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

Manager Much reported he will talk to Mark Radtke (City of Menasha) on Friday concerning planning for the truck turnaround.

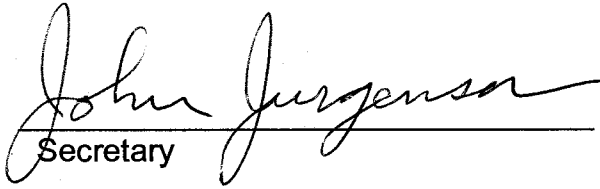
Commissioner R. Handevitd reported to the Commission a meeting he had regarding the removal of PCB's from Little Lake Butte des Morts. Commissioner R. Handevitd is a homeowner on the west shore of the lake and all the residents in this area were visited by representatives of the industries to inform them on the planned activities during 2004 – 2005.

Motion made by Commissioner W. Helein, seconded by Commissioner J. Jurgenson, to approve Operating Fund Vouchers #125631 thru #125684 in the amount of \$179,815.89 for the month of March 2004 and Payroll Vouchers #20320 thru #20332 in the amount of \$8,176.32 for the month of March 2004. Motion carried unanimously.

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



 President



 Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday May 25, 2004

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

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

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

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to approve the minutes of the Regular Meeting of April 27, 2004. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- F. April 27, 2004 letter from Mr. Randall Much, NMSC to Ms. Jennifer Schaff, McMahon Associates.
 RE: Conditional approval of sewer extension request for 2nd Addition to Cedar Ridge Subdivision.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited income statements for April 2004. Moved by Commissioner D. Siebers, seconded by Commissioner W. Helein to accept the unaudited financial statements for the month of April 2004 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #9289 in the amount of \$72,508.16 for the month of June 2004. Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to approve MCO invoice #9289 in the amount of \$72,508.16 for the month of June 2004 and to pay the invoice after June 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of April 2004. The rates earned are remaining fairly steady. Motion made by Commissioner R. Handevitd, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of April 2004. Motion carried unanimously.

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

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

| | | |
|--------|-----------------------------------|----------|
| #18250 | Siloxane Preliminary Design Phase | \$252.00 |
| #18251 | Siloxane Pilot System Phase | \$480.00 |
| #18684 | Siloxane Pilot System Phase | \$144.00 |

| | | |
|--------|-----------------------------------|----------|
| #18252 | Siloxane Final Design Phase | \$216.00 |
| #18259 | Evaluate Heating & Engine Systems | \$432.00 |
| #18687 | Evaluate Heating & Engine Systems | \$ 72.00 |

Motion made by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to approve for payment invoices #18250, #18251, #18684, #18252, #18259, and #18687 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of April 2004. The treatment plant did well this past week in handling the extra inflow from the storm events; we did not overflow the plant. Motion made by Commissioner R. Handevitd, seconded by Commissioner W. Helein to approve the operating report for the month of April 2004 and to place the report on file. Motion carried unanimously.

Chad Olsen (McMahon Associates) discussed with the Commission the status of the Siloxane removal pilot unit. The pilot unit is ready to go, but the gas engine needs to be tuned-up for running on methane gas; this is expected to be completed by Friday. Mr. Olsen presented a letter to the Commission that will be sent out to Wisconsin Focus on Energy requesting funding to help offset the capital costs for the proposed biogas scrubbing system.

Manager Much reported a meeting was held with the City of Menasha, Town of Menasha Utility District, and Waverly Sanitary District to discuss NMSC's billing concerns with respect to the potential of loadings that are recorded at the metering station could be re-directed to a different community. Attorney Gunz will be sending out a letter to the communities regarding this issue

Old Business

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

Manager Much reported he has not received any information for the truck turnaround, but is expecting information soon.

Commissioner J. Jurgenson requested to be excused from the meeting for another appointment he has. Commissioner J. Jurgenson was excused from the meeting.

New Business

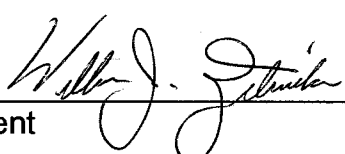
Mr. Raymond Osness and Ms. Carol Wirth from Griffin, Kubik, Stephens & Thompson (GKS&T) entered the meeting. Mr. Osness introduced himself and Ms. Wirth and explained they are at this meeting per the request of the Commission to discuss the matter of MeadWestvaco (Gilbert Paper) requesting to payoff their contracted debt. Ms. Wirth discussed with the Commission a report they generated to address these issues. Since the debt is tax exempt, any funds received and held over 12-months need to be held in an escrow account. In addition, since the debt is tax exempt, the escrow account has a yield restriction on how much it may earn in interest. When comparing these factors and the costs associated with establishing the escrow account, MeadWestvaco would not receive any cost benefits in paying their debt ahead of schedule. Any cost reductions in the debt that the Commission would pass on to MeadWestvaco would need to be made up by the other users of the system. Commissioner R. Handevitd expressed his dismay over the costs associated with the creation of the escrow account. Further discussion ensued; it was the consensus of the Commission to not provide any additional cost reductions to MeadWestvaco if they would payoff their remaining contracted debt ahead of schedule.

Other Business

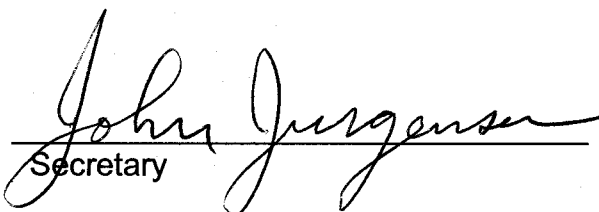
Discussion was held concerning the date for the next regularly scheduled Commission meeting (June 22). After discussion, it was decided to move the next Regular Meeting of the Commission to Tuesday June 29, 2004.

Motion made by Commissioner W. Helein, seconded by Commissioner J. Jurgenson, to approve Operating Fund Vouchers #125685 thru #125760 in the amount of \$221,046.33 for the month of April 2004 and Payroll Vouchers #20333 thru #20338 in the amount of \$7,371.92 for the month of April 2004. Motion carried unanimously.

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



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday June 29, 2004

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

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

Excused: Commissioners W. Helein, R. Handevitd.

Also Present: Chad Olsen (McMahon Associates), John Gabby (Century 21), Paul Much (MCO).

Motion made by Commissioner G. Cowling, seconded by Commissioner R. Zielinski to approve the minutes of the Regular Meeting of May 25, 2004. Motion carried unanimously.

