

DELAVAN LAKE SANITARY DISTRICT

MINUTES

Regular Meeting & Closed Session

February 27, 2019

9:00 A.M.

CALL TO ORDER.

President Miller, called the meeting to order at 9:00 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 (*via phone conference*)
Thomas Johnson, Commissioner
David Reider, Commissioner
Richard Beers, Commissioner

Absent: none

Other: Administrator Jim DeLuca
Attorney Stan Riffle
Doug Snyder (Baxter & Woodman)

Visitors: Frank Sciackitano
Valerie Grohe
Marsha Lauer
Margaret Tourville
John Tourville
Karla Bockholt
Jeff Denard
Richard J. Lauer

DECLARATION OF A QUORUM.

President Miller declared a quorum present for doing business.

DISCUSSION/POSSIBLE ACTION REGARDING FORCE MAIN PROGRESS

Doug Snyder of Baxter & Woodman gave an update on the force main project and improvements at lift station 6. The force main bid opening on February 7th had one bid that came in at \$1,600,000. We were expecting bids to come in around \$1,100,000. Doug requested that DLSD reject the bid and allow him to bid it in the fall with lift station 6 improvements, when the contractors are possibly looking for work. Contractors are so busy right now that a 90 day project of this size isn't of interest to them at this time. President Miller made a motion to rebid the force main and lift station 6 improvement projects in the fall. Commissioner Beers seconded the motion which passed unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING SHORES OF DELAVAN FINAL APPROVAL

Doug Snyder of Baxter & Woodman presented a letter with his signature on it recommending the approval of the sanitary sewer system for the Shores of Delavan Development Project with contingency of the 7 following conditions listed in the letter:

- 1) obtaining WalCoMet approval for the Plans;
- 2) the Developer providing the easements shown on the Plan;
- 3) the Developer obtaining District approval of similar plans for each particular phase and also obtaining WalCoMet and Wisconsin DNR approval of similar plan. The subsequent similar plan will include the scope for that particular phase and record drawing information for any previous phase;
- 4) the first phase including all sanitary sewers south of Barnum Lane, including the sanitary sewer relays on Valencia Drive;
- 5) the homeowners association being responsible for reconstructing the stormwater basin and the storm pipe crossing and the storm pipe crossings of the sanitary sewer on sheets C234 and C235 after future sanitary sewer repairs;
- 6) the District notifying the few property owners within the District that are north and east of the Development that the recommendations of the 2005 South and East Side Wastewater Collection Study are no longer valid. The development varied from the recommendations of the 2005 Study;
- 7) the Plans meet the current Town Standards or approved modifications to the Town Standard. Administrator DeLuca was requested to take care of the sixth condition.

Administrator DeLuca requested a motion including adopting the revised Developers Agreement as well as the Baxter & Woodman letter. A motion to

adopt the recommendations of the District's Engineer and Administrator was made by Commissioner Beers. The motion was seconded by Commissioner Reider and carried unanimously.

CLOSED SESSION

President Miller made a motion that the commissioners, upon motion duly made and carried, will immediately convene to closed session. The purpose of the closed session portion of the meeting is:

- a) To consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility pursuant to section 19.85(1)(c), Wisconsin Statutes.
- b) To consider, deliberate or negotiate 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 as authorized under Section 19.85(1)(e), Wisconsin Statutes. Specifically, to be discussed is land purchases in the Town of Delavan.
- c) To consider, deliberate or negotiate 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 as authorized under Section 19.85(1)(e), Wisconsin Statutes. Specifically, to be discussed is land purchases in the Town of Delavan.
- d) 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 illegal discharges into the sanitary system.

The motion was seconded by Commissioner Beers. A roll call vote revealed Commissioner O'Keefe, Commissioner Johnson, and Commissioner Reider in favor. The motion carried unanimously.

RECONVENE IN OPEN SESSION

President Miller made a motion to reconvene in open session at 10:38 a.m. The motion was seconded by Commissioner Beers which carried unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING CLOSED SESSION MATTERS

Commissioner Johnson made a motion to accept the NLC-Utility Service Partners Marketing Agreement under the guidelines of Attorney Stan Riffle. Commissioner Reider seconded the motion which passed unanimously.

APPROVAL OF MINUTES OF REGULAR MEETING OF JANUARY 16, 2019

Commissioner O'Keefe requested the word "meter" be added on page 4046 under Administrator's Monthly Report to clarify the type of laser being talked about on Borg Road. Also, on page 4047 under the Discussion/Possible Action Regarding Pellet Program, Commissioner O'Keefe requested clarification that it was 5 inches of sediment that was gained and on page 4048, amend the third paragraph to reflect the location of the testing that was inconclusive was "in the lake" and that the "controlled" testing conducted by DLSD "in buckets" does confirm the pellets facilitate the release of phosphorus in the water table. Commissioner O'Keefe made a motion to table the approval of the January 16, 2019 Minutes until the next meeting. President Miller seconded the motion which passed unanimously.

