**Moose Lake Windemere Area Sanitary Sewer District**

**Approved Regular Meeting Minutes**

**November 16, 2022**

**@ MLWSSD Office**

1. Chairman Kuster called the meeting to order at 5:32 p.m. Those members in attendance included: Chairman Kuster, Clair Strandlie, Henry Gretsfeld and Bruce Lourey. Also in attendance were Executive Director Darla Hall and Superintendent Keith Newman. Treasurer Eric Nielsen was absent from the meeting.

2. Approval of Agenda: Motion by Strandlie second by Lourey to approve the agenda as written. Motion carried 4/0.

3. Guests: - None scheduled.

4. Approval of the Minutes:

a. Regular Meeting Minutes October 19, 2022: Motion was made by Lourey second by Strandlie to approve the October 19, 2022 Regular Meeting Minutes of the MLWSSD as written. Motion carried 4/0.

5. Executive Directors Report:

a. Attorney General’s Office- Mike Kosloski: Director Hall received an email from the Attorney General’s Office regarding a complaint filed by Mike Kosloski regarding the increase in his bill from one ERU to three. Kosloski is claiming his bill increased by 200% without an explanation and that he only has three toilets in three buildings. Hall responded to the complaint indicating that the cabins were disconnected on this property years back and that someone reconnected two of the cabins without notification to the District and the cabins are being offered for rentals. Hall also informed them Mr. Kosloski was notified by the Superintendent as well as a board member that the additional units would be charged user fees. Hall has not received any more correspondence since her reply.

b. Delinquent Accounts – Final: Director Hall stated that the final certified amount to Pine County for collection on 2023 taxes for delinquent accounts is $4,390.92. Carlton County final certification amount is $7,914.52 which includes Pine Tree Park (Coffee Lake Park). Hall indicated that she had reviewed the file and found a permit in 2018 to disconnect 5 of the units at Pine Tree Park. This parcel is still being billed for the additional 6 units as they have not contacted the District regarding disconnect of the units. Superintendent Newman has tried to contact the Tyson’s regarding the property but they have not returned the calls or texts. Since the District has not received any notification from Pine Tree Park, the Board directed Hall to certify the amount to the County.

c. City of Moose Lake Outstanding Overage Charges: The City of Moose Lake had the calibration of the flow meter done October 25th. Chairman Kuster and Lourey attended on behalf of the District. City Administrator Ellissa Owens and Phil Enter were also present. Brad White did the calibration. Kuster noted that there is a readout device on the unit but the unit was not working at the time possibly due to batteries. Kuster explained how the calibration was done and explained there is a chart which converts gpm to measurement which he would like to get a copy of to review. It was noted that the flow meter is a Siemens Hydro ranger 200 6 relay model. Kuster, Lourey and Hall are set to meet with the City of Moose Lake again on Monday November 28th to review the data and hopefully come to a resolution. Kuster and Lourey felt better about the calibration but would like to see the charts and do some manual calculations. They questioned if perhaps our LS#1 needs to be looked into further or calibrated manually to check against the flows as well.

d. Update on Sand Lake Resort: Director Hall reported the attorney for Sand Lake Resort has submitted the Amended Easement Agreement to the county for recording and the District should be receiving the recorded document soon. Hall reported that SLR has paid the invoices for staff time and attorney time as far as what has been billed to them by the District. District has not received an invoice from Bolton & Menk on the project to date. No further information on SLR.

e. Ordinance/Policy Procedure Manual/By-Laws: Hall discussed Resolution #106 which was put in place by the District in 2014 which clearly states detached structures on a same parcel that include plumbing and construed as a dwelling unit shall be required to pay a connection fee. Hall reported that the Policy and Procedure Manual and the Ordinance can be amended by Resolution and then later incorporated into those documents. Hall stated that she was under the impression from past practice years ago that a connection fee did not apply if a special assessment had already been paid on the property. In finding this Resolution #106, Hall reviewed the permit files going back to 2014 to ensure no properties had been missed that added a new structure. A recent permit was given to Ken Gerard for a garage with studio apartment in which staff had indicated that a fee would not apply. Hall reported she discussed with the District’s attorney Mia Thibadeau and that a letter should be sent to Gerard indicating the Resolution in effect and the fee collected. Mia suggested that perhaps the District should give the owner the option of paying over time. Board discussed the Resolution and asked that Hall work with the attorney on sending a letter to the homeowner indicating the fee is due in 90 days.

