

Algoma Sanitary District #1  
January 13, 2005 Regular Monthly Meeting

Commissioner Earl Lawrence with Commissioner Bob Nadolske present called the regular monthly meeting for January 13 to order at 6:00 p.m. Alexander Irvine was excused. Also present were Kevin Mraz, Ray Edelstein, Joel Edson, Rose Mraz, Sara Kettlewell, Gail Hediger, and Dave Wagner.

**Bob made a motion to approve the minutes of the regular meeting for December 09/second Earl/carried unanimously.**

**Bob made a motion to approve the cash receipts and investments report for water and sanitary for December as submitted/second-Earl /carried unanimously.**

**Bob made a motion to approve the pending bills for sanitary and water for January/second Earl/carried unanimously.**

**Correspondence:**

Julie Debush from Dot. Brooks Lane, the District received the videotape of mains. Couple things on sewer line needs to be repaired. Video sent to Strand to develop a work plan to bid out. List of Standards are out and should be listed in dealing with the State. State can pay what the bids come back as. Also on videotape, just beyond the manhole, a lateral with a 4-5 gallon/minute leak. This will be fixed using the lateral packer method. The State will fit all this into their schedule when shutting down the intersection for road construction. Dot will put the work plans in their bid specification.

Valve vaults. PTS Response. All letter writing is done. Kevin will have Truesdale repair Brooks Lane at \$5750.00 and also have them write up the reasons why it failed. Ongoing discussion.

**Public forum:**

From New Business 1) b. Gail Hedgier - 3017 Holly Court. Gail said she took ownership of land July 2 and her Mortgage Company was to include the water assessment in their loan. Gail said she received her tax bill and found the assessment on it. She sent a letter to the district requesting not to pay interest, as she did not know about the November 1st deadline for no interest to incur. Gail wants to pay the \$7870.00 in full with no interest. After discussing this, **Bob made a motion to waive interest payment on 3017 Holly Court as the total assessment is being paid for the property and stated that the current owner did not receive notification until December that the assessment was to be paid by November/second Earl/carried unanimously.** Gail will get the check to the district next week and then Rose will send the Town a check to clear the assessment on her tax bill.

**Old Business:**

**Status of Construction:**

- Well # 2 – the sample results are in. Low trace of arsenic, below their detection level, less than 1.2 ppb. Iron of .85. Hardness is 310. Fluoride is .55. Uranium is 4.3. Radon is 200. Kevin said there is a touch of Radium 226 & Radium 228 Kevin said he was going to have another test done to be sure what the level is. Kevin said the district installed filters that could remove Radium. The district needs to be below 5 PCI/L combined. Kevin said there are two techniques to use, one is Green Sand in the filter which adheres the radium to the sand, and when backwashing it never comes out but stays with the sand. In the future when the sand needs to be removed, this could be considered radioactive waste and could need special procedures. The other method is a manganese oxide removal. Radium adheres to Manganese that's added to the water. It gets stuck in the sand filter & flushes out into the pit and is slowly pumped into the sewer system and is not radioactive. It removes 90% plus, putting us with a minimal percentage that would be untraceable. Kevin said he prefers this method.
- Well # 2 facility – The contractor is looking at starting to dig second week in February.
- Valve vaults – covered in correspondence.

**Supplemental agreement with Town of Omro Water Utility:**

- Ray updated the supplemental agreement and added in software license agreement and updated the dispute resolution to reflect changes. The district will charge for mileage at the IRS rate, which is currently \$.41.5 per mile. The agreement will be identified as Administrative services agreement to the intergovernmental agreement. The wording for inspection services changed to may provide inspection services with a 24-hour notice.

Termination of services: changed to reflect a 1 year notice of intent to terminate administrative services. All 'Town of Omro' changed to 'Town of Omro Sanitary District'. Cost of services: added line item for materials to be at cost. **Bob made a motion to approve administrative agreement supplement to the intergovernmental agreement for the provision of water between the Town of Algoma Sanitary District #1 and the Town of Omro Sanitary District with changes indicated and authorized Kevin to move forward with any further changes that need to be made to it, authorizing Kevin, the Utility Director, to sign on behalf of the District. -Second/Earl/carried unanimously.**

#### **Phase II Water main Routes:**

- Country Meadow court has 70% participation, but to get there the district needs to go through Spring Valley that has only 62%. It costs \$10,000.00 to design that area and the commissioners decided to hold off on the design until after the public information meeting to see if more people will participate. If not, then drop from phase II.
- Crestwood, Highland Shores at 79%.
- Scarlet Oak all responded to participate.
- Westmoor, going past 9 parcels that have not responded.
- Water service to Town Hall. Will discuss water to the Town Hall and Fire Dept at Water Advisory meeting. Kevin is thinking of ways to save money for the Town and will discuss with storing our generator in exchange for water service. Kevin will check with the District's insurance to be sure the generator will be covered under insurance if it's stored elsewhere.
- Rest of the areas percentages for running mains exceed 70% goal.

#### **Job Descriptions:**

- Earl said he read something today which made him think that Kevin's position could be summarized as: to protect, service and enhance the assets of the district. **Bob made a motion to adopt Town of Algoma Sanitary District Commissioner's Compensation Guideline and Job Descriptions as written/second Earl/carried unanimously.** Alex submitted in writing, as he was unable to attend the meeting that he was in favor of this also.

#### **New Business:**

##### **Phase I Resident Water Assessments:**

- 3017 Holly Court - covered under Public Forum.
- 73 Wyldeberry Lane – Greg Williams. He told Rose that he never received any mailings in regards to the water assessment. This was tabled, as the commissioners cannot take action until they receive a formal letter stating his dilemma.
- 2112 Carlton Road – empty lot. The district received copy of deed stating it's given for the sole purpose of restriction; there shall be no fill or construction of any type on this lot for a minimum of 18 years or until the year 2000. After the year 2000 approval would have to be granted by the Town Board and Winnebago County Planning and Zoning Department. Ms. Nack said they only signed the petition for the house they live in and Kevin said there was no service valve installed there, but the pipe is in front of the property. They wanted the assessment taken off this lot, as it is not buildable. Ray will research legal issues to resolve this. The commissioners tabled this for now and will hold a special meeting on 1/26 at 5:30 p.m. Rose will call them that they need to be here to discuss this further.
- 60 Overland Trail – Keith & Linda Rhode – Tabled as no additional information received, no action taken.

##### **Wyldewood West – Increase to assessments –**

Rose said that Ron had offers on 11 lots prior to December 31 at the previous rate. He's asking to waive the increase in cost on these lots. Ron told Rose he was not aware that these would go up due to the cost of money. There was not enough information available so the commissioners tabled this until the next meeting.

##### **Truck purchase specifications –**

Kevin said he is looking at a ¾ heavy duty or 1 ton. Kevin said the district has Projects that require heavy-duty truck & lift gate to carry gravel fill, carry concrete risers, hauling valves, etc. Dump box is for projects in the road. Light duty is meter reading; lab work at well house, recordings at lift stations, etc. Kevin said the on-call operator would take one vehicle home to solve the parking situation. Original budget was for \$14,000.00. Kevin will bring information back showing where the difference will come from in the budget. Kevin can get bids on it at this time.

##### **Advertise for Water/Wastewater operator position –**

Commissioners have no issues and are looking at to set up interviews in late February.

**Update on Priority rank score for SDWL - 2006 –**

DNR should have everyone's scores out soon. We turned in 195 points. Last time we had about 310 points, due to being a new system. We have map showing arsenic levels in areas for Phase II.

**Set Date for District meeting after Phase II informational meeting to take action on routes and start assessment process –**

Discussed in agenda item below.

**Ehlers financial workshop to determine dates required for special assessments –**

Dave attended the meeting to discuss the timeline needed for financing between now and April as the district needs to close on the last SDWL 2005. Dave said he requested updated financial plan from DNR & Strand. The new SDWL loan; application needs to be filed by 4/31. Dave is working with Strand on this.

- Timeline for Special Assessment Proceedings:
  - 2/15/05 - Public Informational meeting.
  - 2/22/05 - Water Advisory Meeting.
  - 2/24/05 - Adopt Preliminary Resolution & Determination of Routes.
  - 3/01/05 – Kevin would like to have plans and specs ready to be bid out.
  - 3/04/05 - Publish notice of public hearing & mail notice to interested parties.
  - 3/22 & 3/24/05 – Conduct public hearing(s). Continuing from 3/22 to 3/24. Do not split between North & South, but it makes two smaller groups, and makes the meetings more assessable to the public.
  - 4/04/05 – Open bids.
  - 4/07/05 – Adopt Final Resolution. Also the regular monthly meeting changed to this date.
  - 4/15/05 – Publish / mail Final Resolution AND Publish Installment Assessment Notice.
  - 4/15/05 – Submit loan application with figures from bids
  - 6/03/05 – Start date for construction.

Letters to go out 1st class with an additional note that if you are not the property owner, to please return to the District and tell us who is. The district will also send a courtesy letter to Realtors with map, addresses and resolution.

**Water service to Fire Department -**

Covered under Old Business, Phase II Water main routes

**Bob made a motion to adjourn/second-Earl/carried unanimously.**

Respectfully submitted,

\_\_\_\_\_  
Rose Mraz, Office Manager

Approved: \_\_\_\_\_  
Earl Lawrence, Commissioner

Algoma Sanitary District #1  
February 10, 2005 Regular Monthly Meeting

Commissioner Earl Lawrence with Commissioner Bob Nadolske present called the regular monthly meeting for February 10 to order at 6:00 p.m. Alexander Irvine was excused. Also present were Kevin Mraz, Ray Edelstein, Joel Edson, Rose Mraz, Sara Kettlewell, Kathy Lake, Julie Debush, Mark Thompson, and Mrs. Alzoubi.

**Bob made a motion to approve the minutes of the regular meeting for January 13/second Earl/carried unanimously.**

**Bob made a motion to approve minutes of the special meeting for January 31/second Earl/carried unanimously.**

**Bob made a motion to approve the cash receipts and investments report for water and sanitary for January as submitted/second-Earl /carried unanimously.**

**Bob made a motion to approve the pending bills for sanitary and water for February/second Earl/carried unanimously.**

**Correspondence:**

Mrs. Alzoubi is present and requesting the interest be removed on first installment of assessment that was on her property taxes. The property was purchased on June 25, 2003 in Bellhaven Properties. Mrs. Alzoubi did not receive the information regarding the special assessment. She was not aware of the November date to pay without interest. Mrs. Alzoubi has paid the remaining balance in full. Our records indicate all information went to Portside, since we were not aware of the new owners. **Bob made a motion to accept the payment of the assessment in full after November 1 and to refund the interest of \$344.45/second Earl/carried unanimously.**

Property at 887 N Oakwood Rd. belonging to Wendy & Russell Potratz. They are requesting to be included in Phase II. They have a sewer lateral through a private easement. The commissioners decided that the district will put a stub in the street and supply water as long as they can get a legal easement between themselves. We need to see the binding easement & want it recorded before lateral is installed.

**Public forum:**

Nothing

**Directors Report:**

- Received current list of district parcels that are in the city of Oshkosh. Properties known as Shoreland Properties are in our Sanitary District. We have sewer main in behind Racette's. Sanitary service would be the districts and water would be from the city of Oshkosh.
  - One of the District's priorities this year is locating infiltration in the sewer manholes. Flow has increased from 550,000 to 770,000 gal/day with the latest thaw we had.
    - a. One avenue is to post or mail sump pump inspections to see sump pumps are not discharging water into the sewer system.
    - b. Another is to televise the sewer mains, looking for damaged or leaking mains and laterals. Manholes in ditches will be looked at to see if rings are leaking.
      - i. Kathy said the best thing to do is pop critical manholes during a rainy period at late night to see which direction flow is coming from to isolate where the infiltration is coming from.
- Earl feels that much of the flow increase is not from the sump pumps and would like to see the televising done instead of upsetting residents and Bob agreed.
- Received copies of leases for the tower. Kevin will start drafting a letter to the sight development coordinators for cell phone companies. Letter should be out within two months and sent to all companies.
  - Kevin asked for suggestions for a notebook computer. Bob recommended buying through a local company. Just be sure to run by Strand to make sure it will be compatible with the SCADA system.
  - Received response from one home at end of Tammy Rd. He's selling, but wants to hook up.
  - Nature Park - wants a restroom with sewer and water hookup, hoping to get it from Omro Road. Sheldon may be a better choice depending on location.

**Old Business:**

### **DOT Project 6184-14-72 Brooks Lane:**

- DOT does not do depreciation anymore, they are not willing to draft a new document, and said we can blacken out this part and proceed.
- Need to sign off on the Audit Agreement, and Conveyance of right and land.
- The Engineers sent the District the engineering narrative and cost estimate. Our portion of cost would be estimated at \$2,661.00.
- Resolution to approve the Audit Agreement for the payment of lands or interest in lands acquired from public utility regarding Brooks Lane project on parcel #10, project id # 6184-14-72 Brooks Lane US Hwy 41.
  - **Bob made motion to approve the Audit Agreement with the deletion of item # 2, deleting the credit for depreciation/second Earl/carried unanimously.**
  - **Bob made motion to approve a conveyance of rights in land of the Town of Algoma Sanitary District to the Wisconsin Department of Transportation regarding Project # 6184-14-21 Brooks Lane, US Hwy 41, State Hwy 21, project dated 4/15/04/second Earl/carried unanimously.**
  - Billing summary to be used as estimate.

### **Phase II – approve Special Assessment Choice document:**

- Choice # 3 delete 'later' after service.
- Change to reflect: Will increase each year at a non-variable rate initially established by the District Commissioners for a period of 20 years. The established interest rate will be the same as in option 2.

### **Cost Factors for new subdivision watermain charge:**

- District's cost to finance mains is about \$490,000 which is about \$304/acre. Breakdown for Westwood Glade is \$3,700.00. Each unit \$119.00, 74 units total. Single-family residential house is full supply plus 1 price per unit. Condo = 4 permits.
- Do we finance his watermain at a 5% interest rate? We could make about \$12,000 over the 9 years. This would be from the 2 million dollar obligation bond sitting there. It's going to be due 6 months after the final payment on his schedule. It will be an assessment on the property not his company. We would get the money when the property sells. This would be on the tax bill.
- It was decided not to finance the project.

### **Phase I Resident Water Assessments – Tables previously:**

- Alzoubi taken care of.
- Did not hear anything from 73 Wyldeberry Lane.
- Did not hear anything from 60 Overland Trail.
- No others on agenda.
- WW West Assessments for Tenpas. See printout. Found nothing in writing stating if there would be an increase in price or not. An assessment resolution was passed on these properties. The improvement was installed before water was there.
  - Tabled until next meeting. All paperwork/correspondence needed.

### **New Business:**

#### **Approve Purchase of pick up truck -**

- Received 2 bids.
- Racette has low bid at \$17,957 for the Ford. Shows top lights are included
- Bergstroms was \$17,999 for the Chevy + \$40 title + \$260 for the top lights.
- **Bob made motion to accept the bid from Racette/second Earl/ carried unanimously.**

#### **Power Point Review -**

- Earl to start out presentation; then to Kathy for overview of water system infrastructure; Dave Wagner to discuss assessment part; to Earl to explain existing water rates, to Kevin to discuss; well abandonment, laths, ordinances and requirements etc.

#### **Operator Position Opening –**

- Offer letter to state that within the 6-month probationary period the District expects him to obtain the Water Supply Certificate from the DNR in Distribution of Ground Water and Iron Removal. The District also expects him to be able to respond on site to emergency calls within 20 minutes.

#### **Status of East central SSA –**

- No Update

**Status of SDWL 2006 –**

- Steve's working on the application that's due 4/30 with Ehlers. Called the DNR to find out if there's any idea when the numbers will be out for how Algoma numbers stack up against other communities. He's received no reply. The list is usually published in early April.
- Do we want to purchase the pipe ourselves and save some money since we are tax exempt? Pipe is \$14.95/ft, we're doing approx 30,000/ft, and about \$22,000 could be saved. This doesn't include valves etc.
- Need to take into consideration of contractor liability, scheduling conflicts, would need to be bid out, etc.,
- Kathy wants previous notes from Phase I looked over to see why the district didn't do this then. .
- Kevin's looking into starting to stockpile dirt at the tower for contractors.

**Develop agenda for Water Advisory meeting 2/22/05 –**

- Previous submission is good.
- Construction concerns: creek crossings, single lane traffic, contractors need to avoid road closings.
- Fire Department must be notified of any closings.
- Contractor needs to maintain 1 lane of traffic at all times. Contractors is responsible for any means, methods and any safety on their job site.
- Water Advisory Council asked to attend meeting to get the feel of what the residents are thinking.

**The Preliminary Resolution for Phase II-**

- Meeting time set for 12:00 p.m. noon on Feb 24, 2005
- Adopt Preliminary Resolution.

**Approve new Developers Agreement documents –**

- This is an agreement sent to the Developer. Original was for sewer design authorization. It's now changed to include the water system for water and fire protection.
- Russ Williams' project to be included in the bids with the preliminary resolution bids.

**CAC – Lot 1 CSM 5417 –**

- Dr. Ryan split the middle lot with his neighbor forming two lots instead of three. There were 3 CAC's paid. They would like the \$700 CAC refunded. There are 2 services to this property.
- This was tabled until formal written request is received from the Ryan's.

**Bob made a motion to adjourn/second-Earl/carried unanimously.**

Respectfully submitted,

\_\_\_\_\_  
Rose Mraz, Office Manager

Approved: \_\_\_\_\_  
Earl Lawrence, Commissioner

Algoma Sanitary District #1  
March 10, 2005 Regular Monthly Meeting

Commissioner Alexander Irvine with Commissioner Bob Nadolske present called the regular monthly meeting for March 10 to order at 6:00 p.m. Earl Lawrence was excused. Also present were Kevin Mraz, Ray Edelstein, Joel Edson, Rose Mraz and Sara Kettlewell.

Bob made a motion to approve minutes of the regular meeting for February 10, 2005/second-Alex/carried unanimously.

Bob made a motion to approve the minutes from the special meeting for February 24, 2005.

Bob made a motion to approve the cash receipts and investments report for water and sanitary for February as submitted/second-Alex /carried unanimously.

**Bob made a motion to approve the pending bills for sanitary and water for March/second- Alex/carried unanimously.**

- Rose discussed the pending bill for the buyback for the retirement from the State of Wisconsin. Rose said this year the State keeps increasing the amount due for the buyback. Rose was under the impression that the actuarial report showed the amount due for buyback regardless of current wages and now found this is not the case. Rose was told by Nancy from WI Retirement, that if 100% was chosen immediately, they would not have billed us an additional amount based on future earnings. Now they increased the buyback to \$15,000 and Kevin said this will keep going up based on current pay and not previous pay. Rose said she is willing to pay the additional \$5,000.00 back to the district.
  - Kevin said he talked to them and was told that maybe if the district can show from minutes that the intent was to eventually purchase the entire 100% back that they may be able to adjust for this. Rose said she could not find anything in the previous minutes stating the District would purchase all four years as this probably was discussed in a closed-door session.
    - Ray said to see if the State will accept a sworn affidavit stating the intent was to purchase four years as employee matters was probably in closed session.
    - Joel recommended to the commissioners that Rose not pay the \$5,000.00 to the district until the matter is settled with the State of Wisconsin as the amount may change and Alex and Bob agreed. Kevin will follow up on this.

Correspondence:

- Harlan Kiesow retired from East Central and Eric Fowle is his replacement. Kevin said that Eric has been accessible to the district.
  - Bob said from the Planning Commission standpoint, there is no map available yet.

