

## APPENDIX B

### POLICY #1-98 OF POLICIES AND PROCEDURES OF THE LAKE COMO SANITARY DISTRICT NO. 1 OF THE TOWN OF GENEVA, WALWORTH COUNTY, STATE OF WISCONSIN RELATING TO FUTURE MAIN EXTENSIONS.

#### POLICY

The policy of the Commission, as established in its Sewer Ordinance, is that all design, planning and construction of future sewer main extensions be done by the District is affirmed. This affirmation is based on a recognition of the Commission's responsibilities in taking into consideration the best interest of the public and all of the potential users of the sewer system. The Commission must develop and maintain a system which is compatible within all of its existing or potential parts. Comprehensive basic engineering and planning data and thorough records will become increasingly important as the District develops and expands. All future sewer main extensions will be owned and maintained by the District. The Commission has the powers and the responsibility to insure that all of the public affected be treated fairly, and it is for that reason that the planning, design, construction and installation of all future sewer extensions be done by the District.

#### PROCEDURES

- A. Any person requesting an extension of a future sewer main shall make such a request on application forms to be provided by the District. The application shall be accompanied by the following:
1. A preliminary plat substantially in compliance with the requirements of Wis. Stat. Chapter 236 and reasonably anticipated to be approved by the appropriate governmental authorities, or its equivalent in approvable form. It may be desirable from the developer's standpoint to submit a preliminary sketch plan of the proposed development prior to proceeding with the preliminary plat. This will permit early comment by the Sanitary District and could result in cost savings to the developer.
  2. A topographic map of the area affected with one (1) foot contour interval.
  3. An application fee based on the number of lots to be serviced by the extension in accordance with the following schedule.

a.	25 or less lots or parcels	\$1,000
b.	26-50 lots or parcels	\$2,000
c.	51 or more lots or parcels	As Set By Commission

4. The agreement of the applicant to pay all costs for the preliminary design of the sewer main extension including engineering, legal, administrative, soil borings, survey, testing, or any other costs incurred in obtaining information required by the District's Engineer and in the preliminary design of the sewer main extension regardless of whether or not the sewer extension is ever constructed. The application fee shall be a credit against the total costs for the preliminary design, and the balance shall be due and payable in full at the time of submission of the preliminary design to the applicant.
  5. A complete and accurate legal description of the entire area to be included in the design and the names and addresses of all owners of any parcel within and adjacent to the confines of the area effected.
  6. An area map reasonably locating the proposed service area in relationship to the sanitary district and adjoining landowners.
  7. A statement of the proposed uses and zoning of the premise.
  8. Such other information as may be required.
- B. Upon receipt of a copy of the application, the application fee, and accompanying materials, the District's Engineer shall proceed to gather whatever further information may be required for preliminary design. The District's Engineers shall bill the Commission separately for such services as to each application and the Commission shall pay for said services out of the application fee of applicant or shall advance the costs as the appropriate case might be.
1. Upon completion of the preliminary design, the plans shall be submitted to the Commission together with recommendations as to considerations to be made by the Commission, problems to be encountered, and feasibility of the extension.
  2. The engineer shall compute and include in his recommendations to the Commissioners the anticipated total costs of the project, which costs shall include a computation for the Connection Charge for each lot based on the then current Connection Charge rate.
- C. Upon receipt of the preliminary plans, report and recommendations of the District Engineer, the Commission shall prepare a proposed contract with the applicant which shall set forth the rights and obligation of the Commission and the applicant based on the recommendations of the District Engineer and the District's Attorney, and which proposed contract shall specifically include the following:

1. The agreement of the applicant to pay all costs determined allocable to applicant by the Commission. It is anticipated that there may be extensions which will be for the benefit of more property than that included in applicant's application and that some of the costs would therefore be borne by other persons or the Commission. The estimated total cost to applicant as determined by the District's Engineer shall be inserted, which amount shall be increased or reduced when actual costs are finally determined.
2. The agreement of applicant to provide, without cost to the Commission, on forms acceptable to the Commission, all easements or other land rights required for the construction of the extension on lands owned by applicant.
3. The agreement of applicant to execute appropriate documents granting the Commission a lien against all lots in the affected area to guarantee payment of the costs of the sewer extension.
4. Payment of an initial deposit for final design engineering and agreement for payment of further deposits required by the Commission and the balance due as set forth herein.
5. Upon execution of the contract and payment of the initial deposit the District shall proceed with whatever procedures may be necessary under Wisconsin Statutes to procure any land rights required which cannot be provided by applicant, to prepare final plans and specifications, to advertise for bids, to obtain bids, to award the construction contracts (subject to applicant's approval), and to construct the sewer extension.
6. The Commission shall keep accurate and complete records of payments of all monies relating to the project, which costs shall be paid out of the required deposits until said sums have been exhausted.
7. When the required deposits have been exhausted the District shall advance monies for the completion of the project as said costs become due and payable and District's interest costs shall be added to the total cost of the project.
8. When the District notifies applicant that the sewer main is operational and connections can be made, the District shall compute the actual total costs of the project and shall give notice thereof to applicant. Deposits paid by applicant shall be subtracted from the total costs to determine the actual balance due.

9. Thereafter, applicant shall pay interest accrued at the agreed upon rate plus 1/5th of the unpaid balance at the end of each calendar year. A credit shall be given to applicant for any amounts paid during the year by virtue of applicant's sale of lots as set forth in these procedures.
10. The total number of lots in the project shall be divided by two and the result shall be rounded to the next whole number. The difference between the total project cost and the deposits shall next be ascertained and the result shall be divided by the whole number as determined in the proceeding sentence. The result shall be the amount payable as each lot is sold. Said payment shall be a credit against the annual payments of interest and principal required. Upon receipt of each such payment the District shall execute a release of its lien as to the parcel conveyed.

adopted 10/20/2010