**Moose Lake Windemere Area Sanitary Sewer District**

**Approved Regular Meeting Minutes**

**December 18, 2024**

**@ MLWSSD Office**

1**.**  The Regular Meeting of the Moose Lake Windemere Sanitary Sewer District was called to order by Chairman Kuster at 5:30 p.m. Members present included: Chairman Kuster, Vice Chairman Lourey, Treasurer Eric Nielsen, Clair Strandlie, and Paula Engstrom. Also in attendance were Superintendent Brett Collier, Executive Director Darla Hall, and Erin Lambert, Attorney Sand Lake Resort, and Steve Aldrin, Moose Lake Township Supervisor.

2. Approval of Agenda: Motion by Engstrom second by Strandlie to approve the agenda as written. Motion carried 5/0.

3. Guests: None Scheduled

4. Approval of Minutes: Regular Meeting Minutes, November 20, 2024: Motion by Strandlie second by Engstrom to approve the Regular Meeting Minutes of the MLWSSD for November 20, 2024, as written, motion carried 5/0.

5. Executive Directors Report

 a. Set Organizational Meeting for January 2025: Hall reported that no terms were up for any of the Board members this year therefore no letter were sent to the respective townships. Lourey suggested that Board members may want to start looking into a replacement for his position in the coming months as his health is declining. Lourey currently holds the Vice-Chair position. Kuster stated that he will not be available during most of the month of January as he will be out of the county but if nominated as Chair would be willing to accept. Strandlie stated he held the Vice position before but suggested perhaps Engstrom would like to take it this time. Motion by Strandlie second by Lourey to hold the Organizational Meeting of the MLWSSD on January 15, 2025, at 5:00 p.m. at the District Offices with the Regular meeting immediately following the closing of that meeting. Motion carried 5/0. Hall to post and publish the notice. Director Hall will have new signature cards available at the meeting to update information as needed.

 b. Wipfli Engagement Letter for 2024 Audit: Director Hall stated that she reached out to Rob Ganschow, Partner at Wipfli regarding justification for the significant increase in the rate increase from 2023 to 2024 audit. Ganschow indicated that the actual audit increase fee was only 4.64% but a new technology and administration fee of 6.0% was added in 2024 to offset a portion of the multiple data security enhancements Wipfli has implemented to safeguard the client’s financial data, investments in advanced software and upgrading hardware systems as well. Motion by Nielsen second by Strandlie to sign and enter into the engagement agreement with Wipfli for the 2024 Financial Audit. Motion carried 5/0. Fee for 2024 will b $10,700.

 c. City of Moose Lake Negotiations and Treatment Agreement: Director Hall stated that copies of correspondence were sent out to Board members to include counteroffer received from Attorney Kringle dated November 22, 2024; Attorney Thibodeau’s counteroffer to that response on behalf of the Board dated December 6, 2024; Attorney Kringle’s final counteroffer to that response dated December 13, 2024. These materials were sent to the Board to bring them up to speed on what had transpired since the last Board meeting.

(i) Final counteroffer City of Moose Lake: The City’s final offer is a $10.00 ERU fee with a $.50 increase each year and charging for 475 connections with no reduction for those parcels with more than one ERU (a garage with running water or a bunkhouse). The City is still wanting to take the 54 customers and provide us with 61,000 gpd of allocated flow. The City did rescind their original offer of giving the District 5,000 gpd but discussed allocating 1,300 gpd additional flow unconditionally for the sole use of the Sand Lake Resort development project, and intends to act on this commitment at a forth coming Council meeting.

Kuster, Hall and Nielsen had a zoom meeting on Monday with Attorney Thibodeau to discuss the final counteroffer as submitted by Attorney Kringle on behalf of the City of Moose Lake. A final offer is being prepared on behalf of the Board at $8.50 per ERU with a $.50 per year increase for 475 connections, which will be reduced by 54 connections once the joint powers agreement is in place. If the City does not accept our offer, then the next step will be following the dispute resolution process and arbitration. Steve Aldrin, Moose Lake Township Supervisor discussed the customer transfer. Steve stated that he had been in earlier and discussed if the flow metering device had been verified if it was working properly and Hall informed him that the City would not allow Board to look into it. He also questioned if the Board had thought about building their own treatment system. Kuster explained that the City would provide service for the 54 customers (36 in South town and 18 in Kenwood) with a joint powers agreement which would be part of our treatment agreement with the City of Moose Lake and would need to be approved by all authorities including the townships and language would be included indicating that the properties could not be annexed.

 Board moved onto item 9. a. of the Agenda as it deals with other treatment options.

9. New Business

 a. Infiltrator Water Technologies – Package Plant Options – Kuster: Chairman Kuster and Superintendent Brett Collier had a zoom meeting with Infiltrator Water Technologies to look into a couple of different types of small package plant wastewater systems. Collier took a sample of the District’s wastewater and sent it in for testing to get the load capacity as that will help determine what type of system may be a possible option for consideration. There is an area of rural vacant land that could possibly be an ideal site that would have access to discharge to the river and the District does have eminent domain authority if it were necessary to go that route. Kuster also talked with Jeremy Logelin at the MPCA as well and the cost for permitting such types of systems take about a year to get and the cost is approximately $10,000.

