

**MINUTES OF THE REGULAR MEETING OF BOARD MEMBERS
OF LAKE WASHINGTON SANITARY DISTRICT
AND
PUBLIC HEARING
TO REVIEW THE LAKE WASHINGTON SANITARY DISTRICT
2006 BUDGET
August 22, 2005**

1. Call to Order

Larry Maruska called the regular meeting of the Board to order at 7:00 p.m. on Monday August 22, 2005, at the Lake Washington County Park Community Building, 47102 Washington Park Road, Kasota, MN 56050.

2. Roll Call

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

3. Review and approval of the agenda

Resolution 05.105: Member Bieraugel moved to approve the agenda. Upon a second from Ed Fahrforth the motion passed by a vote of 4 in favor, 0 against, 0 abstained, and 1 absent.

4. Public Hearing Reviewing the Lake Washington Sanitary District 2006 Budget

- Larry Maruska opened the Public Hearing Reviewing the 2006 Budget.

a. Present the 2006 Budget

- The 2006 budget was presented totaling \$410,445.00. The administrative portion of the budget totals \$65,455.00.

b. Public Commentary

- None

c. Close Public Hearing on the 2006 Budget

- Member Zuhlsdorf moved to close the Public Hearing. The Hearing was closed at 7:13 p.m. at which time the regular meeting continued.

5. Review and approval of Minutes

a. The August 5, 2005 Special Meeting

Resolution 05.106: Member Fahrforth moved to approve the Minutes of the August 5, 2005, Special Meeting. Upon a second from Art Zuhlsdorf, the motion passed by a vote of 4 in favor, 0 against, 0 abstained, and 1 absent.

b. The August 8, 2005 Regular Meeting

Resolution 05.107: Member Bieraugel moved to approve the Minutes of the August 8, 2005, Regular Meeting. Upon a second from Art Zuhlsdorf, the motion passed by a vote of 4 in favor, 0 against, 0 abstained, and 1 absent.

6. Officers' reports

a. Chairperson – Larry Maruska

- No Report.

b. Vice-Chairperson – Jerry Kallheim

- No Report

c. Treasurer – Art Zuhlsdorf

- Treasurer Zuhlsdorf reported the beginning balance of the checking account of \$29,094.70, which included deposits from utility billing in the amount of \$4,251.80.
- Received an invoice from Beth Pooley in the amount of \$55.80.
- Received an invoice from James Deike in the amount of \$156.20.
- Received an invoice from Hickory Tech in the amount of \$82.72.
- Received an invoice from Benco in the amount of 40.54.
- Payment of the Utility easement to Michael Biehn totaling \$5,950.00, which includes \$550.00 for the construction of a brim at lift station number 2.

Resolution 05.108: Member Zuhlsdorf moved to approve payment of the bills, and easement, and direct the assistant to the treasurer to issue invoices to Hickory Tech, Benco, and North American Communication Company for their pro-rated share of the easement. Upon a Second by Robert Bieraugel, the motion passed by a vote of 4 in favor, 0 against, 0 abstained, and 1 absent.

- The ending balance of the checking amount after payments are made is \$22,809.64.

Resolution 05.109: Member Zuhlsdorf move to approve the July 31, 2005 financial statements. Upon a Second by Ed Fahrforth, the motion passed by a vote of 4 in favor, 0 against, 0 abstained, and 1 absent.

d. Secretary – James Deike

- Received Certification of the District from Jeff Lotz of Northland Securities, which was completed by James Deike, Beth Pooley, and Chuck Pettipiece.
- Call the Le Sueur County Planning and Zoning Commission regarding the application by Thomas Stapleton for a Conditional Use Permit. Kathy Brockway said the permit was granted at the Public Hearing on August 11, 2005.
- The Affidavit of Posting was executed for the Notice of Public Hearing.

7. Open Forum for Constituents

- Mark Johnson of 1102 Terrasol Lane, inquired of the abandonment requirement of his septic tank. Mark was asked to work with Bolton & Menk for the abandonment.

8. Old Business

a. Adopt 2006 Budget

Resolution 05.110: Member Bieraugel moved to approve the Lake Washington Sanitary District 2006 Budget, and direct the Secretary to Certify the Budget to Le Sueur and Blue Earth Counties. Upon a Second by Ed Fahrforth, the motion passed by a vote of 4 in favor, 0 against, 0 abstained, and 1 absent.

b. Construction Progress

- Project Construction Progress: As of 22 August 2005 there are 208 properties pumping into the new collection system. Streets connected are: Washington Blvd, Linder Bay, Hillside Lane, Sioux Lane, Fairview Lane, Frankie Dankie Dr., Crystal Cove Road, Jessica Drive, Limberdink Road, Evergreen Drive, Sportsman Haven and Bakers Bay Road. The collection main is pressure tested up to the Washington Park including the Squirrels Nest Road area. The utilities at the end of Washington Blvd have been moved.
A final walk through of Washington Blvd, Linder Bay, Hillside Lane, Sioux Lane, Fairview Lane, Frankie Dankie Dr., Crystal Cove Road and Jessica Drive has been done and all items needing to be finished are on the current punch list given to GM Contracting.