Public forum:

- No one is present from public

Directors Report:

- Back in August of 2002, a variance was granted to Bob Reigh on Leonards Point Lane. At that point in time, the District allowed him to install a sewer lateral into a sewer manhole instead of installing the lateral into the sanitary main which is normally required. They drilled a hole in the manhole to allow the lateral to be installed and then they had to pack or grout around the lateral to prevent infiltration.
  - What's happened is that this manhole has been opened because Radtke Construction noticed running water after a plow knocked the manhole off so they called the district. This is due to ground water pressure pushing against it and spraying in around the lateral where it was not sealed properly.
    - Kevin said that because there was a variance granted, he will discuss this with the homeowner to tell him that it was not sealed properly and as it was done 2 years ago only, it should hold up longer than that. The digger was Roeh Excavating and the plumbing contractor was Jerry Berndt. Bob asked who hired the contractors and if the district signed off on the work. Kevin said that they get their own contractors, and the district only views the work. Kevin said they are required to have the lateral sealed.
    - Kevin said the district would go after the homeowner and the homeowner will need to decide how to pay for this. Ray said the homeowner can make it right, or the district can tell him the district will do it and send him a bill. Kevin will contact him and send a letter.
    - The variance was probably allowed due to high water in the area and this is an example of why the district doesn't want laterals directly in the manhole

Old Business:

Status of East Central SSA:

- East Central is postponing the date of finishing sewer service to approximately July.
  - The district was told we can still do an amendment for requested expansion.
    - Hunter's Court will be developed, but probably not before July. This is already in the Sanitary District. Bob said that from the Planning Committee, Hunter's Court looks ok and he doesn't expect any other developments.

Status of SDWL 2006:

- DNR has not released their priority ranking yet. It should be out soon, some applications in Neenah may be higher in ranking, but DNR doesn't expect them to use up all the money.

New Business:

Phase II 2005 - Water main Project:

- Kevin met with the homeowner on Pine Ridge Court near the end, where the District would like to obtain an easement to get to Lake Breeze.
  - The discussion came up to crediting the homeowner's assessment to get this done.
    - Kevin told the homeowner some trees might need to be removed and that the district cannot guarantee that the trees can stay. The North side of the house is out due to some large Oak trees. Their well is on the South side of house, so this would work best for them to hook up also on that side.
    - Kevin said he doesn't like to pay for an easement, but in this case there are trees that may be damaged. Kevin said they already have a sewer main easement on the North side of the property so they know how to deal with easements. Ray said he would prefer to have the homeowner pay their assessment in full & then the District could negotiate with the homeowner for the easement. Ray said they could pay their assessment in full by November and after it's paid, the district can then turn around and negotiate for the easement.
- Bob asked if the district had a right of way from Lake Breeze, and Kevin said the District would need an easement from the home on the other side also and something can be worked out.

Set meeting for Safe Drinking Water Loan Closing:

- Kevin said the district currently has interim financing for a portion of the water mains done last year and for a portion of the water facility through the WI Rural Water Loan. This is roughly at 3% interest and the Safe Drinking Water Loan is estimated to be closed at 2.365% in April. The district needs to adopt the Municipal Obligation Resolution and sign the Bond documents at this special meeting. Kevin said he will talk to Earl regarding a time for it on March 22 as the paperwork needs signing that day.

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Other Items:

- Joel said the Town will be paying the real estate taxes in full after the Town's meeting Wednesday night and pay the assessments.
- Town has approved the District to use the town hall at no rent. Last year the district paid rent.
- Kevin said the Fire Department returned the \$100 donation for a fire hose. They said they donated the hoses to the District.
- Kevin told Joel that there is a line item on the bids for a price for a culvert for Honey Creek for the Town.
- Alex asked if the District carries unemployment insurance. Joel said that Municipalities do not carry this insurance. Joel said that if something happens, the district just pays the unemployment.

Alex made a motion to adjourn/second-Bob/carried unanimously.

Respectfully submitted,

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Rose Mraz, Office Manager

Approved: \_\_\_\_\_  
Alexander Irvine., Commissioner



Algoma Sanitary District #1  
April 14, 2005 Regular Monthly Meeting

Commissioner Alexander Irvine, via phone conference, with Commissioner Earl Lawrence and Commissioner Bob Nadolske present called the regular monthly meeting for April 14, 2005 to order at 6:00 p.m. Commissioner Alexander Irvine authorized Commissioner Earl Lawrence to be acting chairperson on his behalf. Also present were Kevin Mraz, Ray Edelstein, Joel Edson, Rose Mraz and Sara Kettlewell, and Commissioner Elect Mike Gelhar.

**Bob made a motion to approve minutes of the regular meeting for March 10, 2005/second-Alex/Earl concur/carried unanimously.**

**Bob made a motion to approve the cash receipts and investments report for water and sanitary for March as submitted/second-Alex /Earl-concur/carried unanimously.**

**Bob made a motion to approve the pending bills for sanitary and water for March/second-Alex/Earl concur/carried unanimously.** Rose discussed the pending bill for the Workhorse payroll program costing \$2,695.00. Over two years, it will save over that in employee time to process payroll the previous way. It was previously approved for purchase, but Rose wanted to make sure the Commissioners knew it was on this month's pending bills.

Correspondence:

- Kevin stated he received a fire protection report from Joel Edson.

Public forum:

- Commissioner Elect Mike Gelhar was in attendance but had no comments to make at this time. No other public was present.

Directors Report:

- This last month the Sanitary District raised four manholes, which were under the flood level near the creek near Shorehaven lift station. Manholes #3, #4, #32, and #33. These are bolt type manholes but had no bolts on them and were below the flood level. Kevin said they were raised above flood level and now are bolted down preventing inflows through them. Kevin said he hopes this will reduce the infiltration in the area. This work was done while the ground was frozen to not disturb the easement in and out. When the ground thaws out and settles some landscaping will need to be done.
- Leonard's Point Lane - Bob Reigh installed a lateral into the manhole and this lateral is leaking around its seal in the manhole. This needs to be grouted to eliminate the infiltration.
  - Kevin received 2 quotes: \$875.00 & \$650.00. Kevin asked the Commissioners if we want to fix this and charge it back to the homeowner or if they prefer to have the homeowner have his original contractor fix it. Kevin didn't know if the Commissioners wanted the original contractor to fix it. Kevin asked if they want him to meet with Mr. Reigh and show him the inside of the manhole and tell him the district will fix it and bill him for it. Alex said the homeowner should have some responsibility and Bob recommended that Kevin meet with Mr. Reigh. Ray said even if the district had an inspector there, and if the deterioration is accelerated beyond what is expected, that the district is in a good position to have the homeowner be responsible for the cost of fixing the repair.
- Bids were opened for the water main construction. Ronet Construction sent a letter trying to remove themselves as lowest bid for contract 1-2005. Next lowest bid was Advance Construction that cost \$219,000 more. Ronet stated on the phone that they forgot some items in their bid. Since receiving their letter, Kevin sent them a letter stating they are the low bid and will be awarded the bid and it is up to them to execute the contract within 15 days or lose their 10% bid bond. After they received this letter, Kevin received a response from them stating they will be at the preconstruction meeting and no longer insist on being removed from the contract.
- Kevin requests the ability to choose a soil test engineer based on the proposals submitted from MES and STS. Both proposals charge basically by the hour as the district needs them. Kevin said the district had good work from STS last year. Earl asked if this was part of the contracts and Kevin said no, but the cost will be under the \$15,000.00 so it will not need to be bid out. The Commissioners gave approval for Kevin to proceed as long as it's in budget and Kevin said he is leaning towards STS.
- Kevin said that staff is working on the Witzel Flow Station. Kevin said that staff raised the manhole during street construction and it currently has a temporary plywood cover. Tomorrow staff will go and build the form to raise the current opening with concrete to be flush with the curb and then set it with a 30" x 40" cover instead of a manhole cover which was installed previously. This will be completed within a few weeks as soon as the cover is delivered.

Bob Nadolske said he wanted to thank everyone and that he enjoyed working with everyone. He said this is a great governmental body and that it is one of the best bodies he worked with. He welcomed Mike and said he hopes the positive attitude continues as so many neat things are going on now. Bob said he will be looking for the Web site and wants to see this happen as it is one of the best communications we will have with the people out there. Bob said Phase II looks great and was glad to be part of it.

### **Old Business:**

#### Status of East Central SSA:

- Received letter stating East Central SSA plan will be picking up again at the end of April. The town planning board has passed the comprehensive plan, so it's now going to the town board. This is the remaining item to adjust our acreage as we proceed.
  - Bob Nadolske said the town is not going to allow a 'backbone' (non-stop from 41 to town line, some underpasses but no access) on Hwy 21. This is specifically put in the comprehensive plan and there will be a connecting road between Leonard Point Rd and Clairville Rd. The DOT & East Central are against this.
- East Central stated the district still has an amendment we can use.

#### Status of SDWL 2006:

- DNR has not officially sent the results.
  - Reminders: Kevin said 15% of funds need to go to smaller communities and we fit as a small community. There are larger communities above us in ranking. With the 15% or any other monies, even if we would be the last project to get funded and fall in the funding range, the SDWL will fund 100% of the project. If you're in the range you get the entire project funded.
  - SDWL interest is estimated at 2.3%-2.4% this year. Kevin said he is using the worst-case scenario in his estimates. If SDWL does not fund the District, the worst-case scenario for 20-year financing would be a state loan at 5%.
    - If contracts are awarded now, construction could start in May, meaning a pay request could be put in May, and be on pending bills in June, being paid at the end of June. The district still has some money from our general obligation bond to get us through.

### **New Business:**

1 - Act on final route determination for the following parcels and/or roads: (See attached agenda of listed items)

- **Alex made a motion to accept staff recommendations of additions and removals of parcels in question and resolve the determinations the district received late but before the final resolution/Bob-second/Earl-concur/carried unanimously.**
  - 1j – 1210 Snowdon - remove
  - 1k. – 3493 Charlie Anna Dr - remove
  - 1i – 3002 Omro Road - remove
  - 1b – 1169 Ran-Lie - remove
  - 1g – 2969 Wyldewood Road - addition
- 1a – Tammy Road – 9 defer, 15 participating (2 homes less than 70%) It was noted that this area has an arsenic problem at a number of homes. **Bob made motion to include Tammy road/Alex-second/Earl Concur/carried unanimously.**
- 1c – 1258 N Oakwood Rd & 1d – 1251 N Oakwood Rd. **Bob made motion to remove 1258 & 1251 North Oakwood/Alexsecond/ carried unanimously.**
- 1e – Gullig Court including Westmoor Rd – **Bob made a motion to remove all of Westmoor Rd & Gullig Ct from Phase II/Alex-second/carried unanimously.**
- 1f – Spring Valley, Country Meadow Ct, Lake Breeze – **Bob made motion to approve staff recommendations for plan A (includes 50/50)/Alex-second/carried unanimously.**

Discussion: this is the way to go. One person was specifically asking for water and willing to pay in full. The other can still defer and not have to pay.
- 1l – 887 N Oakwood Rd – Kevin received a copy of recorded easement for Potratz's and Kevin said he wanted the Commissioners aware of this.
- 1m – 3820 Highland Shores- 2 parcels made into 1. P0021069 combined with P0021068. P0021069 removed from database. This is for information purposes.
- 1n – Omro Road, P#'s 002015016, 00201501601, 00201501602. Remove from assessment; they are land-locked parcels. **Bob made motion to remove the three parcels from assessment roll/Alex-second/Earl concur/carried unanimously.**
- A parcel on Westmoor backs up to Oak Manor Drive - has frontage on Oak Manor. Kevin said the subdivision plat states no access to Oak Manor and he asked Ray if this mainly meant driveways and not utilities. Kevin said they want water from this side. **Bob made a motion to include parcel 0022570 with access from Oak Manor in Phase II/Alex-second/Earl concur/carried unanimously.**

2 – Sewer lateral installation requested at 2937 Omro Road:

- Kevin read a letter received from resident. This resident would like to have a sewer lateral on their property to which they could attach their sewer line. It's now a few feet into the neighbor's lot. The two lots were originally owned by one owner who put in the sewer line in what became a separate lot. The homeowner will have their excavator run a new sewer pipe on their property to connect with the new sewer line. Kevin recommends the commissioners state the District gets some quotes, verifies location of the pipe and property corner. Kevin expects the project would be less than \$15000.00, and should not require public bids. **Bob made a motion to authorize staff to obtain bids to correct this and place the lateral on the correct property and locate it and to proceed at staff's discretion based upon the bids subject to written confirmation by the property owner as they are ultimately financially responsible for all costs associated with installation/Alex second/carried unanimously.**

3 – Act on Strand Associates, Inc proposal of amendment change to water system Engineering Agreement.

- Amendment 10 change is for engineering work on site for labor costs, direct costs, and fixed fees to do this Phase II water main installation and construction project. **Bob made motion to approve the amendment change to Water System Engineering Agreement proposal for \$308,000.00 to pay construction related services/Alex-second/carried unanimously.**

4 – Status of easements needed for Phase II water mains 2005.

- A – Lakebreeze: First homeowner that Kevin discussed this with has turned down the easement. Kevin will be seeking other easements to create a loop from the two different water mains.
- B – Leonard's Road (private drive): Kay Mark reviewed easement and is meeting with Kevin there to see where it's going to go and how it will affect her property. She wants water and is willing to grant the easement.
- C – Town of Algoma Town Hall: Kevin went to the Town's public forum and as is requesting a 20' x 20' front corner easement. Kevin wanted the board members in attendance aware of this. It will be on their next meeting to make a motion on the easement.

5 – Final Assessment Notice:

- A – Final Assessment Resolution: **Bob made a motion to adopt the Final Resolution authorizing public improvement and levying special assessments against benefited property in the Town of Algoma, Winnebago County, Wisconsin. Properties listed in exhibit A Phase II assessed parcels, with the exceptions previously voted on April 14, 2005. The assessments shall bear interest at the rate of 4.00% per annum on the unpaid balance. The first installment shall include interest from June 1, 2005, through December 31, 2005. Each subsequent installment shall include one year's interest on the unpaid balance of the assessment. The due date of the special assessments shall be deferred in accordance with section 66.0715(2) of the statutes, so that the first installment of the assessments shall be payable with the taxes levied in 2005 for collection in 2006/Alex-second/carried unanimously.**
- B – Installment Assessment Notice: **Bob made a motion to adopt the Installment assessment Notice. Notice is hereby given that a contract has been (or is about to be) let for the proposed water system in the Town of Algoma Sanitary District #1, Winnebago County, Wisconsin, and that the amount of the special assessment therefore has been determined as to each parcel of real estate affected thereby and a statement of the same is on file with the district secretary and that it is proposed to collect the same in 20 equal annual installments of principal, as provided for by §66.0715(3) of the Wisconsin Statutes, with interest thereon at 4.00% per year; that all assessments will be collected in installments as above provided except such assessments on property where the owner of the same shall file with the district secretary within 30 days from date of this notice a written notice that the owner elects to pay in full the special assessment on the owner's property, describing the same, to the district secretary on or before November 1, 2005 unless the election is revoked. If, after making such election, said property owner fails to make the payment to the district secretary, the district secretary shall place the entire assessment on the next succeeding property tax roll. Partial payments in cash received on or before, November 1, 2005 will be applied to principal and future installments reduced pro rata. Dated April 14, 2005/Alex-second/carried unanimously.**
  - Ray recommended that the motion be changed to show the date approved on the resolution as Alex will not sign it until next Tuesday. **Bob made motion to amend the final resolution just adopted to change the word Dated April 14, 2005 to read Approved April 14, 2005/Alex-second/carried unanimously.**

6 - Act on Bonding for interim and long term financing for Phase II water system. Authorize and direct staff to start application for state trust fund loan.

- Kevin asked the commissioners to allow staff to work with Ehlers and prepare application for State Trust Fund Loan. This will act as interim financing if the District does come up with the SDWL loan and this can be prepaid (even though it's a 20 year loan) next April when SDWL becomes available. Earl reminded the commissioners that Ehlers briefed them on this previously. **Bob made a motion to act on bonding for interim and long term financing for Phase II water system authorizing staff to start the application process/Alex-second/Earl concur/carried unanimously.**

7- Contract 1 Phase II Water main Construction 2005.

- Lowest bid is Ronet Construction. Pre-qualified and did work for District previously. Computed total bid \$1,561,833.55. Kevin requests the District award the bid to them. Kevin noted several additional items to this contract.
  - Westwood Glade sanitary sewer & water main construction: Contractor has already submitted developer's agreement to proceed. It will be \$152,000 of total price.
  - Honey Creek storm sewer: Town of Algoma item. The district added this item to the contract for the Town. Bid came back at \$36,000 to install their storm sewer, contingent upon a town board motion to award the item.
  - Honey Creek sanitary sewer: This includes the existing manhole at the end of the cull de sac and would extend a new sewer main and gravity sewer lateral to each property, allowing for the removal of the grinder pumps. The homeowners in this area want to remove grinder pumps. This would be for 6 potential homes with 5 currently using grinder pumps. Kevin gave the commissioners a calculation of homeowner cost for this. Earl asked if the district owns the grinder pumps if the homeowners agree to do away with the pumps and Kevin said yes. Kevin said the district would have these for repair parts. Kevin said the district is losing around \$1,000.00 per year due to grinder pumps and would like to cut the district's losses and be done with this. At this time the commissioners are not deciding what to charge the residents and will have a meeting with them. The district would like to proceed with this. Kevin said it is mutual with the residents on Honey Creek and the district wanting to do away with grinder pumps.
- **Bob made motion to accept the low bid from Ronet Construction for \$1,561,833.55 for contract #1-2005 for Algoma Sanitary District #1/Alex-second/Earl concur/carried unanimously.**

8 – Contract 2 Phase II Water Main Construction.

- Lowest bid is Advance Construction. Pre-qualified and did work for District previously. Computed total bid \$1,858,000. Additional item in bid:
  - Roberts Lane (Will be between Brooks Lane and Mueller Car Sales) sanitary sewer: Bid is \$54,000 and the DOT is paying 95% of this. Dot has not responded to Kevin's letter stating they would receive an invoice as the pro-rated percentage they would pay.
- **Bob made a motion to award contract 2, Phase II water main and Westwood Glade Sanitary Sewer contract 2-2005, Algoma Sanitary District #1 to Advance Construction in the amount of \$1,858,536.80/Alex-second/Earl Concur/carried unanimously.**

9 – Tonka Pilot test at well #2 facility.

- Tonka is the supplier of the filters. Quote is for 30-day pilot test, this quote includes all equipment and training costs and also sampling materials required to do tests. It doesn't include the actual laboratory costs for testing. Kevin asked for approval of this cost which is \$12,000.00. This will determine the exact type of filters needed in well # 2 facility to get the best treatment of water. Earl informed Mike that this is for radium – the district passed but is close and wants to adjust to be and stay way under the limit. Earl said there is no motion needed at this time. Earl wanted the record to show that the commissioner present concurred with Kevin's suggestion to move forward with the test at Well Facility #2. Alex was disconnected for a few minutes at this time.

10 – Discuss the Assisted Living building proposal that has 20 living units. Alex was reconnected at this time. Kevin said that comparable structures use 200,000 gallons per quarter. The owner was notified the supply cost would be adjusted according to the final building plan.

- Final building structure is what will determine how many gallons per quarter. They will have an adjusted supply cost for the building based on how many gallons they are proposing to use.
- The Town passed a parks user fee and instead of one user fee for each unit, they negotiated a reduced rate. Town board proposed a collection fee for 9 lots and the developer proposed 6 lots. A motion was made and adopted to propose a fee equivalent to 6 lots.
  - Kevin said the district's computation is completely separate of what the town does and that the district's rate will be based on water consumption and not the same as what the town does.
- Bob asked if they are temporarily down sizing and Kevin said they are still in the planning stage.

