



Village Hall, 262-567-2757  
Fax, 262-567-4115  
Highway Dept., 262-567-2422  
Police Dept., 262-567-1134  
Building Inspector, 262-490-4141  
[www.summitvillage.org](http://www.summitvillage.org)

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Summit Village Hall • 37100 Delafield Road • Summit, WI 53066

## AGENDA

### **Summit Utility District #2 Commission Meeting Thursday, July 10, 2025, at 6:15 p.m.**

At Summit Village Hall, 37100 Delafield Road, Summit, WI

1. CALL TO ORDER
2. ROLL CALL AND CONFIRM POSTING
3. PUBLIC COMMENT
4. MINUTES: June 12, 2025 regular meeting
5. Discussion and action on June 2025 payables and Financial Report
6. Discussion on June 2025 engineering report
7. ADJOURN UTILITY COMMISSION MEETING

Respectfully Submitted,

Debra J Michael, WCMC  
Village Administrator-Clerk/Treasurer

**Next Regular Meeting: August 14, 2025**

**Posted: July 3, 2025**

\*\*\*\* Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service contact the Village Hall at 567-2757.

It is possible that members of and possible a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any other governmental body except by the Utility Commission noticed above.



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**MINUTES**  
**Summit Utility District #2 Commission Meeting**  
**June 12, 2025**

**CALL TO ORDER**

Chairperson Riley called to order the Summit Utility District #2 Commission meeting on Thursday, June 12, 2025 at 6:15 p.m. at Summit Village Hall, 37100 Delafield Road, Summit, WI.

**ROLL CALL AND CONFIRM POSTING**

Administrator-Clerk/Treasurer Michael took roll call and confirmed that the meeting was noticed to the local media as required and requested and posted on the Village posting board and website.

Commissioners present were: Kraig Arenz, Sr., Jim Petronovich, and Justin Phillips. Also present were: Chairperson Jack Riley, Public Works Director Kamron Nash, SEH Engineer Robert Malzahn, and Administrator-Clerk/Treasurer Debbie Michael. Commissioner Jeff Lee was absent.

**PUBLIC COMMENT** – none.

MINUTES: May 8, 2025 regular meeting

MOTION: (Petronovich, Phillips) *to approve the minutes of May 8, 2025 regular meeting.* Carried.

Discussion and action on May 2025 payables and Financial Report

MOTION: (Petronovich, Phillips) *to approve the financial report and May 2025 payables in the amount of \$42,773.07.* Carried.

Discussion and action on offering optional e-bill service for sewer billing customers

Administrator-Clerk/Treasurer Michael stated this is the same request we just spoke about for Silver Lake Utility District but this district sends approximately 700 bills per quarter so the potential for cost savings is greater.

Chairperson Riley asked if there are grinder pumps in this district too, and if so, maybe we should send the flyer they just discussed at the Silver Lake Utility District meeting. He stated that the direction would be the same as far as piloting and getting to ACH eventually but this one is a lot bigger.

Direction was given to start with Silver Lake and see how that works and the lessons that we learn we can apply to this district.

Discussion and action on owner's request for reimbursement of sewer service expenses related to lateral break at 2326 N 2<sup>nd</sup> Lane

Director Nash explained that at the last meeting we had brought forward a request from the property owner for expenses they had from a contractor to come in and look at a backup that had occurred on their property. There were some questions that the Commission wanted answered so staff was directed to go back and get additional information. The conversation at the last meeting was really two separate items so it was separated that way. The first is the claim from the property owner, for the contractor coming in. Whereas, the other item is to determine the responsibility for repairs and who has that maintenance responsibility for the lateral up to the sewer main. We talked at the last meeting about how the insurance company responded and also Attorney Macy chimed in with his comments as well and they both recommend that the Commission disallows the claim and the primary reasons are that the break occurred in the lateral system, which is considered to be private plumbing that extends from the private home to the sewer main. The issue with the lateral was an unnoticed clog or break and the Village isn't liable for causing it and Wisconsin Statute 893.8 affords the Village liability and the only reason we would take responsibility is if we were truly negligent for something we weren't doing or creating the issue ourselves. Based on that, staff is recommending that it be disallowed. However, the Commission can make their decision and if they determine they want to reimburse expenses just with the understanding that this would set precedent. If the property owners wish to make a formal claim, they can do that and we'd submit to the insurance company with the understanding that it would likely be disallowed unless there is additional evidence that is provided that proves otherwise and that the Village would be liable.