Correspondence

There was no correspondence to be discussed:

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited income statements for May 2004. Moved by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to accept the unaudited financial statements for the month of May 2004 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #9357 in the amount of \$72,345.66 for the month of July 2004. Motion made by Commissioner D. Siebers, seconded by Commissioner R. Zielinski to approve MCO invoice #9357 in the amount of \$72,345.66 for the month of July 2004 and to pay the invoice after July 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of May 2004. The rates earned are remaining fairly steady. Motion made by Commissioner J. Jurgenson, seconded by Commissioner D. Siebers to accept the Accountants Report for the month of May 2004. Motion carried unanimously.

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

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

| | | |
|--------|-----------------------------------|----------|
| #19151 | Siloxane Pilot System Phase | \$215.03 |
| #19157 | Evaluate Heating & Engine Systems | \$325.25 |

Motion made by Commissioner R. Zielinski, seconded by Commissioner G. Cowling to approve for payment invoices #19151 and #19157 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of May 2004. The flows and loading are up dramatically and the treatment plant is doing well handling this extra loading. We are in the process of obtaining quotes to repaint the office area and will then look at repainting different areas within the plant. Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to approve the operating report for the month of May 2004 and to place the report on file. Motion carried unanimously.

Chad Olsen (McMahon Associates) reported to the Commission the status of the Siloxane removal pilot unit. The pilot unit has been running for about a month now and testing of the methane gas show that the pilot unit is removing Siloxane from the methane gas. Following discussion, motion was made by Commissioner J. Jurgenson, seconded by Commissioner D. Siebers to proceed with the engineering for the final Siloxane removal unit. Motion carried unanimously.

Manager Much discussed with the Commission the condition of the current gas mixing system. The unit is going on 20 years old and is almost shot; the Commission should start looking at replacing this piece of equipment. One item to consider is whether to use the same system or to look at any of the current alternative mixing systems currently on the market. Chad Olsen informed the Commission that some of the different units being used are providing better mixing over the current style used by the Commission. Chad Olsen indicated McMahon Associates could perform an analysis of the different systems and make a recommendation to the Commission which unit they should install. McMahon

Associates fees would be on a time and expense basis estimated at \$2,500. After discussion, motion was made by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to have McMahon Associates evaluate the performance of the different gas mixing systems and to report back to the Commission with a recommendation as to which unit the Commission should have installed. Motion carried unanimously.

Manager Much indicated there was nothing new to report on the status of the Waverly metering station. It was the consensus of the Commission that Attorney Gunz should attend the next Commission meeting to discuss this issue.

Manager Much presented a request from a property owner on Milwaukee Street requesting to install a fence over the Commission interceptor and on NMSC property. Commissioner D. Siebers indicated it should be okay to approve this request however the Commission would only be able to grant approval for the property the NMSC owned and could not give approval for Railroad property. The Commission also could not take any responsibility for the fence if the Commission needed to make repairs or work on the interceptor. Discussion followed; motion was made by Commissioner J. Jurgenson to approve the fence on NMSC property and the NMSC would take no responsibility for the fence in the event the Commission would need to make repairs or work on the interceptor. More discussion followed including the issue of eminent domain, Commissioner J. Jurgenson rescinded his motion and requested to have Attorney Gunz present at the July meeting to discuss this issue further.

Manager Much presented a sewer extension request from Martenson & Eisele for Highway 10/114 and Coop Road located in the Town of Harrison Waverly Sanitary District. Motion made by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to approve the sewer extension request for Highway 10/114 and Coop Road located in the Town of Harrison Waverly Sanitary District contingent upon approval being obtained from Waverly Sanitary District. Motion carried unanimously.

Manager Much presented a sewer extension request from McMahon Associates for Barker Farms VI located in the City of Menasha Waverly Sanitary District. Motion made by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to approve the sewer extension request for Barker Farms VI located in the City of Menasha Waverly Sanitary District contingent upon approval being obtained from Waverly Sanitary District. Motion carried unanimously.

Manager Much presented a sewer extension request from Davel Engineering for Sunset Terrace located in the Town of Neenah. Commissioner G. Cowling indicated this extension has not been approved by the Town. Motion made by Commissioner G. Cowling, seconded by Commissioner J. Jurgenson to approve the sewer extension request for Sunset Terrace located in the Town of Neenah contingent upon approval being obtained from the Town of Neenah. Motion carried unanimously.

Old Business

The High Strength Waste report log was presented. The gas engines are using the Siloxane pilot unit and some green power income has been received again.

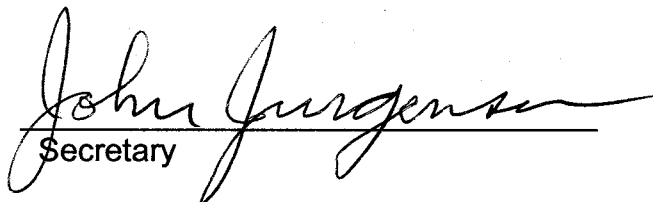
Manager Much reported he has not received any information for the truck turnaround, but is expecting information soon.

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson, to approve Operating Fund Vouchers #125761 thru #125821 in the amount of \$209,177.41 for the month of May 2004 and Payroll Vouchers #20339 thru #20346 in the amount of \$8,037.23 for the month of May 2004. Motion carried unanimously.

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



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday July 27, 2004

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

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

Excused: Commissioner D. Siebers.

Also Present: Paul Much (MCO).

Motion made by Commissioner R. Zielinski, seconded by Commissioner W. Helein to approve the minutes of the Regular Meeting of June 29, 2004. Motion carried unanimously.

Correspondence

There was no correspondence to be discussed:

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited income statements for June 2004. Moved by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to accept the unaudited financial statements for the month of June 2004 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #9419 in the amount of \$72,425.66 for the month of August 2004. Motion made by Commissioner W. Helein, seconded by Commissioner R. Handevitd to approve MCO invoice #9419 in the amount of \$72,425.66 for the month of August 2004 and to pay the invoice after August 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report and Investment for the month of June 2004. The rates earned are remaining fairly steady. Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to accept the Accountants Report and Investment Report for the month of June 2004. Motion carried unanimously.

