

# ANATOMY OF A SEWER PROJECT

A REPORT TO DEVELOPERS AND MUNICIPALITIES  
WHO MAY BE PLANNING PROJECTS WITH THE  
CONSOLIDATED KOSHKONONG SANITARY DISTRICT  
AND STRAND ASSOCIATES, INC.



After the great Rock River “Flood of 2008,” commissioners of the Fulton Sanitary District No.2 agreed to cooperate with CKSD and 14 property owners in the Applewood Subdivision to annex parcels, design and construct a sanitary sewer system extension and administer a special assessment so that reliability and the integrity of the CKSD

system would be maintained. Many of the financial aspects of this relationship with CKSD surprised and dismayed the FSD2 commissioners. I decided to produce this report in the hope that similar experiences can be recognized and avoided by other municipalities and developers.

From CKSD’s Lynne Lund and Jerry Miles, who were fully cooperative and helpful, I obtained all of the records of payments to Strand Associates Inc., the Brennan Steil & Basting, S.C., and Consigny, Andrews, Hemming & Grant, S.C. law firms, and arranged them on the timeline of events that is presented at Section II and the spreadsheet that is presented at Section III. I am solely responsible for the tabulation and analysis of this information, and I take full responsibility for the interpretations in this report. Rebuttals and corrections are welcomed. I can be reached by e-mail as [Dave@Oakhill-wi.net](mailto:Dave@Oakhill-wi.net), or by cellphone at 608-931-1179.

*Dave Brown*

## Executive Summary

**Is it reasonable – on a project with construction cost of \$96,210 for a simple 2” PVC pressure sewer extension with curb stops to 14 homes – that Strand Associates should be able to extract fees totaling \$27,631 (29%)? This is hard to know because Strand provides no details or anecdotal commentary on its monthly invoices. They only list expenses plus hours and rates for various engineer, technician and secretarial categories. One can only guess at what Strand was actually doing in each phase of this project.**

**Is it reasonable for the Consolidated Koshkonong Sanitary District (CKSD) to pass along legal fees totaling \$14,583 (15%) because they insisted that two law firms should be used when either one could have handled the necessary annexation work?**

**Unreasonable fees can be illegal under Wisconsin law –**

**Wisconsin Statutes 66.0628**

**(2) Any fee that is imposed by a political subdivision shall bear a reasonable relationship to the service for which the fee is imposed.**

**The problem on the Applewood Area Pressure Sewer Extension project is that the Fulton Sanitary District No.2 (FSD2) was required to enter into a CKSD Development Agreement before actual planning and design activities could be undertaken. An important provision, which appeared to be innocuous when the Agreement was signed, was:**

*“Further, FSD2 agrees to pay CKSD’s legal, engineering and related costs which were incurred prior to and including the annexation of the Applewood Subdivision land into the FSD2 and into the CKSD.”*

**FSD2 commissioners figured this was meant to cover a few preliminary informational meetings, most notably the 10/27/08 presentation of Strand’s “Preliminary Opinions of Probable Costs.” They were shocked to learn later that Strand pushed through a total of \$8,983 on invoices simply titled “Applewood Area Potential Connection” before FSD2 authorized actual planning and design work on 1/13/2009.**

**Then the FSD2 commissioners learned that on 1/28/09, the Brennan, Steil & Basting law firm pushed through its first invoice totaling \$7,175. Rather than billing CKSD monthly for work that had been going on since 9/16/08 – some of which was for designing and defending the CKSD Development Agreement -- this collection of 41 charges appears to have been held back until that Agreement was signed and in force. There appears to have been no effort on CKSD’s part to filter out the charges that strictly benefited CKSD.**

**For the current batch of FSD2 commissioners, this Applewood sanitary sewer extension project was a new experience. The commissioners – four farmers and a county public works employee – also serve as the Town of Fulton board of supervisors. In a spirit of cooperation, to help maintain the integrity and reliability of the CKSD infrastructure, they accepted CKSD’s recommendation to extend the sanitary sewer system to all of Applewood rather than let individual homeowners connect in piecemeal fashion. But**

**instead of a cooperative relationship, CKSD and its engineer, Strand Associates, made it adversarial. After the billing window was opened by the CKSD Development Agreement, it appeared that FSD2 was viewed as a “cash cow” to pay each and every expense that CKSD could somehow attribute to the Applewood project.**

**The statements above are this author’s opinion. The remainder of this report is simply a tabulation of basic information. Section II presents a “timeline” where the major events of the Applewood project are laid out with all of the invoices that were obtained through CKSD so that readers can see what the attorneys and Strand were billing at each step in the process, and thereby make their own deductions.**

**Section III is a spreadsheet summary of all the invoices presented by CKSD on behalf of Strand, the Brennan law firm, and the Consigny law firm. This author has applied the labels “PROTESTED” to the invoices that appear to him to be unreasonable in the context of Wisconsin Statutes 66.0628. FSD2 commissioners realize that because the CKSD Development Agreement forces the payment of all invoices – without question – it would be too drawn out and costly to attempt to litigate these complaints.**

**Section III, however, can be used as a cautionary guide to future encounters with CKSD, its engineer, and its counsel. To paraphrase an old saying, “You fooled us once – Shame on you!” “Fool us again – Shame on us!” FSD2 doesn’t plan to be fooled again.**



# ANATOMY OF A SEWER PROJECT

## APPLEWOOD AREA PRESSURE SEWER EXTENSION

### TIMELINE OF ACTIVITIES AND EVENTS

7/01/06 — **Sam Wilcox leads a group of neighbors in the Applewood Subdivision to explore feasibility of a sewer system extension to serve homes and cottages near the southeast bank of the Rock River. Mr. Wilcox approaches FSD2 / Fulton Town Board to see if grant money might be available. He also contracts with CKSD to have its engineer develop a preliminary design.**

**Strand Associates proposes a gravity system (?-check this) with a buried pipe route that would require easements to cross under private properties.**

**Brennan**  
Attorneys at Law

**Consigny**  
Attorneys at Law

**STRAND**  
ASSOCIATES, INC

8/15/06 —

Strand bill to Wilcox for July, 2006 work		
(Applewood Sewer Study)		
Engineer	9.00	\$1135.
Expenses		137.
		-----
Total		\$ 1271.