Hall reported that the District has received a few requests for second connections for garages with bathrooms. In light of the new trends with vacation rentals, etc. Hall suggested the District may want to replace Resolution #106 with a new resolution in the future that indicates any building with running water would be required to pay a connection fee and user fee. Hall stated that she discussed this with Attorney Mia Thibadeau and she indicated that Duluth North Shore uses this practice as it eliminates any question of whether the unit turns into living space or not. After discussion the Board agreed with this action and asked that Director Hall work with the attorney on drafting a new resolution to replace Resolution #106 stating that any structure with running water would require a second connection fee. Hall noted that Mia suggested once the new resolution is adopted that it get incorporated into the Ordinance and Policy and Procedure Manual along with any other changes the District is looking at.

6. Superintendents Report: See written report as provided by Superintendent Keith Newman. Keith had several discussions with ABCO plumbing concerning the televising at Chris Gassert property. There was blockage and damage to lateral. Work was completed and a certificate of compliance issued.

Keith had discussions with Sharon Fitzgerald regarding her cabin located on Pine Grove Lane. This was a property purchased without the certificate of compliance issued. Keith confirmed that the water has been disconnected from the neighboring properties well. Fitzgerald will be disconnecting and reconnecting their future building along with installing a new pipe and televising will be done at that time. Keith will issue the permit once she gets a contractor.

Superintendent checked in on Pine Tree Mobile Park near Coffee Lake. He tried to contact Earl Tyson to inquire how many homes are still connected and did not get a response. Keith visited the park and it seems that all the mobile homes have been vacant but there may be someone living in the house but have not verified at this time. Permit was issued in 2018 for removal of five of the units which were removed from the billing system at that time. Currently the property is being billed for the additional 6.

A property has sold at 4841 Oak Drive without completion of the Certificate of Compliance. Closing is set for mid December and Keith is working with the Realty Group on getting the inspection and compliance certificate completed.

**Permit**

#2022-005 – Dale Sandberg on behalf of Chris Gassert (33.5290.000) 4846 West County Line Road for repair to lateral line

**Certificate of Compliance**

#2022-010 Chris Gassert (33.5290.000) 4846 West County Line Road for point of sale

7. Treasurers Report: Director Hall gave the Treasurers Report in the absence of Treasurer Nielsen. Hall noted that Nielsen had reviewed the bank reconciliation, bank statements and financials for the month of October and found the books to be in order. Board reviewed the profit and loss and balance sheet. Balance in checking on October 31, 2022 was $12,363.54. Claims submitted today for payment include two EFT payments for payroll tax as well as check numbers 12509 thru 12523 for a total amount of $13,411.63. Hall noted that the City of Moose Lake check does not include the overages as they will be discussed at the upcoming meeting with the City. Hall also noted that today’s claims include a check to Hall for reimbursement of the antivirus program. Treasurer Nielsen will discuss the CD’s at the December meeting. There is one CD coming due the end of December as well as two in February. Motion was made by Strandlie second by Gretsfeld to approve the Treasurers Report as well as payment of the claims to include two EFT payments and check numbers 12509 thru 12523 for a total amount of $13,411.63. Motion carried 4/0.

8. Old Business

 a. Flow Numbers – Average daily flows for the month of October were 61,892. It was noted that Kenwood Lift Station had some high numbers during the month and very low numbers. Superintendent Newman reported that the high numbers the beginning of the month were due to a pump issue with plastic stuck in pump which caused the numbers to read high. Quality Flow was out to review, removed the plastic and adjusted the transducer. Keith does have a call into quality flow to see if something else may need to be adjusted. Keith also reported that one of the home foundations were fixed in that area and since that has been done the flows have been way down. Hall noted that she sent an email to the City along with the October Kenwood flows indicating she wanted to discuss with the City but did not hear back. Hall did state she compared October 2021 Kenwood flows at 119,000 gallons and October 2022 at 125,100. Committee will discuss the issue with the City of Moose Lake at the meeting on November 28th.

9. New Business: None

10. Adjourn: Motion was made by Gretsfeld second by Lourey to adjourn the meeting, motion carried 4/0 and the meeting adjourned at 7:43 p.m.

Minutes by Darla Hall, Executive Director