East Range Water Board

**July 21, 2021 Board Meeting Minutes**

**Aurora, Minnesota**

***The Meeting was called to order by Doug Gregor at 4:30 P.M., on Wednesday, July 21, 2021 in the City/Town Government Center Conference Room. Participants attended in person and through ITV (Zoom).***

**ROLL CALL:**

Present: Douglas Gregor, Jim Gentilini, Clark Niemi, Dave Skelton, Jon Skelton

Absent:

Also Present: Jodi Knaus, Todd Koneczny, Mike Larson, Norma Jean Jofs, Dave Worshek, Miles Jenson, Kevin Young, Mia Thibodeau

**1. APPOINT BOARD ROLES/OFFICERS**

IT WAS MOVED BY JON SKELTON, SUPPORTED BY DAVE SKELTON TO APPOINT DOUG GREGOR AS CHAIRMAN OF THE BOARD. AYES 5, NAYES O; MOTION CARRIED

IT WAS MOVED BY GREGOR, SUPPORTED BY GENTILINI TO APPOINT JON SKELTON AS VICE CHAIRMAN OF THE BOARD. AYES 5, NAYES 0; MOTION CARRIED

IT WAS MOVED BY GREGOR, SUPPORTED BY GENTILINI TO APPOINT DAVE SKELTON AS THE SECRETARY & TREASURER OF THE BOARD. AYES 5, NAYES 0; MOTION CARRIED

Gregor would like to have Mesabi Tribune print a feature article with a photo to celebrate this milestone.

**2. MEETING SCHEDULE**

IT WAS MOVED BY GREGOR, SUPPORTED BY NIEMI TO SCHEDULE MONTHLY MEETINGS ON THE 3RD WEDNESDAY OF EACH MONTH AT 4:30 P.M. IN THE CONFERENCE ROOM AT THE CITY/TOWN GOVERNMENT CENTER. AYES 5, NAYES 0; MOTION CARRIED

**3.** **OPEN MEETING LAW COMPLIANCE – DESIGNATE POSTING LOCATIONS**

IT WAS MOVED BY DAVE SKELTON, SUPPORTED BY NIEMI TO DESIGNATE THE OFFICIAL POSTING LOCATIONS TO BE THE SAME AS THE CITY & TOWNSHIP REGULAR MEETING POSTING LOCATIONS CURRENTLY IDENTIFED AS THE CITY/TOWN GOVERNMENT CENTER, TOWNSHIP PUBLIC WORKS GARAGE, AND LOON LAKE COMMUNITY CENTER. AYES 5, NAYES 0; MOTION CARRIED

**4. JOINT SYSTEM EMPLOYEES**

Job Descritpions must be approved by resolution of the Board. Expenses in excess of $5.000.00 incurred by a Party’s employee for work related to the Joint System must be in the budget or approved by the Board in advance, per the Joint Powers Agreement Section 6.2.

IT WAS MOVED BY JON SKELTON, SUPPORTED BY GENTILINI TO TABLE THE DISCUSSION OF AND APPOINTMENT OF A SYSTEM SUPERINTENDENT/UTILITY MANAGER. AYES 5, NAYES 0; MOTION CARRIED

IT WAS MOVED BY JON SKELTON, SUPPORTED BY GENTILINI TO APPOINT LINDSEY LUKE AS THE ADMINISTRATIVE STAFF MEMBER WITH AMANDA CROSS AS THE ALTERNATE TO PERFORM CLERICAL DUTIES SUCH AS POSTING NOTICES OF MEETINGS, CREATING AGENDAS & MEETING PACKETS, AND TAKING MINUTES OF ANY BOARD MEETINGS. AYES 5, NAYES 0; MOTION CARRIED

IT WAS MOVED BY DAVE SKELTON, SUPPORTED BY NIEMI TO APPOINT STEFANIE DICKINSON AS THE CHIEF FINANCIAL OFFICER WITH JODI KNAUS AS THE ALTERNATE FOR THE EAST RANGE WATER BOARD TO PERFOM DUTIES SUCH AS PROVIDING FINANCIAL REPORTS, TRACKING RECEIPTS AND PAYMENTS, AND FUTURE INVESTMENTS. AYES 5, NAYES 0; MOTION CARRIED

