

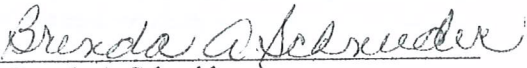
The St. Peter Sanitary District Commission met on Wednesday, January 9th, 2002, at 6:00 p.m. at the Taycheedah Town Hall for the purpose of conducting the January monthly meeting. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present were Glen Viercant and Eric Rakers, Foth & Van Dyke.

The Chairman called the meeting to order and announced the agenda for the meeting.

Mike Freund motioned to approve the minutes of the November monthly meeting as presented, seconded by Adolph Schneider. Motion carried (3-0).

1. Review and possible approval of the preliminary design for construction of the sewer system. The Commission and Foth & Van Dyke reviewed the concerns, issues and questions from the initial review conducted at the November meeting. Summary of comments attached.
2. Report on individual service requests that have been received.
Holzbach/Abler could be serviced by grinder pump
Gau could be serviced by grinder pump to the south
Treffert/Brusky service would not be cost-effective
3. Discussion and possible approval of a Financial Advisor for the District. The Commission discussed the qualifications of Ehler's & Associates, Baird, and Virchow Krause. The Secretary was instructed to schedule interviews with the three firms within the next two weeks.
4. Consideration of a resolution Declaring Official Intent to Reimburse Expenditures for Clean Water Fund Project. Jim Hovland motioned to adopt the resolution as presented by Foth & Van Dyke, seconded by Mike Freund. Motion carried (3-0).
5. Resolution to ratify the opening of a District checking account and money market account. Mike Freund moved to ratify the opening of a checking account and money market account, seconded by Adolph Schneider. Motion carried (3-0).
6. Approval of bills. Adolph Schneider motioned to approve the bills as submitted (nos. 12-15), seconded by Mike Freund. Motion carried (3-0). Jim Hovland motioned to authorize Brenda Schneider to transfer \$27,684.51 from the money market account to the checking account, seconded by Adolph Schneider. Motion carried (3-0).
Adolph Schneider motioned to adjourn, seconded by Mike Freund. Motion carried (3-0).

Attest



Brenda A. Schneider
Recording Secretary

January 18th, 2002

St. Peter Sanitary District

1.

The St. Peter Sanitary District Commission met on Friday, January 18th, 2002, at 1:00 p.m. at the Taycheedah Town Hall for the purpose of interviewing candidate firms for the position of District Financial Advisor. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider.

The Chairman called the meeting to order.

The Commission interviewed Dave Wagner of Ehler's & Associates at 1:00.

Interview summary:

- Ehler's would sell bonds publicly for the District
- An auditor usually comes in prior to or during construction
- Ehler's would assist in assessment formulation
- Wagner is very experienced with meetings on behalf of sanitary districts
- Fees vary depending upon method of financing
- Fees include travel, materials, bond resolution, etc.

Vick Hellenbrand, of Virchow Krause was interviewed at 2:00.

Interview summary:

- VK does not issue bonds
- Financial consulting firm that would evaluate different funding methods
- Knowledge of the statutes, GASB 34 and the sewer agreement with the City of Fond du Lac
- Would attend public hearings and explain the bookkeeping
- Would forecast future financial impact to the property owners
- Would study all costs to a developer for a new subdivision

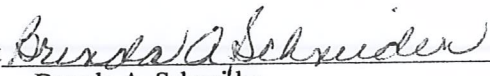
The Commission interviewed Brad Viegut and Paul Patrie from Baird at 3:00.

Interview summary:

- Bonds would be bid by underwriters, who then resell the bonds
- Doesn't get involved with special assessment development but would work jointly with Foth
- Fees would be paid only if project is funded through GO or Revenue Bonds.

Interviews completed at 3:45. The Commission discussed the pros and cons of each firm. It was decided to request a list of references from Baird and the fee schedule from Ehler's. The Commission agreed to postpone their decision until the Wednesday, January 23rd, at 5:00 p.m..

Attest



Brenda A. Schneider
Recording Secretary

January 23rd, 2002

St. Peter Sanitary District

1.

The St. Peter Sanitary District Commission met on Wednesday, January 23rd, 2002, at 5:00 p.m. at the Taycheedah Town Hall for the purpose of selecting a firm for the position of District Financial Advisor. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider.

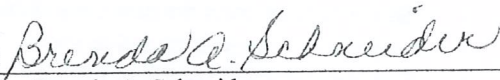
The Chairman called the meeting to order.

The Commission reviewed Ehler's fee schedule, Baird's reference list and Attorney Bullon's comments.

The Commission agreed that Ehler's was more experienced with sanitary project and would be best apt to handle public presentations. Virchow Krause would be more useful in the future. Mike Freund motioned to award the project to Ehler's & Associates, seconded by Adolph Schneider. Motion carried (3-0).

Adolph Schneider motioned to adjourn, seconded by Mike Freund. Motion carried (3-0).

Attest



Brenda A. Schneider
Recording Secretary

January 31st, 2002

St. Peter Sanitary District

1.

The St. Peter Sanitary District Commission met on Thursday, January 31st, 2002, at 1:00 p.m. at the Taycheedah Town Hall for the purpose of meeting with Ehler's & Associates, the District Financial Advisor and Foth & Van Dyke to discuss the sewer project. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present were Glen Vierkant and Eric Rakers from Foth & Van Dyke, and Dave Wagner and Phil Cossons from Ehler's & Associates.

The Chairman called the meeting to order.

The group discussed the following topics:

- Project cost estimates,
- Special assessment methods,
- Project construction timeline,
- Clean Water Funding requirements and the 2/3rds Rule,
- Current funding established,
- Easements needed for the project construction,
- Sewer service costs for new developments,
- Lateral component included in special assessments,
- Financial timetable requires 120 days to process before the project can be bid,
 - Tentative schedule:
 - March 31st, DNR determination of the 2/3rds rule,
 - April 15th, finalize financial plan and mail notices,
 - May 15th, public hearing,
 - 90-day appeal period to end in mid August.

The Commission, Foth & Van Dyke and Ehler's scheduled the following workshop meetings:

Thursday, February 21st at 2:00 p.m.

Thursday, February 28th, at 2:00 p.m.

Minutes of the January 9th, January 18th and January 23rd meetings were reviewed. Adolph Schneider motioned to approve the minutes as submitted, seconded by Mike Freund. Motion carried (3-0).

A petition for sewer service was reviewed. The request would add the Edgewood Lane, Horizon Court and Hillcrest area. The petition encompassed Evergreen Court, Sunset Drive and the Edgewood, Horizon and Hillcrest area. The entire area was the original Area A established by Foth & Van Dyke. Owners representing 51.65% of the total properties sign the petition (47 out of 91 lots); seven out of 31 from the Edgewood, Horizon, Hillcrest area. The additional area would require eight critical easements. Adolph Schneider motioned to add the Edgewood, Horizon, Hillcrest area to Phase I of the sewer service area of the project. Motion died for lack of a second. Jim Hovland motioned to table consideration of the petition in order to allow Ehler's time to further evaluate the financial impact, seconded by Mike Freund. Motion carried (2-1). Adolph Schneider voted nay.

Mike Freund motioned to adjourn the meeting, seconded by Adolph Schneider. Motion carried (3-0).

Attest Brenda A. Schneider
Brenda A. Schneider
Recording Secretary

**RESOLUTION CONSENTING TO ADMISSION OF
ST. PETER SANITARY DISTRICT OF THE TOWN OF TAYCHEEDAH
AS A PARTY TO THE 2000 WASTEWATER AGREEMENT**

TOWN OF TAYCHEEDAH

RECITALS

WHEREAS, the Town is a party to the 2000 Wastewater Agreement ("the Agreement") between the Sewer User's Group Tributary to the City of Fond du Lac Regional Wastewater Treatment Facility ("the OSG") and the City of Fond du Lac; and

WHEREAS, the St. Peter Sanitary District ("St. Peter") has previously been admitted as a member of the OSG and has requested that it be admitted as a Party to the Agreement; and

WHEREAS, the Town of Taycheedah has previously purchased capacity in the Shared Regional Facilities that will be purchased and used by St. Peter; and

WHEREAS, the admission of St. Peter as a Party to the Agreement will not adversely affect any current Parties to the Agreement, Shared Sewers or the Shared Regional Facilities; and

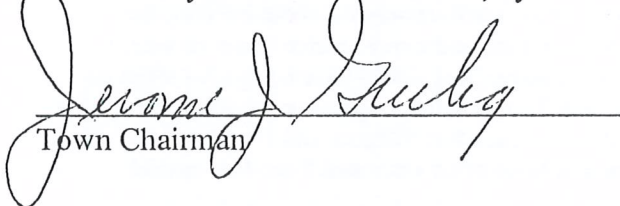
WHEREAS, St. Peter meets the criteria under the Agreement for admission of a new Party, subject only to the consent and approval of current Parties;

RESOLVED

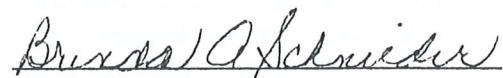
The Town consents to and approves the admission of the St. Peter Sanitary District as a Party to the 2000 Wastewater Agreement.

Adopted this 12 day of Feb., 2001. ~~2002~~

Town of Taycheedah Town Board, by:


Town Chairman

Attest:


Town Clerk

The St. Peter Sanitary District Commission met on Thursday, February 21st, 2002, at 2:00 p.m. at the Taycheedah Town Hall for the purpose of conducting a workshop meeting with Ehler's & Associates, the District Financial Advisor and Foth & Van Dyke to discuss the sewer project. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present were Glen Vierkant from Foth & Van Dyke, and Dave Wagner from Ehler's & Associates.

The Chairman called the meeting to order.

Nett Land & Development, Inc., submitted a letter requesting dated February 13, 2002, requesting a joint meeting between them and their engineer and for the Commission to discuss the extension of sewer service to their upcoming subdivision project. The Town Board approved the Preliminary Plat of Hawk's Landing on February 12th, 2002. The Commission discussed the need to adopt a sewer use ordinance and determine the issues involved with getting the pipe to the property.

Glen Vierkant obtained an aerial map from May of 1972 from East Central Regional Planning. Glen evaluated the map to determine whether or not 2/3rds of the homes located within the area of greatest need, as determined by the DNR, were built prior to October 17th, 1972. The May 12th, 1972 map was one house short. Secretary Brenda Schneider contacted the Fond du Lac County Code Enforcement Department. The Department was able to provide five addresses, within the area of need, issued septic permits between May 12th and October 17th, 1972. It appears the District will be able to meet the 2/3rds rule required by the Clean Water Fund. The Fund would loan money to the District at a low interest rate. The other Fund requirement of affordability is yet to be determined.

The Clean Water Fund will fund certain expenses. The entire project currently totals \$9.6 million. Foth and Ehler's estimated the Clean Water Fund eligible costs to be \$4.3 million. The Fund considers the treatment capacity cost and the rebates as ineligible costs.

The District's borrowing capacity was discussed. The current equalized value of the District is \$99 million. A typical note is for 20 years. Rural Development will loan for 40 years, however, strict mandates are required. Special Assessment B Bonds/Revenue Bonds would have a District borrowing capacity of approximately \$5.5 million. General Obligation Bonds are limited to 5% of the District's value. Therefore, the District's borrowing capacity with GO Bonds is limited to approximately \$4.5 million. If the DNR determines the District is ineligible for funding through the Clean Water Fund, the District's borrowing capacity is limited to approximately \$10 million. Therefore, the District has limited ability to approve additional sewer service extensions, limited ability to defer assessments on vacant lots and no ability to defer assessments on new developments. Dave Wagner noted that pre-paid special assessments would create some wiggle-room with the borrowing capacity. The more the District levies in special assessments, the greater the increase in borrowing capacity.

The Commission discussed the need to be careful that the special assessment on a vacant lot does not exceed the value of the property. They also discussed extensions to new developments. Dave Wagner stated that a few of the District's he has worked with had become up owners of vacant land due to the owner not paying the special assessment. He also stated that the developer would probably need to obtain his own financing.

Mike Freund commented that the Commission still needs to determine how to handle the special assessments on vacant lots. They need to decide whether or not the special assessment will be defer or not. The general consensus of the Commission was to proceed on a per lot basis. Mike Freund would like to see it based on a front-foot with a minimum/maximum frontage. Mike is also concerned about infilling the vacant lots and the fact that certain property owners will pay a mil tax and never receive sewer service. Dave Wagner stated the District could reduce the boundary, however, that would have a negative effect on the borrowing capacity. He also suggested the possibility, with Town Board cooperation; a utility district could be formed. The utility district could be taxed at a different rate. Dave Wagner and Glen Vierkant will work together segregating costs and working the numbers on a basis of an estimated front-foot special assessment. He warned that special assessments based upon front-foot cost more to develop and administer.

Commission questions:

-Is it better, for borrowing capacity purposes, to sewer the area in Phases? Mr. Wagner didn't know. In general, the District should sewer all the areas it can possibly afford. Sewering the entire District is out of the question, at this time.

February 21st, 2002

St. Peter Sanitary District

2.

-Can a hook-up charge be charged in addition to a deferred assessment? Mr. Wagner answered yes. He also suggested some type of escalating factor over time. Any deferred assessments received upon construction should be applied to the debt by reducing the tax levy and/or user fees.

The Commissioners agreed to cancel the February 28th meeting. The next workshop meeting was scheduled for March 14th, at 2:00. Foth and Ehler's will calculate the financial methodology before the next meeting.

The Nett Land & Development sewer service request was discussed further. Mike Nett attended as the representative. Mike Nett requested a meeting date in the future with them and their engineer.

Adolph Schneider motioned to adjourn the meeting, seconded by Mike Freund. Motion carried (3-0).

Attest Brenda A. Schneider
Brenda A. Schneider
Recording Secretary

The St. Peter Sanitary District Commission met on Thursday, February 21st, 2002, at 5:00 p.m. at the Taycheedah Town Hall for the purpose of conducting a general meeting. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present was Glen Vierkant from Foth & Van Dyke.

The Chairman called the meeting to order.

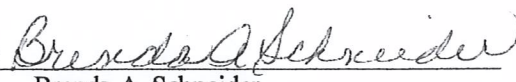
The minutes of the January 31st meeting were reviewed. Mike Freund motioned to approve the minutes as presented, seconded by Adolph Schneider. Motion carried (3-0).

Agenda

- 1) Consideration of adding the remainder of the original Area A (Hillcrest, Edgewood & Horizon Ct.) to the Phase 1 sewer service area. The petition for a sewer service extension was reviewed. The request would add the Edgewood Lane, Horizon Court and Hillcrest area. The petition encompassed Evergreen Court, Sunset Drive and the Edgewood, Horizon and Hillcrest area. The entire area was the original Area A established by Foth & Van Dyke. Owners representing 53.8% of the total properties sign the petition (49 out of 91 lots). The additional area would require eight critical easements. Adolph Schneider motioned to add the Edgewood, Horizon, Hillcrest area to Phase I of the sewer service area of the project. Mike Peebles submitted a letter in support of the addition. The secretary read the letter. Mike Peebles has also signed the petition since the last meeting. Spike Clarenbach, Fond du Lac County Code Enforcement Agent was present for the meeting. Spike's opinion was that the extension is logical and in the best interest of the District. There are a variety of soils in the area. There are also some older homes in the area. Adolph Schneider motioned to add the Edgewood Drive, Horizon Court and Hillcrest Lane area to Phase 1 as presented by petition, seconded by Jim Hovland. Mike Freund discussed the number of rebates the area would be entitled to, the borrowing capacity limitations and a desire to allow Ehler's more time to calculate costs. Motion carried (2-1). Mike Freund voted nay.
- 2) Consideration of authorizing the Town Clerk to sign an affidavit of sewer service as requested by the Wisconsin Department of Administration for the Glacier Ridge subdivision. Jim Hovland motioned to table consideration of signing the affidavit to the next meeting, seconded by Mike Freund. Motion carried (3-0).
- 3) Report by Ehler's & Assoc., the District's Financial Advisor. Dave Wagner from Ehler's & Associates had to leave prior to the 5:00 meeting. Glen Vierkant from Foth & Van Dyke presented a brief update pertaining to the borrowing capacity issue and the intent to develop methods of special assessment for improved and unimproved lots prior to the next meeting.
- 4) Discussion of correspondence received pertaining to individual sewer service. Dr. Treffert's most recent letter is dated 07/29/01. Dr. Treffert's area is not in Phase 1. The area is an expensive area to service. The borrowing capacity of the District was again discussed. At District may not be financially able to sewer Dr. Treffert's area. Dick Blamey would also like to have the sewer extended through Ledgeview Springs subdivision. Ledgeview Springs is also an expensive area to service. Dr. Warren Post, also a resident of Ledgeview Springs voiced his concern about public health. A high percentage of the homes in the subdivision are older. Ray Donahue, resident of Ledgeview Springs presented a 'petition' signed by representatives of 8 homes. The 'petition' takes the stance that sewer would bring population density increase and property value decrease. There was further discussion of groundwater contamination, special assessments, the treatment of vacant lots and the timing of the Hwy. 149-improvement project.
- 5) Approval of bills. Mike Freund motioned to approve the bills as submitted (order nos. 16-20), seconded by Adolph Schneider. Motion carried (3-0). Adolph Schneider motioned to transfer \$30,900.00 from the Money Market account to the general checking account, seconded by Mike Freund. Motion carried (3-0).

Mike Freund motioned to adjourn the meeting, seconded by Jim Hovland. Motion carried (3-0).

Attest


Brenda A. Schneider
Recording Secretary

The St. Peter Sanitary District Commission met on Thursday, March 14th, 2002, at 2:00 p.m. at the Taycheedah Town Hall for the purpose of conducting a workshop meeting with Ehler's & Associates, the District Financial Advisor and Foth & Van Dyke to discuss the sewer project. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present were Glen Vierkant from Foth & Van Dyke, Dave Wagner from Ehler's & Associates and the District's Attorney Kathryn Bullon.

The Chairman called the meeting to order.

Jerry Guelig, Town Chairman requested to make a few statements. Mr. Guelig stated that he has received numerous questions about the project. He feels the Commission needs to move forward with the project. The District needs to come to a positive conclusion soon. Mr. Guelig and the Commission discussed some of the reasons for delays.

The group reviewed:

- Schedule of proposed special assessments prepared by Foth & Van Dyke
- Proposed Financing Options for Initial System prepared by Ehler's & Associates

Ehler's present four options. The average assessments would be as follows:

	Improved	Unimproved
1	15,200	6,700
2a	10,950	6,700
2b	12,950	4,450
3	8,700	4,450

Attorney Bullon recommended an escalating mechanism in the connection fee on the unimproved parcels.

The group discussed:

- Future sewer service extensions.
- The District's borrowing capacity.
- The Ledgeview Springs area.

Mike Nett, representing Nett Land & Development, presented a Phase I development map for 30 lots. The Nett's request to be included in the Phase I construction area. If the District is unable to or unwilling to service Hawk's Landing subdivision within 2-3 years, the Nett's will request to be annexed into Taycheedah No. 1 Sanitary District. Attorney Bullon noted that the subdivision would add to the user base and the tax base. Mr. Nett will need verification that a pipe will be provided. The group agreed that Foth & Van Dyke and Ehler's need to calculate the impact of the subdivision. Both agreed that it would make sense to add it to the total project now. Foth & Ehler's will report back to the Commission.

In reference to the Proposed Financing Options for Initial System presented by Ehler's, Jim Hovland motioned to instruct Ehler's split the difference between option 2a and 3 for further evaluation, seconded by Adolph Schneider. Motion carried (3-0).

Jim Hovland motioned to authorize Foth & Ehler's to evaluate the financial impact of Hawk's Landing, seconded by Mike Freund. Motion carried (3-0).

Jim Hovland motioned to authorize Foth & Ehler's to develop a financing plan for future funding for sewer extensions over a 10, 15 and 20 year periods of infilling, seconded by Mike Freund. Motion carried (3-0).

The next workshop meeting will be on Wednesday, March 27th, at 2:00 p.m.

Attorney Bullon recommended special assessing by two means: improved and unimproved. If the District use a front-foot method, all special assessments will be different. Administration would be extremely time consuming and costly.

Adolph Schneider motioned to not extend service to the outlots in Park Ridge subdivision, seconded by Mike Freund. Motion carried (3-0).


The Commission reviewed a map prepared by Foth. The map identified several unusual properties. The Commission evaluated each property to determine whether or not the parcels would be exempt from special assessments.

The District's Facilities Plan has been delivered to the City. The District needs the City's approval.

Adolph Schneider motioned to pay the bill (order no.21) as submitted, seconded by Mike Freund. Motion carried (3-0).

Jim Hovland motioned to transfer \$285.00 from the Money Market account to the regular checking account, seconded by Mike Freund. Motion carried (3-0).

Mike Freund motioned to adjourn, seconded by Adolph Schneider. Motion carried (3-0).

Attest 
Brenda A. Schneider
Recording Secretary

The St. Peter Sanitary District Commission met on Wednesday, March 27th, 2002, at 2:00 p.m. at the Taycheedah Town Hall for the purpose of conducting a workshop meeting with Ehler's & Associates, the District Financial Advisor and Foth & Van Dyke to discuss the sewer project. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present were Glen Vierkant from Foth & Van Dyke, Dave Wagner from Ehler's & Associates and the District's Attorney Kathryn Bullon.

The Chairman called the meeting to order.

Ehler's & Associates dispersed Proposed Financing Options for Initial System. Ehler's evaluated options by larger (vacant) parcels deferred until development and larger parcels not deferred. The options were as follows:

- Vacant parcels not deferred
 - Connection fee \$4600
 - Lateral fee \$2200
 - Ave. front ft. fee \$3300
 - Tax rate \$1.20-1.26 per \$1000 (approximately)
- Vacant parcels deferred
 - Connection fee \$4600 fee due upon development
 - Lateral fee \$2200
 - Ave. front ft. fee \$3300
 - Tax rate \$1.42-1.50 per \$1000 (approximately)

Attorney Bullon suggested focusing on what is practical, both procedurally and administratively. The District should also focus on striving for parity of future connections. She recommended full assessment on vacant lots. The District will also adopt a District Policy. The policy will determine when deferred amounts are due; if assessments are deferred.

Foth & Van Dyke dispersed Summary of Probable Construction Costs and Estimated Probable Operation and Maintenance Costs for the project. Operation and maintenance costs were increased from \$85,000 to \$118,000 due to probable underestimate of treatment costs.

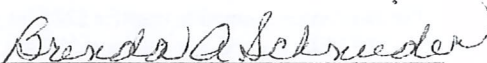
Service to the proposed Hawk's Landing subdivision was discussed. Anticipated costs assumed the interior service construction. The Nett's have completed construction plans developed by Excel Engineering. Attorney Bullon stated that the proposed Glacier Ridge subdivision is considered part of the project and therefore, Hawk's Landing should be treated as a District project too. The District will need to adopt an ordinance determining the designation of engineering firms and construction firms for new developments. The Nett's will submit their engineering designs to be incorporated with the District project. The Commission discussed the costs of servicing Hawk's Landing. The costs would be lower if Nett funds the internal construction. The District is subject to state wage rates. The District needs to get the pipe to the development and determine how it will be assessed. Adolph Schneider motioned to authorize Foth & Van Dyke to include the engineering and service to Hawk's Landing with in Phase I construction calculations, seconded by Mike Freund. Motion carried (3-0).

Dick Blamey questioned service to Ledgeview Springs and addressing existing homes. Attorney Bullon responded that Ledgeview Springs has not petitioned for service. Mr. Blamey believes that a majority of the property owners want sewer service. The Commission discussed the District's borrowing capacity. Borrowing capacity would allow for the extension. However, the District may be left with little cushion. The extension would increase the mil rate by approximately \$.25 per \$1000. Adolph Schneider motioned that if Ledgeview Springs comes in with a petition of at least 50% of the lots in support of sewer, Foth & Van Dyke and Ehler's will be authorized to add Ledgeview Springs to Phase I construction plans, seconded by Mike Freund. Motion carried (3-0).

The Commission discussed Utility Districts. Utility Districts are under the jurisdiction of the Town Board. Several factors would still need to be evaluated before a determination can be made. Ehler's will develop a financial plan for future extensions. The plan will be incorporated in the District's ordinance. Attorney Bullon suggested waiting to develop the ordinance.

The next workshop meeting will be on Wednesday, May 1st, at 2:00.

Adolph Schneider motioned to adjourn, seconded by Mike Freund. Motion carried (3-0).

Attest 
Brenda A. Schneider
Recording Secretary

The St. Peter Sanitary District Commission met on Wednesday, May 1st, 2002, at 1:00 p.m. at the Taycheedah Town Hall for the purpose of conducting a workshop meeting with Ehler's & Associates, the District Financial Advisor and Foth & Van Dyke to discuss the sewer project. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present were Glen Vierkant from Foth & Van Dyke, Dave Wagner and Phil Cossons from Ehler's & Associates and the District's Attorney Kathryn Bullon.

The Chairman called the meeting to order. The agenda order was not followed due to Glen Vierkant being delayed.