11/13/06 —

Strand bill to Wilcox for October, 2006 work		
(Applewood Sewer Extension)		
Engineer	8.50	\$1072.
Expenses		111.
		-----
Total		\$ 1183.

9/09/08

**Paul Dries representing the CKSD engineer, Strand Associates, reviewed what was presented to Applewood residents two years before**

Option	Components Total	# homes	Cost per home
Duplex Grinder Pumps Parallel Pressure Sewer	\$364,500	19	\$ 19,184
Gravity Sewer Pumping Station Option 1	\$345,300	19	\$ 18,174
Individual Grinder Pumps Parallel Pressure Sewer	(not costed)		
For either of these options, add --			
FSD2 Charge	\$2,300 /home		
CKSD FCAC Charge	1,000/home		
CKSD SCAC Charge	1,000/home		

**Mr. Dries stated that he prefers the gravity option since it operates very similar to CKSD's system now. Mr. Wilcox noted that the gravity system is very expensive. Its cost would need to be spread over all 19 homes in Applewood to possibly make it affordable. However, only 12-14 homeowners want to or need to hook up to the sanitary sewer at this time.**

7/01/08



At the peak of the "Flood of 2008," water was flowing across the Indianford dam at rates of more than one million gallons of water per minute.



As water rose in Applewood, one home became unreparable; another had to be raised above the new Regional Flood Elevation and connected to sewer as part of being repaired. Another with a holding tank, and others with ineffective septic systems also became candidates for annexation into FSD2 and connection to CKSD.

9/11/08

**Scott A. and Jacqueline G. Berg submit a petition requesting annexation into the Fulton Sanitary District number 2 or the Consolidated Koshkonong Sanitary District within the corporate limits of the Town of Fulton stating that --**

**"The petitioners intend to create an individual lift station on their private property to discharge effluent into the force main located on the southern side of E. Applewood Dr. for the protection of state waters."**

**Brennan**

Attorneys at Law

9/16/08

**JWG: Telephone conversation w/ Mr. Jerry Miles re: Berg matter**

0.20 \$40.

9/17/08

**JWG: Prepare for and attend conference call re: Berg petition**

0.20 \$40.

9/17/08

**JWG: Telephone conversation with Mr. J. Miles re: Berg annexation**

0.30 \$60.

9/18/08

**JWG: Prepare for and attend conference call re: neighborhood hookup matters-**

0.95 \$190.

9/19/08

**JWG: Telephone conversations, document preparation and document review re: Berg petition**

1.40 \$280.

**Brennan**  
Attorneys at Law

**Consigny**  
Attorneys at Law

**STRAND**  
ASSOCIATES, INC

9/20/08

**JWG: Document preparation and review re: Berg annexation issues. Dictation.**  
*0.60 \$120.*

9/22/08

**JWG: Prepare for and participate in conference re: Berg annexation**  
*1.60 \$320.*

9/29/08

**JWG: Document review and research re: Berg petition to annex to FSD2. Prepare for and attend FSD2/CKSD meeting to discuss options.**  
*2.80 \$560.*

10/01/08

**Telephone call with Connie Zimmerman re: annexation petition**  
*0,40 \$46.*

10/02/08

**JWG: Telephone conversation with Mr. J. Miles re: Berg annexation issues. Telephone conversation with Kathy Lichtfuss re: annexation and Fulton issues. Lengthy telephone conversation with Atty. M. Schroeder re: annexation matters. Dictation.**  
*1.70 \$340.*

**Review petition to annex property to Fulton Sanitary District number 2. Review applicable law & CKSD operating agreement. Telephone call to attorney for CKSD.**  
*1.00 \$115.*

10/03/08

**DPB: Research when and how district can require property to join system.**  
*2.60 \$351.*

**Brennan**

Attorneys at Law

**Consigny**

Attorneys at Law

**STRAND**

ASSOCIATES, INC

10/07/08

**JWG: Document review and dictation re: Berg annexation issues**  
*0.30 \$60.*

**Letter to Connie Zimmerman re: Petition to Amend Sanitary District #2 Boundary identifies statutes that govern amending boundary, and recommends opening a public hearing 10/14 on Scott Berg's petition and then continue the hearing until 11/11 so that other petitioners can be identified**  
*0.90 \$104.*

10/08/08

**CKSD president invites representatives from Fulton Sanitary District number 2 to meet with CKSD board at 328 E. Ellendale Rd. to discuss implications of the Scott and Jacqueline Berg petition. CKSD board recommends that FSD2 should extend for 30 days the public hearing scheduled for October 14 to consider expanding the annexation territory to include the entire Applewood subdivision.**

10/08/08

**JWG: Attend meeting re: Berg annexation**  
*0.90 \$180.*

10/09/08

**JWG: Telephone conversation with Mr. J. Miles re: Applewood annexation**  
*1.40 \$280*

10/10/08

**JWG: Document preparation and review re: Fulton letter re: Applewood Subdivision**  
*1.20 \$240.*

10/10/08

**JWG: Research re: sewer connection law. Dictation.**  
*0.20 \$40.*

10/15/08

**JWG: Prepare for and participate in conference call re: Applewood subdivision strategy. Document review and dictation.**  
*0.90 \$180.*

**Telephone conference with Connie Zimmerman re: Request for Annexation to Fulton Sanitary District Number 2**  
*0.30 \$35.*

**Brennan**  
Attorneys at Law

**Consigny**  
Attorneys at Law

**STRAND**  
ASSOCIATES, INC

10/16/08

**Telephone conversation w/ Connie re: letter and public hearing notice for annexation to FSD2. Research applicable statutes. Review revised documents.**  
1.20 \$138.

