

Duluth/North Shore Sanitary District – Board of Managers
Meeting # 126

Date: July 20, 2010
Meeting called to order at: 7:05 am.
Board Members Present: Kevin Bovee, Dean Korri, Scott Smith, Katie Kuettel, John Bowen
Board Members Absent: None
Others Present: John Mason, Julie Lundholm, Mia Thibodeau, John E Kessler, Jim Anklam, John Fischer, Mary Ann Sironen
Minutes To: Kevin Bovee, Dean Korri, Scott Smith, Katie Kuettel, John Bowen, Eric Applewick, John Mason, Mia Thibodeau, Jim Anklam, Mary Ann Sironen
Minutes By: Julie Lundholm

1. **Roll call:** all members present.
2. **Approve agenda:** Addition to Treasurer's report – *5848 N Shore Dr.*, addition to Legal – *Land Use Plan/Comprehensive Plan*. Motion to approve with additions by **K. Kuettel**. Second by **S. Smith**. Motion passed unanimously.
3. **Minutes:** regular meeting # 125, June 15, 2010. No corrections. Motion to approve as written by **S. Smith**. Second by **K. Kuettel**. Motion passed unanimously.
4. **Public Comment:** J. Kessler and Mary Ann Sironen requested email copies of minutes. Discussion on who should receive minutes. NTS will provide mailing list from old minutes and Board will review at next month's meeting.
5. **Communication/Correspondence:** **K. Kuettel** received a phone call from a concerned neighbor regarding potential development near McQuade Safe Harbor. The developer has been trying to obtain financing.
6. **Treasurer's Report:**
 - A. Payment of Bills
 1. The PFA payment was due, required some juggling by **B. McNamara**. It is all taken care of.
 2. Bills payable for the H2S meter, Card Member Services, Lars Fladmark (a billback will be prepared for next month), and Gopher State One Call.
 3. Motion by **S. Smith** to pay bills as presented. Second by **K. Kuettel**. Motion passed unanimously.
 4. **J. Bowen** talked with **B. McNamara**; the credit card should be for small purchases only. **J. Mason** (re H2S meter): this item was discussed and approved previously. The card limit didn't cover the entire purchase, leaving a balance due of \$679.18. **B. McNamara** wrote a check for that amount.

5. **J. Bowen:** there are two addresses on the invoice; not on database. Names are also incorrect. **J. Mason** will make corrections.
 6. **K. Kuettel:** volunteered to be part of budget discussion.
 7. **J. Bowen:** may need to have a meeting before the budget meeting in August to address questions regarding proceeding with more pigging. Is it necessary? If so, the Board may need to budget \$20 - \$30 thousand for this. **J. Anklam** said it is not needed unless there are any noticeable changes in the pumps.
 8. **J. Bowen:** will check into the possibility of having an operations committee meeting before August 4th. **NTS** needs to look at extraordinary maintenance charges in regards to possible budget adjustments.
- B. 5848 N. Shore Drive (Schultz):
1. **J. Mason:** this is a functional property, currently being used. The property adjacent appears to be abandoned.
 2. **J. Bowen:** researched history – it is noted in the Board minutes of Oct 12, 2005 that the customer requested a system be installed. Parcel 387 has an easement and owns the grinder pump. This is the wrong parcel code and is not in the database. **K. Bovee** has copies of this billback. **J. Bowen:** motion to backbill Schultz for service back to 10/12/2005 connection, monthly service, debt service, and assessment. Second by **S. Smith**. Motion passed unanimously. **M. Thibodeau:** a full assessment procedure will have to be done or have the customer sign a waiver. **M. Thibodeau** will call **B. McNamara** to discuss a template letter and letter will be sent out to the customer. **S. Smith** will call **B. McNamara** and have her call the customer and present the bill.
7. **New Business:** None.
8. **Legal Issues: Mia Thibodeau**
- A. 7445 E. Superior St (Matthew Christensen): **J. Mason** posted a notice stating the equipment will be pulled. Future discussion is needed in regards to when a property abandonment is done, should the equipment be pulled and when. **J. Bowen:** the difference between inactive and abandoned is that when the property is inactive, the equipment is in place but not being used. No debt service fee is charged and it is noted on the database. When abandoned, the grinder station is crushed and lines, etc. are pulled out. The operations committee will meet to determine if this property should have an inactive or abandoned status. **S. Smith:** an assessment has been assigned to the property. It will be tax forfeit in 2012, should be listed as abandoned, and the structure torn down. **M. Thibodeau:** costs for reinstalling equipment will have to be paid by the customer, including all costs for reactivation. **J. Mason:** the pumps should be left in place; they're allocated to that property. If pulled, they'll have to be rebuilt.

