

EAST RANGE WATER BOARD
Regular Meeting
Wednesday, December 20, 2023
City/Town Government Center
4:30 P.M.

Appointed Board Members for City of Aurora: Doug Gregor, Chairman of the Board; David Skelton; Dennis Schubbe;

Appointed Board Members for the Town of White: Jon Skelton, Vice Chairman of the Board; Clark Niemi;

Other Team Members: Luke Heikkila (COA); Kimberly Berens (COA); Jodi Knaus (TOW); Jim Gentilini (COA); Mike Larson (SEH); Miles Jensen (SEH); Kevin Young (SEH); Mia Thibodeau (Fryberger Law); Shannon Sweeney (David Drown Associates);

AGENDA

1. Call to Order/Roll Call
2. Consent Agenda:
 - a. Approval of November 15, 2023 Regular Meeting Minutes
 - b. Treasurer's Report – Interim Financing Fund: \$192,061.67; Biwabik Fund \$72,132.56; Total: \$264,194.23
 - c. Approval of Disbursements
 1. Fryberger Law - \$17,365.46 (Rosa Easement Legal Work & Closing Costs back to 2022)
 - d. Correspondence – None
3. Legal Matters – Updates Including but not limited to:
 - a. Scenic Acres Land & Facility Title Clearance Status – Tabled until further notice;
 - b. Rosa Easement Status – Closing Completed; Town Resolution enclosed;
 - c. Creation of New Legal Entity Timeline & Guidance – Tabled to end of Project;
4. Guests – No requests received
5. Engineering Updates - SEH
 - a. Funding Initiatives & Cumulative Accounting – Updates by Mike Larson
 1. Debt Service Impact Table prepared by Shannon Sweeney – Review
 - b. Impacts of Aurora Industrial Park Discussion
 1. Re-prioritizing bonding requests & discuss financial impacts/opportunities for the Water Project
 - c. Engineering Work – Updates for December 2023
 1. Awarding of Bids Status
 2. Delegation Committee Meeting Updates
 3. Design Updates
 4. Appropriations Permit – DNR Review Status
 5. Federal Environmental Review Status
 6. Project Certification
 7. Contingency Agreement Status
 8. Project Permits
 9. Project Schedule
6. Community Outreach
7. Other Business
 - a. St. James Pit & Current Water Plant updates – Jim Gentilini
 - b. Approve 2024 Meeting Schedule – 3rd Wednesday of each month at 4:30 p.m.
8. Next Meeting Date: Wednesday, January 17, 2024 with Re-organization Meeting Following
9. Adjournment

EAST RANGE WATER BOARD
Monthly Meeting Minutes
Wednesday, November 15, 2023 4:30 P.M.

City/Town Government Center

Appointed Board Members for City of Aurora: Doug Gregor, Chairman of the Board; David Skelton; Dennis Schubbe;

Appointed Board Members for the Town of White: Jon Skelton, Vice Chairman of the Board; Clark Niemi;

Other Team Members: Luke Heikkila (COA); Kimberly Berens (COA); Jim Gentilini (COA); Mike Larson (SEH); Miles Jensen (SEH); Mia Thibodeau (Fryberger Law); Bob Rutka (Resident), Richard Hess (COA Councilor)

1. A board meeting was called to order by Chairman Gregor at 4:30 PM

2. Consent Agenda:

- a. Approval of October 18, 2023 Regular Meeting Minutes
- b. Treasurer's Report – Fund Balances Total: \$320,913.45
- c. Approval of Disbursements
 - i. APG: \$181.17
 - ii. SEH: \$11,442.00
- d. Correspondence – None

MOTION BY CLARK NIEMI, SUPPORTED JON SKELTON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIES

3. Legal matters – Updates including but not limited to:

- a. Scenic Acres Land & Facility Title Clearance Status – Tabled until further notice.
- b. Rosa Easement Status – Filig pending; all documents signed; MN Power consent pending. Title company called on 11.15.2023, they are sending out documents for signatures.
- c. Creation of New Legal Entity Timeline & Guidance – Tabled until end of project.

