

Algoma Sanitary District #1
Regular Monthly Meeting - April 5, 2006

- 1) Commission President Earl Lawrence, with Commissioners Alexander Irvine and Michael Gelhar present called the regular monthly meeting of the Algoma Sanitary District #1 for April 5, 2006 to order at 6:00 p.m. Also present were Kevin Mraz, Ray Edelstein, Joel Edson, Rose Mraz, Scott Rennert, Wally Wagner, and a number of homeowners from Shorehaven Lane.
 - a) Earl noted the use of a tape recorder for the meeting.
 - b) **Alex made a motion to approve the minutes of the regular monthly meeting for March/second-Mike/carried unanimously.**
 - c) **Alex made a motion to approve the cash receipts and investments report for water and sanitary for March/second-Mike/carried unanimously.**
 - d) **Mike made a motion to approve the pending bills for sanitary and water for April/second-Alex/carried unanimously.**
- 2) **Directors Report:**
 - a) Kevin added additional information items:
 - i) Kevin received a quote for a jetter that is included in the Commissioner packets. It costs \$30,000. \$15,000 a year has been set aside the last 2 years for this item. This item will need to be bid out due to the cost.
 - ii) With the recent jetting & televising, 2 leaks have been located. These leaks are about 10-15 gallons per minute. One is in a lateral under Highway 21 for a building that was abandoned. The other is on Oneida Ave. These will be repaired soon.
- 3) **Public Forum**
 - a) Jim Savinski, Oakwood Circle, discussed the condition the contractors left this road and ditches in. He said they left cuts in the road that will break away, and he asked if there are plans to fix this. He was told that the contractors will be doing a walk through April 20th and start restorations around April 24. The contractors will be addressing all the landscaping and settled and broken asphalt areas.
- 4) **Report from Committees**
 - a) Water Advisory Council – no new report due to this meeting being earlier than the Water Advisory Council meeting.
- 5) **Old Business**
 - a) Update of Safe Drinking Water Loan 2006 financing. - Closing is April 12, 2006. The funds will be used to pay off part of the Public Lands Loan on April 14th.
 - b) Review, develop opinion, and recommend change requests to the Sewer Service Area designation by East Central Regional Planning Commission. The District received verbal confirmation back from East Central Regional Planning that they are planning to add the additional property that the District requested. The Public hearing will be on April 27, 2006 and the final adoption is scheduled for April 28, 2006.
 - c) Sub Phase III Municipal Water System.
 - i) The Engineer's estimate shows the water main costing approximately \$1.6 million and with contingencies, engineering and legal the cost would be approximately 1,973,000 with \$7,000 of that being for a sanitary sewer upgrade on Highland Shores.
 - ii) Responses are still coming into the District
 - (1) After April 24th, staff will contact owners who have not responded.
 - iii) Concerns:
 - (1) The Department of Transportation owns the last 3 parcels on Emmers Lane and sent in information showing they are actually considered part of the state highway. This was never redrafted so the parcels still show up as residential parcels. The District received a letter and a copy of the statutes stating they are exempt from being assessed.
 - (2) Also on Emmers Lane, Mark Leibly's parcel and the next 3 parcels owned the by the Reigh's are being sold to Bay Lake Bank. The District received a deferred payment choice from the owners; however, these parcels will be closed on April 14 which is prior to the Final Resolution for Assessments which is May 11.
 - (a) Kevin forwarded all the legal paperwork to Bay Lake's contractor, Portside Properties.
 - (b) The Reigh's told Kevin that the City of Oshkosh gave approval to tap into the city water main. These parcels have been annexed to the city; however, Kevin has not seen any formal statement from the city approving hooking up to the water. Joel said the parcels will be on the Town of Algoma's tax roll this year because the annexation date was after January 1st.
 - iv) Concerns received at the Public Hearing.
 - (1) Earl said he concurs with the information that Mr. Lampe provided to the District. This information shows how his parcel was originally subdivided as 2 lots and Mr. Lampe said it should have 2 assessments instead of 3. Mr. Lampe now has 300' of road frontage on 1 parcel which really would be 300' on 2 parcels and thus 2 assessments. Mr. Lampe said he only combined it into 1 lot to help the developer out at the time he purchased the property.
 - (2) For the remaining larger parcels with more than 1 assessment, Earl said the formula is correct in figuring assessments on properties. Properties 199' or less receive 1 assessment; 200' is 2 assessments unless other specific information is presented. This follows the Town's ordinance.
 - (3) Well Abandonment' credits should stay consistent. There will be 1 well abandonment per well. The District will send the credit to the legal owner of the well. It is up to the residents to work out the credit among themselves if they

