

Duluth/North Shore Sanitary District – Board of Managers
Meeting # 117

Date: October 20, 2009

Board Members Present: John Bowen, Katie Kuettel, Scott Smith and Kevin Bovee

Board Members Absent: Dean Korri

Others Present: Mia Thibodeau, Eric Appelwick, Dawn DiMarco, Jim Anklam, Scott Graden, Becky McNamara, Jenny Keto, John Kessler, Howard Sievert, and John Fischer

Minutes to: Jim Anklam, Eric Appelwick, Mike Appelwick, Dan Belden, Bruce Berg, Kevin Bovee, John Bowen, Clare Carpenter, Dave Chura, Jeff Cook, City of Duluth, Duluth City Council, Duluth Township, Lars Fladmark, Jane Gilbert-Howard, Scott Harder, Al Katz, John Kessler, Lakewood Township, Don McTavish, David Pierson, John Schifsky, Dick Sigel, Mary Ann Sironen, Mary Frances Skala, Scott Smith, George Sundstrom, Carol Surine and Nelson Thomas

Minutes by: Dawn DiMarco

This draft of the D/NSSD minutes has been posted solely for preliminary informational purposes. Minutes are unofficial and subject to change until they have been approved by the D/NSSD Board of Managers.

Item	Discussion/Conclusions/Actions
Roll Call	Dean Korri absent.
Agenda	Close Call added to Public Comments and 2260 Old North Shore Drive added to Operations Report. S. Smith motioned to accept the Agenda with these changes. Seconded by J. Bowen. Motion passed unanimously.
Minutes	Motion by S. Smith and seconded by K. Kuettel to approve the minutes from August and September after making grammar corrections. Motion passed unanimously.
Public Comment	S. Smith talked about the tree that fell near his grinder station and asked if there would have been damage if the District's insurance would cover this. M. Thibodeau believes that acts of nature would be covered by the District's insurance, but she will confirm this with Chris James .
Comm/Correspond	Nancy Anderson e-mailed J. Bowen regarding assessments. J. Bowen referred her to Becky McNamara's office and her questions were answered. Jack Curtis contacted K. Kuettel and he believes he should not be assessed. There is no building on his property but there is a grinder station and a pump. Because there is a grinder station, the assessment still stands. NTS will remove the pump since it is not in use.
Treasurer's Report	I. Update on Certified Accounts Receivable presented by S. Smith. II. Assessments: B. McNamara requested that the Board allow her office to enter all information for assessments into QuickBooks. S. Smith motioned for the Board to approve up to \$5000 for B. McNamara to enter assessment information into QuickBooks. Seconded by J. Bowen. Motion passed unanimously. III. Parcel Maps: S. Smith received a request from B. McNamara for parcel maps. He is working on this. IV. Payment of Bills: S. Smith motioned to pay bills as presented. Seconded by K. Kuettel. Motion passed unanimously. V. Markup for NTS Subcontractors: S. Smith motioned for the District to pay subcontractors directly to save money on markup fees by NTS. Seconded by K. Kuettel. Motion passed unanimously. VI. Rates & Charges Committee met twice since the last Board Meeting. The NTS Contract review will be held in January.
New Business	None.
Legal Issues	I. Copies of All Resolutions & Policies for the past two years will be given to B. McNamara for the

