

The St. Peter Sanitary District Commission met on Thursday, January 8<sup>th</sup>, 2004, at 5:00 p.m., at the Taycheedah Town Hall for the purpose of conducting a Special Meeting. Members present were Chairman Mike Freund, Commissioners Adolph Schneider and John Rickert and Recording Secretary Brenda Schneider. Also present were Doug Fredrickson and Dennis Steigenberger of Foth & Van Dyke.

1. Call to order. The Chairman called the meeting to order.
2. Public comment and questions pertaining to District business. Don Moore, District Inspector, has been contacted for individual advice regarding alterations to existing interior plumbing. The Commission does not expect the Inspectors to provide such service. The Commission recommended Don tell homeowners to call a plumber for advice. The recommendation will be added to the Fact Sheet.

Mike Nett questioned the status of the District's analysis of the Ledge Road sewer construction costs. Mr. Nett was informed that full documentation of all charges and payments needs to be submitted to the District. Foth will review the first submittal and generate a detailed list of what additional documents are need to be submitted.

Mike Nett also inquired about a response to his letter regarding the connection fees for Hawk's Landing subdivision. The issue is currently under review.

Dorothy Pease questioned the relocation of her iron survey pipe that was displaced for a manhole. Foth will have their surveyors check into it.

A local contractor was working on a connection recently. The lateral stub was one foot higher than stated on the lateral report. The elevation of the stub under the road was higher than the minimum pitch. The local contractor altered the pitch of the stub and was able to obtain the additional depth needed. Foth advised that similar situations in the future be investigated for possible warranty issues due to the fact that the construction contractor was required to install lateral stubs at minimum pitch.

3. Approval of the minutes from the 12/17/03 meeting. Adolph Schneider motioned to approve the minutes as presented, seconded by John Rickert. Motion carried (3-0).
4. Sewer Construction Report.

The Schuster Lane and Evergreen Circle lift stations are now operational and ready for acceptance. The Cty. QQ and Shady Lane lift stations need to be energized. Operation is anticipated in February. The Hwy. 151 extension needs to be tested.

The Deadwood Point and Hwy. 149 flow meter control panels have not been received from the manufacturer. The panels will be installed once they are received.

Town & Country will begin installing individual grinder pumps next week; with the exception of the one pump still on hold. Kruczek will be installing individual grinder pumps by the end of the month.

Foth anticipates being able to accept the remaining areas in February.

The Operation & Maintenance Manuals have been completed for the lift stations and the main line grinder pumps. Maintenance personnel should review the manuals.

A lien has been filed against Kruczek. Another company is in the process of filing a lien. Final payment will be withheld until the liens are satisfied. Legal counsel will be consulted.

5. Consideration and possible acceptance of portions of the wastewater collection system. Adolph Schneider moved to accept the Certificate of Substantial Completion with attached punch list for the Evergreen Circle area constructed by Kruczek and to accept the Certificate of Substantial Completion with attached punch list for the Schuster Lane area constructed by Town & Country, seconded by John Rickert. Motion carried (3-0).
6. Consideration and possible action regarding the timing of User Charges for new construction. The ordinance states that the user charge will begin at the beginning of the quarter following connection or upon occupancy, whichever comes first. No action was taken.
7. Adjournment. Adolph Schneider motioned to adjourn, seconded by John Rickert. Motion carried (3-0).

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

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7. Adjournment. Adolph Schneider motioned to adjourn, seconded by John Rickert. Motion carried (3-0).

Attest:

*Brenda A. Schneider*

Brenda A. Schneider  
District Recording Secretary

The St. Peter Sanitary District Commission met on Wednesday, January 28<sup>th</sup>, 2004, at 6:20 p.m., at the Taycheedah Town Hall for the purpose of conducting the January monthly meeting. Members present were Chairman Mike Freund, Commissioners Adolph Schneider and John Rickert and Recording Secretary Brenda Schneider. Also present were District Legal Counsel, Gary Sharpe, and Doug Fredrickson and Dennis Steigenberger of Foth & Van Dyke.

1. Call to order. The Chairman called the meeting to order.
2. Public comment and questions pertaining to District business. Numerous district property owners were in attendance. A number of the attendees are expecting a refund of their special assessment due to the fact that the project bids were 19% under the engineer's estimates. The following comments were made by attendees:
  - The financial advisor has publicly stated that excess revenue would be refunded.
  - The special assessment went from \$10,100 to \$11,000.00 so that a big contingency fund could be created.
  - The original petition asked that residents be kept informed.
  - A refund should be given; not a reduction in the user charge or the mil rate.
  - Phase I property owners will probably pay a mil rate into Phase II.
  - If Phase II is handled the way Phase I was—there won't be a Phase II.
  - A refund could be used to pay for private lateral connections.
  - If a refund is given and people sell their homes; the refund would go to the current owner instead of the one who originally paid it.
  - People should not have to pay if they didn't sign the petition.
  - Wis. Stats. require a refund of an overcharge.
  - Some property owners will pay a mil rate for two years without any benefit.

Commission responses included the following:

- Chairman Mike Freund read the October 10<sup>th</sup>, 2003 newsletter. The newsletter was sent to all property owners. The newsletter explained the three different ways the project will be funded and the reasoning for the various methods of funding. It also acknowledged that the bids came in under estimates and that an adjustment to the funding methods may be considered after the construction and restoration is complete.
  - The debt needs to be repaid.
  - Construction is only a portion of the project. The District had to purchase capacity in the downstream sewers as well as the treatment plant and hire professional staff to assist with the project.
  - The special assessment had to be established before the project was bid; pre-payments had to be estimated before the borrowing was done. The borrowing was made against all property in the District based upon the bids not the estimated costs. It is a community project with community debt.
  - A refund would require the District borrow more money and pay more interest. It is unknown if the District would be able to borrow money to pay a refund.
  - Attorney Sharpe commented that if the special assessments exceed the project costs; the excess funds would have to be refunded. The District's special assessments do not exceed to project costs. Therefore, Commission has no legal obligation to refund any of the special assessment.
3. Approval of the minutes from the 1/8/04 meeting. The word "documentation" was changed to "disclosure". Mike Freund moved to approve the minutes as amended, seconded by John Rickert. Motion carried (3-0).
  4. Sewer Construction Report.
    - The Cty. QQ and Shady Lane lift stations need to be energized and tested.
    - The Deadwood Point and Hwy. 149 flow meters need to be energized.
    - Town & Country has installed five out of six grinder pumps. Kruczek will begin grinder pump installation next week.
    - It will be the end of February before the remainder of the project is ready for operation. Foth suggests planning for acceptance of sub-substantial completion on March 8th.
    - Commission requested attention be paid to Mrs. Kraus' tree replacement and aesthetic improvements to the Cty. QQ lift station.
  5. Consideration and possible action regarding the use, and or, installation of generator(s) at the lift stations. John Rickert motioned to approve the Change Order submitted by Town & Country for the installation of transfer switches at the lift stations located in Contract B-02, seconded by Adolph Schneider. Motion carried (3-0).
  6. Consideration and possible action to retain a part-time maintenance employee. The Commission needs to develop a list of duties and responsibilities for the employee. Foth will assist.

7. Consideration and possible adoption of a residential user equivalent (RUE) schedule. The RUE for multi-use/structures needs to be determined. The Commission needs to determine an equitable method without increasing administrative costs. John Rickert motioned to table the item in order to obtain RUE schedules from neighboring districts, seconded by Adolph Schneider. Motion carried (3-0).
8. Consideration and possible action regarding the timing of User Charges for new construction connections and the timing of the mailing of the bills. User Charges for new construction will commence at the beginning of the next quarter following the issuance of the connection permit, or upon actual occupancy of the property, whichever occurs first, as stated in the ordinance. Adolph Schneider moved to establish rotating quarterly billing cycles based upon alphabetical order by last name, to begin after the first year, seconded by John Rickert. Motion carried (3-0).
9. Review of Ledge Road construction costs. The Commission needs additional information. John Rickert motioned to table the item to the February meeting, seconded by Adolph Schneider. Motion carried (3-0).
10. Clarification of the connection fee for connections made in Hawk's Landing subdivision. The Commission needs additional information. John Rickert motioned to table the item to the February meeting, seconded by Adolph Schneider. Motion carried (3-0).
11. Consideration and possible action regarding an on-site system rebate. A submittal has been received for an on-site septic system rebate. The system was inspected on 11-29-93. Therefore, the system is more than 10 years old and has no remaining life, as established by statutes. Adolph Schneider moved to deny the rebate, seconded by John Rickert. Motion carried (3-0).
12. Approval of bills. Adolph Schneider moved to approve the bills as submitted (Order nos. 1-11), seconded by John Rickert. Motion carried (3-0). Adolph Schneider moved to transfer \$144,592.38 from the Money Market G.O. Account to the regular checking account and to transfer \$1,749.51 from the Money Market Operations and Inspections Account to the regular checking account, seconded by John Rickert. Motion carried (3-0).
13. 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.
14. Adjournment. Adolph Schneider motioned to adjourn at approximately 8:00 p.m., seconded by John Rickert. Motion carried (3-0).

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

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Commission responses included the following:

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Deleted: project costs

Deleted: special assessments

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- 9. Review of Ledge Road construction costs. ~~The Netts and their engineers requested removal from the agenda prior to the meeting.~~ John Rickert motioned to table the item to the February meeting, seconded by Adolph Schneider. Motion carried (3-0).
- 10. Clarification of the connection fee for connections made in Hawk's Landing subdivision. The Commission needs additional information. John Rickert motioned to table the item to the February meeting, seconded by Adolph Schneider. Motion carried (3-0).
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- 13. 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.
- 14. Adjournment. Adolph Schneider motioned to adjourn at approximately 8:00 p.m., seconded by John Rickert. Motion carried (3-0).

**Deleted:** The Commission needs additional information

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

The St. Peter Area Sanitary District Commission met on Tuesday, February 10<sup>th</sup>, 2004, at 4:30 p.m., at the North Fond du Lac Community Center, 280 Garfield Street, North Fond du Lac. Members present were Chairman Mike Freund, Commissioners Adolph Schneider and John Rickert and Recording Secretary Brenda Schneider.

1. The Commission will attend a presentation on the proposed renovation of the wastewater treatment plant. The meeting is for information gathering purposes only. No formal actions will be taken.
  - The Discharge Permit for the plant needs to be renewed this spring.
  - The DNR has changed the discharge limits requiring the conversion of ammonia nitrogen to nitrates.
  - Strand & Associates has compiled a Facilities Plan which has been submitted to the DNR.
  - The Plan estimates a \$45 million upgrade.
  - The State offers low interest financing through the Clean Water Fund Loan Program.
  - The City will conduct a public hearing on the Facilities Plan on March 10<sup>th</sup>.
  - The Facilities Plan plans for:
    - Increased hydraulic capacity,
    - The elimination of the Doty Street by-pass
    - Reuses existing clarifiers,
    - Provides nitrification,
    - Reduces dependency on chemicals for disinfection,
    - Reduces staffing,
    - Reduces net energy usage,
    - Consolidates plant operations,
    - Adds emergency power generation,
    - Reduces long-term operational costs.
  - The DNR's compliance deadline is Dec. 31<sup>st</sup>, 2007. The City is negotiating for an extension to Oct. 2008.
  - The planned bid date is March 2005.
  - Construction is planned to begin in mid 2005.
  - The upgrade will protect aquatic life in Lake Winnebago and property values.
  - The City will borrow the funds necessary for the project.
  - OSG members will have the option to pre-pay or borrow through the City.
  - The participating towns will not have the ability to build the cost into a rate structure.

The OSG will conduct their semi-annual meeting on April 22<sup>nd</sup> at the North Fond du Lac Community Center.

2. Adjournment. The meeting was adjourned at approximately 5:45 p.m.

Attest:   
Brenda A. Schneider  
District Recording Secretary

The St. Peter Sanitary District Commission met on Wednesday, February 25<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall for the purpose of conducting the February monthly meeting. Members present were Chairman Mike Freund, Commissioners Adolph Schneider and John Rickert and Recording Secretary Brenda Schneider. Also present were Doug Fredrickson and Dennis Steigenberger of Foth & Van Dyke.

1. Call to order. The Chairman called the meeting to order.
2. Public comment and questions pertaining to District business. The Commission was asked for the status a refund of the special assessment. The auditors have recently begun reviewing the financial position of the District. The Commission will present a report in the near future.
3. Approval of the minutes from the 1/28/04 meeting. The word "two" was corrected to "twenty" and Item #9 was clarified to state that the Netts and their engineers requested removal from the agenda. John Rickert moved to approve the minutes as amended, seconded by Adolph Schneider. Motion carried (3-0). The Commission attended a meeting regarding the proposed \$45 million upgrade of the treatment plant. The OSG intends to challenge the upgrade. Adolph Schneider moved to approve the 2/10/04 minutes as presented, seconded by John Rickert. Motion carried (3-0).
4. Insurance review with Mike Immel, Rural Insurance. The District has obtained liability, property damage and workman's comp. insurance through Rural Insurance. The levels of coverage were reviewed. Sewer back-ups will be covered if caused by a negligent act of the Commission or staff. Homeowners are advised to obtain individual coverage.
5. Sewer Construction Report.

Town & Country has installed the grinder pumps. Kruczek will be installing grinder pumps on Decorah Lane and Aspen Court. All of the grinder pumps need to be electrified. Electricity has been run to the flow meter stations and the Shady Lane and Cty. QQ lift stations. The grinder pumps and remaining lift stations should be ready for acceptance at the March meeting.

Kruczek's Change Orders No. 5 & 6 were reviewed. No. 6 includes finance charges charged to Kruczek by his supplier. The District will apply the charge to the quantity adjustment change order.

Barbarossa Blasting Company's insurance carrier has responded to Jim Karls' blasting damage complaint. Their insurance company has denied the damage claim.

6. Review and possible action to clarify electrical connection costs and maintenance of the grinder pumps. The contracts state that it is the responsibility of the contractor to bring electricity to the individual grinder pumps. The homeowners will pay for the electricity used by the pumps. The District will maintain the grinder pumps. All affected homeowners were personally contacted regarding the District's grinder pump installation and maintenance policy.
7. Consideration and possible recommendation to the Town Board regarding a petition to detach properties on Ledge Road. Rose Petrie, Ken Ogie, Joe Sabel and Bud Sabel have petitioned for the detachment of approximately 70 acres of land from the District. The area could be partially served by gravity; the remainder would require a lift station. The loss of tax base would have to be absorbed by the remaining property owners within the District if the Town Board approves the detachment. The Commission would like to see a swap of acreage for an area possibly on the east side of St. Peter.
8. Consideration and possible action to retain a part-time maintenance employee. The Commission reviewed a list of duties compiled by Foth & Van Dyke.
9. Consideration and possible adoption of a residential user equivalent (RUE) schedule. The Commission compiled an RUE schedule. Adolph Schneider motioned to adopt the RUE schedule as compiled, seconded by John Rickert. Motion carried (3-0).
10. Consideration and possible action to establish the User Charge. The estimate of probable operation and maintenance costs was reviewed and revised. The Financial Advisor will be asked to provide further assistance. Action was postponed to the March meeting.
11. Review of Ledge Road construction costs. The item was removed from the agenda in order to allow more time for the gathering of additional information.
12. Review and possible action to clarify the connection fee for connections made in Hawk's Landing subdivision. The item was removed from the agenda in order to allow more time for the gathering of additional information.
13. Consideration and possible approval of a resolution changing the name of the Money Market No. 2 Account to the Operations/Inspections Account, the GO Note Debt Service Account to the Reserve for Replacement Account and the BAN Note Debt Service Account to the Debt Service Account. John Rickert moved to adopt the resolution as presented, seconded by Adolph Schneider. Motion carried (3-0).

14. Approval of bills. John Rickert moved to approve the bills as submitted (Order nos. 12-30), seconded by Adolph Schneider. Motion carried (3-0). Mike Freund moved to transfer \$76,000.00 from the Money Market G.O. Account to the regular checking account, to transfer \$5,311.30 from the Money Market Operations/ Inspections Account to the regular checking account, and to authorize the wire transfer of \$208,050.00 from the Debt Service Account for the BAN Note payment, seconded by John Rickert. Motion carried (3-0).
15. 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.
16. Adjournment. Adolph Schneider motioned to adjourn at approximately 9:30 p.m., seconded by John Rickert. Motion carried (3-0).

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

TAYCHEEDAH SANITARY DISTRICT NO. 3-  
ST. PETER AREA SANITARY DISTRICT  
FOND DU LAC COUNTY, WISCONSIN

RESOLUTION

WHEREAS, the Sanitary District Commission conducted a public meeting on Wednesday, February 25<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall;

WHEREAS, the District established several bank accounts for the purpose of segregating specific funds;

WHEREAS, construction and related costs have expended the funds in two of the accounts;

WHEREAS, the District's Auditor, Schenck Business Solutions, has reviewed the reviewed the specific accounts;

WHEREAS, the District's Auditor has recommended changing the name and the specific use of three of the District's accounts.

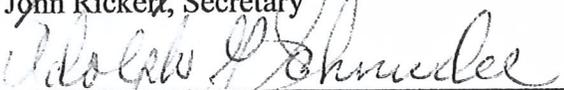
THEREFORE BE IT RESOLVED, that the Sanitary District Commission of the Taycheedah Sanitary District No. 3 have changed the names and uses of the following bank accounts:

- Money Market No. 2 be changed to the Operations/Inspections Account,
- GO Note Debt Service Account be changed to the Reserve for Replacement Account,
- BAN Note Debt Service be changed to the Debt Service Account.

Dated the 25<sup>th</sup> of February, 2004.

  
\_\_\_\_\_  
Michael H. Freund, President

  
\_\_\_\_\_  
John Ricket, Secretary

  
\_\_\_\_\_  
Adolph G. Schneider, Treasurer

Attest:

  
\_\_\_\_\_  
Brenda A. Schneider  
District Recording Secretary

**Taycheedah Sanitary District No. 3**  
**Residential Unit Equivalent Determination**  
**February 25<sup>th</sup>, 2004**

<u>Classification</u>	<u>Unit Value</u>
<b>Residential:</b>	
Single Family Home	One Unit
Duplex	Two Units
Apartments	One Unit per Apartment
Condominiums	One Unit per Condominium
<b>Commercial/Public:</b>	
General Business	One Unit per 25 Employees
Church	One Unit
Tavern or Restaurant	One Unit per 40 seats, and One Additional Unit per 60 seats
Beauty Salons/Barbershop	One Unit per 2 Chairs
Athletic Club	.5 Unit
Bowling Alley	.5 Unit per Alley
Service Station or Garage	One Unit
Shopping Center	One Unit per 4000 sq. ft. of Floor Space
Supermarket	One Unit per 4000 sq. ft. of Floor Space
Country Club	One Unit per 25 Members
Day Care	One Unit per 20 Students and Employees
<b>School:</b>	
K through 5 <sup>th</sup> Grade w/out Gymnasium	One Unit per 12 Students and Employees
K through 5 <sup>th</sup> Grade w/Gymnasium	One Unit per 6 Students and Employees
6 <sup>th</sup> through 12 <sup>th</sup> w/Gymnasium	One Unit per 5 Students and Employees
<b>Motel:</b>	
With Laundry	One Unit= $\frac{\text{Bed Space} \times \% \text{ of Occupancy}}{6}$
Without Laundry	One Unit= $\frac{\text{Bed Space} \times \% \text{ of Occupancy}}{8}$
<b>Multiple Use Buildings, with:</b>	
Single set of waste fixtures shared	The number of units defined above for the largest unit value per classification plus .5 of the unit values for the other classifications.
Waste fixtures for each use	The number of units defined above for each classification.
Special or Other Commercial, Public or Industrial Users, including contributors of greater than domestic strength wastes.	To be determined by the Sanitary District Commission on a case-by-case basis taking into consideration the type, volume, and strength of the wastewater to be discharged in comparison with other users.

All totaled computations shall be rounded upward to the nearest 0.5 unit. No classification shall receive less than one unit, including seasonally occupied buildings, with the exception of the athletic club, unless they are multiple use. For billing purposes, if multiple use buildings have multiple separate property owners, then the total number of units for the multiple use building will be divided by the number of separate property owners to determine the number of units to be billed to each property owner.

The St. Peter Sanitary District Commission met on Wednesday, March 24<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall for the purpose of conducting the March monthly meeting. Members present were Chairman Mike Freund, Commissioner John Rickert and Recording Secretary Brenda Schneider. Also present were Doug Fredrickson and Dennis Steigenberger of Foth & Van Dyke and Kathy Diederich of Schenck Business Solutions. Commissioner Adolph Schneider was absent.

1. Call to order. The Chairman called the meeting to order.
2. Approval of the minutes from the 2/25/04 meeting. It was noted that a settlement has been reached between Jim Karls and Barbarossa Blasting Company regarding a damage claim. John Rickert motioned to approve the minutes, seconded by Mike Freund. Motion carried (2-0-1 absent).
3. Sewer Construction Report.

The lifts stations at Cty. QQ and Shady Lane are ready to go.

The metering stations at Deadwood Point Road and Hwy. 149 are also ready to go. However, the County needs to program their system in order to recognize the telemetry. Foth recommends continuing the compilation of monthly connection/usage reports for the time being.

Kruczek has installed their grinder pumps. They are awaiting start-up. Town & Country has installed their grinder pumps. A couple of them need to be energized and then they will go through start-up. All of the grinder pumps should be ready by the end of next week.

There has been considerable settling within some of the roadways. The contractor is responsible for the repairs. The repairs will not be an additional cost to the District. Kruczek will repair the base of Silica Road within the next couple of weeks. However, re-paving will not be done until at least June.

The Commission discussed and reviewed Foth's evaluation of the interchangeability of the pumps. Further consideration will be made at the April meeting.

The site office will be gone by the end of the month. Complaints are to be directed to Foth & Van Dyke. Contact information will be inserted into the Town's website.

4. Consideration and possible action to accept the Certificate of Substantial Completion for the Cty. QQ and Shady Lane lift stations, the individual grinder pumps, the Hwy. 151N sewer extension and the Deadwood Point Road and Hwy. 149 flow meter stations. The Certificates and attached punchlists were reviewed. The Certificates do not include final restoration or road repairs. Certificates for restoration and roads will be considered in the future. John Rickert motioned to approve the Certificates of Substantial Completion as presented with the exception of the simplex grinder pumps; acceptance of the simplex grinder pumps is conditional upon satisfactory start-up, seconded by Mike Freund. Motion carried (2-0-1 absent). The notification letters to the homeowners with the grinder pumps will be held until after start-up.
5. Consideration and possible action to retain a part-time maintenance employee. Bud Sabel may be interested. The group discussed some of the duties. No formal action was taken.
6. Consideration and possible action to establish the User Charge. Kathy Diederich, auditor from Schenck Business Solutions, spoke about her preliminary evaluation of the financial status of the District. Kathy discussed the 10 year projections, operational costs, interest expense, principle debt, reserve requirements, the tax levy, interest income from investments and installment payments, special assessments, connection charges deferred assessments and user charges. Kathy emphasized the following:
  - Her projections are estimates,
  - Construction is only a portion of the project costs,
  - The special assessments levied will not cover of the cost of construction,
  - The use of any remaining funds from construction may be dictated by the borrowing documents, and
  - The Commission needs to balance the current funds to the future funds while being sensitive to the long-term financial health of the District.
7. Discuss compiling a disclaimer for new construction within the District but not in the service area. Foth and Brenda will compile a preliminary disclaimer that would be signed by property owners building within the unsewered areas of the District. The disclaimer will be presented for Commission approval in the future.
8. Discuss compiling a policy to regulate the installation of future lateral stubs. The Commission discussed regulating alters the mainline sewer when adding lateral stubs. An ordinance amendment will be drafted for future consideration.