4. Guests – no requests received.

5. Engineering Updates – SEH

- a. Funding Initiatives & Cumulative Accounting – Updates by Mike Larson
Mike Larson states we have a gap of almost \$7 million to fill before we can move forward with awarding the bids. The intent is to meet with the state representative, Shannon Sweeney, and Jeff Freeman to follow-up on funding.

b. Engineering Work – Updates

i. Review bidding memo dated 11/10/2023:

SEH asks the Board to table the awarding of all 3 bid packages until further investigation can be completed into the actual bids. Per SEH, bids can be held for 90 days from the November 6th date of opening the bids.

1. Raw & Finished Water Main

MOVED BY DAVID SKELTON SUPPORT JON SKELTON TO DEFER AWARD BID FOR RAW AND FINISHED WATER MAIN. MOTION CARRIES

2. Water Treatment Plant

MOVED BY DENNIS SCHUBBE, SUPPORTED BY CLARK NEIMI TO DEFER AWARDING BID FOR WATER TREATMENT PLANT. MOTION CARRIES

3. Raw Water Intake & Pumping Station

MOVED BY JON SKELTON SUPPORTED BY DENNIS SCHUBBE TO DEFER AWARDING BID RAW WATER INTAKE & PUMPING STATION. MOTION CARRIES

MOTION BY DAVID SKELTON, SUPPORTED BY JON SKELTON TO CONTACT SHANNON SWEENEY TO REVIEW THE RATE STRUCTURE IF THE LOAN AMOUNT WAS INCREASED OVER THE RANGE OF \$5 MILLION TO \$12 MILLION. THE COST TO THE BOARD IS NOT TO EXCEED \$2000. MOTION CARRIES.

MOTION BY DENNIS SCHUBBE, SUPPORTED BY CLARK NIEMI TO SET DELEGATION COMMITTEE AS CHAIRMAN GREGOR, DAVID SKELTON, AND MIKE LARSON TO MEET WITH STATE REPRESENTATIVE AND SEH REPRESENTATIVE. MOTION CARRIES.

ii. November 2023 Status Report Review:

1. Final Design
2. Appropriations Permit
3. Federal Environment Review Status
4. Project Certification
5. Biwabik – East Range Water Supply Mutual Aid Agreement – THIS IS INDEPENDENT OF THE ERWB PROJECT. THIS COULD BE REMOVED FORM THE AGENDA. CHANGE THIS TO CONTINGENCY AGREEMENT.
6. Project Permits

6. Community Outreach

7. Other Business

- a. St. James Pit & current water plant updates – Jim Gentilini
WATER PLANT IS BUMPY AT THIS TIME. PIT IS AT 21” SO WE ARE LOOKING GOOD RIGHT NOW AND SHOULD SEE TEMPS DROP BEFORE WE NEED TO PUMP.
- b. East Range Water Board LMCIT Insurance Policy Renewal Due – Approve Liability Coverage Waiver Form
Member **DOES NOT** waive the monetary limits on municipal tort liability.

MOTION BY DAVE SKELTON, SUPPORTED BY JON SKELTON TO CHECK THE BOX FOR DOES NOT WAIVE THE MONETARY LIMITS ON MUNICIPLE TORT LIABILITY. MOTION CARRIES

8. Next Meeting Date: Wednesday December 19, 2023

9. Adjournment

MOTION BY CLARK NIEMI, SUPPORTED BY JON SKELTON TO ADJOURNE AT 5:35 PM. MOTION CARRIES

ERWB - Interim Financing

Revenue

	DATE	VENDOR	DESCRIPTION	
Beginning Balance	7/22/2021	First Independent Bank	Interim Financing	\$ 1,000,410.00
Ending Balance				\$ 1,000,410.00

