



**LE SUEUR COUNTY BOARD OF COMMISSIONERS
MEETING AGENDA
88 S. PARK AVE, LE CENTER, MN
LE SUEUR COUNTY COURTHOUSE
December 22, 2015**

1. **9:00 a.m. Agenda and Consent Agenda (5 min)**
RE: December 15 Minutes and Summary Minutes
RE: CD #18 Repair Request

2. **9:05 a.m. Ann Traxler and Cindy Shaughnessy (10 minutes)**

3. **9:15 a.m. Human Resources (5 min)**

4. **9:20 a.m. 2016-2017 Feedlot Work Plan & Le Sueur County & City of Le Center Recycling Agreement (15 minutes)**

5. **9:35 a.m. Josh Mankowski, LSC Resource Specialist (15 min)**
AIS Resolution

6. **9:50 a.m. Pam Simonette (5 min)**
RE: Credit Card Request

7. **9:55 a.m. Darrell Pettis, County Administrator/Engineer**
RE: 2015 End of the Year Actions
RE: Reappoint Connolly to Aging Services
RE: Budget line item changes
RE: Elected Official Salaries

RE: TH 112 Consultant Agreement
RE: TH 112 Draft Jurisdictional Reversion Agreement
RE: JD #1 Repair Request
RE: Final Contract with Frattalone Companies, Inc.

8. **10:00 a.m. Kathy Brockway, Zoning Administrator (15 min) (Public Hearing)**
Public Hearing- Ordinance Revisions- Section 17, Subsurface Sewage Treatment
Systems and Septic Upgrade Loan Administration Plan
9. **10:30 a.m. 2016 German-Jefferson Financing Workshop**
10. **Future Meetings**



Le Sueur County, MN

Tuesday, December 22, 2015

Board Meeting

Item 1

9:00 a.m. Agenda and Consent Agenda (5 min)

RE: December 15 Minutes and Summary Minutes

RE: CD #18 Repair Request

Staff Contact:

Minutes of Le Sueur County Board of Commissioners Meeting December 15, 2015

The Le Sueur County Board of Commissioners met in regular session on Tuesday, December 15, 2015 at 4:30 p.m. in the Courthouse at Le Center, Minnesota. Those members present were: Steve Rohlffing, Lance Wetzel, John King and Joe Connolly. Dave Gliszinski was excused. Also present were Darrell Pettis and Brent Christian.

On motion by Connolly, seconded by Rohlffing and unanimously approved, the Board approved the agenda for the business of the day.

On motion by Rohlffing, seconded by Connolly and unanimously approved, the Board approved the consent agenda:

- Approved the Minutes and Summary Minutes for the December 1, 2015 Meeting
- Approved Repair Requests: CD #53, #51, #23, #40

On motion by King, seconded by Rohlffing and unanimously approved, the following cases and claims were approved:

Financial: \$ 71,256.11
Soc Serv: \$159,593.17

Sue Rynda, Human Services Director, appeared before the Board to give the monthly Human Services Report. This presentation covered Finance, Income Maintenance, Child Support, Family Services, and Mental Health.

On motion by King, seconded by Connolly and unanimously approved, the Board approved and authorized the Chair to sign the South Central Community Based Initiative Joint Powers Board Agreement and appointed Sue Rynda to represent Le Sueur County.

On motion by Rohlffing, seconded by Connolly and unanimously approved, the Board approved and authorized the Board Chair and County Administrator to sign the Aging Services for Communities Contract for one year with an administrative rate increase from \$12/trip to \$17/trip.

Chuck Retka, representing Le Sueur County Trails, appeared before the Board to request authorization to use the township road in Ney Park for a snowmobile trail.

On motion by Connolly, seconded by King and unanimously approved, the Board authorized Le Sueur County Snow Trails to use the Ney Environmental Center Road for a period of one year with a speed limit of 20 miles per hour. The Snow Trails group shall erect all proper signage.

Pam Simonette appeared before the Board with two items for consideration.

On motion by Rohlffing, seconded by King and unanimously approved, the Board approved the Cornerstone State Bank applications to repurchase Lots 9, 10, 11 and 12, Oak Shores Subdivision in Cordova Township.

On motion by King, seconded by Rohlfing and unanimously approved, the Board approved a credit card request for Ruby Kramer.

Dave Tietz, Sheriff appeared before the Board with one item for consideration.

On motion by Connolly, seconded by King and unanimously approved, the Board approved and authorized the Chair to sign the contract between Le Sueur County and M.B. McGee, P.A. designating Dr. Michael B. McGee, Ramsey County Coroner's Office as the Medical Examiner for Le Sueur County.

Michelle Mettler, Planning & Zoning appeared before the Board with three requests for action.

On motion by Connolly, seconded by King and approved via roll call vote 4-0 with Gliszinski absent, the Board granted a Conditional Use Permit to Le Sun LLC, Minneapolis, MN (Applicant); Patrick Gregor, Waseca, MN (Owner): Request that the County grant a Conditional Use Permit to allow the applicant to establish up to 5MW Solar Farm on approximately 50 acres in an Agriculture "A" District. Property is located in the Southeast 1/4 and Government Lot 6, Section 26, Waterville Township. Application was tabled at the November 12, 2015 meeting. The application was approved with the following conditions and findings are on file at the Planning and Zoning Office:

- 8' chain link fence;
- Apply for Conditional Use Permit for grading, excavating and filling if necessary;
- Copy of proof of interconnection agreement provided to the County;
- Stormwater Plan approved by the State prior to issuance of zoning permit;
- Bond provided to the County for decommissioning of the site.

On motion by Rohlfing, seconded by King and approved via roll call vote 4-0 with Gliszinski absent, the Board granted a Conditional Use Permit to Winge Construction, Coon Rapids, MN, (Applicant); Tamara Kaplan, Savage, MN, (Owner): Request that the County grant a Conditional Use Permit to allow the applicant to elevate the lowest floor of an existing dwelling to meet the Regulatory Flood Protection Elevation and meet FEMA general design standards in a Recreational Residential "RR" District and a Flood Plain Overlay Flood Fringe "FF" District on a Recreational Development Lake, Lake Frances. Property is located at Lot 6, Dick's Southside, Section 34, Elysian Township. Findings are on file at the Planning and Zoning Office.

On motion by Rohlfing, seconded by King and approved via roll call vote 4-0 with Gliszinski absent, the Board granted an After-The-Fact Conditional Use Permit to Chris Short, Prior Lake, MN, (Applicant/Owner): Requests that the County grant an After-The-Fact Conditional Use Permit to allow grading, excavating, and filling of approximately 2441 cubic yards of material to establish a site for a walkout basement in a Recreational Residential "RR" District on a Recreational Development "RD" lake, Lake Frances. Property is located at Lot 3, Block 1, Han's Hideaway, Section 27, Elysian Township. The application was approved with the following conditions and findings are on file at the Planning and Zoning Office:

- 541 cubic yds of material excavated for site preparation,
- the 170 cu yds of material movement already done to construct the building pad and

- the 155 cu yds of material movement needed to complete the building pad. This approval would allow for the construction of a slab-on-grade structure.
- A natural buffer is created along the shoreline and 15 feet inland from the lake to add protection and;
- Any future grading on site be kept to a minimum and conform to zoning ordinance requirements.
- A revised site plan submitted by an engineer or surveyor indicating approved project prior to commencing work.

Cindy Westerhouse, Human Resources Director appeared before the Board with several items for consideration and approval.

A certificate was presented to Dr. John H. Berg in recognition of the 26 years of service as Le Sueur County's County Coroner.

On motion by King, seconded by Rohlfling and unanimously approved, the Board approved the recommendation to accept the resignation request from Dawn Giesen, full time Recreational Therapist in Human Services, effective December 28, 2015. Dawn has been an employee with Le Sueur County since June 2015.

On motion by Rohlfling, seconded by King and unanimously approved, the Board approved the recommendation to post and request the merit list for a full time Recreational Therapist in Human Services as a Grade 7, Step 1 at \$18.09 per hour.

On motion by Connolly, seconded by Rohlfling and unanimously approved, the Board approved the recommendation to hire Bryan Tupy as a part time Jailer/Dispatcher in the Sheriff's Office as a Grade 6, Step 1 at \$17.07 per hour, effective December 21, 2015.

On motion by King, seconded by Rohlfling and approved with Wetzel abstaining, the Board approved the recommendation to hire Trisha Chimal Simonette as a full time Administrative Assistant III in Public Health, as a Grade 5, Step 2 at \$17.11 per hour, effective January 4, 2016.

On motion by Rohlfling, seconded by King and unanimously approved, the Board approved the recommendation to post and advertise for a full time Recovery Support Specialist in Drug Court, as a Grade 9, Step 1 at \$20.33 per hour.

On motion by Connolly, seconded by Rohlfling and unanimously approved, the Board approved the recommendation to transfer Julie Factor, full time Deputy Auditor-Treasurer II Accounting Specialist in the Auditor-Treasurer's Department, Grade 7, Step 2 at \$18.75 per hour to a full time Administrative Assistant III in the Recorder's Office, as a Grade 5, effective December 21, 2015. Effective January 1, 2016, will be Grade 5, Step 5, at \$19.03 per hour.

On motion by King, seconded by Rohlfling and unanimously approved, the Board approved the recommendation to transfer Jody Kubiszewski, full time Administrative Assistant III in Veterans Services as a Grade 5, Step 1 at \$16.11 per hour to a full time Administrative Assistant III in the Recorder's Office as a Grade 5, Step 2 at \$17.11 per hour, effective January 4, 2016.

On motion by King, seconded by Connolly and unanimously approved, the Board approved the recommendation to post and advertise for a full time Administrative Assistant III in Veterans Services as a Grade 5, Step 1 at \$16.11 per hour.

On motion by Rohlfing, seconded by Connolly and unanimously approved, the Board approved the recommendation to approve and sign the Memorandum of Understanding with Le Sueur County and the Teamsters Local No. 320 Court House union revising Article XXI, Severance, to add unused vacation hours be paid into the Minnesota State Retirement System Health Care Savings Plan.

At 6:00 p.m. the Board convened the Public Hearing to take testimony on the proposed 2016 County Levy and the 2016 County Budget. 5 members of the general public were present. County staff present included: Auditor / Treasurer Pam Simonette, Human Services Director Sue Rynda, Public Health Director Cindy Shaughnessy, Finance Director / Elections Administrator Carol Blaschko, County Administrator Darrell Pettis and Assessor Shayne Bender. There were 0 public comments.

Darrell Pettis, County Administrator gave an informational overview of the proposed 2016 County Levy and Budget.

On motion by Rohlfing, seconded by Connolly and unanimously approved, the Board declared the Public Hearing closed at 6:18 p.m.

On motion by Rohlfing, seconded by Connolly and unanimously approved, the Board adopted the following 2016 Final Levy:

2016 FINAL LEVY

<u>FUND</u>	<u>TAXES</u>	<u>PROGRAM AID</u>	<u>TOTAL</u>
	8,648,386	512,639	8,135,747
Revenue			
Road & Bridge	3,073,329	512,639	2,560,690
SS & PA	2,573,655		2,573,655
PA & GA	1,064,573		1,064,573
Fair	26,331		26,331
Building	190,000		190,000
Extension Services	184,028		184,028
Park	235,191		235,191
Bonded Indebtedness	2,146,026		2,146,026

Water Planning	12,836		12,836
ISTS	38,823		38,823
Victim Witness	3,262		3,262
TOTAL	18,196,440	1,025,278	17,171,162

2016 FINAL LEVY \$ 17,171,162
2015 FINAL LEVY \$ 16,077,551
INCREASE IN LEVY \$ 1,093,611
INCREASE OF 6.8%

On motion by King, seconded by Rohlifing and unanimously approved, the Board adopted the following 2016 Expenditures:

FINAL 2016 RECAP OF EXPENDITURES LE SUEUR COUNTY

FUND	TAXES	OTHER REVENUES	USE OF FUND BALANCE	TOTAL
REVENUE	8,648,386	4,217,766	79,340	12,945,492
ROAD & BRIDGE	3,073,329	15,004,484		18,077,813
SS & PA	2,573,655	2,240,980	244,707	5,059,342
PA & GA	1,064,573	1,152,250	119,720	2,336,543
FAIR (600)	26,331			26,331
BUILDING (111)	190,000			190,000
EXT SERVICES (601)	184,028	4,375		188,403
PARK (525)	235,191	55,214		290,405
BONDED INDEBT	2,146,026			2,146,026
WATER PLANNING	12,836	68,750		81,586
ISTS	38,823	23,600	18,600	81,023
ENV SERVICES	0	984,733	-23,687	961,046
VICTIM WITNESS	3,262	80,200	21,200	104,662
CAP IMPROVEMENT	0		200,000	200,000
TOTAL	18,196,440	23,832,352	659,880	42,688,672

Darrell Pettis, County Administrator, appeared before the Board with several items for discussion and approval.

The following bids were received for the CSAH 7 Bridge Project:

Barnett Bros.: Kilkenny, MN	\$273,016.00
Holtmeier Construction: Mankato, MN	\$284,026.56
Landwehr Construction, Inc.: St. Cloud, MN	\$341,801.30
Midwest Contracting LLC: Marshall, MN	\$287,291.80
Alcon Construction Corp: Rochester, MN	\$357,913.57

On motion by Connolly, seconded by King and unanimously approved, the Board approved to award the CSAH 7 Bridge Project to Barnett Bros. in the amount of \$273,016.

On motion by King, seconded by Rohlffing and unanimously approved, the Board approved the 2015 Municipal Maintenance Agreements.

On motion by Rohlffing, seconded by Connolly and unanimously approved, the Board approved and authorized the County Administrator to sign the Agreement to State Transportation Fund Local Bridge Replacement Program Grant Terms and Conditions, SAP 040-007-006.

At 6:45 p.m. the Board convened the Public Hearing to take testimony on the proposed 2016 Fee Changes. 3 members of the general public were present. There were 0 public comments.

On motion by King, seconded by Connolly and unanimously approved, the Board declared the Public Hearing closed at 6:46 p.m.

On motion by Rohlffing, seconded by King and unanimously approved, the Board approved the following 2016 Fee Changes:

FEES		
	CURRENT 2015	PROPOSED 2016
ASSESSOR		
Labels	\$50 set up fee	\$100 set up fee
	\$0.02 per label	\$0.03 per label
Excel Reports	\$50 set up fee	\$100 set up fee
	\$0.05 per record or \$20 per hour	\$50 per hour
Print out report	\$0.10 per page	\$0.25 per page
ENVIRONMENTAL SERVICES FEES		
Cluster Fee for Variances		\$600.00 + \$200.00 per lot
GIS		
Printer Map Product – Black and white	\$1.00 per page	Delete
Printer Map Product – Color	\$2.00 per page	\$1.00 per page
Printer Map Product – Plotter HP (34 x 44)	\$8.00 per page	\$10.00 per page
Orthophotography CDs	\$52.00 per CD	Delete

	\$53.00 per DVD	
Land Information GeoDatabase		\$2,500.00
RECORDER		
Re-Issue Marriage Document, Applicant Error		\$10.00
Marriage Waivers		\$25.00
Abstract Certification	\$55.00 New or Recertification \$45.00 Update Continuation	\$75.00 New or Recertification \$60.00 Update Continuation
O & E Report	\$100.00	\$140.00
Plat Review		\$50.00
Reports		\$15.00 + \$1.00 per page
After Hours Emergency		\$10.00

On motion by Connolly, seconded by Rohlfling, and unanimously approved, the following claims were approved for payment:

Warrant #	Vendor Name	Amount
38687	A'Viands	\$ 3,882.92
38688	Advanced Correctional Healthcare Inc.	\$ 2,215.13
38690	American Engineering Testing Inc.	\$ 14,799.35
38693	Attorney General's Office	\$ 3,271.83
38699	Boarman Kroos Vogel Group Inc.	\$ 58,392.83
38700	Bolton & Menk Inc.	\$ 40,627.50
38704	Carquest of Le Center	\$ 2,575.39
38706	Christian, Keogh, Moran & King	\$ 2,129.82
38708	Conservation Landscapes	\$ 8,757.75
38729	Green Tech Recycling	\$ 4,301.70
38741	I & S Group Inc.	\$ 2,880.00
38749	Johnson Aggregates	\$ 10,874.93
38767	Mariska Enterprises	\$ 2,196.00
38771	Minn St Admin ITG Telecom	\$ 5,213.00
38773	MN CCC	\$ 25,155.98
38784	North Central International	\$ 2,766.77
38790	Paragon Printing & Mailing Inc.	\$ 9,836.44
38795	Regents of the University of Minnesota	\$ 27,729.99
38807	Schwickert's Tecta America LLC	\$ 3,448.00
38811	S.M.C. Co. Inc.	\$ 8,620.82
38816	Suel Printing Co.	\$ 3,563.45
38822	Trimin Systems Inc.	\$ 4,800.00
38834	Waterford Oil Co. Inc.	\$ 22,873.58
38842	Zimmerman Construction	\$ 8,450.00
132 Claims paid less than \$2,000.00:		\$ 45,613.49

24 Claims paid more than \$2,000.00:	\$279,363.18
156 Total all claims paid:	\$324,976.67

On motion by Connolly, seconded by King and unanimously approved, the Board adjourned until Tuesday, December 22, 2015 at 9:00 a.m.

ATTEST: _____
Le Sueur County Administrator **Le Sueur County Chairman**

Summary Minutes of Le Sueur County Board of Commissioners Meeting, December 15, 2015

- This is only a summary publication per MN Statutes 375.12 and 331A.01 sub. 10. The complete minutes are on file in the Le Sueur County Administrator's Office at 88 S Park Ave. Le Center, MN and are available at www.co.le-sueur.mn.us.
- The Le Sueur County Board of Commissioners met in regular session on Tuesday, December 15, 2015 at 4:30 p.m. in the Courthouse at Le Center, Minnesota. Those members present were: Steve Rohlfling, Lance Wetzel, John King and Joe Connolly. Dave Gliszinski was excused. Also present were Darrell Pettis and Brent Christian.
- The Board approved the agenda for the business of the day. (Connolly-Rohlfling)
- The Board approved the consent agenda: (Rohlfling-Connolly)
 - Approved the Minutes and Summary Minutes for the December 1, 2015 Meeting
 - Approved Repair Requests: CD #53, #51, #23, #40
- The following cases and claims were approved: Financial: \$71,256.11 and Soc Serv: \$159,593.17 (King-Rohlfling)
- The Board approved and authorized the Chair to sign the South Central Community Based Initiative Joint Powers Board Agreement and appointed Sue Rynda to represent Le Sueur County. (King-Connolly)
- The Board approved and authorized the Board Chair and County Administrator to sign the Aging Services for Communities Contract for one year with an administrative rate increase from \$12/trip to \$17/trip. (Rohlfling-Connolly)
- The Board authorized Le Sueur County Snow Trails to use the Ney Environmental Center Road for a period of one year with a speed limit of 20 miles per hour. The Snow Trails group shall erect all proper signage. (Connolly-King)
- The Board approved the Cornerstone State Bank applications to repurchase Lots 9, 10, 11 and 12, Oak Shores Subdivision in Cordova Township. (Rohlfling-King)
- The Board approved a credit card request for Ruby Kramer. (King-Rohlfling)
- The Board approved and authorized the Chair to sign the contract between Le Sueur County and M.B. McGee, P.A. designating Dr. Michael B. McGee, Ramsey County Coroner's Office as the Medical Examiner for Le Sueur County. (Connolly-King)
- The Board granted a Conditional Use Permit to Le Sun LLC, Minneapolis, MN (Applicant); Patrick Gregor, Waseca, MN (Owner). The application was approved with conditions and findings are on file at the Planning and Zoning Office: (Connolly-King)
- The Board granted a Conditional Use Permit to Winge Construction, Coon Rapids, MN, (Applicant); Tamara Kaplan, Savage, MN, (Owner). Findings are on file at the Planning and Zoning Office. (Rohlfling-King)
- The Board granted an After-The-Fact Conditional Use Permit to Chris Short, Prior Lake, MN, (Applicant/Owner). The application was approved with conditions and findings are on file at the Planning and Zoning Office: (Rohlfling-King)
- The Board approved the recommendation to accept the resignation request from Dawn Giesen, full time Recreational Therapist in Human Services, effective December 28, 2015. (King-Rohlfling)
- The Board approved the recommendation to post and request the merit list for a full time Recreational Therapist in Human Services as a Grade 7, Step 1 at \$18.09 per hour. (Rohlfling-King)
- The Board approved the recommendation to hire Bryan Tupy as a part time Jailer/Dispatcher in the Sheriff's Office as a Grade 6, Step 1 at \$17.07 per hour, effective December 21, 2015. (Connolly-Rohlfling)
- The Board approved the recommendation to hire Trisha Chimal Simonette as a full time Administrative Assistant III in Public Health, as a Grade 5, Step 2 at \$17.11 per hour, effective January 4, 2016. (King-Rohlfling)
- The Board approved the recommendation to post and advertise for a full time Recovery Support Specialist in Drug Court, as a Grade 9, Step 1 at \$20.33 per hour. (Rohlfling-King)
- The Board approved the recommendation to transfer Julie Factor, full time Deputy Auditor-Treasurer II Accounting Specialist in the Auditor-Treasurer's Department, Grade 7, Step 2 at \$18.75 per hour to a full

time Administrative Assistant III in the Recorder's Office, as a Grade 5, effective December 21, 2015. Effective January 1, 2016, will be Grade 5, Step 5, at \$19.03 per hour. (Connolly-Rohlfing)

- The Board approved the recommendation to transfer Jody Kubiszewski, full time Administrative Assistant III in Veterans Services as a Grade 5, Step 1 at \$16.11 per hour to a full time Administrative Assistant III in the Recorder's Office as a Grade 5, Step 2 at \$17.11 per hour, effective January 4, 2016. (King-Rohlfing)
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- The Board approved the recommendation to approve and sign the Memorandum of Understanding with Le Sueur County and the Teamsters Local No. 320 Court House union revising Article XXI, Severance, to add unused vacation hours be paid into the Minnesota State Retirement System Health Care Savings Plan. (Rohlfing-Connolly)
- At 6:00 p.m. the Board convened the Public Hearing to take testimony on the proposed 2016 County Levy and the 2016 County Budget. 5 members of the general public were present. County staff present included: Auditor / Treasurer Pam Simonette, Human Services Director Sue Rynda, Public Health Director Cindy Shaughnessy, Finance Director / Elections Administrator Carol Blaschko, County Administrator Darrell Pettis and Assessor Shayne Bender. There were 0 public comments.
- The Board declared the Public Hearing closed at 6:18 p.m. (Rohlfing-Connolly)
- The Board adopted the following 2016 Final Levy: (Rohlfing-Connolly)

2016 FINAL LEVY

FUND	TAXES	PROGRAM AID	TOTAL
	8,648,386	512,639	8,135,747
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ISTS	38,823		38,823
Victim Witness	3,262		3,262
TOTAL	18,196,440	1,025,278	17,171,162

- The Board adopted the following 2016 Expenditures: (King-Rohlfing)

FINAL 2016 RECAP OF EXPENDITURES LE SUEUR COUNTY

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SS & PA	2,573,655	2,240,980	244,707	5,059,342

PA & GA	1,064,573	1,152,250	119,720	2,336,543
FAIR (600)	26,331			26,331
BUILDING (111)	190,000			190,000
EXT SERVICES (601)	184,028	4,375		188,403
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VICTIM WITNESS	3,262	80,200	21,200	104,662
CAP IMPROVEMENT	0		200,000	200,000
TOTAL	18,196,440	23,832,352	659,880	42,688,672

- The Board approved to award the CSAH 7 Bridge Project to Barnett Bros. in the amount of \$273,016. (Connolly-King)
- The Board approved the 2015 Municipal Maintenance Agreements. (King-Rohlfing)
- The Board approved and authorized the County Administrator to sign the Agreement to State Transportation Fund Local Bridge Replacement Program Grant Terms and Conditions, SAP 040-007-006. (Rohlfing-Connolly)
- At 6:45 p.m. the Board convened the Public Hearing to take testimony on the proposed 2016 Fee Changes. 3 members of the general public were present. There were 0 public comments.
- The Board declared the Public Hearing closed at 6:46 p.m. (King-Connolly)
- The Board approved the following 2016 Fee Changes: (Rohlfing-King)

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Excel Reports	\$50 set up fee	\$100 set up fee
	\$0.05 per record or \$20 per hour	\$50 per hour
Print out report	\$0.10 per page	\$0.25 per page
ENVIRONMENTAL SERVICES FEES		
Cluster Fee for Variances		\$600.00 + \$200.00 per lot
GIS		
Printer Map Product – Black and white	\$1.00 per page	Delete
Printer Map Product – Color	\$2.00 per page	\$1.00 per page
Printer Map Product – Plotter HP (34 x 44)	\$8.00 per page	\$10.00 per page
Orthophotography CDs	\$52.00 per CD \$53.00 per DVD	Delete

Land Information GeoDatabase		\$2,500.00
RECORDER		
Re-Issue Marriage Document, Applicant Error		\$10.00
Marriage Waivers		\$25.00
Abstract Certification	\$55.00 New or Recertification \$45.00 Update Continuation	\$75.00 New or Recertification \$60.00 Update Continuation
O & E Report	\$100.00	\$140.00
Plat Review		\$50.00
Reports		\$15.00 + \$1.00 per page
After Hours Emergency		\$10.00

•The following claims were approved for payment: (Connolly-Rohlfing)

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24	Claims paid more than \$2,000.00:	\$279,363.18
156	Total all claims paid:	\$324,976.67

•The Board adjourned until Tuesday, December 22, 2015 at 9:00 a.m. (Connolly-King)

ATTEST: Le Sueur County Administrator Le Sueur County Chairman

REPAIR REQUEST

We, the undersigned landowners, do hereby request the Le Sueur County Board of Commissioners to clean out and repair Le Sueur County Ditch # 18 located in Montgomery township.