9. Approval of bills. John Rickert moved to approve the bills as submitted (Order nos. 30-42), seconded by Mike Freund. Motion carried (2-0-1 absent). Mike Freund moved to transfer \$146,350.00 from the Money Market G.O. Account to the regular checking account, to transfer \$1,933.87 from the Money Market Operations/ Inspections Account to the regular checking account for Inspectors payroll, and to authorize the transfer of \$895,000.00 from the Debt Service Account to the Money Market GO Note Account in order to maximize interest income, seconded by John Rickert. Motion carried (2-0-1 absent).
10. Public comment and questions pertaining to District business. The Commission heard questions and comments from the public.
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. John Rickert motioned to enter into Closed Session pursuant to Wis. Stats. 19.85(e) to discuss easements, seconded by Mike Freund. Roll call vote: John Rickert, yes; Mike Freund, yes. Motion carried (2-0-1 absent).
12. Adjournment. John Rickert motioned to adjourn at approximately 9:15 p.m., seconded by Mike Freund. Motion carried (2-0-1 absent).

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

The St. Peter Sanitary District Commission met on Wednesday, April 28<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall for the purpose of conducting the April monthly meeting. Members present were Chairman Mike Freund, Commissioners Adolph Schneider and John Rickert and Recording Secretary Brenda Schneider. Also present was Dennis Steigenberger of Foth & Van Dyke.

1. Call to order. The Chairman called the meeting to order.
2. Approval of the minutes from the 3/24/04 meeting. John Rickert motioned to approve the minutes, seconded by Mike Freund. Motion carried (3-0).
3. Sewer Construction Report.

All sewers and grinder pumps have been substantially completed.

Restoration work needs to be made to several areas of roadway and right-of-way due to settling. All of the work is under warrantee. Town & Country has had a crew working in the area but the weather has not been cooperative. The asphalt plant will open in May. Town & Country and Kruczek plan to complete all restoration by the end of May. Silica Road will be tested to determine the best method of addressing the severe settling. The Town has consistently monitored and addressed the road conditions. The Town will be submitting a bill for the services. The District has received a claim for vehicle alignment needed due to driving into a sudden, severe settling of a lateral crossing on Highland Drive. A private contractor had to re-excavate the crossing in order to appropriately adjust the elevation of the lateral for connection. The District's insurance carrier is currently reviewing the claim.

Foth recommends reducing the retainer held on the Town & Country contract.

The Schuster Lane lift station has clear water entering the vault. Foth will inspect the lift station. The Commission and Foth will do random inspections of manholes looking for clear water infiltration.

The first grinder pump connection was made this week. The vault did not have a gasket or connection stub. The contractor had to improvise due to the fact that the existing system had already been collapsed when the discovery was made. The Inspector questioned if the other grinder pump vaults will have the gasket. Foth will research and follow-up. The light on the grinder pumps will be changed from a red globe to a green globe. The light will remain on to indicate the system is functioning properly.

Foth presented an Operation and Maintenance Manual to be used by maintenance personnel.

Foth also presented the Draft Record Drawings. All video tapes will be turned over to the District.

Foth recommended the Commission consider purchasing safety equipment. The O&M Manual has specific recommendations.

Town & Country has submitted a Quantity Adjustment Change Order. The Change Order reduces the contract by \$48,017.60, a completion extension and a reduction of the retainer.

The manhole on Hwy. 149 has been covered with cold mix blacktop. The District will need to mark it.

The Commission is concerned about the possibility of blasting activity occurring as part of the Hwy. 149 Improvement Project. The Commission intends to ask the DOT to televise the sewers. Bi-weekly meetings on the project are being held at the Town Hall with the DOT, the engineering firm and the contractor. The next meeting is scheduled for May 6<sup>th</sup>, at 5:00 p.m.. The Commission will also address the manhole adjustment issue with the contractor.

A cord needs to be made for use with the generator.

The lift stations will be set with a delay in the telemetry so that it does not call out with every flicker or power surge.

The Commission recognized the receipt of Adolph Schneider's written resignation addressed to the Town Board.

4. Consideration and possible action regarding landscaping at the Cty. OO lift station. Foth has spoken to Roman Schneider, the landowner. Mr. Schneider would prefer a retaining wall and some shrubs. John Rickert motioned to install a retaining wall and add shrubs, seconded by Adolph Schneider. Motion carried (3-0).
5. Consideration and possible action to establish the maintenance employee's compensation. The Commission preferred to negotiate compensation with the employee. The Commission intends to establish a daily rate for being on the dialer system, in addition to an hourly rate. Overtime hours and pay will also need to be determined. No formal action was taken.
6. Consideration and possible action to retain a part-time maintenance employee. Bud Sabel has agreed to accept the position; but he is concerned about the compensation. Mike Freund moved to retain Bud Sabel as a part-time maintenance employee, seconded by John Rickert. Motion carried (3-0). The telemetry will be programmed with Bud's phone number. Others that are or may be willing to be on the dialing system are: John

Rickert, Ziegelbauer Septic Service, Mike Freund, Andy Karls and Adolph Schneider. The list will be finalized and prioritized next week.

7. Consideration and possible action regarding the interchangeability of the lift station pumps and the purchasing of stand-by pumps. Bud Sabel has located a supplier who claims they can deliver replacement pumps within one day. Each lift station has two pumps. The chance of both pumps going down is slim. There are four different grinder pumps. Further consideration of purchasing stand-by grinder pumps will be made at the May meeting.
8. Consideration and possible action to approve a disclaimer for new construction within the District but not in the service area. Foth drafted a notice that could be used to address the replacement of existing systems. The Recording Secretary drafted a New Construction Disclaimer. Adolph Schneider moved to adopt the New Construction Disclaimer, seconded by John Rickert. Motion carried (3-0). The draft notice will be revised to also address routine inspections. The notice will be reviewed at the May meeting.
9. Consideration and possible action to amend the ordinance regarding the tapping of the mains to install additional lateral stubs within the current service area. Foth recommends allowing factory wye with slide-by connections. Foth submitted a sample amendment. The draft will be prepared for consideration at the May meeting. The Commission will also consider amending the ordinance regarding new subdivision extensions.
10. Review and execute the auditor's Representation Letter. John Rickert motioned to approve and execute the Auditor's Representation Letter, seconded by Adolph Schneider. Motion carried (3-0).
11. Review auditor's report. The Commission recognized receipt of a memo from Kathy Diederich dated 4-28-04. The draft can not be accepted at this time.
12. Discuss Outlying Sewer Group (OSG) issues and the plant upgrade. The OSG is in negotiations with the City of Fond du Lac regarding the plant upgrade.

The Luco Road lift station is also in need of an upgrade. All users will be required to pay proportionately for costs of its replacement. It is estimated that the District's share will be \$89,000.00, not including \$6,000.00 for an evaluation of the telemetry system.

13. Approval of bills. John Rickert moved to approve the bills as submitted (Order nos. 43-54), seconded by Mike Freund. Motion carried (3-0). Mike Freund moved to transfer \$113,000.00 from the Money Market G.O. Account to the regular checking account and to transfer \$538.25 from the Money Market Operations/Inspections Account to the regular checking account for Inspectors payroll, seconded by John Rickert. Motion carried (3-0).
14. Consideration and possible approval of a resolution changing the name of the BAN Account to Operations/User Charges. Adolph Schneider move to adopt the resolution, seconded by John Rickert. Motion carried (3-0).
15. Public comment and questions pertaining to District business. Dan Mand has made a verbal request for a written statement defining what constitutes requiring an additional lateral. The Commission consensus was that any statement in writing will come from the District's attorney. The issue will not be re-addressed unless Mr. Mand submits his request in writing.

A closed session meeting with the attorney will be scheduled within the next couple weeks.

The May monthly meeting will be on May 19<sup>th</sup> due to the fact that the Recording Secretary will not be available on May 28<sup>th</sup>.

16. 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. Mike Freund motioned to enter into Closed Session pursuant to Wis. Stats. 19.85(e) to discuss easements, seconded by John Rickert. Roll call vote: John Rickert, yes; Mike Freund, yes; Adolph Schneider, yes. Motion carried (3-0).
17. Adjournment. Adolph Schneider motioned to adjourn at approximately 9:45 p.m., seconded by John Rickert. Motion carried (3-0).

Attest:   
Brenda A. Schneider  
District Recording Secretary

**TAYCHEEDAH SANITARY DISTRICT NO. 3-  
ST. PETER AREA SANITARY DISTRICT**

**NEW CONSTRUCTION DISCLAIMER**  
(To be completed by the property owner)

*It is the intent of the Taycheedah Sanitary District No. 3 to provide municipal sanitary sewer service to all property within the District boundary.*

I acknowledge that I will be constructing a home with an on-site septic system within the Taycheedah Sanitary District No. 3 boundary.

I acknowledge this disclaimer as an advisement to inform my plumbing contractor of the probability of municipal sanitary sewer connection and to plan accordingly when installing the on-site septic system and the internal plumbing.

I acknowledge that the timing of extending municipal sanitary sewer service to my property is unknown.

I acknowledge that I will not qualify for an on-site system rebate.

I acknowledge that I will be required to share equally in the cost of extending the municipal sanitary sewer.

Date: \_\_\_\_\_

\_\_\_\_\_  
New Construction Address

\_\_\_\_\_  
Property Owner

\_\_\_\_\_  
Authorized District Representative

TAYCHEEDAH SANITARY DISTRICT NO. 3-  
ST. PETER AREA SANITARY DISTRICT  
FOND DU LAC COUNTY, WISCONSIN

RESOLUTION

WHEREAS, the Sanitary District Commission conducted a public meeting on Wednesday, April 28<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall;

WHEREAS, the District established several bank accounts for the purpose of segregating specific funds;

WHEREAS, construction and related costs have expended the funds in some of the accounts;

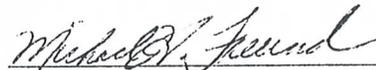
WHEREAS, the District's Auditor, Schenck Business Solutions, has reviewed the reviewed the specific accounts;

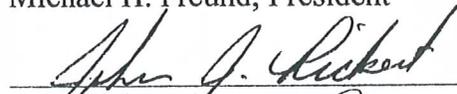
WHEREAS, the District's Auditor has recommended changing the name and the specific use of one of the District's accounts.

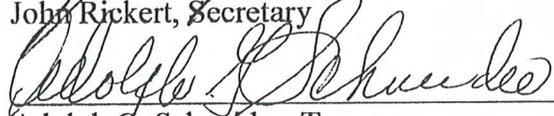
THEREFORE BE IT RESOLVED, that the Sanitary District Commission of the Taycheedah Sanitary District No. 3 has changed the name and use of the following bank account:

- BAN Account be changed to the Operations/User Charges Account.

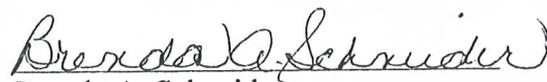
Dated the 28<sup>th</sup> of April, 2004.

  
\_\_\_\_\_  
Michael H. Freund, President

  
\_\_\_\_\_  
John Rickert, Secretary

  
\_\_\_\_\_  
Adolph G. Schneider, Treasurer

Attest:

  
\_\_\_\_\_  
Brenda A. Schneider  
District Recording Secretary

**Regional Sanitary Lift Station  
Replacement Costs  
Based on  
Applied Technology Estimates**

4/20/2004

<b>Entity</b>	<b>Population</b>	<b>Percentage</b>	<b>Entity Share</b>
Calumet	1,691	6.382%	\$55,269
Johnsburg	398	1.502%	\$13,008
Taycheedah SD#3	2,730	10.303%	\$89,228
Taycheedah SD#1	2,212	8.348%	\$72,297
Fond du Lac SD#2	1,250	4.718%	\$40,855
City of Fond du Lac	13,126	49.540%	\$429,013
Empire SD#3	478	1.804%	\$15,623
Town of Empire	3,965	14.965%	\$129,593
Town of Taycheedah	646	2.438%	\$21,114
<i>Empire - Mary Hill Park?</i>			
<b>Total</b>	<b>26,496</b>	<b>100.000%</b>	<b>\$866,000</b>

The St. Peter Sanitary District Commission met on Wednesday, May 19<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall for the purpose of conducting the May monthly meeting. Members present were Chairman Mike Freund, Commissioners Adolph Schneider and John Rickert and Recording Secretary Brenda Schneider. Also present were Dennis Steigenberger of Foth & Van Dyke and Dave Wagner of Ehlers & Associates.

1. Call to order. The Chairman called the meeting to order. The Commission recognized that the meeting is on a special night due to Brenda Schneider's upcoming vacation.
2. Approval of the minutes from the 4/28/04 & 5/5/04 meetings. Adolph Schneider moved to approve the minutes as presented, seconded by John Rickert. Motion carried (3-0).
3. Sewer Construction Report.

Town & Country's restoration crew was working today. The weather has made restoration work difficult. Town & Country hopes to complete restoration by the end of the month. Town & Country has not received a schedule from Northeast Asphalt yet.

Kruczek's paving company is scheduled for next week.

All complaints received are being added to the punch-list.

Wire disconnect switches need to be installed at the lift stations for emergency generator connection. Bud Sabel plans to make the cord once he knows the specifics of the switch that will be installed.

Clearwater infiltration is occurring at the Schuster Lane lift station. No infiltration can be seen on the video tapes. Doug inspected a few manholes but could not determine the source. Foth suggested having the section of sewer televised. If the problem is determined to be Town & Country's responsibility; the District could bill them. Or the District could have T/C re-televis. There is also infiltration leaking into the Schuster Lane lift station around the gasket from the north connection. Town & Country will be required to repair it.

The Commission scheduled a meeting for Saturday, May 22<sup>nd</sup>, at 8:00 a.m., at the St. Peter church parking lot. The Commission will then perform random inspections of manholes and the lift stations inspecting for infiltration.

Foth advised the District to have all of the sewers re-televised after most of the connections are made and the manhole adjustments along Hwy. 149 have been completed.

A draft newsletter for property owners in the unsewered areas of the District was reviewed. The newsletter addresses the ordinance requirement of private septic system inspections; however, the ordinance does not state when the inspections are to begin. Fond du Lac County will be initiating a town-wide on-site septic system inspection reporting requirement for Taycheedah in 2006. The consensus of the Commission was to allow the County to handle the inspection and reporting. The newsletter will also address the financial status of the District, restoration complaint contact information, the lift station alarm system and introduce Bud Sabel as the District's maintenance person. The newsletter will tentatively go out in June to all property owners.

The dialer in the lift station panels can be delayed so as to not call with every power surge. The horn alarms need delay switches or to be disconnected. The dialer contact list still needs to be compiled and prioritized so that the phone numbers can be programmed into the lift station computers.

Doug has met with the landowner by the Cty. QQ lift station regarding the landscaping at the station. A wall will be constructed and some trees will be planted by it. The landscaping will be done this summer.

4. Report on inspections. Three connections have recently been made with a depth of pipe that is in non-compliance. The pipes are connecting below existing concrete slabs to an existing pipe. The Code requires a minimum depth of 60" without insulation and as shallow as 42" with insulation. It is unknown if any future liability could be incurred. Adolph Schneider motioned to instruct the attorney to send a letter regarding the non-compliant connection and to direct the property owner/contractor to bring the connection into full compliance with the ordinance and the State Code, seconded by John Rickert. Motion carried (3-0). The issue will also be added to the newsletter.
5. Status report from the financial advisor. Dave Wagner has reviewed the auditors draft financial documents and assumptions. He finds the assumptions to be reasonable. Dave advises paying down the District's debt in order to reduce interest expense. He also advises evaluating the user charge annually and to consider making a yearly increase based upon to rate of inflation.

Dave also recommends encouraging growth. Section 5.1 of the District's ordinance states that it applies to all future connections to the system initially constructed by the District. The section states that the special assessment shall be \$11,000.00 plus \$660.00 annually beginning 1/1/04. Section 5.2 refers to future sewer extensions. This section states that the developer shall pay all costs related to the design, construction and acceptance by the District of the sewer extension, including but not limited to, construction costs, engineering, accounting, legal and inspection fees, and shall be borne by the party requesting the extension.

Some area of the District will be more expensive than others to build due to elevations and high bedrock and some areas could possibly be built for less than \$11,000.00 per lot. The Commission could revise the ordinance to state that the District will construct all sewer extensions and assess the \$11,000.00+660.00 annually per lot to the developer. However, the financial documents indicate that the District will not be able to afford to finance extensions.

Dave further commented that the Hawk's Landing agreement was in everyone's best interest. However, the agreement lacked a detailed, signed contract with the Nett's. The resolution also lacks the rationale used at the time. Future extensions need to have developer's agreements. Foth & Ehler's will draft a list of pros and cons regarding the rationale of the agreement. The draft could be reviewed by the attorney for a recommendation and filed in the permanent file. The draft would address what is in the best long-term interest of the District.

The Commission could also promote infilling by offering an installment payment of the deferred assessment. The Commission could also reduce or eliminate the annual increase to the deferred assessment.

Foth & Ehler's will also draft a report regarding the special assessment for lots in new developments and a possible adjustment to the deferred assessment. They will report at the next meeting.

Ehler's never billed the \$1500 for financial planning work which was in addition to bond work. Dave assumes the \$1500 will cover the report work. He will seek authorization if it does not cover the reports.

6. Consideration and possible action to hire Attorney Ed Ritger as Special Counsel for the District. President Freund proposes to hire Attorney Ritger for the Ledge Road issue. Mike feels Gary Sharpe does not have the time needed to address the issue and he is not returning phone calls. Mike Freund moved to hire Attorney Ed Ritger for the Special Legal Counsel for the District. Motion died for lack of a second. The issue will be placed on next month's agenda in order to give Adolph Schneider time to speak with Attorney Gary Sharpe on the issue. Neal Nett and Attorney Marty DeVries asked for a timetable in which the Ledge Road issue will be decided. President Freund was not able to commit to a timetable or a request to be addressed on next month's agenda. Neal feels they have fulfilled their end of the agreement and would like to see the District uphold their end. Attorney DeVries questioned if there is anything else the District needs submitted that hasn't already been submitted. President Freund's goal is to resolve the issue but he couldn't promise to address it at next month's meeting.
7. Consideration and possible action to purchase stand-by pumps. The largest grinder pump would work at all of the locations on a temporary basis. John Rickert motioned to purchase a spare pump for the simplex grinder pump stations, seconded by Adolph Schneider. Motion carried (3-0).
8. Review and possible approval of a notice to property owners within the District but not in the service area regarding the inspection and replacement of on-site septic systems. See Status Report.
9. Consideration and possible action to amend the ordinance regarding the tapping of the mains to install additional lateral stubs within the current service area. Revisions to the ordinance were drafted by Foth and reviewed by the Commission. John Rickert motioned to authorize Foth & Van Dyke to revise, fax to and communicate with Attorney Gary Sharpe in order for him to render an opinion on the revisions, seconded by Mike Freund. Motion carried (3-0).
10. Approval of bills. Adolph Schneider moved to approve the bills as submitted (Order nos. 55-71), seconded by John Rickert. Motion carried (3-0). Mike Freund moved to transfer \$24,000.00 from the Money Market G.O. Account to the regular checking account, transfer \$2287.57 from the Money Market Operations/ Inspections Account to the regular checking account for the Inspectors payroll, to transfer \$41,177.24 from the Money Market G.O. Account to the Debt Service Account and to authorize a Debit Memo of \$95,625.00 from the Money Market Debt Service Account to pay the semi-annual installment payment, seconded by John Rickert. Motion carried (3-0).
11. Public comment and questions pertaining to District business. Dan Mand submitted correspondence dated 5/12/04. Attorney Sharpe will be asked for a written response.  
Correspondence dated 5/17/04 from Mike Nett was received. Attorney Sharpe was copied.  
National Exchange Bank submitted correspondence via fax dated 5/19/04. The Bank's request will be addressed at next month's meeting.
12. 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.

May 19<sup>th</sup>, 2004

St. Peter Sanitary District

3.

13. Adjournment. Adolph Schneider motioned to adjourn at approximately 9:35 p.m., seconded by John Rickert. Motion carried (3-0).

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

May 22<sup>nd</sup>, 2004

St. Peter Sanitary District

1.

The St. Peter Sanitary District Commission met on Saturday, May 22<sup>nd</sup>, 2004, at 8:00 a.m., at the St. Peter Church parking lot. Members present were Chairman Mike Freund, Commissioners John Rickert and Adolph Schneider. Also present was Doug Fredrickson of Foth & Van Dyke. Recording Secretary Brenda Schneider was absent.

1. Call to order. The Chairman called the meeting to order.
2. The Commission will meet in the church parking lot and then proceed to perform inspections of manholes and lift station. The group performed random inspections of manholes and lift stations. Attached is the inflow/infiltration inspection report compiled by Foth & Van Dyke.
3. Adjournment. The meeting will adjourn at the completion of the inspections. No formal actions will be taken.

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



**Foth & Van Dyke**  
consultants engineers scientists

Client: TSD # 3 Scope I.D.: 038011  
Project: A/B-02 Page: \_\_\_\_\_  
Prepared By: DDF Date: 5/22/09  
Checked By: \_\_\_\_\_ Date: \_\_\_\_\_

Follow / infiltration check :

Church Rd to G.P.H.S. # 2 → good flow, residents are connected  
→ DDF to double check

MH @ 149 / Church → OK

MH @ 149 / Glen → OK

MH 219 on Glen St. → repair chimney seal (leaking)

MH 218 @ Ridger / Glen → leak in barrel section

MH 230 & MH 231 under water → raise DDF to check this area for flow

MH 254 @ Hillside Circle / Dehart Easement → OK

MH 30 @ "GR" / Evergreen → OK

MH 121 @ Evergreen / Future Rosenthal St. → OK  
→ install inside drop on FM

MH 81 @ GR / Silica → DDF to double check flow, selector in L.S. cracking on?

