

DELAVAN LAKE SANITARY DISTRICT

MINUTES

Regular & Closed Session

April 20, 2022

8:30 A.M.

CALL TO ORDER

President Miller called the Regular & Closed Session meeting to order at 8:30 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
Richard Beers, Commissioner
Ted Kasch, Commissioner

Absent: David Reider, Commissioner

Other: Administrator Jim DeLuca
Charlie Handel
Ray Seitz
Mitch Lepkowski
Doug Snyder (Engineer)
Stan Riffle (Attorney)

Visitors: Mary Knipper
Richard Mann

DECLARATION OF A QUORUM

President Miller declared a quorum present for doing business.

CLOSED SESSION

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

- a. For deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, when competitive or bargaining reasons require a closed session pursuant to

Section §19.85(1)(e), Wisconsin Statutes. Specifically, to be discussed is the Intergovernmental Agreement with the City of Delavan.

- b. To consider, deliberate, or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, when 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.

Commissioner Beers seconded the motion and a roll call vote showed all commissioners in favor of the motion.

RECONVENE IN OPEN SESSION

Commissioner O'Keefe made a motion to reconvene in open session. The motion was seconded by Commissioner Beers and passed unanimously.

DISCUSSION/POSSIBLE ACTION ON ANY CLOSED SESSION MATTERS

Commissioner O'Keefe made a motion to execute the Intergovernmental Agreement with the City of Delavan upon receipt and approval by the District Administrator, Engineer, and Attorney, of the legal description for the area to be serviced. Commissioner Miller seconded the motion which passed unanimously.

APPROVAL OF MINUTES OF REGULAR MEETING OF MARCH 9, 2022

After review of the Regular Meeting minutes of March 9, 2022, Commissioner Beers made a motion to approve the March 9, 2022 Regular Meeting minutes as written and Commissioner Kasch seconded the motion which passed unanimously.

FINANCIAL

After a review and discussion of the bills, Commissioner Kasch made a motion to approve payment of bills represented by check numbers 28106 through 28160. Commissioner O'Keefe seconded the motion which carried unanimously.

Administrator DeLuca reviewed the Allocation of Funds through March 31, 2022, and the Financial Statements for periods ending March 31, 2022. Commissioner O'Keefe made a motion to accept the Allocation of Funds through March 31, 2022, and Financial Statements for periods ending March 31, 2022. Commissioner Beers seconded the motion which carried unanimously.

ADMINISTRATOR'S MONTHLY REPORT

Administrator DeLuca shared the Lift Station #9 generator that is on order and was expected by the end of April has been moved to November. The District did get the transfer switch and will be able to get the electrical work done. Total Energy will install the transfer switch.

He also shared that DNR permitting revisions are still in the discussion stage. There is another meeting on May 20, 2022 that Charlie is planning on attending.

LAKE COMMITTEE REPORT

Mary Knipper shared the Lake Committee is waiting for Baterman Engineering to complete their review so they can PE stamp Peter Berini's work and the Town can submit it to the DNR. In May and June, the Lake Committee will be focused on getting the engineering design out to request for quotes from dredging companies for pricing and availability. They are hoping to be on site prepping by the end of June and starting July 1st through September 30th to do the dredging.

COMMENTS AND SUGGESTIONS OF CITIZENS PRESENT REGARDING AGENDA ITEMS

Richard Mann discussed his concern with the low water level in the inlet, the increasing bottom level of the lake, and frustration with the management of the lake level as he doesn't understand how it is measured and questions the accuracy of the measurements. Charlie and Commissioner Beers explained the process that is followed, and Commissioner Beers suggested we update our website to include this information. Mary Knipper also shared a meeting that was being set up to address issues lake residents have and encouraged Mr. Mann to attend.

DISCUSSION/POSSIBLE ACTION – ONGOING LAKE MANAGEMENT

Charlie has a full crew for harvesting this year.

DISCUSSION/POSSIBLE ACTION REGARDING ILLEGAL LATERAL CONNECTIONS

Administrator DeLuca shared one leak was repaired.

