

Duluth/North Shore Sanitary District – Board of Managers
Meeting # 128

Date: September 21, 2010
Meeting called to order at: 7:04 am.
Board Members Present: Kevin Bovee, Scott Smith, Katie Kuettel, John Bowen
Board Members Absent: Dean Korri
Others Present: John Mason, Julie Lundholm, Mia Thibodeau, Jim Anklam, John Fischer, Mary Ann Sironen, John Kessler, Don Fennessy, Eric Applewick
Minutes To: Kevin Bovee, Dean Korri, Scott Smith, Katie Kuettel, John Bowen, Eric Applewick, John Mason, Mia Thibodeau, Jim Anklam, Mary Ann Sironen, Becky McNamara
Minutes By: Julie Lundholm

1. **Roll call:** four members present, one absent, as noted above.
2. **Approve agenda:** additions to #5, V. *Lighthouse*, and #8, I. NTS Insurance *Renewal*. Motion to approve with additions by **S. Smith**. Second by **K. Kuettel**. Motion passed unanimously.
3. **Minutes:** regular meeting # 127, August 17, 2010. Correction to #6, D. add *All letters should be scanned and put in database*. Motion to approve as written by **S. Smith**. Second by **J. Bowen**. Motion passed unanimously.
4. **Public Comment:**
 - A. **J. Kessler:** a variance has been applied for by owners of property across the highway from Dodges Log Lodges. They are interested in building on two of the lots combined if they can get serviced by sewer.
 - B. **D. Fennessy:** lives at 2250 Old North Shore Rd. He has had in excess of 30 sewer calls; three last month. The problem seems to be 200-300 yards west of the house. There is frequent plugging, possibly in the air release valve. There is an area on the road that's always wet. Plugging seems to occur when the homeowners down the road are home. The installing contractor was not experienced. He is seeking options to resolve the problem and is asking the Board to come up with a solution.
 - C. **M. Sironen:** received a call from Marlys Livingston, a resident who lives at 5356 Greenwood Rd, who received information that someone was going to dig up her yard. She asked if NTS had work scheduled for this address. **J. Mason:** this address is not on the list. Also, Duluth Township has been getting inquiries from realtors regarding liens on properties. They should be calling **B. McNamara**. These are not liens, but assessments. She will make sure the township informs people to call Becky. **J. Mason** and **J. Kessler** suggested they visit the web site to get information before calling.

5. **Communication/Correspondence:**

- A. Schulz (back bill for services): Mr. Schulz talked to **B. McNamara** last month and said he would pay. He is now contacting **K. Bovee** via email and was informed this would be brought to the Board and he would be notified of the decision. **M. Thibodeau:** the assessment is completely missing from the database. More clarification is needed. If the homeowner elects to not pay, the Board must go through the formal assessment procedure. If this is to be on the assessment rolls for 2010, the Board must give him notice and an opportunity for a hearing. A signed waiver is not appropriate. **J. Bowen:** all notes regarding this issue are on the database. The tank was inspected 8/2/05. The homeowner claims the property is seasonal. **S. Smith** questioned whether email could be considered official correspondence. **M. Thibodeau:** as an initial contact, it is ok. Formal decisions should be in letter form. **K. Bovee** will send the entire email file to the board members. **M. Thibodeau** will draft a letter to have ready for next month's meeting. There must be a special hearing for an assessment.
- B. **M. Thibodeau:** a letter was requested by the state auditor as to whether any lawsuits are pending against the district. None are known. **K. Bovee** signed the letter and it was sent to **B. McNamara**.
- C. **B. McNamara** emailed a copy of the WLSSD Capacity Allocation to the Board. **M. Thibodeau:** a letter was sent to WLSSD regarding the appropriate capacity allocation for the next five years. WLSSD's response was that the actual flow was lower than projected (actual 5% lower, 85% of history average). If the Board does not reply to WLSSD by October 11, 2010, WLSSD's numbers will be used. The Board agreed to not reply.
- D. **J. Anklam:** New Scenic Café and Lighthouse FOG Letter: was mailed out in early August. Both questioned the results, and both are taking measures to reduce grease and both are delaying installation of a grease trap. **J. Mason** will get a trend and baseline report. Per the Ordinance, the district can tell the restaurant they can be held liable for costs of improvements and testing. **J. Anklam:** due to WLSSD's FOG Ordinance, area restaurants will be trying a lot of different actions over the next six months to comply with the ordinance. The grease management information gained at restaurants outside the District may be useful, and may help the four restaurants in the District comply with the ordinance. The district ordinance is more stringent than WLSSD. **J. Mason:** sampling will be done before the end of September. Nokomis is having their own sampling done and has hired Jamar to consult regarding an external grease trap. **J. Mason** and **J. Anklam:** the Board can dictate the methods and means of sampling. Cost per quarter runs approximately \$1300.00 to \$1500.00 and includes rental of samplers and flow meters, and staff hours. Sampling four times per year provides a good representation. **J. Mason:** this is a good reason for the Operations