Agenda

- #4 Approval of 2/21, 3/14 and 3/27 meeting minutes. Adolph Schneider motioned to approve the minutes as presented, seconded by Mike Freund. Motion carried (3-0).
- #5 Approval of bills. Adolph Schneider motioned to approve the bills as submitted, seconded by Jim Hovland. Motion carried (3-0). Mike Freund motioned to authorize the Secretary to transfer \$9300 from the Money Market Account to the regular checking account, seconded by Adolph Schneider. Motion carried (3-0).
- #1 Workshop meeting: The Commission will meet with Foth & Van Dyke and Ehler's & Associates to continue evaluating funding methods. Ehler's calculations include a special assessment of \$10,100 for improved parcels and \$5500 for unimproved and a User Fee of \$50 and \$60. The calculations do not include the cost of internal construction in Hawk's Landing. The Commission again discussed the possibility of serving the entire district. Ehler's is concerned about borrowing capacity not being adequate to fund construction of the entire district. Foth calculates the current project costs of \$11,259,000. This would include construction of all current service areas, rebates, capacity purchase, and pumps, etc. This does not include \$172,000 for internal construction of Hawk's Landing.

The Commission has two issues: How to handle the construction of Hawk's Landing and construction plans for future extensions.

Ehler's recommends planning for half of the non-serviced area in 5 years and the remaining half in 10 years. The Commission discussed anticipated increases in the costs of future extensions. The goal of the Commission and their advisors is to plan for costs of future extensions not to exceed the current costs relative to the rate of increase of today's dollar. The District will need to pay down the debt as quickly as possible in order to increase the District's borrowing ability for future extensions.

Attorney Bullon advised the Commission that Glacier Ridge and Hawk's Landing need to be treated the same due to both of the being a part of the initial project. Future developments will be independent extensions and will thereby be treated differently.

The Commission is anticipating a bid date in fall. The District will need DNR approved plans before bidding. The District can't submit the final documents to the DNR until the City of Fond du Lac has completed their review of the District's Facilities Plan. The Plan was submitted to the City on March 1st. Kathryn has not been able to get anywhere with the City.

The Commission discussed developing a policy mandating on-site septic system inspections that are not under County Code Enforcement jurisdiction. The Commission will also need to plan for its' expense.

Jim Hovland motioned to authorize Ehler's to further evaluate funding Option 4C, \$10,100/\$5500 special assessment, \$50 monthly user fee and \$1.5 mil rate, seconded by Mike Freund. Motion carried (3-0).

The Commission further discussed Hawk's Landing. The Nett's engineering firm has completed the internal sewer engineering work. The District would save money if the Nett's plans and design were incorporated into the project. The Commission will need to adopt a policy delineating the engineering of future subdivisions. Adolph Schneider motioned that the District will construct the internal sewers in both Glacier Ridge and Hawk's Landing, seconded by Mike Freund. Motion carried (3-0).

Dick Blamey reviewed comments and questions with the Commission that he had received from his neighboring property owners.

The Commission discussed property owners using one trench to lay two laterals and the assessment practices of ag-use parcels.

The Commission discussed the following contract related issues:

- Bid the project under one contract or use multiple contracts. The consensus was to use multiple contracts.
- Bidding firms will have to be pre-qualified.
- Control of the use of sub-contractors.
- Inserting an arbitration clause.
- The Commission will need to appoint one contact person to be used during the construction phase.
- The EJCDC contract format will be used. Kathryn Bullon will review the contract.
- The contract will need a payment schedule.
- Interest rate of 8% on late payments.

- A 10 % retainer until 50% of the project is completed. A detailed explanation of retainer procedure will need to be compiled.
- Liquidated damages will need to be determined. The estimated actual damages incurred if construction is not completed by the contract-stated time. Usually based on a per day cost of inspections. Foth will develop an estimate depending on the multiple contracts.
- Lien waivers will be used.
- State wage rates will need to be included.
- Bid security of 5%.
- The need to determine the date, time and location of bid opening. The bids will be submitted to Kathryn Bullon's law office.
- Bidders must hold bids a minimum of 60 days.
- Bidders will be required to submit a certificate of insurance for \$5 million.
- 360 day construction period with a 30 day punch list.
- All cost estimates have a 10% contingency.

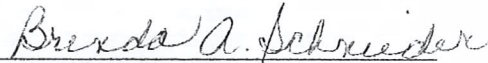
#2 Discussion and possible adoption of a Preliminary Resolution Regarding Construction of Improvements and Initiating Special Assessments for Phase I construction project. Jim Hovland motioned to adopt the Preliminary Resolution Regarding Construction of Improvements and Initiating Special Assessments for Phase I construction project, seconded by Adolph Schneider. Motion carried (3-0).

#3 Schedule the public hearing. Kathryn Bullon recommended not scheduling the public hearing date until the next meeting.

The next meeting will be on Thursday, May 16th, at 2:00.

Mike Freund motioned to adjourn, seconded by Adolph Schneider. Motion carried (3-0).

Attest



Brenda A. Schneider
Recording Secretary

**TOWN OF TAYCHEEDAH
SANITARY DISTRICT NO. 3**

**PRELIMINARY RESOLUTION REGARDING
CONSTRUCTION OF IMPROVEMENTS
AND INITIATING SPECIAL ASSESSMENTS**

WHEREAS, the Commission of the Town of Taycheedah Sanitary District No. 3 has determined the need for the construction of a municipal sanitary sewer to serve portions of the Sanitary District generally identified in the map attached hereto as Exhibit A; and

WHEREAS, Chapter 66 of the Wisconsin Statutes authorizes such improvements to be specially assessed by reasonable assessments through utilization of the District's police powers; and

WHEREAS, the Commission wishes to initiate the special assessment process by adoption of a preliminary resolution as required under Chapter 66 of the Wisconsin Statutes;

RESOLVED:

1. That Foth & Van Dyke, together with Ehlers & Associates, Inc. and Edgerton, St. Peter, Petak, Massey & Bullon shall prepare a report pertaining to the construction by the District of a municipal sanitary sewer system to service the areas in Exhibit A. The report shall consist of:

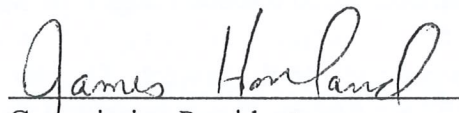
- a. Preliminary or final plans and specifications where relevant;
- b. An estimate of the entire cost of the proposed work or improvements;
- c. A recommendation that the proposed work or improvements be levied pursuant to the police power of the District; and
- d. A schedule of the proposed assessments.

2. A copy of the completed report shall be filed with the District Secretary for public inspection.

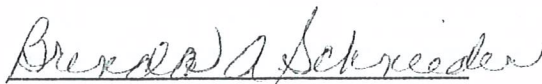
3. Any assessments levied against property in the District may be paid for in a lump sum single payment or in annual installments not to exceed twenty installment payments, unless the number of installments is determined otherwise at the hearing required under section 66.0703 (7), Wisconsin Statutes.

4. Upon receiving and reviewing the report, the Sanitary District shall give notice of a public hearing pursuant to Chapter 66 of the Wisconsin Statutes. The report may be modified prior to or after such public hearing as deemed appropriate by the District.

Adopted this 1 day of March, 2002.


Commission President

Attest:


Commission Secretary



Project Meeting Summary

Meeting Site: Town Hall in Taycheedah

Time: 1:30 p.m.

Participant: Jim Hovland
Adolph Schneider
Mike Freund
Brenda Schneider
Kathryn Bullon
Dave Wagner
Phil Cosson
Glen Vierkant

Representing: Taycheedah Sanitary District No. 3
Taycheedah Sanitary District No. 3
Taycheedah Sanitary District No. 3
Taycheedah Sanitary District No. 3
Sanitary District Attorney
Ehlers & Associates Inc.
Ehlers & Associates Inc.
Foth & Van Dyke

Reason for Meeting: See attached Agenda

Summary of Discussion:

Dave Wagner presented financing options to include Ledgeview Springs and Ledge Road to serve Hawks Landing Subdivision. See attached Memorandum. The financing was based on an estimated project cost of \$11,259,000 which includes Areas 1, A, A1, B, C, D (includes Ledgeview Springs), E, G, H, K2, L1, Glacier Ridge Subdivision, a portion of Area F - Ledge Road, wastewater treatment purchase, on-site wastewater treatment system rebates and truck/pumps. Discussion regarding the remaining areas to be receive sewer in the future centered around the how it would be paid for and how much will it cost. The estimated cost from the April 2001 Evaluation and Cost Effect of Adding Selected Areas to the Area 1 Wastewater Collection System Report is \$3,874,000. There is concern that the financing has to be presented that this is a project where neighbors have to help neighbors. The entire Sanitary District will be paying a tax levy where those that are not getting sewer today are helping pay for those that are getting sewer as well as interceptor costs and purchase of wastewater treatment capacity. When sewer is provided in the future then those that have sewer will be helping to pay for those that do not. The Commission voted to have Ehlers pursue Option 4C in their Memorandum with a \$50/mo. user fee, \$1.50/\$1,000 of equalized property value and special assessments of \$4,600 for improved parcels, \$3,300 for unimproved parcels and \$2,200 for sewer service laterals. This financing will provide a capital fund (surplus) for subsidizing the cost of sewer extensions to existing developments in the future. Will need to define the benefits for phasing the project. The Commission wanted to limit the tax levy to 30 years so that current project and future project will be financed within that time frame. The Commission wants to allow 20 year financing of special assessments for parcel owners.

The Commission decided to include Ledgeview Springs and the sewer within the Hawks Landing Subdivision within the project. The design engineering has been completed by the developer's engineer and can be incorporated into the project. The plan was reviewed by Foth & Van Dyke and do not have any concerns with the design. It was suggested that maybe the engineering costs could be deducted from special assessments for the 30 lots within the 1st phase of Hawks Landing. Foth & Van Dyke will proceed with drawings and specifications based on this final project decision. Foth & Van Dyke will need to update estimated quantities and project cost estimate. Kathryn stated that the Sanitary District

should design and inspect the sanitary sewer in new developments, but let the developer contract with a contractor. The Commission generally agreed with the concept which will need to be included in the Sewer Use Ordinance.

Bidding and construction contract documents:

1. Glen advised the Commission that they should think about identifying one individual who will be the Owner's Representative during construction.
2. Glen suggested multiple construction contracts of approximately three. Reducing the size of projects should allow more contractors to bid and consequently should get better bids. Kathryn concurred. It will be more work to administer during construction. Commission agreed to multiple contracts. Glen suggested the division by separate drainage areas.
3. Kathryn has no problem with using EJCDC contract documents. She will need to review.
4. The Commission has not established regular monthly meetings. It was suggested they establish and conduct regular monthly meetings. Will need a day of the month that contractor payments will be due. Advised Commission that contractor is to submit request for payment 10 days prior to meeting date and the commission will need to make payment within 20 days after the meeting date. Kathryn and the Commission do not have a problem with time frame to make payments to contractor. Foth & Van Dyke is responsible for determining quantities, will need to obtain agreement with contractor, then Foth & Van Dyke will prepare the payment request for contractor's signature and submittal to Commission for approval.
5. Interest on late payments to the contractor will be set at 8% even though State has set the amount at 12%.
6. Retainage on contractor payments will be 10% up to 50% of the Work is complete and then no additional retainage will be held. Kathryn wanted to increase the retainage to 5% over 50% complete. Glen advised that Foth & Van Dyke will not pay the contractor for defective work and will recommend additional retainage when defective work is found. We will not rely on the retainage to cover defective work. Base on this Kathryn did not believe additional retainage would not be necessary. Full retainage will be held until project is complete and ready for final payment - no reduction in retainage to value of punch list items.
7. Liquidated damages will be included. Glen will provide an estimate of engineering costs per day that would establish the amount of liquidated damages. It was discussed to include the cost of financing as part of the liquidated damages, but was thought to be difficult to establish and would add something which could increase the likelihood to contest.
8. Both Glen and Kathryn recommended obtaining lien waivers for materials and subcontractors paid on previous payments before any future payments are made. The Commission agreed.
9. Glen advised that in the bidding process contractors will probably want to do some excavations to verify soil conditions. They will be entirely responsible for obtaining permits or other requirements to perform these tests. We do not want to be involved.
10. Kathryn advised that the County is very particular about open cutting the roads. Glen advised that the plan is to bore sewer laterals under paved roads. There may be instances where there we find rock and are unable to bore. These will need to be evaluated on a case-by-case basis during construction.
11. Glen advised the Commission that the current cost estimates include a 10% contingency for unforeseen things that occur during construction such as more rock than anticipated, more pavement



replacement, lengthening the sewer to meet the property owner's service requirements. Mike asked if the contractor was taking all the risk with the rock quantity. Glen advised that everything is being bid on a unit price basis which means the contractor gets paid for whatever is removed and does not take the risk. Kathryn advised that the bids would be outrageous if that risk was born by the contractor. Glen indicated that the contingency is usually reduced to 5% after bids are received, but with the variable rock Kathryn suggested the contingency remain at 10%. The Commission concurred.

12. Minimum wage rates will be required. Foth & Van Dyke will obtain the wage rates to incorporate in the contract documents.
13. Since there is nobody at the Town Hall, it was decided that bids will be received at Kathryn Bullon's office and read aloud. A date and time will need to be arranged. Foth & Van Dyke will prepare the Advertisement for Bids that will need to be published by the Sanitary District. Foth & Van Dyke will also send notice to Plan Rooms and Bidding publications in the area.
14. Kathryn recommends that prequalifications of contractors be required. It was recommended that bidders submit prequalification forms (provided by Foth & Van Dyke) 10 days before bids are due to allow the Sanitary District to review the submittals and determine who is qualified and get notices to those who submitted prequalifications. Bidders who did not submit a prequalification form or are determined by the Sanitary District to be unqualified will not be allowed to bid.
15. Bid security will be 5% of the bid amount in the form of a bid bond or certified check.
16. Bid prices will be good for 60 days after receipt of bids.
17. Construction work will commence based on a Notice to Proceed.
18. Currently the contract time is 360 days for construction.
19. Kathryn wants to include standard EJCDC language for Mediation and Arbitration in the General Conditions.
20. Glen asked about insurance limits - advising that they get there insurance agent to recommend limits. Kathryn did not think the insurance companies around here have the capability to recommend limits for construction project. Kathryn asked Glen to see if we can get \$5,000,000 in umbrella insurance and use what we have for other municipalities.

Miscellaneous:

1. Brenda said she received a call from Howard Majerus wanting to know if they could put there lateral into Bittersweet rather than Lake View Road because of the rock on Lake View Road. Glen advised that there was a similar request by Duane Stibb on Sunset where he wanted to bring in lateral from Edgewood. Stibb was told that the sewer had sufficient depth to service from Edgewood, but they need to present an easement through the adjoining property to the Sanitary District. The same would apply with Majerus. Kathryn thought that was reasonable.
2. Kathryn said she did not get anywhere with Fond du Lac as to the status of the Facility Plan review. Glen advised that we want to meet with Fond du Lac to make sure we conform to there requirements, but have not been able to make that arrangement with them.
3. Kathryn asked Glen if contact has been made with the county regarding STH "149". Advised that the intent was to get concurrence from Fond du Lac as to the connection points before we approach



anyone else. Kathryn said they will not care where the connections are since the connections are not directly into their sewer. She thought we could go ahead and work this out with the county. Mike reiterated that we need to coordinate our sewer schedule with the County so we can construct the sewer to the final grades and reduce pavement replacement. The County said they would work with us.

4. The Commission passed the Preliminary Resolution Regarding Construction of Improvements and Initiating Special Assessments. Copy attached.
5. The next Commission meeting is scheduled for Thursday, May 23, 2002. At the meeting Ehlers will have revised funding proposals. Foth & Van Dyke needs to get revised cost estimates to Ehlers and finalize Drawings and Specifications by this meeting.
6. Discussed that there may be some easements that people refuse to sign. Kathryn said we will wait until we have most and deal with those that will not sign. Advised that we have included in the specifications a requirement for easement meetings where everyone agrees what will take place during construction on the easement and how it will be restored. These meeting take place prior to any work on the easement. Kathryn and the Commission thought this was a good thing to have.

cc: Eric Rakers, Foth & Van Dyke
Brenda Schneider, Taycheedah Sanitary District No. 3

TAYCHEEDAH SANITARY DISTRICT NO. 3-
ST. PETER AREA SANITARY DISTRICT
COMMISSION MEETING

Wednesday, May 1st, 2002
1:00 p.m., at the Town Hall

Agenda

1. Workshop meeting: The Commission will meet with Foth & Van Dyke and Ehler's & Associates to continue evaluating funding methods.
2. Discussion and possible adoption of Preliminary Resolution Regarding Construction of Improvements and Initiating Special Assessments, for Phase I construction project.
3. Schedule the public hearing.
4. Approval of 2/21, 3/14 and 3/27 meeting minutes.
5. Approval of bills.

Brenda A. Schneider
Recording Secretary

Post-it® Fax Note	7671	Date	4/25	# of pages	1
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Co./Dept.		Co.			
Phone #		Phone #			
Fax #		Fax #			



EHLERS
& ASSOCIATES INC

LEADERS IN PUBLIC FINANCE

Memorandum

TO: Taychedah Sanitary District #3 Commissioners
FROM: David Wagner, CIPFA – Senior Vice President
DATE: May 1, 2002
SUBJECT: Sewer Financing Plans

DW

The following options have been run, each incorporating Ledgeview Springs and the sewer to (but not within) Hawk's Landing:

Option 4A – \$60/mo. User Fee resulting in an average equalized tax rate of \$0.51/\$1,000

Option 4B – \$50/mo. User Fee resulting in an average equalized tax rate of \$1.00/\$1,000

Option 4C – \$50/mo. User Fee maintaining an average equalized tax rate of \$1.50/\$1,000 (this provides for a surplus for subsidizing the cost of sewer extensions to existing development within the District.)

Each option maintains the special assessment rates discussed at the last workshop, namely,

- Improved Lots \$4,600
- Unimproved Lots \$3,300
- Laterals \$2,200
- Total Improved Lot \$10,100
- Total Unimproved Lot with lateral \$5,500

The new connection assumption of 16 per year is about 50% above the history for the previous 7 years, which should be reasonable given the fact that the availability of sewer will make a number of lots buildable that were not buildable without sewer.

We have not provided for any credit to Hawk's Landing for internal sewers, although it may be reasonable to do so if they are privately constructed. If such is to be done, we will need to revisit the split between the improved and unimproved lot special assessments. We have begun to look at that issue but have not completed our analysis.

We also have not completed the analysis of the phasing of the extensions to the rest of the District, but as Option 4C shows there should be enough funds to do so within 20 years.

In the event that you have any questions or concerns regarding any of the above, please feel free to contact me at (262)796-6163 (office) or (414)333-3090 (cell).

**TOWN OF TAYCHEEDAH
SANITARY DISTRICT NO. 3**

**PRELIMINARY RESOLUTION REGARDING
CONSTRUCTION OF IMPROVEMENTS
AND INITIATING SPECIAL ASSESSMENTS**

WHEREAS, the Commission of the Town of Taycheedah Sanitary District No. 3 has determined the need for the construction of a municipal sanitary sewer to serve portions of the Sanitary District generally identified in the map attached hereto as Exhibit A; and

WHEREAS, Chapter 66 of the Wisconsin Statutes authorizes such improvements to be specially assessed by reasonable assessments through utilization of the District's police powers; and

WHEREAS, the Commission wishes to initiate the special assessment process by adoption of a preliminary resolution as required under Chapter 66 of the Wisconsin Statutes;

RESOLVED:

1. That Foth & Van Dyke, together with Ehlers & Associates, Inc. and Edgerton, St. Peter, Petak, Massey & Bullon shall prepare a report pertaining to the construction by the District of a municipal sanitary sewer system to service the areas in Exhibit A. The report shall consist of:

- a. Preliminary or final plans and specifications where relevant;
- b. An estimate of the entire cost of the proposed work or improvements;
- c. A recommendation that the proposed work or improvements be levied pursuant to the police power of the District; and
- d. A schedule of the proposed assessments.

2. A copy of the completed report shall be filed with the District Secretary for public inspection.

3. Any assessments levied against property in the District may be paid for in a lump sum single payment or in annual installments not to exceed twenty installment payments, unless the number of installments is determined otherwise at the hearing required under section 66.0703 (7), Wisconsin Statutes.

4. Upon receiving and reviewing the report, the Sanitary District shall give notice of a public hearing pursuant to Chapter 66 of the Wisconsin Statutes. The report may be modified prior to or after such public hearing as deemed appropriate by the District.

Adopted this ____ day of _____, 2002.

Commission President

Attest:

Commission Secretary

May 13th, 2002

St. Peter Sanitary District

1.

The Chairman of the St. Peter Sanitary District Commission met with Nett Land & Development on Monday, May 13th, 2002, at 10:00 a.m. at the offices of Edgerton, St. Peter, Petak, Massey & Bullon, for the purpose of discussing sewer service to Hawk's Landing subdivision. Present were Chairman Jim Hovland, Recording Secretary Brenda Schneider, Mike, Lyle and Joel Nett and Ron Cunzenheim, Excel Engineering. Also present were Glen Vierkant of Foth & Van Dyke and the District's Attorney Kathryn Bullon.

Foth's calculations to Hawk's Landing, including service for 30 lots is \$180,670.00

Nett requested detachment from St. Peter Sanitary District. Nett has spoken to Dan Duester, Taycheedah Sanitary District No. 1. Dan believes No. 1 can handle Hawk's Landing. It is unknown how No. 1 would handle future developments along the pipe extension.

St. Peter has yet to determine how to treat extensions. Kathryn suspects new developments will be developer financed. Currently the District has two new developments that are included in the initial construction. Both need to be treated fairly. A brief discussion on the possibility of allowing developers to choose if they want to finance service themselves or the District finance internal construction.

Nett originally requested residential zoning without public sewer. The neighborhood and the Board wanted the subdivision sewered. Nett believes St. Peter's service would not be cost effective. Lot marketability would be enhanced if serviced by Taycheedah No. 1.

Chairman is concerned about the loss of tax base and future revenue if Hawk's Landing is detached from St. Peter. Kathryn stated that a majority of the cost difference lies in the levy and the user fee. No. 1's user fee is only \$74 a quarter due in part to 75% project funding.

Kathryn stated the District would not charge the Nett's a system charge due to the fact that the proposed extension area is completely independent of the remainder of the project and would not tie into an interceptor sewer.

The Ledge Road pipe would have to be designed to handle all future users within that drainage/service area. A 10" pipe would be required. Hawk's Landing would need an 8" pipe. Nett would have to install the 10" pipe.

The group discussed separating the project costs for the Ledge Road extension from the rest of the project. The user fees and mill rate would be used to settle a fair amount of debt the Nett's did not incur. However, the development would benefit from other district-wide costs associated with the entire project.

The Nett's main concerns are cost-effectiveness and marketability. Kathryn stated that most of the buyers would be coming from the City where they are used to paying a \$10.00 local mill rate. Living in Hawk's Landing will be cheaper for them. The Nett's believe they will have to compete with Cheetah Meadows; which is in No. 1. The Nett's also have an issue with the fact that the development contains 21 acres of open space and not used for lot development.

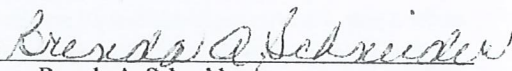
There was a question on who would get the money from future connections and Ledge Road connections. Kathryn would have to research the legalities involved.

If Nett's pay for the extension construction, the Nett's would not be charged a connection fee or any special assessments. Nett's would bear all costs. The District could finance a portion of the Ledge Road pipes due to the capacity needed for service to lands other than the Nett's. The District would make a capacity purchase. Foth ran a quick calculation of 50-60% of the pipe would be needed for service to the other lands. Jim Hovland mentioned that before a deal could be finalized, he would have to talk to the rest of the Commission. The Nett's would like to see the proposal in writing. Glen estimated a savings of \$1000.00 per lot if constructed by the Nett's. Ron and Glen will further evaluate the numbers. The proposal would be discussed further at the May 21st meeting.

Ron mentioned the cost of the plans for Ledge Road that have already been completed by Foth. He also questioned inspections. Kathryn stated that Excel would inspect and turn over their inspections logs. The District would also want record drawings. Glen and Ron need to include a line item for cost of inspections in the proposal.

Meeting adjourned at 11:55 a.m.

Attest



Brenda A. Schneider
Recording Secretary

The St. Peter Sanitary District Commission met on Tuesday, May 21st, 2002, at 1:30 p.m. at the Taycheedah Town Hall for the purpose of conducting a workshop meeting with Ehler's & Associates, the District Financial Advisor and Foth & Van Dyke to discuss the sewer project. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present were Glen Vierkant from Foth & Van Dyke, Dave Wagner from Ehler's & Associates and the District's Attorney Kathryn Bullon.

The Chairman called the meeting to order. The agenda order was not followed due to Glen Vierkant, Dave Wagner and Kathryn being detained.

Agenda

#4 Approval of 5/1 meeting minutes. Adolph Schneider motioned to approve the minutes as presented, seconded by Mike Freund. Motion carried (3-0).