MH 73 @ Silica / Eminent easement → OK

MH 65 on Lakewood, 1<sup>st</sup> north of Silica Rd. → OK

MH 47A @ Silica / Gyp. Easement → OK

MH 28 @ Silica / Adler → OK

MH 7 on Woodwood Ph. Rd. → OK

MH 322 @ "149" / Easement to Lakewood Springs → OK

MH 140 @ "149" / Lakewood Springs → OK

MH on Ledge Rd., 1<sup>st</sup> east of Flow Monitoring Station → OK

MH @ Fine View / Easement to Hawks Landing → OK

The St. Peter Sanitary District Commission met on Monday, June 7<sup>th</sup>, 2004, at 6:30 p.m., at the Taycheedah Town Hall. Members present were President Mike Freund, Commissioners Adolph Schneider and John Rickert and Recording Secretary Brenda Schneider.

1. Call to order. The President called the meeting to order.
2. Consideration and possible acceptance of the Huelster easement. The easement is on the land-locked lot. An easement for the lot abutting Hwy. 149 was received last year. Attorney Sharpe notified Mr. Huelster that if the second easement is not submitted; the District will construct the grinder pump station on the first lot and he will be responsible for the costs associated with extending the service to the house. Town & Country will charge for additional costs to relocate their equipment for station's construction. The District will bear the additional costs and attempt to coordinate the construction when Town & Country adjusts the manhole barrel sections on Hwy. 149. Adolph Schneider moved to accept the Huelster easement and to order the simplex pump as soon as possible, seconded by John Rickert. Motion carried (3-0).
3. Consideration and possible action to hire Attorney Ed Ritger as Special Counsel for the District. President Freund proposes to hire Attorney Ritger for the Ledge Road issue. Adolph Schneider has not been able to speak with Attorney Gary Sharpe. Adolph also felt that the issue was resolved at the last closed session meeting. Mike Freund feels Attorney Sharpe would not be comfortable defending the Commission in the event of litigation. Mike Freund's intent is to meet with Attorney Ritger for an interview. Adolph Schneider would like to see Attorney Sharpe and Dave Wagner participate in the interview. John Rickert motioned to consider the possible hiring of Attorney Ed Ritger as Special Counsel for the District, seconded by Mike Freund. Motion carried (2-0-1 Adolph Schneider abstained).
4. Consideration and possible action to finance a cell phone for the District's Maintenance employee. The Commission needs to determine if Bud is requesting a cell phone specifically for District-related calls or if he is requesting the District to cost-share with him for a phone. The issue was tabled to the next meeting.
5. Adjournment. Adolph Schneider motioned to adjourn at approximately 6:55 p.m., seconded by John Rickert. Motion carried (3-0).

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

The Taycheedah Sanitary District No. 1, Johnsburg Sanitary District, St. Peter Area Sanitary District and Calumet Sanitary District Commissions met on Monday, June 7<sup>th</sup>, 2004, at 7:00 p.m., at the Taycheedah Town Hall, pursuant to the meeting between Taycheedah Sanitary District No. 1 and Johnsburg Sanitary District conducted on May 12<sup>th</sup>.

Members present were:

**Taycheedah Sanitary District No. 1:** No commissioners were in attendance. Deputy Clerk Gene Karls requested a postponement on Friday, June 3<sup>rd</sup> because he planned to be out of town. A representative from each of the Districts was contacted. The consensus was to proceed with the meeting on June 7<sup>th</sup> due to the lateness of Mr. Karls' notice and the number of individuals that would need to be contacted in order to reschedule the meeting. Mr. Karls planned to advise his Commissioners to not attend the meeting.

**Johnsburg Sanitary District:** President Franz Schmitz, Commissioners Ken Schneider and Dennis Lefebber. Also present was Kathy Diederich of Schneck Business Solutions.

**St. Peter Area Sanitary District:** President Mike Freund, Commissioners John Rickert and Adolph Schneider. Kathy Diederich also represents St. Peter Sanitary District.

**Calumet Sanitary District:** President Dick Wehner and Commissioner Alice Lemke. Commissioner Roy Schneider was absent.

Representing Johnsburg and St. Peter Area Sanitary Districts was Recording Secretary Brenda A. Schneider.

1. Call to order. Johnsburg Sanitary District President Franz Schmitz called the meeting to order.
2. The Commissions will meet with the Taycheedah Sanitary District No. 1 to discuss the Agreement for Sharing of Operation and Maintenance Costs.

The group reviewed the cost items presented by TSD No. 1 at the May 12<sup>th</sup> meeting. The Districts discussed their willingness to share or not share in the following costs:

- Salaries
  - Commission-not willing to pay
  - Maintenance-may be willing to share the cost based upon the percentage of the wages claimed for work applicable to the interceptor sewer and lift stations. TSD No. 1 was to report the approximate percentage of time applicable to the interceptor sewer and lift stations vs. TSD No. 1's collection system. The report has yet to be received.
  - Inspection-not willing to pay
  - Deputy Clerk-not willing to pay
  - Town Treasurer-not willing to pay
  - Payroll Taxes-may be willing to share the cost based upon the percentage of maintenance salary applicable to the interceptor sewer and lift stations
- Mileage-may be willing to share the cost based upon the percentage of maintenance salary applicable to the interceptor sewer and lift stations
- Maintenance/Repairs-willing to share costs applicable to the interceptor sewer and lift stations only
- Professional Services
  - Legal fees-not willing to pay
  - Audit/Accounting-not willing to pay
  - Outlying Sewer Group annual dues-not willing to pay
- Telephones
  - Office phone-not willing to pay
  - Lift stations-still need clarification of costs from TSD No. 1
- Office expenses
  - Office phone-not willing to pay
  - Office rent-not willing to pay
  - Office supplies/stamps-not willing to pay
- Utilities-willing to share costs applicable to the interceptor sewer and lift stations
- Insurance
  - Workman's Comp-may be willing to share the cost of premiums based upon the percentage of maintenance salary applicable to the interceptor sewer and lift stations
  - Public Officials Errors & Omissions-not willing to pay

June 7<sup>th</sup>, 2004

Taycheedah Sanitary District No. 1  
Johnsburg Sanitary District  
St. Peter Area Sanitary District  
Calumet Sanitary District

2.

- Boiler and Machine/Property-*may be willing to share the costs of premiums applicable to the interceptor sewer and lift stations*
- Fidelity Bond-*not willing to pay*
- Town of Fond du Lac S.D. No. 2/Luco Road lift station O&M-*may be willing to share the costs based upon percentage of flows, if not directly billed by FDL SD No. 2*

The Commissions reviewed Calumet Sanitary District's 2003 payments to TSD No. 1. CSD paid from 12.75% to 36.46% of operation and maintenance costs determined by TSD No. 1. The percentage was based upon flows.

Johnsburg and Calumet sanitary districts waste flows through all three of TSD No. 1's lift stations. St. Peter Area Sanitary District is unsure how many of TSD No. 1's lift stations their waste flows through.

St. Peter Area Sanitary District and Calumet Sanitary District do not intend to pay future operation and maintenance bills to Taycheedah Sanitary District No. 1 without detailed cost documentation.

It was agreed that a revised agreement will be drafted for Johnsburg S.D. and TSD No. 1. The revised agreement will be submitted to TSD No. 1 for their consideration. Kathy offered to compile a draft and circulate the revised agreement. Calumet S.D., Johnsburg S.D. & St. Peter S.D. will meet on June 21<sup>st</sup>, at 6:00 p.m., to review the draft agreement.

The group discussed metering problems and the telemetry used by the City and infiltration concerns.

3. Adjournment. Johnsburg Sanitary District President Franz Schmitz announced the meeting was adjourned at 8:30 p.m.

Attest Brenda A. Schneider  
Brenda A. Schneider  
Recording Secretary  
Johnsburg Sanitary District  
St. Peter Area Sanitary District

June 21<sup>st</sup>, 2004

Johnsburg Sanitary District  
Calumet Sanitary District  
St. Peter Area Sanitary District

1.

The Johnsburg, St. Peter and Calumet Sanitary District Commissions met on Monday, June 21<sup>st</sup>, 2004, at 6:08 p.m., at the Taycheedah Town Hall. Members present were: Johnsburg President Franz Schmitz, Commissioners Dennis Lefeber and Ken Schneider; St. Peter Area Sanitary District President Mike Freund and Commissioners Adolph Schneider and John Rickert; Calumet Sanitary District President Dick Wehner and Commissioner Alice Lemke. Calumet Commissioner Roy Schneider was absent. Also present were Kathy Diederich of Schenck Business Solutions, Dennis Steigenberger of Foth & Van Dyke and Brenda Schneider, Recording Secretary for Johnsburg and St. Peter Sanitary District.

1. Call to order. JSD President Franz Schmitz called the meeting to order.
2. The Commissions will meet to review the draft Agreement for Sharing of Operation and Maintenance Costs with Taycheedah Sanitary District No. 1. Kathy Diederich presented revised draft agreements to each of the Districts. Each of the agreements contains an attachment specifying operation and maintenance costs the Districts may be willing to cost-share. It was noted that TSD No. 1 has not provided clarification on the phone bills and the percentage of wage applicable to the interceptor sewer and lift stations. The attachments were reviewed and revised by the Commissions. Each District has separate issues that will need to be addressed individually with TSD No. 1.

TSD No. 1 has three lift stations. Johnsburg and Calumet's waste flows through all three lift stations. One of St. Peter's connection points flow through two of the three lift stations and the other two connections flow through just one.

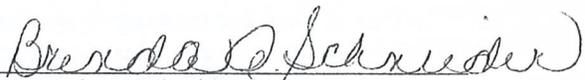
The Commissions discussed meters and the City's technology.

Fond du Lac Sanitary District No. 2 bills their operation and maintenance costs to TSD No. 1. FDL No. 2 bills for 2001 and 2002 were reviewed. It was noted that FDL No. 2 charges a percentage of sub-contracted services, repairs, telephone, electric and insurance expenses; no labor expenses or administration costs.

Kathy will develop a format for reporting cost-share expenses. The format will be presented to TSD No. 1.

Johnsburg, St. Peter and Calumet Sanitary District Commissions will meet with TSD No. 1 on Tuesday, June 29<sup>th</sup>, at 6:00 p.m.

3. Adjournment. The meeting adjourned at 7:45 p.m..

Attest:   
Brenda A. Schneider  
District Recording Secretary

The St. Peter Sanitary District Commission met on Wednesday, June 23<sup>rd</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall for the purpose of conducting the June monthly meeting. Members present were Chairman Mike Freund, Commissioners Adolph Schneider and John Rickert and Recording Secretary Brenda Schneider. Also present was Dennis Steigenberger of Foth & Van Dyke and Bud Sabel, District Maintenance Staff.

1. Call to order. The Chairman called the meeting to order.
2. Approval of the minutes from the 5/19/04, 5/22/04, 6/3/04 & 6/7/04 meetings. Adolph Schneider moved to approve the minutes and to ask for clarification from Dave Wagner, Ehler's & Associates, regarding the duration of time for the inability to finance sewer extensions as stated in his report given at the 5/19/04 meeting, seconded by John Rickert. Motion carried (3-0).
3. Sewer Construction Report.

Numerous restoration issues exist. Town & Country had a restoration crew working last month; however, most of the work needs to be re-done due to the heavy rains. Town & Country has also been responsive to warrantee issues. The weather has been more cooperative lately. Town & Country has decided to sub-contract their remaining restoration work. The work schedule is unknown at this time. Kruczek has promised to have a restoration crew here next week.

Foth met at the site with representatives from Kruczek, Feaker and Ronet on June 8<sup>th</sup> to discuss road repair issues. Silica Road, Evergreen Court and Decorah Lane need major repairs. Foth believes the best approach for Silica Road is to grind all of the settled areas, reshape the road, patch the grinding areas with 2" of asphalt and overlay the entire road with 1" of asphalt. Kruczek was given a map of the areas to be ground. The areas were also marked with pink paint. Kruczek was to contact Northeast Asphalt for their professional opinion as to the best approach for the repair and to schedule such work. Soil tests were done on the areas. The compaction tests passed. Kruczek is responsible for the repair work; per the contract. Kruczek contacted Northeast Asphalt this morning.

Ronet needs to restore some settling on Ledge Road. Foth will work with Ronet and Excel Engineering to get the work done.

All complaints received continue to be added to the punch-list. The punch-list will be checked to verify that Dorothy Pease's survey marker is replaced at the manhole.

The Cty. QQ lift station landscaping still needs to be done. The retaining wall is not yet installed. It is unknown how the weather and scheduling has impacted the work. Kruczek wants to wait with installing the guardrail until the wall and landscaping are complete. Hopefully the work will begin next week.

The contracts were to reach final completion by June 1<sup>st</sup>. Foth and the Commission are disappointed and numerous residents are frustrated with the lack of progress being made on the road repair and restoration work. The weather should not have affected the completion of road repair work; but did impact lawn restoration work. The Commission discussed their right to terminate or take over the contract and liquidated damages. A letter will be sent to the contractors expressing disappointment with the lack of progress and the expectation of the timely completion of such work.

The televising of Schuster Lane sewer has not been completed. There was confusion between Foth and Town & Country on whether or not it was needed. Town & Country will be instructed to have the televising done as soon as possible.

Foth advised the District to have all of the sewers re-televised after most of the connections are made and the manhole adjustments along Hwy. 149 have been completed.

LW Allen will be contacted to schedule the lift station operation training. The alarm dialing system will be programmed during the training session.

All of the individual grinder pumps should have inside alarms. The inside alarms would be connected to a different circuit than the pumps. The globes on the grinder pumps will be changed from red to green.

Change Order No. 6 from Town & Country was presented. The Change Order pertains to the manhole adjustments that will be needed in conjunction with the Hwy. 149 project. The Change Order covers one mobilization at \$300.00. It was noted that if more than one mobilization is needed; \$300.00 will be charged for each additional mobilization. The Change Order also includes the Huelster grinder pump. John Rickert motioned to accept Change Order No. 6, seconded by Adolph Schneider. Motion carried (3-0).

The District is receiving only three phone bills for the lift station phone lines. There are six lift stations. There was a recent collection notice received for the phone line installation to the Schuster Lane lift station. The phone company sent the bill to the lift station. That bill was paid last month; however, the District has not received any bills for service to the lift station. There is concern that a similar situation may have occurred with the other two lift stations; no installation or service bills. Brenda Schneider contacted the phone

company. The phone company was not able to assist without providing them with a phone number or work order number for each station. Foth will follow-up with the contractors to obtain the information the phone company needs in order to assist. Also, the Hwy. 149 lift station phone bill has been consistently higher than the other two bills. It was discovered that Town & Country ordered long distance service with a one-year commitment. The remainder of the commitment can be settled with a 50% buy-out. Brenda will cancel the long distance service and instruct the company to bill for the commitment buy-out.

The Deadwood Point Road metering station has enough connections to sufficiently operate the metering device. Bud Sabel will begin weekly meter readings at the station on July 1<sup>st</sup>. Bud will establish a routine weekly meter reading day and time. Taycheedah Sanitary District No. 1 will be notified of the reading days and times. Foth will notify the City of Fond du Lac to begin billing the District directly for the treatment of flows through the Deadwood Point meter. The Hwy. 149 and Cty. UU metering stations do not have sufficient flows at this time.

The accountant will be billing for the second quarter user charges. In the event of a change in ownership; the person owning the property at the end of the quarter will be responsible for the full quarter billing.

Foth will develop a manhole map. The map will include manhole numbers, pipe size and a D, L or H to delineate which metering station each manhole flows through.

4. Consideration and possible action to purchase equipment for the maintenance staff. Manhole hooks and seal tools will be provided by the contractors. Dennis Steigenberger donated a reflective safety vest. Bud will inform the Commission when he needs equipment.
5. Consideration and possible action to finance a cell phone for the maintenance staff. Bud requests a contribution from the District for a cell phone. Mike Freund motioned to contribute \$25.00 per month to Bud for the cell phone plan of his choice, seconded by John Rickert. Motion carried (3-0).
6. Consideration and possible approval of an on-site system rebate submitted by Rob & Lisa Cutter. An on-site system rebate request was submitted by Rob & Lisa Cutter on April 28<sup>th</sup>, 2004. It was noted that the sanitary permit was issued by the County Code Enforcement Dept. in October 1998 and inspected shortly thereafter. It was also noted that the deadline for submittals was August, 2002. Mike Freund moved to deny the rebate request on the basis that it does not qualify due to the date of installation being after the formation of the District, seconded by Adolph Schneider. Motion carried (3-0).
7. Consideration and possible approval to compensate Barbara King for two crab trees. Two crab trees located within an easement area were cut down by the contractor. Mr. King gave verbal permission to cut the trees. The easement clearly states that the owner is entitled to compensation for the loss of any trees. John Rickert motioned to offer the King's \$350.00 for each of the two crab trees, seconded by Mike Freund. Motion carried (3-0). Mike Freund will contact Mrs. King regarding the offer.
8. Consideration and possible action to amend the ordinance regarding the tapping of mains to install additional lateral stubs within the current service area. The revision was compiled by Foth. The revision will be submitted to the District's attorney. Mike Freund motioned to table the ordinance revision pending review by legal counsel, seconded by John Rickert. Motion carried (3-0).
9. Draft newsletter. The Commission discussed items to be included in the newsletter. The Commission will discuss the newsletter further next month.
10. Approval of bills. Adolph Schneider moved to approve the bills as submitted (Order nos. 72-81), seconded by John Rickert. Motion carried (3-0). Mike Freund moved to transfer \$181,000.00 from the Money Market G.O. Account to the regular checking account and transfer \$269.13 from the Money Market Operations/ Inspections Account to the regular checking account for the Inspectors payroll, seconded by John Rickert. Motion carried (3-0).
11. Public comment and questions pertaining to District business. None given.
12. 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.
13. Adjournment. Mike Freund motioned to adjourn at approximately 8:50 p.m., seconded by John Rickert. Motion carried (3-0).

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

The Taycheedah Sanitary District No. 1, Johnsburg Sanitary District, Calumet Sanitary District and St. Peter Sanitary District Commissions met on Tuesday, June 29<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall.

Members present were:

**Taycheedah Sanitary District No. 1:** President Dan Deuster, Commissioners George Cassady and Rich Nieheuser and Deputy Clerk Gene Karls.

**Johnsburg Sanitary District:** President Franz Schmitz, Commissioners Ken Schneider and Dennis Lefebber.

**St. Peter Area Sanitary District:** President Mike Freund, Commissioners John Rickert and Adolph Schneider.

**Calumet Sanitary District:** President Dick Wehner and Commissioner Alice Lemke. Commissioner Roy Schneider was absent.

**Also present:** Kathy Diederich of Schneck Business Solutions and Brenda Schneider, Recording Secretary for Johnsburg and St. Peter Area Sanitary District.

1. Call to order. Johnsburg Sanitary District President Franz Schmitz called the meeting to order.
2. The Commissions will meet with the Taycheedah Sanitary District No. 1 to negotiate the Agreement for Sharing of Operation and Maintenance Costs. Johnsburg and TSD No. 1 met on May 12<sup>th</sup> to discuss the various costs that have been applied as operation and maintenance expenses. The meeting was for informational purposes; therefore, no actions were taken. St. Peter Sanitary District and Calumet Sanitary District have a mutual interest in the issue and have requested to participate in the negotiations. Johnsburg, Calumet and St. Peter rescheduled this meeting as a result of TSD No. 1's lack of attendance at the June 21<sup>st</sup> meeting.

It is the opinion of the Johnsburg Sanitary District Commission and staff that the District should not be required to contribute to costs that would have been incurred by No. 1 if Johnsburg was not connected to the system. The spirit of the OSG Agreement is that no District should benefit at the expense of another District. The Districts should work together for the mutual goal of providing a service to their customers. All of the parties are owners of the shared sewer, however, TSD No. 1 is the custodian. All four districts agree that the shared sewer needs to be maintained for the benefit of all of the districts.

Operation and maintenance costs incurred by Fond du Lac Sanitary District are billed to TSD No. 1. The costs are shared based upon the flow from all of the users. FDL No. 2 does not include any salaries or errors and omissions insurance, etc.; only direct costs.

Calumet Sanitary District and St. Peter Area Sanitary District intend to re-open their agreements with TSD No. 1. CSD and SPSD want specificity. St. Peter Area Sanitary District signed the first draft of the agreement; not the revised draft as intended.

The Districts used the outline presented by TSD No. 1 at the May 12<sup>th</sup> meeting as the forum for discussion items. The outline was as follows:

- Salaries
  - Commissioners-TSD No. 1 proposes to remove from the cost-share
  - Maintenance-85% of total wage as determined by TSD No. 1's Maintenance Man. The 85% would then be shared based upon percent of share or metered flow at the Hwy. 151 lift station; whichever is greater. (Other parties requested a time-log specifying mainline and non-mainline work; time log may be reviewed after 2 quarters for possible change to a flat percentage.)
  - Inspection-30% of total wage as determined by TSD No. 1's Inspector. The 30% would then be shared based upon percent of share or metered flow at the Hwy. 151 lift station; whichever is greater. (Other parties requested a time-log specifying mainline and non-mainline work; time log may be reviewed after 2 quarters for possible change to a flat percentage.)
  - Deputy Clerk-TSD No. 1 proposes 100% cost-shared based upon percentage of capacity or metered flow at the Hwy. 151 lift station; whichever is higher. (Other parties requested a log of allocable time.)
  - Town Treasurer-TSD No. 1 proposes to remove from the cost-share
- Mileage- currently paying \$.345 per mile-TSD No. 1 proposes 100% cost-share based upon percentage of capacity or metered flow at the Hwy. 151 lift station; whichever is greater. (Parties requested cost-share of mileage applicable to the shared sewer/lift stations.)
- Maintenance
  - Lift station pumps and meters
  - Parts, labor and travel
  - Mainline repairs and flushing
  - Manhole repair and maintenance

*TSD No. 1 proposes 100% cost share based upon percentage of nearest upstream connection point. The percentages were compiled by Ron Cunzenheim and presented in letter form dated 5/5/04. (The Parties need to evaluate the formulas and determine their applicability.)*

- Professional Services
  - Attorney fees -TSD No. 1 expects full reimbursement from JSD for JSD related issues. (JSD objects on the basis of the expense being a cost of operation to TSD No. 1.)
  - Engineer-extension reviews and connection points -TSD No. 1 expects full reimbursement from JSD for JSD related issues. (JSD objects on the basis of the expense being a cost of operation to TSD No. 1.)
  - Accountant, auditor and financial reports-TSD No. 1 proposes to remove from the cost-share.
- Supplies
  - Office-printing, paper and ink-TSD No. 1 proposes 100% cost-share based upon percentage of share or metered flow at the Hwy. 151 lift station; whichever is greater. (Other parties object on the basis of the expense being a cost of operation to TSD No. 1.)
  - Mailing-envelopes, stamps and boxes-TSD No. 1 proposes 100% cost share based upon percentage of share or metered flow at the Hwy. 151 lift station; whichever is greater. (Other parties object on the basis of the expense being a cost of operation to TSD No. 1.)
- Telephone
  - Leased-one for each of three lift stations-TSD No. 1 proposed 100% cost-share based upon percentage of nearest upstream connection point. (Other parties suggested either percentage based upon flow or equally divided by the using Parties.)[JSD has requested detail of the lift station phone bills in order to evaluate the reason for the monthly amount differences with the bills. The detail was not supplied.]
  - Office phone-calls answered and redirected (by the staff of Frank Nett Co.)-TSD No. 1 proposes to remove from the cost-share.
- Office rent and services-Frank Nett Co.
  - File storage, mail box, phone calls, mail handling and sorting, customer services-TSD No. 1 proposes a \$15.00 per month fee/per party. (Other parties object on the basis of the expense being a cost of operation to TSD No. 1.)
- Fond du Lac SD No. 2/O&M of the Luco Rd. lift station-TSD No. 1 proposes 100% cost-share based upon percent of share or metered flow at the Hwy. 151 lift station; whichever is greater. (Parties object on the basis that capacity does not equate to use.)
- City of Fond du Lac treatment charge-temporary agreement based upon number of connections due to low initial flows. The contribution will be discontinued once the flow meter(s) can operate efficiently. This item does not apply to CSD. (No objection from the affected parties.)
- Electric
  - Lift stations-Gladstone, Brookhaven and Hwy. 151-TSD No. 1 proposes 100% cost-share based upon percentage at the nearest upstream connection point. (Parties need to evaluate the formula and determine the applicability.)
  - Natural gas for the lift station generators once installed and operating-TSD No. 1 proposes 100% cost-share based upon percentage of the nearest upstream connection point. (Parties need to evaluate the formula and determine the applicability.)
- Insurance
  - Workman's comp.-TSD No. 1 proposes 100% cost-share based upon percentage of share or metered flow at the Hwy. 151 lift station; whichever is greater. (Parties need to evaluate the formula and determine the applicability.)
  - Public officials errors & omissions-TSD No. 1 proposed to remove from the cost-share.
  - Boiler & machine-TSD No. 1 proposes 100% cost-share based upon percentage at the nearest upstream connection point. (Parties need to evaluate the formula and determine the applicability.)
  - Property-TSD No. 1 proposes 100% cost-share based upon percentage at the nearest upstream connection point. (Parties need to evaluate the formula and determine the applicability.)
  - Fidelity bond-TSD No. 1 proposes to remove from the cost-share.

