

**MEETING MINUTES OF  
TOWN OF SHEBOYGAN SANITARY DISTRICT NO. 2 (SEWER)  
AND**

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

**Date: Monday, June 20, 2016**

**Place: Town Hall, 1512 N. 40<sup>th</sup> St., Sheboygan, Wisconsin**

**Time: 4:00 p.m. – Sanitary District 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 District No. 2 Sewer Monthly Meeting**

A 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 4:11 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 4:37 p.m. on Monday, June 20, 2016 in open session at the Town of Sheboygan Town Hall, 1512 N. 40<sup>th</sup> 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 Mark Flasher at 4:00 p.m. The following were also present at the meeting: Commissioner Jerry Hoepfner, Treasurer; Commissioner Spencer Lutzke, Secretary; Attorney Michael Bauer; Engineer Tom Holtan; Office Manager Darla Free and those persons on the attached list.

**2. Approval of the June 20, 2016 Monthly Bills**

“The Town of Sheboygan Sanitary District No. 3 (Water) Commission hereby approves the June 20, 2016 monthly bills as submitted per a motion by Commissioner Flasher and a second by Commissioner Hoepfner.” Motion carried.

**3. Discussion/Action – Investment Options for District Funds**

Commissioner Flasher states that Curtis Roberts of Wells Fargo e-mailed some investment options for review.

“The Town of Sheboygan Sanitary District No. 3 (Water) Commission hereby approves the purchase of a Comenity Cap Bk Salt Lake City Utah Primary cd at a rate of 1.100%, a maturity date of July 2, 2018 and in the amount of \$200,000.00 and an Ally Bank Primary Conditional Puts cd at a rate of 1.250%, a maturity date of June 24, 2019 and in the amount of \$100,000.00 per a motion by Commissioner Flasher and a second by Commissioner Hoepfner.” Motion carried.

Ms. Free states that she'll e-mail Mr. Roberts in the morning and confirm with the Commissioners whether either cd was available for purchase.

**4. 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 Sanitary District No. 3 (Water) Monthly Meeting**

**5. 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 4:11 p.m. by Commissioner Flasher and Commissioner Dave Griffin, President, Sanitary District No. 2 Sewer. Commissioner Ken Katte, Treasurer/Sanitary Sewer and Commissioner Dave Albright, Secretary/Sanitary Sewer are also in attendance.

#### **6. Approval of the May 10, 2016 Joint Districts and Town Board Meeting Minutes**

“The Town of Sheboygan Sanitary District No. 2 (Sewer) Commission hereby approves the May 10, 2016 Joint Districts and Town Board meeting minutes per a motion by Commissioner Albright and a second by Commissioner Katte.” Motion carried.

“The Town of Sheboygan Sanitary District No. 3 (Water) Commission hereby approves the May 10, 2016 Joint Districts and Town Board meeting minutes per a motion by Commissioner Hoepfner and a second by Commissioner Lutzke.” Motion carried.

#### **7. Approval of the May 16, 2016 Monthly Meeting Minutes**

“The Town of Sheboygan Sanitary District No. 2 (Sewer) Commission hereby approves the May 16, 2016 monthly meeting minutes per a motion by Commissioner Albright and a second by Commissioner Katte.” Motion carried.

“The Town of Sheboygan Sanitary District No. 3 (Water) Commission hereby approves the May 16, 2016 monthly meeting minutes per a motion by Commissioner Flasher and a second by Commissioner Hoepfner.” Motion carried.

#### **8. Discussion/Action – Mutual Aid Agreement**

Attorney Bauer states that he hasn't heard further from Chairman Hein; this issue may not have been brought up at the Heads of Government's meeting because they were addressing a sales tax issue. He states that we could move ahead by sending a letter to all of the municipalities; we'll let them know that this is promoted by the WI DNR. He states that he expects slow progress, but this is a way to get things started; the bottom of the letter should include everybody who's being copied and it should include Chairman Hein and Sanitary District No. 3 (Water).

“The Town of Sheboygan Sanitary District No. 2 (Sewer) Commission hereby directs Ms. Free to send a letter to all applicable parties and to also include a copy of the final draft of the Mutual Aid Agreement per a motion by Commission Griffin and a second by Commissioner Albright.” Motion carried.

Commissioner Griffin asks Ms. Free to e-mail the Commissioners a draft letter for their review.

#### **9. Disconnection of Services – 5019 Flagstone Rd**

Commissioner Flasher states that Ms. Free has talked to the resident; she's agreed to pay \$50 on/or postmarked by the first of each month; it's not a lot of money, but there are past bankruptcy issues to consider. Ms. Free states that the resident has made two payments so far; one on May 26 and another on June 16; the original contract amount of \$1,523.33 was adjusted because a bankruptcy required the 2006 and 2010 charges be removed; water for 2006 was \$106.37, sewer was \$85.51; 2010's charges were \$125.01 for water and \$171.03 for sewer; the new total due is \$1,035.41; the revised contract was mailed June 9, stating that the letter had to be returned by June 17; three calls were placed to the resident, asking that the resident have the contract signed and returned by today's meeting; the contract hasn't come back, but the second \$50 payment was made during this time. Commissioner Griffin states that this item should remain on the agenda for future updates.

#### **10. Town of Sheboygan Plan Commission Update**

Attorney Bauer states that the Plan Commission made a recommendation for an additional storage unit building on Playbird Rd and they also approved a sign for Professional Heating on Hwy 42; nothing pertaining to the Districts.

#### **11. Operator's Report**

Commissioner Griffin states that the Districts have their reports in their packets and DPW Blashka submitted an e-mail that there are no issues with either system.