#2 Discussion and possible approval of change to project construction plans regarding Hawk's Landing subdivision. Jim Hovland, Glen Vierkant and Kathryn Bullon met with the Nett's on May 13th regarding service to Hawk's Landing. The Nett's costs for service would be less with Taycheedah No. 1. St. Peter would prefer to keep the subdivision in the District. Nett's plan to construct the service to and within the subdivision. The District would purchase the needed capacity in the Ledge Road pipe for future connections. The capacity is based on number of acres. Ehler's and Foth calculated a 40/60% ratio. Ron Cunzenheim feels the 23 acres of open space should not be used in the calculation. Foth's position is that other future developments may have to have similar amounts of open space. The Town's Zoning Ordinance requires .04 to .2 acres per lot of open space. Hawk's Landing, per the ordinance, is required to have 5.24 to 26.2 acres. Kathryn suggested assuming a certain average for each development. Foth stated if the 23 acres is removed, the cost share becomes 35/65%. The District's costs would be approximately \$151,000. The calculations do not include the required metering station at the connection point. The District is assuming the cost of the station. With the cost share applied to the metering station, the difference in costs to Nett and the District becomes a wash. The District would assess the property along Ledge Road. Kathryn stated the District could pursue the arrangement due to the fact that the extension area is discreet with a direct connection point. It would be treated as an individual project. The connection will not be made into a District owned pipe, therefore there will be no connection fee. Once construction is complete, the pipe becomes the property of the District.

The Commission discussed the connection fee per house. The fee has to be justifiable. Specific costs are allocated in order to calculate the fee. After considerable discussion, it was decided that Foth and Ehler's will compile the calculations and disperse to the Commission.

The Commission also discussed the deferring of assessment on existing lots, how to handle future phases of Hawk's Landing and future developments along the Ledge Road pipe.

#1 Workshop meeting: The Commission will meet with Foth & Van Dyke and Ehler's & Associates to continue evaluating funding methods. Foth's calculations include a total project cost of \$10,847,800. Foth has completed a draft assessment roll. The roll needs to be reviewed for corrections and revisions. The project contains two contracts with two schedules each. The area that will qualify for Clean Water Funding has been separated by schedules.

Ehler's discussed the future extension issue. Dave assumed \$5 million, five years from now for construction costs. The District will need approximately 75% infill over the next 10 years. A special assessment is estimated at \$13,500. Ehler's concludes that there is no reason why the District will not be able to sewer the entire District. The borrowing capacity will be increased. He also assumes the earliest date the District could extend service would be in 5 years; depending on the economy.

Ehler's presented proposed financing options for initial system. The model contains accelerated debt payment in order to create room in borrowing capacity.

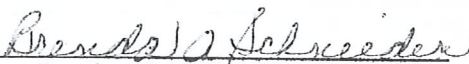
Several Ledgeview Springs homeowners were present. One homeowner commented on the fact that his home was not in Phase I one year ago when he purchased it and now it is in Phase I. He also questioned the validity of the petition received from the subdivision. He feels the petitions should be counted as one person, one vote. The Commission responded that there have been numerous public meetings and that the petitioning process has been going on for a year. Kathryn explained that all petitions have been evaluated not by the majority of the property owners but the owner's of the majority of the property. Kathryn also explained that the Commission is not required to receive petitions in order to extend sewer. The group then discussed blasting and rock removal for lateral connections and associated costs. The Commission intends to sewer the entire District in 5-10 years. The cost of providing sewer to Ledgeview Springs will increase. There was also property owner concern that the petition may have been misrepresented. The petition was read, in part it stated "to be included in the first phase sewer service area".

#3 Schedule the public hearing. Kathryn Bullon recommended not scheduling the public hearing date until the next meeting.

#5 Approval of bills. Adolph Schneider motioned to approve order #25 and #26 as presented, seconded by Mike Freund. Motion carried (3-0). Mike Freund motioned to transfer \$700.00 from the Money Market account to regular checking, seconded by Adolph Schneider. Motion carried (3-0).

The next meeting will be on Tuesday, May 28th, at 2:30.

Adolph Schneider motioned to adjourn, seconded by Mike Freund. Motion carried (3-0).

Attest 
Brenda A. Schneider, Recording Secretary

The St. Peter Sanitary District Commission met on Tuesday, May 28th, 2002, at 2:30 p.m. at the Taycheedah Town Hall. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present were Attorney Kathryn Bullon, Glen Vierkant, Foth & Van Dyke and Dave Wagner, Ehler's & Associates.

The Chairman called the meeting to order.

Agenda

- #4 Approval of 5/21 meeting minutes. Adolph Schneider motioned to approve the minutes as submitted, seconded by Mike Freund. Motion carried (3-0). Mike requested a copy of the minutes from the May 15th meeting between Jim Hovland, the attorney and the Nett's.
- #5 Consideration and possible approval of a Resolution Consenting to Admission of Johnsbury Sanitary District of the Town of Taycheedah as a Party to the 2000 Wastewater Agreement. Mike Freund motioned to approve the resolution as stated, seconded by Adolph Schneider. Motion carried (3-0).
- #1 Workshop meeting: The Commission will meet with Foth & Van Dyke and Ehler's & Associated to continue evaluating funding methods. Ehler's report was reviewed. Dave's report assumes rebate of expense of \$200,000.00, estimated capacity purchase of \$197,600.00 and total construction costs of \$11,059,400.00. Dave recommended keeping the mil rate at \$1.50 at least until Phase II is started. His report also assumed 75% infill over 10 years. In Dave's opinion, the District can't absorb increase costs by over budget bids. Dave will submit the application for the Clean Water Fund loan later this week.

The group discussed increasing the special assessment. It is currently projected at \$10,100.00. Excess revenues would be refunded to the property owners after construction is complete. The current estimated costs included a 10% contingency fund. The unknown amount of rock removal could wipe out the contingency fund. The bid documents will contain a price per unit for rock removal. The Commission agreed to increase the special assessment to \$11,000.00.

The DNR will have 90 days to review the District's plans and specs. However, the District needs to obtain an approval letter from the City of Fond du Lac before the plans and specs can be submitted to the DNR. The Facilities Plan was submitted to the City on March 1st.

The group discussed when to place the first installment payment on the tax roll. Ehler's assumed there would be no collection until 2004. Interest will accrue during 2003. Staff will prepare an installment schedule of principle and interest that will be included in the second mailing along with the final resolution. Staff will prepare a cover letter of explanation and include a prepayment election form. State requires level principle payments.

An auditor will need to be added to the staff. Dave can provide recommendations. Dave recommends hiring an auditor by the end of the year. Dave will assist with a Request for Proposal.

The group discussed whether or not to defer a portion of the special assessment on vacant lands. Dave recommends deferring \$5,100.00 on vacant lands. The deferred amount would be payable upon connection to the system. The deferred amount would escalate approximately \$280.00 a year based upon the cost of borrowing. All laterals would need to be installed to all buildable lots of record during construction.

Mike Hochrein questioned when the special assessment would be due, if half could be paid this year and the other half next year, the lateral connection point, the project contingency fund, the interest rate, whether or not Kathryn Bullon ever represented any developers from the area, and the details of the Ledge Road sewer construction proposal. All questions were answered. Kathryn's reply was no.

Jim Karls questioned if property owners will be given an opportunity to develop his own property, who pays for inspections, the justification for the Ledge Road project, the anticipated special assessments for Phase II, and the mil rate. All of Mr. Karls' questions were answered. Mr. Karls feels that some of the residents in Ledgeview Springs signed the extension petition due to fear of extreme increases in the future. The District is focusing on having reasonable assessments in the future. The goal is the cost of today's dollar tomorrow. However, it cannot be guaranteed.

Ray Donahue voiced concern about a spring that runs through his property. The flow of the spring was reduced due to blasting activity 10 years ago. Mr. Donahue was told that the District would hire only reputable blaster(s). Attorney Bullon commented that the blaster cannot control the altered course of the water if removing rock at a depth near the water table. The blaster will be required to follow restrictions to safeguard property owners against blasting damage.

Jim Karls asked if the Commission would address the Town Board to revise the Blasting Ordinance? Attorney Bullon responded that the Commission cannot tell the Town Board what to do. The District's restrictions will probably be more restrictive than the Town's ordinance. Independent lateral connection will not be under to restrictions of the District. The homeowners will be responsible if blasting for lateral connection causes damage. The District could forward any recommendations they may have to the Town Board for their consideration.

May 28th, 2002

St. Peter Sanitary District

2.

The Commission and staff discussed connection fees. The fee needs to be justifiable. The fee would be paid for all new connections in future developments. The group discussed applicable District-wide expenses that should be allocated in a connection fee.

#2 Discussion and possible approval of change to project construction plans regarding Hawk's Landing subdivision. Attorney Bullon recommended conducting a meeting with Nett Land & Development and Excel Engineering. Kathryn will contact Ron Cunzenheim.

#3 Schedule the public hearing. The Special Assessment Public Hearing was scheduled for July 10th.

Jim Hovland motioned to adjourn, seconded by Mike Freund. Motion carried (3-0).

Attest: Brenda A. Schneider
Brenda A. Schneider
District Recording Secretary

**RESOLUTION CONSENTING TO ADMISSION OF
JOHNSBURG SANITARY DISTRICT OF THE TOWN OF TAYCHEEDAH
AS A PARTY TO THE 2000 WASTEWATER AGREEMENT**

TOWN OF TAYCHEEDAH SANITARY DISTRICT NO. 3

RECITALS

WHEREAS, the Sanitary District is a party to the 2000 Wastewater Agreement ("the Agreement") between the Sewer User's Group Tributary to the City of Fond du Lac Regional Wastewater Treatment Facility ("the OSG") and the City of Fond du Lac; and

WHEREAS, the Johnsburg Sanitary District ("Johnsburg") has previously been admitted as a member of the OSG and has requested that it be admitted as a Party to the Agreement; and

WHEREAS, the Town of Taycheedah has previously purchased capacity in the Shared Regional Facilities that will be purchased and used by Johnsburg; and

WHEREAS, the admission of Johnsburg as a Party to the Agreement will not adversely affect any current Parties to the Agreement, Shared Sewers or the Shared Regional Facilities; and

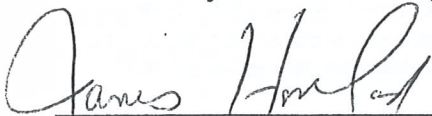
WHEREAS, Johnsburg meets the criteria under the Agreement for admission of a new Party, subject only to the consent and approval of current Parties;

RESOLVED

The Sanitary District consents to and approves the admission of the Johnsburg Sanitary District as a Party to the 2000 Wastewater Agreement.

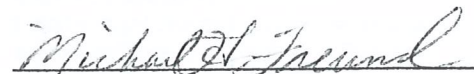
Adopted this 28 day of May, 2002.

Town of Taycheedah Sanitary District No. 3, by:



President

Attest:



Secretary

The St. Peter Sanitary District Commission met on Thursday, June 6th, 2002, at 9:30 a.m. at the offices of Edgerton, St. Peter, Massey, Petak & Bullon. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present were Attorney Kathryn Bullon, Glen Vierkant, Foth & Van Dyke, Ron Cunzenheim, Excel Engineering, Mike Nett, Neal Nett, Joel Nett and Lyle Nett. Dave Wagner, Ehler's & Associates, arrived late.

The Chairman called the meeting to order. The Secretary took roll call of the Commission.

At the May 28th Commission meeting, the Commission discussed connection fees. The fee would be based on costs incurred during Phase 1. The costs are District-wide costs. Staff estimated \$1,600.00. The fee would be charged to all lots in new subdivisions. The fee would be used to recover a fair share of system wide costs of infrastructure, such as, pipe over-sizing, capacity purchase in the plant and the interceptor pipes for existing and future growth. The District is providing the base infrastructure. The developers will connect into the infrastructure. The Ledge Road pipe would need to be built to serve Hawk's Landing and all of Area F. The District's share of the Ledge Road pipe would be approximately \$160,000.00. The Nett's share about \$105,000.00. \$105,000.00 would be the equivalent of 65 lot connection fees.

Ron Cunzenheim commented that he calculated about \$500.00 per house for capacity. He also has issues with the fact that the pump station will not benefit Hawk's Landing, the District won't have any investment in Hawk's Landing, the monthly service charge includes debt service and Hawk's Landing will be subjected to the mil rate. Ron commented that maybe the subdivision does belong in Taycheedah No. 1. Costs could be reduced to the end user if it were served by No. 1.

Glen Vierkant commented that the intent is that all project costs be recouped through the special assessment, user charge and mil rate. The system-wide costs are justified. Those outside of the area would pay a connection fee. The revenue would be used to pay down the debt.

Dave Wagner discussed the intent of the connection fee is to try to come up with a fee that could be applied District-wide. \$105,000 in effect would pay 65 connection fees at \$1,600 each. The question is would there be any connection fee for each home over the 65th? If the District paid for the construction of the Ledge Road pipe, the developer would pay for the internal construction and connection fees would be paid. Because of the timing of the Ledge Road pipe, the Nett's pay \$105,000 in lieu of connection fees.

Ron stated the only direct benefit to the Nett's would be the capacity purchase at approximately \$500.00 per lot. The equivalent of about \$66,000 for the entire subdivision.

Kathryn Bullon clarified that Phase I will carry approximately 50% of the total costs through special assessments. The remainder of the costs will be collected by user charge and mil rate.

Ron argued that the user charges and mil rate will off set any connection fee.

Kathryn informed the Nett's that it is unlikely that the Commission will request the Town Board detach Hawk's Landing. The Nett's could request detachment directly from the Board. It probably would not be easy. No. 1 could serve the subdivision extra-territorially. However, it would still be subjected to the mil rate. The group discussed the DNR's ability to authorize a detachment.

Adolph commented that all the other areas will be paying toward the costs of lift stations but will not benefit from them. A considerable amount of the entire district could benefit financially if it was in No. 1.

Glenn added that if Hawk's Landing went to No. 1, the Nett's would have to finance an estimate of \$266,000, (without a metering station) in construction costs to get the pipe to Hawk's Landing. The group discussed whether or not a metering station would be required by No. 1. It probably wouldn't be required for a number of years due to low flows.

Staff discussed if there will be a need for more capacity in the future. The capacity owned by the Town was based upon the district boundaries. The connection fee is based upon current expenses. No. 1 is not planning on major growth. Ron estimated No. 1's extra capacity would serve approximately 175 homes; which would be all of Area F. Nett would need to purchase all of the capacity for everything within its' boundary. No. 1 would probably work with the Town to purchase additional capacity.

Dave commented that the difference between the Nett's proposal and the District's is between \$30-35,000.

Mike Nett anticipates a four-phase project for the entire subdivision. The market will dictate the timeline. The bypass project could impact the timeline. It is anticipated that the first phase will be the slowest. Ron estimated 18-20 year build-out based upon the Town's plan.

Mike Freund added that the engineering costs, legal fees, and financial advisor expense needs to be attributed to the entire District. Those costs need to be shared by all in the District. The mil tax has a 20-year sunset. The District will need infill in order to be able to borrow the money needed for future sewer extensions. The Commission needs to look at the impact to the entire District.

Adolph commented that the Commission needs to be able to justify the proposal. It can be difficult for the people to demonstrate the current and future impact to the District. The proposal would save the District money on the construction of the Ledge Road pipe.

Dave Wagner suggested that because of the proposal, the District could evaluate two connections fees based upon whether or not the new connection would be made into the Ledge Road pipe. The Commission agreed that there

should be an established method to handle this type of situation if it ever arose again. Kathryn added that the fee would need to be apportioned out of the applicable costs for both situations. The fee should contain district-wide planning and capacity costs, Area F capacity separated and system-wide pipe oversizing. The group further discussed what other expenses should be included in the calculations.

Mike Freund questioned the responsibility of maintaining the system. Kathryn answered that the District will own the pipe and will be required to maintain it. The user charge revenue generated from that area would cover those costs.

There was additional discussion pertaining to the mil rate. The District's special assessment is to offset the cost of the pipe in front of the homes. The public will need to know that the Nett's will be subsidizing the District with the construction of the Ledge Road pipe. The Nett's and their subdivision will pay the construction costs, mil rate and user charge, as well as a connection fee after the 65th home is built.


Staff discussed doing the calculations. Staff would like one day to crunch the numbers.

The Commission scheduled a meeting for Friday, June 7th, 2002, at 2:00 p.m., at the law offices. The Clerk will post the notice immediately.

Jim Hovland motioned to enter into Closed Session pursuant to Stat. 19.85(1)(e), for the deliberation or negotiation the purchase of public properties, the investing of funds, or conducting other specified public business, when ever competitive or bargaining reasons require a closed session, seconded by Mike Freund. Roll call vote: Mike Freund-yes, Adolph Schneider-yes, Jim Hovland-yes. Motion carried. Those present for the Closed Session were Jim Hovland, Mike Freund, Adolph Schneider, Brenda Schneider, Dave Wagner, Glen Vierkant and Attorney Kathryn Bullon. The Commission and staff discussed the Nett's proposal and the components to be used in the connection fee calculations. Staff also needs to project population and future development.

Adolph Schneider motioned to adjourn at the completion of the Closed Session, seconded by Mike Freund. Motion carried (3-0).

Attest:



Brenda A. Schneider
District Recording Secretary

June 7th, 2002

St. Peter Sanitary District

1.

The St. Peter Sanitary District Commission met on Friday, June 7th, 2002, at 2:00 p.m. at the offices of Edgerton, St. Peter, Massey, Petak & Bullon. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present was Attorney Kathryn Bullon, Mike Nett, Joel Nett, Neal Nett, Lyle Nett and Ron Cunzenheim, Excel Engineering.

The Chairman called the meeting to order.

The staff's connection fee calculations were reviewed. The calculations were:

District-wide costs	\$600.00
Area F-370 units	\$840.00
Other Areas	\$900.00

The proposed connection fee for new developments would be \$1,440.00 for Area F and \$1,500.00 for all the other Areas. Area F is offset by \$60.00 each for the reduced costs of construction of the Ledge Road pipe.

The Nett's left the room to caucus.

The District's Inspector or designee would inspect the pipe, at the developer's expense, before the District would take ownership.

The Commission discussed a sewer ordinance and the bidding process.

The Nett's returned to the room. They thanked to Commission for the opportunity to work with them.

The Nett's enquired about the timing of the payback by the District for the District's share of the pipe. Staff was unable to state a definite timeline. It was estimated that 30-60 days after construction completion and inspection was probable. The group discussed the District current timeline. The Nett's could adjust their construction schedule in response to any delays. However, the connection cannot be made until the District owns the capacity.

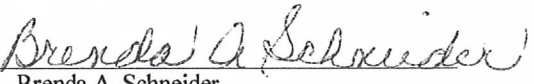
The Commission needs must adopt resolutions that would commit the District to buy the capacity and the connection fee schedule at a future meeting. After the resolutions are adopted, the Nett's would need to submit a letter of agreement.

Neal informed the Commission that the Town Board is scheduled to review the Final Plat at their June 11th meeting. They would have to wait for approval before submitting a letter of agreement.

The next Commission meeting will be on Wednesday, June 12th, at 5:00 p.m., at the Town Hall. The resolutions will be noticed on the agenda. Other agenda items were discussed.

Mike Freund motioned to adjourn, seconded by Adolph Schneider. Motion carried (3-0).

Attest:


Brenda A. Schneider
District Recording Secretary

The St. Peter Sanitary District Commission met on Wednesday, June 12th, 2002, at 5:00 p.m. at the Taycheedah Town Hall. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider.

The Chairman called the meeting to order.

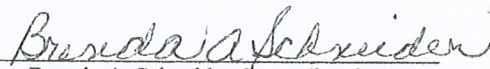
Agenda

- #1 Discussion and possible adoption of a resolution including Ledge Road and District's capacity purchase from developer in the Phase I sewer project. Jim Hovland motioned to approve the Ledge Road Sewer Resolution, as prepared by Attorney Kathryn Bullon, seconded by Adolph Schneider. 'Be it resolved that the District will and hereby does permit the developer of the proposed Hawk's Landing subdivision to construct the Ledge Road sanitary sewer from the point of connection with Taycheedah Sanitary District No. 1's system to a point where it abuts the west line of the final plat of Hawk's Landing, and to construct internal subdivision sewers, all in accordance with the plans and specifications approved by the District, with said construction to be inspected by a qualified inspector approved by the District, at the developer's cost. Further resolved, that upon completion of construction and acceptance by the District, the District will assume ownership of said sewers and will purchase capacity in the Ledge Road sewer from the developer for areas in the District that will be tributary to said sewer. Further resolved, that the developer will be entitled to offset its investment in Ledge Road construction costs against any connection charge for Ledge Road sewer main capacity that may be established for Phase I Project Area "F".' Motion carried (3-0).
- #2 Discussion and possible adoption of a resolution approving connection fees for future developers. Jim Hovland motioned to approve the Connection Charge Resolution, as prepared by Attorney Kathryn Bullon, seconded by Mike Freund. 'Be it resolved, that the District will and hereby does establish connection charges to be collected at time of connection from all parcels not specially assessed as part of the Phase I construction project, for the purpose of collecting a fair contribution from said parcels toward the system-wide capacity, system oversizing and planning costs incurred in order to provide sanitary sewer service to the entire District. Be it further resolved, that the connection charges shall be as follows: A) For Phase I Project Area "F", the sum of \$1,440 per connection, consisting of \$600 for District-wide planning, treatment plant and non-District owned interceptor capacity costs and \$840 for Ledge Road sewer capacity costs; B) For the balance of the District outside of Area "F", the sum of \$1,500 per connection, consisting of \$600 for District-side planning, treatment plant and non-District owned interceptor capacity costs and \$900 for system-wide oversizing costs. Be it further resolved that the connection charge for all areas shall increase for the cost of financing by the sum of \$80 per year commencing January 1, 2003, until such time as the District's project-related debt is retired.' Motion carried (3-0).
- #3 Discussion and possible decision of treatment of multi-family dwellings and businesses for purposes of special assessments. The Commission discussed using a different special assessment method for multi-family structures and businesses. The Commission is currently awaiting a recommendation from staff. The Commission did not make a decision.
- #4 Approval of bills. The Secretary explained the insurance bills, the late filing fees and the attorney bill was reviewed. Adolph Schneider motioned to approve the bills as submitted, seconded by Jim Hovland. Mike Freund amended the motion to request a courtesy write-off of \$403.00 on the legal bill, amendment to the motion failed for lack of a second. Original motion carried (3-0). Mike Freund moved to approve the approach the attorney office of John St. Peter for a courtesy write-off of the charges for the May 13th meeting, seconded by Adolph Schneider. Motion carried (3-0). Public comment. Public comment was taking regarding violations occurring at the City treatment plant, vacant lot assessments, the upcoming public hearing, the appeal process, increase to the contingency fund, preliminary financing plan, assessments to businesses, the cost of Phase II, capacity available in the Cty. UU pipe, assessments to ag-land and multiple parcels with one owner.
- #5 Review draft assessment roll for owner and address corrections. The Commission and Secretary reviewed the draft Special Assessment roll for ownership and address corrections.

The next meeting will be on either June 19th or 20th. Glen Vierkant will be asked to attend.

Mike Freund motioned to adjourn, seconded by Adolph Schneider. Motion carried (3-0).

Attest


Brenda A. Schneider, Recording Secretary

ST. PETER AREA SANITARY DISTRICT

RESOLUTION

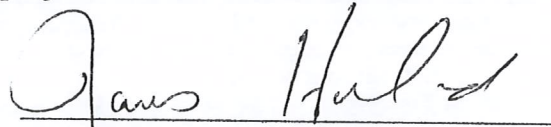
CONNECTION CHARGE

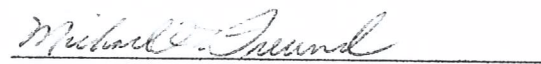
BE IT RESOLVED, that the District will and hereby does establish connection charges to be collected at time of connection from all parcels not specially assessed as part of the Phase 1 construction project, for the purpose of collecting a fair contribution from said parcels toward the system-wide capacity, system oversizing, and planning costs incurred in order to provide sanitary sewer service to the entire District.

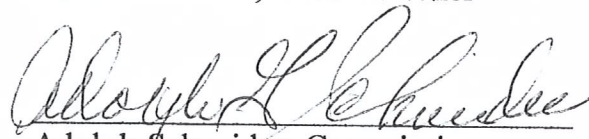
BE IT FURTHER RESOLVED, that the connection charges shall be as follows:

- A) For Phase 1 Project Area "F", the sum of \$1,440 per connection, consisting of \$600 for District-wide planning, treatment plant and non-District owned interceptor capacity costs and \$840 for Ledge Road sewer capacity costs;
- B) For the balance of the district outside of Area "F", the sum of \$1,500 per connection, consisting of \$600 for District-wide planning, treatment plant and non-District owned interceptor capacity costs and \$900 for system-wide oversizing costs.

BE IT FURTHER RESOLVED, that the connection charge for all areas shall increase for the cost of financing by the sum of \$80 per year commencing January 1, 2003, until such time as the District's project-related debt is retired.


James Hovland, Chairman


Michael Freund, Commissioner


Adolph Schneider, Commissioner

Dated this 12th day of June, 2002.

