

Delafield-Hartland  
Water Pollution Control Commission  
416 Butler Drive, Delafield WI 53018-1871  
Phone: 262-646-4364/Fax: 262-646-5187

**Meeting Minutes**

Commission Meeting Minutes for **June 16, 2020 at 5:30 P.M.**  
Delafield-Hartland WPCC Wastewater Treatment Plant Conference Room  
**416 Butler Drive, Delafield, WI 53018**

CALL COMMISSION MEETING TO ORDER

Chair Tim Aicher called the June 16, 2020 Delafield-Hartland Water Pollution Control Commission (“Commission”) Meeting to order at 5:30 P.M. and welcomed R. Ludtke to the Commission.

WELCOME NEW COMMISSIONER

Robyn Ludtke – Village of Hartland

ROLL CALL OF COMMISSIONERS

City of Delafield

Tim Aicher  
Dave Greenway  
Kevin Maples  
Erv Sadowski

Village of Hartland

Jeff Anson  
Donna Dorau  
Robyn Ludtke  
Michael Meyers

**Note change in procedure: Payroll for the Commissioners will be substantiated by the roll call taken at this and subsequent Commission meetings instead of obtaining individual Commissioner signatures.**

Also Present

Rose Frick  
Scott Luczak

Guests

Jodi Dobson, CPA, Partner, Baker Tilly Virchow Krause, LLP (Via Phone)  
Dustin Kratcha, CPA, Senior Associate, Baker Tilly Virchow Krause, LLP (Via Phone)  
Tim Rhode, Village Administrator, Village of Hartland  
Wayne Dehn, City of Delafield Alternate Commissioner

APPROVE MINUTES OF JANUARY 21, 2020 COMMISSION MEETING

**M. MEYERS MOVED TO APPROVE THE MINUTES OF THE JANUARY 21, 2020 COMMISSION MEETING AS PRESENTED. D. DORAU SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

COMMISSION ELECTIONS

ELECTION OF COMMISSION OFFICERS

**M. MEYERS MOVED TO NOMINATE T. AICHER AS CHAIRPERSON. D. GREENWAY SECONDED THE MOTION. AFTER CALLING FOR ADDITIONAL NOMINATIONS WITH NONE FORTHCOMING, NOMINATIONS WERE CLOSED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

**T. AICHER MOVED TO NOMINATE M. MEYERS AS VICE CHAIRPERSON. E. SADOWSKI SECONDED THE MOTION. AFTER CALLING FOR ADDITIONAL NOMINATIONS WITH NONE FORTHCOMING, NOMINATIONS WERE CLOSED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

**J. ANSON MOVED TO NOMINATE E. SADOWSKI AS SECRETARY. T. AICHER SECONDED THE MOTION. AFTER CALLING FOR ADDITIONAL NOMINATIONS WITH NONE FORTHCOMING, NOMINATIONS WERE CLOSED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

#### FINANCE DIRECTOR/TREASURER'S REPORT

#### 2019 DELAFIELD-HARTLAND WATER POLLUTION CONTROL COMMISSION AUDIT REPORT (COMMUNICATION REPORT TO COMMISSIONERS AND FINANCIAL STATEMENTS)

Jodi Dobson, CPA, Partner, and Dustin Kratcha, CPA, Senior Associate, of Baker Tilly Virchow Krause, LLP, were present via phone. All Commissioners received a copy of the 2019 Delafield-Hartland Water Pollution Control Commission Audit Report in advance of the meeting. The Financial Statements and Communication Reports were reviewed with the Commissioners. D. Kratcha explained the 2019 audit was conducted in January 2020. He thanked R. Frick for her cooperation and well managed books. Utility plant current year events were reviewed. Financial highlights included in the report indicated the Commission is in good financial health with gains in the overall net position. Non-operating revenues would continue to serve the Commission's needs to accumulate monies needed for the Clean Water Fund loan payments and to fully fund the \$3.8 million plant modification construction project to be completed at the end of 2020. M. Meyers questioned the net pension changes. J. Dobson explained the pension changes were due to the percentage applied to all employers within the Wisconsin Retirement System (WRS) overall rather than a specific group. The state estimated what state and local government entities needed to pay into the fund and this estimate was reflected in the report. The Commission WRS fund is well funded. The control environment was reviewed. This remained unchanged from last year and it was noted that due to the small staff size there is not adequate segregation of duties. Internal controls are always considered an issue based on the small administrative staff size. Procedures continue to be in place to assure that ethics are maintained and monies protected. There were no material adjustments made to journal entries in the audit. Commissioners are encouraged to reach out to the auditors directly if there are any concerns about the audit. T. Aicher noted that there were discussions in the past regarding cyber security measures. A proposal was requested from J. Dobson regarding information for cyber security management.