Disbursements

DATE	VENDOR	DESCRIPTION	
TOTAL EXPENDITURES FROM 2021 AND 2022			\$ 675,974.25
1/11/2023	Fryberger, Buchanan, Smith & Frederick	Project Labor Agreement Review	\$ 1,241.50
1/31/2023	East Range Times	Status Reports 1-3	\$ 776.25
2/7/2023	SEH	ERWB Tasks 2-4	\$ 3,825.00
2/14/2023	Fryberger, Buchanan, Smith & Frederick	Refund - double paid	\$ (668.00)
2/23/2023	Vivd Design	Card Stock for Bulk Mailing	\$ 275.00
2/27/2023	U.S. Post Office	EDDM - Bulk Mailing	\$ 241.35
2/27/2023	w.a.fisher	East Range Water Facility Map	\$ 65.03
2/9/2023	Fryberger, Buchanan, Smith & Frederick	Project Labor Agreement Review	\$ 802.00
3/1/2023	East Range Times	9" Thank You Ad	\$ 62.10
3/6/2023	SEH	ERWB Tasks 2-4	\$ 7,783.00
3/15/2023	Fryberger, Buchanan, Smith & Frederick	Project Labor Agreement Review	\$ 1,073.00
3/16/2023	LMCIT	Property/Casualty Insurance	\$ 1,976.00
3/24/2023	Fryberger, Buchanan, Smith & Frederick	Real Estate Matters	\$ 3,159.41
4/11/2023	SEH	ERWB Tasks 2-4	\$ 9,697.50
4/13/2023	Fryberger, Buchanan, Smith & Frederick	Project Labor Agreement Review	\$ 888.00
4/18/2023	Fryberger, Buchanan, Smith & Frederick	Real Estate Matters	\$ 1,217.00
5/8/2023	Fryberger, Buchanan, Smith & Frederick	Refund - double paid	\$ (3,159.41)
5/8/2023	BARR	Embarrass Pit Groundwater Model Update	\$ 3,998.00
5/10/2023	SEH	ERWB Tasks 2-4	\$ 1,341.50
5/4/2023	Fryberger, Buchanan, Smith & Frederick	Project Labor Agreement Review	\$ 518.00
5/23/2023	St. Louis County Land Of Minerals	Lease	\$ 500.00
5/11/2023	Fryberger, Buchanan, Smith & Frederick	Real Estate Matters	\$ 3,114.00
6/16/2023	Fryberger, Buchanan, Smith & Frederick	Real Estate Matters	\$ 1,313.00
6/19/2023	Barr	Embarrass Pit Groundwater Model Update	\$ 7,679.00
6/30/2023	APG	Notice Drinking Water System	\$ 18.80
7/3/2023	BARR	Embarrass Pit Groundwater Model Update	\$ 6,141.50
7/31/2023	APG	Ad for Bids	\$ 29.82
8/3/2023	Range Office	Paper for save the date	\$ 90.55
8/14/2023	SEH	ERWB Tasks 2-4	\$ 2,265.00
8/17/2023	Park State Bank - Dollar General	ERWB Public Mtg Supplies	\$ 34.25
8/24/2023	Park State Bank - Ogami	ERWB Public Mtg Supplies	\$ 133.14
8/30/2023	Park State Bank - Ogami	ERWB Public Mtg Supplies (refund sales tax)	\$ (9.14)
9/5/2023	APG	Ad for Bids	\$ 22.35
9/11/2023	BARR	Embarrass Pit Groundwater Model Update	\$ 494.50
9/13/2023	Steve Thorp	Plan Review plus Insurance	\$ 3,275.00
9/15/2023	SEH	ERWB Tasks 2-4	\$ 22,650.00
9/27/2023	East Range Times	Community Invite Inserts	\$ 300.00
10/13/2023	SEH	ERWB Tasks 2-4	\$ 11,325.00
10/31/2023	APG	Project Bid Ads	\$ 181.17
11/6/2023	SEH	ERWB Tasks 2-4	\$ 11,442.00
9/30/2021	NTS	Drilling	\$ 6,850.00
12/31/2022	LMCIT	Reimbursement Insurance Premium	\$ (7.00)
12/31/2022	Employee Wages, FICA, & Medicare	2022 Wages, FICA and Medicare	\$ 1,158.11
10/31/2023	Employee Wages, FICA, & Medicare	2023 Wages, FICA and Medicare	\$ 839.74
11/30/2023	Employee Wages, ICA and Medicare	November 2023	\$ 64.60
12/14/2023	Fryberger, Buchanan, Smith & Frederick	Easement Agreement	\$ 17,365.46
12/14/2023	LMCIT	Reimbursement Insurance Premium	\$ (9.00)