- K. Bovee:** Need an operations committee meeting to develop a policy for abandoned vs. inactive properties. Costs of reactivation should be part of that policy, along with at what point the monthly user fees will stop. **K. Bovee** tabled this discussion. It should go to the operations committee for their next meeting.
- B. Land Use/Comprehensive Plan: **M. Thibodeau** stated WLSSD's statute requires all governmental units to have a comprehensive plan. At this point, she feels it is not necessary to revamp the current plan. **S. Smith** feels the Board should abandon the DNSSD Comprehensive Plan and adopt a plan similar to that of Lakewood Twp, Duluth Twp, and the City of Duluth. **M. Thibodeau:** if that is done, the plan must be approved by WLSSD, however, the Board does not have to do anything at this time.
- C. Governance Calendar: the Board has reviewed the comprehensive plan.
- D. **M. Thibodeau:** the governance calendar provides that at the August meeting, the Rates and Charges Committee will present an annual review. **K. Bovee:** the Rates and Charges Committee will meet with B. McNamara before the next meeting.
- E. **M. Thibodeau:** also in August, KRLSD needs to be provided and estimate of their share of the Operations, Maintenance, and Repair. NTS was sent a reminder email that the calculations are due in August. NTS should present their Operations & Maintenance share of the budget.
9. **Engineer's Report: Jim Anklam**
- A. Summary of Grease Management Workshop (June 23): 13 attendees from Scenic Café, Nokomis, Tom's Logging Camp, The Lighthouse, and WLSSD. **J. Mason:** discussion with Scenic Café; their plan was approved by the State. He will note results in the database. **J. Anklam** will send a follow-up letter to the Scenic Café asking for a status update. The letter should restate the policy; any costs incurred by grease issues will be the responsibility of the customer. A thank you letter should be sent to City of Duluth staff for their help, signed by the Chair. **J. Mason:** a purchase agreement was signed for the Lakeview Castle. Red Swan Catering will be the new owners, with event catering, a bar, and limited food (not a full service restaurant).
10. **Operations Committee: John Bowen**
- A. Flow: up due to recent 4 inches of rain received. Well within capacity.
- B. Database: already addressed. Good source of information.
- C. FOG (fat, oil, grease) Ordinance: trying to meet MPCA requirements.
- D. Capacity Allocation Agreement (WLSSD): addressed previously.
- E. Assessment to Lakeview Castle: talked with Dan Belden (not involved). The assessment is the responsibility of DNSSD.
- F. NTS Task List (for new contract): **J. Bowen: Eric Applewick** has not gotten back to him. He has made CDs of meetings, redlined items, and letter. Eric has submitted a first draft. Both **J. Anklam** and **J. Bowen** have made additions. **J. Bowen** will send

it to **B. McNamara**. **J. Mason**: all redlined items have been agreed to on tape, but the draft has not been done by **E. Applewick**. Roles need to be defined and issues cleared up. The only thing he is waiting for is the final go-ahead from **E. Applewick**. **J. Mason** will check with him on status.

11. **Operations Report: John Mason - NTS**

- A. H2S Monitor: carbon change out will be done Thursday.
- B. Restaurant Sampling: all have been completed. When everything is received, results will be emailed to all board members and **J. Anklam**.
- C. Lakeview Castle (start-up and cleaning of system): now under new ownership. He wants to go in and clean up everything to establish a new baseline for oil and grease use. Possibly open for business late August.
- D. 7025 E. Superior St: deck built over control box. Homeowners were given a June deadline to remove deck. They say a contractor has been hired. **J. Mason** will monitor the situation.
- E. Costs associated with shipping H2S Logger back are part of the pigging project. **J. Bowen** questioned the extra charge for the Ryan Road odor control project. **J. Mason** stated it was a valid charge per the contract (two or more employees needed). **J. Bowen**: feels this is routine service – opinions requested from board. **K. Kuettel** concerned because extraordinary expenses seem to be going up. **S. Smith**: this needs to be clarified in the contract as best it possibly can.

12. **Old Business:**

- A. Comprehensive Plan: already discussed.
- B. Ricky Miles Johnson: a decision will be made in the future if inactive or not. It is not clear if he is being billed now. Per **B. McNamara**'s notes, bills have been voided back to December, 2009. Current and future bills have been stopped. **M. Thibodeau**: there are no user fees now. A letter is needed from St. Louis County to remove debt service fees from property taxes. Back taxes owed are \$4,000.00. **K. Bovee**: this matter tabled until the August meeting. He will make some inquiries with **B. McNamara**.
- C. Todd Anderson Driveway: he has refused to sign a letter from the Board offering him \$3,000.00. The Board made that offer with a deadline. **K. Bovee** will talk to him.
- D. 7025 E. Superior St: already addressed.
- E. Mary Ann Sironen: **J. Mason** has a plan in place for a rain event to video the line inside from the basement. He will rent the equipment from London Road Rental. They need to determine where the water is coming in.

13. **Other:** Nothing.

14. **Adjourn:** Motion to adjourn meeting at 9:00 am by **K. Bovee**. Second by **S. Smith**. Motion passed unanimously.

Next Meeting Date: The next meeting will be held at 7:00 am at French River Lutheran Church on August 17, 2010.

Minutes Approved by: *Cheryl Boone* 10-19-10
Chair Date

 Katherine A Kuetter 10/19/2010
Secretary Date