June 29<sup>th</sup>, 2004

Taycheedah Sanitary District No. 1  
Johnsburg Sanitary District  
St. Peter Area Sanitary District  
Calumet Sanitary District

3.

TSD No. 1 made the following concessions: require employee time logs for mainline and non-mainline time, remove attorney fees associated with JSD, remove engineering fees associated with JSD and remove office supplies and stamps. However, no official action was taken. Johnsburg, St. Peter and Calumet concurred with the items proposed to be removed from the cost-share.

TSD No. 1 does not have metering stations at each lift station. TSD No. 1 believes it is impossible to establish a percentage-of-use calculation for each of their lift stations. Johnsburg, St. Peter and Calumet dispute the percentage of capacity method on the basis that capacity percentage does not equate to percentage of use; operation and maintenance should be based upon use. The percentages at the nearest upstream connection point would not include TSD No. 1's wastewater flows or infiltration between the lift station and connection point. CSD has concerns regarding the accuracy of the calculations; due to the fact that TSD No. 1 purchased capacity from CSD. It was noted that capital improvements, as stated in the OSG/City Agreement, shall be based upon capacity percentage.

Kathy Diederich offered to compile a uniform metered flow reporting form and develop a computer program to assist TSD No. 1 with the data compilation and calculations. The Parties also acknowledged the importance of submitting their metering data at the conclusion of each quarter. Johnsburg, St. Peter and Calumet's goal would be to have as little impact as possible on TSD No. 1's administrative payroll.

The Parties suggested establishing a sub-committee consisting of a representative of each of the four districts. The sub-committee could meet quarterly. The intent of the sub-committee would be to address issues that any of the four districts may have as they arise.

The Districts will meet on Monday, July 19<sup>th</sup>, at 6:00 p.m., at the Town Hall.

3. Adjournment. The meeting adjourned at 8:40 p.m..

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



85 Wakawn Avenue, Fond du Lac, WI 54935

Phone: 920-921-5446 Cell: 920-948-5705

Fax: 920-921-6172

E-mail: [ronc@rbc.com](mailto:ronc@rbc.com)

Wednesday, May 05, 2004

Taycheedah SD#1  
 Attn: Gene Karls  
 N7645 Peebles Lane  
 Fond du Lac, WI 54935

Dear Gene,

You have requested some information about the connection points that you share with other OSG members. I have reviewed my data and have included the information you requested. When we talked we were not sure if the HWY 149 and some of the Tay#3 lines combined before connecting to your interceptor sewer. They in fact do. They connect at the intersection of USH 151 and STH 149. If you need a detail breakdown of that branch line I also have that data. For now I have included the data where the flows impact the main interceptor sewer.

Location	Parties	Population	Percent Share
North end of your system	Calumet	1,691	100.0%

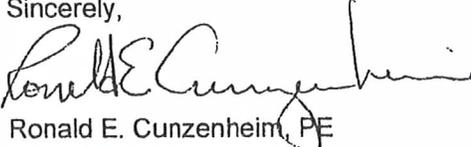
Location	Parties	Population	Percent Share
Fisherman Road	Calumet	1,691	63.8%
	Johnsburg	398	15.0%
	Taycheedah SD#1	503	19.0%
	Tn of Taycheedah	57	2.2%

Location	Parties	Population	Percent Share
Deadwood Point	Calumet	1,691	30.7%
	Johnsburg	398	7.2%
	Taycheedah SD#1	1,028	18.7%
	Taycheedah SD#3	1,931	35.1%
	Tn of Taycheedah	457	8.3%

Location	Parties	Population	Percent Share
HWY 149 Connection	Calumet	1,691	23.5%
	Johnsburg	398	5.5%
	Taycheedah SD#1	1,746	24.5%
	Taycheedah SD#3	2,730	37.9%
	Tn of Taycheedah	623	8.6%

Location	Parties	Population	Percent Share
South End of System	Calumet	1,691	22.2%
	Johnsburg	398	5.2%
	Taycheedah SD#1	2,177	28.6%
	Taycheedah SD#3	2,730	35.8%
	Tn of Taycheedah	623	8.2%

Hopefully this will assist you in your conversations and deliberations. If you need any additional data please advise me and I will attempt to fulfill that request.  
Thank you.

Sincerely,  
  
Ronald E. Cunzenheim, PE  
President  
**REC Engineering, LLC**

AGREEMENT FOR THE ALLOCATION OF COSTS AND  
TRANSPORTATION OF WASTEWATER BETWEEN  
THE TOWN OF JOHNSBURG SANITARY DISTRICT  
AND SANITARY DISTRICT NO. 1 OF THE TOWN OF TAYCHEEDAH

ADDENDUM NO. 1  
(Preliminary draft)

By virtue of the fact Johnsburg has been granted permission to solve their Sanitary problems by utilizing TSD#1's sewer system to transport sewage to the City of Fond du Lac for treatment, it is agreed no additional financial burden is to be placed upon TSD#1 as a consequence thereof.

In general, the intent of this addendum is to define the cost items and method of calculating cost for billing to Johnsburg Sanitary District for their fair share of costs incurred by TSD#1 for the day-to-day operation and maintenance. It is generally understood and agreed by both parties that cost sharing based solely upon % of flow is misleading and in-appropriate. This addendum is intended to specify which cost items are to be included/excluded and the percentage rate to apply with the understanding future changes may be appropriate.

**Cost Items to be excluded**

TSD#1 Commissioner Salaries  
Town Treasurer Fee  
Accounting Audit Annual Fee  
Insurance – Fidelity Bond  
                  Public Officials Liability  
Office telephone

**Cost Items Billed at Percent of Share at Nearest Upstream Connection Point**

For purposes of this agreement, the percent of share will be as determined and supplied by REC Engineering LLC, dated Wednesday, May 05, 2004. See attached copy.

Maintenance – Lift Stations and equipment,  
                  Sewer Mains  
                  Manholes  
Telephones in lift stations  
Energy costs – Electricity  
                  Natural Gas  
Insurance – Boiler and Machine  
                  Property

**Cost Items Billed at the greater of Percent of Share or Metered Flow at HWY 151 Lift Station**

(TSD#1's south lift station)

- Deputy Clerk Salary
- Employee mileage expense
- Supply items.
- Town of Fond du Lac #2 O&M
- 85% of Maintenance Wages
- 30% of Inspector Wages
- Insurance – Workers Compensation

**Cost Items Billed for 100% Re-imbusement**

- Attorney fees related to or caused by Johnsborg use of TSD#1 sewer system
- Engineering costs related to or caused by Johnsborg use of TSD#1 sewer system
- City of Fond du Lac Sewer Charge – Based on temporary agreement.

**Bill at fixed monthly rate**

File Storage - \$15.00 per month

Please Note: It is a requirement of TSD#1 that no Johnsborg residential or commercial sewer hookups be allowed until this agreement and the "Temporary Sewer Charge" agreement are finalized and duly approved. At the appropriate date and time, official connection by Johnsborg will be physically initiated by TSD#1's plumbing inspector. That event must be conveyed to TSD#1's Commissioners with minimum of 48 hour advance notice. Failure to comply with this requirement will render all agreements null and void.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2004

**JOHNSBURG SANITARY DISTRICT**

By: \_\_\_\_\_  
Dennis Lefeber, Chairman

Attest \_\_\_\_\_  
Brenda Schneider, Secretary

**SANITARY DISTRICT NO. 1 OF THE TOWN OF TAYCHEEDAH**

By: \_\_\_\_\_  
Dan Deuster, Chairman

Attest: \_\_\_\_\_  
George Cassady, Secretary

The St. Peter Sanitary District Commission met on Thursday, July 8<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall. Members present were President Mike Freund, Commissioners John Rickert and Adolph Schneider and Recording Secretary Brenda Schneider. Also present were Dennis Steigenberger of Foth & Van Dyke and Kathy Diederich of Schenck Business Solutions.

1. Call to order. The President called the meeting to order.
2. The Consideration and possible action regarding service problems to the Ed Petrie property located on Decorah Lane. Roger Braun began installing the lateral for the Petrie house. Roger was unable to complete the connection because the pipe would be approximately 10" too high for the connection. Dennis explained the elevation calculations for service to the house. Foth used conservative design factors when determining the depth of the sewer main. The Petrie's located their lateral at the south end of their lot which will require a 270 ft. lateral connection to the main. An addition was constructed on the house. A sewer pipe was extended under the addition at the time of the construction. The pipe was laid at a more severe grade than the Code requires due to the ground slopes.

It appears the owner has three choices: 1) redirect interior plumbing to the front of the house, 2) install a pump or 3) apply to DILHR for a variance to the minimum pitch of a sewer lateral. The owner would be required to apply for the variance. Foth will inform the owners of their options.

3. Consideration and possible action regarding the counter-offer from Mrs. King for the loss of her crab trees. The Kings were offered \$700.00 for the two crab trees. The Kings have counter-offered \$800.00. Adolph Schneider motioned to compensate the Kings \$400.00 per tree for the two flowering crab trees located in the easement area, seconded by John Rickert. Motion carried (3-0).
4. Discussion of the Operation & Maintenance Agreement between Taycheedah Sanitary District No. 1. The St. Peter, Calumet and Johnsbury Sanitary Districts have met with Taycheedah Sanitary District No. 1 in an attempt to determine allocable operation and maintenance expenses and to determine how the costs should be shared. TSD No. 1 proposes using percentages based upon the 50-year population projections for the nearest upstream connection point to determine the cost-share. This method would also include a percentage applicable to the Town of Taycheedah; even though the Town is not using the shared sewer. The other Districts do not agree with the population at upstream connection point method. Kathy Diederich, Schenck Business Solutions, gave a presentation regarding a method calculating the percentage of flows through TSD No. 1's lift stations. Kathy proposes to convert the lift station pump run-time to total gallons of flow. Then use the meter readings from Johnsbury, St. Peter and Calumet to determine TSD No. 1's flow. Once the run-time flow information is gathered, percentage of flow for each district can be determined. The percentages can then be used to calculate each district's cost-share. The proposed agreement will be revised using the pump run-time method. The revised agreement will be submitted to all parties before the July 19<sup>th</sup> meeting.

Dennis Steigenberger also discussed the possibility of using in-line force main flow meters at the Gladstone and Brookhaven lift stations in order to determine TSD No. 1's flows. TSD No. 1 would have to have the meters installed.

The Commission also discussed equally cost-sharing the phone and insurance expense.

The Commission discussed restoration complaints, correspondence from J&E Arthur regarding the engineering of sewer extensions for new developments, the Notice of Claim recently filed by Nett Land & Development, asphalt repairs needed on Ledge Road and liability in event of an accident.

5. Adjournment. John Rickert motioned to adjourn at 8:20 p.m., seconded by Mike Freund. Motion carried (3-0).

Attest:   
Brenda A. Schneider  
District Recording Secretary

The St. Peter Sanitary District Commission met on Thursday, July 8<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall. Members present were President Mike Freund, Commissioners John Rickert and Adolph Schneider and Recording Secretary Brenda Schneider. Also present were Dennis Steigenberger of Foth & Van Dyke and Kathy Diederich of Schenck Business Solutions.

1. Call to order. The President called the meeting to order.
2. The Consideration and possible action regarding service problems to the Ed Petrie property located on Decorah Lane. Roger Braun began installing the lateral for the Petrie house. Roger was unable to complete the connection because the pipe would be approximately 10" too high for the connection. Dennis explained the elevation calculations for service to the house. Foth used conservative design factors when determining the depth of the sewer main. The Petrie's located their lateral at the south end of their lot which will require a 270 ft. lateral connection to the main. An addition was constructed on the house. A sewer pipe was extended under the addition at the time of the construction. The pipe was laid at a more severe grade than the Code requires due to the ground slopes.

It appears the owner has three choices: 1) redirect interior plumbing to the front of the house, 2) install a pump or 3) apply to DILHR for a variance to the minimum pitch of a sewer lateral. The owner would be required to apply for the variance. Foth will inform the owners of their options.

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Dennis Steigenberger also discussed the possibility of using in-line force main flow meters at the Gladstone and Brookhaven lift stations in order to determine TSD No. 1's flows. TSD No. 1 would have to have the meters installed.

The Commission also ~~recognized~~ equally cost-sharing the phone and insurance expense.

Deleted: discussed

The Commission discussed restoration complaints, correspondence from J&E Arthur regarding the engineering of sewer extensions for new developments, the Notice of Claim recently filed by Nett Land & Development, asphalt repairs needed on Ledge Road and liability in event of an accident.

5. Adjournment. John Rickert motioned to adjourn at 8:20 p.m., seconded by Mike Freund. Motion carried (3-0).

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

July 19<sup>th</sup>, 2004

Taycheedah Sanitary District No. 1  
Johnsburg Sanitary District  
St. Peter Area Sanitary District  
Calumet Sanitary District

1.

The Taycheedah Sanitary District No. 1, Johnsburg Sanitary District, Calumet Sanitary District and St. Peter Sanitary District Commissions met on Monday, July 19<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall.

Members present were:

**Taycheedah Sanitary District No. 1:** Commissioners George Cassady and Rich Nieheuser and Deputy Clerk Gene Karls. President Dan Deuster was absent.

**Johnsburg Sanitary District:** President Franz Schmitz, Commissioners Ken Schneider and Dennis Lefebber.

**St. Peter Area Sanitary District:** President Mike Freund, Commissioners John Rickert and Adolph Schneider.

**Calumet Sanitary District:** President Dick Wehner, Commissioners Roy Schneider and Alice Lemke.

**Also present:** Kathy Diederich of Schneck Business Solutions, Dennis Steigenberger of Foth & Van Dyke, Brenda Schneider, Recording Secretary for Johnsburg and St. Peter Area Sanitary District, Calumet Town Chairman Allen Sattler and former Taycheedah Sanitary District President Bill Casper.

1. Call to order. St. Peter Area Sanitary District President Mike Freund called the meeting to order and declared the intention of the meeting as a continuation of previous negotiations.
2. The Commissions will meet with the Taycheedah Sanitary District No. 1 to negotiate the Agreement for Sharing of Operation and Maintenance Costs. Kathy Diederich distributed a draft "Metered Gallon Detail Report" intended for use by the three districts in order to maintain consistency and reduce TSD No. 1's administrative time.

As a side note, Johnsburg Sanitary District "pulled the plug" on July 15<sup>th</sup>, at 10:00 a.m. A courtesy memo was sent several days in advance to TSD No. 1 President Dan Deuster and connection notices were mailed to JSD citizens on July 15<sup>th</sup>.

At the June 29<sup>th</sup> joint meeting, TSD No. 1 proposed cost-sharing most expenses based upon percentage of ownership at the nearest upstream connection point. The ownership percentage was determined based upon the 50-year population projections of each district. Some of the districts purchased considerable additional capacity based upon a potential. The 50-year projection does not equate to current use; nor would it reflect clear water infiltration.

Kathy Diederich presented an allocation method based upon pump run time. The methodology would be used at the Gladstone and Brookhaven lift stations in order to determine percentage of flow for each district. All parties agreed that inefficient pumps could negatively impact TSD No. 1; therefore, TSD No. 1 would benefit by routine maintenance of the pumps for accuracy. However, TSD No. 1 recently used 600 gallons per minute of run time to determine an estimate of under-billing to CSD. It is unclear if the 600 gallons per minutes has been recently verified. It is undisputed that CSD's meter has not been accurately recording their flow for the last few years..

TSD No. 1 discussed installing flow meters at the upstream connection points in order for them to verify the accuracy of CDS, JSD and SPSD meters. CSD, JSD and SPSD are not willing to share in this cost.

The commissions discussed, without consensus, equally sharing such expenses as insurance and phone service, sharing capital improvements based upon capacity owned and sharing operation and maintenance expenses based upon flow. Insurance, being an annual expense, could be pre-paid on a quarterly based estimate then accurately settled after the bill is received.

The commissions also discussed contracting with an independent individual or firm to verify every district's meter readings on a routine basis; such as every 30 days and to calibrate all meters possibly 2-4 times a year. It was noted that the 2000 Wastewater Agreement between the City of Fond du Lac and the Outlying Sewer Group states that the City of Fond du Lac is responsible to operate, maintain, repair and/or replace all metering and sampling equipment. However, each party is responsible for the installation of their meter. The City has not repaired or replaced Calumet's meter.

It was suggested that TSD No. 1 consider installing force main in-line flow meters at all of their lift stations; at their cost. TSD No. 1 may consider installing meters at all connection points and at all lift stations. TSD No. 1 will investigate installing the meters.

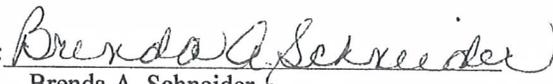
TSD No. 1's staff salaries were again discussed. Staff has threatened to quit if they are required to document their hours. Inspection staff estimated 85% of his time is lift station related and maintenance staff estimated 30%. The consensus was to not require time logs and therefore, use the percentages estimated by staff.

A sub-committee was again mentioned. The Committee could review the on-going implementation of the agreement with TSD No. 1.

Kathy Diederich also developed a computerized spreadsheet for TSD No. 1's use in compiling and allocating applicable shared costs. The spreadsheet is formula driven to automatically do the calculations.

The next joint meeting will be on Thursday, August 12<sup>th</sup>, at 6:00 p.m.

3. Adjournment. The meeting adjourned at 8:10 p.m..

Attest:   
Brenda A. Schneider  
District Recording Secretary

July 21<sup>st</sup>, 2004

St. Peter Sanitary District

1.

The St. Peter Sanitary District Commission met on Wednesday, July 21<sup>st</sup>, 2004, at 4:00 p.m.. Members present were President Mike Freund, Commissioners Adolph Schneider and John Rickert. Also present was a representative of LW Allen and Doug Fredrickson of Foth & Van Dyke. Recording Secretary Brenda Schneider was not in attendance.

1. Call to order. The President called the meeting to order.
2. The Commission will meet with representatives from Foth & Van Dyke and LW Allen. The group will then proceed to the Kiekhaefer Pkwy./Hwy. 149 lift station for lift station training. The group also went to the Endres grinder pump station.
3. Adjournment. The meeting adjourned at the conclusion of the training.

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

The St. Peter Sanitary District Commission met on Wednesday, July 28<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall for the purpose of conducting the July monthly meeting. Members present were President Mike Freund, Commissioner and John Rickert and Recording Secretary Brenda Schneider. Also present was Dennis Steigenberger and Doug Fredrickson of Foth & Van Dyke and Bud Sabel, District Maintenance Staff. Commissioner Adolph Schneider was absent.

1. Call to order. The President called the meeting to order.
2. Approval of the minutes from the 6/21/04, 6/23/04, 6/29/04 & 7/8/04 meetings. Mike Freund motioned to amend the 7/8/14 minutes by changing 'discussed' to 'recognized', seconded by John Rickert. Motion carried (2-0-1 absent).
3. Discussion and possible action to hire Attorney Ed Ritger as Special Counsel for the District. The Commission discussed the action taken on 6/7/04 regarding a Special Counsel. Attorney Sharpe has not submitted his opinion. The Commission would like to resolve the issue; even if it takes hiring another attorney. Mike Freund motioned to hire Attorney Ritger, retroactive to June 7<sup>th</sup>, seconded by John Rickert. Motion carried (2-0-1 absent).
4. Sewer Construction Report. a) general report; b) restoration work; c) Hwy. 149 project.

A letter was sent to the contractors on 6/23/04 regarding the lack of restoration progress.

Town & Country has been doing restoration work. The remaining asphalt work will be completed by Northeast Asphalt when Northeast paves Hwy. 149.

Some of the manholes along Hwy. 149 will need to be adjusted in August. Foth will contact Town & Country to coordinate the adjustments.

Individual property owner complaints are being addressed.

The televising of Billene Drive has been completed.

The ditch along Schuster Lane was not re-graded after the electrical service was installed. John Rickert motioned to restore the ditch along Schuster Lane that was disturbed by the power company, based upon time and materials, seconded by Mike Freund. Motion carried (2-0-1 absent).

LW Allen has provided lift station operation training and programmed the contact phone numbers into the lift stations.

Town & Country is interested in purchasing excess tools from the District. The Commission consensus was to keep ten of each tool and sell the remainder of the tools.

Kruczek has completed right-of-way restoration in their portion of the project. Pavement settling areas on Evergreen Court and Decorah Lane have been completed. The tiling in Evergreen Estates has been repaired/replaced. Kruczek's sub-contractors need to complete restoration on their portions of the project. Some paving has been completed at the Cty. QQ lift station and the Rosenthal Court area has been restored.