Town of Taychedah Sanitary District #3

Project Cost Estimate - Phase 1 costs to be recovered via Connection Fess

	<u>Total Costs</u>	<u>Costs Allocable to Connection Fees</u>		
		<u>Category A</u> <u>District-Wide</u>	<u>Category B</u> <u>Area F Alone</u>	<u>Category C</u> <u>Balance</u> <u>of District</u>
Construction Cost	\$7,499,800			
Oversizing gravity mains				\$72,000 used incremental cost only
Oversizing casing				\$5,000 used incremental cost only
4" & 6" diameter Force Mains				\$108,000
Lift Stations & Lift Station Electrical Allowances				\$277,000 used 1/2 of construction cost
Metering Stations				\$35,000 used 1/2 of construction cost
				\$497,000
Contingencies	10%			\$49,700
Ledge Rd. Area Capacity Cost			\$304,000	
Wastewater Treatment Capacity Purchase		\$595,000		
On-Site Treatment Rebates				\$0
Utility Equipment				\$100,000 used 1/2 of initial cost
Preliminary District-Wide Engineering		\$54,000		\$0 used 1/2 of initial cost
Engineering				\$0
Legal & Administration (excluding financing costs)				\$0
Total Project before Financing Costs	\$11,195,700	\$649,000	\$304,000	\$646,700
Initial Financing Costs	2%	\$13,000	\$6,100	\$12,900
Total Project before Financing Costs	\$11,419,600	\$662,000	\$310,100	\$659,600
Ultimate Service Area - Residential units		1100	370	730
Impact &/or Connection Fee per Unit		\$600.00	\$840.00	\$900.00
Annual increase for cost of financing over time	5.50%	\$30.00	\$50.00	\$50.00

ST. PETER AREA SANITARY DISTRICT

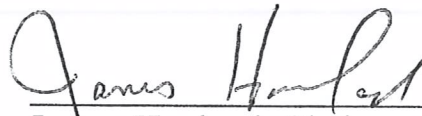
RESOLUTION

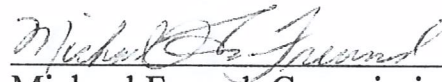
LEDGE ROAD SEWER

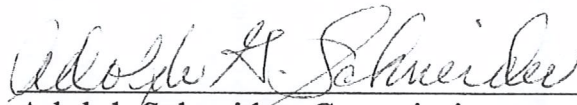
BE IT RESOLVED, that the District will and hereby does permit the developer of the proposed Hawk's Landing subdivision to construct the Ledge Road sanitary sewer from the point of connection with Taycheedah Sanitary District No.1's system to a point where it abuts the west line of the final plat of Hawk's Landing, and to construct internal subdivision sewers, all in accordance with the plans and specifications approved by the District, with said construction to be inspected by a qualified inspector approved by the District, at the developer's cost.

FURTHER RESOLVED, that upon completion of construction and acceptance by the District, the District will assume ownership of said sewers and will purchase capacity in the Ledge Road sewer from the developer for areas in the District that will be tributary to said sewer.

FURTHER RESOLVED, that the developer will be entitled to offset its investment in Ledge Road construction costs against any connection charge for Ledge Road sewer main capacity that may be established for Phase I Project Area "F".


James Hovland, Chairman


Michael Freund, Commissioner


Adolph Schneider, Commissioner

Dated the 12th day of June, 2002.

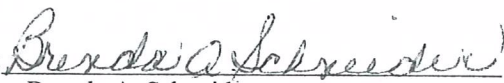
The St. Peter Sanitary District Commission met on Friday, June 21st, 2002, at 2:00 p.m. at the Taycheedah Town Hall. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present were Glen Vierkant, Foth & Van Dyke, Dave Wagner, Ehler's & Associates and Attorney Kathryn Bullon.

The Chairman called the meeting to order.

Agenda

- 1) Discuss and determine Special Assessment Policies:
 - a) Interest rate on installments. The District is not in the position to lock-in a specific rate. Staff advised charging 6%. If the rate is considerably less; the District can reduce the rate. Increasing the rate would require notices. Mike Freund moved to establish the District's interest rate at 6% for all special assessment installment payments, seconded by Adolph Schneider. Motion carried (3-0).
 - b) Interest start date on installment payments. Mike Freund moved that interest begins to accrue on November 1, 2002, seconded by Adolph Schneider. Motion carried (3-0).
 - c) Prepayment deadline. Mike Freund moved to establish the prepayment deadline of November 1, 2002, seconded by Adolph Schneider. Motion carried (3-0).
 - d) Due date for first installment payment. Mike Freund moved to wait until the 2003 tax roll to begin installment payment payments. The first installment will be due January 31st, 2004. Adolph Schneider seconded the motion. Motion carried (3-0).
 - e) Assessment against multi-family and commercial properties. After considerable discussion with staff, Adolph Schneider moved to assess duplexes and business structures one full assessment of \$11,000 plus an additional \$4,400, seconded by Mike Freund. Motion carried (3-0). Separate structures with facilities will be assessed one full assessment on each structure. Additional lateral requests will be charged the \$2,200 lateral fee, payable upfront. St. Peter Athletic Club will be assessed one full assessment plus the \$5,900 vacant lot assessment for each vacant lot. The Commission discussed the limited access to Hwy. 149. The church parking lot will be assessed one vacant lot assessment. Dan Rosenthal's business building was discussed. Dan will be assessed one full assessment due to the fact that the building is used for storage only.
 - f) Partial prepayments. Mike Freund moved that the District does not accept partial prepayments of special assessments, seconded by Adolph Schneider. Motion carried (3-0).
 - g) Buildable lots. Jim Hovland motioned that buildable lots be determined per the Town's Zoning Ordinance requirements of .5-acre minimum and at least 40 feet of frontage, seconded by Adolph Schneider. Motion carried (3-0). The Eppli/Hillcrest Lane property and the Rosenthal property will be assessed based upon future lots.
 - h) Connection fees. The Commission resolved on June 12th, 2002, to establish the connection fee for Area F to be \$1,440 and for land outside of Area F to be \$1,500. The Commission consensus was to not adjust the fee at this time.
 - i) Private system rebates. Mike Freund moved to establish the deadline of the life of a private system for rebate purposes to be November 1, 2002, seconded by Jim Hovland. Motion carried (3-0). All rebate applicants will be required to provide documentation of the cost of the system and the date of first use.
 - j) Terms of deferral for deferred assessments. Adolph Schneider motioned to establish the terms of deferral of the deferred portion of the vacant lot assessment as determined and recommended by staff, seconded by Mike Freund. Motion carried (3-0).
- 2) Review and approve the draft Special Assessment Roll.
- 3) Review and approve the Engineer's Report of Special Assessments. Both documents are preliminary until after the public hearing. The Commission does not need to approve at this time.
- 4) Schedule the public hearing date and time. The Commission scheduled the public hearing for Wednesday, July 10th, at 5:30 p.m., at the Town Hall. A Commission meeting will immediately follow the public hearing.

Mike Freund motioned to adjourn, seconded by Jim Hovland. Motion carried (3-0).

Attest: 
Brenda A. Schneider
District Recording Secretary

Brenda Schneider

From: "Kathryn Bullon" <bullon@execpc.com>
To: "Brenda Schneider (E-mail)" <tntayclk@powerweb.com>; "Dave Wagner (E-mail)" <dave.w@ehlers-inc.com>; "Glen Vierkant (E-mail)" <GVierkant@foth.com>; "Jim Hovland (E-mail)" <james.hovland@ces.uwex.edu>
Sent: Thursday, June 20, 2002 11:34 AM
Attach: St. Peter Assessment Issues.wpd
Subject: SPSP Meeting - Assessment-related Issues

Greetings:

Attached is the list of issues that will need to be resolved at Friday's meeting in order to finalize the assessment roll and proceed to hearing.

Kathryn

6/20/02

ISSUES RELATED TO SPECIAL ASSESSMENT MATTERS

1. Interest rate on Assessment Installments.

Issue: What rate to charge on assessment installments.

Recommendation: 5.5%

Reason: The District is likely to have rates varying between 3.5 and 5.5% on its borrowing. The proposed charge to customers of 5.5% takes into consideration the varying rates incurred by the District, as well as the administrative cost of permitting assessments to be repaid in installments. Some of those costs are recovered through the interest rate, rather than being added to the user rate.

2. Interest Start Date on Assessments.

Issue: When to start interest charges accruing on assessments.

Recommendation: November 1, 2002, meaning that 14 months of interest would be charged on the first installment if it is first placed on the 2003 tax roll.

Reason: The statute permits interest to be charged from the date of the installment option notice that the District is required to publish. That Notice will probably be published sometime in July, shortly after the public hearing. However, with the delays in the project approvals, start date and borrowing date, the District is not likely to begin accruing interest debt itself until November 1. The November 1 date also coincides with the statutory date by which owners may prepay in full in order to avoid interest charges, making it doubly logical as the start date for interest on installments.

3. Prepay Deadline.

Issue: What is the date by which owners who want to prepay in full must have their check to the District?

Recommendation: Per statute, November 1 is the prepayment deadline, provided that the Notice is published before then.

Reason: Owners will have only 30 days from the date of the notice to notify the District of their intention to prepay, but will have until November 1 to get their checks in. The November date is not moveable - it is set by statute. Prepayments that are delivered after November 1 must include interest for the 13 months through December, 2003. This is also required by statute. We should be able to publish the notice sometime shortly after the hearing in July. This means that by approx. September 1, Dave should know how many prepayments there will be and finalize the borrowing amounts accordingly.

4. First Installment.

Issue: Should the assessment installments be placed on the 2002 tax roll due in January 2003, or on the 2003 tax roll due in January, 2004?

Recommendation: The first installment may wait until the 2003 tax roll, due January 31, 2004.

Reason: Dave does not anticipate the District having any principal payments due on the Clean Water Fund loan until 2004. Interest for 2003 will either be capitalized (added to the amount borrowed), or paid out a tax levy, or some combination thereof. This will allow the District to delay putting the assessments on the tax roll until the project is closer to completion and closer to the time that the property owners will be able to use the system.

5. Multiple Unit/Commercial Assessments.

Issue: Should single-structure multi-family dwellings, and businesses, be assessed at a different rate than single family dwellings?

Recommendation: Yes, there should be an increased charge over the single-family dwelling assessment, for multi-family and business properties. One approach is to charge one assessment per structure, with an additional connection charge per unit (multi-family) or per REU (business). Another approach would be to charge one assessment per structure, plus either the improved, or the unimproved, portion of the assessment per unit/REU. The Commission needs to decide what the additional charge should be.

Adding the connection fee would result in an assessment of approx. \$12,500 for a two-family dwelling. Adding the vacant lot portion of the assessment would yield an assessment of approx. \$14,700 for the same property. Adding the improved lot portion of the assessment results in an assessment of \$16,100.

Reason: The District is purchasing capacity and designing its system for existing properties and for projected growth over the next 50 years. Single structures that house more than a single family, and businesses that represent higher-than-residential use of the system, need to pay their fair share for the system costs. With the base cost being tied to a single-family dwelling, this means that multi-family and business uses should be paying more. There is also an element of greater benefit to the multi-family unit and business owner as the sewer system enhances the earning potential of the property.

6. Residential Equivalent Unit (REU).

Issue: How to define the REU for different types of businesses, for purposes of assessments, connection fees and user fees.

Recommendation: Use FmHA/Rural Development guidelines, a summary of which is attached.

Reason: These guidelines, while old, are still the accepted standard in the industry.

7. Partial Prepayments of Assessments.

Issue: Should the District accept partial prepayments of special assessments?

Recommendation: No.

Reason: The District is not required by law to accept partial prepayments. Accepting partial payments requires the District to prepare a separate, individualized installment roll for each property that partially prepays. This is a costly and time-consuming administrative burden on the District, with little or no corresponding benefit, as the interest earned or saved on the prepayments will not offset the administrative costs.

8. Buildable Vacant Lot.

Issue: What constitutes a buildable lot for assessment purposes?

Recommendation: Use the Town's minimum lot size for building in a sewer development (½ acre).

Reason: Because the Town's minimum lot size is already quite large for sewer developments, there is no need to look to anything larger than that as more likely to mimic actual development.

9. Connection Fee Adjustment.

Issue: Should the connection fee be adjusted to reflect the revised (lower) capacity purchase costs calculated by the City?

Recommendation: If the connection fee is to be added to the base assessment to determine the total assessment for multi-family and business property, then it should be adjusted now.

Reason: We need to have a final number for the connection fee if it to be incorporated as part of the assessment for multi-family/business, in order to give proper notice and determine the installments.

10. Private System Rebates.

Issue: What is the cut-off date for the life of private systems for rebate purposes?

Recommendation: There are several, logical alternatives, as the statute does not define a date. One would be the date the assessments are levied, July 10 if we stay on schedule. Another would be November 1, the prepayment date. Another would be the date the public system become operational. Keep in mind that only those who constructed a private system prior to the date the District was formed are entitled to any rebate.

Reason: The statute talks of "when the District issues any assessments...". That date would be July 10 (or whatever date the levy is made). This is a logical date to pick under the statute. November 1 is also logical if the Commission wishes to "extend" the pool of eligible systems at least until the date prepayment must be made for the public system. The longest extension would be until the date the Commission deems the public system operational and ready for connection. There is some logic to this date as well, as until then, everyone will still be using their private system.

11. Terms of Deferral.

Issue: What are the terms of deferral for the portion of the vacant lot assessment that is not currently due?

Recommendation: The deferred portion (\$5100) will be deferred until connection. In the year of connection, the deferred portion becomes due. It may be paid in a lump sum at the time the connection permit is requested, or in installments over the remaining term of the Phase 1 installments (if any). If paid in installments, it will bear the same 5.5% interest rate on installments as the Phase I assessments. There will be a cost-of-money annual increase of \$280 per year, 300 - commencing January 1, 2004, and continuing every year thereafter until the District's debt for the Phase 1 project is paid in full.

Reason: These terms are consistent with the treatment of current assessments, and the connection charge.

<u>Classification</u>	<u>Number of REUs</u>
General Business/Office	One REU per 20 employees
Shopping Center/Supermarket	One REU per 4,000 sq. ft. of floor space
Motel with Laundry	One REU = bed space x % of occupancy ÷ 6
Motel Without Laundry	One REU = bed space x % of occupancy ÷ 8
Bowling Alley with Bar	½ REU per alley
Service Station	One REU
Church	One REU
School - preschool, elementary, middle or junior high	One REU per 30 students
High School	One REU per 20 students
Tavern	One REU per 40 seats
Tavern with Food Service	One REU per 10 seats
Family-style Restaurant	One REU per 10 seats
Restaurant with Separate Bar Area	One REU per 10 seats for Restaurant area, and One REU per 40 seats for Bar Area
Fast-food Restaurant	One REU per 6 seats
Country Club	One REU per 25 members
Health/Fitness Club	One REU per 40 members
Child Care/Daycare Center	One REU per 16 children
Manufactured Housing Community	One REU per lot
Other Commercial or Industrial Use	To Be Determined by the Commission on a Case-By-Case Basis

**TOWN SANITARY DISTRICT NO. 3
OF THE TOWN OF TAYCHEEDAH**

RESOLUTION MODIFYING REPORT AND APPROVING REPORT AS MODIFIED

WHEREAS, a Report dated June 21, 2002 was prepared by the District's engineering consultants, Foth & Van Dyke, the District's financial consultant, Ehlers & Associates, and the District's legal counsel, Edgerton, St. Peter, Petak, Massey & Bullon, in accordance with Section 66.0703, Wis. Stats.; and

WHEREAS, the Commission has reviewed the Report and, in light of information obtained since the filing of the Report, finds its necessary to modify the Report;

NOW, THEREFORE, it is

RESOLVED, that the Report is modified as follows:

1. The Schedule of Proposed Assessments is revised as follows:
 - A. The name of the owner of parcel #T20-16-18-21-02-085-00 is changed from Nett Land & Development to David F. and Annette E. Wirtz.
 - B. The name of the owner of parcel# T20-16-18-99-SB-010-00 is changed from Lyle D. and Laura Kraus to Paul and Lisa Mand.
 - C. The vacant lot assessment against parcel #T20-16-18-99-EV-300-00, owned by Terrence J. and Judith M. Hintz, is deleted. The lot is not buildable because the Hintz house straddles the lot line.
 - D. The vacant lot assessment against parcel # T20-16-18-28-05-019-00, owned by Thomas J. and Sharon M. McCrory, is deleted. The lot is not buildable because the McCrory house straddles the lot line.
 - E. The vacant lot assessment against parcel #T20-16-18-99-EV-350-00, owned by Anthony P. Passler, is deleted. The lot is not buildable because the Passler house straddles the lot line.
 - F. The vacant lot assessment against parcel # T20-16-18-21-03-005-00, owned by Gerald A. and Roberta A. Schmitz, is deleted. The lot is not buildable because a drainage ditch located on the property reduces the area available for placement of improvements.
 - G. The vacant lot assessment against parcel #T20-16-18-20-09-001-01, owned by Robert L. Schmitz, is deleted. Although it has a separate tax key number, this parcel is part of a larger parcel in agricultural use that exceeds 35 acres and is therefore exempt from assessment.

H. The vacant lot assessment against parcel # T20-16-18-29-04-001-00, owned by the Gerald J. Braun Revocable Trust, is deleted. Although it has a separate tax key number, this parcel is part of a larger parcel in agricultural use that exceeds 35 acres and is therefore exempt from assessment.

I. The vacant lot assessment against parcel #T20-16-18-27-06-001-00, owned by Patrick and Sandra C. Mand, is deleted. The lot is not buildable because the driveway and other improvements related to the Mand house, which is located to the rear of the parcel, reduce the area available for placement of improvements and any future sale of the parcel would result in landlocking the Mand house parcel.

J. The improved lot assessment against parcel #T20-16-18-28-06-003-00, owned by Richard J. Mand, is changed to a vacant lot assessment. There are no improvements on this parcel.

K. The business assessment against parcel #T20-16-18-28-06-008-00, owned by Richard J. and Jacqueline J. Mand, is changed from \$22,000 to \$15,400, because the business formerly operated at the site has been moved to a different location.

L. The double assessment against parcel #T20-16-18-29-14-004-00, owned by Nicholas A. Backhaus and Russell J. Troudt, is changed from \$22,000 to \$15,400, because both the house and garage located on the parcel can be served by a single lateral and although there are facilities in each building, the parcel contains only a single-family residence with no business use.

M. The alternatives for payment of the special assessments is expanded to include payment in two installments. Under this option, the first installment of one-half (½) of the principal amount of the assessment is due on or before October 31, 2002. The second installment, consisting of the principal balance of the assessment together with interest thereon for 1 year at the rate of 6.0%, is due on or before October 31, 2003. Property owners notifying the District that they elect this payment alternative may not later choose to pay installments without the express, written consent of the District.

FURTHER RESOLVED, that the Report, as modified above, is hereby approved.

District President

Attest:

The St. Peter Sanitary District Commission conducted a public hearing pertaining the special assessment of property on Wednesday, July 10th, 2002, at 5:30 p.m. at the Taycheedah Town Hall. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present was Attorney Kathryn Bullon, Glen Vierkant of Foth & Van Dyke and Dave Wagner of Ehler's & Associates. Approximately 150 persons were in attendance.

The Chairman called the meeting to order. The Chairman introduced the District's professional staff, announced the purpose of the public hearing and announced the format the hearing will follow. All persons owning property within the special assessment area received a notice of special assessment, notice of public hearing and notice of requirements for private sewage system reimbursement. The Chairman also announced that the special assessment on a vacant lot is \$5900 as stated at the top of each letter. The body of the letter inadvertently misstated the vacant lot special assessment as \$5100. \$5100 is the amount deferred until connection is made to the system.

Glen Vierkant, Foth & Van Dyke gave a brief presentation covering the following topics:

1. Purpose of the hearing
2. Project description
3. Total estimated project cost-\$11,280,000
4. Expected financing sources
5. Sources of repayment
6. Special assessment-total \$5,566,200
7. Methods of payment
8. Deadlines

Public comment was as follows:

- Rodney Bublit, N8110 Lakeview Road, purchased his property 36 years ago. He does not intend to build on his second lot. Mr. Bublit questioned if he could combine his two parcels in order to avoid the vacant lot assessment. The response was that the second parcel is buildable; someone could eventually buy the parcel and build a house. Also combining parcels would not restrict the possibility of it being split apart later.
- Dan Rosenthal, W3737 Evergreen Court, T20-16-18-99-EV-180, owns a vacant parcel that was combined with another lot by Certified Survey Map, recorded on 7/17/01. A special assessment was placed against the vacant parcel. Mr. Rosenthal asked if all double lots are being double assessed. The response was that the Commission made a policy decision not to evaluate the number of potential lots in a parcel nor to determine if multiple lots were combined in the past. Mr. Rosenthal's second lot is still buildable and could be split.
- Anthony Passler, W3880 Evergreen Court, owns a double lot. When he purchased the lots, he was told the four inner corners of the circle would be single lots. His gas line and well are located on the second lot and his house is placed on both lots. The response was that if the house is over the lot line; the lot would not be buildable. And therefore, should have one assessment.
- Diane Diedrich, N8574 Lakeview Road, asked if there is an option for them split their vacant lot into two lots. The response was, yes, at a cost of an additional assessment plus interest for each new lot. Additional lateral stubs could be installed during construction or later.
- Dan Mand, W3573 Hillside Circle, owns a large vacant lot. Mr. Mand questioned if the assessor will increase his property assessment by \$5900 for improvements to the property. The response was that the assessment of the property would not increase immediately. However, over time, based upon the market all assessments in the District may increase. The market value of homes with sewer service will be enhanced.
- Ivan Foote, W3865 Evergreen Circle, questioned the legality of not accepting partial payments. He also questioned if the District will replace his drain tile if it is damaged during construction. The response was that the law does not require the Commission accept partial payments. It would very costly to administer. And Mr. Foote was advised to make the construction crews aware of the location of his drain tile. If the location is known and the tile is damaged; the District will replace it.
- Bruce Zuehlke, N8254 Edgewood Lane voiced concern about the project going over budget and whether or not a prepayment elective is considered paid in full. The response was that the project has a substantial contingency fund. Costs were estimated high. If the project costs less than projected, a refund will be given. The special assessment process is expensive. The District does not intend to do it twice. The prepayment elective does not charge interest to the property owner. It lowers the amount of money the District needs to borrow and subsequently lowers to interest expense to the District. Dave Wagner spoke about his experience. He has never worked with a District that needed to increase their assessments. Foth is a high quality firm that Ehler's has worked with in the past.
- John Buechel, W3963 Hwy. 149, questioned the prorating of rebates and the installation deadline. The response was the state law requires an assumed 10-year life of an onsite system. Law also establishes the deadline as the formation date of the District. The law also applies to the replacement of failing systems. The DNR Clean Water Fund administrators will review the District's rebate before approving a loan.

- Mike Hochrein, N8249 Sunset Drive, voiced disappointment in not receiving periodic updates throughout the last year. He also questioned the ability of a bidding contractor to calculate an escalated bid based upon the established special assessment and related financial information. Mr. Hochrein also commented on the fact that prepayments have to be made by November 1, 2002, but construction won't begin until 2003. Mr. Hochrein suggested allowing prepayments in two installments. The first payment due November, 2002 and the second due November, 2003. Mr. Hochrein also feels the contingency fund is too high. Mr. Hochrein also asked Dave Wagner if in his experience has he witnessed any refunds being given. Mr. Wagner response was yes, about 10% of the Districts did refund assessment money. Mr. Wagner also stated that the financial information is too murky for a bidder use in establishing an escalated bid. Less the 50% of the costs are collected through special assessments. The contractors may look at engineering costs estimates but not special assessments. The Commission will also further consider the two-payment prepayment idea.
- Eric Joslin, N8416 Sunset Drive, questioned the documents required for rebate consideration. He also commented that is contractor didn't install his system until after the deadline. However, the permit was issued prior to the deadline. Mr. Joslin was instructed to submit a letter of explanation with his documentation for the Board to consider.
- RJ Troutd, N7817 Hwy. 149, installed a bathroom in his detached accessory building. He has been assessed \$22,000. Both structures use the same septic system and well. The accessory building is not used as a residence. The response was that both structures have bathroom facilities, therefore both are assessable. The accessory building will have to be connected to the sewer if he intends to continue using the facilities in it. Dave Wagner questioned staff whether or not the structures are comparable to a duplex. The Commission will further consider the issue during the business meeting to follow this public hearing.
- Jim Karls, N7789 Ledgeview Springs Drive, motioned to hold a referendum election of sanitary district residents to ask whether to approve or disapprove the special assessment of the district. Chairman Hovland reminded Mr. Karls that the public hearing only deals with the special assessment roll. The notice does not give the Commission authority to address Mr. Karls' issue. Mr. Karls then proceed to verbally attack the Commission and staff. Chairman Hovland again reminded Mr. Karls that this is a special assessment hearing only. The District has been working with professionals in order to assist with legal, engineering and financial details. Mr. Karls question how the do a referendum election of the District. Attorney Bullon stated that the Commission could address the issue at the next noticed meeting.
- Athleen Simon, W3748 Silica Road, purchased their property in 1960. Three parcels currently remain. Two of the parcels are in the District. One parcel is a 6.5-acre farm field that has been specially assessed. They do not intend to build on it or sell it. The response was that farmland in excess of 35 acres is exempt from special assessment. Less than 35 acres is assessable.
- Ann Simon, Town Supervisor, told Attorney Bullon that she is wrong. Ann stated she called Madison asking about land zoned agricultural but assessed at residential rates. She was told that there is not an acreage requirement. Attorney Bullon responded that Ann is referring to the assessment of property for purposes of taxation and not special assessments for the construction of sewer. The statutes are very clear on special assessments.
- Dorothy Pease, Lot 56, Sunset Drive, question if an owner elects the 20-year installment method, is the debt against the person or the property? The response was that the assessment becomes a lien against the property. Payment in full at the time of closing will be up to the buyer's lender. The Commission is not requiring payment in full upon sale.
- Alphonse Braun, N8302 Cty. QQ, didn't receive a letter. Roger Braun had Alphonse Braun's letter.
- Scott Peterson, W3871 Silica Road, stated his mound was installed in 1988 and is working. He also asked about an increase in property assessment due to the sewer. He also questioned when he would have to connect to the sewer. The response was within one year once the service is made available to his property. Any increase in assessment of property would be on a District-wide basis.
- John Gormican, W3639 Taynette Circle, stated he has been discouraged from combining his two lots into one lot in order to avoid an additional assessment. He asked if once the sewer is in can an additional lateral be installed. The response was that the District prefers to install a lateral stub to all lots during construction in order to decrease the number of future cut-ins. Cut-ins will be allowed in the future.
- Gerald Schmitz, N8298 Edgewood Lane, the lot adjacent to him was split in two. He and the neighbor each purchase half of the lot. Mr. Schmitz questioned the buildability of the parcel. He believes it is too narrow. The lot also has a ditch running the entire length of the parcel. The Commission will re-evaluate the buildability of the parcel.
- Cliff Johnson, W4002 Hwy. 149, the County Code Enforcement Dept. condemned his system in June of 1998. He replaced it with an at-grade mound system. The County on 7/8/98 issued the permit for the new

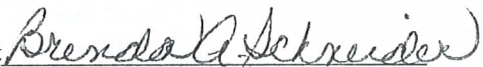
system. Attorney Bullon responded that the statutes do not entitle his to a rebate. However, he was advised to submit the necessary documentation to the Commission for further review.

