

July 1, 2021

BREACH OF CONTRACT NOTICE

Michael Cotter, Director  
Rick Dorgay, Senior sanitation Officer  
Nick Sigmund Senior Zoning Officer  
Hewalthe Marquardt Code Enforcement Officer  
Richard A. Hough Public Works Director  
Michele Jacobs Register of Deeds  
Michael Cotter Corp. Counsel  
Estee Scholtz Corp Counsel  
Walworth County, Wisconsin  
100 W. Walworth St  
Walworth, Wisconsin

RE: Walworth County entered into a contract to provide Michael Stoller with a Sanitary Permit pursuant to on June 7, 2021 and have breached that agreement

Pursuant to Section 893.80 of the Wisconsin Statutes Notice of Injury and Notice of Claim Christopher Stoller and Michael Stoller served Notice that an application for a Sanitary Permit (**Exhibit 1**) to have a septic tank installed on the property known as W3786 Woodland Drive, Lake Geneva, Wisconsin 53147. The said property is **not** located near a sewer or water main. The Applicants have not had water or sewer to their home since it was built in 2017.

Rick Dorgay, Senior sanitation Officer, on behalf of Walworth County agreed he had authority to issue it on behalf of Walworth County on Date June 7, 20212. Christopher Stoller and Michael Stoller paid and the County of Walworth, which accepted by payment of 725 plus \$30 dollars to record the holding tank application agreement for the property known as W3786 Woodland Drive, Lake Geneva, Wisconsin 53147.

We are making a demand on Walworth County to issue Michael Stoller's Sanitary permit before July 7, 2021 by 12 noon.

Pursuant to the Agreement (Contract) that Rick Dorgay, Senior Sanitation Officer in the Land Use and Resource Management Department, agreed to, on behalf of Walworth County, to issue a Sanitary Permit to Michael Stoller's pursuant to his Application that was submitted on June 7, 2021. 725 plus \$30 dollars to record the holding tank application agreement. **Exhibit 1**

Rick Dorgay agreed that the Lake County Sanitary District did **not** comply with 281.45 House Connections and , that Michael Stoller was entitled to his Sanitary permit and that Rick Dorgay, on behalf of Walworth County, would issue Michael Stoller's Sanitary permit timely. As of this date it has not been issued.

Rick Dorgay on behalf of Walworth County, agreed to issue a Sanitary Permit on his Application that was submitted on June 7, 2021. Walworth County Agreed that the Statute concerning the property known as JLCD00990 fell within the permitted use of the Walworth County Ordinance 281.45 Ordinance . The Town of Geneva failed to give written Notice to Michael Stoller within the Time Period within the Ordinance 281.45 ; therefore Walworth County agreed, thru Mr. Rick Dorgay, that he would issue a sanitary permit to Michael Stoller upon receiving a Sanitary Application along with the paid fee of \$725 plus \$30 dollars to record the holding tank application agreement. **Exhibit 1**

Walworth County Agreed to issue a Sanitary permit to Michael Stoller. I called Rick Dorgay, Senior Sanitation Officer in the Land Use and Resource Management Department.

Pursuant to the contract that Walworth County entered into with Michael Stoller and Christopher Stoller on June 7, 2021, Walworth County has conducted itself in such a way that has breached this agreement to issue a sanitary permit to Michael Stoller do the following actions:

1. I called Rick Dorgay on June 30, 2021, Rich Dorgay stated that he would **not** issue the Sanitary Permit on behalf of Walworth County.

We are putting Walworth County and Michael Cotter, Director, Rick Dorgay, Senior Sanitation Officer Nick Sigmund Senior Zoning Officer, Heather Marquardt ,Code Enforcement Officer, Richard A. Hough, Public Works Director,

Michele Jacobs Register of Deeds, Michael Cotter, Corp. Counsel and Estee Scholtz Corp Counsel.

All the name parties that they are on Notice that we would file a lawsuit against Walworth County and its named Officers and directors for breach of contract, promissory estoppel, Specific Performance, Conspiracy, fraud, aiding and abetting, Civil Racketeering and immediately report this lawsuit to all of the local newspaper and publish it on the web site of the Americans for the Enforcement of Attorney Ethics (AEAE) web site [www.rentamark.net](http://www.rentamark.net)

It is hopeful that a mutually acceptable solution outside of a internet publicity filed lawsuit can be achieved before July 7, 2021. See [www.rentamark.net](http://www.rentamark.net) without court intervention.

Unless the aforementioned sanitary permit (Exhibit 1) is issued on or before July 7, 2021 this letter formally places Walworth County and its Officers and Directors of the their legal requirements, individual liabilities and official liabilities, for failure to comply with our demand that the Sanitary permit (Exhibit 1) be issued on or before July 7, 2021.

We are advising all individuals to retain documents, electronic and paper documentation and not to erase any emails related to these issues on your hard drives, which is all discoverable. You have a legal obligation to maintain and preserve any all documents in any form what so ever in paper and electronics that may be relevant to the subject matter of discoverable in any potential action arising from this breach of contract.

It is in the best interest of all parties to resolve this matter outside of court intervention, If the permit is not issued to Michael Stoller on or before July 7, 2021 that legal proceedings will be commenced.

Please take Notice that you are in breach of our agreement to proved Michael Stoller with a Sanitary Permit (Exhibit 1)

Please take further Notice that unless the breach is remedied within 7 days of this laterr's date, we willtake action to protect our rights under the agreement and under any applicagble laws. All of our rights are serverved under this notice.

You may contact us if you have any questions. Email us at [Cns40@hotmail.com](mailto:Cns40@hotmail.com)

Act Accordingly

/S/Michael Stoller

/S/Christopher Stoller, Executive Director of Americans for the Enforcement of  
Attorney Ethics (AEAE) [www.rentamark.net](http://www.rentamark.net)

P.O. Box 60645  
Chicago, Illinois 60660  
773-746-3163



Industry Services Division  
1400 E Washington Ave  
P.O. Box 7162  
Madison, WI 53707-7162

County Walworth  
Sanitary Permit Number (to be filled in by Co.)

### Sanitary Permit Application

In accordance with SPS 383.21(2), Wis. Adm. Code, submission of this form to the appropriate governmental unit is required prior to obtaining a sanitary permit. Note: Application forms for state-owned POWTS are submitted to the Department of Safety and Professional Services. Personal information you provide may be used for secondary purposes in accordance with the Privacy Law, s. 15.04(1)(m), Stats.

State Transaction Number  
Project Address (if different than mailing address)

#### I. Application Information - Please Print All Information

Property Owner's Name  
Michael Stoller

Woodland  
Parcel #  
JLCB 00996

Property Owner's Mailing Address  
PO Box 60645

Property Location  
Govt. Lot  
NE 1/4, NE 1/4, Section 28  
(circle one)  
T 2 N; R 17 E or W

City, State Chicago IL Zip Code 60660 Phone Number

#### II. Type of Building (check all that apply)

1 or 2 Family Dwelling - Number of Bedrooms \_\_\_\_\_  
 Public/Commercial - Describe Use \_\_\_\_\_  
 State Owned - Describe Use \_\_\_\_\_

Lot # 4960-4964  
Block # 87  
CSM Number

Subdivision Name  
Lake Como Beach  
 City of \_\_\_\_\_  
 Village of \_\_\_\_\_  
 Town of Geneva

#### III. Type of Permit: (Check only one box on line A. Complete line B if applicable)

A.  New System  Replacement System  Treatment/Holding Tank Replacement Only  Other Modification to Existing System (explain)  
B.  Permit Renewal Before Expiration  Permit Revision  Change of Plumber  Permit Transfer to New Owner  
List Previous Permit Number and Date Issued

