

DELAVAN LAKE SANITARY DISTRICT

MINUTES

Regular Meeting and Closed Session

April 18, 2018

8:00 A.M.

CALL TO ORDER.

President Miller, called the meeting to order at 8:04 A.M. at the Delavan Lake Sanitary District located at 2990 County Rd F South, Delavan, Wisconsin.

ROLL CALL. Present: Thomas Miller, President
Kim O'Keefe, Commissioner
Thomas Johnson, Commissioner
David Reider, Commissioner
Richard Beers, Commissioner

Visitors: Jodi Dobson of Baker Tilly Virchow Krause, LLP,
Jack Markwick

DECLARATION OF A QUORUM.

President Miller declared a quorum present for doing business.

APPROVAL OF MINUTES OF REGULAR MEETING OF MARCH 14, 2018

President Miller made a motion to waive the reading of the minutes of the regular meeting on March 14, 2018 and approve them as written. Commissioner Beers seconded the motion which carried unanimously.

CLOSED SESSION

At 8:00 a.m. President Miller made a motion to go into closed session under Wisconsin Section 19.85(1)(e), Wisconsin Statutes. Specifically to be discussed is the potential litigation between the District and Walworth County related to the lack of County jurisdiction under the County Shore-land Zoning Ordinance concerning sewer repair projects. The motion was seconded by Commissioner O'Keefe and a roll call vote revealed Commissioner Beers, Commissioner Reider, and Commissioner Johnson in favor of the motion, the motion carried

unanimously.

The commissioners upon motion duly made and carried will immediately convene to closed session. The purpose of the closed session is to confer 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 as authorized under Section 19.85(1)(g), Wisconsin Statutes. Specifically to be discussed is the potential litigation between the District and Walworth County related to the lack of County jurisdiction under the County Shore-land Zoning Ordinance concerning sewer repair projects. Upon completion of the closed session, the Commission may reconvene in open session.

RECONVENE IN OPEN SESSION

Commissioner Beers made a motion to reconvene in open session at 8:17 a.m. The motion was seconded by President Miller and passed unanimously.

DISCUSSION/POSSIBLE ACTION ON ANY CLOSED SESSION MATTERS

President Miller made a motion to authorize the attorney to defend Delavan Lake Sanitary District. The motion was seconded by Commissioner O'Keefe and a roll call vote revealed Commissioner Beers, Commissioner Reider, and Commissioner Johnson in favor of the motion, the motion carried unanimously.

MOTION TO MOVE AGENDA OUT OF ORDER

President Miller made a motion to take the agenda out of order to address items 27, 20, 17, and 14 to accommodate the timing of Jody Dobson of Baker Tilly Virchow Krause, LLP who was to arrive at 9:00am. Commissioner Beers seconded the motion. The motion carried unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING SANITARY SEWER OVERFLOW REPORTS (SSO)

The Elkhorn Sewage Overflow Reports that were obtained from the DNR were discussed. Commissioner Beers' purpose for requesting these reports was to show we have access to this information.

DISCUSSION/POSSIBLE ACTION REGARDING EVALUATING LAB WORK COSTS

Charlie gave an update on his efforts to get quotes for the cost of lab work to be done on the samples that are gathered for the pellet project. He is still waiting on one more quote from Oshkosh. When all the quotes are in, he will make sure that the quotes uniform in testing to be done. Once this is done, we will have information to help us negotiate with USGS.

DISCUSSION/POSSIBLE ACTION REGARDING HARVESTER REPLACEMENT PROGRAM & GRANTS

Charlie proposed the possibility of purchasing three new harvesters with the potential of receiving grant money of 30 to 35 percent to help off-set the cost. The potential of getting grant money to help with the purchase of a Trexor or Berkey was discussed as an option. With the cost of approximately \$200,000 for a new harvester and conveyor (approximately \$600,000 for all three) and the possibility of purchasing a Berkey or Trexor, the discussion was moved to next month's agenda.

DISCUSSION & REVIEW OF PELLET TECHNOLOGY STUDY PARAMETERS CONTINUED

Charlie is working on testing procedures so consistent samples will be taken with the hand corer. Seven areas will be tested for phosphorous. A discussion ensued on how often the samples will be taken. Charlie shared they are to be taken before the pellets are put in, half way through the season and 30 days after the last pellet treatment. More testing is desired, potentially every two weeks. A spreadsheet is to be created to keep an eye on the budget and get as much data as possible with the funds budgeted. A meeting with Dale from USGS on May 2, 2018 is to be set-up, which will include the commissioners, to help identify the optimum number of test samples to be taken as well as looking into additional locations to test.

