

**East Range Water Board**  
**Regular Meeting**  
**Wednesday, December 15, 2021**  
**4:30 p.m.**  
**City/Town Government Center**

***Board Members:***

Clark Niemi, TOW	Jon Skelton, TOW	
Doug Gregor, COA	David Skelton, COA	Jim Gentilini, COA

***Other Team Members:***

Stefanie Dickinson, COA	Jodi Knaus, TOW	Wayne Thuringer, COA
Todd Koneczny, BR	Miles Jensen, SEH	Kevin Young, SEH
Mia Thibodeau, Fryberger Law	Mike Larson, SEH	Dennis Schubbe, NTS

1. Call to Order/Roll Call
2. Approval of Minutes from November 17, 2021 Meeting
3. Treasurer Report
  - a. Payments
  - b. Receipts
  - c. Balances (including the “Biwabik Fund”)
  - d. Invoices to Approve
    - 1 SEH Invoice #416244: \$119,032.00
    - 2 Others
4. Correspondence
5. Legal Matters:
  - a. Scenic Acres Land and Facility Ownership Update – Fryberger Law
  - b. SLC Lease for Intake Site Status Update
  - c. By-law Adoption Status
  - d. Responsible Authority
  - e. Data Practices
  - f. Adopting Records Retention Schedule
  - g. Status of Acquisition of Parcel 100-0047-00090 owned by the State of Minnesota
6. Community Comments
  - a. Scenic Acres Update
7. SEH Report
  - a. Engineering Work Status Update
  - b. Tech Committee Report
  - c. David Rosa Land Easement Status
  - d. DIRRR Funding Status Update

- e. Funding Initiatives
  - i. U.S. Army Corps of Engineers - Regulatory File No. MVP-2021-01803-ARC
  - ii. New Federal and State Infrastructure Money Opportunities
- 8. St. James Pit Status Update
  - a. LCCMR Project Status
  - b. Zebra Mussels Update – if any
- 9. Insurance Status – LMC Update
- 10. Regular Schedule for 2022
- 11. Other Business
- 12. Next Meeting Date
- 13. Adjournment

**Minutes**  
**Regular Meeting of East Range Water Board**  
**City/Town Government Center**  
**Wednesday, November 17, 2021**  
**4:30 p.m.**

PRESENT: Chairman, Doug Gregor; Vice Chairman, Jon Skelton; Secretary/Treasurer, David Skelton; Board Member, Clark Niemi; Board Member, Jim Gentilini

ABSENT:

ALSO PRESENT: Jodi Knaus, Town of White Clerk-Manager; Lindsey Luke, Secretary; Miles Jensen, SEH; Mike Larson, SEH

A board meeting was called to order by Chairman Gregor at 4:30 p.m.

**1.) MOVED BY D. SKELTON SUPPORTED BY GENTILINI TO APPROVE THE MINUTES FROM OCTOBER 20, 2021, CONTINGENT UPON REQUESTED CHANGES. MOTION CARRIED.**

2.) Treasurer D. Skelton updated the board regarding the Biwabik Fund balance, which currently sits at \$132,314.79, and the Interim Financing with a current balance of \$807,683.53  
 Chairman Gregor discussed what funds can be used through the Biwabik Fund.

**3.) MOVED BY J. SKELTON SUPPORTED BY NIEMI TO APPROVE THE FRYBERGER LAW INVOICE #22438 IN THE AMOUNT OF \$5,658.35. MOTION CARRIED.**

**MOVED BY GENTILINI SUPPORTED BY GREGOR TO APPROVE THE MINNESTOA DEPARTMENT OF NATURAL RESOURCES INVOICE IN THE AMOUNT OF \$150.00. MOTION CARRIED.**

A discussion occurred regarding setting a maximum balance that the delegated authority individual, or individuals, could approve without having to wait for the Board's approval.

**MOVED BY D. SKELTON SUPPORTED BY J. SKELTON TO APPROVE THE FISCAL AGENT TO AUTHORIZE INVOICES UNDER \$2,500.00 WITH PROPER NOTIFICATION TO TREASURER D. SKELTON, WITHOUT HAVING TO WAIT FOR THE BOARDS APPROVAL. MOTION CARRIED.**

4.) Correspondence:

Chairman Gregor discussed the St. Louis County Board of Adjustments Findings of Fact correspondence in the packet agenda.

