



AGENDA - REVISED
REGULAR BOARD MEETING
September 26, 2022
5:00 p.m.

1. **Agenda Review**
2. **Old Business**
3. **Approval of Consent Agenda Items**
 - a. Regular Board minutes dated August 22, 2023
 - b. Board Member vouchers for the month of August
 - c. Payment vouchers dated August 17, 2022 to September 20, 2022
4. **New Business Items for Discussion and Approval**
 - Finance
 - a. Recognition of the 50th Anniversary of the Clean Water Act
 - o *(materials to be distributed at the meeting)*
 - b. Approval of Banking Services – RFP #1453
 - c. Resolution 22-10; Increase to Purchasing Policy Bid Limit
 - d. Approval of 2023 Wastewater Budget
 - e. Approval of 2023 Solid Waste Budget
 - f. Resolution 22-11; Establishing a System of Charges for Solid Waste Management Services Recovered as a Charge Against Real Estate
 - g. Resolution 22-12; Certifying Service Charges to the St. Louis County Auditor
 - h. Resolution 22-13; Certifying Service Charges to the Carlton County Auditor
 - i. Resolution 22-14; Establishing Solid Waste Management Fee to be Collected by Solid Waste Collectors
 - Operations & Planning
 - j. Approval of Purchase of Land Application Trailer
 - Other
 - k. Approval of Emergency Declaration for Carlton Pump Station
5. **Committee Reports**
 - a. Committee of the Whole
 - b. Finance
 - c. Operations and Planning
 - d. Personnel
 - e. Legislative
 - f. Board Governance
 - g. Board Member Comments
6. **Executive Director Reporting**
 - a. Communications
 - b. Monthly Financials
 - c. NPDES



MINUTES
REGULAR BOARD MEETING
September 26, 2022
5:00 p.m.

Board Members Present: Jim Aird, Julene Boe, Ruth Janke, Loren Lilly, Dave Manderfeld, Laura Ness, Marcia Podratz, Rob Schilling, and Paul Thomsen

Staff Present: Marianne Bohren, Cathy Remington, Brandon Kohlts, Julie Macor, AJ Axtell, and Amanda MacDonald

Legal Present: David Oberstar – Fryberger, Buchanan, Smith & Frederick

Chair Ness called the meeting to order at 5:02 p.m.

1. Approval of Consent Agenda Items

- a. Regular Board minutes dated August 22, 2022
- b. Board Member vouchers for the month of August
- c. Payment vouchers dated August 17, 2022 to September 20, 2022

MOTION: Member Podratz to approve the Consent Agenda Items

SECOND: Member Boe

DISCUSSION: None

RESULT: The motion passed unanimously

2. New Business Items for Discussion and Approval

a. Recognition of the 50th Anniversary of the Clean Water Act

Marianne Bohren discussed the recognition. In 2010, the WLSSD Board passed a resolution that authorizes WLSSD to pay reasonable expenses (not to exceed \$200) related to employee recognition and achievement programs including individual apparel or other items.

The purpose of the Clean Water Act is to reduce water pollution and to make U.S. waterways swimmable and fishable.

On October 18, 2022 WLSSD is recognizing the 50th Anniversary of the Clean Water Act with an open house, tours, games, and prizes for the public to attend. And would like to provide employees and board members sweatshirts commemorating the 50th Anniversary of the Clean Water Act.

The Finance Committee recommends that the WLSSD Board approve the purchase of CWA sweatshirts for all employees and Board members at a cost

not to exceed \$6,000. This expenditure is budgeted and will be covered under the environmental programs wastewater budget.

MOTION: Member Boe to approve the purchase of Clean Water Act sweatshirts for all employees and Board members

SECOND: Member Manderfeld

DISCUSSION: None

RESULT: The motion passed unanimously

b. Approval of Banking Services – RFP #1453

Cathy Remington discussed the Request for Proposals. WLSSD has sent RFPs for banking services every five years, since 2007. Wells Fargo provided banking services from 2008 – 2017; US Bank has provided services from 2018 – present. The current agreement with US Bank expires at the end of 2022.