10/23/08

**JWG: Document review re: annexation documents. Dictation re: annexation matters.**  
0.80 \$160.

10/24/08

**JWG: Document review re: Applewood annexation matters.**  
0.50 \$100.

10/27/08

**JWG: Document preparation and review re: CKSD/FSD2 meeting tonight. Prepare for and attend CKSD meeting.**  
2.90 \$580.

**Telephone conference with Evan Sayre re: pplewood/FSD No. 2 annexation**  
0.50 \$58.

10/27/08

**Public CKSD board meeting at 328 E. Ellendale Rd. Strand engineering staff use large aerial photo maps to show proposed routes and present "Preliminary Opinions of Probable Costs" for four alternatives --**

Option	Components Total	Contingencies	Engineering	# homes
Individual Grinder Pumps Parallel Pressure Sewer	\$361,100	\$54,200 15%	\$43,300 12%	19
Individual Grinder Pumps Direct Connection to Force Main	\$380,900	\$57,100 15%	\$45,700 12%	19
Duplex Grinder Pumps Parallel Pressure Sewer	\$254,100	\$38,100 15%	\$35,100 12%	19
Gravity Sewer Pumping Station Option 1	\$237,700	\$35,700 15%	\$28,500 12%	19
For any of these options, add --				
FSD2 Charge	\$2,300 /home			
CKSD FCAC Charge	1,000/home			
CKSD SCAC Charge	1,000/home			

**Brennan**  
Attorneys at Law

**Consigny**  
Attorneys at Law

**STRAND**  
ASSOCIATES, INC

10/28/08

**JWG: Document preparation and review re: Applewood annexation. Telephone conversations with Mr. J. Miles re: Applewood calculations**  
2.00 \$400.

**Telephone conference w/ Evan Sayre re: Sanitary District No. 2 issues. Research law on authority of Town Board re: annexation of property into Sanitary District and options for requiring payment for sewer main construction.**  
1.25 \$144.

10/29/08

**JWG: Conference and document review re: Applewood**  
0.30 \$60.

**Telephone call to Connie Zimmerman re: Sanitary District No. 2 Ordinance and Agenda**  
0.30 \$35.

11/01/08

11/03/08

**Telephone call to Connie Zimmerman re: FSD2 ordinance. Telephone conference with Evan Sayre re: Sewer Main funding options. Research statutory law, FSD2 ordinance, CKSD ordinance and CKSD operating agreement Telephone call to attorney for CKSD**  
2.80 \$322.

Strand bill for October, 2008 work		
(Applewood Area Potential Connection)		
Engineer	7.50	\$1054.
	0.50	38.
Technician	2.00	102.
Expenses		117.
		-----
Total		\$ 1311

11/05/08

**JWG: Conference call with Evan Sayre, Dave Brown and Jerry Miles re: Applewood issues.**  
2.40 \$480.

11/06/08

**Prepare memo to Evan Sayre re: construction and financing of new sewer main**  
1.00 \$115.

**Brennan**  
Attorneys at Law

**Consigny**  
Attorneys at Law

**STRAND**  
ASSOCIATES, INC

11/07/08

**JWG: Document preparation re: Dave Brown e-mail. E-mails and telephone conversations with Atty M. Schroeder. Conference call with M. Schroeder, D. Brown, J. Miles, P. Dries, JWG and E. Sayre. Telephone conversation with and document review re: Atty Schroeder issues. Dictation.**

2.30 \$460.

**Telephone conference with Dave Brown. Review Brown's e-mail and law on special assessments and Sanitary District Boundary Annexation and Public Construction bid requirements. Participate in telephone conference re: FSD2 annexation. Telephone call to attorney for CKSD.**

2.10 \$242.

11/10/08

**Telephone call to Connie Zimmerman regarding Fulton Sanitary District number 2 Annexation issues. Telephone conference with Evan Sayre**

0.50 \$58.

11/11/08

**JWG: Telephone conversation with Mr. J. Miles re: Applewood Subdivision. Prepare for and attend FSD2 meeting to annex Applewood subdivision. Dictation.**

1.30 \$260.

**Telephone conference with Evan Sayre re: Sanitary District Annexation issue. Prepare for meeting of Town Board. Attend meeting of Town Board.**

3.00 \$345.

**Brennan**  
Attorneys at Law

**Consigny**  
Attorneys at Law

**STRAND**  
ASSOCIATES, INC

11/11/08

FSD2 Public hearing at Fulton Town Hall re: extending annexation petition from Scott & Jacqueline Berg to include all of Applewood subdivision. Board now proposes to annex and provide sewer hookups to 14 parcels bordering the river, but not 5 other parcels across the road on higher ground that have working in-ground septic systems.

Dave Brown prepared and presented this map, and offered the motion for FSD2 to annex fourteen parcels. (Phillips' unbuildable parcel 6-6-137.7 was not included.)



6-6-151	Cowell	6-6-137.4	Berg	6-6-137.6	Phillips
6-6-150	Skronski	6-6-137.1	Shannon	6-6-137.7	
6-6-137A	Johnson	6-6-137.9	Wilcox	6-6-137.7A	Brey Etal
6-6-137B	Peterson	6-6-137.5	Proball Etal	6-6-137.8	Vollmuth
6-6-137.2	Binzen	6-6-137.10	Astin Michael Etal	6-6-141	Lothson

11/12/08

**JWG: Document review and telephone conversations re: Applewood Annexation meeting**

0.60 \$120.