DISCUSSION/POSSIBLE ACTION REGARDING LS#4 REMODEL – CONTRACT B BIDS

Doug Snyder shared we received the easement and commitment from Ravenswood that we were waiting for. He would like the Commission to move forward with awarding Payne and Dolan Contract B for the base bid amount of \$69,908 plus Alternate D in the amount of \$10,410 for a total contract value of \$80,318 contingent on environmental permits and easement documents. Commissioner Beers made a motion to award Contract B including Alternate D for a total amount of \$80,318 contingent on environmental permits and easement documents. Commissioner O'Keefe seconded the motion which carried unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING BROWNS CHANNEL GAUGING STATION ISSUES

Administrator DeLuca shared we are still waiting for the appraisal. There are some flood plain issues and the appraiser needs additional time for research. He believes we should have the information by next meeting.

DISCUSSION/POSSIBLE ACTION REGARDING CHANGE ORDER NO. 1 – LS#3A REPLACEMENT

Doug Snyder requested the Commission approve Change Order No. 1 for the LS#3A Replacement project. He shared the final change order brings the contract by Staab Construction down \$10,904 from the actual bid price. Commissioner Beers made a motion to approve Change Order No. 1. President Miller seconded the motion which passed unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING FINAL PAYMENT REQUEST – LS#3A REPLACEMENT

Doug Snyder recommended final payment to Staab Construction Company in the amount of \$22,680.25 for the LS#3A Replacement project. Commissioner O'Keefe made a motion to approve the Staab Construction Company payment recommendation letter dated March 22, 2022 for Lift Station 3A Replacement in the amount of \$22,680.25. President Miller seconded the motion which passed unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING HIGHWAY O PIPE REHABILITATION

Ray shared meetings he and Doug Snyder had with the gas company and the County revealed more options and opportunities to consider for the rehabilitation project. While they are presenting 6 options, he and Doug both agree that option number 6 is the best alternative. The reason they chose option number 6 over the lower cost options is you will be getting a pipe that will last a lifetime longer for a slight increase in cost. The gas company is willing to move out of our way at no additional cost once we send them a letter. Doug would like to bring this back next month as Baxter and Woodman is working for the County and the County will be getting the preliminary survey for the area roadway done. He would like to put a relocation order in with the gas company to see if they are still willing to move out of our way. Commissioner Beers made a motion to authorize Doug to petition the gas company to relocate their gas line. Commissioner O'Keefe seconded the motion which carried unanimously.

DISCUSSION/POSSIBLE ACTION REGARDING SEWER EXTENSION PROJECTS

Administrator DeLuca shared property owners in the Junior Terrace area would like to build homes. Doug Snyder stated the District should not give them the option of a mound system as the homes will be in an area close to the lake. It is so densely populated that the District is better off putting in a sewer extension. Administrator DeLuca shared there is one existing home with a holding tank agreement. Others are now requesting a holding tank as well. As the Commission must approve each holding tank agreement, he thought to bring the option of extending the sewer to this area before the Commission. Doug has submitted a couple of options. Option 1 is a low-pressure sewer service and option 2 is gravity service. If the Commission is willing to put the sewer in, additional research needs to be done. Commissioner O'Keefe made a motion to authorize Baxter and Woodman to develop plans for option 1. Commissioner Beers seconded the motion which passed unanimously.

Another area where several property owners are considering building homes is the Broad Street and Wood Avenue area. Doug Snyder encouraged the Commission to consider extending sewer to that area also. Commissioner O'Keefe made a motion to authorize Baxter and Woodman to develop sewer extension plans for the Broad Street and Wood Avenue area. Commissioner Kasch seconded the motion which passed unanimously.

DISCUSSION POSSIBLE ACTION REGARDING READER DEVELOPMENT

Doug Snyder shared Michael Reader is currently developing plans and just got a developer's agreement. There is nothing to act on now. Mr. Reader sent a letter dated October 19, 2021 where he laid out a concept drawing and is following what was laid out in the concept drawing. The District gave concept approval to move forward at that time.

