

**MINUTES OF THE PUBLIC HEARING TO REVIEW
THE SUPPLEMENTAL ASSESSMENT ROLL
AND REGULAR MEETING
OF MEMBERS OF
LAKE WASHINGTON SANITARY DISTRICT
October 12, 2015**

1. Public Hearing Reviewing the Lake Washington Sanitary District Supplemental Assessment Rolls

a. Open the Public Hearing

- Chairman Maruska Opened the Public Hearing at 7:00 p.m. at the Mankato Regional Airport conference room, at 3030 Airport Road, Mankato, MN 56001.

b. Presentation of the Supplemental Assessment Rolls

- Chairman Maruska presented the Assessment Rolls, and described the reason for the Assessments, and the process in the creation of the Rolls.

c. Public Commentary

- Kathy Langdon of 62370 Kopps Drive, Madison Lake, MN 56063. Asked when the amount over assessed would be refunded. Thirty days after certification of the Supplemental Assessment is made to the County, the amount will be refunded.
- Rod Rolle of 2257 W. Ballantyne Dr., Madison Lake, MN 56063. Asked when the overpayment will be applied. The Supplemental Assessment amount will be applied to the 2016 tax statement.
- Joe Hall of 22425 Lake View Rd. Madison Lake, MN 56063. Asked if the assessments can be pre-paid to the District. Partial payment of the assessment cannot be prepaid to the county, only payment in full. However, the District will receive partial payments prior to November 1st of any year.
- Steve Menne of 62405 Shoreview Lane, Madison Lake, MN 56063. Asked how the Supplemental assessment was determined. The Assessment was calculated by the quantities over/under that were installed at the property during the construction of the original system.
- Mark Scharf of 62363 Kopps Dr., Madison Lake, MN 56063. Asked how the quantities were determined on his property. The engineer Chuck Vermeersch explained the details of the Supplemental assessment.
- A representative from the Willard Family of 22178 Nisswa Ln. Madison Lake MN 560163. Asked about the assessment amount on their property. The engineer explained how the Supplemental assessment amount was determined.

d. Closed the Public Hearing

- Chairman Maruska closed the Public Hearing at 7:17 p.m.

2. Call to Order

Chairman Maruska called the Regular Meeting of the Board to order at 7:18 p.m.

3. Roll Call

Present: Paul Aukes, Robert Schmillen, Art Zuhlsdorf, and Larry Maruska.

Absent: Jerry Kallheim.

4. Review and approval of agenda

Resolution 15.104: Member Aukes moved to approve the meeting agenda. Upon a second from Zuhlsdorf, the motion passed by a vote of 4 in favor, 0 against, 0 abstaining, and 1 absent.

5. Review and approval of the Minutes of the September 28, 2015 Regular Meeting

Resolution 15.105: Member Schmillen moved to approve the minutes of the September 28, 2015 Regular meeting. Upon a second received from Aukes, the motion passed by a vote of 4 in favor, 0 against 0, abstaining, and 1 absent.

6. Officers' reports

a. Chairman – Larry Maruska

- No Report.

b. Vice Chair – Bob Schmillen

- Reported the CD's with the Community Bank will be renewed at the rate of 1.31%.

c. Treasurer – Art Zuhlsdorf

- The balance of the checking account as of October 12, 2015 is \$1,788,495.98.
- Reviewed bills totaling \$5,565.69.

Resolution 15.106: Member Zuhlsdorf moved to pay the bills as presented. Upon a second from Schmillen the motion was passed by a vote of 1 in favor, 0 against 0 abstaining, and 1 absent.

- The balance of the checking account after the bills are paid will be \$1,782,930.29.

d. Secretary – James Deike

- Issued an ISSS Permit to Jadd Seppmann & Sons for Construction at 2508 Crystal Cove Road.
- The Collateral book balance at the Federal as of September 30, 2015 was \$5,834,881.15.

7. Open forum from Constituents

- Garrett Brandt of 22916 Kopps Lane questioned the Rate Increase. It was explained the majority of the increase was due to the increased costs from the City of Mankato.
- Lynn Ragan of 62603 Shorewood Ln. asked if the base rate was increased. The base rate was increased to \$21.00 from \$18.00.
- Mark Scharf of 62363 Kopps Lane asked about the meter readings.
- Dan Hansen of 62329 Kopps Lane reported yard damage during the construction of the system.

