

**MEETING MINUTES OF
TOWN OF SHEBOYGAN SANITARY DISTRICT NO. 3 (WATER)
AND**

TOWN OF SHEBOYGAN SANITARY DISTRICT NO. 2 (SEWER)

Date: Monday, January 21, 2019

Place: Town Hall, 1512 N. 40th St., Sheboygan, Wisconsin

Time: 4:00 p.m.–Sanitary Dist. No. 3 Water Monthly Meeting

Time: To Follow San 3 Meeting–Sanitary Dist. No. 2 Sewer & Sanitary Dist. No. 3 Water Joint Meeting

Time: To Follow Joint Meeting–Sanitary Dist. No. 2 Sewer Monthly Meeting

The monthly meeting of the Town of Sheboygan Sanitary District No. 3 (Water) Commission began at 4:00 p.m. and a joint meeting of the Sanitary District No. 2 (Sewer) and Sanitary District No. 3 (Water) Commissions began at 4:21 p.m., following the Water District meeting. The Sanitary District No. 2 (Sewer) Commission continued on with their monthly meeting after the matters in Joint Session had been discussed at 5:26 p.m. on Monday, January 21, 2019 in open session at the Town of Sheboygan Town Hall, 1512 N. 40th St., Sheboygan, WI 53081, Sheboygan County.

Notice of the meeting was given to the public at least 24 hours prior to the meeting by posting in three (3) different places and forwarding to all news media who have requested the same.

Upon motions duly made and seconded, the following resolutions were unanimously adopted and made a part of these minutes by reference as if fully set forth herein.

1. Call to Order

The Town of Sheboygan Sanitary District No. 3 (Water) Commission monthly meeting is called to order by President Dave Albright, Sanitary District No. 3 (Water) at 4:00 p.m. The following were also present at the meeting: Treasurer Jerry Hoepfner, Sanitary District No. 3 (Water); Secretary Spencer Lutzke, Sanitary District No. 3 (Water); Sanitary Districts No. 2 (Sewer) and No. 3 (Water) Alternate Commissioners Jeff Klosterman and Damian Nevers; Town Attorney Michael Bauer; Town Engineer Tom Holtan; Director of Public Works William Blashka; Office Manager Darla Free; Administrative Assistant Chris Steeb and those persons on the attached list.

2. Approval of the January 21, 2019 Monthly Bills

“The Town of Sheboygan Sanitary District No. 3 (Water) Commission hereby approves the January 21, 2019 monthly bills as submitted per a motion by Commissioner Hoepfner and a second by Commissioner Albright.” Motion carried.

3. Discussion – Private Well Contamination on N 45th & N 46th, North of Mueller Rd

Commissioner Albright states that a survey was sent to 144 property owners, 104 were returned; the survey was sent because some residents inquired into possibly getting municipal water service. He reads the results of the survey and states that the District would require 51% or more of the residents to want the water to consider the project, but the survey results were only seven “yes”, ninety-five “no” and two undecided. Resident Comment (RC): was the request because of the iron. Commissioner Albright states that we don’t know because we don’t see results of private wells; the residents came to us. RC: where is the problem coming from, sewage? Commissioner Albright states that we don’t know because they’re private. RC: when the sewer went in, did we check that the septic were abandoned correctly; they need to be filled with concrete; we had to get our information to the County Planner; it should have been checked. Commissioner Griffin states that was over thirty years ago. RC: we had to put dye in our toilets; if there was a leak, it bubbled out; if that happened, you had to re-do your system; we were told to wait because sewer was being extended. Commissioner Griffin states that nobody on the current Boards could answer this because none of us were here at that time. DPW Blashka states that we clean and televise the sewer system on a six-year rotating basis by area. Commissioner Griffin states that we are not responsible for the sewer laterals. DPW Blashka states that when we televise, if the crew notices water, they attempt to contact the property owner and see if they’re running any water or if it could be a leak. RC: are we different from other municipalities in the State? DPW Blashka states no, we’re the same; residents are responsible from the house to the main; the Water District’s policy is curb stop to the house is the homeowner’s responsibility. Attorney Bauer states that, as a service entity, you’re asking this group if they want municipal water; the vast majority do not want it; does everyone else see it this

