

**- PROPOSED MINUTES -****WAVERLY SANITARY DISTRICT**

November 10, 2009

District Office - N8722 County Rd. LP

The meeting was called to order at 8:30 a.m. by Commissioner Helcin.

Present: Commissioner Helcin (WCH)	System Operator Krueger (RWK)
Commissioner Fulcer (LJF)	System Operator VanZeeland (TGV)
Commissioner Sams (MLS)	System Operator Dornfeld (DWD)
Engineer Martenson (SCM)	Office Mgr. Girdley (CMG)
Resident Jerry Lopas	Admin. Asst. Hallock (SAH)

Approval/acceptance of the 10/13, 10/28, 10/30, 11/2, and 11/4/09 Meeting Minutes was accomplished with LJF's motion and MLS' second. Motion carried 3-0.

Receipt acknowledgement and approval of the October 2009 Financial and Budget Comparison Reports was accomplished with MLS' motion and LJF's second. Motion carried 3-0.

Invoices were approved for payment and checks were signed prior to the meeting.

**COMMUNITIES/CUSTOMERS/SERVICE CONCERNS****Kimberly-Clark Additional Building Water/Sanitary Service – Project status report**

- Safe water sample receipt
- W/S Connection fee payment
- Water Connection fee issuance

SCM reported the project construction/testing are complete and the safe water sample has been received. The record drawings remain outstanding. SCM anticipates final project acceptance will occur at WSD's 12/8/09 meeting. CMG issued the \$11,480 facilities connection fee/\$50 construction permit fee invoice on 11/2/09 to Dan Pociask at K-C for payment. The \$4,740 water facilities connection fee from K-C will be split equally between developers Mike Krueger and Todd Platt upon receipt. WSD will retain the \$6,740 sewer portion of the sewer facilities connection fee.

**Rock II LLC (Waverly Beach Sports Bar) Road Reservation – Utility easement receipt status**

SCM contacted Attorney Frassetto after WSD's 9/15/09 meeting and was informed the utility easement has been provided to Rock II LLC for signatures. Frassetto will provide the signed easement to CJH when the easement is returned to Frassetto. Frassetto has not responded to SCM's recent contact attempts to question the easement status. The utility easement is a separate issue from the TOH's Road Reservation Discontinuance issue and can be addressed separately.

**WAVERLY SANITARY DISTRICT**

November 10, 2009

Page 2

**OLD BUSINESS****- Water Sample Tests' Results**

RWK reported all five tests, two taken 10/13/09 and three taken 10/20/09, were determined as safe by the State of Wisconsin. (Attachment #1, pp. 1-5)

**- VHE II-5 Water Main Extension – Water main easement recording/receipt station  
– Project acceptance action (based on easement receipt)**

CMG stated the formal water main easement was signed by WCH and notarized by CMG on 10/29/09. The Executed original and a \$21.00 check for recording costs were provided to SCM for delivery to VHE II-5. The recorded easement remains outstanding. SCM will investigate the easement status. This issue will be resolved at closing if not before.

**- Meter Station Land Purchase****\*\* Quit Claim Deed from WSD to VHE II-5 (Appleton's land) – Recorded 10/16/09**

CMG reported CJH recorded the Deed on 10/16/09 and provided WSD with a copy of the Deed on 10/29/09.

**\*\* Quit Claim Deed (amended) from VHE II-5 to WSD receipt  
(Exhibit A-Purchase Agreement)**

SCM stated this document will be received at closing.

**\*\* CSM recording/receipt status**

SCM stated the required approvals were obtained from WSD/TOH as of 11/7/09, and the CSM was contingently approved by the County on 10/20/09 stating access concerns. The Calumet County Planning & Highway Department's office is holding the CSM until Calumet County determines whether a turn lane installed in the right-of-way would create a setback issue for WSD's meter station building. If this is not an issue, the CSM will be signed and recorded.

**\*\* Meter Station site parcel closing status/scheduled closing date**

If the easement issue is resolved and CSM recording occurs, SCM anticipates the closing will occur Wednesday, 11/11/09 or Friday, 11/13/09. After closing occurs, the Purchase Agreement will be signed and the Purchase Agreement expenses stated below will be paid by WSD to VHE II-5. CJH will do the Title Letter report after closing occurs.

**Purchase Agreement Expenses:** Land purchase price--\$23,000.00  
CSM related costs-----\$ 2,000.00  
Water main upsizing--\$10,460.65

**WAVERLY SANITARY DISTRICT**

November 10, 2009

Page 3

**OLD BUSINESS – CONTINUED**

- **Water Metering Station – current construction schedule discussion // Start Date: 11/16/09**  
SCM predicts construction will begin 11/17/09 or 11/18/09 if the CSM issue is resolved and the meter station site closing occurs as stated above.
  
