

DELAVAN LAKE SANITARY DISTRICT

MINUTES

Regular & Closed Session

November 20, 2024

9:00 A.M.

CALL TO ORDER

President Miller called the Regular and Closed Session 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
Ted Kasch, Commissioner
David Reider, Commissioner
Richard Beers, Commissioner

Absent: None

Other: Administrator, Jim DeLuca
Adam Handel
Ray Seitz
Eric Ritchey
Doug Snyder (Engineer)
Stan Riffle (Attorney)

Visitors: David Patzelt
Joe Wilburn
Brad Auguston

DECLARATION OF A QUORUM

President Miller declared a quorum present for doing business.

**APPROVAL OF MINUTES OF PUBLIC HEARING OF OCTOBER 30, 2024,
REGULAR MEETING OF OCTOBER 30, 2024**

After a review of the Public Hearing minutes of October 30, 2024, Commissioner Beers made a motion to waive the reading of the minutes and approve the

October 30, 2024, Public Hearing minutes as written. Commissioner O'Keefe seconded the motion which carried unanimously.

After a review of the Regular Meeting minutes of October 30, 2024, Commissioner Beers made a motion to waive the reading of the minutes and approve the October 30, 2024, Regular Meeting minutes as written. President Miller seconded the motion which carried unanimously.

FINANCIAL

After a review and discussion of the bills represented by check numbers 29561 through 29594, Allocation of Funds through October 31, 2024, and Financial Statements for periods ending October 31, 2024, Commissioner O'Keefe made a motion to accept payment of bills, Allocation of Funds, and Financial Statements as presented. Commissioner Kasch seconded the motion which passed unanimously.

ADMINISTRATOR'S MONTHLY REPORT

Nothing additional to add to the written report.

LAKE COMMITTEE REPORT

None

COMMENTS AND SUGGESTIONS OF CITIZENS PRESENT REGARDING AGENDA ITEMS

None

DISCUSSION/POSSIBLE ACTION – ONGOING LAKE MANAGEMENT

Adam is sending one of the harvesters up to Aquarius for repairs.

DISCUSSION/POSSIBLE ACTION REGARDING COPIER REPLACEMENT

Administrator DeLuca discussed quotes he received for purchasing a new copier which would save money on the per copy maintenance cost we are currently paying. After a review of the quotes, Commissioner O'Keefe made a motion to accept the October 21, 2024 proposal from Martin Group for our copier requirements. Commissioner Beers seconded the motion which carried unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING SHORES OF DELAVAN SUBSTANTIAL COMPLETION

Administrator DeLuca shared the Shores of Delavan – Phase 1 project is nearing completion and Shodeen Construction Company LLC is looking for a reduction in the letter of credit requirement. Doug from Baxter and Woodman mentioned the request being made by Shodeen does not follow the Developer's Agreement for the procedure for acceptance of their request. There is no paperwork to approve what is being asked. Doug is looking for a sworn statement showing the contractors that Shodeen hired, the suppliers the contractors hired, and the costs from all of them. Dave Patzelt from Shodeen needs to sign off on that statement prior to accepting lien waivers. Dave Patzelt shared his cost for connecting to the sewer came in less than what Doug calculated the cost to be, and that Doug would not accept Dave's costs. Also, reuse of some material that came from digging the trench reduced the cost of the project and Doug stated the letter of credit could be reduced because of this. To date, there has been no reduction in the letter of credit. Dave requested Doug send a copy of the letter that he is looking to receive so the letter of credit amount can be reduced. Doug stated he needs the paperwork to support Dave Patzelt's request. He cannot reduce the letter of credit on a verbal conversation and requested Dave follow the Developer's Agreement. Dave also discussed connecting the foundations to the existing sanitary system. Earlier he was denied connection as the air and mandrel test results had not been received. As those results have been received Dave was told connection to the existing sanitary system could be made now. Commissioner O'Keefe made a motion to reduce the letter of credit by 50 percent, contingent upon satisfaction of meeting Baxter and Woodman's November 12, 2024 letter signed by Doug with 14 items, is satisfied. Commissioner Beers seconded the motion which passed with a 4 aye, 1 nay vote. President Miller, nay, Commissioner O'Keefe, aye, Commissioner Kasch, aye, Commissioner Reider, aye, Commissioner Beers, aye.

DISCUSSION/POSSIBLE ACTION REGARDING 2508 NORTH SHORE DRIVE EASEMENT MODIFICATION

Administrator DeLuca discussed when a permit was issued by Walworth County for an addition at 2508 North Shore Drive the District sewer easement was overlooked and the addition is encroaching on our easement. The manhole associated with this sewer easement is a "dead end" manhole, only serving a few parcels. The owners have made a request to shift the easement and maintain a larger easement where the District may have to dig up the manhole in future. They have also provided a detailed drawing showing the requested easement shift. The other parcel owners are aware and in agreement with the

proposed easement shift. After a brief discussion Commissioner O'Keefe made a motion to accept the recommendation of Administrator DeLuca for easement modifications as presented in the plot survey provided, including total reimbursement of expenses and cooperation of property owner. Commissioner Reider seconded the motion which passed unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING CRANE TRUCK

The age of the current crane truck and the difficulties we deal with because it is not four-wheel drive have prompted the search for a new crane truck. Eric Ritchey discussed proposals being presented to the Commission for the purchase of a new crane truck. After further discussion Commissioner O'Keefe made a motion to accept the bid from Ewald Automotive Group and move forward with the purchase of the F-600 crane truck. Commissioner Kasch seconded the motion which carried unanimously.

CLOSED SESSION

President Miller made a motion that the commissioners, upon duly made and carried, will immediately convene to closed session. Commissioner Beers seconded the motion, a roll call vote was taken, and the motion passed unanimously. The purpose of the closed portion of the meeting is;

- a. To 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 or sales in the Town of Delavan.
- 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 the City of Delavan and Harbor Club.
- c. 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 Walworth County.
- d. 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 of and compensation of full-time staff.

RECONVENE IN OPEN SESSION

Commissioner O'Keefe made a motion to reconvene in open session at 10:23 a.m. The motion was seconded by Commissioner Reider which carried unanimously.

DISCUSSION/POSSIBLE ACTION ON ANY CLOSED SESSION MATTERS

None

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 December 13, 2024, at 9:00 a.m.

ADJOURNMENT

There being no further items to discuss, Commissioner Kasch made a motion to adjourn the meeting. Commissioner Beers seconded the motion which passed unanimously. The meeting adjourned at 10:25 a.m.


Kim O'Keefe, Secretary

Date Approved: December 13, 2024