

**Town of Menasha Utility District Commission Regular Meeting
Municipal Complex - Assembly Room - Monday, July 13, 2009**

Minutes

1. Call to Order, Pledge of Allegiance and Roll Call

President Arden Tews called the meeting to order at 5:00 p.m., followed by the Pledge of Allegiance. Secretary Backman took roll call and Commission members present were President Tews, Commissioners Gerhart, Hanson, Ziegler and Youngquist. Staff present was Administrator Sturgell, Finance Dir. Piergrossi, Accts. Mgr/Deputy Treas. Pagel, Com. Dev. Dir. Dearborn, Wastewater Supt. Laabs, Water Supt. Roth, Engineer Werner. Residents present: Joe Nemecek, and Stacey Stumpf

2. Awards/Presentations

3. Minutes to Approve

a) Regular Utility Commission Meeting - June 22, 2009

MOTION: Hanson/Gerhart to dispense from reading the minutes and approve as submitted. Motion carried.

4. Minutes and Correspondence to Receive

Minutes

a) Neenah-Menasha Sewerage Commission - March 24 and May 26, 2009

b) Grand Chute-Menasha West Sewerage Commission - May 6 and May 20, 2009

MOTION: Youngquist/Ziegler to accept the minutes for filing. Motion carried.

Correspondence

a) Water Main Breaks - June, 2009

b) Water Pumpage Report - June, 2009

MOTION: Youngquist/Ziegler to accept the correspondence for filing. Motion carried.

5. Public forum on any matters of concern to the Town. The public may comment however, no action can be taken. Five minute time limit per person on non-repetitive matters.

6. Discussion Items

a) ***Administrator Sturgell - Red Tail Crossing Letter of Credit/Special Assessments:*** Finance Dir.

Piergrossi explained there was a request to remove the Letter of Credit on this development although there are still outstanding special assessments which are owed to the Town. She explained in 2003 the special assessments for sewer and water on American Drive were allowed to be deferred for three years. Once again in 2006, the developer Mr. Nemecek was able to negotiate a three-year deferment on payment of the special assessments which ends December 31, 2009. Town Attorney Chuck Koehler was contacted to look into how to handle the Letter; whether or not it could be used to pay off the assessments, or hold onto the Letter until it becomes due. In Attorney Koehler's absence, Attorney Clark agreed to not release the Letter of Credit. He stated there are liens against the Town in that special assessments are still owed by Mr. Nemecek, and the Letter of Credit could be applied to pay these debts; he wants the Town to be protected. He suggested the Town Administrator, Town Attorney, and Finance Director work out something with Mr. Nemecek regarding the special assessments owed and put it in writing so all parties have an understanding. President Tews asked whether there were other properties with special assessments which were also deferred. Fin. Dir. Piergrossi stated there were several others, but none of them had a special payment plan as this property did; others paid immediately with a developer's agreement. Fin. Dir. Piergrossi and the Board further discussed Mr. Nemecek's current status of unsold properties, and the amount still left on the Letter of Credit plus interest.

Commissioner Youngquist asked Mr. Nemecek how many lots have sold in the last three years, and he answered one (1) lot, which he has paid. Commissioner Youngquist suggested the Town look at a revision or adjustment on the loan so interest is at least paid and doesn't accumulate. Mr. Nemecek stated he has currently been looking into re-financing. There were no further comments from Mr. Nemecek. Attorney Clark stated staff and the Town Attorney would meet with Mr. Nemecek, reach an agreement, and bring this back to the Commission.

7. Unfinished Business**8. New Business-Resolutions/Ordinances/Policies**

a) 090713-1:UD Expenditures

MOTION: Youngquist/Ziegler to approve the expenditures with the exception of none. Motion carried.

9. Reports

a) *Wastewater Superintendent Laabs - Capital Projects Update:* On Glenview Drive, the sanitary sewer is complete; asphalt paving completed and gravel/black dirt on shouldering will be laid. Letters were sent to property owners requesting that if the hot weather continues, to water the grass seed around the laterals and trenches. Commissioner Ziegler inquired whether residents would be able to receive a credit for watering, and Accts. Mgr/Dep. Treas. Pagel stated summer sewer credits are issued for this water usage. The Ehler's Rd. and Haase St. slip-lining project went well and is now completed. This has stopped numerous leaks; Supt. Laabs stated the Grand Chute-Menasha West Treatment Plant should see a big change, and the utility customers should realize a large amount of cost-savings.

b) Water Superintendent Roth

- *Well Project Update:* Supt. Roth gave an update at Well #7 and noted sand/gravel pack has been coming through during testing; the grout plug was replaced and then tested with good results. President Tews asked when well #7 can be used, and Supt. Roth stated possibly by September. Commissioner Gerhart inquired whether the City of Menasha was aware of the Town's progress, and Supt. Roth agreed they have been informed.
The Utility District is preparing to bid out pump equipment; electrical equipment will be bid out on a separate contract.
At well #8, the screen encasing has been installed, will pour the plug at bottom of well, and install the gravel pack; by later next week will perform a test pump.
Commissioner Hanson questioned the water flags placed along Fatima Street; Supt. Roth explained they are updating their computer mapping system and must locate the water shut-off box for each house.
- *Water Main Relay Update:* All water main relay projects (Linda/Bonnie/Sandys/E. end of Valley Rd) are now finished with turf and restoration complete. Crews are now working on Racine and Midway Roads. Pres. Tews asked about progress with installing blacktop where water main breaks had occurred and Supt. Roth explained some are completed and more will be done in the fall. Staff has agreed to apply some asphalt patch on an area on Tumblebrook Road.

10. Motions by Commissioners**11. Adjourn**

At 5:25 p.m., MOTION: Hanson/Gerhart to adjourn. Motion carried.

Respectfully submitted,

Karen Backman, Secretary

Note: These minutes are not to be considered official until acted upon at an upcoming regular meeting, therefore, are subject to revision.