

Moose Lake Windemere Area Sanitary Sewer District
Approved Regular Meeting Minutes
April 16, 2025
@ MLWSSD Office

1. The Regular Meeting of the Moose Lake Windemere Sanitary Sewer District was called to order by Chairman Byron Kuster at 5:35 p.m. at the District Offices. Members present included: Chairman Kuster, Vice Chair Paula Engstrom, Treasurer Eric Nielsen, Clair Strandlie, and newly appointed Board Member Steve Aldrin. Others present included: Executive Director Darla Hall, Superintendent Brett Collier and Executive Director Brian Fritsinger.

Chairman Kuster addressed the Board stating Steve Aldrin has been appointed by Moose Lake Township to fill the remainder of Bruce Lourey's term on the Sewer Board due to his resignation due to health conditions.

Chairman Kuster stated he will be absent from the May meeting.

2. Approval of the Agenda: Director Hall asked for item c. By-laws to be tabled due to additional changes. Vice Chair Engstrom asked to add item a. New business Update on Windemere Planning Commission. Motion by Strandlie second by Engstrom to approve the agenda as amended. Motion carried 5/0.

3. Approval of the Minutes:

a. Regular Meeting Minutes March 19, 2025: Motion by Strandlie second by Engstrom to approve the MLWSSD Regular Meeting Minutes of March 19, 2025, as written, motion carried 5/0.

4. Guests: None Scheduled.

5. Executive Directors Report:

a. Fritsinger Management Services, LLC – Contract Approval: Director Hall reported Brian Fritsinger has accepted the position and officially started April 15, 2025. The issue of contractor versus employee was discussed. Hall explained she originally thought the District did not have the option of being a part of the MSRS retirement program and began working with the attorney to develop a contract with Fritsinger Management Services, LLC. Prior to this evening's meeting in reviewing the By-law language and the state statute that created the District she discovered that the Executive Director can be part of either PERA or MSRS retirement programs and an employee of the District. She apologized for her mistake in not discovering the information before moving forward with the attorney on drafting of the contract. She did confirm that she had checked with both the Attorney as well as the Auditor prior to beginning work on the contract drafting. Fritsinger is currently checking in with both PERA and MSRS to confirm this is still an option and has already acquired expenses of \$500 - \$600 for the LLC. Board agreed to reimburse Fritsinger the expense in the event the position becomes an employee

rather than the contracted position. Fritsinger will continue to work with the attorney and Treasurer Nielsen on the situation and move forward accordingly.

b. City of Moose Lake – Response to March 14, 2025 Offer: Director Hall stated the District Board had submitted a final offer to the City of Moose Lake on March 10, 2025 which was comprised of paying the full \$15 ERU per month calculated based on flows similar to the manner in which the City is charging the MSOP and MDOC based on flow volume rather than by connections. The final offer was contingent upon simultaneous execution of the new contract and the related joint powers agreement on or before May 1, 2025. If the offer was not accepted, the Board stated in the offer that it is not agreeable to binding arbitration. It appears the City has proposed Judge Palmer-Denig as its proposed non-binding arbitrator who the Board is not agreeable as acting as the arbitrator and therefore counter - proposed Roy Christensen to act as the arbitrator. The letter went on to state, if the City rejects Roy Christensen, that the two proposed arbitrators would need to meet, discuss, and mutually agree on a different non-binding arbitrator as described in the existing contract.

The District received a response on April 14, 2025, from the City of Moose Lake stating that the Council had met on April 9th at their regular meeting and rejected the District's offer and adopted Resolution 25.04.01. The Resolution states that the City is rejecting the District's March 10, 2025, offer and that the City feels that arbitration would result in unnecessary expenditures of the City's taxpayer dollars. City is requesting the District pay the ERU charge in full, including all past due balances and all future charges within 30 days of the passage of the Resolution. The Resolution further authorizes the City Staff to impose and collect fair and reasonable charges for all services provided to the District including hiring professional consultants to complete a cost of service analysis which may lead to further increased rates beyond the previously adopted rate study and legal council to determine fair and reasonable rates and charges under all applicable laws.

Board discussed several options on how to respond to the City of Moose Lake's recent correspondence and whether the ERU funds should continue to be held in a separate account or released to the City. After much discussion three options were considered and the Board directed Executive Director Fritsinger to contact Attorney Thibodeau and discuss those options to determine which legal position is the best for the District on responding to the City of Moose Lake and also incorporate Mia's suggestions from April 14th in any response. Board also discussed the need to end the moratorium on connections and suggested discussing whether this should be addressed by sending a separate request to the City for an additional 5,000 gpd of capacity. Fritsinger will also discuss this with Attorney Thibodeau.

c. By Laws – Formal Adoption of Changes: Tabled due to additional changes.

