

**MINUTES  
UTILITY COMMISSION MEETING  
JULY 8, 2021**

The meeting was called to order at 6:04 p.m.

Present: Bernstein, DeLoach, Fredericks, Groschen; Advisor: Christopherson;  
Commissioner: McCune;

The meeting was held at the Town Offices Conference Room. Present there was the Town Clerk, Bernstein, Groschen, Fredericks, and Commissioner. DeLoach was present via telephone conference. The motions, seconds, and votes were stated by roll call as directed for those over the phone.

**APPROVAL OF AGENDA (Additions/Deletions):** Bernstein moved to approve the agenda as submitted. DeLoach seconded. Ayes all.

**APPROVAL OF MINUTES OF JUNE 10, 2021:** Bernstein moved the approval of the June 10, 2021 minutes. DeLoach seconded. Ayes all.

**REFUSE RFPs – RECEIVE, REVIEW, RECOMMEND (Continued from 6/10):** The Town Clerk reported that he has provided the Commission with evaluation format per its request. He did make a request about the audits but the Commission members needed to sign nondisclosures. Chair Groschen had his son look into some brief information about the companies in question, like the number of trucks, employees, customer base, ownership, and scope of work. Walters holds 33 trucks, Highland holds 20 trucks, and Republic holds 16,000 trucks. Employee and customer base corresponds with the equipment load, meaning Republic has several thousand employees. Walters is a family business, Highland is a family business, and Republic is a corporation. While Walters and Highland serve Minnesota, Republic serves 41 states.

There was some discussion of these numbers and it was noted that because recycling is such a hard business, hard to find markets for each category of plastic, glass, metal, etc. Republic would have the most influence in the market or would be able to store the product until it could find a better market. Republic would also be a better steward of the environment in that aspect. With a 99% approval rate like Republic has not only with the Township but beyond, the only way the Utility Commission and the Town would be able to sell a change in haulers like this to residents is if a hauler is less expensive.

MINUTES  
UTILITY COMMISSION MEETING  
JULY 8, 2021

Fredericks made the motion to recommend to the Town Board to approve Republic's RFP based on their rating, reputation, customer service, and competitive pricing. Bernstein seconded. There was discussion of the reviews of all 3 companies and competitive pricing. There was discussion of any changes or adjustment to the contract will be decided once any contract is approved by the Town Board as there is a negotiation period. The contract will come back to the Utility Commission then. Ayes all. There was some additional discussion of how the Township can communicate this to the public with the benefit of PR. It was noted that often residents may take to the Neighborhood App or other social media and complain of refuse haulers that the municipality chooses and the residents get no say. The Town wants to show residents the facts and that the Township is making (and always trying to make) the best decisions for its residents. Staff can use facts like same day pick up, surveys, competitive pricing, reviews, ratings, reputation, customer service, how 99% of all complains are solved and the customer is satisfied etc. Staff should also consider making public that the Town is doing its due diligence: sending out RFPs to 16 haulers, receiving 8 questions, but only 3 proposals for bids. Staff will write something up to be available for the residents to read in "News and Views" in the *White Bear Press*.

There was some minimal discussion of contract lengths, setting the contract to 3 years but negotiate for a 2 year extension. The Town would want to complete this RFP process every 5-10 years. The terms, requests, and negotiation will start after the July 19<sup>th</sup> Town Board meeting.

**PUBLIC WORKS DIRECTOR'S REPORT:** The Public Works Director was present to report on June's activity within the department. He noted about Ramsey County's pavement preservation of **County Road F** and that the Town is replacing watermain in that area. The **Reclamation** begins on Monday and Town contractors will be excavating those areas. He hopes to be done in less than 1 month. The Town is also working on the **southeast area for watermain**. It will take about 2 weeks for watermain on Homewood Avenue, with the Town contractor prepping for all of that area next week. Staff is working on getting **quotes for televising** and I & I. The Public Works Director explained the repair process that is ongoing on **Otter Ridge Circle**. The Town has a warranty with the contractor.