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share a well. Ray said the District will look over well agreements for homeowners to make ownership determination for them if paperwork is submitted.

- d) Phase II water assessments. Algoma Storage 3435 Omro Road, Parcel 002-014502.
- (1) The assessment (\$34,000.00) on this parcel is past the point of being deferred; however, legally Ray said the commissioners can change the amount due on this parcel as the benefits conferred are not co-equal to that provided to other similarly situated parcels. This parcel has 484' of road frontage; however, the State Highway may go through this parcel in the future.
 - (2) The District received a signed copy of the waiver of public notice of preliminary special assessments and public hearings.
 - (3) Resolution for final water main special assessment.
 - (a) **Mike made a motion to adopt Resolution # 5-2006 of the Town of Algoma Sanitary District #1, whereas, the Algoma Sanitary District # 1, being a duly constituted, legally organized and functioning Sanitary District had on the 14th day of April, 2005, levied assessments on property for public improvements and; whereas, the Algoma Sanitary District # 1 has authority pursuant to Wisconsin Statute 66.0703(10) has the authority to amend prior assessments and; whereas, the Algoma Sanitary District # 1 finds that the benefit as conferred upon the following property located at 3435 Omro Road, Town of Algoma, State of Wisconsin, also identified as parcel number 002014502, is not co-equal to the benefits conferred upon other parcels assessed in the final resolution dated April 14, 2005 and; whereas, the determination of the benefits conferred is based upon a determination of the existence of a proposed road through the above described properties as well as the immediate non-availability of service by reason of the absence of service valves to said properties and; whereas, the property owners have pursuant to Wisconsin Statute 66.0703(7) signed and filed with the Algoma Sanitary District # 1 a proper waiver of notice and public hearing; it is therefore resolved as follows: The Algoma Sanitary District # 1 pursuant to 66.0703(10) hereby amends the final resolution dated April 14, 2005 affecting parcel #002014502, and determines that the correct assessment amount against said property shall be and is hereby fixed at \$13,000.00/second-Alex/carried unanimously)**
 - (i) The owner will pay for the legal publication for this resolution. Ray recommends that the release be recorded.
- e) Sewer Ordinance change for determination of vacated parcel user fee deduction.
- i) Kevin discussed changing the ordinance to a single family residence that is temporarily unoccupied, Kevin recommends using greater than 9 months. This fee could be lowered to 30% of the normal charge had the building remained occupied and in use. Such discount shall be credited against the following years charge.
 - (1) **Alex made a motion to accept the ordinance change as proposed by staff/second-Mike/carried unanimously.**
- f) Shorehaven Lane petition request for water in 2006 – The District received a petition from Mrs. Sorenson for water service to their Lane which was signed by 6 parcel owners. This shows that 5 homeowners are willing to pay for the assessments out of 16 parcels that would have an assessment. The original vote from the Road Association was 5 for the water and 23 not for the water. Mrs. Sorenson asked the Commissioners to look at the health hazard as they determine whether to put water down this road. Her level increased to 9.5 ppb. The new state level as of January 23rd, 2006 is 10 ppb for safe drinking water standards for arsenic.
- i) There was considerable discussion, both pro and con, from Shorehaven Lane residents regarding water to this road which is a private road.
 - (1) Mrs. Sorrenson did considerable leg work and obtained the paperwork showing the Sanitary District has an easement on the road for Sanitary, Water and Storm sewer.
 - (2) Earl told the residents that no action is being taken this evening. Earl told the residents that before the District could consider taking the next steps on Shorehaven Lane the Commissioners would have to determine the following: 1. If water will be going down Oakwood Road first. 2. If yes, the District would then need to decide to move forward with an engineering study to see where a water main could go down Shorehaven Lane. 3. After the study, the District would obtain estimates of the cost. 4. At this point, the Commissioners would need to determine to go forward or not, if going forward; they would adopt a preliminary assessment resolution and mail out notices to all the affected property owners, which would show the date of a public hearing.
 - (3) This road was previously taken out of this phase of the Municipal Water System due to low participation responses.
 - (4) Earl told the residents that the Sanitary District agreed with the Town Board to build a Municipal Water System and bring a benefit to as many people as possible using a voluntary method.
- 6) **New Business**
- a) Sanitary District upcoming reports required by State Statute. These are listed for information purposes.
 - i) The Consumer Confidence Report (CCR) is due July 1.
 - ii) Compliance Maintenance Annual Report (CMAR).