- Bevia Probst, W4207 Silica Road, asked how much the user fee would be per month. The response was \$50.00 a month. The fee is based on operation and maintenance costs and debt retirement. The 20-year installment schedule was discussed. State law requires level principal payments.
- Rose Verdegan, N8082 W. Ann Randall Drive, questioned grant possibilities for individuals. The response was that there are grant and loan programs for veterans, low-income households and elderly. The Secretary will schedule a group workshop meeting to provide more information.
- Diane Diedrich, N8574 Lakeview Road, commented on Calumet's user fee of \$77 a quarter and Taycheedah No. 1's user fee of \$74. She questioned the District's need to have a large contingency fund. She also questioned if the District will have to pay Taycheedah No. 1 and Town of Fond du Lac Sanitary District for the use of their pipes. The response was yes, the District will have to pay the other Districts in order to use the pipe. Also, Calumet and TSD No. 1 were built many years ago. Their costs were considerably less and both received grant money. The contingency fund is required by the DNR for the replacement of equipment.
- Julie Hellwig, W4067 Aspen Court, has compiled her documentation pertaining to the installation of her mound system. The Chair instructed her to submit it to the Commission. She also commented on the total yearly expense.
- Geno Freund, questioned if the bids for the project are out and if there would be consideration regarding one-year lateral connection. He is concerned that contractors may be busy. The response was that Commissions are usually lenient about connection based upon the demand for contractors. Certain sections of the system may be operational in segments.
- Richard Daleiden, W4202 Silica Road, asked if lateral location has been determined. The response was that a letter of explanation and a wood lathe would be supplied to all property owners. The owners are to use the lathe to indicate the desired location of their lateral stub. The engineers will try to meet the owners' requests. However, the location may change due to the depth of the sewer pipe. Owners were encouraged to contact a plumber for assistance in determining the stub location.
- Dick Blamey, N7811 Ledgeview Springs Drive, asked about blasting activity, pre-blast surveys, insurance and who would determine if any damage occurred. The response was that the engineer could only determine damage that can be seen. If a foundation has been studded and sheet rocked, it would be impossible to see any foundation damage. The contractors would be insured.
- Ray Donahue, N7818 Ledgeview Springs Drive, has a spring on his property. Blasting activity for a house in the neighborhood decrease the water flow of the spring in half. The activity also damaged two homes. The response was that damage is always a possibility. The contractors will be subject to specific requirements. However, blasting needed for lateral connection is the homeowner's responsibility.
- Jim Karls, N7789 Ledgeview Springs Drive, asked if the District has arranged to purchase capacity in the plant from the city. The city has been having problems with the DNR. Is there enough capacity available and is the price protected against gouging. The response was that a 20-year contract was approved in 2000. The contract establishes the purchase price. The Town has purchased the needed capacity. Mr. Karls also asked about the interest rate increasing from 5.5% to 6%. The response was that it was increased to provide a cushion. The financing won't be finalized until the bids are awarded. Typically, Districts charge over the cost of borrowing in order to cover the additional costs of financial bookkeeping. The rate can always be decreased. Also, special assessments are not tax deductible. However, the interest is deductible. Property owners were advised to speak to their tax advisor for more information.
- Laura Kraus, N8129 Sunset Drive, asked when the construction will begin and whether or not it will be done before the Hwy. 149 re-construction. The response was that the start of construction would depend upon the contractor. The Commission is hoping to start in November. The construction of the Hwy. 149 pipe will start before the highway project.
- Mike Hochrein, N8249 Sunset Drive, asked if a post card noticing the next meeting could be mailed to all property owners, and what is the District going to pay the developer for the Ledge Road pipe. The response was the developer would finance the \$300,000 to get the pipe to the subdivision. The District will purchase its' needed capacity in the pipe for the other areas. The cost to the District will be approximately \$160,000. The pipe will be owned by the District and inspected by the District before the District will accept the pipe. The District's cost was based upon a percentage of the actual costs of construction. There will be a connection fee. There will be a connection fee per house. All new subdivisions will pay a connection fee. Mr. Hochrein also questioned if it is legal for less than three commissioners to meet. The response was that a meeting could take place with one member present, however it takes the full Commission to make decisions.

- Jim Karls, N7789 Ledgeview Springs Drive, asked Bill Huck, the Town's Assessor, what impact the sewer would have on property assessments. Bill's response was that the market would establish the value based upon sales. Any increase in assessments would be District-wide.
- Jeff Zarembka, N8324 Edgewood Lane, stated he has been asked to sign an easement. He asked if there would be any compensation given toward his assessment for the easement. The response was no.
- Dan Mand, W3573 Hillside Circle, has an extra lot with a vacant lot assessment. He asked if the lot would be taxed higher. The Assessor again explained that the market would determine the value of the sewer pipe. He will not increase the assessment by \$5900, the amount of the special assessment. Any increased property assessment is not relevant to the cost of the sewer improvement.
- Pat Mand, N7995 Church Road, questioned the special assessment of businesses. The response was that business and duplexes are assessed an additional \$4400 for the additional unit, two separate structures with facilities are charge two \$11,000 special assessments and vacant parcels are assessed \$5900. The balance of \$5100 would be due upon connection to the system. Pat asked if water usage matters. The response was yes, a schedule will be formatted for specific uses. There will not be a user fee on vacant lots.
- Diane Diedrich, N8574 Lakeview Road, asked about the disposal of the existing system. The response was that the owner would have to hire someone to abandon his or her system. State statutes dictate how it needs to be done.
- Jim Karls, N7789 Ledgeview Springs Drive, asked Dave Wagner if the any of the projects he has been involved with during the three years are comparable in costs. Mr. Wagner mention several other projects with special assessments that ranged from \$9500 to \$14,500, user fees between \$26 to \$45 and mil rates from zero to \$3. Mr. Karls commented on the average market value of Green Lake property. He stated the costs to them were a debt burden. Mr. Wagner stated in general, the sewer could be a substantial increase in property value based upon sales.
- Ray Donahue, N7818 Ledgeview Springs Drive, asked if expansion would be allowed without sewer. The response was that the District and the Board has adopted a resolution that all new subdivision must be sewerd if cost-effective and feasible. The District currently has several new homes using temporary approved holding tanks.

The Chairman reminded property owners to submit their rebate documentation by the deadline.

The public hearing was adjourned.

Attest 
Brenda A. Schneider
Recording Secretary

The St. Peter Sanitary District Commission conducted a general business meeting on Wednesday, July 10th, 2002, at the Taycheedah Town Hall. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present was Attorney Kathryn Bullon, Glen Vierkant of Foth & Van Dyke and Dave Wagner of Ehler's & Associates.

Agenda

1. Call to order. The Chairman called the meeting to order at 8:20 p.m.
2. Discussion and possible adoption of Resolution modifying and approving project Report and Assessment Roll.
 - a. Nett Land & Development sold Lot 50 to David & Annette Wirtz. The sale closed on July 1st. Ownership name change duly noted. T20-16-18-21-02-085-00
 - b. Terrence & Judith Hintz's home straddles the lot line of their second parcel. Vacant lot assessment is deleted. T20-18-99-EV-300-00
 - c. Lyle & Laura Kraus sold their home to Paul & Lisa Mand. Ownership name change duly noted. T20-16-18-99-SB-010-00
 - d. Thomas & Sharon McCrory's second parcel may not be buildable. The shape of the lot and the Hwy. 149-vision triangle reduces the area available for placement of improvements. Vacant lot assessment is deleted. T20-16-18-28-05-019-00

- e. Anthony Passler's home straddles the lot line of their second parcel. Vacant lot assessment is deleted. T20-16-18-99-EV-350-00
- f. Gerald & Roberta Schmitz's vacant parcel may not be buildable. A drainage ditch located on the parcel reduces the area available for placement of improvements. The vacant lot assessment is deleted. T20-16-18-21-03-005-00
- g. Robert L. Schmitz's vacant parcel is part of a larger parcel in agricultural use that exceeds 35 acres. The vacant lot assessment is deleted. T20-16-18-20-09-001-01
- h. Gerald J. Braun Revocable Trust's vacant parcel is part of a larger parcel in agricultural use that exceeds 35 acres. The vacant lot assessment is deleted. T20-16-18-29-04-001-00
- i. Patrick & Sandy Mand's vacant lot is not buildable because the driveway of the Mand house, which is located in the rear of the parcel, reduce the area available for placement of improvements and any future sale of the parcel would result in landlocking the Mand home parcel. The vacant lot assessment is deleted. T20-16-18-27-06-001-00
- j. Richard & Jacqueline Mand's vacant lot was given a full-assessments. The assessment was changed to a vacant lot assessment. T20-16-18-28-06-003-00
- k. Richard & Jacqueline Mand's double assessment was changed from \$22,000 to \$15,400 because both the garage and the house located on the parcel can be served by a single lateral and although there are facilities in each building, the business formerly operated at the site has been moved to a different location. T20-16-18-28-06-008-00
- l. Nicholas Backhaus & Russell Troudt's double assessment was reduced to \$15,400, because a single lateral can serve both the house and the garage and although there are facilities in each building, the parcel contains only a single-family residence with no business use. T20-16-19-29-14-004-00
- m. The alternative for payment of the special assessments is expanded to include payment in two installments. Under this option, the first installment of one-half (1/2) of the principal amount of the assessment is due on or before October 31, 2002. The second installment, consisting of the principal balance of the assessment together with interest thereon for 1 year at the rate of 6%, is due on or before October 31, 2003. Property owners notifying the District that they elect this payment alternative may not later choose to pay installments without the express, written consent of the District.

Rodney Bublitz, Dan Rosenthal, Dan Mand and Athleen Simon addressed the Commission about their special assessments, but no changes were made to their assessments.

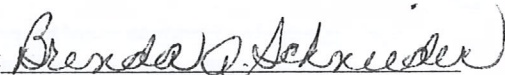
Mike Freund moved to adopt the Resolution Modifying Report and Approving Report as Modified, seconded by Adolph Schneider. Motion carried (3-0).

3. Discussion and possible adoption of Final Resolution levying special assessments and proceeding with project. Jim Hovland motioned to approve the Final Resolution Regarding Construction of Improvements and Levying Special Assessments, seconded by Adolph Schneider. Motion carried (3-0).

The next meeting was scheduled for Wednesday, August 7th, at 5:30 p.m.

4. Adjournment. Jim Hovland motioned to adjourn, seconded by Mike Freund. Motion carried (3-0).

Attest



Brenda A. Schneider
Recording Secretary

The St. Peter Sanitary District Commission met on Wednesday, August 7th, 2002, at 5:30 p.m. at the Taycheedah Town Hall. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present were Attorney Kathryn Bullon, Glen Vierkant, Foth & Van Dyke, and Dave Wagner, Ehler's & Associates.

Agenda

- #1 Call to order. The Chairman called to meeting to order.
- #2 Discussion of citizen request for a referendum election pertaining to the sanitary district project. A citizen request was made for a referendum election. Attorney Bullon was asked to provide legal advice. The Chairman read aloud a letter, dated 8/1/02, from Attorney Bullon. Kathryn's letter states that the Commission is not required by law to hold a referendum on whether or not to proceed with a sanitary sewer construction project. The comments of the Commission were that there would always be some degree of opposition to the project. It is the duty of the Commission to recognize whether or not there is a need and provide for it. Petitions were circulated to form the District. More than 60% of all the property owners signed the petition. Conducting a referendum election will further delay the project and increase construction costs. All the areas that have been added to the service area were done so by neighborhood petitions. All the petitions met or exceed 51% of all of the impacted property owners. The consensus of the Commission was to not pursue conducting an election.
- #3 Consideration and possible approval of engaging bond counsel. Dave Wagner obtained two quotes from two firms to provide the specialized service required in order to enter in the bond market. The service would supplement, not duplicate, the District's current legal service. The two firms were Godfrey & Kahn and Quarles & Brady. Dave recommended Quarles & Brady to provide bond counsel under the terms of their proposal. Kathryn added that both firms are competent and that there was no reason not to accept the lowest bid. Mike Freund moved to employ Quarles & Brady for bond counsel, seconded by Jim Hovland. Motion carried (3-0).
- #4 Discussion of engaging an auditor. Dave Wagner recommended having an auditor on staff by November 1st. Dave offered to solicit bids by the next meeting. Dave and Kathryn will compile the scope of services. The Commission authorized Dave to solicit bids.
- #5 Consideration and possible approval of District easements received to date. Glen supplied a list summarizing the progress with the requested easements. Some of the easements requested by the District have been signed and returned. The Commission needs to sign and record them with the Register of Deeds. The group discussed the outstanding easements. Foth is in the process of doing a follow-up with the property owners. Adolph Schneider motioned to approve the easements, per Glen's list, submitted and to authorize the Chairman and the District Secretary to sign additional easements as they are received, as long as they are in the same format as was submitted to the property owners, seconded by Jim Hovland. Motion carried (3-0).
- #6 Discussion of timelines for Clean Water Fund loan application and other financing issues. The District is in need of additional short-term financing. Glen will estimate the amount needed to carry the District through from now until long-term borrowing takes place. The Commission could borrow from the local bank with limited out-of-pocket expense or request a larger Bond Anticipation Note. The District will need to obtain a BAN sooner or later. The expense is substantial but would be paid out sooner or later. Mike Freund moved to authorize Kathryn Bullon to contact the local bank for a short-term loan, seconded by Jim Hovland. Motion carried (3-0).

Clean Water Fund Loan Department wants to see an approved Facilities Plan before the commit to an application. Kathryn stated she expects to have an approval letter from the City by the end of the week. Dave will need to obtain additional information from Glen and Brenda before the application can be submitted. The department can make a loan commitment within about two weeks of receipt of plans and specs. The group discussed the various timelines of required approvals. Dave suggested closing on a Bond Anticipation Note before the end of the year. Dave recommended having bids in hand by November, with a 90-120 day hold on bid price. The Fund has money funded through at least June 30, 2003. There has been no change in the rate.
- #7 Consideration of private septic system rebates. The submittal deadline was August 1st. Copies of documentation received by Brenda were distributed to Kathryn Bullon and Glen Vierkant. Additional submittals were made to Kathryn and Jim. Copies will be dispersed. Kathryn and Glen will review, formulate a plan and develop a spreadsheet. Applicants will be notified if additional documentation is needed. Kathryn and Glen will report rebate information to the Commission at the next meeting.
- #8 Consideration and possible action on the policy used to distribute rebates. Dave recommends paying out rebates after October 31st. Pre-pay elections could be offset with any rebate. A letter should be mailed to all the applicants informing them of the rebate amount and when and how to expect the rebate. Staff will recommend a policy at the next meeting.
- #9 Consideration and possible action on adjusting Jim Rosenthal's special assessments. One of Jim's vacant lots has a double vacant lot assessment plus one full assessment for the house currently under construction. The

Town Board has not approved a certified survey for Jim. The City is requiring him to revise his original survey. Jim does not plan to resubmit the survey for some time. The Commission has not assessed other lots based upon their potential. One other property has multiple assessments. The other parcel has Town Board approved certified surveys that have not been recorded. The group questioned whether or not Jim could meet the City's 85-foot frontage requirement and still create three lots on a cul de sac. Jim Hovland motioned to adjust Jim Rosenthal's special assessment to one lot with one full assessment, seconded by Adolph Schneider. Motion carried (3-0).

- #10 Consideration and possible action on Dan Mand's request for special assessment exemption. Dan Mand requests an exemption to the vacant lot assessment against his five-acre lot. Dan submitted a hand-drawn site plan indicating that his shed lies over the property line between his two properties. An aerial photo was reviewed. The Commission was unable to determine if the shed is over the lot line. Mr. Mand asked about assessments for future connections. New lots created in the future would be assessed \$8,800 per lot plus the actual cost of connecting a lateral stub into the pipe plus the yearly escalation factor. Mr. Mand withdrew his request.
- #11 Consideration and possible action on deleting Ken Rickert's special assessment. Taycheedah No. 1 is already servicing Mr. Rickert's home. He has a lateral connection into the manhole. Mike Freund moved to delete the special assessment against the Ken Rickert property, seconded by Adolph Schneider. Motion carried (3-0).
- #12 Consideration and possible action on deleting St. Peter Athletic Club's vacant lot assessments. St. Peter Athletic Club is requesting an exemption of special assessments against their two vacant lots. The Club is a non-profit entity that benefits the public. Mike Freund moved to delete the two vacant lot special assessment on land owned by the St. Peter Athletic Club, leaving one full assessment on one of the three parcels, seconded by Adolph Schneider. Motion carried (3-0).
- #13 Consideration and possible action on request to provide service to a vacant lot on Stoneridge Drive via easement to Bittersweet Lane. Haydar Saleh is purchasing a lot on Stoneridge Drive. Dr. Saleh requests Commission approval to connect a lateral into the Bittersweet Lane pipe. The property will probably require a grinder pump and force main. Adolph Schneider moved to provide service to Haydar Saleh's Stoneridge Drive property on the condition he secures the necessary easement and assumes the cost of lateral installation and all cost associated with the grinder pump, seconded by Jim Hovland. Motion carried (3-0). If Dr. Saleh decides to connect a gravity flow lateral into the Stoneridge Drive pipe, when it is constructed, he will also assume the cost.
- #14 Consideration and possible action on extending service to Schuster Lane (east). Foth originally planned to service the area but removed because the area is too wet. The owner requests sewer service to the lots. The extension would require undetermined additional costs. The sewer pipe will abut three of the properties but the District did not intend to provide sewer. Service could be provided to the three lots with little additional expense. The pipe passing the lots is a part of an easement. The owner is refusing to sign the easement until he is provided sewer service. The group was concerned about whether or not the area is considered wetlands and whether or not the area is buildable. The owner would need to provide proof that the lots are buildable and that permits can be issued. Jim Hovland moved to require John Neimeier to provide written proof from the Town and County that building permits are issuable for the lots, seconded by Mike Freund. Motion carried (3-0).
- #15 Consideration and possible action on providing sewer service through an adjacent property vs. grinder pump and force main. The District intended to provide a grinder pump and force main for Rick Mand's house. Rick requests approval to connect a gravity sewer west of his home through adjacent lands currently owned by him. Rick is also requesting no assessment against his detached shop. Rick will bear the cost of the lateral connection for the house and shop. Rick's proposal would save the District the expense of the grinder pump and the installation of the force main. Adolph Schneider moved to reduce Rick Mand's special assessment from \$15,400 to \$11,000, and approve the gravity connection in lieu of the force main and grinder pump, seconded by Jim Hovland. Motion carried (3-0).
- #16 Consideration and possible approval of the state certification of public sewer service to Hawk's Landing subdivision. The Wisconsin Department of Administration is requesting the Town Clerk's signature certifying that public sewer will be made available to the lots in the plat of Hawk's Landing before buildings are occupied and that private sewerage facilities are prohibited. Mike Freund moved to authorize Brenda Schneider to sign the needed form, seconded by Jim Hovland. Motion carried (3-0).
- #17 Establish a monthly meeting schedule. The Commission established a monthly meeting date of the fourth Wednesday of every month at 5:30 p.m., at the Town Hall. The next Commission meeting will be on Wednesday, August 28th.
- #18 Approval of bills. The approval of bills was put on hold until the next meeting. Brenda Schneider informed the Commission that several residents have contacted her and Adolph about financial assistance. Rural Development has begun making individual contacts with those residents. Rural Development offers grants and low interest loans to qualified individual homeowners. There is a concern that

August 7th, 2002

St. Peter Sanitary District

3.

others may be in need of assistance but have not contacted a Commissioner or Brenda. Brenda will work with Kathryn on a notice to be printed in the newspaper as soon as possible.

#19 Adjournment. Adolph Schneider motioned to adjourn, seconded by Mike Freund. Motion carried (3-0).

Attest: Brenda A. Schneider
Brenda A. Schneider
District Recording Secretary

LAW OFFICES
EDGARTON, ST. PETER, PETAK, MASSEY & BULLON

10 FOREST AVENUE

P.O. BOX 1276

FOND DU LAC, WISCONSIN 54936-1276

FAX NUMBER: (920) 922-9091

920-922-0470

A.D. (DAN) EDGARTON
ROBERT V. EDGARTON
RONALD L. PETAK
JOHN A. ST. PETER
KATHRYN M. BULLON
PAUL W. ROSENFELDT

ALLAN L. EDGARTON (1908-1994)
THOMAS L. MASSEY (1935-1995)
NEIL HOBBS (1922-2001)
GEORGE M. ST. PETER, RETIRED

August 1, 2002

Mr. James Hovland
W3586 Hillside Circle
Malone, WI 53049

Mr. Michael Freund
W3927 McCabe Road
Malone, WI 53049

Mr. Adolph Schneider
N8295 County Trunk QQ
Malone, WI 53049

Re: Referendum on Project

Gentlemen:

It has been suggested that the Sanitary District Commission should hold a referendum on whether or not the sanitary sewer project should proceed. You have asked whether the Commission is required to hold such a referendum.

The Commission is not required by law to hold a referendum on whether or not to proceed with a sanitary sewer construction project. Section 60.77(4), Wisconsin Statutes, expressly reserves the authority to plan, construct and maintain a sewerage system to the Sanitary District Commission.

There are some instances where a sanitary district referendum is authorized, for example regarding whether a district should consolidate with another, contiguous district and whether the method of selecting commissioners should be changed from elected commissioners to an appointed commission. However, there is no provision for holding a referendum on whether or not to proceed with a construction project.

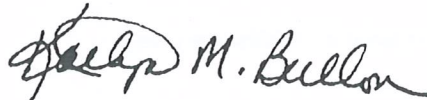
August 1, 2002
Page 2

I find no authorization for an advisory referendum either. If the Commission wanted to hold an advisory referendum, I think it can be assumed that the Town would be justified in demanding that the Sanitary District pick up any additional election costs associated with such a referendum. The Town Clerk may be able to give you an idea as to what those costs might be.

I hope that this is responsive to your questions.

Sincerely,

EDGARTON, ST. PETER, PETAK,
MASSEY & BULLON

A handwritten signature in black ink, appearing to read "Kathryn M. Bullon". The signature is fluid and cursive, with the first name "Kathryn" written in a more stylized, looped manner.

