

**MINUTES OF THE REGULAR MEETING OF BOARD
MEMBERS OF
LAKE WASHINGTON SANITARY DISTRICT
August 28, 2006**

1. Call to Order

Chairman Fahrforth called the regular meeting of the Board to order at 7:00 p.m. on Monday, August 28, 2006, 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 06.71: Member Kallheim moved to approve the meeting agenda. Upon a second from Art Zuhlsdorf, 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 August 14, 2006 Meeting

Resolution 06.72: Member Bieraugel moved to approve the minutes of the July 10, 2006 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

- An estimate for the tree removal at Lift Station #2 was received along with proof of insurances from Volk Tree Service.
- Contacted Schwickerts for the Gopher One invoices with no response.

b. Vice Chairperson – Larry Maruska

- The tree was removed at Lift Station #2.
- The filter systems was delivered last Friday, and should be installed this week, at which time the berm will be built up.
- Talked with Mike Biehn regarding the easement from August 2005, for utilities right of way.

Resolution 06.73: Member Maruska moved to send Mike Biehn the \$550.00 to fulfill the contract between Mr. Biehn and the District dated August 2005, for the construction of a gate, and planting of hedges at Mr. Biehn's own expense. Upon a second from Robert Bieraugel, the motion passed by a vote of 5 in favor, 0 against, 0 abstained, and 0 absent.

c. Treasurer – Art Zuhlsdorf

- Treasurer Zuhlsdorf reported the beginning balance of the checking account as of today August 28, 2006 is \$1,273,198.25, which includes a deposit of \$2,162.23 received from utility billing Base Rate, \$2,484.63 received from utility billing flow rate.
- Received an invoice from Bolton & Menk, Inc. in the amount of \$4,635.00.
- Received an invoice from Schwickert's in the amount of \$498.50.
- Received an invoice from Volk Tree Service in the amount of \$700.00.
- Received an invoice from James Deike in the amount of \$88.89.
- Total due \$5,922.39.

Resolution 06.74: Member Zuhlsdorf moved to approve payment of the bills. 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 payment of the bills will be \$1,267,275.86.
- The July 31, 2006 Financial Statement was distributed and reviewed.

Resolution 06.75: Member Zuhlsdorf moved to approve July 31, 2006. Upon a second from Larry Maruska, the motion passed by a vote of 5 in favor, 0 against, 0 abstained, and 0 absent.

d. Secretary – James Deike

- Received from Chuck Pettipiece a letter to Mike Karp clarifying the assessments for property owned by Lyle Jacobson.

6. Open Forum for Constituents

- None.

7. Old Business

a. Construction Progress

- No Report.

b. Negotiations with the City of Mankato to amend the Interconnection Agreement

- No Report.

c. Discuss the 2007 Budget

- Reviewed the Proposed 2007 Budget totaling \$68,450.00. Discussed Hearing requirements for Budget approval and the 2007 Tax Levy.

Resolution 06.76: Member Maruska move to call a Public Hearing to consider adoption of the 2007 budget for the District at 7:00 p.m. on Monday, September 11, 2006 at the Lake Washington County Park Community Building, 47102 Washington Park Road, Kasota, Minnesota 56050. And direct the secretary to have the Public Hearing Notice be published in the Mankato Free Press. Upon a second from Jerry Kallheim, the motion passed by a vote of 5 in favor, 0 against, 0 abstained, and 0 absent.

d. Discuss Supplemental Assessment Hearing

- The proposed supplemental assessment roll was reviewed.

Resolution 06.77: Member Zuhlsdorf moved to order Preparation of Supplemental Assessment Roll for the 2003 Sanitary Sewer Project. Upon a second from Robert Bieraugel, the motion passed by a vote of 5 in favor, 0 against, 0 abstained, and 0 absent. (complete resolution attached)

e. Review the 2006 Calendar of Events

- The calendar was reviewed with no changes made.

f. Other

- Art Zuhlsdorf researched an alternative for the Gopher one calls. Several companies provide this service within the District boundary.

