

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday February 23, 2010

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

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

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

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

Correspondence

The following correspondence was discussed:

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

Budget, Finance, Personnel

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

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

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

Commissioner Raymond Zielinski to accept the Accountants Report for the month of January 2010. Motion carried unanimously.

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

Operations, Engineering, Planning

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

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

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

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

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

Old Business

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

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

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

Other Business to Legally Come Before the Commission

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

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

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

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

Vouchers

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

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

President

Secretary

THE NEXT REGULAR MEETING IS ON TUESDAY March 23rd, 2010.