**Moose Lake Windemere Area Sanitary Sewer District**

**Approved Regular Meeting Minutes**

**July 20, 2022 @ MLWSSD Office**

1. Vice Chairman Strandlie called the meeting to order at 5:30 p.m. Those members in attendance included: Vice Chairman Clair Strandlie, Bruce Lourey, Henry Gretsfeld and Treasurer Eric Nielsen. Also in attendance were: Executive Director Darla Hall, Superintendent Keith Newman and Jacob Steen, Larkin Hoffman. Chairman Kuster joined the meeting shortly after starting. Dan Hinzmann, SEH Engineering joined in on conference call during the discussion of Sand Lake Resort.

2. Approval of Agenda: Board added Jacob Steen and Dan Hinzmann to the agenda as guests. Motion was then made by Gretsfeld second by Lourey to approve the agenda as amended. Motion carried 4/0.

3. Guests: See discussion under Executive Director’s Report

4. Approval of the Minutes:

a. Regular Meeting Minutes June 22, 2022: Lourey asked for clarification on the adjustment the District is asking for with the City of Moose Lake to make on the frozen water line issue. Hall commented the amount is the credit the City is giving to those individuals that run water in those areas on their water bill. That amount should then be taken off the flow at the flume meter each month it is in effect. Motion by Lourey second by Strandlie to approve the minutes as written. Motion carried 4/0.

b. Special Meeting Minutes June 27, 2022: Lourey discussed the issue of 49 units being at the resort and removal of buildings. He wanted to make sure it was clear that any buildings remaining on the property are part of the 49 units in the event all buildings are not removed. He would like to see Mark Lambert send a letter to the District indicating it is 49 units total for the parcels identified in the project. Jacob Steen made a note to have Lambert put something in writing indicating this. Chairman Kuster joined the meeting and the meeting was then turned over to him. Motion was then made by Nielsen second by Lourey to approve the minutes as written. Motion carried 5/0.

5. Executive Directors Report: Dan Hinzmann, SEH Engineer was brought in on speaker phone for the discussion on SLR.

a. Easement Agreement Sand Lake Resort: Director Hall provided the Board with a copy of the Draft Amendment to Utility Easement Specific to Sand Lake Resort with Attorney Matt Hanka’s comments and concerns noted in the document. At this time our attorney’s biggest concerns is in the public bidding law as they have no clear answer. The options to handle the situation would be either to included indemnity language requiring SLR to comply with State Statute which would require them to get two bids on the project or to have their attorney provide an opinion letter to the District to address the public bidding question and indemnify. Mark Lambert’s attorney Jacob Steen informed the District that he did not think there would be an issue in this matter but would address it with our attorney.

Hall informed the Board that she had received the amendment this afternoon and had not had a chance to review it. To keep the process moving, Matt Hanka indicated that the Board could approve the Amendment to the Utility Easement in its form subject to our attorney’s legal review and approval. Lourey commented that one item he has concern with is clarification on the 49 units. He would like something in writing that indicates the total is 49 units for the property involved whether that be the new building having 49 or a partial number with some of the cabins remaining, but the total being 49.

Another item of concern was determining if the $150,000 bond was enough for the project and if it included removal and abandonment of the existing pipe. The bid from Veit dated 6/27/2022 was $127,030 and did not include the cost of abandoning the old pipe and reconnection to new. It was noted the bond amount was to be 120% of the cost of the project. Hinzmann indicated the number may need to be a little higher. Lourey informed Steen that he would like the license agreement to include language that keeps the District in control of the sewer main and easement until such time it is disconnected and capped off. Steen will look into adding language and discuss with the District’s attorney. Kuster pointed out that language is included on page 12 of the District’s Policy and Procedure Manual discussing access to the facilities which perhaps could be used in the language. Steen will look into that language. Dan Hinzmann explained the process of abandoning the old sewer main and connection of the new building in that the work would probably be done when the contractors were building the new building. He indicated depending on the depth and location, the old main would either be removed or abandon, filled with slurry and left in the ground.

After much discussion the Board agreed to set up a subcommittee for review of the amendment to the utility easement agreement. Motion was made by Strandlie second by Nielsen to appoint Chairman Kuster, Bruce Lourey, Superintendent Keith Newman and Executive Director Darla Hall to the subcommittee. Motion carried 4/0 with Gretsfeld abstaining from the vote.

Motion was then made by Strandlie second by Nielsen to recommend approval of the Amendment to the Utility Easement Specific to Sand Lake Resort subject to review and approval by the District’s subcommittee and the District’s attorney. Motion carried 4/0 with Gretsfeld abstaining from the vote. Dan Hinzmann then left the meeting.

b. Sand Lake Resort- ERU Count: Superintendent Newman had been out to review the connections at Sand Lake Resort. He stated that Rocky Pines has 5 bedrooms and 3 baths (Lamberts count on Rocky Pines is 2 units) and Eagle’s Nest has 4 bedrooms and 2 baths, there were 4 RV connections and the office had 2 apartments in it. (Lamberts count on the office is 3 units). Keith is waiting on a call from Katie at the resort for clarification on if the laundry is done in the main office. Will bring back information to next meeting.

