

**JOHNSBURG SANITARY DISTRICT
MONTHLY COMMISSION MEETING
FEBRUARY 2, 2023
5:00 P.M.
ST. JOHN THE BAPTIST PARSONAGE**

Members present: President Franz Schmitz and Commissioners Ken Schneider and Jason Meyer. Also present: Recording Secretary Brenda Schneider; Mason Steffes, Signature Homes by Adashun & Jones; Ben Kinas, Kinas Excavating, Inc.; and, Josh Wilsman, representing James & Rebecca Wilsman.

1. Call to order. President Schmitz called the meeting to order at 5:03 p.m.
2. Approval of the minutes of the 1/5/2023 and the 1/17/23 meetings. Motion by Ken Schneider, second by Jason Meyer, to approve the minutes of the January 5th monthly meeting. Motion carried (3-0). Motion by Ken Schneider, second by Jason Meyer, to approve the minutes of the January 17th special meeting. Motion carried (3-0).

5. Consideration and possible action regarding a violation of the Sewer Use Ordinance pertaining to the use of Schedule 40 pipe. A lateral connection was made in July, 2022, at N9226 Meyer Court. The permit states use of Schedule 40 pipe is required. Signature Homes did not inform Kinas of this requirement, Kinas did not enquire about any extraordinary requirement and the District's Inspector failed to notice the use of Schedule 35 pipe.

Mason Steffes quoted Section 382.03 of the Uniform Dwelling Code which states the following:

SPS 382.03 Application. (1) The provisions of this chapter are not retroactive, unless specifically stated otherwise in the rule.

(2) Pursuant to s. 145.13, Stats., this chapter is uniform in application and a municipality may not enact an ordinance for the design, construction, installation, supervision, maintenance and inspection of plumbing which is more stringent than this chapter, except as specifically permitted by rule.

It is unknown at this time when the above noted rule took effect nor whether it applies to exterior plumbing. The District's Ordinance was compiled by the District's legal counsel and engineering representative and was adopted on October 2, 2003.

Ben Kinas disputes the Ordinance siting the use of Schedule 35, as it was installed, meets the Plumbing Code. Kinas customarily provides a one-year warranty.

The Commission drafted an Acknowledgement/Agreement. The parties involved do not plan to sign the document.

It was noted the Licenses and Permits Bond provided by Kinas states *If said Principal shall faithfully perform all the duties and comply with the laws and ordinances, (including all amendments) pertaining to the license or permit, then this obligation shall be null and void...* It is unknown at this time if the District could file a claim against the Bond. However, the Commission does not intend to require replacement of the Schedule 35 pipe. Their concern is protecting the Wilsmans. In response to being asked if Kinas would consider extending his warranty, Ben stated he may be willing to extend it to three years siting a quality job was done.

The Wilsmans are in the process of getting a second opinion.

The three parties involved may meet to discuss the matter.

3. Discussion and possible action regarding operational issues:
 - a. Meter station. Nothing to report at this time.
 - b. Lift Stations. The January pump runtime reports were reviewed.
 - c. Grinder pump stations. On Friday, October 28th, Jeremy received a text that the alarm on Joe Meyer's station was activated. Jeremy was out of town; therefore, John Rickert was asked to respond. John stated he reset

the system and all seemed to be working fine. On November 13th, Jeremy checked the system and noted all looked fine; however, Jeremy spoke with LuAnn Meyer. She indicated she can hear the alarm at night noting the alarm goes off if she flushes the toilet. John Rickert and Jeremy Bord planned to troubleshoot the cause for the alarm to activate. The results are unknown at this time.

- d. Clearwater Inspections. Nothing to report at this time.
 - e. Other operational issues. Nothing to report at this time.
4. Consideration and possible acceptance of the Agreement for the Allocation of Costs and Transportation of Wastewater Between Taycheedah Sanitary District No. 1 and Johnsburg Sanitary District. Consideration postponed to the next monthly meeting. It was noted the most recent O&M bill from TSD#1 was for 3rd quarter 2019. TSD#1 asked Kathy Diederich during the October 27th, 20022, Joint Sanitary District Meeting to compile the O&M bills as soon as reasonably possible. The bills have not yet been received.
 6. Discuss inspection and Digger's Hotline locating services. Andy Karls has decided to retire. Mike Sabel has been filling-in since November when Andy was suddenly unavailable. Jeremy Bord will be asked if he is interested. As for inspections, John Rickert will be asked if he is willing to provide the service.
 7. Discuss preventative maintenance services. Taycheedah Sanitary District No. 3 has been using Speedy Clean. The Commission is interested in coordinating the scheduling the cleaning of lift stations and grinder pump stations in order to reduce costs.
 8. Approval of District bills. Motion by Ken Schneider, second by Jason Meyer, to approve the bills (order #12-17), for a total of \$2,662.27, and to authorize the following:
 - Transfer \$2,600 from the Operations/User Charge Account to the regular checking account,
 - Transfer \$7,690.05 from the Operations/User Charge Account to the Hometown Bank Debt Service Account, and
 - Transfer \$1,361.07 from the Operations/User Charge Account to the Reserve for Replacement Account.Motion carried (3-0).
 9. Schedule the next meeting. The next monthly meeting of the Commission is tentatively scheduled for Thursday, March 9th, 2023, at 5:00 pm.
 9. Adjournment. President Schmitz declared the meeting adjourned at 6:49 p.m.

Attest. _____

Brenda A. Schneider
District Recording Secretary