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

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

| | | |
|--------|-----------------------------------|----------|
| #19582 | Siloxane Pilot System Phase | \$253.63 |
| #19588 | Evaluate Heating & Engine Systems | \$ 84.00 |
| #19596 | Digester Mixing System Study | \$ 84.00 |

Motion made by Commissioner W. Helein, seconded by Commissioner J. Jurgenson to approve for payment invoices #19582, #19588 and #19596 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of June 2004. The plant has been running well. Kaempfer & Associates will be looking at the 9th Street metering station, the Sonoco metering station, and the plant sampling setup for the Menasha Interceptor. Discussion followed regarding testing and the degree of accuracy involved in testing for BOD and Suspended Solids. Motion made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve the operating report for the month of June 2004 and to place the report on file. Motion carried unanimously.

Manager Much reported to the Commission on the status of the Siloxane removal pilot system. The system has been running well.

Manager Much updated the Commission on the progress of reviewing the digester gas mixing system. It is anticipated that a recommendation will be made at the next Commission meeting.

Old Business

The High Strength Waste report log was presented. The gas engines are using the Siloxane pilot unit and green power income has been received again. The green power income for July was \$5,616 and the natural gas usage dropped from about \$30,000 per month to about \$8,000.

Attorney Gunz reviewed with the Commission a copy of the draft design for the truck turnaround. Questions were asked regarding the turn radius and if it is based on standard design criteria. Also questioned was the area to be redone in concrete and if it would be of sufficient size for handling the semi's. Attorney Gunz will discuss these issues with Mark Radtke and he would also request Menasha Attorney Jeff Brandt to prepare the easement for use of Commission property. Attorney Gunz was instructed to also invite Mark Radtke to the next Commission meeting to be able to answer any questions the Commission may have.

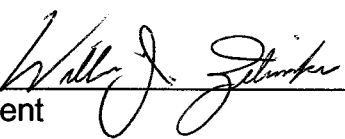
Attorney Gunz reported he talked with Menasha Attorney Jeff Brandt regarding the agreement between Menasha and Waverly Sanitary District for the Waverly metering station. No agreement has been worked out between the two parties. Attorney Gunz reported that an agreement between these two is important. The Commission expressed their concerns relating to billing matters that could develop and we should inform them that any billing discrepancies between the City of Menasha, Town of Menasha, and Waverly are not the responsibility of the Commission because of the situation with the valves to redirect flows.

Attorney Gunz addressed the Commission regarding the request of a property owner on Milwaukee Street to erect a fence on Commission property and over the interceptor that follows railroad property from the 9th Street metering station. The issue of adverse possession was discussed. Attorney Gunz reported it is virtually impossible to possess from a municipality. If the Commission were to grant the request, the easiest way would be to send a letter informing them of the approval. The letter should include that the approval is not over our easement, but for Commission owned property and the Commission would not be responsible for damages to the fence if the Commission needed access to the interceptor for repairs or maintenance. President W. Zelinski reported he thought it would be okay to grant the request for the fence. Further discussion ensued with concerns about the fence limiting access for Menasha Utilities to service their lines, other property owners also requesting fences or installing fences without obtaining Commission approval. After discussion motion was made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to deny the request of the property owner at 820 Milwaukee to install a fence on Commission property and over the Commission interceptor. Motion carried unanimously.

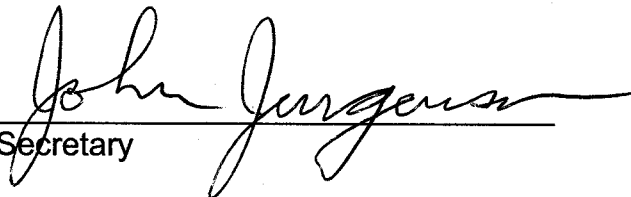
The Commission reviewed the 2004 fee schedule of McMahon Associates. Motion was made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to place the schedule on file. Motion carried unanimously.

Motion made by Commissioner G. Cowling, seconded by Commissioner R. Zielinski, to approve Operating Fund Vouchers #125822 thru #125875 in the amount of \$221,580.25 for the month of June 2004 and Payroll Vouchers #20347 thru #20361 in the amount of \$8,880.87 for the month of June 2004. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner R. Handevitd to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:05 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday August 24, 2004

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

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

Also Present: Paul Much (MCO), Chad Olsen (McMahon Associates), Mark Radtke (City of Menasha).

Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to approve the minutes of the Regular Meeting of July 27, 2004. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. August 2, 2004 letter from Randall Much, NMSC to Ms. Kathryn Erickson, 820 Milwaukee St., Menasha.
RE: Denial of request to install perimeter fence on NMSC property.

The Commissioners questioned if any response was received back from our letter. Manager Much reported he has not received any response from Ms. Erickson.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited income statements for July 2004. Moved by Commissioner D. Siebers, seconded by Commissioner W. Helein to accept the unaudited financial statements for the month of July 2004 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #9492 in the amount of \$72,473.66 for the month of September 2004. Motion made by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to approve MCO invoice #9492 in the amount of \$72,473.66 for the month of September 2004 and to pay the invoice after September 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of July 2004. The rates earned at the Local Government Investment Pool have risen while the funds at Prospera Credit Union have remained fairly steady. Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of July 2004. Motion carried unanimously.

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

Accountant Voigt presented the proposed rates for September through December 2004 for Operations, Maintenance, Replacement, and Depreciation charges for the NMSC. Increased loadings during the first half of the year has created a surplus of Operating Funds and the proposed reduction in rates for this time period is an attempt to have our income more closely match our expenses at year-end. The rates were calculated by estimating the funds needed during the period of September through December and dividing this by the estimated loadings, based on history, that is normally received during this time period. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner D. Siebers to approve the proposed rates for the months of September through December 2004. Motion carried unanimously.

Commission President W. Zelinski moved to agenda item 6. C-Digester Gas Mixing System, to accommodate those in attendance.

