

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday December 28, 2010

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

Present: Commissioners Raymond Zielinski, Dale Youngquist, Gordon Falck, Tim Hamblin, William Zelinski; Manager Randall Much, Accountant Roger Voigt.

Excused: Commissioners Kathy Bauer, William Helein.

Also Present: Paul Much (MCO); Mike Sambs (Waverly); Tom Kispert, Chad Olsen, Amy Vaclavik (McMAHON).

Minutes of the Regular Meeting and Closed Session of November 23, 2010 were discussed. The Closed Session minutes incorrectly report having the meeting called to order by William Zelinski; they should be corrected to have the meeting called to order by Raymond Zielinski. Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve the minutes of the Regular Meeting and the minutes of the Closed Session as corrected from November 23, 2010. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. December 2, 2010 letter from Mayor George Scherck, City of Neenah to NMSC Commissioner Tim Hamblin.
RE: Re-appointment as Commissioner to the NMSC.
- B. December 8, 2010 letter from James Savinski, DNR to Randy Much, NMSC General Manager.
RE: Notice of noncompliance, exceedance of wasteload allocation limit in August.

Manager Much reported another notice of noncompliance was received this week relating to effluent mercury. Further discussion ensued regarding the mercury reduction program currently in place.

- C. December 13, 2010 fax from Marilyn Potratz, Gizmo Farms to NMSC.
RE: Annual CPI-U increase on sludge hauling of 1.3%
- D. December 14, 2010 letter from Roger Voigt, NMSC Accountant to Marilyn Potratz, Gizmo Farms.
RE: Annual price increase not allowed per contract terms – decrease in previous year not negated by increase.

Budget, Finance, Personnel

Accountant Voigt presented the financial statements for the month of November 2010. Accountant Voigt reminded the Commissioners the December Financial Statements will reflect no income for operations based on the billing adjustment provided to the contract users. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the financial statements for the month of November and place it on file. Motion carried unanimously.

Accountant Voigt presented MCO Invoices #15092, #15114, and #15111 in the amounts of \$120,217.66, \$347.49 and \$32.22. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Tim Hamblin to approve for payment MCO Invoices #15092, #15114, and #15111 and to pay the invoices after January 1, 2011. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of November. Accountant Voigt reported on the reinvestment of maturing CDARS. MCO generated \$8,425 in income to the Commission in November. After discussion of the Accountants Report; motion by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the Accountants Report for the month of November 2010. Motion carried unanimously.

Accountant Voigt presented for payment McMAHON invoices #43268, #43315 and #43485 in the amounts of \$12,477.71, \$1,457.26 and \$473.10. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve for payment invoices #43268, #43315 and #43485. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of November 2010. Manager Much reported both he and Paul Much attended a meeting on new phosphorous regulations that had DNR, municipal, and industrial representatives attending. The DNR is trying to establish ways to control phosphorous without requiring municipalities to build additional structures. One method is to collect funds from the municipalities to pursue eliminating run-off type issues. At this meeting it was learned that there may be better agricultural land that needs additional phosphorous to the west of our location and not to the north. Manager Much indicated the phosphorous regulations were rushed through; they are not sure how to implement them. The Commission questioned the methane generated value on the printed report. This will be looked into further. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the operating report for the month of November 2010. Motion carried unanimously.

Tom Kispert discussed the Facilities Plan and the Report on Control Systems Upgrade. The Facilities Plan includes the option for pressing sludge with a storage building located in the Black Creek area. The Facilities Plan also includes the Control Systems Upgrade information. Tom Kispert also discussed the Engineering agreement for the wastewater treatment facility improvement design and the Engineering agreement for the Controls and SCADA upgrade. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner

Tim Hamblin to accept and submit the Facilities Plan to the DNR; to authorize President William Zelinski to sign the Engineering Services Agreements for the Wastewater Treatment Facility Improvements and Controls & SCADA Upgrade; and to submit to the Clean Water Fund the Intent to Apply and Priority Evaluation forms for a total of \$20,080,000. Discussion followed. The Commission further discussed the Controls System and the purpose and needs. We would be able to view system operations online; no control system changes would be allowed to be performed online. After discussion, motion carried unanimously on a roll call vote.

Old Business

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

Attorney John Thiel entered the meeting.

Biosolids Management. Chad Olsen distributed maps for areas located in the Town of Menasha and the Town of Clayton. The Commission further discussed the locations on these maps. The Commission discussed meeting with representatives from Green Bay MSD in January. Chad reported the property owner in the Black Creek area is still willing to sell his land but we may need to renegotiate a price after January 1. Commissioners further questioned the Town of Clayton site; Manager Much reported he will be meeting later this morning with the land owner to further discuss this site. Commissioners Gordon Falck and Dale Youngquist reported they would be willing to attend a meeting with the Green Bay MSD.

Motion made by Commissioner Tim Hamblin, seconded by Commissioner Dale Youngquist 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 and the Town of Neenah Sanitary #2 lawsuit and pursuant to Wis. Stats. § 19.85(1)(e) to discuss contracts affecting portions of the sewerage treatment process which involves the investment and spending of public funds and competitive and bargaining reasons require a closed session to discuss contract clauses to be submitted to vendors to best serve the public interest. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, Gordon Falck, Tim Hamblin. Meeting convened into closed session at 9:06 am.

After discussions, motion made by Commissioner Gordon Falck, seconded by Commissioner Raymond Zielinski to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, Gordon Falck, Tim Hamblin. The Commission returned to Regular open session at 10:45 am.

Vouchers

Motion made by Commissioner Raymond Zielinski, seconded by Commissioner Tim Hamblin to approve operating and payroll fund vouchers #132016 through #132062 in the amount of \$634,379.64 for the month of November. Motion carried unanimously.

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Motion made by Commissioner Tim Hamblin, seconded by Commissioner Dale Youngquist to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 10:47 a.m.



President



Secretary

THE NEXT REGULAR MEETING IS SCHEDULED FOR TUESDAY JANUARY 25th 2011.