#### IV. Type of POWTS System/Component/Device: (Check all that apply)

Non-Pressurized In-Ground  Pressurized In-Ground  At-Grade  Mound  $\geq$  24 in. of suitable soil  Mound  $<$  24 in. of suitable soil  
 Holding Tank  Other Dispersal Component (explain) \_\_\_\_\_  Pretreatment Device (explain) \_\_\_\_\_

#### V. Dispersal/Treatment Area Information:

Design Flow (gpd) 450 Design Soil Application Rate (gpd/sf) \_\_\_\_\_ Dispersal Area Required (sf) \_\_\_\_\_ Dispersal Area Proposed (sf) \_\_\_\_\_ System Elevation \_\_\_\_\_

VI. Tank Info	Capacity in Gallons		Total Gallons	# of Units	Manufacturer	Prefab Concrete	Site Constructed	Steel	Fiber Glass	Plastic
	New Tanks	Existing Tanks								
Septic or Holding Tank	<u>3,200</u>		<u>3,200</u>	<u>1</u>	<u>Dalmaway</u>	<input checked="" type="checkbox"/>				
Dosing Chamber										

#### VII. Responsibility Statement- I, the undersigned, assume responsibility for installation of the POWTS shown on the attached plans.

Plumber's Name (Print) Michael Schaitel Plumber's Signature [Signature] MP/MPRS Number 225104 Business Phone Number 262-248-2725

Plumber's Address (Street, City, State, Zip Code)  
N1971 County Hwy H Lake Geneva WI-53147

#### VIII. County/Department Use Only

Approved  Disapproved  Owner Given Reason for Denial  
Permit Fee \$ 725 Date Issued \_\_\_\_\_ Issuing Agent Signature \_\_\_\_\_

#### IX. Conditions of Approval/Reasons for Disapproval

**RECEIVED**  
JUN 07 2021

Attach to complete plans for the system and submit to the County only on paper not less than 8 1/2" x 11" **WALWORTH COUNTY LAND USE RESOURCE MANAGEMENT DEPT.**

# HOLDING TANK SERVICING CONTRACT

This contract is made between the Holding Tank Owner(s) and Licensed Pumper

Contract Date <b>5-23-21</b>	
Holding Tank Owner(s) Name(s) <b>Michael Stoller</b>	Licensed Pumper's Name <b>Alan L. Kaddatz</b>
Tax Parcel Number <b>JLCB 00990</b>	Licensed Pumper's Company <b>PATS SERVICES, INC. 38331 - 60th Street Burlington, WI 53105</b>
We acknowledge the installation of (a) holding tank on the following property: (Provide legal land description of property) A parcel of land located in the <u>NE 1/4, NE 1/4, S 78</u> T <u>2</u> N. R. <u>17</u> E. Walworth County, WI <u>W3786 Woodland Dr. Lake Geneva</u>	

- Owner agrees to file the original signed and notarized copy of this servicing contract with Walworth County.
- Owner agrees to have the holding tank(s) serviced by a person licensed under Ch. NR113, Wis. Adm. Code, and guarantees to permit the licensed person to have access and to enter upon the property for the purpose of servicing the holding tank(s).
- Owner agrees to maintain the all-weather access road so the licensed pumper can service the holding tank(s) with the pumping equipment.
- Owner further agrees to pay the licensed pumper for all charges incurred in servicing the holding tank(s) as mutually agreed upon by the owner and licensed individual.
- The owner or owner's agent agrees to file the annual holding tank report to Walworth County for the servicing of the holding tank(s) as required by SPS 383.55, Wis. Admin. Code and Ch. 70 Walworth County Code of Ordinances. The following shall be included in this report:
  - Name, address and license number of the person servicing the holding tank;
  - Name of the owner of the holding tank;
  - Location of the property on which the holding tank is installed;
  - Sanitary permit number issued for the holding tank;
  - Dates on which the holding tank was serviced;
  - Volumes in gallons of the contents pumped from the holding tank for each servicing;
  - Disposal sites to which the contents from the holding tank were delivered.
- This agreement will remain in effect until the owner or licensed pumper terminates this contract. In the event of a change in this contract, owner agrees to file a copy of any changes to this service contract or a copy of a new service contract with Walworth County within ten (10) business days from the date of change to this service contract.

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WALWORTH COUNTY LAND USE  
RESOURCE MANAGEMENT DEPT.

Owner(s) Name—Please Print <b>Michael Stoller</b>	Owner(s) Signature(s) <i>Michael Stoller</i>	Subscribed and sworn to before me:  <i>Anna Niles</i> Notary Public 05/29/2021 Date 03/21/2025 My commission expires
Licensed Pumper(s) Name—Please Print <b>Alan L. Kaddatz PATS Services, Inc.</b>	Licensed Pumper(s) Signature <i>Alan L. Kaddatz</i>	
Pumper(s) License Number <b>SY-16</b>		

**ANNA NILES**  
Notary Public  
State of Wisconsin

**HOLDING TANK AGREEMENT**

This agreement is made between the governmental unit and holding tank owner(s)

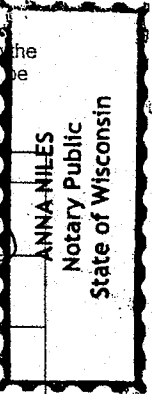
Document # <b>5-23-21</b>	Holding Tank Owner(s) <b>Michael Stoller</b>
Agreement Date	
Tax Parcel # <b>JLCB 00990</b>	
Legal land description A parcel of land located in the <b>NE ¼, NE ¼, Sec. 28</b> , <b>T 2 N, R 17 E, Town of Geneva</b> , <b>Walworth County, Wisconsin</b> (see attached)	

Name & Return Address  
**LAND USE & RESOURCE MANAGEMENT**  
\$30.00

I/we acknowledge that application is being made for the installation of (a) holding tank(s) on the following property or that continued use of the existing premises requires that a holding tank be installed on the property for the purpose of proper containment of sewage. Also, the property cannot now be served by a municipal sewer, or any other type of private sewage system as permitted under SPS 383, Wis. Adm. Code, or Ch. 145, Stats, unless specifically allowed under Ch. 70, Walworth County Code of Ordinances.

