

Moose Lake Windemere Area Sanitary Sewer District
Approved Regular Meeting Minutes
May 21, 2025
@ MLWSSD Office

1. The Regular Meeting of the Moose Lake Windemere Sanitary Sewer District was called to order by Vice-Chairperson Paula Engstrom at 5:30 p.m. at the District Offices. Members present included: Vice Chair Paula Engstrom, Treasurer Eric Nielsen, Clair Strandlie, and Steve Aldrin. Others present included: Zak Sharp, Erin Lambert, Darla Hall, Superintendent Brett Collier and Executive Director Brian Fritsinger. Chairman Kuster was absent.

2. Approval of the Agenda:

a. Motion by Strandlie second by Nielson to approve the agenda as presented. Motion carried 4/0.

3. Approval of the Minutes:

a. Regular Meeting Minutes April 16, 2025: Motion by Strandlie second by Aldrin to approve the MLWSSD Regular Meeting Minutes of April 16, 2025, as written. Motion carried 4/0.

4. Guests:

a. Zak Sharp, Wipfli – 2024 Audited Financial Statements: Zak Sharp presented and reviewed the audited financial statements for the year ended 2024. Sharp reports that the financial statements present fairly, in all material respects, the respective financial position of the District. The year end change in net position was (\$43,547). The change in net position for 2024 was \$88,379 less than 2023. The most significant changes were due to an increase in legal expenses associated with the City dispute and additional payroll expenses paid to the Executive Director primarily due to the Sand Lake project and City dispute. Sharp reviewed a variety of other components of the Audit results. Motion by Nielson second by Strandlie to approve the 2024 Audited Financial Statement as presented by Wipfli. Motion carried 4/0.

5. Executive Directors Report:

a. Application to Determine Sewer Availability – LCSL2 LLC – 33.5172.000: Director Fritsinger noted that Erin Lambert was in attendance representing the applicant. Under the District Ordinance the District must determine whether it has capacity or not prior to site development. Unfortunately, the City of Moose Lake has not allocated additional flow and capacity to the District and as a result the Lamberts cannot hook to the District system at the proposed address.

Ms. Lambert noted that they are looking to install a holding tank on the property for the interim and would plan on connecting to the District system at the time that sewer capacity is available. The Board had several questions regarding the project and how to best address its findings as required by the Ordinance. It also recognized the impacts of seasonal weather on the ability to connect to the District system.

Motion made by Strandlie second by Nielson to find 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 at this time, therefore the public sewer is unavailable. Further, a temporary on-site system consisting of a holding tank is permitted until such time that the Board finds that the public sewer is available: provide the onsite system must comply with County/Township ordinance(s); the applicant obtain the necessary permit(s) for installation from the County/Township; and, upon notice from the District that sewer service/capacity is available that the on-site holding tank/sewer system be abandoned and connection take place to the District system within one-year of such notice. Motion carried 4/0.

b. By-Laws – Formal Adoption of Changes: Director Fritsinger reviewed the proposed changes to the by-laws. Motion by Strandlie second by Engstrom to approve the by-laws as amended. Motion carried 4/0.

c. Update on the Status of the City of Moose Lake: Director Fritsinger updated the Board on a variety of issues that have arisen since the last meeting associated with the City dispute. In addition to the materials in the agenda packet he provided copies of additional correspondence including a May 20, 2025, letter from attorney Kringler responding to a letter from District Attorney Thibodeau.

The Board discussed the May 20 letter and discussed some of the previous actions and communications from the District and the lack of direct response to the District's questions from the City. The Board highlighted a letter from Attorney Thibodeau dated March 14, 2025. Motion by Engstrom second by Strandlie to direct the District Attorney to respond to the City that the District wishes to follow the terms of the contract utilizing non-binding arbitration as the next step in trying to resolve the dispute, including the two proposed arbitrators selecting the final arbitrator, and that the issues to be discussed in arbitration not be limited as proposed by the City. The Board further authorized the Executive Director to submit a letter of request to the City for an additional 5,000 gpd of capacity. Motion carried 4/0.

d. Fritsinger Management Services, LLC – Contract Approval: Director Fritsinger provided an update as to his employment status and employment contract. The concept of the position continuing as a staff employee and participating in the MSRS retirement program was eliminated by the State of Minnesota. Specifically, the State determined that since the District is not a state agency and the position thus is not a state position, it cannot participate in MSRS regardless of the statutory authority of the District.

Discussion regarding the District Attorney's proposal to add additional insurance coverage requirements to the previously agreed upon contract for service took place. Nielson provided additional information resulting from conversation with Attorney Thibodeau. The Board noted it believes the insurance requirements as written are adequate to protect the District. Motion by Engstrom second by Nielson to approve the contract for Service with Fritsinger Management Services LLC without the additional insurance language. Motion carried 4/0.

6. Superintendent Report – Brett Collier Water Control LLC: See Written Report as prepared by Superintendent Collier. Collier noted that Quality Flow completed its annual inspection on all lift stations and installed system telemeters on lift stations 1 (A and D). Permits and Certifications of Compliance were issued for parcels 33.5144.000 and 33.0209.000.

a. Lift Station Quote – Quality Flow Telemetry for Lift Stations: Superintendent Collier received provided an update from Quality Flow dated 5.20.25.

7. Treasurers Report: Treasurer Nielsen reviewed the balance sheet and profit and loss statement for the month of April. Nielsen had reviewed the bank reconciliation and financial statements for the month ended April 30, 2025, and found the books to be in order. The balance in checking as of April 30, 2025, was \$111,649.01. Claims submitted for payment today include check numbers 13067 through 13089 as well as six EFT payments for payroll taxes, Microsoft program, phone service and QB program upgrade for a total amount of \$48,411.59. Director Hall stated that the claims include both the April treatment and overage payment to the City of Moose Lake. The ERU bills as submitted by the City for the month of April 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 Quality Flow Systems in the amount of \$18,012.87. Motion 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 13067 through 13089 as well as the six EFT payments for a total amount of \$48,411.593. Motion carried 4/0.

8. Old Business:

a. Flow Numbers: April 2025 avg daily flow 72,733. 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: No new business to discuss.

10. Adjourn: There being no further business to discuss, a motion was made by Strandlie second by Engstrom to adjourn the meeting, the motion carried, and the meeting adjourned at 7:17 p.m.

Minutes by Brian Fritsinger, Executive Director