Kathryn M. Bullon

KMB/jap
cc: Brenda Schneider
David Wagner
Glen Vierkant

<u>Issue Quoted</u>	<u>Godfrey & Kahn</u>	<u>Quarles & Brady</u>
	incl. \$250 per issue allowance for disbursements	includes all disbursements
\$4,500,000 CWF Revenue Bond	\$3,750	\$4,000
\$4,500,000 G.O. Bond Anticipation Notes	\$4,000	\$3,000
\$4,500,000 G.O. Bonds	\$4,000	\$4,500
\$2,500,000 Revenue Bond Anticipation Notes	\$4,250	\$2,000
\$2,500,000 Revenue Bonds	\$4,500	\$3,250
Totals if no BANs are used	\$12,250	\$11,750
Totals if all BANs are used	\$20,500	\$16,750

EASEMENT
MARCH 29, 2002, Revised August 6, 2002
01S002

Easement Information		Location	Phone Number	Status
A) Sanitary Sewer Easements	Kenneth and Kathleen Groeschel		922-0656	Mailed on April 15, 2002. Called on August 1, 2002. Left a message.
	Kenneth and Kathleen Groeschel			Mailed on April 15, 2002.
	John & Lynn Wehner		922-2270	Mailed on April 15, 2002. Called on August 1, 2002. Left a message.
	John & Lynn Wehner			Mailed on April 15, 2002.
	Raymond Spangenberg			Received on April 24, 2002
	James and Joan Rosenthal			Received on June 12, 2002
	L & H Gyr Excavating			Letter dated April 18th states that he cannot sign at this time.
	James Emerich			Mailed on May 22, 2002
	Joe and Dorothea Pease			Received on May 29, 2002
	Nett Land and Development			Mailed on May 22, 2002
	Dale and Barbara Klintworth		921-6639	Met on 6/21/02 (Glen). Called on August 1, 2002. They are checking with an attorney.
	Dennis and Ann Holm		921-5166	Met with on May 9th. Left forms. Called on August 1, 2002. Left a message.
	Robert and Paula La Vigne		923-2706	Bob did not show up for the meeting on May 14th. Left forms with son. Left a message on August 1, 2002.
	David and Lisa Dobogai		923-3631	Met with on May 9th. Left forms. Called on August 1, 2002. They will sign forms.
	Robert and Lynn Wulf		232-0739	Received on May 31, 2002
B) Grinder Pump Easements	Richard and Shirley Rasmussen		926-9736	Received on July 1, 2002
	Mike King	N7765 Ledgeview	922-8156	Received May 17, 2002
	Warren Post	Ledgeview Springs	921-0559	Received on July 10, 2002
	James Zelder and Julie Hellwig			Received
	Roger and Karen Miller			Received on June 20, 2002
	Bruce and Sari Butler			Received on April 25, 2002
	Donald Endres and Sarah Krause			Mailed on April 15, 2002. Resent on July 2, 2002
	David and Lisa Adams	STH "149"		Mailed on April 15, 2002. Resent on July 2, 2002
	Ann Lindberg Revocable Trust	STH "149"		Mailed on April 15, 2002. Resent on July 2, 2002
	William and Kianne Fife	STH "149"		Mailed on April 15, 2002. Resent on July 2, 2002
	Timothy and Lora Huelster	STH "149"	922-5219	They were to call me back. Sent on July 2, 2002
	Elizabeth Esser	Lakeview Drive		Unable to locate a number
	Walter Orzechowski	Lakeview Drive		Have not been able to get in contact. (920) 795-4316. Address - N9288 CTH "W", Fond du Lac, WI 54935
	Rick and Jackie Mand	W4104 STH "149"	923-4476	Need to send out in the mail. Discussed with Rick on May 28th. Sent on July 2, 2002
C) Connection Easements	BCGW Enterprises			Mailed on May 22, 2002

Tacheedah Sanitary Commission

James E. Hovland
Michael Freund
Adolph G. Schneider

WHEREAS, the St. Peter Athletic Club asks for consideration that the said properties of two parcels be considered as one, regarding the sanitary sewer project.

WHEREAS, the two parcels purchased in January and May, 1960, was purchased with the intent of an athletic club for the benefit of the community and has continued to remain as such.

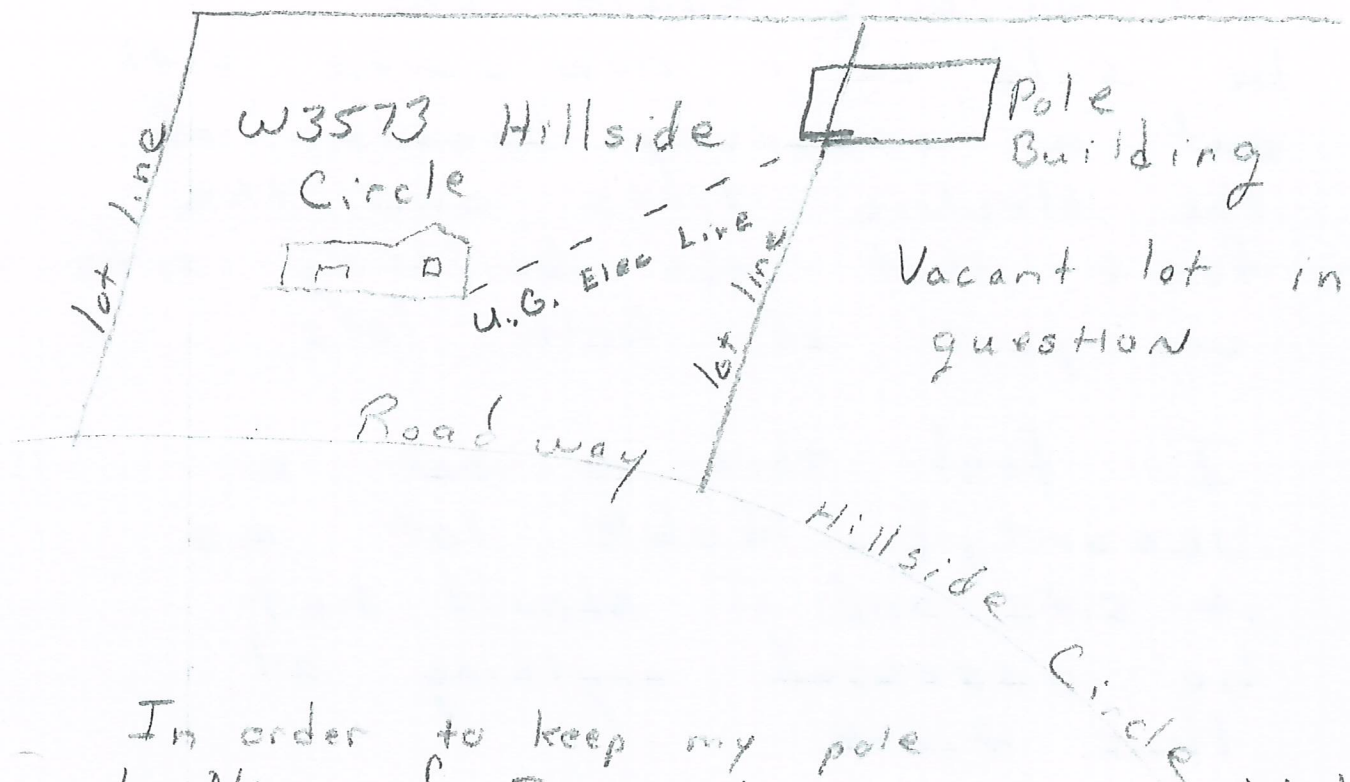
WHEREAS, the athletic club membership has significantly increased, total renovations have occurred, and future support in one of America's pastimes is definite.

WHEREAS, there exists no risk to consider said properties of the athletic club as one, where sale of, or sewer additions to, will at no time occur.

We therefore request to have costs representative of one parcel to the athletic club which is owned and supported by the community and is registered as a non-profit, tax exempt organization.

We appreciate your attention towards this stated request.

St. Peter Athletic Club Directors



In order to keep my pole building if I wished to sell my vacant lot for development, I would have to have my lots resurveyed. Anyone with a large lot for example 2.3 acres with a house to one side would pay 1 full assessment now and would pay again later if they resurveyed and sold a portion for development. I feel I am in the same situation now. Until my lots are resurveyed, my vacant lot is not buildable. I should not be charged \$5900⁰⁰ at this point. I also have electricity running to the pole building which is buried under ground

lot line

Ralph
Wuest

The building could not
be sold to a new owner with
out a resurvey because of
the electric lines and the
fact that the building sits
on part of both lots

I feel this is not a
vacant, buildable lot as
it sits and I should not
be assessed anything at
this time

Dan

921 5218

APPLICATION

for

LAND USE PERMIT & CERTIFICATE OF COMPLIANCE

Town of Taycheedah, Wisconsin

Dated: September 06, 1996

To the **BUILDING INSPECTOR:** The undersigned hereby applies for a permit to do work as described below and as shown on the reverse of this application. The undersigned agrees that all work will be done in accordance with the zoning ordinance and all other ordinances of the Town of Taycheedah and with all laws of the State of Wisconsin, applicable to said premises, and with the information shown on this application/permit.

Signed: Daniel Mand Owner

Daniel Mand

Agent:

Address: Same as above

I. D. #:

Lot No.: 2 Block No.: Subdivision: Replat:
Addition: CSM #3309-18-32
Description: NE 1/4: SW 1/4 of Section in: 22 Township: 16N Range: 18E
(if unplatted)

Premise Use: Storage Building

Variance: No

Ordinance Chg.: No

Zoning District: Res.

Construction: Pole Frame

Size: 24'

feet wide x: 36'

feet long

Area:

sq. ft.

Height: 9' wall

feet

No. of Stories: 1

Work consists of (check)

New Building: Yes

Estimated Cost: \$3,800 Fee: \$: \$25

Additions:

WI Permit#:

Gen: N

Repairs:

Alterations:

County #:

Elect: N

Moving:

Sanitary#:

Plumb: N

Wrecking:

Bond: N

REAR SETBACK: 7'

LEFT SIDEYARD: 7'

RIGHT SIDEYARD: 300' +

FRONT SETBACK: 200' +

HYW. C/L: XXX (100 ft. min.) PLAT. SUDIV:

(30 ft from L.L.)

PRIV. RD. C/L: (75ft. min.)

For General Inspection call: Rich Bernath - 921-9511

For Electrical Inspection call: Les Stueber - 921-5287

For Plumbing Inspection call: Don Moore - 921-7629

Appl Approved: September 06 19: 96

Permit Issuerer:

[Signature]
(signed)

N

Hillside
Circle

149

Pole building

DAMP

W 3573

7'

9' x 36'

24

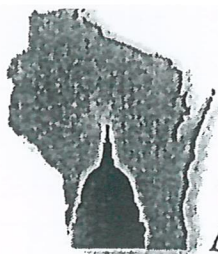
5.3

300' x

100' x

Across

\$ 3800



WISCONSIN DEPARTMENT OF
ADMINISTRATION

GOVERNOR
GEORGE LIGHTBOURN
SECRETARY

Plat Review
17 S Fairchild St FL 7, Madison, Wisconsin 53703-3219
P.O. Box 1645, Madison, Wisconsin 53701-1645
(608) 266-3200 Fax: (608) 264-6104 TTY: (608) 267-9629
E-mail: plat.review@doa.state.wi.us
<http://www.doa.state.wi.us/olis/platreview/>

May 8, 2002

BRENDA A. SCHNEIDER
CLERK, TOWN OF TAYCHEEDAH
W2695 LOEHR ROAD
MALONE WI, 53049

0181
PERMANENT FILE NO. 23357

Subject: HAWK'S LANDING
SW 1/4 S 28
NW 1/4 S 33 T16N R18E
TOWN OF TAYCHEEDAH, FOND DU LAC COUNTY

Dear Ms. Schneider:

This final plat has been submitted for review without your notice that provisions for public sewer have been made. We need you, as clerk of the approving authority, to certify the following:

I, BRENDA A. SCHNEIDER CLERK OF THE TOWN OF TAYCHEEDAH, FOND DU LAC COUNTY
HEREBY CERTIFY THAT THE TOWN BOARD HAS RESOLVED THAT PUBLIC SEWER WILL BE
MADE AVAILABLE TO THE LOTS IN THE PLAT OF HAWK'S LANDING BEFORE BUILDINGS
ARE OCCUPIED AND THAT PRIVATE SEWERAGE FACILITIES ARE PROHIBITED.

Signature, Clerk TOWN OF TAYCHEEDAH

We must receive this certification before the expiration date shown below. If we have not received it, we will object to this plat for noncompliance with ss. 236.13 (1) (d), Wis. Stats.

Sincerely,

cc: Surveyor

Jayne Lathrop
Plat Review
Phone (608) 266-3200

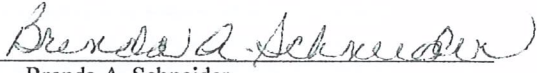
DEPARTMENT OF ADMINISTRATION TIME LIMIT EXPIRES: 06/03/2002

The St. Peter Sanitary District Commission met on Wednesday, August 28th, 2002, at 5:30 p.m. at the Taycheedah Town Hall. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present were Attorney Kathryn Bullon, Glen Vierkant, Foth & Van Dyke, and Dave Wagner, Ehler's & Associates.

Agenda

- #1 Call to order. The Chairman called to meeting to order.
- #2 Approval of minutes. Mike Freund motioned to approve the minutes of the 5/28, 6/6, 6/7, 6/12, 6/21, 7/10, and 8/7 meetings as presented, seconded by Adolph Schneider. Motion carried (3-0).
- #3 Status of engaging an auditor. Dave Wagner wants to speak to Hietpas before short-listing the candidates for auditor.
- #4 Consideration and possible approval of the Letter of Understanding with G.M. Hietpas, CPA, LLC, for accounting services. Mike Freund motioned to approve the Letter of Understanding from the CPA, seconded by Adolph Schneider. Motion carried (3-0).
- #5 Consideration and possible approval of Addendum to Agreement Between Owner and Engineer for Professional Services. Adolph Schneider moved to approve the Addendum, seconded by Mike Freund. Motion carried (3-0).
- #6 Consideration and possible adoption of a Resolution Authorizing the District to Borrow the sum of money not to exceed \$500,000.00 Pursuant to Section 67.12(12) of the Wisconsin Statutes. Adolph Schneider moved to adopt the resolution to borrow \$500,000.00, to be deposited in a new Money Market account earning 2.75% interest, seconded by Mike Freund. Motion carried (3-0). Staff discussed the pre-payment elections. As of today, \$1,225,650 has been pledged in pre-payments. A letter will be sent informing the pre-pays to mail their checks to Kathryn Bullon no later than Oct. 31st.
- #7 Consideration and possible adoption of a Resolution Authorizing District Engineering and Financial Consultants to Submit a Application to the State of Wisconsin for a Clean Water Fund Loan in an amount recommended by Ehler's & Associates, designated an authorized representative for such application and authorized District Officers to execute all documents related to said loan application. Mike Freund moved to adopt the resolution designating District Chairman, Jim Hovland, as the authorized District Officer, seconded by Adolph Schneider. Motion carried (3-0).
- #8 Consideration and possible adoption of a Resolution Authorizing Foth & Van Dyke to advertise for construction bids for the sanitary sewer project. Glen Vierkant discussed the proposed schedule of events and DNR's recent comments pertaining to the Facilities Plan review. Mike Freund moved to adopt the resolution authorizing Foth & Van Dyke to proceed with the preparation of bid documents and advertise for bids, seconded by Adolph Schneider. Motion carried (3-0).
- #9 Consideration and possible action regarding Ledge Road construction and design. Foth has designed the Ledge Road pipe. There seems to be a misunderstanding between the District and the Nett's regarding the connection fee. The resolution will be clarified at the next meeting. Adolph Schneider moved to authorize Foth & Van Dyke to release the plans and specifications for the Ledge Road pipe to Nett's contractor and coordinate construction, seconded by Mike Freund. Motion carried (3-0). A credit needs to be made to the District for the Nett's pro-rated share of the engineering of the Ledge Road pipe. The Nett's contractor will need to bill his sub-contractors separately for the Ledge Road pipe and the Hawk's Landing sewer construction.
- #10 Consideration and possible decision regarding various individual private septic system rebate issues and possible approval of the rebate list. DeMarb, Steckbauer, Kahl, Hall and Kintworth need to clarify their costs. Jim Hovland motioned to authorized Kathryn, Glen, and Brenda to obtain addition cost information in order to justify costs, seconded by Adolph Schneider. Motion carried (3-0). Reider, Georg and Wempner had a considerable amount of time between the issuance of the septic permit and the final inspection. The group discussed the interpretation of the law. Adolph Schneider motioned that the system's life shall be based upon the date of first use of the system that can be documented, seconded by Mike Freund. Motion carried (3-0). Legge, Johnson and Koenigs' systems were installed after 6/15/98. Adolph Schneider moved to approve Legge, Johnson and Koenigs' rebates, Legge must submit cost documentation, seconded by Mike Freund. Motion carried (3-0). Mike Freund moved that the calculation date for rebate purposes shall be no later than 6/15/98 in all cases, seconded by Jim Hovland. Motion carried (3-0). Zedler/Hellwig's system was installed by a previous owner in 1992. The system was updated in 1996. The owners have been unable to document the 1992 costs. Adolph Schneider motioned to estimate \$8000 for the 1992 system plus the documented \$2318 upgrade of the Zedler/Hellwig system, seconded by Mike Freund. Motion carried (3-0). Mike Freund moved to approve the rebate report as presented by Foth & Van Dyke with the above listed revisions, seconded by Adolph Schneider. Motion carried (3-0).
- #11 Consideration and possible action on a policy used to distribute rebates. Mike Freund moved to establish a policy to distribute cash rebates after construction bids are awarded, seconded by Jim Hovland. Motion

- carried (3-0). A property owner asked if the rebate would offset the pre-payment before being divided by two for the payment determination of a two-installment pre-payment amount. Kathryn answered yes.
- #12 Consideration and possible approval of an interest penalty waiver for Rural Development Grant recipients. Rural Development has asked for a waiver of interest penalties if the Department is unable to pay the recipients special assessment before November 1st. The Department must wait until the State gives them the money. Mike Freund motioned to grant an interest penalty waiver to the loan/grant recipients subject to receipt of written qualification from Rural Development, seconded by Jim Hovland. Motion carried (3-0).
- #13 Consideration and possible action on deleting the special assessment against Holy Family Parish's vacant lot. Adolph Schneider moved to delete the special assessment against Holy Family Parish's vacant lot, seconded by Mike Freund. Motion carried (3-0).
- #14 Consideration and possible action on a request to extend service to Schuster Lane (east). The County Code Enforcement Officer and the Town Permit Issuer have inspected the property. Lot 12 is mildly impacted by a small wetland area. The wetland area is not subject to Shoreland Zoning requirements. All lots are buildable. Lot 12 may require a deeper rear-yard setback in order to preserve the small wetland area. Mr. Neimeier would be assessed \$5900 per lot and would be required by the Town to construct the road. A planned easement would extend past three of the six lots. Adolph Schneider motioned to extend sewer service to Schuster Lane provided the owner signs a waiver of public hearing and consent to the special assessments, seconded by Mike Freund. Motion carried (3-0).
- #15 Consideration and possible action on a request to extend service to Dr. Brusky's property via a force main and grinder pump. Jim Hovland motioned to allow connection provided the owner signs a waiver of public hearing and consents to \$11,000 special assessment plus assumes the costs of the grinder pump and lateral installation, seconded by Mike Freund. Motion carried (3-0).
- #16 Consideration and possible action on a request to extend service to Bernie Gau's property via a force main and grinder pump. This item was tabled until the next meeting.
- #17 Consideration and possible approval action on a request to provide sewer service to Rick Mand's property via a force main and grinder pump. Mike Freund moved to revert to the original proposal for service to Rick Mand's property, seconded by Adolph Schneider. Motion carried (3-0).
- #18 Report on easements requested by the District. The Commission and staff will meet on September 12th in closed session to further discuss the easement issue. The next monthly meeting of the Commission will be on September 25th, at 5:30.
- #19 Approval of bills. The approval of bills was tabled until the next meeting.
- Jim Karls asked questions pertaining to pre-payments, the referendum issue, the change in service boundary, the petition process and suggested a newsletter be circulated.
- #20 Adjournment. Jim Hovland motioned to adjourn, seconded by Mike Freund. Motion carried (3-0).

Attest: 
Brenda A. Schneider
District Recording Secretary

The St. Peter Sanitary District Commission met on Wednesday, August 28th, 2002, at 5:30 p.m. at the Taycheedah Town Hall. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present were Attorney Kathryn Bullon, Glen Vierkant, Foth & Van Dyke, and Dave Wagner, Ehler's & Associates.

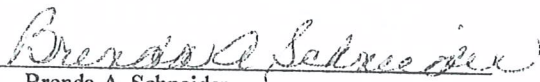
Agenda

- #1 Call to order. The Chairman called to meeting to order.
- #2 Approval of minutes. Mike Freund motioned to approve the minutes of the 5/28, 6/6, 6/7, 6/12, 6/21, 7/10, and 8/7 meetings as presented, seconded by Adolph Schneider. Motion carried (3-0).
- #3 Status of engaging an auditor. Dave Wagner wants to speak to Hietpas before short-listing the candidates for auditor.
- #4 Consideration and possible approval of the Letter of Understanding with G.M. Hietpas, CPA, LLC, for accounting services. Mike Freund motioned to approve the Letter of Understanding from the CPA, seconded by Adolph Schneider. Motion carried (3-0).
- #5 Consideration and possible approval of Addendum to Agreement Between Owner and Engineer for Professional Services. Adolph Schneider moved to approve the Addendum, seconded by Mike Freund. Motion carried (3-0).
- #6 Consideration and possible adoption of a Resolution Authorizing the District to Borrow the sum of money not to exceed \$500,000.00 Pursuant to Section 67.12(12) of the Wisconsin Statutes. Adolph Schneider moved to adopt the resolution to borrow \$500,000.00, to be deposited in a new Money Market account earning 2.75% interest, seconded by Mike Freund. Motion carried (3-0). Staff discussed the pre-payment elections. As of today, \$1,225,650 has been pledged in pre-payments. A letter will be sent informing the pre-pays to mail their checks to Kathryn Bullon no later than Oct. 31st.
- #7 Consideration and possible adoption of a Resolution Authorizing District Engineering and Financial Consultants to Submit a Application to the State of Wisconsin for a Clean Water Fund Loan in an amount recommended by Ehler's & Associates, designated an authorized representative for such application and authorized District Officers to execute all documents related to said loan application. Mike Freund moved to adopt the resolution designating District Chairman, Jim Hovland, as the authorized District Officer, seconded by Adolph Schneider. Motion carried (3-0).
- #8 Consideration and possible adoption of a Resolution Authorizing Foth & Van Dyke to advertise for construction bids for the sanitary sewer project. Glen Vierkant discussed the proposed schedule of events and DNR's recent comments pertaining to the Facilities Plan review. Mike Freund moved to adopt the resolution authorizing Foth & Van Dyke to proceed with the preparation of bid documents and advertise for bids, seconded by Adolph Schneider. Motion carried (3-0).
- #9 Consideration and possible action regarding Ledge Road construction and design. Foth has designed the Ledge Road pipe. There seems to be a misunderstanding between the District and the Nett's regarding the connection fee. The resolution will be clarified at the next meeting. Adolph Schneider moved to authorize Foth & Van Dyke to release the plans and specifications for the Ledge Road pipe to Nett's contractor and coordinate construction, seconded by Mike Freund. Motion carried (3-0). A credit needs to be made to the District for the Nett's pro-rated share of the engineering of the Ledge Road pipe. The Nett's contractor will need to bill his sub-contractors separately for the Ledge Road pipe and the Hawk's Landing sewer construction.
- #10 Consideration and possible decision regarding various individual private septic system rebate issues and possible approval of the rebate list. DeMarb, Steckbauer, Kahl, Hall and Kintworth need to clarify their costs. Jim Hovland motioned to authorize Kathryn, Glen, and Brenda to obtain addition cost information in order to justify costs, seconded by Adolph Schneider. Motion carried (3-0). Reider, Georg and Wempner had a considerable amount of time between the issuance of the septic permit and the final inspection. The group discussed the interpretation of the law. Adolph Schneider motioned that the system's life shall be based upon the date of first use of the system that can be documented, seconded by Mike Freund. Motion carried (3-0). Legge, Johnson and Koenigs' systems were installed after 6/15/98. Adolph Schneider moved to approve Legge, Johnson and Koenigs' rebates, Legge must submit cost documentation, seconded by Mike Freund. Motion carried (3-0). Mike Freund moved that the calculation date for rebate purposes shall be no later than 6/15/98 in all cases, seconded by Jim Hovland. Motion carried (3-0). Zedler/Hellwig's system was installed by a previous owner in 1992. The system was updated in 1996. The owners have been unable to document the 1992 costs. Adolph Schneider motioned to estimate \$8000 for the 1992 system plus the documented \$2318 upgrade of the Zedler/Hellwig system, seconded by Mike Freund. Motion carried (3-0). Mike Freund moved to approve the rebate report as presented by Foth & Van Dyke with the above listed revisions, subject to review, seconded by Adolph Schneider. Motion carried (3-0).
- #11 Consideration and possible action on a policy used to distribute rebates. Mike Freund moved to establish a policy to distribute cash rebates after construction bids are awarded, seconded by Jim Hovland. Motion

- carried (3-0). A property owner asked if the rebate would offset the pre-payment before being divided by two for the payment determination of a two-installment pre-payment amount. Kathryn answered yes.
- #12 Consideration and possible approval of an interest penalty waiver for Rural Development Grant recipients. Rural Development has asked for a waiver of interest penalties if the Department is unable to pay the recipients special assessment before November 1st. The Department must wait until the State gives them the money. Mike Freund motioned to grant an interest penalty waiver to the loan/grant recipients subject to receipt of written qualification from Rural Development, seconded by Jim Hovland. Motion carried (3-0).
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Jim Karls asked questions pertaining to pre-payments, the referendum issue, the change in service boundary, the petition process and suggested a newsletter be circulated.

- #20 Adjournment. Jim Hovland motioned to adjourn, seconded by Mike Freund. Motion carried (3-0).

Attest: 
Brenda A. Schneider
District Recording Secretary

August 13, 2002

St. Peter Sanitary District #3

After evaluating all of the pros and cons, it is to my advantage to go with the grinder pump system as originally proposed by the district. The following reasons will support this decision:

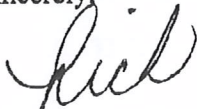
1. It will keep everything on 1 parcel of land, not 3 parcels
2. My trees are in a 10-year program and should not be disturbed
3. Mark Mand does not have the equipment to trench thru ledge rock
4. The fact that I would have to put in an extra "T" at the deer pen for the possible sight of a future home

While talking with the parties involved, no one ever said the district was responsible for the force main from the grinder pump to Hwy 149. I spoke with Eric Rakers and Jim Hovland and both agreed that changing back to the original plan would not be difficult.