**Telephone conference with Connie Zimmerman re: Sanitary District Annexation. Prepare Petition for Annexation to CKSD. Prepare e-mail to Connie Zimmerman**

1.60 \$184.

11/13/08

**JWG: Document preparation re: Applewood project**

0.40 \$80.

**Email documents to Connie Zimmerman. Revise Decision and Order re: Sanitary District number 2 Annexation. Telephone call to Zimmerman**

1.60 \$184.

**Brennan**  
Attorneys at Law

**Consigny**  
Attorneys at Law

**STRAND**  
ASSOCIATES, INC

11/12/08

**Review proposed legal descriptions of properties annexed to Sanitary District number 2. Telephone call to Connie Zimmerman**  
*0.30 \$35.*

11/18/08

**JWG: Document preparation and review re: Applewood Developer's Agreement**  
*0.60 \$120.*

11/21/08

**JWG: Telephone conversation with Mr. J.Miles re: Applewood annexation issues. Dictation**  
*0.20 \$40.*

**Review Jerry Miles email and records re: Annexation Motion for Applewood Subdivision. Telephone call to Paul Dries**  
*0.40 \$46.*

11/24/08

**JWG: Document review re: Wilcox application, Applewood description; FSD2 resolutions; document preparation re: Applewood Development Agreement; dictation.**  
*1.40 \$280.*

**Telephone conference with Paul Dries re: Applewood Subdivision Annexation and Assessment.**  
*0.30 \$35.*

11/25/08

**JWG: Telephone conference w/ Mark Schroeder re: Applewood Subdivision legal descriptions and development agreement; e-mails and dictation.**  
*0.70 \$140.*

**Telephone conference w/ attorney for CKSD re: Applewood Subdivision Annexation issues.**  
*0.30 \$35.*

11/26/08

**JWG: Document review and telephone conversation re: Applewood legal description and recording issues. Dictation.**  
*0.40 \$80.*

**Telephone call to Paul Dries re: Applewood Subdivision.**  
*0.25 \$29.*

**Brennan**  
Attorneys at Law

**Consigny**  
Attorneys at Law

**STRAND**  
ASSOCIATES, INC

12/01/08

**Telephone conference w/ Paul Dries re: Applewood Subdivision Annexation. Telephone call to Connie Zimmerman. E-mail to Paul Dries.**  
*0.50 \$58.*

Strand bill for November, 2008 work  
  
(Applewood Area Potential Connection)  
  
Engineer 19.00 \$2671.  
2.00 150.  
4.00 285.  
Expenses 266.  
-----  
\$ 3,372.

12/02/08

**Telephone call to Zimmerman re: Applewood Subdivision.**  
*0.25 \$29.*

12/03/08

**JWG: Document preparation and review re: Applewood Orders and legal description. Document preparation and review re: Applewood Development Agreement**  
*1.00 \$200.*

**Email to Connie Zimmerman re: parcels annexed to Applewood. E-mail to Paul Dries. Email to attorney for CKSD. Two telephone conferences with Dave Brown. Telephone call to Paul Dries .**  
*1.10 \$127.*

12/04/08

**JWG: Document preparation and review. Email re: Applewood Development Agreement. Telephone conversation with Jerry Miles re: Agreement provisions**  
*1.60 \$320.*

**Telephone call to Paul Dries. Two telephone calls to Connie Zimmerman re: Applewood Subdivision**  
*0.60 \$69.*

12/05/08

**Email from and to Paul Dries re: Applewood subdivision.**  
*0.05 \$23.*

12/08/08

**JWG: Lengthy telephone conversation w/ Atty. Mark Schroeder re: Development Agreement. Dictation. Telephone conversation w/ Jerry Miles re: agent provisions.**  
*1.40 \$280.*

**Telephone call from Evan Sayre re: proposed CKSD development agreement. Review proposed agreement. Telephone call to attorney for CKSD re: Agreement.**  
*1.80 \$207.*

**Brennan**  
Attorneys at Law

**Consigny**  
Attorneys at Law

**STRAND**  
ASSOCIATES, INC

12/09/08

**JWG: Document preparation re: Applewood Development Agreement re: Atty Mark Schroeder's requested changes**  
*0.80 \$160.*

12/10/08

**JWG: Document preparation re: Applewood Development Agreement. Dictation.**  
*0.40 \$80.*

12/16/08

**E-mail from and to Zimmerman re: Applewood Subdivision.**  
*0.20 \$23.*

12/18/08

**E-mail from and to Zimmerman re: Applewood Subdivision.**  
*0.20 \$23.*

12/19/08

**Prepare preliminary resolution re: Applewoon Special Assessment. Letter to Connie Zimmerman.**  
*0.75 \$86.*

12/19/08

**Prepare Notice of Public Hearing on special assessments.**  
*0.30 \$35.*

12/29/08

**JWG: Document preparation re: Applewood Subdivision Development Agreement.**  
*1.10 \$220.*

**E-mail from and to Zimmerman re: Applewood Notice of Public Hearing.**  
*0.20 \$23.*

**Brennan**  
Attorneys at Law

**Consigny**  
Attorneys at Law

**STRAND**  
ASSOCIATES, INC

1/06/09

**JWG: Document preparation and email re: Applewood Subdivision Development Agreement. Dictation**  
1.70 \$340.

Strand bill for December, 2008 work  
  
(Applewood Area Potential Connection)

Engineer	4.75	\$668.
	1.50	113.
	13.00	927.
Expenses		243.
		-----
		\$ 1,951.