FINANCIAL

After discussion and review of the bills, President Miller made a motion to approve payment of bills represented by check numbers 26330 through 26388. Commissioner Johnson seconded the motion which carried unanimously.

The Allocation of Funds through January 31, 2019 were reviewed and discussed. Commissioner O'Keefe made a motion to accept the Allocation of Funds through January 31, 2019. President Miller seconded the motion which passed unanimously.

ADMINISTRATOR'S MONTHLY REPORT

Administrator DeLuca shared due to the extreme cold temperatures this winter, there will be a spike in the heat bills.

Lift Station 2 is having problems. We're still trying to figure out what is going on with the new pump. It's possible that the internal pump has a hairline fracture. This problem is covered by the warranty.

The generator in Lift Station 8 is working great and we may be switching to these Kohler units in future. They are small, quiet and have technology that gives us good information.

Prior to getting quotes on the Lake Management Plan, we're going to meet with SEWERPAC in March. Charlie is also having conversations with Heidi Bunk at the DNR and she is leaning toward having SEWERPAC do the Lake Management Plan from a cost savings perspective. We are still planning to get more than one quote at this point. When Charlie gets back from vacation we will sit down with Heidi and SEWERPAC. When we get information together on the Lake Management Plan, Administrator DeLuca is going to ask the Commissioners to send it to the Town as the Town is the one that originally did the Lake Management Plan. DLSD can do the research however, we'll bring the information to the Commission with our recommendation. Commissioner O'Keefe made a motion to accept the Administrators Monthly Report as written. Commissioner Beers seconded the motion which passed unanimously.

LAKE COMMITTEE REPORT

Commissioner Beers shared the discussions that took place at the Lake Committee meeting. Administrator DeLuca was there and discussed the updated Lake Project Plan. No one at the Lake Committee Meeting mentioned that an updated Lake Project Plan is the responsibility of the Township.

In answer to Commissioner O'Keefe's question as to whether dredging is in the Lake Committee plans, it was noted that the watershed plans are the guiding principles and dredging is not yet on the plan. The priorities of that plan were not talked about at the last meeting, however Commissioner Beers will bring dredging of the ponds up the next time priorities of the plan are discussed. There was also a discussion about the Lily Pads. However, as there was no biological expert at the meeting, it was an exercise in speculation.

Commissioner O'Keefe requested that a copy of the most recent Lake Committee minutes be included in the Commissioner's meeting information packets going forward.

Commissioner O'Keefe inquired about the current balance in the Town of Delavan's Lakes Project Fund. Commissioner Beers shared that it was approximately \$300,000, the balance hasn't changed in several years. Commissioner O'Keefe stated that room tax is to fund lake projects.. He finds it interesting that the Lake Committee has an account balance of \$300,000 yet the lake maintenance in the Town budget is less than \$20,000. Commissioner Beers urged Commissioner O'Keefe to have a conversation with Ryan Simons in regard to this. He also shared that the \$300,000 came from creating a special

account outside of the budget at the time of the last dredging in order to have money available for a lake project. Room tax generates approximately \$40,000 of which \$16,000 goes to USGS and approximately another \$12,000 goes for some other report.

COMMENTS AND SUGGESTIONS OF CITIZENS PRESENT REGARDING AGENDA ITEMS

Several people representing the South Shore Bay Committee were at the meeting to learn more about the District's plans to purchase a property in their neighborhood to assist with weed harvesting as well as share their thoughts and concerns. Valerie Grohe shared that those present don't think that purchasing a residential property for the Sanitary District is its highest and best use. President Miller discussed the reasoning behind the consideration to purchase the property (harvesters which move slowly in the water and the time it takes to get to the west end of the lake being cost prohibitive) and that no offer has been made by DLSD as of yet. Attorney Stan Riffle shared the legal process that DLSD is obligated to follow. Frank Sciackitano shared that he is a land developer and requested additional information to help locate a more appropriate property to accomplish the District's goal. He and Administrator DeLuca exchanged business cards to facilitate the exchange of information. John Tourville shared that they received information that the land purchase was a "done deal" and this is why they came to the meeting. Those present were assured that it will be discussed at a public meeting if the District decides to move forward with the purchase. This is part of the legal process the District is obligated to follow.