	<p>Audit. M. Thibodeau will also distribute them to all board members, J. Mason, and J. Anklam.</p> <p>II. Resolution Certifying Past Due Charges and Debt Service Fees presented by M. Thibodeau. It is the same as in previous years with the addition of the Bissell bill. The list will be amended as of November 12, 2009. S. Smith motioned to approve the Resolution Certifying Past Due Charges and Debt Service Fees. Seconded by K. Kuettel. Motion passed unanimously.</p> <p>III. Assessment Update: M. Thibodeau presented the Resolution approving the assessments for three parcels. S. Smith motioned to approve the Resolution including the three parcels. Seconded by K. Kuettel. Motion passed unanimously. M. Thibodeau will send a letter to all three property owners.</p> <p>IV. Insurance Update: M. Thibodeau spoke with Chris James and he believes there will be little to no increase in premiums. J. Bowen motioned to approve the insurance policy as long as there is not a significant change in price. Seconded by K. Bovee. Motion passed unanimously.</p> <p>V. Board Election Update: M. Thibodeau mailed the notice regarding K. Bovee's election to the appropriate parties.</p>
Operations Committee	<p>I. Flows: J. Bowen presented flow sheets, which showed that flows are down.</p> <p>II. Transfer of Capital R/R funds to Extraordinary Services Fund: J. Bowen and J. Mason are working on collecting information for this.</p> <p>III. Property Inspection: Motion by J. Bowen that property owners pay the debt service fee if they have a grinder station. Seconded by K. Kuettel. K. Smith opposed as he believes the property owner should have the option to remove the grinder station if it is not in use. If they choose to reconnect, they will pay the full hookup fee. Removal of grinder station would be the owner's expense. After discussion, S. Smith and K. Bovee opposed the motion. S. Smith motioned for the debt service fee to be charged upon system becoming operational with full amount being billed regardless of the month they connected. Seconded by K. Kuettel. Motion passed unanimously. M. Thibodeau will work with B. McNamara and send letters to the property owners that are currently affected by this motion.</p> <p>IV. Billing Start Date: J. Bowen motioned that the billing start date will be when the water/sewage is introduced to the D/NSSD system and will be pro-rated for the first month. NTS needs to be present when the water/sewage is introduced, then re-evaluate in 30 days to ensure the system is fully operational. If the property owner fails to notify NTS when water/sewage is introduced, the billing will date back to the inspection done by Ayres. Seconded by K. Kuettel. Motion passed unanimously.</p> <p>V. Nisswandt Property: M. Thibodeau will send a letter requesting documentation showing that he properly abandoned his well. The letter will state that he has 60 days to show this or he needs to connect power. If he does not have a well, he will need to show he has an appropriate alternative.</p> <p>VI. Database: The database being created will have the capability to store recordings of the board meetings.</p>
Operations Report/NTS	<p>I. Scenic Café: There was another plug in the line at Scenic Café recently. Scott Graden spoke with Dwayne from Superior Construction. Dwayne is working on a system to be approved by Ayres and then by the Board to try to resolve grease issues. S. Graden's concern is that he had a system that worked. The District abandoned that system when the new sewer system was installed. S. Graden would like to know who is responsible for the cost of the new system. K. Kuettel believes that the District should assume the costs incurred to date for grease issues. S. Smith believes that the District should assume the cost of a new baffling system. K. Bovee agrees that the District abandoned the system. J. Anklam spoke with someone from Del Zotto and they estimated that the cost of 4 tanks in the 1990's would have been about \$9,000-\$10,000. J. Bowen motioned to require Scenic Café to meet grease discharge limitations within 60 days. Motion quashed due to lack of support. S. Graden will get a quote from Superior Construction and the Board will hold a special meeting the second week in November. Motion by K. Kuettel to allow S. Graden time to get the quote and for the Board to hold the special meeting to clarify the amount the District is responsible for. The District will assume the costs incurred for any jetting that may occur until the special meeting is held. Seconded by J. Bowen. Motion passed unanimously.</p> <p>II. 7025 E. Superior St: A deck has been built over the control box and too close to the grinder station according to the easement. The control box is broken and needs to be moved. M. Thibodeau will draft a letter informing the owner that the deck infringes on the easement. The Board will not require the deck</p>

	<p>to be moved, but if the deck is damaged during a repair, the District will not pay for damages. The owner is responsible for the costs to replace and move the control box. They must use Agate Electric and have it completed within 30 days.</p> <p>III. Letter to All Restaurants: NTS will draft a letter for M. Thibodeau and the Board to send informing them of Ordinance #1, results from testing, and informing them if they were not in compliance they will need to correct the problem. They must be compliant within 60 days or submit a plan to the District Engineer (Jim Anklam). If they would like additional testing to be done, this will be at the owner's expense. Lakeview Castle was the only restaurant that was in compliance. The Board discussed testing for oil and grease annually and B. McNamara will check into which budget this would affect.</p> <p>IV. Pigging: The quote received from Ritter & Ritter was for \$57,000. The Operations Committee recommends holding off until NTS finds a lower quote.</p> <p>V. Well Meters: Beachway Motel is still refusing to allow installation. M. Thibodeau's office looked into what options the Board has, and she will draft a letter stating that the installation will take place on a given date dictated by the plumber. If they refuse installation, a fine will be imposed each day until it is installed. E. Appelwick will call the owner and try to talk to him. J. Mason will have another meter installed at Lakeview Castle for the reverse osmosis system.</p> <p>VI. 2260 Old North Shore Drive: Buildup of solids again. E. Appelwick cleared it out last week.</p>
Old Business	City of Duluth Water Plant Sewer Charges have been paid under "City of Duluth" and the account is current. The invoice that was sent to them has been voided.
Other	Howard Sievert came to the Board Meeting and had questions about the assessment. M. Thibodeau answered his questions.
Adjourn	K. Bovee motioned to adjourn. Seconded by S. Smith. Motion passed unanimously. Meeting adjourned at 10:45.
Next Meeting Date	The next meeting is at 0700 at French River Lutheran Church November 17, 2009.

Approved (date): _____

Chair

Secretary