

## LAKE WAPOGASSET & BEAR TRAP LAKE SANITARY DISTRICT

MEETING MINUTES—September 10, 2018

The September meeting of the Sanitary District was called to order by President Erspamer at 7:00 in the District Office.

Commissioners present: Dave Erspamer, Commissioner-President; Mark Tryggestad, Commissioner-Treasurer; Dennis Badman, Commissioner-Secretary; Mark Jacobson, Commissioner. Employees present: Heidi Erspamer, Neil Pickard and Chad Ruff. Guests: Joyle Anderson and Bob Mahre, South Shore Court Developer.

Minutes of the August meeting were approved. Publication of the open meeting notice was acknowledged.

### **TREASURER'S REPORT**

Income for the month of August was \$15,774 and expenses were \$25,568. Net income was -\$9,794.

### **OPERATIONS REPORT: Office**

The fireworks date (and rain date) have been confirmed with both PC Pyrotechnics and the Bible Camp. The display is scheduled for Friday, July 5<sup>th</sup>, with Saturday July 6<sup>th</sup> as our rain date. Our final statements for the year went out last week. Accounts not paid in full by October 8, 2018 will be turned for to the township and added to the tax rolls. Sanitary District commissioners and staff attended the Lake Association Fall dinner at the Y-Camp this past weekend. Former District Office Manager, Julie Selle, was honored posthumously for her years of service to the Sanitary District and Lake Improvement Association. Commissioner Erspamer presented the recognition to Julie's daughter, Mandy.

### **OPERATIONS REPORT: Maintenance**

Chad reported that our control panel upgrade (conduit) will be installed this week. Installation on the new flow meter is planned for later this month. Neil suggested that we look into options for a new, smaller (portable) generator; one that could be used for all of our pumps, if necessary. Commissioner Tryggestad said we would be willing to consider including this in our 2019 budget, although it is possible (as Chad pointed out) that we may have more immediate needs. Commissioner Erspamer asked for a priority list of projects from maintenance staff. Neil reported that he has been working on a recording 10 years of maintenance history on to a spreadsheet, which should give us a better idea of locations most in need of attention to help with prioritization. He is about halfway finished with this project.

### **OLD BUSINESS**

South Shore Court Sewer Extension. Last month's discussion on this topic was tabled in order to clarify Mr. Mateffy's recommendation that Cooper engineering revise their plans and drop the sewer 6.5' in order to accommodate possible future development. Mr. Mahre and Mr. Anderson attended the meeting in opposition to this change. Our engineer's position is that he did due diligence in the event of possible future development. It is appropriate and reasonable that a municipality size extensions accordingly. Mr. Mahre and Mr. Anderson also argued that the south portion of Mr. Anderson's 57 acres is non-buildable by virtue of its G4 & G5 (agricultural) property tax status, and thus should not be subject to Sanitary District fees once the sewer extension is installed. Mr. Anderson went on to say that his property has less value because of its close proximity to the sewer treatment plant. He stated that he has mostly only been able to sell lots for storage buildings and garages, which he believes don't need access to a sewer. Multiple times the Sanitary District has asked Mr. Anderson to produce documentation from Polk County Zoning to attest that this property is unbuildable. No such documentation has been produced.

Commissioner Erspamer made a motion to approve Cooper Engineering's South Shore Court extension plan under the condition that all of Mr. Mateffy's recommended changes to the plan be implemented (Note: outlined in a 5/31/18 e-mail). Commissioner Tryggestad seconded the motion. The motion was discussed, with Commissioner Badman

expressing concern about the placement of the sewer line. He believes that if the back portion of the 57 acres are not going to be developed based on what Mr. Anderson and Mr. Mahre have been telling the District, then the plan should be redone with the sewer line placed in the road right-of-way for easier maintenance. After more discussion and recognizing the amount of work that has already been put into this project, the motion passed.

Mr. Mahre went on to ask about the Sanitary District's jurisdiction boundaries for mandatory sewer hook-up (within 1000 feet of the lake or 1000 feet of the sewer line). His concern was that some property owners (e.g., undeveloped vacant backlots and farmland) who are within 1,000 feet of the sewer line have not been required to pay a sewer availability fee even though they are within our boundaries. Commissioner Erspamer clarified for Mr. Mahre that it is not a matter of just being in close proximity to a sewer line for an availability fee to be assessed, but rather a matter of the sewer line actually crossing your property. He quoted from our Ordinance: "At the time of sanitary sewer extension, a developer shall pay \$1,500 per platted lot". Commissioner Tryggstad added that when property is developed (extension installed), annual user or non-user fees would also apply, in addition to the availability fee. This is how it has been since the inception of the sewer 40 years ago. Our precedent is that anytime the sewer crosses buildable property, an availability fee kicks-in. Others on the lake have had to pay these fees over the years and in fairness to everyone, NO EXCEPTIONS will be made by the District regarding these fees. The Sanitary District does not receive tax revenue, so we depend entirely upon these fees for operation. Regarding our jurisdiction, the state ordinance for sanitary sewers states that sewer connections are required within 1,000 feet of a lake. Our ordinance makes the case for jurisdiction within 1,000 feet of the sewer line, written as such in order to give the District more flexibility. A sewer extension allowed beyond 1,000 feet from the lake has only been the exception and must have Sanitary District board approval.

A motion by was made by Commissioner Erspamer and seconded by Commissioner Badman that Mr. Anderson be assessed one availability fee and one annual non-user fee (until sewer hook-up) on his currently platted one 57-acre lot; which is by definition a developable, buildable lot. Motion passed.

Harvesting. This week we received an e-mail complaint from a property owner related to weeds around his dock, which he believes were caused by the harvester. The commissioners, along with harvesting staff present at the meeting, noted that general weed migration and recreational boating activities are just as likely to have caused this problem. Our harvesting permit only allows us to harvest Curly Leaf Pondweed (CLP), and our weed harvest ended two and half months ago.

## **NEW BUSINESS**

Conservancy Appointment. Michael Masterson recently resigned from his position as Conservancy president. Commissioner Erspamer expressed his gratitude on behalf of the Sanitary District for Mike's contribution to the conservancy, especially the successful completion of the project on Wallace Drive. Mike recommended that his replacement be someone with a closer connection to both the Lake Association and the Sanitary District. Commissioner Erspamer make a motion to nominate Mark Jacobson to be the next Conservancy president. Seconded by Commissioner Tryggstad and unanimously passed.

Wild Rice Survey. Results from this summer's wild rice survey were shared with the board. The survey was required as a condition of our mechanical harvesting permit and completed by Ecological Integrity Services (Steve Schieffer). Commissioner Jacobson made a motion to accept this report. Seconded by Commissioner Badman and passed.

Commissioner Erspamer moved to adjourn the meeting at 7:55. Seconded by Commissioner Tryggstad and passed.

Our next Sanitary District meeting will be at on Monday, October 8<sup>th</sup> at 7:00 p.m. in the District Office. Respectfully Submitted, Heidi Erspamer, Recording Secretary