WLSSD received two responses to the RFP: US Bank and National Bank of Commerce. The net of annualized fees and interest were very close with banking fees being slightly less at National Bank of Commerce and earning credit rate being slightly higher at US Bank. The P-Card rebate programs were a difference of 1% at National Bank of Commerce and 2.0375% at US Bank. WLSSD averages a rebate of approximately \$55,000 annually with US Bank.

Based on the proposals submitted and P-card program offered, staff recommends the District continue banking services with US Bank for another 3-year period with a possible 2-year extension.

The Finance Committee recommends that the WLSSD Board approve US Bank as WLSSD's financial institution for a period of three years with a possible (2) year extension.

MOTION: Member Manderfeld to approve US Bank as WLSSD's financial institution for a period of three years with a possible two-year extension

SECOND: Member Aird

DISCUSSION: None

RESULT: The motion passed unanimously

c. Resolution 22-10; Increase to Purchasing Policy Bid Limit

Cathy Remington discussed the resolution. This resolution will modify the WLSSD Purchasing Policy to increase the bid limit from \$100,000 to \$175,000.

Any purchase over \$100,000 will still require advanced approval from the WLSSD Board of Directors.

The Finance Committee recommends that the WLSSD Board approve Resolution 22-10; Increase to Purchasing Policy Bid Limit.

MOTION: Member Thomsen to approve Resolution 22-10; Increase to Purchasing Policy Bid Limit

SECOND: Member Lilly

DISCUSSION: None

RESULT: The resolution passed with 9 ayes

d. Approval of 2023 Wastewater Budget

Cathy Remington presented the 2023 Wastewater Budget at the Committee of the Whole meeting prior to the Regular Board meeting.

It is recommending that the WLSSD Board approve the 2023 Wastewater Budget.

MOTION: Member Janke to approve the 2023 Wastewater Budget

SECOND: Member Manderfeld

DISCUSSION: None

RESULT: The motion passed unanimously

e. Approval of 2023 Solid Waste Budget

Cathy Remington presented the 2023 Solid Waste Budget at the Committee of the Whole meeting prior to the Regular Board meeting.

It is recommended that the WLSSD Board approve the 2023 Solid Waste Budget.

MOTION: Member Boe to approve the 2023 Solid Waste Budget

SECOND: Member Thomsen

DISCUSSION: None

RESULT: The motion passed unanimously

f. **Resolution 22-11; Establishing a System of Charges for Solid Waste Services to be Recovered as a Charge Against Real Estate**

Cathy Remington discussed Resolution 22-11. This resolution allows WLSSD to recover a portion of costs incurred by providing solid waste management services through a charge against real estate.

Staff recommends that the WLSSD Board approve Resolution 22-11; Establishing a System of Charges for Solid Waste Management Services Recovered as a Charge Against Real Estate.

MOTION: Member Podratz to approve Resolution 22-11; Establishing a System of Charges for Solid Waste Management Services Recovered as a Charge Against Real Estate

SECOND: Member Manderfeld

DISCUSSION: None

RESULT: The resolution passed with 9 ayes

g. **Resolution 22-12; Certifying Service Charges to the St. Louis County Auditor**

Cathy Remington reviewed Resolution 22-12. This resolution allows WLSSD to assess the costs of solid waste management services as a charge against real estate in St. Louis County.

Staff recommends that the WLSSD Board approve Resolution 22-12; Certifying Service Charges to the St. Louis County Auditor.

MOTION: Member Aird to approve Resolution 22-12; Certifying Service Charges to the St. Louis County Auditor

SECOND: Member Boe

DISCUSSION: None

RESULT: The resolution passed with 9 ayes

h. **Resolution 22-13; Certifying Service Charges to the Carlton County Auditor**

Cathy Remington reviewed Resolution 22-13. This resolution allows WLSSD to assess the costs of solid waste management services as a charge against real estate in Carlton County.

Staff recommends that the WLSSD Board approve Resolution 22-13; Certifying Service Charges to the Carlton County Auditor.