Signed
Todd S. Deneen

Address/Phone #
36625 Kuzel Lane Montgomery
56069 612-214-1085

Date: 12-14-15

Description of problem: clean out Ditch

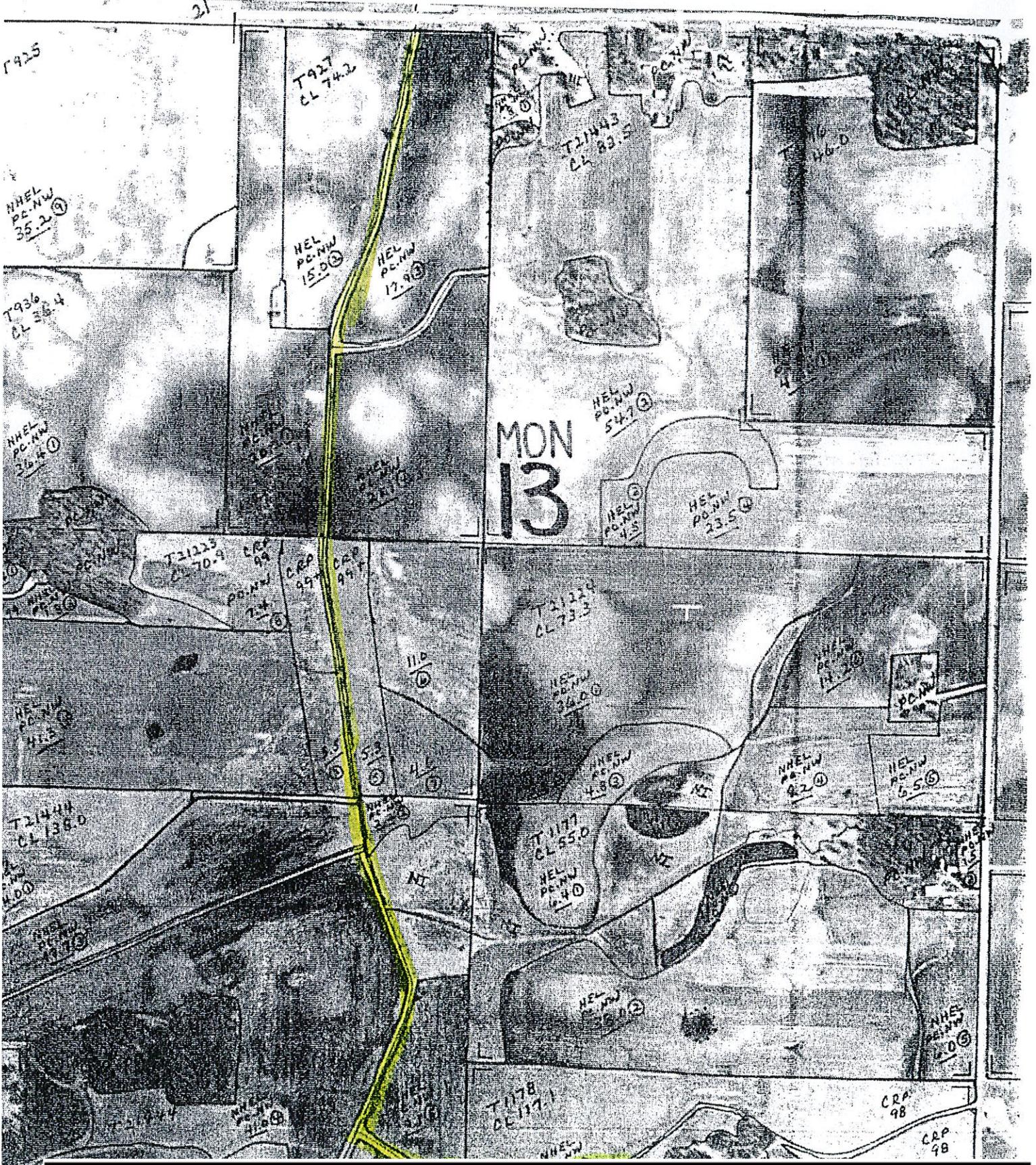
Needs clean out.
Proger Ruhlman
12-16-15

Tract Number	MT = Multiple Tract Number	HEL = Highly Erodible Land	MW = Minimal Effect Wetland (Exempt)
Wetland	CW = Converted Wetland	NHEL = Non-Highly Erodible	MNC, MWM, MWR = special cond. See NRCS
Farmed Wetland	NA = Non-Agricultural	PC = Prior Converted Wetland	NC = Non-Cropland
Non-Wetland	AW = Artificial Wetland	ECW = (Commenced) Converted Wetland	NI = Non-Inventoried

DATE: LE SUEUR NOT TO SCALE REPRODUCED MARCH 1999 CROP YEAR 1999

PHOTO NUMBER
I 6

WARNING: Contact NRCS before draining, dredging, filling, or leveling any wet areas or wetland coded fields, or etc. Also contact NRCS before improving, modifying, or doing maintenance on an existing drainage system.





Le Sueur County, MN

Tuesday, December 22, 2015

Board Meeting

Item 2

9:05 a.m. Ann Traxler and Cindy Shaughnessy (10 minutes)

Staff Contact:



LE SUEUR COUNTY PUBLIC HEALTH

Public Health
Prevent. Promote. Protect.

88 South Park Avenue
Le Center, MN 56057
Phone (507) 357-8246
Fax (507) 357-4223

Le Sueur County Board of Commissioners Meeting
December 22, 2015

Ann Traxler, Emergency Manager
Cindy Shaughnessy, Public Health Director
Sheriff, GIS, Human Services, Maintenance

Agenda:

- 1) Request approval for out-of-state travel to attend **Incident Response to Terrorist Bombings (IRTB)** training in Socorro, New Mexico at New Mexico Tech in April 2016 (either April 18-21, 2016 or April 25-28, 2016)
 - Ann has invited Le Sueur County First Responders (EMS, Fire, and Law Enforcement), Hospital Personnel, Public Health, Department Heads and Commissioners to attend
 - Training costs including tuition, air transportation, ground transportation, food and accommodations are paid by federal funds. The cost to the employer (Le Sueur County) is the staff time.
 - Course description attached
 - Request approval for out-of-state travel for the following:
 - 8.0 FTE Sheriff's Dept. (4 the 1st week and 4 the 2nd week)
 - 3.5 FTE Emergency Management staff
 - 3.5 FTE Public Health staff
 - 1.0 FTE GIS
 - 1.0 FTE Human Services
 - 1.0 FTE Maintenance
 - 1.0 FTE Commissioner

Incident Response to Terrorist Bombings (IRTB) Course Description

Technical Operations Level

Scope of Course
Field Laboratories
Academic Credit
Course Schedule

Course Application 
Performance Level

Technical/Operations Level

- Four-day, train-the-trainer course format
- Sponsored by the Department of Homeland Security (DHS), Office of State and Local Government Coordination and Preparedness (SLGCP) (formerly the Office for Domestic Preparedness)
- Designed for First Responders who may respond to incidents involving explosives
- Participants will be able to identify
 - Commercial and military explosives
 - Improvised explosive devices (IEDs)
 - Readily available explosive formulations that terrorists have or could use
- Course methodology includes classroom presentations, field laboratories, and practical exercises

Scope of Course

- **Course Introduction** describes course background, purpose, content, manner of presentation and standards of behavior in the classroom, on the ranges and in the community.
- **Terrorism and Energetic Materials** identifies potential terrorist bombing targets and describes pre-attack indicators and tactics and techniques likely to be used during attacks on those targets.
- **Introduction to Energetic Materials** describes components, interactions and physical phenomena associated with explosive events.
- **Recognition of Energetic Materials, Devices and Device Components** recognizes explosive and incendiary materials, devices and device components.
- **Responding to Pre-detonation Incidents** specifies actions required to direct and participate in a safe and effective response to pre-detonation incidents.
- **Responding to Post-detonation Incidents** specifies actions required to direct and participate in a safe and effective response to a post-detonation incident.
- **Responding to Special Situations** describes how to adjust normal response policies, procedures and tactics during special situations to produce safe and effective operational responses.
- **Case Study** covers recent Weapons of Mass Destruction (WMD) incidents and lessons learned from the responding agencies.
- **Field Laboratories** identifies potential explosive mixtures, IEDs and materials and components that can be used to make an IED.
- **Practical Exercises** provide the opportunity to apply the skills and knowledge acquired during the course.

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Field Laboratories

Three field laboratories allow students to observe and handle, when possible, explosives and to observe their resulting damage. Sessions include

- Initiation systems lab
- Improvised devices lab
- Small vs. large bombs lab
- Letter and briefcase/package bombs
- Full-scale vehicle bombs

Note: Participants who pass the course final with a minimum score of 70 percent are certified as trainers and may earn academic credits from New Mexico Tech. Students interested in obtaining undergraduate or graduate level credit for the IRTB or PRSBI course should go to the following web address for more information [IRTB and PRSBI Continuing Education](#) or contact Leslie Griego at 1-866-476-9333, or email lgriego@emrtc.nmt.edu.

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Course Application 

Course Schedule

Performance Level IRTB Classes

The four hour performance level IRTB course provides basic information on explosive and incendiary devices that could be used as terrorist weapons. Classroom topics include:

- Understanding the terrorist threat
- Improvised explosive devices (IEDs)
- Safety issues
- Departmental or agency policies to ensure compliance with local requirements

Contact your State Point of Contact or EMRTC to arrange a class in your area.



Le Sueur County, MN

Tuesday, December 22, 2015

Board Meeting

Item 3

9:15 a.m. Human Resources (5 min)

Staff Contact:



Human Resources

88 SOUTH PARK AVENUE • LE CENTER, MINNESOTA 56057
Telephone: 507-357-8517 • Fax: 507-357-8607
Cindy Westerhouse – Human Resources Director

HUMAN RESOURCES AGENDA ITEMS December 22, 2015

Recommendation to grant regular status to Justin Coates, full time Agency Social Worker, in Human Services, effective December 15, 2015. Justin has completed the six-month probationary period.

Recommendation to hire Dani Blaschko as a part time Administrative Assistant II in the Sheriff's Office as a Grade 4, Step 1 at \$15.20 per hour, effective December 22, 2015.

Equal Opportunity Employer



Le Sueur County, MN

Tuesday, December 22, 2015

Board Meeting

Item 4

**9:20 a.m. 2016-2017 Feedlot Work Plan & Le Sueur County & City of
Le Center Recycling Agreement (15 minutes)**

Staff Contact: Amy Beatty, Environmental Programs Specialist

Le Sueur County Environmental Services

Mailing Address:
88 South Park Avenue
Le Center, MN 56057
Direct Dial (507) 357-8538

Physical Address:
515 South Maple Avenue
Le Center, MN 56057
Fax (507) 357-8541

DATE: Thursday, December 17, 2015
TO: Le Sueur County Board of Commissioners
FROM: Amy Beatty, Le Sueur County Environmental Programs Specialist
RE: Le Sueur County 2016-2017 Feedlot Work Plan

Feedlot Work Plan

As part of Le Sueur County's Delegation Agreement with the Minnesota Pollution Control Agency (MPCA) to administer the feedlot program, the county is required to submit a work plan. The work plan lists the minimum program requirements that the county shall do to administer and implement the feedlot program. The county is required

- To keep an inventory of registered or permitted feedlots;
- To inspect feedlots to determine compliance;
- To permit feedlots for construction or forward applications to the MPCA if a state permit is required;
- To review complaints; and
- To assist feedlot owners with items such as land application recordkeeping, manure management planning, and permit applications for state and/or county issued permits.

Le Sueur County's 2016-2017 Feedlot Work Plan has been reviewed by MPCA feedlot staff and satisfactorily addresses delegation agreement requirements. In order for the work plan to be executed,

- A review of the county's work plan by the County Board of Commissioners and signed by the Chair upon approval by the Board.

MPCA County Feedlot Program Delegation Agreement Work Plan

Work Plan Years:	2016 – 2017
County:	Le Sueur County
County Feedlot Officer(s):	Amy Beatty
Primary Contact Person:	Amy Beatty
Telephone Number(s):	507-357-8203
E-mail Address(es):	abeatty@co.le-sueur.mn.us
Amendment #:	

The revised rules adopted on October 23, 2000 and updated in January 2015, require a Delegated County (County) to prepare a Delegation Agreement that describes the County's plans/strategies and goals for administration and implementation of the Feedlot Program. The attached Work Plan satisfies the Minnesota Rules Chapter 7020 requirement that the Delegation Agreement must be reviewed and approved by the Delegated County and the Minnesota Pollution Control Agency (MPCA) annually.

Minnesota legislative appropriation language (Minnesota Statutes 116.0711) contains provisions for reducing grants to Delegated Counties if they do not meet minimum program requirements (MPRs) as set forth in this document. Counties that fail to meet the 7% inspection rate MPR and/or 90% of non-inspection MPRs are subject to having base grant reductions and/or loss of eligibility for a performance award.

For any feedlot in which a County employee or a member of the County employee's immediate family has an ownership interest, the County employee will not:

- (a) Be involved in making preliminary or final decisions to issue a permit, authorization, zoning approval, or any other governmental approval for the feedlot;
- (b) Conduct or review inspections for the feedlot.

<p>This County Feedlot Program Delegation Agreement and Work Plan have been prepared by the County for the period of January 1, 2016 – December 31, 2017. The County agrees with the terms and conditions established in this Agreement and will use feedlot grant funds in conjunction with the required local match dollars and in-kind contributions to carry out the goals, plans and minimum program requirements described herein. The County understands that this Work Plan will be reviewed by the MPCA after completion of the first year of the Agreement and, if necessary, will be revised.</p>	
Signature of Chair of Board of County Commissioners	Date

A. Strategies

The strategies component fulfills County rule requirements (7020.1600, Subp. 3a.) that state the County must develop annual plans and goals in accordance with registration, inspection, compliance and owner assistance responsibilities.

Registration Strategy

1. Please indicate the method(s) the County will use to provide a feedlot owner with a registration receipt. For additional methods and requirements see the Annual Report Guidance document.
 - a. A 30-day Registration Receipt Letter
 - b. A 30-day Inspection Letter that contains confirmation of re-registration
 - c. A permit cover letter or Certificate of Registration that contains confirmation of re-registration.
 - d. Verbal notification of re-registration as documented by a log.

Le Sueur County will use the 30-day registration receipt letter.

2. Please indicate the type of registration form used by the County.
 - a. MPCA standard registration form
 - b. County designed form (A copy of the form must be attached to the completed work plan.)

Le Sueur County uses the MPCA standard registration form plus a supplemental form listing the facility's buildings, open lots, and manure storage structures, and the amount of acres available for manure application.

3. Please describe how the County will address facilities that upon re-registration show an increase in animal units, a change or addition to animal types or newly constructed animal holding or manure storage areas.

Le Sueur County will evaluate for compliance regarding permitting and notification requirements, including feedlot owner contact and, if warranted, a feedlot inspection, and will also evaluate if the increase requires a county conditional use permit (CUP). Plan to contact (letter or call) the feedlot owner and discuss the increase.

4. Please describe the strategy and timeline that the County intends to follow to address facilities that have not met the re-registration deadline by January 1, 2014 and/or any continuous registration strategy over the next two years.

During the next two years, the county will continue to send re-registration forms by mail; call the feedlot owner; and/or stop at the feedlot site to speak with the feedlot owner. If these strategies do not result in re-registration, the county will mail a letter to the feedlot owner that is cc'd to county attorney and county commissioner.

Inspection Strategy For assistance with completing this part of the work plan please see Appendix A. A County must set inspection plans and goals for the purpose of identifying pollution hazards and determining compliance with discharge standards, rules and permit conditions.

Using the table below, please complete an inspection strategy in accordance with the following factors. The County's inspection strategy must include required goals, as applicable to the County, for conducting inspections at these sites:

- a. Sites proposing construction or expansion
- b. Sites with an Interim or Construction Short Form (CSF) permit. A CSF permit applies to sites with ≥ 300 AU.
- c. Sites with signed open lot agreements (OLAs) that have never been inspected
- d. Sites required to be registered that have never been inspected

Required Inspection Strategies

Strategy Goal	Inspection Goal 2016*	Inspection Goal 2017*
Sites proposing construction or expansion	Use as needed	Use as needed
Sites with an Interim or CSF permit	Use as needed	Use as needed
Sites with OLAs that have never been inspected	N/A	N/A
Sites required to be registered that have never been inspected	12	12
Total	12	12

**If applicable, enter a number or range for the number of sites the County predicts will be completed for each required strategy goal. If not applicable, simply enter N/A. There will not be a penalty if the County does not meet strategy goal numbers as long as there is a valid reason and the County communicates with the MPCA regional staff in a timely manner.*

The County's inspection strategy can also include goals, as applicable, for conducting inspections at high risk/high priority sites and/or low risk/low priority sites. Examples of these are listed below.

HIGH RISK/HIGH PRIORITY SITES

- a) *Sites within shoreland and/or a Drinking Water Supply Management Area (DWSMA), Watershed Restoration and Protection Strategy (WRAPS) and/or a TMDL.*
- b) *Sites that, according to previous inspections, have not been maintaining adequate land application records and/or manure management plans.*
- c) *Sites that have an OLA and/or an open lot without runoff controls.*
- d) *Conduct Level 2 or 3 land application inspections within a formally designated area such as a TMDL.*
- e) *Alternative strategy.*

LOW RISK/LOW PRIORITY SITES

- a) *Sites within a specified size category such as 300 – 499 AU or 500 – 999 AU.*
- b) *Sites within a watershed, township or other formally designated area.*
- c) *Conduct Level 2 or 3 land application inspections within a watershed, township or other formally designated area.*
- d) *Level 2 or 3 land application inspections as part of a compliance inspection or a Level 3 land application inspection conducted at non-NPDES sites >300 AU.*
- e) *Conduct inspections at all sites in the county on a five year or less rotating basis.*
- f) *Alternative strategy.*

Inspection Strategies

Strategy Goal	Inspection Goal 2016*	Inspection Goal 2017*
<i>Conduct facility compliance inspections at sites required to be registered that have never been inspected (all feedlots are in the MN River or Cannon River watersheds – WRAPS started for Cannon River).</i>	<i>12 counted in previous table</i>	<i>12 counted in previous table</i>
<i>Conduct a Level II land application inspection at all facility compliance inspections that are 300+ AU.</i>	<i>3</i>	<i>3</i>
<i>Conduct Level I land application inspection at all facility compliance inspections that are 100 to 299 AU.</i>	<i>4</i>	<i>4</i>
<i>Conduct Level III land application inspections at a variety of locations, types (solid and manure), and species (poultry, beef, dairy, and swine); will randomly inspect owners that call in for air quality exemptions and will random drive the county-side in spring and fall to view land application.</i>	<i>8</i>	<i>8</i>
<i>Conduct facility compliance inspections at sites with OLA to view compliance.</i>	<i>2</i>	<i>2</i>
<i>If schedule allows, conduct inspections at sites that were previously inspected that were not keeping land application records.</i>	<i>As time will allow</i>	<i>As time will allow</i>
Total	17	17

**Enter the number of inspections the County predicts will be completed for each category.
 Note: Numbers entered for Level 3 land application strategy goals must be quantified by feedlot sites and not individual farm fields.*

Inspection Strategy Totals

	Inspection Goal 2016*	Inspection Goal 2017*
Total	29	29

**Enter the total inspections from both the Required Inspection Strategies and Inspection Strategies tables above.*

Compliance Strategy

1. Please state the various method(s) and practice(s) that the County will use in response to **production site inspections** that result in non-compliance, including facilities that have failed to meet OLA timelines:
 - a. Include corrective actions in the inspection results notification letter, where corrective actions can be completed in 30 days or less.
 - b. Issue a Letter of Warning (LOW) or a Notice of Violation (NOV) that will include corrective actions and deadlines.
 - c. Issue an Interim Permit that includes timelines for corrective actions.
 - d. Document in a letter to the owner that indicates another agency (NRCS or SWCD) is working to correct identified pollution hazards.
 - e. Other strategies, as described in the space below.

Le Sueur County will use the following methods or practices for non-compliance issues:

- Document in an inspection report/letter: If the non-compliance issue is noted during an inspection, I document the non-compliance both in the letter and on the inspection form. The schedule of compliance will either be stated in the inspection report/letter.
- Letter of Warning: A Letter of Warning is most often issued when the Department receives a complaint. The letter will state what the non-compliance issue is and request a production site inspection or date by which to fix the non-compliance issue.
- Notice of Violation: A Notice of Violation is issued when the non-compliance issue is major (for example – when manure enters waters-of-the-state) or the Letter of Warning’s corrective actions were not completed during the allotted time frame. The letter will state what the non-compliance issue is, request a production site inspection, and for the feedlot owner to apply for an interim permit.

An interim permit may be issued after a non-compliance issue is either documented from an inspection, a complaint, or a Notice of Violation. An interim permit will be issued when a non-compliance issue will require a long period of time to correct or fix (for example - a construction project or multiple corrective actions). The time frame for the schedule of compliance will be based on the amount of corrective actions to be completed and will be discussed with the feedlot owner if it will be a reasonable amount of time in which to complete them. If the project is eligible for cost-share, the feedlot owner will be directed to the NRCS, SWCD, and/or private contractor for technical assistance.

The county will refer to the County Feedlot Officer Toolbox for letter and notice templates and rule citations.

2. Please indicate in the space below the various method(s) and practice(s) that the County will use in response to **land application inspections** that result in non-compliance:
 - a. Address non-compliance at the same time the facility non-compliance is addressed. See above.
 - b. Include corrective actions in the inspection results notification letter, where corrective actions can be completed in 30 days or less.
 - c. Issue an LOW or NOV that will include corrective actions and deadlines.
 - d. Document in a letter to the owner that indicates another agency (NRCS or SWCD) is working to correct identified pollution hazards.
 - e. Other strategies, as described in the space below.

For land application inspections that result in non-compliance, the county will address the non-compliance at the same time the facility non-compliance is addressed – please see above listed. If the non-compliance is noted during a Level III, the owner will be told verbally on-site, if present, and will be documented in the inspection form mailed to the feedlot owner.

3. Please state the timelines (scheduled compliance goals) that the County intends to meet when using the methods and practices identified under Item 1 and Item 2:
- a. Notification of inspection results informing the producer of non-compliance including the listing of any corrective action that can be completed within 30 days. Follow-up contact/communication to evaluate producer progress.
 - b. Decision to escalate compliance action where progress on corrective actions is not forthcoming.

The timeline in which to complete the non-compliance issue and method to communicate to the feedlot owner will be

- Initial communication of non-compliance issues will be verbal and take place during an on-site or inspection.
- The non-compliance issue will be formally addressed in a letter and on the MPCA inspection form within thirty (30) business days of the inspection or on-site.
 - For example, if the non-compliance was no manure and soil phosphorus testing at a >300 AU feedlot, I would verbally state to the feedlot owner to submit a manure sample for testing during the spring or fall manure application and have the soil phosphorus levels tested in the spring or fall. Proof of compliance would be submitting a copy of the analysis to be placed in the county's feedlot owner's file.
 - If the non-compliance issue is not following the Board of Animal Health's requirements, a Letter of Warning is sent to the feedlot owner stating the proper disposal requirements. To determine compliance, a follow-up inspection of the site and a letter stating the animal mortality was or was not properly removed would be sent.
- If an Interim Permit was issued, scheduled inspections to view the progress on the fix would be made with the feedlot owner. The compliance status would be communicated verbally on-site and followed-up with a letter and/or MPCA inspection form.

If feedlot owner does not contact the Department by the date stated in the letter (usually thirty (30) days of the date on the LOW, NOV, and/or inspection letter), a second letter, within ten (10) business days, will be mailed to the feedlot owner stating that no action has taken place or no contact with the Department; to contact the Department immediately; and the letter will be cc'd to the county attorney for possible enforcement action.

With all non-compliance issues, I am willing to work with the feedlot owner (such as the feedlot owner having a voice on how to fix the non-compliance and the schedule of compliance timeline).

If compliance has not been achieved within the set timeline and the feedlot owner has not communicated with the county regarding the issue, the county would request assistance from state agencies and/or assistance from other county staff regarding enforcement proceedings.

Owner Assistance Strategy

1. Please state the number and type of activities you plan to conduct. (Examples: group education events; newsletters; newspaper articles; producer surveys; distribution of manure sample containers; help with MMP writing.)

Newsletter (at least 1), aid in MMP writing (in previous years, 2), permit applications (in previous years 1-2), assistance in NPDES/SDS annual reporting (2). The majority of assistance is speaking with potential land owners and realtors regarding the county's zoning ordinance requirements for livestock.

2. Please state the number of producers you expect will attend training and education activities if any are proposed.

If a producer training and/or education event is offered, I do send a mailing out to owners that would benefit.

3. Will you be keeping track of the number of producer contacts? If so, how will it be tracked?

I will try to keep track on an Excel spreadsheet the date, contact name, type of assistance, and the amount of time.

B. Delegated County Minimum Program Requirements (MPRs)

MN Stat. 116.0711 Subd. 2. (c) states that 25% of the total appropriation must be awarded according to the terms and conditions of the following MPRs.

1. Inspection MPR

A delegated County must inspect 7% or more of their State required registered feedlots annually, as determined by the table below, to be eligible for the Inspection MPR award. A feedlot inspection and/or a Level 2 or 3 land application inspection may only count once towards the 7% inspection rate. A second inspection done at the same site in the same year would be counted towards performance credits. At least half of the 7% inspections should be compliance (on site) inspections. The remaining half can be a combination of construction/interim permit, Level 2 and Level 3 inspections.

