CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

May 16, 2008

Commission Vice President Bob Fahrbach called the Closed Session to order at 7:35 a.m., upon the unanimously approved motion by Comm. Guidote, and seconded by Comm. Watson, pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Whiting Steam Contract Negotiations

Commissioners Guidote, Merkes, and Watson were present on roll call by Commission Vice President Fahrbach. Also present were Doug Young, General Manager; and Steve Grenell, Project Engineer.

Attendees from George A. Whiting Paper Company joining the closed session discussion at 8:00 a.m. were Thomas Danz, President and COO and Frank Whiting, Chairman.

There being no further business, the motion by Comm. Guidote, seconded by Comm. Watson, was unanimously approved to adjourn at 9:15 a.m.

BY: ROBERT H. FAHRBACH
Vice President

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

June 9, 2008

Commission Vice President Bob Fahrbach called the Closed Session to order at 7:40 a.m., upon the unanimously approved motion by Comm. Watson, and seconded by Comm. Fahrbach, pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Sonoco Steam Contract Negotiations

Commissioners Merkes and Watson were present on roll call by Commission Vice President Fahrbach. Also present were Doug Young, General Manager; and Melanie Krause, Manager of Business Operations.

Attendees from Sonoco-US Paper Mills joining the closed session discussion at 8:05 a.m. were Tim Davis, President; Troy Huebner, Plant Manager; Marty Piquone, VP Global Manufacturing; and Tolaver Rapp, Global Energy Sourcing Manager Supply Management.

After discussion, the representatives from Sonoco departed at 9:35 a.m.

There being no further business, the motion by Comm. Merkes, seconded by Comm. Watson, was unanimously approved to adjourn at 10:04 a.m.

BY: ROBERT H. FAHRBACH
Vice President

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

June 18, 2008

Commission Vice President Bob Fahrbach called the Closed Session to order at 4:00 p.m., upon the unanimously approved motion by Comm. Watson, and seconded by Comm. Guidote, pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Whiting and Sonoco Steam Contract Negotiations

Commissioners Guidote, Merkes, and Watson were present on roll call by Commission Vice President Fahrbach. Also present were Doug Young, General Manager; and Melanie Krause, Manager of Business Operations.

Commission President Allwardt joined the meeting at 4:10 p.m. via conference call. The purpose of the Closed Session was to discuss the Whiting and Sonoco contract disputes. Menasha Utilities will look for a mediator and accounting firm to address the steam pricing differences with Whiting, and will send Sonoco a letter regarding the issues.

There being no further business, the motion by Comm. Watson, seconded by Comm. Guidote, was unanimously approved to adjourn at 5:05 p.m.

BY: ROBERT H. FAHRBACH
Vice President

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

July 31, 2008

Commission President Mark Allwardt called the Closed Session to order at 9:35 a.m., upon the unanimously approved motion by Comm. Guidote, and seconded by Comm. Watson, pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Steam Contracts

Commissioners Guidote and Watson were present on roll call by Commission President Allwardt. Also present was General Manager Young.

The purpose of the Closed Session was to give the Commission an update on the status of the steam contract disputes concerning Whiting and Sonoco.

There being no further business, the motion by Comm. Guidote, seconded by Comm. Watson, was unanimously approved to adjourn at 9:40 a.m.

BY: MARK L. ALLWARDT
President

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

September 24, 2008

Commission Vice President Bob Fahrbach called the Closed Session to order at 9:25 a.m., upon the unanimously approved motion by Comm. Merkes, and seconded by Comm. Watson, pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Steam Contracts

Commissioners Merkes and Watson were present on roll call by Commission Vice President Fahrbach. Also present were General Manager Young and Manager of Business Operations Krause.

The purpose of the Closed Session was to update the Commission on the status of the arbitration with Whiting Paper Company.

There being no further business, the motion by Comm. Merkes, seconded by Comm. Watson, was unanimously approved to adjourn at 9:45 a.m.

BY: ROBERT H. FAHRBACH
Vice President

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

October 22, 2008

Commission President Mark Allwardt called the Closed Session to order at 9:34 a.m., upon the unanimously approved motion by Comm. Fahrbach, and seconded by Comm. Merkes, pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Steam Contracts

Commissioners Fahrbach, Guidote, and Merkes were present on roll call by Commission President Allwardt. Also present were General Manager Young, Manager of Business Operations Krause, and Interim General Manager Verhagen.

The purpose of the Closed Session was to discuss the Whiting steam contract dispute.

There being no further business, the motion by Comm. Fahrbach, seconded by Comm. Merkes, was unanimously approved to adjourn at 9:57 a.m.

