

**DELAVAN LAKE SANITARY DISTRICT**

**MINUTES**

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**Regular & Closed Session**

**June 17, 2020**

**9:00 A.M.**

**CALL TO ORDER**

President Miller called the Regular & Closed Session 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  
Thomas Johnson, Commissioner  
David Reider, Commissioner  
Richard Beers, Commissioner

Absent: None

Other: Administrator Jim DeLuca  
Stan Riffle (Attorney)  
Doug Snyder (Engineer)

Visitors: George Fuller  
Katherine Gaulke  
Ryan Simons

**DECLARATION OF A QUORUM**

President Miller declared a quorum present for doing business.

**APPROVAL OF MINUTES OF REGULAR & CLOSED SESSION OF MAY 20, 2020**

After reviewing the Regular & Closed Session minutes of May 20, 2020, Commissioner Beers made a motion to approve the minutes as written. Commissioner Reider seconded the motion which passed unanimously.

## FINANCIAL

After a review and discussion of the bills represented by check numbers 27060 through 27106, a review of the Allocation of Funds through May 31, 2020 and the Financial Statements for periods ending May 31, 2020, Commissioner Reider made a motion to approve check numbers 27060 through 27106, accept the Allocation of Funds through May 31, 2020 and Financial Statements for periods ending May 31, 2020. Commissioner Beers seconded the motion which passed unanimously.

## ADMINISTRATOR'S MONTHLY REPORT

Administrator DeLuca shared lift station 4 was damaged in the last storm when trees went down on Alliant Energy's grid. We did turn in a claim to the insurance company. We are currently renting a generator at the cost of \$3,300 per month. We are waiting for Onan to come out and verify damage to the stator. If the stator has been damaged, we will have to replace the generator. Administrator DeLuca will keep the Commission informed on this situation.

Another issue he is dealing with is the cellular based phone and internet grid we are on through the Verizon network. The cell towers have been struggling to keep up with the demand. We were down for two days with no phone or internet capabilities and right now service is sparse. Spectrum will not run service to the District. Their service currently ends at Bailey Road. AT&T has a fiberoptic drop in front of our building and we are seeking a contractual rate which will need approval by the Commission. AT&T will not maintain their copper lines anymore and can switch us over to fiberoptic for free, however the monthly charge for 20 megabytes per second is \$555 per month, 50 megabytes per second is \$750 per month and 100 megabytes per second is \$950 per month. If we do choose one of these options, the phone and internet will switch over to fiberoptic. The thought is to keep some cellular, keep one or two copper lines as a backup and switch everything else to fiberoptic. Dan Romenesko has done this for 3 utilities already and is recommending we go with at least 50 megabytes per second. Once the contract from AT&T is received, he will send it to the Commissioners and call a special meeting.

## LAKE COMMITTEE REPORT

Katherine Gaulke shared the dredging permit has been filed with the DNR and they expect to hear something within a week as the DNR has 30 days to respond. Administrator Olson is working with Fay at the County to figure out additional permit needs. The UWW is presenting their study on the value of a

clean and healthy lake at Lake Lawn Lodge on August 5, 2020 from 7:30am to 9:00am. She is encouraging everyone to invite others to come to this event. The Lake Committee is working on updating the lake report and possibly creating a new dashboard for that.

#### **COMMENTS AND SUGGESTIONS OF CITIZENS PRESENT REGARDING AGENDA ITEMS**

None

#### **DISCUSSION/POSSIBLE ACTION – ONGOING LAKE MANAGEMENT**

None

#### **DISCUSSION/POSSIBLE ACTION REGARDING FULLER PROPERTY SEWER EXTENSION (FSS1 00046 & FSS1 00054)**

Mr. Fuller appeared before the Commission to request approval of a holding tank on parcel FSS1 00054 as he is planning to build a home on this parcel. The sewer main does not extend to his property and surrounding lot owners have no plans of building homes on their lots at present. Should the sewer get extended in future, Mr. Fuller would be required to connect to the District sewer at that time. Commissioner O'Keefe made a motion to allow Mr. Fuller to put in a holding tank with a Holding Tank Agreement entered between Mr. Fuller and the District. Commissioner Beers seconded the motion which passed unanimously.