In reference to my assessment, I still feel a single assessment of \$11000.00 is more practical. Is it possible to assess any future owner or business based on their plan for the property should it be sold? The building is currently used for storage and has been for the last four years. If this is a major issue I will understand. I will pay my full assessment of \$27,200.00 before November 1, 2002.

Thank you for your time and I apologize for any inconvenience I have caused.

Sincerely,



Rick Mand

PS: Let me know if I should sign the easement.

TOWN OF TAYCHEEDAH
Brenda A. Schneider, Clerk
W2695 Lochr Street
Malone, WI 53049-1412
Phone: 920 795-4625
Fax: 920 795-4120

August 22nd, 2002

John Niemeier
N8219 Cty. Q
Malone, WI 53049

RE: Buildability of the Schuster Lane lots

Dear Mr. Neimeier:

Spike Clarenbach, Fond du Lac County Code Enforcement Officer, and I conducted a site inspection of Schuster Lane Lots 10, 11, 12, 13, 14, and 15 in order to determine if the lots are buildable.

A small wetland area is located to the south of the lots. Only Lot 12 is impacted by the wetland. The wetland area is delineated by a V-shape of uncropped land with a large tree located at the peak.

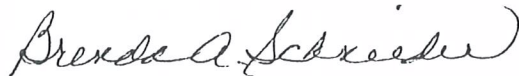
Residential construction on the lots would have to meet the appropriate setbacks as established in the Town of Taycheedah Zoning Ordinance. The setbacks are as follows:

Front	30' from the right-of-way line of Schuster Lane (63' from center)
Side	25' total with the smaller of the two not being any less than 10'
Rear	25' from back lot line

Structures may not be constructed in the wetland area. Due to the wetland area, Lot 12 may require a deeper rear setback. Also, Lot 12, and possible Lot 11, will require some type of drainage control measures.

As you are aware, the road would need to be constructed to Town Road standards.

Cordially submitted,



Brenda A. Schneider
Town Clerk
Permit Issuer

BAS

Cc: Spike Clarenbach, Fond du Lac County Code Enforcement Department



Fond du Lac County

CODE ENFORCEMENT OFFICE
(920) 929-3139 FAX (920) 929-7655

City/County Government Center
160 South Macy Street, Fond du Lac, WI 54935

August 19, 2002

John Niemeier
N8219 CTH QQ
Malone, WI 53049

Re: Lots 10, 11, 12, 13, 14, and 15 of the Plat of Edgewood Lawns Located in the SW ¼ of Section 22, Town of Taycheedah

Dear Mr. Niemeier:

On August 19, 2002 this office conducted an inspection of the above described property. The purpose of the inspection was to determine if the lots would be buildable and if there was any wetland located on these lots.

The Wisconsin Wetland Inventory Maps indicates that there is a small portion of wetland which extends south of the large cottonwood tree on lot 12. This was verified during the inspection. Construction on lot 12 would have to be north of the cottonwood tree.

It appears that all the above described lots would be suitable for building purposes provided they are serviced by municipal sewer.

If you have any questions, please contact me.

Sincerely,

Ernst Clarenbach
Code Enforcement Officer

Cc: Brenda Schneider, Town of Taycheedah

RESOLUTION

AUTHORIZED REPRESENTATIVE TO FILE APPLICATION FOR FINANCIAL ASSISTANCE FROM STATE OF WISCONSIN CLEAN WATER FUND PROGRAM

WHEREAS, it is the desire of the Town of Taycheedah Sanitary District No. 3, Wisconsin of Fond du Lac County, Wisconsin, a quasi-municipal corporation, to file several applications for state financial assistance for its municipal wastewater transport facilities under the Wisconsin Clean Water Fund Program (NR 162);

WHEREAS, it is necessary to designate a representative for filing said applications;

RESOLVED, that Jim Howland is hereby appointed as the authorized representative for the Town of Taycheedah Sanitary District No. 3 for the purpose of filing these applications, and that the representative is authorized and empowered to do all necessary things and take all necessary steps in connection with said applications.

Adopted the 28th day of Aug., 2002

Approved: _____, Wisconsin

Jim Howland
Mike Freund

Attest: Brenda A. Schneider

Date: 8/28/02

Summary of Total Estimated Probable Project Cost & Cash Flow
2002 Wastewater Collection System
Taycheedah Sanitary District No. 3
August 22, 2002

Description	Budget Amount	Expended as of 08/16/02	Estimated Additional Expended by 12/31/02
Construction Cost - Contract "A-02", Bid Schedule "A"	\$1,627,800		
Construction Cost - Contract "A-02", Bid Schedule "B"	\$1,879,400		
Construction Cost - Contract "B-02", Bid Schedule "C"	\$1,725,600		
Construction Cost - Contract "B-02", Bid Schedule "D"	\$2,267,000		
Total Construction Cost	\$7,499,800	\$0.00	\$0.00
Ledge Road Area Capacity Purchase & Metering Station	\$197,600		\$0.00
Contingency	\$750,000		\$0.00
Wastewater Treatment Purchase from Fond du Lac	\$595,000		\$0.00
Private Sewage System Partial Reimbursement	\$200,000		\$200,000.00
Utility Equipment	\$100,000		\$0.00
Engineering - Feasibility Study	\$6,500	\$6,500.00	
Engineering - Facility Plan	\$25,000	\$25,000.00	
Soil Testing for Facility Plan	\$6,500	\$6,500.00	
Engineering - Evaluation and Cost Effect of Adding Selected Areas	\$43,100	\$43,100.00	
Aerial Mapping	\$27,100	\$27,100.00	
Excavations for Rock Depth Locations	\$3,500	\$3,500.00	
Ground Penetrating Radar Test	\$1,000	\$1,000.00	
Design and Construction Services Engineering	\$1,417,000	\$194,072.00	\$140,928.00
Engineering - Financing, Easements, and Miscellaneous Services	\$82,500	\$19,532.42	\$62,967.58
Archeological Survey	\$17,400		\$17,400.00
Legal and Administration	\$105,000	\$43,135.66	\$61,864.34
Financial Consultant and Initial Financing Costs	\$203,000		
Total Estimated Probable Project Cost	\$11,280,000	\$369,440.08	\$483,159.92
Money Market & Checking Balances			\$150,559.92
Deficit			\$332,600.00

TAYCHEEDAH SANITARY DISTRICT NO.3
EASEMENTS STATUS
MARCH 29, 2002, Revised August 27, 2002
01S002

Easement Information Owner	Location	Phone Number	Status
A) Sanitary Sewer Easements			
Kenneth and Kathleen Groeschel		922-0656 (414)	Ken wants \$12,000 compensation.
Kenneth and Kathleen Groeschel		788-9100 M	
John Niemeyer		921-1941	Mailed on April 15, 2002. Called on August 1, 2002. Asked about 61615
John & Lynn Weber		922-2270	John wants compensation.
John & Lynn Weber			
Raymond Spangenberg			Received on April 24, 2002
James and Joan Rosenthal			Received on June 12, 2002
John Gorman		922-7850	Mailed on April 2002. Called on August 1, 2002. Not going to sign.
L & H Gyr Excavating			Letter dated April 18th states that he cannot sign at this time. Sent additional letter on August 22nd.
James Emerich		921-9630	Mailed on May 22, 2002. Called on August 20th and 27th. Left a message.
Joe and Dorothea Pease			Received on May 29, 2002
Nett Land and Development			Mailed on May 22, 2002. Sent additional letter on August 22, 2002
Dale and Barbara Klintworth		921-6639	Received on August 21, 2002
Dennis and Ann Holm		921-5166	Received on August 9, 2002
Robert and Paula La Vigne		923-2706	Bob did not show up for the meeting on May 14th. Left forms with son. Left a message on August 1, 2002.
David and Lisa Dobogai		923-3631	Met with on May 9th. Left forms. Called on August 1, 2002. They will sign forms.
Jeffrey Zurembka		322-9625	Met with on May 14th. Left forms. Not happy with the project. Called on August 1, 2002. Discussed on August 5, 2002. He will not sign at this time.
Robert and Lynn Wulf		232-0739	Received on May 31, 2002
Richard and Shirley Rasmussen		926-9736	Received on July 1, 2002
Mike King	N7765 Ledgeview	922-8156	Received May 17, 2002
Warren Post	Ledgeview Springs	921-0559	Received on July 10, 2002
B) Grinder Pump Easements			
James Zelder and Julie Hellwig			Received
Roger and Karen Miller			Received on June 20, 2002
Bruce and Sari Butler			Received on April 25, 2002
Donald Endres and Sarah Krause			Mailed on April 15, 2002. Resent on July 2, 2002. Sent Letter on August 21, 2002
David and Lisa Adams	STH "149"		Mailed on April 15, 2002. Resent on July 2, 2002. Sent Letter on August 21, 2002
Ann Lindberg Revocable Trust	STH "149"		Mailed on April 15, 2002. Resent on July 2, 2002. Sent Letter on August 21, 2002
William and Kianne Fife	STH "149"		Mailed on April 15, 2002. Resent on July 2, 2002. Sent Letter on August 21, 2002
Timothy and Lora Huelster	STH "149"	922-5219	They were to call me back. Sent on July 2, 2002. Sent Letter on August 21, 2002
Elizabeth Esser	Lakeview Drive		Unable to locate a number. Sent out on August 21, 2002
Walter Orzechowski	Lakeview Drive		Have not been able to get in contact. (920) 795-4316. Address - N9288 CTH "W".
Rick and Jackie Mand	W4104 STH "149"	923-4476	Fond du Lac, WI 54935. Sent out on August 21, 2002 Need to send out in the mail. Discussed with Rick on May 28th. Sent on July 2, 2002. Sent additional letter on August 22, 2002
C) Connection Easements			
BCGW Enterprises			Mailed on May 22, 2002. Sent additional letter on August 22, 2002

The St. Peter Sanitary District Commission met on Thursday, September 19th, 2002, at 3:00 p.m. at the offices of Edgerton, St. Peter, Massey, Petak & Bullon. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present was Attorney Kathryn Bullon, Glen Vierkant, Dave Wagner, Mike Nett and Ron Cunzenheim, Excel Engineering.

1. Call to order. The Chairman called the meeting to order.
2. Approval of minutes. Mike Freund moved to amend the minutes of the August 28th meeting, by inserting "subject to review" in the motion of item no. 10, seconded by Adolph Schneider. Motion carried (3-0).
3. Status of engaging an auditor. Dave Wagner spoke with Gib Hietpas of G.M. Hietpas, CPA, about auditing. Gib questioned who would track the special assessments? Hietpas could go the accounting work for the District. He is willing to do either. Dave's opinion was that Hietpas would prefer the accounting work to the auditing. Hietpas has not supplied the District with a rate quote. Adolph Schneider motioned to designate G.M. Hietpas, as the District accountant and to work with Ehler's to solicit quotes for an outside auditor, seconded by Jim Hovland. The group discussed who would suggest an auditor. There was a question on whether the accountant position should be let for bid. Mike Freund moved to amend to motion to solicit rate and service information prior to hiring Hietpas, seconded by Jim Hovland. Motion carried (3-0). The amended motion carried (3-0).
4. Consideration and possible action to retain a firm to perform an archaeological study. Glen Vierkant solicited bids for the study. Glen presented a proposal from Archaeological Consulting and Services. The cost is not to exceed \$4000 for the survey work along the roads and not to exceed \$3500 for the survey work within the easements. The work will include all literature and records search, fieldwork, any lab analysis and preparation of a report. The report deadline is 11/7/02. The District budgeted \$17,000.00 for the study. Glen contacted two other firms that weren't interested. The District will have to send a letter to the easement property owners. Mike Freund moved to accept the proposal of Archaeological Consulting and Services to do an archaeological report, seconded by Adolph Schneider. Motion carried (3-0).
5. Consideration and possible action to clarify the resolution regarding the connection fee. Dave Wagner presented a spreadsheet clarifying the connection fee and the associated escalating amount. The connection fee for Area F is \$1440 plus an annual escalator of \$80 (\$30 for District-wide costs and \$50 for Area costs) and areas other than Area F is \$1500 plus an annual escalator of \$80 (\$30 for District-wide costs and \$50 for Area costs). Dave recommended attaching the spreadsheet to the resolution. The Nett's will submit a letter of proposal acceptance. Mike Freund moved to adopt the spreadsheet clarifying that the base escalator for district-wide costs is \$30 and to attach the spreadsheet to the original resolution, also clarifying that the escalating factor begins 1/1/04 and that the cost of borrowing during the 2003 construction period has been factored into the escalator. Adolph Schneider seconded the motion. Motion carried (3-0).
6. Consideration and possible action on reducing Jim Emerich's special assessment to \$5900.00 for a vacant lot. The parcel currently has a mobile home on it that will be removed. Kathryn Bullon stated that the mobile home should be removed by 11/1/02. There was also a question as to the status of the easement the District has requested from Mr. Emerich. Mr. Emerich has asked to meet with Glen to discuss the easement. Jim Hovland motioned to table Mr. Emerich's request until the next meeting, seconded by Mike Freund. Motion carried (3-0).
7. Consideration and possible action on reducing Jay Gilgenbach's assessment from \$22,000 to \$15,400 for his home and separate auto body repair business. Mr. Gilgenbach requests that his assessment be reduced. His business building does have a bathroom. The business is a part-time hobby between him and his neighbor. He requests to be treated like a duplex with one lateral. If the assessment is not reduced, Mr. Gilgenbach says he will abandon the facilities in the business. Mike Freund motioned to reduce Jay Gilgenbach's assessment from \$22,000 to \$15,400, seconded by Jim Hovland. Motion carried (3-0).
8. Consideration and possible action on delaying the service extension to the Fr. Wally and Mrs. Esser properties. The District has requested an easement from Fr. Wally and the Mrs. Esser's for a grinder pump and force main. The force main would be approximately 1470 feet. The District planned to pay the costs. The land contains 22 acres with development potential in the near future. Glen estimated the cost at \$60,000. Currently there are two full assessments on the property. Mike Freund moved to not serve the Fr. Wally and Esser properties during the Phase I of the sewer project due to not being cost-effective to the District and due to property owners' requests, seconded by Adolph Schneider. Motion carried (3-0). Mike Freund moved to assess the Fr. Wally parcel abutting Lakeview Road a \$5,900 vacant lot assessment, seconded by Jim Hovland. Motion carried. (3-0).
9. Consideration and possible action on a request to extend service to Bernie Gau's property via a force main and grinder pump. No one has contacted Mr. Gau. Jim Hovland motioned to table Item #9 until Adolph contacts Bernie Gau and can report to the Commission, seconded by Mike Freund. Motion carried (3-0).
10. Approval of bills. Mike Freund moved to approve the bills as submitted, seconded by Jim Hovland. Motion carried (3-0). Dave Wagner presented a draft project budget sheet that will be submitted to the Clean Water

Fund. The District is currently well within the budget. Adolph Schneider motioned to transfer \$171,000 from the Money Market account to the regular checking account, seconded by Mike Freund. Motion carried (3-0).

11. Closed Session pursuant to Wis. Stats. 19.85(e) to deliberate or negotiate the purchasing of public property, the investing of public funds or conducting other specified public business whenever competitive or bargaining reasons require a closed session. Subject: easements. Jim Hovland motioned to enter into Closed Session pursuant to Wis. Stats. 19.85(e) to deliberate or negotiate the purchasing of public property, the investing of public funds or conducting other specified public business whenever competitive or bargaining reasons require a closed session. Subject: easements, seconded by Mike Freund.

Roll call vote:

Mike Freund yes

Adolph Schneider yes

Jim Hovland yes

Motion carried (3-0).

Minutes of the Closed Session have been separated from the open session.

12. Mike Freund motioned to adjourn at the conclusion of closed session, seconded by Adolph Schneider. Motion carried (3-0).

Attest: Brenda A. Schneider
Brenda A. Schneider
District Recording Secretary

NETT

Construction

August 22, 2002

Jim Hoveland

Dear Jim,

We recently received copies of the approved copies of the Sanitary District's actions that memorialized the connection charge for the new Taycheedah Sanitary District. Our family was pleased that the items we discussed have finally been incorporated into the District's rules. We particularly appreciate that our rational regarding the costs of certain portions of the system was understood and adopted by the district. As you remember these costs had to do with the cost of interceptor & pump station costs that will never be utilized by patrons living in the study area known as Area "F". As a result of our argument the district recognized that those costs did not benefit the Area "F". We obviously believe strongly in the principal of benefits versus damages.

As happy as we were with the inclusion of our reasoning into the final draft of the policy, we were disappointed with the escalator clause included in the same policy. Our disappointment comes from two areas. The first is the inclusion of an escalator clause in the cost of connection. The second concern is the magnitude of the escalation amount.

If you will remember, we believed that the issues surrounding connection fees were solved early in the discussions. We were very surprised and disappointed when we learned that the tentative agreement was, without any discussion from residents of Area "F", discarded. As the negotiations resumed, the impacts on Area "F" did increase. Our family tentatively agreed with the changes based on the idea that a reasonable compromise had been reached and that all parties were now happy with the resolution. It appears that this was not the case. The District, again following what was thought to be a meeting of the minds, changed the bottom line without input from Area "F". Had we known about the additional fees we would certainly have considered them in our examination of the best economic alternative for Area "F". In fact we are now in the process of making that further examination. We still have not decided what impact this will have on our future conversations with the DNR.

It has been explained to our engineer that the escalation charge is intended recover the cost of borrowing needed to plan, engineer & construct the first phase of the system. Undoubtedly that is the case. It is not the inclusion of these costs that is of concern. If they are legitimate then they should be included. The fact that they were discussed "after the fact" is of concern. It is unfortunate that the issue wasn't addressed during the discussions of the other issues.

Since 1958, A Family Business You Can Trust

W3880 McCABE ROAD • MALONE, WI 53049-1632 • (920) 921-9076 • FAX: (920) 921-9585

NETT

Construction

The magnitude of these costs is our second concern. If these costs are a direct product of the costs of financing they should be assessed to the areas benefiting from the planning, engineering & construction. Are the financing costs not similar to the costs of planning, engineering & construction? To blend them uniformly over all parties is to say they benefit all parties equally. We know and the district has agreed that this is not the case. The district agreed to this when they agreed to a variable connection fee. We believe then that the magnitude of escalation fee within Area "F" should be a function of the benefit received by that area. This is especially true since our family is financing the sewer being extended into Area "F".

It was decided that the connection fee to be charged to Area "F" was approximately $\frac{1}{2}$ that being charged to the remainder of the district. This was due to the fact that Area "F" did not benefit from many of the system costs being constructed on behalf of the remainder of the district. We believe that since the financing cost is a direct percentage of the costs of construction and that since the cost of financing are to be recovered by escalating the cost of connection then the escalation amount should vary in a manner similar to that of the connection fee.

In conclusion we ask that you revisit your decision on the way that the connection fee is increased. We ask that you create a separate escalation amount for Area "F" based on the same rational that led to the separate connection fees. We also request that you advise us of your decision as soon as that decision is made. We need to re-evaluate our tentative approval of the connection fee and may wish to explore alternative sewer service.

Thank you for your consideration.

Sincerely,

Mike Nett Neal Nett Joel Nett Lyle Nett

The Nett Family

Since 1958, A Family Business You Can Trust

September 11, 2002

To: St. Peter Area Sanitary District Commission

From: James R. Emerich

We are going to be pulling the existing mobile home
off the Property at W3906 Silica Road (Parcel Number
T20-16-18-21-05-002-00) and would like to request that
the special assessment be reduced to the vacant lot
assessment of \$5900.00.

Thank you for your consideration.


James R. Emerich

Dear Board Members:

I am writing this letter at the request of Mr. Adolph Schneider. I, Father Wally Orzechowski, am writing on behalf of myself and Mr. & Mrs. Lawrence Esser. The both of us own property at N8180 and 8186 Lakeview Rd..the last property on the West side of the road to be included in the Sanitary Sewer District. The two homes are located approximately 800 to 900 hundred from Lakeview, on the far West end of the property. Together we own about 22 acres. We are asking the Board Members to take more of a long range view towards this property. As the engineers indicated, it would be "cost Prohibitive: for a gravity system. We think it would be quite costly also for a lift system. Either system would be a temporary solution since both property owners have discussed the future of this land in the not too distant future.

Both owners have decided that if one or the other decides to sell, then both homes and property would be sold as a package. We have discussed this because of our ages: I am in my 80's. The Esser's are also elderly...you never ask a woman's age. Various reasons have come up for selling...illness, death, inability to take care of the property etc.

Both us have been approached by developers and both of the developers have been told of the conditions of the sale, namely both homes and all of the property. When this happens, I imagine there would be a minimum of 12 other homes on the land.

The septic systems of both homes are in excellent shape...pumped out, checked etc. Just as an aside, how^{much} waste does an 80 year old man generate.

Thank you for your consideration of this matter.

Yours truly,
Father Wally Orzechowski
Father Wally Orzechowski

Town of Taychedah Sanitary District #3

Project Cost Estimate - Phase 1 costs to be recovered via Connection Fess

	<u>Total Costs</u>	<u>Costs Allocable to Connection Fees</u>		
		<u>Category A</u>	<u>Category B</u>	<u>Category C</u>
		<u>District-Wide</u>	<u>Area F Alone</u>	<u>Balance of District</u>
Construction Cost	\$7,499,800			
Oversizing gravity mains				\$72,000 used incremental cost only
Oversizing casing				\$5,000 used incremental cost only
4" & 6" diameter Force Mains				\$108,000
Lift Stations & Lift Station Electrical Allowances				\$277,000 used 1/2 of construction cost
Metering Stations				\$35,000 used 1/2 of construction cost
				\$497,000
				\$49,700
Contingencies	10%			
Ledge Rd. Area Capacity Cost			\$304,000	
Wastewater Treatment Capacity Purchase		\$595,000		\$0
On-Site Treatment Rebates				\$100,000 used 1/2 of initial cost
Utility Equipment		\$54,000		\$0 used 1/2 of initial cost
Preliminary District-Wide Engineering				\$0
Engineering				\$0
Legal & Administration (excluding financing costs)				\$0
Total Project before Financing Costs		\$649,000	\$304,000	\$646,700
Initial Financing Costs	2%	\$223,900	\$6,100	\$12,900
Total Project before Financing Costs		\$662,000	\$310,100	\$659,600
Ultimate Service Area - Residential units		1100	370	730
Impact &/or Connection Fee per Unit		\$600.00	\$840.00	\$900.00
Annual increase for cost of financing over time	5.50%	\$30.00	\$50.00	\$50.00

ST. PETER AREA SANITARY DISTRICT

RESOLUTION

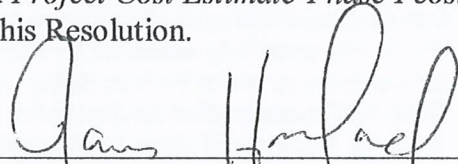
CONNECTION CHARGE

BE IT RESOLVED, that the District will and hereby does establish connection charges to be collected at time of connection from all parcels not specially assessed as part of the Phase 1 construction project, for the purpose of collecting a fair contribution from said parcels toward the system-wide capacity, system oversizing, and planning costs incurred in order to provide sanitary sewer service to the entire District.

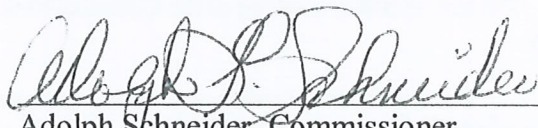
BE IT FURTHER RESOLVED, that the connection charges shall be as follows:

- A) For Phase I Project Area "F", the sum of \$1,440 per connection, consisting of \$600 for District-wide planning, treatment plant and non-District owned interceptor capacity costs and \$840 for Ledge Road sewer capacity costs;
- B) For the balance of the District outside of Area "F", the sum of \$1,500 per connection, consisting of \$600 for District-wide planning, treatment plant and non-District owned interceptor capacity costs and \$900 for system-wide oversizing costs.

BE IT FURTHER RESOLVED, that the connection charge for all areas shall increase for the cost of financing by the sum of \$80 (\$30 for District-wide costs and \$50 for Area costs) per year commencing January 1, 2004, until such time as the District's project-related debt is retired. The spreadsheet entitled *Project Cost Estimate-Phase I costs to be recovered via Connection Fees* is attached to this Resolution.


James Hovland, Chairman


Michael Freund, Commissioner


Adolph Schneider, Commissioner

Resolution adopted the 12th day of June, 2002.

Resolution clarified the 19th day of September, 2002

The St. Peter Sanitary District Commission met on Wednesday, September 25th, 2002, at 5:30 p.m. at the Town Hall for the purpose of conducting the September monthly meeting. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present was Glen Vierkant of Foth & Van Dyke.