Chairman Gregor discussed the St. Louis County Sheriff's Office correspondence regarding the assigning of an address for the intake site.

5.) Legal Matters:

A discussion took place regarding the documents shared from Mia, Fryberger Law, about the ownership of the property of the water system in Scenic Acres.

A discussion took place regarding the draft of the Board's by-laws sent from Mia, Fryberger Law. These by-laws will be addressed further at the next regular scheduled meeting.

A status update was provided regarding the acquisition of Parcel #100-0047-0090. Tax forfeit Parcel #100-0047-0070 is unable to have its hold period extended at this time. For that reason, it will go back on the market for purchase.

#### 6.) Community Comments

Vice-Chairman J. Skelton spoke on behalf of the Township of White and informed the Board that the business related to the Water Project in the township's limits, will be at a future date.

Jim Luke, Scenic Acres Homeowners Association President, asked for information regarding the current progress on the engineering side of the project.

#### 7.) SEH Report:

Miles Jensen, SEH, gave an update regarding the engineering status. SEH produced the 90% plans of the Raw Unfinished Water Main and the Water Treatment Plan to members of the Technical Committee and East Range Water Board. Raw Water Intake site's plan is at 60% currently. The project manual is currently being worked through.

The environmental review was looked at and is going to be sent to the appropriate agencies shortly.

The project schedule currently has the 100% project design plans to be released in December.

An easement request has been sent to Mr. Rosa for the Pineville and Scenic Acres Water Main, and we haven't heard back.

The finished watermain designs have been updated for the Pineville area to decrease costs of construction.

Chairman Gregor inquired about the chlorination issue in the Pineville area.

Miles Jensen, SEH, explained to the Board that there is a drop of chlorination as the water moves through the line to the Pineville area. Instead of an additional PRV station in Pineville, SEH staff revised the design to include a separate manhole based PRV system while also making a separate watermain connection from the water treatment plant to the waterline that goes to Pineville.

SEH is still awaiting receipt of the soil boring for the Raw Water Main. NTS is aware of this issue and is going to try to deliver the reports as quickly as possible.

Miles Jensen, SEH, updated the Board regarding the Technical Committee meetings. Some of the Board's staff and team members were able to visit Cloquet's new Water Treatment facility and gain perspective as to what this project entails.

The civil drawings were discussed with the committee.

Board Member Gentilini added that the tour was helpful for staff to envision what our future facility will look like, as well as the new technology that may be involved.

Mike Larson, SEH, updated the Board regarding the funding for the project. Currently, Mike Larson has reached out to the DIRRR and was advised to apply for funding in March of 2022. The U.S. Army Corps of Engineers application was submitted for \$4 Million. He was notified that a smaller request should be submitted instead at this time but the additional funds could be sought at a later date. The CDBG application for \$300,000.00 was submitted by Stefanie, City of Aurora Clerk-Treasurer.

Senator Klobuchar has been contacted regarding the project, and potential funding from her office seems promising.

The Biden Infrastructure legislation has been passed and may provide a new potential source of funding for this project.

Mike Larson, SEH, recommended hiring a financial advisor group to develop projections of potential user fees and other costs fees for which customers may be held responsible. Jodi Knaus was talked tasked with exploring the potential retention of the David Drown & Associates firm that prepared the most recent community project funding capacities for those new projections.

**MOVED BY D. SKELTON SUPPORTED BY J. SKELTON TO HIRE FINANCIAL ADVISORS FOR NO MORE THAN \$15,000.00. IF IT CANNOT BE DONE FOR THAT PRICE THAN TO HEAR BACK THREE POTENTIAL PROPOSALS. MOTION CARRIED.**

8.) St James Pit Update:

Board Member, Gentilini updated the board on the LCCMR request.

Board Member, Gentilini updated the board on the status of dewatering process of the St. James Pit in Aurora.

9.) Insurance Status – League of Minnesota Cities:

Township Manager-Clerk, Jodi Knaus, reported on the quote received and recommended accepting the quote through Jared Ahrens Insurance for insurance through the League of Minnesota Cities.