- As an inducement to the County of Walworth, (governmental unit), to issue a sanitary permit for the above described property, we agree to the following:
- Owner agrees to conform to all applicable requirements of SPS 383, Wis. Adm. Code, and Ch. 70, Walworth County Code of Ordinances, relating to holding tanks. If the owner fails to have the holding tank properly serviced in response to orders issued by the governmental unit to prevent or abate a human health hazards as described in s. 254.59, Stats., the governmental unit may enter upon the property and service the tank or cause to have the tank to be serviced and charge the owner by placing the charges on the tax bill as a special assessment for current services rendered. The charges will be assessed as prescribed by s. 66.0703, Stats.
  - The owner agrees to have a water meter installed with a remote reading device where required by SPS 383, Wis. Adm. Code and Ch. 70, Walworth County Code of Ordinances. The water meter shall be installed by a plumber authorized by the State to conduct such installations, with said installation complying with State regulations and manufacturers specifications. The owner agrees to be financially responsible for the purchase, installation, maintenance, and repair of the water meter, and agrees to allow the governmental unit to enter the above described property on a regular basis to read and/or inspect the water meter.
  - Owner agrees to pay all charges and costs incurred by the governmental unit for inspection, pumping, hauling or otherwise servicing and maintaining the holding tank in such a manner as to prevent or abate any human health hazard caused by the holding tank. The governmental unit shall notify the owner of any costs which shall be paid by the owner within thirty (30) days from the date of notice. In the event the owner does not pay the costs within thirty (30) days, the owner specifically agrees that all the costs and charges may be placed on the tax roll as a special assessment for the abatement of a human health hazard, and the tax shall be collected as provided by law.
  - The owner, except as provided by s. 281.48(3) (d), Stats. and NR 113.05(4), Wis. Adm. Code, agrees to contract with a person who is licensed under Ch. NR 113, Wis. Adm. Code, to have the holding tank serviced and to file a copy of the contract or the owner's registration with the governmental unit. The owner further agrees to file a copy of any changes to the service contract, or a copy of a new service contract, with the governmental unit within ten (10) business days from the date of change to the service contract.
  - The owner agrees to contract with a person licensed under Ch. NR 113, Wis. Adm. Code, for the servicing of the holding tank. The owner or owner's agent shall submit to the governmental unit an annual report in accordance with SPS 383.55 and Ch. 70 Walworth County Code of Ordinances. In the case of registration under s.281.48 (3) (d), Stats. and NR 113.05(4), Wis. Adm. Code, the owner shall submit the report to the governmental unit and the county. The governmental unit or county may enter upon the property to investigate the condition of the holding tank when pumping reports and meter readings may indicate that the holding tank is not being properly maintained.
  - This agreement will remain in effect only until the governmental unit responsible for the regulation of private sewage systems certifies that the property is served by either a municipal sewer or a soil absorption system that complies with SPS 383, Wis. Adm. Code. In addition, this agreement may be cancelled by executing and recording said certification with reference to this agreement in such manner which will permit the existence of the certification to be determined by reference the property.
  - This agreement shall be binding upon the owner, the heirs of the owner, and assignees of the owner. The owners shall submit the agreement to the register of deeds, and the agreement shall be recorded by the register of deeds in a manner which will permit the existence of the agreement to be determined by reference to the property where the holding tank is installed.

Owner(s) Name(s)- Please Print <b>Michael Stoller</b>	Notarized Owner(s) Signature(s) <i>Michael Stoller</i>	Subscribed and sworn to before me: Notary Public <i>Anna Niles</i>
		Date <b>05-29-2021</b>
Walworth County Sanitarian's Name	Walworth County Sanitarian's Signature	My commission expires <b>03-21-2025</b>



**CONCRETE HOLDING TANK DESIGN**  
*Single Tank Option*  
**INDEX AND TITLE SHEET**

Project Stoller Holding Tank

Owner Micheal Stoller

Address PO Box 60645

Chicago IL 60660

Legal Description NE1/4, NE1/4, Section 28, T2N, R17E

Township Geneva County Walworth

Subdivision Name Lake Como Beach Lot No. 4960-4964

Parcel ID Number JLCB 00990

Plan Transaction ID Number \_\_\_\_\_

Index and title sheet	Page 1
Holding tank specifications	Page 2
Site plan	Page 3
Maintenance and contingency plan	Page 4
Dalmaray Cross Section	Page 5
_____	Page 6
_____	
_____	
_____	

Designer Michael Schaitel

Signature 

Phone No. 262-248-2725

License Number 225104

Date 05/25/21

Designed pursuant to:  
Holding Tank Component Manual For POWTS (Version 2.0)  
SBD-10855-P (N. 03/07, R. 01/12)

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WALWORTH COUNTY LAND USE  
RESOURCE MANAGEMENT DEPT.



# HOLDING TANK SPECIFICATIONS

3	Number of bedrooms
	Non-residential estimated flow (gpd)
2000.0	Minimum holding tank volume required (gal)

3200.0	Proposed holding tank capacity (gal)
Dalmaray	Tank Manufacturer
3200 gallon	Tank model number
SJE-Rhoumbus	Alarm manufacturer
Tank Alert	Alarm model number

## Tank Dimensions and Data

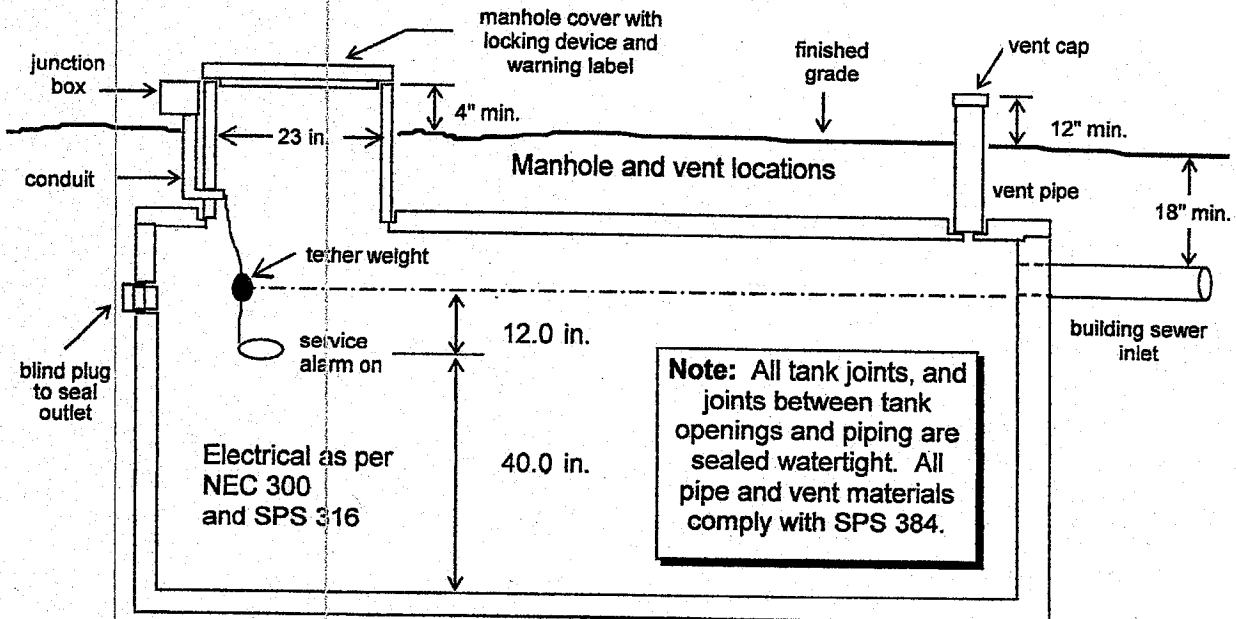
	X for round tank
52.0	Liquid depth below inlet invert (in)
108.0	Maximum depth of soil cover (ft)
71.0	Height (in)
176.0	Length (in)
92.0	Width (in)

} Outside Dimensions Only

## Tank Anchor Calculations

25000	lbs	Weight of tank and cover
1.50		Safety factor
37272	lbs	Weight of anchor required
39.8	in	Soil cover req. for anchor or
9.2	yd <sup>3</sup>	Concrete counter weight

# HOLDING TANK CROSS SECTION



3 in. bedding under tank. Tank is anchored as necessary to negate buoyancy.