8. Old Business

a. Consider Adopting the Supplemental Assessment Rolls

Resolution 15.107: Member Schmillen moved to approve Adoption of the Supplemental Assessment Roll of the Madison and Ballantyne Lakes Wastewater Collection System Project. Upon a second received from Aukes, the motion passed by a vote of 4 in favor, 0 against, 0 abstaining, and 1 absent. (complete resolution attached)

b. Engineering

- No Report.

c. System Maintenance

- No Report.

d. Review the 2015 Calendar of Events

- Reviewed the Calendar with no changes being made.

e. Other

- The secretary reported receiving an appeal to the Supplemental Assessment from John Hobbs of 22120 Warner Lane, Elysian, MN 56028, for the property PID 3910023011014 at 22424 Lake View Road, Madison Lake, MN 56063.

9. New Business

a. Other

- The secretary presented the 2015 delinquent sewer billings.

Resolution 15.108: Member Schmillen move to have the secretary notify the property owners of their delinquent sewer bill invoices. Upon a second from Zuhlsdorf, the motion passed by a vote of 4 in favor, 0 against, 0 abstaining, and 1 absent.

10. Discuss Agenda for the October 26, 2015 Public Hearing and Regular Meeting

- Agenda will be set next week.

11. Adjournment

The meeting was adjourned at 8:27 p.m.

Respectfully Submitted

/s/ James Deike

James Deike

Secretary of the Lake Washington Sanitary District

RESOLUTION NUMBER 15-107
RESOLUTION ADOPTING SUPPLEMENTAL ASSESSMENT ROLL
MADISON AND BALLANTYNE LAKES
WASTEWATER COLLECTION SYSTEM PROJECT

WHEREAS, by Resolution dated May 13, 2013, the Board of Managers of Lake Washington Sanitary District (the “District”) ordered the Madison and Ballantyne Lakes Wastewater Collection System Project (the “Project”) be made as proposed in the Facility Plan and Feasibility Study prepared by Short Elliott Hendrickson, Inc. (“SEH”); and

WHEREAS, the Board of Managers of the District approved the final plans and specifications for the Project, as prepared by SEH, and the final plans and specifications were filed with the Secretary of the District, and thereafter advertised for bids for the Project; and

WHEREAS, by resolution dated December 23, 2013, the Board of Managers of the District awarded the contract for the construction of the Project to Ellingson Drainage, 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 November 25, 2013, 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, Minn. Stat. § 429.071 permits the Board of Managers of the District to make supplemental assessments to correct omissions, errors, or mistakes in the assessment relating to the total cost of the improvement or any other particular; and

WHEREAS, the District has received the proposed supplemental assessment roll for the Project, prepared by its engineers, SEH, and its financial consultants, Pettipiece and Associates, LLC; and

WHEREAS, the District Secretary, in conjunction with the District’s consultants, caused notice to be published on September 24, 2015, in the Mankato Free Press, and mailed notice of the hearing to each owner of each parcel described in the assessment roll on September 24, 2015; and

WHEREAS, a public hearing on the proposed supplemental assessment roll was held on Monday, October 12, 2015, at the Mankato Airport, 3030 Airport Road, Mankato, MN 56001, at 7:00 p.m. for the purpose of taking public comment upon the proposed supplemental assessment

roll; and

WHEREAS, pursuant to proper notice duly given as required by law, the Board of Managers of the District has heard and passed upon all objections, whether presented orally or in writing, to the proposed supplemental assessment roll for the Madison and Ballantyne Lakes Wastewater Collection System Project.

NOW THEREFORE, BE IT RESOLVED, by the Board of Managers of the District:

1. The proposed supplemental assessment roll, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the supplemental special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the supplemental assessment levied against it.
2. The supplemental assessment adopted by the foregoing resolution shall be payable in equal annual installments extending over a period of 18 years, the first of the installments to be payable on or before the first Monday in January 2016, and shall bear interest at the rate of 4.90 percent per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2016. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the Blue Earth County Taxpayer Services Department, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the LWSD Secretary, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he/she may, at any time thereafter, pay to the Blue Earth County Taxpayer Services Department the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the next succeeding year.
4. The Secretary of the District shall forthwith transmit a certified duplicate of the supplemental assessment roll to the County Auditor of Blue Earth County, and to the County Auditor of Le Sueur County, to be extended on the respective property tax lists of such counties. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

Dated this 12th day of October, 2015.

LAKE WASHINGTON SANITARY DISTRICT

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 Resolution was moved for adoption by Board member Schmillen and seconded by Board member Aukes and, upon vote being taken thereon, the foregoing resolution was passed by a vote of 4 in favor 0 and against, with 1 abstained.

Dated this 12th day of October 2015.

/s/ James Deike
James Deike, Secretary