Engstrom questioned if it would be possible to work something out with Windemere Township as well for dumping as their ponds are full and they are having problems with camper people having a place to dump. Superintendent Collier said no this would not be possible. This is something that is hard to control and you do not know what people are bringing in or when they are bringing it in and it creates a real problem, that’s why other places do not want to take it.

Collier questioned the package plant operation and who the District would get to operate the system. It is a 24/7 operation and could be expensive to operate. Collier estimated the samples to be $300 a sample to test and needing 4 samples a week to be sent in, as well as needing back up generators. Collier suggested doing ponds as it is a simpler operation. Kuster and Collier will look into more information once the testing information comes back from the lab on treatment options for the District.

6. Superintendents Report – Brett Collier Water Control, LLC: See written report as prepared by Superintendent Collier.

a. Quote from Quality Flow on telemetry: Collier received a quote from Cory at QF for telemetry at each lift station to be $4,560 plus tax. If the Board did all ten stations the cost would be $41,040 plus tax (deduct of $4,560). The cost for monitoring service per site is $299.40. Board discussed and indicated that it would not be necessary to have telemetry on every lift station but would be nice to have on a few of the main stations Lift Station #1, C, B, A and possibly D. The Board is still in negotiations with the City and may be paying ½ the cost of installation of the mag meter at Lift Station #1. The Board agreed to wait on the telemetry proposal from Quality Flow until after a response from the City of Moose Lake.

b. Paul Wellman – Swap of Service Connection for 94661 Sunny Beach (Parcel 33.5203.000/33.0139.000): Director Hall provided a map of the two parcels owned by Paul Wellman and explained that parcel 33.5203.00 is on the lake side and currently has a cabin and is connected to the sewer. Wellman wants to build a cabin on parcel 33.0139.00 and pay a connection fee and connect sewer on the back lot. Wellman would like to disconnect and cap off the lake lot (33.5203.00) This would basically swap service until sewer capacity becomes available again. The board denied his request. He will need to wait until sewer service becomes available or fill out a sewer service availability application, bring it before the board, get denied if capacity is still unavailable at that time and install a temporary onsite system for the other parcel.

Permits - None Issued

Certificate of Compliance – None Issued

7. Treasurers Report: Treasurer Nielsen reviewed the balance sheet and profit and loss statement for the month ended November 30, 2024. Nielsen had been in and reviewed the bank reconciliation and statements and found the books to be in order. Balance in checking on November 30, 2024 was $36,228.32. Claims submitted for payment today include check numbers 12962 thru 12981 as well three EFT payments for a total amount of $23,940.17. Hall noted that one EFT payment was to Intuit for the payroll program for QuickBooks and also that the treatment fees for the City of Moose Lake for the month of November were not included in today’s claims. Motion by Lourey second by Strandlie to approve the Treasurers Report and pay today’s claims which include three EFT payments as well as check numbers 12962 thru 12981 for a total amount of $23,940.17. Motion carried 5/0.

 a. CD – coming due January 18, 2025, FNB currently 24 month: Nielsen discussed the CD coming due in January and will check on rates as the date gets closer. Another CD is coming due on March 1st as well.

8. Old Business:

 a. Flow Numbers for November: None to report

b.Sewer Availability Letters SLR and Czech – Variance Process: Hall reported that follow up letters were sent to both SLR and the Czech’s regarding Board action taken at the last meeting indicating the steps necessary to be taken once the County provides authorization for the temporary onsite system and the property owner is ready to install their onsite system. District Ordinance #1 Section 4.1 b. indicates that once capacity becomes available the Board will send a notice to property owners indicating they have 90 days to connect to the system. Section 13.1 addresses the property owners’ right to request a hearing and apply for a variance. District Ordinance #2 Section 6.08 sets the fee for that variance application process.

 Board discussed the situation the City has placed the District in by not providing the District with the capacity necessary to accommodate the requests and not approving the capacity until an agreement is reached on rate increases etc. Motion made by Nielsen second by Engstrom to waive the variance application fee for those property owners that have completed sewer availability applications and have been found that the sewer is unavailable at this time due to flow and load capacity limit pursuant to the Wastewater Treatment Agreement with the City of Moose Lake is insufficient to allow the Service connection and that the public sewer is unavailable. Motion carried 5/0.

Hall stated the hearings can be done at a regular board meeting, but if they are done at a special meeting they will need to be published. Attorney Thibodeau suggested information should be gathered from the engineers on useful life of the onsite systems based on type to be installed and suggested basing the length of time the Board is willing to allow the system to remain in use on a percentage of useful life. Board should also reserve the right to have the system inspected and reserve the right to require the system be removed and/or repaired if the system is found to be failing.

1. Proposed Changes Ordinance/PPM/By Laws – Tabled

9. New Business:

 a. Package Plant Option Discussed above under City of Moose Lake negotiations.

 b. Director Hall - Retiring: Director Hall discussed her position and would like to retire by July 31, 2025, but does not think she can wait that long. She would like the Board to advertise as soon as possible. Hall stated with everything going on she has not had time to create a job description or begin preparing. Board stated that the position can be advertised without the description prepared and suggested advertising in same places as the Superintendent position was advertised. Hall stated she will start advertising after the first of the year.

10. Adjourn: Motion by Strandlie second by Engstrom to adjourn the meeting. Motion carried 5/0 and the meeting adjourned at 7:30 p.m.

Minutes by Darla Hall, Executive Director