FINANCE

After reviewing the bills, President Miller made a motion to approve payment of bills represented by check numbers 25818 through 25880. Commissioner Beers seconded the motion which carried unanimously.

President Miller made a motion to accept the Allocation of Funds report for the period ending on March 31, 2018 and place on file. The motion was seconded by Commissioner O'Keefe and carried unanimously.

Commissioner O'Keefe made a motion to accept the Financial Statements for the period's ending on January 31, 2018, February 28, 2018, March 31, 2018 and place on file. The motion was seconded by Commissioner Johnson and carried unanimously.

ADMINISTRATOR'S MONTHLY REPORT

Discussed the root control that will be done. Duke's hasn't changed their rates and we're staying with them as their product doesn't upset the WalCoMet plant. Charges are per man hole, per foot. View Crest has a very bad spot that will have to be done in a few steps. One is to fix the top section of the manhole that's leaking, get a root treatment done, and then get the benches fixed as the bottom of the benches are leaking water as well.

The inclusion of the Delavan Lake Monitoring and Test Sites map was mentioned and appreciated. Commissioner Beers requested that the map be kept updated with new test sites and the list that accompanied the map. It was requested the new sites be put in a different color other than blue and yellow by which existing sites are indicated.

Commissioner O'Keefe made a motion to put the March 2018 Administrator's Report on file. The motion was seconded by Commissioner Reider and carried unanimously.

LAKE COMMITTEE REPORT

The Lake Committee meeting was very short. There is nothing to report.

DISCUSSION/POSSIBLE ACTION REGARDING 2017 AUDIT PERFORMED BY BAKER TILLY VIRCHOW KRAUSE, LLP

Jodi Dobson of Baker Tilly Virchow Krause, LLP, reviewed the audit compiled for the Delavan Lake Sanitary District for the year ending December 31, 2017. She gave a general overview of the finances of the district and reported that the financial statements as presented were an accurate reflection of the District's financial position. She found the District to be in a strong financial position.

A 5 minute recess was called by President Miller at 9:35. The meeting reconvened at 9:43

DISCUSSION/POSSIBLE ACTION REGARDING RESOLUTION NO. 1 OF 2018 INCREASING THE EQUIPMENT REPLACEMENT FUND

After an explanation by Administrator DeLuca, Commissioner O'Keefe made a motion to adopt Resolution Number 1 of 2018 Increasing the Equipment Replacement Fund to \$500,000. Commissioner Beers seconded the motion which passed unanimously.

COMMENTS AND SUGGESTIONS OF CITIZENS PRESENT REGARDING AGENDA ITEMS

Jack Markwick was interested in hearing information on the Lake Project being undertaken. The Lake Project is on the agenda to be discussed.

DISCUSSION/POSSIBLE ACTION REGARDING 4135 BENNET STREET SEWER LATERAL FAILURE UPDATE

Administrator DeLuca shared that Stan is going to file a court action so that we can get that lateral replaced. The owner is deceased and no family appears to be taking ownership of the property so it needs to go through the court system.

DISCUSSION/POSSIBLE ACTION REGARDING BORG ROAD INTERCEPTOR ACCESS ISSUE UPDATE

Administrator DeLuca shared that WalCoMet met on this issue and are in favor of he and Neil working together. We have a \$70,000 estimate on doing the road and engineering of around \$14,000 to get it bid and scoped. We want to split that with WalCoMet. Neil wants to do some investigating on costs. This will be removed from future agendas until we have more concrete information.

DISCUSSION/POSSIBLE ACTION PARTIAL FUTURE AQUATIC PLANT DISPOSAL SITES

Administrator DeLuca discussed the locations on the map provided to the Board in regard to disposal sites. The Town would take location number 2 into consideration for a joint venture as they need a storage and material disposal site. The owner of that property gave the inclination that they were receptive to

a land purchase. Location 4 is behind us and to the east is another site. We would need to negotiate with the owner to get an access path back there. Richard Beers made a motion to empower Administrator DeLuca and Charlie Handel to begin conversations with potential sellers of land for the Sanitary District to use for disposal purposes. President Miller seconded the motion which passed unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING TECHNOLOGY UPDATE PROJECTOR & SCREEN OPTIONS

Administrator DeLuca discussed his desire to update the projector and screen with a large screen that would have the capability to have a device plugged into it that would make it a wireless presentation device for power point presentations. It was decided that we need to continue looking for more affordable TV pricing, possibly keeping the total cost around \$3,000.