Chad Olsen (McMahon Associates) presented the Commission a report reviewing the Digester mixing alternatives for the NMSC Treatment Facility. Systems evaluated were: Pump & Nozzle, Cannon Bubblejet, and Draft Tube. The Pump & Nozzle system would not work for our application. This system did not provide mixing in the upper layer of the tank – this would not solve part of the problem we are having with foaming currently occurring in the tanks. In addition, there is no physical space available in the building or tunnel to place the equipment and piping needed. The Cannon Bubblejet system is estimated to cost \$900,000 - \$1,000,000 installed. Compressors are needed for this system and the compressors recommended are the same type of compressor that had been used at the facility previously. We had various problems associated with these compressors. It also appears that this system would not solve the foaming problems currently occurring, and may also increase the problems based on mixing design. The Draft Tube system is estimated to cost \$600,000 - \$700,000 installed. This system mounts to the floating digester covers. The covers would need to be inspected to insure they could hold the weight of the mixers – 6,500 pounds for each mixer and 3 mixers would be installed per tank. If the digester covers would need to be upgraded to handle the additional load, this would be an additional cost to the estimated installed price. Based on the design of this system, it is felt this unit would give the best mixing in the digester tanks and could help solve the problem with the foaming in the tanks. After discussion, motion was made by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to obtain three quotes for the purchase of the Mechanical Draft Tube Mixing System. Motion carried unanimously. Chad Olsen reported he will have proposals at the next Commission meeting.

Commission President W. Zelinski moved to agenda item 7.B-Truck Turnaround, to accommodate those in attendance.

Mark Radtke (City of Menasha) discussed with the Commission the issue of the truck turnaround. After reviewing how trucks use the entire asphalt area of the Commission property to make their turns, he reported that he is recommending that the entire asphalt area should be replaced with a concrete pad. He has contacted Martenson & Eisele regarding this issue and also the preliminary design of the turnaround. He has not received any response as of yet to his questions to Martenson & Eisele. Attorney Gunz discussed the issue of an agreement with the City for use of Commission property for the turnaround. Attorney Gunz discussed some theoretical problems that may occur if the Commission had a written agreement – potential future use of the property if the Commission needed to expand in front of the sludge hauling garage and set back rules. Based on this, it may be best not to pursue any agreement with the City. Mark Radtke asked the Commission if there would be a problem if the work would not be completed until next spring due to his crews being behind schedule. The Commission did not see this as a problem as long as the work is performed.

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

Accountant Voigt presented the draft budget for 2005. After questions and discussion, motion was made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to approve the 2005

Budget as proposed and to schedule a Public Hearing On September 28 at 8:00 am to receive public comment on the 2005 Budget. Motion carried unanimously.

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

| | | |
|--------|------------------------------|----------|
| #20110 | Siloxane Removal System | \$126.00 |
| #20122 | Digester Mixing System Study | \$546.00 |

Motion made by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to approve for payment invoices #20110 and #20122 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of July 2004. The digesters have started to foam; to help alleviate the problem high strength waste loads are being reduced to one load per day to try to get the tanks stabilized and under control. Motion made by Commissioner W. Helein, seconded by Commissioner R. Zielinski to approve the operating report for the month of July 2004 and to place the report on file. Motion carried unanimously.

Commissioner R. Handevitd requested to be excused from the meeting.

Manager Much reported to the Commission on the status of the Siloxane removal pilot system. The system has been running well.

Manager Much presented the following sewer extension requests:

- A. Request from McMahon Associates for the Manitowoc Road Housing Project located in the City of Menasha, Town of Menasha Utility District. Motion was made by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to approve the sewer extension request for the Manitowoc Road Housing Project located in the City of Menasha, Town of Menasha Utility District. Motion carried unanimously.
- B. Request from McMahon Associates for Spring Meadows Subdivision located in the Town of Neenah Sanitary District #2. This request has not yet been approved by the town. Motion made by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to approve the sewer extension request for Spring Meadows Subdivision located in the Town of Neenah Sanitary District #2 contingent upon approval being granted by the Town of Neenah. Motion carried unanimously.
- C. Request from McMahon Associates for Muttart Road located in the Town of Neenah Sanitary District #2. This request has not yet been approved by the town. Motion made by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to approve the sewer extension request for Muttart Road located in the Town of Neenah Sanitary District #2 contingent upon approval being granted by the Town of Neenah. Motion carried unanimously.

Manager Much discussed the painting quotes received. OMNI will be doing the painting in the office areas, railings, and radiator cooling units.

Old Business

The High Strength Waste report log was presented. The gas engines are using the Siloxane pilot unit and green power income is being received. We have temporarily reduced the high strength loads to one load per day due to foaming problems in the digester tanks.

Attorney Gunz drafted a letter to be sent to the City of Menasha, Waverly Sanitary District, and the Town of Menasha Utility District to inform these entities on the Commission's concerns regarding the ability of flows to be redirected after the metering station and the billing implications involved. After discussion, motion was made by Commission D. Siebers, seconded by Commissioner J. Jurgenson to approve sending the letters to these entities. Motion carried unanimously.

Motion made by Commissioner D. Siebers, seconded by Commissioner R. Zielinski, to approve Operating Fund Vouchers #125876 thru #125943 in the amount of \$210,568.90 for the month of July 2004 and Payroll Vouchers #20362 thru #20374 in the amount of \$11,570.92 for the month of July 2004. Motion carried unanimously.

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

President

Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Public Hearing & Regular Meeting

Tuesday September 28, 2004

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

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

Also Present: Chad Olsen (McMahon Associates), Mark Radtke, Taryn Nall (City of Menasha).

President W. Zelinski opened the Public Hearing to receive comments on the proposed 2005 NMSC Budget.

Hearing no questions or comments on the proposed 2005 NMSC Budget, moved by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to adjourn the Public Hearing. Motion carried unanimously. Public Hearing adjourned at 8:07 am.

Motion made by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to reconvene into Regular Open Session. Motion carried unanimously.

Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to approve the minutes of the Regular Meeting of August 24, 2004. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- B. August RBC Dain Rauscher Review – Financial Update.
RE: New employees – Ray Osness, Carol Wirth, Judith Lamers, Gloria Heron (all were formerly with Griffin, Kubik, Stephen & Thompson).

Presented to the Commission was an e-mail received from Mr. Dave DeYoung of Griffin, Kubik, Stephen & Thompson informing the Commission that he is the contact person with their firm and attached is a copy of the resume for Mr. Dave DeYoung.

- C. September 15, 2004 letter from Mr. Mark Radtke, Menasha Director of Public Works to Mr. Randall Much, NMSC.
RE: Request NMSC to install flow-through type samplers at Ninth Street and at Waverly Sanitary District.