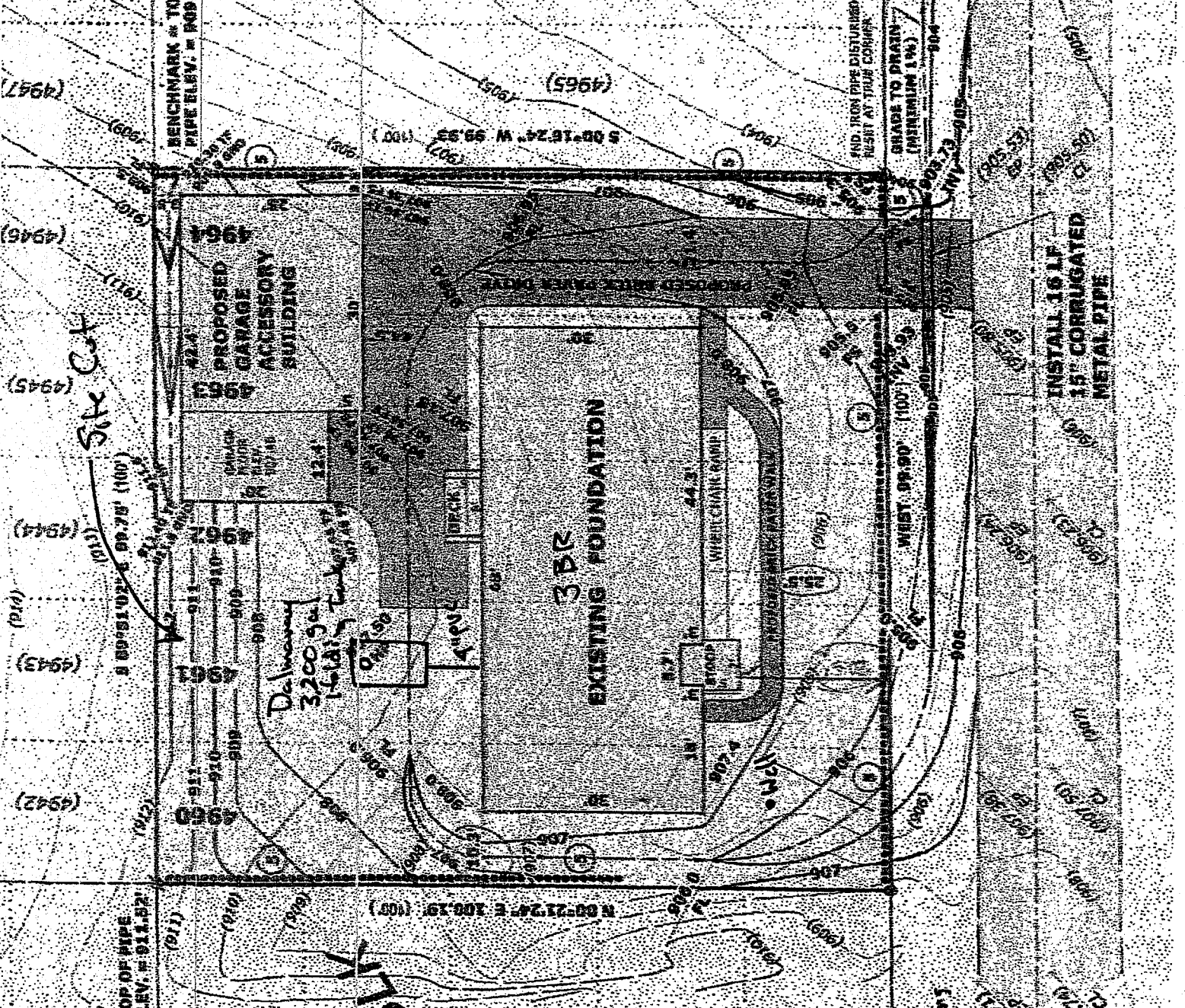
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Project: Stoller Holding Tank  
Transaction Number:

JUN 07 2021

Page 2 of 6

WALWORTH COUNTY LAND USE  
RESOURCE MANAGEMENT DEPT.



TOP OF PIPE  
ELEV. = 911.52'

(4982) NE NE, Sec. 28, T2N, R17E  
Lot 4960-4964 Blk 87  
Lake Gmo Beach  
(4983) Town of Geneva  
Walworth County, WI

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WALWORTH COUNTY LAND USE  
RESOURCE MANAGEMENT DEPT

(BLK)



For: Michael Stoller  
PO Box 60645  
Chicago IL 60660

Installed: 94.90'

Michael Schmitt  
Down to Earth Contractors

**WOODLAND**

**HOLDING TANK MANAGEMENT PLAN**

This Private Onsite Wastewater Treatment System (POWTS) has been designed, and is to be installed and maintained according to SPS 383, Wis. Admin. Code, the Holding Tank Component Manual (SBD-10855-P N. 03/07, R. 01/12), and the Walworth County Sanitary Ordinance.

1. This POWTS is designed to accommodate a wastewater flow of 80.0 to 640.0 gpd.
2. The owner of this POWTS is responsible for system operation and maintenance, including all provisions in the attached Holding Tank Servicing Contract and Maintenance Agreements.
3. Each time the wastewater in the tank reaches 90% of the tank(s) capacity or a level of 12" below the inlet (at which time the alarm will activate), the pumper listed in the current Service Contract must be called to empty the tank's contents and dispose of them in accordance with NR 113, Wis. Adm. Code.
4. At each service event, the service provider should visually inspect the condition of the tank, risers and manhole cover(s) and verify that the alarm system functions and manhole locking devices are present. Discrepancies are reported to the owner in a timely manner for corrective action. All corrective actions shall comply with the county sanitary ordinance and SPS 383 and 384 Wis. Adm. Code.
5. All service events or inspections of this POWTS shall be reported to the county within 30 days.
6. The owner may not remove any of the wastes from the holding tank(s), or cause such wastes to be removed by any person not authorized to do so under Ch. 281, Wis. Statutes. The discharge of wastes tank to the ground surface, including intentional discharges and discharges caused by neglect, constitutes a failing POWTS and may result in issuance of correction orders or a citation by the county or state.
7. No one should enter a holding tank for any reason without being in full compliance with OSHA standards for entering a confined space. The atmosphere within these tanks may contain lethal gases, and rescue of a person from the interior of the tank may be difficult or impossible.
8. In the event that this POWTS fails and cannot be repaired, a code compliant replacement holding tank may be installed in the same location (a new sanitary permit is required for such a replacement). Connection to municipal services would also be considered at this time if they are deemed available to the property.
9. If this POWTS is replaced, or its use discontinued, components no longer in use it shall be abandoned in accordance with SPS 383.33 Wis. Adm. Code.
10. If there is a problem with, or question about this installation, the following persons may be contacted:
 

a. Installer.....	Down To Earth	Phone: 262-248-2725
b. Service Provider.....	Pat's	Phone: 262-537-4988
c. Co. Zoning or Health Dept.	Walworth County	Phone: 262-741-4975

11. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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Project: Stoller Holding Tank  
Transaction Number:

JUN 07 2021

WALWORTH COUNTY LAND USE  
RESOURCE MANAGEMENT DEPT.

