

Larsen Winchester Sanitary District Meeting Minutes

Location: Winchester Town Hall, 8522 Parkway Lane, Larsen
Date/Time: Tuesday, March 12, 2024—4:00 p.m.

I. Call to order.

1. Verification of Notice
2. Roll Call

Chair Scott Reif	PRESENT
Vice Chair Rob Nelson	PRESENT
Commissioner Connie Kreutzberg	PRESENT
Commissioner Adam Blackburn	PRESENT (arrived at 4:12pm)
Commissioner Jeff Guth	PRESENT
Plant Operator Mike Pfankuch	PRESENT
M & E Engineer Mary Jo Miller	PRESENT
Treasurer Cori Thomas	PRESENT
Secretary/Billing Clerk Holly Stevens	PRESENT

Also in attendance were 2 members of the public.

II. Minutes

1. February 6, 2024 Meeting Minutes
2. March 4, 2024 Special Meeting Minutes

MOTION:

Motion by Commissioner Guth

Second by Vice Chair Nelson

Motion to approve the minutes of the February 6, 2024 meeting and the March 4, 2024 special meeting.

Motion carried by unanimous voice vote.

III. Business

1. WWTP Improvement Project

- System Design Update

Engineer Miller explained she has continued the design based on the decisions made at the last meeting.

- Other Business for Report

Engineer Miller, Operator Pfankuch, and Commissioner Kreutzberg reported they had met with Mark Stanek and Lisa Creegan of the DNR regarding the WPDES Permit and the Multi-discharge variance on chloride.

2. Operator's Report

- February Operations

February Flow Report

Winchester – 671,526 gallons

Larsen – 446,780 gallons

Total for February – 1,118,306 gallons.

February Daily Average – 38,562 gallons

Operator Pfankuch noted that the numbers are average for February, and all is going well.

- Solar Bees Service Contract Extension

Operator Pfankuch presented a proposal from IXOM for a general maintenance contract for the Solar Bees. He explained that when the Board approved last year's service, they thought it would be the last year the units would be needed, however, with the WI DNR delays relating to the WWTP upgrade, the Solar Bees will continue in service for at least another year. He noted that if the WWTP construction timeline stays on track, only one of the two units will be needed next year during the construction. He said the units have performed well with no issues. He also noted the reduced pricing was no longer being offered and the contract proposal is at the \$8,000 standard rate. He said he feels that is a lot of money and does not think the maintenance is warranted, but he would defer to the Board. He noted that they usually do the work around Memorial Day but last year they got delayed and did not complete the work until mid-August.

Commissioner Guth noted that his experience is that maintenance is always better than repairs. He noted it is costly, but he thinks it is best practice to consistently maintain the equipment.

Commissioner Nelson confirmed that IXOM is offering a buy-back of the units once the district no longer needs them. He said the maintenance will help to keep that buy-back value and that not performing the maintenance could jeopardize the buy-back option entirely. Operator Pfankuch agreed.

Chair Reif noted that last year the Board discussed a one-year versus a two-year option. Operator Pfankuch confirmed it was discussed, but the Board only approved a single year because, at the time, the thought was that the plant construction would be underway by the now.

MOTION:

Motion by Vice Chair Nelson

Second by Commissioner Kreutzberg

Motion to approve the one-year Solar Bees maintenance contract as presented by IXOM for a cost not-to-exceed \$8,000.

Motion carried by unanimous voice vote.

3. Chairman's Report

Chair Reif reported that he received a response from Mike Gallagher's office for potential funding support. He said they are looking for ways to assist the district with funding and have sent him information on various funding programs.

Chair Reif said he also received an email from Tammy Baldwin which included information for the Bipartisan Infrastructure Law Grant Program. He said he is currently in the process of completing the application and is hopeful that it will result in some grant funding. He said his intent is to complete and submit the application by the end of the week.

Engineer Miller asked if the funding was separate from the Clean Water Fund because she thought they were trickling down some of that money to the Clean Water Fund. Chair Reif said it is a separate program as he understood it.

Engineer Miller asked if it would affect the Clean Water Fund program if he applies for it and gets some funding. Chair Reif said he was not sure but felt it was important to try to find alternative funding sources.

Secretary Stevens noted that any grant funding received would reduce the overall loan amount, so the principal forgiveness may be a less based on the lower amount being borrowed, but it should not change the parameters of the program.

Engineer Miller said it wouldn't hurt to reach out to Lisa Creegan to confirm. Chair Reif said the program is specifically designed for districts like ours—he said what he read indicates we are more likely to get funding because we are a small community.

Commissioner Guth asked the Chair to share some of the information he received so the Board members have the information. Chair Reif said he would share it and a copy of the application.