Total Disbursements \$ 808,348.33

Ending Balance as of December 15, 2023 \$ 192,061.67

Biwabik Fund beginning balance 10/20/2021 \$ 129,839.79

DATE	VENDOR	DESCRIPTION	
1/1/2022	First Independent Bank - Russell	Interest Payment	\$ 6,198.62
6/1/2022	First Independent Bank - Russell	Interest Payment	\$ 7,017.30
1/1/2023	First Independent Bank - Russell	Interest Payment	\$ 7,017.00
6/1/2023	First Independent Bank - Russell	Interest Payment	\$ 7,017.00
4/1/2023	Fryberger, Buchanan, Smith & Frederick	Legal Matters	\$ 3,159.41
12/1/2023	First Independent Bank - Russell	Interest Payment	\$ 7,017.00
	Missing Invoices from Original Tracking	SEH, Mesabi Bituminous, Costin, Building Rescue	\$ 20,280.90

Biwabik Fund ending balance as of 12/15/2023 \$ 72,132.56

TOTAL ENDING BALANCE Biwabik and Interim Financing combined as of 12/15/2023 \$ 264,194.23

FRYBERGER

— LAW FIRM —

fryberger.com

P.O. Box 16990
Duluth, Minnesota 55816

Phone: (218) 722-0861
Fax: (218) 725-6800

INVOICE

EAST RANGE WATER BOARD
16 WEST SECOND AVENUE NORTH
PO BOX 160
AURORA MN 55705

December 14, 2023
Invoice No. 22438.000005.12312
File No. 22438.000005 - MET

For Legal Services Rendered Through 12/14/2023

CLIENT: EAST RANGE WATER BOARD
MATTER: EASEMENT AGREEMENT

Professional Fees

Date	Description	Atty	Hours
09/08/22	Work re purchase agreement for easements.	MET	1.50
09/09/22	Prepared rough draft of Easement Purchase Agreement; Followed-up on parcel information.	GMH	0.50
09/13/22	Review Access Road Agreement.	MET	1.50
09/14/22	Revise Access Road Agreement; review final executed SLC Lease; work re Rosa matter.	MET	2.75
09/15/22	Searched St. Louis County Land Records; Printed documents and Certificate of Title; Prepared rough draft of water easement agreement for review.	GMH	1.25
09/15/22	Complete draft Access Road Agreement; work re Rosa agreement.	MET	1.80
10/19/22	Review licenses for tree cleaning; attend meeting.	MET	1.60
10/20/22	Review legal and drawing for Rosa easement.	MET	1.00
11/09/22	Review of real estate records and GIS map; review of Contract for Easement, and actual Easement Agreement; work on comments and revisions to same.	JSN	1.10
11/15/22	Finalize draft easement purchase agreement.	MET	2.30
11/16/22	Continued review of Agreements and surveys; correspondence w/ Atty. Thibodeau re: same.	JSN	0.90

Professional Fees

Date	Description	Atty	Hours
12/12/22	Revised Water Main Agreement and Easement Agreement; Pulled vesting deed for Town of White property.	GMH	0.50
01/03/23	Call Doug Gregor; review Purchase Agreement and prepare for mailing.	MET	1.40
01/05/23	Call from M. Rosa re land/easement swap; work re same; work re PLA and Scenic Acres.	MET	1.50
01/09/23	Call to Mark Rosa re Easement Purchase Agreement; work re same.	MET	1.40
01/11/23	Revised Water Main Easement Agreement and Easement Purchase Agreement with spousal information; Printed full documents for review.	GMH	0.50
01/13/23	Draft letter to Mr. Rosa transmitting Easement Purchase Agreement.	MET	1.10
01/17/23	Finalize and send letter and documents to Mr. Rosa.	MET	1.30
01/23/23	Review signed documents; send same.	MET	0.80
02/13/23	Work re Purchase Agreement.	MET	0.50
02/14/23	Follow up re execution of Purchase Agreement.	MET	0.60
02/15/23	Phone call with and email to Mr. Rosa re easement agreement for execution and attend board meeting.	MET	1.50
04/03/23	Revised Easement Purchase Agreement and Water Main Easement Agreement; Scanned into system and sent to MET.	GMH	0.50
04/11/23	Correspondence with Town of White regarding Purchase Agreement	GMH	0.25
04/12/23	Review final Rosa purchase agreement; prep for transmittal to title.	MET	0.75
04/14/23	Work re easement purchase agreement.	MET	0.75
04/25/23	Review title information; analysis re same.	MET	0.80
04/26/23	Review meeting updates; email re same.	MET	0.50
05/02/23	Calls re MP consent.	MET	0.75
05/05/23	Work re acquisition of easement and consent from Minnesota Power.	MET	0.90
05/31/23	Call with Minnesota Power re consent.	MET	1.10