**MOVED BY GENTILINI SUPPORTED BY NIEMI TO ACCEPT THE AHRENS AGENCY QUOTE FOR INSURANCE COVERAGE IN THE ANNUAL PREMIUM AMOUNT OF \$2,979.00. MOTION CARRIED.**

10.) Other Business:

16.) Adjournment

**MOVED BY J. SKELTON SUPPORTED BY D. SKELTON TO ADJOURN THE MEETING AT 5:32 P.M. MOTION CARRIED**

**Next Regular East Range Water Board Meeting Date: December 15, 2021, at 4:30 p.m.**



# Invoice

Invoice Number: **416244**

Short Elliott Hendrickson, Inc. FEIN: 41-1251208 | 651.490.2000 | 800.325.2055



BILL TO:	
Attn: Accounts Payable East Range Water Board 16 West 2nd Avenue North AURORA MN 55705	
REMIT PAYMENT TO:	
Short Elliott Hendrickson, Inc. PO Box 64780 Saint Paul, MN 55164-0780	

<b>Pay This Amount</b>	<b>\$119,032.00</b>
Due Date	16-DEC-21
Invoice Date	16-NOV-21
Bill Through Date	30-OCT-21
Terms	30 NET
SEH Customer Acct #	84463
Customer Project #	
Agreement / PO #	163450
Authorized Amount	\$493,000.00
Authorized Amount Remaining	\$266,205.00
Project Manager	Miles Jensen mjensen@sehinc.com 651.490.2000
Client Service Manager	Benita Crow bcrow@sehinc.com 651.490.2000
Accounting Representative	See Lor slor@sehinc.com 651.490.2000

Project #	Project Name	Project Description
163450	ERWBD Tasks 2-4 East Range WTP	ERWBD Aurora Tasks 2-4 East Range WTP

### Notes:

### CC:

kimberly@ci.aurora.mn.us  
cityclerk@ci.aurora.mn.us  
lindsey@ci.aurora.mn.us

### Fee

Description	Amount
(87% of \$211,300.00) less previously billed of \$107,763.00	\$76,068.00
(20% of \$211,300.00) less previously billed of \$0.00	\$42,260.00
(1% of \$70,400.00) less previously billed of \$0.00	\$704.00
	<b>\$119,032.00</b>

<b>Invoice total</b>	<b>\$119,032.00</b>
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### Project Billing Summary

	<u>Current Amount Due</u>	Previously Invoiced	Cumulative
<b>Totals</b>	<b>\$119,032.00</b>	\$107,763.00	\$226,795.00



**STATUS REPORT**  
**EAST RANGE WATER PROJECT**  
**TASK 2 – FINAL DESIGN**  
**EAST RANGE WATER BOARD**  
**CITY OF AURORA & TOWN OF WHITE**  
**SEH Project No. 159723**

DATE: Thursday, December 9, 2021

**DISCUSSION ITEMS**

The following provides a brief discussion of the project status to date. The items in **BOLD** are new since the 11/17/2021 status report.

- 1) Task 2 – Final Design
  - a) WTP:
    - i) 90% plans were delivered to the COA/TOW Tech Committee on 10/9/2021.
    - ii) Work (including project specifications) is continuing toward the 100% level scheduled for mid-December 2021 final QA/QC review.
  - b) Raw and Finished Water Main:
    - i) 90% plans were delivered to the COA/TOW Tech Committee on 10/9/2021.
    - ii) Work (including project specifications) is continuing toward the 100% level scheduled for mid-December 2021 final QA/QC review.
  - c) Raw Water Intake Building:
    - i) 60%-75% plans were delivered to the COA/TOW Tech Committee on 10/9/2021.
    - ii) A major push in the work (including project specifications) is focused on a goal of the 100% level documents scheduled for mid-December 2021 final QA/QC review.
  - d) **Opinion of Probable Cost:**
    - i) **SEH designers are still working on the updated project cost estimate.**
    - ii) **SEH has encountered difficulty is receiving returned calls from vendors and suppliers and those that have spoken to have been of limited help in providing updated pricing – noting supply chain and material availability issues.**
    - iii) **At this point, SEH is hoping to have an updated cost estimate on, or about 12/17/2021.**
- 2) Appropriations Permit
  - a) SEH has submitted the draft the permit application.
  - b) SEH has submitted updated Raw Water Intake Plans.
  - c) **No word back on this submittal, yet.**
- 3) Environmental Review:
  - a) SHPO is reviewing WTP Site.
  - b) **The complete environmental review packets, as required for PFA/DWRF funding, were sent to the various agencies on 11/23/2021.**
  - c) **Responses requested by 1/3/2022.**
- 4) Building Official Review:
  - a) **SEH submitted the 90% review documents to the BO on 11/17/2021.**
  - b) **SEH received a review letter from the BO on 11/18/2021. The BO's comments have been incorporated into the project documents.**
- 5) MDH Communications and Review:
  - a) SEH spoke with Chad Kolstad on Tuesday, 11/9/2021.
  - b) Chad is comfortable with current project status and schedule a that will deliver 100% final documents to him by late December 2021 or the 1<sup>st</sup> week in January 2022.
  - c) With the anticipated signing of the American Infrastructure bill by President Biden, Kolstad indicated that the project will have 180 days from that signature date to submit plans for approval where only the American Iron and Steel requirements pertain. After 180 days, other, more stringent and costly, "Buy American" requirements will come into play for PFA (DWRF) funded projects. This project is on schedule to be completed much earlier than the 180 days and so, no additional requirements are expected.