#### **12. Communication & Correspondence Received After Posting of Agenda**

Attorney Bauer states that everyone's received a sewer lateral leak letter. Ms. Free states that she created a template for the Commissioners review; the Commissioners can make any additions or changes and it will be on next month's agenda. Attorney Bauer states that this letter would be the second letter, if the resident didn't comply; the first letter would be more informative. Commissioner Flasher states that usually when a leak is discovered, DPW Blashka talks to the resident about what's going on; so they don't usually get a letter; he

works it out with the people. Commissioner Griffin states that Commissioner Katte can work with Ms. Free to create a first letter and second letter draft for next month's meeting; we want a standard letter. He states that sewer lateral leaks are found through televising; our crew finds water lateral leaks through their leak detection of the system or residents call because of sump pumps running excessively or water coming out of the ground. Attorney Bauer states that the third paragraph of the draft letter is fine; the penalties portion is fine; the second paragraph says that if the repair isn't made within two weeks...we'll want to make this Section 12.15 Liability to District and/or City for Losses; this makes sure we have legal authority and it's broad enough to cover additional costs incurred by the District. Commissioner Griffin states that the first and second paragraph are fine for the first contact letter; the third paragraph is strong in language. Attorney Bauer states that he checked through the District Ordinances to find where it says we can charge for extra expenses incurred under Section 12.10, but we should use Section 12.15 instead. Commissioner Flasher states that Sanitary 3 Water could have different scenarios. Attorney Bauer states that Sanitary 3 Water will have to take into consideration the WI PSC; Section 12.15 says "any expense, loss or damage", it doesn't come out and say "City waste water charges", but it's broad enough to cover this. Commissioner Katte asks if someone could challenge the amount of flow we're stating that their leak is. Commissioner Griffin states that the televising gives us the amount of flow from a leak. Commissioner Flasher states that the Water District usually gets the hole/leak size from the pipe and that's how we can calculate the amount of water loss. Attorney Bauer states that Section 12.09 is the appeal process; the resident would go to the DPW; if they're not happy with his information and stats, they'd come to the Commission.

Ms. Free states that she distributed copies of a resume for a possible Alternate Commissioner; this will be on next month's joint District and Town Board agenda. Commissioner Flasher states that he'll contact this person's supervisor and invite him to the July meeting.

### **13. Pending Item List Review**

Ms. Free states that she forgot to print the pending list, but there weren't any changes from the prior month and she'll add a copy to each of the Districts minutes' book. The pending item list is reviewed and updated accordingly. The list is part of the minutes' book for review and record retention purposes.

Commissioner Flasher asks that lateral leak template letters be placed on the Pending Item List.

### **14. Adjourn – Sanitary District #3 (Water)**

"There being no further business, the Town of Sheboygan Sanitary District No. 3 (Water) Commission adjourns the meeting at 4:37 p.m. until Monday, July 18, 2016 at 4:00 p.m. per a motion by Commissioner Hoepfner and a second by Commissioner Lutzke." Motion carried.

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

### **15. Approval of the June 20, 2016 Monthly Bills**

"The Town of Sheboygan Sanitary District No. 2 (Sewer) Commission hereby approves the June 20, 2016 monthly bills as submitted per a motion by Commissioner Albright and a second by Commissioner Griffin." Motion carried.

Commissioner Griffin states that the financial reports show that the general taxes are at 71.82% of budget. Ms. Free states that the District gets another settlement from the County in August. Commissioner Griffin states that the sewer charges are down and asks if it is because we haven't billed for the second quarter. Ms. Free states yes; the bills will be mailed either June 29 or June 30, depending on when the meter reads are done.

### **16. Policy on Maintenance Obligation, The Preserve at Briarwood**

Commissioner Griffin states that we discussed putting together a letter for Briarwood and Bain's to have televising done on their systems, but then the letter submitted in the packet was found. He states that we need to find out how many feet of sewer the Preserve has and if Great Lakes is doing that area of the Town next year, or if we just want to add it to the televising schedule. He states that we should also get this information, if it's available, for Bain's. Attorney Bauer states that our Sewer Connection Agreement with the Preserve at Briarwood was in 2006; it states that we have no maintenance responsibility but, if something goes wrong, we can go in and make repairs, etc., then charge them back or put the expenses on tax roll. Supervisor Schwinn states that 1/6<sup>th</sup> of the system is televised each year. Commissioner Katte states that Bain's and The Preserve should be added to the televising schedule. Attorney Bauer states that, if the Commissioners prefer, we could

secure a quote for the work. Commissioner Katte asks if he means for the televising. Commissioner Griffin states a quote for televising and maintenance. Attorney Bauer states that the agreement says they have to comply with all of the District's applicable policies and laws; you have a policy to televise an area every six years; they have to comply. Supervisor Schwinn asks if we have an agreement with Bain's. Attorney Bauer states no, but they're in the District, so they also have to follow District policy; in order for them to have gotten sewer they had to annex into your District, so they have to follow your rules and policies.

**17. Communication & Correspondence Received After Posting of Agenda**

Commissioner Katte asks Engineer Holtan if, in his dealings with other municipalities, does he have any suggestions for anything else the District should be doing to make improvements. Engineer Holtan states no, the District is on track and is very hands-on and on top of things.

**18. 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 4:52 p.m. until Monday, July 18, 2016, following the Sanitary District No. 3 Water monthly meeting per a motion by Commissioner Katte and a second by Commissioner Albright.” Motion carried.

**Town of Sheboygan Sanitary District No. 2 Sewer**

**David Griffin**, President  
**Ken Katte**, Treasurer  
**David Albright**, Secretary

**Town of Sheboygan Sanitary District No. 3 Water**

**Mark Flasher**, President  
**Jerome Hoepfner**, Treasurer  
**Spencer Lutzke**, Secretary

**Minutes approved on July 18, 2016**