

**Delafield-Hartland  
Water Pollution Control Commission**

416 Butler Drive, Delafield WI 53018-1871

Phone: 262-646-4364/Fax: 262-646-5187

Commission Meeting Minutes for January 20, 2009  
Delafield-Hartland WPCC Treatment Plant Board Room

Time  
7:00 PM

**CALL MEETING TO ORDER**

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

**ROLL CALL**

Delafield

Paul Craig  
Michele DeYoe  
Gerald MacDougall  
Ed McAleer

Village of Hartland

Karen Compton  
Richard Landwehr  
Michael Meyers  
Rick Stevens (excused)  
Dave Lamerand

Also Present

Rose Frick  
Scott Luczak

**APPROVE MINUTES OF DECEMBER 16, 2008 COMMISSION MEETING**

**M. MEYERS MOTIONED TO APPROVE THE MINUTES OF THE DECEMBER 16, 2008 MEETING AS PRESENTED. R. LANDWEHR SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

**ANNOUNCEMENT OF CLOSED SESSION**

R. Frick read the announcement of the closed session.

**GENERAL MANAGER'S REPORT**

**PURCHASE OF DEL-HART PROPERTY BY THE CITY OF DELAFIELD**

A copy of the appraisal from the Nicholson Group was provided to all of the Commissioners. There was a 45% reduction in price based on four major factors: location, zoning, topography, and easement. The appraisal valued the land at a price of \$80,000 per acre. S. Luczak and R. Frick discussed the appraisal results with Attorney Fenner on December 30, 2008. During that discussion, Attorney Fenner stated that in his opinion a second appraisal should be done based on the great reduction compared to other comparable properties. K. Compton indicated that originally she had requested two appraisals and would still like a second appraisal to take place. E. McAleer asked if the Commission would be willing to average the two appraisals. K. Compton wanted to make sure that Del-Hart obtained the most money it could for the land. E. McAleer stated that if there wasn't a feeling of fairness, the Delafield Common Council may decide not to buy the land. It was the opinion of D. Lamerand if the second appraisal was in

line, the Commission would be able to make a decision, but if there was a big variance, there should be a review done. Additionally, he felt Del-Hart should be very transparent and two appraisals should be done. It was questioned by P. Craig how the second appraiser would be chosen since the Village of Hartland had originally requested the first appraiser. After a brief discussion, the consensus was that the City of Delafield would select the next appraiser. E. McAleer felt that if the City did not purchase the land, no one would. The only way the land could become valuable would be if Del-Hart went away. M. Meyer stated that Del-Hart agreed with the sale, but having a second appraisal would eliminate a lot of questions about the purchase in the future. E. McAleer will have the City select a second appraiser.

#### HYDROGEN SULFIDE (H<sub>2</sub>S) MITIGATION PROJECT

Attorney Fenner was consulted. The insurance company came back with a reply that Del-Hart is considered covered but did not want to commit to this in letter format until they reviewed the suit. Attorney Fenner did not object to making the final payment to Visu-Sewer and was satisfied that the Commission had sufficient and adequate insurance coverage. A copy of the letter from Attorney Fenner is on file with Del-Hart. Attorney Fenner spoke to the insurance adjuster who was going to make an offer, but the outcome of the offer is not known at this time.

#### FOCUS ON ENERGY UPDATE

No information has been received.

#### FINANCE DIRECTOR'S REPORT

##### VISU-SEWER CLEAN & SEAL INVOICE

**R. LANDWEHR MOTIONED TO APPROVE THE PAYMENT OF INVOICE #20340R DATED NOVEMBER 21, 2008 IN THE AMOUNT OF \$60,241.53. K. COMPTON SECONDED THE MOTION. Responding to a question by R. Landwehr, R. Frick clarified that this is the last invoice and would zero out the retainage. S. Luczak stated that Attorney Fenner felt Del-Hart was adequately covered, but a letter from CNA would be extra assurance. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

#### FYI – NO MORE STRAND INVOICES

It was noted that there would not be any more Stand invoices.

#### FINANCIAL STATEMENTS & AUDIT

A letter from the auditors, Virchow Krause & Company, was provided to the Commissioners. Virchow Krause is looking for more communication with the people who govern the organization. The auditing partner's personal phone number and email address were included for this purpose. No action was required by the Commission.

R. Frick informed the Commissioners of investments that were made today on behalf of Del-Hart. She felt that considering the present state of the economy, Del-Hart was very fortunate to be able to invest funds at these higher earning rates. The financial statements were provided to the Commissioners for their information.

APPROVE EXPENSES & DISBURSEMENTS

**P. CRAIG MOTIONED TO APPROVE THE EXPENSES AND DISBURSEMENTS AS PRESENTED. R. LANDWEHR SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

NEXT COMMISSION MEETING'S AGENDA ITEMS - NO DISCUSSION OF REQUESTED ITEMS

The following item was requested to be on the next meeting's agenda:

- Purchase of Del-Hart Property by the City of Delafield

MOTION TO CONVENE 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 COMPENSATION FOR ADMINISTRATIVE EMPLOYEES. FOLLOWING THE CLOSED SESSION, THE COMMISSION WILL THEN RECONVENE INTO OPEN SESSION TO TAKE ANY ACTION IF NECESSARY REGARDING THE DISCUSSED FOREGOING MATTERS AND TO CONTINUE WITH REMAINING AGENDA ITEMS.

**E. McALEER MOTIONED TO CONVENE 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 COMPENSATION FOR ADMINISTRATIVE EMPLOYEES. P. CRAIG SECONDED THE MOTION. A ROLL CALL VOTE TOOK PLACE: K. COMPTON, AYE; M. MEYERS, AYE; P. CRAIG, AYE; E. McALEER, AYE; D. LAMERAND, AYE; G. MacDOUGALL, AYE; R. LANDWEHR, AYE; M. DeYOE, AYE. MOTION CARRIED. CLOSED SESSION WAS ENTERED INTO AT 7:28 P.M.**

RECONVENE INTO OPEN SESSION AND TAKE ACTION IF ANY

**P. CRAIG MOTIONED TO RECONVENE INTO OPEN SESSION. E. McALEER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING RECONVENED AT 7:53 P.M.**

OTHER ISSUES

ADMINISTRATIVE COMPENSATION

**P. CRAIG MOTIONED TO GIVE THE FINANCE DIRECTOR A 3.2% RAISE. K. COMPTON SECONDED THE MOTION. SEVEN WERE IN FAVOR. E. McALEER OPPOSED. MOTION CARRIED.**

ADJOURN MEETING

**M. MEYERS MOTIONED TO ADJOURN FROM THE MEETING. R. LANDWEHR SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 7:56 P.M.**

Respectfully submitted:

Minutes prepared by:

Rosemary Frick, CPA  
Finance Director

Accurate Business Communications, Inc.