# Dalmaray Concrete Products Inc. Tank Model 3200

Model 3200 Septic, Holding,  
Pump, Grease Interceptor, or Siphon

3232 gal. septic  
3356 gal. holding

1549 GPD WHEN USED AS A SEPTIC TANK  
BASED ON A 3 YR SERVICE INTERVAL

**DIMENSIONS:**

LENGTH - 176"

WIDTH - 92"

HEIGHT - 71"

BELOW INLET - 59"

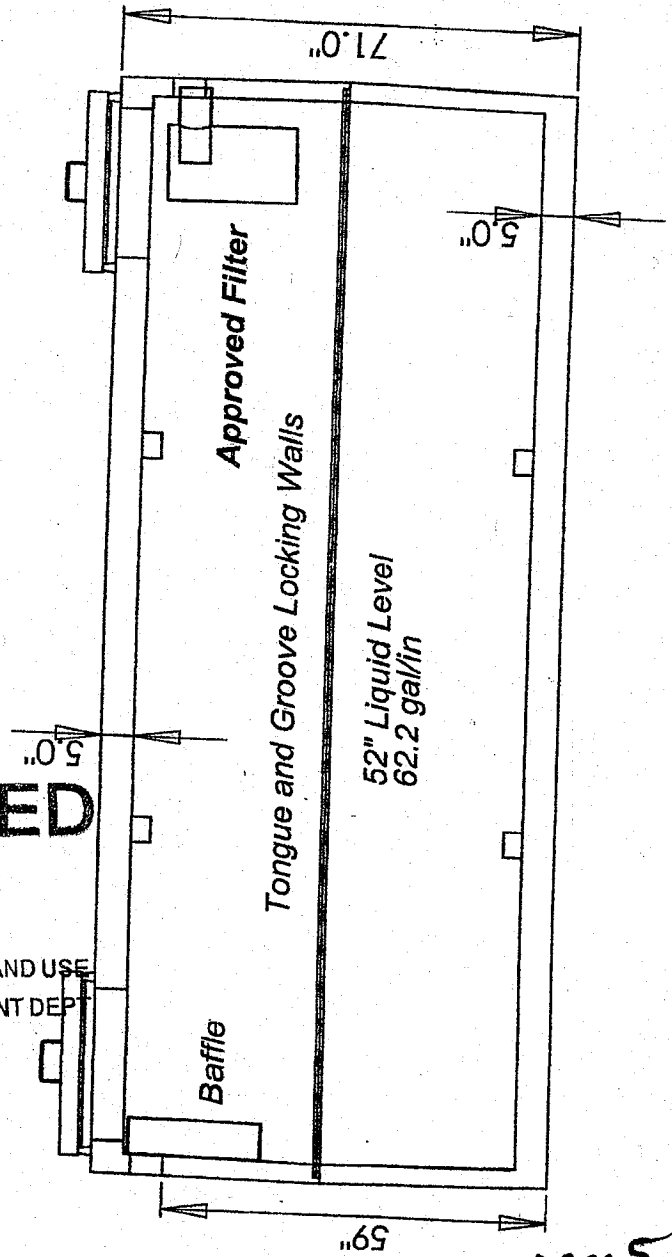
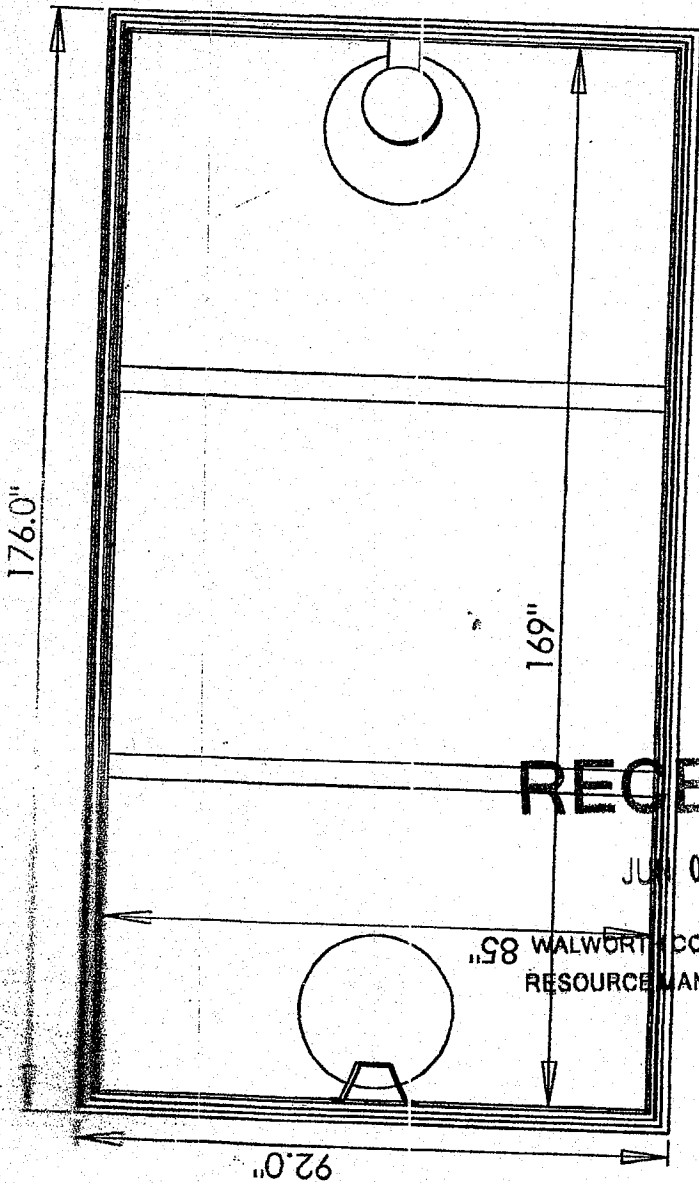
BOTTOM SECTION WEIGHT - 12500 lb.

TOP SECTION WEIGHT - 12500 lb.

MAX DEPTH OF BURY 108"

