

Little Suamico Sanitary District #1
Minutes of Monthly Meeting
Monday, February 28, 2022

The monthly meeting was called to order at 6:30 p.m. Present were Doug Allen, Chad Fischer, Dan Herzberg, Terry Malcheski, Troy Schaden, and Dennis Steigenberger and Brandon Strelow from Cedar Corporation. Also in attendance were members of Staab Construction Corporation; Jason Betancur, Ben Lee, Dustin Rudie (via telephone), and Dustin Trachte. Others in attendance; Charity Bayer, Jamie Schlueter, and Vladislav Yatsenko.

Approve agenda for February 28, 2022 – Dan Herzberg made a motion to approve the agenda for the meeting. The motion was seconded by Doug Allen and the motion carried with all in favor.

Approve minutes from January 11, 2022 – Dan Herzberg made a motion to approve the minutes from the January 11, 2022, meeting as presented. Doug Allen seconded the motion. The motion carried with Allen and Herzberg in favor. Fischer abstained due to absence at the January 11, 2022, meeting.

Agenda item #1/Phosphorus reduction/plant upgrade including - Discussion of liquidated damages with representatives of Staab Construction Corporation and any needed action. Approval of payment request(s) and/or change request(s) from Staab Construction Corporation, approval of disbursement request/documents for Clean Water Fund loan, and any other needed discussion and action by the board relative to this project – Members of Staab Construction Corporation were present to discuss with the board the intent of the sanitary district to recover liquidated damages from Staab Construction Corporation (Staab) for not meeting the substantial completion date. Ben Lee spoke for the group and reviewed a timeline of events that occurred during the construction and Staab's perception and position regarding the occurrences of these events. Ben indicated liquidated damages are a penalty and are a "black mark" and when contractors are seeking work they are asked if they have ever incurred liquidated damages. Ben indicated Staab has been operating in good faith throughout the project. The board deferred a decision regarding the liquidated damages.

Agenda item #2/Discussion and action regarding development by Caliber Sales on East Frontage Road (south of Allen Road) with connection to private interceptor – Vladislav Yatsenko acquired a lot on East Frontage Road (south of Allen Road) and would like to construct a commercial building on the lot. A private interceptor services the lot, and he is inquiring if the district has any requirements regarding the lay of the building relative to the private interceptor. The board indicated Vladislav can place the building wherever he deems is best, as the private interceptor is not property of the sanitary district. When Vladislav is ready to connect, he will need to obtain a sanitary permit and pay a connection fee to the sanitary district.

Agenda item #3/Lilly/Lilac Road and East Frontage Road sewer extensions. DNR approved plans and specs for the project. Discuss a schedule for bidding and the Special Assessment process and any needed action regarding Lilly/Lilac and East Frontage Road extensions – Charity Bayer owns a parcel on the east side of East Frontage Road (north of County S), and she would like to begin construction of a home, however she needs a permit from Oconto County for a temporary holding tank. A Memorandum of Understanding between the sanitary district and Charity Bayer was executed and this document addresses requests that were made by Oconto County. Charity Bayer and Dan Herzberg executed signatures and Dan will send to Oconto County. Dennis Steigenberger noted the East Frontage sewer extension was approved by WI DNR on 1/28/2022 and the district is moving forward with the bid process. The sewer extension will take place in conjunction with an extension on Lilly and Lilac Roads, but each extension will be bid separately. The district will request the contractor construct the East Frontage extension first, due to immediate need. A tentative schedule for the project was discussed. A preliminary resolution for special assessments was previously executed and the district will continue to move forward with the special assessment process. It is the intention to proceed with a front footage assessment. The special assessments and property listings will display for ten days during normal working hours (normal business hours for the town hall). Preceding a future monthly meeting, a public special assessment hearing will be held, and property owners will have opportunity to review the costs of the project. At a future monthly meeting the final resolution levying special assessments will be

executed. The final resolution will be published. Contractors typically hold bid prices for 30, 60 and 90 days, although in this era of supply chain delays a long hold time may increase prices. Consideration will be given to whether laterals will be bored, if stub lateral installation to vacant parcels will be offered, what terms for special assessment payback, and paving needs.

Agenda item #4/Update on progress of stub lateral installation and sewer connection to lot on Allen Road (parcel 024202600212A2) and any needed action – DeGroot has finished the installation of the stub lateral to this parcel owned by Paul Hartrick. A copy of the invoice was e-mailed to Paul and Paul is to reimburse the sanitary district, as the district has made payment to DeGroot.

Agenda item #5/Maintenance and operations report and any needed action by board – Troy Schaden provided an update regarding plant operations and maintenance. Troy would like to install another hose in the plant and the board approved Troy to acquire a plumber to do this work. Troy noted he received a notification from WI DNR that he needs to obtain phosphorus training and advanced certification.

Agenda item #6/Review of master map and any needed action – GPS of the manholes will begin as soon as the snow is gone.

Agenda item #7/American Rescue Plan Act update and any needed action by board – The town is hoping to acquire \$50K for the sanitary district.

Agenda item #8/Review and approve engagement letter from CLA for 2021 audit. Review and approval of expenditures, report from clerk and review pricing from Associated Bank and any needed action by board – Dan Herzberg signed the engagement letter for CLA to conduct the 2021 audit. A listing of all the expenditures was provided to each board member for review. Chad Fischer made a motion to approve the expenditures and the motion was seconded by Dan Herzberg. The motion carried with all in favor.

Set next meeting date: The next meeting will occur on Monday, March 21, 2022, at 6:30 p.m. Dan Herzberg made a motion to adjourn this meeting at 8:46 p.m. and Doug Allen seconded the motion. The motion carried with all in favor. Minutes recorded by Terry Malcheski