The plan for repairing Silica Road is to grind the existing pavement then fix the roadway. Foth met with Kruczek on 6/8/04. Kruczek was informed that the District will not absorb the cost of the repair. Northeast Asphalt submitted a quote to Kruczek on 6/28/04. Kruczek has yet to authorize Northeast Asphalt to do the work. Kruczek has asked that the Commission reduce his retainage. Kruczek has told Foth that they will not authorize Northeast to do the work until the Commission releases the retainage. Kruczek argued that the Silica Road repair is a warrantee issue secured by the warrantee bond that they were required to provide the District. Kruczek verbally guaranteed the work would be completed within seven days of the Commission releasing \$66,000.00 of the retainer. The Commission does have the option of terminating that portion of the contract with Kruczek; however the warrantee would also be terminated. The District would need to involve the attorney in order to protect the warrantee on the remaining portion of the contract. Foth negotiated with Kruczek to recommend the District release \$40,000.00 (the approximate quote to repair the road) if he submits a written guarantee that the repairs will be made within seven days. Foth suggested presenting a separate pay request to the Commission to reduce the retainer by \$40,000.00 if a letter of guarantee was received prior to the meeting. Kruczek submitted the signed pay request but did not submit the letter. Kruczek claimed to be unable to verify Northeast's schedule prior to Commission meeting. Foth suggested issuing a check for \$40,000.00 to be released upon the relocation of the equipment to the job site. The check could be cut to Kruczek and Northeast Asphalt. Foth will contact Northeast to try to expedite the repair work. The neighbors request that the road be watered at least once a day and the speed limit be reduced. The speed limit issue is not under the jurisdiction of the Commission. Hoffman Construction will be contacted regarding watering the road for a fee.

Ronet Construction has repaved the settled areas on Ledge Road.

Hoffman Construction hit some of the manhole castings along Hwy. 149. Hoffman is responsible for the damage. The project engineering firm has contacted the Recording Secretary regarding replacement parts information. However, the Commission has concerns about gravel falling into the manholes. The manholes will be inspected and possibly televised.

5. Progress report of sewer connections. The report was given by the Recording Secretary. Approximately 413 homes need to be connect; not including new construction. As of 7/21, 111 connections have been completed; of which 22 were for new construction. A copy of the report is attached.
6. Ordinance review.
  - a. Penalty for connection without a permit. The ordinance does not stipulate a specific penalty for connection without a permit. Therefore, the general forfeiture provision of \$100.00 to \$1000.00 upon conviction would apply. The Commission will draft a specific penalty for future consideration.
  - b. Special assessments for new subdivisions. Dave Wagner, Ehler's & Associates, was not able to attend the meeting to give a report.
  - c. District staff to engineer sewer extensions. Correspondence has been received from Arthur & Associates regarding the engineering of extensions. Commission consensus was to not consider an amendment.
  - d. Requiring and inspecting grease traps. Section 7.6 states that the requirement of grease traps is at the discretion and approval of the Commission. The inspectors will be informed to require and inspect, at the time of hook-up, for grease traps at any establishment preparing and serving food as a business operation.
  - e. General review. No other ordinance issues were discussed.
7. Discussion of user charge and sewer construction costs of Area F. Dave Wagner was not present to report. Mike Freund moved to table the item, seconded by John Rickert. Motion carried (2-0-1 absent).
8. Consideration and possible action to amend the ordinance regarding the tapping of mains to install additional lateral stubs within the current service area. The revision was compiled by Foth. The revision was submitted to the District's attorney. The Commission will await his review.
9. Consideration and possible action regarding the Operation & Maintenance Agreement with Taycheedah Sanitary District No. 1. St. Peter Area Sanitary District, Calumet Sanitary District, Johnsburg Sanitary District and Taycheedah Sanitary District No. 1 have met several times to negotiate the agreement. The consensus of the SPSD, CSD, and JSD is to object to sharing the costs based upon capacity owned by each District and to not contribute to TSD No. 1 costs to install flow meters at the lift stations. The consensus is to base the cost-share on flow. However, the three districts need to arrive at a consensus regarding the sharing of certain costs; either based on flow or shared equally. The Commission discussed phone and insurance expenses. It is the Commission's consensus that these expenses be shared equally by the number of users of each lift station.
10. Discuss attorney correspondence. Attorney Sharpe has not submitted an opinion regarding Dan Mand's issue. Attorney Sharpe will be reminded of the request for an opinion.
11. Draft newsletter. The Commission discussed items to be included in the newsletter. The Commission plans to complete the newsletter for August distribution.
12. Approval of bills. Mike Freund moved to approve the bills as submitted (Order nos. 82-96) with an additional \$40,000 for the retainer reducing pay request and \$25.00 for the cell phone contribution to Bud Sabel, seconded by John Rickert. Motion carried (2-0-1 absent). Mike Freund moved to stipulate that the Kruczek check be payable at the time of the equipment being moved onto the site, or, if necessary, issued to Kruczek and Northeast Asphalt if Northeast Asphalt requires payment prior to the commencement of the work, seconded by John Rickert. Motion carried (2-0-1 absent). Mike Freund moved to transfer \$160,000.00 from the Money Market G.O. Account to the regular checking account and transfer \$2,556.70 from the Money Market Operations/ Inspections Account to the regular checking account for the Inspectors payroll, seconded by John Rickert. Motion carried (2-0-1 absent).
13. Public comment and questions pertaining to District business. None given.
14. Closed Session pursuant to Wis. Stats. 19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved and 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.
15. Adjournment. Mike Freund motioned to adjourn at approximately 9:00 p.m., seconded by John Rickert. Motion carried (2-0-1 absent).

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

# CONNECTION PERMIT REPORT

July 28th, 2004

Estimated existing residences to be served by the end of 2004 (NOT including new construction)		413
Number of permits issued to date	162	
Permits issued for new construction	<u>22</u>	
Number of permits issued for existing residences	140	<u>140</u>
<b>Estimated number of permits that will be issued for existing res.</b>		<b>273</b>

## Final connections made as of:

	6/30/2004	7/21/2004	TOTALS
Deadwood Point	60	7	67
Hwy/Kiekhaefer	35	1	36
Ledge Road	<u>7</u>	<u>1</u>	<u>8</u>
<b>TOTAL NUMBER OF CONNECTIONS</b>	<b>102</b>	<b>9</b>	<b>111</b>

## Permits issued not yet connected

Roger Braun	32
Mark Mand	16
Pat Mand	<u>3</u>
<b>TOTAL NUMBER OF PERMITS ISSUED/NOT CONNECTED</b>	<b>51</b>

August 12<sup>th</sup>, 2004

Taycheedah Sanitary District No. 1  
Johnsburg Sanitary District  
St. Peter Area Sanitary District  
Calumet Sanitary District

1.

The Taycheedah Sanitary District No. 1, Johnsburg Sanitary District, Calumet Sanitary District and St. Peter Sanitary District Commissions met on Thursday, August 12<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall.

Members present were:

**Taycheedah Sanitary District No. 1:** President Dan Deuster, Commissioner Rich Nieheuser and Deputy Clerk Gene Karls. Commissioner George Cassidy was absent.

**Johnsburg Sanitary District:** President Franz Schmitz and Commissioner Ken Schneider. Commissioner Dennis Lefeber was absent.

**St. Peter Area Sanitary District:** President Mike Freund, Commissioners John Rickert (tardy) and Bill Gius.

**Calumet Sanitary District:** President Dick Wehner and Commissioner Alice Lemke. Commissioner Roy Schneider was absent.

**Also present:** Kathy Diederich of Schenck Business Solutions, Brenda Schneider, Recording Secretary for Johnsburg and St. Peter Area Sanitary District and Calumet Town Chairman Allen Sattler.

The Oath of Office was administered to Bill Gius, newly appointed St. Peter Area Sanitary District Commissioner.

1. Call to order. Calumet Sanitary District President Dick Wehner called the meeting to order and declared the intention of the meeting as a continuation of previous negotiations.
2. The Commissions will meet with the Taycheedah Sanitary District No. 1 to negotiate the Agreement for Sharing of Operation and Maintenance Costs. The Commissions reviewed the operation and maintenance expense categories proposed to be cost-shared. The intent of the review was to determine whether or not the Commissions had majority consensus on each of the categories. The categories were as follows:
  - Wages-Maintenance and Inspection: TSD No. 1's staff has estimated 85% of the maintenance staff time is applicable to the mainline sewer and the lift stations. Inspection staff estimated 30% of his time is applicable.
    - Consensus amongst all four commissions to agree.
  - Wages-Deputy Clerk: specific amount of time directly attributable to a specific district to be billed to that specific district.
    - Consensus amongst all four commissions to agree.
  - Mileage-Maintenance and Inspection: 85% of maintenance staff's mileage and 30% of inspection staff's mileage.
    - Consensus amongst all four commissions to agree.
  - Repair and Maintenance-specific costs attributable to the mainline sewer and lift stations.
    - After considerable discussion regarding fluctuating flows, establishing a threshold and cost-sharing based upon capacity or flows, there appeared to be consensus to agree to cost-share quarterly expenses based upon current quarter flows if the expense(s) is under \$2,000.00 per event or \$3,500.00 per quarter. However, if the cost of a single repair/maintenance event exceeds \$2,000.00 or the current quarter costs exceed \$3,500.00, the expense(s) will be cost-shared based upon the average percentage of flow over the prior four quarters. If such an event occurs within the one year of the execution of this agreement, the expense(s) will be cost-shared based upon flows for the quarter in which the exceedance occurred. Major repairs to the lift stations to be shared by the using parties.
  - Telephone: each lift station phone bill to be shared by the using parties based upon percentage of flow.
    - Consensus amongst all four commissions to agree.
  - Electricity: each lift station electric bill to be shared by the using parties based upon percentage of flow.
    - Consensus amongst all four commissions to agree.
  - Workman's Comp. Ins.: 100% of the expense to be shared based upon flow percentages at the Roosevelt Park lift station. Due to the time intensive work that would be required to extrapolate the applicable rates and apply to the applicable portions of wages, it was suggested to cost-share as noted.
    - Consensus amongst the commissions to agree.

August 12<sup>th</sup>, 2004

Taycheedah Sanitary District No. 1  
Johnsburg Sanitary District  
St. Peter Area Sanitary District  
Calumet Sanitary District

2.

- Property Ins. and Boiler & Machine Ins.: TSD No. 1's policies have been reviewed. Further research is required in order to clarify the precise coverage and applicable premiums. TSD No. 1 will provide the districts with a copy of detail of the current coverage and premium breakdown.
  - Unable to arrive at a consensus.
- Errors & Omissions/Public Officials Liability Ins. & Fidelity Bond: not to be cost-shared.
  - Consensus amongst the commissions to agree.

The consensus amongst JSD, CSD and SPSD was to share the costs of operation and maintenance based upon percentage of flow; not percentage of capacity owned. The consensus of TSD No. 1 was unclear.

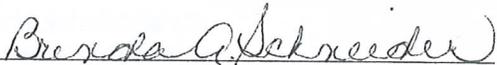
TSD No. 1 wishes to draft the agreement, with the assistance of Attorney Paul Rosenfeldt, prior to dispersing it to the other commissions. The consensus was to draft three separate agreements comprised of uniform language. SPSD and CSD currently have an agreement that addresses capacity purchase and operation & maintenance. Therefore, their agreements may need to be clarified via an addendum. TSD No. 1 requested SPSD and CSD submit a written request to re-negotiate the agreements. TSD No. 1 feels they need to establish a paper-trail. SPSD and CSD questioned the need for the written request. They feel their current agreements needed to be clarified.

TSD No. 1 President read aloud a few stipulations they intend to include in the agreement regarding flow meter maintenance and verification. Some of the stipulations were as follows:

- Supervised or accompanied access to each districts' meters.
- Weekly meter readings taken and submitted to TSD No. 1 on a monthly basis.
- Semi-annual calibration performed by an independent third party.
- Penalty clause for violations of the maintenance and verification of meters.
- TSD No. 1 will continue to take weekly lift station run-time readings. The information will be used to determine total flow at each lift station.

The next joint meeting will be on Monday, September 20<sup>th</sup>, at 7:00 p.m.

3. Adjournment. The meeting adjourned at 8:00 p.m..

Attest:   
Brenda A. Schneider  
District Recording Secretary

The St. Peter Sanitary District Commission met on Wednesday, August 25<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall for the purpose of conducting the August monthly meeting. Members present were President Mike Freund, Commissioners John Rickert and Bill Gius and Recording Secretary Brenda Schneider. Also present were Doug Fredrickson of Foth & Van Dyke and Bud Sabel, District Maintenance Staff.

John Rickert took the Oath of Office for the appointment of a six-year term. New member Bill Gius was welcomed.

1. Call to order. The President called the meeting to order.
2. Approval of the minutes from the 7/19/04, 7/21/04, 7/28/04 & 8/12/04 meetings. Bill Gius motioned to approve the minutes as presented, seconded by John Rickert. Motion carried (3-0).
3. Sewer Construction Report.
  - a. General Report. Town & Country has completed the generator receptacles. Kruczek has not completed the generator receptacles.
 

The green globes for the individual grinder pumps will be shipped.

Kruczek has installed decorative stone around the Cty. QQ lift station instead of asphalt. Kruczek still needs to install the guardrail.

Town & Country needs to complete the Huelster grinder pump station. The parts are expected to be delivered at the end of the month.

Bud Sabel suggested two extra wires be installed for the purpose of connecting an alarm.

The Shady Lane and Church Road lift station panels have the monitoring screen behind the second door. Foth will investigate.

All of the lift stations should be numbered and contact information should be mounted on them.

Foth will supply a manhole map. All manholes will be marked with their corresponding number.
  - b. Restoration work. Kruczek has finally had Silica Road milled, shaped and repaved. Next year, it will be milled as needed and paved with an additional 1" of asphalt. The section repaved during the initial restoration stage, will also be milled and paved next year.
 

The Commission is concerned about the integrity of the Silica Road pipe. The Commission intends to televise all pipe after a majority of the connections are made. If a problem is discovered in the Silica Road pipe, Kruczek could be charged for that portion of the televising.

The contractors have resolved the restoration of stonework around the culverts at two properties. The stonework are a punchlist items.

A few grading and miscellaneous issues remain on the punchlist.
  - c. Hwy. 149 project-televise pipe and gravel removal. Hoffman Construction, the DOT's contractor has caused some damage to manholes along Hwy. 149. Craig McKenney, Gremmer & Associates, the DOT's engineering firm, has advised that the Commission needs to decide what will be required of the contractors regarding the damage. Bill Gius motioned that correspondence be drafted and submitted to Hoffman Construction, Gremmer & Associates, Wisconsin Department of Transportation and Town & Country advising the parties of a requirement to reimburse Taycheedah Sanitary District No. 3 for all repairs and parts replacements needed to manholes damaged during the Hwy. 149 reconstruction project and for the costs related to the televising and cleaning of the sewer pipes along Hwy. 149, seconded by John Rickert. Motion carried (3-0).
  - d. Hwy. 149 project-manhole adjustments. Town & Country has made the necessary adjustments to manholes from Lakeview Road to Glen Street. They will make necessary adjustments within the next week to the manholes from Lakeview Road to the flow metering station. Town & Country has been contacted. Town & Country will install all of the chimney seals along Hwy. 149 after the asphalt work is complete.
  - e. Silica Road-shared expense of repair. Kruczek verbally claimed an additional expense of \$12,000.00 for what he deemed unnecessary repair to Silica Road. Kruczek felt the District and the Town should reimburse him the \$12,000.00. Foth requested documentation of the areas he deems unnecessary. The documentation is yet to be received.
  - f. Release of retainer. A portion of the retainer currently held is planned for release to Kruczek and Town & Country. The partial release of retainer is included in each contractor's pay request.
  - g. Ledge Road-shared expense of construction (Notice of Claim). Attorney Ed Ritger was in attendance and introduced to the Commission and staff.
 

Nett Construction has filed a Notice of Claim against the District.

Attorney Ritger has been researching the agreement negotiated between the District and Nett. Attorney Ritger requested the minutes and one of the resolutions from the 6/12/02 meeting of the Commission. The Recording Secretary retrieved and dispersed the documents.

Attorney Ritger has Foth & Van Dyke and Ehler's & Associates, the District's financial advising firm, looking back in their records in search of documentation supporting the \$304,000.00 'Ledge Rd. Area Capacity Cost' item contained in the 'Project Cost Estimate-Phase I costs to be recovered via Connections Fees' spreadsheet referenced in one of the resolutions.

Attorney Ritger also believes the percentage of the pipe needed for Nett and non-Nett potential connections may need to be revised due to the Town Board approving the detachment of 70 acres in Area F. The initial projection was for 370 residential equivalent units. He also questions whether or not the land jointly owned by Countryside Acres, LLC was included in the projection. He feels the land should not have been included because it is unlikely the property will ever be developed.

Attorney Ritger suggests giving Foth & Van Dyke and Ehler's & Associates some time to locate the documentation requested and to enter into a Closed Session meeting next month to attempt to find a mutually agreeable resolution.

The Chairman has asked the Netts for original documentation of the billings. Such documentation has not yet been received. Attorney Ritger will contact the Netts and request the documentation.

The Chairman has also contacted Attorney John St. Peter. John has agreed to have his staff research the archived records for additional information.

4. Progress report of sewer connections. The report was given by the Recording Secretary. Approximately 413 homes need to be connected; not including new construction. As of 8/24/04, 125 connections have been completed; of which 22 were for new construction. A copy of the report is attached. Roger Braun spoke to the Commission regarding his difficulty of installing all of his contracted sewer connections by the deadline. The ordinance requires the initiation of the user charge after the deadline passes if connection has not been made. The District's timely debt payments are dependent on the projection of the revenue being received according to the deadlines. The issue may be addressed in the future.
5. Ordinance review.
  - a. Limiting or banning partial connections. The Inspectors have been allowing partial connections. Some of the homeowners were not able to fully complete connection because they were unable to coordinate their plumber with their excavator when interior alterations and improvements are made. The Inspectors are concerned about the potential for interior connection without their knowledge. The Commission will consider an amendment to the ordinance stipulating a limited grace period for partial connections. Once the grace period is reached; the user charge will be initiated. The Inspectors will still have to work with the homeowner in order to complete the necessary inspections within a reasonable amount of time.
  - b. General review. The Commission reviewed a draft ordinance amendment establishing specific penalties for connection without a permit. The Commission will consider formal action at September meeting.
6. Consideration and possible action to amend the ordinance regarding the tapping of mains to install additional lateral stubs within the current service area. The revision was compiled by Foth. The revision was submitted to the Attorney Gary Sharpe. The Commission will await his review.
7. Consideration and possible action regarding the Nett/Bower contested user charge for N7677 Redtail Lane. The Bowers submitted a user charge payment for part of the second quarter; from the point they took occupancy to the end of the quarter. The Netts have submitted payment for the remainder of the second quarter. However, the user charge for the first quarter remains delinquent. The Netts contest the billing for the first quarter. They have submitted a check for the user charge from the date of rough-in inspection to the end of the first quarter. Per Attorney Ritger's advice, a letter will be sent to the Netts acknowledging the partial payment, inform them of the balance due and include a copy of the ordinance pertaining to the user charge billing process.
8. Consideration and possible response to J.E. Arthur regarding the engineering of future sewer extensions. After discussion regarding possible restraint of trade issues and contract exclusivity, the Commission decided to obtain an attorney opinion.
9. Consideration and possible response to Dan Mand's letters regarding the guidelines used to determine special assessments on vacant lots. Several months ago, Attorney Sharpe was asked to give a written response to Mr. Mand's letters. The response has not yet been received. The minutes of the 7/10/02 and 8/7/02 meetings will be provided to Mr. Mand as well as the Zoning Ordinance section pertaining to buildable lots.

The Commission assessed all vacant lots unless the lot was an agricultural lot greater than 35 acres or deemed unbuildable. The Commission and Mr. Mand discussed Adolph Schneider's assessment, the Town Board's decision to not allow the combining of lots in order to avoid vacant lot assessments, Hawk's Landing's green space, Dan Rosenthal's assessments and the mil tax. The Commission will draft a response for Mr. Mand to be reviewed by the District's Attorney.

Mr. Mand feels the District should be responsible for expenses he incurs while proceeding with the issue. Chairman Freund informed Mr. Mand that the District will pay such costs if a judge decides the District is responsible.

10. Consideration and possible request to add Commissioners contact information to the Town's website. Bill Gius motioned to add the name and address of each of the sanitary district commissioners to the Town's website, seconded by Mike Freund. Motion carried (3-0).
11. Consideration and possible action to establish an ID badge policy for the Commission and staff. The Town Board will be contacted to see if they are interested in pursuing the idea as a joint venture.
12. Draft newsletter. Mike Freund moved to table drafting the newsletter to a workshop meeting on a date yet to be determined, seconded Bill Gius. Motion carried (3-0).
13. Any other business that may lawfully come before the Commission. The Commission needs to have a workshop meeting to determine Bud Sabel's wage.
14. Approval of bills. Bill Gius moved to approve the bills as submitted (Order nos. 100-111), with inclusion of \$133.80 to Bud Sabel for the generator cord, seconded by John Rickert. Motion carried (3-0). Bill Gius moved to authorize the transfer of \$106,000.00 from the Money Market G.O. Account to the regular checking account, the transfer of \$1480.19 from the Money Market Operations/ Inspections Account to the regular checking account for the Inspectors payroll and to transfer \$346.84 from the Operations/User Charges Account to the Reserve for Replacement Account, seconded by John Rickert. Motion carried (3-0).
15. Public comment and questions pertaining to District business. None given.
16. Closed Session pursuant to Wis. Stats. 19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved and 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.
17. Adjournment. Mike Freund motioned to adjourn at approximately 10:30 p.m., seconded by John Rickert. Motion carried (3-0).

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

# CONNECTION PERMIT REPORT

August 24th, 2004

Estimated existing residences to be served by Dec/Jan/Mar 2004-05 (NOT including new construction) 413

Number of permits issued to date 182  
Permits issued for new construction 22  
Number of permits issued for existing residences 160 160

**Estimated number of permits to be issued for existing structures 253**

Final connections made as of:	6/30/2004	7/21/2004	8/24/2004	TOTALS
Deadwood Point	60	10	5	75
Hwy/Kiekhaefer	35	3	3	41
Ledge Road	<u>7</u>	<u>1</u>	<u>1</u>	<u>9</u>
<b>TOTAL NUMBER OF CONNECTIONS</b>	<b>102</b>	<b>14</b>	<b>9</b>	<b>125</b>

Permits issued not yet connected	6/30/2004	7/21/2004	8/24/2004
Roger Braun		32	34
Mark Mand		16	20
Pat Mand		<u>3</u>	<u>3</u>
<b>TOTAL NUMBER OF PERMITS ISSUED/NOT CONNECTED</b>		<b>51</b>	<b>57</b>

\*\*Note: Connections have been made but not yet reported

# NETT

## Construction

August 25, 2004

Taycheedah Sanitary District #3

Dear Commissioners,

On May 17, 2004, I notified you by letter about an invoice I received for Lot 94 in Hawk's Landing. This home is also known as N7677 Redtail Lane.