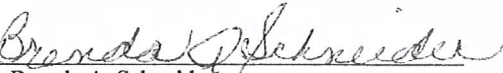
1. Call to order. The Chairman called the meeting to order.
2. Consideration and possible final action to retain G.M. Hietpas, CPA, LLC, as the District's accountant. Mr. Hietpas submitted a letter stating the firm's hourly rates and the services they would perform. Mike Freund moved to retain Hietpas as the District's accountant, seconded by Adolph Schneider. Motion carried 93-0).
3. Consideration and possible action on reducing Jim Emerich's special assessment to \$5900.00 for a vacant lot. The parcel currently has a mobile home on it that will be removed. This item was tabled at the 9/19/02 meeting. Mike Freund and Glen Vierkant met with Mr. Emerich. Mr. Emerich intends to remove the mobile home after his mother's belongings have been removed. The Emerich's intend to build a new home on the site within a year or two. Mr. Emerich also spoke to Glen and Mike about altering the location of the District's requested easement. Mike Freund moved to reduce the special assessment to a vacant lot assessment, seconded by Adolph Schneider. Motion carried (3-0).
4. Consideration and possible action on a request to extend service to Bernie Gau's property via a force main and grinder pump. This item was tabled at the 8/28/02 and 9/19/02 meetings. Bernie Gau stated that he received the letter from Foth some time ago that stated he would have to pay all associated costs. The costs were estimated at \$23,000. Bernie is not interested in pursuing service at this time.
5. Consideration and possible action to authorize the Town Clerk to sign an Affidavit of Sewer Service as requested by the Wis. Dept. of Administration for Glacier Ridge subdivision. This item was tabled at the 2/21/02 meeting. Adolph Schneider moved to authorize the Town Clerk to sign the affidavit, seconded by Mike Freund. Motion carried (3-0). Mike Freund questioned if he has had an update from the DOT pertaining to the Hwy. 149 project. Ann Lindburg stated that she had spoke with the Mr. Mauston today. She was told the project may be moved back up to 2003.
6. Foth & Van Dyke to report on the final project costs. Glen Vierkant was not yet prepared to present the final project costs.
7. Schedule bid opening date. Jim Hovland motioned to schedule bid opening for November 20th, 2:00 p.m., at Kathryn Bullon's office, seconded by Adolph Schneider. Motion carried (3-0). The Commission should meet after the pre-qualification reports are due. A meeting to review the reports was tentatively scheduled for Nov. 12th. Once Glen received them, he will mail copies to the Commission and to Kathryn Bullon. Also, additional documentation has been requested by the DNR. The documentation has been submitted. The bidders will be required to hold their bids for 120 days. Kathryn will review the bid notice. Glen has sent letters to all the property owners affected by changes in their special assessments. Kathryn is still working on the letters to property owners receiving a rebate. Ann Lindburg questioned to possibility of separately assessing joint owners for one lot. She would like to pay her half of the assessment in full and her daughter would like to pay her half of the assessment over time. Brenda will check with Dave Wagner on the issue.

The next monthly meeting of the Commission will take place on Wednesday, October 23rd, at 5:30 p.m.

Archaeological Consulting and Services has been informed that their proposal has been accepted. He has also been informed of the outstanding easements.

Mike Freund motioned to adjourn, seconded by Adolph Schneider. Motion carried (3-0).

Attest:


Brenda A. Schneider
District Recording Secretary

G M Hietpas CPA, LLC

14 N. MAIN STREET
MAYVILLE, WI 53050-1638
(920) 387-3356
FAX (920) 387-3083

Certified Public Accountant
and Business Consultant

GILBERT M. HIETPAS

86 S. MACY STREET
FOND DU LAC, WI 54935-4131
(920) 921-3366
FAX (920) 921-7035

September 20, 2002

Board of Commissioners
Taycheedah Sanitary District #3
-St. Peter Area Sanitary District
C/O Brenda Schneider
W2695 Lochr Street
Malone, WI 53049

Dear Commissioners:

I was asked to submit to you our accounting rates for preparing financial statements and maintain records on special assessments for the St. Peter Area Sanitary District.

The services we would perform is as follows:

- Prepare monthly financial statements and compare to budget (if you so desire).
- Reconcile the monthly bank accounts.
- Maintain the detail special assessment records.
- Prepare all quarterly and annual payroll reports including the W-2 forms.
- Prepare monthly (quarterly) sewer usage service invoices.
- Prepare financial data and support documents for auditors.
- Other accounting services the Commissioners feel would be appropriate.

Our fees vary depending on the staff position and hours incurred. Our present hourly rates are as follows:

CPA/Owner	89.00/Hour
Accountant	50.00/Hour
Support staff	38.00/Hour

Any out of pocket expenses (postage, mileage, etc.) is in addition to our hourly fee.

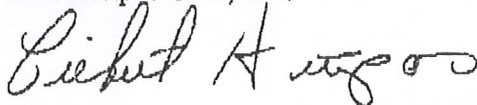
I will primarily be establishing the procedures to follow and coordinating with your staff the documents necessary for us to perform our services for you. Once that has been established, I will monitor the work and review over the data being submitted to you on a monthly basis.

I welcome questions you may have regarding the monthly reports you will receive and will be happy to attend any of your meetings if you feel it is necessary.

If you have any further questions, please contact me.

Sincerely,

G M Hietpas CPA, LLC

A handwritten signature in black ink, appearing to read "Gilbert Hietpas", with a stylized flourish at the end.

Gilbert Hietpas
Owner

Taycheedah Sanitary District No. 3
Preliminary Estimate of Probable Project Cost Comparison
To Service the Gau Property at N8209 Lakeview Road
November 29, 2001
01S002

Option 1 - Sanitary sewer from the north property line to 150' south along Lakeview Rd. with a grinder pump at the end of the sewer.

Description	Quantity	Unit Price	Total Price
8" Dia. PVC Sanitary Sewer	150 LF	\$32.00 LF	\$4,800.00
4" Dia. PVC Sanitary Sewer	15 LF	\$25.00 LF	\$375.00
2 ½" Dia. PE Force Main	470 LF	\$12.00 LF	\$5,640.00
8" X 4" Service Branch	1 EA	\$40.00 EA	\$40.00
4' dia. Standard Manhole	12 VF	\$130.00 VF	\$1,560.00
Grinder pump Lift Station	1 EA	\$20,000.00 EA	\$20,000.00
Landscape Restoration	1310 SY	\$1.00 SY	\$1,310.00
Pavement Restoration	20 SY	\$30.00 LF	\$600.00
Rock Excavation	56 CY	\$60.00 CY	\$3,360.00
SUBTOTAL CONSTRUCTION			\$37,685.00
TECHNICAL, ADMINISTRATION, CONTINGENCY			\$12,349.75
TOTAL			\$50,035

Option 2 - Individual grinder pump lift station at the house with force main south to manhole

Description	Quantity	Unit Price	Total Price
2 ½" Dia. PE Force Main	560 LF	\$12.00 LF	\$6,720.00
8" X 4" Service Branch	1 EA	\$40.00 EA	\$40.00
Grinder pump Lift Station	1 EA	\$7,500.00 EA	\$7,500.00
Landscape Restoration	1560 SY	\$1.00 SY	\$1,560.00
Pavement Restoration	40 SY	\$30.00 LF	\$1,200.00
Rock Excavation	0 CY	\$60.00 CY	\$0.00
SUBTOTAL CONSTRUCTION			\$17,020.00
TECHNICAL, ADMINISTRATION, CONTINGENCY			\$5,957.00
TOTAL			\$22,977

Availability of Public Sewerage Facilities

Plat Review

17 S Fairchild ST FL 7, Madison, WI 53703-3219
P.O. Box 1645, Madison, WI 53701-1645

(608) 266-3200 Fax: (608) 264-6104 TTY: (608) 267-9629

Plat Review Program
Department of Administration

E-mail: plat.review@doa.state.wi.us
<http://www.doa.state.wi.us/olis/platreview/>

I, Brenda A. Schneider, clerk of the (town) (village) (city)
of Taycheedah, Fond du Lac County, hereby
certify that the (town board) ^{and the sanitary district} (village board) (city council) has resolved that public sewer will be
made available to **ALL LOTS** in the plat of Glacier Ridge Subdivision
before buildings are occupied and that private sewerage facilities are prohibited.

Brenda A. Schneider

(Town) (Village) (City) Clerk

Dated the 27 day of September, 2002.

If there are questions concerning the above, please feel free to contact us at (608) 266-3200.

October 9th, 2002

St. Peter Sanitary District

1.

The St. Peter Sanitary District Commission met on Wednesday, October 9th, 2002, at 3:00 p.m. at the Taycheedah Town Hall. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present was Glen Vierkant, Foth & Van Dyke.

1. Call to order. The Chairman called the meeting to order.
2. Consideration and possible action to authorize the hiring of a condemnation appraiser. Adolph Schneider moved to authorize the hiring of a condemnation appraiser, seconded by Mike Freund. Motion carried (3-0).
3. Consideration and possible action to waive the vacant lot assessment on farmland owned by Mike Colla. Jim Hovland motioned to table consideration in order to allow Glen Vierkant time to do further research, seconded by Mike Freund. Motion carried (3-0).
4. Closed Session pursuant to Wis. Stats. 19.85(e) to deliberate or negotiate the purchasing of public property, the investing of public funds or conducting other specified public business whenever competitive or bargaining reasons require a closed session. Subject: easements. Jim Hovland motioned to enter into Closed Session pursuant to Wis. Stats. 19.85(e) to deliberate or negotiate the purchasing of public property, the investing of public funds or conducting other specified public business whenever competitive or bargaining reasons require a closed session. Subject: easements, seconded by Mike Freund.
Roll call vote:
Mike Freund yes
Adolph Schneider yes
Jim Hovland yes Motion carried (3-0).
Minutes of the Closed Session have been separated from the open session.
5. Adjournment. Adolph Schneider motioned to adjourn at the conclusion of the closed session, seconded by Mike Freund. Motion carried (3-0).

Attest

Brenda A. Schneider

Brenda A. Schneider
District Recording Secretary

November 1st, 2002

St. Peter Sanitary District

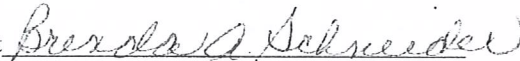
1.

The St. Peter Sanitary District Commission met on Friday, November 1st, 2002, at 3:30 p.m. at the Taycheedah Town Hall. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider.

1. Call to order. The Chairman called the meeting to order.
2. Consideration and possible recommendation to the Town Board regarding a boundary correction. Mike Freund moved to adopt the resolutions to include the Prost & Holsen properties on Lakeview Road, seconded by Adolph Schneider. Motion carried (3-0).
3. Consideration and possible approval of a District-wide tax levy. Adolph Schneider moved to levy \$1.00 mil rate on the 2002 tax bill, to be collected during 2003, seconded by Mike Freund. Motion carried (3-0).
4. Adjournment. Mike Freund motioned to adjourn, seconded by Adolph Schneider. Motion carried (3-0).

The next meeting of the Commission will be on November 12th, at 5:30 p.m. The Commission and staff will review the pre-qualification documentation submitted by bidding contractors.

Attest



Brenda A. Schneider
District Recording Secretary

The St. Peter Sanitary District Commission met on Tuesday, November 12, 2002 at 4:30 p.m. at the Taycheedah Town Hall. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider and Recording Secretary Brenda Schneider. Also present were Attorney Kathryn Bullon, Dave Wagner of Ehlers & Assoc. and Glen Vierkant of Foth & Van Dyke.

1. **Call to Order.** The Chairman called the meeting to order.

2. **Recommended Changes to Project Financing.** Glen Vierkant reported that the DNR continues to raise issues regarding the District's Facilities Plan, and has mandated route changes for the sewer project. The District cannot submit the plans and specifications for approval until after the Facilities Plan is approved. At this point, Glen is fearful that the DNR's failure to approve the plans may push the project timetable back by as much as 12 months. The Facilities Plan is only required if the District pursues Clean Water Loan funding. Dave Wagner expressed concern that delaying the project could cost more than the anticipated interest cost difference between Clean Water Loan funding and private funding. Wagner presented alternative cost calculations using private (bank) financing. Wagner also advised the Commission that the District could apply for Clean Water Loan funds for refinancing purposes anytime within 5 years if it wished to do so later. After discussion, motion Hovland, second Schneider to direct Vierkant to proceed with submittal of the construction plans and specifications to the DNR as soon as possible without waiting for Facilities Plan approval, and to authorize Ehlers & Assoc. and Bullon to seek the most favorable private financing available. Motion carried (3-0).

3. **Review Prospective Bidders' Prequalification Statements.** Glen Vierkant presented a written chart identifying those contractors who submitted Prequalification Statement packets. Those submitting information were: Jossart Borthers; Dorner-Stahl, Inc.; Feaker & Sons, Inc.; Ronet Construction; Super Excavators, Inc.; Fox Construction; Advance Construction; Kruczek Construction; Lakeland Enterprises; D.F. Tomasini; and Ability Excavators. The Commission discussed the qualifications of the potential bidders at length. Regarding Jossart Bros., Glen noted that their statement indicated bond qualifications lower than the project amount. Regarding Advance Construction, Bullon noted that the statement in the prequalification packet that the bidder had never failed to complete a project wasn't entirely accurate, as Advance had refused to perform an awarded contract for Empire SD#2. Glen also indicated that he had personal experience administering a contract that Advance was awarded wherein Advance refused to provide work schedules, failed to complete the project in a timely manner, was very poor on completing administrative paperwork, refused to return telephone calls, and was just now completing a \$2M project that was begun in 1999. Regarding Ability Excavators, Glen and the Commission expressed concerns about the lack of experience and Glen identified another project his firm was working on with Ability wherein it failed to complete in a timely manner and was assessed liquidated damages as a result. Ability did not disclose this in its qualification statement.

After discussion, motion Freund to refuse to qualify Jossart Brothers, Advance Construction and Ability Excavators, for the reasons stated above. Second Schneider, motion passed 3-0.

The Commission also reviewed the bonding ability of Feaker and Fox, and the identified financial institution for Tomasini which appears to be a typographical error. After discussion, motion Freund to authorize Glen to follow up with Feaker, Fox and Tomasini regarding bonding capability and financial institution matters and to approve their prequalification if the bonding ability and financial institution were resolved to meet the minimum bonding requirements for the project. Second Schneider; motion passed 3-0.

4. **Easement Status Report.** Adolph reported that he spoke to Groeschel and he seems to be agreeable to a deferral of his vacant lot assessments in exchange for granting the easement. Wehner and Emerich continue to demand compensation. Zarembka refuses to return telephone calls. No action was taken at this time.

5. **Adjournment.** Motion Schneider, second Freund to adjourn. Motion passes 3-0.


Brenda A. Schneider, District Recording Secretary

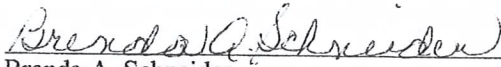
November 15th, 2002

St. Peter Sanitary District

1.

The St. Peter Sanitary District Commission met on Friday, November 15th, 2002, at 2:30 p.m., at the offices of Edgerton, St. Peter, Petak, Massey & Bullon, 10 Forest Avenue, Fond du Lac. Members present were Chairman Jim Hovland, Commissioner Adolph Schneider, and Recording Secretary Brenda Schneider. Also present were Attorney Kathryn Bullon and Glen Vierkant of Foth & Van Dyke. Commissioner Mike Freund was absent.

1. Call to order. The Chairman called the meeting to order.
2. Review Prequalification of Bidders. Glen Vierkant presented a summary of the prequalification statements for prospective bidders Globe Construction and Town & Country. Vierkant reported that each met the prequalification requirements and that he has worked with both companies and know of no issue that would preclude their qualification to bid. Motion by Adolph Schneider, seconded by Jim Hovland to approve Globe and Town & Country for bidding. Motion carried (2-0, 1 absent).
3. Adjournment. Motion by Jim Hovland, second by Adolph Schneider to adjourn. Motion carried (2-0, 1 absent).


Brenda A. Schneider
Recording Secretary

The St. Peter Sanitary District Commission met on Wednesday, November 20th, 2002, at 2:00 p.m. at the offices of Edgerton, St. Peter, Massey, Petak & Bullon. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present were Attorney Kathryn Bullon, and Glen Vierkant, Foth & Van Dyke.

1. Call to order. The Chairman called the meeting to order.
2. Opening of bids submitted for the construction of a sewer collection system. The project consisted of two separate projects. Project A had an engineer's estimate of \$3,600,300 and Project B had an estimate of \$4,046,000. The following bids were received:

Bidder	Project A	Project B
Town & Country, Mayville	\$2,828,568.45	\$3,440,594.08
Ronet Const. Corp., Green Bay	no bid	\$3,605,691.75
Kruczek Const., Inc., Green Bay	\$2,688,688.88	no bid
Dorner-Stahl, Inc., Luxemburg	\$3,092,683.20	\$4,045,632.76
Globe Contractors, Inc., Pewaukee	\$3,672,049.85	\$4,857,414.00
Super Excavator's Inc., Menomonee Falls	\$4,364,496.10	\$5,135,437.00

Project A low bidder: Kruczek Const., Inc. at \$2,688,688.88

Project B low bidder: Town & Country at \$3,440,594.08

3. Approval of the minutes from the 9/19, 9/25, 10/9, and 11/1 meetings. Mike Freund motioned to accept all the minutes as presented, seconded by Adolph Schneider Freund. Motion carried (3-0).
4. Consideration and possible action to authorize the hiring of an auditor. The item was tabled.
5. Consideration and possible action to waive the vacant lot assessment of farmland owned by Mike Colla. Tabled at the 10/09/02 meeting. Attorney Bullon stated that the land exceeds the 35 acres minimum requirement. The assessment could be indefinitely deferred. Adolph Schneider motion to indefinitely defer the vacant lot special assessment on the Colla property, seconded by Mike Freund. Motion carried (3-0).
6. Review final project costs. Glen Vierkant present cost information. The costs will be revised based upon the bids.
7. Approval of bills. Adolph Schneider moved to approve the bills as submitted (order nos. 42-47), seconded by Mike Freund. Motion carried (3-0). Mike Freund moved to transfer \$30,000 from the Money Market Account to the regular checking account, seconded by Adolph Schneider. Motion carried (3-0).
8. Closed Session pursuant to Wis. Stats. 19.85(e) to deliberate or negotiate the purchasing of public property, the investing of public funds or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Subject: easements. The Commission did not go into closed session. In open session, the Commission discussed the five easements that are yet to be obtained.
9. Adjournment. Adolph Schneider motioned to adjourn, seconded by Mike Freund. Motion carried (3-0).

Attest Brenda A. Schneider
Brenda A. Schneider
District Recording Secretary

The St. Peter Sanitary District Commission met on Wednesday, December 4th, 2002, at 5:30 p.m. at the Taycheedah Town Hall. Members present were Chairman Jim Hovland, Commissioners Mike Freund and Adolph Schneider, and Recording Secretary Brenda Schneider. Also present were Attorney Kathryn Bullon, Glen Vierkant of Foth & Van Dyke and Dave Wagner of Ehler's & Associates.

1. Call to order. The Chairman called the meeting to order.
2. Approval of minutes from the 11/20 meeting. Mike Freund motioned to approve the minutes as presented, seconded by Adolph Schneider. Motion carried (3-0).
3. Review bid tabulation and receive engineer's recommendation. The bid tabulation review done by Foth & Van Dyke verified Kruczek as the lowest bidder on Project A-02 with a bid of \$2,688,688.88. Town & Country's bid was adjusted (due to a math error) to \$3,462,564.00 for Project B-02. Foth & Van Dyke submitted a written recommendation of Kruczek and Town & Country as the low, responsible bidders for the projects. The Commission accepted and filed the report.
4. Revised estimated project costs. Foth & Van Dyke revised the estimated project costs due to the favorable bids received. The estimated probable project costs are \$10,011,440.00. The Commission reviewed the summary. Several items have yet to be finalized. The Commission discussed possible adjustments that could be made in the future due to the favorable bids.
5. Consideration and possible approval of Engineering Addendum covering final changes to the project. Addendum No. 4 was submitted by Foth & Van Dyke and reviewed by the Commission. Foth incurred additional work due to the design and addition of Schuster Lane, several re-designs of the Emerich easement, the DNR requested wetland delineation survey, moving a grinder pump lift station, additional review time due to Mr. Nassir, additional financing assistance and additional easement assistance. Foth is requesting an additional \$37,000.00, which includes \$3300.00 for the DNR permit. Foth will submit plan and specs to the DNR once East Central Regional Planning completes their 208 reviews and the City of Fond du Lac submits a letter agreeing to take the District's wastewater. Adolph Schneider moved to approve Addendum No. 4 to the contract, seconded by Jim Hovland. Motion carried (3-0).
6. Consideration and possible approval of long-term financing alternatives for the construction of the collection sewer project. Mike Freund motioned to authorize Dave Wagner to complete the final borrowing documents to be addressed by the Commission at the next meeting, seconded by Adolph Schneider. Motion carried (3-0).
7. Consideration and possible action to authorize the hiring of an auditor. Dave Wagner has nothing to report at this time.
8. Approval of bills. Jim Hovland motioned to approve the bills as submitted (order nos. 48-55), seconded by Mike Freund. Motion carried (3-0). Jim Hovland motioned to transfer \$55,000.00 from the Money Market account to the regular checking account, seconded by Adolph Schneider. Motion carried (3-0).
9. Closed Session pursuant to Wis. Stats. 19.85(e) to deliberate or negotiate the purchasing of public property, the investing of public funds or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Subject: easements. The Commission did not enter into closed session. The Commission discussed the five remaining easements needed for the project. Kathryn Bullon will make contact regarding the Nett easement, Adolph will contact Wehner, Groeschel and Emerich. Kathryn will submit a letter to Mr. Zarembka.

Lloyd McLeod requested service to his property. The Commission informed Mr. McLeod that service to his property is not feasible or cost-effective at this time. Service may be possible in the future when Kiekhaefer Parkway and Rolling Hills Drive are connected.

10. Adjournment. Mike Freund motioned to adjourn, seconded by Adolph Schneider. Motion carried (3-0).

The next meeting of the Commission will be held on Wednesday, December 18th, at 4:30 p.m., at the Town Hall and Wednesday, January 22nd, at 5:30 p.m., at the Town Hall.

Attest Brenda A. Schneider
Brenda A. Schneider
District Recording Secretary

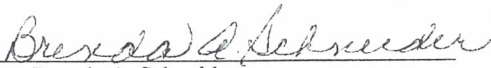
A duly convened meeting of the District Commission of the Town of Taycheedah Sanitary District No. 3, Fond du Lac County, Wisconsin, was held in open session on December 18th, 2002 and called to order by the Chairman at 4:30 p.m. The following Commissioners were present: Chairman James Hovland, Michael Freund and Adolph Schneider. None of the Commissioners were absent. Also present were District Attorney Kathryn Bullon and Dave Wagner of Ehler's & Associates.

1. Call to order. The Chairman opened the meeting by announcing that this was an open meeting of the District Commission. Notice of this meeting was given to the public and the media at least 24 hours in advance of the meeting. Copies of the complete agenda were available for inspection at the District office and on the Town of Taycheedah web site. Anyone desiring information as to forthcoming meetings should contact the District office.
2. Approval of minutes from the 12/04 meeting. Adolph Schneider motioned to approve the minutes as presented, seconded by Michael Freund. Motion carried (3-0).
3. Consideration and possible adoption of a Resolution Authorizing the Issuance and Sale of \$3,000,000 Sewerage System Revenue Bond Anticipation Notes. Prior to the meeting, staff reviewed and revised the Resolution as needed. The Resolution was reviewed with the Commission. James Hovland motioned to authorize the issuance of \$3,000,000 in Revenue Anticipation Notes, seconded by Michael Freund. Roll call vote: Adolph Schneider-aye, Michael Freund-aye, and James Hovland-aye. The Chairman declared the resolution adopted and approved and the Chairman and District Secretary signed same in the appropriate manner.
4. Consideration and possible adoption of a Resolution Authorizing the Issuance and Sale of \$4,250,000 General Obligation Promissory Notes. Prior to the meeting, staff reviewed and revised the Resolution as needed. The Resolution was reviewed with the Commission. James Hovland motioned to authorize the issuance of \$4,250,000 in General Obligation Promissory Notes from the National Exchange Bank, seconded by Adolph Schneider. Roll call vote: Michael Freund-aye, Adolph Schneider-aye, and James Hovland-aye. The Chairman declared the resolution adopted and approved and the Chairman and District Secretary signed same in the appropriate manner.
5. Consideration and possible adoption of policy regarding payment of deferred assessments upon connection. Michael Freund moved that upon the improvement being made to a vacant lot, the deferred assessment of \$5100 be due at the time of permit issuance, seconded by Adolph Schneider. Motion carried (3-0).
6. Approval of bills. Adolph Schneider motioned to approve the bills as submitted (order nos. 56-59), seconded by Michael Freund. Motion carried (3-0).
7. Closed Session pursuant to Wis. Stats. 19.85(e) to deliberate or negotiate the purchasing of public property, the investing of public funds or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Subject: easements. The Commission did not enter into closed session. Kathryn gave a report. Nett has submitted their easement. The status of the remaining four remains unchanged.

The Commission plans to conduct a workshop meeting for the purpose of compiling a newsletter. Public comment and questions will be added to future agendas.

8. Adjournment. Mike Freund motioned to adjourn at 5:45, seconded by Adolph Schneider. Motion carried (3-0).

The next business meeting of the Commission will be held on Wednesday, January 22nd, at 5:30 p.m., at the Town Hall.

Attest 
Brenda A. Schneider
District Recording Secretary