

**Delafield-Hartland
Water Pollution Control Commission**

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Commission Meeting Minutes for August 19, 2008
Delafield-Hartland WPCC Treatment Plant Board Room

Time 7:00 p.m.

CALL MEETING TO ORDER

M. DeYoe called the meeting to order at 7:00 p.m.

ROLL CALL

Delafield

Paul Craig (entered 7:05 p.m.)
Michele DeYoe
Gerald MacDougall
Ed McAleer

Village of Hartland

Karen Compton
Richard Landwehr
Michael Meyers
Rick Stevens

Also Present

Rose Frick
Bob Hyde

Guests

Marilyn Czubkowski – Delafield Administrative Consultant
Dave Lamerand – Hartland Village President

APPROVE MINUTES OF JULY 15, 2008 COMMISSION MEETING – ACTION THEREON

M. MEYERS MOTIONED TO APPROVE THE MINUTES OF THE JULY 15, 2008 MEETING AS PRESENTED. R. STEVENS SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. SIX WERE IN FAVOR. G. MAC DOUGALL ABSTAINED. MOTION CARRIED.

GENERAL MANAGER'S REPORT

LEASE/PURCHASE OF DEL-HART PROPERTY BY THE CITY OF DELAFIELD – ACTION THEREON

M. Czubkowski discussed the 3.4 (+/-) acres of property south of Main Street, West of Butler Drive, Delafield, Wisconsin that the City would like to lease/purchase. Uses that would take place on the property were explained. D. Lamerand commented that he hoped that the Commission would look favorably on the lease agreement and that he thought it was a good offer for the Commission. R. Landwehr stated that according to the Del-Hart attorney, the sale of the property at a price of \$1 was not legal. Discussion took place regarding whether the lease amount would increase every year or every five years. R. Frick stated that this lease agreement would be considered a capital lease. She added that the escalator should be each year as the previous Delafield proposal had stated and have no maximum cap because that defeats the purpose on an inflation index. Also, the sale of the land at the end of the lease would have to be at fair market value. M. Czubkowski questioned the fair market value

purchase and asked if the agreement was set up as a lease-to-purchase if that would make a difference on the purchase price. R. Frick commented that the lease agreement is already considered an installment purchase plan and giving the land away at the end of the lease is not in the best interests of the Commission. She asked B. Hyde to talk about the Del-Hart staff's alternative site suggestion.

B. Hyde distributed aerial photos of Del-Hart land located on Cushing Park Road. Originally, the City had proposed to lease/purchase a parcel of land which he felt was in the middle of the buffer area designated by DNR. He proposed for consideration a parcel that has 600 feet of road frontage on Cushing Park Road and is about 600 feet deep, plus or minus. There could be between seven to eight acres of land and this would be a piece of land that Del-Hart does not need now or in the future. The boundaries of the residential property adjacent to the land were discussed. He stated that if the Commission was going to sell property, this is the piece of property that should be under consideration. Additionally, the Cushing Park Road property is serviced by sewer and electric. Discussion took place on the topography and condition of the land.

M. DeYoe stated that if the City of Delafield was interested in this parcel, they would need to get another appraisal. It was clarified that this land is not land-locked. M. Czubkowski felt that if the Commission is interested in selling this parcel, it would be worth pursuing.

R. Frick advised that if an agreement took place on this piece of land, the attorney for Del-Hart thought it would be in the best interests of the Commission to sell it to the City rather than lease it. E. McAleer stated that the City would do the investigation if the Commission was willing to go ahead with the sale.

The commissioners were asked by M. DeYoe if they thought this was worth pursuing. K. Compton stated that if there was no need for Del-Hart to keep this land as B. Hyde stated, she would be in favor of selling the land. It was M. DeYoe's opinion that this piece of land would be better for the City. The idea was favorable to R. Stevens and he thought it would be the wiser of the two decisions. R. Landwehr would like the agreement to be for a purchase, not a lease. E. McAleer thought it was a good idea and would be good for the future of the City. He will take this back to the City for further investigation. K. Compton stated that although she was in favor of the sale, the City should use this land and not hold it to sell at a profit in the future and she wanted that as part of the purchase agreement.

The City will work on this item and bring it back to Del-Hart for discussion at a future meeting.

HYDROGEN SULFIDE (H₂S) MITIGATION PROJECT – ACTION THEREON

Pump stations 2 and 3 were turned off at 4 a.m. today to allow the televising of the section by the electric company right-of-way by Visu-Sewer. Manhole A12 had coating applied on the lower portion of the manhole, however when the water was turned back on, it washed away. It will not be re-painted. Because of the amount of water that goes through this area, the area is wet; this is good because usually it is the area out of the water that corrodes. B. Hyde felt that corrosion in this manhole is not bad and the area that was to be painted was too small. Discussion took place about the coating being part of the contract. If Visu-Sewer bypassed the manhole, the appropriate amount of time could be allowed for the paint to cure. It was the opinion of B. Hyde that this was not worth pursuing Visu-Sewer to do this. Some sort of

guarantee on this manhole from Visu-Sewer was suggested by R. Stevens. B. Hyde advised that if in five years there were problems, a prefabricated liner could be installed. E. McAleer stated that the specifications for the job were in black and white and they should be fulfilled. The Commission requested B. Hyde to make inquiry of Visu-Sewer regarding installation of a prefabricated bench or a rebate and warranty.