Inspection MPRs	July 1 – Dec. 31, 2016	Jan. 1 – Dec 31 2017
1. Agency-approved number required to be registered by the State. (Please enter the number that is shown for your County on the 2016 County Program Base Grant Award Schedule in Appendix B.)	172	172 MLO
2. County – Agency agreed upon inspection rate. (This is 7% for 2016 and 2017 unless otherwise negotiated.)	12	12 12-8-15
3. County – Agency agreed upon inspection number for the identified time period.	12	12

2. Other MPRs

Registration MPRs	YES	NO
<p>1. The County will register and maintain registration data in the Delta/Tempo database in accordance with MN R. Ch. 7020.0350 Subp. 1 and 7020.1600, Subp. 2. C.</p> <p><i>A County program review should indicate that the County uses the MPCA standard feedlot registration form or has been approved to use a County-designed registration form and updates Tempo with the registration information acquired from registration forms and/or permit applications. Tempo fields that must be updated continuously include shoreland status, DWISMA and OLA as agreed to by FMT-MACFO in 2013.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>2. The County issues a registration receipt to the feedlot owner within 30 days of receipt of the registration form. (7020.0350, Subp. 5.)</p> <p><i>A file review should indicate that the County has fulfilled the registration receipt requirement as stated in their registration work plan strategy.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Inspection MPRs	YES	NO
<p>3. The County maintains a record of all compliance inspections, including land application review results, conducted at feedlots required to be registered. At a minimum, counties must maintain on file (electronic or paper) a completed copy of the Non-NPDES Inspection Checklist. (7020.1600, Subp. 2. H.)</p> <p><i>A file review should indicate that the County uses and maintains on file inspection documentation in accordance with the above requirement.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>4. The County completes entry of data from all feedlot compliance inspections, including land application review results, at feedlots required to be registered, into Delta and in accordance with Delta inspection fields by February 1 of the year following the end of the program year. (7020.1600, Subp. 2. H.)</p> <p><i>A Delta/Tempo database query should indicate the entry of inspection data into Tempo occurs within required parameters.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>5. The work plan contains an inspection strategy that has been approved by the agency. (7020.1600, Subp. 3a.B.(1-2))</p> <p><i>The Annual Inspection Strategy Progress report (located in the Supplemental Information Page section of the Annual County Feedlot Officer and Performance Credit Report) should indicate that the County initiated inspection plans and goals as stated in their inspection strategy.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Compliance MPRs	YES	NO
<p>6. The County will notify the producer, in writing, of the results for any compliance inspection conducted. The notification must include a completed copy of the Non-NPDES Inspection Checklist. (7020.1600, Subp. 3a.B. (5a.))</p> <p><i>A file review should indicate that the County has notified the producers of compliance inspection results. Notification must be in writing either by letter or by a document and signed by the producer that he/she has viewed and agree with the completed inspection report and waives any further notification of results by mail.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p>7. The County will bring feedlot operations into compliance through the implementation of scheduled compliance goals as stated in their compliance strategy (7020.1600, Subp. 3a.B.(5)).</p> <p><i>A file review should indicate that in matters of non-compliance the County followed their compliance strategies.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>8. The County maintains documentation and correspondence for any return to compliance from a documented non-compliance status. (7020.1600, Subp. 2.H.)</p> <p><i>When a County records a corrective action in Delta/Tempo the file should contain documentation by either the County or another party verifying that the corrective action was implemented and/or installed. (A separate inspection should be entered in Tempo to show return to compliance.)</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Permitting MPRs</p>	<p>YES</p>	<p>NO</p>
<p>9. The County will issue permits within the 60/120 day time period according to Minn. Stat. 15.99. (7020.0505, Subp. 5.B.)</p> <p><i>A file review should indicate that the County date stamps all application components and if applicable uses letters to notify producers of incomplete applications. An application component received by the county electronically (via e-mail) does not need a date stamp provided the dated e-mail is saved with the document.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>10. The County will make sure all permit applications are complete. (7020.1600, Subp. 2.C.)</p> <p><i>A file review should indicate that the County uses an agency approved application checklist and that applications are complete.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>11. The County will ensure producer compliance with required notifications. (7020.2000, Subp. 4 and Subp. 5)</p> <p><i>Public notifications for new or existing feedlots with a capacity of ≥ 500 AU proposing to construct or expand must include the following information:</i></p> <ul style="list-style-type: none"> <i>a. Owner's names or legal name of the facility;</i> <i>b. Location of facility - county, township, section, and quarter section;</i> <i>c. Species of livestock and total animal units;</i> <i>d. Types of confinement buildings, lots, and areas at the animal feedlot; and</i> <i>e. Types of manure storage areas</i> <p><i>Public notification is completed by equal or greater notification of one of the following:</i></p> <ul style="list-style-type: none"> <i>a. Newspaper (affidavit in file)</i> <i>b. Delivery by mail or in person; or</i> <i>c. As part of a county/township permitting process (CUP).</i> 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>12. Appropriate permit issuance after completion of required notifications. (7020.2000, Subp. 5)</p> <p><i>A file review should indicate that permits have been issued after the appropriate number (20) of business days following public notifications.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>13. The County will ensure that MMP (manure management plan) conditions have been met according to 7020.2225, Subp. 4.D. prior to permit issuance (7001.0140).</p> <p><i>A file review should indicate that a MMP and a MMP checklist completed by the County is on file for any Interim permit issued (for a site ≥ 100 AU); that a manure management checklist completed by the CFO is on file for any CSF permit issued for a feedlot with ≥ 300 AU where manure is non-transferred; and that a completed copy of the document "MMP When Ownership of Manure is Transferred" is on file for a feedlot with ≥ 300 AU where manure is transferred.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p>14. The County will ensure that a producer who submits a permit application that includes a liquid manure storage area (LMSA) meets the requirements in 7020.2100.</p> <p><i>A file review should indicate that the County uses an agency approved LMSA checklist and that plans and specifications are complete.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>15. The County will ensure that any pollution problem existing at a producer's site will be resolved before the permit is issued or is addressed by the permit. (7020.0500, Subp. 5.B. and 7001.0140)</p> <p><i>A file review should indicate that the County issues Interim permits in appropriate situations and conducts an inspection prior to permit issuance.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Complaint Response MPR	YES	NO
<p>16. The County maintains a record of all complaint correspondence. (7020.1600, Subp. 2.H. and Subp. 2.J.(6))</p> <p><i>The County maintains a complaint log and promptly reports to the MPCA any complaints that represent a possible health threat, a significant environmental impact or indicate a flagrant violation.</i></p> <p><i>The complaint log record includes the following information:</i></p> <ul style="list-style-type: none"> <i>a. Type of complaint</i> <i>b. Location of complaint</i> <i>c. Date and time complaint was made</i> <i>d. Facts and circumstances related to the complaint</i> <i>e. A statement describing the resolution of the complaint</i> 	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Owner Assistance MPR	YES	NO
<p>17. The work plan contains owner assistance goals that have been approved by the agency. (7020.1600, Subp. 2.J.(5) and Subp. 3a.B.(7))</p> <p><i>The annual delegation review should indicate that the County initiated their plans in accordance with their owner assistance strategy.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Staffing Level and Training MPR	YES	NO
<p>18. The CFO (and other feedlot staff) attends training necessary to perform the duties of the feedlot program and is consistent with the agency training recommendations. (7020.1600, Subp. 2.K.)</p> <p><i>The County should complete a minimum of 18 continuing education units (CEUs). Each unit consists of one hour of training related to MN Rules Ch. 7020 competency areas: regulating new construction; conducting inspections and evaluating compliance; handling complaints and reported spills; responding to air quality complaints, resolving identified pollution problems, communicating with farmers and the agricultural community. (See Annual CFO Report Form Guidance document for more information about Training Performance credits.) All training sessions attended by the County must be submitted using the Supplementary Report Form.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Air Quality MPR	YES	NO
<p>19. The County maintains a record of all notifications received from feedlot owners claiming air quality exemptions including the days exempted and the cumulative days used. (7020.1600, Subp. 2.1.)</p> <p><i>The County should maintain a pumping notification log. The record includes the following information:</i></p> <ul style="list-style-type: none"> a. Names of the owners/legal facility name b. Location of the facility (county, township, section, quarter) c. Facility permit number d. Start date and number of days to removal 	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Web Reporting Requirement	YES	NO
<p>20. The County maintains an active website listing detailed information on the expenditure of County program grant funds and measureable outcomes as a result of the expenditure of funds. (H.F. No. 2123, 86th Legislative Session, Article 1; Section 3, Subdivision 1)</p> <p><i>As of July 1 of the current program year the Annual CFO Report and an MPCA financial report (yet to be determined) for the previous program year should be on the County's website.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2016 County Feedlot Program Delegation Agreement and Work Plan Review

A. **County Need Requests** Please state any specific resources that you are requesting the MPCA provide to help administer the County feedlot program in your County.

B. **Agency Response to County Need Request**

C. **Documentation of Work Plan Revisions and/or Alternate Methods for Meeting MPRs** Any work plan revisions including alternate methods for meeting MPRs that have been agreed to by both MPCA and the County must be documented in this space.

D. **Work Plan Approval**

The 2016 delegation agreement and work plan has been reviewed and satisfactorily addresses delegation agreement requirements. Yes No

The comments as recorded in the above parts together with the signatures of represented parties constitute that review of the delegation agreement has been conducted and that agreement of County duties and goals by the MPCA and the County for the January 1 – December 31, 2016 period has been achieved.	Amy Beatty (County Feedlot Officer)	
	Amy Beatty (Signature of County Feedlot Officer)	12/17/2015 (Date)
	Desiree Holenstein (MPCA Regional Staff)	
	[Signature] (Signature of MPCA Regional Staff)	12/1/15 (Date)
	Michelle Cie (MPCA County Development Lead)	
	[Signature] (Signature of MPCA County Development Lead)	12-8-15 (Date)

Amendment: _____

2017 County Feedlot Program Delegation Agreement and Work Plan Review

D. County Need Requests Please state any specific resources that you are requesting the MPCA provide to help administer the County feedlot program in your County.

E. Agency Response to County Need Request

F. Documentation of Work Plan Revisions and/or Alternate Methods for Meeting MPRs Any work plan revisions including alternate methods for meeting MPRs that have been agreed to by both MPCA and the County must be documented in this space.

E. Work Plan Approval

The 2017 delegation agreement and work plan has Yes No
 been reviewed and satisfactorily addresses delegation
 agreement requirements.

The comments as recorded in the above parts together with the signatures of represented parties constitute that review of the delegation agreement has been conducted and that agreement of County duties and goals by the MPCA and the County for the January 1 – December 31, 2017 period has been achieved.	
	(County Feedlot Officer)
	(Signature of County Feedlot Officer) (Date)
	(MPCA Regional Staff)
	(Signature of MPCA Regional Staff) (Date)
	(MPCA County Development Lead)
	(Signature of MPCA County Development Lead) (Date)

Amendment: _____

2016 – 2017 Work Plan Inspection Strategy Guidance

The Inspection Strategy section of the work plan has been changed for 2016-2017. We have provided this guidance to ensure that Counties understand the work plan inspection strategy and can prepare inspection goals in line with applicable requirements.

There will be no penalty if the County does not meet their strategies as long as they have valid reasons for not meeting it. The MPCA understands this is only a plan and that things happen. But the expectation is that the CFO communicates with their regional staff in a timely manner if they feel they will not be able to meet their goals during the year.

Changes to the work plan inspection strategy for 2016 – 2017:

1. The production site and land application site inspection strategies have been combined.
 - Production site inspection. A production site inspection is a full compliance inspection where all applicable parts of the non-NPDES inspection checklist must be completed including a Level 1 land application review.
 - Land application inspection. Three types of land application inspections can be conducted - Level 1, Level 2 and Level 3. Remember that all full compliance inspections includes a Level 1 land application inspection as applicable to the site. The non-NPDES inspection checklist must be used to document land application inspection results and the results must be entered into Tempo. None of the three types of land application inspections on their own meet the definition of a compliance inspection. However, Level 2 and Level 3 land application inspections will count towards the 7% inspection rate (Level 2 as 1.0 inspection and Level 3 as ½ of an inspection). Credit for a Level 2 land application inspection will be given only if there are records available and if those records are sufficient to meet the Level I inspection requirement.
2. The production site inspection component has four mandatory inspection strategy requirements:
 - Sites proposing construction or expansion.
 - Sites receiving an Interim or Construction Short Form (CSF) permit. A CSF permit applies to sites with ≥300 AU.
 - Sites with signed open lot agreements (OLAs) that have never been inspected.
 - Sites required to be registered that have never been inspected.
3. Compliance and construction inspections conducted at sites required to be State registered count toward the 7% inspection rate. A Level 2 land application inspection does count toward the 7% inspection rate as 1.0 inspection. A Level 3 land application inspection does count towards the 7% inspection rate as 0.5 inspections.
4. The County must write an annual inspection strategy progress report. The inspection strategy progress report is included in the Supplemental Information Page of the Annual County Feedlot Officer and Performance Credit Report. The County needs to be realistic in their inspection strategy because they will be required to answer if they fail to meet their goals. See MPR No. 5.

As part of developing a realistic inspection strategy the County needs to consider all of their strategies (production site and land application) and the time commitment required. The County should not design their inspection goals to simply meet the 7% minimum inspection rate. Rather the county is urged to set inspection goals according to their inspections needs such as feedlots that have never been inspected or feedlots with OLAs that have not been inspected.

Recommended approach for developing inspection goals

Step 1. The first step is to calculate the number of feedlots that the County intends to inspect annually. The County needs to set a goal of inspecting at least 7% of the total number of feedlots required to be registered in the County. Given this formula, a County with 300 feedlots would need to conduct 21 compliance inspections or a combination of 21 compliance, construction, Level 2 or Level 3 inspections annually. Two Level 3 land application inspections are needed to be counted as 1.0 compliance or construction inspection.

Step 2. The second step is to calculate the number of sites in the county that are subject to the four required inspection strategy categories (see Item 2 above). For example a County may estimate that, based on past experience, they will need to inspect about 15 sites as a result of permit issuance requirements; and, they estimate that they have 10 sites with signed OLAs that have never been inspected; and, they estimate that they have 50 sites required to be registered that have never been visited. In this case the total number of sites needing to be inspected is 75.

Step 3. The third step is to decide how many inspections the County can conduct in each of the required categories over the next two years. The County must plan to inspect all sites each year where permits are being issued. However, counties may be able to complete only a fraction of the inspections over the next two years at feedlots that have never been inspected or with signed OLAs that have never been inspected. The reason is that some counties still have hundreds of sites that have never been inspected or sites with signed OLAs that have never been inspected. In the example used, the County has determined that they will do a total of 21 inspections annually (see Step 1) and that 15 of them will be due to permit issuances (Step 2). This leaves six inspections available for sites that are required to be registered but have never been inspected and sites with signed OLAs that have never been visited.

Step 4. This step only applies to Counties where the number of planned inspections, as defined by the four required inspection strategy categories, is less than 7% of the total number of feedlots in the County. In that event, the County must choose additional inspection strategies (listed in the work plan or proposed by the County as high risk/priority or low risk/priority) whereby the County will be assured of meeting the 7% minimum inspection requirement.

FY 2016 County Program Base Grant Award Schedule

July 1, 2015 - June 30, 2016

\$1,959,000 Appropriation

1. The funding rate for 2016 is \$68.72/feedlot for Part B and \$30.17 for Part C.
2. Data from the January 1, 2014 Registration Update is used for the Feedlots Eligible-for-Funding column.
3. Eight counties receive the minimum funding of \$7,500 as provided by statute.

Delegated County	Feedlots Eligible for Funding	Part B. Base Grant Award	County Match Requirement	Part C. MPR Award	Total Award
Big Stone	40	\$7,500	\$5,250		\$7,500
Blue Earth	363	\$24,945	\$24,945	\$10,952	\$35,897
Brown	386	\$26,526	\$26,526	\$11,646	\$38,172
Carver	238	\$16,355	\$16,355	\$7,180	\$23,536
Clay	105	\$7,216	\$7,216	\$3,168	\$10,383
Cottonwood	257	\$17,661	\$17,661	\$7,754	\$25,415
Dakota	161	\$11,064	\$11,064	\$4,857	\$15,921
Dodge	237	\$16,287	\$16,287	\$7,150	\$23,437
Douglas	420	\$28,862	\$28,862	\$12,671	\$41,534
Faribault	362	\$24,877	\$24,877	\$10,922	\$35,798
Fillmore	737	\$50,647	\$50,647	\$22,235	\$72,882
Freeborn	285	\$19,585	\$19,585	\$8,598	\$28,184
Goodhue	685	\$47,073	\$47,073	\$20,666	\$67,740
Houston	414	\$28,450	\$28,450	\$12,490	\$40,940
Jackson	330	\$22,678	\$22,678	\$9,956	\$32,634
Kandiyohi	445	\$30,580	\$30,580	\$13,426	\$44,006
Kittson	18	\$7,500	\$5,250		\$7,500
Lac Qui Parle	194	\$13,332	\$13,332	\$5,853	\$19,185
Lake of the Woods	25	\$7,500	\$5,250		\$7,500
Le Sueur	172	\$11,820	\$11,820	\$5,189	\$17,009
Lincoln	414	\$28,450	\$28,450	\$12,490	\$40,940
Lyon	282	\$19,379	\$19,379	\$8,508	\$27,887
McLeod	329	\$22,609	\$22,609	\$9,926	\$32,535
Marshall	41	\$7,500	\$5,250		\$7,500
Martin	474	\$32,573	\$32,573	\$14,301	\$46,874
Meeker	253	\$17,386	\$17,386	\$7,633	\$25,019
Morrison	618	\$42,469	\$42,469	\$18,645	\$61,114
Mower	381	\$26,182	\$26,182	\$11,495	\$37,677
Murray	425	\$29,206	\$29,206	\$12,822	\$42,028
Nicollet	316	\$21,716	\$21,716	\$9,534	\$31,249
Nobles	432	\$29,687	\$29,687	\$13,033	\$42,720
Norman	45	\$7,500	\$5,250		\$7,500
Otter Tail	0	\$0	\$0	\$0	\$0
Pennington	38	\$7,500	\$5,250		\$7,500

Pipestone	451	\$30,993	\$30,993	\$13,607	\$44,599
Poik	77	\$5,291	\$5,291	\$2,323	\$7,615
Pope	294	\$20,204	\$20,204	\$8,870	\$29,074
Red Lake	38	\$7,500	\$5,250		\$7,500
Renville	288	\$19,791	\$19,791	\$8,689	\$28,480
Rice	287	\$19,723	\$19,723	\$8,659	\$28,381
Rock	512	\$35,185	\$35,185	\$15,447	\$50,632
Sibley	289	\$19,860	\$19,860	\$8,719	\$28,579
	1,49				
Stearns	1	\$102,462	\$102,462	\$44,983	\$147,445
Steele	251	\$17,249	\$17,249	\$7,573	\$24,821
Stevens	130	\$8,934	\$8,934	\$3,922	\$12,856
Swift	157	\$10,789	\$10,789	\$4,737	\$15,526
Todd	682	\$46,867	\$46,867	\$20,576	\$67,443
Traverse	34	\$7,500	\$5,250		\$7,500
Wadena	99	\$6,803	\$6,803	\$2,987	\$9,790
Waseca	234	\$16,080	\$16,080	\$7,060	\$23,140
Watonwan	184	\$12,644	\$12,644	\$5,551	\$18,196
Winona	555	\$38,140	\$38,140	\$16,744	\$54,884
Wright	263	\$18,073	\$18,073	\$7,935	\$26,008
Yellow Medicine	271	\$18,623	\$18,623	\$8,176	\$26,799
TOTAL	16,509	\$1,175,326	\$1,157,326	\$489,659	\$1,664,985

Le Sueur County Environmental Services

Mailing Address:
88 South Park Avenue
Le Center, MN 56057
Direct Dial (507) 357-8538

Physical Address:
515 South Maple Avenue
Le Center, MN 56057
Fax (507) 357-8541

Date: Thursday, December 17, 2015
To: Le Sueur County Board of Commissioners
From: Amy Beatty, Le Sueur County Environmental Programs Specialist
RE: Le Sueur County and City of Le Center Recycling Agreement

Since 2001, the City of Le Center has operated a recycling facility open to all county residents. The county has funded the recycling facility with SCORE¹ funding.

Change to the 2016 agreement:

1. The term of the agreement – January 1, 2016 to December 31, 2016.

If you have further questions or comments regarding this agreement, please contact me at 507-357-8203.

¹ In 1989, the Minnesota Legislature adopted comprehensive waste reduction and recycling legislation based on the recommendations of the Governor's Select Committee on Recycling and the Environment. SCORE is part of Minnesota's Waste Management Act and provides counties with a funding source to develop waste reduction, recycling and solid waste management programs. Ambitious goals for recycling and waste reduction were set for Minnesota counties and have typically been met, if not exceeded.

RECYCLING SERVICES AGREEMENT
BETWEEN CITY OF LE CENTER AND LE SUEUR COUNTY

THIS AGREEMENT is between the City of Le Center and Le Sueur County, through their respective City Council and Board of Commissioners, (hereinafter singly referred to as "Party" or jointly referred to as "Parties").

WHEREAS, Le Sueur County desires to create a mechanism whereby residents of the county may use a county-wide recycling facility; and

WHEREAS, it is recognized that there is a benefit derived from increasing the availability for recycling by the City of Le Center operating a county-wide recycling facility; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the City of Le Center and Le Sueur County hereby agree as follows:

1. PURPOSE

This Agreement is to provide recycling and waste reduction services to the residents of Le Sueur County. The City of Le Center has agreed to receive the recyclable materials brought to the recycling center located at the city garage, 112 S. Lexington Avenue, Le Center, by any resident of Le Sueur County.

2. TERM

This Agreement shall commence on January 1, 2016, and terminate on December 31, 2016, unless terminated earlier as provided herein.

3. FACILITIES AND EQUIPMENT

The City agrees to receive recyclable materials at its recycling drop site at 112 S. Lexington Avenue, Le Center. The City has entered into a contract with a waste management company to provide recycling service. In this contract, the company will provide containers and will remove the recyclable materials on a set schedule. These materials will be transported to recycling facility that meets the requirements under state statutes and rules, county ordinances and solid waste management plan, and city ordinances.

The City of Le Center shall provide, at its own expense, such machinery and equipment as may be necessary to receive these recyclable materials.

4. RECYCLABLE MATERIAL

The following recyclable materials will be received at this recycling drop site at no charge to residents of Le Sueur County:

- a. Corrugated Cardboard. These are corrugated cardboard materials used primarily for packaging. Materials to be accepted must be 100% true corrugated, not coated with wax, plastics, or food contaminants or contain no chipboard.
- b. Aluminum, Tin/Steel, and Bi-Metal Food and Beverage Cans. These are containers fabricated primarily of aluminum, bi-metal, and tin-plated steel and commonly used for beverages and canned food products. Cans shall be rinsed and be reasonably clean. The following types of metals shall not be accepted aerosol cans, sheet metal, or scrap metal.
- c. Plastics, Numbers 1 through 7. Plastic containers must have a neck or pourable content. Containers shall be rinsed with all caps and lids removed. The following items shall not be accepted margarine tubs, ice cream buckets, food trays, and 5 gallon plastic pails.
- d. Glass Food and Beverage Containers. Clear, green, blue, and amber glass. These shall include containers fabricated of glass and used for packaging and bottling of various foods and beverages. Containers shall be rinsed with the caps removed. The following types of glass shall not be accepted window glass, mirrors, light bulbs, ceramics, and glass jars or

bottles that contained hazardous materials.

- e. Mixed Paper. This included newspaper, magazines, catalogs, direct mail advertisements, brochures, booklets, office paper, hard and soft cover books, phone books, manila office folders, computer paper, envelopes, letters, and boxboard (cookie, cake, cereal, and chip boxes). The following items shall not be accepted beer/pop carrying cases, egg cartons, milk cartons, frozen food boxes, foil, plastic wrap, and carbon paper.

It is understood that recyclable materials will be accepted "commingled." Commingled recyclable materials shall be aluminum, bi-metal, steel/tin food and beverage containers, glass food and beverage containers, and numbers 1 through 7 plastic containers received together and handled as one commodity.

Recycled materials may be added to or deleted from the list by written request of the parties or as required by law.

5. FACILITY OPERATIONS

- a. Hours for operation of the recycling drop site are as follows: Each Saturday from 7:00 am to 12:00 pm. On the event a state or federal holiday falls on a Saturday, the recycling drop site is not required to be open to the public.
- b. The City of Le Center agrees to have at least one employee on site at all times during operational hours to assist county residents with recycling questions and sorting of recyclables.

6. PAYMENT

Le Sueur County shall pay the City of Le Center in the amount of \$1,950.00 per month for the term of the agreement. This payment will cover the costs for labor, recycling services, insurance, and miscellaneous costs.

7. PERMITS AND LICENSES

The City of Le Center shall be responsible for all applicable state and county permits and licenses required to operate the facility.

8. RECORDS

Each Party shall maintain financial and other records and accounts in accordance with requirements of the State of Minnesota. Each Party shall maintain strict accountability of all funds and maintain records of all receipts and disbursements.

9. AUDIT/ACCESS TO FACILITY

Each Party shall allow the other Party and the State of Minnesota pursuant to Minn. Stat. § 16C.05, subdivision 5, including the Legislative Auditor or the State Auditor, access to its records at reasonable hours, including all books, records, documents, and accounting procedures and practices relevant to the subject matter of this Agreement, for purposes of audit.

8. COMPLIANCE WITH REQUIREMENTS OF THE LAW

In performing the provisions of this Agreement, each Party agrees to comply with all applicable federal, state or local laws, ordinances, rules and regulations.

9. AFFIRMATIVE ACTION

No person shall illegally, on the grounds of race, creed, color, religion, sex, marital status, public assistance status, sexual preference, handicap, age or national origin, be excluded from full employment rights in, participation in, be denied the benefits of, or be otherwise subject to unlawful discrimination under any program, service or activity hereunder.

10. ENTIRE AGREEMENT

It is understood and agreed that this Agreement constitutes the entire agreement of the parties and that this Agreement supersedes all oral and written agreements and negotiations between the parties relating to the subject matter hereof.

11. AMENDMENTS

Except as otherwise provided in this Agreement, any amendments, alterations, variations, modifications, or waivers of this Agreement shall be valid only when they have been reduced to writing and duly signed by each Party.