IT WAS MOVED BY GREGOR, SUPPORTED BY JON SKELTON TO CONTINUE THE EMPLOYMENT OF BUILDING RESCUE/TODD KONECZNY AS PROJECT LIAISON TO CONTINUE WORK ON THE WATER PROJECT EXCLUDING CLERICAL WORK ON AN INTERIM BASIS AT A COST OF NO MORE THAN $5,000.00 FOR THE NEXT THIRTY (30) DAYS. AYES 5, NAYES O; MOTION CARRIED

**5. ESTABLISHMENT OF BY-LAWS** – Fayal Township’s bylaws were distributed as an example for the Board to review. Mia Thibodeau will assist with creating these and will send out an example for the Board to review. Knaus will reach out to Biwabik to get a copy of the Public Utilities Commission’s by-laws.

IT WAS MOVED BY JON SKELTON, SUPPORTED BY GENTILINI TO TABLE TO NEXT MONTH. AYES 5, NAYES 0; MOTION CARRIED

**6. LEGAL COUNSEL**

IT WAS MOVED BY GREGOR, SUPPORTED BY GENTILINI TO TABLE THIS TO NEXT MONTH. IT WAS MOVED BY GREGOR, SUPPORTED BY GENTILINI TO WITHDRAW THIS MOTION.

IT WAS MOVED BY JON SKELTON, SUPPORTED BY DAVE SKELTON TO APPOINT THE FRYBERGER LAW FIRM TO PROVIDE LEGAL COUNSEL ON AN INTERIM BASIS FOR ALL LEGAL MATTERS. AYES 5, NAYES 0; MOTION CARRIED

IT WAS MOVED BY JON SKELTON, SUPPORTED BY GENTILINI TO TABLE THE HIRING OF GENERAL LEGAL COUNSEL TO NEXT MONTH. AYES 5, NAYES O; MOTION CARRIED

**7. ENGINEERING FIRM**

IT WAS MOVED BY DAVE SKELTON, SUPPORTED BY NIEMI TO APPOINT SHORT, ELLIOTT, & HENDRICKSON (SEH) AS THE ENGINEERING FIRM FOR THE JOINT WATER PROJECT. AYES 5, NAYES 0; MOTION CARRIED

**8. FISCAL ITEMS**

IT WAS MOVED BY JON SKELTON, SUPPORTED BY GENTILINI TO HAVE ALL DISBURSEMENTS BY CHECK REQUIRE TWO SIGNATURES, BY THE CHAIRMAN AND VICE CHAIRMAN OF THE BOARD. AYES 5, NAYES 0; MOTION CARRIED

IT WAS MOVED BY GREGOR, SUPPORTED BY JON SKELTON TO TABLE TO NEXT MONTH THE DISCUSSION OF APPROVING PURCHASING DELEGATED AUTHORITY OF UP TO $50,000.00 PER JOINT POWERS AGREEMENT SECTION 3.6. AYES 5, NAYES 0; MOTION CARRIED

IT WAS MOVED BY GREGOR, SUPPORTED BY GENTILINI TO TABLE TO NEXT MONTH THE DISCUSSION OF APPROVING STANDING AUTHORIZATIONS FOR DISBURSEMENTS UNDER A CERTAIN AMOUNT FOR REGULAR EXPENSES. AYES 5, NAYES 0; MOTION CARRIED

IT WAS MOVED BY GREGOR, SUPPORTED BY JON SKELTON TO TABLE TO NEXT MONTH THE ESTABLISHMENT OF AND APPROVAL OF THE 2021 BUDGET. AYES 5, NAYES 0; MOTION CARRIED

The Board would like monthly statements, and Dave Skelton copied on transactions so he is aware of them as Secretary/Treasurer of the Board. The Board would like all financial statements and reports to be distributed to the Board three days in advance of any meeting. The accounting process for invoicing, billing, customer statements etc. will be developed in future months. Gregor would like any outstanding debts incurred during June deferred to the Water Board Meeting next month.