way? RC: no, we don't want it, but what if we have this issue later? Attorney Bauer states that they would have to re-visit the issue at that time. RC: I have concerns over all of the construction, the nursing home, could this have caused the issue. DPW Blashka states no, it's too far away; there is a well protection program to prevent these issues; it makes sure gas stations or manure pits are far enough away; we have a municipal well in the area and we have no problems. RC: if it does happen, can we keep our private wells? DPW Blashka states yes, but it can only be used for outside use; you have to enter into the DNR mandated well abandonment program; it's every five years; we send you a packet that explains everything; you have to pay for the permit, have the well inspected and also provide a safe water sample report; if the well has any issue, you either have to bring it into compliance or abandon it; a certified well driller would have to do the abandonment. Commissioner Albright states that there were a few neighbors in the area who had failing wells. RC: are they smelling iron, or are they actually contaminated? DPW Blashka states that he was told that some tested positive for e-coli. He states that many years ago this area had problems with earwigs and there were also numerous contaminated wells; people had to put on new caps; we constantly test our wells; some owners never test their private wells; we're regulated by the DNR and the EPA. RC: is the Town water hard? DPW Blashka states yes, all ground water is hard; if you have lake water, then it is not. RC: maybe this letter will make people get their wells tested. RC: I did test my well because of this letter and it's good. Commissioner Albright states that he hopes more residents are testing. He states that nothing is going ahead at this time. Supervisor Schwinn states that he wants the residents to know that a water extension is a long process; the project has to be bid out, there's engineering involved; he wants the residents to be aware of this. RC: like the sewer had, are there any State grants for this? DPW Blashka states no.

4. Discussion/Action – Tower 1 Maintenance

DPW Blashka states that the DNR has approved the work and the letter was sent to Seven Brothers to inform them that their bid was the accepted bid; he's waiting to hear the start date. He states that there's a letter in the packet from Corrpro Waterworks explaining that they'll also have to replace the reference electrodes at a cost of \$3,500.00 because they're not working; they'll do it when the tower is down for painting.

"The Town of Sheboygan Sanitary District No. 3 (Water) Commission hereby approves the replacement of the reference electrodes in Tower 1 at a cost of \$3,500.00 per a motion by Commissioner Hoepfner and a second by Commissioner Lutzke." Motion carried.

5. Discussion/Action – New Water Tower Site

Commissioner Albright states that he hasn't contacted them yet and this item should stay on the agenda.

6. Communication & Correspondence Received After Posting of Agenda

Nothing submitted; no updates.

Sanitary District No. 2 (Sewer) and Sanitary District No. 3 (Water) Joint Agenda – Immediately Following Completion of the Sanitary District No. 3 (Water) Monthly Meeting

7. Call to Order - Sanitary District No. 2 (Sewer)

The Town of Sheboygan Sanitary District No. 3 (Water) and Sanitary District No. 2 (Sewer) Commissions monthly joint meeting is called to order at 4:21 p.m. by Commissioner Albright and President Dave Griffin, Sanitary District No. 2 (Sewer). Treasurer Ken Katte, Sanitary District No. 2 (Sewer) and Secretary Art Stewart, Sanitary District No. 2 (Sewer) are also in attendance.

8. Approval of the December 17, 2018 Monthly Meeting Minutes

"The Town of Sheboygan Sanitary District No. 2 (Sewer) Commission hereby approves the December 17, 2018 monthly meeting minutes per a motion by Commissioner Griffin and a second by Commissioner Stewart." Motion carried.