#### CHEMTRADE LIQUID ALUMINUM SULFATE ANTITRUST LITIGATION INITIAL SETTLEMENT CHECK RECEIVED

R. Frick explained the history of this item, noting information had been received that indicated the Commission could have been overcharged by ChemTrade Chemicals US, LLC in the past and asked for the Commission's participation in a class action lawsuit. R. Frick noted that she had experienced overcharges from ChemTrade in 2009 ranging from \$30 - \$60 an invoice due to errors in billing for strength factors that did not match the bill of lading recorded figures. At that time, she had requested and received a credit of \$200 from ChemTrade after contacting their accounting department about the billing errors.

In December 2018, R. Frick contacted the class action lawsuit administrator and filed a claim form along with copies of 45 invoices for purchases that transpired during the lawsuit's time frame (October 2006 – February 2011) so she could participate in the class action lawsuit's settlement with ChemTrade. As a result of her efforts, the first settlement check in the amount of \$6,755 was received in March 2020. This first check was approximately 3.8% of the total submitted invoices. She was

informed that another distribution would be coming in the future as more defendants are scheduled to make additional payments to the lawsuit's settlement fund.

#### FINANCIAL STATEMENTS (JANUARY – MAY 2020)

The May 2020 financial statements and highlights had been distributed to the Commissioners at the start of the meeting. The balance sheet was reviewed and it was noted that the Clean Water Fund loan balance was now at \$1.9 million and the principal would be paid off in three more annual payments. The income statement showed operating revenues continuing to increase due to increased hauler revenues. User fees were discussed and it was pointed out that the fees have not been raised since January 1, 1986. Chair T. Aicher directed R. Frick to work up figures for a slight increase to user fees for discussion at the next meeting. Investment accounts, specifically the restricted accounts such as replacement funds provide monies to pay for unexpected fixed asset expenditures, such as the construction project currently underway. The history of the Commission's decision to turn down a bond reissue in 2001 and apply for a substantially bigger loan and better interest rate with the Clean Water Fund loan program in 2003 was explained. R. Frick will provide the Commissioners with a report of surrounding municipal sewer connection charges and user fees for comparative purposes once the minutes are distributed.

#### APPROVE EXPENSES AND DISBURSEMENTS (JANUARY, FEBRUARY, MARCH, APRIL, AND MAY 2020)

**E. SADOWSKI MOVED TO APPROVE THE EXPENSES AND DISBURSEMENTS FOR JANUARY THROUGH MAY 2020 AS PRESENTED. K. MAPLES SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR FOR APPROVAL OF JANUARY, FEBRUARY, MARCH AND MAY 2020 EXPENSES AND DISBURSEMENTS. SIX WERE IN FAVOR FOR APPROVAL OF EXPENSES AND DISBURSEMENTS FOR APRIL 2020. M. MEYERS ABSTAINED FROM VOTING ON APPROVAL OF THE APRIL 2020 EXPENSES AND DISBURSEMENTS. MOTION CARRIED.**

**Note change in procedure: Approval of expenses and disbursements will be substantiated by the formal motions made by the Commissioners at this and subsequent Commission meetings instead of obtaining individual Commissioner signatures.**

