

**Little Suamico Sanitary District #1
Minutes of Monthly Meeting
Monday, June 20, 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 Brandon Strelow from Cedar Corporation.

Approve agenda for June 20, 2022 – Chad Fischer 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 April 18, 2022 – Chad Fischer made a motion to approve the minutes from the May 16, 2022, meeting as presented, and Doug Allen seconded the motion. The motion carried with Allen, Fischer, and Herzberg (all) in favor.

Agenda item #1/Phosphorus reduction/plant upgrade including 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 –Brandon Strelow provided an update regarding change order #3 that is being contested by WI DNR. Their position is the district violated WI bidding laws and Attorney Gagan on behalf of the sanitary district has rendered an opinion to them the bidding laws were not violated. WI DNR has given a verbal approval to Attorney Gagan that change order #3 will be eligible for Clean Water funds. Written confirmation should be received in two to three weeks.

Regarding the fittings that keep breaking at the treatment plant, the vendor, Nexom, was instructed the sanitary district needs a permanent fix to this issue. They were to schedule with Troy when they were going to come to the plant to work on this issue. Brandon also contacted them to make sure they were going to schedule a date so Troy and a representative of Cedar Corporation could be present when they (Nexom) were there repairing. Nexom came without notifying Brandon or Troy as to the exact date and time they were going to be there and thus the repair work by them took place without Troy or Cedar Corporation's presence. A few days after Nexom made the repair, the fittings broke again. Staab has expressed they consider vandalism is happening at the treatment plant and will be installing cameras. It is very highly unlikely that vandalism is occurring as there would be evidence of human presence in the chemical spill/spew that is all over the floor etc. when the fittings break. There is also no sign of forced entry. Brandon indicated the fittings seem to be breaking when the tank has just been filled or is being filled. The district will obtain input from Hawkins as to their thoughts as to what could be occurring to cause this. The tank will be filled again next week. Brandon has reached out to Laura (WI DNR rep) to make her aware as to what has been occurring. The plant is not operational as it should be, and the district's position is Staab will be financially responsible for not meeting the phosphorus limits. The retainage from the project is held and there are also some punch lists items to complete. Payment requests will not be processed until the issue with the fittings is resolved. It is noted the chemical spill from the fittings breaking has done damage to the HVAC, railings, stairs, etc. Staab is responsible for repairing and painting of these damages.

Agenda item #2/Lilly/Lilac Road and East Frontage Road sewer extensions. Review and act on special assessment process, interim financing options, and any other needed action regarding Lilly/Lilac and East Frontage Road extensions – Dan Herzberg noted the State Trust Fund requires a tax levy to secure any loan proceeds from them and for this reason the district will not be able to utilize them for interim financing of the East Frontage/Lilly/Lilac Road sewer extensions. The district will utilize Associated Bank and will authorize them to proceed with the credit approval process. A motion was made by Chad Fischer to this effect and the motion was seconded by Dan Herzberg. The motion carried with all in favor. Terry Malcheski will provide notification to the Associated Bank representative via e-mail.

Brandon reviewed the paving costs estimates and compared the costs if the county does the paving versus DeGroot. The county's prices are lower than DeGroot. Brandon also reviewed the *Report of the District Engineer for Special Assessments on Benefitting Properties within the Little Suamico Sanitary District #1*. Brandon will e-mail the documents to me along with a timeline of events that need to occur leading up to the special assessment process and hearing. The *Notice of Contract Award* with DeGroot needs to be accepted by July 17, 2022. A motion

was made by Dan Herzberg and seconded by Chad Fischer to authorize the notice to proceed with the contract with DeGroot for East Frontage and Lilly/Lilac Road sewer extensions. The motion carried with Allen, Fischer and Herzberg all in favor. Dan Herzberg signed as the sanitary district representative. Brad will send to DeGroot, and they then have 15 days to submit their bonding and insurance.

Agenda item #3/Maintenance and operations report and any needed action by board – Troy Schaden reported for now the plant is functional. Hawkins will deliver more ferric on Monday. As noted in the phosphorus plant upgrade update the DNR is aware of the ferric acid issue. They will be making their three-year visit in July or August. The only issues had with the storms was the lift-station on County S. The Ipad Troy uses now has a tool for locating and this is working well. The software used to remote into the plant is \$700.00 per year and the board agreed to proceed with the renewal of this. The ponds need spraying again and the grass will be cut. Chad Fischer had to have the lawn mower repaired as it received damage from an object it struck while lawn cutting. The Compliance Maintenance Annual Report (CMAR) for 2021 was reviewed. Terry provided Troy with the electricity use for 2021 as well as the amounts in the depreciation fund. Dan made a motion to accept the 2021 CMAR and the motion was seconded by Chad Fischer. The motion carried with all in favor and resolution 06202022-01 is assigned to the CMAR.

Agenda item #4/Review of master map and any needed action – All is as planned with this item just need the update to the software.

Agenda item #5/American Rescue Plan Act update and any needed action by board – Dan will be attending the next town board meeting to discuss this with them with hopes to secure funds for the sanitary district.

Agenda item #6/Review and approval of expenditures, report from clerk, review Associated Bank offerings (ACH/Debit/Credit) and any needed action by board – A check register of the expenses that have occurred since the May meeting was supplied to each board member and reviewed. Dan Herzberg made a motion to approve the expenditures and the motion was seconded by Chad Fischer. The motion carried with all in favor.

Set next meeting date: The next meeting will occur on Monday, July 18, 2022, at 6:30 p.m. Dan Herzberg made a motion to adjourn this meeting at 8:00 p.m. and Doug Allen seconded the motion. The motion carried with all in favor. Minutes recorded by Terry Malcheski

At this time Dan Herzberg made a motion to move to closed session pursuant to WI Stat. 19.85 (1) (C) to Consider Employment, Promotion, Compensation and/or Performance Evaluation Data of any Public Employee