As you may recall, I expressed concern over what I feel is an improper billing procedure used by the district. This correspondence is the result of not having received the courtesy of a response from you in over three months on this matter.

As a refresher to you, I questioned how you could justify billing me a user fee for the above property by District 3 for the full first quarter of 2004, even though you reported to Taycheedah Sanitary District #1 that my date of hook-up was March 10, 2004 (see exhibit "A"). Incidentally, the home was sold and first occupied on June 21, 2004, nearly three and one-half months after your March 10 hook-up date.

Having heard nothing from you, and acknowledging my liability for the user fee from the hook-up date to the end of the quarter, enclosed you will find a check in the amount of \$33.03. This is the amount due for 21 days prorated from March 10 to the end of the quarter, March 31, 2004. See exhibit "B" for the invoice and the prorating calculation.

Should you have any questions regarding this matter, please feel free to contact me.

Sincerely,



Michael J. Nett  
Nett Construction

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Contested INVOICE

**TAYCHEEDAH S. D. #3 - ST. PETER SANITARY DISTRICT**

**PLEASE RETURN TOP SECTION OF THIS BILL WITH PAYMENT  
SHOWING NAME AND LOT REFERENCE NUMBER**

*SPK 50  
#7677 red tail ra*

Invoice submitted to:  
NETT CONSTRUCTION  
W3880 MCCABE ROAD  
MALONE WI 53049

August 20, 2004

Invoice # 10194

*T 20-16-18-99-HA-485-00*

	<u>Amount</u>
Interest on overdue balance	\$2.50
Total amount of this bill	\$2.50
Previous balance	\$140.65
Balance due	<u>\$143.15</u>

*January 31  
Feb. 29  
March 31*

*91 days / \$143.15 = \$1,573 per day*

*\$1,573 x 21 days = \$33,033*

**BILLS DUE IN 30 DAYS - INTEREST RATE OF 1.5% PER MONTH AFTER DUE DATE**

**PLEASE MAKE CHECKS PAYABLE TO:  
TAYCHEEDAH S.D. #3**

**MAIL CHECK TO:  
G M HIETPAS CPA, LLC  
86 S. MACY STREET  
FOND DU LAC, WI 54935**



# NETT

## Construction

May 17, 2004

Mr. Adolph Schneider  
N8295 County QQ  
Malone, WI 53049

Re: Taycheedah Sanitary District 3 Invoice #10024

Dear Taycheedah Sanitary District #3 Commissioner:

I applied for a sewer hook-up permit on December 12, 2003. In late April I received invoice #10024 (copy enclosed) for a sanitary user fee for the months of January, February and March of 2004 for a new home we are building on N7677 Redtail Lane in Hawk's Landing Subdivision.

I made an open records request to Brenda Schneider, recording secretary for Sanitary District to receive a copy of the form that Taycheedah Sanitary District #3 uses to report to Taycheedah Sanitary District #1 the number and location of users hooked-up to and using the sanitary system. Please find enclosed for your reference a copy of the spreadsheet entitled "Flow Calculations Per Interim Agreement With Taycheedah Sanitary District No. 1". Below I have a couple of questions I would like to have answered concerning your billing procedures.

1. Why I am being charged a user fee for January, February and March when your report to District No. 1 clearly shows that I was only using the sanitary system for 21 days in March?

2. My records also indicate the Town of Taycheedah's plumbing inspector, Don Moore, approved the rough-in plumbing on March 10, which coincides with your billing for 21 days in March. However, because the site had no well, no plumbing fixtures, and no occupancy permit from the town at the rough-in stage, how can the sanitary district consider it to be fair & equitable to charge for using the sanitary system?

The law is clear that Sanitary Districts may not enrich themselves through unjust fees. It is my understanding that user fees must be justified on the bases of costs associated with the transmission, maintenance, investment and treatment of waste water.

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# NETT

## Construction

- 2 -

While I am disappointed with what appears to be an unjust billing practice, I believe this may have been an oversight on the District in part because of the enormity of this project. I also understand the DNR and Public Service Commission have oversight of the operations of sanitary districts, which would include the issues I have raised above. I look forward to hearing from you as to what plan of corrective action you will be taking to resolve this issue.

Sincerely,

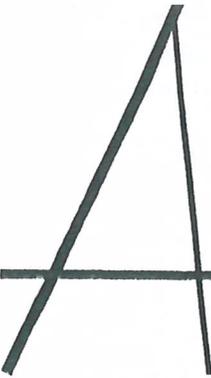


Michael J. Nett  
Nett Construction

### Attachments

Cc: Gary Sharpe, Attorney  
Martin J. De Vries, Attorney  
Brenda Schneider, Recording Secretary  
Matt Stephen, P.E. Excel Engineering  
Dennis Steigenberger, P.E. Foth & Van Dyke

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# J. E. ARTHUR AND ASSOCIATES, INC.

ENGINEERS • SURVEYORS

548 Prairie Road • P O Box 1779  
Fond du Lac WI 54936-1779

Phone: 920/922-5703  
FAX No: 920/922-5731

July 7, 2004

Taycheedah Sanitary Dist. No. 3  
C/O Mike Freund, President  
W3927 McCabe Road  
Malone, WI 53049

**Re: Sewer Service to Proposed Subdivision in St. Peter, Town of Taycheedah**

Dear Mike:

On behalf of my client, Signature Homes, Glenn Elmer, General Manager, I would like to inform you that we will be pursuing a sanitary sewer extension in the St. Peter Area Sanitary District in the near future for a proposed subdivision. Currently we are working on the Preliminary Plat and associated engineering design. We would like to meet with the District to discuss specifics about the sewer extension to serve this proposed subdivision.

I have reviewed the District's Ordinance regarding sanitary sewer service and note that in Section 5.2 (b) states that the District's engineering consultant shall design the sewer extension. I respectfully request a variance to this requirement. My client has hired this firm to design this development, including the sanitary sewer. The client knows our costs for the design of the sanitary sewer. If the District's consultant designs the sewer, the developer will not know how much the design will cost. Furthermore, this ordinance creates a captive market in the District which only benefits the District's consultant. This consultant is able to charge any rate he chooses for the design of the sewer extension, construction staking and inspection, and the developer is stuck with it. Section 5.2 (b) also states that the Bids will be let by the district in compliance with state law. This means there will be extra costs to the developer for advertising, bid bonds, and performance bonds. This also requires the District to take action on the bids and the District's consultant to go through the award process. If the work was bid privately, the developer could avoid the added costs and time constraints of the above, and the developer could use his own contractor selection preferences. And, if the bid were private, Wisconsin's prevailing wage rates would not apply which could save the developer a substantial amount of money.

Section 5.2 (a) states that the party requesting the sewer extension shall submit an approved final plat for the lands to be sewer. Waiting until the final plat is approved to start the design of the sewer could delay the project considerably. If we were able to design the sewer throughout the entire approval process and design process, we would be in a much better position to begin construction when all approvals have been received.

I request that the District allow J. E. Arthur and Associates to design the sewer extension to serve this development. The drawings and specifications would be submitted to the District (and its engineering consultant) for approval and the contract documents would be written in such a manner as to ensure that the District would receive the project in the manner consistent with the rest of the District's sewer system. The cost of the review would be borne by the developer. We would also ask that J. E. Arthur and Associates be allowed to do the construction staking for the sewer extension, as we will be administering the rest of the construction staking and construction on the site. J. E. Arthur and Associates would also be

...to perform the construction inspection as required by the District. As-Constructed drawings would then be presented to the District and its engineer for record of what was constructed. However, if the District would consider letting J. E. Arthur and Associates do the design work and construction staking, we would be amenable to having the District's consultant perform the construction inspection for the District. If you consultant did the inspection, you then would have sufficient proof that the extension was constructed to your specifications and satisfaction.

I want to ensure you that we have the best interests of the District in mind, and would ensure that you would receive the highest quality constructed project. But we must also have the interests of the developer in mind as we begin this project. If we can save money on certain aspects of construction, engineering and administration, the developer will be able to apply it to different facets of the development, thus creating a development which will not only be a very pleasing place to live, but enhance the neighborhood as well.

Please contact me regarding your meeting schedule or if you would like to schedule an informal meeting with my client and I to discuss these issues. I can be reached at 922-5703 (office) or 920/980-0367 (mobile).

Sincerely,



Eric R. Otte, P.E., R.L.S.  
Vice President  
**J. E. Arthur and Associates, Inc.**

cc: John Rickert  
Adolph Schneider  
Glenn Elmer

September 20<sup>th</sup>, 2004

Taycheedah Sanitary District No. 1  
Johnsburg Sanitary District  
St. Peter Area Sanitary District  
Calumet Sanitary District

1.

The Taycheedah Sanitary District No. 1, Johnsburg Sanitary District, Calumet Sanitary District and St. Peter Sanitary District Commissions scheduled a meeting for Monday, September 20<sup>th</sup>, 2004, at 7:00 p.m., at the Taycheedah Town Hall.

The meeting was rescheduled to Monday, October 18<sup>th</sup>, at 7:00 p.m., at the Town Hall, due to the non-receipt of a draft agreement from Taycheedah Sanitary District No. 1 prior to the scheduled meeting.

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

The St. Peter Sanitary District Commission met on Wednesday, September 22<sup>nd</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall for the purpose of conducting the September monthly meeting. Members present were President Mike Freund, Commissioners John Rickert and Bill Gius and Recording Secretary Brenda Schneider. Also present were Dennis Steigenberger of Foth & Van Dyke and Bud Sabel, District Maintenance Staff.

1. Call to order. The President called the meeting to order.
2. Approval of the minutes from the 8/25/04 meeting. John Rickert motioned to approve the minutes as presented, seconded by Bill Gius. Motion carried (3-0).
3. Sewer Construction Report.

- a. General Report. Kruczek has not completed the generator receptacles. Kruczek plans to install them in October.

The green globes for the individual grinder pumps have been shipped and are awaiting Contractor installation. Bud offered to install the globes.

Kruczek has installed some decorative stone around the Cty. QQ lift station instead of asphalt. Additional stone is needed; as is a weed barrier. Also, Kruczek still needs to install the guardrail.

Town & Country needs to complete the Huelster grinder pump station. The parts have been delivered. Town & Country intends to install it within the next two weeks. Town & Country needs to be warned about the service running from the pump to the outbuilding. Digger's Hotline did not mark the second line.

All of the lift stations need to be numbered and contact information needs to be mounted on them.

Foth will hand-over all pre-construction and sewer televising tapes.

Don and Mary Schneider have been experiencing a whistle noise in their house since connecting to the sewer. The Commission and staff discussed several possible causes of the noise. Bud Sabel, with Adolph Schneider, will investigate.

- b. Restoration work. Several restorations items still need to be addressed. The Commission discussed several specific punchlist items.

When the contractor believes he has completed the punchlist work; he is to formally notify the engineer. The contractor and engineer will site review for satisfactory completion. A Commissioner could attend the site review. To date, Foth has not received formal notification from either contractor.

Drainage along Abler Road was discussed. Mr. Birschbach believes the drainage was a bad situation made worse after the sewer construction. The Commission will refer the issue to the Town Board.

Foth will review the pre-construction video to determine if there was any type of street stop at the end of Shady Lane. The sewer construction has resulted in a steep slope at the end of the pavement.

Grass was planted at the Schuster Lane lift station instead of decorative stone. The Commission consensus was to accept the grass instead of stone.

The ditch by Roger Schneider is much steeper than it was before construction. He can no longer mow the grass. The Commission discussed a couple of solutions. The consensus was to put down a weed barrier and fill the ditch with stone.

The State's contractor has removed the mortar from the manholes by Bryan Perl's bar and at Glen Street. Foth has advised televising the Hwy. 149 sewer after the first coat of asphalt is laid. Foth will prepare a Request for Proposals. Bud Sabel has checked the manholes in the area recently asphalted.

- c. Surface drainage at the Gilgenbach property near the Hwy. 149 metering station. Jerry Gilgenbach has been experiencing increased drainage across his field; allegedly coming from a spring under Hwy. 149. The Commission will refer the issue to the Town Board.
- d. Review of connection point flows at Deadwood Point Road and Hwy. 149 in regards to direct billing for treatment by the City. Due to the interim flows agreement with Taycheedah Sanitary District No. 1, the City has been billing TSD No. 1 for the treatment of St. Peter's flows. The Deadwood Point connection reached sufficient flows to accurately operate the metering station

by July 31<sup>st</sup>. The Hwy. 149 connection point reached sufficient flows for accurate metering. The District will notify the City to bill directly, beginning with the third quarter flows, for the Deadwood Point Road meter and to direct bill for the Hwy. 149 flows beginning with the fourth quarter.

- e. Ledge Road-shared expense of construction (Notice of Claim). Attorney Ed Ritger was in attendance and introduced to the Commission and staff.

Nett Construction has filed a Notice of Claim against the District.

Foth & Van Dyke dispersed the breakdown of the \$304,000 estimated costs of the Ledge Road extension.

Additional discussion occurred in Closed Session.

4. Progress report of sewer connections. The report was given by the Recording Secretary. Approximately 413 homes need to be connected; not including new construction. As of 9/22/04, 158 connections have been completed; of which 22 were for new construction. A copy of the report is attached.
5. Ordinance review.
  - a. Establish a forfeiture clause for connection to the sewer without a permit. The proposed amendment was revised. It will be submitted to attorney Gary Sharpe for his review.
  - b. Discuss the special assessments for new developments. The Sewer Use Ordinance currently states, in part, that the developer shall pay all costs for design, construction and acceptance of the extensions. All buildable lots shall pay a connection fee. Extensive discussion took place regarding the interpretation and application of the ordinance. Attorney Ed Ritger arrived during the discussion. The Commission further discussed amending the ordinance to require the District build the extension and subsequently charge the developer \$9500-11,000 per lot or the actual costs; whichever is greater. The charge may be in addition to the connection charge. Attorney Ritger suggested he draft the wording for such a revision for the Commission's consideration at a future meeting. The Commission will meet for a Special Meeting on Wed., Sept. 29<sup>th</sup> for further consideration. Attorney Ritger advised notifying Arthur & Associates and Signature Homes of the meeting.
  - c. Discuss extending the connection deadline. Bill Gius motioned to table the item to Sept. 29<sup>th</sup>, seconded by Mike Freund. Motion carried (3-0).
  - d. General review. Nothing further was reviewed.
6. Consideration and possible action to amend the ordinance regarding the tapping of mains to install additional lateral stubs within the current service area. The revision was compiled by Foth. The revision was submitted to the Attorney Gary Sharpe. The Commission will await his review.
7. Consideration and possible action to authorize Foth & Van Dyke to calculate the design and bid management costs associated with Sand Hill Ridge subdivision. Bill Gius motioned to table to the Sept. 29<sup>th</sup> meeting, seconded by John Rickert. Motion carried (3-0).
8. Consideration and possible adoption of a Resolution Designating Public Depository for Miscellaneous Public Accounts and Authorizing withdrawal of Public Moneys. Bill Gius motioned to accept the Resolutions as submitted, seconded by John Rickert. Motion carried (3-0).
9. Consideration and possible action to establish an ID badge policy for the Commission and staff. Bill Gius motioned to table the item to the October monthly meeting, seconded by Mike Freund. Motion carried (3-0).
10. Review correspondence. The response to Dan Mand was reviewed and revised.
11. Schedule a meeting with the maintenance staff. Bill Gius motioned to table to a Closed Session meeting to a date yet to be determined, seconded by Mike Freund. Motion carried (3-0).
12. Draft newsletter. Bill Gius motioned to table the drafting the newsletter to a workshop meeting on a date yet to be determined, seconded John Rickert. Motion carried (3-0).
13. Approval of bills. Bill Gius moved to approve the bills as submitted (Order nos. 112-122), seconded by John Rickert. Motion carried (3-0). Bill Gius moved to authorize the transfer of \$514.00 from the Debt Service Account to the regular checking account to correct a deposit error, to transfer 1,800.00 from the Operations/User Charge Account to the Operations/Inspections Account to correct a deposit error, to transfer \$346.84 from the Operations/User Charge Account to the Reserve for Replacement Account, to transfer \$5,247.95 from the Operations/ Inspections Account to the regular checking account for the

Inspectors payroll and to wire \$55,875.00 from the Debt Service Account for the BAN interest payment, seconded by John Rickert. Motion carried (3-0). Mike Freund moved to authorize the transfer of \$8,000.00 from the G.O. Note Account to the regular checking account, seconded by Bill Gius. Motion carried (3-0).

14. Public comment and questions pertaining to District business. None given.
15. Closed Session pursuant to Wis. Stats. 19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved and 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. Bill Gius motioned to enter into Closed Session pursuant to Wis. Stats. 19.85(1)(g) at 10:15 p.m., seconded by John Rickert. Roll call vote: Bill Gius-yes; John Ricker-yes, Mike Freund-yes. Motion carried (3-0).
16. Adjournment. Bill Gius motioned to adjourn at 11:55 p.m., seconded by John Rickert. Motion carried (3-0).

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

# CONNECTION PERMIT REPORT

August 24th, 2004

Estimated existing residences to be served by Dec/Jan/Mar 2004-05  
(NOT including new construction) 413

Number of permits issued to date	218	
Permits issued for new construction	22	
Permit to be voided and reissued	<u>1</u>	
Number of permits issued for existing residences	195	<u>195</u>

**Estimated number of permits to be issued for existing structures 218**

<b>Final connections made as of:</b>	<b>8/24/2004</b>	<b>9/22/2004</b>	<b>TOTALS</b>
Deadwood Point	75	16	91
Hwy/Kiekhaefer	41	17	58
Ledge Road	<u>9</u>	<u>0</u>	<u>9</u>
<b>TOTAL NUMBER OF CONNECTIONS</b>	<b>125</b>	<b>33</b>	<b>158</b>

## Permits issued not yet connected

Roger Braun	43
Mark Mand	12
Pat Mand	4
Dave Rabe	<u>1</u>
<b>TOTAL NUMBER OF PERMITS ISSUED/NOT CONNECTED</b>	<b>60</b>

\*\*Note: Connections have been made but not yet reported

The St. Peter Sanitary District Commission met on Wednesday, September 29<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall for a special meeting. Members present were President Mike Freund, Commissioners John Rickert and Bill Gius and Recording Secretary Brenda Schneider. Also present were Dennis Steigenberger of Foth & Van Dyke and Attorney Ed Ritger, Special Counsel for the District.

1. Call to order. The President called the meeting to order at 6:10 p.m.
2. Consideration and possible action to revise the Sewer Use Ordinance regarding the design, construction and acceptance of sewer main extensions for future subdivisions and the allocation of all associated costs. Attorney Ritger drafted a proposed amendment to Sec. 5.2, Future Sewer Extensions. The amendment mirrors a portion of Sec. 5.1 but doesn't address the Commission's discussion at the September 22<sup>nd</sup> meeting.

The Commission discussed the following:

- extension possibilities within the service area,
- the annual 'bump' equal to the interest rate and its' timing and application to extensions,
- sunsetting or reducing the annual bump in the future,
- the tapping of mains and who bears the cost; an amendment to the ordinance is yet to be approved,
- the splitting of existing lots and the applicable charges,
- the financing of extensions-the developer vs. the District,
- the designing and inspecting of extensions-the developer's engineer vs. the District's engineer,
- the benefits of increasing the tax base.

Bill Gius motioned to table the issue to the October monthly meeting, seconded by John Rickert. Motion carried (3-0).

3. Consideration and possible action to extend the connection deadline. A resolution drafted by Bill Gius was reviewed (resolution attached). After further discussion, Bill Gius motioned to extend the connection deadline for a period of four months, to waive the 150% penalty stated in Sec. 4.3 of the Ordinance, to waive the operation & maintenance portion of the user charge (to be determined by the District's auditor) if the connection permit is applied for prior to the owner's deadline, and to bill the full user charge if the property owner fails to obtain his permit by his deadline date, seconded by John Rickert. Motion carried (2-1). Mike Freund voted nay.
4. Consideration and possible action to authorize Foth & Van Dyke to calculate the design and bid management costs associated with Sand Hill Ridge subdivision as requested. The Commission is undecided on whether or not to amend to ordinance regarding the treatment of extensions. Bill Gius motioned to table the issue to the October monthly meeting, seconded by John Rickert. Motion carried (3-0).
5. Public comment and questions pertaining to District business. Mike Nett commented on the retention of Attorney Ritger. Eric Otte, J.E. Arthur & Associates, commented that charging \$11,000 per lot for new development will discourage development and will discourage the Sand Hill Ridge project.
6. Closed Session pursuant to Wis. Stats. 19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Subject: the Ledge Road sewer construction (Notice of Claim). John Rickert motioned to enter into Closed Session pursuant to Wis. Stats. 19.85(1)(g) at 8:35 p.m., seconded by Bill Gius. Roll call vote: Bill Gius-yes; John Ricker-yes, Mike Freund-yes. Motion carried (3-0).
7. Adjournment. John Rickert motioned to adjourn at 10:37 p.m., seconded by Bill Gius. Motion carried (3-0).

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

## Resolution

Section 4 of the TSD #3 of The Town Of Taycheedah Ordinance outlines connection requirements and schedules for effected properties in the district.

The first and second quarter of this year, 2004, has seen unusually wet weather within the District causing considerable delays in the connection of many sites to the system. Contractors have been making connections as quickly as possible. Many sites will not be connected within the time period stipulated in Section 4.

The ordinance does not require amending.

In order to accommodate for delays in sites to be connected to the system the District will waive operation and maintenance portion of fees for each site until the actual connection date if that date is within four months of the original connection date. The District will not waive the requirement for payment of the debt retirement portion of the fees. Permits must be obtained by the property owners for connections as required in the ordinance.

October 11<sup>th</sup>, 2004

St. Peter Sanitary District

1.

The St. Peter Sanitary District Commission met on Monday, October 11<sup>th</sup>, 2004, at 4:00 p.m.. Members present were Commissioners John Rickert and Bill Gius. President Mike Freund and Recording Secretary Brenda Schneider were not in attendance.

1. Call to order. The meeting was called to order in the St. Peter Church parking lot.
2. The Commission will meet to tour the sewer service area, inspect manholes, lift stations and metering stations. The group's manhole inspection report is attached. Repairs and adjustments to the manholes will be done by Town & Country. The cost of repairs will be billed to Hoffman Construction.
3. Adjournment. The meeting adjourned at 6:42 p.m.