#### GENERAL MANAGER'S REPORT

RESOLUTION NO. 061620 RE: COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR) FOR 2019

Average flow rates and precipitation data related to the Compliance Maintenance Annual Report (CMAR) were shared by S. Luczak. The average daily flow for last year was 2.095 million gallons per day and the daily effluent flow rate was 2.021 million gallons per day. The precipitation total for last year was 51.84 inches, the area average is 39.00 inches. Of the 51.84 inches of precipitation, 45.16 inches of rain and 66.8 inches of snowfall were recorded. Haulers provided an average of 40,070 gallons per day based on a five-day week. The average phosphorus level for the year was 0.77 mg per liter. The plant modification construction project will allow a new phosphorus level of 0.10 mg per liter to be met in the future. All areas of the Compliance Maintenance Annual Report (CMAR) had received an "A" rating. The Draft Resolution 061620 Re: Compliance Maintenance Annual Report (CMAR) for 2019 was read into the record at this time.

**M. MEYERS MOVED TO APPROVE RESOLUTION 061620 RE: COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR) FOR 2019 AS PRESENTED. D. GREENWAY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

## PLANT MODIFICATION CONSTRUCTION PROJECT UPDATE

The Commission had not met since January 2020. Since that time, the plant modification construction project had continued; however, due to the COVID-19 pandemic, there were some issues with the delivery of the disc filters and the project was delayed by two weeks for now. The filters are anticipated by the end of July. There are no penalties assumed due to the delay.

Various changes to the project had been made since the last meeting. A change order for grating had been approved at the start of the project in the amount of \$34,000. Grating had been added in the amount of \$3,641 and an eye wash station in the amount of \$4,500 was approved at the January 21, 2020 meeting. Also, the following items were added: 1) a disconnect for the Ultraviolet (UV) station in the amount of \$4,700, 2) removal of the old doors and the installation of new doors in the amount of \$13,800, 3) a building permit in the amount of \$3,568, 4) a lighting change in the filter building in the amount of \$8,500 and 5) grating in the UV channel in the amount of \$4,500. Some gates had been changed and three gates were eliminated for a credit of \$11,000. A pipe was changed from stainless steel to ductile iron and a credit received in the amount of \$22,500. With all the changes and credits noted, the cost of the project increased by \$9,729. Recently, S. Luczak learned that because the chlorine was removed from the system, algae and moss were found growing in the clarifiers. This would cause trouble if allowed to remain as part of the system so a bid is being provided on the final design to cover the effluent channels and install launder covers at a cost of \$146,111 making the total of anticipated construction costs approximately \$3,298,841.

## UPDATE ON PARTICIPATION IN WE ENERGIES "SOLAR NOW" PILOT PROGRAM

The Commission attorney, Bill Cole had reviewed the WE Energies contract related to participation in the "Solar Now" pilot program. Questions were asked of the WE Energies representative regarding the payment schedule for the Commission. A schedule was provided noting a payment to the Commission of \$1,493 per month for the first year and then payments would fluctuate between \$1,642 per month and \$1,791 per month for the remaining 19 years depending on the amount of energy generated by the solar panels. The responsibility for installation, maintenance and removal of all solar panels, equipment and technology will be borne by WE Energies for the lifespan of the project.

## NEXT COMMISSION MEETING AND AGENDA ITEMS

The next meeting of the Commission is scheduled for July 21, 2020 beginning at 5:30 P.M.

The following items are slated for the agenda for that meeting:

- Discuss and Act on Contract Approval for "Solar Now" Pilot Program with Attorney Approval.
- Discuss the Impact of a Rate Increase for User Fees

## ADJOURN MEETING

**E. SADOWSKI MOVED TO ADJOURN FROM THE JUNE 16, 2020 DELAFIELD-HARTLAND WATER POLLUTION CONTROL COMMISSION MEETING. J. ANSON SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 6:51 P.M.**

Respectfully submitted:

Minutes prepared by:

Rosemary Frick, CPA  
Finance Director/Treasurer

Accurate Business Communications, Inc.