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- iii) The annual Public Service Commission report was sent in last week. This report shows additions to the Municipal Water System Infrastructure, the District's testing of hydrants and valves, and accounting information.
- iv) Federal Audit - This is due because of borrowing more than \$500,000 from the Safe Drinking Water loans in the previous year.
- b) 1890 Sunkist, Scott Rennert's request to have sewer service and be added to the Sanitary District.
 - i) Scott attended the meeting as he would like sewer service to his lot. There was discussion of elevation for service determination for his lot.
 - (1) The District received a letter from Schmidt Brothers Custom Homes proposing this home can be connected to the sewer system based on the elevations submitted by the District. Strand was hired to do this survey. The grades shown meet the state requirements and also go 1% greater slope than that.
 - (a) Kevin said they need to make sure of the basement grade and that the sewer lateral is in the proper elevation prior to construction.
 - (2) Scott cannot hook up to the sanitary main prior to being in added to the District.
 - ii) **Mike made a motion to add 1890 Sunkist Road to the Sanitary District/second-Alex/carried unanimously.** The Town of Algoma Board members need to act on this to have the parcel added to the Sanitary District. It will be on their next agenda with a public hearing the 3rd week of May.
 - iii) Finalize Developer's agreement with property owner. – The District will draw this up.
- c) Copper corrosion discussion of pipes previously installed on private property
 - i) Several copper lines installed during 1998 on Pine Ridge Road by Van Handel for Andrew Homes have failed. So far there have been 4. Andrew Homes covered the entire cost of the first two homes, thinking it might have been from a form spike. After the 3rd one was found, a soil sample has been sent in for analysis to MES. The copper pipe is also being analyzed for the District. Copper pipe installed last year will be analyzed versus the failed pipe.
 - ii) Mr. Backus, owner of Andrew Homes sent a letter to all of his customers, telling them this occurs with dormancy and not using the pipes. Mr. Backus has looked into this and said it has happened in a couple of municipalities in the state where there is absolutely no water in the pipes.
- d) Water bottling.
 - i) The District will give out bottled water at the Town of Algoma's Fire Department picnic.
 - (1) The District will come up with a label for the bottles and discuss this more at the Water Advisory meeting.
- e) Additional item for discussion - Unpaid water bills.
 - i) There was discussion as to how to handle unpaid water bills.
 - (1) The Commissioners instructed staff to follow the PSC regulations for disconnection and send a notice of disconnection if the balance is not paid after two unpaid billings for the account.

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

Respectfully submitted,

Rose Mraz, Office Manager

Approved:

Earl Lawrence, Commissioner