**Moose Lake Windemere Area Sanitary Sewer District**

**Approved Regular Meeting Minutes**

**December 20, 2023**

**@ MLWSSD Office**

1**.**  The regular meeting of the Moose Lake Windemere Sanitary Sewer District was called to order at 5:35 p.m. by Chairman Kuster. Members present included: Chairman Kuster, Vice Chairman Clair Strandlie, Treasurer Eric Nielsen and Bruce Lourey. Also in attendance were Executive Director Darla Hall, Superintendent Keith Newman, Mark Lambert, Sand Lake Resort and Erin Lambert, Attorney for Sand Lake Resort. Member Henry Gretsfeld was absent from the meeting.

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

3. Guests: Mark Lambert, Sand Lake Resort – Capacity Request: Mark Lambert, Sand Lake Resort was present to discuss his capacity request. District stated they submitted a formal request to the City of Moose Lake for capacity for the Sand Lake Resort project and also for the District. The City scheduled a joint meeting with the District for the beginning of November, but the meeting was never held. Hall stated that she received an email from the City of Moose Lake discussing a possible joint meeting for January 30th, but the City is looking to resolve the other concerns the District and City are having before scheduling that joint meeting. The Districts other concerns are related to excessive flows in Southtown area and a frozen water line policy that the City has in place. These both contribute excess flows on behalf of the City into the District’s wastewater with no adjustment to accommodate for those excess flows.

Kuster stated that he did meet with the City Administrator earlier in December to discuss the issue about possibly moving the flume meter to the manhole on Newberry Ave in Southtown. This would separate the District customers from the City of Moose Lake’s customers. The City is considering this option. Kuster went on to state that he has another option he would like to propose to the City of Moose Lake regarding an exchange of 18 customers and infrastructure on the north end of the District’s system. If the proposal would be acceptable to the City and is legal, this would give the District 18 equivalent residential units (ERU’s) which fifteen of those could possibly be allotted to the Sand Lake Resort. In exchange, the City would agree to install a flow meter at the Newberry manhole to separate the District customers from the City customers. If this were acceptable and a legal option, the District would then look at rescinding their request for 10,000 gpd of additional capacity from the City of Moose Lake. If the District went to a mechanical system in the future this would also help in separating from the City of Moose Lake. Other benefits for both parties were discussed.

Mark Lambert discussed the need for confirmation on his capacity request so he can move forward with the project. The District stated they are working towards a goal of resolving the issue and that a formal request was sent to the City of Moose Lake requesting capacity. The District has not received a response to that request. After much discussion it was decided that Chairman Kuster and Treasurer Nielsen would set up a meeting the first or second week of January to discuss the proposal of the customer exchange and flow meter install with the City Administrator.

Dennis Genereau, Windemere Zoning Administrator – Campers/Holding Tanks Ordinance Language Discussion - Director Hall informed the Board that Dennis Genereau had asked to be put on the agenda to discuss a conflict between the District Ordinance and Windemere Townships/Pine County’s Ordinance. Dennis did not attend this evening’s meeting. Superintendent Newman stated he had information included in his report regarding the matter. Mark Lambert and Erin Lambert left the meeting.

4. Approval of the Minutes:

A. Regular Meeting Minutes November 15, 2023: Motion made by Nielsen second by Lourey to approve the Regular Meeting Minutes of November 15, 2023, as written. Motion carried 4/0.

5. Executive Directors Report:

A. Set Organizational Meeting for January 2024: Motion made by Nielsen second by Strandlie to set the Organizational Meeting of the MLWSSD for January 17, 2024, at 5:00 p.m. with the regular meeting immediately following. Motion carried 4/0. Hall to post and publish notices.

Board directed Hall to follow up on the recommendations from Minnesota Rural Water and scheduled Septic Check or Advanced Utilities Solutions (Eric Applewick) to attend the January or February meeting to provide information on a mechanical treatment system so the District can get more information. Hall will also discuss with District’s engineer Kelly Yahnke to get more information.

B. City of Moose Lake – Joint Meeting Schedule: Hall received an email from City Administrator Owens with a suggested date of January 30, 2024, for a joint meeting with the City of Moose Lake. Hall informed the Board the email stated the meeting was not scheduled in November as the City wanted the issues resolved between the two parties before the joint meeting. District board members are available to meet any time after 4:30 p.m. on that date but would prefer a meeting sooner in the month if possible.

6. Superintendents Report: See written report as provided by Superintendent Keith Newman. Keith reported an issue in Windemere Township with the property owned by Leray Horton. The property is within 400 feet of the sewer main. The owner paid the sewer connection fee and permit fee several years ago with the intent of building a bath house on the property as it has several RVs on the property. Horton was to obtain easements from the neighboring properties and get approval from Windemere Township for building the structure prior to connection to the sewer line. Keith discovered that a holding tank was installed rather than connecting to the sewer line. Keith contacted Windemere Zoning Administrator, Dennis Genereau and explained the situation. Genereau stated that the township created a new ordinance that requires rv’s to be connected to a sewer or holding tank. Keith explained that the District does not allow rv’s to connect to the system unless it is a license campground, otherwise, they need to use a pump service. Genereau said that Pine County has assumed the responsibility for zoning or part of it. Keith called Caleb Anderson at Pine County Zoning and discussed as well. Keith informed him to not allow any further holding tanks in our jurisdiction and that the District would be following up on this connection. Board directed Hall to send a letter to Windemere Township Zoning and Pine County indicating that the holding tank will need to be removed and to not allow any further holding tanks to be installed in our jurisdiction.