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

## Manhole inspection report. 10/11/04

The location of each is describes as best as possible. Town and Country will need to inspect all manholes along Hwy. 149 during their repair efforts. We noticed that all the manhole covers were in place but the mating surfaces were not cleaned before the covers were installed. The rubber rings could not have sealed the manholes against clear water infiltration. All manhole cover castings must be cleaned before the manhole cover is re-installed. Many of the castings, barrels or riser rings were knocked off center. The seal on most have been compromised and requires repair to better seal from water infiltration. We need to emphasize to the town board to mark all the manholes just off the road with reflective stakes for winter to avoid damage from plowing. Same for lift stations (especially the one on Deadwood Beach Rd.).

1. The manhole damaged by the dozer (160) near the 149/Kiekhaefer Parkway intersection: rings are offset and there is concrete in the flow channel. Clean out debris.
2. The manhole near the 149/Lakview intersection (162) where the hose from Rick Mand's grinder pump flows in to: the hose from Rick's home is too long and is in the flow channel. Concrete is in flow. Clean out debris.
3. The more east manhole (161) at the 149/Lakeview intersection: casting is offset.
4. The manhole (152) just south of the 149/Kiekhaefer Parkway intersection: manhole is offset and there is debris in the flow.
5. The manhole (156) in front of N8003 Hwy 149: Too high, casting is offset.
6. The manhole (157) just south of N8003 Hwy 149: the barrel section is too tall, the casting is damaged and needs to be replaced, there is debris in the flow.
7. The second manhole (158) south of N8003 Hwy 149: manhole is offset.
8. The third manhole (159) south of N8003 Hwy 149: manhole is too tall, manhole is offset, there is debris in the flow, the cone section is damaged and leaking ground water and is showing signs of steel corrosion.
9. The manhole north of Roger Braun's larger development (no address): much debris in the flow, riser rings and casting are offset.
10. The manhole in front of Roger Braun's larger development (no address): casting and riser rings are offset.
11. The manhole (144) north of N7831 Hwy 149: manhole is too tall, the grinder pump hose is in the flow.
12. The manhole (142) just south of N7817 Hwy 149: could not inspect, manhole partially covered with blacktop. Manhole is clearly too low.
13. Manhole (141) just north of 7792 Hwy 149: could not inspect, manhole partially covered with blacktop. Manhole is clearly too low.
14. Manhole (140) at intersection of Ledgerview Springs subdivision: risers are offset and there is a gap between several of the risers. Needs to be reset and sealed.
15. Manhole at N7731 Hwy 149: barrel section is damaged and needs to be replaced.

The St. Peter Sanitary District Commission met on Wednesday, October 27<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall for the purpose of conducting the October monthly meeting. Members present were President Mike Freund, Commissioners John Rickert and Bill Gius and Recording Secretary Brenda Schneider. Also present were Doug Fredrickson of Foth & Van Dyke and Bud Sabel, District Maintenance Staff.

1. Call to order. The President called the meeting to order at 6:16 p.m..
2. Approval of the minutes from the 9/20/04, 9/22/04, 9/29/04, 10/11/04 and 10/13/04 meetings. Bill Gius motioned to approve the minutes as presented, seconded by John Rickert. Motion carried (3-0).
3. Consideration and possible action to establish the tax levy for 2005. John Rickert motioned to establish the mil rate at \$1.425 per \$1,000.00 of assessed value, seconded by Bill Gius. Motion carried (3-0).
4. Consideration and possible action to reduce or sunset the annual increase to the deferred assessments. The current interest rate is 6%. The consensus of the Commission was to reduce the annual increase to the rate of interest expense. The ordinance will need to be amended at a future meeting.
5. Consideration and possible action to establish the Residential Unit Equivalents for the taverns. The Commission will research and report at the next meeting.
6. Opening of the bids for the Hwy. 149 sanitary sewer televising project. Doug Fredrickson opened the bids at 3:00 today. The bid tabulation is attached. Bill Gius motioned to award the contract to Green Bay Pipe & TV Contractors, Inc., seconded by John Rickert. Motion carried (3-0).
7. Sewer Construction Report.
  - a. General Report. Guardrails have been installed at the Hwy. 149 lift station and will be installed at the Cty. QQ lift station. Guardrails or safety posts will be installed at the Deadwood Point Metering Station by a change order to the contract.  
 The weeds around the Church Road lift station need to be removed to the right-of-way. The weeds around the vent pipe were causing the whistling sound inside the Schneider house.  
 The Miller grinder pump continues to cause problems. The pump is a warrantee issue. Adjustments are still needed to the manholes along Hwy. 149.  
 L.W. Allen has the green globes for the grinder pump stations. Bud offered to install them. Foth will research the cost of reversing the light alarm on the grinder pump stations. The Miller, Endres and Braun grinder pumps now have audible alarms.  
 The Huelster grinder pump is not yet installed.  
 The landscape stone is in at the Cty. QQ lift station.  
 The transfer switches have been installed at all of the lift stations.  
 All of the lift stations have been numbered. Stickers will be made to identify the stations and provide contact information. Bill will pursue the development of the stickers. L.W. Allen will reprogram the ID nos. into the lift stations. Lift station identification is attached.
  - b. Restoration work. The County does not want rip rap in the ditch along Cty. QQ. The County would prefer the culvert be extended and then backfill the ditch. The County has agreed to do the work for \$2180.00. Commission consensus was to proceed with the work.  
 The County is also working on the shouldering along Cty. QQ. Silica Road also needs some shouldering.  
 Ken Groeschel has submitted a request to Town & Country for \$750.00 for restoration work that is not complete. Town & Country has not responded to his request.  
 A driveway on Evergreen Court was restored by the owner. The owner needs to provide an invoice to the contractor.
8. Consideration and possible action to flag-mark the manholes located in the ditches along Town roads. The Town has agreed to cost-share the marking of manholes along Town roads on a 50/50 basis. The County will mark the manholes along County and State roads. Bud Sabel and Mike Sabel will identify and mark the manholes that should be flagged.
9. Progress report of sewer connections. The report was given by the Recording Secretary. Approximately 413 homes need to be connected; not including new construction. As of 10/22/04, 189 connections have been completed; of which 26 were for new construction. A copy of the report is attached.
10. Ordinance review.
  - a. General Review. A formal amendment needs to be compiled addressing partial connections. Bill Gius motioned to table action for further discussion, seconded by John Rickert. Motion carried (3-0).

11. Consideration and possible action to amend Section 5.2 of the Sewer Use Ordinance, Future Sewer Extensions, to increase the per lot charge/special assessment paid to the District. The Commission discussed allowing other qualified individuals design extensions with complete review by the District's consultant, increasing the per lot assessment/charge and Green Lake Sanitary District's assessment policies. The Administrator of Green Lake is willing to meet with the Commission. The Commission also acknowledged receipt of a correspondence from J.E. Arthur & Associates, dated 10/20/04, requesting a sewer service extension for Sand Hill Ridge. Eric Otte requests the Commission approve the extension based upon the current ordinance. The Commission also reviewed a draft amendment compiled by Commissioner Bill Gius. No action was taken. Attorney Ritger arrived at approximately 9:00 p.m. Attorney Ritger distributed a draft amendment to Section 5.2. After further discussion, the Commission did not take action. The Commission will meet with Eric Otte, J.E. Arthur & Associates, to discuss extending sewer to Sand Hill Ridge and the possible assessments/charges.
12. Consideration and possible action to amend Section 4.4 of the Sewer Use Ordinance, Permit Required, to establish a penalty for connection without a permit. Bill Gius motioned to approve the amendment to Section 4.4, seconded by Mike Freund. Motion carried (3-0).
13. Consideration and possible action to establish an ID badge policy for the Commission and staff. Bill Gius is working researching the project.
14. Review correspondence. The Commission reviewed correspondence to be submitted to Taycheedah Sanitary District No. 1 regarding amending the current agreement. The letter is attached.
15. Schedule a meeting with the maintenance staff. The Commission and Bud Sabel will meet on November 17<sup>th</sup> at 5:30 p.m.
16. Consideration and possible action to establish a semi-monthly meeting schedule. Special meetings will be scheduled for time consuming issues.
17. Reschedule the November monthly meeting. Due to the Thanksgiving holiday, the November monthly meeting will be held on November 17<sup>th</sup>, at 6:00 p.m.
18. Draft newsletter. The Commission will draft a brief newsletter to be available at the polls on Nov. 2<sup>nd</sup>.
19. Approval of bills. Mike Freund moved to approve the bills as submitted (Order nos. 124-137) with the exception of the \$206.67 for operation and maintenance cost-share to Taycheedah Sanitary District No. 1 for the first quarter of 2004, seconded by John Rickert. Motion carried (3-0). Mike Freund moved to approve Bud Sabel's bills, seconded by John Rickert. Motion carried (3-0). Mike Freund moved to authorize the transfer of \$55,850.00 from the G.O. Account to the regular checking account and to authorize the transfer of \$4171.44 from the Operations/ Inspections Account to the regular checking account for the Inspectors' payroll, seconded by John Rickert. Motion carried (3-0).
20. Public comment and questions pertaining to District business. Mrs. Steffes, on Hwy. 149, feels the user charge is excessive for a household of one.  
It was suggested that Foth consider donating toward a scoreboard at the St. Peter Athletic Club.
21. Closed Session pursuant to Wis. Stats. 19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Subject: Notice of Claim filed by Nett Land & Development. The Commission did not go into Closed Session. Attorney Ritger distributed a draft response and offer for the Commission's review. Attorney Ritger discussed attaching several documents. There was no objection to the response from the Commission. The offer will be faxed tomorrow. The response is attached.
22. Adjournment. John Rickert motioned to adjourn at 10:58 p.m., seconded by Bill Gius. Motion carried (3-0).

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



**Foth & Van Dyke**

Owner: Taycheedah Sanit. District No. 3  
 Project: Existing San. Sewer Televising STH "149"-Contract A-04  
 Bid Date: October 27, 2004

**BID TABULATION**  
 (Unit Price)

Scope ID: 03S011

	Great Lakes TV Seal, Inc.	Green Bay Pipe & TV Contractors, LLC	Northern Pipe Equipment, Inc.	Visu-Sewer Clean & Seal, Inc.
A-1 13,320 LF of Initial Televising of Existing Sanitary Sewer	\$0.42/LF \$5,594.40	\$0.34/LF \$4,528.80	\$0.42/LF \$5,594.40	\$0.65 \$8,658.00
A-2 Linear Foot 4,000 LF of Clean Existing Sanitary Sewer Following Initial Televising as Required, Based on Results of Initial Televising	\$0.51/LF \$2,040.00	\$0.49/LF \$1,960.00	\$0.55/LF \$2,200.00	\$0.90 \$3,600.00
A-3 Linear Foot 4,000 LF of Re-televising Existing Sanitary Sewer for Areas That Required Cleaning Based on the Results of Initial Televising	\$0.42/LF \$1,680.00	\$0.37/LF \$1,480.00	\$0.34/LF \$1,360.00	\$0.90 \$3,600.00
Total Unit Price Bid Schedule "A"	④ \$9 314.40 VDF	① \$7 968.80 VDF	③ \$9 154.40 VDF	⑤ \$15 858.00 VDF



**TAYCHEEDAH SANITARY DISTRICT NO. 3  
LIFT STATION INFORMATION**

**LIFT STATIONS**

Lift Station No. 1  
N8602 C.T.H. "QQ"  
(920) 923-3092

Lift Station No. 2  
W3550 Schuster Lane  
(920) 929-9124

Lift Station No. 3  
N8065 S.T.H. "149"  
(920) 922-5380

Lift Station No. 4  
W3852 Shady Lane  
(920) 922-6235

Duplex Grinder Pump Station No. 5  
W3764 Evergreen Court  
(920) 922-6203

Duplex Grinder Pump Station No. 6  
N8018 Church Road  
(920) 922-5413

**LIFT STATION TELEMETRY – PHONE NUMBERS**

Bud Sabel                   (920) 921-2030 (H)  
                                  (920) 904-1296 (M)

John Rickert               (920) 921-4241 (H)

Leon Schneider         (920) 929-9431 (H)

Mike Freund               (920) 929-8899 (H)  
                                  (920) 979-1139 (M)

# CONNECTION PERMIT REPORT

October 22nd, 2004

Estimated existing residences to be served by Dec/Jan/Mar 2004-05 (NOT including new construction)		413
Number of permits issued to date	270	
Permits issued for new construction	<u>26</u>	
Number of permits issued for existing residences	244	<u>244</u>
<b>Estimated number of permits to be issued for existing structures</b>		<b>169</b>

<b>Final connections made as of:</b>	<b>8/24/2004</b>	<b>9/22/2004</b>	<b>10/22/2004</b>	<b>TOTALS</b>
Deadwood Point	75	16	21	112
Hwy/Kiekhaefer	41	17	9	67
Ledge Road	<u>9</u>	<u>0</u>	<u>1</u>	<u>10</u>
<b>TOTAL NUMBER OF CONNECTIONS</b>	<b>125</b>	<b>33</b>	<b>31</b>	<b>189</b>

<b>Permits issued not yet connected</b>	<b>8/24/2004</b>	<b>9/22/2004</b>	<b>10/22/2004</b>
Roger Braun	34	43	53
Mark Mand	20	12	22
Pat Mand	<u>3</u>	4	3
Dave Rabe		<u>1</u>	0
Glanz			1
Laudloff			<u>2</u>
<b>TOTAL NUMBER OF PERMITS ISSUED/NOT CONNECTED</b>	<b>57</b>	<b>60</b>	<b>81</b>

\*\*Note: Connections have been made but not yet reported

TAYCHEEDAH SANITARY DISTRICT 3-ST. PETER

OCTOBER 27,2004

Town of Taycheedah Sanitary District #1  
N7645 Peebles Lane  
Fond du Lac, Wi. 54935

Re: Intermunicipal Agreement

Gentlemen:

This letter is to serve as a formal request that we review the language of the intermunicipal agreement between our two districts. This is especially important in the light of recent negotiations between the Calumet Sanitary District and the three Sanitary Districts in the Town of Taycheedah. Our goal should be that we find uniformity amongst all districts in regards to the customary and usual expenses of operation and maintenance of the pipes and lift stations that we share.

Recognizing the similarities of our shared agreement to that of the Calumet Sanitary District agreement with your district and in light of your apparent interpretation and past billing practices with the Town of Calumet Sanitary District, we feel it important to submit this request.

As we're sure it is with your district, we like to find accountability to our constituents by paying itemized bills. We are sure that as we take our continual discussions forward, we can find mutual agreement amongst all parties as well develop a spreadsheet which can simplify your billing process and provide the itemization we would be looking for.

The commissioners of St.Peter Sanitary District look forward to working with your commission in addressing these matters as well bringing all four parties to a fair and consistent billing practice regarding the sharing of operation, maintenance and replacement expenses.

Sincerely yours,



Michael Freund, Chairman, Taycheedah Sanitary District # 3

# Ritger Law Office

## ATTORNEYS AND COUNSELLORS AT LAW

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Attorney Martin De Vries  
Sager, Colwin, Pavlick & Associates  
201 S. South Marr Street, #706  
Fond du Lac, WI 54936-2068

October 27, 2004

Re: Nett Land & Development, Inc. vs. Town of Taycheedah-Sanitary District No. 3

Dear Attorney De Vries:

After extensive research and consultation, I am happy to advise that I now have authority to offer payment in settlement of the pending claim of Nett Land & Development, Inc. against the Town of Taycheedah-Sanitary District No. 3 ("District"). Specifically, my client offers to make immediate payment of the sum of \$65,000 to your client in full and complete settlement of all matters related to this claim. With this payment, the District would expect that your client would continue to pay any connection charge that was authorized by Resolution adopted June 12, 2002 in the initial amount of \$1,440 per connection. The District Commissioners and I all realize that the proposed settlement sum set forth herein is considerably less than what you and your client are seeking. There are a multitude of factors that go into the District's position and I will attempt to set out a few of them in this letter.

First of all, the portion of the District known as Project Area "F" has been dramatically changed since the District and your client entered into their agreement in June of 2002. The Ledge Road Sewer Resolution adopted on June 12, 2002 requires the District to "purchase capacity in the Ledge Road Sewer from the developer for areas in the District that will be tributary to said sewer." Since the adoption of that resolution, there has been a major detachment from the District by virtue of Town of Taycheedah action. I enclose a copy of 4 pages of documents from the Town of Taycheedah relating to the detachment which dramatically reduced the area to be tributary to the Ledge Road sewer. This detachment has reduced the capacity required by more than 100 homesites.

A second area of concern is the fact that your claim fails to take into account engineering fees incurred with Foth and Van Dyke for both the Ledge Road sewer as well as tributary sewers and related infrastructure within the Hawks Landing Subdivision. I enclose summaries of these charges consisting of 6 pages. Three pages show engineering charges for Hawk's Landing Subdivision in the amount of \$13,833.07; all of these charges are exclusively your client's responsibility. Another three pages show Ledge Road charges of \$13,444.10. These charges are obviously part of the cost of installing the Ledge Road sewer.

Another category of expenses that needs to be looked at in gaining perspective on the issues between our clients is the matter of future meter installation. While no meter is required at this point because of the low amount of flow, such a meter will be required in the not to distant future at an expense to the District in the range of \$20,000. I enclose a copy of portions of the Wastewater Agreement with the City of Fond du Lac which on page 31 specifies the contractual requirement for metering.

I realize that your client takes the position that their connection charge should be reduced to the extent that they are not fully reimbursed for Ledge Road sewer construction. However, that was not the intention of the

October 27, 2004  
Atty De Vries  
Page 2

commissioners who adopted the Ledge Road Sewer Resolution on June 12, 2002. Their construction of the final paragraph was intended to provide a vehicle by which the District would pay for its share of Ledge Road sewer capacity by granting offsets in connection charges. To construe this language otherwise would have the effect that your client would essentially have the Ledge Road sewer extension largely free of cost. You may recall that the historical evidence surrounding the negotiations in May and June of 2002 indicated that the District did not believe that it had the capital to make a lump sum payment to put in a sewer extension and thus would not have been in a position to construct sewer to the Hawk's Landing area for a number of years. Your client was able to persuade the District to authorize an early sewer extension by offering to front the money for this construction project. Thus, the language in paragraph 2 of the Ledge Road sewer Resolution obligates the District to purchase the sewer but does not obligate the District to pay for it at that time. I believe that it is the language in paragraph 3 that provided the means by which the District would have paid for its share of the sewer capacity in the event that your client wished to offset against the connection charge.

A further perspective on this entire matter can be obtained by referring to Section 5 of the District's Sewer Ordinance, copies of which are also enclosed. You will note that the District contemplated collecting approximately \$11,000 per residential unit equivalent for future connections to the District. This is the amount that all of the original property owners were assessed. You will note that as late as November of 2003, the District's financial consultant was recommending a continuation of the special assessment at this amount of \$11,000. (See copy enclosed) Obviously, the District did give your client the dispensation from the \$11,000 assessment and at this time many people in the district are very upset about this favor granted to your client.

Overall, I am hopeful that your client will give serious consideration to the settlement offer contained in this letter. Obviously, your client did a good job of getting a contractor to install the sewer in a satisfactory manner and the District appreciates that. However, the District cannot grant major concessions to a developer such as your client without violating the political integrity of the entire populous.  
Respectfully submitted,

RITGER LAW OFFICE

Edward J. Ritger

EJR:kes

Enclosures

cc: Ms. Brenda Schneider, Clerk  
Mr. Michael Freund, Commissioner  
Mr. John Rickert, Commissioner  
Mr. Bill Gius, Commissioner

The St. Peter Sanitary District Commission met on Wednesday, October 27<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall for the purpose of conducting the October monthly meeting. Members present were President Mike Freund, Commissioners John Rickert and Bill Gius and Recording Secretary Brenda Schneider. Also present were Doug Fredrickson of Foth & Van Dyke and Bud Sabel, District Maintenance Staff.

1. Call to order. The President called the meeting to order at 6:16 p.m..
2. Approval of the minutes from the 9/20/04, 9/22/04, 9/29/04, 10/11/04 and 10/13/04 meetings. Bill Gius motioned to approve the minutes as presented, seconded by John Rickert. Motion carried (3-0).
3. Consideration and possible action to establish the tax levy for 2005. John Rickert motioned to establish the mil rate at \$1.425 per \$1,000.00 of assessed value, seconded by Bill Gius. Motion carried (3-0).
4. Consideration and possible action to reduce or sunset the annual increase to the deferred assessments. The current interest rate is 6%. The consensus of the Commission was to reduce the annual increase to the rate of interest expense. The ordinance will need to be amended at a future meeting.
5. Consideration and possible action to establish the Residential Unit Equivalents for the taverns. The Commission will research and report at the next meeting.
6. Opening of the bids for the Hwy. 149 sanitary sewer televising project. Doug Fredrickson opened the bids at 3:00 today. The bid tabulation is attached. Bill Gius motioned to award the contract to Green Bay Pipe & TV Contractors, Inc., seconded by John Rickert. Motion carried (3-0).
7. Sewer Construction Report.
  - a. General Report. Guardrails have been installed at the Hwy. 149 lift station and will be installed at the Cty. QQ lift station. Guardrails or safety posts will be installed at the Deadwood Point Metering Station by a change order to the contract.
 

The weeds around the Church Road lift station need to be removed to the right-of-way. The weeds around the vent pipe were causing the whistling sound inside the Schneider house. The Miller grinder pump continues to cause problems. The pump is a warrantee issue. Adjustments are still needed to the manholes along Hwy. 149.

L.W. Allen has the green globes for the grinder pump stations. Bud offered to install them. Foth will research the cost of reversing the light alarm on the grinder pump stations. The Miller, Endres and Braun grinder pumps now have audible alarms.

The Huelster grinder pump is not yet installed.

The landscape stone is in at the Cty. QQ lift station.

The transfer switches have been installed at all of the lift stations.

All of the lift stations have been numbered. Stickers will be made to identify the stations and provide contact information. Bill will pursue the development of the stickers. L.W. Allen will reprogram the ID nos. into the lift stations. Lift station identification is attached.
  - b. Restoration work. The County does not want rip rap in the ditch along Cty. QQ. The County would prefer the culvert be extended and then backfill the ditch. The County has agreed to do the work for \$2180.00. Commission consensus was to proceed with the work.
 

The County is also working on the shouldering along Cty. QQ. Silica Road also needs some shouldering.

Ken Groeschel has submitted a request to Town & Country for \$750.00 for restoration work that is not complete. Town & Country has not responded to his request.

A driveway on Evergreen Court was restored by the owner. The owner needs to provide an invoice to the contractor.
8. Consideration and possible action to flag-mark the manholes located in the ditches along Town roads. The Town has agreed to cost-share the marking of manholes along Town roads on a 50/50 basis. The County will mark the manholes along County and State roads. Bud Sabel and Mike Sabel will identify and mark the manholes that should be flagged.
9. Progress report of sewer connections. The report was given by the Recording Secretary. Approximately 413 homes need to be connected; not including new construction. As of 10/22/04, 189 connections have been completed; of which 26 were for new construction. A copy of the report is attached.
10. Ordinance review.
  - a. General Review. A formal amendment needs to be compiled addressing partial connections. Bill Gius motioned to table action for further discussion, seconded by John Rickert. Motion carried (3-0).

