

Duluth/North Shore Sanitary District – Board of Managers

Meeting # 154 7:00 A.M November, 20 2012

French River Lutheran Church

Board Members Present: Kevin Bovee, Dean Korri, Scott Smith, Angela Braud, Katie Kuettel
Board Members Absent: None
Others Present: Mia Thibodeau, Eric Appelwick, John Fischer, Jim Bakken

1. The meeting was called to order at 7:13 A.M. by **K. Bovee**.
2. **Approve Agenda:**
 - I. **Motion** to approve Agenda as amended by **K. Kuettel**. **Second** by **D. Korri**. **Motion** passed unanimously.
3. **Meeting Minutes:**
 - I. The minutes of the regular meeting #152, September 18, 2012, **Motion** to approve the minutes by **K. Kuettel**. **Second** by **S. Smith**. **Motion** passed unanimously. The minutes of the regular meeting #153, October 16, 2012, **Motion** to table the minutes by **S. Smith** to allow for **M. Thibodeau's** changes. **Second** by **K. Kuettel**. **Motion** passed unanimously.
4. **Public Comment/Input:** None
5. **Communications/Correspondence:**
 - I. FEMA: **E. Appelwick** stated D/NSSD was reimbursed \$11,406.70 by FEMA. Gardenwood Resort and Motel will be credited \$3,312.42 for costs incurred during the rain events of June 20th.
 - II. KRLSD: D/NSSD received a letter from Mr. Bob Enzton, KRLSD, requesting more information regarding the billing calculation between D/NSSD and KRLSD.
 - III. **K. Bovee** and **S. Smith** met with Mr. John Bray on 11/19/12 along with **B. McNamara** telephoning into the meeting. A letter will be sent by Mr. Bray next week to KRLSD explaining what information will be sent to KRLSD. KRLSD is still in arrears with flow payments to D/NSSD for \$24,560.
6. **Treasurer's Report: Scott Smith**
Payment Of Bills:
 - I. **Motion** by **S. Smith** to credit the Gardenwood Resort and Motel \$3,312.42 contingent upon an explanation of the \$94.91 from **B. McNamara**. **Second** by **K. Kuettel**. **Motion** passed unanimously.
 - II. **Motion** by **S. Smith** to Bill-Back 5527 North Shore Drive for plugging a District pump due to a prohibited item. **Second** by **K. Kuettel**. **Motion** passed unanimously. A letter will be drafted by **E. Appelwick** to accompany the bill-back.
 - III. CAF fee was paid to WLSSD for 8901 E. Superior Street in the amount of \$902.00
 - IV. **Motion** to pay the monthly bills as presented by **S. Smith**. **Second** by **K. Kuettel**. **Motion** passed unanimously.