# Dalmaray Concrete Products Inc.

405 S. Arch St.  
Janesville, WI 53548  
(608)-752-6507  
Toll Free: (888)-222-4541  
Fax: (608)-752-5671

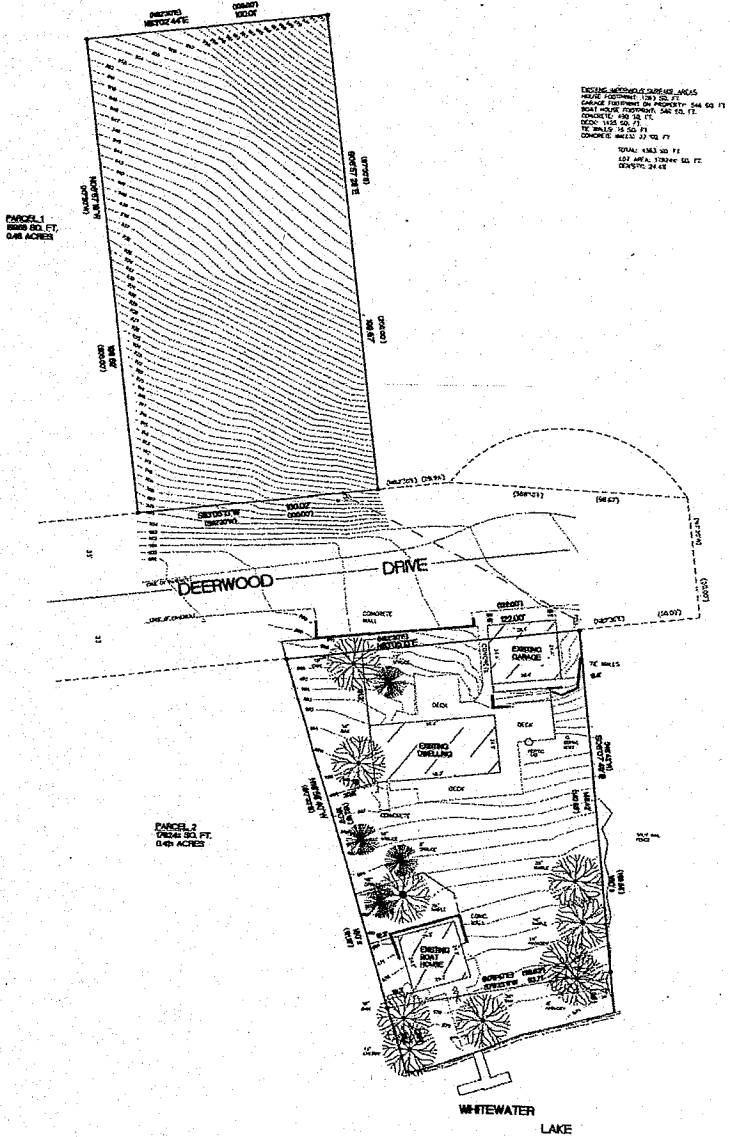


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WALWORTH COUNTY LAND USE  
RESOURCE MANAGEMENT DEPT

PLAT OF SURVEY  
PARCELS 1  
Part of the Southeast 1/4 of Section 26, T4N R4E S12E, Township 4 North, Range 4 East, Section 26, Walworth County, Wisconsin, described as follows: Beginning at the Easted corner of Lot 14, 1st New Center, Thruway 7738' West 100.00 feet to 1st Point of Beginning.  
PARCELS 2  
1/2 of 1/2 the New Center, Adjoined to the Southwest 1/4 of Section 26, T4N R4E S12E, Township 4 North, Range 4 East, Section 26, Walworth County, Wisconsin.  
Developed for All Right  
Survey Number: W759 Unrecorded Sub.



EXISTING WITHHOLDING RIGHTS  
PAVING FOOTPRINT 139' 00" FT  
CONCRETE FOOTPRINT 100' 00" FT  
TOTAL PAVING FOOTPRINT 240' 00" FT  
CONCRETE 139' 00" FT  
TOTAL 139' 00" FT  
TOTAL 139' 00" FT  
CONCRETE 139' 00" FT  
TOTAL 139' 00" FT

SCALE  
1" = 20'  
0' 20' 40'

BOUNDARIES REFERENCED TO THE CORNER  
CORNER OF THE NEAREST 1/4 OF SECTION  
26, T4N R4E S12E, WALWORTH COUNTY,  
WISCONSIN.

- FOUND 1 1/2" O.D. IRON PIPE
- FOUND 3/4" IRON PIPE
- SET 1 1/2" O.D. IRON PIPE
- ( ) RECORDED AS DIMENSION

RECEIVED  
JUN 1 2022  
5176

Scotts Machine Surveying, Inc.  
P.O. Box 257  
Eagle River, WI 54420  
715-937-6584  
www.scottsmachine.com  
STATE OF WISCONSIN  
JULY 10 2021  
S174811

DOXE-a DWaBo:ac

416-1490

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JUN 07 2021

WALWORTH COUNTY LAND USE  
RESOURCE MANAGEMENT DEPT.

# Walworth County Land Use and Resource Management Department

100 West Walworth Street, Room 222  
P.O. Box 1001, Elkhorn, WI 53121

Phone: (262) 741-4972 Fax: (262) 741-4974



## RECEIPT (REC-2021-001125)

**BILLING CONTACT**

Michael Stoller  
Po Box 60645  
Chicago, IL 606600645

Payment Date: 6/7/2021 8:50:52AM

Michael Stoller / tk# JLCB 00990

Init: ajs

REFERENCE NUMBER	FEE NAME	TRANSACTION TYPE	PAYMENT METHOD	AMOUNT PAID
SN-21-0869	Holding Tank 1340-43155	Fee Payment	Check #64	\$625.00
	SN - Sanitation State Fee 100-24136	Fee Payment	Check #64	\$100.00
			<b>SUB TOTAL</b>	<b>\$725.00</b>
				<b>TOTAL</b>
				<b>\$725.00</b>
				<b>Cash Back</b>
				<b>\$0.00</b>
				<b>Balance Due</b>
				<b>\$0.00</b>

## RECEIPT

No. 882929

DATE 6-7-21

FROM Christopher Stoller \$ 30

Thirty & 100 DOLLARS

FOR Michael Stoller - ROD fee

FOR RENT  
 FOR

CASH  
 CHECK # 5034  
 MONEY ORDER  
 CREDIT CARD

ACCT. FROM TO

PAID 30 BY A Stoller

DUE

A-1152  
T-4161

(f) Any such governmental unit being aggrieved by the determination of the sewerage commission on matters within its jurisdiction may appeal to the circuit court as provided in sub. (3) (b).

**History:** 1971 c. 89, 276; 1977 c. 187; 1979 c. 176; 1985 a. 49; 1995 a. 225; 1995 a. 227 s. 408; Stats. 1995 s. 281.43; 1997 a. 35; 1999 a. 150 s. 672.

Sub. (1m), which voids a Department of Natural Resources sewerage connection order if the electors in the affected town area reject annexation to the city ordered to extend sewerage service, represents a valid legislative balancing and accommodation of two statewide concerns: urban development and pollution control. *City of Beloit v. Kallas*, 76 Wis. 2d 61, 250 N.W.2d 342.

A joint sewerage commission may enact and enforce regulations required of it under the federal Clean Water Act of 1977, but it cannot make appropriations or issue bonds without approval of the governing bodies that established it. 68 Atty. Gen. 83.

**281.45 House connections.** To assure preservation of public health, comfort and safety, any city, village or town or town sanitary district having a system of waterworks or sewerage, or both, may by ordinance require buildings used for human habitation and located adjacent to a sewer or water main, or in a block through which one or both of these systems extend, to be connected with either or both in the manner prescribed. If any person fails to comply for more than 10 days after notice in writing the municipality may impose a penalty or may cause connection to be made, and the expense thereof shall be assessed as a special tax against the property. Except in 1st class cities, the owner may, within 30 days after the completion of the work, file a written option with the municipal clerk stating that he or she cannot pay the amount in one sum and asking that it be levied in not to exceed 5 equal annual installments, and the amount shall be so collected with interest at a rate not to exceed 15 percent per year from the completion of the work, the unpaid balance to be a special tax lien.

**History:** 1979 c. 110 s. 60 (13); 1979 c. 221; 1983 a. 150; 1995 a. 227 s. 407; Stats. 1995 s. 281.45.

**281.47 Sewage drains; sewage discharge into certain lakes.** (1) (a) When any city, village, town or owner has constructed or constructs a sewage system complying with s. 281.41, the outflow or effluent from such system may be discharged into any stream or drain constructed pursuant to law, but no such outflow of untreated sewage or effluent from a primary or secondary treatment plant from a city, village, town, town sanitary district or metropolitan sewage district in a county having a population of 240,000 or more, according to the latest U.S. bureau of census figures available including any special census of municipalities within the county, any part of which is located within a drainage basin which drains into a lake of more than 2 square miles and less than 16 square miles in area, shall be discharged directly into, or through any stream, or through any drain, into such a lake located within 18 miles of the system or plant of such city, village, town, town sanitary district or metropolitan sewage district. All necessary construction of plant, system or drains for full compliance with this subsection in the discharge of untreated sewage or sewage effluent from all existing primary or secondary plants shall be completed by September 1, 1970, and the plans for any new system or plant shall include provisions for compliance with this subsection. The department may at any time order and require any owner of an existing plant to prepare and file with it, within a prescribed time, preliminary or final plans or both, for proposed construction to comply with this subsection.

(b) Any municipality, which, on April 30, 1972, has an operating sewerage collection and treatment system and has an application for attachment to a metropolitan sewerage district pending in the county court, in such a county, any part of which is located within such a drainage basin and which is located within 10 miles of a metropolitan sewerage district on September 1, 1967, shall be added to the metropolitan sewerage district upon application of the governing body of the municipality as provided in s. 66.205 (1), 1969 stats., if such petitioning municipality pays its fair share of the cost of attachment as determined by mutual agreement or a court of competent jurisdiction.

