

**MINUTES OF THE REGULAR MEETING OF BOARD  
MEMBERS OF  
LAKE WASHINGTON SANITARY DISTRICT  
July 9, 2007**

**1. Call to Order**

Chairman Fahrforth called the regular meeting of the Board to order at 7:00 p.m. on Monday, July 9, 2007, at the Lake Washington County Park Community Building, 47102 Washington Park Road, Kasota, MN 56050.

**2. Roll Call**

Present: Robert Bieraugel, Jerry Kallheim, Larry Maruska, Art Zuhlsdorf and Ed Fahrforth.

**3. Review and approval of agenda**

*Resolution 07.57:* Member Kallheim moved to approve the meeting agenda. Upon a second from Larry Maruska, the motion passed by a vote of 5 in favor, 0 against, 0 abstained, and 0 absent.

**4. Review and Approval of Minutes of the June 25, 2007 Regular Meeting**

*Resolution 07.58:* Member Bieraugel moved to approve the minutes of the June 25, 2007 Regular meeting. Upon a second from Art Zuhlsdorf, the motion passed by a vote of 5 in favor, 0 against, 0 abstained, and 0 absent.

**5. Officers Reports**

**a. Chairperson – Ed Fahrforth**

- None.

**b. Vice Chairperson – Larry Maruska**

- None.

**c. Treasurer – Art Zuhlsdorf**

- Treasurer Zuhlsdorf reported the beginning balance of the checking account as of July 9, 2007 is \$1,554,059.33.
- Bills totaling \$5,130.59 were reviewed for payment.

*Resolution 07.59:* Member Zuhlsdorf moved to approve payment of the bills as presented. Upon a second from, Larry Maruska the motion passed by a vote of 5 in favor, 0 against, 0 abstained, and 0 absent.

- The balance of the checking account after the bills are paid will be \$1,548,928.74.
- The June 30, 2007 financial statements were reviewed.

*Resolution 07.60:* Member Zuhlsdorf moved to approve the June 30, 2007 financial statement. Upon a second from Robert Bieraugel, the motion passed by a vote of 5 in favor, 0 against, 0 abstained, and 0 absent.

- The interest payment for the Bond from Northland Securities in the amount of \$18,350.50 is Due on July 25, 2007.

*Resolution 07.61:* Member Zuhlsdorf move to approve payment of the Bond interest to Northland Securities of \$18,350.50. Upon a second from Larry Maruska, the motion passed by a vote of 5 in favor, 0 against, 0 abstained, and 0 absent.

- Received a letter from Home Town Bank of St. Peter to discuss financial matters.

**d. Secretary – James Deike**

- Received information from the Minnesota Rural Water Association for various seminars and publications.
- Received a letter from Scott Michels requesting a sewer connection on a lot ID R05.541.0025. The Board requested contacting the County to confirm that this is a buildable lot, and respond to Mr. Michels letter.
- Sent a permit application for connections on lot PID R37.05.19.227.013. The Board requested contacting the County to confirm that the lot has been sub-divided and three connections should be granted.
- Received a check from Le Sueur County in the amount of \$29,138.24 for the tax levies.
- Received a check from Blue Earth County in the amount of \$5274.01 for the tax levies.
- The book value for the collateral from First National Bank Minnesota as of 5/31/07 was \$1,952,736.40.
- The book value for the collateral from First National Bank Minnesota as of 6/30/07 was \$1,915,512.81.
- Received Notice of Public Hearing for June 14<sup>th</sup> from the Le Sueur County Planning and Zoning Commission. The only item on the agenda is for Robert Dale Requesting an after the fact Conditional Use Permit to allow for the movement of approximately 10 cubic yards of material in a Shore Impact Zone. A notice of Public Hearing for July

12<sup>th</sup>, the only item on the agenda being Wayne & Gail Knewton requesting the County grant a Conditional Use Permit to allow the applicant to conduct grading & filling of approximately 300 cube yards of material..

- Received a letter from Louise Sunderman reporting damage done to the grinder station on their property.
- Received the insurance renewal application form from James R. Weir Insurance Agency, Inc. The Board requested completion of the application and have the Board ratify at the next meeting.
- Received a Risk Management Information Packet from the League of Minnesota Cities.