The manholes will be tested with high voltage on August 20, 2008 at 7:30 a.m. to determine the location of pinholes. It is possible that 20 manholes will be inspected tomorrow. The results of the testing will determine if more testing will be performed.

Satisfaction of work performed was discussed.

Coating of the scum pit has not taken place at this time.

AMENDMENT NO. 1 TO VISU-SEWER CONTRACT 1-2007 – ACTION THEREON

This amendment is a five year warranty that has already been signed by Visu-Sewer.

R. LANDWEHR MOTIONED TO APPROVE SIGNING OF THE AMENDMENT NO. 1 TO CONTRACT 1-2007. R. STEVENS SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

FINAL 2009 BUDGET - ACTION THEREON

There are no major changes to the Final Operating Budget. R. Frick stated that all of the numbers for DUEs have been received from the municipalities. Hauler fees have been slightly adjusted. Next year, the Final Budget approval date will be moved to September. In the Capital Budget under connection charges, additional DUEs were inserted for the annual July billing of those businesses that have increased usage (DUEs) after an initial warning. A mixed rate for new connection charges was used because there is a one to two year delay from the date they are paid to the Municipal Customers (building permit date) and the date that they are connected and paid to Del-Hart (sewer permit date). The biggest change from the Preliminary Capital Budget was an increase of \$76,000 for connection charges and a decrease of \$105,000 on replacement fund deposits.

E. MC ALEER MOTIONED TO APPROVE THE 2009 BUDGET. R. LANDWEHR SECONDED THE MOTION. R. FRICK EXPLAINED HOW THE BUDGET WAS REVIEWED AND HOW THE BUDGET FOR THE UPCOMING YEAR WAS DETERMINED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

TRIAD UPDATE

B. Hyde has attempted to arrange a tour, but no date has been set. No problems have occurred at Del-Hart as a result of Triad being online. Water use data has been received from Triad. For the first six months, Triad should be giving Del-Hart lab data monthly.

SCADA ANNUAL SOFTWARE UPDATE – ACTION THEREON

A bill has been received for the annual software update in the amount of \$2,142.00.

M. MEYERS MOTIONED TO PAY THE INVOICE FOR THE SCADA ANNUAL SOFTWARE UPDATE IN THE AMOUNT OF \$2,142.00. P. CRAIG SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

FINANCE DIRECTOR'S REPORT

VISU-SEWER CLEAN & SEAL INVOICE – ACTION THEREON

It was explained that Invoice #20163 in the amount of \$5,220 was for the grouting of several manholes and it was necessary because of leaking water. B. Hyde explained the work that was billed on the invoice.

R. LANDWEHR MOTIONED TO APPROVE INVOICE #20163 DATED JULY 28, 2008, IN THE AMOUNT OF \$5,220.00 AND INVOICE #20162 DATED JULY 28, 2008 IN THE AMOUNT OF \$29,607.95. R. STEVENS SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

FYI – NO STRAND INVOICE

FINANCIAL STATEMENTS

The Financial Statements were distributed to the Commissioners.

APPROVE EXPENSES & DISBURSEMENTS – ACTION THEREON

E. MC ALEER MOTIONED TO APPROVE. R. STEVENS SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

NEXT COMMISSION MEETING'S AGENDA ITEMS

M. DeYoe explained that this section was added to the agenda in order to give Commissioners an opportunity to request items that they would like to see on the next agenda. The following item was requested, if the City of Delafield was ready to discuss:

- Delafield Land Purchase

CLOSED SESSION PURSUANT TO SECTION 19.85(1)(C), WISCONSIN STATUTES, CONSIDERING EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY, MORE SPECIFICALLY TO DISCUSS AND ESTABLISH CRITERIA FOR THE EVALUATION OF A CANDIDATE(S) AND DETERMINATION OF BENEFITS AND COMPENSATION FOR THE POSITION OF GENERAL MANAGER.

R. STEVENS MOTIONED TO ENTER INTO CLOSED SESSION PURSUANT TO SECTION 19.85(1)(C), WISCONSIN STATUTES, CONSIDERING EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES

RESPONSIBILITY, MORE SPECIFICALLY TO DISCUSS AND ESTABLISH CRITERIA FOR THE EVALUATION OF A CANDIDATE(S) AND DETERMINATION OF BENEFITS AND COMPENSATION FOR THE POSITION OF GENERAL MANAGER. P. CRAIG SECONDED THE MOTION. A ROLL CALL VOTE WAS TAKEN: P. CRAIG, AYE; K. COMPTON, AYE; M. DEYOE, AYE; R. LANDWEHR, AYE; G. MAC DOUGALL, AYE; M. MEYERS, AYE; E. MC ALEER, AYE; R. STEVENS, AYE. MOTION CARRIED. CLOSED SESSION WAS ENTERED INTO AT 8:01 P.M.

RECONVENE INTO OPEN SESSION AND TAKE ACTION IF ANY

IT WAS MOTIONED AND SECONDED TO RECONVENE INTO OPEN SESSION AT 8:35 P.M. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. OPEN SESSION WAS RECONVENED AT 8:35 P.M.

No action was taken.

ADJOURN

R. STEVENS MOTIONED TO ADJOURN FROM THE MEETING. E. MCALEER SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 8:37 P.M.

Respectfully submitted:

Minutes prepared by:

Rosemary Frick, CPA
Finance Director

Accurate Business Communications, Inc.