7. **Legal Issues: Fryberger, Mia Thibodeau**

- I. Abandonment Policy, **M. Thibodeau** reviewed **B. McNamara's** E-mail discussing the 2010 Service Status Change Policy ("Abandonment Policy") and its inefficiencies. **B. McNamara** asked that the Board revisit the policy to ensure District assets are being properly utilized. **E. Appelwick** further discussed the Abandonment Policy stating he is in agreement with **B. McNamara's** E-mail. **B. McNamara** and **E. Appelwick** recommended leaving the grinder basin in place and removing the pump and controls as part of the abandonment process. When a homeowner wants to reinstate the sewer system, it will be their responsibility to purchase the pump, controls, have it installed, and pay an activation fee that is valued the same as the debt service fee for the year the system is reinstalled. **M. Thibodeau** added this does not allow most properties to abandon because if water or plumbing serves the property, by law, the home must be hooked to the sewer system. **E. Appelwick** noted with in-active pays the debt service fee, but not the monthly fee. Abandoned status does not pay the debt service fee or monthly fee. Inactive status will have to pay an activation fee and if any callouts happen to an inactive property. The homeowner may be responsible for the costs associated. **E. Appelwick** recommended the EDU should remain with a property that has a grinder basin installed. **E. Appelwick** stated that all requests should be approved by the Board before any action is taken. **D. Korri, S. Smith** and **M. Thibodeau** discussed that each request will come to the Board for approval. **M. Thibodeau** stated a letter was sent to the residences affected in March 2011 explaining the policy, a copy of the policy, and fees applicable in 2012/2013. **Motion** made by **K. Kuettel** to send a letter specifying the amendment to the 2013 Abandonment Policy allowing the grinder basin to remain in place for an abandoned property. **Second** by **S. Smith**. **Motion** passed unanimously. Discussion: **M. Thibodeau** and **E. Appelwick** to draft and send the letter.
- II. **M. Thibodeau** discussed the resolution certifying past due user fees and debt service fees which are provided to St. Louis County by November 30th. **M. Thibodeau** stated, the properties affected by the Abandonment Policy are on the list of certified to taxes. Discussion regarding Matthew Christensen property: property is set to go tax forfeit next year. Back taxes and assessments nearly exceed property value. **S. Smith** stated that would be better for District to prevent situation where assessments exceed property value and to promote sale/use of the property. **M. Thibodeau** noted that the property is not on the debt service fee certification list. **Motion** to certify past due user fees and debt service fees to taxes was made by **A. Braud**. **Second** by **S. Smith**. **Motion** passed unanimously. Discussion: The 2012 debt service fee will apply for the Abandonment Policy properties. The 2013 debt service fee may be removed from the tax rolls if an abandonment application is completed and approved.
- III. **M. Thibodeau** proposed revisions to Ordinance 1 to clarify definitions relating to application of the debt service fee to properties not discharging wastewater into the system. **M. Thibodeau** specifically added a definition, Other User, to the ordinance which depicts any person to whom the sewer is available or may become available. **M. Thibodeau** stated D/NSSD has the authority to charge equitable and reasonable fees pursuant to statute. **S. Smith** requested that all definitions of types of Users be alphabetized under "U." **Motion** by **K. Kuettel** to approve the Ordinance 1 amendments as presented. **Second** by **S. Smith**. **Motion** passed unanimously.
- IV. **M. Thibodeau** stated D/NSSD received a letter from Jared Peterson arguing he should not be assessed the debt service fee. **M. Thibodeau** responded to him by mail describing the Board's ability to charge the debt service fee to his property.
- V. **M. Thibodeau** stated the insurance for the District has been renewed under a different carrier with a savings of \$1,500.

8. **Engineer's Report: Ayres and Associates, Jim Bakken**
 - I. **J. Bakken** stated Superior Construction should be onsite next week to repair the broken riser pipe in lift station #1.
 - II. **J. Bakken** stated moving the well or sewer lateral line is being reviewed by the Furlongs at 5316 Greenwood Rd for a decision.
 - III. **J. Bakken** stated the Ryan Road odor control problem is still being reviewed.

9. **Operations Committee: Dean Korri**
 - I. **D. Korri** discussed the uninterruptable power supply (UPS) failure in lift station #2. **E. Appelwick** stated the failure was assumed to be because of bad incoming power.

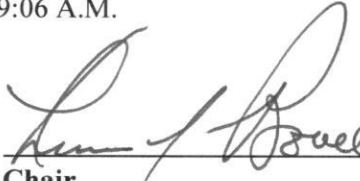
10. **Operations Report: NTS, Eric Appelwick**
 - I. **E. Appelwick** discussed the Sy/Com quote, \$4865 for updating the alarm system for lift station 1 and lift station 2. **Motion by D. Korri. Second by S. Smith** to update the alarm system. He will not utilize the quote until he has confirmation from **B. McNamara** regarding available funding.
 - II. **E. Appelwick** stated he believes the NTS contract is up for review in December 2012.
 - III. **E. Appelwick** announced two new part time employees to help with on call services and all aspects of operations, Mr. Mac Preble and Mr. Terry Tucker.
 - IV. **E. Appelwick** stated all mainline valves have been exercised and 1/3 of the grinder stations from McQuade Road to Ryan Road have been inspected.
 - V. **E. Appelwick** stated the restaurant sampling has been completed.
 - VI. **E. Appelwick** stated the sewer location services have surpassed the 60 hour mark for 2012.
 - VII. **E. Appelwick** stated he will hire Agate Electric to move the odor control exhaust fan from 47th Ave E. to Ryan Road and will have them seal the conduits at the main lift stations. Agate Electric has also been asked to inspect the heat trace at the river crossing on the Talmadge River.

11. **New Business:**
 - I. **S. Smith** discussed drafting a policy establishing what construction may be allowed within the District's easements.

12. **Old Business: None.**

13. **Other: None.**

14. **Adjourn: Motion** to adjourn meeting by **S. Smith. Second by K. Bovee. Motion** passed unanimously at 9:06 A.M.

Minutes Approved by:  1/15/13
 Chair Date

Katherine A Kuettel 1/15/2013
 Secretary Date

Next Meeting Date: The next meeting will be held at 7:00 am at French River Lutheran Church on December 18th.