Keith had Mikes Sewer out to clear a plugged manhole. A customer called regarding his sewer making noises. The home is at the end of the line with not much elevation between the house and the sewer main, so things move slowly. In checking the manhole located near the home they found the manhole to be plugged. Mikes sewer was able to clean the manhole and flushed the line to ensure there was no stoppage along the way to the next pumping station.

Keith completed a disconnection inspection at Pine Tree Mobile Court (Coffee Lake Park) and all mobile homes are disconnected. Only the main residence remains connected. Progress is slow on clean-up of the old mobile homes due to MPCA issues.

A. Easement Clearing: Superintendent Newman stated that the easement clearing has been completed by Lund Land Management. Keith noted they did a wonderful job. A berm will need to be reshaped and filled as necessary in the Oak Ridge Development area where the main is covered by the berm. Keith will plan to reshape next summer. Areas cleared were a wooded area between South and North Riverside Drive, a lengthy portion from Oak Drive south across Sand Lake Road as far as manhole number 9, a wooded strip on the west side of Oak Ridge development and the north side of the Mueller residence to clear brush from the area around manhole.

B. Estimate – Televising Southtown Area: Superintendent Newman contacted Todd Stelmacher, Visu Sewer and he is working on an estimate for televising the Southtown and Kasper area. Drawings have been forwarded to him for his calculations.

Permits Issued:

#2023-006 – Gobel Aggregate – Robert Moffett III (63.240.0030) 4893 Birchview Drive

Certificate of Compliance:

#2023-009 Robert Moffett III (63.240.0030) 4893 Birchview Drive – point of sale.

#2023-010 Michael Guebert (33.5194.000) 94931 West Sunny Beach – point of sale.

7. Treasurers Report: Treasurer Nielsen reviewed the profit and loss and balance sheet with the District for the month ended November 30, 2023. Nielsen had reviewed the bank statements and reconciliations and found the books to be in order. Balance in checking as of November 30, 2023, was $6.657.88. Claims submitted today include three EFT payments and check numbers 12729 thru 12748 for a total amount of $28,061.82. Hall stated that the treatment fee payment to the City of Moose Lake #12735 in the amount of $10,755.18 is for October and November and includes overage charges. The District had sent a letter to the City indicating they would not pay overage fees until the City addresses the frozen water line policy and the calculation of flows in the Southtown. Hall received an email from City Administrator Owens indicating if the District chooses to not pay the overage charges, it would be a breach of contract and that the City would start legal proceedings. Board discussed and decided to stay with their decision of not paying overage charges until it is resolved. A new check was issued #12749 to the City of Moose Lake in the amount of $9,305.53. Motion was then made by Lourey second by Strandlie to approve the payment of the three EFT payments as well as check numbers 12729 thru 12734 and check numbers 12736 thru 12749 for a total amount of $26,612.17. Check number 12735 was voided. Motion carried 4/0.

8. Old Business:

A. Flow Numbers – October Average daily flow 65,190 gpd, November Average daily flow 62,421 gpd. Hall noted she submitted the manual calculated readings of the flows at Kenwood North to the City of Moose Lake for billing calculations indicating that the District was taking daily manual pump readings as well as readings from the controller and calculating based on hour run times. Joe Janson, MN Rural Water had done a manual flow calculation at the pumps and calculated the flow at 78 gpm which was used. The City of Moose Lake used the estimated flow numbers of 240 gpd per home instead. City Administrator Owens indicated that until the entire issue is resolved at Kenwood North the estimated flows would continue to be used.

District directed Hall to send a letter to the City of Moose Lake notifying them that the issues at Kenwood North are resolved. In accordance with the advice of the City’s Public Works Superintendent Phil Entner those manual readings are an MPCA approved method of calculation. Minnesota Rural Water has done the manual flow calculation at the station as was recommended by the City. The City is concerned with having accurate flows and not estimated and the method being used is accurate. District agreed to pay these estimated flows for October and November but moving forward they consider the issue at Kenwood North resolved.

B. Proposed Changes Ordinance/PPM/By Laws – Update: Director Hall apologized for the delay in the proposed changes but indicated some of the changes that need to be included will result from the Significant User Agreement the City is preparing. Hall will continue to work on the project and get to Treasurer Nielsen for review.

9. New Business: None

10. Adjourn: Motion was made by Nielsen second by Lourey to adjourn the meeting. Motion carried 4/0 and the meeting adjourned at 7:40 p.m.

Minutes by Darla Hall, Executive Director