

## **REGULAR VILLAGE OF BIRON BOARD MEETING APRIL 9, 2007**

The April 9, 2007 Regular Board meeting was called to order by President Jon Evenson at 6:30 p.m. at the Biron Municipal Center. The meeting was properly posted according to Wisconsin State Statutes.

**Present:** Trustees: Tammy Steward, June Siegler, Jan Gaber, Dan Muleski, Margaret Billman, and Wayne Lambert. Also in attendance were Treasurer Joyce Kompka, Public Works Supervisor Rick O'Keefe, Dave Grutzik, Central Wis. Engineers, Keith Helmrick and Dave Moodie Classic Development, four members of the Biron Licensee group, and three residents.

**MINUTES:** **Motion** Muleski to approve the minutes from the Regular Board meeting held on March 12, 2007, seconded Gaber. M.C. **Motion** Siegler to approve the minutes of the Special Board meeting held on March 21, 2007, seconded Steward. M.C.

**FINANCE & BUDGET COMMITTEE:** Chairperson Siegler reporting. **Committee Chairperson Update:** Committee met at 4:15 p.m. on Monday, April 9, 2007 to review all bills for the Village, Wastewater Department and Water Utility. **Motion** Muleski to pay all approved Village, Water Utility and Wastewater bills as recommended by the Finance Committee, seconded Steward. M.C. The proposed policy for non lapsing funds was reviewed. There were questions discussed as to whether the current board could change existing non lapsing accounts. The intent of the policy is to provide guidelines for the creation and management of non lapsing accounts and to be able to delete, modify or combine accounts and utilize the funds as the existing board sees fit annually during the budget process. **Motion** Lambert to accept the Finance Committee report, seconded Muleski. M.C.

**TREASURER'S REPORT:** Treasurer Kompka reporting. The report of expenditures and receipts was reviewed. The checking account balance on hand March 31, 2007 was \$303,238.95 with March receipts of \$31,493.94. Expenditures were \$97,674.75. Investment accounts through March: Village Non-Lapsing Fund CD's \$308,689.25. **Water Utility:** Non-Lapsing Fund \$221,146.18, Checking \$25,073.77. **Wastewater Department:** Non-Lapsing Fund \$10,329.55, Checking \$64,634.88. **Motion** Gaber to accept the Treasurer's report, seconded Steward. M.C.

**PUBLIC WORKS COMMITTEE:** Chairperson Steward reporting. **Committee Minutes and Chairperson Update – Transportation and Treatment Costs of Wastewater –** Committee met with the City of Wisconsin Rapids on the Village's share for wastewater transportation and treatment. It was thought that the cost to the Village for the construction of the Saratoga trunk line would only be \$25,000 but actually will be \$40,000. The committee will be meeting to discuss a sewer fee increase. The Village has not had a sewer fee increase since 2004. **Supervisor's Update –** Various material has been used on the shoulder of the roads and none have been totally satisfactory so we will be trying recycled blacktop on a few trouble spots. Street sweeping is being check on. **Motion** Gaber to accept the Public Works Committee report, seconded Muleski. M.C.

**WATER UTILITY COMMITTEE:** Chairperson Muleski reporting. **Committee Minutes and Chairperson Update and Water Superintendent's Update – Need for Long Term Well House Study -** Committee discussed future maintenance and possible updates of the well house. There are possible changes to the way we operate the well house that could be more efficient. The Water Superintendent and Committee Chair will be meeting on this. **Funding for Loan Payment for Water Tower & Sewer Extension –** Committee agreed to pay off the water tower and sewer extension loan that the Village had assumed. **Update on Cross Connection Report –** Both the main mill in Biron and Community Christian Academy are working on their cross connection reports that are required by the DNR. The main mill will be in compliance by the end of 2007. **Water Exploration Study –** The exploratory drilling was approved last year and committee was waiting for approval to explore two properties. Approval on one property was received and denied on the other property so the exploratory drilling can now start on the approved property. **Water Superintendent Update –** The hydrants are being flushed and the hydrants on Highway 54 will be lubricated. Residential water meters need to be changed every ten years and there are some from last year that are being finished and then this year's list will be started. The nitrate testing on wells #2 & #3 were good. The water usage for assisting with the fire at Carpet City will be billed to Carpet City's insurance company. **Motion** Lambert to accept the Water Utility Committee report, seconded Steward. M.C.

