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AXLEY BRYNELSON, LLP

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VIA E-MAIL

Mr. Mark Surwillo
Heart of the Valley Metropolitan
Sewerage District
801 Thilmany Road
Kaukauna WI 54130

RE: Annual Meeting of Commission
Our File No.: 10201.51116

Dear Mark:

This is in response to our telephone conversation several days ago. As I understand it, the term of Office of Commissioners expires on October 1st of each year. In other words, at least one Commissioner is reappointed at that time.

Every year, the Commission should have its annual meeting. The purpose of the annual meeting would be to conduct certain organizational business. The first item of business should be the election of officers. Indeed, §200.09 (5) Stats. provides that the Commission "...shall organize by electing one of its members President and another Secretary.". Accordingly, the first item of business at the organizational meeting held in October of each year should be the election of officers. In terms of electing offices, I strongly suggest that even though the statute does not make references to Vice Presidents or Assistant Secretaries, the Commission nevertheless do so. The issue of the Office of Treasurer is handled separately under the Statutes; and that person is the treasurer of the city or village or town having the largest equalized value within the district.

The second organizational matter that should be addressed at the organizational meeting is to appoint the "official newspaper" of the district for the ensuing year.

The third organizational matter should be the appointment of all "depositories" of the district who are authorized to hold funds of the district. This is simply a listing of all the financial institutions with whom you do business.

Other than the foregoing, I cannot think of any other organizational matters that need to be addressed. However, this should occur annually; and I would suggest that occur at the first meeting in October of each year.

Because Judd's term is expiring, I don't see any reason to have the commission appoint a person to fill Judd's vacancy as president. The reason is that there is not a vacancy. The term of office of president has expired effective of October 1st; and the commission is simply now electing new officers.

If you need anything further let me know.

Sincerely,

AXLEY BRYNELSON, LLP

A handwritten signature in black ink, appearing to read "Timothy D. Fenner". The signature is written in a cursive, flowing style.

Timothy D. Fenner

TDF/jal