Bob made a motion to adjourn/second-Earl/carried unanimously.

Respectfully submitted,

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Rose Mraz, Office Manager

Approved: \_\_\_\_\_  
 Alexander Irvine., Commissioner

Algoma Sanitary District #1  
May 12, 2005 Regular Monthly Meeting

Commissioner Alexander Irvine, with Commissioner Earl Lawrence and Commissioner Mike Gelhar present called the regular monthly meeting of the Algoma Sanitary District #1 meeting for May 12, 2005 to order at 6:00 p.m. Also present were Kevin Mraz, Ray Edelstein, Joel Edson, Rose Mraz and Sara Kettlewell.

**Earl made a motion to approve minutes of the regular meeting for April 14, 2005/Mike-second/Alex-concur/carried unanimously.**

**Earl made a motion to approve the cash receipts and investments report for water and sanitary for April as submitted/Mike second/Alex-concur/carried unanimously.**

**Earl made a motion to approve the pending bills for sanitary and water for May/Mike-second/Alex-concur/carried unanimously.**

Correspondence:

- Kevin said there is an article on the Algoma Water System in the spring 2005 issue of Wisconsin Water Association magazine. The district's water system won an award. This article was submitted by Kathleen Lake from Strand Associates, Inc.

Public forum:

- Public present but will discuss their situation under new business as they are on the agenda.

Directors Report:

- As of May 6th, 2005 the District has 223 water permits issued.
- Contract # 2-2005 is Advance Construction. Their construction schedule is posted throughout the town. Will start boring the laterals that are on the opposite side of the water main in May.
- Contract #1-2005 is Ronet Construction. They are preparing a schedule and have already started to remove rock in the Scarlet Oak area.
- The notice to proceed has been done for both contractors and they have met the insurance requirements. Chapter 30 Wetland Delineation permit is still being worked on and will be done by Monday.
- The District has handed out all the wooden laths to the residents. The empty lots not being built on have not received a lath, those water services will be installed next to the sewer laterals. For liability reasons, the contractor has to locate all sewer laterals. We only located the sewer main.
- 6" services will be installed to three properties. Premier/Apex building, Oakwood School and the Assisted Living building. The Kingdom hall's plumber will be in contact with Kevin to determine service size and location. Probably a 2" service depending if going for fire protection or not. Baptist Church will also be in contact with Kevin.
- The Fire Department has been notified that they can adjust the fire hydrant that will be located at Omro Road and Oakwood Circle to the best position for them.
- Kevin is looking to purchase some items to make things run smoothly.
  - A gas powered cut-off saw with a mounting bracket & a depth wheel ranging \$1,175-\$1,220, to cut asphalt. This was in the budget for manhole repairs of \$15,000 - spent is \$2,600 for Honey Creek manholes.
  - A zero-turn radius riding lawn mower. The district needs a better lawn mower due to additional sights for mowing – the tower and the two well sights. Kevin said they test drove two; a Cub-cadet & one from TP sales. Both have bids less than \$2,500 and both fit on the trailer.
  - Water testing equipment for Well #2 facility. Hack 890 model. This is approximately \$1,000 and was included in budget
  - Video camera to show status of properties in Phase II. This will help resolve any conflicts if any claims are brought forward. Strand did the taping last year, and it's not in their contract this year.
- Shore Haven Lane Road commission invited Kevin to their meeting to help decide what to do with their pavement and if they should install a water main ahead of time.
- Road Maintenance this year is going to consist of sealing cracks in asphalt on roads that were worked on last year. This is to comply with the Town of Algoma. Contract did not require sealing the roads along joints. The contractor is responsible if joints are split, but is not responsible if only a seam. Kevin spoke with the County and this will cost approximately \$3,000-\$4,000 for the entire 14 miles of pipe. The County will do this the same time as the town to keep prices down.

- Several residents agreed to be on the website committee. There will be a workshop on a Monday in June. The website will have links to other sites.

## Old Business:

### Status of Roberts Lane sewer upgrade:

Kevin met with the DOT. Kevin said in a meeting last week the Town of Algoma has decided not to accept the jurisdiction of maintenance of Roberts Road. The DOT stated for the district to continue with replacing the sewer main and that they will still pay the same percentage. The DOT said the road will go in one way or the other. The district is to continue with the project. The house there will be raised and the residential well removed. Kevin said as long as the well is removed we can install a new pipe. We are getting a permit to work within the road right of way.

### Status update of SDWL 2006 results and fundable range based on preliminary Department of Natural Resources Application:

With our score, the district is within top 10 for funding. The DNR has to fund 15% of their money to smaller communities. It's not finalized but it looks good. We will have to wait until this fall until they make the final determination.

### Easement Update:

- The Town board approved Jeanette to sign easement for the corner of Witzel and Oakwood after legal review.
- Lake Breeze has two options. 1-to get two easements to service the two homes or 2-get one easement from single property. Depending if Lake Breeze request to be in water system.
- Crestwood/Highland Shores. Kevin met with Kay Mark. She has reviewed the easement and is now checking with resident to make sure this is what they want. Kevin to meet with Kay Mark again tomorrow to finalize.

## New Business:

### 1 - Act on appointing the District: President, Secretary, and Treasurer.

- **Alexander Irvine made a motion to appoint Earl Lawrence as District President/Mike-second/carried unanimously.**
- **Earl Lawrence made a motion to appoint Alexander Irvine as District Secretary/Mike-second/carried unanimously.**
- **Earl Lawrence made a motion to appoint Joel Edson as District Treasurer/Mike-second/Alex concur/carried unanimously.**

Rose will get a copy of Mike's swearing in from Jeannette at the Town of Algoma.

### 2 - Review District Policies:

- A. District Mission Statement
- B. District Table of Organization
- C. Commissioner Policy

### 3 - Act on installation and payment options for Honey Creek Court sewer laterals. The district is doing the sewer extension on Honeycreek and the homeowners need to hook up their laterals.

- Ronet Construction stated they can do the four laterals, for \$1,500 each (includes digging out existing grinder pumps & hookups). This is to hook up the lateral on the resident's property and this would be the homeowner's cost. For 913 Honey Creek (Dr. Maasen), the cost would be \$5,000, includes digging out grinder pump.
  - \$3,500 landscaping cost. Ronet would not be responsible for any trees or shrubs that die.
  - Ronet will haul grinder pumps to the District.
  - Ronet is not planning to work with the electrical. Only removing the breaker.
  - Residents would need to pay Ronet up front for the \$1,500 and we will finance the residents the \$1,000 over 5 years
  - with 6% interest.
- Other option is if the residents decide not to do this, their user fee would increase to \$457 per year instead of the \$180 just to cover the repairs and replacement costs of their pumps approximately every 20 years.

### 4 - Act on approval of Fire Department rental document.

Ray already reviewed the rental document and said it was ok. \$120 per quarter. **Alex made a motion to approve the proposed Fire Department Rental Document/Mike-second/carried unanimously.** Copy attached.

5 - Act on publishing request for proposals allowing rental space on water tower to Communications Company. Kevin sent letters to different providers. The commissioners decided not to put in the Northwestern, but place an ad in a communications trade publication. Kevin asked Ray if he had to publish anything and Ray said there was no need to publish this.

6 - Act on purchase of well #2 lab equipment.

Reviewed under Directors report. Item was previously approved in budget so no action needed, informational purposes only.

7 - District is in process of flushing hydrants and exercising water main valves.

Kevin said the Water tower wasn't on line when water mains were installed and in the winter months it is prohibited to flush due to icing on streets. The district is now giving a good flushing to get out any residue and sediments from construction. Every valve and fire hydrant will be exercised. Kevin said there could be a slight change to the pressure as these are being done but it doesn't last long.

Add onto Directors Report:

Earl asked Kevin to add the daily average of water and sewage flow to the director's report. .

8 - Act on accepting quote to clean and inspect 14,000 feet of sewer mains.

Target is the outfalls of the lift stations. \$10,000 is in budget. Kevin said the quote came in \$670.00 over budget. Quote is based on per foot. **Mike made a motion to accept the price quote for flushing and inspecting the sewer mains from Great Lakes TV & Seal/Alex-second/Earl-concur/carried unanimously. Note: quote is \$670 over the budgeted amount.**

9 - Act on written requests from Residents of Phase II Water main project.

- A - 1532 N Oakwood Road – Requests to Defer. Letter and backup information attached in packets. Resident states they did not get their reply in on time due to the fact they were out of town March and April. They did not have their mail forwarded. Their children were picking it up for them. They returned to town April 30th, contacted the District that Monday. Kevin states the contractor has not started construction in this area yet. They did not respond to the Survey in fall 2005. Sara & Rose made all efforts to contact anyone who deferred participation to the survey to remind them the payment election form needed to be in April 4th 2005. Resident also concerned they have two assessments due to the size of the parcel and received only one stake. Resident claims nothing was ever stated in any paperwork what would happen if a resident had a larger than average size parcel. Ray recommended that the commissioners not allow deferrals after the due date as this could negatively affect bonding for future projects. There was considerable discussion back and forth.
  - Criteria set up for any change requests:
    - Are Commissioners willing to even consider/discuss any change before construction? If yes:
      - Was there an error on part of the District?
      - Was there prompt notification from the District?
      - Is it a change in payment election?
      - Is it prior to the contract of work?
  - Earl recommends no action be taken at this time and Alex and Mike agreed. Earl asked Kevin to explore the situation. and possibly find a solution regarding the 2nd assessment.
- B – 2897 Omro Road – Requests to change from pay in full by November 1st to paying over 20 years. **Earl made a motion to approve the election to pay over 20 years in place of the original election to pay in full by November 1st 2005 on the basis that the request was received in writing within 30 days of the publication of the final resolution which has a provision period/Mike-second/Alex-concur/carried unanimously.**
- C – 2924 Sheldon – Requests to Defer. Stating never received mail. Resident stated in letter that they found out about the assessment from their neighbor four days prior to payment election form being due if deferring. States they had a family emergency and forgot about it. Earl recommends no action be taken at this time.
- D – 2926 Hidden Hollow – Resident has two parcels. Resident didn't respond a payment election for one of the parcels. Has since decided to pay over 20 years. Resolved on its own.
- E – 3455 Milford – Requests to change from pay in full by November 1st to paying over 20 years. **Earl made a motion to approve the election to pay over 20 years in place of the original election to pay in full by November 1st 2005 on the basis that the request was received in writing within 30 days of the publication of the final resolution which has a provision period/Mike-second/Alex-concur/carried unanimously.**
- F – Others -
  - 1700 Lake Breeze (May Ziebel) – The empty lot adjacent already has an assessment. She wants 1700 Lake Breeze to participate in the final resolution. Not action to be taken today. Action will be taken once Lake

Breeze Addition comes back. Kevin recommended holding off on this one until the residents on Lake Breeze bring in their petition.

- 3780 Leonard Point Rd (Gordon Decker) – Asks to be removed from water assessment because of location of where service would be placed. It would be over 550' to get to the house. But if the water main were to be run in the already existing easement running along the lake it would only be 50'. Kevin recommends the parcel be removed. It would be expensive for us to install water main through easement. On survey he responded he did not want water. He did not respond to the payment election form. **Earl made motion to deny the request to remove 3780 Leonard Point Road from final assessment/Alex-second/Mike-concur/carried unanimously.**

10-Act on letter received from Mabry and Mabry, Ltd for 54 S. Oakwood Road.

James Cape & Son, contractor that did work, has since gone bankrupt. The work ended up in damage to the District manholes. When grading the road, gravel and a 4x4 filled in the manholes. The District cleaned out the sewer mains and had a company vacuum it out. Contractor also vacuumed out other manholes in area. A resident had a backup and damage and has a claim of \$1,450. The district will pass this on to the bonding company. No action needed, the letter was not sent to us, just passed on from the City of Algoma to the Town of Algoma and then to The District.

11-Act on Resolution Declaring Official Intent to Reimburse Expenditures (SDWL-2006).

**Mike made a motion from the Town of Algoma Sanitary District #1 declaring our official intent to reimburse capital expenditures aggregating \$18 million dollars for property, project or program described on the water supply evaluation report of the Town of Algoma Sanitary District #1, October 2001, and the water system engineering implementation plan, October 2002. /Alex-second/Earl-concur/carried unanimously.**

12-Act on Authorized Representative Resolution to file applications for Financial Assistance from State of Wisconsin Environmental Improvement Fund.

**Mike made a motion to select an authorized representative to file applications for financial assistance from State of Wisconsin Environmental Improvement Fund for the Algoma Sanitary District #1, Town of Algoma, Wisconsin, with the authorized representative being Earl Lawrence Commissioner/Alex-second/Earl-concur/carried unanimously.**

13-Lake Breeze Addition:

Homeowners in the Lake Breeze area attended to see what to do to have water extended back to their properties as it was taken out due to low percentage of participation. May Ziebel mistakenly put to participate on her empty lot and deferral on the parcel the house resides on? She is hoping to switch these around. Now the rest of the Lake Breeze was previously excluded, and is now requesting to be included instead of stopping half way down the street. They have verbal commitment from 8 residents to participate and pay the assessment and possibly 2 more. Total of 15 out of 19 would be participating. The commissioners told them what is needed now:

- Each homeowner needs to sign a waiver of the public hearing. Each parcel also needs a new election payment form completed. Forms must be returned by June 2, 2005. They set up May 18 for Kevin to meet with residents at 6:00 p.m. at 1760 Lake Breeze.
- The commissioners decided to keep the assessment at \$8,500 per parcel with no additional cost to the residents to cover the additional publishing.

Earl made a motion to adjourn/Alex-second/carried unanimously.

Respectfully submitted,

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Sara Kettlewell

Approved: \_\_\_\_\_  
Earl Lawrence, Commissioner



Algoma Sanitary District #1  
June 7, 2005 Regular Monthly Meeting

Commissioner President Earl Lawrence, with Commissioner Alexander Irvine and Commissioner Mike Gelhar present called the regular monthly meeting of the Algoma Sanitary District #1 meeting for June 7, 2005 to order at 6:00 p.m. Also present were Kevin Mraz, Joel Edson, Dave Wagner, Rose Mraz and Sara Kettlewell.

**Mike made a motion to approve minutes of the regular meeting for May 12, 2005/Alex-second/carried unanimously.**

Earl commented that the District appears to be ahead of budget on all items. Sewer budget may appear behind but the difference is made up in CAC charges that come in during the summer. **Alex made a motion to approve the cash receipts and investments report for water and sanitary for May as submitted/Mike-second/carried unanimously.**

**Mike made a motion that staff can pay well abandonment credits without waiting for approval at the monthly meeting/Alex second/carried unanimously.**

**Alex made a motion to approve the pending bills for sanitary and water for June/Mike-second/carried unanimously.**

**Directors Report:**

- Review of District Status:
  - To date there are 247 water customers, 4 homes were turned on today. 19 new permits were issued for the month of May. 13 sewer permits were issued for the month of May. Year to date there were 23 sewer permits issued. Current sewer customers are approximately 3,227. Average water consumption is 73,000 gal/day. Average sewerage flow is 754,000 gal/day. Current debt level is \$10,229,923; to be paid by assessments and up to 30% comes out of water rates.
- Correspondence:
  - On 6/15 the Town Board will be discussing the Fire Department Rental Agreement. In the agreement it states the District will be responsible to hook water up to the Town Hall and the Fire Department. No formal action is needed to be taken on our agenda item today.
  - Advance construction meeting is scheduled for Wednesday 6/8 and they will be updating their construction schedule. Two crews will be brought in during July and they will start boring laterals in about two weeks. The new schedule will be posted in pre-selected public places and also running on the cable channel.
- Review of Written Directors report:
  - Easement update:
    - The Town has now signed their easement. Kay Mark has now signed her easement for the private drive.
    - If Lake Breeze is included, two easements will need to be acquired for the northern most properties to get service. The cull de sac does not touch their property. They have an access easement to get to their property. If an easement is acquired to Leonard's Point Lane, it will be advantageous to us, for future extensions and farmland if it were to ever be developed.
    - An easement from Spring Valley Rd to Pine Ridge is not needed, but it would be better for the water system by completing a loop. The contract is about \$43/ft to do directional drilling and install the pipe. Two valves will cost about \$1,600 each. Total cost would be approximately \$30,000 to ensure that there are two pipes to service off Pine Ridge Rd. Some negotiating will be needed with the landowners. Commissioners are in favor of it.

**Public Forum**

No public here for the public forum.

**Report from Committees:**

- Water Council
  - Their next meeting is Tuesday, June 14th at 7pm, to review the current status of Phase II operations and to get input from committee on the Consumer Confidence Report.
- Web site Update
  - Committee met Monday June 6th at 6pm. The shell for the website was set up. Nowicki Networks is the company being used to set up website. Committee is thinking of having pictures of staff and commissioners. Needed are names, addresses and contact information wanting to be used. Commissioners will need email addresses set up through the website, instead of personal email, because of being public officials and legally

records need to be kept. The shell should be ready after the weekend of June 20th. Website address is [algomasd.com](http://algomasd.com).

## Old Business

- Resolution for application for State Trust Fund Loan for Phase II Watermain Project for 2005.
  - Provides for \$4,264,800.00 on a draw basis at 5% interest rate. 20-year repayment schedule. Can be level principal or level principal and interest together. If using the level principal and interest the payments would be \$337,420.29 a year (if all money is drawn on July 1st). There is no prepayment penalty and can be paid every year between March 15th and July 31st. Cash would be available 30 days after the state gets the completed application form. Any draws made after August 15th does not have a payment due until 2007.
    - **Resolution is presented by Commissioner Alex Irvine and made a motion to approve and authorize an application to the Board of Commissioners of Public Lands, State of Wisconsin for a loan for Four Million Two Hundred Sixty Four Thousand Eight Hundred and 00/100 (\$4,264,800.00) from the Trust Funds of the State of Wisconsin for the purpose of installing Phase II of the new Municipal Water System and for no other purpose/Mike-second. Mike-Aye, Alex-Aye, Earl-Aye**
      - Resolved further that there shall be raised and there is levied upon all taxable property, within the Algoma Sanitary District #1, in the County of Winnebago, Wisconsin, a direct annual tax sufficient in amount to pay the annual installments of principal and interest, as they fall due, all in accordance with Article XI, sec. 3 of the Constitution and sec. 24.66(5), Wisconsin Statutes.
        - Debt is being secured by a tax levy. If no assessments or user fees are collected there will be a tax levy. Financing plan is that we collect money in advance of this. The Sanitary District levies a tax every year.

## New Business:

1 – Fire Department rental document.

Town has a meeting on June 15th; no action is needed on our part at this time. Will be on next month's agenda.

2 – Lake Breeze Drive water main installation final assessment resolution.

A. No residents from street are present

**B. Mike made a motion to pass final resolution authorizing public improvement and levying special assessments against benefited properties in the Town of Algoma, Winnebago County, Wisconsin. Specifically properties on Lake Breeze road addresses of 1700, 1709, 1737, 1752, 1759, 1760, 1780, 1781, 1799, 1800, 1830, 1832, and 1835 for the construction of a water main and supply systems for that water system/Alex-second/carried unanimously.**

1) All residents in the proposed motion signed a waiver of special Assessment notice and public hearing.

3 – Written payment requests from residents of Phase II watermain project.

