**Moose Lake Windemere Area Sanitary Sewer District**

**Approved Regular Meeting Minutes**

**February 15, 2023**

**@ MLWSSD Office**

1**.**  The regular meeting of the Moose Lake Windemere Sanitary Sewer District was called to order at 5:30 p.m. by Chairman Kuster. Members present included: Chairman Kuster, Vice Chairman Strandlie, Treasurer Eric Nielsen, Bruce Lourey and Henry Gretsfeld. Also in attendance were Executive Director Darla Hall and Superintendent Keith Newman.

2. Approval of Agenda: Chairman Kuster asked to include an item under new business called Succession Planning. Motion was then made by Strandlie second by Gretsfeld to approve the agenda as amended. Motion carried 5/0.

3. Guests: None scheduled.

4. Approval of the Minutes:

 A. Organizational Meeting Minutes January 18, 2023: Motion was made by Strandlie second by Nielsen to approve the January 18, 2023, Organizational Meeting Minutes of the MLWSSD as written. Motion carried 5/0.

B. Regular Meeting Minutes January 18, 2023: Motion was made by Gretsfeld second by Strandlie to approve the January 18, 2023, Regular Meeting Minutes of the MLWSSD as written. Motion carried 5/0.

5. Executive Directors Report:

A. Resolution Connection Fee #111-23: Director Hall received a response from Attorney Matt Hanka concerning the reduction in the connection fee for Ken Gerard as discussed at the last meeting. The Attorney’s response is that the law provides that the District has responsibility to treat its users “equitably” and they have concerns that making special exceptions to the full payment of a required connection fee would be inequitable to the other District users who pay fees, so they are recommending no deduction be made. It was commented that historically Gerard’s situation was treated like everyone else in the past and the resolution passed in 2014 was missed and he was provided with incorrect information. After much discussion Nielsen and Strandlie rescinded the previous motion of reducing the fee by 50% contingent upon a favorable approval by the Attorney. After reviewing legal counsel’s input, Nielsen motioned to reduce Ken Gerard’s connection fee by $2,095 as a one-time exception to Resolution #106 based on three MLWSSD staff members providing inaccurate information on the second connection fee to property owner. Strandlie seconded the motion. Motion carried 3/0 with Gretsfeld and Lourey abstaining from the vote.

Director Hall received an email from Attorney Matt Hanka regarding the resolution language and the changes the District had discussed imposing. Hanka responded that he feels the original language as written by the attorney is less ambiguous and less open to different interpretations. Hall informed Hanka the reason behind the language changes were mainly to eliminate the definition of what a dwelling unit is. Board did not agree with the language as prepared by the attorney as the Board felt it is hard to identify what a dwelling unit is. Lourey commented that the language regarding multi dwelling unit should state “each unit of a “multi dwelling unit. Hall to add that language to the draft. Board’s consensus is that the language as prepared by the District provides simplicity and it was noted the language only addresses connection fees and not user fees. Hall did send an email to the attorney but had not received a response regarding the District’s position on removing the dwelling unit language. Board tabled the resolution until a response is received from the attorney.

B. Lift Station Relocation Project – Dean Paulson Information: Director Hall provided the District with the history of the relocation of a personal lift station at the Paulson property that was completed back in 1999. At the homeowners' request, the lift station was removed from their front yard and an ejector pump installed in the basement. A formal agreement was drafted by the attorney with the homeowners assuming full ownership, control, liability and responsibility for maintenance, repair and replacement of said pump. No action was taken regarding this information but provided as information for the Board.

C. Update on Computer/Internet/Phone Line: Director Hall informed the Board that 218 Tek picked up the office computer today and will begin setting up the new laptop and transferring information, emails, etc. She is hoping to have the computer all set up by the end of the coming week. The District phone line has been transferred as a second line to Hall’s personal cell phone. District number will now dial her cell phone. The cost per month for the service is approximately $35 per month with a set-up fee of $35. This will allow the phone number to remain with the District and can be transferred again in the future and Hall will submit for reimbursement monthly. The Microsoft program for the laptop will be set up with automatic monthly billing to Hall’s credit card and will be submitted monthly for reimbursement. The new email address for the District will now be office@mlwssd.org. Hall is still working with the IT person on the internet options for the office. At this time, they are looking at transferring with Mediacom pending pricing. There is an invoice on today's claims for 218 Tek that is for the equipment purchased. Installation and set-up and transferring of data will be invoiced after the work is completed. Computer and docking station total cost was $1,632.05.

D. Directors Performance Review: Chairman Kuster prepared a Performance Review for Hall which was reviewed by all board members. Motion was made by Nielsen second by Strandlie to provide Hall with a 5.7% pay increase based on her base rate (monthly salary minus insurance). Motion carried 5/0. Kuster informed Hall that the amount would be retroactive to January 1, 2023. Hall thanked the Board for the favorable review.

