**Moose Lake Windemere Area Sanitary Sewer District**

**Approved Regular Meeting Minutes**

**November 20, 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 Mark Lambert, Sand Lake Resort.

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

3. Guests: None Scheduled: Application for Sewer Availability –

 Sand Lake Resort – Mark Lambert: Board members reviewed the Application to Determine Availability of Sewer for DSLR, LLC. Mark Lambert was present at the meeting and is requesting approval for installing a designed septic system which would include three holding tanks and a drain field to accommodate his 15 ERU’s for one-bedroom apartments at Sand Lake Resort. Lambert stated ideally, he would rather connect to the municipal sewer system but at this point he needs to proceed with his project. The building would have 25 units connected to the municipal sewer and the 15 one-bedroom apartments connected to the septic system. Lambert stated construction would not begin until later in 2025 and online in 2026. The Board stated that the capacity issue may be resolved before then but understood Lamberts position at this time. Hall questioned if Lambert would still need to move the sewer main if the on-site system is installed for the 15 units. Lambert stated that it would still need to be moved due to the placement of the building. The application form identifies the parcel as 33.0235.000 which is the main parcel for Sand Lake Resort. The District currently bills DSLR for 25 ERUs (which includes parcels 33.0238.000, 33.0237.000, 33.0235.000, 33.0231.000). Hall questioned Lambert if DSLR will be combining all of these parcels into one at the County once the project is complete. Lambert stated that he did not plan to as he was not required to do so. Hall will work with Lambert on combining the billing on these parcels and the information to reflect the correct parcels utilizing the count of the current paid 25 ERUs.

It was discussed that the application approval is only good for one year from the date of issuance. And re-issuance or extension of the certificate may or may not be granted depending on availability of capacity at that time. Hall stated that she will keep Sand Lake Resort on the connection request list for 15 ERU’s for this specific project request in the event capacity becomes available before they begin construction, but if the year laps and capacity is still unavailable, SLR will need to come in again and renew the Sewer Availability Application for the onsite system if that is still the route they are taking. Lambert discussed “temporary” onsite system and asked if that could be removed from the language as he did not want to install a system and have to remove it later if it would be considered temporary. Engstrom stated the Board needs to define a variance process in dealing with temporary systems as some systems may not be temporary but perhaps based on necessity. The Board would need to look at what type of system is approved to be installed by the County and base it on the useful life of the system or some other type of criteria and place conditions in the variance to determine at what point the system would need to be abandoned and connected to the municipal sewer system.

It was determined by the Board that sewer service is unavailable at this time to accommodate the 15 ERU request as submitted by DSLR, LLC, (Sand Lake Resort).

The Board finds that the cumulative Flow and Load capacity limit pursuant to the Wastewater Treatment Agreement with the City of Moose Lake is insufficient to allow the Service Connection; therefore, the Public Sewer is unavailable. The Board finds that a temporary Onsite System is permitted until such time as the Board finds that the Public Sewer is available; provided that the Onsite System must comply with the applicable County sewer ordinance(s).

A motion was made by Strandlie second by Engstrom to grant DSLR, LLC’s, request for a temporary onsite system for the 15 ERU’s at Sand Lake Resort effective November 20, 2024. Motion carried 5/0.

 Olson Drive – Dennis and Sheila Czech: Dennis and Sheila Czech submitted an Application for Sewer Availability. The Czech’s purchased a parcel on Olson Drive (33.0089.00) which currently has a stub and was connected to the sewer line by previous owner, the cabin was torn down and disconnected in 20/2021. They sold property to the Czech’s who wanted to put a camper in. District does not allow campers to connect to sewer line and they did not have enough lake frontage to build in accordance with Windemere Zoning so they purchased and combined neighboring parcel (33.0092.00/33.0089.00) to obtain enough lake frontage. Both of these parcels have paid special assessments. Czech’s also own a six acre lot across the road (33.0086.000) which has not paid a special assessment. Ideally the Czech’s would like to connect to the existing stub located on the lake side of the property and connect to sewer but with sewer capacity possibly unavailable they are looking for permission to do an alternative system perhaps on the six acre lot which may be a mound if the county will allow. They are concerned about spending the money on a temporary system and the District requiring them to connect later when the sewer is available. Hall explained the Czech’s are also on the pending connection list for this project.

It was determined by the Board that sewer service is unavailable at this time to accommodate the request as submitted by Dennis and Sheila Czech for the parcels located at 33.0092.000 and 33.0086.000.

The Board finds that the cumulative Flow and Load capacity limit pursuant to the Wastewater Treatment Agreement with the City of Moose Lake is insufficient to allow the Service Connection; therefore, the Public Sewer is unavailable. The Board finds that a temporary Onsite System is permitted until such time as the Board finds that the Public Sewer is available; provided that the Onsite System must comply with the applicable County sewer ordinance(s).

A motion by Nielsen second by Strandlie to grant Dennis and Sheila Czech’s, request for a temporary onsite system for the parcels 33.0092.000 and 33.0086.000 on Olson Drive effective November 20, 2024. Motion carried 5/0. Hall will keep the Czechs on the connection request list in the event capacity becomes available before their construction begins. Hall will notify the Czechs of the same variance process and conditions that may be placed in the variance with respect to requirements to connect at a later date depending on type of system installed and other criteria.