- **Road Access Development Agreement – WSD's 11/2/09 meeting approval issued to TOH**  
CMG reported contact was made with the TOH of WSD's 11/2/09 special meeting approval of the Draft Agreement. The TOH will issue the final Agreement to all parties for signature execution when verbal approvals from VHE II-5 and Jerome Uitenbroek have been received.

**GENERAL CONSTRUCTION STATUS (INDIVIDUAL PROJECTS)**

- **Woodland Hills Heights – Project status report**  
SCM stated Hagens plans to begin utility construction January 2010. DNR approval has been received. The executed Waiver of Assessment was received on 2/9/09.
  
- **Birling Court Extension (Andrysczyk) – Project status report**  
SCM/WSD have not received contact/information regarding this project since WSD's 10/13/09 meeting. SCM anticipates this project will not proceed until the housing market improves. The executed Waiver of Assessment was received from SCM on 12/13/07.
  
- **Lake Park Condominiums – Project status report**  
SCM/WSD have not received contact/information regarding this project since WSD's 10/13/09 meeting. SCM anticipates this project will not proceed until the housing market improves. The executed Waiver of Assessment was received from SCM on 9/12/06.
  
- **Outagamie LLC Future Development – Project status report (18 acres)**  
**Location: North of Woodland Terrace and south of Manitowoc Rd.**  
SCM/WSD have not received contact/information regarding this project since WSD's 10/13/09 meeting. The signed Waiver of Assessment was received 1/24/06. The TOH Fire Dept. burned the existing house/barn on October 24, 2009 utilizing a "controlled burn" as previously planned.  
**Note:** Fifteen thousand gallons used.

**NEW BUSINESS**

- **Establish the December Meeting Date – Tuesday, December 8, 2009 (8:30 a.m.) District Office**  
Tuesday, December 8, 2009 at 8:30 a.m. was established as the December meeting date/time. The meeting will be held at the District's office. Mike Siewert will attend the December meeting in SCM's absence.

**WAVERLY SANITARY DISTRICT**

November 10, 2009

Page 4

**NEW BUSINESS - CONTINUED****- US EPA Administrative Order – Federal Drinking Water Regulation 11/08 Violation notification issuance status**

SAH reported public notification to all WSD customers occurred on 10/27/09 (10/31/09 deadline). The required information was mailed to US EPA representative Jennifer Kurtz Crooks on 10/28/09. RWK reported WSD is scheduled take water samples for testing on 11/16/09 to bring WSD in compliance with the above regulation. RWK was informed by COA that this testing will be done again during 2010 as a combined effort with WSD, Sherwood, and the Town of Grand Chute.

**OFFICE REPORT** (Attachment #2, pp. 1-11)

CMG reviewed the Office Report for those in attendance. All items reviewed are included in the attached Office Report.

**- Annexation Status Report: Brian Wruck – N8526 North Shore Rd // Menasha, WI 54952 (Assessment Payments) Wendy Bennett – W7096 Plank Rd // Menasha, WI 54952**

CMG reported WSD received the recorded documents for both properties. Wruck paid his assessment reimbursement to WSD, and developer reimbursement from WSD to Mike Krueger and Todd Platt has occurred. Wruck's water/sewer connection occurred 10/20/09. Bennett has until 12/1/09 to pay her assessment reimbursement. WSD will retain the assessment reimbursement from Bennett because WSD funded the facilities extensions in that area during the 1992 Stacker Plat project.

**FIELD REPORT** (Attachment #3A, pp. 1-5 & Attachment #3B)

A Field Report was not submitted for meeting minutes' attachment.

RWK reported Hietpas had Great Lakes repair a leak to one of the lines into LS #4's wet well previously installed by Hietpas at no additional cost to WSD.

**OTHER BUSINESS TO LEGALLY COME BEFORE THE COMMISSION****Lift Station #4 Upgrade – RWK to report status of Crane Engineering's mixer installation**

RWK reported the mixer has been installed and is working as expected. When the mixer was started, a corroded bubbler line broke. The bubbler line was repaired utilizing all stainless steel parts. Bubbler repair cost unknown as of the meeting date, but was estimated at approximately \$1,500.

**WAVERLY SANITARY DISTRICT**

November 10, 2009

Page 5

**OTHER BUSINESS TO LEGALLY COME BEFORE THE COMMISSION- CONTINUED**

**Waverly Sanitary District's Rezone Issue – Calumet County's formal rezone approval status  
– Anticipated installation and completion date of  
WSD's new facility sign**

CMG reported WSD's rezoning request has been formally approved by Calumet Co. The sign will be installed as of 11/10/09. Jones Sign increased the sign's letters from a depth of 3" to 5" at no additional cost to WSD.

Since there wasn't any other business to legally come before the Commission, LJJ motioned/MLS seconded meeting adjournment.

Meeting adjourned at 8:50 a.m.

Submitted by Susan A. Hallock