(c) 1. Except as provided in subd. 2., in lieu of construction in compliance with par. (a) for diversion from lakes described in par. (a), any owner of an existing plant, on or before September 1,

1967, or any owner of a new system or plant prior to construction of the new system or plant, may file with the department plans for advanced treatment of effluent from primary or secondary treatment that in the judgment of the department will accomplish substantially the same results in eliminating nuisance conditions on a lake described in par. (a) as would be accomplished by diversion of secondary sewage effluent from the lake, without at the same time creating other objectionable or damaging results. The owner of the plant or system is exempt from par. (a) for diversion from the lakes described in par. (a) upon approval of the plans submitted under this paragraph and installation of advanced treatment facilities and procedures in compliance therewith.

2. Nothing in subd. 1. impairs the authority of the department to require at any time preliminary or final plans, or both, for diversion construction.

(d) Any person violating this subsection or any order issued in furtherance of compliance therewith shall forfeit to the state not less than \$100 nor more than \$500 for each violation, failure or refusal. Each day of continued violation is deemed a separate offense. No such penalty shall be invoked during the time that any petition for review of an order is pending under s. 281.19 (8) until final disposition thereof by the courts, if judicial review is sought under ch. 227.

(2) The city, village or town or the owner of land through which the drain is constructed may apply to the circuit court of the county in which the land is located to determine the damages, if any. No injunction against the use shall be granted until the damages are finally determined and payment refused. Unless within 6 months after the system is completed the owner of the land institutes such proceedings the owner is barred. The proceedings shall be according to ch. 32, so far as applicable.

**History:** 1971 c. 164, 276; 1979 c. 34 s. 2102 (39) (g); 1979 c. 176; 1981 c. 374 s. 150; 1993 a. 246; 1995 a. 227 s. 406; Stats. 1995 s. 281.47; 1997 a. 254; 1999 a. 85.

**281.48 Servicing septic tanks, soil absorption fields, holding tanks, grease interceptors and privies.** (2) DEFINITIONS. In this section:

(b) “Grease interceptor” means a receptacle designed to intercept and retain grease or fatty substances.

(bm) “Private on-site wastewater treatment system” has the meaning given in s. 145.01 (12).

(c) “Privy” means an enclosed nonportable toilet into which human wastes not carried by water are deposited to a subsurface storage chamber that may or may not be watertight.

(d) “Septage” means the scum, liquid, sludge or other waste in a septic tank, soil absorption field, holding tank, grease interceptor, privy, or other component of a private on-site wastewater treatment system.

(e) “Septic tank” means any watertight enclosure used for storage and anaerobic decomposition of human excrement or domestic or industrial wastewater.

(f) “Servicing” means removing septage from a septic tank, soil absorption field, holding tank, grease interceptor, privy, or other component of a private on-site wastewater treatment system and disposing of the septage.

(g) “Soil absorption field” means an area or cavity in the ground which receives the liquid discharge of a septic tank or similar component of a private on-site wastewater treatment system.

(2m) POWERS OF THE DEPARTMENT. The department has general supervision and control of servicing septic tanks, soil absorption fields, holding tanks, grease interceptors, privies, and other components of private on-site wastewater treatment systems.

(3) LICENSE; CERTIFICATION. (a) *License; application.* Every person before engaging in servicing in this state shall submit an application for a license on forms prepared by the department. Except as provided in ss. 299.07 and 299.08, if the department, after investigation, is satisfied that the applicant has the qualifications, experience, understanding of proper servicing practices, as demonstrated by the successful completion of an examination



Industry Services Division  
 1400 E Washington Ave  
 P.O. Box 7162  
 Madison, WI 53707-7162

County \_\_\_\_\_  
 Sanitary Permit Number (to be filled in by Co.) \_\_\_\_\_

## Sanitary Permit Application

In accordance with SPS 383.21(2), Wis. Adm. Code, submission of this form to the appropriate governmental unit is required prior to obtaining a sanitary permit. Note: Application forms for state-owned POWTS are submitted to the Department of Safety and Professional Services. Personal information you provide may be used for secondary purposes in accordance with the Privacy Law, s. 15.04(1)(m), Stats.

State Transaction Number \_\_\_\_\_  
 Project Address (if different than mailing address) \_\_\_\_\_

### I. Application Information – Please Print All Information

Property Owner's Name \_\_\_\_\_ Parcel # \_\_\_\_\_

Property Owner's Mailing Address \_\_\_\_\_ Property Location \_\_\_\_\_

City, State \_\_\_\_\_ Zip Code \_\_\_\_\_ Phone Number \_\_\_\_\_  
 Govt. Lot \_\_\_\_\_  
 \_\_\_\_\_ ¼, \_\_\_\_\_ ¼, Section \_\_\_\_\_  
 (circle one)  
 T \_\_\_\_\_ N; R \_\_\_\_\_ E or W

**II. Type of Building (check all that apply)**  
 1 or 2 Family Dwelling – Number of Bedrooms \_\_\_\_\_  
 Public/Commercial – Describe Use \_\_\_\_\_  
 State Owned – Describe Use \_\_\_\_\_

Lot # \_\_\_\_\_  
 Block # \_\_\_\_\_  
 CSM Number \_\_\_\_\_  
 Subdivision Name \_\_\_\_\_

City of \_\_\_\_\_  
 Village of \_\_\_\_\_  
 Town of \_\_\_\_\_

### III. Type of Permit: (Check only one box on line A. Complete line B if applicable)

A.  New System     Replacement System     Treatment/Holding Tank Replacement Only     Other Modification to Existing System (explain) \_\_\_\_\_

B.  Permit Renewal Before Expiration     Permit Revision     Change of Plumber     Permit Transfer to New Owner  
 List Previous Permit Number and Date Issued \_\_\_\_\_

### IV. Type of POWTS System/Component/Device: (Check all that apply)

Non-Pressurized In-Ground     Pressurized In-Ground     At-Grade     Mound ≥ 24 in. of suitable soil     Mound < 24 in. of suitable soil  
 Holding Tank     Other Dispersal Component (explain) \_\_\_\_\_     Pretreatment Device (explain) \_\_\_\_\_

### V. Dispersal/Treatment Area Information:

Design Flow (gpd)	Design Soil Application Rate(gpdsf)	Dispersal Area Required (sf)	Dispersal Area Proposed (sf)	System Elevation
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### VI. Tank Info

	Capacity in Gallons		Total Gallons	# of Units	Manufacturer	Prefab Concrete	Site Constructed	Steel	Fiber Glass	Plastic
	New Tanks	Existing Tanks								
Septic or Holding Tank										
Dosing Chamber										

### VII. Responsibility Statement- I, the undersigned, assume responsibility for installation of the POWTS shown on the attached plans.

Plumber's Name (Print) \_\_\_\_\_ Plumber's Signature \_\_\_\_\_ MP/MPRS Number \_\_\_\_\_ Business Phone Number \_\_\_\_\_

Plumber's Address (Street, City, State, Zip Code) \_\_\_\_\_

### VIII. County/Department Use Only

Approved     Disapproved     Owner Given Reason for Denial    Permit Fee \$ \_\_\_\_\_    Date Issued \_\_\_\_\_    Issuing Agent Signature \_\_\_\_\_

### IX. Conditions of Approval/Reasons for Disapproval

Attach to complete plans for the system and submit to the County only on paper not less than 8 1/2 x 11 inches in size





**LICENSED CERTIFIED SOIL TESTERS ACTIVE**  
**IN WALWORTH COUNTY**

Walworth County Department of Sanitation in no way sanctions or promotes any individual contractors on this list. This list is for informational purposes only.