- 1532 N Oakwood Road - tabled and pending from previous months meeting. No residents are here for this months meeting.
  - a) Parcel has a creek running through it; it also has two assessments on the property. They previously asked to defer completely.
  - i) Staff reviewed letters sent out. The letters show that there is an assessment on the property but doesn't specifically state that there are 2 assessments on the property. Multiple assessments were discussed and explained at the public hearings. The district did not have the minutes of the meetings typed up but kept by the Court Reporter. The slide show didn't reflect how the multiple parcels worked.
    - No action taken. Homeowners should put in writing that they will accept a deferral on one assessment and pay on the other assessment. Lawyer will review after the letter is received.
- 2924 Sheldon Drive – Owner was called after the last meeting and asked for written request. No formal written statement has been received. Staff is to contact the homeowner one more time stating that at this time the Commissioners intend to leave the assessment as placed on the property until the owner appears at a meeting or provides additional information as requested. This property would not fall in the parameters as outlined in the previous months meeting.
- 3002 Omro Road - submitted a letter requesting to change from pay in full to paying over 20 years. **Mike made a motion to accept request from pay in full to paying over 20 years for 3002 Omro Road/Alex-second/carried unanimously.**

4 – Consumer Confidence Report.

Staff has been working on this report. It is a legal obligation for the Water Utility. The District needs to send out a notice on the results of the water content, chemical make up of the water and general information. A requirement of this report is that the District be a water supplier for the full previous year; therefore the District wouldn't need to do this until next year; however we are sending it out this year also. Some additions to the report are the District President's note, Director's Report, short description of water and sewer system, Mission & Vision Statement, rates, how to hook up, permits, etc. Legally it needs to be sent to all the water customers. Earl would like to send to everyone that is in the Algoma Sanitary District. It will be 8 pages long. The parcels in the District but annexed in the city will not get the mailing. The report needs to be put together by June 20th and must be postmarked by June 30th. The District will have a rough draft ready by end of day Friday so the Commissioners and Water Committee can review it over the weekend before the Water Advisory meeting Monday night. This report is paid for out of the water rates. Mike will give the final approval before report is sent to the printers. Town of Omro may be included in the mailing.

5 – Information that Joel sent to the Commissioners was also sent to Margaret Miller. She was asked to be a spokesperson and Joel is hoping to get this on the Town Boards next meeting. The Town Meetings are being changed to one meeting a month after this month. The Town Board Chairman tried to get a new engineer because of a conflict of interest between Strand and the Town of Algoma. Strand is working on the Highway 21 project and is also working for the Sanitary District.

**Mike made a motion to adjourn/Alex-second/carried unanimously.**

Respectfully submitted,

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Sara Kettlewell

Approved: \_\_\_\_\_  
Earl Lawrence, Commissioner

Algoma Sanitary District #1  
July 14, 2005 Regular Monthly Meeting

- 1) Commissioner President Earl Lawrence, with Commissioner Alexander Irvine and Commissioner Michael Gelhar present called the regular monthly meeting of the Algoma Sanitary District #1 for July 14, 2005 to order at 6:00 p.m. Also present were Kevin Mraz, Joel Edson, Ray Edelstein, Ryan Amtmann, Rose Mraz, several residents from Honey Creek Road and one from Sheppard Drive.
  - a) **Earl noted the use of a tape recorder for the meeting.**
  - b) **Alexander made a motion to approve the minutes of the regular meeting for June 14, second Mike/carried unanimously.**
  - c) **Mike made a motion to approve the cash receipts and investments report for water and sanitary for June as submitted/second-Alexander/carried unanimously.**
  - d) **Alexander made a motion to approve the pending bills for sanitary and water for June/second-Mike/carried unanimously.**
- 2) Directors Report:
  - a) Kevin said he would cover flow's first. The monthly average flow for well #1 is 124,000 gallons. This is slightly higher due to yard watering and flushing the hydrants. Pump #1 averages 4.7 hours per day. Mike asked if the District had to worry about people watering lawns and Kevin told him that you don't need to think about this unless the pump gets up to 16 hours a day run time. The flows for the sewer system now average 680,000 gallons per day.
  - b) Bellridge Subdivision asked to have the sewer designed for the Northern portion of their development. They phased their subdivision due to archeological studies which are now completed so they can continue. Kevin still has a question if this can be a change order or if it needs to be bid out. Ray asked if the developer's agreement originally included the entire plat and Kevin said it did. Kevin said they need to decide what % can be added to an original contract.
    - i) There are 3 homes not in the District that will be affected by this which may have to come into the Sanitary District. Kevin said the developer will be paying the entire cost of this extension, and if they want some reflected on properties affected, they may need to come into the District. Kevin said he asked Strand to determine with Ray what needs to be bid out and if the other homes need to be petitioned to come into the Sanitary District. Kevin said that 1890 Sunkist wants to come into the District as they are selling. They wanted sewer from the other side, but the sewer is too shallow to go the other way. Earl said he will work to get the line in for them. The first home going by is 4205 Leonard Point Road which has been cited for a failed septic so this would take care of them. Earl said they are in the district, but apparently it has gone through being in the District, but may not be recorded at the County yet.
    - ii) The three homes on a private drive by Strunensee Development requested costs for water. It would cost approximately about \$49,000 to service these 3 homes. The Commissioners agreed that the assessment for these could be around \$11,000.00 as approximately 30% of water is rolled into the water rates.
  - c) There were no questions on the written Director's report
  - d) Updates on projects:
    - i) Contract 1-2005 – Ronet is on schedule. Kevin said he is putting together a map and highlighting the areas that are completed and can now hook up to water. Bellridge is completed and Robert's Lane sewer relay will be completed tomorrow. 3 laterals were installed off this main for future use rather than putting them in later.
    - ii) Well #2 – The generator is now in the building and the pump is set in the well and ready. This well is designed to do 500 gallons per minute at just over 300' of lift. Well #1 is designed at 375 gallons per minute. They have the MCC (mechanical control center) in and the exterior is done except for landscaping. The Pilot Test isn't completed enough yet to determine what type of filtering to use. There is no trace of arsenic and the fluoride is at .5 ppm which is the same as well #1 – this gets brought up to 1 ppm. The hardness is between 14 and 16 grains per gallon.
    - iii) Manholes – Earl said the District has been busy with these. Kevin said he had staff expose MH's and temporarily jackhammer down to the lids and find the edge and then mark for saw cutting so these can be raised. Seven or eight have been 8 to 10" deep and 15 or so have been 2" deep. The District is targeting 49 manholes this year. This work will help reduce time if there is ever a need and is being done at the same time as roads for phase II.
- 3) Public Forum
  - a) Beverly Keller, 3398 Sheppard Drive, was attending to formally request water for 3 homes. Kevin said on the survey, 1 said no, this woman failed to respond, and 1 wanted water. Kevin said the 3 homeowners would need to sign the waiver of public hearings and a new participation form, and after this, the Commissioners need to decide if the District will go there. Mrs. Keller is pretty sure one resident will not pay and Kevin said the Commissioners

would need to determine if this 2/3 is high enough to finish this area. The Commissioners will decide after the paper work is in.

4) Report from Committees

- a) Kevin said the 2 previous water advisory council workshops were very productive. They discussed how well #1 & 2 can handle 1200 homes and a 3rd well can supply 2500 homes and the tower can handle 1900 homes with maximum usage. The District will start looking at parcels for sale that would work for storage; this need not be in the Town of Algoma. Sand Pit Road is an area which would work as it's the highest area. The District is fine for 3 to 5 years.
  - i) The District is hoping to have 500 water customers by the end of the year, currently there are 240.
  - ii) The bathroom for the nature center was discussed – the committee for the nature center wants it back by the pond which would put it too far from Omro Road and gravity sewer won't work as the District did study this. Also if they want water, there's a heat concern so it doesn't freeze. The sewer would cost about \$70,000 for that length of a lateral, not to count a water line. Kevin said he told them that the District would not accept maintenance of grinder pumps. The Commissioners agreed not to accept any additional grinder pumps in the District. The committee will be talking with the County to see if they can put in a holding tank.
- b) Website update – There is nothing online to see from Andy yet. Kevin said that last month the District's priority was the Consumer Confidence Report and Andy has not supplied anything yet. The commissioners agreed to give Andy until the end of the month or so to see if he has something up and running or to go with someone else. Earl said even if the District was busy, that it was up to Andy to keep moving.

5) Old Business:

- a) Easement update
  - i) Lake Breeze Drive, the center parcel is willing to grant an easement to service the 2 parcels on the angle. Now they just need to determine where the Fire Hydrant will be located - there's a stake showing them where it may be.
  - ii) Private drive on Leonard's – Easement is recorded.
  - iii) Fire Department water service – The current plan is to bore both laterals at the same time through the same hole and hook one up on each side of the well, and then remove the well. This will save a little money, but they may both be on Sanitary District Property and the District would draft an easement to the Town of Algoma. Or they can dig 2 trenches; it was decided to give the easement.
  - iv) Spring Valley Road to Pine Ridge Road – Both homeowners have agreed to sign the easement. Each assessment is \$8500.00 and there was discussion about adjusting these by \$4,000.00 as these easements will give the District a loop for water. Ray said to obtain it in writing that the District will adjust their assessments and not pay cash for the easements. Contractors usually work out any additional details the homeowners may require for easements. **Mike made a motion to have staff go ahead with the easement for these properties and adjust their assessments by \$4,000.00/second- Alexander/carried unanimously.** Earl thanked Kevin for obtaining these easements as loops are important for the District.
- b) Update of Safe Drinking Water Loan for long term financing of Phase II water project 2005. This loan was for 5% and after the District made the resolution the previous month the interest was lowered to 4.5%.
- c) Void resolution from last month and pass a new one to take advantage of the lower rate as staff held onto the application to take advantage of the savings.
  - i) **Alexander made a motion to void the resolution to approve and authorize an application to the Board of Commissioners of Public Lands for \$4,264,800.00 that was passed at the June 7th meeting/second-Mike/carried unanimously. Roll Call – Mike – yeah/Alexander – yeah/Earl – yeah.**
  - ii) The intent of the commissioners is to take advantage of the lower interest and adopt resolution 10-5. **Resolution 10-05 is presented by Commissioner Alexander Irvine and he moved to approve and authorize an application to the Board of Commissioners of Public Lands, State of Wisconsin for a loan for Four Million Two Hundred Sixty Four Thousand Eight Hundred and 00/100 (\$4,264,800.00) from the Trust Funds of the State of Wisconsin for the purpose of installing Phase II of the new Municipal Water System and for no other purpose/Mike-second. Roll call Mike-Aye, Alexander-Aye, Earl-Aye**
    - (1) **Amended to add - Resolved further that there shall be raised and there is levied upon all taxable property, within the Algoma Sanitary District #1, in the County of Winnebago, Wisconsin, a direct annual tax sufficient in amount to pay the annual installments of principal and interest, as they fall due, all in accordance with Article XI, sec. 3 of the Constitution and sec. 24.66(5), Wisconsin Statutes. Mike approved addition of this of this to the resolution/second-Alexander/carried unanimously. Roll call - Alexander – Yeah/Mike - yeah/Earl - yeah**
      - (a) Debt is being secured by a tax levy. If no assessments or user fees are collected there will be a tax levy. Financing plan is that we collect money in advance of this and the Sanitary District levies a tax every year.

- d) Update of the Safe Drinking Water Loan for long term financing of phase II water project 2005 – Kevin received the draft funding list, and the District is shown as being funded – we are shown as the last one and just made it. This interest would be less than 3%. Earl made a note that in the future, the District may not receive these good rates for interest.
- e) Installation of gravity sewer laterals - It was noted that the agenda said Honey Creek Ct., but this should be Honey Creek Road. There was considerable discussion regarding the contract for removing the grinder pumps and hooking the homes up to gravity sewer. Kevin discussed the District's costs for grinder pumps and discussed the District's options. Kevin said it costs the District \$152.00 per year per pump to maintain and the next cost to the District is replacement cost which is \$2005.00. The expected life is only 10 years for a pump. The sewer user fee for these should be \$533.00 per year to cover costs. The grinder pumps were used as the District didn't have gravity in the area when the homes were built. Earl told the homeowners that the Commissioners have a couple of choices – 1, leave as is, 2, increase the sewer user fees for those with grinder pumps to cover the actual costs, or 3 move forward with the extension proposal. Earl said there is always a combination of the above.
- i) The homeowners said if the District increases the cost for user fees, that this is different than what they were originally told. They said that they were told if they purchased the grinder pumps that the District would take care of all costs in the future. Dan Mingus said that he was told that the pumps never fail which wasn't so. The homeowners don't really like the pumps but don't want to pay the \$2,500.00 that the District is requesting of them. One of the homeowners said this cost is more like \$4,000 to \$5,000 by the time landscaping is done.
- ii) The homeowner's questioned why the District didn't do this last year when the road was already torn up rather than now; Kevin said that last year's estimate was \$43,000 which was too high for the work and this year's cost is reasonable. Kevin said the \$2,500.00 would include \$1,500.00 to remove the grinder pump and completely hook up the sewer pipe. There would be no additional excavation for the homeowners. The entire grinder pump would be removed and the hole filled in.
- iii) Mrs. Mingus said that Kevin mentioned earlier that even if they go to gravity sewer that there is still no guarantee that they wouldn't have a sewer backup in their house. Kevin told them that in the last year, the District did not have any backups related to the gravity sewer under normal use. There was two caused by contractor errors. **Earl said that you cannot guarantee that a backup will never happen. You don't know if a contractor will come along and dig a hole or a new gas line or phone line and they go through the District's pipes. If someone is doing construction upstream and pours a bunch of rock in a manhole, this can all affect the sewer system. Earl said the likelihood of anything ever happening on gravity is a lot less, but you can never say never.** Kevin said the percentage of backups on gravity is a lot less than grinder pumps.
- iv) The homeowners said that if they are going to be liable for maintenance, then everyone in the town should be. Earl said if there is a lot of maintenance in a year that the user fees could go up for everyone, if the mains need to be changed, there could be assessments to the affected homeowners. The District has not had to reassess yet. If the homeowners want to keep their pumps they can and the District could continue the maintenance.
- v) The homeowners feel they paid more than others as they paid for the grinder pumps,
- a. Kevin told them that last year a homeowner paid \$11,000 for sewer. Usually developers pay for the sewer extension and then this is reflected in their lot costs.
- b. Earl said they saved about \$4,000 to \$5,000 over gravity sewer to lots.
- vi) Alexander said that he thought one of the homeowners said they don't really like the pumps and wanted to know what they meant by that and they agreed they don't like the noise from the pumps, but they said the rules are changing now and with Kevin's list of numbers, they want time to look it over longer to see if it is in their favor. The homeowners decided to go home and have their own meeting and come back with a counter offer. Kevin said this extension would benefit both the District and the homeowners.
- vii) Kevin said that their homes will be operational at all times during construction except during the actual switch from one system to another which would be a couple of hours. They asked if they can get in their homes during construction. Kevin said the work is from 7:00 a.m. to 7:00 p.m. and that they may need to drive around the back side of the cul-de-sac to get in, but he doesn't see why they wouldn't be able to get in. During the day, driveways could be closed at times.
- viii) Earl said the \$2,500.00 could be financed through the District. They decided to meet Monday, July 18 at 6:00 p.m. for the homeowners to come back with a counter offer.

## 6) New Business:

- a) Notice of Injury from Kim Hansen – The District received a notice of injury from Kim Hansen regarding an injury she says she received when she slipped on ice in March. Ray said the District does not need to respond to the notice as this is just a notice of claim of injury. Ray said he is fine with the District denying the claim, and Kevin said that the District's insurance is also denying the claim (General Casualty). Burt Wertsch is denying the

claim on behalf of the Town of Algoma and the Town of Omro and Omro SD are also denying the claim. Kevin said that Alexander Irvine also received a notice of injury so he is the 5th one. Ray suggested sending a denial regarding any liability and that gives them 6 months to respond.

- i) Kevin said the District has records showing that the District never flushed until after the date of injury claim and not upstream from this house. The District has a policy of never getting any water on the street in the winter time, if you can't do it in the ditch, you don't flush during the winter. Kevin said the District is not responsible for this. This road still belongs to the developer and they are responsible for road maintenance.  
**Alexander made a motion to have Ray write a letter to them denying any liability/second-Mike/carried unanimously.**
- b) PSC verbal and website commentary regarding the public fire protection fee relative to being on water bill versus property tax bill. Joel said he wanted to be sure that the PSC would lower the quarterly FPF on the water bills. Kevin called PSC and found out that all that we need is the Town's resolution and at that time PSC could do a change of the water rates and could skip the public hearing (Kevin would prefer to have the public hearing just to have comments and get the residents feelings). The fire protection fee would not go on the water bill if the town paid the entire amount. Kevin said at the Water Advisory meeting that the Fire Department was asked to inform the Town board of the change in time to respond to homes.
- c) Act on request from:
  - i) 73 Wyldeberry Lane - Rose said that she talked to the Assurance Title Company and was told that the paperwork for the sale did include that there is a water assessment; the Title Company could not give it to us as it was not their form. Dramatic Design did not give the District a copy. Earl said to let the record show that the Title Company stated the offer to purchase from Dramatic Design specifically stated there was an assessment on the property prior to the current owner taking ownership. Earl said the owner is asking the District to remove the assessment after they purchased the parcel. **Alexander Irvine made a motion that the District cannot remove or defer the water assessment for 73 Wyldeberry Lane/second-Mike/carried unanimously.** Rose will send a letter to the homeowner regarding this.
  - ii) 1532 N. Oakwood Road – The District received a new letter from Donald & Dawn Schoenick stating that they were not aware that there were 2 assessments on their parcel and would like the District to defer 1. Kevin said the mailings may not have stated this specifically; however, this probably was discussed at the Public Hearing. The District did not have these typed up to see if it was or not. They did receive notice of an assessment. Earl said previously they wanted both deferred, but are now asking to defer 1. Kevin said they could possibly subdivide their property and build a second home – there's enough frontage for 3 however their Southern portion is not buildable. Ray said as they are asking to defer only 1 due to the misunderstanding he does not have a problem allowing 1 to be deferred. **Alexander made a motion to defer 1 assessment on this property/second-Mike/carried unanimously.**
- d) Sewer user fee billing for apartment buildings – Policy has been to invoice user fees up front and send bills to the owners for user fee for the entire year. The District was trying to accommodate the owner of the apartment buildings and invoice the renters, but this turned out to be much more work than anticipated and may result in losing some user fees as renters have been calling refusing to pay up front, asking for refunds if they move early, etc. **The Commissioners decided to continue with policy and send the bills to the property owner in the future.**
- e) Water usage billing for construction of new buildings. Dramatic Design and Portside have requested not paying for water during construction. Kevin read the PSC rate structure and it specifically states that building and construction water usage for single and small commercial buildings apply the unmetered rate and for large commercial buildings, or multiple apartment buildings, a temporary meter installation shall be made and general meter rates apply so this covers their request. The rate structure further states not to turn on water unless they are paying for the water.
- f) Ormond Beach – The District received a letter from Russell Reff requesting the District to move sewer main to a different location. Kevin said that currently the sanitary sewers are providing service just fine the way they are and there is no reason to move them. For the past 17 years they have been just fine. The current owner wants to expand the house and build a larger home. If he does, the property would be over the District's sewer. Kevin said he did not receive a design from the developer yet. The District has documentation stating that the District didn't need easements as everything was in the existing road right of way. Kevin said he doesn't foresee the District paying anything to move this.
  - i) The developer is trying to say the sewer does not exist in a utility easement and therefore demands the District move it within 45 days. Earl said the District should respond that we will not move the sewer as it was installed in a road right of way and therefore we will not remove the sewer unless the developer pays for the change and obtains all required easements.
  - ii) Ray will draft a letter for the District and asked Kevin to do the first part of the letter. Ray will put in the legal wording and is relying on the 1988 opinion that there weren't easements as this was an accepted plat and the

mains were installed correctly. Ray said to see if there were any minutes back regarding this from the Town of Omro. The District will check with Betty to see if she has any minutes regarding this road. Ryan said that Kevin explained this situation and he was here if the Commissioners had more questions.