MOTION: Member Thomsen to approve Resolution 22-13; Certifying Service Charges to the Carlton County Auditor

SECOND: Member Podratz

DISCUSSION: None

RESULT: The resolution passed with 9 ayes

i. **Resolution 22-14; Establishing Solid Waste Management Fee to be Collected by Solid Waste Collectors**

Cathy Remington discussion Resolution 22-14. This resolution allows WLSSD to collect solid waste management fees collected by solid waste collectors from generators based on the capacity of the container holding the mixed municipal solid waste.

Staff recommends that the WLSSD Board approve Resolution 22-14; Establishing Solid Waste Management Fee to be Collected by Solid Waste Collectors.

MOTION: Member Aird to approve Resolution 22-14; Establishing Solid Waste Management Fee to be Collected by Solid Waste Collectors

SECOND: Member Manderfeld

DISCUSSION: None

RESULT: The resolution passed with 9 ayes

j. **Approval of Purchase of Land Application Trailer**

Brandon Kohlts discussed the trailer purchase. At the July 25, 2022 WLSSD Board Meeting, the purchase of a hydraulically lifted end dump trailer (Bid #1450) was approved. The bid submitted was ultimately rejected because the vendor stated they could not meet the insulation specifications required for the hauling of biosolids.

On September 7, 2022, the Finance Committee approved a modification of the District Purchasing Policy to be consistent with Minnesota law. This modification increases the range for optional direct negotiation purchases from \$100,000 to \$175,000. The result of this change is that the land application trailer will now be able to be purchased without public bidding according to Minnesota law. Resolution No. 22-10 formalizing this Purchasing Policy change will be brought to the WLSSD Board of Directors for approval at the September 26, 2022 meeting.

District staff issued a revised Request for Quotes (RFQ) on September 13, 2022

for the purchase of this trailer with quotes due on or before September 28, 2022. The 2020 and 2022 wastewater capital budgets included a combined \$135,500.00 for the purchase of a new trailer.

The Operations & Planning Committee recommends that the WLSSD Board approve the direct negotiation purchase of a hydraulically lifted end dump trailer in an amount up to \$150,000.00 funded from capital budget GL #1340-8927.

MOTION: Member Thomsen to approve the direct negotiation purchase of a hydraulically lifted end dump trailer

SECOND: Member Boe

DISCUSSION: None

RESULT: The motion passed unanimously

k. **Approval of Emergency Declaration for Carlton Pump Station**

Marianne Bohren discussed the emergency declaration at the Committee of the Whole meeting prior to the Regular Board Meeting. During the excavation work for the Carlton Pump Station, an underground storage tank was discovered and found to be leaking. Removal of the tank was necessary in order to protect public health and the environment.

The contractor has halted construction activities due to the contamination in the construction area. WLSSD staff has coordinated resources to manage the removal and disposal of any contaminated material at the construction site and is meeting with consultant to determine the best remediation strategy.

The emergency response is required and various contractor services will be needed immediately for the removal and disposal of contaminants, precluding compliance with normal public bidding requirements.

WLSSD staff and legal counsel recommend that the WLSSD Board approve Resolution 22-15; Declaration of Emergency – Carlton Pump Station Reconstruction Project.

MOTION: Member Boe to approve Resolution 22-15; Declaration of Emergency – Carlton Pump Station Reconstruction Project

SECOND: Member Podratz

DISCUSSION: None

RESULT: The motion passed unanimously

3. Committee Reports

The Committee Reports were discussed at the Committee of the Whole meeting prior to the Regular Board meeting.

4. Executive Director Reporting

a. Communications

Marianne Bohren discussed the communications at the Committee of the Whole meeting prior to the Regular Board meeting.

b. Monthly Financials

Cathy Remington presented the financials for August at the Committee of the Whole meeting prior to the Regular Board meeting.

c. NPDES

Julie Macor presented the NPDES report for August at the Committee of the Whole meeting prior to the Regular Board meeting.

5. Legal Counsel – no report

6. Executive Session – none

The meeting adjourned at 5:12 p.m.

Amanda MacDonald, Recording Secretary

Laura Ness, Board Chair

Julene Boe, Board Secretary