IT WAS MOVED BY GREGOR, SUPPORTED BY JON SKELTON TO TABLE ACCOUNTING PROCESS ITEMS TO NEXT MONTH. AYES 5, NAYES 0; MOTION CARRIED

**9. AUDITING FIRM**

IT WAS MOVED BY SKELTON, SUPPORTED BY NIEMI DIRECTING KNAUS TO REACH OUT TO WALKER, GIROUX, AND HAHNE TO SEE IF THEY ARE INTERESTED IN BEING THE AUDITING FIRM FOR THE EAST RANGE WATER BOARD. AYES 5, NAYES O; MOTION CARRIED

**10. OFFICIAL NEWSPAPER FOR 2021**

IT WAS MOVED BY DAVE SKELTON, SUPPORTED BY GENTILINI TO DESIGNATE THE MESABI TRIBUNE AS THE OFFICIAL NEWSPAPER FOR PUBLICATIONS FOR THE EAST RANGE WATER BOARD. AYES 5, NAYES 0; MOTION CARRIED

**11. OFFICIAL DEPOSITORY**

IT WAS MOVED BY JON SKELTON, SUPPORTED BY DAVE SKELTON TO DESIGNATE NORTHERN STATE BANK OF ASHLAND, AURORA BRANCH AS THE OFFICIAL DEPOSITORY FOR BOARD FUNDS. AYES 5, NAYES 0; MOTION CARRIED

**12. INSURANCE AGENT**

IT WAS MOVED BY GREGOR, SUPPORTED BY DAVE SKELTON TO DESIGNATE JARED AHRENS AS THE INSURANCE AGENT FOR THE EAST RANGE WATER BOARD THROUGH THE LEAGUE OF MINNESOTA CITIES INSURANCE TRUST. AYES 5, NAYES 0; MOTION CARRIED

**13. ADOPT ORDINANCES**

IT WAS MOVED BY NIEMI, SUPPORTED BY DAVE SKELTON TO TABLE TO NEXT MONTH. AYES 5, NAYES O; MOTION CARRIED

**14. STANDING COMMITTEES**

IT WAS MOVED BY GREGOR, SUPPORTED BY DAVE SKELTON TO ESTABLISH A TECHNICAL COMMITTEE WITH THE SAME MEMBERS AS CURRENTLY SERVING INCLUDING NIEMI, GENTILINI, KONESCZNY, AND REPRESENTATIVES FROM SEH. AYES 5, NAYES 0; MOTION CARRIED

IT WAS MOVED BY JON SKELTON, SUPPORTED BY GREGOR TO ESTABLISH A SERVICES COMMITTEE CONSISTING OF DAVE SKELTON, TOWN MANAGER JODI KNAUS, AND CITY CLERK-TREASURER STEFANIE DICKINSON. AYES 5, NAYES 0; MOTION CARRIED

**15. SCENIC ACRES**

The Board needs to investigate ownership of the existing utility assets in Scenic Acres. Koneczny informed the Board the property is in torens. According to Mike Couri, if Bill Maki doesn’t have the title to the property, we will need to go to the original owner. Jon Skelton has a copy of the lease from Bill Maki and other documentation which he will bring to the Township Office to be scanned in and sent to Fryberger Law. Young indicated there is a current easement to Scenic Acres Inc. The Board needs to investigate the status of the existing road right-of-way and determine the best transmission route. There is approximately 1500 feet where the new water line will be installed that will impact private property owned by David Rosa. The Board needs to reach out to David Rosa. Gregor would like the Technical Committee to make a recommendation to the Board on how to connect Chad & Brenda Skelton to the new water utility system.