**Mike made a motion to adjourn at 8:20 p.m./Alexander-second/carried unanimously.**

Respectfully submitted,

\_\_\_\_\_  
Rose Mraz

Approved: \_\_\_\_\_  
Earl Lawrence, Commissioner



Algoma Sanitary District #1  
August 11, 2005 Regular Monthly Meeting

- 1) Commissioner President Earl Lawrence, with Commissioner Alexander Irvine and Commissioner Michael Gelhar present called the regular monthly meeting of the Algoma Sanitary District #1 for August 11, 2005 to order at 6:01 p.m. Also present were Kevin Mraz, Joel Edson, Ray Edelstein, Sara Kettlewell, Mark Thompson, Pat Rank, Frank Tower and Mrs. Keller from Sheppard Drive.
  - a) **Earl noted the use of a tape recorder for the meeting.**
  - b) **Alexander made a motion to approve the minutes of the regular meeting for July 14, second Mike/carried unanimously.**
  - c) **Mike made a motion to approve the cash receipts and investments report for water and sanitary for July as submitted/second-Alexander/carried unanimously.**
    - i) Income of \$70,000 is from the Town paying the public fire protection.
  - d) **Alexander made a motion to approve the pending bills for sanitary and water for July/second-Mike/carried unanimously.**
    - i) Bills for Advance for water parts and construction equipment are being taken off their contract and also reducing the contract by another 5% to offset the sales tax.
- 2) **Directors Report:**
  - a) Looking at getting some name plates for staff attending the monthly meetings. Then the public will know whose whom.
    - i) This expense is included in the annual office budget.
    - b) There were no questions on the Director's report.
- 3) **Public Forum – Nothing**
- 4) **Report from Committees**
  - a) Water Advisory - A phase III was discussed. It was requested that a workshop be set up with the town board and discuss the future development of the water system.
    - i) The commissioners are in concurrence with staff moving forward to set up the workshop. Purpose of the workshop being to obtain a shared understanding of each other's goals and objectives regarding sewer and water services. Some items to be discussed:
      - (a) Discuss and get an understanding of the Town's primary goals and objectives in relation to sewer and water service to the constituents of the town.
      - (b) Discuss and get an understanding of the Sanitary District's goals and objectives in providing water and sewer services to the constituents of the District.
      - (c) What would the Town of Algoma like to see the Sanitary District accomplish with future development of water and sewer services?
      - (d) What does the Town anticipate its service needs are for their constituents over the next 5-10 years?
    - ii) To also set up a workshop with Town of Omro Sanitary District.
      - (a) Open to the public to observe.
  - b) Website update – Nowicki Networks has been canceled. Rose met with Athenet. They will be emailing their prices to Rose. They figure about 8-13 hours to design the shell and would be ready about two weeks after they get the ok to go ahead.
- 5) **Old Business:**
  - a) Easement update
    - i) Lake Breeze Drive – 2 northern parcels are in agreement and have the fire hydrant in their yard. Should be completed within the month.
  - b) Spring Valley Road to Pine Ridge Road – both parcels have agreed to the easement. Waiting for the easements to get notarized, back here and then recorded. The legal description from WINGS is being used for the easements. To be completed within the next couple weeks.
  - c) Update of Safe Drinking Water Loan 2006
    - i) Draft copy of the fundable range showed the DNR funding the loan. We have to wait a couple of months before they finalize the list of fundable projects. This will drop the interest rate through Public Lands at 4% for twenty years down to the next SDWL between 2-3%.
  - d) Installation of gravity sewer laterals and possible payment options for the affected homes on Honey Creek Court.
    - i) All residents will be paying the \$1000 as proposed, going out as an invoice around end of September. All 5-grinder pumps have been removed.
  - e) Restroom for Sheldon Nature Center
    - i) No action needed. The Sheldon Nature Committee went to County stating they want a composting toilet. The parcel is zoned A1, in the Sanitary District. The county would come to the District asking if it would be allowed. Kevin says the District should think about what type of allowances to allow. Have to be careful,

because there are homes on Valley Rd still using wells. Earl asked staff to find out what the set standards are on composting toilets for reference for any possible authorization the District may or may not give. Kevin says the District could get a lateral there. Although it will not be heated so there are concerns of freezing, and it would cost \$70,000. Earl questions if a dollar amount should be used when the District's rule is to ensure that services are available and to ensure the safety of other services. The Wellhead protection plan shows radiuses of where different structures can be according to NR Standards. The District can refer back to the plan making sure it meets the wellhead protection plan.

- f) Notice of injury to Kim Hansen residing at 4399 Harbor Village Drive dated June 30, 2005 and received July 1, 2005.
  - i) Ray received letter from counsel for the injured stating that it was originally not a claim. Ray did not respond to this.
- g) Discussion of Public Service Commission verbal and website commentary regarding public fire protection fee in relation to being on water bill versus tax bill.
  - i) The Town board took action to accept a larger portion of the fire protection fee, enabling the District to request a change in rates for the portion on the water bill.
- h) Update of Ormand Beach plat sanitary sewer main relocation request.
  - i) Ray sent a letter to Russ Reff stating the District will move the sewer if the developer pays 100% of fees and obtains all easements. Ray made a request to Wallace to try to locate the file with the letter upon which Mr. Wallace Sr. issued. If he is correct and we are incorrect, it will then go to whoever their carrier was at the time. Ray feels the District has gone as far as it needs to at this time.
- i) Proposal from NTD
  - i) Commissioners received and reviewed proposal previously sent to them. Frank Tower from NTD was here and updated the pricing in the 'contract and commitment to the Town of Algoma Sanitary District' that was missing. NTD will pay for any electricity they would use. It would not be a part of the \$300.
  - ii) NTD would cover the cost of a new electric pedestal.
  - iii) Looking at two different ways of mounting. One is a direct mount to the railing system already in place. Will contact Strand on weight. Would need to know what type of grounding system the District would want them to tie into for lightening protection and such.
  - iv) Could potentially interfere with another wireless Internet provider because they are using unlicensed spectrum. If another wireless Internet provider came onto the tower NTD would work with them on what frequencies would be used.
  - v) Cellular carriers there would be no problem. They use complete different license frequencies.
  - vi) They would provide us with their frequencies being used and ask that they be kept in confidence. Then we would know where they are operating in case there is an interference issue.
  - vii) We are using 453 megahertz.
  - viii) Earl thinks the proposed rate seems kind of low compared to what the District would get from a cell phone provider. Understanding the cell phone provider customer base is larger. Earl asks: "Why wouldn't the District be looking to charge accordingly if NTD customer base was the same size"? Frank replies: "The cell phone carriers are able to derive more income because of roaming and other things." On the Sat Com tower NTD is paying \$350, on the Four X tower they are paying \$300 and \$500 on the 404 because of having more attachments with that being the main relay point and also using office space.
  - ix) With the two antennas placed on the tower, the total customer base would be 400 people. More antennas could be placed on the tower if their customer base grows. If this happens they would come back and discuss this with the District.
  - x) The formal contract with the providers lists the equipment on the tower. If any changes to the equipment are made, the contract will need to be revised. Earl says this needs to be clearly described in the final agreement.
  - xi) Ray asks if NTD leases any of their services to any other carries. Frank replies "no".
  - xii) District will incur fees for the legal services and the rental agreement.
  - xiii) Commissioners are in agreement to allow the placement of the equipment on the tower. Now the contract needs to be drawn up. NTD is not asking for exclusive rights. The tower has 6 access ports.
  - xiv) **Alex made a motion to authorize staff to move forward, working with the District attorney and Strand Engineering to draft a proposed rental agreement/second-Mike/carried unanimously.**

## 6) New Business:

- a) Bellridge subdivision requested to install sewer and water in northern portion of subdivision
  - i) Strand developed a probable opinion of cost to run sewer from Leonards Point Rd to the Bellridge subdivision is \$174,000. The probable opinion of cost to do both, the subdivision and Leonards Point Rd is \$348,000. He is asking to wait at this time. He has not decided which option to use to have sewer brought in to Bellridge. Either from Bellhaven or from Leonards Point Rd. There are 4 homes that would have an assessment if on Leonard Point Rd. One already being in the District, 3 that would need to be added.

- b) Update of East Central Regional Planning Commission revised sewer service area schedule.
    - i) One correspondence postponing the meeting.
  - c) Requests from:
    - a) Sheppard Drive request for water service – Petition, Wavier and Payment Election forms are signed by all 3-property owners. 1-pay in full, 1-pay over 20 years, 1-deferrel.
      - (1) **Alex made a motion to approve the extension of our water service on Sheppard Drive for properties at 3404, 3398, 3397/second-Mike/carried unanimously.**
      - (2) This can be done as a change order on the existing contract using the existing prices quoted in the contract. Additional cost of publication could be divided between others asking to be included in water system.
    - ii) 2776 Oakwood Circle
    - iii) Leonard Road Residents request for water service – Null & Void
    - iv) Omro Road
    - v) Scarlet Oak
      - (1) Service will be next to the hydrant, which is right at the property line, not anywhere else. Through conversations, the homeowner and plumber want it there. Rock is already removed at this spot. Their well is rusted out and plugging things up. An arsenic test came back at 14 ppb. The District will incur the cost of any future extension past the property as the parcel is being charged for the extension now. The written change order is \$2,500 and that remaining amount will be out there for the future extension. The property would not receive a new assessment at the time a water main line would be run past it. Earl said to have the homeowner sign an agreement that says the hook-up will be at the specified location at this point.
    - vi) Others – 3456 Omro Road
      - (1) Earls inclination is not to charge for the publishing, it is just part of business overhead.
      - (2) **Alex made a motion to approve the requests of 2776 Oakwood Circle and 3456 Omro Road to change from pay in full by November 1, 2005 to pay over 20 years/second-Mike/carried unanimously.**
      - (3) Ray suggests that when residents are requesting to be added into the water phase, as a matter of policy, that the property owners are required to come into the District office and sign in the presence of staff.
        - (a) **Mike made the motion to adopt a final resolution authorizing public improvement and levying special assessments against benefited properties in the Town of Algoma, Winnebago County, Wisconsin. Specifically certain properties on 1917 Scarlet Oak Trail; 3159 Omro Road, 3160 Omro Road; 3404 Sheppard Drive, 3398 Sheppard Drive and 3397 Sheppard Drive. The assessments, per the final resolution, dated August 11, 2005 as outlined in our legal notice contingent upon the second owner's signatures for 1917 Scarlet Oak Trail and 3160 Omro Road. The assessment will be the sum of \$8,500.00. Assessments may be paid in cash or in 20 annual installments of principal plus interest as provided below. All assessments will be collected in installments except assessments with respect to which the property owner shall within 30 days from the date of the installment assessment notice elect to pay the assessment in full as provided on such notice. The assessments shall bear interest at the rate of 4.00% per annum on the unpaid balance/second-Alex/Carried unanimously.**
- 7) Financial impact of revised St. Hwy 21 route
- a) There is a DOT appraiser questioning the value of the land and does it do anything to the value of the land. The DOT is trying to straighten out Hwy 21. There are 3 proposals. Two of the proposed plans would use 100-200 acres. Service is not in this area right now. No CAC has been levied. One acre could support 2 ½ homes, for a subdivision home with frontage roads. If the DOT uses 100 acres, which equals 250 homes (\$1000 CAC's) would result in a loss of \$250,000 used to pay for lift stations and other infrastructures. The landowner needs to understand that as a result of the loss of the property, their cost per service will increase. The District needs to document what the expected increase in CAC's would be due to the loss. The District could also be out the money for a couple of crossings under the highway. To provide for the residents that could lose acreage, the District has to show the appraiser the value of what their acreage will be. The CAC is based on two things: last lift station built and the unused capacity at the plant. Now that acreage is being removed, it will increase the CAC accordingly. Need to look in old minutes that reflect the sewer access charge to address the addition of the last lift station.
- 8) Set date for budget workshop
- a) Set for September 14th 5:00 p.m.
  - b) District monthly meeting set for September 15th.
  - c) Ehlers should be present.

- 9) Kevin showed the new pressure regulator valve that was being loaned to the District and how it worked when using it to split the water system into two water supplies if we need to work on a part of the main. Kevin says this is something to purchase since the District has corridor routes.

**Mike made a motion to adjourn at 8:15 p.m./Alexander-second/carried unanimously.**

Respectfully submitted,

\_\_\_\_\_  
Sara Kettlewell

Approved: \_\_\_\_\_  
Earl Lawrence, Commissioner

Algoma Sanitary District #1  
September 15, 2005 Regular Monthly Meeting

- 1) Commissioner President Earl Lawrence, with Commissioner Alexander Irvine and Commissioner Michael Gelhar present called the regular monthly meeting of the Algoma Sanitary District #1 for September 15, 2005 to order at 6:00 p.m. Also present were Kevin Mraz, Joel Edson, Chuck Williams (sitting in for Ray Edelstein) Rose Mraz, Peter & Rosemary Eiden, Keith Decker, Russ Reff and Pat Sheppard.
  - a) **Earl noted the use of a tape recorder for the meeting.**
  - b) **Alexander made a motion to approve the minutes of the regular meeting for August 11, 2005/second Mike/carried unanimously.**
  - c) **Mike made a motion to approve the cash receipts and investments report for water and sanitary for August as submitted/second-Alexander/carried unanimously.**
  - d) **Alexander made a motion to approve the pending bills for sanitary and water for September/second-Mike/carried unanimously.**
    - i) The \$550.00 bill for Flush Drain & Sewer Cleaning will be invoiced to Advance Construction.
- 2) **Directors Report:**
  - a) Kevin said Jeff Rasmussen asked to upside three existing homes on Hidden Hollow from 1” to 1.5”
    - i) Earl says the ordinance needs to be revised to reflect that if a change in water service size needs to be made, it can be changed for a fee, if caught early enough. The fee would be the actual cost to change this. A written agreement would be needed.
  - b) Commissioners have no other questions or concerns.
- 3) **Public Forum** – Nothing other than what is on agenda.
- 4) **Report from Committees:**
  - a) **Water Advisory** – Nothing to report.
  - b) **Website update** – Everyone received update via email. Rose wanted everyone’s ok before she told Athena to go ahead. Earl wants to know what the website committee says first.
- 5) **Old Business:**
  - i) **Easement update**
    - i) Lake Breeze Drive – Dr. & Mrs. Begley both signed their easement. Easements are complete for this area.
    - ii) Spring Valley Road to Pine Ridge Road – Mrs. Kuhn came in and signed her easement. Easements are complete for this area.
  - ii) **Update of Safe Drinking Water Loan 2006** – Nothing new to report.
  - iii) **Installation of gravity sewer laterals and possible payment options for the affected homes on Honey Creek Court.**
    - i) About 90% is completed. Staff to invoice homeowners for their \$1000.00 payment. The grinder pumps have been cleaned up and are sitting out at the tower. They will be stored there until there is a use for them. Kevin said that the Town of Omro may have a need for parts. Mike said that Butte Des Morts may have a need for them and Kevin said if they get in a bind and need parts that we will help them out.
  - iv) **Public Service Commission rate adjustment for fire protection fee** – Kevin requested to have rates lowered due to the Town putting a larger amount for Fire Protection on the tax roll.
    - i) Kevin re-submitted via email at their request. The PSC wants PDF files now.
  - v) **Ormand Beach plat sanitary sewer main relocation request**
    - i) Keith Decker and his lawyer, Russ Reff, attended the meeting to discuss their request to have the District pay to move the sewer main in Ormand Beach area. Russ said he is at the meeting as he represents Keith with Fox Cities and Karen Redlin and they own lots 1, 2 and 3 of the original Ormand Beach Plat. Russ said when Fox Cities bought the property he did it with the intention of tearing down the existing house and building 2 new houses on the lot. Russ said what previously was Ormand Beach Road, was vacated and now bisects the lots. The sewer main is where they said the private road was. The location of the sewer main will not allow Fox Cities to construct houses on the lots because of the 75’ setback from the water which means the basic site for the house would be over where the sewer main is located. Russ said getting a variance is not realistic because the DNR is adamant about the 75’ setback from the water. He said Karen Redlin has the same potential problem as Keith if she wants to build something new in the future. The property owners who are affected by the move are willing to grant easements.
      - a. Russ said getting easements to move the sewer main isn’t the issue; it’s who is going to pay for it.
        - i. They said it’s their position that it’s the Sanitary District’s obligation because someone put the sewer main in without a valid easement.
          - (a) Russ said at the time Fox Cities purchased the property, the title company did not reflect an easement. He said they did a lot of research and did not find any specific easement for the sewer. Schmitt Title and Assurance Title have both looked at the history and both have indicated there is no specific easement for that sewer. They also said in their opinion Ormand Beach Rd was a

private road rather than a public road so this is not a situation where a sewer was put in a public right of way.

- (b) Russ said it also appears from the surveys that the sewer isn't even in what was originally Ormand Beach Road so he said there is a sewer on private property without the benefit of an easement. He said at the time the lots were reconfigured and Ormand Beach Road was eliminated, the owners of the lots signed relinquishments of easements - where each relinquished the easement they had over the other lot owner's property to use what was previous the easement for Ormand Beach Rd. So obviously at that time they felt it was a private road and not vacated like a public road would be vacated. Instead the property owners relinquished their easements to one another, supporting the fact it was a private road. Russ said the letter he received from the title company said that Atty. Bert Wertsch concluded it was a private road at one point in time, and the county tax lister has treated it as a private road. He said this makes it pretty clear from everything he found that 1, there was not an easement and 2. The sewer was not installed within a public right of way.
  - (c) Russ said Kevin faxed a letter to him from Attorney Wallace dated 1998 indicating in his opinion that Ormand Beach Road was a public road. Attorney Wallace based this on the information he had received from Schmitt Title. Russ thinks Wallace assumed that as the road was part of the plat that the road had been dedicated as a public road. Russ said it is part of the plat, but at the time it was not dedicated as a public road.
  - (d) Russ said there was an agreement between the Frevert's (this is one of the lots Keith now owns) and the Sanitary District, at the time the Frevert's originally received sewer service. Russ believes that even though they are in the Town of Omro, they asked the Algoma Sanitary District to give them sewer service and the district agreed if they paid for the sewer. The sewer main went in with their permission, but nothing grants an easement.
  - (e) Keith said lots 4, 5 and 6 may be in the same situation. Keith said it was a poor planning job for sewer.
  - (f) Russ said this is holding up construction and costing Keith money and they want to resolve without litigating, but will take legal action which would cost more in time and money. Russ said he talked to Kevin today and Kevin thinks the cost to relocate the sewer would be \$30,000 and Keith thinks closer to \$24,000.
- b. They are proposing the following:
- i. Keith would arrange and work with the Sanitary District to get the easements to relocate the sewer main.
  - ii. The property owners would pay half the cost and the Sanitary District would pay half the cost of the construction cost. Keith thinks the engineers should donate their time for putting the sewer in without an easement in the first place.
  - iii. The Sanitary District could pursue whatever recourse it might have against whomever was responsible for advising installing the sewer main without the benefit of an easement.
  - iv. If this is done quickly, Fox Cities would waive any claims for damages sustained up to this point.
- c. Russ asked that the Commissioners add this to the agenda on September 22. The Commissioners agreed to this.
- ii) Chuck asked what is wrong with the perpetual easement and Keith said this runs North and South and is not the problem, but the East and West portion is a problem. Chuck asked if this was a public road would this East/West easement have been ok. Chuck asked Keith if he knew where the sewer was when he purchased the lots and Keith said no. Keith said he was only concerned that there was sewer there. Keith is building on Lots 1 and 2 and Karen is building on lot 3.
- a. Kevin asked Keith that with his setback and building dimension, where does that put him in comparison to the manhole and Keith said it would be in his garage.
- i. Kevin said regardless of who is paying for the sewer, that the District couldn't even start to proceed without the easements or have an idea where the setbacks are.
  - ii. Keith said he can go to 70' which still doesn't help enough. Keith said lots to the west are deeper and do not cause as much of a problem. Chuck asked if he can redesign his house. Keith said it's only about 1400 sq feet so not really.
- iii) Russ and Keith asked to have a decision at the next meeting which is Sept 22 and the Commissioners agreed to put it on the agenda then so they left at this point.
- iv) Alex asked if the District had any information on this and Kevin said there's a 2" file. Kevin said the District has a letter from attorney Bob Haase to Ned Pierce from Strand Associates stating the documents appear to be adequate legally although an assignment of the easements is needed from Frevert to allow work to be done - dated 1979. This has more to do with the North/South easement than the East/West easement. It states that in

any event to review the legal descriptions and make sure the easements granted are adequate and properly located. Kevin said this regards the first lot serviced.