4. Approval of Minutes:

 a. Regular Meeting Minutes – October 16, 2024: Motion was made by Strandlie second by Engstrom to approve the MLWSSD Regular Meeting Minutes of October 16, 2024, as written. Motion carried 5/0.

5. Executive Directors Report

 a. City of Moose Lake Negotiations and Treatment Agreement

 i) Report on Rate Study, Mike Bubany, David Drown & Assoc.

 ii) Response to offer – Robert Kringler, Attorney for City:

 iii) Counteroffer on our behalf – Attorney Mia Thiboedeau:

Director Hall informed the Board that the District has received a report from Mike Bubany, David Drown & Associates. The sub-committee reviewed his suggestions and took them into account when developing a counteroffer to the City of Moose Lake. On October 8, Attorney Thibodeau submitted a counteroffer to the City offer. The City came back with a different counteroffer on November 1st stating the Board needed to respond by November 12th or they would act on a resolution to rescind capacity previously agreed upon. Hall reported that Attorney Thibodeau, Hall, Kuster and Nielsen worked on a counter proposal which was submitted to the City on November 12th. City Council met on November 13th and no further information was sent to the Board on the offer. Hall did find the video of the council meeting was finally posted online yesterday and the only action taken at the meeting regarding the District was to table the resolution to rescind the capacity until the December council meeting so that the subcommittee could have time to review the counteroffer as submitted by the Board. As of today, we are still waiting for a response from Attorney Kringle.

Chairman Kuster stated that conversation had been discussed with the subcommittee questioning at what point do we let the public and townships know what is happening with the transferring of the customers. Byron had talked with Bob Moffit, Moose Lake Township and he had concerns about giving up the customers in Southtown area and the City having more power to be able to force annexation. Hall reported that Steve Aldrin had expressed the same concerns as well. The Board discussed the joint powers agreement language and what type of language needs to be included regarding that.

 b. Delinquent User Fees – Amounts Certified: Director Hall reported the final amounts certified to Pine County to be collected for delinquent user fees for the period of October 1, 2023, to September 30, 2024, is $5,294.47 and Carlton County is $4,307.98. These amounts have been certified and will be collected from the counties with the 2025 property taxes.

 c. Wipfli Engagement Letter – 2024 Audit: Director Hall received the Engagement Letter from Wipfli for the 2024 Audit at the cost of $10,670. It was noted that the cost is a 10% increase from the previous year. Board discussed the significant increase and directed Hall to send an email to the firm for justification on the increase and see if perhaps the amount could be reduced since the District has been a client with the firm for many years and nothing has changed with respect to operations.

6. Superintendents Report – Brett Collier Water Control, LLC: See written report as prepared by Superintendent Collier. Brett reported he had issues with the signal light at Lift Station C coming on and off due to a short circuit between November 6th and the 19th. Quality flow was out and a new part was installed. Collier received calls from a property owner on West Sunny Beach Road again concerning the manhole covers. Collier explained the road is a private road and different people tarred their sections of the road causing uneven areas. The property owner had concerns about the plow hitting the manhole covers. Collier had Tim Gobel come out and taper the areas to prevent damage to the manhole covers. A bill will be coming for the repair. Board members Kuster and Lourey asked Collier to check into the low spot on Sand Lake Road on the corner by Steve Alderin property and suggested Gobel may need to build up an apron around the casting lid of the manhole. They reported that last year the plow blade must have hit it and slid the manhole lid off a bit and left an open hole. It was reported last year and may have been repaired already but asked Collier to check into it or get it taken care of.

Chairman Kuster questioned if Collier noticed any grease issues at the Lift Stations due to the golf course or Gampers and he reported that they must have really good grease traps as he had not noticed any issues.

1. Quote from Quality Flow on telemetry: Collier reported that he is waiting on quote from Cory at Quality Flow.

Permits

None

Certificates of Compliance:

2024-10 35599 Parkview Drive (33.0206.001) Chris Gassert – Point of Sale

7. Treasurers Report: Treasurer Nielsen reviewed the profit and loss and balance sheet for the month of October with the Board. He stated the year-to-date profit and loss statement accounts for monthly depreciation but shows a loss which is largely due to significant cost in legal fees spent this year which will continue to increase as more legal fees will be coming in before year end due to negotiations with the City. Nielsen had reviewed the bank statements and reconciliation and found the books to be in order. Balance in checking as of October 31, 2024, was $26,878.95. Claims submitted today include two EFT payments for payroll tax as well as check numbers 12946 thru 12961 for a total amount of $28,484.67. Motion by Lourey second by Strandlie to approve the Treasurers Report as well as the claims to include check numbers 12946 thru 12961 and two EFT payments for a total amount of $28,484.67. Motion carried 5/0. CD’s were reviewed. It was noted that one is coming due in January at First National Bank.

8. Old Business:

 a. Flow Numbers October 2024: Average flows for the month of October were 63,105 gpd. The total bill for the City of Moose Lake for treatment was $6,176.29 which includes $953.03 in overage charges.

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

9. New Business: None

10. Adjourn: Motion by Engstrom second by Strandlie to adjourn the meeting, motion carried 5/0 and the meeting adjourned at 7:22 p.m.

Minutes by Darla Hall, Executive Director