1/07/09

**JWG: Document review, dictation and emails re: Engineer's role in Applewood Subdivision**  
0.30 \$60.

1/09/09

**JWG: Telephone conversations with Atty Mark Schroeder. Email to Jerry Miles**  
0.50 \$100.

**Review revised proposed Developers agreement with CKSD. Telephone conference with attorney for CKSD. E-mail to Connie Zimmerman**  
1.20 \$144.

1/13/09

**Prepare for meeting of town bd/Fulton Sanitary District 2. Attend meeting of town bd/Fulton Sanitary District 2 Commission.**  
2.50 \$300.

1/13/09

**Atty. Matk Schroeder meets with Fulton Town Board in its role as the FSD2 Commission. Schroeder proposes a preliminary resolution that will authorize and direct the engineer for CKSD to come up with a set of specifications for the planned sewer lateral, including the estimated costs to be covered by the Special Assessment.**

1/13/09

**Evan Sayre, Chairman, Fulton Sanitary District No 2, and Kathleen Lichtfuss, CKSD President, sign the Consolidated Koshkonong Sanitary District Development Agreement that describes the roles and responsibilities of all parties to the design and construction of the Applewood Sewer Extension.**

**An unusual provision is that "All of the design drawings, plans and specifications developed in connection with the Sewer Extension shall be and remain the property of the CKSD. Further, FSD2 agrees to pay CKSD's legal, engineering and related costs which were incurred prior to and including the annexation of the Applewood Subdivision land into the FSD2 and into the CKSD."**

**Brennan**  
Attorneys at Law

**Consigny**  
Attorneys at Law

**STRAND**  
ASSOCIATES, INC

1/14/09

**JWG: Document review and emails re: Developer's Agreement**  
*0.20 \$40.*

**Telephone call to Connie Zimmerman re: Applewood special assessment. Email to Paul Dries**  
*0.30 \$36.*

1/15/09

**Email from and to Connie Zimmerman re: Applewood special assessment.**  
*0.20 \$24.*

1/16/09

**JWG: Document review and conference re: ASD4 agreements and Applewood legal description**  
*0.20 \$40.*

**Assemble documents and record decision and order with Register of Deeds re: Applewood Annexation and letter to Department of Natural Resources**  
*0.50 \$60.*

1/21/09

**Telephone from DNE re: Sanitary District No 2 decision and order.**  
*0.20 \$24.*

1/22/09

**Email from and to Connie Zimmerman re: Applewood subdivision. Telephone call to Paul Dries.**  
*0.30 \$36.*

1/22/09

**Decision and Order for Annexation filed with Rock County Register of Deeds.**

1/22/09

**Long distance telephone, mileage, Recording fees**  
*Expenses \$37.*

1/26/09

**Letter to Connie Zimmerman with decision and order re: Applewood Annexation. Telephone call with Connie.**  
*0.30 \$36.*

**Brennan**  
Attorneys at Law

**Consigny**  
Attorneys at Law

**STRAND**  
ASSOCIATES, INC

1/29/09

**Review engineer's report. Email to Connie Zimmerman re: agenda. Telephone conference w/ Connie re: Special Assessment and financing issues. Telephone conference with Evan Sayre re: Special Assessment.**  
*0.75 \$90.*

Strand bill for January, 2009 work  
(Misc. Engineering Services)

Engineer	10.25	\$1441.
	0.50	68.
	1.00	75.
	7.25	517.
Secretary	0.50	32.
Expenses		215.
		-----
		\$ 2,348.

2/02/09

**Prepare final resolution on Special Assessment (2 versions). Prepare Installment Agreement notice. Memo to Paul Dries.**  
*1.40 \$168.*

Strand bill for January, 2009 work  
(New Pressure Sewer from FSD2 Force)

Engineer	6.50	\$914.
	32.75	2619.
Expenses		578.
		-----
		\$ 4,611.

2/04/09

**Telephone conference with Evan Sayre re: Special Assessment.**  
*0.20 \$24.*

2/06/09

**Prepare audit letter.**  
*0.75 \$90.*

2/07/09

**Prepare Special Assessment final resolution options and memo to Connie Zimmerman.**  
*0.75 \$90.*

2/12/09

**Prepare for meeting of Commission. Attend meeting of Commission.**  
*2.30 \$276.*

2/12/09

**Consolidated Koshkonong Sanitary District, on behalf of the Town of Fulton Sanitary District No. 2 comes to Fulton town hall to present "Engineer's Opinion of Probable Costs" for the Applewood Area Pressure Sewer Extension**

Option	Components Total	Contingencies	Engineering	# homes
Materials & installation estimated bid			\$88,900	
Planning/Service Area Amendment			\$ 6,600	
Engineering			\$ 16,200	
CKSD Administrative Fees			\$ 8,500	
Fulton SD 2 Special Assessment Cost			\$ 8,000	
Resident Reimbursement			\$ 1,675	
Special Assessment Consulting			\$ 1,200	
		Total	\$ 129,100	
		Parcels served		14
		Cost per parcel	\$ 9,220	
Also included:		CKSD FCAC charge	\$ 1,000	
		CKSD SCAC charge	\$ 1,000	
		Special Assessment per parcel:	\$ 11,220	
Collected by CKSD at time of connection:		CKSD Permit Fee	\$ 300	
		FSD2 charge	\$ 2,000	

2/12/09

**CKSD billed FSD2 for these individuals who attended the "Engineer's Opinion" meeting in Fulton Town Hall:**

Jerry Mills	\$113.88
Bruce Hudson	\$ 55.00
Barb McGann	\$ 55.00

**It was noted that Ken Veitch also attended this meeting, but he was there as a member of the Town of Fulton Board.**

**Brennan**  
Attorneys at Law

**Consigny**  
Attorneys at Law

**STRAND**  
ASSOCIATES, INC

2/13/09

**Telephone call to attorney for CKSD. Telephone call to Brad Miller of Strand and Associates re: easements. Revise final resolution on Special Assessment and Installation Assessment Notice per motion of Commission and memo to Connie Zimmerman**

1.00 \$120.