District moved onto Item #b Old Business so that it could be discussed while attorney Steen was present.

OLD BUSINESS

b. Unauthorized Bldg. on our easement: Chairman Kuster discussed the issue of the travel trailer (aka Acorn) at Sand Lake Resort that is parked in the District easement. This was recently discovered connected to a clean out pipe. Kuster explained the fact that it is against the ordinance to park in the easement and is also addressed in the policy and procedure manual as “unauthorized connection use or tampering”. Newman reported that the resort gets an annual permit but they are required to notify the District upon any connections, etc. which was not done in this case. Hall to send a letter explaining why we are allowing it at this time in light of the pending project however if the project does not go thru they will be required to remove. Attorney Jacob Steen then left the meeting.

c. Ordinance Language Changes and item d. Policy and Procedure Manual – work in progress. Hall to make a list of changes to provide to the Board.

6. Superintendent Report: See written report as prepared by Keith Newman. Keith met with Pine County Highway Engineer along with board members to distinguish highway right of way and general discussion regarding the frontage road. The County has marked the right of way so all parties know where it is.

Keith worked with property owner Tom Tokarczak as he is selling his property and is in need of the certificate of compliance. It was discovered during the inspection that the garage has a toilet in it and is connected to the system. In 2000 a permit was pulled to disconnect a mobile home on the property and apparently over the years sometime the garage was put in its place and connected to the sewer. The purchaser of the property has been notified they will either have to disconnect the garage or pay an additional user fee. It will also be noted on the certificate of compliance.

Permits - None Issued Certificate of Compliance – None issued.

7. Treasurers Report: Treasurer Nielsen reviewed the profit and loss and balance sheet with the District Board. The balance in checking as of June 30, 2022 was $3,522.23. Nielsen had reviewed the bank statements and reconciliation and found the books to be in order. Claims submitted for today include three EFT payments as well as check numbers 12442 thru 12455 for a total amount of $63,779.57. It was noted that the claims include the debt service payments to the City of Moose Lake which are due in August. Treasurer Nielsen then provided the Board with a mid-year review of the financial status comparing June 2021 to June 2022 and budget comparison. Motion was made by Strandlie second by Lourey to approve the Treasurers Report and payment of the claims which include 3 EFT payments and check number 12442 thru 12455 for a total amount of $63,779.57. Motion carried 5/0. Hall informed the board that check numbers #12419 in the amount of $4451.97 and #12429 in the amount of $6,476.10 were lost in the mail. Those checks were mailed in May. Both checks were to the City of Moose Lake for treatment fees. A stop payment was put on the checks at FNB and check #12456 replaces those two checks in the amount of $10,928.07.

Hall informed the Board that the City sent the June treatment fee bill to the District after the checks had been prepared for this evenings meeting so it is not included with today’s claims. Motion was made by Lourey second by Strandlie to approve payment to the City of Moose Lake for the June treatment bill. Hall to cut a check to the City of Moose Lake and get proper signatures. Motion carried 5/0.

8. Old Business

a. Flow Numbers – The average daily flows for the month of May were 116,736. Hall contacted the City of Moose Lake for any calibration information and notes that had been done since April of 2021 as this was the last information on file with the District. The City sent calibration information showing it was done April 7, 2022 but no field notes were attached. In looking at the April flows the flows went up considerably after that date and it was questioned if perhaps the calibration may have been done incorrectly again. Hall to discuss the flows and calibration information with the City of Moose Lake to determine if perhaps there needs to be an adjustment. In light of this discussion it was decided to hold off on payment of the June 2022 treatment fee’s as well as the overage charges for May and June until Hall can discuss with the City of Moose Lake further. Hall also noted that she spoke with the City Administrator regarding the request for capacity from Mark Lambert for Sand Lake Resort and explained that the request should have actually come from the District and not our customer. Hall to send a letter to Mark Lambert, Sand Lake Resort, indicating the proper process and copy the City of Moose Lake on the letter.

b. City of Moose Lake Amendment to Contract: Superintendent Newman had identified the District homes located between LS #1 and the flume meter. The customer list has been sent to the City of Moose Lake and the City Administrator will be working on it with Phil Entner to address some of the contract changes as discussed earlier this year.

Before moving onto New Business, the subcommittee discussed the abandoning of the old sewer main at the SLR property. Subcommittee wants the agreement to state the old pipe should be removed from the ground and not filled. With the lake being so close it could be a conduit for pollution. Hall to inform the attorneys of this decision.

9. New Business:

a. Official Newspaper: Chairman Kuster reviewed the By Laws of the District and they identify the official paper as the Arrowhead Leader. Bylaws should state as determined by the Board each year. Hall will look into the By Laws and see if any other changes should be made as well.

10. Adjourn: Motion was made by Nielsen second by Strandlie to adjourn the meeting, the motion carried 5/0 and the meeting adjourned at 7:30 p.m.

Minutes by Darla Hall, Executive Director