#### **DISCUSSION/POSSIBLE ACTION REGARDING PAYMENT REQUEST #6 – LS#6 UPGRADE**

Engineer Doug Snyder reviewed the request for payment by Gilbank Construction, Inc. and has given his approval for payment of work completed to date. Commissioner O'Keefe made a motion to approve the payment request by Gilbank Construction, Inc. in the amount of \$27,671.60. Commissioner Beers seconded the motion which passed unanimously.

#### **DISCUSSION/POSSIBLE ACTION REGARDING COMMERCIAL ERU'S AND SEWER CHARGE POLICY**

After a brief discussion noting that businesses are open and people are returning to previous normal activity, Commissioner O'Keefe made a motion to return

charges to the pre-COVID-19 pandemic rates and charges effective July 1, 2020. President Miller seconded the motion which carried unanimously.

#### **DISCUSSION/POSSIBLE ACTION REGARDING BROWN'S CHANNEL STREAMBANK STABILIZATION ENGINEERING**

Administrator DeLuca discussed the work order presented by Baxter & Woodman for design and permitting of Brown's Channel streambank stabilization in the amount of \$14,500. The total cost for this watershed project could be between \$200,000 and \$300,000. The District owns 1,500 lineal feet of the streambank land that needs stabilization and can choose to continue with the project or donate the land to an organization that will continue working on the project. Commissioner Beers made a motion to approve the Baxter & Woodman design work order in the amount of \$14,500. The motion died as there was no second to the motion.

#### **DISCUSSION/POSSIBLE ACTION REGARDING TOOLCAT REPLACEMENT OR REPAIRS**

Administrator DeLuca shared the maintenance needs of the current Toolcat along with a quote received for replacing and trading the current Toolcat in. The Bobcat dealer gave us a quote of \$48,500 for a new Bobcat with a trade-in value of \$28,000 for the current Toolcat for a net cost of \$20,500. After a brief discussion President Miller made a motion to accept the \$20,500 quote from Bobcat of Janesville for a new Bobcat 5600. Commissioner O'Keefe seconded the motion which passed unanimously.

#### **DISCUSSION/POSSIBLE ACTION REGARDING TRAILER REPLACEMENT OR TRAILER REPAIRS**

Administrator DeLuca discussed the maintenance needs of the current trailer DLSD owns. The age of the trailer along with the possible need for a larger capacity trailer should we take on projects that would require one were taken into consideration when getting quotes for a new trailer. A+ Power Sports & Trailer Sales, LLC has given us a quote for a 2019 Diamond 24x82 14,900-pound full tilt trailer for \$7,799. Trading in the current trailer we will pay \$7,000 for this trailer. President Miller made a motion to approve the spending of \$7,000 on a 2019 Diamond trailer from A+ Power Sports & Trailer Sales, LLC. Commissioner Reider seconded the motion which passed unanimously.

**DISCUSSION/POSSIBLE ACTION REGARDING SCHEDULING BUDGET WORKSHOP DATES**

After a brief discussion, it was decided to have budget meetings one hour prior to the regular monthly meeting.

**CONSIDERATION OF FUTURE AGENDA ITEMS**

None

**DISCUSSION/POSSIBLE ACTION OR CONFIRMATION OF NEXT MEETING DATE**

The next regular meeting date is scheduled to be held on July 15, 2020 at 9:00 a.m.

**CLOSED SESSION**

Commissioner Beers made a motion that the commissioners, upon motion duly made and carried, will immediately convene to closed session. The purpose of the closed 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. Specifically, to be discussed is the performance and compensation of field and office staff.
- b. 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 potential litigation between the District and Walworth County related to County jurisdiction reversal on permit approval reversal and citations under the County Shore-land Zoning Ordinance concerning Lift Station 5 and Force Main Project.
- c. To 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 pursuant to Section §19.85(1)(e), Wisconsin Statutes. Specifically, to be discussed is the Memorandum of Understanding Agreement with the Town of Delavan regarding future lake operations.

President Miller seconded the motion, and a roll call vote showed all commissioners in favor of the motion.

**ADJOURNMENT**

There being no further items to discuss, Commissioner Beers made a motion to adjourn the meeting. President Miller seconded the motion which carried unanimously. The meeting adjourned at 10:53 a.m.



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Kim O'Keefe, Secretary

Date Approved: 7/15/2020