12. TERMINATION

Either Party may terminate this Agreement, with or without cause, by providing ninety (90) days' written notice to other Party. Termination shall not act to discharge any liability incurred by any Party before the effective date of termination, including payments or credits due. Such liability shall continue until appropriately discharged by law or agreement.

13. CONTACTS

The individuals designated as contact persons for this agreement for each party shall be:

Chris Collins
City of Le Center
10 West Tyrone Street
Le Center, MN 56057
Ph: 507-357-4450
Email: collinschrisl@yahoo.com

Amy Beatty
Le Sueur County Environmental Services
88 South Park Avenue
Le Center, MN 56057
Ph: 507-357-8203
Email: abeatty@co.le-sueur.mn.us

14. LIABILITY/INDEMNIFICATION AMONG THE PARTIES

- a. General Indemnification. The Parties agree that each Party will be responsible for its own acts and the results thereof and shall not be responsible for the acts of the other Party and the results thereof. Each Party therefore agrees that it will assume liability for itself, its agents, employees, or contractors for any injury to persons or property resulting in any manner from the conduct of its own operations, and operations of its agents, employees or contractors. Each Party shall defend, indemnify and hold harmless the other Party for all liability, obligations, claims, loss and expense, including reasonable attorneys and other professional fees, resulting from its acts or the acts of its agents, employees or contractors.
- b. Indemnification for Benefit of Parties. The indemnification provisions of this Section 14 are for the benefit of the Parties only and shall not establish, of themselves, any liability to third parties. Nothing in this Agreement is intended to waive or limit the provisions of Minn. Stat. Chap. 466, or any other law, legislative or judicial, which limits governmental liability.

IN WITNESS WHEREOF, the parties to this Agreement have hereunto set their hands on the date written as follows:

CITY OF LE CENTER

COUNTY OF LE SUEUR

Mayor, City of Le Center

Chair, Le Sueur County Board of Commissioners

Date

Date

Approved as to form:

Approved as to form:

City of Le Center Attorney's Office

Le Sueur County Attorney's Office

Date

Date

City of Le Center Recycling Facility

Year	Co-Mingled (tons)	Paper/Cardboard (tons)	Cost Per Month	Yearly Cost
2001	53.785	126.57	\$ 1,000.00	\$ 7,000.00
2002	51.4	150.01	\$ 1,033.00	\$ 12,396.00
2003	58.47	153.89	\$ 1,056.00	\$ 12,672.00
2004	62.67	168.18	\$ 1,073.00	\$ 12,876.00
2005	58.95	162.3	\$ 1,110.56	\$ 13,326.72
2006	69.44	160.31	\$ 1,149.43	\$ 13,793.16
2007	75.82	163.48	\$ 1,500.00	\$ 18,000.00
2008	77.19	153.12	\$ 1,564.50	\$ 18,774.00
2009	80.88	137.08	\$ 1,581.71	\$ 18,980.52
2010	84.42	141.83	\$ 1,950.00	\$ 23,400.00
2011	78.92	132.93	\$ 1,950.00	\$ 23,400.00
2012	86.28	139.32	\$ 1,950.00	\$ 23,400.00
2013	90.38	137.77	\$ 1,950.00	\$ 23,400.00
2014	97.64	128.88	\$ 1,950.00	\$ 23,400.00
Total	1026.245	2055.67		\$ 244,818.40

1st year of county-wide operation

*Will receive the 2015 recycling tonnages when the city submits its next license application (May 1, 2016 to April 30, 2017).

Monthly payment adjusted annually by an amount equal to the percentage increase from the previous 12 month period by the Consumer Price Index. In 2006, the city asked for the 2007 monthly payment to be \$1500 + Consumer Price Index increase to cover the costs to operate.

The City of Le Center is responsible for all applicable permits and insurance.



Le Sueur County, MN

Tuesday, December 22, 2015

Board Meeting

Item 5

9:35 a.m. Josh Mankowski, LSC Resource Specialist (15 min)

AIS Resolution

Staff Contact: Kathy Brockway - Environmental and P & Z Director

**BOARD OF COUNTY COMMISSIONERS
LE SUEUR COUNTY, MINNESOTA**

**RESOLUTION FOR AQUATIC INVASIVE SPECIES PREVENTION AID
RESOLUTION NO. _____**

WHEREAS, 2014 Session Law Chapter 308 enacted by the Legislature provides Minnesota Counties a County Program Aid grant for Aquatic Invasive Species (AIS) prevention. The amount is designated by the number of watercraft trailer launches and the number of watercraft trailer parking spaces within each county. Le Sueur County received approximately \$157,000.00 for the year 2015 and will receive approximately \$157,000.00 each following year, and

WHEREAS, the legislation requires that Le Sueur County must establish, by resolution or through adoption of a plan, guidelines for the use of the proceeds, which are to prevent the introduction or limit the spread of AIS at all access sites within the county, and

WHEREAS, the county may appropriate the proceeds directly or may use any portion of the proceeds to provide funding for a Joint Powers Board or cooperative agreement with another political subdivision, the Soil and Water Conservation District or lake associations located in the county.

WHEREAS, the county must submit a copy of its guidelines for use of the proceeds to the Minnesota Department of Natural Resources by December 31, of the year the payments are received, and

WHEREAS, AIS is one of the three priority concerns identified in the 2013-2023 State Water plan. A stated goal in the Water Plan is to provide leadership in the fight against AIS by developing proactive solutions aimed at educating and empowering local citizens.

Whereas, the Le Sueur County Board of Commissioners designates oversight of the Le Sueur County AIS Prevention Program to the Environmental Services Department and delegates to this department the responsibility to prepare, implement and report annually, a plan to allocate the funding in accordance with the above legislation. A comprehensive AIS prevention plan has been completed.

NOW, THEREFORE, BE IT RESOLVED, the Le Sueur County Board of Commissioners hereby adopts and begins implementation of its approved Aquatic Invasive Species Prevention Plan drafted by the Environmental Services Department and County Sheriff's Department in conjunction with the Le Sueur County AIS Advisory Committee.

State of MN)
Le Sueur County) ss

I, Darrell Pettis, County Administrator, Le Sueur County, Minnesota, hereby certify that I have compared the foregoing copy of the resolution of the county board of said county with the original record thereof on file in the Administration Office, Le Sueur County Minnesota, as stated in the minutes of the proceedings of said board at a meeting duly held on December 22, 2015, and that the same is a true and correct copy of said original record and of the whole thereof, and that said resolution was duly passed by said board at said meeting.

Witness my hand and seat this 22 day of December 2015.

Darrell Pettis, County Administrator

District/Commissioner	Yes	No
1-Gliszinski		
2-Connolly		
3-King		
4-Wetzel		
5-Rohlfing		

Le Sueur County

Aquatic Invasive Species Prevention Plan



STOP AQUATIC HITCHHIKERS!™

Prevent the transport of nuisance species.
Clean all recreational equipment.

www.ProtectYourWaters.net

Adopted by Le Sueur County on XX/XX/XXX

Prepared by Le Sueur Co with assistance from the Le Sueur Count AIS
Advisory Committee.

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Le Sueur County Aquatic Invasive Species Plan

Executive Summary

Le Sueur County has 128 lakes, many creeks, streams and rivers within its jurisdictional boundaries. These bodies of water are among Le Sueur County's greatest natural assets. Aquatic invasive species (AIS) now threaten the habitat, ecosystem function and recreational enjoyment of these assets. A number of AIS are already present within the County and surrounding areas. These species are being transferred into the County from infested water from other areas of the State and can travel between your lakes if care is not given to stop their spread. As of 2015, Eurasian Watermilfoil, Purple Loosestrife and Curly Leaf Pondweed are some of the AIS already present within the County.

To reduce the risk of further infestation and address the AIS already in the County, this plan outlines the following key topics:

1. AIS Program Management
2. Education
3. Inspection/Decontamination
4. Assessment and Management
5. Rapid Response Plan
6. Enforcement
7. Risk Reduction

Definition of Aquatic Invasive Species

Aquatic invasive species (AIS) (sometimes called exotic, invasive, nonindigenous or non-native) are aquatic organisms that invade ecosystems beyond their natural, historic range. (US Fish & Wildlife Service)

Aquatic Invasive Species in Minnesota

There are a number of AIS that have infested other waterbodies in Minnesota that have not been introduced to Le Sueur County. The species include zebra mussels, quagga mussels, spiny waterfleas and faucet snails to name a few. Since these AIS are already present in Minnesota waters, an increased risk that they may be introduced to waters in Le Sueur County exists. With continued due diligence, we can keep these AIS from spreading into Le Sueur County lakes.

Aquatic Invasive Species in Le Sueur County

As of October 20, 2015, nine lakes in Le Sueur County that are currently listed on the Minnesota Department of Natural Resources' (DNR) List of Infested Waters. The invasive species documented in Le Sueur County include Eurasian watermilfoil and flowering rush. A number of the lakes within the County also contain Curly-Leaf Pondweed, an invasive species first reported in MN in 1910. Waterbodies containing Curly-Leaf Pondweed are not listed as infested.



Minnesota Department of Natural Resources - List of Infested Waters - October 20, 2015

Water body name	County or counties	Listed for aquatic invasive species	Year listed as infested	Year species was first confirmed, or connected water body	DOW number
East Jefferson	Le Sueur	Eurasian watermilfoil	2007	2002	40-0092
German	Le Sueur	Eurasian watermilfoil	2007	2002	40-0063
Horseshoe	Le Sueur	flowering rush	2013	2013	40-0001
Jefferson	Le Sueur	Eurasian watermilfoil	2015	part of Jefferson chain	40-0092
Middle Jefferson	Le Sueur	Eurasian watermilfoil	2010	2010	40-0092
Ray's	Le Sueur	Eurasian watermilfoil	2009	2008	40-0056
Swede's Bay	Le Sueur	Eurasian watermilfoil	2015	part of Jefferson chain	40-0092
Tetonka	Le Sueur	flowering rush	2009	2008	40-0031
Upper Sakatah	Le Sueur	flowering rush	2009	2008	40-0002
West Jefferson	Le Sueur	Eurasian watermilfoil	2015	part of Jefferson chain	40-0092

Economic Impacts

Potential impacts caused by AIS within the Cities, Townships and County are not precisely known. AIS have the potential to cause both detrimental economic and environmental impacts. Infrastructure that has been in use for years may become unusable. Depending on the type and severity of an AIS infestation, there may be reduced use for recreation, thus reducing the number of individuals that use our water resources. This would result in loss of potential revenue for local businesses. There could also be an increased cost to reduce or maintain current AIS populations. When AIS infest a lake or other waterbody, it becomes very difficult or impractical to treat the entire waterbody for removal. Treatment would then only be pursued in areas that have

higher success of local removal or higher environmental and economic importance. It is less costly to prevent AIS infestations than it is to treat established populations.

Environmental Impacts

The introduction of AIS into an ecosystem has the potential for unknown, widespread impacts. Many of the native flora and fauna have adapted life strategies to reduce pressures from competition in their current environment. Introducing new species can add new, unknown pressures to which native species may not be capable of adapting. Competition for resources such as light, nutrients and space can increase. There can be unknown impacts on local food-webs, shifting the interactions of these organisms within the environment. Competition for space needed for successful spawning may increase. The changes in the habitat can also lead to increased stress on different species, increasing the susceptibility of disease, another factor that can decrease population sizes of native species.

Plan Goals

The goals set forth in this plan are listed below (they are not listed in order of priority):

- ◆ Increase the number of inspections at access sites.
- ◆ Have most if not all inspections performed by level 1 authorized watercraft inspectors and licensed peace officers.
- ◆ Promote public awareness and education on AIS and strategies to stop their spread.
- ◆ Support current AIS management efforts
- ◆ Work with Lakeshore property owners, lake associations, campgrounds, marinas, and dock/boat lift installers/sellers on AIS prevention.
- ◆ Stop the spread of AIS in the County.
- ◆ Reduce the economic and environmental impacts caused by current and future AIS infestations.

Strategy

1. AIS Program Management

It will be the responsibility of Environmental Services and the County AIS Committee to set in place the County AIS Plan. Environmental Services and the AIS committee will review the Plan annually to determine its effectiveness and update this plan as deemed necessary. Environmental Services, the AIS Committee and local Lake Associations will work together to enact different aspects of this plan.

2. Education

The Education aspect of the County AIS Plan will focus on raising public awareness as well as both adult and child education.

- i) Boat launch signage will be used to cover DNR, Township, City, County Park and Resort Launches.
- ii) Awareness will be promoted for all private parties and businesses purchasing, selling and maintaining docks and lifts within the County.
- iii) Plans for large, roadside signage will be pursued.
- iv) Public service announcements will be made on local radio stations and printed in local news sources when applicable.
- v) Adult and child education opportunities will be developed and pursued.
- vi) AIS informational displays will be presented at high traffic events.
- vii) Support for stiffer penalties for AIS transport may be pursued.
- viii) The County will explore opportunities to partner with existing efforts for outreach that have been developed by MN DNR, MN Sea Grant, Wildlife Forever and others as they are developed.
- ix) Work with local businesses to reduce the risk of AIS introduction by providing training and education as needed.
- x) Distribute educational materials at public accesses, functions and events.

3. Inspection/Decontamination

The inspection component of the County Plan will utilize the County Sheriff's Department and DNR authorized Level 1 watercraft inspectors when possible. In order to conduct authorized watercraft inspections, the County will keep a current Delegation Agreement with the DNR. The DNR Watercraft Inspection Program provides the training and authorizes individuals to inspect water-related equipment. With the aid of local Lake Associations, it may be possible to provide more inspections at access sites and help educate individuals on the importance of AIS prevention. Volunteers may be utilized to assist boaters on site, but they do not have authority over boaters. A boater may choose to ignore the information provided by the volunteer and launch their boat, potentially introducing new AIS to the lake. It is because of this lack of authority that Level 1 authorized watercraft inspectors and peace officers will be the primary avenue for inspections. Additional training may be provided to the County Sheriff's Department to ensure that individuals conducting inspections are educated to the most current means of AIS inspection and prevention.

Another strategy to reduce the spread of AIS is the use of a decontamination unit. A decontamination unit reduces the chances of spreading AIS by utilizing heated pressurized water to kill and remove AIS from boats and trailers. The

success of a decontamination unit is dependent on the individual that is using the equipment, usually a DNR authorized Level 2 watercraft inspector. At this time there are no plans for the County to provide and manage a decontamination site. Plans may be pursued in the future if there is sufficient interest and funding.

4. Assessment and Management

The County will work with the MN DNR on listing and managing AIS within the County. The List of Infested Waters will be checked minimally once a year to identify lakes within and in areas surrounding the County that may act as a source for the spread of AIS. Signage will be placed and maintained at public access sites to help inform boaters on the current state of AIS within the lakes.

Work will be done to explore linkages between waterbodies in and around the County as possible avenues for AIS movement. A waterbody that is downstream from infested water may need increased monitoring to quickly identify the movement of AIS. These links between lakes may also be a logical location for management practices that can hinder or stop the movement of AIS between the waterbodies, thus reducing the chance of AIS movement.

Lake studies will be conducted to determine a risk assessment for lakes located within the County. These studies will be utilized to better direct management efforts as well as allow the County and AIS Committee to track population changes of AIS. The County may also continue to fund seasonal surveys. Surveys will be used to determine the current growth of AIS already known to be infesting a water body or utilized to scout for the introduction of new AIS not already known to be present in a lake. These surveys may be utilized to better direct AIS control efforts and used to determine if a reported introduction of new AIS is creditable.

5. Rapid Response Plan

A Rapid Response Plan will be developed for use within the County. This plan will be developed to address new, localized infestations in an effort to keep AIS from becoming established within the water body. The current statewide plan will be utilized as a template for the development of a local plan. This will ensure that local efforts coordinate with established protocol. This plan will be utilized solely to deal with new, isolated introductions and not with AIS that have already become established. A localized communications action plan may also be created to establish local contact lists to help ensure a speedy response to any new threats.

6. Enforcement

Enforcement of AIS prevention within the County will be handled by licensed peace officers and authorized watercraft inspectors. Environmental Services will be responsible for administration of the grant dollars. With the continued spread of AIS within the State of Minnesota, it is becoming more important to enforce prevention if we hope to reduce or halt the spread of these organisms and protect our waters for future generations.

Enforcement of the County's AIS will be conducted on two main fronts, at access sites and on the road. Boats will be inspected as they enter and leave the access. By inspecting before a boat enters a waterbody, we can prevent new introductions. By inspecting as a boat leaves, we can prevent the unlawful transport of AIS from infested lakes.

7. Risk Reduction

The plan includes a number of strategies and ideas that may be implemented to reduce the risk of AIS infestation within the County. This is not a comprehensive list. There are many other strategies that could be implemented within the County.

Allocation of AIS funding will be managed through a Request for Proposals process (RFP). All RFPs will be reviewed and awarded by County staff. Other groups (Lake Associations, Lake Improvement Districts, community organizations, Schools, etc.) may submit proposals to the County for review. Proposals will be reviewed on a first come, first serve basis and will be awarded funding based on the size, scope and benefits associated with the project.

DNR Grants and Programs

Grants for Watercraft Inspections by DNR Staff

The DNR Invasive Species Program offers grants for watercraft inspections by DNR staff. These grants are intended to help prevent the spread of AIS, especially zebra mussels, into Minnesota waters. This grant program is designed to assist local organizations that would like additional watercraft inspections (beyond what is done by the DNR Watercraft Inspection Program) at particular water accesses.

DNR Signs at Water Accesses

The DNR provides a limited number of Help Stop Aquatic Hitchhikers! signs at no cost for lake associations, local governments, and other groups to post at water accesses. You may also print your own signs.

AIS Control Projects Grant

The AIS Control Projects Grant provides funding to help cover the cost of curly-leaf pondweed, Eurasian watermilfoil and flowering rush control projects. The grant assists in covering the cost of herbicide, mechanical control or a combination of both treatment types.



Le Sueur County, MN

Tuesday, December 22, 2015

Board Meeting

Item 6

9:50 a.m. Pam Simonette (5 min)

RE: Credit Card Request

Staff Contact:



Le Sueur County, MN

Tuesday, December 22, 2015

Board Meeting

Item 7

9:55 a.m. Darrell Pettis, County Administrator/Engineer

RE: 2015 End of the Year Actions

RE: Reappoint Connolly to Aging Services

RE: Budget line item changes

RE: Elected Official Salaries

RE: TH 112 Consultant Agreement

RE: TH 112 Draft Jurisdictional Reversion Agreement

RE: JD #1 Repair Request

RE: Final Contract with Frattalone Companies, Inc.

Staff Contact:

End of the Year Board Action Items:

On motion by _____ seconded by _____ and approved, the Board adopted the following resolution setting the 2016 mileage reimbursement rate:

BE IT RESOLVED: That the Le Sueur County Board of Commissioners hereby sets the mileage reimbursement for Le Sueur County Employees to be the Federal IRS mileage at 54 cents per mile and 2 cents per mile additional for those Water Patrol Officers while pulling a water patrol boat for the year 2016.

On motion by _____, seconded by _____ and approved the Board adopted the 2016 Per Diem Rate:

BE IT RESOLVED: That the Le Sueur County Board of Commissioners hereby sets the 2016 Per Diem at \$50.00 per half day and \$80.00 per full day, effective January 1, 2016.

On motion by _____ seconded by _____ and approved, the Board set the 2016 Per Diem Eligible Committees as follows:

2016 PER DIEM ELIGIBLE COMMITTEES

Personnel Policy Committee, Scenic Byway Alliance, Family Services Collaborative, Labor Management, Historical Society, Union Negotiations, Fair Board, PIC, Law Library, Airport Commissions, Extension, MVCOG, Le Sueur/Waseca Regional Library, Road & Bridge, Transportation Alliance, Annual Township Meeting, Personnel Interviews, all AMC Policy Committees, AMC, NACO, Le Sueur - Waseca Community Health Board, Planning & Zoning matters, Tri-County Solid Waste, Cannon River Matters, MSSA, Mental Health Advisory, Immtrack Joint Powers Board, Region 9, MVAC, EMS Joint Powers, HRA, Multi-County HRA, Region 9, Le Sueur County Aging and Transit, MV River Watershed Committee, Ney Foundation, **Envision 2020**, Parks, Le Sueur – Scott Joint Drainage Authority, Le Sueur – Rice Joint Drainage Authority, Le Sueur – Blue Earth Joint Drainage Authority, Public Health Emergency Preparedness Advisory Committee, Public Health Advisory Committee, LCDS Inc., Employee Reclassification Committee, German – Jefferson Sewer District, Regional Radio Board, GBERBA, Middle MN River Watershed, SHIP (Statewide Health Improvement Program), **Aquatic Invasive Species (AIS) Committee**, **Safety Policy Committee**, **Insurance Review Committee**

and any other newly created committees recognized by the County Board in the year 2016.

On motion by _____, seconded by _____ and approved, the following resolution was adopted:

BE IT RESOLVED: that all members of the County Board, the Human Services Director, the County Engineer / Administrator, and the VSO are hereby designated as Association of Minnesota Delegates for Le Sueur County in 2016.

BE IT FURTHER RESOLVED: that all officials and their delegates are hereby authorized to attend all meetings called by their respective associations, regional and national, including regular meetings called during the year 2016, and

BE IT FURTHER RESOLVED: that all out of state meetings must be requested in person by the Department Head before the County Board.

On motion by _____, seconded by _____ and approved, the Board established the 2016 annual base salary of the Le Sueur County Board of Commissioners to be \$28,228 plus cafeteria benefits as negotiated by the Union Contracts.

On motion by _____, seconded by _____ and approved, the Board adopted the following resolution setting the 2016 Le Sueur County hours of operation:

THEREFORE BE IT RESOLVED: That all employees except for public safety and the county highway department employees shall have their normal work week at 39.5 hours in 2016.

BE IT FURTHER RESOLVED: That the normal hours of operation for the County Courthouse and Planning and Zoning Office shall be 8:00 a.m. to 4:30 p.m. on Mondays thru Thursday and 8:00 a.m. to 4:00 p.m. on Friday for 2016.

**You must complete your timesheets by
Wednesday, December 23 by NOON!**

Proposed 2015 Road and Bridge Budget Line Item Changes

Revenue

Account Number	Line Item Description	Approved 2015 Budget	Proposed Budget Amount	Difference	Comments
10-300-5558	Misc Reimbursement	\$9,427,900	\$2,800,000	\$6,627,900	CSAH 23 Project Delay + CSAH 3
10-300-5885	Township Bridge	\$0	\$475,932	-\$475,932	Funds received in 2015 for 2014 work
10-300-5893	State Aid Regular Construction	\$907,907	\$1,254,500	-\$346,593	Borrow ahead for CSAH 26 & 28
10-300-5895	State Aid Municipal Construction	\$421,100	\$635,000	-\$213,900	Seal Coat and CSAH 35 Projects
10-300-5896	Bridge Bonds	\$343,323	\$0	\$343,323	Bridge Bonds not available for projects
10-300-5898	Sale of Material to City	\$20,000	\$420,000	-\$400,000	CSAH 3 and CSAH 35 Reimbursement
10-304-5896	State Aid Bonds	\$7,432,100	\$525,000	\$6,907,100	Bonds proceeds not divided SA and CIP
10-304-5941	Bond Proceeds	\$0	\$9,800,000	-\$9,800,000	CIP and SA bond proceeds placed in this account

\$2,641,898 (This is a reduction in Revenue)

Expenditures

Account Number	Line Item Description	Approved 2015 Budget	Proposed Budget	Difference	Comments
10-301-6389	State Aid Contracts	\$10,923,523	\$5,600,000	\$5,323,523	CSAH 23 Project
10-301-6390	State Aid Municipal Contracts	\$5,737,239	\$4,600,000	\$1,137,239	CSAH 3 work remaining, 52 bridge
10-301-6392	County Contract Payments	\$1,000,000	\$1,260,000	-\$260,000	CR Seal Coat
10-302-6301	Hired Equipment	\$10,000	\$155,000	-\$145,000	Culvert Replacements
10-301-6390	State Aid Municipal Payments	\$549,739	\$300,000	\$249,739	Project Finals
10-302-6495	Supplies-Road Repair & Maint	\$175,000	\$255,000	-\$80,000	Striping
10-302-6496	Supplies - Aggregate / Asphalt	\$450,000	\$265,000	\$185,000	More aggregate, less asphalt
10-302-6605	Buildings and Structures	\$180,000	\$365,000	-\$185,000	Waterville Joint Facility
10-302-6497	Supplies - Road Salt	\$110,000	\$160,000	-\$50,000	
10-302-6610	Major Road Equipment	\$662,500	\$720,000	-\$57,500	Replace Unit 25
10-303-6415	Motor Fuel	\$400,000	\$275,000	\$125,000	Reduced fuel prices
10-303-6445	Equipment Repair / Supplies	\$175,000	\$310,000	-\$135,000	Cutting Edges

\$ 6,108,001.00 (This is a reduction in Expenditures)



Building a Better World
for All of Us®

November 12, 2015

RE: Le Sueur County, Minnesota
TH 112 Turnback - Design Engineering
SEH No. P-LESUR 133073 10.00

Darrell Pettis, PE
County Engineer/County Administrator
Le Sueur County Highway Department
88 South Park Avenue
Le Center, MN 56057-1644

Dear Mr. Pettis:

The State Highway Jurisdictional Transfer Program provides funding to align roads under the jurisdiction that makes the most sense. State ownership may be transferred to the County and in this case the road becomes part of the County State Aid Highway system (CSAH). Such transfers typically involve repairs or maintenance on the road before it is transferred.

Le Sueur County is scheduled to receive \$25 million from the State turnback account over a period of time between 2018 and 2022 to assist in funding improvements involved with the turnback of TH 112 to Le Sueur County. The rural portion of the turnback project will include a 10.7 mile project comprised of approximately 9.7 miles of reconstruction and 1.0 miles of overlay (see attached Location Map). An additional urban section within the City of Le Sueur is proposed at a later date.

