

**MINUTES OF THE REGULAR MEETING OF BOARD  
MEMBERS OF  
LAKE WASHINGTON SANITARY DISTRICT  
August 24, 2015**

**1. Call to Order**

Chairman Maruska called the regular meeting of the Board to order at 7:00 p.m. on Monday, August 24, 2015 at the Mankato Regional Airport conference room, at 3030 Airport Road, Mankato, MN 56001.

**2. Roll Call**

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

**3. Review and approval of agenda**

**Resolution 15.79:** Member Schmillen moved to approve the meeting agenda. Upon a second from Aukes, the motion passed by a vote of 4 in favor, 0 against, 0 abstaining, and 1 absent.

**4. Review and approval of the Minutes of the August 10, 2015 Regular Meeting**

**Resolution 15.80:** Member Kallheim moved to approve the minutes of the August 10, 2015 Public hearing, and 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.

**5. Officers' reports**

**a. Chairman – Larry Maruska**

- No Report.

**b. Vice Chair – Bob Schmillen**

- No Report.

**c. Treasurer – Art Zuhlsdorf**

- Assistant to the Treasurer Julie Hiniker reported the balance of the checking account as of August 24, 2015 is \$2,026,039.34.
- Reviewed bills totaling \$54,311.06.

**Resolution 15.81:** Member Aukes moved to pay the bills as presented. Upon a second from Kallheim the motion was passed by a vote of 4 in favor, 0 against 0 abstaining, and 1 absent.

- The balance of the checking account after the bills are paid will be \$1,971,728.28.
- The July 31, 2015 financial statements were reviewed.

**Resolution 15.82:** Member Aukes moved to approve the July, 31, 2015 Income Statement. Upon a second from Kallheim, the motion passed by a vote of 4 in favor, 0 against, 0 abstaining, and 1 absent.

**Resolution 15.83:** Member Aukes moved to approve the July 31, 2015 Balance Sheet. Upon a second from Kallheim, the motion passed by a vote of 4 in favor, 0 against, 0 abstaining, and 1 absent.

**d. Secretary – James Deike**

- Received an Affidavit of Publication from the Mankato Free Press publishing the Ordinance 7.5.10.
- Received an insurance binder from LMCIT effective August 13, 2015.

**6. Open forum from Constituents**

- None.

**7. Old Business**

**a. Engineering**

- Reviewed Change Order number 5 in the amount of \$2,075.75, and pay request number 11.

**Resolution 15.84:** Member Schmillen moved to approve Change Order number 5 in the amount of \$2,075.75. Upon a second from Aukes, the motion passed by a vote of 4 in favor, 0 against, 0 abstaining, and 1 absent.

**Resolution 15.85:** Member Schmillen moved to pay the Application for Payment number 11 in the amount of \$198,021.29, and reduce the retainage from 5% to 1%. Upon a second from Aukes, the motion passed by a vote of 4 in favor, 0 against, 0 abstaining, and 1 absent.

**b. System Maintenance**

- Repairs to the damaged Grinder Station lids on Shoreway Drive have been completed.

**c. User Rates**

- Chuck Pettipiece reported on the potential rate increase due to the City of Mankato's increase in processing and infrastructure costs.

**Resolution 15.86:** Member Kallheim moved to hold a Public Hearing on September 14, 2015 for the Rate Increase and direct the Secretary to Publish, and Post notice. Upon a second from Aukes the motion passed by a vote of 4 in favor, 0 against, 0 abstaining, and 1 absent.

**d. Resolution to hold a Public Hearing to pass the 2016 Tax Levy**

- Reviewed the 2016 Budget, and Washington/George subdivision Tax Levy.

**Resolution 15.87:** Member Schmillen moved to hold a Public Hearing on September 14, 2015 to Review the 2016 Budget, and the Washington/George subdivision tax levy and direct the Secretary to Publish and Post the Notice. Upon a second from Kallheim the motion passed by a vote of 4 in favor 0 against, 0 abstaining, and 1 absent.

**e. Review the 2015 Calendar of Events**

- Reviewed Calendar adding the Public Hearing for Rate Increase on September 14, 2015.

**f. Other**

- Paul Schneider reported on the Supplemental Assessment.
- Reviewed the Resolution to Order preparation of the Supplemental Assessment.

**Resolution 15.88:** Member Schmillen moved to Order the Preparation of the Supplemental Assessment Roll for the Madison and Ballantyne Lakes Wastewater Collection System. Upon a second from Kallheim the motion passed by a vote of 4 in favor, 0 against, 0 abstaining, and 1 absent.(complete resolution attached)

- Chairman Maruska requested a Special Closed, and Open meeting be held on Monday August 10<sup>th</sup>, 2015 to discuss the Supplemental Assessment Roll.

**8. New Business**

**a. Other**

- No new business.

**9. Discuss Agenda for the September 14, 2015 Public Hearings, and Regular Meeting**

- Agenda will be set next week.

**10. Adjournment**

The meeting was adjourned at 8:21 p.m.

Respectfully Submitted

/s/ James Deike

James Deike

Secretary of the Lake Washington Sanitary District

RESOLUTION NUMBER 15-88  
RESOLUTION ORDERING PREPARATION  
OF 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, subsequent to the adoption of the assessment, the Board of Managers of Lake Washington Sanitary District were notified by SEH, the engineering consultants for the District, and by Pettipiece & Associates, LLC, the financial consultant for the District, that the original assessment may have contained inaccuracies and that certain adjustments may be required to certain parcels benefited by the Project; and

WHEREAS, Minn. Stat. § 429.071 permits the Board of Managers of Lake Washington Sanitary 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.

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.
2. The Secretary of the District, with the assistance of and in conjunction with the District’s engineers and financial consultants, namely SEH 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 14, 2015, or special meeting of the Board of Managers of the District called to consider the same, 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 24<sup>th</sup> day of August, 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 Kallheim and, upon vote being taken thereon, the foregoing resolution was passed by a vote of 4 in favor 0 and against, with 0 abstained and 1 absent.

Dated this 24<sup>th</sup> day of August 2013.

/s/ James Deike  
James Deike, Secretary