BY: ROBERT H. FAHRBACH
Acting Secretary

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

October 28, 2008

Commission President Mark Allwardt called the Closed Session to order at 7:34 a.m., upon the unanimously approved motion by Comm. Fahrbach, and seconded by Comm. Guidote, pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Steam Contracts

Commissioners Fahrbach, Guidote, and Merkes were present on roll call by Commission President Allwardt. Also present were General Manager Young, Manager of Business Operations Krause, and Project Engineer Grenell.

The purpose of the Closed Session was to discuss the postponement of the Whiting arbitration until December. Project Engineer Grenell reviewed the steam contract and fuel cost pricing structure with the Commission.

Davis and Kuelthau Attorneys Jim Braza and Sue Schellinger joined the meeting at 9:40 am.

There being no further business, the motion by Comm. Fahrbach, seconded by Comm. Guidote, was unanimously approved to adjourn at 10:36 a.m.

BY: JOSEPH P. GUIDOTE
Acting Secretary

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

October 29, 2008

Commission President Mark Allwardt called the Closed Session to order at 3:00 p.m., upon the unanimously approved motion by Comm. Fahrbach, and seconded by Comm. Guidote, pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Whiting Steam Contract Negotiations

Commissioners Fahrbach, Guidote, and Merkes were present on roll call by Commission President Allwardt. Also present was Manager of Business Operations Krause. Attendees from Whiting Paper were Frank Whiting, Owner; and Tom Danz, President and COO.

The purpose of the Closed Session was to discuss steam pricing for Whiting Paper.

There being no further business, the motion by Comm. Fahrbach, seconded by Comm. Merkes, was unanimously approved to adjourn from Closed Session at 4:19 p.m., and to reconvene into Open Session of the Special Meeting of the Water and Light Commission.

BY: JOSEPH P. GUIDOTE
Acting Secretary

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

November 7, 2008

Commission President Mark Allwardt called the Closed Session to order at 11:31 a.m., upon the unanimously approved motion by Comm. Fahrbach, and seconded by Comm. Watson pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Whiting Steam Contract Negotiations

Commissioners Fahrbach and Watson were present on roll call by Commission President Allwardt. Also present were Doug Young, General Manager; Carl Verhagen, Interim General Manager; Melanie Krause, Manager of Business Operations; Dick Sturm, Manager of Steam Production; and Tom Stoffel, City of Menasha Comptroller/Treasurer.

The purpose of the Closed Session was to discuss the Whiting steam contract.

Comm. Merkes arrived at 11:34 a.m., and Comm. Guidote arrived at 11:45 a.m. Comm. Allwardt departed at 12:37 p.m., and turned the gavel over to Comm. Vice President Fahrbach.

There being no further business, the motion by Comm. Watson, seconded by Comm. Guidote, was unanimously approved to adjourn from Closed Session at 12:58 p.m. and to reconvene into Open Session of the Special Meeting of the Water and Light Commission.

By: MARK L. ALLWARDT
President

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

November 13, 2008

Commission Vice President Bob Fahrbach called the Closed Session to order at 3:16 p.m., upon the unanimously approved motion by Comm. Watson, and seconded by Comm. Guidote pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Whiting and other Steam Customer Contract Negotiations

Commissioners Guidote, Merkes, and Watson were present on roll call by Commission Vice President Fahrbach. Also present were Carl Verhagen, Interim General Manager; Melanie Krause, Manager of Business Operations; Dick Sturm, Manager of Steam Production. Anita Gallucci and Jim Bartzen from the Boardman Law Firm joined the meeting via conference call at 3:20 p.m.

The purpose of the Closed Session was to discuss steam customer negotiations.

The conference call with Attorneys Gallucci and Bartzen ended at 4:45 p.m.

There being no further business, the motion by Comm. Guidote, seconded by Comm. Watson, was unanimously approved to adjourn from Closed Session at 4:54 p.m. and to reconvene into Open Session of the Special Meeting of the Water and Light Commission.

By: ROBERT H. FAHRBACH
Vice President

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

November 19, 2008

Commission Vice President Bob Fahrbach called the Closed Session to order at 10:20 a.m., upon the unanimously approved motion by Comm. Guidote, and seconded by Comm. Merkes, pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Whiting and other Steam Customer Contracts

In the absence of Commission Secretary Watson, Commission Vice President Fahrbach appointed Commissioner Guidote as Acting Secretary for this meeting.

Commissioners Guidote and Merkes were present on roll call by Commission Vice President Fahrbach. Also present were Carl Verhagen, Interim General Manager; and Melanie Krause, Manager of Business Operations.

Those attending from Whiting Paper were Tom Danz and George (Tripp) Whiting III.

The purpose of the Closed Session was to discuss the Whiting Steam Contract and other steam customer contracts.