Land Use and Resource  
Management Department

Associates Soil Testing Petrasek, Lance	W4644 Pine Creek Dr Elkhorn, WI 53121	262-495-7004 associatesepticservices.com
Billingsley Engineering LLC <a href="mailto:Eric@billingsleyeng.com">Eric@billingsleyeng.com</a>	4600 172 <sup>nd</sup> Avenue Bristol, WI 53104	262-914-3985 www.billingsleyeng.com
Butler Engineering Butler, Harry	W230 S3857 Milky Way Rd Waukesha, WI 53189	262-650-2000 hgbutler@sbcglobal.net
D Duwe Professional Ser. Duwe, Dave	30 S Church Street Elkhorn, WI 53121	262-728-8063 fishdelavan@gmail.com
Fanning Excavating Steinke, William	2930 N Townhall Rd Janesville, WI 53546	608-754-6100 <a href="mailto:fanningoffice@gmail.com">fanningoffice@gmail.com</a>
Herr Construction	S15 W33670 Wolf Road Oconomowoc, WI 53066	262-968-2550 todd@herrcorp.com
J & H Soil Testing & Septic Systems Johnson, Christopher	W1014 Honey Creek Rd Burlington, WI 53105	262-642-3701 jhsoil@yahoo.com
Johnson, Chris J. CJ's Soil Testing & Septic Systems, Inc.	2733 Maple Road Burlington, WI 53105	262-534-2008
Kerkman Brothers Constr. Kretschmer, Ken	P.O. Box 923 New Munster, WI 53152	262-537-4448

100 West Walworth Street  
Room 222  
Elkhorn, WI 53121  
Planning/Zoning/Sanitation

Conservation Divisions  
262.741.4972 tel  
262.741.4973 fax

(continued....LICENSED CERTIFIED SOIL TESTERS ACTIVE IN WALWORTH COUNTY)

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Lauer Excavating Lauer, Jerry	1408 Cherrywood Drive Waukesha, WI 53188	262-548-6172
Masters Construction Masters, James	W3622 Lower Hebron Rd Fort Atkinson, WI 53538	920-568-0524 mastersconstruction@hotmail.com
Mendota Consulting LLC <a href="mailto:eric@mendota-consulting.com">eric@mendota-consulting.com</a>	7N Pickney Street, #300A Madison, WI 53703	608-618-3742 (O) 414-405-2648 (C)
Nehls, & Sons, Exc. Nehls, Tim	5651 N CTY Road F Janesville, WI 53545	262-752-6655
POWTS Pros Baker, Jim	P.O. Box 1776 Janesville, WI 53547	608-751-2884 powtspros@gmail.com
Rostkowski, Stephen	P.O. Box 782 East Troy, WI 53120	262-642-3373 roscoessoiltesting@wi.rr.com
Rozga Plumbing & Heating Stair, Todd	1529 S 113 <sup>th</sup> Street West Allis, WI 53214	414-258-9911 <a href="mailto:tstair@rozgacorp.com">tstair@rozgacorp.com</a>

Updated 09/22/2020

This information is provided as a public service and constitutes no endorsement by the Walworth County Land Use and Resource Management Department of any service listed. This listing represents service providers who have requested to be part of this listing. While an effort has been made to provide a complete and accurate listing of service providers, omissions or other errors may occur and, therefore, other available sources of information should be consulted. This list is updated on a regular basis.



W I S C O N S I N

Land Use and Resource  
Management Department

## LICENSED SEWAGE SYSTEM INSTALLERS ACTIVE IN WALWORTH COUNTY

Walworth County Department of Sanitation in no way sanctions or promotes any individual contractors on this list. This list is for informational purposes only.

Augies Excavating Baumeister, Dave A.	811 Krift Avenue Burlington, WI 53105	262-763-2792 augies2792@sbcglobal.net
Billingsley Engineering LLC <a href="mailto:Eric@billingsleyeng.com">Eric@billingsleyeng.com</a>	4600 172 <sup>nd</sup> Avenue Bristol, WI 53104	262-914-3985 www.billingsleyeng.com
Boss Enterprises Boss, Daniel	P.O. Box 325 Delavan, WI 53115	262-728-2888
Bulter Engineering Bulter, Harry	W230 S3857 Milky Way Rd. Waukesha, WI 53189	262-650-2000 hgbutler@sbcglobal.net
CJ's Soil Test & Septic System, Inc. Johnson, Chris J.	2733 Maple Road Burlington, WI 53105	262-534-2008
Down To Earth Contractors	N1971 Hwy H Lake Geneva, WI 53147	262-248-2725 joe@downtoearthcontractors.com
Fanning Excavating Steinke, William	2930 N Townhall Rd Janesville, WI 53546	608-754-6100 fanningoffice@gmail.com
Flitcroft Septic Systems LLC Flitcroft, Joseph	P.O. Box 555 Elkhorn, WI 53121	262-723-3857
Haban Septic & Exc. LLC Haban, Tom	N5302 County Road P Delavan, WI 53115	262-728-5054
Herr Construction	S15 W33670, Wolf Road Oconomowoc, WI 53066	262-968-2550 todd@herrcorp.com
J & H Soil Testing & Septic Systems Johnson, Christopher	W1014 Honey Creek Rd Burlington, WI 53105	262-642-3701 jhsoil@yahoo.com
Kerkman Brothers Constr. Kretschmer, Ken	P.O. Box 923 New Munster, WI 53152	262-537-4448
Kienbaum Excavating Kienbaum, John	W269N1993 Knollwood Rd. Pewaukee, WI 53072	262-893-3949 septic@wi.rr.com
Lauer Backhoe Service Lauer, Doug	W239 S3875 Big Bend Waukesha, WI 53186	262-542-4465

100 West Walworth Street  
P.O. Box 1001  
Room 222  
Elkhorn, WI 53121

Planning/Zoning/Sanitation

Conservation Divisions  
262.741.4972 tel  
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(continued.....LICENSED SEWAGE SYSTEM INSTALLERS ACTIVE IN WALWORTH COUNTY)

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Lauer Excavating Lauer, Jerry	1408 Cherrywood Dr. Waukesha, WI 53188	262-548-6172
Lindner, Sam	4235 South Racine Ave New Berlin, WI 53146	262-547-2245 samrlindner@aol.com
Maas & Sons	2807 Beck Drive Waterford, WI 53185	262-534-2170
Masters Construction Masters, James	W3622 Lower Hebron Rd. Fort Atkinson, WI 53538	920-568-0524 mastersconstruction@hotmail.com
Mechanical Masters, Inc. Shenkenberg, William	312 S. Beaumont Ave. Kansasville, WI 53139	262-878-0875 <a href="http://www.mechmast.com">www.mechmast.com</a> <a href="mailto:mechmast@gmail.com">mechmast@gmail.com</a>
Nehls, Excavating Nehls, Mike	3036 N. Rollingwood Drive Janesville, WI 53545	608-754-6679
Pett Construction Pett, Wayne W.	508 Kettle Moraine Drive Eagle, WI 53119	262-594-2166
Prusener, Norman	W7920 Reliance Road Whitewater, WI 53190	262-473-2314
Septech Kmiecik, Jason	W2459 Cty Road D Elkhorn, WI 53121	262-737-8324 jason@septech.us
Southern Lakes Plumbing & Heating Plucinski, Scott R.	N5860 Hwy 12 Elkhorn, WI 53121	262-723-6422 kate@splandh.com
Williams Enterprises, Inc. Williams, Charles	5703 Bailey Road Delavan, WI 53115	262-728-2425

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