

**MINUTES****REGULAR MEETING****January 16, 2018**

The Regular Meeting of the Lake Pewaukee Sanitary District (LPSD) was duly convened at the Administration Building on the 16th day of January. This meeting was properly noticed. President Ruf and Commissioners Gutenkunst, and Boland were present. Also in attendance Manager Thomas Koepp; Accountant James O'Brien; Attorney Erick Fabyan; Recording Secretary, Rita Michaelson and the following citizens: Roger Enters PE and Rich & Barb Kellaher.

**Call to Order** - President Ruf called the meeting to order at 6:30 P.M.

**Citizens Request** - None

**Unfinished Business** - President Ruf moved the item up on the Agenda regarding the sewer easement conflict/encroachment at PWC-0934046 on Peterson Drive where a patio and deck was built over the sanitary sewer easement after they received an occupancy permit from the City. Rich & Barb Kellaher, along with Roger Enters PE, their structural engineer presented a 3<sup>rd</sup> alternative drawing dated 1/16/18 for a possible solution instead of removing the deck and the posts that are encroaching ten (10) feet into LPSD's sewer easement. They also would be willing to create a document that would alleviate LPSD of any responsibility in the future of costs and liability. Following the presentation, a discussion was held. Commissioner Joseph Boland commented that the new deck drawing as presented is not acceptable as it is still in the easement, and that the steps will have to be removed from the easement; Following discussion, President John Ruf informed Mr. & Mrs. Kellaher that the commissioners will give them a response following further review of the plans as presented and stay the filing of the injunction at this time. Following further discussion, Commissioner Joseph Boland made a Motion to deny the 3<sup>rd</sup> proposal dated 1/16/18 as submitted/presented by the owners and their Engineer. John Ruf 2<sup>nd</sup>. A roll call vote was taken, John Ruf, aye; Joseph Boland, aye; John Gutenkunst, nay. Motion passed.

John Ruf made a Motion to propose that there shall not be any posts in the LPSD easement, but would allow a two foot deck overhang over the easement. The stairs must be removed. An indemnification written by our attorney would need to be recorded. The final proposal that meets all the parameters listed below must be met for Commission approval.

A Motion was made to amend the above Motion, it is as follows:

A Motion was made to approve a modified deck that meets the following conditions:

- 1) The existing footing, deck and posts are to be removed out of easement by May 1<sup>st</sup>, 2018.
- 2) There shall be no stairs in the easement
- 3) There shall be no posts in the easement
- 4) A two (2) foot maximum overhang of the deck will be allowed over the easement at the existing deck height
- 5) An indemnification clause shall be written and approved by the Sanitary District's attorney
- 6) An asbuilt/record drawing shall be completed by a registered land surveyor
- 7) A letter from the City of Pewaukee verifying their approval must accompany the plan and survey.

John Gutenkunst 2<sup>nd</sup>. A roll call vote was taken. John Ruf, aye. John Gutenkunst, aye. Joseph Boland, nay. Motion approved.

**Approval of Minutes** – Joseph Boland made a Motion to approve the Minutes from the December 12, 2017 meeting as presented. John Gutenkunst 2<sup>nd</sup>. The Motion passed unanimously.

**Financial Report** – James O'Brien presented the financial statements for December. The accountant highlighted any cost variances that affected the reports. Following the discussion, John Gutenkunst made a motion to approve the December statements as presented and to approve the vouchers for payment. Lake (\$17,857.88) Sewer (\$140,489.61). Joseph Boland 2<sup>nd</sup>. The motion passed unanimously.

**Legal Report – None**

**Unfinished Business cont'd-** Thomas Koepp reported on the following:

- Woodridge Estates II – No update at this time.
- Lake Management Plan by SEWRPC – Attended a meeting with Ben Huessner, WDNR; Michelle Hase, WDNR; and Rachel Saber, WDNR on the Lake Management Plan. Majority of the discussion was regarding the Dam Order. Dan Naze from the Village of Pewaukee discussed issues regarding the gauge and operation with regard to winter and summer levels. Thomas Koepp will be formerly requesting a Dam Order change as well as a better plan of operation for the Village Dam.
- Thomas Koepp reported that there is not an update at this time re the Donna & Anthony Meyer (property owners) of DELT-0765994.001 and DELT0765996, N35 W38146 Taylors Woods Road, Lot 3 only.
- Thomas Koepp reported that Chuck Anderson, Strand Engineering will be finalizing the updated District map with a list of sewer downstream charges to others for the undeveloped properties.
- At this time Chuck Anderson, Strand Engineering and Rita are near completion with the process of verifying and digitally recording, all Ordinances, Resolutions and Policies. When completed they will be reviewed and updated if needed.

**Manager's Report - Lake Report -** They are currently working on rebuilding the front of a harvester and shore unit. The schedule is to have the lake equipment ready for spring.

In the process of bidding out the new transporters as we have received the WDNR advance on the grant.

**Sewer Report -**

We are in the process of updating the generators and switches in Pumping Station #3 & #4. Thomas Koepp met with Randy Langer, Strand Engineering and will also meet with Jerad Wegner, Ruekert Mielke for proposals.

**New Business - None**

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**Next Meeting** - The next monthly meeting is February 20, 2018 at 6:30 P.M. There being no further business brought before the board, John Gutenkunst made a Motion to adjourn at 8:42 P.M., John Ruf 2nd. All said Aye motion passed.

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Joseph Boland, Secretary

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John F. Ruf, President

FINAL DRAFT