"The Town of Sheboygan Sanitary District No. 3 (Water) Commission hereby approves the December 17, 2018 monthly meeting minutes per a motion by Commissioner Albright and a second by Commissioner Lutzke." Motion carried.

9. Discussion/Action – Kohler Credit Union, Southwest Corner of Cth O & Cth Y

Commissioner Griffin states that he doesn't have any comments. Attorney Bauer states that they're choosing

to extend water south on Cth Y, so they're responsible for all of those expenses and the special assessment due on Cth O; it's up to them how far they'll want to extend the service. DPW Blashka states that they'll be building the main in the right-of-way with a hydrant at the end; then they'll turn it over to us; they'll have to abandon the existing sewer laterals at the main; the water laterals need to be abandoned at the curb stop. Marcus Krugel asks why the District would want to take over the service. DPW Blashka states that they'll have a hydrant; if the fire department needs it, it has to be maintained; if it's taken over we maintain it and we know it's going to work and then we also flush it.

"The Town of Sheboygan Sanitary District No. 3 (Water) Commission hereby approves to allow Kohler Credit Union to extend water service on Cth Y contingent on the service being constructed in an easement and that all plans are reviewed and approved by DPW Blashka per a motion by Commissioner Albright and a second by Commissioner Hoepfner." Motion carried.

10. Discussion/Action – Proposed Development on Heather Valley Rd and Enterprise Dr, Marcus Krugel

There was a lengthy discussion with developer Marcus Krugel regarding the development of a 64-unit apartment complex; Mr. Krugel met with the Plan Commission and Town Board at their January meetings; it was determined that the water and sewer mains would be built to public standards within the right-of-way and dedicated to the Districts as public.

11. Discussion/Action – Annual Schenck Audit

Commissioner Griffin states that he asked to have this item placed on the agenda to make everyone aware that the audit starts February 4th and it looks like the price is the same as last year. Supervisor Schwinn states that Schenck is also merging with Clifton Larson Allen LLP. Commissioner Katte asks if we're getting the same people here to work on the audit. Supervisor Schwinn states no. Ms. Free states that there has never been any issues with Schenck; we always get along with their staff and I've already sent them reports for them to begin prepping; the only change this year was that Schenck usually comes to the Hall for a week in December, but they didn't do that this year; Sanitary No. 2's cost will be \$6,125.00 and Sanitary No. 3's is \$7,400.00; it's higher because of the PSC Report.

12. Town of Sheboygan Plan Commission Update

Commissioner Hoepfner states that Mr. Krugel was the only agenda item and nothing was approved yet; he's just in the beginning stages.

13. Operator's Report

DPW Blashka states that he's submitted the pumpage report and the waste water reports. He states that there aren't any issues with the sewer system or the water system; he's busy getting ready for the audit. Commissioner Griffin asks DPW Blashka to send him the City's flow and lab data reports for September and October.

14. Communication & Correspondence Received After Posting of Agenda

Ms. Steeb states that she and Ms. Fischer attended a Clerk's class on taking meeting minutes, which was presented by Attorney Paul Dirkse. She states that she took notes and has handed them out. Ms. Free states that when she first started working for the Town, the Commissioners choose to only have motions and actions documented; as Commissioners changed, they started wanting discussions documented. She states that a Town's Association Attorney's opinion from a Clerk's Convention stated that legally, minutes are only supposed to be actions and motions, but it also needs to be considered that your Boards are your bosses and they determine how they want their minutes. Ms. Steeb states that the issue can be that minutes could be subjective. Commissioner Griffin states that he likes to get the detail. Commissioner Katte states that what matters is that we're complying with open meeting laws. Commissioner Lutzke asks if Attorney Dirkse said there could be any legal issues. Attorney Bauer states that he agrees, minutes are the actions of your body, not a recap of the meeting; what the minutes say may not be correct and putting it in the minutes makes it legitimate; if there's an option or a proposal, he's fine with this, but if there's a conflicting issue, you can put in your minutes why you did it; that's why most municipalities do their minutes this way, without all the detail. He states that he understands that the Commissioners like to look back; you are the boss and you can do this and there's nothing wrong with it; you do scrutinize the minutes carefully. Commissioner Lutzke asks if they can have notes that are not in the minutes. Attorney Bauer states yes, the minutes can just reflect the actions of the meeting; then keep the notes elsewhere. Commissioner Albright states that then the notes could never be approved or edited. Commissioner Griffin states that he prefers to keep it the way it is; we've been doing it this