**MOTION:** (Petronovich, Phillips) *to disallow the claim submitted by the property owners of 2326 N. 2<sup>nd</sup> Lane for expenses incurred related to a damaged sewer lateral adjacent to their property.* Carried.

Discussion and action on responsibility for sewer laterals within the public right-of-way in Summit Utility District #2

Director Nash explained that she did a lot of outreach to other communities and utility districts to see how they manage this and the majority treat the lateral as private property all the way to the connection to the main and at times including the connection to the main. There are a few communities that don't do that, they end responsibility for the property owner at the property line. Director Nash spoke with the new manager at Oconomowoc Wastewater Treatment Plant and he has some experience outside the community and said that a lot of the communities that do that have other types of issues they are trying to manage for instance, they would have a lot of I&I, Inflow & Infiltration, that's adding excess flow to the system, so that's their way of trying to control it and monitor and take control over the maintenance and repair work. Director Nash added that a lot of those communities have a funding mechanism to cover issues in that area. For example, one community had a sewer lateral fee that is assessed to all the property owners and then goes into an account that is set aside for those types of repairs. There are a variety of different ways to look at this, it really comes down to what it is that the Commission believes the intent of our ordinance is and whether or not we want to put that responsibility on the property owner or we want to put that on ourselves. Director Nash added that she reached out to the Village of

Johnson Creek, they take responsibility up to the property line and specifically asked questions about how they deal with their insurance company but they didn't respond back. In other conversations she heard that the claims that would come from private property owners, the utility district has an inherent immunity unless they were truly negligent or caused an issue, so we wouldn't be worrying about insurance claims, per se, it would be more the question of how do you pay for the expense of the repairs and who's responsible for that.

The insurance company provided feedback and stated we are not legally responsible for those and also that the Claims Specialist was going to consult with attorneys to get more feedback. The Claims Specialist believes that anything up to the sewer main can be considered private property and we do not have to take responsibility for that.

Director Nash stated she spoke to Mike Court at SEH and he stated we haven't dealt with this very often, there haven't been a lot of lateral breaks and their assumption is that we treated that as public property because when the district installed the system that was included. Went through our ordinance and it is not super clear. In the definitions it considers the "Building Sewer" the pipe extension that begins at the outside of the building wall to a point of connection to the public sewer. It doesn't define what the public sewer is. "Public Sewer" says it subject to the jurisdiction of the district. She checked some other ordinances and there are some with pretty good language out there that explains what it is and one thing to consider is if we want to leave the lateral as the responsibility of the property owner, we could define the sewer lateral as pipeline that connects the property to the local sanitary sewer main and that the sewer lateral would be owned and maintained by the property owner. If we change the language to make it more specific, we can make it clearer but it is the Commission's determination whether we want to go that route or take responsibility within the public right-of-way.

There is one section that is more specific to the infrastructure in right-of-way in Chapter 4. Section 4.6 that states: in the event of any blockage, damage or break in any building sewer which occurs within a public street, alley, highway or other public right-of-way, the district shall have the exclusive right and option to repair the sewer, in such event, the owner of the building sewer should promptly reimburse the district for all the costs. This is clearer and seems the intent is that the property owner would be responsible for that maintenance but the Utility District has the option to go in and do the repairs so that it doesn't create any more damage. Chairperson Riley questioned if that would apply to the main or lateral. Director Nash responded the lateral.

Director Nash stated she went through the Del-Hart Ordinance because the District Ordinance states if there is any contrary information, we would default to what their ordinance states and they do clearly define what that is but their ordinance refers to what Del-Hart owns so we could defer to that but thinks it would be easier in the future if we made the District's Ordinance clearer.

Commissioner Arenz stated he would direct staff to focus on that clarity and bring back to the group. President Riley responded where does that start.