Chair Reif said he has also been doing research on how other districts deal with holding tanks in their ordinances. He said he has not completed the research but intends to before the next meeting. He is hoping to find some answers on how others are handling similar situations.

Chair Reif also noted that Operator Pfankuch contacted him with quotes to repair the laterals which were not repaired by three of the property owners. He noted that the owners had received the notices and were made aware that if they did not complete the work, the district would have it done and they would then be billed for it.

Operator Pfankuch added that he spoke with the contractor who requested the owners be notified of the work because they may need to get into the houses to complete the repairs. He said he and Secretary Stevens will draft letters and get them sent out so the work can be done.

It was confirmed that the property owners will be billed after the work is completed and if the bills are not paid by November 1, the cost will be added to their tax bills.

Secretary Stevens added that there is a fourth lateral which needs repair, but it will be done at the cost of the district. Operator Pfankuch confirmed it is the old "Elmer" property which should have

been done before changing ownership. He said it was capped, but it was not capped well enough and is now leaking.

4. Land Exchange Consideration – 006-051102 and 006-0523

The Board reviewed maps showing the properties and determined the property owned by the district which is located to the east of the lagoons would not be needed for expansion in the foreseeable future. It was noted that Jack Borchert has been leasing the property for Ag use and has an interest in owning it. The Board also reviewed the property which is located immediately adjacent to the plant access road, and which is currently owned by Mr. Borchert. The Board discussed the value of ownership of that property which could be used for construction staging as well as a location for a future administrative building for the district. It was noted the proximity to the plant would be ideal for an office. The Board noted the difference in acreage, however, the larger parcel is landlocked low lands while the smaller parcel has road access and is slightly higher and dryer. The differences result in each being valued similarly to the other. It was also noted that Mr. Borchert also owns the property abutting the landlocked parcel and would have good access to it.

The Board discussed continuing a similar lease agreement with Mr. Borchert if the exchange is approved. Mr. Borchert explained he is also negotiating a potential land contract agreement and would like to see a long-term land lease agreement. He said he would like the other party to be included in the land lease discussions. The Board agreed that was a reasonable request but would like to see the land exchange completed before negotiating a land lease agreement. It was suggested the lease agreement should be discussed at the next meeting.

The Board determined it would be in the best interest of the district to own and control the property located immediately north of the WWTP.

MOTION:

Motion by Chair Reif

Second by Vice Chair Nelson

Motion to approve the land exchange by and between the Larsen-Winchester Sanitary District and Jack and Elizabeth Borchert, transferring ownership of the property identified as Tax ID 006-051102 totaling 10.26 acres to the Larsen-Winchester Sanitary District; and transferring ownership of the property identified as Tax ID 006-0523 totaling 19.07 acres to Jack and Elizabeth Borchert; and, when available for Ag use, giving Jack Borchert the first option to lease any available Ag land included on Tax ID 006-051102 for crop production purposes; and to direct the Larsen-Winchester Sanitary District Legal Counsel (Menn Law) to prepare and process the necessary legal documents to complete the ownership transfers and to record said documents as required by law with the appropriate entities, with all associated costs to be borne by the Larsen-Winchester Sanitary District.

Motion carried by unanimous voice vote.

The Board directed Secretary Stevens to provide the information to Menn Law to complete the necessary paperwork to complete the ownership exchange.

5. LWSD Ordinance Review

The Board reviewed a draft copy of proposed changes to the District's Ordinance. Secretary Stevens explained that any changes or additions were all highlighted in yellow. She also noted that Section 3.02 (G) was unclear to her and asked for clarification of that section.

Operator Pfankuch explained that the section was the result of the recent construction of the duplex on County Road II. He explained that 3.02 (G)(1) requires a single permit per building, regardless of the number of units within the building or the number of laterals extending out from the building. He continued explaining the 3.02 (G)(2) requires a second permit for the connection to the sewer main. It was noted that section 3.04 (C) requires a building or property with more than one lateral is allowed a single connection to the main.

Chair Reif asked if there were any other concerns or modifications to the preliminary draft document.

Engineer Miller noted she had some questions or concerns about the following and asked that the Board review them:

- Section 1.01 Definitions
 - (B) Building Drain and (S) Lateral seem to be the same thing under two different names. She noted she preferred the Lateral definition but asked the Board to review the terms.
 - (Y) Commercial User and (Z) Industrial User. Engineer Miller had concerns about the classification parameters. Secretary Stevens explained these definitions came from another district's ordinance. The Board was asked to review the definitions as they would relate to the LWSD.
 - (AA) Residential User. Engineer Miller suggested the identifiers "single-family" be removed from the definition.
 - (GG) Storm Sewer. Engineer Miller asked if this was needed in the ordinance as the district does not include storm sewers.
 - (UU) Wastewater, Normal. Engineer Miller had concerns with the lack of a specific "normal" concentration. She said "normal" should be better defined with specific concentrations. Operator Pfankuch noted that because of the current status of the ponds, there is no way to identify the norm. Secretary Stevens asked if there is some sort of organization or agency which could be referenced as the authority to identify the norm. The Board was asked to consider expanding the definition to include a specified concentration as normal.
- Section 4.01 Mandatory Hookup
 - (A) Engineer Miller suggested the Ordinance include a definition of "human habitation."
- Section 4.09 Septic Tanks and Holding Tanks
 - (A) Engineer Miller noted that this only prohibits the use of holding tanks for domestic wastewater. She had concerns that it did not address all holding tanks. Secretary Stevens noted that the added language was intended to clarify the section as a result of the recent situation with the drip water holding tank. She explained that holding tanks may be needed in some commercial applications, but the additions to section 4.01 (D) and after were included to address those situations. She noted the language was pulled from another district's ordinance and suggested the Board review it closely to make sure the language is appropriate.
- Section 4.13 Adoption of Other Rules

- (B) Engineer Miller had concerns about the adoption of other regulations. Secretary Stevens explained the language was reciprocal because the Towns have an overlying jurisdiction and it is meant for the entities to coordinate regulation. She also noted that the Towns are on the frontline of development and cooperation between the sanitary district and the towns will provide better oversight for all involved. Engineer Miller suggested the language be changed from “adopted” to “adheres to” so that the regulation is recognized but not incorporated into the district ordinance.

Chair Reif noted that he will continue his research into the holding tank regulation and will provide his findings at the next meeting. He asked that the Board review the items identified to continue the review of the document at the next meeting.

No Action Taken.

6. Financial Report / Bills

- Clean Water Fund Application Update

Treasurer Thomas reported that the district Clean Water Fund Program request has been placed on the SFY 2025 CWFP Project Priority List (PPL) and is under review. She said she has only received only informational materials but will keep the Board apprised of any updates she receives.

- Winnebago County ARPA Strategies and Outcomes Commission Funding

Secretary Stevens reported that Chair Reif ran across information relating to potential funding available through Winnebago County and requested that the opportunity be researched. Cori made initial inquiries and identified a meeting of the County ARPA Commission on March 6, 2024. Because Chair Reif was out of state at the time of the meeting, Commissioners Guth and Kreutzberg, accompanied by Secretary Stevens and supported by Town of Winchester Chair Olson attended the meeting and presented a request for potential funding.

The County had received more than \$33 million in ARPA funding. When the Commission was formed to address its use, these funds were essentially divided into two categories—County Government Projects and Government Identified Community Projects. The LWSD request for funding would fall under the second category.

During the meeting, the Commission identified that all but about \$80,000 of the monies set aside for the Government Identified Community Projects has been allocated with most already distributed and spent. However, the Commission also identified that the \$16,000,000 of funding initially earmarked for the County Government Projects has still not been allocated for specific use. Through their conversations, we were able to glean that a few of the Commissioners have an interest in pulling back some of the funding from the County Government Projects and using it to support projects like the LWSD WWTP.

While no definite answer could be given, and while chances are probably slim, there is still a glimmer of hope and staff will continue to solicit support. She noted that, at the direction of the Board, she would request to be added to the Commission’s next meeting agenda to discuss the

request further. She explained the Commission has co-chairs and she would have to get approval from both to be placed on their agenda.

The Board directed her to continue with the efforts. Chair Reif requested to be included in the process so he is fully informed and can assist in the process.

- Bills

Treasurer Thomas presented the current accounts payable. The total for bills included in the accounts payable report totaled \$20,124.75.

MOTION:

Motion by Commissioner Guth

Second by Commissioner Blackburn

Motion to approve the accounts payable as presented.

Motion carried by unanimous voice vote.

Chair Reif confirmed with Engineer Miller that the expense approved at a previous meeting for a subcontractor (Donahue) is included as part of the contract price from M&E for the WWTP design and was not over and above that contract price. Engineer Miller confirmed the subcontractor costs were included in the contract price and are not in addition to it.

IV. Public Comment and Requests for Future Agenda Items

Matt Olson, Town of Winchester Chairman, said he thinks the Board is on a good path with the land exchange. He suggested that, if they intend to use it for construction staging, they might want to identify a specific area and have it seeded with grass.

The Board agreed noting it would be good to include that as part of the land lease discussion at the next meeting.

V. Next Meeting

Due to the conflict with the Spring Election, the Board scheduled the next meeting for Monday, April 8, 2024 at 4:00 p.m.

Operator Pfankuch requested to include a report about the recent meeting with the DNR on the agenda.

VI. Adjournment

MOTION:

Motion by Vice Chair Nelson

Second by Commissioner Kreutzberg

Motion to adjourn at 5:26 p.m.

Motion carried unanimously.