- v) The Commissioners believe the sewer was put at the edge of the roadway when installed. Kevin said you can see that it was put along the edge of the road.
- vi) Joel asked if anyone talked to the previous attorney for the District. Kevin said that Mr. Jansen had all his files purged so there is no information for the perpetual sewer easement – the North/South easement. Kevin does have documentation regarding the East/West easements which was signed by owners of lots 2, 3, 4, 5 and 6. Lot 1 had the North South easement. Earl said that this information basically says there is no easement, and Kevin said that is because it was considered a public road and you do not obtain easements. Kevin said that Schmidt Title gave the District different information years ago than it is giving now to Keith. The District may have received incorrect information.
  - a. Joel said to see if Ormand Beach Road were on the road inventory list that Omro submits to the state every year; it would be considered a public road then. The District needs to obtain evidence that this was a public road.
- vii) Kevin asked if the District splits the cost, what are the District's legal actions against Wallace and Schmidt Title.
- viii) Alex does not believe the District did anything wrong when this was put in and Earl and Mike agreed. Earl said that they found a loophole and now want the District to pay for it.
  - a. Kevin asked what to do if he can't find it's a public road, what the Commissioners want to do. They may take them up on the offer rather than go to court. Chuck said you can limit what you want to pay and not go 50%. Kevin said you need to be careful and be sure lot 6 has enough depth. Mike said to check with Strand. Kevin said he did not find any intent on the District's part to do anything wrong. Chuck will brief Ray.
- ix) Earl asked that within the next 6 months, to check and verify easements on private roads or where sewers are and report back to commissioners.

vi) **Finalize lease with NTD as an Internet provider lessee on the tower.**

- i) NTD is asking for a 5-year contract.
- ii) Earl is comfortable charging them \$1.00 per possible customer hook-up. The antenna could potentially hold up to 400 customers. Earl said to have NTD cover the upfront legal fees. The commissioners are in favor of renting space rather than not renting it.
- iii) Kevin will have Ray draft the agreement. Action for approval will be taken on the September 22 meeting.

vii) **Leonard Road residents request for water service.**

- i) Mr. and Mrs. Eiden attended the meeting to request water main to their property. Mr. Eiden said water main is in the vicinity and he would like water to his property. Mr. Eiden said he tried to get more neighbors interested in water, but only Bob Easterson is also interested at this time. Bob and Mr. Eiden own several lots.
  - a. Kevin said he also tried to talk to other neighbors, but they are not interested at this time.
- ii) Kevin said the District would need to extend the water main about 200' to get up to the property line.
  - a. The District has a signed a petition for water from the Eiden's and Easterson's and also the waiver of public hearings and assessments for the affected properties. Kevin said the District could continue to extend the water main this year.
  - b. The Commissioners are in agreement to supply the water main to these properties but need another meeting to see which parcels to assess. The Commissioners will look at property lines and see how to service these parcels without affecting the property across the street.
- iii) The meeting was scheduled for September 22, 2005 at 5:00 p.m.

6) **New Business:**

a) **Bellridge subdivision requested to install sewer and water in northern portion of subdivision.**

- i) Kevin said Russ called and Anchorage Homes has sold all 4 units in the 1st condo. The northern subdivision is all 4 & 6 unit condos. Now Russ Williams is leaning towards installing the sewer from Leonards to this area.
  - a. Kevin will set up Paul Dreis and Russ Williams to start discussions and start a timeline.
  - b. Kevin said this will benefit the District to have the line installed along Leonards Point Road so you only have to pump 1 time.

b) **Update of East Central Regional Planning Commission revised sewer service area schedule.**

- i) Kevin said there is new staff at East Central and they will be overseeing the sewer service area. They have not sent out a revised sewer service area plan.

c) **Discuss upcoming workshop with the Town of Omro Sanitary District.**

- i) This is set up for September 22. Dale Finehower will be a facilitator at the workshop. All the Commissioners are available to attend this workshop.

d) **Discuss upcoming workshop with the Town of Algoma.**

- i) Kevin will give the Town available dates so they can set up a meeting with the District.
- e) **Algoma Sanitary District 2006 budget.**
  - i) Rose gave out the revised budget with numbers and recommendations from the workshop. **Alex made a motion to publish the proposed budget for the Water and Sanitary Utilities/second-Mike/carried unanimously.**
- f) **Requests from residents for extensions of the well abandonment credit date.**
  - i) James & Karen Boehm: Requesting an extension to April 1st, 2006. They would need the money from their tax refund to afford the cost to abandon their well. Earl asked if there is a way to confirm if they are using their well or not. Our records indicate if the well is still being used or not. Mike noticed the letter states their pressure tank is removed. A concern is the bacteria build up of a stagnant well. Kevin will check if their well is cut off. Earl said that the objective of the credit offered was to encourage people to abandon their well and not have the two systems. The Boehm's are paying their assessment over the 20 years, so the credit would be applied to their assessment, not an actual check cut back to the homeowner. They will need a contract that they are doing the work. No action taken until the next meeting.
  - ii) There have been numerous notices sent to residents in Phase I telling them of the September 30th deadline to abandon their well to receive the credit.
  - iii) Lee & Marcie Wilson sent a letter to the District and do not feel the District has been clear enough on identifying where water was available. They have a valve on their property from Leonard Point Rd but would prefer to hook up from the side of their property; however there is no water main there currently. They spoke to two plumbing contractors and found out their easement is not approved for water lines and could not get a quote from them to install the water line. They would like to wait until the remaining properties to the north of them in the subdivision are provided with water. When this happens they will have a better location for a valve to run a water line into their house.
    - a. Kevin states the water line could go in from Leonard Point Road or from Highland Shores to supply the other properties. The other property owners have not decided if they even want water yet or not. No easement would be needed from the Wilson's. If the main runs up the side, their property could legally be divided in half and there would be two assessments. From Leonard Point Road, they have only 172' of frontage along the water main which is 1 assessment.
    - b. Earl states that they have one year from the date that service was available to abandon their well to get the credit. If a second service were brought in, they would have another year from that date of service. It would be their call on which line to use. The District ran mains where requested, and until we receive a formal request to do something additional, the District has no future plans to service the parcel from another area.
    - c. The Commissioners are in agreement on this. Kevin will send a letter to the Wilson's.
  - iv) The commissioners are comfortable with having a written agreement from the contractors by September 30 with a date set to abandon the well and will then extend the credit.

**Mike made a motion to adjourn at 8:15 p.m./Alexander-second/carried unanimously.**

Respectfully submitted,

\_\_\_\_\_  
Rose Mraz

Approved: \_\_\_\_\_  
Earl Lawrence, Commissioner



Algoma Sanitary District #1  
September 22, 2005 Regular Monthly Meeting

- 1) Commission President Earl Lawrence, with Commissioner Alexander Irvine and Commissioner Michael Gelhar present called the meeting of the Algoma Sanitary District #1 for September 22, 2005 to order at 5:01 p.m. Also present were Kevin Mraz, Ray Edelstein, Rose Mraz, and Keith Decker.
  - a) **Earl noted the use of a tape recorder for the meeting.**
- 2) **Public Forum – Nothing**
- 3) **Old Business:**
  - a) **Leonard Point Road residents request for water.** Kevin discussed that there are two 50' parcels which are not buildable currently but Kevin said if the owners combine the lots it could be built on in the future. Kevin discussed putting an assessment of \$4,250.00 on each of these parcels. Kevin said the owners signed to defer these if there was an assessment put on them. Earl and Ray agreed that they should have an assessment which can be deferred currently and Alex and Mike agreed. Kevin said the cost for water extension for the two assessments paying comes to \$17,015 and these two assessments totals \$17,000.00 which will pay for the extension. The fire hydrant will be stopped before the triangular parcel so they do not start to receive a benefit and have a need for an assessment.
    - i) **Mike made a motion for the Final Resolution Authorizing Public Improvement and levying special assessments against benefited property in the Town of Algoma, Winnebago County, Wisconsin. Specifically certain properties on Leonards Point Rd. addresses of 1435 (002016007, 002016002); and 1391 (00201600201, and 0021120) approved on September 22, 2005/second-Alex/carried unanimously.**
  - b) **Ormand Beach Plat sewer main and sewer service –** There was discussion regarding Keith Decker's request to have the District move the sewer main on Ormand Beach as he wants to build a larger house and this will be over the sewer main. Ray said the paperwork talks about the right of way on Ormand Beach and that is where the sewer was installed years ago. Because of this right of way, no easements were obtained as they were not required. Ray said the District has the original request from the residents for the District to provide sewer service to them on Ormand Beach so their intent was to have the District provide service and the District continues to provide this. Ray said if the District were to go to court over this, he believes the District would win as the mains were installed in what was believed to be the right of way, and the District would not be required to pay to move the sewer main. Ray said the District could cut the pipe and discontinue the sewer service. The Commissioners wanted to discuss options so Ray recommended going to closed session. **Mike made a motion to go into closed session to discuss with Ray and obtain his recommendation regarding Ormand Beach/second Alex/carried unanimously. Alex made a motion to go back to open session/second-Mike/carried unanimously. Earl told Keith that Mike has a proposal after discussing the matter in closed session.**
    - i) **Mike made a motion to equally split the costs to relocate the sewer main in Ormand Beach Plat, presently serving lots 1 through 6 recorded September 24, 1926, registered in Winnebago deeds office volume 9, page 9, plats with the following conditions that the proponent, subject to the review of the District, will:**
      - (1) **Obtain easements from all affected properties**
      - (2) **Obtain North/South Easement redrafted to reflect new location**
      - (3) **District engineer will verify sewer depth is sufficient for continued service to all affected properties.**
      - (4) **The Commissioners voted on the above motion Earl – aye / Mike – aye / Alex aye.**
    - ii) Keith had a couple of questions regarding the motion and said he will work with Kevin on this extension:
      - (1) Ray clarified that the sewer will be abandoned. Ray doesn't want other homeowners to find a sewer pipe in the future. This will add another 150' to the contract.
      - (2) Keith has to change the North South easement and obtain easements from the property owners on all lots. Kevin said that the entire sewer needs to have a new easement which is lot 1 through 6 and Keith agreed.
      - (3) Ray asked Keith who designed the sewer and he said no one yet. Keith said he assumed that Strand will need to design this and this as part of the cost shared by the District.
      - (4) Earl said the cost to extend the laterals for any house is not the District's cost and Ray said it will be anyone but the District's cost. Keith said he understands this is not part of the divided cost. Keith thinks that lot 5 and 6 will not need any work, but the District does not know this for sure. Lots 5 and 6 have a house between 2 parcels with no CSM.
      - (5) Ray said this is the Developer's agreement.
  - c) **NTD Lease agreement –** Kevin turned this over to Ray. Ray said he was busy with Ormand Beach and was unable to work on this. It will be put on next months agenda.
  - d) **Abandonment credit date –** The commissioners will look at extensions if they have a signed contract from the person doing the abandonment if it goes past this date as long as a contract is in place.
  - e) **Set up date for Town of Algoma joint meeting –** The Town Board picked Oct. 27 at 6:00 p.m. This will not work for Earl. Kevin will check if it will work to have this meeting 2 hours before the next Town's meeting on

October 19. Earl also mentioned the 5th and 12th but Alex said he may not be available for these dates. Earl is comfortable having the facilitator there if he is unable to make it. Kevin, Alex and Mike would prefer to have Earl present. Kevin said that Tom C. is also not available the 27th. Kevin said the board was concerned that prior to the meeting makes for a long day.

- f) **Budget** - The city of Oshkosh bonded for upgrade to their Water Treatment Plant and Rose just found out there is another loan for the District to pay 10.4% and this is about \$21,000 a year. Joel said it came in after the fact and not to worry about it for this year on the budget. Ray will look at the cost to be sure that the cost was for the Treatment Plant entirely.
- g) **Pending Bill – Alex made a motion to approve the bill for J C Bastian for well #2 for \$125,491.20/second-Mike/carried unanimously.**
- h) Next month's meeting was changed to October 4th at 6:00 p.m. The budget hearing will be October 17th at 4:00 p.m. and the meeting to adopt the budget immediately following the hearing

**Mike made a motion to adjourn at 6:25 p.m./Alexander-second/carried unanimously.**

Respectfully submitted,

\_\_\_\_\_  
Rose Mraz

Approved: \_\_\_\_\_  
Earl Lawrence, Commissioner

Algoma Sanitary District #1  
October 13, 2005 Regular Monthly Meeting

- 1) Commissioner President Earl Lawrence, with Commissioner Michael Gelhar present called the regular monthly meeting of the Algoma Sanitary District #1 for October 13, 2005 to order at 6:00 p.m. Also present were Kevin Mraz, Ray Edelstein and Pat Rank, Kevin Purtell and Jon Guiles. Commissioner Alexander Irvine was excused.
  - a) Earl noted the use of a tape recorder for the meeting.
  - b) **Mike made a motion to approve the minutes of the regular meeting for September 15 and 22/second-Earl/carried unanimously.**
  - c) **Mike made a motion to approve the cash receipts and investments report for water and sanitary for September as submitted/second-Earl/carried unanimously.**
  - d) **Mike made a motion to approve the pending bills for sanitary and water for October/second-Earl/carried unanimously.**
- 2) Directors Report:
  - a) There are 308 water users – using approximately 100,000 gallons daily.
  - b) Brooks Lane has a gravel drive to the Lift Station currently from the DOT Hwy 21 project. There was a preliminary quote for asphalt in the amount of \$2,675.00 and Kevin said this wasn't acceptable. The County told Kevin they could do it for around \$1,000.00 with a limit of \$1,500.00, if the District were to do it. Mike asked if Kevin wanted it done this year, and Kevin said if it were to be done, now would be the best time before pot holes and currently there's just some hand work around the gutter area to remove gravel. Next year there would be slightly more cost due to pot holes. Earl asked if this would be in the Capital Budget and Kevin said there is room in it yet. **Mike made a motion for up to \$1,500.00 to blacktop the Brooks Lane Lift Station this year as long as it's completed by November 14/second-Earl/carried unanimously.**
  - c) Correspondence:
    - i) Dr. Jansen on Waldwic sent a letter requesting water service. Kevin said it's an interesting letter as he is willing to give the district an easement direct from Lake Breeze to Waldwic. He doesn't care which way his water comes from.
      - (1) This could open up another loop down to North Oakwood. Kevin said the District may want the easement now even if the pipe doesn't currently go in.
    - ii) Mr. Moline dropped off a copy of a letter he sent the District last year. - 3063 Woodridge. His driveway was asphalted last year and would fall under the contingencies for Phase I. When they redid his driveway, they didn't flare the ends and he has been having trouble with it. The District didn't have a copy of his letter which he sent in previously. Kevin said it may be a battle with Dorner-Stahl, but it's worth a call to them after he checks the pictures from last year. This would be fixed this year yet.
  - d) The sewerage treatment bill from the City of Oshkosh for the first 2 quarters took a jump from what the District estimated. The District left a message for Joel if this should adjust the budget.
- 3) Public Forum – There was no additional information for Public Forum other than what is on the agenda.
- 4) Report from Committees
  - a) Water Advisory Council – Results of the workshop will be discussed under new business for Phase III water main.
  - b) Website update – It will be left to the website committee to choose the variation for the website. Ray needs to leave early so he asked to skip to the issues pertaining to him first. He excused himself at 7:00 p.m. after the Ormand Beach & NTD discussion.
- 5) Old Business:
  - a) Easement update
    - i) Kevin said the District received an additional easement from a parcel on Country Side Court. The Commissioners agreed it's best to get easements now in case there are concerns in the future. This was not really required but the District obtained it. This allows a service valve with no future concerns and the easement was obtained before the valve was installed.
  - b) Update of Safe Drinking Water Loan 2006 – The DNR stated that they will come out with a final list this month yet so it will be on the November agenda.
  - c) Public Service Commission – The town went from \$70,000.00 to \$104,990 to pay for the Fire Protection on the tax roll. The Public Service Commission lowered the public fire protection service charges for residential homes, but did not lower the private fire protection fee which is for commercial businesses which have suppression sprinkles and fire protection in them. At this point, the District doesn't have any of these, but will have one in the future. Residents will see their bills have dropped better than \$12.00 per quarter. Earl wants this in the newsletter. They now will pay \$9.00 per quarter for fire protection.
  - d) Ormand Beach Plat Sanitary Sewer main relocation – Ray asked what is happening with this project. Kevin said Mr. Decker has an updated map of what he is proposing and requesting for sewer. Kevin said that Keith needs to

work on the easements and pay the cost of them. Ray will review the easements that Keith obtains. No action taken on this item.

i) Kevin said the District is looking for an easement from Keith that is not drafted yet.

ii) Lot #4 needs an easement from lot #7.

e) Update of East Central Regional Planning Commission revised sewer service area schedule. East Central is still behind so no update.

f) Finalize lease with NTD as an Internet provider lessee on the tower. Ray said that as drafted NTD has accepted. Ray said their insurance isn't quite as high as requested; however, they have good coverage and list the District as an additional insured. Their umbrella is \$10 million. Ray is happy with the language of the terms of the lease.

**Mike made a motion to go ahead with the NTD finalized lease/second-Earl/carried unanimously.**

g) 73 Wyldeberry Lane water assessment:

i) Kevin had a timeline drawn up for this address – attached. Mr. Williams sent the County a letter and said he will not pay the assessment on his tax bill.

ii) Earl asked Kevin Purtell to fill them in as to why he is in attendance, and Kevin Purtell said that Rose asked them to be in attendance. Kevin Purtell explained that he sold to Dramatic Design in November of 2001 and holds a 2nd mortgage which was paid off when Dramatic Design sold the parcel.

(a) Ray asked at what point the title was transferred to Rodgers or Williams. Kevin Purtell said it went to Dramatic Design; and that he doesn't update a closing statement when the mortgage is paid off. Kevin Purtell doesn't know what was disclosed to Gregory Williams.

iii) Kevin Mraz had a typed statement from a conversation that Bill Rodgers had with Rose which Bill wanted at the meeting. Ray said he has no problem with the notes Rose made of the conversation being read into the meeting – this is Rose's memo of the conversation with Bill. (See attached)

(a) Ray said the Title Company should have picked up on the Water Assessment and that it is not the District's position to track every real estate transaction, and that the District notices went where they needed to go. Ray said Bill knew about the water as it was no secret.

(b) Ray is satisfied that the request regarding the assessment was turned down previously and said there is no need to revisit it at this point.

(c) Ray said it was helpful and informative to have Kevin Purtell and Jon Guiles in and close the gaps.

(d) Kevin asked if he should respond to Mr. Williams and Ray said a letter to Mr. Williams would be nice and we could say that we received some more information, but at this point we need additional information from him to continue the evaluation process and Earl and Mike agreed to do this to determine if there was anything disclosed. Kevin asked what the content should be and Ray said to request the settlement sheet, the property condition report and the offer to purchase. Ray said these should disclose the possibility of the assessment.