Professional Fees

Date	Description	Atty	Hours
06/06/23	Review question from Minnesota Power; email engineer.	MET	0.75
06/07/23	Review of file regarding status of registration after retrieval of documents sent for filing; correspondence to and from Mr. Gregor.	PBK	0.30
06/29/23	Revised Exhibits to Easement Purchase Agreement and Water Main Agreement; Emailed updated documents.	GMH	0.25
07/19/23	Review final easement exhibits; follow up re next steps for Scenic Acres; attend meeting.	MET	1.50
07/20/23	Call with MET regarding Water Main Easement Agreement; Made revision and emailed to Title for execution.	GMH	0.25
07/25/23	Review license/consent from Minnesota Power for Rosa easement.	MET	1.40
07/26/23	Review and analysis of MPL license agreement, title commitment, and original easement and issues related to potential license agreement and easement grantee consent to project work.	PBK	0.40
07/26/23	Review and analysis re license.	MET	0.40
07/27/23	Analysis regarding Minnesota Power and Light consent to easement.	PBK	0.20
07/28/23	Draft and revise Minnesota Power approval to water system work by Town of White.	PBK	1.25
07/31/23	Revisions to Minnesota Power approval.	PBK	0.40
07/31/23	Review form of license from Minnesota Power; craft email to Deb Kellner re request for consent.	MET	2.10
08/11/23	Review MP consent conditions; analysis re same.	MET	1.50
08/13/23	Revise consent and conditions; email re same.	MET	2.30
08/24/23	Follow up re closing on easement agreement.	MET	2.30
09/08/23	Review edits from Minnesota Power; prepare for execution.	MET	0.50
09/13/23	Review final edits to MP consent.	MET	0.40
09/19/23	Send execution version to MP for signing.	MET	0.75
10/17/23	Call re State bonding and follow up re easement.	MET	0.75
11/17/23	Review documents for closing on easement.	MET	1.30

Professional Fees

Date	Description	Atty	Hours
11/20/23	Work to review settlement statements and final documents.	MET	2.80
11/21/23	Confirmed legal description of Town of White property; Pulled EMV of property being transferred and vesting deed to Town.	GMH	0.50
11/29/23	Review file and relevant title standards, and draft Resolution for Town of White authorizing sale of transferred property (for recording).	JBA	1.20
11/29/23	Work re easement closing; send consent to Title; work re Town resolution.	MET	2.10
	Sub Total		16,123.50
	Discount Authorized by Managing Attorney		-2,418.52
	Total Professional Fees		\$13,704.98

Itemized Costs

Date	Description	Amount
12/11/23	Title Company closing fees and costs.;Check#131453	3,660.48
	Total Costs	\$3,660.48

SUB TOTAL	\$	19,783.98
Discount Authorized by Managing Attorney of 15% of Total Fees		-2,418.52
Current Invoice Amount Due After Services Discount	\$	17,365.46
Prior Balance:		0.00
Payments & Adjustments:		-0.00
Total Due:	\$	17,365.46

Pay your bill online at www.fryberger.com <<http://www.fryberger.com>>

File No: 1635319
 Printed: 12/11/2023, 10:21 AM
 Officer/Escrow Officer: Tammy
 Anderson/TA
 Settlement Location:
 11 E Superior Street, Ste 110, Duluth,
 MN 55802

First American Title Insurance Company
 11 E Superior Street, Ste 110 • Duluth, MN 55802
 Phone: (218)722-1495 Fax: (218)720-6810
Final Settlement Statement