**PUBLIC SAFETY, WELFARE & RECREATION COMMITTEE:** Chairperson Gaber reporting. **Committee Minutes and Chairperson Update –** Committee is checking into replacement garbage receptacles at the park. The heaters for the restrooms at the hall have been installed. **Motion** Gaber to let the BMX Club

have the old steel light poles that are no longer usable by the Village, seconded Steward. M.C. **Phone System at the Municipal Center** – A phone conference was held with the sales rep of the current phone system. Committee will review this at a future meeting. **Questions for Recreation Plan Survey** – The board reviewed the recreation plan survey and discussed changes. **Motion** Siegler to send the survey to residents with the incorporated modifications discussed this evening, seconded Gaber. M.C. **Motion** Muleski to accept the Public Safety, Welfare & Recreation Committee report, seconded Siegler. M.C.

**PRESIDENT’S REPORT:** President Evenson reporting. **Update from Classic Development Corp. on Bridgewater Project** – Keith Helmrick, Classic Development presented a brief history and an update on the current status of the Bridgewater Project. Following is a brief history of the project over the past year:

**May, 2006** – Federal Energy Regulatory Commission (FERC) issued their draft environmental assessment relating to Consolidated Water Power’s (CWPCO) application for the land exchange and accepted comments until June, 2006.

**July, 2006** – Wisconsin Department of Natural Resources (WDNR) contested case hearing which lasted for 5 days related to the relocation of CTH U along with the associated abandonment and replacement of access to the Biron Flowage related to the project.

**November, 2006** – FERC issued an order approving the land exchange between CWPCO, Biron Licensee Group and Classic Development Corp.

**November, 2006** – Administrative Law Judge Boldt issued decision and order approving the relocation of CTH U and abandonment of the existing road right of way conditioned on 26 items being completed relating to the replacement access.

**December, 2006** – CWPCO filed a rehearing request with FERC to reconcile differences between the WDNR order and the FERC order.

**December, 2006** – George Mead and Susan Feith file a request with FERC asking that they reconsider their decision regarding approval of the land exchange.

**January, 2007**, George Mead and Susan Feith file an appeal in Wood County Circuit Court asking that the Administrative Law Judge’s decision be overturned.

**The Current Status of the Project:** Currently we are waiting for FERC to issue a ruling regarding the rehearing requests and for the appeal of the WDNR decision to work its way through Judge Mason’s court. CWPCO, the Village of Biron, Classic Development and the Biron Licensee Group are working cooperatively to develop a Shoreline Management Plan for the project area to submit to FERC.

**There are several necessary steps that will need to be completed in the future:** Assuming a favorable decision from FERC relating to CWPCO’s Rehearing Request is received, the following is a tentative overview of required future actions:

1. Complete the Shoreline Management Plan to submit to FERC.
2. Revise the Bridgewater Project Master Plan as required to comply with the WDNR and FERC orders and submit to the Village of Biron for review and approval.
3. Complete permit applications and submit to WDNR and other applicable agencies.
4. Commence work on municipal sewer, water and street designs and engineering for the entire project including the Bridgewater residential area, Biron Business Park area and connecting mains, loops, etc. to the existing Village of Biron system.
5. Bidding and Construction implementation.

A question was asked regarding when work could be started on sewer and water plans. The response: While we would like to continue to move forward, it would be extremely premature at this point to commence engineering for municipal sewer and water plans until we have a final decision from FERC and revisions have been made to the Project Master Plan and possibly the TIF Plan and Development Agreement to coincide with the FERC and WDNR decisions.

Classic and the Biron Licensee Group will be happy to provide additional updates to the Board of Trustees as significant events occur related to the project.

Respectfully Submitted,

Debra Eichsteadt, Clerk