Construction Schedule for this week:

1. Connection Crew (Main road connections): Will be working on DaMar towards the end of the week.
2. Grinder Crew: Installing grinders on Shamrock Drive.
3. Lateral Crew: Installing laterals on North Shore Ct and heading towards Connor Pt.
4. House Connection Crew: Will be gone the beginning part of the week. Finishing up Bakers Bay Road. Working on Williams St, Clifford Drive and Shoreway Drive.
5. Yard Crew: Cleaning up ROW and yards in the Squirrels Nest Road area.
6. Work for Lift Station #2
 - a. GM to construct concrete pad for BENCO transformer.
 - b. BENCO to install transformer on pad and remove existing transformer equipment.
 - c. GM to switch temporary service to new transformer.
 - d. GM to build access road into site and build berm 2 feet over lift station height.

GM to construct concrete pads for controls and generator. Then place controls and generator on each pad.

- Jon Peterson distributed Change Order No. 3 for review. Including Raising of manholes at Linder Bay Lane, and Change of conditions work encountered on the project totaling \$56,899.63.

Resolution 05.111: Member Zuhlsdorf moved to approve Change Order No. 3 totaling \$56,899.63. Upon a Second by Robert Bieraugel, the motion passed by a vote of 4 in favor, 0 against, 0 abstained, and 1 absent.

c. Negotiations with the City of Mankato to amend the Interconnection agreement

- No Report

d. Bonding

- The completed Certification was distributed and reviewed.

Resolution 05.112: Member Fahrforth moved to approve the signing of the Certification by the District Chairman, Treasurer, and Secretary. Upon a Second by Robert Bieraugel, the motion passed by a vote of 4 in favor, 0 against, 0 abstained, and 1 absent.

- Jerry Kallheim joined the meeting at 8.07 p.m.

e. Discuss Preliminary Haring for Public Comment

- It was discussed that an Open House rather than a Public Hearing should be held prior to the Regular meeting of September 26, 2005 from 5:00 to 7:00 p.m. at the Washington County Park Community Building.

f. Letter to Property Owners

- The letter to Property Owners was distributed and reviewed. Changes in the heading will be made for the mailing.

g. Review Calendar of Events

- The calendar was reviewed changing the pushing Notice of the Assessment Hearing to October 3, 2005. And the Assessment Hearing to be held on October 24, 2005.

h. Other

- No other old Business

9. New Business

a. Consider Amendment to Ordinance 2005-3

Resolution 05.113: Member Bieraugel moved to approved Ordinance 2005-4 amending Ordinance 2004-2 Subd. 3. Upon a Second by Jerry Kallheim, the motion passed by a vote of 5 in favor, 0 against, 0 abstained, and 0 absent.

b. Connor agreement

- The agreement was discussed, Larry Maruska will ask Mike Karp for clarification on the connection dates.

c. Other

- No other New Business

10. Discuss the Agenda for September 12, 2005 Meeting

- The agenda will be set this week.

11. Adjournment

Member Zuhlsdorf moved to adjourn the meeting. The meeting was adjourned at 8:46 p.m.

Respectfully Submitted,

/s/ James Deike

James Deike

Secretary of the Lake Washington Sanitary District

ORDINANCE 2005-4

THE BOARD OF MANAGERS OF THE LAKE WASHINGTON SANITARY DISTRICT
ADOPTS AND ORDAINS THE FOLLOWING:

AMENDMENT OF ORDINANCE 2004-2 ESTABLISHING FEES AND CHARGES FOR LAKE WASHINGTON SANITARY DISTRICT

Ordinance 2004-2, which establishes fees and charges for Lake Washington Sanitary District, is hereby amended by restating Subdivision 3 thereof in its entirety as follows:

“Subd. 3. Collection Charges and Fees for Unpaid User Fees. The following fees and charges will be imposed for User Fees that are not paid on or prior to the 20th day of the month following the issuance of the most recent billing or statement:

Late Fee:	\$10.00
Non Sufficient Funds (NSF) Fee:	\$25.00

In addition, if the District is required to take legal action to recover any unpaid user fees or charges, the District may recover all costs incurred by it, including its actual costs of collection and attorneys’ fees.

If the user fees and/or late fees and cost of collection assessed thereon are not paid to the District within 30 days after a statement has been sent to the user and Owner at their last known address, the District shall assess the costs against the property served and for which the user fees and/or late fees remain unpaid, and the same shall be transmitted to the county auditor and collectible with the real property taxes for such property.”

This Ordinance shall become effective upon passage and publication as provided by law.

Dated this 22nd day of August, 2005.

DISTRICT

LAKE WASHINGTON SANITARY

By: /s/ Larry Maruska
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 the foregoing ordinance was moved for adoption by Board member Bieraugel and seconded by Board member Kallheim and, upon vote being taken thereon, the foregoing ordinance was passed by a vote of 5 in favor 0 against, with 0 abstained.

Dated this 22nd day of August, 2005.

/s/ James Deike
James Deike, Secretary