

- PROPOSED MINUTES -

WAVERLY SANITARY DISTRICT

December 8, 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 Sambs (MLS)	System Operator Dornfeld (DWD)
Engineer Siewert (MSS)	Office Mgr. Girdley (CMG)
	Admin. Asst. Hallock (SAH)

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

Receipt acknowledgement and approval of the November 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
CMG reported this project is complete.

--Receipt status of req'd acceptance items -- Record Drawings/Connection Fee and Final Quantities & Costs

CMG reported the record drawings and final quantities and costs have been received, and K-C has paid the connection fee to WSD. The \$4,740 water facilities connection fee received from K-C was split equally between developers Mike Krueger and Todd Platt. Krueger thought if K-C reimbursed WSD for 25' of water main frontage he would receive a larger reimbursement. The way the reimbursement was done was more appropriate and far more advantageous to Krueger and Platt. WSD will retain the \$6,740 sewer portion of the sewer facilities connection fee. RWK reported the 12/7/09 manhole inspections revealed one leaking manhole and one loose chimney seal requiring repair.

--Project acceptance contingent upon receipt of final engineering invoice

CMG recommended project acceptance contingent upon receipt/payment of the final \$951 engineering invoice and completion of the manhole repairs stated above.

MLS motioned/LJF seconded project approval as stated above. Motion carried 3-0.

WAVERLY SANITARY DISTRICT

December 8, 2009

Page 2

COMMUNITIES/CUSTOMERS/SERVICE CONCERNS - CONTINUED

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

CMG reiterated that 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.

OLD BUSINESS

- **Water Sample Tests' Results**

RWK reported all five tests, two taken 11/9/09 and three taken 11/23/09, 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 status**

- **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 document remains outstanding. CMG recommended project acceptance contingent upon receipt of the recorded easement.

LJF motioned/MLS seconded project acceptance as stated above. Motion carried 3-0.

- **Meter Station Land Purchase**

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

CMG stated the Quit Claim Deed provided at the 11/11/09 closing is attached to the Exhibit A – Purchase Agreement. The 11/11/09 closing occurred at WSD and was attended by Attorney Haupt, WCH, CMG, and SCM.

**** CSM recording/receipt status**

CMG reported the signed CSM was recorded before the closing date.

**** Meter Station site parcel closing – November 11, 2009 // Title Letter Report status**

Purchase Agreement Expenses: Land purchase price--\$23,000.00

CSM related costs-----\$ 2,000.00

Water main upsizing--\$10,460.65

CMG stated the above purchase agreement expense amounts were issued from WSD to VHE II-5 at the November 11, 2009 closing. The partial mortgage release was signed at closing but has not been recorded as of the 12/8/09 meeting date. CJH cannot complete the Title Letter Report until the mortgage release is recorded. Attorney Ben Haupt has not responded to CMG's E-mails regarding the mortgage release status.

WAVERLY SANITARY DISTRICT

December 8, 2009

Page 3

OLD BUSINESS – CONTINUED

- **Water Metering Station – current construction status discussion**
RWK stated block installation began 12/7/09. Mary Jo Miller from M&E informed CMG the electric installation will begin 12/8/09 and has a projected completion date of 12/29/09.

- **Road Access Development Agreement – Status discussion**
CMG reiterated 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. As of the 12/8/09 meeting, VHE II-5 and Uitenbroeks' signatures remain outstanding.

GENERAL CONSTRUCTION STATUS (INDIVIDUAL PROJECTS)

- **Woodland Hills Heights – Project status report**
MSS stated Bowers is in the process of clearing trees and anticipates the project will begin soon. A pre-con meeting has not been scheduled. The executed Waiver of Assessment was received on 2/9/09.

- **Birling Court Extension (Andrysczyk) – Project status report**
M&E/WSD have not received contact/information regarding this project since WSD's 11/10/09 meeting. The executed Waiver of Assessment was received from SCM on 12/13/07.

- **Lake Park Condominiums – Project status report**
M&E/WSD have not received contact/information regarding this project since WSD's 11/10/09 meeting. 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.
M&E/WSD have not received contact/information regarding this project since WSD's 11/10/09 meeting. Ament's year 2008 water main assessment payment remains outstanding. The signed Waiver of Assessment was received 1/24/06.

NEW BUSINESS

- **Establish the January Meeting Date – Tuesday, January 12, 2010 (8:30 a.m.) District Office**
Tuesday, January 12, 2010 at 8:30 a.m. was established as the January meeting date/time. The meeting will be held at the District's office.

WAVERLY SANITARY DISTRICT

December 8, 2009

Page 4

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. Bennett's assessment reimbursement remains outstanding. Bennett informed CMG she and her brother would issue a check to WSD the week of 12/7/09. 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 the water was abandoned at the curbstop and the sewer in the lot located at W6505 Manitowoc Rd. This was the Reetz property recently purchased jointly by Calumet Co. and TOH for a future round-a-bout. WSD will provide written notification to the County (cc: TOHCOM) requesting acknowledgement that the water/sanitary sewer abandonment in the road remains outstanding and will be required when the proposed round-a-bout installation occurs. The abandonment costs will be included as part of the project when the round-a-bout project is placed for bids.

RWK also reported the LS #2 Flygt pump cords failed and required replacement. The invoice remains outstanding.

RWK recently provided the addresses of WSD customers utilizing grease traps to MCO. MCO will perform the required yearly inspections and will provide the inspection results to WSD. WSD is responsible for providing the inspection results to the DNR by 1/31/10.

A meeting with RWK/Hydro Designs is scheduled the week of December 14, 2009. Hydro Designs will soon be starting WSD's required back flow testing.

OTHER BUSINESS TO LEGALLY COME BEFORE THE COMMISSION**District Holiday Hours – Discussion // Commission approval**

The Commission approved WSD be closed 12/23, 24, 25/09 for the Christmas holiday and 12/31/09 and 1/1/10 for the New Year holiday.

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

Meeting adjourned at 8:50 a.m.

Submitted by Susan A. Hallock