DISCUSSION/POSSIBLE ACTION REGARDING LEAGUE INSURANCE R & R

Administrator DeLuca shared some options available if the Commission would like to make any changes to their insurance plan. A discussion took place and it was decided to keep the policy the same as last year. Commissioner Johnson made a motion to accept the renewal of R & R Insurance. Commissioner Reider seconded the motion which carried unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING ESTABLISHING DLSD PROPERTY VALUES

Administrator DeLuca shared while going over property values during the insurance renewal process, some values may need to be updated. A discussion took place and it was decided to have a valuation of buildings and equipment

done by Baxter and Woodman for accurate insurance coverage. Commissioner Beers made a motion to have an evaluation of buildings and equipment done. Commissioner Johnson seconded the motion which carried unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING CAPPING LAKE BUDGET

Commissioner O'Keefe would like to see the lake operations budget capped at 10% of DLSD revenue as lake operations expenses have come in under 10% the last few years. One of the reasons to have a cap would be so others don't keep coming to DLSD to fund various projects. This could also facilitate our looking more closely at quantifying the cost of weed and phosphorus removal and lead us to seek other options that are out there and/or become available. During the discussion some expressed that a cap is not necessary as keeping it at 10% can be done when going through the budget process.

DISCUSSION/POSSIBLE ACTION REGARDING DLIA MEMBERSHIP

Administrator DeLuca shared we received a membership card in the mail for the Delavan Lake Improvement Association. The membership cost is \$100 per year. Commissioner Johnson made a motion for DLSD to become a patron member of the DLIA for \$100. Commissioner Reider seconded the motion and the motion passed with a 4 aye 1 abstain vote. President Miller aye, Commissioner O'Keefe abstained, Commissioner Johnson aye, Commissioner Reider aye, Commissioner Beers aye.

DISCUSSION/POSSIBLE ACTION REGARDING REPLACEMENT OF 1996 CHEVY FUELING TRUCK

Administrator DeLuca shared the need to replace the current refueling truck due to age and rusting. The plan is to turn the truck that Eric is currently using into the refueling truck and get a new truck for Eric to drive. This is desirable as the young summer crew does drive the refueling truck to tow conveyors. Ewald has given us a very good price of \$40,058 for a 2019 Ford Truck with a plow and Linex undercoating. The old truck we are replacing will be sold putting a minimum bid on it. Commissioner Beers made a motion to adopt the proposal to purchase a 2019 Ford Truck from Ewald Automotive. President Miller seconded the motion which carried unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING LIFT STATION #9 COSTS ON VALVE PROJECT

Administrator DeLuca discussed the project and adjustments made to the JM Brennan billing. The original bid for JM Brennan to do the valve work at Lift Station #9 was \$9,300 with DLSD taking care of the bypass. Unfortunately, JM Brennan had the wrong size sleeve as they measured wrong. On their second attempt to get the job done, two sleeves were needed. However, one of the sleeves broke and the pump needed to be shut down again. Concerns regarding the JM Brennan crew resulted in our contacting Crane to come in and repair the leak using an upgraded style sleeve called the Flange Coupling Sleeve. They did this for a cost of \$3,767.80. The JM Brennan's bill will be amended charging us for the extra sleeve and crediting us for the extra Pat's by-pass attempt, the failed sleeve, Crane's mobilization charge to complete the job as well as a credit for 6 DLSD man hours. The total Administrator DeLuca is proposing to pay JM Brennan for their portion of the work is \$5,200. President Miller made a motion to approve payment to JM Brennan for the Lift Station #9 Valve Project no more than \$5,200. Commissioner Beers seconded the motion which passed unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING COMMISSIONERS' ATTENDANCE TO LAKE CONVENTION

There is a convention on February 28th and March 1st at Lake Lawn Lodge. The cost is \$140. Dale Robertson from USGS is giving a speech on the history of Delavan Lake. Commissioner Beers has expressed an interest in going and felt it may be beneficial for at least one, if not more, of the Commissioners to go. If two or more go it will need to be posted. It was requested that Commissioner Beers bring information back at the next meeting regarding the convention. After discussion, Commissioner Beers will be the only Commissioner attending the convention. President Miller made a motion to approve the sending Commissioner Beers to the Lake Convention being held at Lake Lawn Lodge February 28 and March 1, 2019. Commissioner Beers seconded the motion which carried unanimously.

CONSIDERATION OF FUTURE AGENDA ITEMS

It was suggested to put discussion of the pellets back on the agenda as Charlie should be at the next meeting as well as the USGS annual fee to be paid.

DISCUSSION/POSSIBLE ACTION OR CONFIRMATION OF NEXT MEETING DATE

The next regular meeting date is scheduled to be held on March 13, 2019 at 9:00 a.m.

ADJOURNMENT

There being no further items to discuss, Commissioner Reider made a motion to adjourn the meeting. President Miller seconded the motion which carried unanimously. The meeting adjourned at 12:08 a.m.



Kim O'Keefe, Secretary

Date Approved: 3/16/2019