way for quite a while. Commissioner Albright states that they've been slowing down to make sure they're getting them right. Commissioner Griffin states that he wants to keep things the same and we can make suggestions when needed.

15. Pending Item List Review

The pending item list is reviewed and updated accordingly. The list is part of the minutes' book for review and record retention purposes.

16. Adjourn – Sanitary District No. 3 (Water)

Commissioner Albright states that both he and Commissioner Lutzke have a conflict with the February 18th meeting date; they'll change Sanitary District No. 3 (Water) meeting date to February 14th at 4:00 p.m. Commissioner Griffin states that the Sewer District meeting will stay the same but the time will be 4:00 p.m. on February 18th.

"There being no further business, the Town of Sheboygan Sanitary District No. 3 (Water) Commission adjourns the meeting at 5:26 p.m. until Thursday, February 14, 2019 at 4:00 p.m. per a motion by Commissioner Albright and a second by Commissioner Lutzke." Motion carried.

Sanitary District No. 2 (Sewer) Agenda - Immediately Following Completion of Joint Agenda

17. Approval of the January 21, 2019 Monthly Bills

Commissioner Griffin asks why the purchase from Miller Implement for the Bob-Tach was needed. DPW Blashka states that this piece got bent and had to be replaced; it happened while he was gone so Mr. Witters placed the order; he had the invoice split three ways because everybody uses it; \$90.00 was for the freight.

"The Town of Sheboygan Sanitary District No. 2 (Sewer) Commission hereby approves the January 21, 2019 monthly bills as submitted per a motion by Commissioner Griffin and a second by Commissioner Katte." Motion carried.

18. Review/Adopt – Ordinance No. 2019-1 An Ordinance Repealing and Recreating Section 7.06 of the Town of Sheboygan Sanitary District No. 2 Sewer Use and Sewer Service Charge Ordinance

Commissioner Griffin states that this ordinance is the City's annual increase or decrease in fees and we pass these rate changes on to the City residents that use our sewer and who we bill quarterly.

"The Town of Sheboygan Sanitary District No. 2 (Sewer) Commission hereby approves Ordinance No. 2019-1 An Ordinance Repealing and Recreating Section 7.06 of the Town of Sheboygan Sanitary District No. 2 Sewer Use and Sewer Service Charge Ordinance per a motion by Commissioner Griffin and a second by Commissioner Stewart." Motion carried.

19. Discussion/Action – Televising for 2019

DPW Blashka states that we'll have 43,422' of main and 181 manholes televised this year; we have estimates from Northern Pipe and Great Lakes; each charge higher and/or lower for the different aspects of televising, but Great Lakes, who we've always used, is still cheaper overall. He asks if he has to take the lower bid on this. Attorney Bauer states no, because it's a service. DPW Blashka states that he'll contact Great Lakes and tell them they can start at any time. Commissioner Griffin states that the key word is "service" and if you're happy with their performance, that's who you want to stay with. DPW Blashka states that he's always been very happy with them. Alternate Commissioner Klosterman asks if they're a licensed service. DPW Blashka states no, but they have standards to follow; they have to follow what we want and they have to give a national report.

"The Town of Sheboygan Sanitary District No. 2 (Sewer) Commission hereby approves the Great Lakes TV and Seal's proposal for the 2019 cleaning and televising of the sewer system per a motion by Commissioner Griffin and a second by Commissioner Stewart." Motion carried.