Mr. Taryn Nall discussed with the Commission the letter sent out by Mark Radtke. The City of Menasha has experienced large loading fluctuations with no explainable reason why this should be happening and the City feels the monitoring stations are not collecting representative samples. It is their recommendation that a flow-through sampler, which is not commonly used, should be used and they feel this sampler would provide more accurate sample collection. He is aware of only one manufacturer that is currently making this type of sampler. The NMSC currently uses Isco samplers in all their setups and this is generally considered normal and would be expected to be found in most instances to maintain consistency. Manager Much responded that this is now the third consultant the City has hired to inspect the sampling setup and in each of the two previous consultants, the action requested of the NMSC was reported to solve problems in collecting representative samples. The NMSC is now being requested again to solve a problem that was already fixed twice with another solution that would be expensive and would probably not significantly change the results that are currently being obtained. Manager Much offered another solution in lieu of the flow-through samplers, to install multiple collection points at each sampling station. This would further address the problems recorded by the City's previous consultant of two different sample collection results even though the samples were collected from the same collection point. Commissioner R. Handevitd reported the Commission should not have to do anything because over the course of a year the highs and lows recorded average themselves out. This problem is also a City of Menasha problem because they do not monitor their industries and they do not know what these industries are discharging into the sewers. Until the City starts monitoring their industries and can show what they are discharging into the system, this should not be a Commission problem. Taryn Nall responded that the City is sampling Whiting Paper and have sampled Sun Chemical and Central Products. Commissioner R. Handevitd responded that you are not monitoring all your industries on a consistent basis and you do not know what they are discharging into the sewers. Other discussion involving Manager Much's recommendation for installing multiple collection points followed. Taryn Nall reported that a drawback of the flow-through sampler is they are prone to plug and

require higher maintenance to keep running. Mark Radtke and Taryn Nall reported they will look at past sampling results from previous consultants and then meet with Randy to discuss the options. The three of them will report back to the Commission at the next meeting on October 26 with a joint recommendation on how to proceed on this matter.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited income statements for August 2004. Moved by Commissioner R. Handevitd, seconded by Commissioner R. Zielinski to accept the unaudited financial statements for the month of August 2004 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #9557 in the amount of \$73,042.95 for the month of October 2004. Motion made by Commissioner D. Siebers, seconded by Commissioner R. Zielinski to approve MCO invoice #9557 in the amount of \$73,042.95 for the month of October 2004 and to pay the invoice after October 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of August 2004. The rates earned at the Local Government Investment Pool have risen while the funds at Prospera Credit Union have remained fairly steady. Motion made by Commissioner R. Handevitd, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of August 2004. Motion carried unanimously.

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

Accountant Voigt presented the Proposed 2005 NMSC Budget to the Commission. Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to approved the Proposed 2005 NMSC Budget. Motion carried unanimously.

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

| | | |
|--------|-------------------------------------|------------|
| #20505 | Siloxane Removal System-Pilot Phase | \$ 126.00 |
| #20510 | Heating Sys/Engine Sys Evaluation | \$ 412.68 |
| #20517 | Digester Mixing System - Design | \$ 420.00 |
| #20518 | Digester Mixing System - Study | \$1,774.58 |

Motion made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve for payment invoices #20505, #20510, #20517 and #20518 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of August 2004. The cooling system radiator cores on the backup generator are bad and needed to be repaired. This was discovered when the painters were preparing the radiators for painting. Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to approve the operating report for the month of August 2004 and to place the report on file. Motion carried unanimously.

Manager Much reported to the Commission on the status of the Siloxane removal pilot system. The system has been running well, however we are still having foaming problems in the digesters. We are not producing as much methane gas until we can get the foaming problem under control.

Mr. Chad Olsen presented the engineering agreement for the digester gas mixing system. The plan is to have it designed and bid for spring construction. Additional costs above the cost of McMahon's engineering services comes from U.S. Filter and their estimated charges of \$20,000 - \$25,000 for inspection of the existing gas covers and the design for additional bracing to support the mixers. The Commission questioned what they feel is an exorbitant amount for this service from U.S. Filter. The Commission instructed McMahon Associates to contact U.S. Filter for an explanation and for them to justify the cost for their services. The Commission doesn't understand how they can charge this fee, especially when U.S. Filter already has all the information on these gas covers. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner R. Handevitd to approve the engineering agreement with McMahon Associates for the Mechanical Draft Tube Mixing System Design. Motion carried unanimously.

Manager Much presented the following sewer extension requests:

- D. Request from McMahon Associates for Arthur Plat located in the City of Neenah. Motion was made by Commissioner D. Siebers, seconded by Commissioner G. Cowling to approve the sewer extension request for Arthur Plat located in the City of Neenah. Motion carried unanimously.
- E. Request from Martenson & Eisele, Inc. for Woodland Hills Condominiums located in the City of Menasha, Waverly Sanitary District. This request has not yet been approved by the Waverly

Sanitary District. Motion made by Commissioner D. Siebers, seconded by Commissioner R. Handevitd to approve the sewer extension request for Woodland Hills Condominiums located in the City of Menasha, Waverly Sanitary District contingent upon approval being granted by the Waverly Sanitary District. Motion carried unanimously.

Old Business

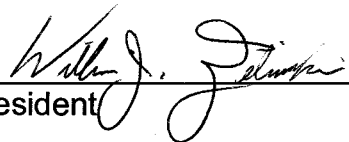
The High Strength Waste report log was presented. The gas engines are using the Siloxane pilot unit and green power income is being received. We are still temporarily reducing the high strength loads to one load per day due to foaming problems in the digester tanks. This has reduced the amount of methane gas being produced.

Other Business

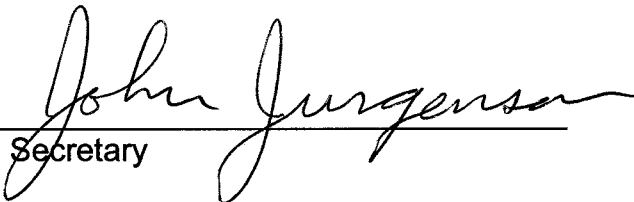
Commissioner R. Zielinski reported on a phone call he received that the Commission is buying up property around the plant and was wondering if he missed something at one of the meetings. Manager Much reported he has heard this rumor also. It is only a rumor and the Commission has no plans to and is not in the process of purchasing any of the property in the neighborhood.

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson, to approve Operating Fund Vouchers #125944 thru #125999 in the amount of \$209,798.08 for the month of August 2004 and Payroll Vouchers #20375 thru #20383 in the amount of \$7,200.14 for the month of August 2004. Motion carried unanimously.

Motion made by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:27 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday October 26, 2004

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

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

Also Present: Paul Much (MCO).