DISCUSSION/POSSIBLE ACTION REGARDING LAWN CARE SITES

Administrator DeLuca discussed getting Manor Lane cut every other week unless the lawn grows rapidly. We can either do it with staff or use the quote we have for \$45 per grass cutting from Michael's Lawn and More. Commissioner O'Keefe made a motion to accept the bid from Michael's Lawn and More for \$45 per grass cutting to cut the grass at Manor Lane every other week unless we ask for it every week. Commissioner Beers seconded the motion which passed unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING RESOLUTION NO. 2 OF 2018 REQUESTING ASSISTANCE TO ACQUIRE WEED HARVESTING EQUIPMENT

Administrator DeLuca explained this is a Resolution that is required in order to submit for a grant so even if we are planning to purchase one harvester, this needs to be done. Commissioner Beers made a motion to adopt Resolution No. 2 of 2018 Requesting Assistance to Acquire Weed Harvesting Equipment. Commissioner O'Keefe seconded the motion which passed unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING RESOLUTION NO. 3 OF 2018 ADOPTING A DELAVAN LAKE SANITARY SEWER SPECIFICATIONS MANUAL

Administrator DeLuca explained Engineer Doug Snyder has reviewed the manual and has given his approval. It details what is expected of developers

when they are developing and putting systems in our district. It follows most of the state standards for sanitary sewer and includes the district requirements that we've had in the past.

Commissioner O'Keefe made a motion to adopt Resolution No. 3 of 2018 Adopting a Delavan Lake Sanitary Sewer Specifications Manual. Commissioner Beers seconded the motion which passed unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING FUNDING OF LAKE PROJECT

Commissioner O'Keefe asked to go over the Town of Delavan Budget Worksheet and pointed out some notable numbers. Under Public Charges for Services Park Fees there is budgeted income of approximately \$180,000, and under Other Revenue, Room Tax-Lake Project another \$64,000 income budgeted. Combined that is \$244,000 of revenue directly related to the lake. When going through the expenses for Lake Maintenance, they total \$17,500. What isn't seen is any studies or accrual toward dredging the lake. They did spend \$5,000 on a report by Peter Berini that recommends dredging the ponds, however there is no accountability or accrual in the budget for this. Commissioner O'Keefe's concern is that the Town of Delavan isn't managing the revenue from the lake. There seems to be a slow shift of coming to the Sanitary District and asking us to take care of the lake area. There is a Lake Committee but there is still no budget for cleaning up the lake. The Town needs to take responsibility for budgeting and planning for care of the lake. Possibly we could get a multi-year commitment from the Town as well as other jurisdictions toward funding of a Berkey type machine. A discussion with the Town would be beneficial. This discussion is to be an ongoing agenda item

DISCUSSION/POSSIBLE ACTION REGARDING LS #2 SHARED POWER REQUEST

There was a request from the Delavan Lake Yacht Club regarding camera outlets they would like to have installed on lift station #2. They are willing to pay for the electrical box feed to be put on the building. Power Tech gave us a quote of \$275. The Yacht Club will reimburse the District once we get it up and running. In the future, if they do tap into our power source to power the cameras, it will only be mille-amps, so it won't draw a lot of wattage. Lake Lawn Lodge did something similar with lift station #11 and had an agreement that was a license the attorney drafted and we recorded in our files.

Commissioner Beers made a motion that we follow as a rule the agreement that the Sanitary District has with Lake Lawn Lodge, as to how this agreement is put together. President Miller seconded the motion which passed unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING HOSTING SAFETY MEETING AT DLSD

Delavan Lake Sanitary District was asked to host the Regional Safety Meeting which multiple jurisdictions attend. We are planning to provide refreshments in the morning for those attending. The recommendation was to keep it to a maximum expense of \$200.

CONSIDERATION OF FUTURE AGENDA ITEMS

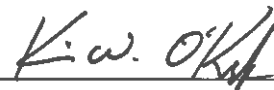
None

DISCUSSION/POSSIBLE ACTION OR CONFIRMATION OF NEXT MEETING DATE

After a short discussion the next regular monthly meeting date will be Wednesday, May 16, 2018 at 9:00 a.m.

ADJOURNMENT

There being no further items to discuss, President Miller made a motion to adjourn the meeting Commissioner Beers seconded the motion which passed unanimously. The meeting adjourned at 10:52 a.m.



Kim O'Keefe, Secretary

Date Approved: 5/16/2018