**2021 Opportunity for Total Maximum Daily Load (TMDL) Reduction for WBT:** The Public Works Director reported that as an Urban Township within the 7 metro county area, the Metropolitan Council orders unfunded mandates of the municipalities and counties. A new unfunded mandate that has come up is what is called the Total Maximum Daily Load (TMDL). The Township is required to eliminate 67.6 pounds of phosphorus reduction that has been contributed by residents, water systems, etc. within 5 years. Part of the Township's area has led to an increase of phosphorus in Wilkinson Lake in North Oaks. The Township has the opportunity to partner with VLAWMO, North Oaks, and any other municipality that may choose to join. As of now, the Township isn't aware of any future projects to mitigate and eliminate phosphorus reduction. Town Staff

MINUTES  
UTILITY COMMISSION MEETING  
JULY 8, 2021

consider this an opportunity to get ahead of the mandate and a grant will cover about 60% of the cost.

Phase 1 of the project costs \$596,000. Section 319 grant will cover \$354,456. The rest of the cost will be divided amongst the involved parties. The Township can choose what dollar amount to contribute and then the amount of phosphorus that is extracted from Wilkinson Lake will be divided up among the parties in a percentage. There is also no obligation for the Town to continue on to phase 2 or 3.

There was some discussion of this item, where the funds would come from, and which of the equipment will be installed (pages 15-17 in the packet). The funds would come from the stormwater fund. The Town will not bond for it. Staff isn't sure which type of ponding or basin would be installed. There was consensus in the Town participating in this opportunity. There was much discussion of the financials and the Utility Commission decided it would like to look at the stormwater utility projects list and schedule prior to committing any dollar amount. The Public Works Director will send the Utility Commission an updated stormwater utility sheet and communicate with VLAWMO regarding the affirmation that the Town is interested but a dollar amount is not set yet.

**Critical Water Deficiency-Review/Discuss:** The Town Public Works Director was present to report on this topic. The current Critical Water Deficiency in the Township's Ordinance says that the Governor has to declare this emergency, but the whole state would have to be in a severe or extreme drought before that would happen. The Board wants to be able to declare a Critical Water Deficiency or a Water Emergency to limit water usage. This would involve changing the ordinance to allow the Town Board to do so. There was some discussion of enforcement and language of the ordinance, residential verses commercial. The Town would rather go after companies using 500,000 gallons or the most common offenders. There was some discussion of the water usage in general and how best to proceed. The Utility Commission can just recommend staff to work on wording.

Bernstein made the motion to remove "Governor" and make it "Town Board can declare a Critical Water Emergency" DeLoach seconded. Ayes all.

There was some more discussion on enforcement and how there isn't enough staff to ticket people.

**Point of Sale Sanitary Sewer Line Inspections:** The Town Public Works Director reintroduced this agenda item to the Utility Commission. He hasn't been able to look into the funding options much and hasn't gotten any info from Finance yet. With the funds committing to other major capital improvement projects, it would be hard on the Town to fund something like this. There was some discussion of maybe adding a surcharge on a water bill to help fund something like this.

MINUTES  
UTILITY COMMISSION MEETING  
JULY 8, 2021

There was discussion of the preventative maintenance side of things. This is similar to storm water ponds preventing and treating problems before they arise. Staff will look into ballpark numbers for sewer line replacement. There was some discussion of service lines. There was some more discussion of a hypothetical scenario of using a small camera to pipe down into the pipes, similar to the Roto Rooter method. Staff will look at financing methods and repair costs and report back at next meeting.

**NEXT MEETING DATE / ADDED AGENDA ITEMS:** The next meeting date will be Thursday, August 12, 2021.

DeLoach moved to adjourn the meeting at 7:35 p.m. Fredericks seconded. Ayes all.

Respectfully Submitted,

Megan R. Cavanaugh  
Recording Secretary