Commissioner Petronovich stated to him it should be the homeowner's responsibility for the lateral all the way to the main sewer and the reason is because let's say it is plugged up and the property owner calls someone to rot it out, they could report that it is past the property line and say it's the district's responsibility to pay for it. Whereas, if the main sewer is plugged, then that's the district problem and it

would show up on multiple houses. If just one house is plugged up, then it is obviously in their lateral. Chairperson Riley agrees but where he struggles is how do the main and lateral connect and is that junction part of the main or part of the lateral. Director Nash responded that most ordinances that she read state that the connection is included as part of the lateral because it is serving the lateral but in one ordinance it says unless there is an actual “Y” that’s installed in the main itself, which is not very common, doesn’t think we have any of these in this district, so if you are tapping into the district’s main then anything from that point back to the property would be the property owner’s responsibility.

Commissioner Petronovich stated he read that the inside wall of the main to the house.

Chairperson Riley still had questions about how the main is built and is it a junction with a “T” connection, Robbie from SEH provided some clarification. Chairperson Riley stated he thinks the “T” would be part of the main and not part of the lateral. Director Nash stated that is the “Y” that she was talking about, it is something you are physically installing as a section in the pipe, which you can’t say the sewer main stops at that point and then continues after it, so can create language that states that but we could incorporate that into the ordinance.

Commissioner Petronovich stated the other problem we have is that this is a mixed sewer, there is gravity and grinder pumps. In his house it is all grinder pump and he has to pay all the way to the stop and after that it is the City of Oconomowoc. Director Nash responded that she doesn’t believe that is true and would have to check the Silver Lake Utility District Ordinance but she believes the way it reads is that we mirror the City’s ordinance and their ordinance specifically states that it is all the way to the main. That was part of the problem with this issue because the assumption was that because we installed it when the system was built out, we would be maintaining it. That’s not necessarily the way the ordinances are written, including ours. Commissioner Petronovich added that the reason the City stubbed it out was because when the grinder pumps were being installed, the City didn’t want to keep shutting down the system so they could shut down each stub, make the connection and turn it back on.

Chairperson Riley stated as long as we can make it make sense and people can understand it and be consistent across the districts. Administrator-Clerk/Treasurer mentioned that we have not involved our attorney yet.

**MOTION:** (Arenz, Phillips) *to come back with a definition we can agree on based on tonight’s feedback.*

Director Nash stated for clarification, her understanding is that the interpretation of the intent of the ordinance is that everything to the sewer main would be considered the private property owners, unless the insurance company attorney or the Village attorney would identify some exception.

Commissioner Petronovich stated so these people got a free ride because the district paid for the repair. Chairperson Riley agreed, the district shouldn’t have paid for the repair. Commissioner Petronovich stated that’s why he wants to ask Robbie from SEH, how they determined the Village should pay. Director Nash stated she had already explained that, they didn’t know otherwise, the ordinance isn’t very clear, we haven’t dealt with this very often and communities across the state, the majority of them, consider it private but there are still communities that do take care of everything that’s in the

right-of-way. It never really was made clear. Commissioner Petronovich asked if this was in the right-of-way and Director Nash responded yes.

Carried.

Discussion on May 2025 engineering report

Robert Malzahn, SEH, reviewed the report.

Discussion and action on Resolution #2025-01 approving the Compliance Maintenance Annual Report (CMAR) for 2024

**MOTION:** (Arenz, Phillips) *to adopt Resolution No. 2025-1 accepting the 2024 Compliance Maintenance Annual Report for Summit Utility District No. 2.*

ROLL CALL: Petronovich – aye, Phillips – aye, Arenz – aye, Riley – aye. Carried.