(i) Ray said the District can't force production of the documents. The District started to complete tax letters from the title Companies this year.

(e) Ray said to have Rose update the timeline with the date the notice of Preliminary Notice was published and the dates of publication for the Final Assessment and add the date of the contract between Bill Rodgers and the date of the closing between Bill Rodgers and JKJ, and the date of the Town letter was 8/21/03.

6) New Business:

a) Bellridge Subdivision – Russ Williams signed the developer's agreement to survey, design and bid the sewer. He did not give the authorization to proceed until they receive the bids and actually see the cost. The amount of pipe needed is critical in the discussion. Kevin doesn't know when this will be bid out. Pat said this will be surveyed in the next 2 to 3 weeks. Earl asked if there would be construction before spring. Pat said this may go as an addendum to the contract for Ronet and Advance as this could be bid under 15% of the contract. They may be able to install this and get the asphalt in yet this year before they are in the ditch area. The balance could be done in the winter. Pat said Leonards is the critical item and Russ decided not to do soil borings and said if rock is there, it's there. Earl said that the District shows rock there but he doesn't know how deep. Pat said this is an issue for the developer and Kevin said rock removal cost will be put in. Pat asked if the District allows blasting or only grinding and Earl told him nothing in the ordinance prohibits blasting. Earl said he doesn't want to have the road in bad shape for the winter and Kevin said they could start this area in the spring.

b) Workshop District had with the Town of Omro Sanitary District – Ray said he looked at the list of questions proposed for Strand to answer but said he didn't see any cost estimates yet. Kevin said for the water letter, Steve Kluesner predicts the cost would cost between \$800.00 and \$1,000.00. For the sanitary letter, Paul Dreis said it would be between \$1,800.00 and \$2,000.00. Kevin said that last evening Betty Reimer did ok these costs and Mr. Jeziorny also agreed to the cost. Earl asked who was going to pay the most and Kevin said he assumed 50/50 and Ray said 50/50 is probably what Betty was thinking also. **Mike authorized to go forward with the letters at**

**these costs/second-Earl/carried unanimously. Staff will go forward with obtaining the answers to the questions.**

- c) The upcoming workshop with the Town of Algoma may be hard to schedule. Earl asked Mike if a Saturday morning would work for him with a meeting and Mike said that would work.
- d) The Budget hearing is scheduled for 5:30 p.m. on October 17.
- e) Requests from Residents for extensions of the well abandonment credit date. Kevin said the District received letters from the contractors stating that these will be abandoned by a certain date. Kevin said that 1 goes past a month until next April. **Earl made a motion to approve the extension of the well abandonment credit for those residents that have provided the Sanitary District letters dated prior to or on October 13, 2005, from their contractors testifying to their date of well abandonment/second-Mike/carried unanimously.** Earl asked to have letters sent out to the residents advising them of the motion.
  - i) Kevin gave the stats of the wells abandoned to date, 25 homes abandoned during 2004 and received a check or had their assessments lowered. This year so far 17 received a check and assessments were lowered for 57 homes. Earl said these people are 100% committed to the water system and Earl said it lowers costs to follow up with permits over the years.
- f) Phase III Water main construction
  - i) Earl said the District doesn't believe that there will be any Safe Drinking Water funding for the future phases so the interest rate will be higher.
  - ii) Determine milestones for Phase III: Each area that the District is planning to include in Phase III has at least one current resident who requested water service – These areas also had a reasonable level of participation on the previous survey. There's an additional area today which requested water.
    - (1) Earl updated Mike with information from the Water Advisory Council.
      - (a) Earl said the district will try to find an individual (Ambassador) from each area to come in during December and then go back and talk to their neighbors. The District will not send out another survey as we have results.
      - (b) The District will have localized meetings during January.
      - (c) The District needs to pay an up front cost to do the engineering survey of the proposed phase III areas.
        - (i) The District can take areas out if the participation results from the localized meeting don't look good enough to continue with the engineering design of the area.
    - (2) There was discussion regarding the various areas for water mains. Kevin told Mike with the recommendations from the Water Advisory council workshop; the District can do some easy things and take out some areas where there is still a lot of red. Kevin said areas have wells running dry, one area had 2 different sets of 5 residents that wanted water this year already and Kevin told them there just wasn't the time this year. Oakwood Road will be repaved in the next 2 years, (their participation is not real great), but you may want to install the water main prior to the road going in. The hospital also may want a secondary backup or a different primary source. The area past the Fire Department also wants water near the gas station (Kevin is working with the Town's Attorney and property owner so these people know that the District has water and sewer available) Each area being considered for water main has had at least one resident ask for water.
  - iii) The timeline for individual and group meetings will be in January and after these, the District can say yes or no for different areas.
    - (1) Once the phase III areas are selected, the District will have Strand design the water mains which will take approximately six (6) weeks.
    - (2) The Preliminary notice of special assessments will be sent out to affected property owners.
    - (3) The Public Hearings will be held next and on 2 different dates to give affected property owners a choice as to which one to attend.
      - (a) After the hearings, the Final Assessment Resolution will be drawn up indicating the affected parcels.
    - (4) The bid opening would be in April.
      - (a) This phase will take about 2 months to complete and you would give which month to star.
- g) Contract with Strand Associates, Inc. to:
  - i) Since the Water Advisory Workshop, Kevin said he asked Pat to develop an amendment change to the existing Strand Contract. The cost to survey the recommended area for phase III would be \$15,000.00 to physically go out and do the survey and get the elevations and information needed to proceed with the design. Kevin said the District has the \$2 Million General Obligation Bond and it has ample money left in it to cover this \$15,000.00, eventually this would be covered by assessments. **Mike made a motion to go forward with the survey for phase III/second-Earl/carried unanimously.**
    - (1) Pat thanked the Commissioners and is looking forward to sticking around for this phase.

**Mike made a motion to adjourn/second-Earl/carried unanimously.**

Respectfully submitted,

Rose Mraz \_\_\_\_\_

Approved: \_\_\_\_\_  
Earl Lawrence, Commissioner

Algoma Sanitary District #1  
November 10, 2005 Regular Monthly Meeting

- 1) Commissioner President Earl Lawrence, with Commissioner Alexander Irvine present called the regular monthly meeting of the Algoma Sanitary District for November 10, 2005 to order at 6:00 p.m. Also present were Kevin Mraz, Ray Edelstein, Sara Kettlewell, Joel Edson, Michael Schraa, and Gregory Williams. Commissioner Michael Gelhar was excused.
  - a) Earl noted the use of a tape recorder for the meeting. He said if anyone else wants to use a tape recorder they must give public notice.
  - b) Alex made a motion to approve the minutes of the regular meeting for October 13, the budget hearing on October 17 and the special budget meeting on October 17/second-Earl/carried unanimously.**
  - c) Alex made a motion to approve the cash receipts and investments report for water and sanitary for October as submitted/second-Earl/carried unanimously.**
  - d) Alex made a motion to approve the pending bills for sanitary and water for October/second-Earl/carried unanimously.**
- 2) Directors Report:
  - a) There were no questions regarding the previously supplied Director's report and nothing to add to it.
- 3) Public Forum – Joel wanted it noted that Mr. Mr. Schraa who is on the agenda is his next door neighbor.
- 4) Report from Water Advisory Committee:
  - a) Earl said the Water Advisory Council met on Tuesday evening and it was a very good meeting. A lot of activities were covered as to what is going on with the current state of construction and preparing for next year. The Council provided an outline for the next newsletter as to the type of things wanted in it.
  - b) Waldwic Lane was discussed pertaining to extra precautions needed in this area if a water main installed down there. There are a couple of residents that want water. They do not allow construction until after 10:00 a.m. in this area and Earl said the District would need a waiver to this if a line goes there.
    - i) Waldwic Lane is a private road and some own what appears to be half of the road, some own what appears to go next to their property, but it's not considered a public road right of way. There is no association. Ray asked if anything is held in common and Kevin said no one homeowner has the authority to do anything on the road, so no one is responsible to handle the road. Ray said the cost would go through the roof if Contractors had real limited hours to work.
    - ii) Kevin said that Bert Wertsch recommended a title search on these parcels to see who would be the responsible person for each segment of the road and Pat said to also look into access into Waldwic.
  - c) Joel brought up that water calculations were discussed at the Advisory Council also. Kevin said that some water calculations were determined by some plumbers and looked like there is less pressure available in some houses than there actually is. Kevin said based on the Department of Commerce, the coefficient is now 150 on copper pipe. Previously it was 130. This means that the homes are in better condition than thought.
    - i) Earl said there was a discussion as to whether to add something into the ordinance or to leave it to staff to handle. People are stubbing lines into the homes without hooking up and may not be putting the correct size in. It was left for now to staff to determine what to do. Joel asked if this information will go into the newsletter and it will be included.
  - d) The website is moving along and should be up and running by the end of December.
- 5) **Old Business:**
  - a) Easement update
    - i) All easements are complete and recorded for Phase II.
    - ii) The Waldwic discussion covered concerns regarding easements on private roadways for the future which will be looked into.
  - b) Update of Safe Drinking Water Loan 2006. Nothing formal has come out yet. Kevin said he has been told verbally from the DNR that the District will be on the list as the last one funded and it should come out this month.
  - c) Ormand Beach Plat.
    - i) Kevin needs to check if the Developer's agreement has been signed
    - ii) Pat said the formal design will be completed the end of November so it could be bid out.
    - iii) Ray said to be sure the easements are correct. Kevin said that Strand has already received Mr. Decker's list and Strand reviewed this and the easements appear good and will be acceptable. There will also be a drawing included with these easements. No residents signed these yet.
    - iv) Pat drew up an easement from Craig Jones to get water to Mr. Decker's property. This needs to be signed prior to water going there.
  - d) East Central's Regional Planning Commission revised sewer service area. No communications with them yet.

- e) Finalize lease with NTD as an Internet provider lessee on the tower. Kevin said the District will be receiving the signed copy and Ray asked for a copy for his records when it comes.
- f) 73 Wyldeberry Lane water assessment. Gregory Williams was in attendance. Earl asked if he wanted to state anything at this time before any questions for him. He said he was one of the transactions that fell through the crack and he said he should have been notified but wasn't. There was considerable discussion back and forth regarding this.
  - i) Ray said the District now has the information from Assurance. Greg said there was nothing on the Deed indicating an assessment and Ray told him there wouldn't be as the Assessments are not recorded. He purchased the property September 9 and the majority of the mailings went out before this. He is asking the District to take action to remove this assessment because the seller failed to disclose to him that the assessment was there. Mr. Williams said that multiple parties missed the disclosure. He said that technically as a builder they don't need to disclose, but as a realtor they would need to and can't withhold material information.
    - (a) Ray said the Title Company wrote about possible assessments for water so they knew about it. Ray asked what he did when he saw the commitment and he said he asked the builder and the builder said no.
      - (1) Ray said he should take it up with the builder as they didn't disclose this. It is disclosed in the paperwork from Assurance Title. Mr. Williams said the legal requirement for the Town is to disclose this. Ray said the District is not the insurance Company and if an action is brought and you file suit; the District will bring the builder and all necessary parties in.
    - (b) Earl said that nothing was presented to the District that says that the previous owner was not properly notified or given every opportunity to participate in and comment on the assessment. Earl said the Title information was provided that states that there may be a future assessment and that Mr. Williams also stated this evening that the builder said that there were not any assessments on the property.
      - (1) Earl said this all leads the Commissioners that there is no action for the District to take because the District properly notified. Mr. Williams said there should have been notification from the Town of this. Earl clarified that the District is not the Town. We are a separate entity. Ray said the Title Company was aware of this or they would not have put the possible assessment in the paper work.
      - (2) Earl said the District is not agreeing or disagreeing that he was properly notified. Earl said the previous owner of the property is the one the District notified. Ray said he is satisfied that the notice of assessment process was valid and the notices provided to the owners at the time when it became operative was done. How Assurance decided to put this in he can't answer and will not speculate. But to the extent that the seller neglected to disclose this may be an issue, but we are not his insurer.
      - (3) Earl told Mr. Williams that at last months meeting, the District was told that Dramatic Design was aware of the water system and he knew about it and discussed it with Kevin Purtell (JKJ).
      - (4) Earl said the way he is looking at it is that nothing has been presented to the District that the property owner wasn't properly notified at the time or that they weren't properly aware that the assessment was put into place and the issue brought to the District is that the builder didn't disclose to him the assessment. Earl cannot see why the District should be responsible for an assessment that the seller didn't disclose to him. Earl said if the Title Company would have notified the District, this would have been properly given to them. Joel said title companies knew that the Town was not responsible for the Sanitary District's assessments. Joel said they now submit inquiries to the District.
      - (5) Kevin asked when he moved in and he said September 9th. The final legal notice went out October 9th to JKJ as they were the name on the Tax Roll and September 4th the District put the water service placement lath at the door and then some entity moved it into the yard as to where to place the valve.
      - (6) Earl and Alex agreed not to take any action at this time. Earl said the District disclosed the information to the owners at that time and they did not elect to defer. Earl can see how Mr. Williams can question why he did not obtain the proper disclosure from the previous seller. Joel told him no liens are placed on the property for the assessments. These are not recorded with the Register of Deeds.
        - a. Kevin said to update that with no action taken, that the Sanitary District will place the assessment on the tax roll in December.

**6) New business:**

- a) Russ Williams requested to install sewer and water in the northern portion of the Bellridge Subdivision
  - i) Russ has the developer's agreement signed and the District is surveying and designing this and Pat said this will be ready by early December. This will be bid out through Leonard's Road. Russ signed the agreement to obtain bids, but not to proceed after bids. Kevin said after the bids are in it will be up to Russ to determine whether to proceed or not.
    - (a) When the District does decide to proceed, there are 3 to 4 house which will be brought into the Sanitary District; These homeowners are not anxious to hook up to sewer. If they are in the Sanitary District, they



only have a 1 year to hook up; however, Earl said this may be waived and not require them to hook up until their current system fails or a 10 year period. Ray has a concern that if the District does this, the ordinance should be changed to allow this waiver and not make a waiver to the ordinance. Alex said he would go along with an ordinance change.

- ii) The timeline is basically to get the bids back for now and not do the actual construction on the road until spring. There's 2 points as to what the District is looking at for Leonard's Road.
  - (a) There's a call into Public Service because the gas main is on the South side of the street which is where the sewer main will be. Kevin asked Public Service to determine who is responsible or if they would pay to move the gas main to the other side of the street, so the sewer main can be put down the ditch and not in the roadway.
    - (1) Kevin said they may be required to pay this if they do not have an indication from the town where to locate their gas mains. Pat agreed that with all his experiences that if the Public Service Utility doesn't have a permit or easement from the town for the specific location they need to pay to move it and Ray said this is not that uncommon.
    - (b) Kevin said even if Public Service would charge for this project, it may still be less expensive for Mr. Williams to pay for the gas main removal than all the gravel because the sewer is 22' deep. This is a lot of gravel in the roadway and the pavement would cost also.
- b) Upcoming workshop with the Town of Algoma. This is scheduled for Monday, November 14 at 5:30 at the Town Hall. Earl said the primary objective is to get input from them as to what they are looking for in relation to the water or sewer system. There has also been talk about them building a new Town Hall or Municipal Building. Joel said that Dick, Tom and Dan will be there.
- c) Jetter bid package and timeline of purchase. Kevin wants to purchase a jetter, but wants to wait until the District has a garage. Kevin said \$15,000 has been put aside now for 2 years.
  - i) Kevin received quotes and it takes several months of lead time. The best quote so far is for \$27,983.00. This is a trailer mounted, 600 gallon water capacity. This would have 600' of ¾" diameter sewer hose so you will be able to get from manhole to manhole. The plunger water pump actually comes with a 5 year warranty on this one. This one is Aqua Tech and is located in Ohio. This price is to the door and it would be 4 months for delivery.
    - (a) Alex asked if Kevin can cope with this manpower wise. With this machine, the staff would go out for about 2 to 3 weeks in the summertime straight running it to jet out the sewers and then it's put away for the emergencies.
    - (b) Earl asked what the expected life is and Kevin has seen them last for 15 to 20 years and some for 30 years if the maintenance is done yearly.
    - (c) Kevin said last year, the only backup the district had was when it was 20 below zero and the wind-chill was negative 40 and he had to find someone to jet. Luckily he found someone at 2:00 in the morning from Appleton to drive down and luckily he didn't freeze up as he had on warmer days.
  - ii) This purchase would allow the District to keep the machine inside a heated building and have warm water in it and you would be to the site within 5 minutes or so to take care of emergency backups. Earl asked if they have heating units on these and Kevin said they have recycling units and the exhaust doesn't really route around to keep it warm. Here you would start out with warm water.
  - iii) Kevin said that he doesn't expect the commissioners to purchase this currently but expects that price to fall within the budget and asked them to put some thought into purchasing it giving a shipping date of April or so.
  - iv) Other bids for around \$30,000.00 did not include a warranty on the pump.
- d) Storage for District equipment – There was considerable discussion regarding needed space as the District is growing so fast and will need more room for both garage and office space. Kevin said he has a list of what should have indoor storage.
  - i) Infrastructure concerns - If the District does move, the other thought is whether we move into well #3 which is an unknown location, wherever we go we would need a maintenance shop and additional office space. Adding a 3rd operator will make it tighter yet.
  - ii) It was decided for now to see if there's room in existing facilities for storage.
  - iii) The District will need several options and what is the best as well as the timing for this. Earl said he is counting on Kevin to keep gathering information and to chart it and give the space needed and the options out there and will sit down with him.
    - (a) Earl wants to talk with the Town first also to see what their needs are.
  - iv) Joel asked if Kevin looked into rental space and Kevin said Mr. Mueller would rent space, but this is not heated. It would have been storage space in case the Fire Department wouldn't have had space available. Ray said if there's a crunch, the Town of Omro may have storage available for the jetter and generator. This could buy a little time.