Short Elliott Hendrickson Inc. (SEH®) is excited to have the opportunity to serve Le Sueur County and to submit this proposal/agreement to provide preliminary and final design services for the TH 112 Turnback Project. This proposal describes the scope of services and estimated fees required to prepare the design and construction documents for the rural 10.7 acres of TH 112.

Our approach to this project is two phased. Phase I includes topographic surveys, information gathering and field investigations, prepare preliminary designs, identify the critical design constraints, and prepare updated cost estimates. Phase II includes detailed designs, plan production, land acquisition services, and bidding.

PRELIMINARY DESIGN/SURVEYING/WETLAND SERVICES (PHASE I)

Surveying Services

Topographic Surveying

During the proposal preparation process, we have investigated with County staff the viability of utilizing elevation data collected through the use of low altitude drone survey flights. To-date, approximately 3 miles of the 10.7 mile project has been flown by the survey drone. Through discussions with County GIS and Engineering staff, we feel that at this time it will not be practical to fly the remaining 7+ miles of the project without knowing more about the accuracy, viability, and practicality of the drone collected data. As

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 12 Civic Center Plaza, Suite 2088, Mankato, MN 56001-7787
SEH is 100% employee-owned | sehinc.com | 507.388.1989 | 877.316.7636 | 888.908.8166 fax

part of our services to the County on this project, we are proposing to compare the conventionally collected survey field data to the drone collected LiDAR data. In addition, we will review the practical application of the drone data within our AutoCAD Civil 3D design software applications. We will review our findings with County staff in order to provide direction for future applications of the drone.

It has been assumed that the entire project will require conventional topographic surveying of the roadway and right-of-way corridor with the assumption of not being able to rely on the drone data. All culverts and bridges will be located and sized, along with marked utilities from the Gopher One Call. Critical topographic items will be surveyed, which include power poles, visible utilities, fences, visible tile inlets, and buildings within 100 feet of center line. No creek flood cross sections are proposed to be included. Edge of woods will be surveyed, without surveying individual trees. Cross sections will be surveyed 100 feet left and right of centerline with the "crops out" and utilizing an ATV and to collect data with GPS (0.15 foot vertical accuracy). Adjacent roads will be surveyed along center line profiles, 500 feet left and right.

Base map(s) will be prepared for use by engineering designers.

ROW Platting

SEH survey staff will research the parcel descriptions for approximately 30 property owners. The TH 112 centerline alignment will be field located and created in the office for comparison purposes. Parcel descriptions of affected land owners will be analyzed and plotted. Right-of-way sheets will be drafted showing the affected owners' names and their areas, at a scale of 200 feet per inch. There is estimated to be 11 sheets including the title sheet. Mylars will be produced for signatures and recording.

Assumptions:

- The title research will be completed by an abstract company or by the County Attorney's office with costs billed directly to the County. The cost for this work is not included in our fee estimate. An approximate cost of \$10,000 could be budgeted for the title work.
- Seventy section land corners will need to be found and surveyed with GPS. It is estimated that 31 of the necessary land corners do not have "Certificates of Location" (45%). The cost would be expected to be between \$2,000 and \$4,000 per corner. The County Surveyor would generally certify land corners, however, the County Surveyor does not anticipate having time or budget to certify all within the time frame of this project. As a result of that, SEH would do "Certificates of Location" on an unknown number of these Land corners. This cost is not included our fee estimate. An additional hourly fee for such work would be estimated at approximately \$100,000.
- County official reviews will take place, with their comments.

Wetland Services

Wetland Delineation

One of the initial tasks for this project is to complete wetland delineations within the proposed construction limits. The National Wetlands Inventory and Public Waters Inventory identify 12 wetlands in the project limits. Review of aerial photographs has identified approximately 24 wetlands, or areas that would require a field assessment. The project area contains drain tile, and some inlet structures may be present, which can confound the wetland delineations.

Wetland delineations will be completed in accordance with United States Army Corps of Engineers 1987 Manual and the Midwest Regional Supplement. The adjacent agricultural land use may also necessitate the use of crop slide review, if the project would encroach into cropped area. All areas meeting wetland criteria will be identified and flagged in the field. Wetland boundaries will be mapped using a sub-meter

accurate Global Positioning System. The location of the wetlands will be provided in electronic format for inclusion in project plans.

Wetland Delineation Report

Within three weeks of the completion of the field delineation, we will provide a wetland delineation report. The report will contain a summary of the delineated wetland characteristics, wetland data sheets, representative site photographs, and the wetland delineation results. The report will be provided as an electronic delivery in pdf format for preliminary review by Le Sueur County.

With approval by Le Sueur County, SEH will provide a copy of the delineation report to the Le Sueur Soil and Water Conservation District, which administers the Minnesota Wetland Conservation Act (WCA), and will coordinate review with the Technical Evaluation Panel. The United States Army Corps of Engineers (USACE) also regulates the wetlands in the project area, and will be provided a copy of the report. A request will be made at submittal to complete a field review of the wetland boundaries. This meeting may serve as a pre-application discussion. If the field review results in any adjustments to the wetland boundary, they will be modified by SEH and provided in electronic format as the final approved boundary.

Wetland Permitting

It is anticipated that wetland impacts will occur, and that permission to impact those wetlands will be required. Permits will be required under the WCA, and for Section 404 of the Clean Water Act. As there are also crossings of Public Waters, Minnesota Department of Natural Resources (MNDNR) permitting is also required, if the crossing will be modified. The extent of permitting needed is dependent on the quantity of wetland impacts, but it is assumed that impacts will be moderate and a normal level of effort will be required.

Prior to completion of the wetland permit applications, SEH will assist the County with determining the project Purpose and Need, and assisting with the sequencing process. Sequencing is the requirement to identify opportunities to reduce impacts through alternatives analysis, avoidance, and minimization. Once these exercises have been completed, a Wetland Permit Application will be prepared. This application will identify the project, define the purpose and need, summarize sequencing, and a replacement plan. The application will require graphical depiction of all the temporary and permanent impacts, in both plan and profile formats. If the Public Water crossings are modified, the hydraulic analysis will be required, as well as processing through the electronic submittal system used by the MNDNR. Signatures will be required by the project proposer responsible for compliance with the permit conditions. SEH will act as agent to allow representation in the process.

It is assumed that wetland mitigation will be provided by the Board of Water and Soil Resources (BWSR), as the project is expected to be a safety improvement, and/or meet current state aid design standards. Additional discussion of these standards may be needed as part of the permit application processing. If wetland credits cannot be provided by the BWSR, purchase of wetland credits from a private bank would be utilized.

Timelines

We understand that timing of permitting is not currently critical, with construction proposed to occur in 2018. With these considerations, we propose to complete the wetland delineation in late spring of 2016, and have approved wetland boundaries by July 2016. Draft wetland permits will be completed in conjunction with the 90% plans, and final submittals when either the plans have been finalized or when it has been determined that all of the impacts have been finalized. Wetland permitting would be completed over the winter of 2016-2017, which will allow for permits in hand approximately one year prior to start of construction.

Preliminary Design/Layouts

We will prepare a preliminary project management plan and include a detailed project schedule. We will conduct a kick-off meeting with key SEH and County staff early in the preliminary design process. We will compile the information gathered from field surveys, right-of-way reviews, wetland investigations, utility information, and our field reconnaissance. We will coordinate obtaining quotes for geotechnical work, including soil borings, R-value determination and pavement section recommendations. We assume the geotechnical work will be contracted directly with the County and have not been included in the fee estimate.

We will prepare preliminary alignments, profiles and cross-sections to assist in identifying the magnitude of impact to adjacent parcels and to assist in identifying key design and right-of-way constraints and earthwork needs. We will investigate drainage needs, current drainage conditions, drainage ditches and tile systems. We will prepare a preliminary layouts to illustrate the scope of the project, right-of-way and land acquisition needs as well as temporary easement needs. We will prepare updated cost estimates based on 2015 and early-2016 bid prices to forecast an updated project budget. We will meet with County staff to conduct a 30% plan review meeting to review project progress, findings and design constraints.

FINAL DESIGN/LAND ACQUISITION/BIDDING SERVICES (PHASE II)

Final Design Services

Following the 30% review meeting with County staff, we will move into detailed designs, full plan production and preparation of construction documents.

SEH will conduct utility design coordination meetings with the affected utilities in the area. We will gather additional filed data that may be needed or discovered during the preliminary design phase. We will prepare detailed roadway designs, profiles, cross-sections and ditch grading. We will finalize right-of-way and temporary easement needs to provide direction to the land acquisition specialist (see below). We will work with the geotechnical findings and address any special needs areas identified in the soil borings. If special roadway design sections are warranted, SEH geotechnical engineers will address those needs on an as needed basis.

SEH will complete a detailed hydraulic review for submittal and review at State Aid. The hydraulic review will include the analysis and hydraulic review of at least two of the three box culvert ditch crossings. SEH water resources and structural staff will complete layouts and prepare plans for the necessary box culverts replacements or extensions as needed.

SEH will conduct 60% and 90% plan review meetings with County staff prior to completion of plans and submittal to State Aid. SEH will complete plans and specifications which meet the required State Aid standards for a rural highway. Plans will be prepared in preparation of submittal to MnDOT State Aid and the subsequent review.

It is anticipated that public meetings will be held during the design phase to give effected property owners and the general public an opportunity to review the proposed improvements and provide feedback to the SEH designers and County staff. SEH will prepare for and conduct up to three public meetings in an open house format.

Right-of-Way Acquisition Services

SEH understands that Le Sueur County is anticipating the widening of TH 112 right-of-way to 100 feet from Le Center to Le Sueur prior to the proposed reconstruction. Our research shows that a four mile stretch of TH 112 from where TH 112 turns toward the east and Le Center to the junction with County

Road (CR) 15 was acquired by MnDOT by easement to a width of 100 feet and 2003 plats show acquisition in 90 degree corner. It is assumed that these portions of TH 112 will not require any additional acquisition. The remaining portion of TH 112 appears to have a prescriptive easement only.

For the basis of this proposal we have estimated approximately 75 parcels will be affected.

Brad King, Real Estate Specialist and Real Estate Broker, will provide the following acquisition services:

- Attend one public information meeting.
- Mail Early Notice of Acquisition letters to all property owners.
- Complete Field Title Reports.
- Prepare and present offer letters.
- Negotiate with owners as necessary.
- Prepare transfer documents approved by or provided by Le Sueur County.
- Deliver signed documents and files to county officials.

SEH understands that Le Sueur County will provide the following:

- Title work
- Appraisals or Comparable Sales Book as necessary
- Filing of conveyance documents
- Eminent Domain

SEH will provide these land acquisition services for a fee not to exceed \$170,000, including expenses.

Bidding Services

SEH will work with County staff to establish a competitive and appropriate bid opening date. SEH will administer the distribution of Bidding Documents through the SEH website and their partners at QuestCDN and DocuNet. Given the size of the project, the likely phasing of the project, we would propose to hold a pre-bid meeting. We will assist contractors in addressing bidding questions. We will attend the bid opening, compile and tabulate bids, and provide a recommendation of award.

It is understood and anticipated that Le Sueur County staff will administer the construction contract. Our services would then be complete with the preparation and successful execution of construction contracts.

SEH PROJECT TEAM

Chris Cavett, PE, from our Mankato office will serve as project manager for this project. Chris and his staff in Mankato have managed numerous local State Aid transportation projects. Most recently Chris managed the Le Sueur County CSAH 3/Fifth Street project in Montgomery, constructed in 2015. The majority of the work on this project will be provided by local staff from our Mankato and Rochester offices, with support from specialty disciplines in our St. Paul office.

Below is a list of the key SEH TH 112 team members and their roles on this project. Additional information about any of the team members can be provided upon request.

Chris Cavett, PE – Project Manager/Client Service Manager

Mr. Cavett is a well-established client service manager, project manager and city engineer with 25 years experience serving the needs of local agencies. His duties include planning, design and construction administration services for local utility and transportation projects. Chris served eight years in the public sector as the assistant city engineer for the City of Maplewood. He was responsible for annual capital

improvements planning and the operations of the engineering division, administration of improvement projects, management of consultants, developer reviews and negotiations, as well as daily resident needs. More detail about Chris' transportation experience is provided on the attached resume.

Jeff Rhoda, PE – Senior Transportation Engineer

Mr. Rhoda is a project manager with extensive experience in transportation engineering including all elements of preliminary and final design services, operations and safety studies, and construction contract administration related to traffic and roadway improvements. Jeff's experience in traffic and transportation projects has included projects for numerous municipal, county, state and private clients.

Chris Knutson, PE – Professional Engineer

Mr. Knutson is a project engineer with eight years of civil engineering experience with SEH. Chris brings experience with several different municipalities and counties in project coordination, survey, planning, design, cost estimating and performed construction administration.

Doug Scott, EIT – Graduate Engineer

Mr. Scott is a civil engineering graduate from Minnesota State University-Mankato with one and a half years of experience. Doug immediately gained valuable experience in design and construction observation on urban CSAH roadway and utility projects. Prior to joining SEH, Doug interned for the Blue Earth County Highway Department assisting with construction observation and surveying. Doug is experienced with AutoCAD Civil 3D, MicroStation, EPA Net, and HydroCAD.

Chad Jorgenson, EIT – Graduate Engineer

Mr. Jorgenson is a civil engineering graduate from the University of Minnesota-Duluth with two years of experience working with the SEH transportation group on various traffic/transportation engineering projects. Prior to joining SEH, Chad gained valuable knowledge as an intern for three years with MnDOT in the Office of Land Management. Chad is proficient in software programs including Synchro/SimTraffic, HCS, AutoCAD Civil 3D, Autodesk Revit and ArcGIS.

Doug Rude, PLS – Professional Land Surveyor

Mr. Rude is Department Head of Surveying with 41 years of experience in all facets of surveying. Doug's responsibilities include design and location services for bridge and highway projects, construction staking, land title surveys, and platting and official mapping.

Brad King – Real Estate Specialist

Mr. King currently serves as a Real Estate Specialist with extensive experience in various construction, design and right-of-way capacities. Brad has spent more than the past decade exclusively devoted to the completion of numerous right-of-way projects. His duties include acquiring right-of-way for public improvement projects, preparing field title reports, relocation and the review of title and ownership information. He is very experienced with all aspects of DOT acquisition, relocation and negotiations based on his many years of working on IDOT, MnDOT and WisDOT projects.

Deric Deuschle, CWD – Scientist / Aquatic Ecologist

Mr. Deuschle is a senior scientist with 16 years of environmental consulting and ecological research experience. Deric is an aquatic ecologist and leader of SEH's Natural Resources Team. Deric provides project management and technical leadership for wetland services, such as delineations, permitting, mitigation siting and design, and monitoring.

Rebecca Beduhn, CWDIT – Graduate Scientist

Ms. Beduhn is a Wetland Biologist and Minnesota Certified Wetland Delineator (In-Training). Rebecca has a background in wetland science, soil science, geographic information systems (GIS), global positioning systems (GPS) and water resource science. Rebecca primarily provides wetland services, such as delineations, monitoring and permitting.

Rebecca Nestingen, PE – Water Resources Engineer

Ms. Nestingen is a professional engineer with eight years of experience with SEH in hydrology, hydraulics, and the treatment of water and wastewater. Rebecca has worked on hydrologic and hydraulic design of storm sewer systems, worked on dam feasibility studies, completed Stormwater Master Plans (SWMP), large rain gardens, and channel stabilization measures.

Timothy Diedrich, PE – Water Resources Engineer

Mr. Diedrich is a professional engineer with experience in water resources engineering including hydraulic analysis, revetment design, grading, drainage and civil site design, erosion and sediment control plan preparation, construction administration and production of plans, specifications and estimates (PS&E) for multi-discipline projects.

Wayne Wambold, PE, PMP – Senior Geotechnical Engineer

Mr. Wambold is a senior geotechnical engineer with 21 years of geotechnical experience with SEH, including soil improvement, roads, levees, dams, floodwalls, retaining walls, modular block walls, and reinforced slopes. Wayne has also worked in dewatering, building foundations (spread footings and piles), bridge foundations, river erosion control works, cellular coffer dams, and pipelines. His analytical experience includes lateral loads, settlement analysis, bearing capacity, slope stability, buried pipe loading, seepage, and pile capacity.

PRELIMINARY ESTIMATE OF PROJECT COST MAGNITUDE

In the preparation of this proposal, scope of services, and development of a fee proposal, we have prepared a preliminary estimate of the probable range of costs for construction. Our conservative estimates put the construction of this portion of the project (9.7 miles of reconstruction and 1.0 mile of mill and overlay) at between \$18M and \$20M in 2015 dollars. With estimated inflation, the estimated 2018 construction costs are expected to be between \$21M and \$23M.

As noted above, during the preliminary design and final design phases we will continue to update these cost estimates based on more detailed design and construction cost information.

PROPOSED FEES

We propose to provide the services outlined above, and as summarized below and on the attached detailed task hour budget for the following estimated fees:

Phase I: Preliminary Design, Surveying, and Wetland Services

Project Development/Pre-Design/Layouts	\$128,000
Topographic Survey Services	\$35,000
ROW Platting Services	\$82,000
Wetland Services	<u>\$10,000</u>
Total Phase II	\$255,000

Phase II: Final Design, Land Acquisition, and Bidding Services

Final Design/Construction Documents	\$783,000
Land Acquisition Services:	\$170,000
Bidding Services:	<u>\$12,000</u>
Total Phase III:	\$965,000

Total Phases I and II: **\$1,220,000** Hourly, Not-to-Exceed

The proposed fees for professional services do not include costs for the following items as described in the scope of services:

- Geotechnical Exploration / Soil Borings
- Exploratory excavations during the design phases to locate critical drain tile lines
- Title Work / Appraisals / Filing Conveyance Documents / Eminent Domain
- Certification of Location of Land Corners

Most of these services are anticipated to be contracted directly with the County by others or provided by the County. In the case of Certification of Location of Land Corners, SEH can provide that service at an additional cost, as described in the scope of services for right-of-way platting.

Our services are proposed to be complete upon the award of the construction contract. We would be available on an on-call/as-needed basis during construction to answer questions.

Please contact me with any questions regarding the fees or scope of services described above.

ANTICIPATED SCHEDULE

The anticipated schedule for the TH 112 Turnback Project has been illustrated below and can be adjusted to meet the needs or desires of Le Sueur County.

Preliminary Design Phase (Phase I)

- | | |
|---|-----------------------------|
| • County Board Authorizes Engineering Agreement | November 2015 |
| • Topographic Surveys | November–December 2015 |
| • Preliminary Designs/Preliminary Hydraulic Reviews | December 2015–February 2016 |
| • Right-of-way Research/Boundary Analysis | December 2015–May 2016 |
| • Preliminary Right-of-Way Plat | June 2016 |
| • Preliminary Wetland Review | March 2016 |
| • Wetland Delineation/Report | May/June 2016 |
| • 30% Plan Review with County | May/June 2016 |
| • Begin Phase II - Final Design | June 2016 |

Final Design Phase (Phase II)

- | | |
|--|---------------------|
| • Final Design and preparation of Construction Documents | June 2016–June 2017 |
| • Land Acquisition Services | June 2016–May 2017 |
| • 1st Public Meeting-Open House | July 2016 |
| • Approved Wetland Boundaries | July 2016 |
| • 60% Plan Review with County | October 2016 |
| • 2nd Public Meeting-Open House | January 2017 |
| • Complete Wetland Permits | Spring 2017 |
| • 90% Plan Review with County | May 2017 |
| • MnDOT State Aid Submittal/Plan Review | June/July 2017 |

- Final Plan Revisions August 2017
- State Aid Final Plan Approval/Authorization to Bid September 2017
- Advertising for Bids October–December 2017
- Bid Opening December 2017
- Le Sueur County Board considers Award of Bid January 2018
- 3rd and Final Public Meeting-Open House February 2018
- Preparation and execution of Construction Contracts February 2018
- Construction on First Phase Begins Spring 2018

Please contact us with any questions or comments concerning this proposal/agreement.

Thank you! It is an honor for SEH to have this opportunity to provide these proposed professional services to Le Sueur County for this project.

Sincerely,

SHORT ELLIOTT HENDRICKSON INC.



Christopher M. Cavett, PE
Project Manager

jb

Enclosures

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AGREEMENT

This letter will serve as a Supplemental Agreement to the Agreement for Professional Services between Le Sueur County and SEH, dated October 11, 2005.

If you are in agreement with proposed scope of professional services as outlined above in this Proposal for the TH 112 Turnback Project located in Le Sueur County, Minnesota, please sign both copies of this agreement, keep one copy for your files, and return one copy to our office.

ACCEPTED BY LE SUEUR COUNTY, MINNESOTA

By: _____
County Engineer/County Administrator

Date: _____

By: _____

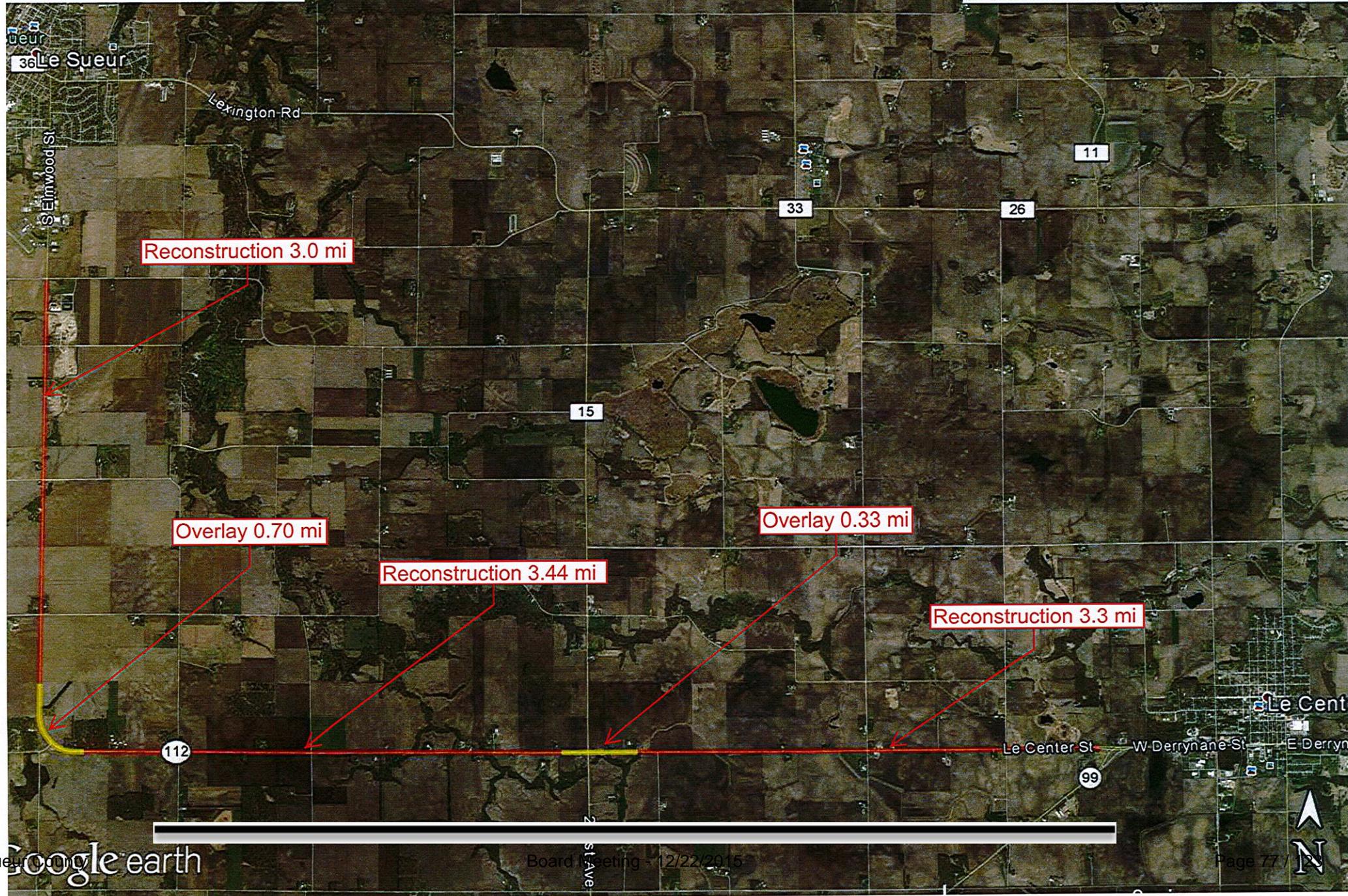
Date: _____

Le Sueur County

TH 112 Turnback
Scope of Project - Sept 2015

Legend

- TH112 Turnback - Overlay
- TH112 Turnback - Reconstruction



Christopher Cavett, PE

Associate/Project Manager/Client Service Manager

SEH OFFICE LOCATION

Mankato, Minn.

YEARS OF EXPERIENCE

SEH: 14

Industry: 25

EDUCATION

Bachelor of Science

Civil Engineering

University of Minnesota-
Minneapolis (1990)

Bachelor of Civil Engineering

University of Minnesota-
Minneapolis (1990)

Pre-engineering

Minnesota State University-
Mankato (1987)

PROFESSIONAL REGISTRATIONS

Professional Engineer in
Minnesota (#24719, 1996)

PROFESSIONAL ASSOCIATIONS

American Public Works
Association (APWA), Member
(1998–present)

Minnesota Public Works
Association (MPWA), Member
(1998–present)

City Engineers Association of
Minnesota (CEAM), Member
(1998–present)

COMMUNITY INVOLVEMENT

Engineer's Without Borders,
Minnesota State University-
Mankato, Mentor (2010–present)

Mr. Cavett is a well-established client service manager, project manager and city engineer with extensive experience serving the needs of local agencies. His duties include planning, design and construction administration services, and managing client needs. Chris served eight years in the public sector as the assistant city engineer for the City of Maplewood from 1997 to 2005. He was responsible for annual capital improvements planning and the operations of the engineering division, administration of improvement projects, management of consultants, developer reviews and negotiations, as well as daily resident needs.