6. Superintendents Report: See written report as provided by Superintendent Keith Newman. Keith worked with property owner Russ Wagner (33.5798.00). Wagner has a unique situation having the lateral pipe into his property before construction. The current lateral pipe is in like new condition. Any additional pipe during construction will need to be PSI tested along with a revised Plumbers Report to include items that cannot be inspected at this time, sump pump etc. The Certificate of Compliance could also be revoked if any damage occurs to the current pipe during construction.

Keith had a discussion with Ryan Clark (33.5314.000) on Chestnut Circle. He is planning on building it during the 2023 season. It is apparent his contractor will need to cut into the blacktop roadway so Clark will need to obtain written permission from Windemere Township and forward a copy along with the other requirements before a permit can be issued.

A. Quotes on Purchasing/renting Portable Generator- Item removed as District feels the winter storm in December was a one-time case.

B. Lift Station 1 and Kenwood Update – Quality Flow/MRWA: Quality Flow has received the pump data for comparison between pump meter hours and controller hours and is also looking into anomalies in run hours to determine if there may be any issues. Joe from Minnesota Rural Water will be on site February 21, 2023, to manually check the pumps and flow data to compare with what is being recorded by the controllers at Lift Station 1 and Kenwood North.

Permits Issued - None

Certificate of Compliance – #2023-001 – Russell Wagner 94708 Sunny Beach Road (33.5798.000) new construction.

7. Treasurers Report: Treasurer Nielsen reviewed the financial statements and profit and loss statements with the District for the month. Nielsen had reviewed the bank reconciliations and statements and found the books to be in order. The balance in checking on January 31, 2023, was $28,365.67. Claims submitted today include check numbers 12560 thru 12578 as well as two EFT payments for payroll tax for a total amount of $26,538.90. Hall noted that check #12553 which was issued last month to Mikes Sewer was lost in the mail so it has been voided and a stop payment put on it at the bank and a new check is included with today’s claims. Today’s claims also include the months of both December and January treatment fees for the City of Moose Lake. Motion was made by Strandlie second by Gretsfeld to approve the Treasurers Report as well as payment of today's claims to include check #12560 thru 12578 and two EFT payments for a total amount of $26,538.90. Motion carried 5/0.

A.Year End Status Report: Treasurer Nielsen provided the District with the 2022 Year-end Financial Review. System maintenance was up compared to 2021 largely due to the $45,000 improvements to upgrading two lift stations. Nielsen also provided an explanation on what makes up the monthly financial balance sheets and profit and loss statements. There was a net increase of approximately 9.2% between December 31, 2021, and December 31, 2022, in fund balances at year end.

8. Old Business:

A. Flow Numbers – December Avg Daily Flows 57,745 gpd, January Avg Daily Flows 63,108 gpd.

B. Ordinance/Policy Procedure Manual/By Laws: Tabled

C. City of Moose Lake Overage Charges: Director Hall informed the Board that several errors were identified in the past few bills coming from the City which were corrected. If a previous bill’s flows are incorrect, it will cause the overage chart to be incorrect. City Administrator Ellissa Owens sent the corrected January invoice to the District along with an increase in the base rate from $2.39 to $2.67 indicating that an increase was due and starting on January 1, 2023. Hall responded to the email and included the language from the contract which requires the District to be notified by May 1 of each year of any increase which would go into effective January 1 of the following year. The increase needs to include and explanation of how it was arrived at as it is to be based on the prior year's OM&R costs. Hall did not hear back from the City prior to the meeting and noted that she changed the rate from $2.67 to $2.39 for January’s payment. The City would like to have another meeting with the Committee in the near future to discuss the flow readings and contract. Hall to try and set something up for the beginning of April as the Chairman will not be able to attend until that time.

9. New Business:

A. Successive Planning: Chairman Kuster discussed the current make up of the Board members and suggested perhaps the District members should be thinking of other individuals who might be good members to serve on the Board. Kuster discussed the fact that in the event something were to happen to a Board Member or several were to retire from the Board it would be ideal to have some candidates in mind to prevent several new members from coming in at once. He noted that it is a bit of a learning curve dealing with the various issues and would be hard to bring several people up to speed if there was a lot of turn over at once. The decision of who serves on the Board is ultimately the decision of the townships on who they appoint but it is always helpful to provide possible options for candidates for the townships to consider.

10. Adjourn: There being no further business to discuss a motion was made by Gretsfeld second by Strandlie to adjourn the meeting. The motion carried 5/0 and the meeting adjourned at 7:45 p.m.

Minutes by Darla Hall, Executive Director