ADJOURN UTILITY COMMISSION MEETING

**MOTION:** (Arenz, Phillips) *to adjourn at 6:41 p.m.* Carried.

Respectfully Submitted,

Debra J Michael, WCMC  
Village Administrator-Clerk/Treasurer

**Next Regular Meeting: July 10, 2025**

2025  
Utility District  
Financial Report

UD2	Amount \$\$
Bank 59 Balance 06/30/2025	\$ 1,643,190.72
AP JUNE 2025	\$ (39,207.85)
<i>LOAN PAYMENT PRINCIPAL</i>	\$ -
<i>LOAN PAYMENT INTEREST</i>	\$ -
Interest Paid/Accrued 59 @ 4.38%	\$ 6,025.56
<b>Available Funds</b>	<b>\$ 1,603,982.87</b>
Interest Paid YTD 59	\$ 44,792.29
<b>LOAN INFORMATION:</b>	
GO Fund - Payoff: 5/2027	
Payments: 04/29/2025(Principal & Interest)	\$ 779,217.50
11/01/2025 November (Interest only)	\$ 16,667.50
2025 Principal & Interest payment	<b>\$ 795,885.00</b>
12/31/2025 YE Principal Balance	<b>\$ 1,550,000.00</b>
<b>Silver Lake Utility District</b>	
<b>Amount \$\$</b>	
Bank 59 Balance 06/30/2025	\$ 195,498.06
AP June 2025	\$ (13,334.05)
Interest Paid 59 @ 4.38%	\$ 705.39
Available Funds	\$ 182,164.01
Interest Paid YTD 59	\$ 4,327.57

2025  
Utility District  
Financial Report

6 Month Tracking

<b>MONTH</b>	<b>UD2</b>	<b>NOTE:</b>
July-25	\$39,207.85	
June-25	\$42,773.07	
May-25	\$817,210.57	Loan Payment/INT \$779,217.50
April-25	\$42,675.86	
March-25	\$46,328.89	
February-25	\$74,854.68	
Total	\$201,852.50	Loan PMT Deducted from Total
Average	\$33,642.08	

7/03/2025 9:24 AM

In Progress Checks - Full Report - ALL  
ALL Checks by Payee  
BANK 59 SUD#2

Page: 1  
ACCT

Dated From:  
Thru:

From Account:  
Thru Account:

Voucher Nbr	Check Date	Payee	Amount
	7/11/2025	AREA SEPTIC INSTALLATION INC	
		Manual Check Nbr:	071125-3
620-00-53659-000-000		CONTRACTUAL SERVICES	2,574.00
		4245	
		Total	2,574.00
	7/11/2025	DELAFIELD-HARTLAND WATER POLLUTION CONTROL	
		Manual Check Nbr:	071125-1
620-00-53632-000-000		TREATMENT EXPENSE	15,252.01
		061625INV	
		Total	15,252.01
	7/11/2025	REILLY, PENNER & BENTON LLP	
		Manual Check Nbr:	071125-5
620-00-53657-000-000		ACCOUNTING/AUDITING FEES	6,400.00
		2024 AUDIT	
		83866	
		Total	6,400.00
	7/11/2025	THE EXPEDITERS INC	
		Manual Check Nbr:	071125-4
620-00-53634-000-000		MAINTENANCE OF MAINS	7,988.82
		Clean & Televis	
		4223	
		Total	7,988.82
	7/11/2025	VILLAGE OF SUMMIT	
		Manual Check Nbr:	071125-2
620-00-53659-000-000		CONTRACTUAL SERVICES	5,083.34
		JUNE ADMIN	
		06012025ADMIN	
		Total	5,083.34
	7/22/2025	WE ENERGIES - UTILITY DISTRICTS	
		Manual Check Nbr:	071125-AUTO
620-00-53656-000-000		UTILITIES	1,909.68
		LIFT STATIONS UD2	
		072225LIFT	
		Total	1,909.68
		Grand Total	39,207.85

7/03/2025 9:05 AM

In Progress Checks - Full Report - ALL  
ALL Checks by Payee  
BANK 59 SLUD

Page: 1  
ACCT

Dated From:  
Thru:

From Account:  
Thru Account:

