

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday October 27, 2009

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

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

Also Present: Paul Much (MCO); Mike Sams (Waverly); Scott Mahnke (McMahon); Attorneys William Mulligan (Davis & Kuelthau), James Godlewski (Neenah), Jeffrey Brandt and Pam Captain (Menasha); Mike King (Post Crescent).

Commissioner D. Youngquist questioned a discrepancy in the minutes for the start time of the Closed Session of August 25, 2009. The minutes listed two different start times for the meeting. It was determined the correct start time was 9:42 am. Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to approve the minutes of the Closed Session of August 25, 2009 as corrected. Motion carried unanimously. Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to approve the minutes of the Closed Session of September 25, 2009. Motion carried unanimously. Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to approve the minutes of the Regular Meeting of September 25, 2009. Motion carried unanimously.

Correspondence

There was no correspondence to be discussed:

Budget, Finance, Personnel

Accountant Voigt presented the preliminary financial statements for the month of September 2009. Commissioner D. Youngquist questioned some of the information contained within the reports; Accountant Voigt will check into the questions and respond back to Commissioner D. Youngquist. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to conditionally accept the financial statements for the month of September upon acceptable response to questions on the reports, and place it on file. Motion carried unanimously.

Attorney John Thiel presented and discussed his October 12, 2009 retention letter. It was questioned what the paralegal rate would be to the Commission; an hourly range for paralegals was indicated in the retention letter. Attorney Thiel indicated the charge to the Commission for paralegals would be \$100 per hour. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve the retention of Attorney John Thiel as legal counsel for the Neenah-Menasha Sewerage Commission. Motion carried unanimously on a roll call vote.

Accountant Voigt presented MCO Invoices #13939, #13977, and #13975 in the amounts of \$118,252.31, \$514.65 and \$568.27. After discussion, motion by Commissioner R. Zielinski, seconded by Commissioner G. Falck to approve for payment MCO Invoices #13939, #13977, and #13975 and to pay the invoices after November 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of September. The money market rates have continued to decrease. The CDARS funds maturing on October 1, 2009 were reinvested for 4-weeks. These funds are maturing this week and will be reinvested again for another 4-week period. MCO generated \$3,287 in income to the Commission in September. The restricted cash balances are down \$171,876 from 2008; this is mainly due to cash disbursements from the Replacement Fund for the refurbishing of the final clarifiers. After discussion; motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of September 2009. Motion carried unanimously.

Accountant Voigt presented for payment McMAHON invoices #48079 and #48080 in the amounts of \$1,424.00 and \$600.00. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve for payment invoices #48079 and #48080. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of September 2009. The plant is running well. Manager Much reported the week after the last Commission meeting there was a fire on a boiler in the digester building. Siloxane coated a valve which did not properly close letting flames escape and burning insulation and wiring. By the time fire fighters arrived, the valve closed and the fire went out on its own. Manager Much reported that in the next 1-2 years we will be seeing massive retirements in the wastewater industry. There is not the interest and schools currently available to provide replacements for the people retiring. MCO has been hiring and training to fill the needs for its clients. MCO has been planning for transition here at the NMSC and they are okay for now. Manager Much also reported there have been many plants built 20-25 years ago and they have O&M manuals which are not totally current. We have begun looking at going to a digital format for an O&M manual. Madison MSD has been looking at this for several years and has not found a digital format that meets their needs. Manager Much suggested that looking at GIS systems could be an alternative for having O&M manuals in a digital format. We will keep researching to find what would best fit our needs. After discussion, motion by Commissioner R. Zielinski, seconded by Commissioner W. Helein to accept the operating report for the month of September 2009. Motion carried unanimously.

Manager Much reported to the Commission on the 230kW Biogas engine. The purchase agreement for the engine was that we were purchasing an engine that would work. When the German reps were here to start the engine the starter burned out. We were able to obtain a rebuilt started nearby; the rebuilt unit broke a gear. The two starters were then pieced together to make one working starter; found out another piece was broken on the engine, a temperature gas sensor. The gas was not being cooled; the cooling unit lost its Freon. We are now very close to getting the unit running.