**6. Open Forum for Constituents**

- None.

**7. Old Business**

**a. System Maintenance**

- Discussed concerns in the accounting of the repairs to the system. Art Zuhlsdorf will review the Operation and Maintenance Manual.

**b. Annexation**

- Mike Carp Reviewed the Wandersee Petition for Annexation of a 40-acre parcel bordering Lake George. An amendment to Resolution 07.50 adding a timetable for annexation.

*Resolution 07.62:* Member Maruska moved to amend Resolution 07.50. Upon a second from Robert Bieraugel, the motion passed by a vote of 5 in favor, 0 against, 0 abstained, and 0 absent.

**c. Review Bill Rates**

- No Report.

**d. Construction**

- No Report.

**e. Review Calendar of Events**

- The Board requested that Mike Carp Contact the Joint Township Boards for District Board appointment/reappointments.

**f. Other**

- The draft copy of the 2006 Audit was reviewed.
- The Budget Committee will be meeting, and report at the next meeting.

**8. New Business**

**a. Other**

- No New Business.

**9. Discuss Agenda for July 23, 2007 Regular Meeting**

- The agenda will include the 2006 Audit, and the 2008 Budget Report.

**10. Adjournment**

Member Bieraugel moved to adjourn the meeting. The meeting was adjourned at 8:30 p.m.

Respectfully Submitted,

/s/ James Deike

James Deike

Secretary of the Lake Washington Sanitary District

**RESOLUTION NO. 2007-62**

**RESOLUTION AMENDING RESOLUTION NO. 2007-50 GRANTING  
CONDITIONAL APPROVAL TO PETITION FOR ANNEXATION  
LAKE WASHINGTON SANITARY DISTRICT**

WHEREAS, the Board of Managers of Lake Washington Sanitary District (the "District") did, at its meeting dated May 29, 2007, grant conditional approval to a Petition for Annexation (the "Petition") from Barbara and Steven Wandersee (the "Petitioners") for the annexation of approximately 40 acres of land to the District; and

WHEREAS, pursuant to the terms of the existing Interconnection Agreement with the City of Mankato (the "City"), the approval of the City is required to modify District boundaries; and

WHEREAS, subsequent to May 29, 2007, the District received written objections from the City to the boundary adjustment for the following reasons:

- A. The modification will diminish sewer capacity for future users in the City;
- B. The modification is requested for property that was not originally contemplated for development under the County's Land Use Controls and the land is zoned agricultural; and
- C. The purpose of providing sewer service to the District was to mitigate environmental issues and not to supply a conduit for future development; and

WHEREAS, notwithstanding the City's objections, the District has determined that the Petitioners should be granted the opportunity to proceed with their Petition provided that the Petitioners are able to secure City and County approval for the Petition.

NOW THEREFORE, BE IT RESOLVED:

1. Resolution No. 2007-50 is hereby modified in its entirety to read as follows:

The District will proceed with the Petition provided that, within 180 days after the date hereof, the Petitioners deposit an amount equal to one-half of the estimated costs expected to be incurred by the District in connection with the Petition process. The District expects to incur \$11,000.00 in costs and associated attorney's fees in pursuing the Petition. Therefore, upon receipt of the sum of \$5,500.00 as an advance deposit against the

costs the District expects to incur, the District will proceed with the Petition, including establishing a date for a public hearing on the Petition.

2. In the event the Petitioners do not remit to the District the \$5,500.00 deposit within 180 days following the date hereof, the District will not proceed with the Petition, but the Petition must then be resubmitted for reconsideration by District.

Dated this 9<sup>th</sup> day of July, 2007.

LAKE WASHINGTON SANITARY  
DISTRICT

By: /s/Ed Fahrforth  
Its: Chairman

ATTEST:

By: /s/ James Deike  
James Deike  
Its: Secretary

I, James Deike, Secretary of the Lake Washington Sanitary District, do hereby certify that Ordinance No. 2007-62 was moved for adoption by Board member Maruska and seconded by Board member Bieraugel and, upon vote being taken thereon, Ordinance No. 2007-62 was adopted by a vote of 5 in favor and 0 against, with 0 abstained.

Dated this 9<sup>th</sup> day of July, 2007.

/s/ James Deike  
James Deike, Secretary