

**Sanitary District No. 4
Regular Meeting - March 22, 2005**

The Regular Meeting of Sanitary District No. 4 – Town of Brookfield was held Tuesday, March 22, 2005, 4:00 p.m., in the Meeting Room of the Pump Station No. 3 facility, 150 South Barker Road, in the Town of Brookfield. Present at the meeting were: President Thomas Cole; Commissioner Alan Kopp; Superintendent Terry Heidmann; Attorney Mike Schober; and Deputy Secretary Sharon Bloom to record the minutes. Commissioner Frank Dombrowski entered the meeting at approximately 5:15 p.m. after telephone conferencing from his home from 4:00 p.m. to 5:45 p.m.

MEETING NOTICE VERIFICATION

On March 17, 2005 notice of this meeting was faxed to the following newspapers: CNI Newspapers – Brookfield, The Milwaukee Journal Sentinel and the Waukesha Freeman. The Notice was posted by Sanitary District personnel on March 17, 2005 at the following locations: Sanitary District No. 4 Meeting Room; Mayrose Boulevard; Springdale & Davidson Roads; the Town Hall; Wisconsin Avenue; Catherine Court and Marx Park.

AUDIENCE PARTICIPATION

None.

APPROVE MINUTES OF MARCH 2, 2005 REGULAR MEETING

Commissioner Dombrowski made a **MOTION** to approve the minutes of the March 2, 2005 Regular Meeting, as presented, seconded by Commissioner Kopp, voted on and passed unanimously.

DEFERRALS/TABLED ITEMS FOR DISCUSSION AND NECESSARY ACTION

Review policies and procedures and take necessary action

No action taken.

Sewer/Water Services North of Capitol Drive

No action taken.

Monthly Financial Statements

No action taken.

Eagles Nest Condominiums Project

No action taken.

Toldt Woods Easement

No action taken.

Madeline Square

No action taken.

Cross Connection Program/Ordinance

Attorney Schober said that the District has two choices in handling the situation of a property owner not allowing a DNR-mandated cross connection inspection of their building: 1) issue a citation and go to municipal court - but in this case, the Sanitary District would still not get to do

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the inspection; or 2) obtain a special inspection warrant. The commissioners asked that Attorney Schober add a penalty clause to the cross connection ordinance which states that the cost of a special warrant, along with all associated costs, would be collected in the same manner as the Sanitary District collects other unpaid charges. There was discussion that the draft ordinance, prepared by Attorney Schober, should be adopted and in place prior to contracting with BZA for commercial and industrial inspections.

Commissioner Dombrowski made a **MOTION** to approve Ordinance No. 01-05, Ordinance Regulating Cross-Connections Between Sanitary District No. 4 - Town of Brookfield Waukesha County, Wisconsin Water Supply and Private Wells or Other Sources of Water, with the inclusion of the penalty clause, seconded by Commissioner Kopp, voted on and passed unanimously.

Private Fire Protection - 17780 West Bluemound Road

Deputy Secretary Bloom said that she had spoken to Rick Czopp, Town of Brookfield Administrator, and inquired as to the status of the Sanitary District's request for the fire chief to provide something in writing as to whether or not he required a fire hydrant at 17780 West Bluemound Road. Mr. Czopp confirmed the fact that the fire chief did not require the installation of a fire hydrant as part of the remodeling project (which included adding fire protection to the building) at that address.

Commissioner Dombrowski said he was still concerned that the Sanitary District could face liability issues if it does not obtain something "in writing" from the fire chief. Mrs. Bloom pointed out that, other than the District's engineers approving the placement of hydrants in new developments, the Sanitary District has never been involved in making those types of decisions. Attorney Schober explained that, if the installation of the hydrant was a discretionary decision, there is no legal liability for the Sanitary District.

Commissioner Dombrowski made a **MOTION** to remove this item from deferrals and tabled items, seconded by Commissioner Kopp, voted on and passed unanimously.

2005 Budget

Commissioner Dombrowski said that he would have questions for Mrs. Messing when the Commission meets with her later in the week regarding the PSC Annual Report and the District's 2004 audit report. No action was taken.

Public/Private Ownership of Water Mains and Sewer Mains/Laterals

No action taken.

Schedule of Regular Meetings in 2005

The next Regular Meeting was scheduled for 4:00 p.m., Wednesday, April 20th.

Vacation Requests

None.