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to approve the minutes of the Public Hearing & Regular Meeting of September 28, 2004. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- D. September 16, 2004 letter from Mr. Mark Radtke, Menasha Director of Public Works to Mr. Randall Much, NMSC.
RE: City of Menasha Infiltration/Inflow Reduction Status Report.
- B. October 16, 2004 E-mail from Ms. Teri Marx, Diversified Insurance Services, to Mr. Roger Voigt, NMSC.
RE: Response to Commission inquiry regarding terrorism coverage.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited income statements for September 2004. Moved by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to accept the unaudited financial statements for the month of September 2004 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #9623 in the amount of \$73,087.65 for the month of November 2004. Motion made by Commissioner D. Siebers, seconded by Commissioner R. Handevitd to approve MCO invoice #9623 in the amount of \$73,087.65 for the month of November 2004 and to pay the invoice after November 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report and Investment Report for the month of September 2004. The rates earned at the Local Government Investment Pool have continued to rise while the funds at Prospera Credit Union have remained fairly steady. Motion made by Commissioner R. Handevitd, seconded by Commissioner W. Helein to accept the Accountants Report and Investment Report for the month of September 2004. Motion carried unanimously.

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

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

| | | |
|--------|-------------------------------------|-----------|
| #20943 | Siloxane Removal System-Pilot Phase | \$ 84.00 |
| #20948 | Digester Mixing System - Design | \$ 214.68 |

Motion made by Commissioner D. Siebers, seconded by Commissioner R. Zielinski to approve for payment invoices #20943 and #20948 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of September 2004. The plant is operating well at the moment. Motion made by Commissioner R. Handevitd, seconded by Commissioner W. Helein to approve the operating report for the month of September 2004 and to place the report on file. Motion carried unanimously.

Manager Much reported to the Commission on the status of the Siloxane removal pilot system. The system is still running well.

Manager Much updated the Commission on the status of activities regarding the digester gas mixing system. At the September meeting the Commissioners questioned the \$25,000 fee quoted by Envirex to inspect and recommend the needed improvements to the digester covers to handle to new gas mixing system. Chad Olsen contacted Envirex and discussed the Commission's concerns regarding their fee. The result of this phone call was Envirex lowered their fee to \$9,900. It is anticipated that the bid package will be available at the next meeting.

Manager Much reported he had met with Taryn Nall and Mark Radtke from the City of Menasha to discuss the 9th Street and NMSC plant sampling setups. Taryn Nall has obtained the sampling data from Badger Labs that tested the 9th Street sampling station. Based on this data, changing the sampler will likely not change the range of data. Kaempfer & Associates will look further at the possibility of adding multiple samplers. The Commission questioned if a composite sample would be tested or if individual tests would be done for each sampler. Manager Much responded that the composite sample would be tested.

Manager Much presented a sewer extension request from the City of Neenah for the Westowne Development. Motion was made by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to approve the sewer extension request from the City of Neenah for the Westowne Development. Motion carried unanimously.

Old Business

The High Strength Waste report log was not prepared. The data needed to prepare this report is at McMahon Associates. The gas engines are using the Siloxane pilot unit and green power income is being received.

Manager Much reported that the truck turnaround will be done next spring and not this fall as previously hoped by the City.

Motion made by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to convene into closed session pursuant to Wisconsin Statutes Section 19.85 (1)(g) for the purpose of discussing with legal counsel potential litigation regarding the Fox River PCB remediation. Motion carried unanimously, meeting convened into closed session at 8:25 a.m.

Motion made by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to adjourn the closed session and reconvene into open session. Motion carried unanimously, closed session adjourned and Commission reconvened into open session at 8:40 a.m.

Discussion ensued on the proposed Fox River Tolling and Standstill Agreement received from Appleton Papers, Inc. and NCR Corporation. Motion made by Commissioner R. Zielinski, seconded by

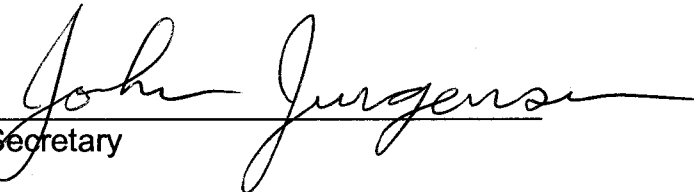
Commissioner R. Handevitd to approve signing the Fox River Tolling and Standstill Agreement received from Appleton Papers, Inc. and NCR Corporation. Motion carried unanimously.

Motion made by Commissioner R. Handevitd, seconded by Commissioner R. Zielinski, to approve Operating Fund Vouchers #125600 thru #126060 in the amount of \$188,960.53 for the month of September 2004 and Payroll Vouchers #20384 thru #20397 in the amount of \$8,406.07 for the month of September 2004. Motion carried unanimously.

Motion made by Commissioner R. Handevitd, seconded by Commissioner R. Zielinski to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 8:45 a.m.



 President



 Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Executive Session Tuesday October 26, 2004

Motion made by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to convene into closed session pursuant to Wisconsin Statutes Section 19.85 (1)(g) for the purpose of discussing with legal counsel potential litigation regarding the Fox River PCB remediation. Motion carried unanimously, meeting convened into closed session at 8:25 a.m.

Executive closed session called to order by Commission President W. Zielinski at 8:25 a.m.


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

Attorney Gunz discussed with the Commission the Tolling & Standstill Agreement received from NCR Corporation and Appleton Papers. This agreement is to temporarily suspend the statute of limitations between these industries and the Commission regarding the PCB cleanup in the Fox River. This will not eliminate any future lawsuits against the Commission on this issue. By signing this agreement, we will temporarily suspend any lawsuits that may develop. If the Commission does not sign this agreement, the Commission would be sued before the statute of limitation time frame expires. Attorney Gunz also explained that the Commission currently is not a named responsible party for the PCB cleanup. If the Commission were to become a named responsible party, there would be no insurance coverage from previous insurance companies to cover our legal expenses. If the Commission is named as a litigant, then the Commission insurance companies would provide the insurance to cover legal expenses to defend ourselves in any lawsuit. Any costs associated with the PCB cleanup would be split between the Cities of Neenah and Menasha. Both of these communities – the attorneys, mayors, and councils have been informed about this issue. Discussion also centered around the superfund law. Under current provisions, even if you discharge material that you didn't know was bad, you are still liable. And, even if you were a very small contributor to a particular site and if there are none of the other businesses in existence who did contribute to a contaminated site, you as the loan remaining contributor would be responsible for the entire cleanup. After further questions and discussion, it is the recommendation of Attorney Gunz that the Commission should sign the Tolling & Standstill Agreement with NCR Corporation and Appleton Papers.