Committee to do a policy on standards for restaurant sampling. If a restaurant does sampling on their own, the results should be provided to the district. **M. Thibodeau** will review and verify if this needs to be in an Ordinance. The Board also needs to address compensation requests for external grease traps. **K. Bovee:** the Operations Committee will address the issue, however the Board will not take action at this time.

6. **Treasurer's Report:**

- A. Payment of Bills: **S. Smith:** questioned some items that did not appear to be normal monthly expenses; verified to be appropriate bills. Motion to pay the monthly bills. Second by **K. Kuettel.** Motion passed unanimously.
- B. 2011 Budget: Profit/Loss Budget Overview handout distributed. General discussion followed regarding items on handout and ways in which overall costs could be reduced. **J. Bowen:** motion to accept the 2011 budget as presented. Second by **K. Kuettel.** Motion passed unanimously. The Board discussed ideas for holding a public meeting in order for residents to understand cost increases for Debt Service Fee and monthly fee.

7. **New Business:**

- A. \$5500.00 Assessment: **J. Mason:** there is a property on E. Superior St. that is now tax forfeit. The new buyer is asking what a connection cost would be. This property paid the \$5500.00 original assessment fee upfront. Clarification is needed on what is covered by this fee. The Board determined this would cover the hook-up fee. All other costs will be paid by the owner.

8. **Legal Issues: Mia Thibodeau**

- A. NTS Insurance Renewal: **M. Thibodeau** will send the Board the form for renewal of insurance. **K. Bovee:** The Board should look into getting a competitive bid from other carriers for the same insurance coverage.

9. **Engineer's Report: Jim Anklam**

- A. 1159 and 2250 Old North Shore Rd: **J. Anklam** met with the Operations Committee regarding a plan for an air relief valve. **E. Applewick** suggested drilling weep holes on the top and bottom of the pipe. This was done with significant improvement. An inline vent was also installed. **J. Mason:** there has been a decrease in callouts to this property, however, there is still a lot of air in the line. **J. Anklam:** will see if this resolves the problem before proceeding with installation of air relief valves. There is also no reason to not try this at 2250 Old North Shore Rd. where downstream water use probably creates a flow condition that keeps the pipe air bound. He proposes to see if the work done at 1159 helps, then meet with the Operations Committee to come up with a plan for 2250 at that time.
- B. Lift Station Fall Thru Protection: **E. Applewick** and **J. Mason:** measures need to be taken to prevent workers from falling into the wet well access opening. There are

safety and liability concerns. They recommend the district install grates at lift stations 1 and 2. The primary concern is the two wet wells, one each at Lift Stations 1 and 2. The estimated total cost is \$2000.00 - \$2500.00. Motion by **K. Kuettel** to install fall thru protection on lift stations 1 and 2 for an approximate cost of \$2500.00. Second by **J. Bowen**. Motion passed unanimously. **J. Anklam** will work with **J. Mason** and **B. McNamara** to get this started. Funds will come from the capital budget.