Property Address: xxx, Aurora, MN 55705
 Buyer: David R. Rosa, Apinyada Nualphanao Rosa; Mark M. Rosa, Cheryl Lynn Rosa; Alex M. Rosa, Jennifer Rose Rosa; Andrew Rosa, Rachel Susanne Beldo-Rosa
 Seller: Town of White
 Lender:
 Settlement Date: 12/12/2023
 Disbursement Date: 12/12/2023

Seller		Description	Buyer	
Debit	Credit		Debit	Credit
		Financial		
	5,600.00	Sale Price	5,600.00	
		Prorations/Adjustments		
5,600.00		Property swap for Easement file 1635319-1		5,600.00
		Title Charges & Escrow / Settlement Charges		
150.00		ALTA Owner's Policy to First American Title Insurance Company		
675.00		Title Search/Exam Fee to First American Title Insurance Company		
500.00		Title-Settlement Fee (\$250.00 B / \$250.00 S) to First American Title Insurance Company		
175.00		Document Preparation to First American Title Insurance Company		
		Government Recording and Transfer Charges		
		Record Warranty Deed	46.00	
46.00		Record Resolution to First American Title Insurance Company C		
18.48		State Documentary Transfer Tax		
7,164.48	5,600.00	Subtotals	5,646.00	5,600.00
		Due From Buyer		46.00
	1,564.48	Due From Seller		
7,164.48	7,164.48	Totals	5,646.00	5,646.00

File No: 1635319-1
Printed: 12/11/2023, 10:21 AM
Officer/Escrow Officer: Tammy Anderson/TA
Settlement Location:
11 E Superior Street, Ste 110, Duluth, MN 55802

First American Title Insurance Company
11 E Superior Street, Ste 110 • Duluth, MN 55802
Phone: (218)722-1495 Fax: (218)720-6810
Final Settlement Statement



Property Address: XXX, Aurora, MN 55705
Buyer: Town of White
Seller: David R. Rosa, Apinyada Nualphanao Rosa; Mark M. Rosa, Cheryl Lynn Rosa; Alex M. Rosa, Jennifer Rose Rosa; Andrew Rosa, Rachel Susanne Beldo-Rosa
Lender:
Settlement Date: 12/12/2023
Disbursement Date: 12/12/2023

Seller		Description	Buyer	
Debit	Credit		Debit	Credit
		Financial		
	5,600.00	Sale Price	5,600.00	
		Prorations/Adjustments		
5,600.00		Property Swap for vacant land 1635319		5,600.00
		Title Charges & Escrow / Settlement Charges		
		ALTA Owner's Policy to First American Title Insurance Company	150.00	
		Additional Parcel/Tract to First American Title Insurance Company	75.00	
		Title Search/Exam Fee to First American Title Insurance Company	675.00	
		Title-Settlement Fee (\$250 B /\$550 S) to First American Title Insurance Company	800.00	
		Courier Fee (\$35 ea x 8 S) (\$35 x 2 B) to First American Title Insurance Company	350.00	
		Government Recording and Transfer Charges		
		Record Easement	46.00	
5,600.00	5,600.00	Subtotals	7,696.00	5,600.00
		Due From Buyer		2,096.00
		Due From/To Seller		
5,600.00	5,600.00	Totals	7,696.00	7,696.00

Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize First American Title Insurance Company to cause the funds to be disbursed in accordance with this statement.

Seller(s)

Town of White, a Municipal corporation under
the laws of Minnesota

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: _____

Buyer(s)

David R. Rosa

Apinyada Nualphanao Rosa

Mark M. Rosa

Cheryl Lynn Rosa

Alex M. Rosa

Jennifer Rose Rosa

Andrew Rosa

Rachel Susanne Beldo-Rosa

Anderson

Escrow Officer: Tammy Anderson

RESOLUTION 2023-017 OF THE TOWN OF WHITE

WHEREAS, the TOWN OF WHITE (the “TOWN”) is a public corporation and political subdivision of the State of Minnesota.

WHEREAS, pursuant to Minn. Stat. § 366.01, subd. 9, the Supervisors of the TOWN are empowered to sell and convey real property belonging to the TOWN, not required to be held by the TOWN for a special purpose.