6) Project Schedule

- |   |                               |
|---|-------------------------------|
| a) Task 2 - Final Design Phase                          | mid-July 2021 – December 2021 |
| i) 90% Design Level                                     | September 2021 – October 2021 |
| ii) 100% Final Design Level                             | November 2021 – December 2021 |
| iii) Expect raw water intake design to catch up at end. |                               |
| b) Task 3 - Permitting and Regulatory Approvals         | March 2020 – January 2022     |
| c) Task 4 - Bidding & Project Award Services            | January – February 2022       |

7) Scenic Acres:

- a) Next meeting should be scheduled.
- b) Service agreement and connection fees between East Range Water Board and Scenic Acres yet to be determined.

8) Pineville and Scenic Acres Water Main

- a) An easement was presented to Rosa for the Scenic Acres water main section in the vicinity of the intersection of HWY 135 and Scenic Acres Road. No response back, yet. A copy of this easement agreement was conveyed to the COA/TOW this past week.
- b) Water Main plans were modified to have the Pineville water main tied at north and south ends of Pineville system and bypass the community to the east.
- c) Pursuing chlorine booster feed in a separate water line from the WTP High Service Pump room, downstream of the finished water flow meter that connects with the waterline running to Pineville. SEH completed the additional surveying needed a couple of weeks ago and the plan sheet has been added to the set.
- d) PRV to be placed in a manhole at south end of Pineville.

9) Soil Borings:

- a) **NTS still owes:**
  - i) **Raw water intake soil boring & report,**
  - ii) **Raw water main soil boring report.**
- b) **SEH has again reached out to NTS on the status of these items as time is becoming short and the missing information is impacting completion of the raw water main and raw water intake designs.**

10) Tech Meetings:

- a) **The last Tech Committee Meeting was the progress meeting and tour of the Cloquet WTP on 11/9/2021.**
- b) **On 12/2/2021 SEH and Aurora plant operations staff met virtually to go over staff's preferences for the various chemical feed systems. The information received is allowing SEH to update the plans and specs accordingly.**
- c) **The next Tech Meeting is scheduled for 1:00 PM on 12/14/2021.**

END.



## Lindsey Luke

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**From:** jared ahrens <jared.ahrens@hotmail.com>  
**Sent:** Friday, December 10, 2021 2:49 PM  
**To:** Lindsey Luke  
**Subject:** FW: East Range Water Board - Quote

**Caution:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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**From:** [Brue, Nathan](#)  
**Sent:** Friday, December 10, 2021 2:15 PM  
**To:** [jared ahrens](#)  
**Subject:** RE: East Range Water Board - Quote

OK – we can do that...there is a slight change to the quote, however.

As mentioned, our rate changes to place on 11/15 each year. One of the changes this year is we now make a separate charge for first party cyber security breach coverage. The charge is based upon average expenditures. For ERWB, the cost would be \$952.

So the estimated total premium for the year would be \$3,391.

Thanks,

**Nate Brue | Underwriter**  
 Phone: (651) 215-4049  
[nbrue@lmc.org](mailto:nbrue@lmc.org)

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**From:** jared ahrens <jared.ahrens@hotmail.com>  
**Sent:** Friday, December 10, 2021 2:07 PM  
**To:** Brue, Nathan <nbrue@lmc.org>  
**Subject:** RE: East Range Water Board - Quote

This group was formed from a larger group being the East Range Joint powers board, back in June to pursue options on how to handle there water problems. This group voted on November 17 2021 to hire me as their agent and to accept the quote from the League of MN Cities. At their meeting this month they are voting on accepting the new groups by laws. I feel we should start this policy effective 11-17-21 as the group voted me and the League in. The formal by laws will be voted on this month.