20. Discussion/Action – Policy on Maintenance Obligation, The Preserve at Briarwood

Attorney Bauer states that they have the Assignment and Assumption Sanitary Sewer Connection Agreement signed by the developer; they're waiting for the homeowners to sign it; if any new home comes in, we collect the assessment fee and pay it back to the developer, but the obligation is being transferred to the homeowners

association; we are consenting to the assignment. Commissioner Katte asks, moving forward, how does this all get handled when people move. Attorney Bauer states that it's through the homeowners association; this document gets recorded on the deed; it's their obligation, but we televise it and bill these residents back.

"The Town of Sheboygan Sanitary District No. 2 (Sewer) Commission hereby consents to The Preserve at Briarwood's Assignment and Assumption Sanitary Sewer Connection Agreement per a motion by Commissioner Griffin and a second by Commissioner Katte." Motion carried.

21. Discussion/Action – O & M, Collection System & Lift Stations

Commissioner Griffin states that this item can be removed from the agenda and should be placed on the pending list.

22. Discussion/Action – Village of Kohler Connection to Northern Leg of North/South Interceptor

DPW Blashka states that he met with Don Albright from the Village of Kohler today; they're possibly connecting by meter pit; they would have to lower all the way to the south; this would avoid the relay pumping if they're going to manhole five and there will be around forty-seven gallons per minute; they'll need additional easements to get to manhole five; the longest distance for jack and boring will be 500'; if it's 6' to 7' deep, they'll be looking at lowering the metering pit. Attorney Bauer states that they're close to the necessary approvals and we should be watching for the payments.

23. Discussion/Action – Annual Grease Trap Maintenance Policy

Commissioner Griffin states that he sent some revisions to DPW Blashka and Ms. Free; he'd like to set up a time to meet with them and start working on it. DPW Blashka states that he'll contact Commissioner Griffin to set up a time to do this. Engineer Holtan states that he'll want to put the final document in the O & M manual.

24. Communication & Correspondence Received After Posting of Agenda

Commissioner Griffin states that Commissioner Stewart had a question regarding the wording of a sewer connection fee for a motel. Commissioner Stewart states that he feels the language is confusing; if they have a laundry, it seems that the connection fee should be higher. Commissioner Griffin states that he did some calculations, and with a capacity of 300 and at 50% capacity, the connection fee would be \$37,500.00; if we ever have a new hotel or motel, we'd look at this; we're trying to get away from these high connection fees; we'd be able to look at the one hotel we have now and base our calculations off of their usage by using their water meter information; we can evaluate it under Section 6.06 (o) Other Cases/To Be Determined by District Commissioners. Commissioner Stewart states that the gelato manufacturer's flows are going up; they doubled since we started watching them; they are increasing production and are up to about 48 gallons a day; one UCE is equal to 210 gallons per day, suspended solids no greater than 214 mg/l, BOD no greater than 165 mg/l; do we have a BOD concern. Commissioner Griffin states that we're just watching flows for now and they are still low; if there were solids at high volume, it could block up.

25. Adjourn – Sanitary District No. 2 (Sewer)

"There being no further business, the Town of Sheboygan Sanitary District No. 2 (Sewer) Commission adjourns the meeting at 5:30 p.m. until Monday, February 18, 2019 after the Water District monthly meeting per a motion by Commissioner Katte and a second by Commissioner Stewart." Motion carried.

Town of Sheboygan Sanitary District No. 2 Sewer

David Griffin, President
Ken Katte, Treasurer
Arthur Stewart, Secretary

Town of Sheboygan Sanitary District No. 3 Water

David Albright, President
Jerome Hoeppner, Treasurer
Spencer Lutzke, Secretary

Minutes approved February 14, 2019 by Sanitary District No. 3 Water and February 18, 2019 by Sanitary District No. 2 Sewer