McMahon Proposal for Services. Scott Mahnke (McMahon) addressed the Commission and discussed the proposal for preliminary design of the WWTP control system. The current system by SquareD no longer supports the hardware and software. The current system is approaching the frame of not being serviceable. The proposal would provide a report with recommendations on how to proceed. The 14-week time frame to complete was questioned. Manager Much indicated he could see it taking that long to complete based on the number of points to measure. It was also questioned if we would have a preliminary plan at the next meeting on what we are looking at based on all the items being discussed and being researched. It was questioned if the system would be an open architecture SCADA system. Scott Mahnke indicated yes, he would expect it to be. After discussion; motion by Commission D. Youngquist, seconded by Commissioner K. Bauer to except the Proposal for Professional Engineering Services for the Preliminary Design of the Wastewater Treatment Facilities Control System for the NMSC at a cost of \$19,500. Motion carried unanimously.

Old Business

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

Biosolids Management. Manager Much distributed and discussed a McMahon report on the Biosolids Storage Building Siting Update. The various options in the report were discussed. The next step in the Landfill site is for Chad Olsen to meet with the Landfill Board. Up to this point we have been meeting with landfill staff. Reedsville farmer – we expect to see a proposal in a week or two. Gizmo Farms – looking at biosolids as fuel for boiler. Veolia – have met with representatives and they are looking at putting a proposal together with building a building for storage. We could see something in a month or so. Arrowhead Park – there would be setback issues. Right now the landfill option looks to be the best option. We need to give Chad Olsen approval to approach the Landfill Board. Motion by Commissioner W. Helein, seconded by Commissioner D. Youngquist to authorize Chad Olsen of McMahon Associates to approach the County Landfill Board for the purposes of discussing options of placing a storage building on Landfill property. Motion carried unanimously.

HVAC System Update. They are working in the lab now, the project should be completed next week.

Motion made by Commissioner G. Falck, seconded by Commissioner R. Zielinski to convene into closed session pursuant to Wis. Stats. § 19.95(1) (g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation and a separate and distinct matter involving a Notice of Claim received by the Commission from the Town of Neenah Sanitary District No. 2 which requests reimbursement of funds. Motion carried unanimously by Commissioners R. Zielinski, D. Youngquist, W. Helein, K. Bauer, G. Falck, W. Zelinski, T. Hamblin. Meeting entered into closed session at 8:58 am.

Commissioner K. Bauer requested to be excused from meeting to attend to personal matters. Request granted. Commissioner K. Bauer excused from meeting at 9:45 am.

Commissioner D. Youngquist requested to be excused from meeting to attend to personal matters. Request granted. Commissioner D. Youngquist excused from meeting at 9:58 am.

Motion made by Commissioner T. Hamblin, seconded by Commissioner R. Zielinski to adjourn the closed session and return in regular open session to take action on a Resolution in response to the Town of Neenah Sanitary District No. 2 Notice of Circumstances of Claim. Motion carried unanimously by Commissioners W. Helein, R. Zielinski, T. Hamblin, W. Zelinski, G. Falck. The Commission returned to Regular open session at 11:07 am.

Motion by Commissioner R. Zielinski, seconded by Commissioner T. Hamblin to approve the text of the Resolution denying the September 15, 2009 Notice of Circumstances of Claim and further move the Commission resolve as stated in the Resolution. Roll call vote taken; voting aye: Commissioners W. Helein, R. Zielinski, T. Hamblin. Voting nay: Commissioner G. Falck. Motion carried.

Vouchers

Motion made by Commissioner R. Zielinski, seconded by Commissioner W. Helein to approve operating and payroll fund vouchers #131222 through #131301 in the amount of \$712,585.57 for the month of September. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner T. Hamblin to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 11:12 a.m.

President

Secretary

THE NEXT REGULAR MEETING IS ON TUESDAY November 24th 2009.