8. New Business

a. Other

- Chuck Pettipiece reported on the delinquent sewer bill accounts, recommended the amounts along with any open invoices be sent to the counties, and be Included in the property tax statements.
- The ACH information will be sent out with the next billing statements. ACH should be implemented by October 1st.

- The city of Mankato has been contact for the amounts due from the District. The usage rate should be reviewed in the first quarter of 2007 for any adjustments.

9. Discuss Agenda of September 11, 2006 Meeting

- The agenda will be set next week.

10. Adjournment

Member Zuhlsdorf moved to adjourn the meeting. The meeting was adjourned at 8:49p.m.

Respectfully Submitted,

/s/ James Deike

James Deike

Secretary of the Lake Washington Sanitary District

RESOLUTION NUMBER 06-77
RESOLUTION ORDERING PREPARATION
OF SUPPLEMENTAL ASSESSMENT ROLL
2003 SANITARY SEWER IMPROVEMENT PROJECT

WHEREAS, on August 11, 2003, the Board of Managers of Lake Washington Sanitary District (the "District") ordered the 2003 Sanitary Sewer Improvement Project (the "Project") be made as proposed in the Facility Plan and Feasibility Study, and Amendment No. 1 to the Facility Plan and Feasibility Study prepared by Bolton & Menk, Inc.; and

WHEREAS, by resolution dated March 22, 2004, the Board of Managers of the District approved the final plans and specifications for the Project, as prepared by Bolton & Menk, Inc. and as approved by the Minnesota Pollution Control Agency and as approved by the City of Mankato, and thereafter advertised for bids for the Project; and

WHEREAS, by resolution dated June 21, 2004, the Board of Managers of the District awarded the contract for the construction of the Project to GM Contracting, Inc., and the Project has been completed; and

WHEREAS, the Board of Managers of the District has previously determined that the cost of the Project will be specially assessed against every assessable lot, piece or parcel of land within the District; and

WHEREAS, on October 24, 2005, and pursuant to Minn. Stat. § 429.061, a public hearing was held regarding the assessment for the properties benefited by the Project and following that hearing, the proposed assessment was adopted; and

WHEREAS, subsequent to the adoption of the assessment, the Board of Managers of Lake Washington Sanitary District were notified by Bolton & Menk, Inc., the engineering consultants for the District, and by Pettipiece & Associates, LLC, the financial consultant for the District, that the original assessment contained inaccuracies and that certain adjustments are required to certain parcels benefited by the Project; and

WHEREAS, the Board of Managers of Lake Washington Sanitary District has determined that the assessment roll shall be corrected pursuant to the supplemental assessment procedures provided for in Minn. Stat. § 429.071.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Board of Managers of the District hereby ratifies its previous determination that the entire cost of the Project will be specially assessed against every assessable lot, piece or parcel of land within the District, and that the District will not pay any of the cost of the Project.

2. The Secretary of the District, with the assistance of and in conjunction with the District's engineers and financial consultants, namely Bolton & Menk, Inc. and Pettipiece and Associates, LLC, respectively, be and are hereby directed to prepare a proposed Supplemental Assessment Roll for the Project and to calculate the proper adjustment, if any, to be made to the amount specially assessed against every assessable lot, piece or parcel of land within the District, without regard to the cash valuation thereof, all in accordance with the provisions of Minn. Statute § 429.071, and shall present the same at the regular meeting of the Board of Managers of the District on September 25, 2006, or at such earlier date as the Supplemental Assessment Roll shall be completed for consideration by the Board of Managers.

3. Upon acceptance thereof, the proposed Supplemental Assessment Roll shall be filed with the Secretary of the District and shall be open to public inspection.

Dated this 28th day of August, 2006.

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 the foregoing resolution was moved for adoption by Board member Zuhlsdorf and seconded by Board member Bieraugel and, upon vote being taken thereon, the foregoing resolution was adopted by a vote of 5 in favor and 0 against, with 0 absences or abstentions.

Dated this 28th day of August, 2006.

/s/ James Deike
James Deike, Secretary