Voucher Nbr	Check Date	Payee	Amount
	7/11/2025	CITY OF OCONOMOWOC	
		Manual Check Nbr: 071125-SLUD2	
610-00-53641-000-000		CITY SEWAGE SERVICE	6,804.61
		INV03233	
		Total	6,804.61
	7/11/2025	MUNICIPAL LAW & LITIGATION GROUP SC	
		Manual Check Nbr: 071125-SLUD1	
610-00-53658-000-000		LEGAL FEES	30.00
		14971	
		Total	30.00
	7/11/2025	REILLY, PENNER & BENTON LLP	
		2024 AUDIT	
		Manual Check Nbr: 071125-SLUD4	
610-00-53657-000-000		ACCOUNTING/AUDITING FEES	4,450.00
		2024 AUDIT	
		83867	
		Total	4,450.00
	7/11/2025	VILLAGE OF SUMMIT	
		ADMIN SILVER LAKE	
		Manual Check Nbr: 071125-SLUD3	
610-00-53659-000-000		CONTRACTUAL SERVICES	2,012.50
		Admin Silver Lake	
		060125SLUD	
		Total	2,012.50
	7/18/2025	WE ENERGIES - UTILITY DISTRICTS	
		ATKINS KNOLL	
		Manual Check Nbr: 07112025-WE	
610-00-53656-000-000		UTILITIES	18.30
		ATKINS KNOLL	
		07182025AK	
		Total	18.30
	7/18/2025	WE ENERGIES - UTILITY DISTRICTS	
		FOREST DR	
		Manual Check Nbr: 07112025-WE2	
610-00-53656-000-000		UTILITIES	18.64
		FOREST DR	
		071825FD	
		Total	18.64
		Grand Total	13,334.05



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## MEMORANDUM

TO: Summit Utility District No. 2  
FROM: Robbie Malzahn, PE  
DATE: July 3, 2025  
RE: Monthly Engineering Report  
SEH No. 158569 14.00

The following information describes the status of the sewer system operations and maintenance.

1. Action Items: (N/A)
2. Lift Station Reporting and System Maintenance
  - A. Area Septic Installation (ASI) continues to perform weekly and monthly maintenance duties.
  - B. Lift Station (LS) No. 3 – ASI is working with Flygt to wire up the motor junction box and then looks to swap out the current Pump No. 2.
3. Possible We Energies Power Imbalance to LS 5
  - A. On 6/21/25, LS 5 experienced issues with LS pumps faulting. ASI investigated and noticed that there was variation between the voltage leads for the 3-phase utility, based on the information being reported by the transfer switch display. It was thought that extremely high outside temperatures were driving the variation. To resolve, the utility imbalance ASI ran the generator, and the LS ran like normal. On 6/29/25, this situation occurred again. On 7/1/25, we contacted We Energies to look into the situation and monitor it. On 7/2/25, ASI contacted We Energies reporting issues. A We Energies crew determined that one of the leads for the 3-phase utility was reading to many volts and that a nearby substation was reading 45-amps (145-amps was mentioned to be typical). They are monitoring over the weekend and looking to resolve it as soon as possible.
4. 2025 Sewer Cleaning and Televising
  - A. On 6/16/25, the Expeditors completed the sewer cleaning and televising work. We are in the process of reviewing and will pass along findings to Village staff.
5. Lift Station 6 – Automatic Transfer Switch
  - A. Meyers Electric reported that the transfer switch is scheduled to ship at the end of the month. They will contact us when they receive the shipment and update with the installation schedule.
6. Water Monitoring Updates at Rogers Memorial Behavioral Health (RMH) Facilities
  - A. RMH provided an update that they went ahead and installed the AquaCUE monitoring system at their facilities. The original intentions were that the Village would own the system and provide access to RMH.
  - B. On 6/18/25, Midwest Meter/RMH provided training on the system. They are still working on some technical things for access to both RMH and SUD2.

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 501 Maple Avenue, Delafield, WI 53018-9351  
262.646.6855 | 888.908.8166 fax | [sehinc.com](http://sehinc.com)

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7. Lift Station Control Panel & Floats/Transducer Upgrades
  - A. We are waiting for Electric Pump (Starnet) to provide a quote for the work.
8. Bioxide Alternatives
  - A. Village Staff and SEH are reviewing the alternative options for Bioxide chemical treatment.
  - B. We are reaching out to the references to better understand product performance and maintenance.
9. Service Agreements Updates
  - A. ASI – Current through 2025.
  - B. Starnet – 1 full-service days and then pay for service on an as needed basis.
  - C. Evoqua Bioxide Rate – Current through April 2025 (new rate expected soon)

RWM