2/17/09

**Email from and to Connie Zimmerman re: Special Assessment**

.20 \$24.

2/18/09

**JWG: Telephone call w/ Jerry Miles re: Strand Development Agreement - Applewood**

0.10 \$20.

2/23/09

**JWG: Document re view re: Strand Applewood proposal. Dictation, talking points, emails.**

1.10 \$220.

2/24/09

**JWG: Telephone conversation w/ Jerry Miles re: Strand Contract Document review re: contract.**

0.40 \$80.

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**Consigny**  
Attorneys at Law

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3/02/09

**Telephone call to Miller of Strand Associates re: easements**  
*0.30 \$36.*

Strand bill for February, 2009 work (New Pressure Sewer from FSD2 Force)		
Engineer	0.50	\$ 75.
	1.25	156.
	0.25	27.
	49.00	3919
	1.25	84.
Technician	0.50	52.
	8.25	555.
Secretary	9.75	629.
Expenses		1748.
		-----
Total		\$ 7,244.

3/03/09

**JWG: Document preparation and review re: Strand contract re: Applewood sewer extension.**  
*0.60 \$120.*

3/04/09

**JWG: Document review re: CKSD Ordinances and dictate letters of disqualification**  
*0.90 \$180.*

3/05/09

**JWG: Document preparation re: disqualification letters. Emails & dictation**  
*0.40 \$80.*

**Telephone conference w/ Connie Zimmerman re: easements**  
*0.30 \$36.*

Strand bill for February, 2009 work (Misc. Engineering Services)		
Engineer	2.50	\$ 351.
	10.00	800.
	0.50	36.
Secretary	0.50	32.
Expenses		34.
		-----
Total		\$ 1,253.

3/06/09

**Prepare sewer easements**  
*1.40 \$168.*

3/09/09

<b>CKSD received bids for the Applewood Area Pressure Sewer Extension, Contract 2-2009:</b>		
Bidder	Computed Total Bid	Percent over \$88,900 estimate
R.T. Fox Contractors	<b>\$93,650.</b>	<b>5.3%</b>
Outside Plumbing LLP	<b>\$93,930.</b>	<b>5.6%</b>
E&N Hughes Inc	<b>\$102,471.</b>	<b>15.3%</b>
Globe Contractors	<b>\$122,030.</b>	<b>38.6%</b>
Sun Prairie Sand and Gravel	<b>\$152,020.</b>	<b>71.0%</b>

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3/09/09

**JWG: Telephone conversation w/ Jerry Miles & Bruce Hudson re: Applewood disqualification letters. Dictation. Document review re: Buck Sweeney correspondence**  
1.10 \$220.

3/10/09

**JWG: Telephone conversation w/ Jerry Miles re: Applewood Strand contract. Telephone conversation w/ Brad Miller from Strand.**  
0.50 \$100.

**Telephone conference w/ Real Property description office at Courthouse to go over names and descriptions to confirm ownership of property for sewer easement matter.**  
0.20 \$15.  
(stet)

3/11/09

**JWG: Telephone conversation w/ Jerry Miles re: project. Document review re: revisions to Strand agreement. Emails. Dictation.**  
0.50 \$100.

**Telephone call to Brad Mller of Strand Associates.**  
0.20 \$24.

3/11/09

**Prepare seven separate sewer easements**  
2.00 \$150.

3/13/09

**Telephone call to Brad Mller of Strand Associates. Revise easement documents. Letter to landowers with easements**  
0.20 \$24.

3/15/09

**JWG: Document review re: lateral installation policy and emails. Dictation**  
0.30 \$60.

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3/16/09

**Telephone conference w/ Connie Zimmerman re: easement issues.**  
0.20 \$24.

3/20/09

**Research status of parcel ownership in which sewer main is to be located. Prepare memo to Brad Hill (stet).**  
1.0 \$120.

3/30/09

**Telephone conference w/ Connie Zimmerman re: easements.**  
0.20 \$24.

4/07/09

**Letter to Register of Deeds forwarding five easements to be recorded.**  
0.20 \$15.  
(stet)

4/14/09

**Letter to Register of Deeds forwarding additional easements for recording.**  
0.20 \$15.  
(stet)

4/24/09

**Letter to Cowell re: easement.**  
0.20 \$24.

4/25/09

**Email from and to Brad Miller re: sewer main project .**  
0.25 \$30.

4/28/09

**JWG: Conference w/ Jerry Miles re: Applewood contracts. Document review re: Fox Certification of Insurance; Applewood Project manual and Contract.**  
1.60 \$320.

Strand bill for March, 2009 work		
(New Pressure Sewer from FSD2 Force)		
Engineer	1.25	\$ 188.
	1.00	140.
	0.50	63.
	10.00	800
	1.00	75.
Secretary	10.25	661.
Expenses		593.
		-----
Total		\$ 2,520.

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4/29/09

**JWG: Document review re: Applewood Sewer Extension Contract 2/2009; Telephone conversation w/ Jerry Miles. Dictation.**  
1.20 \$240.

5/08/09

**Email from and to Brad Miller re: sewer easements**  
0.20 \$24.

Strand bill for April, 2009 work  
(New Pressure Sewer from FSD2 Force)

Engineer	1.00	\$ 125.
	10.25	820.
	1.75	127.
Secretary	5.50	355.
Expenses		335.
		-----
Total		\$ 1,762.

Strand bill for March and April, 2009  
(Provide Data on Pipes and Flows from Applewood Connection to WWTP)

Engineer	3.00	\$ 422.
Secretary	0.25	16.
Expenses		142.
		-----
Total		\$ 580.

