

**DELAVAN LAKE SANITARY DISTRICT**

**MINUTES**

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**Regular & Closed Session**

**September 18, 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 (*via phone 9:07 to 9:30*)  
Ted Kasch, Commissioner  
David Reider, Commissioner  
Richard Beers, Commissioner

Absent: None

Other: Administrator, Jim DeLuca  
Adam Handel  
Ray Seitz  
Mitch Lepkowski  
Doug Snyder (Engineer)  
Stan Riffle (Attorney)  
Mary Knipper

Visitors: Brian Kelly

**DECLARATION OF A QUORUM**

President Miller declared a quorum present for doing business.

**APPROVAL OF MINUTES OF REGULAR MEETING OF AUGUST 21, 2024**

After a review of the Regular Meeting minutes of August 21, 2024, Commissioner Beers made a motion to waive the reading of the minutes and approve the August 21, 2024, Regular Meeting minutes as written. Commissioner Reider seconded the motion which carried unanimously.

**FINANCIAL**

After a review and discussion of the bills represented by check numbers 29467 through 29505, Allocation of Funds through August 31, 2024, and Financial Statements for periods ending August 31, 2024, Commissioner Beers made a motion to accept payment of bills, Allocation of Funds, and Financial Statements as presented. Commissioner Reider seconded the motion which passed unanimously.

**ADMINISTRATOR'S MONTHLY REPORT**

Nothing additional to add to the written report.

**LAKE COMMITTEE REPORT**

Mary Knipper thanked Commissioner Beers for offering to serve on the new subgroup of the Lake Committee that will be addressing policy and processes of testing for e-coli and blue green algae. She requested help from Adam or Administrator DeLuca to understand what is going on with the excessive weeds in the lake. Administrator DeLuca shared the challenges of harvesting and collecting the wild celery weed. It is a thin, slick reed that can float away quickly and at this time of year, the plant naturally releases from the bottom and forms floating mats on the water. We are working with Aquarius on special mesh for the harvester that helps pick up duck weed and may help pick up wild celery. The floating mats are not an indication of compromised water quality, currently the water clarity is very good. We will post what is happening on our website and send that explanation to Mary as well.

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

None

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

None

**DISCUSSION/POSSIBLE ACTION REGARDING SEWER CONNECTION AT 2214 NORTH SHORE DR.**

Mr. Kelly, the owner of 2214 North Shore Dr., requested this item be placed on the agenda so he could discuss the invoice he received. Administrator DeLuca gave Mr. Kelly a copy of the invoice as the one we sent certified had not yet been picked up. Mr. Kelly accepted the invoice copy and stated he had received it via email. Administrator DeLuca shared DLSD had to televise the main by this address, as it was connected on a Saturday, and discovered the required Inserta T for connection was not used. Mr. Kelly was advised prior to connecting that he could not do the work on a Saturday as no inspections take place on weekends, and was also informed of the necessity to use an Inserta T when connecting. This oversight and neglect compromised the DLSD sewer and required the pipe to be lined to protect it from the elements that cause corrosion and deterioration. Mr. Kelly was invoiced for the cost of the repairs, lining, legal fees, and the violation penalty. Mr. Kelly apologized for the inconvenience and difficulties he caused. He explained he lives approximately 2 hours away, is planning on moving into the home, and when he had an opportunity to do it on a Saturday, he chose to do so. He stated he did share with the guys doing the work that an Inserta T had to be used, and they believed they ordered what they thought was an Inserta T, not realizing they were incorrect. They also took pictures of and recorded their work. It was after this that he found out they used the wrong connection T. He apologized again and stated it was not done intentionally and requested relief on the penalty portion of the invoice. After further discussion the Commission stated they would be open to extending payment terms, but the penalty will remain as is. Commissioner Reider made a motion for the fine to be paid over a 30-month period with \$1,000 to be paid every 6 months. Commissioner Kash seconded the motion, and a vote was taken and failed with no Commissioner voting aye. Mr. Kelly requested 90 days to pay the invoice in full. Commissioner Beers made a motion to accept Mr. Kelly's offer to pay the entire invoice amount of \$13,977.95 within 90 days. Failure to pay within 90 days will result in the balance not paid bearing interest at 6% which will then continue to accrue interest and if not completely paid by November 15, 2025, will be placed as a delinquent special charge on the tax bill. Commissioner Reider seconded the motion which passed unanimously.