11. Consideration and possible action to amend Section 5.2 of the Sewer Use Ordinance. Future Sewer Extensions, to increase the per lot charge/special assessment paid to the District. The Commission discussed allowing other qualified individuals design extensions with complete review by the District's consultant, increasing the per lot assessment/charge and Green Lake Sanitary District's assessment policies. The Administrator of Green Lake is willing to meet with the Commission. The Commission also acknowledged receipt of a correspondence from J.E. Arthur & Associates, dated 10/20/04, requesting a sewer service extension for Sand Hill Ridge. After lengthy discussion of the ordinance review of Section 5.2, Eric Otte, of J.E. Arthur, was asked if he would like to withdraw his request for District engineering at the present time. Eric Otte's response was that he would like to see the Commission approve his request based upon the current ordinance. Because the ordinance is in review for draft amendment, no action was taken by the applicant nor the District. The Commission also reviewed a draft amendment compiled by Commissioner Bill Gius. No action was taken. Attorney Ritger arrived at approximately 9:00 p.m. Attorney Ritger distributed a draft amendment to Section 5.2. After further discussion, the Commission did not take action. The Commission will meet with Eric Otte, J.E. Arthur & Associates, to discuss extending sewer to Sand Hill Ridge and the possible assessments/charges.
12. Consideration and possible action to amend Section 4.4 of the Sewer Use Ordinance. Permit Required, to establish a penalty for connection without a permit. Bill Gius motioned to approve the amendment to Section 4.4, seconded by Mike Freund. Motion carried (3-0).
13. Consideration and possible action to establish an ID badge policy for the Commission and staff. Bill Gius is working researching the project.
14. Review correspondence. The Commission reviewed correspondence to be submitted to Taycheedah Sanitary District No. 1 regarding amending the current agreement. The letter is attached.
15. Schedule a meeting with the maintenance staff. The Commission and Bud Sabel will meet on November 17<sup>th</sup> at 5:30 p.m.
16. Consideration and possible action to establish a semi-monthly meeting schedule. Special meetings will be scheduled for time consuming issues.
17. Reschedule the November monthly meeting. Due to the Thanksgiving holiday, the November monthly meeting will be held on November 17<sup>th</sup>, at 6:00 p.m.
18. Draft newsletter. The Commission will draft a brief newsletter to be available at the polls on Nov. 2<sup>nd</sup>.
19. Approval of bills. Mike Freund moved to approve the bills as submitted (Order nos. 124-137) with the exception of the \$206.67 for operation and maintenance cost-share to Taycheedah Sanitary District No. 1 for the first quarter of 2004, seconded by John Rickert. Motion carried (3-0). Mike Freund moved to approve Bud Sabel's bills, seconded by John Rickert. Motion carried (3-0). Mike Freund moved to authorize the transfer of \$55,850.00 from the G.O. Account to the regular checking account and to authorize the transfer of \$4171.44 from the Operations/ Inspections Account to the regular checking account for the Inspectors' payroll, seconded by John Rickert. Motion carried (3-0).
20. Public comment and questions pertaining to District business. Mrs. Steffes, on Hwy. 149, feels the user charge is excessive for a household of one.  
It was suggested that Foth consider donating toward a scoreboard at the St. Peter Athletic Club.
21. Closed Session pursuant to Wis. Stats. 19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Subject: Notice of Claim filed by Nett Land & Development. The Commission did not go into Closed Session. Attorney Ritger distributed a draft response and offer for the Commission's review. Attorney Ritger discussed attaching several documents. There was no objection to the response from the Commission. The offer will be faxed tomorrow. The response is attached.
22. Adjournment. John Rickert motioned to adjourn at 10:58 p.m., seconded by Bill Gius. Motion carried (3-0).

**Deleted:** Eric Otte requests the Commission approve the extension based upon the current ordinance.

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

(11)

After lengthy discussion of the ordinance review of 5.2, Eric Otte of J.C. Audcher was asked if he would like to withdraw his request for District engineering at the present time. Eric Otte's response was that he would like to see ~~the~~ the commission approve his request based upon current ordinance. Because the ordinance is in review for <sup>draft</sup> amendment no action was taken by the applicant nor the District.

November 3<sup>rd</sup>, 2004

Taycheedah Town Board  
Johnsburg Sanitary District  
St. Peter Area Sanitary District  
Calumet Sanitary District

1.

The Taycheedah Town Board, Johnsburg Sanitary District, Calumet Sanitary District and St. Peter Sanitary District Commissions met on Wednesday, November 3<sup>rd</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall.

Members present were:

**Taycheedah Town Board:** Chairman Jerry Guelig, Supervisors Tim Simon, Mike Wirtz and John Ablor. Supervisor Jim Bertram was absent.

**Johnsburg Sanitary District:** President Franz Schmitz and Commissioners Dennis Lefebber and Ken Schneider.

**St. Peter Area Sanitary District:** President Mike Freund, Commissioners John Rickert and Bill Gius.

**Calumet Sanitary District:** Commissioner Alice Lemke. President Dick Wehner and Commissioner Roy Schneider were absent.

**Also present:** Brenda Schneider, Town Clerk and Recording Secretary for Johnsburg and St. Peter Area Sanitary District.

1. Call to order. St. Peter President Mike Freund called the meeting to order.
2. The Town Board and Sanitary District Commissions will meet to discuss Taycheedah Sanitary District No. 1's lift stations generator project and the expected cost-share. The group reviewed the 2000 Wastewater Agreement Between the City of Fond du Lac and the OSG. The group questions their obligation toward the project and their liability in the event a back-up occurs. Current executed agreements between Taycheedah Sanitary District No. 1 and the St. Peter and Calumet Sanitary Districts were also reviewed.

It was noted that TSD No. 1 has not followed the guidelines established in the 2000 Wastewater Agreement/Technical Standards Manual in the undertaking of their project.

The group agreed to seek legal advice regarding each entities obligation toward the project.

The next joint meeting will be on Monday, November 15<sup>th</sup>, at 7:00 p.m.

3. Adjournment. Dennis Lefebber motioned to adjourn at 6:52 p.m., seconded by Franz Schmitz. Motion carried.

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

November 8<sup>th</sup>, 2004

Taycheedah Sanitary District No. 1

1.

The Taycheedah Sanitary District No. 3-St. Peter Area Sanitary District Commission scheduled a meeting for Monday, November 8<sup>th</sup>, 2004, at 10:00 a.m., at the Taycheedah Town Hall.  
The meeting was cancelled due to a scheduling confusion.

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

November 15<sup>th</sup>, 2004

Taycheedah Town Board  
Johnsburg Sanitary District  
St. Peter Area Sanitary District  
Calumet Sanitary District

1.

The Taycheedah Town Board, Johnsburg Sanitary District, Calumet Sanitary District and St. Peter Sanitary District Commissions met on Monday, November 15<sup>th</sup>, 2004, at 7:00 p.m., at the Taycheedah Town Hall.

Members present were:

**Taycheedah Town Board:** Supervisors Mike Wirtz and John Abler. Absent were Chairman Jerry Guelig, Supervisors Tim Simon and Jim Bertram.

**Johnsburg Sanitary District:** President Franz Schmitz and Commissioners Dennis Lefebber and Ken Schneider.

**St. Peter Area Sanitary District:** Present were Commissioners John Rickert and Bill Gius. Absent was President Mike Freund.

**Calumet Sanitary District:** President Dick Wehner. Absent were Commissioners Alice Lemke and Roy Schneider.

**Also present:** Brenda Schneider, Town Clerk and Recording Secretary for Johnsburg and St. Peter Area Sanitary District.

1. Call to order. Johnsburg President Franz Schmitz called the meeting to order.
2. The Town Board and Sanitary District Commissions will meet to discuss Taycheedah Sanitary District No. 1's lift stations generator project and the expected cost-share. The group reviewed correspondence received from Attorney John St. Peter and Attorney Gary Sharpe, both dated 11/15/04. The 2000 Wastewater Agreement Between the City of Fond du Lac and the OSG outlines dispute resolution as good-faith negotiations, review by the Technical Standards Committee, then mediation/arbitration.

It has been verified that TSD No. 1 has not followed the guidelines established in the 2000 Wastewater Agreement/Technical Standards Manual in the undertaking of their project.

The group discussed the responses from legal counsel, objection to the expected cost-share, the responsibility and liability of the upstream districts, the lack of a sub-committee and submitting a response to TSD No. 1.

A joint response from the Town and upstream sanitary districts will be sent to each of the Commissioners of TSD No. 1.

3. Schedule photo session for ID badges. Bill Gius, Commissioner of St. Peter Area Sanitary District, will take the photos for the ID badges either at the next joint meeting, which is yet to be determined, or at the district's monthly meetings.
4. Adjournment. Bill Gius motioned to adjourn at 7:45 p.m., seconded by John Rickert. Motion carried.

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

The St. Peter Sanitary District Commission met on Wednesday, November 17<sup>th</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall for the purpose of conducting the November monthly meeting. Members present were President Mike Freund, Commissioners John Rickert and Bill Gius and Recording Secretary Brenda Schneider. Also present were Dennis Steigenberger and Doug Fredrickson of Foth & Van Dyke and Bud Sabel, District Maintenance Staff.

1. Call to order. The President called the meeting to order at 6:03 p.m..
2. Approval of the minutes from the 10/27/04 and 11/3/04 meetings. After extensive discussion regarding the wording of Item #11 of the 10/27/04 minutes, John Rickert motioned to amend the minutes by deleting the sentence referring to Mr. Otte's request and add the following: 'After lengthy discussion of the ordinance review of Section 5.2, Eric Otte of J.E. Arthur was asked if he would like to withdraw his request for District engineering at the present time. Eric Otte's response was that he would like to see the Commission approve his request based upon the current ordinance. Because the ordinance is in review for draft amendment, no action was taken by the applicant nor the District.' The motion to amend the minutes was seconded by Bill Gius. Motion carried (3-0).
3. Consideration and possible action to tape record the meetings. Bill Gius motioned to tape record the meetings, seconded by John Rickert. Motion carried (3-0). Bill Gius will research the equipment purchase.
4. Consideration and possible establishment of the wage for maintenance staff. John Rickert motioned to compensate the District's maintenance person \$15.00 per hour for work performed between 8 a.m. to 5 p.m. weekdays, \$22.50 per hour for work performed after the aforementioned hours and \$30.00 for work performed on Sundays or holidays, seconded by Bill Gius. Motion carried (3-0).
5. Consideration and possible action to establish the Residential Unit Equivalents for the businesses. Research is not complete. Action will be taken at a meeting prior to the end of the current quarter.
6. Sewer Construction Report.

- a. General Report. The dialers in all six lift stations have been re-programmed with the newly assigned identification number.

L.W. Allen will install the green globes on the grinder pumps and replace the relay switches on the lift stations.

The County Highway Commission wants the guardrail at the Cty. QQ lift station extended further than indicated in the specs. The Commission is not responsible for the guardrail extension as requested by the County. However, Kruczek had yet to complete the guardrail per the specs. Kruczek's bid establishes the District's cost of the guardrail. The County will be asked to submit a quote for the guardrail per specs; then they can extend it at their cost. Bill Gius motioned to delegate responsibility to determine who should install the guardrail per specs and to deal with the County, seconded by John Rickert. Motion carried (3-0).

Kruczek submitted a quote of \$975.00 to install guard posts at the Deadwood Point Road metering station. The County could be asked to submit a quote. Bill Gius motioned to delegate responsibility to Foth to obtain a quote from the County and to have the guard posts installed by the lower bidder, seconded by John Rickert. Motion carried (3-0).

The Huelster grinder pump will be installed the week after deer hunting season.

The televising and cleaning of Hwy. 149 will be done the week after deer hunting season.

Town & Country needs to install the chimney seals in the manholes along Hwy. 149. Town & Country has adjusted all of the manholes along Hwy. 149.

The force main pipes in the bottom of the manholes have been completed.

The homeowner is responsible for the installation of a backflow preventer valve.

The cost of the sewer on Deadwood Point Road, within the boundaries of Taycheedah Sanitary District No. 1, was \$113,328.64. TSD No. 1 will need to purchase capacity for their customers within that section of sewer.

The bid documents for the project were not accurately interpreted by Town & Country and Kruczek in reference to the control panel and telemetry system for the metering stations. Once the contractors signed the contracts, they lost their ability to adjust contract amounts. Town & Country has requested \$17,692.50 for the costs of the aforementioned components. The District is clearly not obligated to reimburse either contractor for the expense. Town & Country will be asked to submit additional detailed documentation of the expense. Kruczek has not submitted a request for reimbursement.

Foth will compile a master manhole map.

The Commission discussed continuing their relationship with Foth & Van Dyke as an advisory consultant once the project is complete. Foth will compile and present a proposal based upon 40-60 hours per year for a three year period.

The Commission has received a verbal request for a sewer extension to a vacant lot at the corner of Fineview Road and McCabe Road. The same request was received in the past. Foth had compiled some preliminary information at that time. The request will be reviewed further at the next meeting.

- b. Restoration work. Jerry Kraus has yet to submit a bill to Foth for his restoration work.
7. Progress report of sewer connections. The report was given by the Recording Secretary. Approximately 413 homes need to be connected; not including new construction. As of 11/15/04, 199 connections have been completed; of which 26 were for new construction. A copy of the report is attached.
8. Ordinance review.
  - a. General Review. None given.
9. Consideration and possible action to amend Section 5.2 of the Sewer Use Ordinance, Future Sewer Extensions, to increase the per lot charge/special assessment paid to the District. Bill Gius motioned to table to a yet to be determined workshop meeting, seconded by John Rickert. Motion carried (3-0).
10. Consideration and possible approval of the sewer extension requested for Sand Hill Ridge. The Commission has scheduled a meeting with representatives of J.E. Arthur & Associates and Signature Homes on November 19<sup>th</sup>, at 1:30p.m. A special business meeting will be held within the next few weeks. Bill Gius motioned to table further consideration, seconded by John Rickert. Motion carried (3-0).
11. Consideration and possible action to establish an ID badge policy for the Commission and staff. John Rickert motioned to establish an ID badge policy, seconded by Mike Freund. Motion carried (3-0).
12. Consideration and possible action regarding Taycheedah Sanitary District No. 1's generator project. The Town Board, Johnsbury S.D., St. Peter S.D. and Calumet S.D. met on November 15<sup>th</sup>. A response to TSD No. 1's generator cost share proposal was compiled. The response was dispersed today.
13. Review correspondence. A letter was received from Nett Land & Development regarding the notice they received pertaining to delinquent user charges. The accountant did not meet the notice requirement stated in Wis. Stats. 66.0809(3). Therefore, the Commission can not add the delinquent charges to this year's tax bill. The charges will remain on the delinquent roll.

The minutes of the OSG semi-annual meeting will be dispersed to the Commission.

14. Reschedule the December monthly meeting. The December meeting will follow the usual schedule of the fourth Wednesday of the month. It will be on Dec. 22<sup>nd</sup>, at 6:00 p.m.
15. Consideration and possible establishment of the 2004 compensation for the Recording Secretary. After extensive discussion, Bill Gius motioned to compensate the Recording Secretary \$10,000 for 2004's work and to negotiate quarterly compensation for 2005 at the December meeting, seconded by John Rickert. Motion carried (3-0).
16. Approval of bills. Mike Freund moved to approve the bills as submitted (Order nos. 138-152) with the exception of the \$49.55 and \$50.85 to SBC, seconded by John Rickert. Motion carried (3-0). Mike Freund moved to authorize the transfer of \$34,500.00 from the G.O. Account to the regular checking account, to authorize the transfer of \$1,296.53 from the Operations/ Inspections Account to the regular checking account for the Inspectors' payroll, to authorize the transfer of \$196.35 from Operations/User Charge Account to the Reserve for Replacement Account, to authorize the transfer of \$13,907.50 from the Operations/User Charge Account to the Debt Service Account and to refund \$57.00 from the Operations/User Charge Account to G.M. Hietpas, CPA, for a deposit error, seconded by Bill Gius. Motion carried (3-0).
17. Public comment and questions pertaining to District business. None given.
18. Closed Session pursuant to Wis. Stats. 19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Subject: Notice of Claim filed by Nett Land & Development. Bill Gius motioned adjourn, seconded by John Rickert. Motion failed (0-3). Mike Freund motioned to enter into closed session at 8:25 p.m., seconded by Gill Gius. Roll call vote: Bill Gius, yes; John Rickert, yes; Mike Freund, yes. Motion carried (3-0).
19. Adjournment. John Rickert motioned to adjourn at 8:43 p.m., seconded by Mike Freund. Motion carried (3-0).

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

# CONNECTION PERMIT REPORT

November 15th, 2004

Estimated existing residences to be served by Dec/Jan/Mar 2004-05  
(NOT including new construction) 413

Number of permits issued to date 301  
Permits issued for new construction 26

Number of permits issued for existing residences 275 275

Estimated number of permits to be issued for existing structures 138

Final connections made as of:

	8/24/2004	9/22/2004	10/22/2004	11/15/2004	TOTALS
Deadwood Point	75	16	21	4	116
Hwy/Kiekhaefer	41	17	9	6	73
Ledge Road	9	0	1	0	10
<b>TOTAL NUMBER OF CONNECTIONS</b>	<b>125</b>	<b>33</b>	<b>31</b>	<b>10</b>	<b>199</b>

Permits issued not yet connected

	8/24/2004	9/22/2004	10/22/2004	11/15/2004	TOTALS
Roger Braun	34	43	53	67	197
Mark Mand	20	12	22	26	80
Pat Mand	3	4	3	4	14
Dave Rabe		1	0	0	1
Glanz			1	0	1
Laudloff			2	2	4
G&H Excavating				1	1
Area Mechanical				2	2
<b>TOTAL NUMBER OF PERMITS ISSUED/NOT CONNECTED</b>	<b>57</b>	<b>60</b>	<b>81</b>	<b>102</b>	<b>199</b>

\*\*Note: Connections have been made but not yet reported

December 9<sup>th</sup>, 2004

St. Peter Sanitary District  
Special Meeting

1.

The St. Peter Sanitary District Commission met on Thursday, December 9<sup>th</sup>, 2004, at 6:00 p.m.. Members present were President Mike Freund, Commissioners John Rickert and Bill Gius and Recording Secretary Brenda Schneider.

1. Call to order. President Freund called the meeting to order at 6:07 p.m..
2. Consideration and possible action to revise the Sewer Use Ordinance regarding the design, construction and acceptance of sewer main extensions for future subdivisions and the allocation of all associated costs. Bill Gius was commended for the draft language. The Commission reviewed the draft revisions to Section 5.1, Connections to Existing System and Section 5.2, Future Sewer Extensions and the addition of Section 5.3, Connections to Sewer Extensions. After extensive discussion regarding the reasonable relationship between charges and costs, restraint of trade, the impact of the proposed revisions on new development and a future review of the calculations by the District's financial advisor, Mike Freund moved to adopt the ordinance amendments as presented, seconded by Bill Gius. Motion carried (3-0).
3. Adjournment. Bill Gius moved to adjourn at 8:15 p.m., seconded by John Rickert. Motion carried (3-0).

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

The St. Peter Sanitary District Commission met on Tuesday, December 21<sup>st</sup>, 2004, at 6:00 p.m., at the Taycheedah Town Hall, for the purpose of conducting the December monthly meeting. Members present were President Mike Freund, Commissioners John Rickert and Bill Gius and Recording Secretary Brenda Schneider. Also present was Bud Sabel, District Maintenance Staff.

1. Call to order. The President called the meeting to order at 6:04 p.m..
2. Approval of the minutes from the 11/8/04, 11/15/04, 11/17/04, 11/19/04 and 12/9/04 meetings. John Rickert motioned to approve the minutes as presented with a correction of p.m. to a.m. to the 11/8 minutes, seconded by Bill Gius. Motion carried (3-0).
3. Consideration and possible action to establish the Residential Unit Equivalents for multi-use structures. Based upon seating capacity, John Rickert motioned to establish Jan & Zimmy's at 2 RUEs, Perl's Country Inn at 2.5 RUEs and Steffes' Tavern at 2.5 RUEs, seconded by Bill Gius. Motion carried (3-0).
4. Consideration and possible action regarding the guardrail on Cty. QQ. Fond du Lac County installed the guardrail at the Cty. QQ lift station. The guardrail was extended both north and south of the lift station; between the control panel and the manholes. The adjoining property owner would like the guardrail shortened or the lift station relocated. Chairman Freund and Dennis Steigenberger, Foth & Van Dyke, will meet with Ernie Winter, County Highway Commissioner to discuss shortening the guardrail.
5. Consideration and possible approval of the Certificate of Substantial Completion fo Contract A-04, Existing Sanitary Sewer Televising (STH 149). The District has yet to receive the video tapes. Also, the consensus of the Commission was that the televising and cleaning would not have been needed had it not been for the Hwy. 149 improvement project. Therefore, the contractor, Hoffman Construction, will be responsible for the cost of the entire televising and cleaning project. Bill Gius motioned to not approve the Certificate of Substantial Completion until the video tapes are received by the District with payment to be made at the most immediate meeting thereafter, seconded by Mike Freund. Motion carried (3-0).
6. Consideration and possible action to establish a monetary contribution to the Town of Taycheedah for office supplies and office equipment. The current District policy is that itemized bills are presented to the Commission. The Town Board should submit a bill.
7. Approval of bills. Bill Gius moved to approve the bills as submitted (Order nos. 153-173) with the exception of \$7,429.14 to Green Bay Pipe & TV and the addition of TSD No. 1 \$2,494.45 for treatment and FDL No. 2 estimated operation and maintenance only, seconded by John Rickert. Motion carried (3-0). Bill Gius moved to authorize the transfer of \$34,000.00 from the G.O. Account to the regular checking account, to authorize the transfer of \$538.25 from the Operations/ Inspections Account to the regular checking account for the Inspectors' payroll, to authorize the transfer of \$135.20 from Operations/User Charge Account to the Reserve for Replacement Account, to authorize the transfer of \$2,503.90 from the Operations/User Charge Account to the Debt Service Account, seconded by John Rickert. Motion carried (3-0).
8. Schedule the next meeting. The next monthly meeting will be on January 26<sup>th</sup>, 2005. The Commission discussed future agenda items.

Attorney correspondence, on behalf of the District, will be authorized, reviewed and approved by the Commission prior to release to the intended recipient.

Bud Sabel informed the Commission that a new relay switch has been installed in the grinder pump at the Karen Miller property.

Also, the Town will remove the brush from around the lift station on Church Road.

9. Adjournment. Bill Gius motioned to adjourn at 7:00 p.m., seconded by John Rickert. Motion carried (3-0).

Attest:   
Brenda A. Schneider  
District Recording Secretary