Strand bill for May, 2009  
(New Pressure Sewer from FDS2 Force)

Engineer	3.00	\$ 240.
Secretary	1.25	81.
Expenses		43.
		-----
Total		\$ 364.

Strand bill for May, 2009  
(Review of Grinder Pump Proposed by Applewood Resident)

Engineer	2.00	\$ 281.
Expenses		35.
		-----
Total		\$ 316.

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6/11/09

**Telephone conference w/ Evan Sayre re: Applewood Assessment issues.**  
*0.20 \$24.*

7/28/09

**Telephone conference w/ Evan Sayre re: engineer's bill.**  
*0.20 \$24.*

8/03/09

**Telephone conferene w/ Connie Zimmerman and Evan Sayre re: Applewood Special Assessment.**  
*0.30 \$36.*

8/04/09

**Memo to Connie Zimmerman re: Special Assessment.**  
*0.30 \$36.*

9/15/08

**R. T. Fox Contractors submits final bill for Appleweood Area Pressure Sewer -- Contract 2-2009**

Description	Quantity	Cost	Contract	Quantity	Actual
4" PVC	10	200	\$ 2,000.	10	\$2,000.
2" PVC	1,230	45	\$55,350.	1,149	\$51,705.
1 ¼ PVC	500	45	\$22,500	649	\$29,205.
1 ¼ curb stop	15	200	\$ 3,000.	15	\$ 3,000.
AR MH	1	3,500	\$ 3,500.	1	\$3,500.
Valve MH	1	3,800	\$ 3,800.	1	\$ 3,800.
Connection	1	1,000	\$ 1,000.	1	\$ 1,000.
Erosion continue	1	2,000	\$ 2,000.	1	\$ 2,000.
Soil Testing	1	500	\$ 500.	0	0.
			<u>\$ 93,650.</u>		<u>\$ 96,210.</u>

**Update for Fulton Sanitary District 2 Commission**

**Section III**

**9/30/2009**

**Applewood Area Pressure Sewer Extension  
Analysis of invoices processed through CKSD**

<b>PROTESTED</b>	<b>STRAND invoices for undocumented activities undertaken before FSD2 authorized such work on January 13, 2009</b>	<b>\$ 8,983</b>
<b>PROTESTED</b>	<b>Total of BRENNAN invoices for activities that protected CKSD interests or that duplicated work of FSD2's counsel</b>	<b>\$ 8,475</b>
	<b>Total of PROTESTED invoices</b>	<b>\$ 17,458</b>
<b>ALLOWED</b>	<b>STRAND, BRENNAN, CONSIGNY and R.T. FOX allowed</b>	<b>\$ 120,487</b>
	<b>Total of following submitted STRAND invoices</b>	<b>\$ 27,631</b>

	<b>STRAND</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
<b>November 12, 2008</b>	<b>Strand Invoice 0067857 for October 2008</b>				
<b>PROTESTED</b>	<b>Applewood Area Potential Connection</b>				
	<b>Engineer</b>	<b>7.50</b>	<b>\$ 140.57</b>	<b>\$ 1,054.28</b>	
		<b>0.50</b>	<b>\$ 75.05</b>	<b>\$ 37.53</b>	
	<b>Tech</b>	<b>2.00</b>	<b>\$ 50.98</b>	<b>\$ 101.96</b>	
	<b>Expenses</b>			<b>\$ 117.44</b>	
					<b>\$ 1,311.20</b>
<b>December 15, 2008</b>	<b>Strand Invoice 0068869 for November 2008</b>				
<b>PROTESTED</b>	<b>Applewood Area Potential Connection</b>				
	<b>Engineer</b>	<b>19.00</b>	<b>\$ 140.57</b>	<b>\$ 2,670.83</b>	
		<b>2.00</b>	<b>\$ 75.05</b>	<b>\$ 150.10</b>	
		<b>4.00</b>	<b>\$ 71.33</b>	<b>\$ 285.32</b>	
	<b>Expenses</b>			<b>\$ 266.45</b>	
					<b>\$ 3,372.70</b>
<b>January 15, 2009</b>	<b>Strand Invoice 0069148 for December 2008</b>				
<b>PROTESTED</b>	<b>Applewood Area Potential Connection</b>				
	<b>Engineer</b>	<b>4.75</b>	<b>\$ 140.57</b>	<b>\$ 667.71</b>	
		<b>1.50</b>	<b>\$ 75.05</b>	<b>\$ 112.58</b>	
		<b>13.00</b>	<b>\$ 71.33</b>	<b>\$ 927.29</b>	
	<b>Expenses</b>			<b>\$ 242.93</b>	
					<b>\$ 1,950.50</b>

February 13, 2009 **Strand Invoice 0069854 for 1/1/2009 thru 1/31/2009**  
**PROTESTED** **Proj 1016.202 - Misc. Engineering Services**

Engineer	10.25	\$	140.57	\$	1,440.84
	0.50	\$	135.64	\$	67.82
	1.00	\$	75.05	\$	75.05
	7.25	\$	71.33	\$	517.14
Secretary	0.50	\$	64.46	\$	32.23
Expenses				\$	215.41
				\$	2,348.50

February 13, 2009 **Strand Invoice 0069855 for Begin Project thru 1/31/2009**  
**ALLOWED** **Proj 1016.012 - New Pressure Sewer from FSD2 Force Main**

Engineer	6.50	\$	140.57	\$	913.71
	32.75	\$	79.97	\$	2,619.02
Secretary	7.75	\$	64.46	\$	499.57
Expenses				\$	578.45
				\$	4,610.74