d. Dale Sandberg Property – 33.0248.000 – Application for Sewer Availability: Director Hall reported that Dale Sandberg has been added to the wait list for wanting to connect to the sewer line. He is splitting off a five-acre parcel and moving a house in and would like to do it soon. Hall explained the issue with the lack of capacity and the process of the application for

sewer availability and the temporary on-site system. With the new moratorium put in place by Windemere Township Sandberg will need to wait until he can get a building permit at this point. Hall stated Sandberg is aware of what needs to take place and that it would need to be approved by the Board regardless. At this point there are currently 12 people on the list waiting to connect. Hall stated that Ron Iverson is another person who has been contacting the office regarding a parcel they have purchased on Oak Drive. It was questioned what the process is for obtaining the permit. Hall stated the property owner must fill out a sewer availability application and present to the Board to determine if sewer is available. Once they receive the response on whether they can connect to the sewer or are authorized to install a temporary onsite system they can then go to the township or county to get approval for the building permit to move forward. If the Board finds sewer is available, they would then need to fill out a permit application to connect and then supply the District with the building permit from the respective township/county.

6. Superintendent Report – Brett Collier Water Control LLC: See Written Report as prepared by Superintendent Collier. Collier was contacted by homeowner Craig Dyke regarding televising of sewer at 36469 Pine Grove Lane (33.5144.000) and also John Rahja 94750 County Hwy 61 (33.0209.000) as they are both preparing to sell their properties.

System maintenance performed this month included daily readings at lift stations, cleaning inside panels at all lift stations. Collier ordered and installed larger contact information labels for all stations. Spring inspections for all wet wells were conducted and everything looks good. The green light indicated it out at Station D. Manholes were checked on Sand Lake Road in low lying areas as well as East side of Sand Lake. Collier is working on maintenance history of all lift stations. Collier stated that he purchased binders for all 12 lift stations and will be keeping a history on all of them.

a. Lift Station Quote – Quality Flow Telemetry for Lift Stations: Superintendent Collier received a quote from Quality Flow. They would provide a 10% discount if the Board agreed to do at least 3 lift stations. The cost would be \$12,676.50 (\$4,225.50 per station) with discount and \$299.40 per year for monitoring service with the first year of monitoring included. Collier explained that the program goes right to his phone and notifies if a pump goes out, if there is a back-up, etc. Motion was made by Nielsen second by Strandlie to approve the quote from Quality Flow for the Cellular Monitoring System for Lift Stations 1, A and D for \$12,767.50 with a rate lock 4 year annual monitoring guarantee of \$299.40 per station (first year being free) and the following subsequent years of a not more than 3% yearly increase. Motion carried 5/0.

7. Treasurers Report: Treasurer Nielsen reviewed the balance sheet and profit and loss statement for the month of March. Nielsen had reviewed the bank reconciliation and financial statements for the month ended March 31, 2025, and found the books to be in order. The balance in checking as of March 31, 2025, was \$10,396.14. Claims submitted for payment today include check numbers 13046 thru 13066 as well as four EFT payments for payroll taxes and the Microsoft program for a total amount of \$37,663.43. Director Hall stated that the claims include both the February and March treatment and overage payment to the City of Moose Lake.

The ERU bills as submitted by the City for the month of January, February and March have been entered as a payable and are reflected on the financials but are not included in today's payments as advised by our attorney until such time the issue has been resolved between the parties. Today's claims also include a payment to Wipfli. The outstanding balance remaining on the 2024 audit is \$1,000. Hall stated she has been in contact with Zak Sharp, and the audit is complete, but waiting for the final review by the partners before being printed and presented to the Board. She anticipates the audit presentation to be conducted in May. Motion was made by Engstrom second by Strandlie to approve the Treasurers Report as presented as well as the payment of today's claims to include check numbers 13046 thru 13066 as well as the four EFT payment for a total amount of \$37,663.43. Motion carried 5/0. It was noted that check number 13051 was a voided check as it was destroyed in the printer.

8. Old Business:

a. Flow Numbers: February 2025 avg daily flow 69,413 and March avg daily flow 71,459. It was noted this is the number using the flow meter calculations and flows are still high between Lift Station #1 and the flow meter.

b. Proposed Changes Ordinance #1, Policy, and Procedure Manual – Tabled

9. New Business:

a. Update on Windemere Township – Vice Chairman Engstrom: Engstrom gave an update on what is taking place with some of the changes in regulations in the township dealing with the shoreland ordinance and zoning. They have changed the requirements in lot sizes to 5 acre lots and set back requirements. Several lawsuits are pending based on some of those changes and on March 13th a moratorium has been put in place on building permits until some of those issues can be resolved. The township is looking at reclassification of some of the areas as there is residential property mixed with resort lake use/type property. The township has also hired a firm to look into the possibilities of securing federal funding options for sewer around the lakes and what money might be available to at least get the ball rolling for the future.

10. Adjourn: There being no further business to discuss a motion was made by Neilsen second by Engstrom to adjourn the meeting, the motion carried and the meeting adjourned at 7:55 p.m.

Minutes by Darla Hall, Executive Director