Transportation Projects

Fifth Street/CSAH 3 Area Street and Utility Improvements (Le Sueur County) – Montgomery and Le Sueur County, Minn.

Project Manager for the planning, design and construction of a cooperative project between the City of Montgomery and Le Sueur County. This 1.6 mile project involves the coordination of county, city interests for the full reconstruction of streets and utilities in the project area. It required County State Aid review and approval for the 1.0 mile segment of CSAH. Proposed 2015 construction. SEH also assisted the City in applying for and receiving \$500,000 in \$0.5 Million in Local Road Improvement Program funding.

TH 21 and Saratoga Street Intersection and Pedestrian Trail Bridge Improvements (City of Marshall) – Marshall, Minn.

Project Manager for the preliminary, design, final design and construction administration of a street/intersection/bridge project. This project consisted of a modified "R-Cut" intersection to the trunk highway, as well as a proposed pedestrian bridge and trail along Saratoga Street (Municipal State Aid route). The project involved the coordination and management of multiple SEH disciplines. Project was under construction in 2015. Funding came through MnDOT's Corridor Investment Management Strategy (CIMS) funding.

TH 19 and 11th Avenue Intersection Improvements, Roundabout (City of New Prague) – New Prague, Minn.

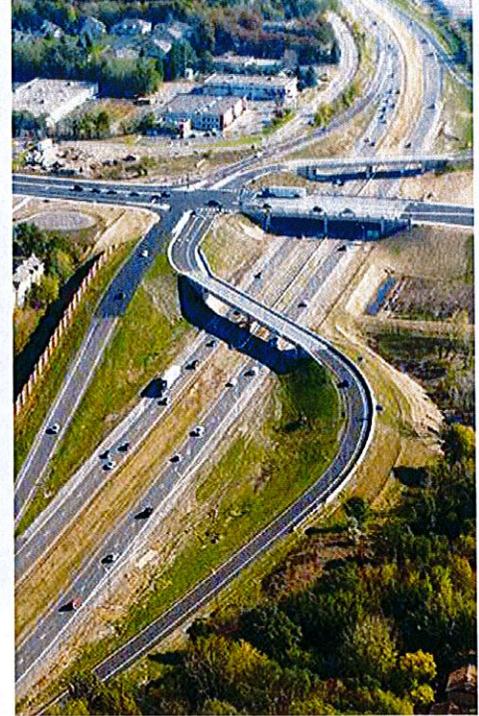
Project Manager and construction administration for a roundabout constructed on a trunk highway. Chris was responsible for planning, design and construction administration. This project was funded through State Cooperative Agreement and Federal Advanced Technology Program grants.



Right-of-Way Services

TYPES OF AGENCIES/ ORGANIZATIONS SERVED

- Airport Authorities
- Counties
- Municipalities
- Pipeline Companies
- Real Estate for Private Developers
- School Districts
- State Agencies
- Townships
- Utility Companies



SEH right-of-way specialists have the experience and credentials necessary to complete every facet of right-of-way projects. With Real Estate Agents/Brokers, Appraisers, Abstractors, Mapping Specialists, and Land Surveyors on staff, we deliver comprehensive right-of-way services from scoping through pre-acquisition, acquisition, relocation, and eminent domain. We've successfully completed property acquisition for highways/streets, utilities, airports, pipelines, and many other public works and infrastructure projects. Let us assist you in your next project and demonstrate our expertise while building a relationship of trust and respect.



Construction Cost Estimate

LeSueur County - TH 112 Turnback Preliminary Estimate - Magnitude of Construction Cost				
Item Description	Units	Unit Cost	Quantity	Total
PAVING AND GRADING (P & G) COSTS				
Bituminous Pavement (1)	ton	\$65.00	80,666	\$ 5,243,272
4" Concrete Walk	sq ft	\$6.00	0	\$ -
8" Concrete pavement	sq yd	\$50.00	0	\$ -
Concrete pavement	sq yd	\$70.00	0	\$ -
Class 5 Aggregate Base (1)	cu yd	\$22.00	61,502	\$ 1,353,049
Subgrade Excavation (1)	cu yd	\$10.00	160,981	\$ 1,609,813
Common Excavation	cu yd	\$10.00	115,456	\$ 1,154,560
Common Borrow	cu yd	\$8.00	115,456	\$ 923,648
Select Granular Borrow	cu yd	\$18.00	160,981	\$ 2,897,664
Mill Pavement	sq yd		0	\$ -
Curb and Gutter Design B624	lin ft	\$18.00	19,417	\$ 349,506
(a) Subtotal Paving and Grading				\$ 13,531,513
UTILITIES, REMOVALS, DRAINAGE, ETC.				
Removals/Clear and Grub		4.0%		\$ 544,461
Minor Utilities		2.0%		\$ 272,230
Signing, Striping, Traffic Control		5.0%		\$ 680,576
Erosion Control and Turf Establishment		5.0%		\$ 680,576
(b) Subtotal Utilities, Removals, Drainage, Etc.				\$ 2,177,842
DRAINAGE				
Storm Sewer		15.0%		\$ 2,041,727
(c) Subtotal Drainage				\$ 2,041,727
STRUCTURES/SIGNALS/MISC. COST				
Bridge Removal	sqft	\$15		\$ -
Bridge	sqft	\$250		\$ -
Culvert Extension	lin ft	\$2,000	40	\$ 80,000
Retaining Wall	sqft	\$100		\$ -
Interchange Lighting		\$480,000		\$ -
Intersection ADA	each	\$ 6,000.00		\$ -
Signal System	each	\$ 250,000.00		\$ -
(d) Subtotal Structural				\$ 80,000
(a+b+c+d) Subtotal Construction				\$ 17,831,081
Risk & Contingency		10.0%		\$ 1,783,108
TMP		2.0%		\$ 356,622
Mobilization		2.0%		\$ 356,622
(e) Subtotal Miscellaneous				\$ 2,496,351
(a+b+c+d+e) Total Construction				\$ 20,327,433
Administrative & Engineering				
RW Cost				
Total RW				\$
Total Estimated Cost				\$ 20,327,433
Inflation Adjusted Cost (18%)				\$ 23,986,371

\$/MI

\$ 1,900,000

\$ 2,242,000



TH 112 Turnback Reconstruction
Le Sueur County
November 12, 2015

DETAILED TASK HOUR BUDGET / COST ANALYSIS											
	Cavett Civil Engr PE	Knutson Prj Eng PE	Doug/Lee Graduate Engineer	Rude Licensed Surveyor	Graduate Surveyor	Pomplun Lead Tech	Solmonson Survey Lead	Deuschle Sr. NR Scientist	Beduhn NR Scientist	Admin Tech	Totals
Task 1.1 - Project Development / Preliminary Design / Layouts:											
Information Gathering /Project Scoping / Project Initiation /Project Management	160	20	4							10	194
Field Data Collection/Photos/Drone Data Review	2	80	40								122
Drainage Review / Culvert Reviews / Watershed Analysis / Preliminary Culvert Designs	8	100									108
Utility and as-built information gathering / Add to Base Drawing	2	16	24			16				2	60
Parcel Information, Property Owner List / Add to base Drawing	2		8							4	14
Prepare/review topographic base drawing	2	12	60								74
Prepare/mail letter for Property Owner Informational meeting (Assume 2 meetings and 2 Letters) / Calls	8	4								4	16
Prepare Information for and Attend/Conduct (up to 2) informational meetings / Compile Summary	16	24	16							2	58
Coordinate and Review soil borings and geotechnical recommendations (borings by others)	4	16								2	22
Preliminary Road width/alignment/geometrics/Preliminary cross-sections/Layouts	16	80	120								216
Preliminary Road section / Review ROW needs	8	60	80	14							162
Prepare for and attend 30% Review with County Staff	12	16								2	30
Prepare preliminary design level estimates of probable construction costs	8	16	24							8	56
Subtotal Hours this Task	248	444	376	14	0	16	0	0	0	34	1132
Total Fee for this Task	\$128,000										
Task 1.2 - Topographic Survey											
Survey Crew Management/Schedule/Gopher One/Misc Research/LS Review				12	8	12				2	34
Establish Control/Topographic Survey - full topo						4	200				204
Process Survey Data / Prepare Base Map						40					40
Subtotal Hours this Task	0	0	0	12	8	56	200	0	0	2	278
Total Fee for this Task	\$35,000										
Task 1.3 - ROW Platting Services											
Order Deeds / Title Opinion						50				2	52
Plats / Boundary Research						70					70
Crew Prep. / instructions				8							8
Boundary Analysis						120					120
Draft Graphic Plat				10		190					200
Draft Dedication Documents						10					10
In-house Plat Check / Delivery / County Submittal / Review with County				20		5	5				30
Changes / Final Review						10					10
Mylars / Signatures / Recording						20					20
Field Survey - Existing Property Corners							100				100
Field Survey - Set Property Corners							100				100
Subtotal Hours this Task	0	0	0	38	475	5	200	0	0	2	720
Total Fee for this Task	\$82,000										
Task 1.4 - Wetland Services											
Wetlands Delineation								1	16		17
Wetlands Delineation Report								2	32	1	35
Wetlands Permitting								4	45	1	50
Subtotal Hours this Task	0	0	0	0	0	0	0	7	93	2	102
Total Fee for this Task	\$10,000										



TH 112 Turnback Reconstruction
Le Sueur County
November 12, 2015

	DETAILED TASK HOUR BUDGET/COST ANALYSIS											Total Amount	
	Cavett Civil Engr PE	Sr Eng / Sr RPR	Knutson Prj Eng PE	D. Scott Graduate Engineer	MK/HU Graduate Engineer	Rhoda Sr. Traffic Engineer	Jorgenson Traffic Engineer	King ROW Specialist	Wat Res Engineer	Geo Tech Engineer	Sr. Eng. Technician		Admin Tech
Task 2.1 - Final Design / Construction Document Preparation:													
Project Management / Project Administration / Project Guide / Project Coordination Meetings	520		260	20	20	120	10		10	10	10	100	1,080
Quality Management Plan (QMP) / Quality Assurance Reviews	40	160										20	220
Incorporate ROW Plat Review for project area	8		24	16									48
Determine alignment/geometric design	12		24	40									76
Contact Utility Companies / Utility Design Meetings (assume 3)	18		36	8								6	68
Edit/finalize Road section and geometric design	4		32	20		8	40		8				112
Review Geotechnical Report and Recommendations	4		4						16				24
Design / Draft Section in poor soils area	4		4		24				80				112
Edit/finalize profiles / Earthwork Balance Review	8		40	160			4						212
Edit/finalize cross sections	8		40	160									208
Review Drainage Boundaries / Map Tile Lines / Analyze Hydrology	4		40		40				120				204
Culvert layouts and designs / Manage Tile Lines / Road Ditch design	4		40		40				200	40			324
Permanent Stormwater management	4		40						120				164
Determine plan sheet layout and cut plan sheets	4		40	20									64
Prepare / Review Title Sheet	2		4		4								10
Prepare / Review Statement of Estimated Quantities Sheets (2 estimate)	8		16		24								48
Prepare / Review Quantity Tabulation / Schedules Sheets (12 estimate)	6		12	20	40	4	16			4			102
Prepare / Review Typical Sections (10 estimate)	4		8	16									28
Prepare / Review Detail Sheets (2 estimate)	4		16		24								44
Prepare / Review Alignment Plan and Coordinate Tabulation (12 estimate)	2		8	32									42
Prepare / Review Removal Sheet (22 estimate)	4		20		132								156
Prepare / Review Plan & Profile (Road, Ditches and Culverts) Sheets (48 Estimate)	20		80	540					120				760
Prepare / Review Construction Notes, Standard Plates, etc.	16		40		80		8		16	8			168
Prepare for and attend 60 percent review with city staff / Progress Reports	12		24	16	16							8	76
Prepare / Review SWPPP/Turf Establishment Sheets (24 estimate)	4		20		80				100				204
Staging Plan / Detour Plan	8		8		16	8	24						64
Prepare / Review Traffic Control Plan (10 estimate)	2		16		40	24	80						162
Prepare / Review Striping and Signing Plan (24 estimate)	2		16		40	24	120						202
Prepare / Review Cross Section Sheets (70 estimate)	4		24	40	200								268
Calculate/Review Earthwork	12		40		40					120			212
Takeoff Quantities	4		16	40	40		16		20	8			144
Prepare Engineer's Estimate	16		32	24	24							8	104
Prepare for and attend 90 percent review with County staff	16		16	16								4	52
Prepare for and Attend Plan Review - Public Informational meetings	24		24	16	16							4	84
Prepare/Review Final Bidding Plans	16		24	2	24		16		20	4		8	114
Prepare/Review/Revise Specifications	50		24			16			20	16		24	150
Prepare/Review 100% plans and specifications with County staff	10		24	8	8							4	54
Prepare State Aid Submittal / Discussions / Revisions and resubmittal	40		60	40	40		24		40		32	4	280
Subtotal Hours this Task:	928	160	1196	1254	1012	204	358	0	786	154	202	190	6444
Total Fee this Task:	\$783,000												

Task 2.3 - ROW Aquisition: (Review, Research, Description, Drawings, Acquire)													
Aquire ROW from an estimated 75 parcels									900			800	1700
Subtotal Hours this Task:	0	0	0	0	0	0	0	0	900	0	0	800	1700
Subtotal Fee this Task:	\$170,000												



TH 112 Turnback Reconstruction
 Le Sueur County
 November 12, 2015

	DETAILED TASK HOUR BUDGET/COST ANALYSIS												Total Amount
	Cavett Civil Engr PE	Sr Eng / Sr RPR	Knutson Prj Eng PE	D. Scott Graduate Engineer	MK/HU Graduate Engineer	Rhoda Sr. Traffic Engineer	Jorgenson Traffic Engineer	King ROW Specialist	Wat Res Engineer	Geo Tech Engineer	Sr. Eng. Technician	Admin Tech	
Task 2.2 - Bidding Services:													
Schedule bid opening	1											1	2
Finalize Engineer's Estimate / Bidding Items	8		8									2	18
Uploading Final Plans & Specifications to QuestCDN			4									4	8
Assist Contractors during bidding / Addendum	14		7									2	23
Prepare for and attend Pre-Bid meeting	8		8									2	18
Prepare for and Attend Bid Opening	4											1	5
Tabulate Bids / Recommendation to County	4											5	9
Prepare Funding Review with Bid prices	7											2	9
Subtotal Hours this Task:	46	0	27	0	0	0	0	0	0	0	0	19	92
Total Fee this Task:	\$12,000												

Estimated Construction Cost: \$ 20,000,000

<u>Phase I - Preliminary Design / Topo / ROW Plat / Wetlands</u>		<u>% Const</u>
Preliminary Design / Layouts - Hourly Not-to-Exceed:	\$128,000	0.64%
Topographic Survey - Hourly Not-to-Exceed:	\$35,000	0.18%
ROW Plat - Hourly Not-to-Exceed:	\$82,000	0.41%
Wetland Services - Hourly Not-to-Exceed:	\$10,000	0.05%
Total - Phase I:	\$255,000	1.28%

<u>Phase II - Final Design / Bidding / ROW Acquisition</u>		<u>% Const</u>
Final Design - Hourly Not-to-Exceed:	\$783,000	3.92%
Bidding Services - Not-to-Exceed:	\$12,000	0.06%
ROW Acquisition Services - Hourly Not-to-Exceed:	\$170,000	0.85%
Total - Phase II:	\$965,000	4.83%

Total Phase I and Phase II: \$1,220,000 6.10%

Preliminary Design, Topo, Wetlands, Final Design, Bidding:	\$968,000	4.84%
ROW Platting / ROW Acquisition:	\$252,000	1.26%
	\$1,220,000	6.10%

Soil Borings / Geotechnical Consulting - contracted directly with County
 Appraisals and Title work contracted directly with County

**STATE OF MINNESOTA
TRUNK HIGHWAY
JURISDICTIONAL REVERSION AGREEMENT**

Control Section Number:

Trunk Highway Number:

Purpose: State transfer of TH 112 from LeSueur to LeCenter

This Agreement is between the State of Minnesota, acting through its Commissioner of Transportation ("MnDOT") and the County of LeSueur, a political subdivision of the State of Minnesota acting through its County Board ("Political Subdivision").

RECITALS

1. Minnesota Statutes §161.20 authorizes MnDOT to enter into agreements with other governmental authorities to carry out the purposes of Minnesota Statutes chapter 161.
2. The Political Subdivision is a Road Authority as defined in Minnesota Statutes §160.02 (subd. 25); and
3. MnDOT has determined that a portion of Trunk Highway 66 from the City of Good Thunder to the South limits of the City of Mankato, ("Roadway Segment") is no longer needed for trunk highway purposes; and
4. MnDOT has determined that the Roadway Segment shall revert to another road authority in accordance with Minnesota Statutes §161.16, and MnDOT has further determined that the Political Subdivision is the proper road authority; and
5. The parties have entered into this Agreement to provide for the orderly reversion of the Roadway Segment to the jurisdiction of the Political Subdivision.

AGREEMENT

1. Effective Date; Survival of Terms

This Agreement will be effective on the date last signed below by the parties and by such other State of Minnesota officials as required by Minnesota Statutes §16C.05. This Agreement will remain in effect until MnDOT has (1) served a Notice of Transfer, and (2) made payments (if any) as required by this Agreement. All clauses which impose obligations continuing in their nature and which must survive in order to give effect to their meaning will survive the expiration of the Agreement.

2. Identification of Trunk Highway Segment; Right-of-Way Determination

The XXXXX mile Roadway Segment covered by this Agreement is described as commencing at the intersection of TH 169 in LeSueur and proceeding southeasterly to the intersection of TH 99 in LeCenter. See map that is attached and incorporated into this agreement and marked as Exhibit A. MnDOT will determine the final right-of-way limits prior to transfer of title to the Political Subdivision.

3. Notice of Transfer; Conveyance Documents

3.1 Notice of Transfer. MnDOT will deliver a "Notice of Transfer" to the Political Subdivision, releasing the Roadway Segment from MnDOT's jurisdiction. Upon receipt of such notice, the Political Subdivision will become the Road Authority with jurisdiction over the Roadway Segment and will assume all responsibility for the operation, maintenance, and reconstruction of the Roadway Segment and of all structures and facilities that are a part of the Roadway Segment.

3.2 Conveyance Documents. Subsequent to issuing the Notice of Transfer, MnDOT will prepare and execute

Turnback (CM rev. 6/26/13)

necessary and appropriate documents conveying MnDOT's interest in the Roadway Segment to the Political Subdivision.

4. Delivery of Records

Following delivery of the Notice of Transfer, MnDOT will provide the Political Subdivision with available records concerning the Roadway Segment. Such records must be in MnDOT's possession, and will be released only if such release is lawful under the provisions of the Minnesota Government Data Practices Act. Such records may include the following:

- a) A list of active maintenance agreements, including signal and routine maintenance agreements with other governmental agencies that will be cancelled, and a list of agreements with utility companies that will be cancelled;
- b) Records concerning utility permits, drainage permits, driveway and other access permits, advertising and sign permits, and other limited-use permits;
- c) Construction plans and records, as-built construction plans (if available);
- d) Bridge inspection reports and ratings;
- e) Aerial photos and other photo and video files, in either hard copy or digital form;
- f) Right-of-way maps and parcel files;
- g) Inventory Data;
- h) Pavement condition ratings;
- i) Traffic signal files including timing sequence information and repair history;
- j) Accident reports and statistics;
- k) Most current traffic counts;
- l) Alignment ties, horizontal and vertical control monuments and related data;
- m) Partially or fully completed plans for construction projects;
- n) Road opening and right-of-way documentation;

5. Maintenance

5.1 Prior to Transfer. Prior to the Political Subdivision's receipt of the Notice of Transfer, maintenance of the Roadway Segment will continue to be provided by MnDOT, or by the party performing such maintenance under an existing agreement with MnDOT. If maintenance is being provided by the Political Subdivision under an agreement with MnDOT, the Political Subdivision will receive a prorated payment for maintenance performed up to the date of receipt of the Notice of Transfer.

5.2 Upon Transfer. Upon receipt of the Notice of Transfer, the Political Subdivision will become the roadway authority responsible for maintenance of the Roadway Segment. The Political Subdivision will thereafter be responsible for performing and paying for all maintenance and reconstruction of the Roadway Segment, including all structures and facilities that constitute a part of such roadway.

6. Responsibility for Claims

MnDOT will remain responsible, to the extent authorized by Minnesota Statutes §3.736 and other applicable law, for claims related to construction, maintenance, and operation of the Roadway Segment during the period when it was a state trunk highway, even if such claims are filed after the Political Subdivision receives the Notice of Transfer. The Political Subdivision will be responsible for claims arising out of its own construction, maintenance, or operation of the Roadway Segment after it received the Notice of Transfer.

7. Classification of Transferred Roadway

After the Political Subdivision receives the Notice of Transfer, the Political Subdivision, by resolution, may request designation of the eligible portions (if any) of the turnback as State Aid routes. The Commissioner, upon receipt of said resolution, will issue the official order for designation and notify the county screening board of this action. MnDOT will make an appropriate adjustment to mileage of the Political Subdivision's county state aid highway system mileage in accordance with Minnesota Rules Part 8820.0800. This mileage will not be transferable to other routes on the system.

8. Turnback Account Funds

8.1 Authorization. After the Political Subdivision receives the Notice of Transfer, the Political Subdivision will be authorized to use funds from the County Turnback Account in accordance with Minnesota Statutes 161.083.

8.2 Eligibility – Construction and Related Costs. The Following expenses are eligible for funding from the State for work related to the Roadway Segment: surveys, design, right-of-way acquisition, construction, drainage, and engineering expenses, all based upon actual expenses. Minnesota Rules Part 8820.2300 (subpart 6) governs the release of turnback account funds for eligible expenses.

8.3 Payment Schedule – Construction and Related Costs. Funds from the county turnback account are anticipated to be available for eligible costs, as specified in Article 8.2, in State Fiscal Year 2018. MnDOT's fiscal year starts on July 1st and runs through June 30th. The availability of these funds is contingent on legislative approval and appropriation. MnDOT will use its best efforts to secure appropriation of such funds; however, the Political Subdivision acknowledges that any expenses incurred prior to such authorization are at the sole risk of the Political Subdivision.

8.4 State's Maximum Obligation. MnDOT's maximum obligation for all work performed under this Agreement is \$ [REDACTED]. This obligation may be increased only by amending this Agreement.

9. Release of Claims; Covenant not to Sue

By accepting the payment provided for in this Agreement, the Political Subdivision releases MnDOT from any and all claims related to the condition of the Roadway Segment, regardless of whether such claims result from surface or sub-surface conditions, and regardless of whether such conditions were known or unknown at the time of reversion. The political subdivision is encouraged to perform its own geotechnical explorations and will not rely on previous geotechnical studies performed by MnDOT. In consideration of the turnback payment provided by MnDOT, the Political Subdivision covenants not to sue MnDOT or any other state agency or official with respect to MnDOT's decision to make the reversion or for any claim arising out of the condition of the Roadway Segment.

10. General Provisions

10.1 Venue. Venue for all legal proceedings out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

10.2 Termination. This Agreement may be terminated only by mutual written agreement of the parties, except that MnDOT may terminate this Agreement if it does not obtain funding from the Minnesota Legislature.

10.3 Suspension. MnDOT may suspend its payment obligations under this Agreement in the event of a total or partial government shutdown due to failure to have an approved budget by the legal deadline. The period of suspension will end when MnDOT is legally authorized to resume such payments.

10.4 Severability. If any provision of this Agreement is found to be invalid or unenforceable, such provision will not affect the validity or enforceability of any other provision of this Agreement, which shall remain in force and effect.

10.5 Merger. This Agreement contains all prior negotiations and agreements between MnDOT and the Political Subdivision. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

10.6 Amendments. Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved this Agreement, or their successors in office.

10.7 Government Data. This Agreement, and any data exchanged by the parties pursuant to this Agreement, will be “government data” and subject to the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13.

10.8 State Audits. The books, records, documents, and accounting practices and procedures of the Political Subdivision relevant to this Agreement are subject to examination by the State and the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years.

11. Additional Provisions

11.1 Date of Transfer. This segment will be transferred to the County of LeSueur on XXXXXXXXXXXX or as soon thereafter as practicable.

11.3 Specific Segment Termini. This segment is defined as commencing at the intersection of TH 169 and in LeSueur and continuing southeasterly to the intersection of TH 99 in LeCenter. Total length of this segment is XXXXX miles.

11.4 Project Description. Project Based funding in the amount of \$ [REDACTED] for this turnback agreement includes all costs associated with reconstructing the segment defined in 11.3, including engineering and right-of-way costs.

THE BALANCE OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK

STATE ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minnesota Statutes §16A.15 and §16C.05.

Signed: _____

Date: _____

SWIFT Contract (SC) ID No. _____

Purchase Order (PO) ID No. _____

DEPARTMENT OF TRANSPORTATION

By: _____
(with delegated authority)

Title: _____

Date: _____

POLITICAL SUBDIVISION*

The Political Subdivision certifies that the appropriate person(s) have executed the Agreement on its behalf as required by applicable resolutions, ordinances or charter provisions.

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

COMMISSIONER OF ADMINISTRATION

As delegated to Materials Management Division

By: _____

Date: _____

*** INCLUDE A RESOLUTION**

Dec. 21, 2015

To the County Commissioners, County Administrator and County Attorney;

I have been involved with the County Surveyors Office for over 50 years, first with Dick Bradshaw and now with Rory Jensen, both elected County Officials. We have a remonumentation budget of \$33,000.00, more or less, per year. This budget is used when County Highway Department notifies us when they are building or resurfacing a County Road and a Section Corner maybe disturbed or destroyed. We GPS 30-40 corners into Le Sueur County Coordinate System and make the necessary Certificate of Location of Government Corners, as required by law. Our budget is also used to research for other surveyors that work in the County and update all Auditor Plats within the County for the County Recorder's Office. We also make Certificates on other corners, as long as our budget allows.