DISCUSSION POSSIBLE ACTION REGARDING BOUNDARY ADJUSTMENT AND SEWER CONNECTION

Administrator DeLuca shared that Charlie Pearce owns the land across the street from the District office as well as several other parcels. His sanitary system has failed, and he would like to connect to the District but is outside of the boundaries. He is willing to do a boundary adjustment but before he spends any money, he would like to know if the District will allow the connection. Mr. Pearce stated he does not plan on developing the land anytime soon but is planning to put two homes on one parcel. Doug shared what Mr. Pearce is talking about is within our study area for sewer and is a good idea. He also shared it is a physical connection that will get abandoned in the future at the time the land gets developed, should Charlie Pearce decide to develop the land. Restrictions can be placed in the agreement and recorded in the title. Richard Beers made a motion to allow the sewer connection in concept proposed by Charles Pearce and to have him establish agreements with the District to move forward. Commissioner O'Keefe seconded the motion which carried unanimously.

DISCUSSION POSSIBLE ACTION REGARDING CAPITAL REPLACEMENT/PROJECTS

Administrator DeLuca discussed a list of projects put together to help paint a picture of what the District is facing due to an aging system and equipment. This will be helpful at budget time when decisions need to be made. What can be seen is there are over \$5,000,000 in expenditures. Commissioner O'Keefe shared we may need to look at financing for sewer extensions as funds also need to be kept in reserve for catastrophic events. Administrator DeLuca will investigate financing options.

DISCUSSION POSSIBLE ACTION REGARDING DUST COLLECTION SYSTEM FOR SHOP

Administrator DeLuca shared the dust collection system is a safety item Charlie is interested in acquiring as they do use chemicals when grinding and doing

maintenance on the harvesters during the off season. This would collect the dust so workers do not breathe the dust in. President Miller has one he is willing to sell for \$1,500 that still looks like new. That same dust collector new sells for between \$5,000 to \$6,000. Commissioner O'Keefe made a motion to approve the purchase of the Gyroair G-700 Dust Processor in the amount of \$1,500. Commissioner Beers seconded the motion which passed with a 3 aye, and 1 abstain vote. President Miller, abstain, Commissioner O'Keefe, aye, Commissioner Kasch, aye, Commissioner Beers, aye.

DISCUSSION POSSIBLE ACTION REGARDING CLEAN SWEEP PROGRAM CONTRIBUTION

Clean Sweep is a Walworth County program to protect the environment from hazardous waste that the District has donated to in past years. Commissioner O'Keefe made a motion to donate the same amount the District donated last year. President Miller seconded the motion which passed with a 3 aye and 1 abstain vote. President Miller, aye, Commissioner O'Keefe, aye, Commissioner Kasch, aye, Commissioner Beers, abstain.

DISCUSSION POSSIBLE ACTION REGARDING DLIA MEMBERSHIP

Commissioner Beers made a motion to become a \$100 Patron Member of the Delavan Lake Improvement Association. Commissioner Kasch seconded the motion which passed with a 3 aye and 1 abstain vote. President Miller, aye, Commissioner O'Keefe, abstain, Commissioner Kasch, aye, Commissioner Beers, aye.

CLOSED SESSION

Commissioner Kasch 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 carried unanimously. The purpose of the closed portion of the meeting is for deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, when competitive or bargaining reasons require a closed session pursuant to Section §19.85(1)(e), Wisconsin Statutes. Specifically, to be discussed is the Intergovernmental Agreement with the Town of Delavan regarding future dredging operations.

RECONVENE IN OPEN SESSION

Commissioner O'Keefe made a motion to reconvene in open session at 11:15 a.m. The motion was seconded by Commissioner Kasch which carried unanimously.

DISCUSSION/POSSIBLE ACTION ON ANY CLOSED SESSION MATTERS

None

CONSIDERATION OF FUTURE AGENDA ITEMS

A closed session to discuss the possible purchase or sale of public properties.

DISCUSSION/POSSIBLE ACTION OR CONFIRMATION OF NEXT MEETING DATE

The next regular meeting date is scheduled to be held on May 12, 2022 at 9:00 a.m.

ADJOURNMENT

There being no further items to discuss, Commissioner O'Keefe made a motion to adjourn the meeting. Commissioner Kasch seconded the motion which passed unanimously. The meeting adjourned at 11:22 a.m.

Kim O'Keefe, Secretary

Date Approved: _____