There being no further business, the motion by Comm. Guidote, seconded by Comm. Merkes, was unanimously approved to adjourn at 11:20 a.m.

BY: JOSEPH P. GUIDOTE
Acting Secretary

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

December 1, 2008

Commission President Mark Allwardt called the Closed Session to order at 12:25 p.m., upon the unanimously approved motion by Comm. Guidote, and seconded by Comm. Fahrbach, pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Steam Contracts

Commissioners Fahrbach, Guidote, Merkes, and Watson were present on roll call by Commission President Allwardt. Also present were Carl Verhagen, Interim General Manager; Melanie Krause, Manager of Business Operations; and Dick Sturm, Manager of Steam Production.

Anita Gallucci and Richard Heinemann, Boardman Law Firm, joined the meeting via conference call.

The purpose of the Closed Session was to discuss steam contracts as part of the strategic plan implementation.

Staff from Boardman departed the conference call at 1:40 pm.

There being no further business, the motion by Comm. Watson, seconded by Comm. Fahrbach, was unanimously approved to adjourn at 1:45 p.m.

BY: MARK L. ALLWARDT
President

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

December 17, 2008

Commission President Mark Allwardt called the Closed Session to order at 9:05 a.m., upon the unanimously approved motion by Comm. Fahrbach, and seconded by Comm. Merkes, pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and (g) of the Wisconsin Statutes for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. RE: Steam Customer Contracts and Potential Litigation

Commissioners Fahrbach and Merkes were present on roll call by Commission President Allwardt. Also present were Interim General Manager Verhagen, Manager of Business Operations Krause, and Manager of Steam Production Sturm.

Anita Gallucci, Boardman Law Firm, and Gary Price, Rate Analyst, joined the meeting via conference call at 9:05 a.m. Richard Heinemann, Boardman Law Firm, joined the meeting via conference call at 11:45 a.m.

The purpose of the Closed Session was to discuss the Electric Utility becoming a steam customer, and steam contract negotiations.

The motion by Comm. Fahrbach, seconded by Comm. Merkes, was unanimously approved to adjourn from Closed Session at 11:55 a.m. and to reconvene into Open Session of the Water and Light Commission.

BY: DONALD MERKES
Acting Secretary

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

December 29, 2008

Commission President Mark Allwardt called the Closed Session to order at 8:06 a.m., upon the unanimously approved motion by Comm. Fahrbach, and seconded by Comm. Merkes, pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and (g) of the Wisconsin Statutes for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. RE: Steam Customer Contracts and Potential Litigation

Commissioners Fahrbach, Guidote, and Merkes were present on roll call by Commission President Allwardt. Also present were Interim General Manager Verhagen, Manager of Business Operations Krause, and Manager of Steam Production Sturm.

The purpose of the Closed Session was to discuss steam customer contracts.

There being no further business, the motion by Comm. Fahrbach, seconded by Comm. Merkes, was unanimously approved to adjourn at 8:15 a.m.

BY: JOSEPH P. GUIDOTE
Acting Secretary

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

February 25, 2009

Commission President Mark Allwardt called the Closed Session to order at 9:55 a.m., upon the unanimously approved motion by Comm. Guidote, and seconded by Comm. Merkes, pursuant to Section 19.85 (1) (g) of the Wisconsin Statutes for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. RE: Potential Litigation and Steam Customer Contracts

Commissioners Guidote, Merkes, and Watson were present on roll call by Commission President Allwardt. Also present were Interim General Manager Verhagen, Manager of Business Operations Krause, and Manager of Steam Production Sturm. Anita Gallucci, Boardman Law Firm, and Brian Tournier, Stern Brothers, joined the meeting via conference call.

The purpose of the Closed Session was to discuss steam customer contracts and potential litigation.

The motion by Comm. Merkes, seconded by Comm. Guidote, was unanimously approved to adjourn from Closed Session at 10:45 a.m., and to reconvene into Open Session of the Water and Light Commission.

There being no further business, the motion by Comm. Guidote, seconded by Comm. Merkes, was unanimously approved to adjourn at 10:45 a.m.

BY: MARK L. ALLWARDT
President

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

March 25, 2009

Commission President Mark Allwardt called the Closed Session to order at 9:30 a.m., upon the unanimously approved motion by Comm. Fahrbach, and seconded by Comm. Guidote, pursuant to Section 19.85 (1) (g) of the Wisconsin Statutes for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. RE: Potential Litigation and Steam Customer Contracts

Commissioners Fahrbach, Guidote, Merkes, and Watson were present on roll call by Commission President Allwardt. Also present were Interim General Manager Verhagen, Manager of Business Operations Krause, and Manager of Steam Production Sturm. Anita Gallucci, Boardman Law Firm, joined the meeting via conference call at 9:40 a.m.