#### **DISCUSSION/POSSIBLE ACTION REGARDING CONNECTION FEE CHARGES FOR 2025**

Administrator DeLuca shared the DLSD current connection fee is \$2,850 per ERU connection and requested clarification as to whether the rate should be increased or remain the same. After further discussion, the Commission agreed that the rate should be increased to \$3,000 per ERU connection.

**DISCUSSION/POSSIBLE ACTION REGARDING DLIA CARP DERBY/AWARDS PROGRAM**

DLIA has requested additional funding for the Carp Derby Awards Program as the program has been very successful at removing the carp population from the lake and they would like to encourage greater participation. Every contributor to the program is being asked to increase their contribution. Commissioner Beers made a motion to approve the \$3,500 requested Carp Derby Awards Program contribution. Commissioner Kasch seconded the motion which passed with a 3 aye and 1 nay vote. President Miller, nay, Commissioner Kasch, aye, Commissioner Reider, aye, Commissioner Beers, aye.

**DISCUSSION/POSSIBLE ACTION REGARDING GENERATOR FOR LS#7**

There have been delays in the past when ordering generators and Administrator DeLuca would like to preorder the generator for LS#7. A quote has been received with a delivery date of approximately 22 to 26 weeks out. Doug shared this decision needs to be made as he plans to have bids into the District for this project by mid-November of this year. Commissioner Beers made a motion to approve the purchase of the generator not to exceed \$31,000 plus freight costs. Commissioner Kasch seconded the motion which passed unanimously.

**DISCUSSION/POSSIBLE ACTION REGARDING ENGINEERING WORK ORDER – LS#7 REPLACEMENT**

Doug of Baxter and Woodman presented a work order for the LS#7 replacement concept plan he shared at last month's meeting that included a cost of approximately \$1,000,000. The work order is for \$89,000 for the planning, design, site visits, bidding, and administration of the project. Commissioner Beers made a motion to approve the work order dated September 6, 2024, for Delavan Lake Sanitary District LS#7 replacement. President Miller seconded the motion which carried unanimously.

**CLOSED SESSION**

Commissioner Beers made a motion that the commissioners, upon duly made and carried, will immediately convene to closed session. President Miller 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.

#### **RECONVENE IN OPEN SESSION**

Commissioner Beers made a motion to reconvene in open session at 10:47 a.m. The motion was seconded by Commissioner Reider which carried unanimously.

#### **DISCUSSION/POSSIBLE ACTION ON ANY CLOSED SESSION MATTERS**

None

#### **DISCUSSION/POSSIBLE ACTION REGARDING 2025 BUDGET WORKSHOP**

As the State of Wisconsin does not release the final equalized value until October 1, 2024, the Commission decided to set a special meeting on October 3, 2024, to finalize the District's 2025 budget.

#### **CONSIDERATION OF FUTURE AGENDA ITEMS**

None

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

A special meeting date is scheduled to be held October 3, 2024, at 9:00 a.m. The next regular meeting date is scheduled to be held on October 30, 2024, immediately following the Public Hearing being held at 9:00 a.m.

#### **ADJOURNMENT**

There being no further items to discuss, Commissioner Kasch made a motion to adjourn the meeting. Commissioner Reider seconded the motion which carried unanimously. The meeting adjourned at 11:58 a.m.

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Kim O'Keefe, Secretary

Date Approved: October 30, 2024