WHEREAS, the TOWN has entered into an Easement Purchase Agreement (the “Agreement”) with DAVID R. ROSA and APINYADA NUALPHANAO ROSA, married to each other, MARK M. ROSA and CHERYL LYNN ROSA, married to each other, ALEX M. ROSA and JENNIFER ROSE ROSA, married to each other, and ANDREW ROSA and RACHEL SUSANNE BELDO-ROSA, married to each other (collectively, “ROSA”).

WHEREAS, pursuant to the Agreement, the TOWN wishes to convey the real property described on the attached **Exhibit A** (the “Transferred Property”) to ROSA.

WHEREAS, the Transferred Property is not required to be held by the TOWN for a special purpose.


NOW THEREFORE BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

1. The TOWN hereby authorizes the sale of the Transferred Property to DAVID R. ROSA and APINYADA NUALPHANAO ROSA, married to each other, MARK M. ROSA and CHERYL LYNN ROSA, married to each other, ALEX M. ROSA and JENNIFER ROSE ROSA, married to each other, and ANDREW ROSA and RACHEL SUSANNE BELDO-ROSA, married to each other.
2. The TOWN hereby delegates to the chairperson of the Town Board, in the chairperson’s official capacity, the authority to execute a Warranty Deed from the Town conveying the Transferred Property to DAVID R. ROSA and APINYADA NUALPHANAO ROSA, married to each other, MARK M. ROSA and CHERYL LYNN ROSA, married to each other, ALEX M. ROSA and JENNIFER ROSE ROSA, married to each other, and ANDREW ROSA and RACHEL SUSANNE BELDO-ROSA, married to each other. Pursuant to Minn. Stat. § 365.05, said Deed shall be attested to by the Town Clerk.

[signatures follow on subsequent page]


Dated this 7th day of December, 2023.

TOWN OF WHITE



By: Jon Skelton
Its: Chair of Town Board

ATTEST:



BY: Jodi Knaus
Its: Town Clerk

This instrument was drafted by:
Fryberger, Buchanan, Smith & Frederick, P.A.
302 W. Superior St., Suite 700
Duluth, MN 55802
JBA

EXHIBIT A

LEGAL DESCRIPTION FOR TRANSFERRED PROPERTY

Lots 1 through 10, Block 20, COTTON, St. Louis County, Minnesota (PID #570-0040-03800)

Rosa Easement

Jodi Knaus

From: Mia E. Thibodeau <mthibodeau@fryberger.com>
Sent: Tuesday, November 21, 2023 9:44 AM
To: Jodi Knaus
Cc: Doug Gregor (gregor@ci.aurora.mn.us)
Subject: RE: Rosa Easement Closing

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.

Hi Jodi:

I wanted to let you know that we are proceeding with completion of the closing on the Rosa easement/land exchange. The Title company will be sending you a packet of documents for execution; my office will also be sending you a resolution for adoption at your next Town Board meeting, which is necessary for recording of the deeds transferring the land in exchange for the easement. After your next meeting, please sign and return to Title all the documents, including an original, signed resolution.

It appears the next Town Board meeting is December 7, but please confirm so I can send you the resolution in advance of your meeting for inclusion in your agenda.

Thanks and Happy Thanksgiving.

Mia

Mia Thibodeau
Attorney

Fryberger, Buchanan, Smith & Frederick, P.A.
302 West Superior Street, Suite 700 | Duluth, MN 55802
ph: 218-725-6873 | fx: 218-725-6800
mthibodeau@fryberger.com | www.fryberger.com

Support provided by
Allison Tellinghuisen | Legal Secretary | office: 218-725-6855 | atellinghuisen@fryberger.com

CONFIDENTIALITY NOTICE

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Jodi Knaus

From: Shannon Sweeney <Shannon@daviddrown.com>
Sent: Wednesday, November 29, 2023 9:37 AM
To: Doug Gregor
Cc: Lucas Heikkila; Jodi Knaus; Mike Larson; Jon Skelton
Subject: RE: Request for Financial Accounting Services
Attachments: Debt Service Impact 11-29-23.pdf

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.

Greetings Doug:

Attached you will find a table I have prepared that provides an average monthly rate based on a PFA loan structured over 30-years at 2% interest in a range of \$5 mil to \$12 mil. Let me know if I can be of any additional assistance. Thanks.