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**From:** [Brue, Nathan](#)  
**Sent:** Friday, December 10, 2021 1:43 PM

To: [jared ahrens](#)

Subject: Re: East Range Water Board - Quote

They should have an executed JP agreement that is signed. That should tell us the date.

Thanks,

Nate

On Dec 10, 2021, at 1:33 PM, jared ahrens <[jared.ahrens@hotmail.com](mailto:jared.ahrens@hotmail.com)> wrote:

It has been a work in progress but that is the date they called me for a quote. This had been set this up for awhile and into grant money to work on the communities water problems. They will be starting to get funding and proceed with projects in the up coming year. I guess I am not sure when to start it as they called today and said to bind.

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**From:** [Brue, Nathan](#)

**Sent:** Friday, December 10, 2021 1:21 PM

**To:** [jared ahrens](#)

**Subject:** RE: East Range Water Board - Quote

Jared,

When did the joint powers entity begin? The original quote was for 9/9/21. Was that the date the JPE was executed?

I'm seeing if we can issue coverage based on the quote of if a new one is needed. That quote was from 3 months ago, and we are now in a new coverage year (implement new rates and coverage changes beginning 11/15 every year).

**Nate Brue | Underwriter**

Phone: (651) 215-4049

[nbrue@lmc.org](mailto:nbrue@lmc.org)

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**From:** jared ahrens <[jared.ahrens@hotmail.com](mailto:jared.ahrens@hotmail.com)>

**Sent:** Friday, December 10, 2021 12:40 PM

**To:** Brue, Nathan <[nbrue@lmc.org](mailto:nbrue@lmc.org)>

**Subject:** RE: East Range Water Board - Quote

This quote has been approved by the board and they would like to bind effective immediately. Have a nice week end, and if you need anything else please let me know.

Thanks Jared Ahrens

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**From:** [Brue, Nathan](#)  
**Sent:** Monday, October 11, 2021 9:03 AM  
**To:** [jared ahrens](#)  
**Subject:** RE: East Range Water Board - Quote

Good morning,

Please provide an update as to how we should proceed.

Thanks,

**Nate Brue | Underwriter**  
Phone: (651) 215-4049  
[nbrue@lmc.org](mailto:nbrue@lmc.org)

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**From:** Brue, Nathan  
**Sent:** Monday, September 27, 2021 3:08 PM  
**To:** jared ahrens <[jared.ahrens@hotmail.com](mailto:jared.ahrens@hotmail.com)>  
**Subject:** RE: East Range Water Board - Quote

Jared,

Do you or the Water Board have any questions? Please advise if we are to issue coverage.

Thanks,

**Nate Brue | Underwriter**  
Phone: (651) 215-4049  
[nbrue@lmc.org](mailto:nbrue@lmc.org)

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**From:** Brue, Nathan  
**Sent:** Tuesday, September 14, 2021 1:15 PM  
**To:** jared ahrens <[jared.ahrens@hotmail.com](mailto:jared.ahrens@hotmail.com)>  
**Subject:** East Range Water Board - Quote

Jared,

Attached is the quote for the East Range Water Board.

Because this is a new entity, we are not providing any prior acts coverage; which allows us to provide a 41% credit on the municipal liability premium. The credit jumps to roughly 10% the second year and fades away after a total of 5 years.

Please let me know if you have any questions.

Thanks,

**Nate Brue | Underwriter**  
Phone: (651) 215-4049

[nbrue@lmc.org](mailto:nbrue@lmc.org)

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**City of Aurora & Town of White  
East Range Water Board  
2022 Meeting Schedule**

3rd Wednesday - Monthly  
4:30 PM  
City-Town Government Center  
Council Chambers

Wednesday, January 19, 2022
Wednesday, February 16, 2022
Wednesday, March 16, 2022
Wednesday, April 20, 2022
Wednesday, May 18, 2022
Wednesday, June 15, 2022
Wednesday, July 20, 2022
Wednesday, August 17, 2022
Wednesday, September 21, 2022
Wednesday, October 19, 2022
Wednesday, November 16, 2022
Wednesday, December 21, 2022