We were notified December 9th by SEH that they need to find and GPS 70 Section Corners and 31 of them do not have "Certificates of Locations" for Trunk Highway 112 project, which was the first time we ever heard of this being done by them. We told them they were welcome to come to our office and research County Surveyors records, but our budget was almost depleted and this was an unusual request for so many corners. We told them that we wanted to talk to Darrell Pettis about this because it is work the County Surveyor should be doing. Rory I and mentioned this to County Administrator and I talked to 3 Commissioners. They all assured me that it would be brought up at a Commissioners meeting and any monumentation should be done by County Surveyors Office.

I thought that was it till this weekend I looked at the County Commissioners agenda for 22nd.of December, which I always do. I looked at the Nov. 12, 2015 proposal by SEH to the County for the turnback project of Trunk Highway 112. I notice this is a 25 million project. What really upsets me is SEH proposing to establish, relocate and GPS certain Section Corners and make Certificates for \$2000.00 to \$4000.00 per corner. They are talking about 31 corners that are not now certified. They would do these 31 corners for \$100,000.00. That would come to \$3226.00 per corner. That is absolutely outrageous. That means with our budget we could only do 10 corners.

We have worked with numerous surveyors, County Highway Department, DNR on numerous projects and State of Minnesota DOT on TH 60, 13, 99 and 21. At no time in 50 years have any of these people charged to County to establish Corners and file Certificates. As per MN. Statutes 160.15, preservation of Section and Quarter Corners and MN. Statutes 389.03, all monuments and preservation of survey records shall be done by the elected County Surveyor at the Counties expense. Adjoining Counties that have a County Surveyor insist that all monumentaion be done by their office. We have worked in Counties that have no elected County Surveyor. When we establish, relocate and file the Certificates in those Counties, the extra charge is to the client we are working for and not the County.

The 70 corners SEH is referring to and the 39 that may now have a Certificate of Location, may be 30-40 years old and are not GPS'd and many of the ties are gone, therefore a new Certificate would have to be filed. Any money from the 25 million for the turnback account of TH 112 that has been allotted for these corners should be placed in the Le Sueur County remonumentation account. The County Surveyors office can start relocating and establishing these corners immediately and have the coordinates to SEH by their timeframe.

I hope you take my concerns under advisement and make the proper decision.

Rich Bornholdt, County Surveyors Office.

REPAIR REQUEST

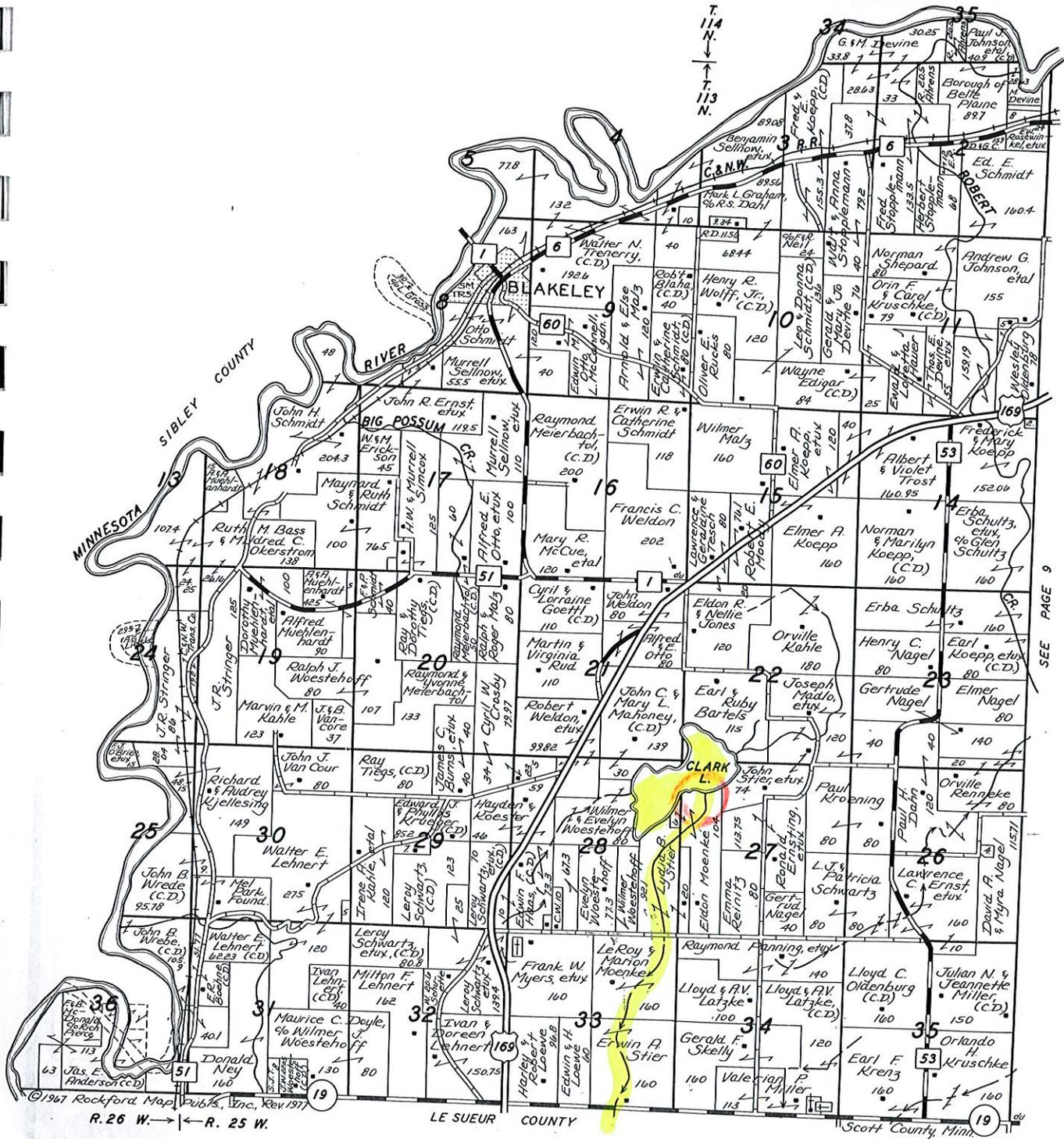
We, the undersigned landowners, do hereby request the Le Sueur County Board of Commissioners to clean out and repair Le Sueur County Ditch # JD 1 located in Tyrone township.
into scott county and CI

Signed
Richard Krentz

Address/Phone #
952 292 2634

Date: 12/10/15

Description of problem: Clarks lake structure (in Scott County)
is not holding enough water back and is causing ditch
to over flow on their land.



SECTION P - BID

Subject: BUILDING DEMOLITION AND EXCAVATION OF PETROLEUM
 IMPACTED SOIL
 FORMER LE SUEUR COUNTY GARAGE
 319 2nd Street South
 Waterville, Minnesota

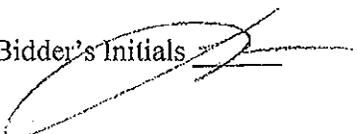
The undersigned hereby proposes to enter into a contract with Le Sueur County for the performance of the WORK described herein. If awarded, said WORK will be performed in accordance with the provisions of the Contract as modified by any special provisions or clarifications accompanying this Bid and at the prices set forth for each item herein below which include sales tax and all applicable taxes and fees. The WORK consists of the following:

The BID must be detailed below. The WORK is further described in Section 7, the Technical Specifications.

BID ITEMS

<u>BID</u>	<u>DESCRIPTION</u>	<u>TOTAL</u>
1.	Mobilization/demobilization, (1)	\$ 8300 ⁰⁰
2.	Asbestos and Lead Based Paint Abatement Removal of HAZMAT	\$ 1200 ⁰⁰
3.	Demolish Garage Building and Utility Disconnects; (1)	\$ 12000 ⁰⁰
4.	Strip Overburden and Stockpile on-site For Reuse; (3,230 CY)	\$ 14000 ⁰⁰
5.	Excavate, Transport and Disposal of Petroleum Impacted Soil, (540 cy)	\$ 37000 ⁰⁰
6.	Backfill & Compaction of Imported Materials (540 cy)	\$ 8000 ⁰⁰
7.	Backfill & Compaction of On-site Materials (3,230 cy).	\$ 15000 ⁰⁰
8.	Dewatering	\$ 3000 ⁰⁰
Total		\$ 98,500.00

Frattalone Companies, Inc.
 3205 Spruce Street
 Little Canada MN 55117

Bidder's Initials 



Frattonone Companies Inc
 3205 Spruce Street
 Little Canada MN 55117-
 (651) 484-0448

INVOICE

Invoice No: 7615
 Date: 12/21/2015
 Due Date: 12/21/2015

Bill To:
 AMERICAN ENGINEERING TESTING
 550 CLEVELAND AVENUE NO
 ST. PAUL MN 55114

Job No: 15300
 Description: FCI - 2015 CLOSED JOBS

Quantity	Description	UNIT	Unit Price	Extended Price
1.00	FINAL RETAINAGE PAYMENT - JOB 13174	LS	9,425.00	9,425.00

Thank You For Your Business!

Amount Now Due: 9,425.00

Terms: DUE NET 30 DAYS



Don't pay
10 minutes
yet

• Excavating • Grading • Utilities • Demolition

Services

May 1, 2014

Le Sueur County
88 S. Park Ave
Le Center, MN 56057

SECOND REQUEST

Re: FCI -- 13174 -- American Engineering Testing Le Sueur County Garage

Our auditors, HLB Tautges Redpath, Ltd., are conducting their regular audit of our financial statements and, in accordance therewith, we would appreciate your confirming DIRECTLY TO THEM the accuracy of the following information as of March 31, 2014.

A. Contract Amount:	
1. Original contract price	\$ 98,500.00
2. Approved change orders - increasing (decreasing) contract	\$ 0.00
3. Total contract as of 3-31-14	\$ 98,500.00
B. Payment Status As Of 3-31-14:	
1. Total earned to date	\$ 94,250.00
2. Less amount retained	\$ 9,425.00
3. Balance	\$ 84,825.00
4. Less previous payments	\$ 0.00
5. Balance currently due	\$ 84,825.00
C. Estimated completion date: <u>December 2013</u>	

Please verify this information against your records and advise our auditors, in the space provided at the end of this letter, whether it is in agreement with your records. Your response to the other information requested would also be appreciated.

After signing your reply, please return this letter directly to HLB Tautges Redpath, Ltd., 4810 White Bear Parkway, White Bear Lake, MN 55110 or e-mail your response to Brenda.Sweeney@hlbtr.com. A stamped, self-addressed envelope is enclosed for your convenience.

Very truly yours,

Nick Frattonone, CEO
Frattonone Companies, Inc.

- The above agrees with our records at March 31, 2014 with the following exceptions (if any):
- Our estimate of the percentage of physical completion of the contract at March 31, 2014 is 100 %.
- Details of any claims, back charges or disputes concerning this contract (attach separate sheet if necessary):

Authorized Signature:
Title:
Date:

3205 Spruce Street • St. Paul, MN 55117 • Phone 651.484.0448 • Fax 651.484.7839



Le Sueur County, MN

Tuesday, December 22, 2015

Board Meeting

Item 8

10:00 a.m. Kathy Brockway, Zoning Administrator (15 min) (Public Hearing)

Public Hearing- Ordinance Revisions- Section 17, Subsurface Sewage Treatment Systems and Septic Upgrade Loan Administration Plan

Staff Contact: Kathy Brockway - Environmental and P & Z Director

SECTION 17. SUBSURFACE SEWAGE TREATMENT SYSTEMS

SUBDIVISION 1. PURPOSE AND AUTHORITY

- A. This Section authorizes and provides for sewage treatment and soil dispersal in unsewered areas of the county. It establishes:
1. Minimum standards for and regulation of individual subsurface sewage treatment systems (ISTS) and mid-sized subsurface sewage treatment systems (MSTS) (collectively referred to as subsurface sewage treatment systems or SSTS) in unsewered incorporated and unincorporated areas of Le Sueur County incorporating by reference minimum standards established by Minnesota statutes and administrative rules of the Minnesota Pollution Control Agency (Agency).
 2. Requirements for issuing permits for installation, alteration, repair, or expansion of an SSTS.
 3. Requirements for all SSTS permitted under the revised Minnesota Rules, Chapters 7080 and 7081 to be operated under an approved management plan.
 4. Standards for upgrade, repair, replacement, or abandonment of an SSTS.
 5. Penalties for failure to comply with these provisions.
 6. Provisions for enforcement of these requirements, and
 7. Standards which promote the health, safety, and welfare of the public as reflected in Minnesota Statutes, Sections 115.55; 145A.05; 375.51; 394.21 through 394.37; and 471.82 and the Le Sueur County Land Use Plan and Zoning Ordinance.

B. PURPOSE

The purpose of this Section is to establish minimum requirements for regulation of ISTS and MSTS for the treatment and dispersal of sewage and standards for septage removal, transport, treatment, and disposal within the applicable jurisdiction of the County to protect public health and safety, surface and groundwater quality, and to prevent or eliminate the development of public nuisances. It is intended to serve the best interests of the County's citizens by protecting its health, safety, general welfare, and natural resources.

C. INTENT

It is intended by the County that this Section will promote the following:

1. The protection of lakes, rivers and streams, wetlands, and groundwater in Le Sueur County essential to the promotion of public health, safety, welfare, socioeconomic growth, and development of the County.
2. The regulation of proper SSTS construction, reconstruction, repair, and maintenance to prevent the entry and migration of contaminants, thereby protecting the degradation of surface and groundwater quality.
3. The establishment of minimum standards for SSTS placement, design, construction, reconstruction, repair, and maintenance to prevent contamination, and, if contamination is discovered, the identification and control of its consequences and the abatement of its source and migration.
4. The appropriate utilization of privy vaults and other non-water carried sewage collection and storage facilities.
5. The provision of technical assistance and education, plan review, inspections, SSTS surveys, and complaint investigations to prevent and control water-borne diseases, lake degradation, groundwater related hazards, and public nuisance conditions.

D. AUTHORITY

This Section is adopted pursuant to Minnesota Statutes, Section 115.55; Minnesota Statutes, Sections 145A.01 through 145A.08; Minnesota Statutes, Section 375.51; or successor statutes; and Minnesota Rules, Chapters 7080 through 7083; or successor rules.

E. EFFECTIVE DATE

The provisions set forth in this Section shall become effective [January 1, 2016](#). ~~February 3, 2010~~.

SUBDIVISION 2. GENERAL PROVISIONS

A. SCOPE

This Section regulates the siting, design, installation, alterations, operation, maintenance, monitoring, and management of all SSTS within the County's applicable jurisdiction including, but not necessarily limited to, individual SSTS, cluster or community SSTS, privy vaults, and other non-water carried SSTS. All sewage generated in unsewered areas of the County shall be treated and dispersed by an approved SSTS that is sited, designed, installed, operated, and maintained in accordance with the provisions of this Section or by a system that has been permitted by the Agency.

B. JURISDICTION

The jurisdiction of this Section shall include all lands of the County except for incorporated areas that administer an SSTS program by Ordinance within their incorporated jurisdiction, which is at least as strict as this Section and has been approved by the County. The Department shall keep a current list of local jurisdictions within the County administering an SSTS program.

C. ADMINISTRATION

1. **County**

The Department shall administer the SSTS program and all provisions of this Section. The County shall review, revise, and update this Section as necessary. The County shall employ or retain under contract qualified and appropriately licensed professionals to administer and operate the SSTS program.

2. **State of Minnesota**

- a. Where a single SSTS or group of SSTS under single ownership within one-half mile of each other has a design flow greater than 10,000 gallons per day, the SSTS owner or owner's agent shall make application for and obtain a State Disposal System permit from the Agency. A State Disposal System permit is required for any SSTS with a measured daily flow that equals or exceeds 10,000 gallons per day for a consecutive seven-day time period.
- b. SSTS serving establishments or facilities licensed or otherwise regulated by the State shall conform to the requirements of this Section.

3. **Cities and Townships**

Any jurisdiction within the County that regulates SSTS shall comply with the standards and requirements of this Section. The standards and ordinance of the jurisdiction may be administratively and technically more restrictive than this Section.

D. VALIDITY

The validity of this Section shall not be affected by any invalid part or parts of this Ordinance.

E. LIABILITY

Any liability or responsibility shall not be imposed upon the Department or Agency or any of its officials, employees, or other contract agent, its employees, agents, or servants thereof for damage resulting from the defective construction, operation, or abandonment of any onsite or cluster treatment system regulated under this rule by reason of standards, requirements, or inspections authorized hereunder.

SUBDIVISION 3. GENERAL REQUIREMENTS

A. RETROACTIVITY

1. All SSTS

All provisions of this Section shall apply to any SSTS regardless of the date it was originally permitted.

2. SSTS on Lots Created After January 23, 1996

All lots created after January 23, 1996 must have a minimum of two (2) soil treatment and dispersal areas that can support trenches, seepage beds, mounds, and at-grade systems as described in Minnesota Rules, Chapters 7080.~~2200 through 7080.2260~~ or site conditions described in ~~7081.0270, Subp. 3 through 7.~~ [through 7083, as amended from time to time.](#)

B. UPGRADE, REPAIR, REPLACEMENT, AND ABANDONMENT

1. SSTS Capacity Expansions

Expansion of an existing SSTS must include any system upgrades that are necessary to bring the entire system into compliance with the prevailing provisions of this Section at the time of the expansion.

2. Failure to Protect Groundwater

An SSTS that is determined not to be protective of groundwater, in accordance with Minnesota Rules, Chapter 7080.1500, Subp.4.B, shall be upgraded, repaired, replaced, or abandoned by the owner in accordance with the provisions of this Section within one (1) year of receipt of a Notice of Noncompliance.

3. Imminent Threat to Public Health or Safety

An SSTS that is determined to be an imminent threat to public health or safety, in accordance with Minnesota Rules, Chapter 7080.1500, Subp.4A, shall be upgraded, repaired, replaced, or abandoned by the owner in accordance with the provisions of this Section within [ten \(10\)](#) ~~six (6)~~ months of receipt of a Notice of Noncompliance.

4. Abandonment

Any SSTS, or any component thereof, which is no longer intended to be used, must be abandoned by a licensed installation business and in accordance with Minnesota Rules, Chapter 7080.2500.

C. SSTS IN FLOODPLAINS

An SSTS shall not be located in a floodway, and wherever possible, location within any part of a floodplain, shall be avoided. If no option exists to locate an SSTS outside of a floodplain, location within the flood fringe is allowed if the requirements in Minnesota Rules, Chapter 7080.2270 and all relevant local requirements are met.

D. CLASS V INJECTION WELLS

All owners of new or replacement SSTS that are considered to be Class V injection wells, as defined in the Code of Federal Regulations, title 40, parts 144 and 146, are required by the federal government to submit SSTS inventory information to the Environmental Protection Agency as described in CFR40, part 144. Further, SSTS owners are required to identify all Class V injection wells in property transfer disclosures.

E. SSTS PRACTITIONER LICENSING

1. No person shall engage in site evaluation, inspection, design, installation, construction, alteration, extension, repair, maintenance, or pumping of an SSTS without an appropriate and valid license issued by the Agency in accordance with Minnesota Rules, Chapter 7083 except as exempted in 7083.0700.
 - a. Minnesota Rules, Chapter 7083.0700.B: The County will allow homeowners to install their own systems provided they are non-pressurized systems.
 - b. The system shall be inspected by the Department (Pictures, and/or record drawings in lieu of Department inspection shall be prohibited).

F. PROHIBITIONS

1. **Occupancy or Use of a Structure without a Compliant SSTS**

It is unlawful for any person to maintain, occupy, or use any structure intended for habitation that is not provided with a wastewater treatment system that disposes of wastewater in a manner that does not comply with the provisions of this Section.

2. **Sewage Discharge to Ground Surface or Surface Water**

It is unlawful for any person to construct, maintain, or use any SSTS system regulated under this Section that results in raw or partially treated wastewater seeping to the ground surface or flowing into any surface water. Any surface discharging system must be permitted under the National Pollutant Discharge Elimination System (NPDES) program by the Agency.

3. Sewage Discharge to a Well or Boring

It is unlawful for any person to discharge raw or treated wastewater into any well or boring as described in Minnesota Rules, Chapter 4725.2050, or any other excavation in the ground that is not in compliance with this Section.

4. Discharge of Hazardous Materials

It is unlawful for any person to discharge into any sewage treatment system regulated under this Section any hazardous material that adversely affects the treatment or dispersal performance of the system or groundwater quality.

SUBDIVISION 4. SSTS STANDARDS

A. STANDARDS ADOPTED BY REFERENCE

The County hereby adopts by reference Minnesota Rules, Chapters 7080 and 7081 in their entirety as now constituted and as amended from time to time. This adoption does not supersede the County's right or ability to adopt local standards that are in compliance with Minnesota Statute, Section 115.55.

B. AMENDMENTS TO THE ADOPTED STANDARDS

1. List of Adopted Standards

- a. Type V Systems will not be allowed.
- b. Three (3) feet of vertical separation shall be required for all SSTS.
- c. Systems deemed as failing to protect groundwater shall be updated within one (1) year of receiving a Notice of Non Compliance (NONC).
- ~~d. Systems deemed an Imminent Threat to Public Health (ITPH) shall be updated within six (6) months of NONC.~~
- d. Septic designs must be submitted to the Department within twenty (20) calendar days after receipt of NONC or [Imminent Threat to Public Health](#) (ITPH).
- e. Request to the Department for a septic inspection or soil verification must be received one (1) calendar day prior to the inspection.
- f. Record drawings must be submitted to the Department within five (5) calendar days.
- g. Property transfers with a NONC must be updated within one (1) year of the NONC or within one year of the transfer, whichever occurs first.

- h. If compliance inspections cannot be performed between November 1 and April 30 due to soil conditions and/or weather conditions for property transfers and/or permit requirements, the compliance inspection is required to be submitted to the Department by the following June 1.
 - 1. If the SSTS is determined not to be protective of groundwater, the landowner shall submit a certificate of compliance by the following September 30th.
 - 2. If the SSTS is determined to be an imminent threat to public health or safety, the landowner shall submit a certificate of compliance by the following June 30th.
 - 3. Permits and/or variances may be issued by the County during this period in the County's sole discretion .
- i. The Compliance Inspection shall be the responsibility of the landowner.
- j. [In lieu of a compliance inspection, the landowner shall provide a signed and notarized Waiver to the Department acknowledging that without an inspection the septic system servicing the property is non-compliant.](#)
- ~~k. In all non-shoreland Zoning Districts, any zoning permits requested for the principal structure shall require a compliance inspection.~~
- k. ~~In all shoreland Zoning Districts,~~ [Any](#) zoning permits requested shall require a compliance inspection.
- l. A fifty (50) foot setback is required from the top of the drainage ditch or waters of the state, unless otherwise designated.
- m. A seventy-five (75) foot setback from Type 3 through 8 wetlands.
- n. A ten (10) foot setback from [a septic tank to](#) a pool.
- o. [A twenty \(20\) foot setback from the absorption area to a pool.](#)
- p. No SSTS shall be constructed within thirty (30) feet from the top or the toe of a bluff, SSTS upgrade and/or replacement for an existing dwelling shall be exempt from this standard, however, must not be located within the bluff.
- q. Continued use of an existing treatment tank shall be exempt from the required setback to a structure provided the tank meets all requirements of this Section and shall not be located under or within a structure or other impermeable surface.
- r. Abandonment of an SSTS shall be performed by a licensed installation business.

2. Determination of Hydraulic Loading Rate and SSTS Sizing

Table IX from Minnesota Rules, Chapter 7080.2150, Subp. 3(E) entitled “Loading Rates for Determining Bottom Absorption Area and Absorption Ratios Using Detail Soil Descriptions” and herein adopted by reference shall be used to determine the hydraulic loading rate and infiltration area for all SSTS permitted under this Section.

3. Compliance Criteria for Existing SSTS

- a. An SSTS built before April 1, 1996, outside of areas designated as shoreland areas, wellhead protection areas, or an SSTS providing sewage treatment for food, beverage, or lodging establishments, must have at least two (2) feet of vertical separation between the bottom of the dispersal system and the periodically saturated soil or bedrock.
- b. An SSTS built after March 31, 1996 or an SSTS located in a shoreland area, wellhead protection area, or serving a food, beverage, or lodging establishment as defined under 7080.1100, Subp. 84 shall have three (3) feet of vertical separation between the bottom of the dispersal system and the periodically saturated soil or bedrock. An existing system may be considered compliant under this Section if there is less than a fifteen (15) percent reduction in vertical separation (a separation distance of no less 30.6 inches) to account for the settling of sand or soil, normal variation of separation distance measurements, and interpretation of limiting layer characteristics.
- c. The vertical separation measurement described above shall be measured outside the area of system influence but in an area of similar soil as required in Minnesota Rules, Chapter 7080.1500, Subp.4.

4. Holding Tanks

- a. Holding tanks shall be installed in accordance with Minnesota Rules. Chapter 7080.2290. ~~and Chapter 7081.0240, Subp. 2.E~~
- b. Holding tanks may be allowed for areas only where it can be shown conclusively that a Type 1 SSTS, permitted under this Section, cannot be feasibly installed without a variance.
- c. Holding tanks shall not be allowed for any other wastewater applications except for the following:
 1. Other Establishments
 2. Conforming Accessory Structures.

C. VARIANCES

1. Variance Requests

A landowner may request a variance from the standards as specified in this Ordinance pursuant to county policies and procedures. The standards for the granting of a variance shall be those in this Ordinance, and any additional standards set forth in pertinent statutes and rules of the Agency.

2. Affected Agency

The County may only allow variances to the horizontal setbacks set forth below. Variances that pertain to the standards and requirements of the state of Minnesota must be approved by the affected state agency pursuant to the requirements of the state agency. Variances to wells and water supply lines must be approved by the Minnesota Department of Health.