IT WAS MOVED BY GREGOR, SUPPORTED BY GENTILINI DIRECTING FRYBERGER LAW FIRM TO INVESTIGATE BOTH THE OWNERSHIP OF THE EXISTING UTILITY ASSETS IN SCENIC ACRES AND TO INVESTIGATE THE STATUS OF THE ROAD RIGHT-OF-WAY FOR THE NEW TRANSMISSION ROUTE. AYES 5, NAYES 0; MOTION CARRIED

IT WAS MOVED BY JON SKELTON, SUPPORTED BY DAVE SKELTON DIRECTING THE TECHNICAL COMMITTEE TO WORK WITH DAVE SKELTON TO DETERMINE THE BEST CONNECTION ROUTE FOR CHAD AND BRENDA SKELTON TO BE CONNECTED TO THE NEW SYSTEM. AYES 5, NAYES 0; MOTION CARRIED

**16. TAX FORFEIT PROPERTY ACQUISITION**

Aurora submitted the request to St. Louis County to withhold from sale property on Highway 100. The City has six months to purchase said property for project use which expires in November. Gregor has interest in acquiring additonal land for non-water project use which will be discussed at the next meeting.

IT WAS MOVED BY DAVE SKELTON, SUPPORTED BY GREGOR DIRECTING STEFANIE DICKINSON TO CONTACT ST. LOUIS COUNTY TO FIND OUT THE COST FOR PURCHASING THE LOT AND STIPULATIONS FOR THE PURCHASE AND REPORT TO THE BOARD NEXT MONTH. AYES 5, NAYES 0; MOTION CARRIED

**17. INTAKE SITE 4F**

A draft variance application has been submitted to St. Louis County. If the application is declined, there could be financial losses to the project. The final draft is due August 6, 2021 with a decision by September 9, 2021. Gregor would like the application sent to the Board and Mike Larson for review and input. Young indicated SEH is working on the design for the floor but holding off on the caison design until the variance decision is made. Koneczny met with Julie Marinucci, St. Louis County Land Department last week. He also has a meeting with Mike Lilijegren, DNR on July 26, 2021. The Board needs to work with the City of Biwabik to share a driveway. Jensen has been working with Jeff Jacobson. Biwabik wants a formal written request. SEH needs to prepare an exhibit map for the intake site which can be shared with Biwabik, St. Louis County and the DNR.

IT WAS MOVED BY GREGOR, SUPPORTED BY DAVE SKELTON GREGOR WILL SEND A WRITTEN REQEUST TO THE CITY OF BIWABIK WITH THE EXHIBIT MAP PROVIDED BY SEH TO SHARE DRIVEWAY ACCESS TO THE INTAKE SITE. AYES 5, NAYES 0; MOTION CARRIED

Utility and infrastructure development was discussed. Koneczny recommended installing additonal service entrance power increasing electrical capactiy and piping for a future Biwabik connection. East Range Water is responsible for fixing Biwabik’s barge level if it drops due to our usage of the Lake Mine water source. Young indicated he would reach out to MN Power and see if there is an extra cost for this service entrance. Jon Skelton would like to get direction from SEH and a cost estimate from SEH for providing a connection to Biwabik.

**18. NTS PROPOSAL**

IT WAS MOVED BY GENTILINI, SUPPORTED BY DAVE SKELTON APPROVING THE NTS PROPOSAL FOR SOIL BORING AT A COST OF $6, 835.00. AYES 5, NAYES 0; MOTION CARRIED

**19. OTHER**

Jensen sent out an email requesting input from the Board about the PRV Charging Station required in Pineville/Scenic Acres. The technical committee will discuss this.

IT WAS MOVED BY GREGOR, SUPPORTED BY DAVE SKELTON TO SCHEDULE A SPECIAL BOARD MEETING WEDNESDAY, JULY 28, 2021 AT 4:30 P.M. AT THE CITY/TOWN GOVERNMENT CENTER TO DISCUSS ALL TABLED ITEMS. AYES 5, NAYES 0; MOTION CARRIED

**20. ADJOURNMENT**

IT WAS MOVED BY GENTILINI, SUPPORTED BY JON SKELTON TO ADJOURN THE MEETING AT 6:43 P.M. AYES 5, NAYES 0; MOTION CARRIED

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**Jodi L. Knaus, Clerk Douglas Gregor, Chairman**