- v) Ray said perhaps Kevin could draw up a wish list of what he would like to have and also a list of what reality is likely to be. He said somewhere in between is where the building most likely would fall. Alex said for the small space, so far everyone is working very well. Ray said the District is already up to 5 stalls and the reality in a couple of years may be 8 stalls.
- e) Phase III water main newsletter.
  - i) The District will mail a letter to the Ambassador's and invite them to an informal meeting to be educated regarding the water system and then they would go around to their neighbors to see what their preference is – if they want a meeting in their neighborhood or here at the District office.
- f) District newsletter – The Commissioners asked to have this ready December 14 or a few days prior for a formal review before it is mailed. The newsletter will be ready for the next Advisory Council to look over.
- g) The Sewer User Fee Rebate. Earl said there are 2 Commissioners here and Alex is involved on 1 of the rebates and has abstained from the motion in the past and asked Ray if a motion can pass with 1 abstaining 1 saying yes? Ray said that would be fine. **Earl made a motion to allow the sewer User Fee Rebate for 2004 shown on the 2005 Tax Roll. One is Parcel 002-0111 – 2727 Omro Road and 1 for P 002-1014 - 3218 Leonard Point Lane. These are due to vacancy of the property/Alex-second. Roll Call Alex-abstained, Earl, Yea. It is approved with 1 abstention and 1 yes.**
- h) Well Abandonment Credits for Phase II – Kevin is asking that staff can automatically put these on the pending bills. As this is a new phase, Kevin just wanted it approved before staff continues the process, Earl said this is solely noted in the minutes and Earl concurs that it is the wish of the Commissioners for Staff to put the well abandonment credits on the pending bills, Alex concurs.
- i) 220 Wyldeberry Lane (Note Michael Schraa also indicated that Joel is his neighbor.) Earl said that they received his paperwork to have his assessment deferred and asked if he wanted to add anything. Mr. Schraa said it's pretty much self explanatory and he is willing to answer any questions. Earl appreciated him coming if there are additional questions.
  - i) Ray asked if he obtained a conditional report when he purchased the home and Mr. Schraa said he purchased the lot from the builder and when he called the abstract company asking for the closing settlement statements and condition report he thought they sent him everything he needed. A condition report wasn't included.
  - ii) Ray asked him when he was in the process of purchasing; at what point did he first discover that he was subjected to the assessment. He said when he received his tax bill was the first. Mr. Schraa said he found out talking to his neighbor behind him in the summer of 2003 when there was a push for the water system. Mr. Schraa said he never received anything in the mail from the District. He said he called the office and thought he talked to a Mark but it may have been Kevin, and said he did not want to participate with the water system because he just spent \$10,000 on a ground water heat system and \$2,500 on a double iron filter and water filtration for the home. He said whoever he talked to said this would not be a problem so he never gave it a second thought thinking this took care of it.
  - iii) The home was built by Cornerstone Homes and started just before September of 2001 and then with 9/11 it sat for a year and a half. Mr. Schraa said he did not realize that what he paid on his tax bill was for the water main. He questioned it again when he was talking to Tom (his neighbor) about the water issue and Tom said it sounds like he was charged for the system. He said he then called the District and said he was told he is considered participating and told he would need to talk to the Commissioners.
    - (a) Earl asked if he understands the implications if he does get the assessment deferred. Earl explained that the assessment at a later year is the fee of \$7,870.00 plus the cost of money (3.75%) increase each year. Mr. Schraa said he wouldn't have put in the underground heating system if he would have hooked up to the public system.
    - (b) Kevin explained that residents are allowed to keep their wells for outside purposes, etc. as long as there is no cross connection. He said he wasn't aware of this, but currently he does not believe there is any benefit to hooking up with his investment.
    - (c) Kevin asked when he moved in and Mr. Schraa said April of 2003. Kevin said they were doing the work that summer and Mr. Schraa said he believed he opted out with his phone call.
      - 1. Kevin said his policy all along has not been to do any thing without a signature or written statement from the residents. Kevin said it would be too easy for Staff to miss circle something or some other type of mistake so the District required everyone to submit their own statement.
      - 2. Joel said that if Mr. Nelson, the builder, did nothing, it meant to put the assessment on the 20 year plan. If Mr. Nelson ignored this, then that's where the problem started.
        - a. Ray said there hasn't been that many that this has happened to, and Kevin said the only 2 that this happened to are present this evening.
      - 3. Kevin's 2 concerns are 1: The condition report for Mr. Schraa is not here. Mr. Schraa asked if there was one for him and Kevin said there should be. Mr. Schraa said he would have submitted something in writing if asked as he not the type of person to ignore it. Mr. Schraa left for a short time to try and

get this. Mr. Schraa returned and said he contacted Terri Maul, the realtor, and that on a new sale there would have been no conditional use report. 2. There are no notes in the file pertaining to this participation form being returned. Earl asked if there was a response and Kevin said no.

- a. Earl said if nothing is written down and it can be shown no notification in any paperwork, and that he believes his intent all along was to defer, Earl would seriously consider adjusting the record to show this could be deferred. The District needs all the paperwork first. The commitment from the Title Company is what the District is looking for. Earl said he is reluctant to make a decision this evening. The District needs the paperwork for the file. Ray said that on the settlement sheet it looks like they charged him \$135.00 for Title Insurance which tells Ray that the Commitment should exist. Mr. Schraa will look for this. Alex agrees that the District needs this paperwork and he also would defer if there was no notice.
  - (i) Kevin said so that Mr. Schraa understands; if the Title Commitment does not indicate a special assessment on it and the paperwork went to a different party and he did not forward it, this assessment could be deferred. Mr. Schraa thanked the Commissioners for their time and said if he would have made the mistake that he would take responsibility for it and pay for the assessment. He does remember the phone call and unfortunately there was some miscommunication. Earl and Alex are willing to look at the paperwork.
- b. Ray said with the timing on this; the water assessment clearly didn't exist. It would have been nice if the Title Companies would have said something but they are not under obligation to do so. Earl asked to have the Director's report include a water receivable report and this will show if water bills are delinquent. Joel asked if the District had a policy as to when to turn off water if they do not pay. Sara said that one person was close to being turned off but after a certified letter, came in and paid.

**Alex made a motion to adjourn/second-Earl/carried unanimously.**

Respectfully submitted,

Rose Mraz \_\_\_\_\_

Approved: \_\_\_\_\_  
Earl Lawrence, Commissioner

Algoma Sanitary District #1  
December 8, 2005 Regular Monthly Meeting

- 1) Commissioner President Earl Lawrence, with Commissioner Alexander Irvine present called the regular monthly meeting of the Algoma Sanitary District for December 8, 2005 to order at 6:00 p.m. Also present were Commissioner Michael Gelhar, Kevin Mraz, Ray Edelstein, Rose Mraz, Sara Kettlewell, Joel Edson and Pat Rank.
  - a) Earl noted the use of a tape recorder for the meeting. He said if anyone else wants to use a tape recorder they must give public notice.
  - b) **Alex made a motion to approve the minutes of the regular meeting for November 10/second-Mike/carried unanimously.**
  - c) **Mike made a motion to approve the cash receipts and investments report for water and sanitary for November as submitted/second-Alex/carried unanimously.**
  - d) **Mike made a motion to approve the pending bills for sanitary and water for November/second-Alex/carried unanimously.**
    - i) Crosscut shredder purchase is ok; it is a part of the 2005 office budget.
- 2) Directors Report:
  - There were no questions regarding the previously supplied Director's report and nothing to add to it.
  - a) Correspondence:
    - i) Received a letter from a resident on Shorehaven Lane (after receiving a unanimous vote of no from the other homeowners on the road) requesting the water main to still come down the road. Commissioners state the District cannot proceed without the permission of all the homeowners. It is a private road and a water easement will be needed. The road association needs to decide what they want done.
    - ii) City of Oshkosh came up with a new roadway by Washburn. The proposal is to lessen the sharp corner and cut through the field in front of Racette Ford. The District has a sanitary sewer easement on this property. This property is in the Sanitary District. The District needs to send a map of our utilities for the preconstruction meeting.
    - iii) Received a preliminary report for the DNR sampling requirements for the following year. Many sample requirements have been removed because we've had such good results on the tests.
- 3) Public Forum – No one from the public present.
- 4) Report from Committees:
  - a) Water Advisory Council
    - i) Will be meeting Thursday December 15 at well house #2.
  - b) Website update
    - i) Address is [www.Algomasd.com](http://www.Algomasd.com). Website is still under construction, so please do not hand address out to too many people just yet.
    - ii) Discussion on why .com is being used and not .org. Staff to look into an .org website address also.
    - iii) Everyone to look at the website prior to newsletter going out.
  - c) Town of Algoma meeting.
    - i) It was noted in the Director's report. Earl adds that it seemed pretty clear that the Town is deferring to the District to do whatever it is the District decides to do regarding land purchase; however, that's not to say the Town wouldn't join in at a later date. Currently they are not planning on purchasing any land. They are not taking any action in regards to the Fire Dept or building anything. They had no suggestions about where to run the water main, and said they have a land use plan that they follow. It was a good meeting. Basically they stated that the District should do what it needs to do to make the utility as healthy as it can be.
- 5) **Old Business:**
  - a) Update of Safe Drinking Water Loan 2006.
    - i) The District applied for the SDWL for this year's project (Phase II). The DNR has funds available for the entire project, which is 4.2 million. The DNR declared that 88% of Ronet's and 51% of Advance's project is eligible. This portion will be funded by the SDWL; the other portion will stay with the Public Lands. The Public Lands funds are at 4.5% interest. The District will be able to make draws on until August 2006. These funds are not earmarked for any project and are available for the District to take draws on. It is a 20-year loan. The SDWL is also a 20-year loan estimated at 2.365%. The District assessed the residents at 4% this year.
  - b) Ormand Beach plat sanitary sewer main relocation and water main installation.
    - i) All easements have been received except Mr. Jones's, which is a small portion to get the water main up. Everything that is needed for the sewer easements for that portion of the project is done.
    - ii) Review bid results.
      - (a) Ronet Construction did 1.5 million dollars worth of projects this summer for the District. With the 15% contingency that would cover their Ormand Beach result. They bid \$49,961.

- (b) Advance Construction did 1.9 million dollars worth of projects this summer for the District. They bid \$46,888.55.
- (c) The low bid appears to be Advance construction. Bellridge bids need to be considered in this. Ronet's bid came in at
- (d) \$248,000 and Advance's bid came in at \$256,000 for doing all of Bellridge and Leonards Point Rd.
- (e) The true low bid as a percentage of the big contract for both contractors exceeds the percentage. If the District wants to go with it as a change of contract, then the District must go with the higher net bid because it is within the 15% of that bidder's contract. The alternative is to start at ground zero and do public bids which will cost more money.
- (f) 15% of Ronet Constructions project is about \$225,000 for change orders. Their bid came in at \$248,000. Not allowing the District to accept the Bellridge bid.
- (g) 15% of Advance Construction project is about \$285,000 for change orders. Allowing the District to award the Bellridge contract to them. Adding the Ormand Beach contract would take it over the 15%. This allows the District to award the Ormand Beach contract to Ronet.
- (h) The Ormand Beach contract needs the sewer fees split with Keith Decker from Fox Cities Construction, which is about \$20,140 for the extension, leaving about \$10,000 each.
- (i) These are not bids, but quotes for change orders.
- (j) Bellridge will not happen until spring because of Leonards Point Rd. The contract can be awarded at a later date. The contractor for Ormand Beach would like to get started soon. With the District having to spend \$10,000 on the Ormand Beach project, Kevin would like the Commissioners to award the contract. Water assessments need to be signed for, resolution waivers signed and agreement to pay.
- (k) With the Bellridge contract there are 4 homes on Leonards Point Rd that are not in the District yet. There is much that must be done for this over the next couple of months. The cost for each parcel will depend on what Russ Williams works out with each of them. Kevin hopes to have Russ Williams's authorization to proceed.
  - (1) Ray states not to let Russ sign unless he has the 4 homes all lined up and in District. The District needs to decide if the homes will have to hook up within one year, according to the ordinance.
  - (2) Ray advises the District cannot accept these homes at this time because he wants Russ to deal with the homeowner and get it done, other wise they will try to put the District in the middle. Ray states the District cannot summarily exempt somebody contrarily to the ordinance when it is previously applied to everybody. Ray and Earl are not aware of any waivers. Rose will check on the Rogge extension. Rose says there was one on Oakwood Rd a few years ago and the District forced the homeowner to hook up.
  - (3) Earl says to give a list to Russ, for when he negotiates with the homeowners, of what the residents will need to do. Kevin will send a letter to the homeowners stating the petitions going in and at that time they can speak at the public hearing at the town board where they can state yeah or nay.
- c) Update of East Central Regional Planning Commission revised sewer service area schedule.
  - i) No update.
- d) Phase I water assessments.
  - i) Mr. Schraa submitted his title assurance abstract and it is equivalent to Mr. Williams's schedule, stating form 4100-95 #6 Exceptions: possible assessments levied or to be levied by the Town of Algoma Sanitary District #1, Town of Algoma. He is in the same scenario of being informed on his title insurance commitment. Noted: It was listed in the title paper work and no resident was present.

**6) New business:**

- a) Bellridge subdivision requested to install sewer and water in northern portion of the subdivision. – Item discussed in joint with Ormand Beach.
- b) District wide newsletter.
  - i) Commissioners received e-mail to look over and return to Rose with any comments.
- c) Discuss Infrastructure concerns. – Had a meeting with Town of Omro and a meeting with the Town of Algoma and received input from both. Questions are out to Strand Engineering that may affect this.
  - i) Set up parameters to review space requirements.
    - (a) Kevin is looking for commissioners input to set up parameters for what they are going to need as far as data to evaluate and know the points that are going to help make a decision on what the District does, where it moves, how much space is needed. Kevin asked if the Commissioners have specific requirements they want to receive from this space study. Earl suggests setting up a separate meeting to sit down and spend some time on working up an outline. This Saturday the 10th at 9:00 am at the District office a workshop will be set up.
  - ii) Set up timeline to collect data and evaluate results.
- d) Phase III water system

- i) Ambassador meeting. – Is set up for December 14th at 7:30 pm at Oakwood School in the cafeteria. A slide show will be done. This meeting is just to give the ambassadors a general idea of what's going on and answer any questions.
- ii) Interest rate. – Dave Wagner confirmed with Kevin that he would have the cash flow statement to the District next week to review and determine continuing with Phase III.
- iii) Assessment per parcel. – Commissioners received information with figures in it. The supply charge for 2006 using the 3.75% bond interest is estimated at \$2,359. The corridor route charged to Bellridge was \$119, covering the cost of getting to the tower going through wetlands or crossing Highway 21 and over sizing mains for future areas where it could not be recouped on any specific assessment is spread throughout the system. Total cost of supply for residential house, based on 17,000 gallons/qtr. is \$2,482. Water main cost for Phase II project in 2005 was 3.5 million. Broke down per parcel the water main cost in 2005 is \$5,863.00. Assessed values for Phase II water main in 2005 used a value \$6,221.00 out of \$8,500.00 assessment. Phase II has 76% participating parcels paying. 30% of the assessments are to be paid for by water rates.
  - (a) Cost using only Advance bid: Their cost 1.8 million. Cost per foot per pipe, all sizes together, is \$81.29/ft. With the 284 services they installed, the water main cost per service was \$6,500.00 per parcel, excluding engineering.
    1. Phase III expected cost, using Advance bid of \$81.29/ft. Project to cost 1.6 million, 240 homes, and an assessment, of water mains only, would be \$6,825.00.
      - a. Things to remember: only one side of Emmers Lane to be counted because the city is on the other side. Highland Shores only has homes on the lakeside. Charges for Mr. Lerch's property have not been determined yet. Phase III should have smaller pipe diameter as Phase II.
      - b. Things not accounted for: Inflation for 2006 of 2%, Ronet's low bid, fuel prices, steel prices. There are no river crossings in Phase III (2 crossing included in \$81.29/ft). Fire Hydrants to be paid for by the fire protection fees (price is included in \$81.29/ft). Phase II engineering cost is \$308,000 to put in about 40,000 feet of pipe. Phase III is to be 20,000 feet costing \$154,000. Phase III with 240 services is \$641.00 a service, needing to be covered in assessment.
      - c. Waldwic Drive is a private drive. If installing water main down this drive, the whole road would need to be replaced. Square footage of the road, what the county charged the District last year and inflation of 15% next year, it would cost each parcel \$933.00 for asphalt. Gravel, from pipe to ground level, would cost an additional \$1,600.00 per parcel. For a total of \$2,540.00 per parcel on Waldwic Dr.
      - d. Consensus is to give them an assessment and for residents on Waldwic to decide among themselves how they will divide up and pay for the replacement of the road. Per Ray, it is not a public road; therefore there cannot be an assessment for public improvement.
- iv) Well abandonment credit criteria.
  - (a) Previous phases allowed an \$800 abandonment credit. This covers abandonment costs for about a 200 foot well. Commissioners are in consensus of keeping this dollar amount.
    1. Joel states one of his previous neighbors spoke with him and was complaining the abandonment ran out before he could get a plumber in. Joel is wondering if the approach is counter productive. Earl understands this as a suggestion to not put a year limit on the credit. Joel suggests some other strategy for time that has gone by. Joel is wondering if in the future the well abandonment credit will be reintroduced to motivate others to hook up who haven't done so already. Joel will go back to Steve and explain to him the thinking behind the dates and what was available to him that he didn't take advantage of at the time. Earl says the District exempted a group, not a part of the normal policy, who couldn't get the abandonment done in time, and they were told if they brought in a letter from their contractor stating it's scheduled, the District would consider this legitimate and would extend the abandonment offer. In the initial start up, a letter (dated 10/9/2003) stated resident had 9 months, from the date water was available, to abandon a well to receive the credit. Then it was extended to a full year due to wintertime. The well abandonment credit was started because of residents just putting in new wells or equipment to deal with the problem water. This credit is an incentive to hook up and to give something back because the District wasn't going to pro rate credits based on how long a well had been in use. A resident will not get the benefit of the well abandonment credit if hooking up and abandoning their well after the first year has gone by because they haven't been paying in the whole time. 30% of the cost of the system is coming out of the water rates, and they haven't been paying into that.
- v) Newsletter for all Phase III parcels involved.
  - (a) This is a letter to be sent out to parcels that may be affected in the localized areas in Phase III about an informational meeting. This letter will state specifically the time, place and date that the ambassadors will call us back with after the December 14th meeting and after discussing with the neighbors in the area to

possibly be affected by the water main. Sara to call ambassadors Tuesday with a reminder call for meeting December 14th.

- e) Add parcel 0021120 to Water System. – Commissioners are in agreement it is too late to add to Phase II, it will need to wait until Phase III of the water main construction.
  - i) Previously the Sanitary District extended the sewer main for Pierce Lane, which is behind this property. The sewer main fronts the back of the property. At that point in time they deferred the assessment. The legal notice shows that if the owner ever built on the parcel the assessment would be due each of the neighbors. Kevin’s concern is the realtor and tax letter since there is not an assessment levied for sewer and the advertisement doesn’t state whether it includes sewer or not, but needs to be made aware that there is a potential sewer assessment out there. Ray suggests the tax letter to state that based upon the final resolution of September 29, 1993, parcel 0021121 has an assessment payable to the District in the amount of \$4,682.53 building upon said lot. From there the District would collect the amount and then distribute to the other property owners. To avoid the tax letter showing an assessment, the assessment would need to be paid before the sale.
- f) Water assessment adjustment for 2112 Carlton Road that finalized CSM creating one parcel from two parcels.
  - i) Previously, the commissioners at the time, voted to remove an assessment for a property that the house was built in the middle of the property if the owners had combined the two lots. It is 176 feet long and undividable.
  - ii) **Alex made the motion to remove one of the two water assessments on 2112 Carlton Rd assessed to Karen Nack and Gail Gates due to the fact the previous two lots were combined into one CSM creating one lot and the one lot is within the buildable limits set forth by the Town zoning ordinance so that it is now one buildable lot with one house on it therefore it should be assessed as one/second-Mike/carried unanimously.**
  - iii) Both parcel numbers have an assessment on them on the tax roll. After the tax roll 2005 the owners will have made two payments on the assessments to clear their taxes. The District will pay the homeowner back for the one last year and the Town of Algoma for the one this year or unless the owner would want their assessment lowered.
- g) Phase II Water assessments paid in full.
  - i) There are three residents who have paid their water assessments in full.
    - (a) Kay Mark paid November 17, 2005. Paid the entire assessment plus interest, before the tax roll went out. Her intentions were to pay in full but missed the November 1, 2005 cutoff. Is the District able to refund the interest? Commissioners are in agreement that, as in the past for Phase I, the interest will be refunded for anybody who has paid in time before the assessment was placed on the tax roll.
    - (b) Paul Berry, 1369 Tammy Rd, paid November 29, 2005. Same intent, but this one went on the tax roll.
      - 1. **Alex made a motion to authorize the repayment of interest for the three properties that paid in full for Phase II prior to the end of the year/second-Mike/carried unanimously.**
- h) Closed-door meeting to discuss employee matters.
  - i) **Mike made a motion to go to closed-door session/second-Alex/carried unanimously.**

**Mike made a motion to adjourn/second-Alex/carried unanimously.**

Respectfully submitted,

Rose Mraz \_\_\_\_\_

Approved: \_\_\_\_\_  
Earl Lawrence, Commissioner