After further discussion, motion made by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to adjourn the closed session and reconvene into open session. Motion carried unanimously, closed session adjourned and Commission reconvened into open session at 8:40 a.m.



 President



 Secretary

Regular Meeting**Tuesday November 23, 2004**

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

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

Also Present: Chad Olsen (McMahon Associates); Teri Marx (Diversified Ins Services); Paul Much (MCO).

Motion made by Commissioner R. Zielinski, seconded by Commissioner R. Handevitd to approve the minutes of the Regular Meeting of October 26, 2004 and Executive Closed Session of October 26, 2004. Motion carried unanimously.

Correspondence

There was no correspondence presented to be discussed.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited income statements for October 2004. On December 1, 2004 a bond payment will be made for the principal and interest on the current bond issues of the Commission. Moved by Commissioner D. Siebers, seconded by Commissioner J. Jurgenson to accept the unaudited financial statements for the month of October 2004 and place them on file. Motion carried unanimously.

Accountant Voigt presented MCO invoice #9688 in the amount of \$73,374.85 for the month of December 2004. Motion made by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to approve MCO invoice #9688 in the amount of \$73,374.85 for the month of December 2004 and to pay the invoice after December 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of October 2004. The rates earned at the Local Government Investment Pool have continued to rise while the funds at Prospera Credit Union have remained fairly steady. Motion made by Commissioner D. Siebers, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of October 2004. Motion carried unanimously.

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

Accountant Voigt introduced Teri Marx from Diversified Insurance Services. Teri Marx presented the proposal for insurance renewal of the NMSC insurance policies for Workers Compensation, Property, Plant, Equipment, and Liabilities. Overall, the Commission is looking at an increase of 7.22% over last years premiums. Part of this increase is the result of increasing the plant property values 5% in replacement values. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to approve the renewal of the NMSC insurance policies as presented and to also include the terrorism coverage's. Motion carried unanimously.

Accountant Voigt presented the Snow Plowing & Removal Contract for 2004-2005. Due to the increases in fuel prices and insurance coverage's, plowing rates will increase \$5 per hour for the pickup trucks and \$10 per hour for the front-end loaders used for plowing. After discussion, motion made by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to approve the Snow Plowing & Removal Contract with AMTRUCK/Levenhagen Oil as presented. Motion carried unanimously.

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

| | | |
|--------|-------------------------------------|-----------|
| #21463 | Siloxane Removal System-Pilot Phase | \$ 126.00 |
| #21465 | Heating/Engine System Evaluation | \$ 462.00 |
| #21470 | Digester Mixing System - Design | \$ 268.20 |

Motion made by Commissioner D. Siebers, seconded by Commissioner W. Helein to approve for payment invoices #21463, #21465 and #21470 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of October 2004. The plant is continuing to operate well at the moment. Discussion ensued pertaining to the current sampling set-ups for Neenah and Menasha. Motion made by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to approve the operating report for the month of October 2004 and to place the report on file. Motion carried unanimously.

Chad Olsen (McMahon Associates) updated the Commission on the status of activities regarding the digester gas mixing system. Mr. Olsen distributed handouts to the Commissioners with an estimated schedule for equipment bidding and installation of replacement digester gas mixers. The schedule for the bidding and installation was reviewed. The Commission will be looking at three different equipment manufacturers for the digester gas mixers; each manufacturer will be sent a request to quote on the project. The Commission was informed the standard warranty is 1-year on the equipment. As an alternate to the bids, a 5-year warranty can be requested. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to proceed with sending out the equipment specifications to the three manufacturers for proposals to purchase the digester gas mixing equipment. Motion carried unanimously.

Chad Olsen also updated the Commission on the status of the Siloxane removal pilot system. The pilot system continues to run well. The evaluation of the Heating and Engine system requirements will help determine the final design of the Siloxane removal system. A Request for Proposal (RFP) has been sent out to three manufacturers of methane gas engines. The engine design would be to run parallel with the existing electrical system – if the blowers don't use all the power generated by the gas engines, the extra generated power will be used to run other equipment in the plant. It is recommended that a 250 KW gen-set be used; this will allow the unit to run over 60% for greater efficiency. Discussion ensued, it was determined that as an alternate to the base bid, bids should also be obtained for the option to install a second unit. Chad Olsen indicated that bid prices would be presented at the January meeting. Once the gas engine requirements are known, then the Siloxane removal system can be calculated for size and designed for installation. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to proceed with obtaining the bid prices for the methane gas engines and gen-sets. Motion carried unanimously.

Manager Much presented NMSC Resolution 2004-2 accepting ownership of the metering and sampling station located in the Waverly Sanitary District. Motion made by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to approve NMSC Resolution 2004-2. Motion carried unanimously.

Manager Much presented a sewer extension request from McMahon Associates for Liberty Heights Subdivision located in the City of Neenah. Motion was made by Commissioner R. Handevitd, seconded by Commissioner W. Helein to approve the sewer extension request from McMahon Associates for Liberty Heights Subdivision located in the City of Neenah. Motion carried unanimously.

Manager Much discussed the Mercury Pollution Prevention Plan for the Neenah-Menasha WWTP. In the future, mercury limits may be set so low that no plants can meet the limits. This means that we will need to eliminate the sources of mercury into the Neenah-Menasha WWTP sewer system. The next sources of mercury to be reviewed by the DNR will be dental offices. A lot more effort will need to be focused on removing more of the sources of mercury into the waste stream by the Neenah-Menasha WWTP.

Old Business

The High Strength Waste report log was presented. The gas engines are using the Siloxane pilot unit and green power income is being received. The trucked in waste loads have been reduced to get the foaming problem being experienced under control.

Manager Much reported that he is waiting for the Menasha consultant, Kaempfer & Associates, to come back with proposals for the 9th Street sampling set-up.

For information to the Commissioners, a copy of the executed Tolling and Standstill Agreement between the NMSC and NCR Corporation and Appleton Papers, Inc. was included in the meeting information sent out.

New Business

President W. Zelinski questioned if all the Commissioners could attend the December meeting as scheduled or if the meeting should be changed to another date. After discussion it was decided the December meeting should be held as scheduled. The December Commission meeting will be held on Tuesday December 28, 2004.

