REGULAR MEETING OF THE BOARD OF TRUSTEES OF
THE IOWA GREAT LAKES SANITARY DISTRICT
April 9, 2019 3:00 P.M.
DISTRICT OFFICE, MILFORD, IOWA

President Boettcher called the meeting to order at 3:00 p.m. Trustees Rohlfsen, Senn, Hoppe and Camozzi. Others present Abby Walleck and Joe Van Otterloo.

President Boettcher announced this was the time and place for the public hearing and meeting on the matter for the purpose of making Amendments to the Iowa Great Lakes Sanitary District's Ordinance Article XI Penalties, Article VII Use of Public Sewers, Article X and Article VIII.

The President then ask the Clerk whether any written objections had been filed by a resident or property owner of the Sanitary District. The Clerk advised there were no written objections filed. The President then called for oral objections to the proposed additions or amendment to Ordinance 27 of the Iowa Great Lakes Sanitary District, none were made. Whereupon, the President declared the time for the public hearing to be closed at 3:02 pm.

Walleck explained the final changes to the ordinance sections to the Trustees. Discussion was had on the variability of the penalties charged. Walleck explained it gives the District options depending on the severity of the ordinance violation at hand and the willingness to remedy the violations.

Trustee Camozzi Introduced Resolution 2019-07 Resolution Adopting Ordinance No. 39 as follows:

ORDINANCE NO. 39

AN ORDINANCE AMENDING THE ORDINANCE NO. 27 OF THE ORDINANCES OF THE IOWA GREAT LAKES SANITARY DISTRICT RELATING TO CONTROL OF SEWERS, USE OF PUBLIC SEWER, POWER AND AUTHORITY OF INSPECTORS, AND PENALTIES.

Be it enacted by the Board of Trustees of the Iowa Great Lakes Sanitary District:

SECTION 1: PURPOSE: The purpose of this Ordinance is to add, Section 3.06, and amend Sections 7.01, 10.01 and 11.02 of Ordinance No. 27 of the Iowa Great Lakes Sanitary District which was enacted on the 25th day of April, 1983.

SECTION II: ORDINANCE AMENDED: Section 7.01, Article VII, Ordinance No. 27 is amended by striking the entire Section and replacing it with the following:

Section 7.01: No person, firm or corporation shall make any connection to the sanitary sewer which will result in the discharge, either directly or indirectly, of any storm water, surface water, ground water, roof runoff, subsurface discharge, cooling water, sump pump water, foundation drain water or unpolluted industrial process water to any sanitary sewer. Any such connection shall be considered illegal and shall be subject to immediate removal by the owner of the premise so connected and at such owner's expense. The removal shall be made permanent to the satisfactory of the District so that the discharge cannot be reconnected easily. If the removal is not done immediately, it will be considered in violation until removed by the property owner and confirmed by the District or if necessary, removed by the District. If the property owner fails to remove the illegal connection within fourteen (14) days, the District shall have the right to remove the connection and the cost thereof including any and all legal costs including but not limited to attorney fees and court costs shall be billed to and paid by the owner of the property.

SECTION III: ORDINANCE ADDED: Section 8.02, Article VIII shall be added as follows:

Section 8.02. SEWER EASEMENT VIOLATIONS: No person shall encroach upon any sanitary sewer easement. The purpose of all sanitary sewer easements is for the construction, maintenance, repair and reconstruction of the public sewer system or as specifically stated in recorded easement documents. Any public sanitary sewer lines that is not documented in a recorded easement with the Dickinson County Recorder are enforced by prescription under Iowa Code. Any encroachment of a public sanitary sewer easement, recorded or prescribed, shall be considered a violation of this Ordinance and shall be enforced under Article XI.

SECTION IV: ORDINANCE AMENDED: Section 10.01, Article X, Ordinance No. 27 is amended by striking the entire Section and replacing it with the following:

Section 10.01:

A. The Superintendent, duly authorized employees of the District, or authorized contractors hired by the District who have the proper credentials and identifications shall be permitted to enter all properties, without cause, for the purpose of inspection, observation, measurement, sampling and testing in accordance with these Ordinances.

B. Failure to allow access to a property for the purpose of inspection, observation, measurement, sampling, and testing is a violation of these Ordinances and shall result in a minimum $75.00 per day surcharge to the sewer rental fee until access is permitted. If the District is required to seek judicial intervention to access the property, the owner shall reimburse the District all legal costs including but not limited to attorney fees and court costs.

SECTION V: ORDINANCE AMENDED: Section 11.02, Article XI, Ordinance No. 27 is amended by striking the entire Section and replacing it with the following:

Section 11.02. Any person who shall continue any violation beyond the time limit provided for in Section 11.01 above or as otherwise provided for in these Ordinances shall be guilty of a Misdemeanor and/or Municipal Infraction as demeaned appropriate by the Superintendent. The Superintendent shall have full discretion in how to charge each alleged violation. Regardless of the charge, each day in which any such violation shall continue shall be deemed a separate offense. A misdemeanor shall be punishable with a fine of at least $65.00 per conviction and up to $625.00 per conviction and/or up to thirty (30) days of imprisonment. A municipal infraction shall be punishable with a fine of at least $100.00 per offense and up to $750.00 for the first offense and with a fine of at least $250.00 per offense and up to $1,000.00 for each additional offense.

SECTION VI: REPEALER: Sections 7.01, 10.01 and 11.02 of Ordinance No. 27 and all other Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION VII: EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its final passage and publication to the public as provided by law.

and moved for its adoption. Trustee Rohlfsen seconded the motion to be adopted. The roll was taken, and the vote was, AYES: Rohlfsen, Senn, Hoppe, Camozzi, Boettcher; NAYS: None. Whereupon, the President declared Ordinance No. 39 duly adopted.

Joe Van Otterloo was present to discuss health insurance renewals. Wellmark/Blue Cross rates will be going up 7.41%. Van Otterloo also stated that the current deductible is going to double with the new policy as the Districts current deductible is no longer available. Van Otterloo also stated that another company they have been quoting is very competitive which is National General which has very similar coverage to

Wellmark. Depending on the underwriting, the District could see significate savings. The Trustees have direct Anderson to get the necessary paper work done to get a cost from National General. Van Otterloo will get the paper work to Anderson as soon as possible.

Anderson explained issues with the existing plant SCADA system in the equalization basins and that we would like to get this fixed. Anderson explained this was outside of the scope of the last project and that is what it was not part of the upgrade. Anderson is waiting for cost back from Primex and will bring that information to the board in the future.

Anderson explained that Cable and Company had sold to Schoelerman Bros., LLC of Royal, Iowa. The sale is too late in the year for bidding, so it was recommended that the District approve a one-year contract with automatic renewal with Schoelerman Bros., LLC at the price set by the current Cable and Company contract. Either party can get out of the contract if notice is given by December 1 of the year. Trustees approved to enter into a one year agreement with Schoelerman Bros., LLC of Royal, Iowa for one year at the current rate established in the current Cable and Company contract (Rohlfsen/Camozzi); all ayes.

The minutes for March 12 and 26, 2019 were approved (Camozzi/Boettcher); all aye. Financial state for March was reviewed. Bills for March 2019 were approved in the amounts of $124,981.21 for the general fund and $32,7582.17 was approved for the construction fund with a transfer of $35,000 from construction fund saving to checking (Camozzi/Rohlfsen); all ayes.

The meeting was adjourned by Motion (Rohlfsen/Boettcher).

_____ ATTEST: _____

Robert H. Boettcher President Kae Hoppe, Clerk