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DISCUSS AND TAKE NECESSARY ACTION RE: MANAGEMENT'S DISCUSSION AND ANALYSIS (MD & A)

Renee Messing, the District's accounting consultant at Virchow Krause, said that she anticipates the minimum cost for her to prepare the District's MD & A to be \$750, the maximum \$1,250. She is currently working on another municipality's MD & A, which will give her a good template that she can use for the Sanitary District. Mrs. Messing said that she could probably complete the Sanitary District's MD & A within 3 to 5 hours.

President Cole said that he is not in favor of the Sanitary District paying for mandates that are not funded. Mrs. Messing had earlier explained that the District has the option of not doing an MD & A; there are no ramifications for not doing one other than that she would have to modify the audit opinion to include language that we did not prepare one. It was decided that the commissioners would discuss this matter with Mrs. Messing during her presentation of the District's Audit Report and PSC Annual Report, scheduled for March 24th.

REVIEW DRAFT REPORT FROM ENGINEERS - SANITARY SEWER FLOW METERING STUDY

It was decided that Commissioner Dombrowski and Superintendent Heidmann would schedule a meeting, or at least a telephone conference, with Terry Tavera to express the District's concerns with the draft report on the District's sanitary sewer flow metering study and to determine how it can be modified. Commissioner Dombrowski said that, in the meantime, because this matter cannot be put off, it is important that the commissioners and Attorney Schober read the draft report completely (Mrs. Bloom will provide a copy of it to Attorney Schober). Ultimately, a closed session will be held to discuss the matter in detail.

DISCUSS AND TAKE NECESSARY ACTION RE: PETTY CASH

Commissioner Dombrowski made a **MOTION** to institute a process by which mileage is reimbursed to the employee on a monthly basis and, whenever possible, to use the District's employee credit card for purchases and the District's vehicles for short trips such as the post office and the bank. The motion was seconded by Commissioner Kopp, voted on and passed unanimously.

CORRESPONDENCE

1. Town of Brookfield Meeting Notices:
Dated 3/11/05, for Town Board Meeting to be held 3/15/05 - **Noted**
2. Minutes from Town of Brookfield Town Board Meeting held 3/1/05 - **Noted**
3. Town of Brookfield Notice of Public Hearing - consider request for conditional use permit to allow re-facing of existing address monument sign with identification sign - **Noted**
4. Introduction to Services - URS Municipal Services - architects, engineers & planners - **To be kept in file for future consideration**
5. Letter, dated 3/22/05, from Michael Payant, P.E. Senior Project Manager, Tetra Tech MPS, and packet of information introducing Tetra Tech's services - **To be placed on a meeting agenda in May or June**

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6. Subdivision Plat Transmittal Letter and preliminary plat - Ravens Wood Heights from Waukesha County Department of Parks and Land Use Planning and Zoning Division - **Noted**
7. Letter, dated 3/16/05, and request to complete survey (to identify emerging issues and provide guidance for priorities in addressing the challenges in the water community) from AWWA - **Noted**
8. Facsimile received 3/16/05, from Gary Knowski, MLG Management, re: broken curb stop at Brookmound Plaza - **Noted**

PAY BILLS

President Cole made a **MOTION** to approve payment of the presented vouchers in the amount of \$42,311.84. The motion was seconded by Commissioner Kopp, voted on and passed unanimously. That amount included the following payments:

\$ 1,120.00	Ace Electric Sewer Cleaners - emergency sewer cleaning
\$ 2,098.65	Wisconsin Retirement System - contributions for Feb. 2005
\$ 3,419.23	Humana, Inc. - health insurance premiums for April 2005
\$ 2,807.50	Schober Schober & Mitchell, S.C. - legal fees
\$ 9,500.00	Virchow Krause & Company - audit of financial statements
\$ 1,186.00	Infrastructure Technologies Inc. - meter & transmitters for FRWPCC site
\$ 3,028.75	Ruekert & Mielke, Inc. - engineering fees
\$ 6,008.26	We Energies - monthly electric service
\$ 1,387.00	Wisconsin Deferred Comp Program - contributions for period ending 3/12/05

There being no further business, President Cole made a **MOTION** to adjourn the meeting, seconded by Commissioner Kopp, voted on and passed unanimously. President Cole closed the meeting at 6:45 p.m.

Respectfully submitted,

Sharon K. Bloom
Deputy Secretary