Shannon Sweeney
David Drown Associates, Inc.
10555 Orchard Road
Cologne, MN 55322
(952) 356-2992



From: Doug Gregor <gregor@ci.aurora.mn.us>
Sent: Monday, November 20, 2023 1:25 PM
To: Shannon Sweeney <Shannon@daviddrown.com>
Cc: Lucas Heikkila <lucash@ci.aurora.mn.us>; Jodi Knaus <jodi.knaus@townofwhite.com>; Mike Larson <mlarson@sehinc.com>; Jon Skelton <zlgskelton@gmail.com>
Subject: RE: Request for Financial Accounting Services

Shannon – great of you to do that. I believe that the assumptions you stated are correct but will circulate this to the appropriate Project team members in the event that they think you should use any alternative or additional assumptions.

Thanksgiving best wishes,
Doug

Douglas Gregor, Chair
East Range Water Board
P.O. Box 160
Aurora, MN 55705
Cell: 218-750-0714
Email: gregor@ci.aurora.mn.us

From: Shannon Sweeney <Shannon@daviddrown.com>
Sent: Monday, November 20, 2023 11:01 AM
To: Doug Gregor <gregor@ci.aurora.mn.us>
Subject: RE: Request for Financial Accounting Services

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.

Greetings Doug:

I would be able to provide the requested information by the end of next week at no cost. I am going to assume that all project costs not covered by grants will be funded by a PFA loan with a 30-year term. I will contact PFA to see if they are willing to provide any input on the assumed interest rate. Happy to discuss further at your convenience. Thanks for the information and update.

Shannon Sweeney
David Drown Associates, Inc.
10555 Orchard Road
Cologne, MN 55322
(952) 356-2992



From: Doug Gregor <gregor@ci.aurora.mn.us>
Sent: Monday, November 20, 2023 9:11 AM
To: Shannon Sweeney <Shannon@daviddrown.com>
Cc: Jodi Knaus <jodi.knaus@townofwhite.com>; Lucas Heikkila <lucash@ci.aurora.mn.us>; Jon Skelton <zjgskelton@gmail.com>; Mike Larson <mlarson@sehinc.com>
Subject: Request for Financial Accounting Services

Shannon: The East Range Joint Water Board met last Wednesday afternoon, November 15, to consider the bids that had been received on Monday, November 6 for the Project construction work. The Project's engineering firm, SEH Engineering, prepared the attached Summary of Opinion of Probable Cost Summary accounting sheet. The Board decided to defer acceptance of the Project bids pending certain analytical and supplemental funding actions. It is apparent that the Phase 1 Project communities of Aurora and the Town of White may need to incur a level of indebtedness that is significantly greater than the \$ 5 million of debt to which they committed last summer. In light of that fact, the Board decided to ask you to calculate, under current interest rates, the utility rate increases that would be necessary to service a loan that would be needed to service a much greater indebtedness. Specifically, the Board is asking you to calculate -- in million dollar increments from \$ 7 million up to \$ 12 million (the approved \$ 5 million plus the \$ 7 million "gap" noted in the attachment) -- the water utility monthly charges that would be needed to service such greater levels of indebtedness.

Various supplemental funding options will be pursued By the Board to offset the amount of the "gap" funding, but no option for supplemental funding is anticipated to become available within the period (90 days) for which the bids remain valid. After you have time to consider this request for services, please contact me to discuss the scope, cost and delivery time for such calculations.

Thank you for your consideration of this request for services,
Doug

Douglas Gregor, Chair

**East Range Water Project
Monthly Cost Per ERU**

PFA Loan Amount:	Average Monthly Bill (ERU):		Annual PFA Loan Payment:
	Aurora:	Town of White:	
5,000,000	48.74	43.18	223,249.61
6,000,000	52.51	46.87	267,899.53
7,000,000	56.28	50.56	312,549.46
8,000,000	60.04	54.25	357,199.38
9,000,000	63.81	57.94	401,849.30
10,000,000	67.58	61.63	446,499.22
11,000,000	71.35	65.32	491,149.15
12,000,000	75.12	69.01	535,799.07

Assumes PFA Loan @ 2% interest rate and 30-year term