10. Operations Committee: John Bowen

- A. Flow: discussed previously.
- B. Abandonment (Change of Service) Policy: a copy was sent to all board members. There was discussion of the policy. Motion by **K. Kuettel** to approve the service status change policy as corrected during the discussion. Second by **J. Bowen**. Motion passed unanimously. **J. Bowen** will have a procedure done by next month's meeting.
- C. Lakeview Castle: this will now be the Red Swan Event Center. **J. Bowen** contacted Dan Belden (WLSSD) regarding re-assessments of Capacity Availability Fee (CAF) for the Red Swan Event Center. Dan sent an email stating the DNSSD Board should have the Red Swan Event Center contact WLSSD. WLSSD determines CAF units and 'change in use' for commercial properties therefore WLSSD should contact the Red Swan Event Center if they think a re-assessment is required due to 'change of use'. **M. Thibodeau**: the issue is to determine any change in flow and if the number of CAF units should be changed.
- D. WLSSD Meeting: this was already discussed. The meeting was very helpful.
- E. Database: is working ok now. Issues have been resolved.
- F. Web Page: has been changed.

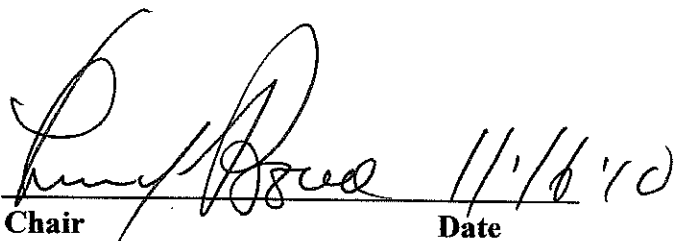
11. Operations Report: John Mason - NTS

- A. Lift Station Maintenance: W.W. Goetsch will complete in September. Will possibly need to repair some pump seals next year.
- B. Restaurant Sampling: already discussed.
- C. System Winterization: planning now, will be done.
- D. Ryan Road H2S Readings: handout: August rain/flow chart. The August/September H2S levels at Ryan Road need to be addressed. Odor control measures have been implemented due to problems with the manhole. NTS is working with Ayres for a solution. Costs to repair the manhole would be very high. Turbulence needs to be reduced; system changes from pressure to gravity. Will continue to monitor.
- E. Database is being kept up to date.

12. Old Business:

- A. Ricky Mills Johnson: **K. Bovee**: as soon as the abandonment procedure is done this will be resolved.

- B. Todd Anderson Driveway: **K. Bovee** still has not talked to him. **M. Thibodeau** will find out if a time limit was set, but it could possibly be removed if he is not pursuing the matter.
 - C. Final Minutes Email List: **J. Mason** gave **J. Lundholm** the list. She will construct a formal list, double check it with **J. Mason**, then forward to Board members.
 - D. Mary Ann Sironen: **J. Mason**: rented a sewer camera in August during a significant rainfall event to look at the pipe from the house. Unable to determine what the issue was. Larry Shelton excavated (pictures and notes provided in packet). A 'Y' connection in the pipe was separated, cut, and capped, and the other end extended out to drain in the yard. General discussion followed. Motion by **J. Bowen** to have the district absorb the \$2047.50 repair costs (because nobody ever checked the pipe back to the foundation). Second by **K. Kuettel**. Motion passed unanimously.
M. Thibodeau suggested the Board develop a policy on how to handle this type of situation in the future. **J. Bowen**: the district is only responsible to where the tie-in was made.
 - E. 7025 E. Superior St (deck over control panel): the Board asked **J. Mason** for help in resolving this issue. There are problems with contractors. The repair will be done by the deadline set forth in the letter (October 1, 2010).
13. **Other:** None.
14. **Adjourn:** Motion to adjourn meeting at 10:10 am by **K. Bovee**. Second by **K. Kuettel**. Motion passed unanimously.

Minutes Approved by: 
 Chair Date


 Secretary Date

Next Meeting Date: The next meeting will be held at 7:00 am at French River Lutheran Church on October 19, 2010.