D. SETBACKS

1. SSTS to structure
 - a. Absorption area ~~to structure~~ 20'
 - b. Tank ~~to structure~~ 10'
2. SSTS to property line 10'
3. SSTS to road Right-Of-Way (ROW) 20'
4. SSTS to road ROW for a nonconforming Lot of Record 10'
5. SSTS to Ordinary High Water Level (OHWL)
 - a. **Natural Environment (NE) Lake**
 1. Special Protection (SP) District 200'
 2. Recreational Residential (RR) District 200'
 3. Recreational Commercial (RC) District 75'
 - b. **Recreational Development (RD) Lake**
 1. Special Protection (SP) District 100'
 2. Recreational Residential (RR) District 75'
 3. Recreational Commercial (RC) District 75'
6. SSTS to Agricultural/ Transitional River, Tributary Stream 100'
7. SSTS to drainage ditch or waters of the state 50'
8. SSTS to Type 3 through 8 wetland 75'
9. SSTS to bluff 30'

- a. SSTS upgrade and/or replacement for an existing dwelling:
 - 1. Shall be exempt from bluff setback.
 - 2. May be located within the bluff impact zone.
 - 3. Shall not be located within the bluff.

- 10. SSTS to pool
 - a. Absorption area ~~10'~~
20'
 - b. Structure 10'

11. SSTS to buried water lines and water supply wells as defined in Minnesota Rules Chapters 4715 & 4725.

SUBDIVISION 5. SSTS PERMITTING

A. PERMIT REQUIRED

It is unlawful for any person to construct, install, modify, replace, or operate an SSTS without the appropriate permit from the Department. The issuing of any zoning permit, variance, or conditional use under the provisions of this Ordinance shall not absolve the applicant of responsibility to obtain any other required permit.

B. PERMIT

- 1. The SSTS owner or owner’s agent shall obtain a zoning permit from the Department prior to the installation, construction, replacement, modification, alteration, repair, or capacity expansion of an SSTS. The purpose of this permit is to ensure that the proposed activity is sited, designed, and constructed in accordance with the provisions of this Section by appropriately certified and/or licensed practitioner(s).

2. Activities Requiring a Permit

A zoning permit is required for installation of a new SSTS, for replacement of an existing SSTS, or for any repair or replacement of components that will alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system’s design, layout, or function.

3. Activities Not Requiring a Permit

A zoning permit is not required for minor repairs or replacements of system components that do not alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system’s design, layout, or function.

4. Permit Required

An SSTS design must be submitted and approved prior to the issuance of a zoning permit for SSTS activity.

5. Conformance to Prevailing Requirements

- a. Any activity involving an existing system that requires a zoning permit shall require that the entire system be brought into compliance with this Section.
- b. Continued use of an existing treatment tank shall be exempt from the required setback to a structure provided the following:
 1. The tank meets tank integrity requirements.
 2. Tank integrity documentation must be submitted by an appropriately certified and/or licensed practitioner.
 3. Shall not be located under or within a structure or other impermeable surface.

6. Monitoring and Disposal Contract

- a. Owners of holding tanks shall provide to the Department a copy of a valid monitoring and disposal contract executed between the owner and a licensed maintenance business, which guarantees the removal of the holding tank contents in a timely manner that prevents an illegal discharge in accordance with Minnesota Rules, Chapter 7082.0100, Subp. 3G.
 1. This requirement is waived if the SSTS owner is a farmer who is exempt from licensing under Minnesota Statutes, section 115.56, subdivision 2 ~~3~~, paragraph (b), clause (3).

7. Permit Requirements for ISTS

- a. Owner name, mailing address, and telephone number.
- b. Property Identification Number and address or other description of property location.
- c. Site Evaluation Report as described in Minnesota Rules, Chapter 7080.1730.
- d. Design Report as described in Minnesota Rules, Chapter 7080.2430.
- e. Management Plan as described in Minnesota Rules, Chapter 7082.0600.
- f. Additional information as deemed necessary by the Department.

8. Permit Requirements for MSTs

- a. Owner name, mailing address, and telephone number.
- b. Property Identification Number and address or other description of property location.
- c. Soil and Site Report as described in Minnesota Rules, Chapter 7081.0200.
- d. Groundwater Investigation as described in Minnesota Rules, Chapter 7081.0210.
- e. Design Report as described in Minnesota Rules, Chapter 7081.0270, Subp. 11.
- f. Operation and Maintenance Plan as described in Minnesota Rules, Chapter 7080.2450 and Chapter 7081.0290.
- g. Management Plan as described in Minnesota Rules, Chapter 7082.0600.
- h. Additional information as deemed necessary by the Department.

9. Application Review and Response

- a. The Department shall review the permit application and supporting documents.
- b. Upon satisfaction that the proposed work will conform to the provisions of this Section, the SSTS owner or owner's agent shall obtain a zoning permit authorizing construction of the SSTS as designed.
- c. In the event the designer makes a significant change to the approved design documentation, the designer must file an amended documentation detailing the changed conditions for approval prior to initiating or continuing construction, modification, or operation for approval or denial.
 1. The Department shall the review of the amended design.
 2. Upon satisfaction that the amended design will conform to the provisions of this Section, the SSTS owner or owner's agent shall obtain a new zoning permit authorizing construction of the SSTS as designed.
- d. If the design, is incomplete or does not meet the requirements of this Section, the Department shall deny the design. A notice of denial shall be provided to the designer, which must state the reason for the denial.

10. Appeal

The SSTS owner or designer may appeal the Department's decision to deny the permit in accordance with the County's established policies and appeal procedures.

C. OPERATING PERMIT

1. SSTS Requiring an Operating Permit

- a. An operating permit shall be required of all owners of new MSTs, Type IV, or any other system deemed by the Department to require operational oversight.
- b. An operating permit shall be required of all owners of existing MSTs, Type IV, or any other system deemed by the Department to require operational oversight upon the following:
 1. Transfer of ownership.
 2. Any replacement, modification or expansion requiring a zoning permit.
 3. Following any SSTS enforcement action.
- c. The SSTS owner shall be responsible for the operating permit.

2. Operating Permit Application Requirements

- a. Application for an operating permit shall be made as provided by the Department including:
 1. SSTS owner name, mailing address, and telephone number.
 2. Property Identification Number.
 3. Permit reference number and date of issuance.
 4. Record drawings.

3. Department Response

If the submitted documents fulfill the requirements, the Department shall issue an operating permit.

4. Operating Permit Terms and Conditions

The operating permit shall comply with Minnesota Rules, Chapter 7082.0600, Subp.2.~~B~~.

5. Operating Permit Expiration and Renewal

- a. Operating permits shall be valid for three (3) years from date of Certificate of Compliance. The Department shall notify the holder of an operating permit at least ninety (90) calendar days prior to expiration.
- b. An operating permit must be renewed thirty (30) days prior to its expiration. If not renewed, the Department will issue a Notice of Noncompliance.
- c. Application shall be made as provided by the Department.

6. Amendments to Existing Operating Permits

The Department may not amend an existing operating permit to reflect changes in this Section until the operating permit term has expired and is renewed, unless an amendment is necessary to eliminate an imminent threat to public health or safety.

7. Transfers

The operating permit may be transferred to the new landowner.

8. Suspension or Revocation

- a. The Department may suspend or revoke any operating permit issued under this Section for any false statements or misrepresentations of facts on which the operating permit was issued.
- b. Notice of suspension or revocation and the reasons for revocation shall be conveyed in writing to the SSTS owner.
- c. If suspended or revoked, the Department will issue a Notice of Noncompliance.
- d. At the Department's discretion, the operating permit may be reissued upon the SSTS owner taking appropriate corrective actions.

9. Compliance Monitoring

- a. Performance monitoring of an SSTS shall be performed by a licensed service provider hired by the holder of the operating permit in accordance with the monitoring frequency and parameters stipulated in the permit.
- b. A monitoring report shall be prepared and certified by a licensed service provider. The report shall be submitted to the Department on or before the compliance reporting date stipulated in the operating permit. The report shall contain a description of all maintenance and servicing activities performed since the last compliance monitoring report as described below:

1. SSTS owner name, mailing address, and telephone number.
2. Property Identification Number.
3. Operating permit number.
4. Average daily flow since last compliance monitoring report.
5. Description of type of maintenance and date performed.
6. If required, analytical laboratory used and results of analyses.
7. Problems noted with the system and actions proposed or taken to correct them.
8. Name, signature, and certification and license number of the licensed professional who performed the work.

D. ABANDONMENT CERTIFICATION

1. Purpose

The purpose of the abandonment certification is to ensure that a treatment system no longer in service is abandoned within a reasonable time following decommissioning and in a manner that protects public health, safety, and water quality. It also terminates all permits associated with the system.

2. Abandonment Requirements

- a. Whenever the use of an SSTS or any system component is discontinued as the result of a system repair, modification, replacement, or decommissioning following connection to a municipal or private sanitary sewer or condemnation or demolition of a structure served by the system, further use of the system or any system component for any purpose under this Section, shall be prohibited.
- b. Continued use of a treatment tank, where the tank is to become an integral part of a replacement system or a sanitary sewer system, requires a written statement by an appropriately certified and/or licensed practitioner.
- c. An owner of an SSTS must retain a licensed installation business to abandon all components of the treatment system. Abandonment shall be completed in accordance with Minnesota Rules, Chapter 7080.2500.
- d. A report of abandonment certified by the licensed installation business shall be submitted to the Department within fifteen (15) calendar days of completed system abandonment.

3. **Certificate of Abandonment**

The Department shall keep on file a copy of the Certificate of Abandonment as submitted by a licensed installation business.

SUBDIVISION 6. MANAGEMENT PLANS

A. PURPOSE

The purpose of management plans is to describe how a particular SSTS is intended to be operated and maintained to sustain the performance required. The plan is to be provided by the certified designer to the SSTS owner when the treatment system is designed.

B. MANAGEMENT PLAN REQUIREMENTS

1. **SSTS Requiring Management Plans**

Management plans are required for all new or replacement SSTS. The management plan shall be submitted to the Department with the permit for review and approval. The Department shall be notified of any system modifications made during construction, and the management plan revised and resubmitted at the time of final construction certification.

2. **Required Contents of a Management Plan**

a. Management Plans shall contain all the information required by Minnesota Rules, Chapter 7082.0600, Subp.1.

b. Other requirements as determined by the Department.

3. **Requirements for Systems not Operated under a Management Plan** as described in Minnesota Rules, Chapter 7082.0100, Subp. 3.(L).

a. SSTS that are not operated under a management plan or operating permit must have their treatment tanks inspected and provide for the removal of solids accumulation at least once every three (3) years as described in Minnesota Rules, Chapter 7080.2450.

SUBDIVISION 7. COMPLIANCE INSPECTION PROGRAM

A. COMPLIANCE INSPECTION

1. **SSTS compliance inspections must be performed:**

a. To ensure compliance with applicable requirements.

- b. Prior to issuance of any zoning permit. ~~within Shoreland Zoning Districts.~~
 - ~~e. Prior to issuance of a zoning permit for single family dwellings or any change in the principle structure in all non-shoreland Zoning districts.~~
 - c. For all new SSTS construction replacement.
 - d. At any time as required by this Section or when the Department deems appropriate, such as upon receipt of a complaint or other notice of a system malfunction.
2. It shall constitute a compliance inspection when a party who is not the SSTS owner conducts an evaluation, investigation, inspection, recommendation, or other process used to prepare a disclosure statement. This process shall be conducted in accordance with Minnesota Rules, Chapter 7082.0700 using the SSTS inspection report forms provided by the Agency.

B. DEPARTMENT RESPONSIBILITY

1. It is the responsibility of the Department, or its agent, to perform various SSTS compliance inspections on new SSTS, for replacement of an existing SSTS, or for any repair or replacement of components that will alter the original function of the system, change the location of the system, or otherwise change the original system's design, layout, or function to assure that the requirements of this Section are met.
2. The Department shall be given access to enter a property at any reasonable time to inspect the SSTS system. As used in this paragraph, "property" does not include a residence or private structure.
3. No person shall hinder or otherwise interfere with the Department's employees in the performance of their duties and responsibilities pursuant to this Ordinance. Refusal to allow reasonable access to the property by the Department shall be deemed a separate and distinct offense.

C. NEW CONSTRUCTION OR REPLACEMENT

1. Compliance inspections must be performed on new or replacement SSTS to determine compliance with Minnesota Rules, Chapters 7080 or 7081. All compliance inspections must be performed and signed by qualified employees. An SSTS found to be noncompliant with other applicable requirements must be repaired or replaced according to the Department's requirements.
2. Soil Verifications-Periodically Saturated Soils Dispute Procedures between a certified licensed business and the Department shall:
 - a. Meet on-site with designer;

- b. If not resolved, meet on-site with another qualified employee from the Department along with the designer;
 - c. If not resolved, hire a Minnesota licensed professional soil scientist who is a certified SSTS designer or inspector at the landowner's expense to make the final judgment.
3. It is the responsibility of the SSTS owner or the owner's agent to notify the Department, one (1) calendar day prior to soil verification and/or inspection of the SSTS.
4. The Department will conduct up to three (3) inspections during construction of the SSTS at such time to assure that the system has been constructed per submitted and approved design.
 - a. If proper notice is received and the Department does not appear for an inspection within two (2) hours after time set, the permittee may complete the installation.
 - b. The permittee shall then file a signed record drawing including photographs of the system prior to covering with the Department within five (5) calendar days that the work was installed in accordance with the submitted design, permit conditions, and that it was free from defects.
5. Signed record drawings shall be submitted to the Department within five (5) calendar days.
6. The Department shall issue a Certificate of Compliance for new SSTS construction or replacement, which shall be valid for five (5) years. The Department must have reasonable assurance that the system was built in accordance with the applicable requirements as specified in the design and permit. The Certificate of Compliance shall become invalid if the Department finds evidence of noncompliance.
7. The Certificate of Compliance must include a certified statement by a certified, licensed inspector or qualified employee who conducted the inspection that the SSTS is or is not in compliance with the Section requirements. If the SSTS is determined not to be in compliance with the applicable requirements, a Notice of Noncompliance shall be issued to the SSTS owner, which includes a statement specifying those Section provisions with which the SSTS does not comply.
8. The Department shall issue the Certificate of Compliance or Notice of Noncompliance to the SSTS owner or the owner's agent within fifteen (15) calendar days of receipt all necessary documentation from the septic installer.

D. EXISTING SYSTEMS

1. Compliance inspections shall be required when any of the following conditions occur:
 - a. Prior to issuance of any zoning permit. ~~within Shoreland Zoning Districts~~

- ~~b. Prior to issuance of a zoning permit requested for all single-family dwellings or change in the principal structure for all non-shoreland Zoning districts.~~
- b. Upon receipt of a variance and/or conditional use permit application.
 - c. When a construction permit is required to repair, modify, or upgrade an existing system.
 - d. Any time there is a change in use of the property and/or expansion of the structure being served by an existing SSTS, which may impact the performance of the system.
 - e. Prior to property sale or transfer.
 - f. At any time as required by this Section or the Department deems appropriate such as upon receipt of a complaint or other notice of a system malfunction.
2. All property conveyances subject to this Section occurring during the period between November 1 and April 30, or when an SSTS compliance cannot be determined due to frozen soil conditions, shall require a compliance inspection by the following June 1 by a licensed inspection business.
 - a. If the SSTS is determined not to be protective of groundwater, the landowner shall submit a certificate of compliance by the following September 30th.
 - b. If the SSTS is determined to be an imminent threat to public health or safety, the landowner shall submit a certificate of compliance by the following June 30th.
 3. Compliance inspections of an existing SSTS shall be documented on the inspection report forms provided by the Agency. Requirements for inspection reports are described in Minnesota Rules, Chapter 7082.0700. Requirements for inspection reports are described in Minnesota Rules, Chapter 7082.0700, Subp. 4(B).
 4. Periodically saturated soils dispute procedure between two (2) certified, licensed businesses as described in Minnesota Rules 7082.0700, Subp. 5.
 5. SSTS that are determined to have operational or monitoring deficiencies must immediately be maintained, monitored, or otherwise managed according to the operating permit.
 6. In lieu of a compliance inspection, the landowner shall provide a signed and notarized Waiver to the Department acknowledging that without an inspection the septic system servicing the property is non-compliant.
 7. The Certificate of Compliance must include a certified statement by a qualified employee or licensed inspection business, indicating whether the SSTS is in compliance with the

Section requirements. If the SSTS is determined not to be in compliance with the applicable requirements, a Notice of Noncompliance must include a statement specifying those Section provisions with which the SSTS does not comply. A permit application must be submitted to the Department if required. The Certificate of Compliance or Notice of Noncompliance must be submitted to the Department and to the SSTS owner or the owner's agent from the licensed inspection business no later than fifteen (15) calendar days after the date the inspection was performed.

8. Certificates of Compliance for existing SSTS shall remain valid for three (3) years from the date of issue unless the Department finds evidence of noncompliance.

F. TRANSFER OF PROPERTIES

1. Whenever a conveyance of land occurs upon which a structure is located that has an existing SSTS, a Compliance Inspection shall be provided by the seller to the buyer at or before the closing date, unless there is a valid Certificate of Compliance on file with the Department.
2. The compliance inspection need not be completed if the sale or transfer involves the following circumstances:
 - a. The affected tract of land is without structures or contains no structures with plumbing fixtures.
 - b. The transfer does not require the filing of a Certificate of Real Estate Value, as described in Minnesota Statutes, Section 272.115, Subdivision 1.
 - c. The sale or transfer completes a contract for deed or purchase agreement entered into prior to June 18, 1996. This subsection applies only to the original vendor and vendee on such a contract.
 - d. Any structures that are connected exclusively to a municipal wastewater treatment system; any structures that are located within the jurisdiction of the County with an approved agreement requiring exclusive connection to a municipal wastewater treatment system; or, any structures that are connected exclusively to an approved wastewater treatment facility other than an individual sewage treatment system.
3. [In lieu of a compliance inspection, the landowner shall provide a signed and notarized Waiver to the Department acknowledging that without an inspection the septic system servicing the property is non-compliant.](#)
4. The responsibility of upgrading the non-complying SSTS shall be that of the landowner.

SUBDIVISION 8. ENFORCEMENT

A. VIOLATIONS

1. Cause to Issue a Notice of Violation

Any person, firm, agent, or corporation who violates any of the provisions of this Section, or who fails, neglects, or refuses to comply with the provisions of this Section, including violations of conditions and safeguards, or who knowingly makes any material false statement or knowing omission in any document required to be submitted under the provisions hereof, shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable as defined by Minnesota State Statutes. Each day that a violation exists shall constitute a separate offense.

2. Notice of Violation

- a. The Department shall serve, in person or by mail, a Notice of Violation (NOV) to any person determined to be violating provisions of this Section. The NOV shall contain:
 1. A statement documenting the findings of fact determined through observations, inspections, or investigations.
 2. A list of specific violation(s) of this Section.
 3. Specific requirements for correction or removal of the specified violation(s).
 4. A mandatory time schedule for correction, removal and compliance with this Section.

3. Cease and Desist Orders

Cease and desist orders may be issued when the Department has probable cause that an activity regulated by this Section or any other Section of this Ordinance is being or has been conducted without a permit or in violation of a permit. When work has been stopped by a cease and desist order, the work shall not resume until the reason for the work stoppage has been completely satisfied, any fees paid as deemed necessary by the Department, and the cease and desist order lifted.

B. PROSECUTION

In the event of a violation or threatened violation of any part of this Section, the County shall enforce the provisions of this Section as provided for and described in this Ordinance.

C. NOTIFICATION OF VIOLATION

The Department shall notify the Agency of any inspection, installation, design, construction, alteration, or repair of an SSTS by a licensed/certified person or any septage removal by a licensed maintainer that is performed in violation of the provisions of this Section or Minnesota Rules, Chapters 7080 or 7081.

D. RECORD KEEPING

The County shall maintain current record records as described in Minnesota Rules, Chapter 7082.0300, Subp.4.

E. FEES

From time to time, the County Board shall, by resolution, establish fees for activities undertaken by the Department pursuant to this Ordinance. Fees shall be due and payable at a time and in a manner to be determined by the Department.

F. INTERPRETATION

In their interpretation and application, the provisions of this Section shall be held to be minimum requirements and shall be liberally construed in favor of the County and shall not be deemed a limitation or repeal of any other powers granted by Minnesota Statutes.

G. SEVERABILITY

If any subdivision, clause, provision, or portion of this Section is adjudged unconstitutional or invalid by a court of law, the remainder of this Ordinance shall not be affected and shall remain in full force.

H. ABROGATION AND GREATER RESTRICTIONS

It is not intended by this Section to repeal, abrogate, or impair any other existing County Ordinance, easements, covenants, or deed restrictions. However, where this Section imposes greater restrictions, the provisions of this Section shall prevail. All other Sections and/or Ordinances inconsistent with this Section, are hereby repealed to the extent of the inconsistency only.

SEPTIC UPGRADE LOAN PROGRAM ADMINISTRATION PLAN

Project Description

The Le Sueur County Board has approved an Ordinance establishing a loan fund to assist property owners in replacing failing septic systems in Le Sueur County. This ordinance permits Le Sueur County to administer loan funds and collect the repayment as a lien against the property in accordance with Minn. Stat. Chapter 115.57, [as amended](#).

Le Sueur County has provided funding to make low interest loans available to the citizens of Le Sueur County to replace non-complying and/or failed septic systems. The loan program does not include new construction systems.

Eligible Participants

Property must be residential property with an existing non-complying and/or failing septic system located within Le Sueur County. Applicant must be the property owner.

Income requirement - none.

Terms of the Loan

Amount eligible - Limited to not more than the total cost of designing and installing a conforming septic system to **\$15,000 maximum**. Applicant may request less than the total cost.

Interest Rate – ~~3%~~ [4%](#)

Term length - Loans up to \$5,000 to be repaid within 5 years. Over \$5,000 may be repaid for up to 10 years.

Administrative fee- ~~\$150~~ [\\$200.00](#). For Recording Fees, Processing Fees, [and, Mortgage Registry Tax](#).

Priority of Lien – In accordance with MS 115.57 subd. 6, “An amount loaned under the program and, assessed against the property shall be a priority lien only against subsequent liens.”

Loan Pre-approval

Loan pre-approval by the Environmental Services Department is required. To qualify for the loan, the following requirements must be confirmed:

Taxes Current - No delinquent taxes may owe on the subject property.

Location - The dwelling that the system serves must be located within Le Sueur County.

Loans will be made available on a first come, first serve basis.

Application:

Must be accompanied by a contractor's estimate. The administrative fee (*does not include septic permit fee*) must be paid at the time of application. The permit must be purchased and issued prior to construction of the replacement system. No loans will be approved for any work on the system that has been done prior to loan approval.

Final loan approval

Is subject to contractor's invoice and Certificate of Compliance of the septic system installed in accordance with Minn. Rules Chapter 7080 and 7081.

Installation Requirements

Site evaluation, design, and installation of septic systems must be performed by a state licensed contractor, with the license applicable to the type of work being performed, of owner's choice.

County septic permit, review, and approval of septic system design required prior to any installation activities.

Final site inspections by County Inspector required.

Repayment of Lien

Repayment - 1st payment due with the first half of the property taxes due the first January after construction has been completed. Semi-annual payments with property tax payment thereafter. May be paid in full at any time with no prepayment penalty. Full payment of lien must be made at time of sale or transfer of property.

Funding Source, Disbursement and Longevity

Initial Funding -

Septic Upgrade Loan - ~~\$500,000 in calendar year 2007~~ [\\$1,500,000.00 in calendar year 2015 or 2016.](#)

To be allocated from Environmental Services Fund.

The County Board will do annual review of the funding allocation use and projected need.

Administrative Fee disposition -

Le Sueur County Environmental Services -

\$ 46.00 Recording Fee

~~\$104.00~~ Administrative cost

[\\$.0023 Mortgage Registry Tax, as amended](#)

Program ends at the resolution of the County Board of Commissioners with any accrued interest to the general fund used to defray the cost of delinquencies or defaults and administrative costs related to the program.

Disbursement system -

1. Contractor and/or property owner submits final bill to Environmental Services.
2. Contractor submits As-Built to Environmental Services Department.
3. Environmental Services Department completes Certificate of Compliance for the system.
4. Environmental Services Department prepares lien documents, has applicant sign and forwards bill and lien documents to Auditors office as authorization to pay contractor.
5. Environmental Services Office sends notice to property owner, a notice that states the following information:
 1. The amount to be specially assessed against the property;
 2. The right of the property owner to repay the entire assessment;
 3. The public official to whom prepayment must be made;
 4. The time within which prepayment must be made without the assessment of interest.
 5. The rate of interest to be accrued if the assessment is not prepaid within the required time period; and
 6. The period of the assessment.

Administrative Plan Amendment

The Le Sueur County Board, when needed, may amend the Septic Upgrade Loan Program Administrative Plan.



Le Sueur County, MN

Tuesday, December 22, 2015

Board Meeting

Item 9

10:30 a.m. 2016 German-Jefferson Financing Workshop

Staff Contact:



Le Sueur County, MN

Tuesday, December 22, 2015

Board Meeting

Item 10

Future Meetings

Staff Contact:

Future Meetings 2015

December 22, 2015	Board Meeting, 9:00 a.m. *10:00 Zoning Ordinance Public Hearing * 10:30 a.m. 2016 German-Jefferson Financing Workshop
December 24, 2015	Offices Close at Noon for Christmas
December 25, 2015	Offices Closed for Christmas
December 29, 2015	No Board Meeting

2016

January 5, 2016	Board Meeting, 9:00 a.m.
January 12, 2016	No Board Meeting
January 14, 2016	P&Z Meeting, 7:00 p.m. Environmental Services Building
January 19, 2016	Board Meeting, 9:00 a.m. *CD #28 and #69 Public Hearing, 10:00 a.m.
January 21, 2016	Board of Adjustment Meeting, 3:00 p.m. Environmental Services Building
January 26, 2016	Board Meeting 9:00 a.m.
February 1, 2015	Board Meeting 9:00 a.m.