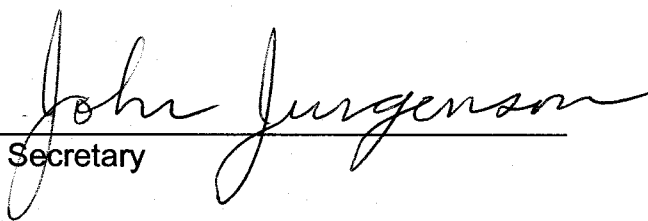
Motion made by Commissioner R. Zielinski, seconded by Commissioner W. Helein, to approve Operating Fund Vouchers #126065 thru #126120 in the amount of \$217,001.87 for the month of October 2004 and Payroll Vouchers #20398 thru #20401 and #126061 thru #126064 in the amount of \$6,563.16 for the month of October 2004. Motion carried unanimously.

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

President



Secretary



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| NEENAH-MENASHA SEWERAGE COMMISSION |
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Regular Meeting**Tuesday December 28, 2004**

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

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

Excused: Commissioner D. Siebers.

Also Present: Chad Olsen (McMahon Associates).

Motion made by Commissioner R. Handevitd, seconded by Commissioner R. Zielinski to approve the minutes of the Regular Meeting of November 23, 2004. Motion carried unanimously.

Correspondence

There following correspondence was discussed.

1. Letter from Diversified Insurance Services to Roger Voigt, NMSC
RE: Insurance Industry Allegations.
2. December 14, 2004 letter from Waverly S.D. to Roger Voigt, NMSC.
RE: Waverly S.D. adopted NMSC Resolution 2004-2.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited income statements for November 2004. On December 1, 2004 a bond payment was made for the principal and interest on the current bond issues of the Commission. Moved by Commissioner R. Handevitd, seconded by Commissioner J. Jurgenson to accept the unaudited financial statements for the month of November 2004 and place them on file. Motion carried unanimously.

Manager Much discussed with the Commission the 2005 increase for contract services from MCO. The increase will be at the CPI-U index of 2.5% as reported by the Bureau of Labor Statistics for the month of September 2004. After discussion, motion was made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve the increase in the contract with MCO as presented. Motion carried unanimously.

Accountant Voigt presented MCO invoice #9763 in the amount of \$76,004.50 for the month of January 2005. Motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to approve MCO invoice #9763 in the amount of \$76,004.50 for the month of January 2005 and to pay the invoice after January 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of November 2004. The rates earned at the Local Government Investment Pool have continued to rise while the funds at Prospera Credit Union have remained fairly steady. Motion made by Commissioner W. Helein, seconded by Commissioner R. Handevitd to accept the Accountants Report for the month of November 2004. Motion carried unanimously.

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

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

| | | |
|--------|--------------------------------------|-------------|
| #21951 | Siloxane Removal System-Pilot Phase | \$ 116.45 |
| #21950 | Siloxane Removal System-Final Design | \$ 108.00 |
| #21954 | Heating/Engine System Evaluation | \$ 1,091.63 |
| #21960 | Digester Mixing System - Design | \$ 4,095.68 |

Motion made by Commissioner R. Handevitd, seconded by Commissioner W. Helein to approve for payment invoices #21951, #21950, #21954 and #21960 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of November 2004. The plant is continuing to operate well at the moment. Graphs of the influent loadings were discussed, it was requested that this information should be reported to the Commission on a quarterly basis. Motion made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve the operating report for the month of November 2004 and to place the report on file. Motion carried unanimously.

Chad Olsen (McMahon Associates) updated the Commission on the status of activities regarding the digester gas mixing system. Bids were received from the three manufacturers of the gas mixing systems. The estimated budget for this project was \$250,000 for the equipment. The actual bids came in at \$144,768 from EIMCO, \$203,700 from Olympus Technologies, and \$207,675 from Westech Engineering. Mr. Olsen recommends accepting the bid from EIMCO for \$144,768. Two items to be noted in the bid from EIMCO include: no five year warranty option was provided, and a 22-week delivery of the entire order with no delay instead of two partial shipments. Additional discussion ensued regarding this project will need DNR approval and plans are being put together for a Mechanical Contractor to install the gas mixing system. After discussion, motion was made by Commissioner J. Jurgenson, seconded by Commissioner R. Handevitd to accept the bid from EIMCO. Motion carried unanimously.

Chad Olsen also updated the Commission on the status of the Siloxane removal pilot system. The pilot system continues to run well.

Manager Much presented a sewer extension request from McMahon Associates for Klompen Court/Woodside Court located in the Town of Neenah Sanitary District #2. Motion was made by Commissioner J. Jurgenson, seconded by Commissioner W. Helein to approve the sewer extension request from McMahon Associates for Klompen Court/Woodside Court located in the Town of Neenah Sanitary District #2. Motion carried unanimously.

Manager Much presented a sewer extension request from Schuler & Associates, Inc. for University Condominiums II located in the City of Menasha, Town of Menasha Utility District. Motion was made by Commissioner J. Jurgenson, seconded by Commissioner G. Cowling to approve the sewer extension request from Schuler & Associates, Inc. for University Condominiums II located in the City of Menasha, Town of Menasha Utility District. Motion carried unanimously.

Old Business

The High Strength Waste report log was presented. The gas engines are using the Siloxane pilot unit and green power income is being received.

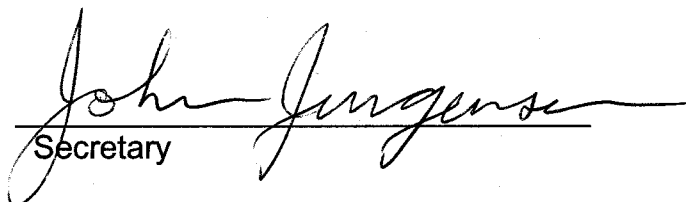
Manager Much reported that he is still waiting for the Menasha consultant, Kaempfer & Associates, to come back with proposals for the 9th Street sampling and plant set-up.

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson, to approve Operating Fund Vouchers #126121 thru #126178 in the amount of \$179,858.72 for the month of November 2004 and Payroll Vouchers #20402 thru #20409 in the amount of \$6,662.68 for the month of November 2004. Motion carried unanimously.

Motion made by Commissioner W. Helein, seconded by Commissioner R. Zielinski to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 8:50 a.m.



President



Secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday January 25, 2005