The purpose of the Closed Session was to discuss the Whiting arbitration and steam contract negotiations.

Ms. Gallucci departed the conference call at 10:15 a.m.

There being no further business, the motion by Comm. Guidote, seconded by Comm. Watson, was unanimously approved to adjourn at 10:25 a.m.

BY: MARK L. ALLWARDT
President

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

April 23, 2009

Commission President Mark Allwardt called the Closed Session to order at 7:30 a.m., upon the unanimously approved motion by Comm. Fahrbach, and seconded by Comm. Merkes, pursuant to Section 19.85 (1) (g) of the Wisconsin Statutes for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. RE: Potential Litigation and Steam customer Contracts

Commissioners Fahrbach, Guidote, and Merkes were present on roll call by Commission President Allwardt. Also present were Interim General Manager Verhagen, Manager of Business Operations Krause, and Manager of Steam Production Sturm. Anita Gallucci, Boardman Law Firm, and Sue Schellinger, Davis and Kuelthau, joined the meeting via conference call.

In the absence of Commission Secretary Watson, Commission President Allwardt appointed Commissioner Guidote as Acting Secretary for this meeting.

The purpose of the Closed Session was to discuss the Whiting arbitration.

There being no further business, the motion by Comm. Guidote, seconded by Comm. Fahrbach, was unanimously approved to adjourn at 8:35 a.m. and to reconvene into Open Session of the Regular Meeting of the Water and Light Commission

BY: JOSEPH P GUIDOTE
Acting Secretary

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

May 27, 2009

Commission President Mark Allwardt called the Closed Session to order at 9:05 a.m., upon the unanimously approved motion by Comm. Fahrbach, and seconded by Comm. Merkes, pursuant to Section 19.85 (1) (g) of the Wisconsin Statutes for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, and (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Steam Customer Contracts and Potential Litigation

Commissioners Fahrbach, Guidote, Merkes, and Watson were present on roll call by Commission President Allwardt. Also present were Interim General Manager Verhagen, Manager of Business Operations Krause, Manager of Steam Production Sturm, and Project Engineer Grenell.

Anita Gallucci, Boardman Law Firm, joined the meeting at 9:05, and Richard Heinemann, Boardman Law Firm, joined the meeting at 9:30 am via conference call.

The purpose of the Closed Session was to discuss the Sonoco and Whiting contract disputes, arbitration, and settlement agreements.

Ms. Gallucci and Mr. Heinemann departed the conference call at 10:00 am.

There being no further business, the motion by Comm. Guidote, seconded by Comm. Merkes, was unanimously approved to adjourn at 10:15 a.m.

BY: MARK L. ALLWARDT
President

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

June 9, 2009

Commission President Mark Allwardt called the Closed Session to order at 12:30 p.m., upon the unanimously approved motion by Comm. Watson, and seconded by Comm. Fahrbach pursuant to Section 19.85 (1) (g) of the Wisconsin Statutes for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, and (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Steam Customer Contracts and Potential Litigation

Commissioners Fahrbach, Merkes, and Watson were present on roll call by Commission President Allwardt. Also present were Interim General Manager Verhagen, Manager of Business Operations Krause, Manager of Steam Production Sturm, and Project Engineer Grenell.

The purpose of the Closed Session was to discuss the Whiting and Sonoco steam contracts and potential litigation.

There being no further business, the motion by Comm. Fahrbach, seconded by Comm. Watson, was unanimously approved to adjourn at 1:03 p.m.

BY: MARK L. ALLWARDT
President

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

June 24, 2009

Commission President Mark Allwardt called the Closed Session to order at 9:30 a.m., upon the unanimously approved motion by Comm. Fahrbach, and seconded by Comm. Guidote, pursuant to Section 19.85 (1) (g) of the Wisconsin Statutes for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, and (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Whiting and Steam Customer Contracts and Potential Litigation

Commissioners Fahrbach, Guidote, and Merkes were present on roll call by Commission President Allwardt. Also present were Manager of Business Operations Krause, and Manager of Steam Production Sturm.

The purpose of the Closed Session was to discuss Whiting and other customer steam contracts and agreements.

There being no further discussion, the motion by Comm. Merkes, seconded by Comm. Guidote, was unanimously approved to adjourn at 9:55 a.m. and to reconvene into Open Session of the Regular Meeting of the Water and Light Commission.

The motion by Comm. Guidote, seconded by Comm. Merkes, was unanimous to recommend the City of Menasha Common Council approve the Release and Settlement Agreement for Whiting Paper.

There being no further business, the motion by Comm. Guidote, seconded by Comm. Merkes, was unanimously approved to adjourn at 10:00 a.m.

BY: Joseph P. Guidote
Acting Secretary