

**SANITARY DISTRICT NO. 1 COMMISSIONERS MEETING
TOWN OF WILSON, SHEBOYGAN COUNTY, WISCONSIN
MINUTES OF January 16th, 2023**

CALL TO ORDER & DECLARATION OF OPEN MEETING: President John Ehmann called the Sanitary District No.1 Commissioners Meeting to order at 5:36 p.m. Posting in accordance with open meeting law was confirmed by affidavit of posting and the meeting was declared an open meeting. Meeting was held both in person and via Zoom which complies with open meeting laws. Public comment session was removed from the meeting agenda to facilitate the zoom platform.

PRESENT: President John Ehmann, Commissioners Nancy DesJardins, Matt Fore, Tom Stoelb, and Brian Hoffmann. Also in attendance: Secretary Julie Wicker, Sanitary Administrator Karen Bollwahn, Treasurer Shawna Scovronski, Public Works Director Ben Darkow and Technician Otis Kiehl. Also in attendance were District Engineer Scott Schramm, residents Jack Leonhardt, Brian Doudna, Claudia Bricks, Chuck Butler, Mary Pitsch and Jason Schoen.

NEW BUSINESS / APPOINTMENTS:

1. **Approval of draft minutes for January 3rd 2023 SD1 Commissioner's Meeting - Motion by Hoffmann, second by DesJardins to approve the draft minutes for the January 3rd, 2023 Commissioner's meeting. All members present voted Aye. Motion carried.**
2. **Discussion on Sheboygan Southside Sanitary Sewer Facility Plan Amendment** – Engineer Scott Schramm presented an overview of the City's South Side Sewer plan. He stated that the Chairman, himself, and Mr. Darkow met with the City a few weeks ago and the presentation by the City was brief. He explained that he wanted to discuss with the commissioners the City's planning efforts and how that it may impact public finance and connection fees. Facility planning is the process where communities look at their structures and how it affects their service area. The planning efforts go back to the late 70s and early 80s. Two and half years ago the city had a firm take a look at this South side area who gave a result the city was not in support of and they recently had another firm take a look at it and that plan is what we have been presented with. First the City was asked what the key driver was to instigate this plan amendment to which they answered it was the CTH EE project slated for development in 2025. Then they were asked what the main goal is, and they replied with they are interested in separating the Town and City flow.
Once things are submitted to the DNR the clock starts ticking on the approval process in which neighboring affected communities are afforded an opportunity to voice concerns or object to the plans. Schramm had asked the city when they planned to submit and was given an answer of during first quarter of 2023. When asked when they planned to start construction the answer was anywhere from this year to five to ten years down the road. Ahead of the meeting in December, Schramm confirmed with the central office that the Town does have the right to be part of the planning process and mentioned that we have a lot at stake in this project. The DNR did agree that we have overlapping sewers and both entities have a lot at stake. The DNR was asked when they expected to see submittal of the plans to start the process, and they answered that they already had a copy. The submittal happened on October 3rd of 2022. By the time the district met with the city the submittal already happened and the clock started ticking. Schramm shared two maps with the Commissioners which showed the area that was being studied and what the city's plan looks like. Schramm went through the letter he recommends the District sends to the DNR before the required public hearing the city will need to hold. We should object to some of the details that are lacking in the plan which will directly impact the district. Schramm asked if the letter seemed to make sense to the commissioners and if they felt that it flowed ok? Matt Fore said he thought it was very effective. Schramm listed out several key pieces of information that we need to know. Specifically, depths, pipe size, what is the plan to work around our structures? Schramm reminded the commissioners of the very wet spring we had in 2019 that almost took out the LS pump station. He reminded them of the city's responsibility to put in the second force main per our original agreement and that for three years now we have been trying to get a commitment from them. Schramm said we need to have the city commit to a schedule in writing so that we know where this is headed to. Schramm asked if there were any thoughts or comments before we send the letter? Hoffmann asked if there were to be damage caused by the lack of the second force main that they committed to, would we have any legal recourse towards the city for damages? Schramm said we would want to consult with

our attorney in a case like that but we have an agreement in writing that dates back to 1985, that commits them to the second force main, we have known about and discussed the issues for the past few years with the City and they have not taken any action. So we could have grounds to force them to pay for damages. Hoffmann asked why we aren't forcing the issue? Schramm said it's time that we force the issue. Ehmann said, one thing to keep in mind is that when we addressed the City on the second force main, they said they were looking at this bigger picture so we decided to let them complete the study to see what the best way to go regarding the second force main was. It's just that the study took so darn long to complete. But now that it's done we need to know a time frame and how much will be diverted so that we can make some good decisions for ourselves. Ehmann said it is concerning that they put this into play with the DNR without communicating it to us. The clock started ticking without us being informed, and he feels that we need to get a commitment to better communication from them. Ehmann asked if there are any other questions? Tom Stoelb asked how the map that is shown of their plan is going to affect the Lakeshore pump station? Schramm answered that is one of the questions that we need an answer to from the City. Moving on to the topic of impact fees, looking at the big picture of areas that have been annexed and have development plans, adding up the potential homes in Stonebrook, the Gartman property, and the Poth property all of which drain into the Stahl road sewer and to the KK pump station, we simply do not have the capacity to handle that. Schramm told the commissioners that he and Bollwahn are working on looking at the old ordinances regarding connection fees and highlighted the fact that when Stonebrook homes are issued a building permit from the city, they are not paying any impact fees to support our infrastructure like a Town resident would have to. If the city does not disconnect and the city development continues they should be paying for infrastructure costs. Ehmann said the first step is to notify the DNR of what we know and how we feel, and the second step will be to work with our attorney and then eventually have the city come and talk with the commissioners. Ehmann said at this point he would like to ask for a motion. Motion by Fore, second by Hoffmann to approve authorizing Chairman Ehmann and Engineer SMS to send the letter to the Department of Natural Resources on behalf of the Sanitary District regarding the City of Sheboygan Southside Sewer Plan. All members voted AYE, motion carried.

3. **Maintenance issues as reported by Ben Darkow and Otis Kiehl** – Mr. Darkow informed the commissioners and residents that Great Lakes began the 2023 cleaning and jetting today, and Flyght had removed two pumps and replaced them with repaired ones. One in SD1 at Curtiss and 1 in SD2.

4. **Reports:**

- a. **Sanitary Administrator** – Bollwahn reported that payments are continuing to roll in and that she received a call from a gentleman on 14th Street who is considering selling one of the two parcels that he owns and was inquiring about connection fees and sewer locations.
- b. **Treasurer** – Treasurer's reports were presented in the packets. Treasurer Scovronski shared the details of the larger bills paid this cycle, and the deposits being made during the billing cycle.
- c. **Secretary** – No report
- d. **Commissioners** – No reports

Sanitary District No. 1 Disbursements - Motion by Hoffmann second by DesJardins to approve disbursement checks dated 1/16/2023, check numbers 3401-3402 for \$2429.08. All commissioners voted aye, motion carried. Motion by DesJardins, second by Stoelb to approve Sanitary District 1 direct deposit payroll date of checks 01/11/2023 for \$1922.19 all commissioners voted Aye, motion carried.

5. **ADJOURN** - Motion by Fore second by Hoffmann to adjourn. President Ehmann adjourned the meeting at 6:18 p.m.

Minutes respectfully submitted by: Karen Bollwahn, Sanitary District Administrator