

## **COMMITTEE OF THE WHOLE OF THE KIMBERLY VILLAGE BOARD**

**FEBRUARY 9, 2009**

Chairman Kuen called the meeting to order at 6:00 p.m. Members present for roll call were Trustees Gaffney, Hammen, Hruzek, Opsteen, Trentlage, Weber and President Kuen. Also present were Street Commissioner Vanden Boogaard, Inspector Vander Velden, Engineer Werner of McMahan and one citizen.

Engineer Werner reviewed the 2008 Sanitary Sewer Annual Report as submitted to the engineers for the HOVMSD. The completion of the 2008 sanitary sewer replacement projects were noted, with the estimated I & I removed. While the project did not remove 100%, it was determined that the vast majority has been removed. The dollars necessary to get the last small quantity may not be cost effective. We can see that replacing the lateral to the home in conjunction with the main in the street/alley is very effective. There are also areas where we replaced the mains, but the laterals were not done. These were the first areas of the sanitary sewer replacement program when we were experimenting with projects and their effectiveness. Engineer Werner was asked to quantify the effectiveness of doing the laterals to justify going back and doing the laterals to the homes that were not done with the projects prior to 2006. It was also noted that we need this information to justify our continued efforts to replace laterals moving forward. Engineer Werner will quantify the amount of success by replacing all the way to the home. The present flow monitoring will assist with this investigation. He will also report back with any comments that we received from the HOVMSD regarding the sanitary sewer report.

This year's televising program will include remediating roots and mineral deposit problems found in last year's televising project. We will also notify property owners where we found roots or other obstructions in their laterals. While the laterals are the property owners' responsibility, we will be notifying them of the problems found.

The proposal from River Valley Testing (RVT) to drill test wells and monitor the water levels in the bedrock around Sunset Pond was discussed at length. It is felt the pond is leaking for a third time and we would like to make every effort to accurately determine what is causing the leaks. The issue with the pond leaking twice and repaired, and remediation action taken to date was discussed. Additional investigation of the ground water around the pond by RVT to help resolve some issues is being recommended. There was a long discussion regarding responsibility and liability for the ponds success. While the first two leaks were workmanship, the contractor still is questioning if something is undermining his work. This monitoring of the ground water could offer some insight. After a lengthy discussion, it was agreed to move forward with the testing, with formal approval at next week's Board Meeting. If additional work is determined to be necessary, a synthetic liner or additional clay liner may be determined to be necessary. It could take six months to determine if there is anything impacting the pond beyond what is already known.

Administrator Hermus shared the sanitary sewer agreements reached with New Page, Imerys and Specialty Minerals. These were requested by the Board due to these new industrial customers now using our sanitary sewer system with the closing of New Page and their sewerage treatment plant. These were drawn up by Attorney Fyfe and approved by all three entities. These will be placed on next Monday's Agenda for official approval.

Administrator Hermus shared his recommendation to change legal counsel from Attorney Doug Fyfe to Herrling Clark Law Firm, with Attorney Chuck Koehler being lead counsel. Attorney Fyfe was very understanding of the need to change as his expertise is in family law. A letter from him verified his appreciation for the past experience with the Village of Kimberly, and concurred with our decision to change. This will take place over a short transition period.

Administrator Hermus shared the correspondence with Canadian National Railroad regarding the proposed trail along Railroad Street. There is a huge difference of opinion regarding the value of the property at this time. We will continue to work with the railroad on a resolution to this disparity in price.

Members of the United Steelworkers Union Local 9 visited Washington DC last week, and will be meeting with Administrator Hermus tomorrow. Mr. Hermus supplied letters to our federal delegates announcing their arrival and encouraging efforts to help the U.S. economy move forward.

Administrator Hermus announced that the CE Underpass Project will not take place in 2009 due to the red tape placed on the project with the receipt of the federal grant. We will work as quickly as possible to get the plans ready for bidding, with actual bidding taking place next winter, with construction next year.

President Kuen questioned our ability to institute curb side recycling in the absence of the county's program until July. Street Commissioner Vanden Boogaard noted that vehicles are the major problem, as we cannot locate a recycling truck. A rear loading garbage truck is not conducive to collection of co-mingled, but it can handle paper/cardboard. He will continue to check around. The second issue is manpower. Based on two men per truck, recycling will require 1/3 of our labor force for this service. This means other services will suffer. However, options for temporary labor could be considered for the pickers, with our operators driving. More research will be done prior to next week's meeting. Of course, all costs would be paid for through the county.

Trustee Trentlage questioned our need to create a cell phone ban in village vehicles. While it was discussed at the quad community meeting, there was no clear direction. It was noted that staff is now allowed to carry cell phones when using village equipment, although radios are and have been used for many years without incident. It was felt police officers use their cell phones heavily while driving. Staff will do some research through CVMIC regarding cell phone use in village vehicles. Most felt we could not wait for a statewide ban on cell phone usage, and a local ordinance should be created to curb the use and help reduce accidents due to cell phone usage in vehicles.

Trustee Hammen moved, Trentlage seconded the motion to adjourn. The motion carried by unanimous vote of the Board.

Rick J. Hermus  
Administrator/Clerk