March 16, 2009 **Strand Invoice 0070639 for 2/1/2009 thru 2/28/2009**  
**ALLOWED** **Proj 1016.012 - New Pressure Sewer from FSD2 Force Main**

Engineer	0.50	\$	150.63	\$	75.32
	1.25	\$	125.08	\$	156.35
	0.25	\$	104.93	\$	26.23
	49.00	\$	79.97	\$	3,918.53
	1.25	\$	67.23	\$	84.04
Technician	0.50	\$	103.63	\$	51.82
	8.25	\$	67.32	\$	555.39
Secretary	9.75	\$	64.46	\$	628.49
Expenses				\$	1,747.74
				\$	7,243.90

March 16, 2009 **Strand Invoice 0070640 for 2/1/2009 thru 2/28/2009**  
**ALLOWED** **Proj 1016.202 - Misc. Engineering Services**  
**Applewood Description, Assessments, and Assessment Hearing**

Engineer	2.50	\$	140.57	\$	351.43
	10.00	\$	79.97	\$	799.70
	0.50	\$	71.33	\$	35.67
Secretary	0.50	\$	64.46	\$	32.23
Expenses				\$	33.78
				\$	1,252.80

April 15, 2009 **Strand Invoice 0071212 for 3/1/2009 thru 3/31/2009**  
**ALLOWED** **Proj 1016.012 - New Pressure Sewer from FSD2 Force Main**

Engineer	1.25	\$	150.63	\$	188.29
	1.00	\$	140.57	\$	140.57
	0.50	\$	125.08	\$	62.54
	10.00	\$	79.97	\$	799.70
	1.00	\$	75.05	\$	75.05
Secretary	10.25	\$	64.46	\$	660.72
Expenses				\$	592.67
				\$	2,519.53



Following are details of all submitted BRENNAN invoices \$ 8,955

			Paid thru CKSD
<b>January 28, 2009</b>	<b>Brennan Invoice 159239 Matter 42214</b>		
	<b>Total of billings for 9/16/08 thru 1/14/09</b>	<b>\$ 8,441.00</b>	
	<b>Less courtesy discount</b>	<b>\$ (1,266.15)</b>	
			<b>\$ 7,174.85</b>
<b>March 10, 2009</b>	<b>Brennan Invoice 159622 Matter 42214</b>		
	<b>Total of billings for 1/16/09 thru 3/4/09</b>	<b>\$ 660.00</b>	
			<b>\$ 660.00</b>
<b>April 16, 2009</b>	<b>Brennan Invoice 160163 Matter 42214</b>		
	<b>Total of billings for 3/05/09 thru 3/15/09</b>	<b>\$ 560.00</b>	
			<b>\$ 560.00</b>
<b>May 15, 2009</b>	<b>Brennan Invoice 160599 Matter 42214</b>		
	<b>Total of billings for 4/28/09 thru 4/29/09</b>	<b>\$ 560.00</b>	
			<b>\$ 560.00</b>
			<b>Pay thru CKSD</b>
<b>September 15, 2009</b>	<b>R.T. Fox Contractors Bill</b>		
	<b>Contract 2-2009 awarded bid amount</b>	<b>\$ 93,650.00</b>	
	<b>Contract 2-2009 actual payment auth. by Strand</b>		<b>\$ 96,210</b>
	<b>Applewood Grading - correct old pitch problem by raising culvert and repairing driveways</b>		
	<b>Bill to ?? CKSD/Strand/FSD2 ??</b>	<b>\$ 5,380.00</b>	

	<b>Total of all CONSIGNY work on Applewood project</b>	<b>\$ 5,628</b>
<b>November 7, 2008</b>	<b>Consigny Statement No. 26941; Account 614-00 October, 2008 FSD2 work billed directly to Fulton (Statement coded "Municipal)</b>	<b>\$ 674.25</b>
	<b>Summary of CONSIGNY invoices paid thru CKSD</b>	<b>\$ 4,954</b>
<b>December 4, 2008</b>	<b>Consigny Statement No. 27105; Account 614-02 November, 2008 work on Sanitary District # 2</b>	<b>\$ 1,545.89</b>
<b>January 5, 2009</b>	<b>Consigny Statement No. 27167; Account 614-02 December, 2008 work on Sanitary District # 2</b>	<b>\$ 705.50</b>
<b>February 3, 2009</b>	<b>Consigny Statement No. 28065; Account 614-02 January, 2009 work on Sanitary District # 2</b>	<b>\$ 787.40</b>
<b>March 4, 2009</b>	<b>Consigny Statement No. 28159; Account 614-02 February, 2009 work on Sanitary District # 2</b>	<b>\$ 809.40</b>
<b>April 2, 2009</b>	<b>Consigny Statement No. 28285; Account 614-02 March, 2009 work on Sanitary District # 2</b>	<b>\$ 662.00</b>
<b>May 5, 2009</b>	<b>Consigny Statement No. 28425; Account 614-02 April, 2009 work on Sanitary District # 2</b>	<b>\$ 150.00</b>
<b>June 2, 2009</b>	<b>Consigny Statement No. 28553; Account 614-02 May, 2009 work on Sanitary District # 2</b>	<b>\$ 24.00</b>
<b>July 3, 2009</b>	<b>Consigny Statement No. 28739; Account 614-02 June, 2009 work on Sanitary District # 2</b>	<b>\$ 24.00</b>
<b>August 5, 2009</b>	<b>Consigny Statement No. 28847; Account 614-02 July, 2009 work on Sanitary District # 2</b>	<b>\$ 24.00</b>
<b>September 2, 2009</b>	<b>Consigny Statement No. 28966; Account 614-02 August, 2009 work on Applewood Special Assessment (only \$72. of this is for Applewood work; remainder is for Sampica property in Indianford)</b>	<b>\$ 222.00</b>